

Birmingham City Council Community Infrastructure Levy: Draft Charging Schedule.

Statement of Modifications.

Statement of Modifications

1. Birmingham City Council received 32 representations to the CIL Draft Charging Schedule which was subject to consultation from Monday 29th September 2014 to Monday 10th November 2014.
2. In accordance with Regulations 11 and 19 of the Community Infrastructure Levy Regulations 2010 (as amended), this Statement of Modifications sets out the minor modifications which Birmingham City Council has made to its Draft Charging Schedule since it was published for consultation in accordance with Regulation 16.
3. There are 13 amendments, which are set out in the table below.

Submission of Draft Charging Schedule for Examination

4. The Council is submitting its Draft Charging Schedule for Examination on Wednesday 4 February 2015. This Statement of Modifications is being made available to all consultation bodies in line with the Community Infrastructure Regulations 2010 (as amended).
5. Further information in relation to the Draft Charging Schedule and Examination is available on the Council's website at www.birmingham.gov.uk/cil

Requests to be Heard

6. Any person may request to be heard by the Examiner in relation to the modifications as set out in this Statement of Modifications. Requests to be heard must include details of the modifications on which the person wishes to be heard (by reference to the Statement of Modifications). Additional detail is sought in relation to whether those requesting to be heard support or oppose the modifications and why. The Council will submit a copy of each request it receives to the Examiner. Requests to be heard may be withdrawn at any time by giving notice in writing to the Council. Please note that representations received cannot be treated as confidential.
7. Any requests to be heard by the Examiner must be made in writing within four weeks of the date of the submission by 5pm on Wednesday 4 March 2015 :

By email to: hayley.anderson@birmingham.gov.uk (please include "CIL Modifications" in the subject of the email)

By post to: Hayley Anderson
Planning Obligations Coordinator
CIL MODIFICATIONS
Birmingham City Council
1 Lancaster Circus
Queensway
Birmingham, B4 7DJ

Table 1**Birmingham City Council CIL Draft Charging Schedule Statement of Modifications**

Ref	Page	Section	Modification	Reason for Modification
SM1	8	5.5 Affordable Housing Providers and Birmingham Municipal Housing Trust	Addition of: "Similarly, we propose to exempt all social housing providers registered with the Homes and Communities Agency from CIL charges."	Raised during consultation process, and will ensure all social housing providers registered with the Homes and Communities Agency will benefit from the same CIL exemptions as Birmingham Municipal Housing Trust.
SM2	8	6.0 CIL Charges	To increase the threshold for CIL charges for Retail Convenience developments from 1,500sqm to 2,000sqm.	Raised during consultation process and the change ensures the charges are in line with the evidence provided by the Council's viability consultants.
SM3	8	6.0 CIL Charges	To introduce a new zero rated charging category for "All other development" in "All areas".	Raised during consultation process and ensures clarity regarding charging categories.
SM4	8	6.0 CIL Charges	To include "rest of city" in the zero rated Hotel charging category	To provide clarity for Hotel charging category.
SM5	8	6.0 CIL Charges	Inclusion of the definition of Retail – "This category will include those retail units selling good not bought on a frequent basis."	To provide clarity on which developments will fall into this category.
SM6	8	6.0 CIL Charges	Inclusion of the definition of Retail Convenience – "Retail	Raised during consultation

			convenience can also include non-food floorspace as part of the overall mix of the unit.”	process and will provide clarity on which developments fall into this category.
SM7	9, 10	6.1 Charging Zone Maps	Addition of wording to clarify the residential charging zone map – “Please note – where the residential charging zone dissects a building on the above plan, the postcode used for the planning application site address will determine which charging zone the application falls under.”. For additional clarity, the Market Value Areas from the GVA CIL Economic Viability Assessment Report (October 2012) (Table 3) has been reproduced.	The residential charging zone map was criticised during the consultation process as many of the boundaries used dissected existing buildings/sites. Additional wording and table has been introduced to provide clarity regarding which planning applications will fall under which charging zone.
SM8	14	12.0 When and how will I pay?	Introduction of CIL adoption date – “The CIL adoption date will be published on our website once it has been agreed and approved and all applications validated after the published adoption date will be liable for CIL.”	To provide clarity on the CIL adoption date.
SM9	15	13.0 Can I pay my CIL in kind?	Introduction of an In Kind Payment Policy – “It may be possible to pay your CIL liability in kind, through either land or infrastructure, and we will assess each application and make a decision on a case by case basis. Please contact Hayley Anderson at hayley.anderson@birmingham.gov.uk or 0121 303 4820 for further information. Please note, should we agree to an in kind payment of CIL liability, these payments must be agreed through a land or infrastructure agreement before starting on site and can be full or part payment of the CIL liability.	Raised during the consultation process and this change provides clarity on In Kind CIL payments.

			<p>Land or infrastructure must be valued by an independent valuer to ascertain open market value of land or the cost of the infrastructure to decide how much of the CIL liability will be paid by the in kind payment.</p> <p>Further information regarding in kind payments is contained within the <u>CIL regulations.</u>”</p>	
SM10	N/A	N/A	Throughout document – correction of minor spelling/grammatical errors.	N/A
SM11	N/A	Regulation 123 List (pg 4)	Inclusion of specific statement re: the Longbridge Infrastructure Tariff – “It should also be noted that following adoption of CIL, we will not sign further agreements to fund the Longbridge Infrastructure Tariff, and will instead secure CIL and S106 contributions where appropriate. “	Raised during consultation and provides clarity regarding the Longbridge Infrastructure Tariff.
SM12	N/A	Regulation 123 List	Replacement of Draft Regulation 123 List with final Regulation 123 List.	N/A
SM13	N/A	Instalment Policy	Replacement of Draft Instalment Policy with final Instalment Policy	N/A