



Author	WDC
Matter	Procedural Questions
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WDC's Response to Procedural Questions

Has the Draft Charging Schedule been prepared in accordance with the statutory procedures.

Yes. The Council has prepared the Draft Charging Schedule in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) and The Planning Act 2008 and has had regard to the statutory guidance issued by the Secretary of State.

Planning Act 2008	
Section 211	In preparing the Draft Charging Schedule, Waveney District Council has had regard to the actual and expected costs of infrastructure in preparing the Infrastructure Study (Document B2); the economic viability of development through the CIL Viability Study (Document B3, B4 and B5); and other actual or expected sources of funding for infrastructure (Document B2). The Council has used appropriate available evidence to inform the Charging Schedule which include Documents B1, B2, B3, B4, B5, B6, B7, B8, and B9.
Section 212	The Council has appointed an Examiner to examine the Draft Charging Schedule.
Section 221	The Council has had regard to the statutory guidance issued by the Secretary of State.

Community Infrastructure Levy Regulations 2010 (as amended)	
Regulation 12	The Draft Charging Schedule contains: <ol style="list-style-type: none"> the name of the Charging Authority – Waveney District Council (Purpose of Document inside cover of Document A1) the rates of CIL in pounds per square metre (page 1 of Document A1) An Ordnance Survey map with national gridlines and reference numbers showing the boundaries of the residential charging zones. (pages 3 and 4 of Document A1) An explanation of how the chargeable amount will be calculated (page 2 of Document A1)
Regulation 14	The Council has aimed to strike what appears to the Council to be an appropriate balance between: <ul style="list-style-type: none"> the desirability of funding from CIL (in whole or part) the estimated total cost of infrastructure required to support the

	<p>development of the District, taking into account other actual and expected sources of funding; and</p> <ul style="list-style-type: none"> the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across the District. <p>The Council has achieved this balance through preparing a Infrastructure Study (Document B2) to ascertain the residual cost of funding infrastructure to provide growth after taking into account existing funding. The Council has also commissioned a Viability Study (Document B3, B4 and B5) to ensure the application of CIL to help meet the infrastructure funding gap does not undermine the overall viability of development in the area.</p>
Regulation 19	<p>The Council submitted the submission version of the Draft Charging Schedule on the 14th December 2012 to an independent examiner together with all the necessary submission documents.</p> <p>Following this copies of all the relevant documentation were made available for inspection on the Council's website and at the offices where the Draft Charging Schedule was deposited as part of Regulation 16.</p> <p>All the people who responded to the Draft Charging Schedule were notified of submission and the fact that the Council had published a Statement of Modifications (Document A4). The consultation bodies were sent the Statement of Modifications prior to submission in accordance with Regulation 19(4). The Statement of Modifications was published on the Council's website prior to submission.</p>

Has the Draft Charging Schedule been prepared in accordance with the Council's Local Plan and Infrastructure Delivery Plan?

The Council's Local Plan (known locally as the Local Development Framework) formed the starting point for working up the Draft Charging Schedule as ultimately the CIL is a way of delivering the objectives of the plan. The Infrastructure Study (Document B2) assesses all the infrastructure either identified in the documents making up the Local Development Framework (Documents B6, B7, B8 and B9) or needed to deliver the policies and objectives of these documents. The funding gap identified in the Infrastructure Study is the funding gap needed to support the development proposed in the plan.

The CIL Viability Study (Document B3) takes into account the Development Management Policies Development Plan Document's (Document B7) requirements for affordable housing. As such the level of CIL proposed will ensure the infrastructure objectives of the plan are delivered whilst ensuring the affordable housing requirements are also met.

Has the Draft Charging Schedule been prepared in accordance with the consultation requirement set out in the Community Infrastructure Levy Regulations 2010 (as amended)?

Yes in many cases the Council has gone beyond the statutory requirements detailed below. The Council also consulted on drafts of the supporting evidence.

Regulation 15

The Council consulted on a Preliminary Draft Charging Schedule (PDCS) (Document C4) for six weeks between 30th March and 11th May 2012. The Council sent a copy of the PDCS to all of the consultation bodies and invited comment.

The Council also invited representations on the PDCS from residents and businesses, voluntary bodies and business bodies in accordance with Regulation 14(5) A public notice was placed in the local newspapers inviting comments and invitations to comment were sent to everyone on the Council's Local Development Framework mailing list and the Council's Developer's Forum.

Regulation 16

The Council published a Draft Charging Schedule (Document C1) on the 5th October 2012 and invited representations on it for a period of six weeks leading up to 4pm on the 16th November 2012.

Copies of the Draft Charging Schedule, relevant evidence (Documents B1, B2, B3) and the Statement of Representations Procedure (SRP)(Document C2) were deposited at the Council's principal office and other offices in the market towns. The above documents were also published on the Council's website.

The Draft Charging Schedule and the SRP were sent to all consultation bodies and a public notice (Document C3) was published in local newspapers. Additionally, invitations to comment were sent to everyone on the Council's Local Development Framework mailing list and the Council's Developers Forum.

Is the Draft Charging Schedule supported by a financial appraisal?

Yes. The CIL Viability Study (Document B3,B4 and B5) examines the viability of all development to support different levels of CIL. The Draft Charging Schedule largely reflects the conclusions from this study,

Has there been any fundamental procedural shortcomings?

No.