

Gosport Borough Council

Community Infrastructure Levy

Submission Statement

November 2014

Gosport Borough Council Community Infrastructure Levy Submission Statement.

Introduction

Although the 2012 amendments to the CIL Regulations removed the requirement under Regulation 19(1) for a charging authority to submit the declaration required under section 212(4) of the Planning Act 2008, this statement has been produced to demonstrate Gosport Borough Council's compliance with the requirements set out in the Planning Act 2008, and the CIL Regulations 2010 (as amended) in relation to the submission of its Community Infrastructure Levy (CIL) Draft Charging Schedule to the Secretary of State.

Community Infrastructure Levy Submission Statement.

Gosport Borough Council hereby submits to the examiner supporting documents associated with its Community Infrastructure Levy (CIL) Charging Schedule for examination.

Declaration required under the Planning Act 2008, s212 (4 &5):

Gosport Borough Council hereby declares that:

- (a) as the charging authority, it has complied with the requirements of Part 11 of the Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (as amended);
- (b) as the charging authority, it has used appropriate available evidence to inform the draft charging schedule; and,
- (c) that any other matters prescribed by CIL Regulations 2010 (as amended) have been dealt with.

Subsection (4) of the Planning Act requires that:

- (a) the charging authority has complied with the requirements of this Part and CIL (including the requirements to have regard to the matters listed in section 211[2] and [4]);
- (b) the charging authority has used appropriate available evidence to inform the draft charging schedule; and,
- (c) dealing with any other matters prescribed by CIL Regulations. Subsection (5) required councils to present and approve the declaration, as stated in subsection (4) above, at a meeting of the local authority and requires that it must be approved by a majority of votes of members present. However, this requirement was removed by Section 114 of the Localism Act 2011, CIL Regulation amendments 2012 and paragraph 104 of the CIL statutory guidance (April 2013).

Submission Documents

Following submission, the Draft Charging Schedule and the submitted documents were published on Gosport Borough Council's website. Reference copies of the Draft Charging Schedule, Draft Regulation 123 list, Consultation Report and Submission Statement are available to view from the Planning Services reception situated on the 3rd floor at the Town Hall and at the following locations during normal opening times:

- Gosport Discovery Centre, High Street, Gosport, PO12 1BT;
- Elson Library, 136 Chantry Road, Gosport, PO12 4NG;
- Lee-on-the-Solent Library, High Street, Lee-on-the-Solent, PO13 9BZ; and
- Bridgemary Library, 74 Brewers Lane, Bridgemary, Gosport, PO13 0LA.

Documents Submitted

The following documents are submitted for examination, all are available on the Borough Council's web page.

CIL Documents.
Draft Charging Schedule (December 2014)
Draft Regulation 123 List (December 2014)
Consultation Statement
Background Evidence
Gosport CIL Viability Report (2013)
Gosport CIL Viability Report Addendum 2014.
Addendum - Supplement Sept 2014.
Gosport Infrastructure Assessment Report (June 2014)
Gosport Infrastructure Delivery Plan (June 2014)
Planning Obligations and Developer Contributions Strategy 2014
Developer contributions collected through Section 106 agreements 2009-2014.
Affordable housing performance 2009-2014.
Annual Monitoring Report 2014.
Gosport Borough Local Plan 2011-2029 Publication Version July 2014
GBLP 2011-2029 Policies Map
GBLP 2011-2029 Operational Safeguarding Map
GBLP 2011-2029 Mineral & Waste Safeguarded sites Map
Economic Development Board agenda – 17 th September.
Economic Development Board minutes – 17 th September.
Historic CIL Documents
Summary of Representations on Preliminary Draft Charging Schedule.
Preliminary Draft Charging Schedule.

Statement of Compliance

Compliance with the requirements of the Planning Act 2008	
Declaration under Section 212(4) of the Planning Act 2008 Gosport Borough Council declares that as the charging authority it has complied with the relevant requirements of part 11 of the Planning Act 2008 (as amended) and the Community Infrastructure Levy Regulations 2010 (as amended)	
Regulation	Community Infrastructure Levy 2010 compliance
12	The Draft Charging Schedule contains the information required by the Regulations, namely: <ul style="list-style-type: none"> (a) The name of the charging authority (b) The rates (in pounds per square metre) at which CIL is chargeable in the authority's area; (c) The location and boundaries of the zones for differential rates, on an Ordnance Survey base showing grid lines and references; and (d) An explanation of how the chargeable amount will be calculated.
13	Gosport Borough Council's differential levy rates are compliant with Regulation 13, which enables charging authorities to set differential rates by location and type of development.
14	In setting its differential levy rates, Gosport Borough Council has complied with Regulation 14 (1), in striking an appropriate balance between the desirability of

	<p>funding from CIL and the potential effects of the imposition of CIL. This is predominantly evidenced in the viability assessment.</p>
15 to 17	<p>A Preliminary Draft Charging Schedule was approved for issued by Gosport Borough Council's Economic Development Board and consulted upon from the 14th of October to the 25th of November 2013.</p> <p>A Draft Charging Schedule was approved for issue by Gosport Borough Council's Economic Development Board on the 17th of September and consulted upon in accordance with the regulations between the 19th of September and the 30th of October 2014.</p> <p>Full details of the consultation process are available in the consultation report available on the Council's web page: http://www.gosport.gov.uk/cil</p>
19	<p>Gosport Borough Council submit this declaration and the documents listed in Table 1 to the examiner in accordance with the regulations.</p> <p>Copies of the documents are available on the Council's website and a statement of the fact that the documents are available for inspection and where they can be inspected and published.</p>
21	<p>The time and place of the examination and the name of the examiner will be published on the Council's website at least 4 weeks before the opening of the examination. An advert will be placed in the local press publicising the time and place of the examination and name of the examiner.</p>

Conclusion:

This statement demonstrates that Gosport Borough's draft CIL Charging Schedule is compliant with the requirements set out in the Planning Act 2008, the CIL Regulations 2010 (as amended) and DCLG guidance (June 2014).