

COMMUNITY INFRASTRUCTURE LEVY – DRAFT CHARGING SCHEDULE

Representation of West Manley Lane Conservation Group

West Manley Lane Conservation Group (WMLCG) is pleased to submit its comments on the CIL Draft Charging Schedule (CILDCS).

It is understood that this representation need not follow the format outlined in the 'Form for Representations'.

CILDCS Para 1: INTRODUCTION

In its introduction, the document confirms that these *"developer contributions"* are intended *"to ensure that the community infrastructure needed to support development is provided"* and that *"CIL will be payable on all new development"*. However, if the proposed development cannot be viable if charged a suitable CIL, it suggests that the financial integrity of the proposal is unsound to begin with and that not to charge an appropriate CIL is allowing it to progress on the cheap for whatever reason.

CILDCS Para 2: EVIDENCE TO SUPPORT DRAFT CHARGING SCHEDULE

It would appear that the evidence that MDDC relies upon to support its proposed charging level has been provided by three reports all of which have been commissioned by MDDC.

The Fordhams study of 2009 was updated by a second Fordhams study in 2011 and we are told made recommendations to MDDC that the original charge proposed of £10,000 per dwelling should remain the same.

Roger Tym & Partners was commissioned by MDDC to consider non-residential CIL viability. We are told they recommended that all forms of non-residential development apart from major retail would not be viable if CIL charge was implemented. Who was the *"local developer"* who provided *what* information? In the interests of transparency, WMLGC thinks it is important that the *"local developer"* be named: from an objective perspective it would seem obvious that any local developer would *not* wish to be charged CIL.

Roger Tym & Partners together with Baker Associates were also commissioned by the Council to look at further economic viability if CIL were introduced. We are told that evidence was provided by *"local stakeholders"*. Who are these local stakeholders and what is their motivation in keeping CIL low or at a zero level? As outlined in the previous paragraph, such *"local stakeholders"* should be identified.

To the knowledge of WMLCG, none of these studies have been made available to the public. We have not been provided with the terms of reference or the exact brief that both firms of consultants were given.

Without reviewing the study terms of reference it is therefore questionable whether these studies and their subsequent reports were made at 'arms length'. How much were the consultants paid in order to confirm what the Council already had put in place? It is understood that both studies were conducted in the first half of 2011 since when the financial landscape has continued to worsen. To what economic predictive model were these consultants working?

CIL Para 2: NON RESIDENTIAL VIABILITY

In its **Preliminary Draft Charging Schedule**, the MDDC had "*Large Scale Retail*" ("large supermarket retail over 500sq m") with a proposed CIL/sqm at £250. Without sight of the consultants' report it is difficult to understand why this has been reduced to zero.

CIL Para 2: PROPOSED CIL RATE

Similarly, why it is that all other retail and businesses B1, B2, B8 be classified at zero? Surely all businesses should contribute to the improved infrastructure including the Open Space and Green Infrastructure Strategy in the region. Any new development will contribute positively (or negatively) to the modification of the environment into which it is placed and should therefore play its financial part to "*secure local infrastructure*" (*CILDCS Para 1.3*).

As CIL appears to be a means of raising capital for the MDDC, it would not seem unreasonable to charge *all* proposed development on a sliding scale from £100 to £250 per sqm based on its nature, usage, position and effect on the surroundings.

CIL Para 4: NEXT STEPS

WMLCG wish to be notified

- a. when the draft charging schedule is submitted to the Examiner,
- b. of the publication of the Examiner's recommendations,
- c. of the adoption of the charging schedule.

Dr Roger W Whittlesey

For and on behalf of West Manley Lane Conservation Group.

17th August 2012