

# **Royal Borough of Kingston upon Thames**

## **1. Statement of Minor Modifications**

- 1.1 Under the provisions of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended), the Royal Borough of Kingston upon Thames is able to modify the CIL draft charging schedule following publication and consultation.
- 1.2 The Royal Borough of Kingston upon Thames's Draft Charging Schedule was published for public consultation from the 10<sup>th</sup> of January 2014 to 7th March 2014, this consultation period allowed for public representations to be received, and complies with Regulation 16 of the Community Infrastructure Levy Regulation 2010 (as amended).

## **2. Modifications**

- 2.1 The Royal Borough of Kingston upon Thames received 37 representations to the CIL Draft Charging Schedule within the consultation period. In accordance with Regulation 11 and 19 of the Community Infrastructure Regulations 2010 (as amended), this Statement of Modifications sets out the minor modifications made to the Draft Charging Schedule since publication for consultation.
- 2.2 There are a total of 9 proposed amendments which are set out in the table below. All of the amendments are considered to be minor changes and not substantive modifications.
- 2.3 As required under Regulation 19 of the Community Infrastructure Regulations 2010 (as amended), a copy of this Statement of Minor Modifications has been published on the Council's website and each of the persons that were invited to make representations under Regulation 15 have been notified. This Statement of Modifications will also be made available at the Council's offices and libraries throughout the Borough.

## **3. Requests to be Heard**

- 3.1 Organisations and individuals making representations may request the right to be heard by the examiner in relation to these modifications. A request to be heard by the examiner must be made in writing, within four weeks of the publication of this document, to The Royal Borough of Kingston upon Thames. Anyone requesting to be heard should indicate whether they support or oppose modifications and explain why. The Council will submit a copy of each request it receives to the Examiner. Requests to be heard may be withdrawn at any time by giving notice in writing to the Council.
- 3.2 Please note that the right to be heard at this stage of the process applies only in relation to the modifications being consulted on.
- 3.3 If you have any further queries please contact Development Planning and Regeneration, Royal Borough of Kingston upon Thames on 020 8547 5002 or via email, [dpr@kingston.gov.uk](mailto:dpr@kingston.gov.uk)

This page has been intentionally left blank

#### 4. List and Details of Minor Modifications

Text to be removed is shown as strikethrough; inserted text is indicated as underlined.

No	Section	Minor modification	Reason for modification
A	1	<p><del>The Draft Charging Schedule has been approved for publication by the Council's November 2013 Place and Sustainability Committee. It is published in accordance with Part 11 of the Planning Act 2008 (as amended by Part 6 of the Localism Act 2011), and the Community Infrastructure Levy Regulations 2010 (as amended by the Community Infrastructure Levy (Amendment) Regulations 2011).</del></p> <p><u>The Draft Charging Schedule submission version has been approved for publication by the Council's Infrastructure, Projects and Contracts Committee. It is published in accordance with Part 11 of the Planning Act 2008 (as amended), and the Community Infrastructure Levy Regulations 2010 (as amended).</u></p>	<p>It is not necessary to include this level of detail in the final version of the Draft Charging Schedule.</p>

A	1	<p><del>CIL will provide developers with greater certainty about the infrastructure contributions they will be expected to contribute as a part of the development process. CIL will apply to a greater number of developments than are currently required to make infrastructure contributions and so will be an effective tool for addressing the cumulative impacts of development. It will fund the delivery of infrastructure and help to ensure that planned levels of development can be accommodated sustainably.</del></p> <p><del>CIL does not apply to Affordable Housing. The delivery of Affordable Housing is addressed through the Council's Core Strategy Policy DM15 'Affordable Housing', and the Affordable Housing supplementary planning document (SPD). The SPD explains how Core Strategy Policy DM15 will be implemented, in particular how developments of five or more units will be expected to deliver affordable housing, and also sets out guidance on the open book process that developers are expected to follow when justifying exceptions to the policy for the delivery of affordable housing</del></p> <p><u>The rates within the schedule were informed by an economic viability assessment and consultation with both the general public and the development industry. The Schedule will also be subject to examination by an independent inspector from the Planning Inspectorate.</u></p>	<p>It is not necessary to include this level of detail in the final version of the Draft Charging Schedule.</p> <p>Relevant text has been added to provide a complete picture of CIL.</p>
B	1	<p><b><u>Statement of Statutory Compliance</u></b></p> <p><u>For the purpose of Part 11 of the Planning Act 2008, the Royal Borough of Kingston upon Thames Council is both a Charging Authority and Collecting Authority for its administrative area.</u></p> <p><u>In setting the levy rates the Council has struck an appropriate balance between;</u></p> <p><u>The desirability of funding from CIL in whole or in part the estimated cost of infrastructure required to support the development of its area, taking into account other actual and expected sources of funding, and;</u></p> <p><u>The potential effects, taken as a whole, of the imposition of CIL on the economic viability of development across its area.</u></p>	<p>To ensure compliance with updated Regulations and relevant Legislation.</p>

