



# **Community Infrastructure Levy Draft Charging Schedule**

## **Response to Modifications**

**August 2014**

## **1.0 Introduction**

- 1.1 Dacorum Borough Council invited representations on its Statement of Modifications between the 16<sup>th</sup> July 2014 and 13<sup>th</sup> August 2014
- 1.2 Six responses were received in relation to this statement and have been published in our Examination Library.
- 1.3 The purpose of this statement is to address those comments raised in CIL PMR 1 (Aylesbury Vale District Council) (AVDC) and CIL PMR 3 (Environment Agency)

## **2.0 CIL PMR 1 (Aylesbury Vale District Council)**

- 2.1 Dacorum Borough Council would welcome the opportunity to clarify the scope and nature of discussions with Aylesbury Vale District Council regards CIL. The Council strongly refutes comments regarding a lack of engagement over CIL matters.
- 2.2 AVDC were consulted on our Preliminary Draft Charging Schedule on the 12<sup>th</sup> December 2012, but did not wish to make any comments on our Infrastructure evidence or charges (See OTH/2 comment AVDC 1) They only made comments to the consultation on the Draft Charging Schedule in February 2014.
- 2.3 Our formal response to the comments raised by AVDC is included in the Statement of Representations under Regulation 19 of the CIL Regulations (as amended) (under Representation 6) This highlights that there has been a lack of evidence from AVDC that the charge for Berkhamsted is too high and would displace development to lower charging zones or neighbouring authorities were charges are lower. It is the issue of viability which is critical to the setting of the charge and no viability evidence is provided to challenge the charges for Berkhamsted.
- 2.4 The Council would highlight that this response was discussed in a telephone conversation with AVDC on the 20<sup>th</sup> February 2014 and was followed up with an email highlighting relevant sections of the BNP Paribas Real Estate viability studies in which the Berkhamsted CIL charge was justified. The content of this email has not been challenged.
- 2.5 AVDC were also requested to confirm that there were no cross boundary infrastructure requirements by return of email. AVDC have not provided confirmation or provided any evidence of cross boundary infrastructure needs for inclusion within our Infrastructure Delivery Plan or Infrastructure Funding Gap despite requests to do so.

2.6 The Council considers that they have made a proportionate attempt at involving AVDC in the development of our CIL Draft Charging Schedule and policies.

### **3.0 CIL PMR 3 (Environment Agency)**

3.1 The Environment Agency has sought clarification that river restoration projects would be considered within the scope of Green Infrastructure under our Regulation 123 list.

3.2 The Council would confirm that river restoration projects could fall under the Green Infrastructure definition. This type of project is identified as appropriate Green Infrastructure in INF/5 and INF/5a.

3.3 Document CD/6 suggests that alternative funding may be available for these projects and as such there are no identified river restoration projects in the Infrastructure Funding Gap Assessment. This would not preclude further projects from being considered for CIL funding as they are developed by the Environment Agency.