

## Community Infrastructure Levy Preliminary Draft Charging Schedule Draft Report of Consultation - October 2015

Respondent Number	10	Representation Number	1
Respondent Name	Mr Roy Nicholas, Clerk/Proper Officer		
Respondent Organisation	Llangattock Vibon Avel Community Council		
Summary of Response	Answered 'Yes' to questions on representation form, indicating agreement with approach taken.		
Requested Change	N/A		
LPA Response	Agreement noted.		
Recommendation	No change necessary.		

Respondent Number	113	Representation Number	1
Respondent Name	Henry Hodges (Secretary)		
Respondent Organisation	The Chepstow Society		
Summary of Response	<p>No objection with the methodology or the charges proposed. However, concern that there is no proposal to consult on how the funds would be used and shared with authorities / community bodies. Nor does there seem to be any mechanism proposed to explain why one particular scheme or development is preferred to another. The arbitrary use of S106 funds has been controversial in the past and these new regulations do not offer any solution.</p>		
Requested Change	Clarification sought on the issues raised.		
LPA Response	<p>The Regulations set out that 15% of the CIL monies raised in a locality will be allocated to the town or community council in which the development takes place, provided that it meets the requirement to 'support the development of the area'. This is not to say that additional money will not be spent in that town or community council area. The amount to be spent in a locality will depend on the Council's priorities as set out in its Infrastructure Plan, which will be prepared in consultation with local communities. It would be hoped that the County Council and Town and Community Councils would be able to align their priorities to ensure that the best use is made of available resources. A protocol for liaising and consulting with local communities and deciding on spending priorities will be developed as CIL is progressed.</p>		
Recommendation	Prior to the adoption of CIL, develop a protocol for liaising and consulting with local communities and deciding on spending priorities.		

Respondent Number	117	Representation Number	1
Respondent Name	Rachael Bust		
Respondent Organisation	The Coal Authority		
Summary of Response	No specific comments.		
Requested Change	N/A		
LPA Response	Noted.		
Recommendation	No change necessary.		

Respondent Number	144	Representation Number	1
Respondent Name	Shirely Rance		
Respondent Organisation	HSE		
Summary of Response	No comments at this stage.		
Requested Change	N/A		
LPA Response	Noted.		
Recommendation	No change necessary.		

Respondent Number	148	Representation Number	1
Respondent Name	David Cummings (Chairman)		
Respondent Organisation	Monmouth and District Chamber of Trade and Commerce		
Summary of Response	<p>Concern that the proposed CIL rates for commercial development do not cover A3 uses at all (only A1 uses in out-of-centre locations), with specific reference to the proposed Dixton Roundabout development in Monmouth. The Chamber is a business organisation and has no views on the proposed CIL rates for residential development.</p>		
Requested Change	<p>Consider that the same rules and levy should apply to A3 uses outside the defined town centre retail area. Although this should not apply to restaurants which are an integral part of a new hotel.</p>		
LPA Response	<p>Two extra development types have been tested in order to address the issue raised in this representation. The new typologies tested A3 units (restaurants, cafes, takeaways etc.), one located in a town centre and the other in out of town locations. The results of this testing (as set out in the Non-Residential Addendum, September 2015) show that A3 uses would not be viable with the proposed retail rate for out of centre uses and it is therefore seeking to reclassify the retail CIL charges. The proposed CIL rate for retail development out of centre will only apply to A1 and this will be made clear in the charging schedule. All other forms of retail development will be zero rated.</p>		
Recommendation	No change required.		

Respondent Number	154	Representation Number	1
Respondent Name	Lisa Bullock		
Respondent Organisation	Network Rail		
Summary of Response	<p>Response not a 'duly made' representation as received outside the consultation period. The following comments, however, have been noted: Network Rail believes that developments on the railway infrastructure should be exempt from CIL or that its development should at least be classified as payments in-kind.</p> <p>Network Rail would like to seek a clear definition of buildings in the draft charging schedule. Railway stations are open-ended gateways to railway infrastructure and should not be treated as buildings. Likewise lineside infrastructure used to operate the railway (such as sheds, depot buildings etc) should be classed as railway infrastructure and not treated as buildings for the purposes of the charging schedule.</p> <p>Network Rail would like confirmation that its developments over 100sqm undertaken using our Permitted Development Rights will not be CIL chargeable.</p> <p>We consider that imposing a charge on one infrastructure project to pay for another in an inefficient way of securing funding</p> <p>A requirement for development contributions to deliver improvements to the rail network where appropriate.</p> <p>A requirement for Transport Assessments to take cognisance of impacts to existing rail infrastructure to allow any necessary developer contributions towards rail to be calculated.</p> <p>A commitment to consult Network Rail where development may impact on the rail network and may require rail infrastructure improvements. In order to be reasonable these improvements would be restricted to a local level and would be necessary to make the development acceptable. We would not seek contributions towards major enhancement projects which are already programmed as part of Network Rail's remit.</p>		
Requested Change	N/A		
LPA Response	<p>Comments noted. There is no intention to charge CIL on railway infrastructure buildings. These are 'sui generis' uses not appropriate for viability testing. Consultation with Network Rail is carried out on an application by application basis and any implications for its infrastructure etc. taken into account. Network Rail is also a consultee on the Local Development Plan. There is potential for some railway related infrastructure to be funded through CIL as sustainable transport measures (e.g. railway stations, park and ride facilities etc.) and this can be taken into consideration in the preparation of the Regulation 123 List and Infrastructure Plan.</p>		
Recommendation	No change necessary.		

Respondent Number	196	Representation Number	1
Respondent Name	Sacha Rossi		
Respondent Organisation	NATS Ltd (Safeguarding Office)		
Summary of Response	No comments.		
Requested Change	N/A		
LPA Response	Noted.		
Recommendation	No change necessary.		

Respondent Number	200	Representation Number	1
Respondent Name	Scott Caldwell (Savills)		
Respondent Organisation	Home Builders Federation and Consortium of Housebuilders		
Summary of Response	<p>Concerned that the viability evidence which has informed the PDCS is not founded on 'appropriate available evidence' as required under Section 211(7a) of the Planning Act. Disagree with certain assumptions in the viability report. Although content that for testing purposes it is appropriate to adopt a notional 1 hectare site, the appraisals must consider likely costs associated with delivery of larger site to ensure the assessment adequately reflects current practice. Tested a number of the notional 1 hectare site and consider that the maximum level of CIL in each case is approximately half the maximum figure identified within the viability report for each typology prior to the application of any viability buffer. Also concerned that adopting higher density scenarios of 40/50 dph in the testing is unrealistic and 'inflates' the overall results within the assessment. Note that 6 of the 7 Severnside typologies tested are unable to support CIL rate of £60 per sq m which suggests that a significant proportion of development in Severnside will be unviable with £60 per sq m CIL rate.</p>		
Requested Change	Proposed CIL rate in Severnside needs to be reviewed to ensure that development in this location can be supported.		
LPA Response	<p>Viability testing uses notional 1 ha sites to explore differences between densities and value areas. This testing identifies a range of development types (not in conflict with LDP policy) that would be viable. Testing also includes case studies based on the strategic sites identified in the LDP, including the known costs associated with them. Some development may be higher density and therefore it is appropriate to test a range of densities. In the July 2014 testing, the report explained that some Severnside small case studies based on a standard mix of dwellings were not able to support the PCDS CIL rate, although alternative dwelling mixes with only detached houses were able to support the proposed CIL rates. The revised viability report has identified that sites in Severnside can support a CIL rate so the change requested by the representor is no longer needed.</p>		
Recommendation	Consider the findings of the updated viability report.		

