

## **SELBY DISTRICT COUNCIL**

### **DRAFT COMMUNITY INFRASTRUCTURE LEVY (CIL) SCHEDULE**

#### **EXAMINATION HEARING – 12 AUGUST 2015**

#### **EXAMINER'S NOTE / HEARING AGENDA**

### **1 Examiner**

- 1.1 My name is Philip Staddon BSc, Dip, MBA, MRTPI. I have been appointed to undertake an independent examination of the Draft CIL Charging Schedule published by Selby District Council.

### **2 Programme Officer**

- 2.1 The Programme Officer is Lesley Mosey. The Programme Officer acts as an impartial officer of the examination, under my direction, and her role is to:

- Liaise with all participants to ensure the smooth and efficient running of the examination.
- Manage all documents and ensure they are recorded and made available to all parties.
- Maintain the examination library.
- Act as the point of contact on all procedural and administrative matters.

- 2.2 The Programme Officer's contact details are:

Lesley Mosey

Telephone: 01757 705101

Email: [lmosey@selby.gov.uk](mailto:lmosey@selby.gov.uk)

Post: Lesley Mosey, CIL Programme Officer, Selby District Council, Civic Centre, Doncaster Road, Selby, YO8 9F.

- 2.3 Please contact the programme officer with any queries or requests in respect of this CIL examination.

### **3 The Examination and the Hearing Sessions**

- 3.1 The examination is to consider whether the Draft Community Infrastructure Levy (CIL) Charging Schedule published by Selby District Council meets the requirements of the Planning Act 2008 and the associated Regulations and Guidance. To comply with the relevant legislation and guidance, the local charging authority has to submit a charging schedule that should set an appropriate balance between helping to fund necessary new infrastructure and the potential effect of the proposed rates on the economic viability of development across its area. The impact of the charging schedule on development viability is the central theme of the examination and the associated Hearing sessions.
- 3.2 My examination is undertaken by a combination of i) a desk based consideration of written evidence and representations and ii) public Hearing sessions which will be attended by the Council and representors who wish to exercise the 'right to be heard.'
- 3.3 I have read and studied carefully all of the documents submitted by the Council and those that have submitted representations, evidence and views through the consultation processes. That has given me a good understanding of the CIL proposals. It has also enabled me to identify the main issues and questions that I need to explore further through the examination Hearing sessions.
- 3.4 The Hearing sessions will be held on **Wednesday 12 August 2015** commencing at **10.00 a.m.** and will conclude on that day. The venue will be: **The Council Chamber, Selby District Council, Civic Centre, Doncaster Road, Selby, YO8 9FT.**
- 3.5 The Hearing sessions will be in the form of structured 'round table' discussions, which I will chair. I have attached an agenda to this note. We will be following the order of the sessions set out. Each of the agenda topic issues will be discussed and I will invite contributions from the Council and from participating representors.
- 3.6 The structure of the sessions has a logical flow. It begins by looking at the bigger picture in terms of exploring the strategic development plan for Selby district and then looks at the infrastructure needed to support planned growth. It then explores the viability evidence, looking at the assumptions made and the way the modelling outputs have been used to inform the proposed CIL zones and rates. The final session will also afford an opportunity for participants to sum up their case and, for representors, to explain what changes they seek to the Schedule.
- 3.7 The Hearing will be open to the public and the media. Any filming / recording of the Hearing will be at my discretion. After the Hearing, I do not intend to accept further evidence unless I have specifically requested it. I will then prepare and submit my report.

**Philip Staddon BSc, Dip, MBA, MRTPI      6 July 2015**

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**AGENDA**

**Session 1 – Introductions**

- Welcome and housekeeping matters (fire, facilities, breaks etc.).
- Introduction from the Examiner and Programme Officer. Overview of the CIL examination process.
- Introductions from Selby District Council (and opening statement, if desired).
- Introductions from participating representors, including a short summary of their interest and issues.

