

Title of Report:	Community Infrastructure Levy – Draft Charging Schedule
Report to be considered by:	Special Council
Date of Meeting:	6 June 2013
Forward Plan Ref:	C2585

Purpose of Report:

To:

- (a) consider the outcome of the public consultation on the Preliminary Draft Charging Schedule (PDCS)
- (b) seek approval for the publication of the Draft Charging Schedule (DCS) and supplemental documents for public consultation and subsequent submission for Examination in Public
- (c) confirm authority for minor changes to the Draft Charging Schedule and supplemental documents prior to submission

Recommended Action:

- 1. That Council approves the statement of consultation for the PDCS.
- 2. That Council approve the publication of the Draft Charging Schedule and supporting documentation, and subsequent submission for Public Examination.
- 3. That non-material changes as a result of the DCS consultation but prior to submission for Examination can be made by the Head of Planning with the approval of the Portfolio Member for Planning, Transport (Policy), Culture, Customer Services, and Countryside.

Reason for decision to be taken:

To enable the adoption of a Community Infrastructure Levy (CIL) for West Berkshire

Other options considered:

Not to adopt a CIL

Key background documentation:

EX2584 – report to Executive regarding the Preliminary Draft Charging Schedule

The proposals contained in this report will help to achieve the following Council Strategy priorities:

- CSP1 – Caring for and protecting the vulnerable**
- CSP2 – Promoting a vibrant district**
- CSP3 – Improving education**
- CSP4 – Protecting the environment**

The proposals will also help achieve the following Council Strategy principles:

- CSP6 - Living within our means**
- CSP8 - Transforming our services to remain affordable and effective**
- CSP9 - Doing what's important well**

The proposals contained in this report will help to achieve the above Council Strategy priorities and principles by:

Ensuring the adoption of a Community Infrastructure Levy, which will allow the Council to charge a levy on new development from April 2014

Portfolio Member Details	
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Date Portfolio Member agreed report:	10 May 2013

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Implications

Policy: The adoption of a Community Infrastructure Levy allows a levy to be charged on development in West Berkshire. The process is detailed in the report

Financial: To not proceed with the adoption of a CIL Levy for West Berkshire would have a significant financial impact as we will not be able to collect developer contributions on a formulaic basis towards infrastructure after April 2014. CIL is likely to lead to a lower level of contributions received compared to S106 contributions and the impact of this on the funding of the West Berkshire Capital Strategy after 2014 must be assessed.

The introduction of CIL reduces the number of S106 agreements required as a result of planning applications and fee income will be affected.

Personnel: None

Legal/Procurement: There are strict regulatory procedures that must be complied with and failure to do so could lead to a legal challenge

Property: None

Risk Management: CIL Regulations restrict the use of S106 from April 2014. If CIL is not adopted by that date there will be a reduced mechanism in place to seek contributions towards infrastructure from development.

Is this item relevant to equality?	Please tick relevant boxes	Yes	No
Does the policy affect service users, employees or the wider community and:			
• Is it likely to affect people with particular protected characteristics differently?		<input checked="" type="checkbox"/>	
• Is it a major policy, significantly affecting how functions are delivered?		<input checked="" type="checkbox"/>	
• Will the policy have a significant impact on how other organisations operate in terms of equality?		<input checked="" type="checkbox"/>	
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?		<input checked="" type="checkbox"/>	
• Does the policy relate to an area with known inequalities?		<input checked="" type="checkbox"/>	
Outcome (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)			
Relevant to equality - Complete an EIA available at www.westberks.gov.uk/eia			<input type="checkbox"/>
Not relevant to equality			<input checked="" type="checkbox"/>

Is this item subject to call-in?	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval	<input checked="" type="checkbox"/>	
Delays in implementation could have serious financial implications for the Council	<input type="checkbox"/>	
Delays in implementation could compromise the Council's position	<input type="checkbox"/>	
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months	<input type="checkbox"/>	
Item is Urgent Key Decision	<input type="checkbox"/>	
Report is to note only	<input type="checkbox"/>	

