



## NOTICE OF MEETING

---

# Cabinet Member Signing

---

FRIDAY, 11TH OCTOBER, 2013 at 10:00 HRS - CIVIC CENTRE, HIGH ROAD, WOOD GREEN, N22 8LE.

**Cabinet Member:** Councillor Joseph Ejiofor

### AGENDA

#### 1. URGENT BUSINESS

The Cabinet Member will advise of any items he has agreed to take as urgent business.

#### 2. COMMUNITY INFRASTRUCTURE LEVY (CIL) - SUBMISSION OF HARINGEY CIL TO SECRETARY OF STATE FOR EXAMINATION IN PUBLIC (PAGES 1 - 34)

(Report of the Director of Place and Sustainability). The report seeks agreement to the Haringey CIL charging schedule being submitted to the Planning Inspectorate.

#### 3. NEW ITEMS OF URGENT BUSINESS

To consider any new items of urgent business admitted under Item 1 above.

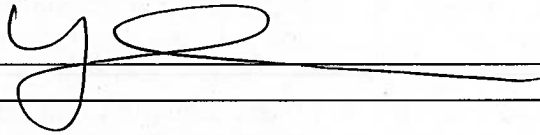
David McNulty  
Head Local Democracy & Member Services  
5<sup>th</sup> Floor  
River Park House  
225 High Road  
Wood Green  
London N22 8HQ

Xanthe Barker  
Principal Committee Coordinator  
Tel: 020 8489 2957  
Email: [xanthe.barker@haringey.gov.uk](mailto:xanthe.barker@haringey.gov.uk)

This page is intentionally left blank



**Haringey** Council

Report for:	Cllr Joseph Ejiofor, Cabinet Member for Planning and Enforcement	Item Number:	
Title:	Community Infrastructure Levy (CIL)-Submission of Haringey CIL to Secretary of State for Examination in Public		
Report Authorised by:	Lyn Garner, Director, Place & Sustainability 		
Lead Officer:	Ransford Stewart Interim Assistant Director Planning - 5507 Gavin Ball-Planning Policy Officer - 5132		
Ward(s) affected: All	Report for Key Decision		

### 1. Describe the issue under consideration

- 1.1 Cabinet agreed a Draft Community Infrastructure Levy (CIL) Charging Schedule for Haringey in April 2013 for public consultation. This report provides an update on the progress of our work for the introduction of Haringey's Community Infrastructure Levy (CIL), and seeks Cabinet lead member approval of certain minor amendments to the proposed Charging Schedule and to proceed to Examination in Public. This delegation was agreed when Cabinet approved the Draft Charging Schedule in April 2013.
- 1.2 Following the change in Cabinet portfolios, the lead member for Planning and Enforcement is now Cllr Joseph Ejiofor, who has replaced Cllr Alan Strickland with lead responsibility for this issue.
- 1.3 Following consultation with colleagues in Legal, and Member Services, it has been decided to seek a General Exemption for lead member signoff. This is taken on the following grounds:
- To expedite the adoption of CIL in Haringey, and help ensure implementation by 1<sup>st</sup> April 2014;
  - As the principal of the decision having already been agreed by Cabinet.



**Haringey** Council

## 2. Cabinet Member introduction

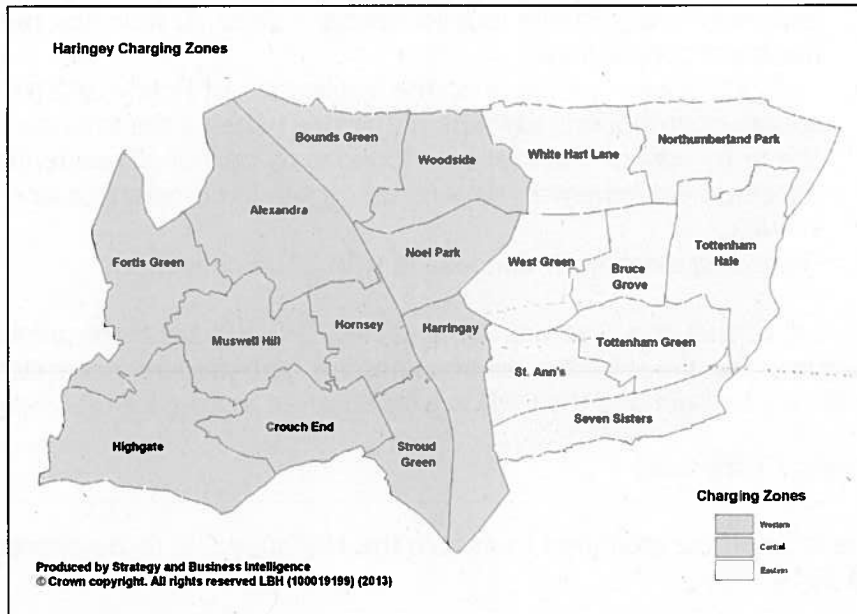
- 2.1 CIL revenue will be used to contribute towards meeting the funding gap that exists for the infrastructure required to support future development. The infrastructure needs over the next 15 years have been assessed in a Community Infrastructure Study (2010) as part of the Local Plan process. The current estimated (overall) infrastructure funding gap that CIL may contribute towards meeting is approximately £200 million over the next 15 years. A comprehensive briefing on CIL is provided in the April Cabinet Report on CIL.
- 2.2 The Infrastructure Delivery Plan (IDP) set out in Appendix 4 of the adopted Local Plan: Strategic Policies 2013-2026 document also provides the baseline for the Regulation 123 (Reg123) list. The Reg123 list sets out the infrastructure projects that Haringey will fund from CIL revenue. This Reg123 list is required to be produced by all authorities collecting and spending CIL, and a proposed Reg123 list is included in the submission Charging Schedule (Appendix 1).
- 2.3 This report recommends that the Council submit the Charging Schedule (as set out in Table 1 below) to the Planning Inspectorate for Examination in Public. For ease of comparison, the changes from the Draft Charging Schedule to the pre-submission version are included as track changes in this table.

Table 1- Submitted CIL Charging Schedule for Haringey				
Proposed CIL charge (£/square metre)				
Use	West	Central	East	Mayoral CIL
Residential	£265	£165	£15	£35
Student accommodation	£ 265	£165	£15	£35
Supermarkets	£95			£35
Retail Warehousing	£25			£35
Office, industrial, warehousing, small scale retail (use class A1-5)	Nil Rate			£35
Health, school and higher education	Nil Rate			Nil
All other uses	£50 Nil Rate			£35
<p><del>** It will apply to C1, C2, and C4, and D uses not included above and sui generis. Student housing can fall into multiple use classes, but any privately rented student accommodation will be charged the student accommodation rate set out above.</del></p> <p>Superstores/supermarkets are defined as shopping destinations in their own right where weekly food shopping needs are met and which can also include non-food floorspace as part of the overall mix of the unit.</p>				

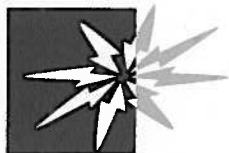


**Haringey Council**

2.4 The map below shows the proposed charging zones set out in the Charging Schedule.



- 2.5 Minor modifications arising from the Draft Charging Schedule consultation are:
- Removal of the £50/m<sup>2</sup> miscellaneous rate,
  - Addition of a definition for supermarket and retail warehousing development,
  - Provision of a final Regulation 123 list in place of a draft one,
  - Minor text editing.
- 2.6 The reason for the removal of the £50/m<sup>2</sup> rate is due to lack of supporting evidence. This rate was added to the charging schedule at the Draft Charging Schedule stage in response to similar rates that exist in the London Boroughs of Redbridge and Croydon. These council's were early adopters, and it appears that the market has increased awareness of this type of charge, and hence raised objections. The change is not thought to have a significant revenue implication.
- 2.7 These minor modifications will necessitate a further consultation of 4-weeks in the form of a pre-submission consultation. After discussions with the Planning Inspectorate, it was advised that the Council submit the Charging Schedule to the Inspectorate at the same time as commencing the pre-submission consultation, in order to minimise the time effect on the Examination.
- 2.8 In order to ensure that the Examination in Public, and future implementation of the Haringey CIL progresses smoothly, a Planning Obligations SPD will be produced. The aims of this document will be:
- Setting out what historical S106 collection rates were over previous years, and what they funded;



**Haringey** Council

2. Setting out the methodology for review of the Regulation 123 list;
3. Justifying collection of other planning obligations alongside CIL for items such as (but not limited to) affordable housing, public realm improvements, on-site public space, skills & training, renewable and transport connections;
4. Comprehensive guidance on the application of Policy SP2 (Housing) to ensure contributions towards affordable housing are provided on site, off site or by way of financial contributions as part of all residential development schemes, depending on site circumstances and scheme viability;
5. Replacing existing SPGs dealing with S106 collection.

