

CIL

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SUMMARISED:



Draft Community Infrastructure Levy Charging Schedule – Form for Representations

Please enter your personal details below

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Representations on the draft Community Infrastructure Levy (CIL) Charging Schedule should relate to either the level of the charge or its variance across Mid Devon, or to the supporting evidence.

What aspect of the draft CIL Charging Schedule does this representation relate to?
(Fill in one box).

PLEASE SEE ATTACHED

Paragraph	
Omission, General, Other (please specify)	

Please explain below why this part of the draft CIL Charging Schedule is incorrect or inappropriate

Please explain, as clearly as possible, how the draft CIL Charging Schedule should be altered to make it correct or appropriate

If you are unsatisfied with the supporting evidence to the draft CIL Charging Schedule please explain, as clearly as possible, why the evidence is unsatisfactory

Please indicate whether you:

- Wish to appear at the Examination
- Wish to be notified that the draft charging schedule has been submitted to the Examiner in accordance with section 212 the Planning Act 2008
- Wish to be notified of the publication of the recommendations of the Examiner and the reasons for those recommendations
- Wish to be notified of the adoption of the charging schedule by the charging authority.

Please return completed forms to Programme Officer, Forward Planning, Mid Devon District Council, Phoenix House, Phoenix Lane, Tiverton EX16 6PP or email to programmeofficer@middevon.gov.uk

Data Protection Act. Please note that this information on this form will be entered onto a database and the paper copies retained on file. The information will be used for the purposes of Town and Country Planning and may be viewed by any person for such purposes.

The text of the draft CIL Charging Schedule and the supporting evidence can be seen on the Council's website at www.middevon.gov.uk/cil

**Draft Community Infrastructure Levy Charging Schedule
Representations from RABI c/o Jackson-Stops & Staff**

14th August 2012

We believe the proposed CIL Rate of £90 per sq. mtr. per dwelling houses (C3) is an excessive level bearing in mind the current state of the market; market conditions in Mid Devon being different from other parts of the South West (lower sales values achieved); and still does not take account of potential abnormal costs which a lot of Mid Devon development has to incur due to topography of the area.

Looking at neighbouring districts who have already produced draft CIL Charging Schedules, and have had Consultation upon them, the following appears pertinent:

- Exeter City Council – As a result of Consultation has reduced their CIL charges by 20% so that for residential dwellings it is now £80 per sq. mtr. Exeter is a higher sales value area than Mid Devon and therefore puts Mid Devon into context as being too high. With a very broad brush analysis of EX1, EX2, EX4 postcodes for Exeter based on Rightmove evidence simply from transactions from April 2012 show that the average house price in Exeter is £204,105, whereas the comparative data from EX15, EX16 and EX17, (Cullompton, Tiverton, Crediton), equates to £192,983. This clearly shows that Exeter has a higher average house value than the three major towns in Mid Devon and still manages to set a lower CIL charge rate based on the viability of development coming forward.

We are greatly concerned that if the CIL charge is set at £90 per sq. mtr. this will reduce the amount of development coming forward due to viability grounds, and therefore restrict the amount of development Mid Devon is able to deliver, including that of Affordable Housing.

- Plymouth City Council – In June 2012, Plymouth City Council produced a revised CIL Charging Schedule whereas previously they had a sliding scale of £30 to £60 per sq. mtr. for residential dwellings, they have now changed it to £30 a sq. mtr. CIL Charge for essential dwellings. Again, significantly lower than the Mid Devon proposed rate of £90 per sq. mtr.

In our view the evidence put forward by Fordham, and indeed Roger Tym and Partners is still flawed in-as-much-as its development assumptions and the level at which development becomes viable and landowners wish to sell land.

Clause 2.19 of the draft Charging Schedule includes that the Council's proposed CIL Charge of £90 per sq. mtr. and states that the CIL allows for average Affordable Housing provision to exceed recent average levels. In terms of what is a recent average level, our understanding is Mid Devon are achieving between 20% and 25% Affordable Housing which is in general terms acceptable and viable; however, this is on the basis of lower total Section 106 costs than the proposed CIL Charge would provide for. Clearly this shows that with CIL coming in at £90 per sq. mtr., the average Affordable Housing provision will actually drop below that currently provided, which is not acceptable; or the District Council must have to accept that their Affordable Housing delivery will take a lesser priority to that of CIL.

We believe the CIL Charging Schedule should be altered to a level of between £60-£70 per sq. mtr. to be more in line with neighbouring Local Authority's and reflect the relevant market conditions and circumstances specific to Mid Devon. At this level we believe development will continue to be viable and Affordable Housing can be delivered at current average rates.

Instalments Policy

Our view on the instalments policy is as follows:

- It should not be seen that smaller sites suffer any less from the same problems of viability and cashflow than larger sites. To therefore have a full payment within a certain date of the commencement date for smaller charges, (unless this charge threshold is say £5,000), is not acceptable. Our recommendation would be for developments of £5,000 and below, full payment is required within 90 days of the Commencement Date. However, for charges of £5,000 and above there is a pro-rata instalment mechanism in place.
- We note that Plymouth Council have not been included as a proposed instalment policy example, whereby theirs is as follows:
 - Under £15,000 must be payable in full within 90 days.
 - £15,000 to £50,000 is 25% within 90 days, 50% within 270 days and 25% within 360 days.
 - £50,000 to £100,000 is 25% within 90 days, 50% within 360 days and 25% within 540 days.
 - Excess of £100,000 is 25% within 90 days, 25% within 270 days, 25% within 540 days and 25% within 720 days.
- In our view the Plymouth City Council Instalment Policy represents a more reasonable and relevant payment plan, and will be the one that we would suggest is considered by the Mid Devon District Council as being appropriate.