

APPENDIX A



**Community Infrastructure Levy  
Declaration required under Planning Act 2008, Section 212, subsection 4 & 5**

Shropshire 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, (CIL), Regulations 2010 as amended by the CIL Regulations 2011 (including the requirements to have regard to the matters listed in section 211 (2) and (4) of the 2008 Act),
- 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."

As required under subsection (5) this Declaration was presented and approved by a majority of the members present at a meeting of Shropshire Council on 12<sup>th</sup> May 2011. A copy of the minutes of the meeting is available on the Council's website at [www.shropshire.gov.uk](http://www.shropshire.gov.uk).

Signed: .....

Name: .....

Position: .....

Date: .....

APPENDIX B

**Compliance with the legislative requirements for preparing and submitting a Draft Charging Schedule**

The following sets out how the requirements of section 212 (4) of the Planning Act 2008 have been met.

<b>Planning Act 2008</b>	
Part 211	<p>In preparing the Draft Charging Schedule Shropshire Council has had regard to the actual and expected costs of infrastructure; the economic viability of development; other actual or expected sources of funding for infrastructure; the actual or expected administrative expenses in connection with CIL; and the Statutory Guidance.</p> <p>Shropshire Council has consulted a range of stakeholders in preparing the Draft Charging Schedule, with consultations taking place as follows:</p> <p>Working Draft of the Preliminary Draft Charging Schedule - October to November 2010            Preliminary Draft Charging Schedule - 21<sup>st</sup> January to 18<sup>th</sup> February 2011            Draft Charging Schedule - 18<sup>th</sup> March to 21<sup>st</sup> April 2011</p>
Part 212	<p>Shropshire Council has appointed the Planning Inspectorate to examine the Draft Charging Schedule, as an appropriate independent body that has suitable qualifications and experience for the task. All persons who have submitted representations about the Draft Charging Schedule will be given the opportunity to be heard by the examiner.</p>
Part 212	<p>The following appropriate, available evidence has informed the Draft Charging Schedule:</p> <p><b>Infrastructure Evidence</b></p> <p>LDF Implementation Plan July 2011</p> <p>Albrighton &amp; