



Lambeth Council

COMMUNITY INFRASTRUCTURE LEVY (CIL)

STATEMENT OF COMPLIANCE

November 2013

Title	Document Purpose
Statement of Compliance	Supporting document to demonstrate Lambeth Council's compliance with the requirements.
Examination Document Reference	DCS/03

Background

This statement has been produced to demonstrate Lambeth Council's compliance with the requirements set out in the Planning Act 2008, the CIL Regulations 2010 (as amended) and DCLG guidance (April 2013).

Compliance

Legislation relating to the introduction of CIL is set out in Part 11 of the Planning Act (2008) as amended by the Localism Act (2011). The provisions relating to the examination of a CIL Draft Charging Schedule are set out in the following section:

Section 212 Charging schedule: examination

The Planning Act (2008) allows for the production of CIL regulations. These are contained in The Community Infrastructure Levy Regulations (2010) as amended by The Community Infrastructure Levy (Amendment) Regulations (2013).

The regulations that apply to the processes involved in progressing the CIL Draft Charging Schedule to examination are as follows:

- Regulation 12 Format and content of charging schedules
- Regulation 13 Differential rates
- Regulation 14 Setting rates
- Regulation 15 Consultation on a preliminary draft charging schedule
- Regulation 16 Publication of a draft charging schedule
- Regulation 17 Representations relating to a draft charging schedule
- Regulation 18 Withdrawal of a draft charging schedule
- Regulation 19 Submission of documents and information to the examiner
- Regulation 20 Consideration of representations by examiner
- Regulation 21 CIL examination: right to be heard

The Council has prescribed to and dealt with other matters set out in the Department of Community and Local Government's Community Infrastructure Levy Guidance (April 2013).

Planning Act 2008

Section 211	<p>In setting the rates and preparing the Draft Charging Schedule Lambeth Council has had regard to the actual and expected costs of infrastructure; the economic viability of development; other actual or expected sources of funding for infrastructure; the actual or expected administrative expenses in connection with CIL and the Statutory Guidance Lambeth Council has consulted with a range of stakeholders in preparing the Draft Charging Schedule, with formal consultations as follows:</p> <ul style="list-style-type: none"> • Preliminary Draft Charging Schedule: 1 October 2012 to 3 November 2012 • Draft Charging Schedule: 1 July 2013 to 12 August 2013
Section 212	<p>The Inspectorate is independent of the Council being a Planning Inspector provided by the Planning Inspectorate and has appropriate experience and expertise.</p>

The Community Infrastructure Levy Regulations 2010 as amended

Reg 12	<p>The Draft Charging Schedule contains the information required by the Regulations including:</p> <ol style="list-style-type: none"> (a) the name of the Charging Authority; (b) the rates in pounds per square metre at which CIL is to be charged in the authority's area (c) an OS map with National Grid lines and reference numbers which identifies the location and boundaries of the charging zones; (d) an explanation of how the chargeable amount will be calculated.
Reg 13	<p>Lambeth Council's differential levy rates are in compliance with Regulation 13, which enables charging authorities to set differential rates (including nil rates) by location and different intended use of development.</p>
Reg 14	<p>In setting its levy rates, Lambeth Council has complied with Regulation 14(1), which requires that it, <i>"must aim to strike what appears to the charging authority to be an appropriate balance between (a) the desirability of funding from CIL (in whole or in part) the actual and expected estimated total cost of infrastructure required to support the development of its area, taking into account other actual and expected sources of funding; and (b) the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area."</i></p> <p>The following appropriate available evidence has informed the Draft Charging Schedule</p> <ul style="list-style-type: none"> • Lambeth Council Core Strategy (February 2013) • Community Infrastructure Levy Infrastructure Study December

	<p>2011</p> <ul style="list-style-type: none"> • Lambeth Viability Assessment by BNP Paribas <i>Stage 1 Assessment (September 2012)</i> <i>Stage 2 Assessment (July 2013)</i> □ Preliminary Draft Charging Schedule (November 2012) <p>The above mentioned documents are available on the Council's Website.</p>
Reg 15	<p>Lambeth Council issued a CIL Preliminary Draft Charging Schedule for consultation between 1 October 2012 and 3 November 2012.</p> <p>Letters containing copies of the CIL Preliminary Draft Charging Schedule and inviting representations on it were forwarded to the consultation bodies (including adjoining Local Planning Authorities / Greater London Authority / Community and Business Group / persons who are resident and carrying on business / voluntary bodies whose activities benefit the Lambeth area / bodies who represent the interests of persons carrying on business in London Borough of Lambeth area.</p> <p>The Council invited representations from persons and organisations who were on the Lambeth Council's consultation database, who received a summary newsletter outlining the proposals contained in the Preliminary Draft Charging Schedule. The summary newsletter and Preliminary Draft Charging Schedule were made available for inspection at the Town Hall and Phoenix House, libraries and on the Council's website. A Council press release led to articles a series of articles in the local press.</p> <p>The Council has published a summary of comments received and its response to them, on its website. A number of comments received contained evidence that resulted in changes to the proposed CIL charges.</p>
Reg 16	<p>The Draft Charging Schedule was published with a statement of the representation procedure, a response form and relevant evidence all published on the Council's website on 1 July 2013 and hardcopies made available at all Town Hall, Phoenix House and libraries for inspection.</p> <p>A copy of the draft charging schedule and a statement of the representations procedure were sent to the consultation bodies.</p> <p>A local advertisement was placed local papers covering the whole of the London Borough of Lambeth.</p>