2.9 It is envisaged that the Planning Obligations SPD will be made available in draft form around the time of the examination. A subsequent consultation on this document will be held and the SPD will be adopted in time for CIL implementation.

### 3 Next Steps / Timetable

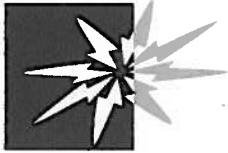
3.1 Below is a timetable designed to enable the Haringey CIL to be operational on the 1<sup>st</sup> April 2014.

Task	Completion Date
Receive feedback from BNP Paribas	26 <sup>th</sup> Sep 2013
Lead member signoff following 5 day advertisement period	11th Oct
Submit to Planning Inspectorate (following end of call in period following Lead member signoff)	21st Oct
Pre-submission consultation on minor amendments	21 <sup>st</sup> Oct-18 <sup>th</sup> Nov
Examination in Public	18 <sup>th</sup> Nov-18 <sup>th</sup> Dec
Receive Inspectors Report (expected)	2 <sup>nd</sup> Jan
Adoption at February Full Council meeting	26 <sup>th</sup> Feb 2014
Notification to developers with S106 agreements in train but not yet signed	27 <sup>th</sup> Feb 2014
Training for DM officers on CIL implementation	Oct 2013 (mayoral) Jan-Mar 2014 (Haringey)
Commence CIL collection	1 <sup>st</sup> April 2014

### 3. Recommendations

3.1 This report recommends that the Cabinet Member for Planning and Enforcement:

- Agree that the Haringey CIL charging Schedule be submitted to the Planning Inspectorate on 21st October 2013 with the minor modifications set out in this report.



**Haringey Council**

- Note the list of projects for inclusion on the Regulation 123 list to receive CIL funding. This is part of the draft Pre-Submission Charging Schedule in Appendix 1.
- Note that the Infrastructure Delivery Plan and Regulation 123 list will be kept under review and periodically updated to respond to changing Council priorities.

**4. Alternative options considered**

- 4.1 The Draft Charging Schedule consultation is a final draft version and as such it is expected that this will be taken forward to Examination in Public, unless representations require a change. This is the process set out in the CIL regulations.
- 4.2 The Council considered different options prior to the publication of the Draft Charging Schedule, and having sought evidence, it was decided that the existing Charging Schedule should be taken forward.

**5. Background information**

- 5.1 Work on producing a Haringey Charging Schedule has been underway since 2012.
- 5.2 In 2012 a Viability Study was commissioned and completed by BNP Paribas which informed the rates proposed in the Charging Schedule. In 2012 a Preliminary Draft Charging Schedule consultation was also held.
- 5.3 In 2013 a Draft Charging Schedule consultation was held which completed the statutory consultation requirements of the CIL regulations. However, as the Council wishes to make changes to the schedule (albeit minor ones), a further 4-week pre-submission consultation is required. Following this there will be an Examination in Public by an independent examiner to assess the soundness of the CIL charging Schedule. Only after all of these processes have been undertaken may the Council adopt, and implement a Haringey CIL.

**6. Comments of the Chief Finance Officer and financial implications**

- 6.1 Corporate Finance has been consulted on the drafting of this report and has reviewed the modelling of anticipated CIL revenue receipts. The anticipated annual revenue from CIL receipts is expected to be comparable to the current average cash receipts from negotiated S106 agreements, at an average of approximately £2m per annum.
- 6.2 These receipts will be available to be spent on new physical infrastructure and the maintenance of existing physical infrastructure within the borough. It is anticipated that the estimated receipts will be included as part of the annual capital budget making process which determines the relative priorities for allocation of all capital resources.



**Haringey Council**

- 6.3 The changes suggested from the draft schedule do not have a significant impact on the projection of on average £2m per annum of CIL receipts.

**7. Head of Legal Services and legal implications**

- 7.1 The submission of documents and information to the Secretary of State is under Regulation 19 of the Community Infrastructure Levy Regulations 2010 and is part of the overall process for bringing into effect the charging schedule.
- 7.2 Regulation 123 of the Regulations restricts the use of planning obligations for infrastructure that will not be funded in whole or in part by CIL to ensure that there is no duplication between the two types of developer contributions. A charging authority must publish a list of infrastructure that will benefit from CIL.
- 7.3 The inclusion of a project or infrastructure type on the list does not signify a commitment from the Council to fund all the projects listed just as the order in the table does not imply any order of preference for spend. The list will be required to be updated on a yearly basis.

**8. Equalities and Community Cohesion Comments**

- 8.1 As this document is dependent on and gives effect to the Council's Local Plan: Strategic Policies document, which has been through an extensive EQIA process, a repeat of this process was not considered necessary. CIL Guidance supports this in that a Sustainability Appraisal is explicitly not required under this premise

**9. Head of Procurement Comments**

N/A

**10. Policy Implication**

- 10.1 The transition from collection of Section 106 to CIL will require training of development management officers in how to implement the new Charging Schedule. Existing staff should be aware of how CIL operates as the Mayoral CIL has been collected by the borough since April 2012.

**11. Reasons for Decision**

- 11.1 It is recommended that this decision is taken to secure future planning obligations from development consents. CIL has the scope to simplify and add certainty to the amount developers will contribute towards infrastructure in Haringey.





**Haringey** Council

## **12. Use of Appendices**

- Appendix 1: Haringey CIL Charging Schedule for pre-submission consultation
- Appendix 2: Consultation report on Draft Charging Schedule consultation

## **13. Local Government (Access to Information) Act 1985**

1. Updated Viability Study by BNP Paribas (April 2013)
2. LBH Draft Charging Schedule consultation document (April 2013)



**Haringey Council**

## **Appendix 1- Haringey CIL Charging Schedule for pre-submission consultation**

### **Introduction**

As part of the changes introduced under the Planning Act 2008, the previous Government introduced the Community Infrastructure Levy (CIL) - a new mechanism to enable infrastructure requirements arising from growth to be funded through developer contributions.

The Community Infrastructure Levy Regulations 2012 (as amended) allows councils to introduce CIL, being a charge on new buildings and extensions to help pay for supporting infrastructure and replaces s.106 contributions (except in relation to affordable housing and on site mitigation measures).

### **What is CIL?**

CIL is a standardised non negotiable local levy that is placed on new development for the purpose of helping to raise funds to support the delivery of the infrastructure that is required as a result of new development. Far from being a new source of funding, CIL provides a more consistent and transparent mechanism to raise financial contributions, currently sought through s106 agreements.

However, under CIL, developers can still be required to directly provide both 'off-site' infrastructure, through s106 contributions, and 'on site' improvements through planning conditions to mitigate the direct impact of the development proposed (e.g. landscaping, access roads).