Respondent Number	200	Representation Number	2
Respondent Name	Scott Caldwell (Savills)		
Respondent Organisation	Home Builders Federation and Consortium of Housebuilders		
Summary of Response	Affordable Housing - inconsistent approach between the viability assessment and Draft Affordable Housing SPG which could potentially impact on the outcomes of the viability of the tested scenarios. i.e. the viability reported calculates the value of affordable housing based on a capitalisation of the social rent/intermediate rent receivable whereas the SPG is based on Acceptable Cost Guidance.		
Requested Change			
LPA Response	The inconsistency between the assumptions used in the initial viability testing and the policies set out in the Draft Affordable Housing SPG is acknowledged. Revised viability testing has been carried out to remedy this.		
Recommendation	Take into account the results of the revised viability testing in preparing the Draft Charging Schedule.		

Respondent Number	200	Representation Number	3
Respondent Name	Scott Caldwell (Savills)		
Respondent Organisation	Home Builders Federation and Consortium of Housebuilders		
Summary of Response	Residential Sales Values: Content that the assessment of market value is broadly representative of MV in the locations where development is likely to take place. However, there is significant value differential between 3 bedroom detached and 4 bedroom detached dwellings. Also question the premium of 25% to properties with good river views, the basis of which is untested - no local evidence to support this premium e.g. Chepstow		
Requested Change	Recommend that any appropriate mix includes a further 4 bedroom smaller detached category with a net sales area in the order of 1,250 sq ft.		
LPA Response	House prices have been reviewed as part of the September 2015 Refresh. This has used a greater emphasis on £/sq m, which addresses the issue of variations in size within different dwelling types. The principle of a waterside premium is well established, with recent evidence set out in the Knight Frank report cited in the report. The CIL viability testing has used a very conservative interpretation of this research, with about half the suggested up lift applied to 25% of the site. In addition, the asking prices on the adjacent Severn Quays waterside site demonstrate a premium over standard Chepstow values.		
Recommendation	No change.		

Respondent Number 200 Representation Number 4

Respondent Name Scott Caldwell (Savills)

Respondent Organisation Home Builders Federation and Consortium of Housebuilders

Summary of Response Benchmark Land Values:

(1) Concern that the viability report does not distinguish between small scale and large scale development sites. Developments of scale will have significant infrastructure requirements and greater delivery risks/complications than smaller scale developments and this will be reflected in land value. However, distinguishing between brownfield and greenfield sites is less appropriate in most circumstances as the costs of bringing services/infrastructure to greenfield developments and dealing with ground treatment are mostly similar in terms of cost to the demolition/remediation associated with brownfield opportunities.

(2) Also consider benchmark land values used in the report to be low especially for greenfield sites. A multiplier of 20 times agricultural value is too low as confirmed in a recent planning appeal decision. Evidence is provided on recent land sales to support representor's position.

Requested Change (1) Need to distinguish between large strategic development opportunities and those smaller development opportunities in assessing benchmark land values.  
(2) Market value should be used as the basis of benchmark land values wherever possible. Greenfield benchmark land values should be revised to £500,000 per hectare.

LPA Response It is not correct to state that the Viability Report does not distinguish between large and small sites. The viability testing includes case studies from 3 to 450 dwellings. Larger case studies (representing strategic sites) are considered in detail and used land value benchmarks appropriate for these sites. The testing of strategic sites case studies includes estimates of additional opening up costs as well as site specific infrastructure costs. The additional opening up costs are applied to both brownfield and greenfield sites to reflect the different requirements for different types of site i.e. servicing greenfield sites or standard site preparation for brownfield sites. Extraordinary site costs beyond these allowances and outside s106/policy requirements are expected to be revealed as part of due diligence and factored into site specific land price negotiations. The appeal referred to is Pinn Court Farm. Appeals are determined on the basis of the evidence specific to the appeal and findings do not necessarily apply in other situations. For example, in that case the Secretary of State suggested a minimum value for the land concerned, yet the appellants' own viability study showed that less than half the amount was considered acceptable.

The uplift from agricultural values is in line with guidance and the setting of the benchmarks also included a review of land values research, consultation with the development industry and Land Registry information. The benchmark land values used for Monmouthshire are higher than those found sound in Caerphilly and Merthyr Tydfil. The representor has provided evidence of land values in Newport and for schemes with no affordable housing which we do not consider provide more appropriate evidence than that provided by Land Registry for Monmouthshire. It is difficult to comment on the land value for the one Monmouthshire scheme shown (Table 3,

Monmouth) but it is not considered this one site should be used to set a local authority wide threshold. Furthermore, in addition to the 2012 Local Housing Delivery Group guidance on using a premium over existing use, the recent RICS research (Financial Viability Appraisal in Planning Decisions: Theory and Practice, 2015) firmly advises against the use of market value as a mechanism for estimating benchmarks.

Recommendation No change.

Respondent Number 200 Representation Number 5

Respondent Name Scott Caldwell (Savills)

Respondent Organisation Home Builders Federation and Consortium of Housebuilders

Summary of Response Build Costs:

(1) Agree with use of BCIS cost data in assessing build costs but costs have increased since July 2014 and information should be updated.

(2) No allowance for circulation space within flats i.e. additional 17-18% of the GIA to which CIL would be applicable. Also no allowance for garages in either the build costs or floorspace. This is important as CIL is chargeable on GIA which includes garages - failure to include this could result in over-estimation of site's capacity to support CIL.

Requested Change (1) Update build cost information in the viability report with the latest BCIS cost data.  
(2) Confirm what allowance has been made for circulation space within flats and for the provision of garages.

LPA Response (1) Agreed. Retesting has been carried using updated BCIS data. The revised viability testing includes updated BCIS data. Guidance requires the use of current values and costs, with no opportunity to utilise forecasts.  
(2) The September 2015 refreshed testing also includes circulation for flats at 10%. This is an appropriate proportion for 1-2 storey flats. It should be noted that there is no policy requirement for garages and that there is an expressed preference for car ports instead (MCC, 2013, Domestic Garages SPG). However, the relatively generous build costs provided by BCIS together with the allowance for external works will encompass the cost of providing garages on a proportion of dwellings if developers choose to make this provision.

Recommendation Take into account the results of the revised viability testing in preparing the Draft Charging Schedule.



Respondent Number	200	Representation Number	6
Respondent Name	Scott Caldwell (Savills)		
Respondent Organisation	Home Builders Federation and Consortium of Housebuilders		
Summary of Response	<p>Site Opening Up Costs: Opening up costs are applicable to all development sites - not just strategic sites. Allowance for strategic infrastructure and utility costs as set out in the advice note for planning practitioners by the Local Housing Delivery Group chaired by Sir John Harman is typically in the order of £17-23k per plot. Dispute the opening up costs used in the report (£100,000 per hectare and 15% allowance on BCIS costs for external works) as being significantly lower than is appropriate based on the evidence provided (A table is provided giving recent evidence of site opening up costs).</p>		
Requested Change	<p>An allowance of £500,000 per hectare or £15,000 per plot is more reflective of average opening up costs.</p>		
LPA Response	<p>The ""opening up cost"" examples provided by the representor relates to items that the viability testing includes within external works, opening up costs and site specific infrastructure, and therefore a like for like comparison cannot be made. Instead the following should be considered:</p> <p>The testing includes an allowance for external works at 15% of build cost. For a 'typical' 95 sq m dwelling this is c.£14,150. This is to cover standard site preparation and the provision of services within the site to the build plots, as well as frontage roads and landscaping etc. For larger sites it is recognised that additional costs may be incurred and additional costs of £100,000/net ha are allowed for. At 30 dph this is £3,300 per dwelling. Taken with the £14,150 above, the combined amount of c.£17,450 is in excess of the suggested £15,000 per dwelling. The additional opening up costs are applied to both brownfield and greenfield sites to reflect the different requirements for different types of site i.e. servicing greenfield sites or standard site preparation for brownfield sites. In addition site specific infrastructure was included in the testing such as £17,000/dwelling for SAH1 Deri Farm (taking the total to £33,840/dwelling), £10,300/dwelling for SAH3 Fairfield Mabey (taking the total to £27,140/dwelling) and so on. Therefore both the standard and strategic sites case studies include a generous allowance for items described by the representor as ""opening up costs".</p> <p>Extraordinary site costs beyond these allowances and outside s106/policy requirements are expected to be revealed as part of due diligence and factored into site specific land price negotiations. "Opening up cost" examples provided by Savills include items such as mine workings and demolition/asbestos, which clearly are items to factor into land price negotiations, not opening up costs.</p>		
Recommendation	No change.		

Respondent Number	200	Representation Number	7
Respondent Name	Scott Caldwell (Savills)		
Respondent Organisation	Home Builders Federation and Consortium of Housebuilders		
Summary of Response	Developer Profit: question the developer operating and gross margin figures used in the report (a range of supporting evidence is provided). Note that a minimum developer margin of 20% of GDV was supported in a number of appeal decisions (The Manor, Shinfield, Lydney)		
Requested Change	Minimum profit level used within viability testing should be a blended rate of 20% on GDV plus 25% Return on Capital Employed (ROCE) across all tenures, subject to consideration of the risk profile of the scheme. The reference to ROCE is particularly important on large capital intensive schemes - in these cases the relevant rate for site specific appraisal is an Internal Rate of Return (IRR) of at least 25%.		
LPA Response	<p>The developer returns of 20% for market housing and 6% for affordable housing were discussed in the developer workshop in March 2014. This discussion also noted that Savills had agreed 6% return for affordable housing as a statement of common ground for the Caerphilly CIL and it is unclear why this should be different in Monmouthshire. 20% return for market housing and 6% return for affordable are commonly accepted at recent CIL examinations e.g. Wigan August 2015, Southend on Sea April 2015. The issue for profit benchmarks is determining an acceptable return for the likely risk, which is why a higher rate is required for market housing than the affordable housing, with sale agreed before construction. This required return against risk should not be conflated with the justifiable but entirely separate consideration of developers maximising returns for investors. It should be noted that BCIS figures for build cost also include a contractor return, which in effect pushes up the overall return beyond the 20% and 6% used here. We note that the house builders operating returns have generally been below 20% since before the recession. The use of IRR as a measure instead of profit on GDV has been discussed at a number of forums (e.g. RICS seminar on Development Viability Appraisal, September 2015) but has not been accepted as the preferred measure. Generally, IRR is a corporate finance tool used to compare the attractiveness of different projects with different timings of investment and return. In its standard form it does not produce a useful output for a residual land value appraisal, partly as land price is an input, not an output. Issues with IRR include no accepted benchmarks for acceptable IRR (Savills have provided no justification for requiring a 25% IRR), sensitivity to small changes in assumed inputs, lack of agreed information on inputs, lack of transparency and an impression of spurious accuracy. Three Dragons has undertaken separate consultation with housebuilders in 2012/13 about the use of IRR as a measure and this failed to show any compelling case to use it against the more widely understood return on value. Importantly, the Three Dragons Toolkit used for undertaking the viability appraisals in Monmouthshire includes a discounted cash flow function, and this is already used for the testing of the larger case studies. This explicitly takes account of investment and returns over time within the framework of a residual land appraisal.</p>		
Recommendation	No change.		

Respondent Number	200	Representation Number	8
Respondent Name	Scott Caldwell (Savills)		
Respondent Organisation	Home Builders Federation and Consortium of Housebuilders		
Summary of Response	CIL Regulations outline that the offer of relief is discretionary on the charging authority - consider it imperative that MCC make relief available when CIL is adopted. This will ensure that the overall delivery of housing including affordable housing provision is not compromised by CIL		
Requested Change	The Council should clearly outline its approach to CIL relief in conformity with the Regulations.		
LPA Response	The CIL Regulations make a number of provisions for charging authorities to give relief from the levy. Some of these exemptions are mandatory, including development for charitable purposes and social housing. Discretionary relief can be offered in exceptional circumstances where a specific scheme cannot afford to pay the levy. The powers to offer relief can be activated and deactivated at any point after the charging schedule is approved. At present, it is not intended to offer exceptional circumstances relief. It is considered that a rigorous process has been followed in establishing the proposed CIL rate and if developers disagree with the proposed rates they will have the opportunity to challenge them at Examination.		
Recommendation	No change.		

