

ANNEX 2

Officer level responses in respect of Maidstone Borough Council's draft Charging Schedule for the Community Infrastructure Levy (CIL)

Thank you for the opportunity to comment on the preliminary draft Charging Schedule for the Community Infrastructure Levy (CIL). These officer-level comments on behalf of Tonbridge and Malling Borough Council complement those already made in respect of the Local Plan Regulation 18 consultation.

As a neighbouring Local Authority that will experience the impacts from growth planned for the areas north west of Maidstone, the importance of ensuring a satisfactory level of infrastructure provision is recognised and the proposals for introducing new ways of collecting developer contributions welcomed.

As noted in the comments made in respect of the draft Local Plan, the soundness of the charging schedule, like the Plan itself, depends on the robustness of the evidence upon which it is based. The Local Plan has been through several iterations and evidence has been prepared and updated to reflect changing targets for growth, but it is not always clear which growth target is being incorporated. It will be important therefore that the next iteration of the CIL Charging Schedule is based upon the most up-to-date growth target set out in the Local Plan and that the viability testing reflects this.

Government guidance on CIL suggests that proposed rates should include some flexibility rather than exactly reflect the viability assessment to allow for some contingency. The Borough Council may wish to explore this as the Schedule is progressed.

For information, the references to the introduction of pooling restrictions on Section 106 agreements now coming into effect on the 6th April 2015 could now be updated since the CIL (Amendment) Regulations 2014 came into force on the 24th February this year.

We trust that the preliminary draft Charging Schedule and the evidence that underpins it will be read in light of the Planning Practice Guidance published in March - in particular the section on viability including the desirability to promote the re-use of brownfield land - and updated accordingly.