### **How is CIL calculated and charged?**

The regulations require two distinct aspects to be considered. Firstly, a 'charging authority' (the Local Authority) needs to demonstrate that new development necessitates the provision of new, or improved, infrastructure. Secondly, that the rate of the proposed levy does not make development proposals unviable, in particular with regards to expected costs that would be associated with the provision of on-site infrastructure (for the purposes of CIL, affordable housing is regarded as an on-site requirement and will continue to be secured through s106 agreements).

The levy is to be expressed as £ per m<sup>2</sup> and collected on the commencement of development. CIL is to be charged on the 'gross internal floor space' of any new development, apart from affordable housing and buildings used for charitable purposes where standard exemptions have been made.

Whilst the rate of CIL is determined by the charging authority, it is scrutinised by an independent examiner to assess whether the charge has regard to the evidence base and that the level of charge is reasonable and will not impact negatively on the economic viability of development.



## Haringey Council

### The Infrastructure Funding Gap

The Council has produced an Infrastructure Study in March 2010 setting out the likely infrastructure impacts of growth identified in the Council's Local Plan. This has been built on and an updated document setting out the current anticipated funding requirements to meet infrastructure needs in the Borough was produced in March 2013. The outcomes of this study indicate that there is a total funding gap that CIL can contribute towards of approximately £230m. This is set out below, and the summary document is included on our website.

The level of Investment required is indicative and it includes investment that may need to be undertaken by both the Council and its partners. The investment required will need to be subject to continuous review in light of changes to the funding regimes for both the Council and its partner organisations and changing roles and functions of public sector organisations in years to come. The actual level of investment the Council makes in future years will clearly be subject to Council priorities and available funding and will need to be agreed by Cabinet as appropriate.

Infrastructure Type	Investment Required (£m)	Funding Available (£m)	Funding Gap (£m)
Education	198.0	120.0	78.0
Health	tbc	tbc	Tbc
Open space/ Leisure	22.3	1.5	20.8
Transport	107.6	19.5	88.1
Emergency Services	--	--	--
Decentralised Energy	25.0	2.5	22.5
Water Management & Flooding	20.6	tbc	20.6
Waste	--	--	--
<b>Total (£m)</b>	<b>£373.5</b>	<b>£143.5</b>	<b>£230</b>

### Viability in Haringey

Evidence has been provided by BNP Paribas to identify what CIL rates will be viable in Haringey. A primary study was received in February 2012, and updates to the evidence were provided in February 2013. The full set of evidence is available on our website.

### The Charging Schedule

The proposed schedule is set out below. The map shows the charging zones:

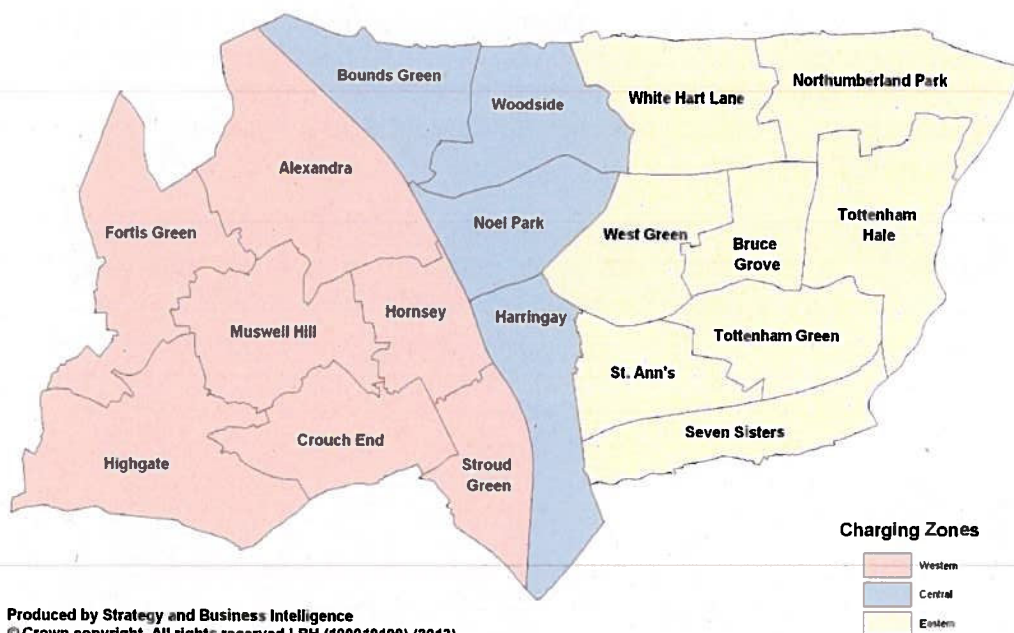
Use	West	Central	East	Mayoral CIL
Residential	£265	£165	£15	£35
Student accommodation	£ 265	£165	£15	£35
Supermarkets		£95		£35
Retail Warehousing		£25		£35
Office, industrial, warehousing, small scale retail (use class A1-5)		Nil Rate		£35



**Haringey Council**

Health, school and higher education	Nil Rate	Nil
All other uses	Nil Rate	£35
Superstores/supermarkets are defined as shopping destinations in their own right where weekly food shopping needs are met and which can also include non-food floorspace as part of the overall mix of the unit.		

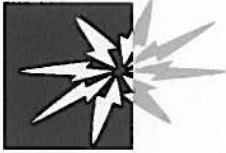
Haringey Charging Zones



## Exemptions

CIL charges will not be levied on:

- Development that creates less than 100m<sup>2</sup> of new build floor space measured as Gross Internal Area (GIA) and does not result in the creation of one or more dwellings.
- Buildings into which people do not normally go, or only go to perform maintenance.
- Buildings for which planning permission was granted for a limited period.
- Affordable housing, subject to an application by a landowner for CIL relief (CIL regulation 49).
- Development by charities for charitable purposes subject to an application by a charity landowner for CIL relief (CIL regulation 43).



## **Haringey** Council

The CIL Regulations 2010 set out the situations for both mandatory and discretionary exemptions. Mandatory exemptions include affordable housing and developments occupied solely for the purpose of charitable activity by a registered charity. However, the charging authority has discretionary powers to provide relief on:

- the investment activities of charitable institutions
- in exceptional circumstances where:
  - the cost of complying with s106 planning obligation is greater than the chargeable amount payable by a developer;
  - there is an unacceptable impact on the economic viability of a development
  - that the granting of relief would not constitute state aid.

The Council will not expect to implement any discretionary exemptions. The Council believes the charge is viable and will monitor the charge to ensure it remains viable. Should circumstances change the Council will seek to revise the levy rather than provide any discretionary relief from the charge.

### **Payments in kind**

In circumstances where the liable party and Haringey Council agree, payment of the levy may be made by transferring land. The agreement cannot form part of a planning obligation, must be entered into before the chargeable development is commenced and is subject to fulfilling the following:

- the acquired land is used to provide or facilitate the provision of infrastructure within Haringey;
- the land is acquired by the Council or a person nominated by the Council;
- the transfer of the land must be from a person who has assumed liability to pay CIL;
- the land has to be valued by an independent person agreed by the Council and the person liable to pay CIL;
- 'Land' includes existing buildings and other structures, land covered with water, and any estate, interest, easement, servitude or right in or over the land.

### **Collection of CIL**

London Borough of Haringey is the collecting authority for the purpose of Part 11 of the Planning Act 2008 and CIL Regulations 2010 (as amended by Regulations 2011 and 2012).

When planning permission is granted, Haringey Council will issue a liability notice setting out the amount payable, and the payment procedure.

In the case of development enabled through permitted development orders, the person(s) liable to pay will need to consider whether their proposed development is chargeable, and to issue Haringey Council a notice of chargeable development.