Respondent Number	206	Representation Number	1
Respondent Name	Ross Anthony		
Respondent Organisation	The Theatres Trust		
Summary of Response	Support the setting of a nil rate for all other uses as many D1, D2 and some sui generis uses such as theatres, often do not generate sufficient income streams to cover their costs. Consequently, this type of facility is very unlikely to be built by the private sector.		
Requested Change	No change.		
LPA Response	Support noted.		
Recommendation	No change necessary.		

Respondent Number	333	Representation Number	1
Respondent Name	Mr John Young		
Respondent Organisation	N/A		
Summary of Response	Concern that there is only a reference to the charge per square metre, but nothing on how the number of square metres is calculated. The method of calculation could potentially affect the density at which housing is built, the choice between single and multi-storey building etc.		
Requested Change	The basis of the calculation should be made explicit within the regulation (document) and not reliant on antecedent knowledge of other guidance and regulation.		
LPA Response	The way in which CIL is calculated is set out in the Regulations. Paragraphs 3.2 to 3.6 of the Council's CIL Guidance Note (September 2014 at <a href="http://www.monmouthshire.gov.uk/app/uploads/2015/07/CIL-Guidance-Note.pdf">http://www.monmouthshire.gov.uk/app/uploads/2015/07/CIL-Guidance-Note.pdf</a> ) offers an explanation. CIL will be charged on the net additional gross internal floor area of a development.		
Recommendation	No change.		

Respondent Number	342	Representation Number	1
Respondent Name	Simon Tofts (Planning Manager)		
Respondent Organisation	Blue Cedar Homes		
Summary of Response	Welcome the proposed zero CIL charge on all retirement housing in the County. This should assist in bringing forward this form of development.		
Requested Change	The Council should set out in full the definition of retirement housing. Blue Cedar Homes attach a restrictive covenant on each house they sell requiring the purchaser to be over 55 years of age.		
LPA Response	It is agreed that a full definition of retirement housing would be useful to provide clarity.		
Recommendation	Give further consideration to providing a full definition of retirement housing.		

Respondent Number	378	Representation Number	1
Respondent Name	Tim Gent (Savills)		
Respondent Organisation	Mabey Bridge		
Summary of Response	Concern as to whether or how the development costs information submitted for the Fairfield Mabey site has informed the content of the viability report. Note that further information on development costs can be supplied to the Council.		
Requested Change	Clarify how the development costs information has been assessed, accepted and applied, albeit recognising the need for confidentiality. Discuss the implications of the further development costs information.		
LPA Response	The original CIL viability study made use of information provided by the developers but was unable to demonstrate how because of confidentiality concerns from the scheme promoters. Discussions have been held with the representor who has provided updated costs information that has been taken into account in the revised viability testing report.		
Recommendation	Consider the implications of the revised viability testing for the Draft Charging Schedule.		

Respondent Number	378	Representation Number	2
Respondent Name	Tim Gent (Savills)		
Respondent Organisation	Mabey Bridge		
Summary of Response	Benchmark land values for urban sites are much too low. A comparison with Merthyr and Caerphilly is not valid given the distance (both geographical and commercial) between these areas. Note that is inappropriate to record in the report that the development industry workshop broadly agreed with the rates / failed to provide alternatives.		
Requested Change			
LPA Response	<p>Note that the land value benchmarks are the estimated lowest values that a landowner may sell for, not the highest values that may be achieved.</p> <p>Fairfield Mabey site is in industrial use and the testing applies the benchmark for urban sites, which is a premium of more than 60% over the industrial land value benchmark. Premium over existing use value is in line with the guidance in the Local Housing Delivery Group's 2012 "Viability testing local plans". These benchmarks do not preclude the possibility that sites may change hands at higher values than the benchmarks, assuming that the development is able to support it, but recent RICS research (Financial Viability Appraisal in Planning Decisions: Theory and Practice, 2015) firmly advises against the use of market value as a mechanism for estimating benchmarks.</p>		
Recommendation	No change.		

Respondent Number	378	Representation Number	3
Respondent Name	Tim Gent (Savills)		
Respondent Organisation	Mabey Bridge		
Summary of Response	Opening up costs are very low. £40,000 per acre does not reflect recent experience of greenfield/brownfield development. Note it is inappropriate to connect discussion at the development industry workshop with agreement of this figure.		
Requested Change	Welcome discussion on with the Council on this matter.		
LPA Response	<p>The additional £100,000/net ha (£40,470/acre) allowance for opening up costs is applied to both brownfield and greenfield strategic sites to reflect the different requirements for different types of site i.e. servicing greenfield sites or standard site preparation for brownfield sites. The reference to "opening up cost" by the representor relates to items that the viability testing includes within external works, opening up costs and site specific infrastructure, and therefore a like for like comparison cannot be made. Instead the following should be considered:</p> <p>The testing includes an allowance for external works at 15% of build cost. For a 'typical' 95 sq m dwelling this is c.£12,030. This is to cover standard site preparation and the provision of services within the site to the build plots, as well as frontage roads and landscaping etc. For larger sites it is recognised that additional costs may be incurred and additional costs of £100,000/net ha are allowed for. At 30 dph this is £3,300 per dwelling. This combines to c.£15,330/dwelling. In addition site specific infrastructure was included at £10,300/dwelling for SAH3 Fairfield Mabey (taking the total to £25,630/dwelling), with an additional scenario adding a further £4,800/dwelling taking the total to £30,430/dwelling. On an area basis these costs are approximately £0.77m and £0.9m/ha respectively (at 30 dph).</p> <p>Extraordinary site costs beyond these allowances and outside s106/policy requirements are expected to be revealed as part of due diligence and factored into site specific land price negotiations.</p> <p>Further discussions have taken place with the representor and revised information included in the updated viability testing.</p>		
Recommendation	Consider the implications of the revised viability testing for the Draft Charging Schedule.		

Respondent Number	378	Representation Number	4
Respondent Name	Tim Gent (Savills)		
Respondent Organisation	Mabey Bridge		
Summary of Response	<p>Figures used for the average cost of a S106 payment mask substantial variation either looking backwards (towards agreements completed) or forwards to the sites likely to come forward. Question how the £1,000 assumed per unit plus the CIL charge and low costs set out in Annex 1 of the report can add up to the total costs associated with the Fairfield Mabey site.</p>		
Requested Change	Welcome discussion on this matter before further progress is made with CIL.		
LPA Response	<p>The CIL viability testing has assumed a standard Section 106 contribution of £1k per dwelling, equivalent to the current contribution for provision of children's play space that is generally provided on-site. Other current Section 106 contributions such as adult recreation and education would be expected to be replaced by CIL. It is recognised that the Mabey Bridge site does have additional site specific development requirements that would not fit comfortably into the CIL approach (e.g. the proposed riverside walk that will contribute substantially to adult recreation facilities in Chepstow and is necessary for Green Infrastructure/Biodiversity purposes to bring forward development of the site). Following discussions with the representor, the potential Section 106 requirements have been reviewed for the updated viability testing.</p>		
Recommendation	Consider the implications of the revised viability testing for the Draft Charging Schedule.		

Respondent Number	378	Representation Number	5
Respondent Name	Tim Gent (Savills)		
Respondent Organisation	Mabey Bridge		
Summary of Response	<p>Proposal to add a waterside value premium is not support by evidence relied on because: unconventional waterside views; evidence from nearby Severn Quays does not support the premium; all sites have special characteristics and inappropriate to single out Fairfield Mabey.</p>		
Requested Change			
LPA Response	<p>The principle of a waterside premium is well established, with recent evidence set out in the Knight Frank report cited in the viability report. The CIL viability testing has used a very conservative interpretation of this research, with about half the suggested up lift applied to 25% of the site. In addition, the asking prices on the adjacent Severn Quays waterside site demonstrate a premium over standard Chepstow values. Discussion with the site promoters suggests that there may be some house price premium although no site specific value assumptions have been made available by the site promoters.</p>		
Recommendation	No change.		

Respondent Number 378 Representation Number 6

Respondent Name Tim Gent (Savills)

Respondent Organisation Mabey Bridge

Summary of Response Question the CIL rate proposed for the Fairfield Mabey site. Even on the assumptions made in the report, if the £1.7 million used for the High Beach roundabout scheme is added to cost or lost from value then zero CIL can be afforded. Concern that this is likely given that sites are charged with delivering specific obligations outside CIL and then CIL is used to fund some unspecific /limited improvements to generic and strategic infrastructure. The Regulation 123 list has narrow focus and there is little expansion in the schedule of what will be included and given the proposals for the site it is clear that:

- a) there will be a significant overlap between what is proposed and what CIL could be used for (especially in terms of strategic green infrastructure)
- b) the sustainable transport improvements in the schedule will not be used for highway and transportation improvements associated with the scheme - these will therefore fall to the site
- c) the site has excellent accessibility credentials - contributing to a general fund for sustainable transport for an otherwise rural authority is not warranted.
- d) the scheme will trigger an improvement to the town centre. No competing retail space is proposed on the site and spending / footfall in the town centre will increase
- e) there is significant capacity within the primary and secondary schools in Chepstow
- f) proposals for the site will also make substantial provision for open space (sport and recreation)

Accordingly, there is need for caution when approaching the concept of CIL and the rates to be applied to the individual sites. Note that CIL may not be the right vehicle for Monmouthshire (as pooling rules are unlikely to be relevant) but if it is pursued specific rates can be identified for each strategic site.

Requested Change If CIL is pursued, a zero rate should be applied to Fairfield Mabey (without this adjustment CIL could adversely affect the viability of the site).

LPA Response The CIL viability testing has assumed a standard Section 106 contribution of £1k per dwelling, equivalent to the current contribution for provision of children's play space that is generally provided on-site. Other current Section 106 contributions such as adult recreation and education would be expected to be replaced by CIL. It is recognised that the Mabey Bridge site does have additional site specific development requirements that would not fit comfortably into the CIL approach (e.g. the proposed riverside walk that will contribute substantially to adult recreation facilities in Chepstow and is necessary for Green Infrastructure/Biodiversity purposes to bring forward development of the site). Following discussions with the representor, the potential Section 106 requirements have been reviewed for the updated viability testing.

The Welsh Government's requirements for highway works on the A48 (T) road are awaited. It is not possible, therefore, to achieve any precision in estimating potential transport infrastructure costs. Two scenarios have been tested in the revised viability report - the second including the full cost of



improvements to High Beech roundabout.

Recommendation Consider the implications of the revised viability testing for the Draft Charging Schedule.

Respondent Number 378 Representation Number 7

Respondent Name Tim Gent (Savills)

Respondent Organisation Mabey Bridge

Summary of Response A small convenience store could be appropriate at the Fairfield Mabey site. This would not perform like the models tested in the viability report and in the short term at least overall viability may be a key issue.

Requested Change May be appropriate to waive the charge on A1 out-of-centre stores proposed of (or below) a certain size or which are proposed to be part of the larger strategic sites.

LPA Response The CIL Regulations exempt development with a gross internal floor area of less than 100 sq. m. from payment of the levy. It is likely, therefore, that a small retail unit of the type referred to would be exempt from a CIL charge.

Recommendation No change.

Respondent Number 378 Representation Number 8

Respondent Name Tim Gent (Savills)

Respondent Organisation Mabey Bridge

Summary of Response Concerns that CIL is too blunt a tool generally and if pursued in the manner proposed will negatively affect proposals for the site.

Requested Change Welcome a meeting to explain this point and to share technical/ commercial information about the site.

LPA Response The CIL viability testing has assumed a standard Section 106 contribution of £1k per dwelling, equivalent to the current contribution for provision of children's play space that is generally provided on-site. Other current Section 106 contributions such as adult recreation and education would be expected to be replaced by CIL. It is recognised that the Mabey Bridge site does have additional site specific development requirements that would not fit comfortably into the CIL approach (e.g. the proposed riverside walk that will contribute substantially to adult recreation facilities in Chepstow and is necessary for Green Infrastructure/Biodiversity purposes to bring forward development of the site). Following discussions with the representor, the potential Section 106 requirements have been reviewed for the updated viability testing.

Recommendation Consider the implications of the revised viability testing for the Draft Charging Schedule.

Respondent Number	381	Representation Number	1
Respondent Name	Mr D Addams-Williams		
Respondent Organisation	Llangibby Estate		
Summary of Response	£110 per square metre charge will discourage new development.		
Requested Change	Category (2) Table 1 of the PDCS should be broken down into sub-categories.		
LPA Response	No evidence is provided in support of the representation, neither is it explained how it is felt Category (2) (Non-strategic sites in the Main Towns of Abergavenny, Chepstow and Monmouth and the Rural Rest of Monmouthshire) should be broken down into sub-categories. The viability testing has attempted to ensure that residential development will not be discouraged from coming forward. Sites in rural areas in Main and Minor Villages, as categorised in the LDP, that are required to provide above 35% affordable housing are exempt from the CIL charge.		
Recommendation	No change.		

Respondent Number	457	Representation Number	1
Respondent Name	Alistair Macdonald (RPS)		
Respondent Organisation	Bovis Homes Ltd		
Summary of Response	CIL guidance has been updated since February 2014 - accordingly the viability report should be reviewed and updated in light of the latest version of the guidance (June 2014).		
Requested Change	Review / update the viability report in line with the latest CIL guidance.		
LPA Response	The viability report has been updated and includes up to date CIL guidance.		
Recommendation	Consider the findings of the updated viability report.		