Reg 17	<p>The Council further invited representations from persons and organisations who were on the Lambeth Council's consultation database, on the Draft Charging Schedule, who received a summary newsletter on the changes in approach from the Preliminary Draft Charging Schedule. The summary newsletter and Draft Charging Schedule were made available for inspection at the Town Hall and Phoenix House, libraries and on the Council's website. A Council press release led to articles a series of articles in the local press.</p> <p>The period for representations on the Draft Charging Schedule was 1 July 2013 to 12 August 2013</p> <p>Representations from 26 individuals / organisations were received.</p>
Reg 18	<p>The Council has not withdrawn its Draft Charging Schedule therefore this regulation does not apply.</p>
Reg 19	<p>Lambeth Council has submitted the following documents to the Examiner Planning Inspectorate) on 18 November 2013 in both paper and electronic form (where practicable to do so)</p> <ul style="list-style-type: none"> • the Draft Charging Schedule • a summary of the main issues raised by representations to the Draft Charging Schedule • copies of the representations made on the Draft Charging Schedule • copies of the relevant evidence <p>Copies of the Draft Charging Schedule and supporting documents were made available at all Civic Offices and libraries from the 1st November 2013 (in compliance with (19(3) "<i>as soon as practicable after a charging authority submits</i>"). All documents were published on the Council's website and a statement of the fact that the documents were available for inspection.</p> <p>All persons who submitted responses to the CIL Draft Charging Schedule were notified of its submission on 1st November 2013</p>

Reg 21	<p>The Council received 4 requests to be heard by the Examiner within the period for making representations to the Draft Charging Schedule.</p> <p>The Council will publish the time and place of the CIL examination and the name of the Examiner on its website on and notified all persons who made representations in accordance with Regulation 17.</p> <p>An advert will be placed in newspapers covering the all the London Borough of Lambeth stating the time and place of the CIL examination and the name of the examiner.</p> <p>This statement will be updated to included additional information on compliance with Regulation 21.</p>
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Department of Community and Local Government CIL Guidance (April 2013)

Para 4	<p>The Lambeth CIL Draft Charging Schedule is consistent with and will support the implementation of the Lambeth Core Strategy and the emerging Lambeth Local Plan, which includes the London Plan. Lambeth Council has had regards to the relevant national planning policy (including the National Planning Policy Framework) in drafting the CIL Draft Charging Schedule.</p>
Paras 6 & 8	<p>Policies and Annex 2: Infrastructure Programmes and Schedule of Lambeth Core Strategy (adopted January 2011) and the Summary of Evidence (July 2013 – as amended), shows and explains how Lambeth Council's proposed CIL will contribute towards the implementation of the Lambeth Council spatial strategy and strategic policy objectives. The Lambeth CIL Draft Charging Schedule Summary of Evidence (July 2013 – as amended), CIL Viability Study (November 2012) and Regulation 19(b): Statement of Consultation (November 2013) shows that the proposed CIL rates should not threaten the delivery of the Core Strategy. The Summary of Evidence (July 2013 – as amended) also shows the link between economic viability and infrastructure planning.</p>
Para 12	<p>The infrastructure required to support development set out in Lambeth Core Strategy is identified in table in Annex 2: Infrastructure Programme and Schedule of the Lambeth Core Strategy. The estimated total cost of infrastructure is set out in the Summary of Evidence (July 2013 – as amended). By using appropriate available evidence, the total cost of infrastructure required takes into consideration projects that have been completed since the adoption of the Core Planning Strategy, additional projects subsequently identified, and updates to funding sources or costs. The council has also prepared for the purposes of the examination Draft Revised Planning Obligations Supplementary Planning Document (July 2013) to clarify the relationship between planning obligations, planning conditions and Lambeth CIL.</p>

Para 13	The council's Infrastructure Needs are clearly set out in Table in Annex 2 of Lambeth Core Strategy (adopted January 2011).
Para 15	<p>The council has set out in its draft Regulation 123 List of projects or types of projects that will be funded by CIL. This is supported by the Infrastructure Delivery Plan, Annex which lists projects with funding gaps, and means to close funding gap, and whether a project is considered CIL fundable or not.</p> <p>The Council has prepared a draft revised S106 planning obligations Supplementary Planning Document, that sets out its approach to planning obligations following the adoption of CIL.</p>

Conclusion:

This statement demonstrates that Lambeth CIL Draft Charging Schedule is compliant with the requirements set out in the Planning Act 2008, the CIL Regulations 2010 (as amended) and DCLG guidance (April 2013).