

Community Infrastructure Levy

Declaration required under Planning Act 2008, Section 212, subsection 4 & 5

New Forest District Council hereby declares that:

- (a) as the charging authority it has complied with the requirements of Part 11 of the Planning Act 2008 and the Community Infrastructure Levy, (CIL), Regulations 2010 as amended by the CIL Regulations 2011 (including the requirements to have regard to the matters listed in section 211 (2) and (4) of the 2008 Act),
- (b) as the charging authority it has used appropriate available evidence to inform the draft charging schedule, and
- (c) that any other matters prescribed by CIL Regulations 2010 as amended have been dealt with.

Subsection (4) of the planning act requires that:

- (a) the charging authority has complied with the requirements of this Part and CIL regulations (including the requirements to have regard to the matters listed in section 211(2) and (4)),
- (b) the charging authority has used appropriate available evidence to inform the draft charging schedule, and
- (c) dealing with any other matter prescribed by CIL regulations.

Subsection (5) requires that this declaration was presented and approved:

- (a) at a meeting of the authority, and
- (b) by a majority of votes of members present.

This Declaration was presented and approved by a majority of the members present at a meeting of New Forest District Cabinet meeting on 6 June 2012 and Council meeting on 18 June 2012. A copy of the minutes of these meetings is available on the Council's website at www.newforest.gov.uk.

Signed:

Name: Cllr F. P. VICKERS

Position: Portfolio Holder Planning & Transportation

Date: 03. 07. 12

Compliance with the legislative requirements for preparing and submitting a Draft Charging Schedule

The charging authority has complied with the requirements of this Part and CIL regulations (including the requirements to have regard to the matters listed in section 211(2) and (4)).

Regulation Number	The Community Infrastructure Levy Regulations, 2010 as amended by the CIL Regulations 2011
	Method of Compliance
12	The Draft Charging Schedule contains the information required by the Regulations, namely (a) the name of the charging authority; (b) the rates (in pounds per square metre) at which CIL is to be chargeable in the authority's area; (c) the location and boundaries of the zones for differential rates, on an Ordnance Survey base showing grid lines and references; and (d) an explanation of how the chargeable amount will be calculated.
13	New Forest District Council's differential Levy rates are compliant with Regulation 13, which enables charging authorities to set differential rates (including nil rates) by location and type of development.
14	In setting its differential Levy rates, New Forest District Council has complied with Regulation 14(1), which requires that it, "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." The balance of these considerations is detailed in the "charging schedule", which has been available on the Council's website since January 2012.
15	<p>A Preliminary Draft Charging Schedule was approved on 4 January 2012 and published on 19 January 2012, together with the accompanying evidence base and notes. Consultation occurred in accordance with the Regulations over the period 19 January 2012 to 27 February 2012 with the prescribed consultation bodies, namely:</p> <ul style="list-style-type: none"> • All Parish and Town Councils in New Forest District • All adjoining local planning authorities <p>Comments were also invited from residents , businesses and voluntary bodies, including:</p> <ul style="list-style-type: none"> • All developers, agents, landowners and interested parties • Statutory LDF consultees, including the Homes and Communities Agency • Local interest groups • The public – a press release was issued and a copy of the Preliminary Draft was made available in all public libraries, in all Customer Service Points in the New Forest District, in all the Council's area headquarters and on the Council's website.

	<p>24 responses were received on the Preliminary Draft Charging Schedule (PDCS). These informed the preparation of the Draft Charging Schedule, and was reported to New Forest District Council's Cabinet on 4 April and Council on 16 April. Full details are contained in the "Report of Preliminary Draft Charging Schedule Consultation" available on the Council's website.</p>
16	<p>In accordance with the Regulations, the Draft Charging Schedule was published, together with a Representations Form, Accompanying Notes, and relevant evidence on the Council's website on 20 April 2012. The webpage stated where the documents could be inspected and how representations could be made.</p> <p>Copies (electronic or paper) were sent to each of the prescribed consultation bodies. In addition, all previous respondents on the Preliminary Draft Charging Schedule and around 280 consultees on the CIL Consultation database were notified of the publication of the Draft Charging Schedule and representations procedure.</p> <p>A local advertisement notice was placed in the Avon Advertiser on Wednesday 18 April 2012, and the Bournemouth Echo, Southern Echo and Lymington Times on 20 April 2012.</p> <p>16 representations on the Draft Charging Schedule were received. All those making representations will be informed of each subsequent stage in the examination and adoption process, including submission, publication of the examiner's report and approval of the charging schedule by the charging authority.</p>
17	<p>The period for representations on the Draft Charging Schedule was 20 April 2012 to 18 May 2012.</p>
19	<p>New Forest District Council will submit this Declaration and the following to the examiner in accordance with the Regulations:</p> <ul style="list-style-type: none"> (a) the Draft Charging Schedule; (b) a summary of the main issues raised by the representations; (c) copies of the representations; (d) any modifications; (e) Copies of the relevant evidence. <p>Copies of the above documents will be made available at New Forest District Council's area headquarters as required by the Regulations. All documents will be available on the Council's website and a statement of the fact that the documents are available for inspection and where they can be inspected will be published.</p> <p>Any modifications to the Draft Charging Schedule, will be published on the Council's website and notified to all prescribed consultation bodies, before submission of the Draft Charging Schedule to the examiner, as required by the Regulations.</p> <p>All those who have made representations on the Draft Charging Schedule will be notified of the submission of the Draft, together with any modifications, and will be kept fully informed of the progress of the examination.</p>

Section Number	Planning Act 2008
	Method of Compliance
Part 211	<p>In preparing the Draft Charging Schedule New Forest District 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. New Forest District Council has consulted a range of stakeholders in preparing the Draft Charging Schedule, with consultations taking place as follows:</p> <p>Preliminary Draft Charging Schedule – 19 January 2012 to 27 February 2012 Draft Charging Schedule – 20 April 2012 to 18 May 2012</p>
Part 212	<p>New Forest District Council has appointed the Planning Inspectorate to examine the Draft Charging Schedule, as an appropriate independent body that has suitable qualifications and experience for the task. All persons who have submitted representations about the Draft Charging Schedule will be given the opportunity to be heard by the examiner.</p> <p>The following appropriate, available evidence has informed the Draft Charging Schedule:</p> <ul style="list-style-type: none"> • Infrastructure Delivery Plan 2012 • Community Infrastructure Levy Viability Assessment: New Forest District Council and New Forest National Park Authority December 2011 • Core Strategy 2009