Respondent Number	457	Representation Number	2
Respondent Name	Alistair Macdonald (RPS)		
Respondent Organisation	Bovis Homes Ltd		
Summary of Response	<p>Benchmark values used in the viability report are too low. These figures were disputed at the Development Industry Workshop and it is not sufficient to dismiss these views by saying that no specific alternative land value was put forward. Further evidence should be gathered by the Council to justify its proposed land values or identify alternative values which align more closely with the experience of the development industry representatives. Bovis would be happy to assist the Council in this regard.</p>		
Requested Change	<p>Council to provide further evidence to justify proposed land values or identify alternative land values.</p>		
LPA Response	<p>Available information (research reports dealing with land values, consultation with the development industry and data from Land Registry) has been reviewed. Standard benchmark land value found sound as part of Local Development Plan examination. Greenfield benchmark developed in line with Local Housing Delivery Group and HCA guidance. April 2015 RICS research (Financial Viability Appraisal in Planning Decisions: Theory and Practice) strongly advises against the use of market values in setting benchmarks.</p>		
Recommendation	<p>No change.</p>		

Respondent Number	457	Representation Number	3
Respondent Name	Alistair Macdonald (RPS)		
Respondent Organisation	Bovis Homes Ltd		
Summary of Response	<p>Land value assumptions for non-residential development are typically considerably higher than those for residential development. The same land value is applied to both town centre offices and out of centre retail warehouse, despite the likelihood that town centre uses would involve redevelopment of brownfield land and out of town retail would likely occupy greenfield land. The Council is therefore inconsistent in its assumptions for residential and non-residential development, applying higher development costs for non-residential development than comparable residential sites. Bovis cannot therefore support the assumptions / methodology within the viability assessment. The land value figures for residential sites are considered to be an understimation of land value, particularly when compared with the values for non-residential sites.</p>		
Requested Change	<p>Adopt a consistent approach between land values for residential and non-residential sites - this will enable a fair comparison between the development costs of all schemes and their ability to contribute towards strategic infrastructure costs through CIL.</p>		
LPA Response	<p>It is common for land values for different uses to vary, reflecting the value of the uses. There is no inconsistency in this approach.</p>		
Recommendation	<p>No change.</p>		

Respondent Number 457 Representation Number 4

Respondent Name Alistair Macdonald (RPS)

Respondent Organisation Bovis Homes Ltd

Summary of Response PDCS fails to provide sufficient evidence to support the proposed CIL rates:

(1) This is contrary to government guidance. Paragraph 16 of DCLG guidance is clear that 'charging authorities should focus on providing evidence of an aggregate funding gap that demonstrates the need to put in place the levy'. Paragraph 28 of the guidance advises that the PDCS should be based on evidence of the infrastructure needs of the area and the ability of development in that area to fund that infrastructure in whole or in part. It is good practice for the charging authority to publish its draft infrastructure list and proposed policy for scaling back Section 106 agreements at PDCS stage to provide clarity on the financial burden that developers can expect to bear. There is a lack of evidence on strategic infrastructure needs. The 'Draft Infrastructure Plan' in Appendix 1 of the Adopted LDP only provides a list of the specific site infrastructure requirements for strategic sites. No indication is given of the total cost of infrastructure that the Council wishes to fund through the levy; the procedural requirements of the Regulation 123 list are not fulfilled.

(2) The 'Draft Infrastructure Plan' indicates that the majority of infrastructure will be developer funded and secured through Section 106 Agreements. The Draft Regulation 123 Schedule confirms that infrastructure associated with the LDP strategic sites identified in the Council's Draft Infrastructure Plan will be funded through Section 106 contributions. The evidence base appears not to have considered the viability implications of providing such major infrastructure through Section 106 agreements and the ability of development schemes to afford the identified CIL rates.

(3) In the absence of a sound evidence base there is no demonstrable need for CIL. The infrastructure requirements arising from the LDP are unknown and there is no evidence to whether the funds would be sufficient meet any gaps in funding or whether any funding sources are available to the Council. There is no evidence that the proposed CIL rates are necessary to deliver strategic infrastructure or provide adequate funding to ensure the timely delivery of planned development alongside infrastructure.

Requested Change Evidence base requires thorough re-examination and expansion to include a more detailed Regulation 123 list before any further progress can be made on the Council's proposals for CIL.

LPA Response (1) Paragraph 16 of the guidance does not require details of the 'funding gap' to be published at PDCS stage, although it is acknowledged that paragraph 28 of the guidance suggests that it is 'good practice' to provide as much detail as possible of infrastructure proposals to accompany the consultation. The Council did publish a draft Regulation 123 list with the PDCS, setting out the categories of development that it is proposed to be funded through CIL. Appendix 1 of the LDP is not the 'Draft Infrastructure Plan' and only lists site specific infrastructure for the LDP strategic sites. A draft list of potential 'place-making' and other proposals by settlements to be funded through CIL was provided as Annex 2 of the Draft Infrastructure Plan produced in July 2013 as part of the LDP process. It is recognised that further work is needed

to refine the list and this will be carried out during the production of the Draft Charging Schedule in order to be in a position at Examination to set out 'a draft list of the projects or types of infrastructure that are to be funded in whole or in part by the levy' and 'any site-specific matters for which Section 106 contributions may continue to be sought' (paragraph 17 of guidance).

(2) As described in answer to (1) above, Appendix 1 of the LDP is not the whole Draft Infrastructure Plan, which is a separate document. It is acknowledged that the majority of the infrastructure provision for strategic sites is identified as being developer funded, although the Schedule will need amendment as it is intended that some items listed will be funded through CIL (e.g. off-site adult recreation). The CIL viability testing has attempted to take into account the exceptional costs associated with the strategic sites (where known) in order to ensure that a CIL rate can be charged that does not adversely affect their viability.

(3) It is not agreed that there is not a need for CIL, although it is recognised that further work is required on refining the list of infrastructure set out in the Draft Infrastructure Plan (which is not just Appendix 1 of the LDP), establishing the 'funding gap' and identifying the site specific infrastructure that will be funded through Section 106. In this respect, an addendum report will be provided to supplement the Draft Infrastructure Plan produced for the LDP in July 2013.

Recommendation

Carry out further work on refining the list of infrastructure set out in the Draft Infrastructure Plan (July 2013), establishing the 'funding gap' and identifying the site specific infrastructure that will be funded through Section 106.