This Charging Schedule was approved by the Council on (date to be inserted following examination)

This Charging Schedule will come into effect on (date to be inserted following the examination and approval)

C 2

**Justification for Introducing CIL**

~~A charging authority is required to demonstrate there is a funding gap to be able to charge CIL. The funding gap calculations set out below relate to anticipated CIL receipts for the Core Strategy period 2012 to 2027. Table 1 identifies the total cost of the Council's infrastructure requirements and Table 2 sets out the amount of funding available from other sources. Subtracting the available funding from the total infrastructure cost identifies an aggregate funding gap of £56 million (excluding any unknown funding gaps). The projected CIL income over this period is estimated to deliver circa £22 million (see Table 3).~~

~~The residual funding gap is calculated by subtracting the estimated CIL income from the aggregate funding gap, and is estimated to be £34 million.~~

~~Aggregate funding gap – Project CIL income/receipts = Residual funding gap~~

~~£56m – £22m = £34m~~

The total cost of the Council's infrastructure requirements		
Infrastructure Category	Total Cost of Infrastructure	% of total
Physical Infrastructure	£118,345,000	70%
Social Infrastructure	£44,600,000	26%
Green Infrastructure	£6,474,000	4%
<b>Totals</b>	<b>£169,419,000</b>	<b>100%</b>

This level of detail is not needed in the final version of the Draft Charging Schedule.

Funding available from other sources		
Funding	Total	% of total
Physical Infrastructure	£100,070,000	88%
Social Infrastructure	£11,418,000	10%
Green Infrastructure	£2,422,000	2%
<b>Total funding</b>	<b>£113,910,000</b>	-
Projected CIL income 2012-2027		
Period	Total Income	Annual Income
<b>2012-2017</b>	£12,955,339	£2,591,068
<b>2018-2022</b>	£6,314,533	£1,262,907
<b>2023-2027</b>	£2,512,411	£502,482
<b>2012-2027 (Total)</b>	£21,782,282	£1,452,152

D	3	<p><b>Scope of CIL Charges</b></p> <p><del>For the purposes of Part 11 of the Planning Act 2008, the Council is both a CIL Charging Authority and Collecting Authority for its administrative area. The Council is also a Collecting Authority for the Mayor of London's CIL. As set out in the Community Infrastructure Levy Regulations, CIL is applicable on net additional gross internal floorspace of all new development. Therefore the following development types will be liable to pay CIL:</del></p> <p><u>The following development types will be liable to pay CIL:</u></p> <ul style="list-style-type: none"> <li>• Development comprising 100sqm or more of new build floorspace</li> <li>• Development of less than 100sqm of new build floorspace that results in the creation of one or more dwellings</li> <li>• The conversion of a building that is no longer in lawful use or has been unoccupied</li> </ul> <p>Where planning permission is granted for development that involves the extension or demolition of a building in lawful use, the level of CIL payable will be calculated based on the net increase in floorspace, provided that lawful use can be established at the time the CIL liability is calculated. <del>(this is not necessarily the date on which a decision notice is issued).</del> Only in such circumstances would the existing floorspace be deducted from the total floorspace. <u>Deductions in respect of the demolition or the change of use of existing buildings will only apply where the existing building had been in continuous lawful use for at least six months in the three years prior to the development being permitted.</u></p> <p><b><u>Exemptions and Relief from CIL</u></b></p> <p>Part 6 of the CIL Regulations 2010 (as amended) makes provision for certain types of development to be <u>mandatory exempt, eligible for relief from CIL as set out below</u> and details development entitled to claim mandatory, or discretionary relief from CIL, as set out below:</p> <ul style="list-style-type: none"> <li>• <del>Development of buildings and structures into which people do not normally go, or into which people go intermittently for the purposes of inspecting or maintaining fixed plant or machinery (e.g. electricity sub stations);</del></li> </ul>	<p>To ensure compliance with updated Regulations and relevant Legislation.</p>
---	---	--	--

- Development of less than 100 sq.m of new build floorspace (gross internal area) including extensions, unless it results in the creation of one or more dwellings below this threshold; and
- The conversion of a building in lawful use, or the creation of additional floorspace within the existing structure of a building in lawful use

The CIL Regulations provide exemptions for paying CIL as follows:

- 100% relief from CIL on those parts of a chargeable development which are to be used as social housing.
- Charity landowners receive 100% relief from their portion of the liability where chargeable development will be used wholly, or mainly, for charitable purposes.

To ensure that relief from the levy is not used to avoid proper liability for the levy, the regulations require that any relief must be repaid, a process known as 'clawback', if the development no longer qualifies for the relief granted within a period of seven years from commencement of the chargeable development.

Mandatory exemptions from CIL:

- Minor development, with a gross internal area of less than 100 square metres (other than where the development will comprise one or more dwelling);
- A building into which people do not normally go;
- A building into which people go only intermittently for the purpose of maintaining or inspecting fixed plant or machinery;
- Structures that are not buildings such as pylons and wind turbines
- Vacant buildings brought back into the same use;
- A building for which planning permission was granted for a limited period;
- Where the levy liability is calculated to be less than £50, the chargeable amount is deemed to be zero;

		<p><u>Development entitled to claim Mandatory Relief from CIL:</u></p> <ul style="list-style-type: none"> <li>• <u>Development by charities of their own land to be used wholly or mainly for charitable purposes;</u></li> <li>• <u>Social Housing as defined by Regulation 49 of the CIL Regulations 2010 (as amended);</u></li> <li>• <u>Self-build housing, residential annexes and extensions as defined by Regulation 45 of the CIL Regulations 2010 (as amended);</u></li> </ul> <p><u>Development entitled to claim Discretionary Relief from CIL:</u></p> <ul style="list-style-type: none"> <li>• <u>Development by charities where the whole or greater part of that institution's share of the chargeable development will be held as a charitable investment;</u></li> <li>• <u>Social Housing as defined by Regulation 49A of the CIL Regulations 2010 (as amended);</u></li> </ul> <p><u>To ensure that relief from the levy is not used to avoid proper liability for the levy, the regulations require that any relief must be repaid, a process known as 'clawback', if the development no longer qualifies for the relief granted within a period of seven years from commencement of the chargeable development. The 'clawback' period for self-build housing is within three years from commencement of the chargeable development.</u></p>	
E	3	<p><b>Exceptional Circumstances Relief</b>  <del>At present the Council is not minded to publish an Exceptional Circumstances Policy. However, it may consider exceptional circumstances relief in future where a scheme, essential to the delivery of the Core Strategy, is clearly shown not to be deliverable at the rates set, and where it can be demonstrated that the cost of complying with a S106 agreement are greater than the levy charge for the development.</del></p>	<p>It is not necessary to include Exceptional Circumstances Relief Policy in the final version of the Draft Charging Schedule. The use of exceptional circumstances relief is not a matter that is</p>

			required to be dealt with by a CIL Charging Schedule.
F	4	<p><b>CIL Rates</b>  <del>In setting its CIL rates in accordance with Regulation 14(1) of the Community Infrastructure Levy Regulations 2010, the Council has aimed to strike what appears to be an appropriate balance between:</del></p> <ul style="list-style-type: none"> <li><del>• the desirability of funding from CIL (in whole or part) the estimated total cost of infrastructure required to support the development of Kingston, taking into account other actual and expected sources of funding; and</del></li> <li><del>• the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across Kingston.</del></li> </ul>	This has been moved to the Statement of Statutory Compliance section
G	5	<p>Calculation of the CIL charge</p> <p><u>CIL charges will be calculated in accordance with Regulation 40 of the Community Infrastructure Levy Regulations 2010 as amended.</u></p> <p><u>All CIL Liability will be index linked to the Building Cost Information Service (BCIS) All in Tender Price Index.</u></p> <p><del>The Council will calculate the amount of CIL payable (the chargeable amount) by chargeable development in accordance with regulation 40, part 5 of the CIL Regulations 2010, 2011 amendments and 2012 amendments.(and any subsequent amendments)</del></p> <p><del>The chargeable amount relates to the total amount of CIL chargeable at each of the relevant rates. However, where that amount is less than £50 the chargeable amount is deemed to be £0.</del></p>	Amendments were made to ensure compliance with updated Regulations and relevant Legislation.