Executive Summary

1. Introduction

- 1.1 The Council currently seeks developer contributions to mitigate the impact caused by development in West Berkshire. Contributions are requested by service units during the planning application process and the requirements are detailed in a legal agreement which is completed prior to the granting of planning permission. The legal basis for this is set out in Section 106 of the Town and Country Planning Act 1990, and the agreements are commonly known as S106 Agreements. Contributions received are used by service units to mitigate the impact of the development on the Council's infrastructure and services.
- 1.2 The Community Infrastructure Levy (CIL) Regulations 2010 came into force on 6th April 2010 and allow Councils to set a levy which will be charged on all new development resulting in the creation of one dwelling or any development over 100m².
- 1.3 Although the Regulations do not require any council to adopt a CIL, the regulations currently contain within them a restriction on the use of S106 agreements after April 2014. For this reason it is necessary for the Council to adopt a CIL by that date to avoid the loss of financial resources, currently collected using S106, to mitigate the impact of development.
- 1.4 The first stage of the adoption process for a CIL charge was the production of Preliminary Draft Charging Schedule (PDCS), which set out the proposed rate of CIL to be charged per square metre of new development, and was drawn up by officers having due regard to a CIL Viability Study carried out by external consultants Dixon Searle LLP.
- 1.5 The PDCS was subject to a six week public consultation process which took place from 15th February 2013 to 2nd April 2013, following approval at a meeting of the Council's Executive on 14th February 2013. A total of 36 consultation responses were received from 31 contributing consultees.

2. Conclusion

- 2.1 The consultation responses have all been considered by officers and the Draft Charging Schedule and supporting documentation have been drawn up having due regard to the responses (The statement of consultation is attached at Appendix A). The responses received have not led officers to recommend any change to the rate of CIL to be levied.

3. Recommendations

1. **That Council approves the statement of consultation for the PDCS.**
2. **That Council approve the publication of the Draft Charging Schedule and supporting documentation, and subsequent submission for Public Examination.**
3. **That non-material changes considered necessary by officers prior to submission can be made with the approval of the Portfolio Member for**

**Planning, Transport (Policy), Culture, Customer Services, and
Countryside.**

4. Equalities Impact Assessment Outcomes

4.1 This item is not relevant to equality.

Executive Report

1. Introduction

1.1 The purpose of this report is to provide Members with background information on the Community Infrastructure Levy (CIL) which will be adopted by April 2014. Full Council is asked to approve a Draft Charging Schedule (DCS), and give authority to undertake a 6 week statutory period of public consultation, followed by submission for Examination in Public. The report outlines progress with the project to date including the outcome of the 6 week consultation process on the Preliminary Draft Charging Schedule (PDCS) prior to the production of the DCS and supporting documentation.

2. Background to the Levy

2.1 The Community Infrastructure Levy is intended as a tool to secure contributions from developers towards improvements and enhancements to infrastructure required as a result of development. The exception to this is the provision of affordable housing within the District, which the Government considers should remain within the S106 regime.

2.2 Local authorities can choose whether or not to adopt a CIL, however the CIL Regulations 2010 (as amended by CIL (Amendment) Regulations 2011, CIL (Amendment) Regulations 2012 and CIL (Amendment) Regulations 2013) contain reforms which scale back the use of S106 planning obligations so that they are only to be used to provide affordable housing and to mitigate against direct impacts as a result of specific developments.

2.3 This means that after April 2014 this Council will no longer be able to collect standardised (tariff style) formulaic contributions, whether or not a CIL is adopted. For this reason officers are working towards the adoption of a CIL for West Berkshire in advance of April 2014.

2.4 The level of CIL to be charged can only be set on the basis of evidence based site viability - i.e. what development in the local area can afford to pay. The level of CIL must not inhibit development; otherwise the level of CIL cannot be adopted.