Respondent Number	457	Representation Number	5
Respondent Name	Alistair Macdonald (RPS)		
Respondent Organisation	Bovis Homes Ltd		
Summary of Response	<p>Support separate categorisation of strategic LDP sites and application of lower CIL rate to reflect higher development costs associated with delivery of these sites. However, question whether strategic sites would continue to be viable if CIL is applied at rate of £60 per sqm. The viability testing has been based on gross rather than net density figures - given that some sites will not be capable of development of 100% of the site area, a lower density figure or gross to net density allowance should be applied. In the case of Wonastow Road the development capacity of the site is limited and the overall density of development reduces to 13dph based on the overall site area. Consequently, the site would be unable to support the level of infrastructure costs anticipated by Chart 3.1 even at the lowest density calculation.</p>		
Requested Change	A lower density figure or a gross to net density allowance should be applied.		
LPA Response	<p>The representation may have misunderstood the testing approach, which uses a net development density and then recognises that not all the site will be developed. Wonastow Road gross area (excluding the non-developable part of the allocation that is in flood plain) is 19.61ha and net is 16.46ha. LDP allows for 450 dwellings which is 27dph net or 22 dph gross.</p>		
Recommendation	No change.		

Respondent Number	457	Representation Number	6
Respondent Name	Alistair Macdonald (RPS)		
Respondent Organisation	Bovis Homes Ltd		
Summary of Response	<p>Strategic sites - information on Site specific infrastructure costs are only best estimates and are subject to change as projects advance through the planning and design stages. Additional costs vary considerably between the strategic sites. Given the significant variations in development yield, site specific infrastructure costs and existing land values, question whether it is realistic to apply a uniform rate of CIL to all strategic sites (with the exception of Sudbrook Paper Mill). Need to ensure that CIL will not remove incentive for landowners to release land for development, will not adversely affect the viability of development schemes and will not dissuade developers from investing in Monmouthshire. If the Council intends to apply a single CIL rate to all strategic sites a cautious approach must be adopted to ensure the CIL falls below the lowest maximum potential CIL and a buffer is applied to ensure viability. Agree with 30% buffer applied subject to a review of the maximum potential CIL figures.</p>		
Requested Change	Review maximum potential CIL figures for the reasons set out above.		
LPA Response	<p>CIL viability has been refreshed, to include new information on strategic sites where available. Delivery on strategic sites is important to the success of the LDP and CIL rates will be set so that policy compliant delivery is not compromised.</p>		
Recommendation	No change.		



Respondent Number	457	Representation Number	7
Respondent Name	Alistair Macdonald (RPS)		
Respondent Organisation	Bovis Homes Ltd		
Summary of Response	<p>Broadly supportive of the geographical charging zones for residential development. However, question the charging zones in the context of an extension to a strategic site. For example, an extension of the site allocation at Drewen Farm, Monmouth would be subject to a higher CIL charge of £110 per sq m which covers the rest of rural Monmouthshire. Further consideration needs to be given to the practical future application of CIL to ensure sufficient flexibility is allowed within the terms of the charging schedule to allow the Council to apply the CIL rate for strategic sites to any proposed extensions to those sites upon the grant of planning permission.</p>		
Requested Change	<p>Welcome further clarification on this point within the Draft Charging Schedule to ensure such proposals are not penalised through the application of higher CIL rate based on strict application of the geographical charging zones.</p>		
LPA Response	<p>The lower CIL rate proposed for LDP strategic site allocations reflects the additional infrastructure costs of bringing these sites forward. Should there be future proposals to extend the existing Wonastow Road allocation further onto Drewen Farm land through a departure application then it would be expected that if planning permission were to be granted any initial additional opening up costs would have been met in developing the original allocation. The viability testing of case study sites can only relate to sites that have been allocated through an adopted development plan. It is considered appropriate that should any sites come forward outside the development plan process that they should meet the general CIL charge based on the charging zone in which the site is located.</p>		
Recommendation	No change.		

Respondent Number	457	Representation Number	8
Respondent Name	Alistair Macdonald (RPS)		
Respondent Organisation	Bovis Homes Ltd		
Summary of Response	<p>Object to the proposed application of a zero CIL rate to non-residential uses across Monmouthshire. Question the land value assumptions for non-residential development which underpins these findings. The same land value is applied to both town centre offices and out of centre retail warehouse, despite the likelihood that town centre uses would involve redevelopment of brownfield land and out of town retail would likely occupy greenfield land. Non-residential land values are considerably higher than comparable site values for residential use meaning that the Council is inconsistent in its assumptions. Therefore unable to support the assumptions and methodology within the viability assessment. Where opportunities exist to secure strategic infrastructure funding through development, the Council should explore these in full and seek to spread the burden across all viable forms of development.</p>		
Requested Change	<p>Need for a consistent approach between non-residential and residential land values to enable a fair comparison between the development costs of all schemes and their ability to contribute towards the strategic infrastructure costs through CIL.</p>		
LPA Response	<p>It is common for land values for different uses to vary, reflecting the value of the uses. There is no inconsistency in this approach. There is not a zero rate for all non-residential development. A CIL rate of £200 per sqm is being proposed for out of centre A1 retail uses. In terms of a zero retail rate for other non-residential uses, this has little to do with land values – in most cases it is the values that are not sufficient to cover the costs of development, let alone cost of land. Of the 13 non-residential uses tested only the retail uses have a positive residual land value. This viability position in terms of negative residual values is demonstrated in the local market where there has been little activity in terms of non-residential uses coming forward on a speculative basis.</p>		
Recommendation	No change.		

Respondent Number	457	Representation Number	9
Respondent Name	Alistair Macdonald (RPS)		
Respondent Organisation	Bovis Homes Ltd		
Summary of Response	<p>(1) Unable to judge whether or not the Council has achieved an acceptable balance between infrastructure funding and economic viability in view of the failure of the Regulation 123 list to define strategic infrastructure requirements and the associated costs which justify CIL.</p> <p>(2) Also concern that if development costs are too prohibitive / fail to provide adequate return for developers sites may remain undeveloped.</p>		
Requested Change	Review and update the evidence base to enable a fair assessment as to whether the PDCS is appropriately balanced.		
LPA Response	<p>(1) It is recognised that further work is required on refining the Regulation 123 list and identifying strategic infrastructure projects.</p> <p>(2) The viability testing has been carried out to attempt to ensure that the CIL rate does not prevent development coming forward in the County. The 'balance' has been achieved through a thorough review of viability across a range of site types. Where necessary, the testing is being updated and refined to meet some of the concerns raised.</p>		
Recommendation	Carry out further work on refining the list of infrastructure set out in the Draft Infrastructure Plan (July 2013), establishing the 'funding gap' and identifying the site specific infrastructure that will be funded through Section 106.		