**Haringey** Council

### Payment Instalments

Where the payable amount of CIL is £500,000 or less, the whole amount shall be paid in a single instalment not more than 60 days after commencement of the development.

Where the payable amount is more than £500,000, developers should have the option to pay two instalment payments:

- The greater of £500,000 or half the value of the total payable amount 60 days after commencement, and
- The remainder 240 days after commencement.

### Appeals

A liable person can request a review of the chargeable amount by the charging authority within 28 days from the issue of the liability notice. CIL Regulations allow for appeals on:

- the calculation of the chargeable amount following a review of the calculation by the Council.
- disagreement with the Council's apportioned liability to pay the charge.
- any surcharges incurred on the basis that they were calculated incorrectly, that a liability notice was not served or the breach did not occur.
- a deemed commencement date if considered that the date has been determined incorrectly.
- against a stop notice if a warning notice was not issued or the development has not yet commenced.

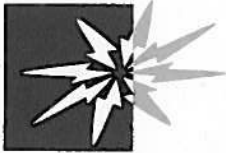
A person aggrieved by the levy (or attempt to levy) of a distress can appeal to the Magistrates Court.

### Spending CIL revenue

CIL revenue will be spent on infrastructure needed to support development in Haringey. This need is assessed as part of the Local Plan making process and an Infrastructure Delivery Plan is included in the adopted Local Plan: Strategic Policies. This infrastructure needs and delivery plan are updated regularly.

The Council includes as part of this submission the proposed Regulation 123 list below.

2014/15-2018/19 Reg 123 Projects
Lordship Lane Recreation Ground improvements
Down Lane Park improvements
Bruce Castle Park improvements
4 Improved Greenway cycle & pedestrian routes
Alexandra Primary School Expansion



**Haringey** Council

Welbourne Primary School Expansion
Bounds Green Primary School extension

The Council will publish annual reports showing, for each financial year:

- How much has been collected in CIL;
- How much has been spent;
- The infrastructure on which it has been spent;
- Any amount used to repay borrowed money;
- Amount of CIL retained at the end of the reported year.

It is the Government's intention to allow for a proportion of CIL to be passed to Local Councils and Neighbourhoods. The Council will abide by regulations to administer this as they are introduced.

### **Administrative costs**

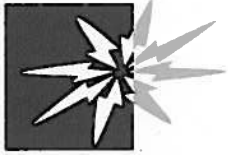
An additional 5% will be added to all contributions to pay for the costs of administering the Community Infrastructure Levy. This charge would support the Council in monitoring and enforcement of the charge as well as providing infrastructure planning support to manage and co-ordinate the delivery of infrastructure improvements that address the impacts resulting from development.

### **CIL and Section 106 agreements**

Unlike s106, the levy is to provide infrastructure to support the development of an area, not to make individual planning applications acceptable in planning terms. It breaks the link between a specific development site and the provision of infrastructure and thus provides greater flexibility for delivery of infrastructure when and where it is needed.

Section 106 agreements and Section 278 Highways Agreements will continue to be used to secure site-specific mitigation and affordable housing. In some instances, S106 agreements may be used in large development sites needing the provision of their own specific infrastructure for which delivery may be more suitably dealt with through s106s. Type of s106 requirements may include the following:

- Specific infrastructure requirements that directly arises from five or fewer developments, section 106 arrangements may continue to apply if the infrastructure is required to make the development acceptable in planning terms
- Affordable housing contributions
- New access roads/ junction improvements serving the site
- Connections to a renewable/ decentralised energy network
- On-site open space requirements
- Employment and training provision
- Travel plans / Car clubs / Cycle parking



**Haringey** Council

- Town Centre management funding

For further information on how CIL is collected, and the relationship between CIL and other planning obligations, please refer to the Planning Obligations SPD.

### **Mayoral CIL**

The Mayoral CIL has been in effect since April 2012 in accordance with Regulation 25 (a) of the Community Infrastructure Regulations 2010 (as amended). The Mayor published his CIL charging schedule on the GLA's website, and it is intended to contribute towards the funding of Cross Rail, and the Mayor has in effect declared his aim of raising £300m from Mayoral CIL towards this project. The Mayor's target is expected to be achieved by 2019. It is very likely that further London wide infrastructure funding will be required in the future and the revision and required collection of Mayoral CIL will now form a permanent feature of the planning and development policy framework operating in London.

The London boroughs collect the Mayor's CIL on his behalf. Haringey falls within Zone 2 of the Mayor's Charging Schedule which means that Haringey is required to collect £35/m<sup>2</sup> on behalf of the Mayor for any development that falls within scope of the regulations.

---



## Haringey Local Development Framework

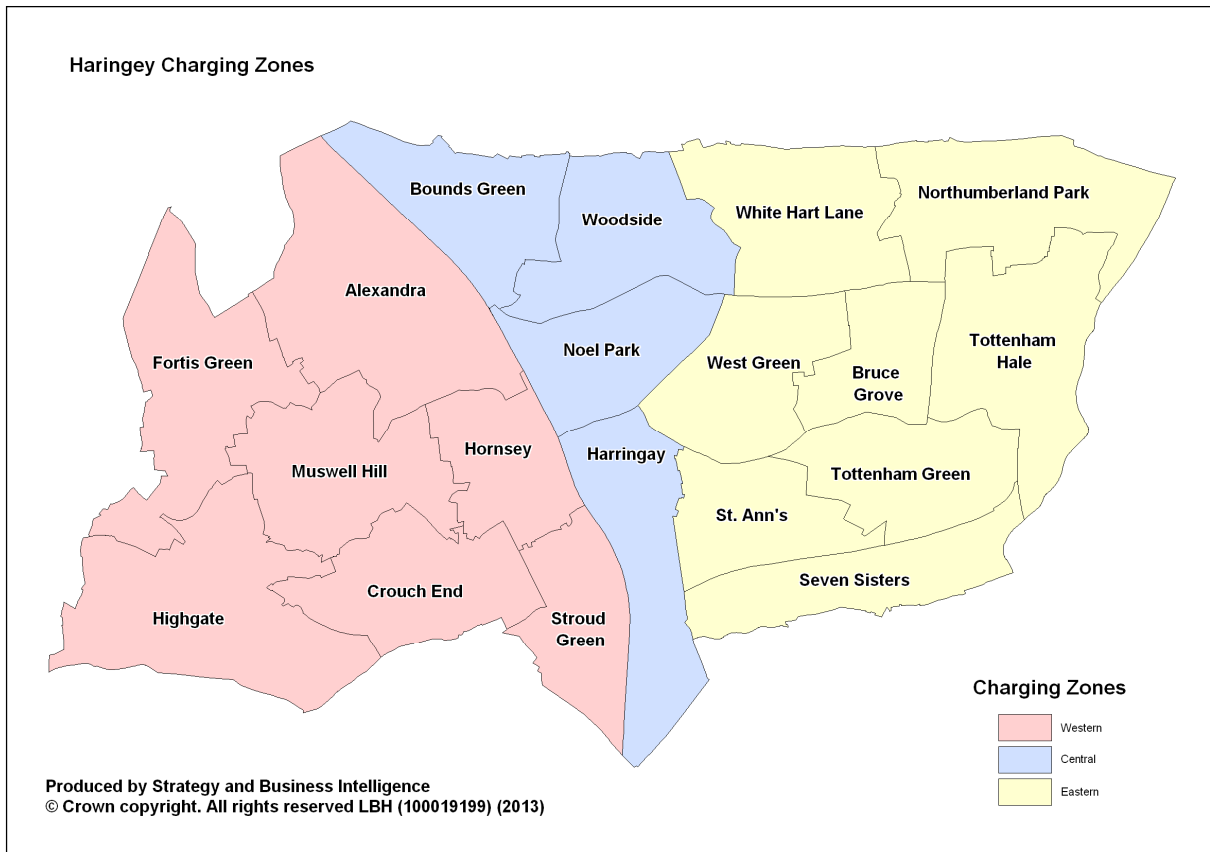
**Consultation Report on the Haringey CIL Draft Charging Schedule  
consultation.**

**1. Consultation Overview**

- 1.1 The Draft Charging Schedule (DCS) consultation was held from 24<sup>th</sup> April until 14<sup>th</sup> June 2013. The consultation period was extended from an original closing date of 24<sup>th</sup> May after a group of consultees was identified as having not been informed of the consultation. All consultees have been given a minimum of 4 weeks to respond to the DCS, in line with the CIL regulations.
- 1.2 The Draft Charging Schedule contained the Council's preferred set of rates for consultation before submission of the document for Examination in Public (EiP). The proposed final; Charging Schedule is included below.