2.5 Once adopted, a CIL charge will be levied at a rate per m² (based on Gross Internal Floorpace) on new development of more than 100 m² of floorpace (net) or where a new dwelling is created (even if it is less than 100m²).

2.6 CIL will be payable within 60 days of commencement of development, although the Regulations allow for an instalment policy to be adopted alongside the CIL if the authority wishes. A draft instalment policy is included in the DCS. The Levy is a charge on the land in the same way as a S106 agreement, and in addition the Regulations contain within them various robust enforcement measures available if payment is not received on time.

2.7 There will be no CIL charge for Change of Use applications unless additional floorpace is created, and no charge for the subdivision of existing dwellings. CIL is also not payable on:

- (a) Structures into which people do not normally go;

- (b) Structures which are not buildings (e.g. pylons / turbines);
- (c) Temporary structures;
- (d) All affordable housing;
- (e) Development for charitable purposes; and
- (f) Applications for development where no buildings are proposed (e.g. mineral extraction sites).

2.8 The CIL rate, once adopted, is non-negotiable, unlike the current method of securing contributions through a S106 agreement. It will be subject to index linking on an annual basis.

3. Process and timescales to date

3.1 Detailed below is the process that has been followed to date

Date / Timescale	Details of Process
Early September 2012 to Mid January 2013	CIL Viability Study
Beginning January 2013 to Mid January 2013	Produce Preliminary Draft Charging Schedule (PDCS)
22nd January 2013 to 14 th February 2013	Member approval process for the Viability Study and PDCS
February and March 2013	Refresh Infrastructure Delivery Plan
15 th February 2013 to 2 nd April 2013	6 week statutory public consultation process on PDCS
Early April 2013 to Early May 2013	Consider consultation responses, amend PDCS if necessary and produce Draft Charging Schedule for publication
Early May 2013 to Early June 2013	Member approval process for the DCS and its submission for Examination

4. Summary of Documentation

4.1 The report has a number of appendices attached, which are of two types:

- (1) For Members approval, as they are documentation for the next stage of the adoption process, or
- (2) For Members information, as they form background and supplementary information from the process so far.

4.2 Documents for Members approval are shown in the table below. The documents are further explained within subsequent sections of the report.

Document	Appendix	Summary of Document
Statement of Consultation	A	Document including all consultation responses to the Preliminary Draft Charging Schedule consultation process and the Council's response to those responses, together with any amendments made to documents as a result. See Section 5 of the report.
Draft Charging Schedule (DCS)	B	Document setting out a brief summary of CIL, and the proposed rates, maps and instalment policy. This document is an updated version of the Preliminary Draft Charging Schedule (PDCS) attached at Appendix H. In order for Members to see the changes made between PDCS and DCS as a result of the consultation, Appendix I is also attached showing the changes made using the tracked changes function. See Section 6 of the report for further information on the Draft Charging Schedule.
Infrastructure Delivery Plan (IDP)	C	Document detailing the infrastructure requirements to enable delivery of homes over the plan period to 2026. See Section 7 of the report.
Infrastructure Delivery Schedule (IDS)	D	Schedule showing the estimated costs of infrastructure required as detailed in Appendix C. See Section 7 of the report.
Draft Regulation 123 List	E	Document setting out how the Council intends to use CIL receipts and in which instances it will continue to use the S106 regime. See Section 8 of the report.
Representations Procedures Statement	F	Document detailing how representations can be made during the next stage of the adoption process. See Section 9 of the report.
Statement of S106 Policy & Receipts	G	Document setting out the level of S106 receipts and delivery of affordable housing over the last 5 years. See Section 10 of the report.

4.3 Documents for Members information are as follows:

Document	Appendix	Summary of Document
Preliminary Draft Charging Schedule (PDCS)	H	The PDCS was approved by a meeting of the Council's Executive on 14 th February and was then subject to a 6 week period of public consultation. This was the public's first opportunity to comment on the proposed adoption of CIL.
PDCS with Track Changes to show the amendments as a result of the consultation process	I	The PDCS was appropriately amended to take account of consultation responses. The PDCS at Appendix I shows the changes made to the PDCS in order to produce the Draft Charging Schedule
Viability Study	J	In order to assess the level of CIL that could be charged on development in West Berkshire, officers appointed Dixon Searle LLP (DSP) to carry out an independent viability study. Their report is attached at Appendix J and the development appraisal assumptions and results are attached at Appendix K
Viability Study Appendices	K	

5. Statement of Consultation on the PDCS

- 5.1 The PDCS was approved by a meeting of the Council's Executive on 14th February 2013 and is attached at Appendix H for information. This was the first opportunity for the public to comment on the adoption of a CIL. A six week public consultation process took place from 15th February 2013 to 2nd April 2013, and a total of 36 consultation responses were received from 31 contributing consultees.
- 5.2 The consultation responses are shown in Appendix A to the report. The responses have been considered by officers and the Council's response is shown alongside, together with any action taken as a result. A summary of the main changes made is shown on the first page of Appendix A. The responses received have not led officers to recommend any change to the proposed rate of CIL to be levied in West Berkshire, or to the differential rate for residential development.
- 5.3 The table below shows the consultees, their main comments and changes made as a result. It should be noted that this table is highly summarised as many responses are lengthy and detailed. The table shows the page numbers of Appendix A where the full response can be found.

Consultee	Sector	Page No's	Summary of Comments	Summary of Council's Response and/or Changes made to Documentation
Mark Knight	Individual	2	Support for CIL	Comment noted

Consultee	Sector	Page No's	Summary of Comments	Summary of Council's Response and/or Changes made to Documentation
Benjamin Walmsley	Individual	46	General comments which relate to the CIL Regulations – outside of the Council's control.	Explanation of CIL Regulations provided
Mark Leedale Planning	Professional	38	No one will build anything on urban land	Comment noted
Berkshire Society of Architects	Professional	43, 45, 55	General comments and questions which relate to the CIL Regulations – outside of the Council's control. Concern re higher rate for AONB	Explanation of CIL Regulations provided
Isabel Carmona	Professional	53	Concern re higher rate for AONB	Explanation of CIL Regulations provided
Morrisons	Retail	3	Retail rate will have an adverse impact on retail development.	Explanation provided to justify reasonable rate proposed
ASDA	Retail	17	Retail rate will have an adverse impact on retail development. Levy has been set at maximum rate. Residual costs not allowed for. Evidence of S106 receipts not provided. Funding Gap not demonstrated. Instalment policy welcomed. Exceptional circumstances policy should be adopted	Explanation provided to justify reasonable retail rate proposed. Funding gap information included in DCS. Explanation of mandatory and discretionary relief policies within DCS
ALDI	Retail	39	DCS should include use classes for retail, for clarity. Viability study should include 'deep discount' retail model. There should be evidence of how CIL will be reviewed in future. Instalment policy welcomed. Exceptional relief policy should be adopted.	Inclusion of Use Classes for retail to DCS to improve clarity Explanation of mandatory and discretionary relief policies within DCS

Consultee	Sector	Page No's	Summary of Comments	Summary of Council's Response and/or Changes made to Documentation
Cumber & Sons	Residential	26	Differential rate map should state that it relates only to residential. Reg123 list should be made available. Concerns about the accuracy and relevance of the IDP. A viability buffer should be incorporated into the viability study. Newbury should not be grouped with the Eastern Urban Area. Concerns about elements of the assumptions made in the viability study.	Titles of differential rate maps amended. Draft Reg 123 list has been produced. IDP has been refreshed and included as supporting documentation. Explanation provided to justify reasonable rates and zones proposed.
Landowner / Developer Consortium	Residential	29	Concerns about the accuracy and relevance of the IDP. Concerns about elements of the assumptions made in the viability study. CIL rate is too high and needs reviewing	IDP has been refreshed and included as supporting documentation. Explanation provided to justify reasonable rates proposed.
Oxford Properties	Residential / Business	34	Support for zero rate for business development and hotels. Concern about how S106 will operate alongside CIL	Further clarification provided in the DCS and in the Reg 123 list about how CIL and S106 will work alongside each other.
Benham Estate	Residential / Business	36	Support for rates for retail and residential only. Agricultural development should not be CIL liable. Retail development in AONB should be zero rated. House extensions of over 100M ² should not pay CIL	Explanation provided to justify reasonable rates and zones proposed. Explanation of CIL Regulations provided.