Respondent Number	458	Representation Number	1
Respondent Name	Huw Jones (Turley)		
Respondent Organisation	ALDI Stores Ltd		
Summary of Response	The application of CIL and the evidence base underpinning the Draft Charging Schedule should be in accordance with Government guidance and statutory provisions including PPW and CIL Regulations. We trust that the LPA has considered all relevant guidance in preparing their PDCS. It is important that the implemented Charging Schedule provides robust, clear and concise guidance.		
Requested Change	No change requested.		
LPA Response	Comment noted. It is considered that the CIL proposals have been prepared in accordance with the appropriate regulations, guidance etc.		
Recommendation	No change.		

Respondent Number	458	Representation Number	2
Respondent Name	Huw Jones (Turley)		
Respondent Organisation	ALDI Stores Ltd		
Summary of Response	<p>Concerns regarding the proposed A1 out of centre retail levy rate (£200 per sq m) and the use of five specific retail typologies. National food operators do not all operate the same business models - at present the proposed charges are not reflective of this (reference made to Examination of the Plymouth CC CIL Charging Schedule). ALDI operate a model based on high levels of efficiency and low overheads, providing accessible low-cost goods. A high CIL rate could impact on the viability of the business and deter future investment resulting in a loss of key discount retail provision within the County. If the LPA does not make a distinction between different sizes and categories of retail development, the CIL change must be made viable so as not to prejudice a particular retail use, irrespective of the size/type of retailer.</p>		
Requested Change	<p>Further justification is required regarding the proposed retail levy in terms of the intended amount and approach.</p>		
LPA Response	<p>The CIL rate cannot be set according to a specific operator's business model as this would provide a competitive advantage and would therefore be contrary to regulation and state aid rules. However, different sizes of store have been considered (small convenience store and small supermarket) in different locations. The small supermarket example is a very similar size to many larger Aldi stores and is therefore representative of this particular operator and more importantly of the type of stores most likely to come forward within Monmouthshire over the Plan period. The evidence used to provide values for supermarkets is across all operators and therefore to some degree the rental values and yields for Aldi are also already taken into account (as set out in the Non-Residential Addendum, September 2015). Therefore it is considered that an appropriate range of retail typologies have been tested and that the evidence that supports the rate is appropriate and robust.</p>		
Recommendation	<p>No change.</p>		

Respondent Number	458	Representation Number	3
Respondent Name	Huw Jones (Turley)		
Respondent Organisation	ALDI Stores Ltd		
Summary of Response	Monitoring/ Early Review: Trigger points whereby a review of CIL is required are not stated in the evidence presented. This is important in order to provide certainty to investors.		
Requested Change	Provide trigger points to indicate when a review of CIL would be required.		
LPA Response	<p>The CIL Guidance states that: 'Charging authorities must keep their charging schedules under review and should ensure that levy charges remain appropriate over time. For example charging schedules should take account of changes in market conditions, and remain relevant to the funding gap for the infrastructure needed to support the development of the area.'</p> <p>Government does not prescribe when reviews should take place. However, in addition to taking account of market conditions and infrastructure needs, charging authorities should also consider linking a review of their charging schedule to any substantive review of the evidence base for the relevant Plan. It seems, therefore, that it would be appropriate to carry out a review of CIL at the same time as the LDP is reviewed (generally to commence four years after adoption unless there are exceptional circumstances). It is difficult to see how precise 'trigger points' could be established for reviewing the CIL charge (and none are prescribed in government guidance) although land values and build costs will be kept under regular review. The LDP Annual Monitoring Report provides a vehicle for this and an annual report is also required on how CIL is spent.</p>		
Recommendation	No change.		

Respondent Number	458	Representation Number	4
Respondent Name	Huw Jones (Turley)		
Respondent Organisation	ALDI Stores Ltd		
Summary of Response	Lack of clarity on what basis additional S106 contributions would be sought for retail development following the adoption of CIL.		
Requested Change	Clarify what basis additional S106 contributions would be sought for retail development following adoption of CIL.		
LPA Response	<p>Section 106 contributions will be established on a case by case basis depending on the infrastructure necessary to bring a development forward. The Draft Regulation 123 List indicates that sustainable transport improvements and town centre improvements (two items that commonly require contributions from retail developments) will be funded through CIL. If this is carried through to final Regulation 123 List then Section 106 contributions will no longer be required for such items. The viability testing has included a sufficient buffer (greater than 50% for both supermarkets and retail warehouses) to ensure that viability is not adversely impacted by the proposed CIL charge.</p>		
Recommendation	No change required.		

Respondent Number	458	Representation Number	5
Respondent Name	Huw Jones (Turley)		
Respondent Organisation	ALDI Stores Ltd		
Summary of Response	Lack of detail on the intended administrative costs and processes.		
Requested Change	Helpful if the LPA could outline within the PDCS the intended administrative costs and processes.		
LPA Response	<p>The CIL Regulations indicate that a charging authority can spend up to 5% of the total levy receipts on administrative expenses. The precise arrangements for administering CIL remain to be determined and it is not considered necessary to establish them at this stage. Charging authorities are required to publish an annual report on how CIL money has been spent. That would be the opportunity for scrutiny of any administrative costs that arise and it not considered necessary or appropriate to publish intended costs at the present time. Similarly, precise administrative processes have not yet been established. The amount to be spent in a locality will depend on the Council's priorities as set out in its Infrastructure Plan, which will be prepared in consultation with local communities. It would be hoped that the County Council and Town and Councils would be able to align their priorities to ensure that the best use is made of available resources. A protocol for liaising and consulting with local communities and deciding on spending priorities will be developed as CIL is progressed.</p>		
Recommendation	Prior to the adoption of CIL, develop a protocol for liaising and consulting with local communities and deciding on spending priorities.		

Respondent Number	459	Representation Number	1
Respondent Name	Mrs Jeana Hall		
Respondent Organisation	N/A		
Summary of Response	No to wind turbines - uneconomical to build/run.		
Requested Change	No change.		
LPA Response	Comment noted. This is not a matter for the CIL process.		
Recommendation	No change necessary.		

Respondent Number	459	Representation Number	2
Respondent Name	Mrs Jeana Hall		
Respondent Organisation	N/A		
Summary of Response	Only concern is that just 15% of CIL money will go to the community involved. This is too low and very open ended.		
Requested Change	No change requested.		
LPA Response	The allocation of 15% of the CIL monies raised in a locality to the town or community council in which the development takes place is set out in the Regulations. This is not to say that additional money will not be spent in that town or community council area. The amount to spend in a locality will depend on the Council's priorities as set out in its Infrastructure Plan, which will be prepared in consultation with local communities.		
Recommendation	No change necessary.		

Respondent Number	460	Representation Number	1
Respondent Name	Glenn Evans (Strategic Support Manager)		
Respondent Organisation	Aneurin Bevan Health Board		
Summary of Response	Supports the proposals set out in the PDCS.		
Requested Change	N/A		
LPA Response	Support noted.		
Recommendation	No change necessary.		