<b>Draft CIL Charging Schedule for Haringey</b>				
<b>Use</b>	<b>West</b>	<b>Central</b>	<b>East*</b>	<b>Mayoral CIL</b>
Residential	£265	£165	£15	£35
Student accommodation	£ 265	£165	£15	£35
Supermarkets	£95			£35
Retail Warehousing	£25			£35
Office, industrial, warehousing, small scale retail (use class A1-5)	Nil Rate			£35
Health, school and higher education	Nil Rate			Nil
All other uses **	£50			£35
** It will apply to C1, C2, and C4, and D uses not included above and sui generis. Student housing can fall into multiple use classes, but any privately rented student accommodation will be charged the student accommodation rate set out above.				

1.3 The map below shows the CIL charging zones:



## 2 Methodology

2.1 The consultation methodology and process were in line with Regulation 16 of the Community Infrastructure Levy Regulations 2010, and the Council’s Statement of Community Involvement.

2.2 Letters and emails were sent to all consultees on the LDF database, including individual residents, community and voluntary organisations, residents’ associations, other stakeholders and statutory consultees, notifying them of the purpose of the consultation, where to view the document and how to respond. A notice was placed in the Haringey Independent on the 25<sup>th</sup> April providing all relevant information.

2.3 The relevant information and documents were made available on the Council’s website.

2.4 A copy of the Consultation document was made available to view at:

- All Haringey libraries;
- Civic Centre - High Road, Wood Green, N22 8LE; and
- River Park House - Level 6, Wood Green, N22 8HQ.

### **3 Summary of representations**

3.1 The Council Received 21 written responses from a mix of developers, government departments, surrounding authorities, local residents, and infrastructure providers. In addition to formal written responses, there were a number of email and phone enquiries regarding the consultation. Where phone calls were received, it was suggested that written representations should be made if the issues identified wanted to be considered in finalising the CIL charging schedule. Where these were enquiries regarding what CIL was, these have not been considered responses, and hence not analysed here.

3.2 A full list of the representations to the consultation are available on the Council's website at [www.haringey.gov.uk/CIL](http://www.haringey.gov.uk/CIL).

### **4 Main Issues Raised**

4.1 New statutory guidance was released 2 days after the consultation on the Draft Charging Schedule began. Having reviewed the guidance, the Council does not believe its Charging Schedule is sufficiently out of line with the guidance to require changes.

4.2 A number of responses drew attention to the lack of evidence that exists around the specific testing of sites. The Council believes that a sufficient range of types of sites are tested in its viability evidence to support the Charging Schedule.

4.3 London Borough of Enfield report that there is viability for retail of all sizes to support a £60/m<sup>2</sup> charge in their borough, and questioned the nil rate. Haringey's evidence suggests differently, and in any case there is not proposed to be a significant quantum of new retail floorspace in the Borough.

- 4.4 Respondents were interested to know how local groups can influence infrastructure provision, and spend CIL revenue in their areas, or as close to the permitted development as possible. The Council will spend CIL revenues in line with the CIL regulations.
- 4.5 Criticism of the benchmark land values was received regarding them being set too low, which underestimates the value at which landowners will release land to the market. The Council believe that the benchmark land values used are appropriate to evidence the proposed rates.
- 4.6 Multiple representations flagged up the lack of evidence for the £50/m<sup>2</sup> miscellaneous rate. Specifically infrastructure providers and theatres objected, which could be exempted in other ways, but there were also representations querying the rate from private developers. This rate will be withdrawn.
- 4.7 Respondent does not believe it will be possible for the charging authority to define whether a supermarket or other A1 use is being developed at the planning application stage, and therefore charge the correct CIL rate. A definition for supermarkets and retail warehousing will be added.
- 4.8 No consideration of whether charging one rate for supermarkets, and another for other retail, when they sell some of the same goods, is state aid. The Council does not believe that there is.
- 4.9 The Draft Regulation 123 list does not provide sufficient information to understand the extent to which Section 106 and 278 obligations will be scaled back and whether the £1,000 per dwelling assumed in the Viability Study is a justified assumption. An SPD relating to Planning Obligations will be prepared to clarify this issue.
- 4.10 One respondent identified what is a typo in the BNP evidence document. Where it should say £100-£200, it reads £100-£20. This is not considered to be a significant issue.
- 4.11 Respondents suggested a review point should be identified. This will be included in the final charging schedule.
- 4.12 LBE are confused about how the discretionary exemption for projects on the Infrastructure Delivery Plan will work, particularly whether large scale schemes which include IDP projects would be exempt from some or all of

the CIL charge. The removal of the £50/m<sup>2</sup> rate, this issue disappears as these typologies of development will attract a nil rate.

- 4.13 There were recommendations that several projects be added to the Infrastructure Delivery Plan/Reg123 List. All of these submissions will be considered during periodic reviews of the IDP and Reg123 List.

## **5 Statement of minor modifications**

- 5.1 Minor modifications arising from the responses from the Draft Charging Schedule are:

- a) Removal of the £50/m<sup>2</sup> miscellaneous rate,
- b) Addition of a definition for supermarket and retail warehousing development,
- c) Provision of a final Red123 list in place of a draft one,
- d) Addition of a review point,
- e) Minor text editing.

- 5.2 Following the proposed submission consultation, the Charging Schedule will be Examined in Public by an independent inspector. It is anticipated that the Charging Schedule will be implemented from 1<sup>st</sup> April 2014.

**Appendix: Summary of comments received and Council responses to the Haringey CIL Draft Charging Schedule Consultation Document May – July 2013**

<b>London Borough of Enfield</b>	
<b>Representation</b>	<b>Council Response</b>
<p>Recommends that within Enfield there is viability for retail of all sizes to support a £60/m<sup>2</sup> charge. With Haringey's higher land values (particularly in the west of the borough), this is questioned.</p>	<p>Noted, the Council expects virtually all retail to come forward on existing sites as conversions. Comprehensive redevelopments generating A1 floorspace will be limited, and as such placing a charge on retail is not necessary.</p>
<p>LBE are confused about how the discretionary exemption for projects on the Infrastructure Delivery Plan will work, particularly whether large scale schemes which include IDP projects would be exempt from some or all of the CIL charge.</p>	<p>It is the Council's view that all publically-funded infrastructure should be exempted from CIL. This could alternatively be included in the schedule directly as a nil rate for infrastructural uses.</p>
<p>EBC believe it would be more transparent to include new infrastructure proposals on the Regulation 123 list rather than effectively exempting new projects as they are added to the IDP.</p>	<p>The intention was to ensure projects were placed on our IDP by virtue of the qualifying for relief. Consideration will be given to giving a nil rate to infrastructural uses.</p>
<p>The IDP makes no reference to how Haringey fits into the Lea Valley Heat Network.</p>	<p>This can be added to our IDP.</p>
<b>Changes to Charging Schedule</b>	
<ul style="list-style-type: none"> <li>• Add a nil rate for infrastructural uses in preference to excluding infrastructural uses.</li> </ul>	
<b>Alexandra Palace</b>	
<b>Representation</b>	<b>Council Response</b>
<p>No issues, would like to be kept in loop regarding the Infrastructure Delivery Plan, and Alexandra Palace's inclusion in it.</p>	<p>Agreed.</p>
<b>Changes to Charging Schedule</b>	
<ul style="list-style-type: none"> <li>• None</li> </ul>	