The formula used is as follows:

$$\frac{R \times A \times I_p}{I_c}$$

Where:

R = rate of CIL set by the Borough Council

A = the deemed net area chargeable at rate R

I<sub>p</sub> = the index figure for the year in which planning permission was granted

I<sub>c</sub> = the index figure for the year in which the charging schedule containing rate R took effect.

The value of A is calculated as follows:

$$\frac{C_R \times (C - E)}{C}$$

Where:

C<sub>R</sub> = the gross internal area of the part of the chargeable development chargeable at rate R, less an amount equal to the aggregate of the gross internal area of all buildings (excluding any new build)(7) on completion of the chargeable development which:-

- i. On the day planning permission first permits the chargeable development, are situated on the relevant land and in lawful use
- ii. Will be part of the chargeable development upon completion
- iii. Will be chargeable at rate R

C = the gross internal area of the chargeable development

E = an amount equal to the aggregate of the gross internal areas of all buildings which

- i. On the day planning permission first permits the chargeable development are situated on the relevant land and in lawful use; **(8)** and
- ii. Are to be demolished before completion of the chargeable development

H	5	<p><b>The Mayoral CIL</b></p> <p>Development in Kingston is also required to pay the Mayor of London's CIL levy to contribute towards the cost of Crossrail. Mayoral CIL is payable on all developments that receive planning consent after 1 April 2012. Kingston falls within Zone 2, where a CIL of £35/sqm will be levied on all eligible development. <del>The Mayor's CIL excludes development used for health or education purposes. The Mayor does not offer relief for exceptional circumstances, preferring viability issues to be addressed through S106 negotiation.</del></p>	
F	5	<p><b>CIL Instalment Policy</b></p> <p>CIL liability becomes payable in full on commencement of development unless an instalment Policy is adopted in a Charging Authority area. Section 69B of the Community Infrastructure Levy Amendment 2010 (as amended) sets out the procedures by which an instalment policy can be adopted. The Council will introduce an Instalment Policy which reflects payments made by instalment over time calculated from commencement of development.</p> <p><del>The Council proposes to introduce a CIL Instalments Policy, which would be offered in all cases where the total CIL liability is greater than £100,000. The instalment policy is set out in Appendix 3.</del></p> <p><b>Appendix3 Draft Instalments Policy</b></p> <p><del>Kingston Council proposes to introduce a CIL Instalments Policy, which would be offered in all cases where the total CIL liability is greater than £100,000</del></p> <p><del>This policy has been prepared in accordance with the Regulation 69B of the Community Infrastructure Levy (Amendment) Regulations 2011.</del></p> <p><del>The Council will allow payment of CIL by Instalments according to the total amount of liability as follows:</del></p>	<p>This level of detail is not required in the final version of the Draft Charging Schedule. An instalments policy is not a matter that is required to be dealt with by a CIL Charging Schedule.</p>

		<b>Amount of GIL Liability</b>	<b>Number of instalments</b>	<b>Payment Periods and Amounts</b>	
		Any amount less than £100,000	No instalments	<ul style="list-style-type: none"> <li>• Total amount payable within 60 days of commencement of development</li> </ul>	
		Amounts equal to or more than £100,000 but less than £250,000	Two instalments	<ul style="list-style-type: none"> <li>• £100,000 payable within 60 days of commencement of development.</li> <li>• Balance payable within 120 days of commencement of development</li> </ul>	
		Amounts equal to or more than £250,000 but less than £500,000	Three instalments	<ul style="list-style-type: none"> <li>• £100,000 payable within 60 days of commencement of development.</li> <li>• Balance payable in a further two instalments of equal amount within 120 and 180 days of commencement of development</li> </ul>	
		Amounts equal to or more than £500,000	Four instalments	<ul style="list-style-type: none"> <li>• £250,000 payable within 60 days of commencement of development.</li> <li>• Balance payable in a further three instalments of equal amount within 120, 180 and 240 days of commencement of development.</li> </ul>	
G	5	<b>Neighbourhoods Funds</b>			It is not necessary to