Consultee	Sector	Page No's	Summary of Comments	Summary of Council's Response and/or Changes made to Documentation
McCarthy & Stone	Retirement	16	Concern expressed that the viability study does not specifically test specialist accommodation for the elderly. An instalment plan is requested	Explanation provided to justify reasonable residential rates proposed. Confirmation that an instalment plan has been proposed
Churchill Retirement Living	Retirement	32	Concern expressed that the viability study does not specifically test specialist accommodation for the elderly.	Explanation provided to justify reasonable residential rates proposed.
Network Rail	Infrastructure Provider	5	Rail infrastructure projects should have access to CIL funding. Rail infrastructure should be exempt from paying CIL	IDP has been refreshed and included as supporting documentation – including references to rail infrastructure. Explanation of CIL Regulations provided.
Thames Water	Infrastructure Provider	13	Thames Water's infrastructure provision should be exempt from CIL. CIL receipts could be used for enhancements to the sewerage network	IDP has been refreshed and included as supporting documentation.
Thames Valley Police (TVP)	Infrastructure Provider	46	Comments regarding the priority assigned to their infrastructure requirements in the IDP	IDP has been refreshed and included as supporting documentation – including amendment to category for TVP Infrastructure
Highways Agency	Infrastructure Provider	48	Would like to discuss any CIL funded road schemes that may impact on the Strategic Road Network	Comment Noted

Consultee	Sector	Page No's	Summary of Comments	Summary of Council's Response and/or Changes made to Documentation
Environment Agency	Government Body	3	No comments	Noted
English Heritage	Government Body	9	CIL funding should be used for improvements to heritage assets. CIL relief should be offered to enable the restoration of heritage assets	IDP has been refreshed and included as supporting documentation.
Health & Safety Executive	Government Body	15	No comments	Noted
Sport England	Government Body	48	Concern re a lack of inclusion of provision for indoor and outdoor sport in the IDP.	IDP has been refreshed and included as supporting documentation.
BBOWT	Government Body	50	Concern re IDP and lack of inclusion of biodiversity and green infrastructure	IDP has been refreshed and included as supporting documentation.
Natural England	Government Body	51	Concern re IDP and lack of inclusion of projects to enhance the natural environment	IDP has been refreshed and included as supporting documentation.
North Wessex Downs AONB	Government Body	54	Support for higher CIL rate in AONB.	Comment noted
Theatres Trust	Government Body	54	Support zero rate for Community and other Uses. Request Assets of Community Value should be eligible for discretionary relief from paying CIL.	Explanation of CIL Regulations provided.
South Oxfordshire District Council	Neighbouring Authority	5	Support for rate and for instalment policy. WBC should consider a buffer allowance to cover unexpected costs.	Explanation provided to justify reasonable rates proposed with specific reference to a buffer allowance.

Consultee	Sector	Page No's	Summary of Comments	Summary of Council's Response and/or Changes made to Documentation
Stratfield Mortimer Parish Council	Parish/Town Council	2	Urge WBC to increase CIL rate and extend to more types of development	Explanation provided to justify reasonable rates proposed.
Newbury Town Council	Parish/Town Council	11	Support for current S106 regime. Allocations to Parish and Town Councils should not be restricted. IDP should be updated regularly. Retail development in Newbury Town Centre should be encouraged. Business development should attract a CIL charge.	Explanation of CIL Regulations provided, and clarification about use of CIL receipts. Explanation provided to justify reasonable rates proposed.
Mark Lewis	West Berkshire Council - Internal	42, 44, 45, 56	Need to work with Parish and Town councils to identify priorities for spend. Percentage allocated to Parish and Town Councils could affect Council's ability to meet statutory duties. General comments and questions which relate to the CIL Regulations – outside of the Council's control. Concern re large sites with multiple developers. Concern that instalment plan will affect delivery of infrastructure.	Explanation of CIL Regulations provided, and clarification about use of CIL receipts. Explanation of instalment policy
Sarah Orr	West Berkshire Council - Internal	55	Differential rate map should be available on the Council's online mapping system	Will be actioned once CIL is adopted