<b>Barton Wilmore on behalf of Workspace Management Ltd</b>	
<b>Representation</b>	<b>Council Response</b>
BW have seized on what is a typo in the Council's viability evidence document. Where it should say £100-£200, it reads £100-£20. BW have thus said that the proposed rate of £165 is not evidenced.	Noted, this is a clerical error.
Would like to see exceptional relief made available.	The Council believes that making exceptional relief available is an inefficient manner in which to implement CIL.
Would like a more generous instalments policy introduced.	The Council considers itself to have a range of developments that is reflective of London as a whole, and as such sees no reason to differ from the Mayoral instalments policy.
Would like a review point to be identified.	Review of CIL will happen when values in the East of the Borough change significantly.
<b>Changes to Charging Schedule</b>	
<ul style="list-style-type: none"> <li>• Correct Viability report to change £20 to £200 where necessary</li> <li>• Review point identified as completion of Ward's Corner development</li> </ul>	
<b>CGMS on behalf of London Metropolitan Police</b>	
<b>Representation</b>	<b>Council Response</b>
Concerned that the £50/m <sup>2</sup> all other uses rate will catch police operations falling into D1 use.	The DCS exempted all facilities included in the Infrastructure Delivery Plan, and therefore policing would not be charged.
Do not recognise the meeting with the Borough Commander regarding the Infrastructure Delivery Plan.	This is not in itself a problem, but we should work to improve relations, and ensure the nuance of the representation and CIL in Haringey is understood by both sides.
Would like information in the IDP updated to include the most recent Estates Strategy (2013-16).	The Estates Strategy is not very detailed in terms of where new facilities will be in Haringey.

	Specifically the file relating to Haringey's assets failed to open. Perhaps a meeting may enable CGMS or the Met to identify the projects with greater clarity
<b>Changes to Charging Schedule</b>	
<ul style="list-style-type: none"> <li>Add a nil rate for infrastructural uses in preference to excluding infrastructural uses.</li> </ul>	
<b>Dron &amp; Wright on behalf of London Fire Service</b>	
<b>Representation</b>	<b>Council Response</b>
Believe fire stations and facilities should be excluded from £50/m <sup>2</sup> miscellaneous rate.	Agree, and they are offered discretionary relief in the DCS document. This could alternatively be included in the schedule directly as a nil rate for infrastructural uses.
Would like to see a nil rate set for fire facilities.	This will be considered alongside all other infrastructure types. A nil rate will be considered for all infrastructural uses.
Would like specific mention of fire facilities in the list of community infrastructure	Agreed, fire facilities are a type of community infrastructure
<b>Changes to Charging Schedule</b>	
<ul style="list-style-type: none"> <li>Add a nil rate for infrastructural uses in preference to excluding infrastructural uses.</li> </ul>	
<b>Environment Agency</b>	
<b>Representation</b>	<b>Council Response</b>
Recommends works to the Moselle Brook be included in the IDP.	This can be added as a potential future infrastructure project.
Supports the continued provision of ecological networks in the IDP, and would like to work with Haringey to continue to update these projects. Also recommend that the term Green Infrastructure Improvements is used to reflect the multifaceted nature that green spaces produce.	The Council recognises that green infrastructure such as open space provision, as well as other infrastructures have the potential to make contributions to biodiversity.
<b>Changes to Charging Schedule</b>	



<ul style="list-style-type: none"> <li>Update IDP</li> </ul>	
<b>Future Planning and Development on behalf of Grainger</b>	
<b>Representation</b>	<b>Council Response</b>
Support a nil rate for developments in the East of the borough. The respondent has already secured planning permission, but is concerned about CIL's impact on wider regeneration.	The Council recognises that CIL rates need to be set that are implementable over a wide area, and believe that the rate in the east of the borough does that.
<b>Changes to Charging Schedule</b>	
<ul style="list-style-type: none"> <li>None</li> </ul>	
<b>Greater London Authority</b>	
<b>Representation</b>	<b>Council Response</b>
No issues. Would like to appear at any future Examination in relation to section 14(3) of the CIL regs.	No response.
<b>Changes to Charging Schedule</b>	
<ul style="list-style-type: none"> <li>None</li> </ul>	
<b>NHS Healthy Urban Development Unit</b>	
<b>Representation</b>	<b>Council Response</b>
Health infrastructure projects submitted to be added to the IDP.	The Council notes these and will add them to the IDP.
Expectation that health infrastructure can now be added to the Regulation 123 list.	The Regulation 123 list will be derived from the IDP, based on projects that will be delivered in the coming years.
<b>Changes to Charging Schedule</b>	
<ul style="list-style-type: none"> <li>Update IDP</li> </ul>	
<b>Lee Valley Regional Park</b>	
<b>Representation</b>	<b>Council Response</b>
Supports CIL to be used in creating green links to	Agreed, this is a potential use of

and from the LVRP.	CIL revenue.
<b>Changes to Charging Schedule</b>	
<ul style="list-style-type: none"> <li>None</li> </ul>	
<b>Mario Petrou (resident)</b>	
<b>Representation</b>	<b>Council Response</b>
Levy revenue should be spent as close to the source development as possible.	The Council recognises that we have had a number of (generally informal) representations of this type from local residents. This is in line with government policy, although not explicitly set out for London Councils in the regulations. At present there is a significant funding shortfall for strategic infrastructure which CIL can contribute towards. The Council is committed to periodically review its Reg123 list, and consultation of this is recommended in CIL Guidance.
Local Residents should have a bigger say than Councillors and officers on how, what, when and where the money is spent.	The Council won't comment on issues on the distribution of fiscal responsibility between local residents and local Government.
<b>Changes to Charging Schedule</b>	
<ul style="list-style-type: none"> <li>Ensure mention of review of IDP and Regulation 123 list is included in the Charging Schedule.</li> </ul>	
<b>North London Waste Authority</b>	
<b>Representation</b>	<b>Council Response</b>
Supports the £0/m <sup>2</sup> CIL rate for industrial purposes.	None.
Would like to use CIL receipts to fund waste facilities	The Council has no objection in principle, as waste facilities are critical infrastructure which is linked to growth. It should be noted however that if a waste facility serves a number of Local Authorities, funding would expect

	to be split.
<b>Changes to Charging Schedule</b>	
<ul style="list-style-type: none"> <li>• None</li> </ul>	
<b>Turley on behalf of Travelodge Ltd</b>	
<b>Representation</b>	<b>Council Response</b>
The £50/m <sup>2</sup> all other uses rate is not considered justified for hotel developments. Particular emphasis placed on the lack of variation across the borough for this rate.	The Council believe that this response is fully justified, there is no evidence supporting the £50/m <sup>2</sup> rate on hotel development. This does not mean that it is not justifiable, but at present the Council has no evidence to suggest what the correct rate for this use is in different areas of the Borough.
There is no evidence to justify the charge.	The Council recognises this, and proposed to remove the miscellaneous rate.
<b>Changes to Charging Schedule</b>	
<ul style="list-style-type: none"> <li>• Remove £50/m<sup>2</sup> "all other uses" rate.</li> </ul>	
<b>Savills on behalf of Hanover Housing Estate</b>	
<b>Representation</b>	<b>Council Response</b>
<p>Recommends that guidance is provided, and prior to examination, and maximum flexibility is used post regarding:</p> <ol style="list-style-type: none"> <li>How to pay</li> <li>Appeals process</li> <li>Instalments policy</li> <li>Approach to payments in kind</li> <li>Guidance on relief and exceptions</li> <li>What will be charged by S106</li> </ol>	<p>The Council intends to produce guidance in the form of a Planning Obligations SPD.</p> <p>The Council believes that making exceptional relief available is an inefficient manor in which to implement CIL.</p> <p>The Council considers itself to have a range of developments that is reflective of London as a whole, and as such sees no reason to differ from the Mayoral instalments policy.</p> <p>The approach to payments in</p>

	<p>kind are addressed in the Schedule.</p> <p>These are all already included, or will be completed for the examination version.</p> <p>Guidance on what S106 and CIL will cover will be provided in the form of a Planning Obligations SPD.</p>
<p>Recommends inclusion of a projected revenue target linked to the Reg123 list. Additionally New Homes Bonus, and Government Grants should be listed.</p>	<p>The IDP lists costs for the projects which appear in it, where available. There is still uncertainty around what revenue CIL will generate, as it depends on the projects that come forward post adoption of CIL. The Council is unsure what relevance these other pots have on CIL.</p>
<p>Priorities should be identified in the IDP/Reg123 list.</p>	<p>The IDP will provide projects for the Reg123 list. This will be decided through Council processes and feed into future versions of the IDP.</p>
<p>Recommends that a “meaningful proportion” of local revenue is given to local communities</p>	<p>Noted, consideration will be given with regards how this is taken forwards in the Reg 123 list.</p>
<p>Recommends an instalments policy for larger schemes, describing the current instalments policy as suitable for smaller developments.</p>	<p>The Council considers itself to have a range of developments that is reflective of London as a whole, and as such sees no reason to differ from the Mayoral instalments policy.</p>
<p>Believes that 5% would be a high administrative burden.</p>	<p>The revenue reserved for administrative purposes will be collected and spent in line with CIL regulations.</p>
<p>CIL should be reviewed regularly.</p>	<p>Review of CIL will happen when values in the East of the Borough change significantly.</p>

<p>Considers that benchmark land values are incorrect, and need to be reviewed.</p>	<p>The values provided in the evidence are sale values not benchmark values. The Council does not believe that the price land has been sold at historically is a true reflection of the benchmark land value.</p>
<p>Affordable housing values should be confirmed with Borough's preferred Registered Providers.</p>	<p>The Council is comfortable with the viability methodology's affordable housing valuation.</p>
<p>The proposed CIL rates are at the higher end of range recommended by the viability consultant without justification.</p>	<p>The proposed CIL rates are justified in being at the higher end of range recommended by the viability consultant as there is a significant identified infrastructure gap.</p>
<p><b>Changes to Charging Schedule</b></p>	
<p> </p>	
<p><b>Savills on behalf of Thames Water</b></p>	
<p><b>Representation</b></p>	<p><b>Council Response</b></p>
<p>Object to the £50/m<sup>2</sup> rate as it may apply to water storage and treatment facilities</p>	<p>Planned infrastructure projects are exempted in the DCS document, and therefore do not need a separate nil rate. Regardless the £50/m<sup>2</sup> rate will be reviewed.</p>
<p>Seek an exemption from CIL rate.</p>	<p>Thames Water are a privately owned company providing infrastructure that is essential for growth in Haringey. It is logical therefore that we do not charge CIL on operational infrastructure. They have already made representations seeking release of operational sites for divestment into other profit making uses. This type of development should be CIL liable as it increases need for</p>

	infrastructure.
<b>Changes to Charging Schedule</b>	
<ul style="list-style-type: none"> <li>Remove the £50/m<sup>2</sup> “miscellaneous” rate</li> </ul>	
<b>Savills on behalf of Tottenham Hotspur FC</b>	
<b>Representation</b>	<b>Council Response</b>
THFC believe that if amendments are made to the scheme (outside of S.73 & S.96A procedures), the development will “potentially” be liable to pay Haringey and Mayoral CIL. THFC concerned that even a low level of CIL will undermine the regeneration of the NDP programme.	The CIL regs do not generally require additional CIL for amendments to permissions unless there is additional floorspace in the development. It is not in the Council’s interests to specifically require longer and more complex planning permissions regarding this development (as noted there is significant co-operation on this scheme).
THFC object to the combined £50/m <sup>2</sup> rate for “the most important” regeneration project in Haringey. And point out that the Club and the Council both objected to the £35/m <sup>2</sup> Mayoral tariff.	The Council’s objection to the £35/m <sup>2</sup> rate is broadly consistent with the adding of a low Haringey CIL rate of £15/m <sup>2</sup> . If a £15/m <sup>2</sup> CIL rate decreases viability significantly, it would likely mean that the development was unviable in the first instance.
THFC are concerned that the full catalytic effects of the Spurs scheme will not be achieved if the £15/m <sup>2</sup> rate is enforced.	It is the Council’s role to weigh up the likelihood of developments coming forward against the need for infrastructure. The viability suggests there is a low level of viability in the east of the borough, not no viability in the east of the borough. Without any infrastructure charge at all the full catalytic effect of the North Tottenham redevelopment will not be produced. Therefore it is important to set a rate that balances infrastructure provision and development viability.

<p>THFC note that changes to the CIL regulations have been consulted on before and during the DCS consultation window. They advise that the changes will make it simpler to adopt CIL.</p>	<p>These regulations are a consultation and therefore have no effect on the proposed DCS. Additionally there is an exemption for charging authorities whom have already passed through the DCS stage, such as Haringey.</p>
<p>THFC point out that guidance has been released since the Draft Charging Schedule was released, and that changes to the regulations are being consulted on. They would like a delay, and any changes incorporated into the DCS.</p>	<p>This new guidance increases clarity in understanding the CIL regulations. They do not fundamentally alter how CIL operates, or how an examination works. Additionally a delay in the restriction on pooling S106s has not been introduced. A delay is therefore not merited.</p>
<p>THFC do not believe the CIL rate balances the risk of jeopardising development schemes and gaining infrastructure revenue appropriately.</p>	<p>This is the natural conclusion of the above representations, and qualifies as a formal objection. The Council feels that the evidence used to justify this in relation to both the THFC development, and wider Northumberland Park scheme is insufficient to override the Council view that the rate is both viable and fair.</p>
<p>THFC do not believe that sufficient evidence on historical S106 or testing on future strategic sites.</p>	<p>The Council has not yet published a comparison of s106 &amp; CIL. A future Planning Obligations SPD will set out how and what s106 and CIL will be collected for.</p>
<p>THFC do not believe that evidence has been provided specifically demonstrating that the rates proposed will not prejudice the High Rd West masterplan.</p>	<p>The Council believes that the rate of CIL has been set at a level that will allow development to proceed.</p>
<p>THFC do not believe that the current instalments policy allows enough leeway for developers in cashflow terms. A bespoke instalments policy should be introduced for large developments.</p>	<p>The Council considers itself to have a range of developments that is reflective of London as a whole, and as such sees no reason to differ from the Mayoral</p>

	instalments policy.
THFC would like to see an exceptions policy introduced to increase flexibility in determining developments.	The decision was taken not to offer discretionary exceptions in order to keep CIL as simple as possible. The aim is to reduce the amount of negotiation on planning applications, and introducing discretionary relief would run contrary to this.
THFC would like to see further clarification on the types of development CIL and S106 will be expected to fund.	The DCS document contained a draft Reg123 list, which the completion of the final Regulation 123 list will finalise regarding CIL. A Planning Obligations SPD will set out what all planning obligations are collected for.
THFC recommend a tightened Reg 123 list, with a clear link from the Local Plan to Reg 123 via Infrastructure Delivery Plan.	A final Reg123 list will be provided in the submitted charging schedule. This includes projects from the IDP.
THFC recommend a guidance document to make it clear for developers how, what, when and why they pay CIL and S106.	A future planning obligations SPD would provide the certainty THFC are seeking.
THFC believe that the benchmark land values are set too low, which underestimates the value at which landowners will release land to the market.	It is noted that the asking price for land is higher than our benchmarking. It is considered that the sale prices achieved for land parcels is not the same as a land value benchmark.
It is not clear how the £50/m <sup>2</sup> rate has been arrived at.	Agreed.
Viability study does not set out the value of affordable housing included in the appraisals.	Affordable housing percentages are set out in all models. There are values underpinning these. Our consultants can provide these.
<b>Changes to Charging Schedule</b>	
<ul style="list-style-type: none"> <li>Remove the £50/m<sup>2</sup> “miscellaneous” rate</li> </ul>	
<b>Transport for London</b>	



