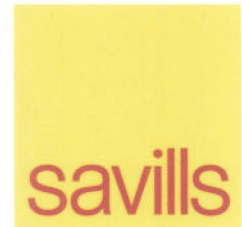


7 March 2013  
L130307 - Feeney (CIL Statement).docx



Mrs A Feeney  
Programme Officer  
Waveney District Council  
Town Hall  
High Street  
Lowestoft  
Suffolk  
NR32 1HS

Savills

T: [savills.com](http://savills.com)

Dear Mrs Feeney

**Waveney District Council Community Infrastructure Levy Charging Schedule Examination  
Statement for the Examination  
Statement submitted on behalf of Brookhouse Group Limited**

**Introduction**

We write further to your recent e-mail to Matthew Sobic of this office in relation to the above. This letter provides our Statement for the upcoming Examination into Waveney District Council Community Infrastructure Levy (CIL) Charging Schedule on 22 March 2013.

The Statement is submitted on behalf of our client, Brookhouse Group Limited. Brookhouse is the owner of North Quay Retail Park on Peto Way in Lowestoft. The Retail Park is an established retail destination providing retail warehouse floorspace for national multiple retailers.

Our Statement focuses on the following point:

**1. Whether there is sufficient flexibility in the CIL rates proposed?**

It is not considered that the appropriate balance between the desirability of funding infrastructure from CIL and the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development has been taken. In order to do so, it is essential that (within the scope of the parent Regulations) the charging authority retain the ability to reduce CIL liability on qualifying schemes. The economic background to development is still challenging and will remain so for the foreseeable future. Although the charging authority will be mindful of the need to meet the Regulation 14 balance, it will be the lower value areas where development viability is already marginal (or indeed non-existent) where CIL will potentially impact most. Accordingly, it is considered that flexibility should be built into the Charging Schedule to permit negotiations on the CIL rate to be charged, where this can be supported by sound viability evidence. For example, where an otherwise acceptable economic generating development would become unviable as a consequence of a flat rate CIL level, it is considered that scope should be made within the Charging Schedule to permit flexibility for that rate to be discounted.

It is also considered that the timing of CIL payments in the context of a development project cashflow is often as important as the total amount payable. The CIL liability for larger projects could have a significant detrimental effect on viability, especially if it is all levied at the outset of a development project. Planning obligations are routinely phased to correspond with phases on larger developments and similar mechanisms can be adopted in relation to CIL payments. It is therefore considered that the Charging Schedule should establish clear phasing triggers for each development type.



Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

Savills (UK) Limited. Chartered Surveyors. Regulated by RICS. A subsidiary of Savills plc. Registered in England No. 2605138.  
Registered office: 20 Grosvenor Hill, London W1K 3HQ



## **Summary and Conclusion**

We trust that the above commentary is taken into account at the Examination. Given that the needs of the UK economy are considered to be extremely important and that any new economic generating development should be supported without delay, it is considered that without the amendment to the Charging Schedule to provide the flexibility set out above, there are the prospects that the CIL rates could make otherwise viable schemes unviable.

In advance of the Examination, if you have any further questions, please contact Matthew Sobic or Peter Whittingham.

Yours sincerely

**Savills (UK) Limited**  
Retail Planning

cc. T Whitehead – Brookhouse Group Limited

**From:** Matthew Sobic  
**To:** "Annette Feeney" <Annette.Feeney@waveney.gov.uk>  
**CC:** "Tom Whitehead" Peter Whittingh...  
**Date:** 07/03/2013 11:45  
**Subject:** RE: Waveney CIL examination briefing notes and questions  
**Attachments:** L130307 - Feeney (CIL Statement).pdf; Part.002

Dear Mrs Feeney,

Please see attached a copy of our CIL Statement in relation to the above.

Yours sincerely

Matthew Sobic  
Associate Director  
Planning (Retail Division)

Tel:

Email:  
Website:www.savills.co.uk

-----Original Message-----

From: Annette Feeney [mailto:Annette.Feeney@waveney.gov.uk]  
Sent: 07 February 2013 16:22  
Subject: Waveney CIL examination briefing notes and questions

Please find attached briefing notes and Examiner questions for the Waveney CIL. I would like to highlight the new CIL guidance response from the Council, provided on 28 Jan, as in Para 7 of the briefing notes you are welcome to submit comments.

Key dates:

Confirm wish to appear deadline for those who have already requested - 5pm 21 Feb Further statements on new evidence (Jan 28 letter) - 5pm 7 March Statements for examiners questions - 5pm 7 March Hearing - 10.30am 22 March

Regards  
Annette Feeney

Mrs Annette Feeney  
Programme Officer  
Please consider the environment: think before you print this email

Confidentiality: This email and its attachments are intended for the above named only and may be confidential. If they have come to you in error you must take no action based on them, nor must you copy or show them to anyone; please reply to this email and highlight the error.

Security Warning: Please note that this email has been created in the knowledge that Internet email is not a 100% secure communications medium. We advise that you understand and accept this lack of security when emailing us.

Viruses: Although we have taken steps to ensure that this email and attachments are free from any virus, we advise that in keeping with good computing practice the recipient should ensure they are actually virus free.