

# LB HAVERING

## COMMUNITY INFRASTRUCTURE LEVY

# STATEMENT OF COMPLIANCE

OCTOBER 2018

### **1 Introduction**

This statement has been produced to demonstrate how the London Borough of Havering (the council) has complied with the requirements set out in the Planning Act 2008, the CIL Regulations 2010 (as amended) and DCLG guidance in relation to the submission of its Community Infrastructure Levy (CIL) Draft Charging Schedule to the Secretary of State.

### **2 Declaration**

The London Borough of Havering (the council) hereby declares that, as the charging authority:

- it has complied with the requirements of Part 11 of the Planning Act 2008 and Part 3 (Charging schedules) of the CIL Regulations 2010 (as amended) as the charging authority;
- it has used appropriate available evidence to prepare its draft charging schedule; and
- it has dealt with any other matters prescribed by CIL Regulations 2010 (as amended).

### **3 Planning Act 2008**

#### **Section 211 – Amount**

In preparing its CIL Draft Charging Schedule, the London Borough of Havering has had regards to the following appropriate available evidence:

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- Data on the council's capital programme, to establish the actual cost of infrastructure and established actual and expected sources of funding
- The Infrastructure Delivery Plan (March 2018) supporting the Local Plan, to establish the expected cost of infrastructure
- The viability report prepared to test the economic viability of development after imposition of CIL rates, which was tested using a range of development types and geographies, which are expected to come forward in Havering

### **Section 212 – Charging schedule: examination**

The council has appointed an independent examiner, Terry Kemmann-Lane JP DipTP FRTPI MCMI, who has suitable qualifications and extensive experience of CIL examination, and to whom the draft charging schedule has been submitted. The council has appointed an independent programme officer, Charlotte Glancy, to assist the examiner.

The drafting requirements set out in section 211 of the Planning Act have been complied with.

The council will allow anyone who has made representations about the draft charging schedule to be heard by the examiner.

## **4 CIL Regulations 2010 (as amended)**

### **CIL regulation 12 – Format and content of charging schedules**

In accordance with Regulation 12, the London Borough of Havering's Draft Charging Schedule contains the name of the charging authority, the proposed rates in pounds per square meter, how the CIL chargeable amount will be calculated. As the council has set differential rates in accordance with Regulation 13, a boundary map has been included in the Draft Charging Schedule.

After examination and adoption, the Charging Schedule will indicate the date of approval and the date on which the Charging Schedule will take effect, a statement that it has been issued, approved and published in accordance with these Regulations and Part 11 of the Planning Act 2008.

### **CIL regulation 14 – Setting rates**

In evidencing a funding gap and producing a robust viability report (both submitted to the examiner), the council has demonstrated it has struck an appropriate balance between the desirability of infrastructure funding from CIL and the potential effects of the levy on the economic viability of development across its area.

In setting its rates, the council has taken into account the Mayoral CIL that will take effect in April 2019 and known as MCIL2.

### **CIL regulation 15 – Consultation on a preliminary draft charging schedule**

Havering's consultation on its Preliminary Draft Charging Schedule ran from 23<sup>rd</sup> March 2015 to 10<sup>th</sup> April 2015, and all representations have been considered in the preparation and publication of the Draft Charging Schedule.

The summary of responses to the public consultation on Havering Preliminary Draft Charging Schedule and responses from the council has been submitted to the examiner as part of the Draft Charging Schedule examination.

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### **CIL regulation 16 – Publication of a draft charging schedule**

LB Havering produced a statement of representations procedure that complied with Regulation 16(2) and published its draft charging schedule on its website, made copies available at the Romford Public Advice and Service Centre in The Liberty in Romford, and in all libraries in the borough, and sent copied to the relevant consultation bodies.

### **CIL regulation 17 – Representations relating to a draft charging schedule**

The period specified by the charging authority to make representations on the draft charging schedule was six weeks and one day, which exceed the 4-week minimum period set out in Reg 17(3)

### **CIL regulation 19 – Submission of documents and information to the examiner**

The following documents have been submitted to the examiner:

- Draft Charging Schedule
- Statement of representations made (including summary of representations and responses to representations)
- Copies of all representations
- Infrastructure Funding Gap Report
- Havering Infrastructure Delivery Plan
- Draft Regulation 123 List (Submission Version)
- Viability report
- Viability Evidence – Retail Warehouse Sensitivity Test
- Note on the approach to Section 106
- Note on S106 income
- Statement of representations procedure
- Draft Charging Schedule publication statutory notice
- Preliminary Draft Charging Schedule
- Responses to consultation on the Preliminary Draft Charging Schedule
- Infrastructure Funding Gap Report for the Preliminary Draft Charging Schedule
- Viability assessment for the Preliminary Draft Charging Schedule
- This statement of compliance

These have been shared with the examiner in a format agreed with them and in compliance with Regulation 19(2).

The council will publish all submission documents on its website and in physical locations where consultation documents were made available under Regulation 16, and will notify all representors of the submission of its Draft Charging Schedule to the independent examiner.

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