5.4 RECOMMENDATION A: Council is asked to approve the Statement of Consultation for the Preliminary Draft Charging Schedule.

6. Draft Charging Schedule

6.1 Appendix H is the Preliminary Draft Charging Schedule (PDCS) which was subject to a public consultation process between 15th February and 2nd April. Appendix I is attached to the report for information and shows the changes made to the PDCS following the consultation process in order to produce the Draft Charging Schedule.

6.2 The Draft Charging Schedule is attached at Appendix B to the report. It contains a brief summary explanation of CIL, how CIL will operate alongside the S106 regime, the evidence used to arrive at the rate of CIL proposed to be charged and other supplementary information available, the charging schedule itself, a map showing the differential rate for residential development, an instalment policy, and 11 further Parish Maps where more than one rate is chargeable within parish boundaries.

7. Infrastructure Delivery Plan

7.1 The Infrastructure Delivery Plan (IDP) was initially drawn up as a supporting document to the West Berkshire Local Plan Core Strategy, and detailed the infrastructure required to support the development in the plan period, to 2026. It has been refreshed during February and March 2013 to ensure that it shows an accurate representation of the details and costs of infrastructure required to be funded either fully or partly by the CIL. The refresh involved contacting all service units, infrastructure providers and all Parish and Town Councils. The Infrastructure Delivery Plan (March 2013) is attached at Appendix C, and the supporting Infrastructure Delivery Schedule, detailing the projects and schemes (together with cost estimates provided by the service providers) is attached at Appendix D.

7.2 The Government does not intend that the CIL will meet all the costs of the identified infrastructure, rather that it will be used to help fill the gap between the requirements for infrastructure and the other sources of funding available. This is indeed the case in West Berkshire. The IDP shows a gross funding requirement in excess of £257million. Funding already earmarked, or expected to be available totals £93.8million, leaving a shortfall in funding, or 'Funding Gap' of £163.5million.

7.3 Funding Gap Analysis

	A	B	C	D	E	F	G
Spatial Area	Additional Housing Required 2014 – 2026 ⁽¹⁾	CIL Rate per m ²	Estimate of Floorspace created (M ²)		Anticipated CIL Receipt		Net Funding requirement from IDP
			Minimum ⁽³⁾	Maximum ⁽⁴⁾	Minimum (B x C)	Maximum (B x D)	
Newbury / Thatcham ⁽²⁾	2,200	£75	99,000	275,000	£7.425m	£20.625m	
Eastern Urban Area	690	£75	31,050	86,250	£2,329m	£6.469m	
East Kennet Valley	260	£125	11,700	32,500	£1.462m	£4.062m	
North Wessex Downs AONB	670	£125	30,150	83,750	£3.769m	£10.469m	
TOTALS	3,820		171,900m²	477,500m²	£14.985m	£41.625m	£163.5m

Notes to Table:

1. Additional Housing requirement taken from Infrastructure Delivery Plan Table 2.1 'Anticipated additional housing requirement 2014-2026'
2. Housing Requirement includes 1,000 planned for Sandeiford Strategic Site within the plan period
3. Minimum floorspace based on dwelling size of 1bed private flat, taken from DSP viability study Figure 4: Residential Unit Sizes
4. Maximum floorspace based on dwelling size of 4bed private house, taken from DSP viability study Figure 4: Residential Unit Sizes

7.4 The above analysis shows that CIL will only contribute a small proportion of the funds needed to pay for the infrastructure required over the remainder of the plan period to 2026.

