

4 July 2011
 4 July 2011 response to Shropshire.doc



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Dear Ms Salter

Shropshire CIL and Associated Documents

On behalf of Lioncourt Homes we provide a response to your emails dated 27 June and the various attachments associated with the CIL Charging Schedule. Our response to each of the documents is set out in the table below:

Document Attachment	Paragraph / other Document references	Response	Recommended Change
Developer Contributions SPD		No further comment	
CIL Instalment Policy	Footnote 2 dealing with phased development	Support minor amendment	Previous comment submitted on 13 June now withdrawn
Developer Contributions and Infrastructure Code of Practice	Paragraph 3.9	<p>Clarification is sought from the Council on the use of developer contributions. It is assumed that the contributions sought under s106 agreements will be the subject of Regulation 122 in that they will be:</p> <ul style="list-style-type: none"> a) Necessary to make the development acceptable b) Directly related to the development c) Fairly and reasonably related in scale and kind to the development. <p>On the basis of Reg 122 if the contributions are necessary to make the development acceptable then it is assumed there will be a specific project identified already or mitigation required. The wording in para 3.9 suggests there may be uncertainty as to what the developer contributions may be allocated to. In order to comply with Reg 122 the contribution would need to be necessary and directly related to the development, which would assume a greater level of certainty associated with projects.</p> <p>The final part of the sentence in para 3.9 suggests that monies may be banked, or pooled to spend on a</p>	Further clarification on the meaning of paragraph 3.9 and how the use of s106 contributions will be directed.





		joint project elsewhere. Unless the contribution is spent on a project which is directly related to the proposed development it will fail the test under Reg 122.	
LDF Implementation Plan		No further comment at this stage. Reference will be made to this document at the forthcoming Examination when discussing with the setting of the CIL Levy. Further details are awaited on the projects set out in the Local Implementation Plan before we can be satisfied that it meets Regulation 14 of the CIL Regulations. On this basis we wish to maintain the previous objections submitted.	

We trust the responses set out above will be taken into consideration in advance of the Cabinet Meeting scheduled for 13 July.

Yours sincerely

Michael Davies
Director