

East Devon Community Infrastructure Levy Examination Hearing

Tuesday 18 February 2020

Council's Opening Statement

East Devon District Council adopted its current Charging Schedule in April 2016, and has been charging Community Infrastructure Levy since September 1st of that year. The council has decided to revise its Charging Schedule to reflect amended legislation, updated national policy and guidance, latest evidence on development costs and values in the district, and in order to align with development being proposed in the emerging Cranbrook Plan.

The council can confirm that the Draft Charging Schedule has been prepared in accordance with the statutory procedures, as set out in Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended). For example, section 211 of the Planning Act 2008, reflected in CIL Regulation 14, requires the council, when setting rates, to strike an appropriate balance between:

- a) The desirability of funding from CIL the 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 of the imposition of CIL on the economic viability of development across its area.

The council considers that the submitted Draft Charging Schedule strikes this appropriate balance.

In terms of the Local Plan, emerging Cranbrook Plan and Infrastructure Delivery Plan, the Draft Charging Schedule reflects these plans by applying the development strategy, policy costs, and infrastructure requirements. This includes strategic development allocations, education requirements, provision of open space, and affordable housing targets.

The council has followed the consultation requirements of the CIL Regulations in preparing its revised Charging Schedule. Consultation on a preliminary draft charging schedule took place from 21st February 2019, consistent with Regulation 15. The council considered the responses, made changes as appropriate, and then published a Draft Charging Schedule document for consultation from 21st August until 2nd October 2019. In accordance with Regulation 16, the Draft Charging Schedule was accompanied by a statement of the representations procedure, and a local advertisement notice was placed in local newspapers. A local advert was also published with notification of today's hearing session.

The Draft Charging Schedule is supported by a viability study, which is before the Examination as submission documents 4a and 4b. This study is consistent with the Governments' Planning Practice Guidance and other viability guidance used in the industry.

Finally, the council can confirm that there are no fundamental procedural shortcomings.