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Your ref: Rugby CIL consultation  
Our ref: Rugby CIL consultation  
Date: **17 November 2022**

Planning Policy  
Rugby Borough Council,  
Town Hall  
Evreux Way  
Rugby CV21 2RR

Dear Sir / Madam,

### **Rugby BC Community Infrastructure Levy (CIL) Consultation**

Thank you for your letter inviting Hinckley & Bosworth Borough Council (HBBC) to comment on the above consultation. We note that there are a number of documents associated with the consultation including:

- a. Community Infrastructure Draft Charging Schedule,
- b. Developer Contributions SPD,
- c. Community Infrastructure Levy Viability Assessment Review,
- d. Community Infrastructure Levy Infrastructure Funding Gap,
- e. Approach to spending the Community Infrastructure Levy,

HBBC supports the approach taken to the assessment of the CIL charging schedule and has set out some comments in relation to each document (below) which we hope that you find useful.

We also wish to be kept informed of future progress, including Examination in Public (EiP) that may take place to examine the CIL in due course.

#### Community Infrastructure Draft Charging Schedule

HBBC notes that the charging schedule follows the evidence set out in the CIL viability assessment review in respect of the suggested rates identified for different types of uses in differing locations within Rugby BC, recognising the increased viability of smaller residential sites (less than 10 units) which don't have to provide affordable housing as per adopted development plan policy.

Commercial / office development returns a negative value which does not allow a CIL charge to be set, however convenience retail development does seem to have a positive value which can attract a CIL charge as set out in the schedule.

The approach to setting a nil value for the strategic sites is also reflective of the evidence and sets out that S106 will be used to deliver infrastructure for these sites.

HBBC is in support of the draft charging schedule as it reflects the evidence contained in the viability assessment review and believes that the rates set provide a suitable balance between setting a realistic level of charge and not preventing development from coming forward.

#### Developer Contributions SPD

The SPD sets out the differences between each of the mechanisms to secure developer contributions and, identifies which mechanisms will be used in which circumstances, along with expectations from developers and from the Council in respect of securing infrastructure through S106 agreements.

HBBC is supportive of the document as drafted but clarity on the timescales for adopting the SPD in the context of the CIL examination would be beneficial.

#### Community Infrastructure Levy Viability Assessment Review

The viability assessment undertaken by BNP Paribas sets out an approach to viability assessment which is in line with guidance set out in the NPPF, PPG, CIL regulations and the Local Housing Delivery Group guidance 'Viability Testing Local Plans: Advice for Planning Practitioners' (2012).

A range and choice of 28 residential sites including small and large, greenfield and brownfield have been tested, along with the 2 strategic sites at Coton Park East and Southwest Rugby. Office and retail developments have also been tested and the recommended rates (as identified in table 7.3.1) have been carried forward into the draft charging schedule. HBBC is in support of the approach undertaken in the evidence base which is reflected in the charging schedule.

#### Community Infrastructure Levy Infrastructure Funding Gap

HBBC recognise the work that has been undertaken to estimate the infrastructure requirements for the plan period (2011 - 2031) using the Infrastructure Delivery Plan (IDP) as a basis to understand the infrastructure requirements to deliver planned growth and sources of funding for infrastructure that has not yet been delivered in Rugby BC.

A gap of circa £118m has been identified and it is estimated that the introduction of a CIL charge will contribute a modest 8% to the reduction of the gap, which along with other sources of funding including S106 money will reduce the gap further.

It is inevitable that there will always be a funding gap however, the introduction of the charging schedule will go some way to reduce this, and the next Infrastructure Funding Statement (IFS) will help monitor progress towards infrastructure delivery.

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## Approach to spending the Community Infrastructure Levy

HBBC notes that this document has been produced as an interim measure to set out how CIL will be spent as this was not identified in the 2021 IFS. This interim approach appears to be a pragmatic solution to set out how CIL receipts will be spent upon adoption of the charging schedule.


Paragraph 3 of this document however would benefit from some clarity on the approach and potential timescales for this, as it is not clear if the 2022 IFS would supersede the document or if the two would need to read alongside each other.

HBBC supports the approach to spending which is in line with the regulations and also supports the intended approach to strategic infrastructure items namely, transport, education, open space environment and biodiversity health facilities and other infrastructure such as flood mitigation and social and community facilities.

To sum up, HBBC supports the overall approach set out in the charging schedule and supporting documentation and hope that the comments made will be of benefit to Rugby BC in progressing with the CIL.

Kind regards,



  
Planning Officer – Policy  
Development Services  
Hinckley and Bosworth Borough Council