		<p><del>As set out in Section 2 of the Localism Act (2011) Charging Authorities are required to pass a 'meaningful proportion' of the CIL receipts to local neighbourhoods where development has taken place. In accordance with the CIL (Amendment) Regulations 2013 a specific proportion of CIL receipts will be passed to Neighbourhood Funds. Therefore, in locations with an adopted Neighbourhood Development Plan 25% of CIL receipts generated in the Forum area will be passed to the Neighbourhood Forum to help fund local infrastructure. Where Neighbourhood Forums are set up but there is no adopted Plan 15% of CIL receipts will be passed on subject to a total set by a £100/per existing dwelling annual ceiling.</del></p>	<p>include a Neighbourhood Funds section in the final version of the Draft Charging Schedule.</p>
H	6	<p><b>The relationship between CIL and Section 106 Agreements</b></p> <p>The purpose of CIL is to provide funding towards all or part of the infrastructure required to support the delivery of the growth envisaged by the Local Plan for an area. The government have specified that there may still be a requirement for obligations to address site specific impact mitigation requirements, without which a development should not be granted planning permission, and which it may be appropriate to address through a Section 106 agreement. <u>S106 agreements will also continue to be used for affordable housing and to address other policy requirements which cannot be dealt with through CIL.</u></p> <p><del>However from April 2015 (9) or when a charging authority introduces CIL, as identified by Regulation 122 of the CIL Regulations (as amended), Section 106 infrastructure requirements will be scaled back to those matters that are both directly related to the specific site and which will not be addressed by CIL. Section 106 agreements will also continue to be used for affordable housing and to address other policy requirements which cannot be dealt with through CIL.</del></p> <p><u>From the 6<sup>th</sup> of April 2015 the date when Kingston's Charging Schedule takes effect, the use of Section 106 will be largely scaled back. The Council is developing a new Planning Obligations Supplementary Planning Document which will define where S106 will be sought and where CIL will be sought in relation to the delivery of infrastructure.</u></p> <p>Various restrictions relate to the use of planning obligations as set out in Regulation 122 of the CIL Regulations 2010 (as amended) as follows:</p>	<p>It is not necessary to include the deleted wording in the final version of the Draft charging Schedule</p>

	<p>1. Planning obligations are required to be:</p> <ul style="list-style-type: none"><li>(a) Necessary to make the development acceptable in planning terms</li><li>(b) Directly related to the development and</li><li>(c) Fairly and reasonably related in scale and kind to the development</li></ul> <p>2. On the local adoption of the levy, the regulations restrict the local use of planning obligations to ensure that individual developments are not charged for the same items through both planning obligations and the levy. This means that if the charging authority proposes to fund an item of infrastructure via the levy then it cannot also seek a s106 planning obligation contribution towards the same item of infrastructure.</p> <p>3. <u>From the 6th of April, pooled contributions may be sought from a maximum of five separate planning obligations for an item of infrastructure that is not intended to be funded by the levy. For uses that are not able to be funded by the levy, such as affordable housing, this restriction does not apply.</u></p> <p><del>CIL Statutory Guidance states that charging authorities should be clear what they intend to fund in whole or in part through CIL and set out those known site-specific matters where section 106 contribution may continue to be sought. Charging authorities are also expected to set out how their S106 policies will be varied with the adoption of a CIL Charging Schedule. The Council has prepared a draft Regulation 123 list and a draft Revised Planning Obligations Strategy document that form part of the consultation.</del></p>	
--	---	--

I	7	<p><b>Monitoring Arrangements</b></p> <p><del>For CIL revenues to deliver the Council's infrastructure requirements there will need to be regular reviews of both the Charging Schedule and the infrastructure proposed for delivery. The Council is conscious that CIL will be part of the long term financial planning for developments as well as infrastructure investment so reviews of the charging rates must provide a high degree of certainty and stability for all. Nevertheless, the CIL is coming forward at a time of economic uncertainty so the rates have been set at a level to reflect the circumstances and may need to be modified should the outlook improve. Consequently, the Council proposes an initial review in 2015/16 then reviews every three years.</del></p> <p><del>The Council is committed to ensuring the use of CIL is open and transparent and will therefore closely align CIL with its Annual Monitoring Report. Reporting will link progress on development plan making and implementation. The report will set out how much money has been received and what infrastructure has been delivered using CIL.</del></p> <table border="1" data-bbox="414 790 1736 1085"> <thead> <tr> <th data-bbox="414 790 922 885">-</th> <th data-bbox="922 790 1025 885">2013/ 14</th> <th data-bbox="1025 790 1128 885">2014/ 15</th> <th data-bbox="1128 790 1232 885">2015/ 16</th> <th data-bbox="1232 790 1335 885">2016/ 17</th> <th data-bbox="1335 790 1438 885">2017/ 18</th> <th data-bbox="1438 790 1541 885">2018/ 19</th> <th data-bbox="1541 790 1644 885">2019/ 20</th> <th data-bbox="1644 790 1736 885">2020/ 21</th> </tr> </thead> <tbody> <tr> <td data-bbox="414 885 922 941"><b>Annual reporting</b></td> <td data-bbox="922 885 1025 941">-</td> <td data-bbox="1025 885 1128 941">-</td> <td data-bbox="1128 885 1232 941">-</td> <td data-bbox="1232 885 1335 941">-</td> <td data-bbox="1335 885 1438 941">-</td> <td data-bbox="1438 885 1541 941">-</td> <td data-bbox="1541 885 1644 941">-</td> <td data-bbox="1644 885 1736 941">-</td> </tr> <tr> <td data-bbox="414 941 922 1029"><b>Publish Reg 123 list of infrastructure priorities</b></td> <td data-bbox="922 941 1025 1029">-</td> <td data-bbox="1025 941 1128 1029">-</td> <td data-bbox="1128 941 1232 1029">-</td> <td data-bbox="1232 941 1335 1029">-</td> <td data-bbox="1335 941 1438 1029">-</td> <td data-bbox="1438 941 1541 1029">-</td> <td data-bbox="1541 941 1644 1029">-</td> <td data-bbox="1644 941 1736 1029">-</td> </tr> <tr> <td data-bbox="414 1029 922 1085"><b>Charging schedule review</b></td> <td data-bbox="922 1029 1025 1085">-</td> <td data-bbox="1025 1029 1128 1085">-</td> <td data-bbox="1128 1029 1232 1085">-</td> <td data-bbox="1232 1029 1335 1085">-</td> <td data-bbox="1335 1029 1438 1085">-</td> <td data-bbox="1438 1029 1541 1085">-</td> <td data-bbox="1541 1029 1644 1085">-</td> <td data-bbox="1644 1029 1736 1085">-</td> </tr> </tbody> </table>	-	2013/ 14	2014/ 15	2015/ 16	2016/ 17	2017/ 18	2018/ 19	2019/ 20	2020/ 21	<b>Annual reporting</b>	-	-	-	-	-	-	-	-	<b>Publish Reg 123 list of infrastructure priorities</b>	-	-	-	-	-	-	-	-	<b>Charging schedule review</b>	-	-	-	-	-	-	-	-	<p>This change has been made in line with the proposed CIL adoption date</p>
-	2013/ 14	2014/ 15	2015/ 16	2016/ 17	2017/ 18	2018/ 19	2019/ 20	2020/ 21																															
<b>Annual reporting</b>	-	-	-	-	-	-	-	-																															
<b>Publish Reg 123 list of infrastructure priorities</b>	-	-	-	-	-	-	-	-																															
<b>Charging schedule review</b>	-	-	-	-	-	-	-	-																															
J	8	<p><b>Statement of Representations</b></p> <p><del>Consultation on the Draft Charging Schedule runs for six weeks between 10 January and 21 February 2014. The consultation documents – the Draft Charging Schedule, the draft Regulation 123 list and the draft Revised Planning Obligations Strategy, and supporting documents on infrastructure and viability are available on the Council's website:</del></p>	<p>It is not necessary to include this information in the final version of the Draft Charging Schedule, information is</p>																																				

[www.kingston.gov.uk/info/200155/planning/283/community\\_infrastructure\\_levy\\_cil/3](http://www.kingston.gov.uk/info/200155/planning/283/community_infrastructure_levy_cil/3).

The documents are also available for inspection at Guildhall 2 Reception and in the Borough's libraries. Copies in other formats and community languages can be made available upon request.

How to respond to the consultation

You can respond to the consultation in the following ways:

Online: <http://consult.kingston.gov.uk/portal>

By email to: [DPR@rbk.kingston.gov.uk](mailto:DPR@rbk.kingston.gov.uk)

By post to: The Development Planning & Regeneration Team, Guildhall 2, Kingston upon Thames, KT1 1EU

Please note that your response will not be treated as confidential. If you have any queries please contact the Development Planning & Regeneration team by email to: [DPR@rbk.kingston.gov.uk](mailto:DPR@rbk.kingston.gov.uk) or telephone 020 8547 5002.

#### **The Right to be heard at Examination**

Any organisation or individual may request the right to be heard at the Examination. This request must be submitted in writing and received between 10 January and 21 February 2014, i.e. the consultation period on the Draft Charging Schedule.

Any organisation or individual who decides to make representations about the Draft Charging Schedule may withdraw those representations at any time by giving notice in writing to the Council sent to the specified address and/or email account detailed above. Representations may also be accompanied by a request to be notified, at a specified address, of any of the following:

- that the Draft Charging Schedule has been submitted to the Examiner in accordance with Section 212 of the Planning Act 2008;
- the publication of the recommendations of the Examiner and the reason for these recommendations;
- the approval of the Charging Schedule by the Council.

now provided on the website.

K	9	<p><b>Next Steps</b></p> <p><del>Following the six-week consultation and publication of the Draft Charging Schedule, the Council will submit its Charging Schedule, including any supporting documentation and any representations received, to the Examiner for independent Examination. The anticipated timetable following this consultation is:</del></p> <ul style="list-style-type: none"> <li><del>● Submission for independent examination — spring 2014</del></li> <li><del>● Independent Examination — autumn 2014</del></li> <li><del>● Adoption — winter 2014/15</del></li> </ul>	<p>It is not necessary to include this information in the final version of the Draft Charging Schedule, information is now provided on the website.</p>
L	10	<p><b>Supporting Information and Evidence Base</b></p> <p><del>The documents listed below support this CIL Draft Charging Schedule. They are all available on the Council's website, and can also be viewed at the Council's Offices (at Guildhall 2) and the Borough Libraries.</del></p> <ul style="list-style-type: none"> <li><del>● Community Infrastructure Levy: Viability Study prepared by BNP Paribas Real Estate (Oct 2013)</del></li> <li><del>● Community Infrastructure Levy Funding Gap Assessment Report and Draft Regulation 123 List — updated Nov 2013. This report provides a list of indicative projects covering a variety of infrastructure types necessary to deliver the growth identified in the Council Core Strategy. It establishes the aggregate and residual funding gap to demonstrate the need to levy CIL. The draft Regulation 123 list of infrastructure projects that the Council intends to fund through CIL.</del></li> <li><del>● Report to Place &amp; Sustainability Committee (28 Nov 2013) — Approval for consultation on the CIL Draft Charging Schedule.</del></li> <li><del>● Kingston Core Strategy (Adopted April 2012) — Policy IMP3 of the Core Strategy specifically sets out the Council's intention to introduce CIL.</del></li> <li><del>● Infrastructure Delivery Plan (2011) — The Infrastructure Delivery Plan (IDP) was produced to support the Core Strategy. It includes a schedule of infrastructure</del></li> </ul>	<p>It is not necessary to include this information in the final version of the Draft Charging Schedule, information is now provided on the website.</p>

		<p>projects required to support the growth set out in the Core Strategy, and identifies known funding sources and the anticipated timescale for the delivery of the infrastructure.</p> <ul style="list-style-type: none"><li>• <del>Community Infrastructure Levy – Preliminary Draft Charging Schedule – The Schedule was based on advice provided by consultants BNP Paribas Real Estate (Kingston Community Infrastructure Levy Viability Study (BNP Paribas Real Estate) – April 2013). Consultation on the Schedule took place from 2 April to 14 May 2013. The responses received resulted in some changes to the Council’s proposed CIL charges.</del></li><li>• <del>Statement of Consultation on the Preliminary Draft Charging Schedule</del></li></ul>	
--	--	--	--