



# **Examination into the Draft Charging Schedule for the Havering Community Infrastructure Levy**

**Final Response from London Borough of Havering to Examiner's Question**

**Question EQ-1**

**February 18 2019**

## **Havering Community Infrastructure Levy Draft Charging Schedule Examination**

### **Preliminary Council response to EQ1: Draft Charging Schedule and Charging Zones Map**

1. The Council notes the question(s) received in response to the submitted Draft Charging Schedule (DCS) and Charging Zones Map (document reference EQ-1).

2. Set out below are **final** responses to the relevant paragraphs which require a response, specifically:

- paragraph 2 (points numbered i) to vii))
- paragraph 6 ; and
- paragraph 7

3. The Council has provided here final responses following further consideration of the issues regarding these following the submission of its preliminary response on December 21<sup>st</sup> 2018. The Council wishes to express its thanks to the Examiner regarding his understanding on this matter.

#### **Response to paragraph 2 (i) – (iii)**

4. Following further consideration to the issues raised in paragraphs 2 (i) – (iii), It is recognised that in order to meet the requirements of Reg 12 (c) (i) a map will be required to show the definition of this type of development referred to in the Charging Schedule as ‘all other retail’, specifically in Metropolitan, District and Local Centres.

5. The Council proposes to produce an additional map(s) which will show the boundaries for Metropolitan and District Centres; and a symbol or notation for the location of the Local Centres, accompanied by a table in an annex to the Charging Schedule with the address details for each centre. This approach would replicate the definitions and approach provided in the Submission Version of the Local Plan. A separate map will show the residential charging zones A & B.

#### **Response to paragraph 2 (iv)**

6. The Council notes the suggestion from the Examiner regarding this matter. Having considered this, the Council consider that there is merit in keeping any amendments to the table to a minimum, and given that our proposed approach to the additional map will show the locations of ‘all other retail’, and that the current version of the table has been subject to consultation, the Council is of the view that it will keep the table in its current format.

### **Response to paragraph 2 (v)**

7. The Council confirm that the additional map showing the 'all other retail' categories, and a replacement map showing the residential charging zones, will be based on a Ordnance Survey map in order to comply with Regulation 12(2)(c)(ii), and will show National Grid lines and references in order to fully comply with Regulation 12(2)(c)(iii) as advised by the Examiner.

### **Response to paragraph 2 (vi)**

8. As proposed in the Council's preliminary response document (December 21<sup>st</sup> 2018), the Council will make the following amendment to replace Section 6 in the DCS.

*CIL will be calculated as set out in the regulation 40 of the CIL Regulations 2010 (as amended).*

*On chargeable development, CIL is charged on net additional floor space (Gross Internal Area measured in square metres), subject to the relevant exemptions outlined above.*

*The rates shown in the CIL rates table will be updated annually for inflation in accordance with the national All-In Tender Price Index of construction costs published by the Building Cost Information Service (BCIS) of the Royal Institution of Chartered Surveyors.*

### **Response to paragraph 2 (vii)**

9. As proposed in the Council's preliminary response document (December 21<sup>st</sup> 2018), the Council will make the following amendment to replace the first line on page 4 of the DCS.

*This charging schedule has been issued, approved and published in accordance with the Community Infrastructure Regulations 2010 and subsequent amendments and Part 11 of the Planning Act 2008.*

### **Response to paragraph 6**

10. In response to paragraph 6, and the issue as to whether including a replacement map which shows the definition of the 'All other retail' development type is a modification to the DCS and therefore requires the Charging Authority to carry out a statement of modifications exercise, the Council has given the matter further consideration and intends to undertake a Statement of Modifications exercise, together with the appropriate consultation period, as a result of the proposed modifications to the Charging Schedule.

11. A Statement of Modifications has been drafted which complies with the relevant CIL Regulations. The Statement of Modifications will set out the following:

- The inclusion of a map to show the locations of the type of development defined as 'All other retail', to meet the requirements of Regulation 12(c)(i). The map will be based on an Ordnance Survey map and will show National Grid lines and references, in order to comply with Reg 12(2)(c)(ii) and Regulation 12(2)(c)(iii).
- The existing map showing the residential charging zones will either be replaced or amended to be based on an Ordnance Survey map, and include National Grid lines and references to fully comply with Regulations 12(2)(c)(ii) and 12(2)(c)(iii).
- An amendment will be made to Section 6 of the Draft Charging Schedule 'Calculating the chargeable amount', to comply with Regulation 12(2)(d).
- An amendment will be made to the first line on page 4 of the Draft Charging Schedule to comply with Regulation 12(3)(c).

12. The necessary Council approvals are currently being sought which will allow the Statement of Modifications to be published and no impediment is anticipated.

### **Response to paragraph 7**

13. The Council notes the Examiner's suggestion regarding ensuring the DCS is concise, however given it has already consulted on this version then, as noted above, the Council intends to limit the amendments to the DCS to those suggested in this response and included in the Statement of Modifications.

London Borough of Havering / Inner Circle Consulting  
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