**Session 2 – The Selby District Core Strategy Local Plan (adopted 2013) and The Sites and Policies Local Plan (Consultation Draft 2015)**

This concise session will explore the Council's approach to planned sustainable growth in the Selby district, as set out in its adopted Core Strategy (CS) and supplemented by its draft Sites and Policies Local Plan. The session will not re-open Development Plan examination issues. Its purpose is simply to fully understand the nature of planned growth in terms of scale, location, site types and policy requirements. This is important because the CIL examination will be considering the viability impacts of the proposed CIL charges on this planned development. Discussion points will include:

- Vision, aims and objectives of the CS.
- Scale of planned growth.
- Overview of the spatial approach to growth including the roles of:
  - Selby.
  - The local service centres of Sherburn-in-Elmet and Tadcaster.
  - Designated service villages.
  - Secondary villages.
- Affordable housing policy requirements.
- Employment development – requirements and approach.
- Retail development – requirements and approach.

### **Session 3 – Infrastructure evidence**

This session will explore the evidence concerning the infrastructure needed to support the planned growth. Discussion points will include:

- Infrastructure Delivery Plan (September 2014).
- Infrastructure Funding Gap.
- CIL income projections, including breakdown of anticipated 'CIL liable' housing numbers in each proposed CIL charging zone.
- The Draft Regulation 123 List.
- Residual role of S.106 Planning agreements.

### **Session 4 – Residential development – viability evidence, CIL zones and the proposed CIL Charges**

This session will explore the Council's viability evidence and CIL proposals in respect of residential development. The evidence is found in three documents: the Economic Viability Assessment (EVA) (September 2013); the EVA Addendum Report (April 2014) and the Revised Draft Charging Schedule Report (November 2014). The main focus of this session will be on the November 2014 report, as it is clearly the most up to date.

The session will examine the following:

#### Modelling assumptions

- The modelling methodology (including changes to the model between the different reports) and robustness in terms of the range of sites in the district.
- Residential sales values and the definition of the value areas - data sources, dates, changes and trends.
- Benchmark land values – sources and robustness.
- Affordable housing assumptions.
- Build costs, external works costs and contingency allowances.
- Fees, finance, stamp duty and acquisition costs.
- Residual S.106 Planning agreement costs.
- Developer profit.
- The 'modelling error'.

### Residential modelling results, proposed CIL zones and CIL rates.

- The 'revised modelling outputs' (November 2014).
- Approach to differentiation by area (high / medium / low market value areas) and the move from a two zone to a three zone approach, including the updated heat mapping and the Brayton ward issues.
- Process of defining CIL rates and the approach to viability 'buffers'.
- The viability impacts of the charges in the areas where most new homes are planned.
- The exclusion of 'apartments' from CIL charges.
- Agricultural occupancy housing.

### **Session 5 - Retail development – viability evidence and proposed CIL charges**

- Overview of anticipated retail development in Selby district in the Plan period.
- Viability modelling assumptions.
- Viability modelling results.
- The approach to differentiation by retail type.
- The case for the £110 per square metre (psm) CIL charge for 'supermarket' developments.
- The case for the £60 psm CIL charge for 'retail warehouse' developments.

### **Session 6 – Other CIL matters**

This brief session will include discussions on:

- The £0 psm for specified public / institutional developments and 'all other chargeable development (incl. apartments).'
- Draft 'Exceptional Circumstances Policy'.
- Draft Instalments Policy.
- Any other CIL related matters that the Council or representors wish to raise.

**Session 7 – Summing up and close**

In this final session, I will give the participants an opportunity to sum up their views on the evidence. The focus of this session will be on an overarching examination question, which is whether the CIL proposals strike an 'appropriate balance' between funding necessary infrastructure and development viability. The session will include:

- Summing up – each representor.
- Summing up – Selby District Council.
- Next steps and timetable for report writing and publication.
- Close.

**Mr. P.J. Staddon – Appointed Examiner – 6 July 2015**