Net Funding Requirement from Infrastructure Delivery Plan	£163.5 million (Column G)
Shortfall based on Minimum CIL Receipt (Column G minus Column E)	£148.5 million
Shortfall based on Maximum CIL Receipt (Column G minus Column F)	£121.9 million

7.5 Given that the likely scale of development in terms of unit size cannot be accurately predicted, the above calculation shows a significant shortfall even if the largest homes are delivered over the plan period.

8. Initial Draft Regulation 123 List

8.1 The document attached at Appendix E is the first initial draft of a 'Regulation123' list. It is so named because the requirement for this document is set out in Regulation 123 of the CIL Regulations 2010 (as amended). The regulation requires the Council to demonstrate that there is no 'double dipping' of developer contributions. A developer cannot be forced to pay twice for the same item of infrastructure through the S106 regime and through CIL.

8.2 In addition this regulation also restricts the Council from pooling S106 contributions as it does at present using its highly successful developer contributions procedure (a separate report being considered at this meeting is concerned with the Developer Contributions SPD). Because of this restriction, this Council intends that CIL will be used to collect contributions towards infrastructure with the exception of on-site infrastructure and services required as the result of a large development, for instance the development planned for Sandeiford.

8.3 The Regulation 123 list sets out how this Council will spend CIL receipts and in which instances it will continue to use the S106 regime.

9. DCS Representations Procedure Statement

9.1 The DCS Representations Procedure Statement is attached at Appendix F. This statement details how and when the public can make representations on the DCS, how the public may request to appear at the Examination, and how they can request to be kept informed of the progress of the adoption of a CIL. This document is prescribed in Regulation 16 of the CIL Regulations 2010 (as amended).

10. S106 Statement

10.1 The S106 Statement is attached at Appendix G. It sets out the level of S106 receipts for the last 5 years, in order to provide an indication of developer contributions usually received by this authority. It also shows delivery of affordable housing over the same time period.

10.2 RECOMMENDATION B: Council is asked to approve the Draft Charging Schedule and supporting documentation for publication, consultation and subsequent submission for Public Examination.

11. Timescales for, and process to be followed through to Adoption of a CIL for West Berkshire

11.1 Detailed below is the work that is still needed to be done in order to adopt a CIL. The stages to be followed are set out in the CIL Regulations.

Date / Timescale	Details of Process
Early June 2013 to Mid/Late July 2013	6 week statutory public consultation on Draft Charging Schedule
End July 2013	Submit Draft Charging Schedule for Examination
October 2013	Public Examination
Expected by end of 2013	Examiner's report received
End January 2014 to 4 th March 2014	Examiner's report and adoption of CIL to Members (dependant on timing of Examiner's report)

11.2 The DCS, together with the supporting documentation as approved by Council, will be subject to a 6 week statutory public consultation process as set out above.

11.3 The consultation responses will be considered prior to submission of the DCS.

11.4 RECOMMENDATION C: Council is asked to approve that non-material changes considered necessary by officers prior to submission can be made with the approval of the Portfolio Member for Planning, Transport (Policy), Culture, Customer Services, and Countryside.

Appendices (provided electronically only)

Appendix A – Statement of Consultation for Preliminary Draft Charging Schedule
Appendix B - Draft Charging Schedule
Appendix C – Infrastructure Delivery Plan
Appendix D – Infrastructure Delivery Schedule
Appendix E – Initial Draft Regulation123 List
Appendix F – DCS Representations Procedure Statement
Appendix G – Statement of S106 developer contributions receipts
Appendix H – Preliminary Draft Charging Schedule
Appendix I – Preliminary Draft Charging Schedule with Tracked Changes
Appendix J – CIL Viability Study including Executive Summary
Appendix K – CIL Viability Study – Development Appraisal Results

Consultees

Local Stakeholders:

Officers Consulted: Planning Policy, Legal, Corporate Board

Trade Union: