

# **East Riding Community Infrastructure Levy**

## **Statement of Compliance with Legislative Requirements (working draft)**

**January 2017**



**EAST RIDING**  
**OF YORKSHIRE COUNCIL**



## Declaration under Section 212(4) of the Planning Act 2008

East Riding of Yorkshire Council declares that as the charging authority it has complied with the relevant requirements of Part 11 of the Planning Act 2008 (as amended) and the Community Infrastructure Levy Regulations 2010 (as amended).

### Compliance with the requirements of the Planning Act 2008

Part	Compliance
Part 206	<p>A charging authority can charge CIL in respect of development in its area and a Local Planning Authority is the charging authority for its area. East Riding of Yorkshire Council is therefore the charging authority for the purposes of the Draft Charging Schedule submitted for Examination.</p>
Part 211	<p>In preparing the Draft Charging Schedule East Riding of Yorkshire 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.</p> <p>East Riding of Yorkshire Council has consulted a range of stakeholders in preparing the Draft Charging Schedule, with consultations taking place as follows:</p> <ul style="list-style-type: none"><li>- Stakeholder workshop to inform the Viability Study: 2nd October 2012</li><li>- Stakeholder workshop to inform the Viability Study: 14th September 2015</li><li>- Preliminary Draft Charging Schedule: 29th March to 13th May 2016</li><li>- Draft Charging Schedule: from 23<sup>rd</sup> January 2017</li></ul>
Part 212	<p>Examination yet to take place</p> <p>The following appropriate available evidence has informed the Draft Charging Schedule:</p> <ul style="list-style-type: none"><li>- East Riding of Yorkshire Council Community Infrastructure Levy Draft Charging Schedule Consultation Document</li><li>- East Riding of Yorkshire Council Community Infrastructure Levy Viability Study and Addendum (2016)</li><li>- East Riding of Yorkshire Council Community Infrastructure Levy Infrastructure Projects (2016)</li><li>- East Riding Community Infrastructure Levy Evidence of past delivery of Section 106 agreements: Background Paper (2016)</li></ul>

## Compliance with the Community Infrastructure Levy Regulations 2011, 2012, 2013, and 2014

Regulation	Compliance
12	<p>The Draft Charging Schedule contains the information required by the Regulations, namely:</p> <p>(a) the name of the charging authority;</p> <p>(b) the rates (in pounds per square metre) at which CIL is to be chargeable in the authority's area;</p> <p>(c) the location and boundaries of the zones for differential rates, on an Ordnance Survey base showing grid lines and references; and</p> <p>(d) an explanation of how the chargeable amount will be calculated.</p>
13	<p>East Riding of Yorkshire Council's differential levy rates are compliant with Regulation 13, which enables charging authorities to set differential rates by location and type of development.</p>
14	<p>In setting its differential levy rates, East Riding of Yorkshire 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." This aim for an appropriate balance has been shown in the explanation in the Draft Charging Schedule consultation document itself, and the supporting available evidence including responses to the representations received.</p>
15	<p>A Preliminary Draft Charging Schedule was approved by Cabinet on 1<sup>st</sup> March 2016 and published on 29<sup>th</sup> March 2016, together with the accompanying evidence base.</p> <p>Consultation occurred in accordance with the Regulations over the period from 29<sup>th</sup> March 2016 to 13<sup>th</sup> May 2016 with the prescribed consultation bodies.</p> <p>Information about the CIL consultation was provided to agents on the Council's consultation database, to Council Members, all Parish/Town Councils, and neighbouring authorities.</p> <p>Hard copies of consultation material was displayed in all main libraries and Customer Service Centres across the Authority.</p> <p>A consultation 'drop in' event was held on 28<sup>st</sup> April 2016. There was a press release and all material was available on the Council's website:</p> <p><a href="http://www.eastriding.gov.uk/cil">www.eastriding.gov.uk/cil</a></p> <p>29 responses were received on the Preliminary Draft Charging Schedule. These are being reported to Cabinet on 13<sup>th</sup> December 2016, and informed the preparation of the Draft Charging Schedule. Further details are set out in the Draft Charging Schedule consultation document, available on the Council's website.</p>
16	<p>The Draft Charging Schedule has been published on the Council's website, together with all the relevant evidence and the Statement of the Representations Procedure. The Statement of the Representations Procedure includes all the requirements of</p>

	<p>Regulation 16(2) (a) to (e).</p> <p>The Statement of the Representations Procedure and a weblink to the available evidence will be sent to each of the prescribed consultation bodies, all previous respondents on the Preliminary Draft Charging Schedule, and the wider list of addresses.</p>
17	<p>The Draft Charging Schedule will be released for consultation between 23<sup>rd</sup> January 2017 to 6<sup>th</sup> March 2017.</p>
19	<p>East Riding of Yorkshire Council will submit this Declaration (once updated) and the following to the examiner in accordance with the Regulations:</p> <ul style="list-style-type: none"> <li>(a) The Draft Charging Schedule;</li> <li>(b) A summary of the main issues raised by the representations to the Draft Charging Schedule;</li> <li>(c) Copies of the representations to the Draft Charging Schedule;</li> <li>(d) A Statement of Modifications and a Draft Charging Schedule Submission Version (Incorporating Modifications);</li> <li>(e) Copies of the relevant evidence.</li> </ul> <p>Copies of the above documents will be made available at the locations specified in the regulations. All documents will be available on the Council's website.</p>
21	<p>The time and place of the examination and the name of the examiner will be published on the Council's website at least 4 weeks before the opening of the examination.</p>