Representation	Council Response
General support for drawing up a Regulation 123 list, including offer for a meeting to help.	Noted.
<b>Changes to Charging Schedule</b>	
<ul style="list-style-type: none"> <li>• None</li> </ul>	
<b>Theatres Trust</b>	
Objection to the “all other uses” as it catches sui generis, into which theatres can fall.	Theatres are a profit making enterprise, and therefore this type of development is CIL liable. The promotion of theatre development in Haringey may well be beneficial, and therefore a nil CIL rate may be desirable.
Would support a nil rate for theatres	As above.
Asks whether theatres are applicable for charitable relief?	If the theatre acts as a charity, and does not make any profit, and can demonstrate that it falls into this definition as set out in the CIL regs, it would not be CIL liable.
Whether discretionary relief could be granted	
Applying provisions of D1 Or 2 to sui generis theatres	As the DCS set the same rate for D1, D2 and Sui Generis, this is considered a mute point.
If revenue generated can be returned to the theatre development to achieve revenue neutrality.	If theatres were added to the IDP, they could then they could be placed on the Reg123 list. The Council believes that a theatre school could be considered “infrastructure” but a profit-making theatre would not.
<b>Changes to Charging Schedule</b>	
<ul style="list-style-type: none"> <li>• Remove the £50/m<sup>2</sup> “miscellaneous” rate</li> </ul>	
<b>Turley on behalf of Sainsbury’s supermarkets</b>	
Representation	Council Response

<p>No definition defined for supermarkets or retail warehousing</p>	<p>Agreed, this is an error, one was defined specifically for Supermarkets. It will be added to the submission version of the Charging Schedule.</p>
<p>Evidence does not state why retail is treated differently from warehouse retail or supermarkets. They should therefore be treated the same.</p>	<p>The evidence does differentiate between the uses, so they should not be treated in the same manner given the differences in achieved values on site.</p>
<p>Sainsbury's would like to see specific targeted testing of strategic sites.</p>	<p>This is included in the April 2013 guidance. It is considered that the Council has tested a range of types of sites in line with CIL regulations and guidance.</p>
<p>Respondent does not believe it will be possible for the charging authority to define whether a supermarket or other A1 use is being developed at the planning application stage, and therefore charge the correct CIL rate.</p>	<p>The Council notes this issue, and believes that it reinforces the need for robust and well funded administration of CIL. The Council believes that in some applications where a range of ground floor uses is proposed, identifying whether a supermarket is present may not be possible. Where a supermarket is proposed as a standalone development, CIL rates will be enforceable.</p>
<p>No consideration of whether charging one rate for supermarkets, and another for other retail, when they sell some of the same goods, is state aid.</p>	<p>The Council does not believe that this is state aid if the definition makes a clear distinction regarding what supermarkets are.</p>
<p>Sainsbury's do not believe that the evidence provided will meet the changed regulations which have recently been consulted on by Government.</p>	<p>These regulations are draft consultations and the Council does not believe that they affect the Charging Schedule.</p>
<p>Believe instalments policy to be too high.</p>	<p>The Council considers itself to have a range of developments that is reflective of London as a whole, and as such sees no reason to differ from the Mayoral</p>

	instalments policy.
Would like to see an exceptions policy.	The decision was taken not to offer discretionary exceptions in order to keep CIL as simple as possible. The aim is to reduce the amount of negotiation on planning applications, and introducing discretionary relief would run contrary to this.
<b>Changes to Charging Schedule</b>	
<ul style="list-style-type: none"> <li>Define “Supermarkets” in the Charging Schedule</li> </ul>	
<b>Network Rail</b>	
<b>Representation</b>	<b>Council Response</b>
Would like an exemption from all NR development on basis that it is an infrastructure provider.	<p>The DCS excluded from CIL all infrastructure that is included in the Infrastructure Delivery Plan.</p> <p>It is believed that one new source of retail provision, and potentially residential and commercial development may be above rail stations, particularly Tottenham Hale in Haringey. It is considered that these uses would be CIL liable.</p>
<b>Changes to Charging Schedule</b>	
<ul style="list-style-type: none"> <li>None</li> </ul>	
<b>Quod on behalf of Berkeley Homes</b>	
<b>Representation</b>	<b>Council Response</b>
<p>The proposed level of CIL charges haven't been tested properly against the Growth Areas identified in Haringey's Local Plan Strategic Policies document, nor against previously achieved Section 106 obligations, as required by the Statutory Guidance</p> <ul style="list-style-type: none"> <li>Site specific tests of viability are required for future development sites</li> <li>Current levels of achieved S106 obligations not set out</li> </ul>	<p>The Council notes that the respondent would like to see an increase in the detail of evidence, and it is proposed that a Planning Obligations SPD is produced. This is not a direct challenge to the rate in the form of specific site analyses. The latest guidance suggests that in addition to area testing (which we have), we should supplement this with site specific testing. For the</p>

	<p>Site Allocations DPD it would be useful to consider the CIL and S106 impact on future development sites.</p>
<p>For larger sites the proposed rates tend to rely on the lowest land value benchmarks, for industrial land, without taking into account the additional costs associated with bringing such land into use and demonstrating how representative such sites are in the Council's likely housing supply;</p> <ul style="list-style-type: none"> <li>○ Viability study fails to incorporate abnormal costs</li> <li>○ Typologies in the viability report are not reflective of development in the borough.</li> </ul>	<p>The Council is comfortable that a suitable range of types of development have been tested. A tolerance has been built in for all costs. The Council does not believe the report should make recommendations based on "abnormal" costs.</p>
<p>The boundaries of the Charging Zones, whilst being broadly reflective of development values in the Borough do not necessarily reflect how values vary within zones and in particular on the boundary of the western and central zones at Haringey Heartlands;</p> <ul style="list-style-type: none"> <li>○ Consideration of Haringey Heartlands as an area as it crosses charging zones.</li> </ul>	<p>The boundaries in the Charging Schedule are reflective of the areas in which viability was tested. It is noted that the values may vary within each area, but the Council believes that the values are fair and representative, and in all likelihood will have increased since the evidence was produced.</p>
<p>The Draft Regulation 123 list does not provide sufficient information to understand the extent to which Section 106 and 278 obligations will be scaled back and whether the £1,000 per dwelling assumed in the Viability Study is a justified assumption. Further information on this issue is likely to be required before examination.</p>	<p>The Council notes that the respondent would like to see an increase in the detail of evidence, and it is proposed that a Planning Obligations SPD is produced.</p>
<p><b>Changes to Charging Schedule</b></p>	
<ul style="list-style-type: none"> <li>• None</li> </ul>	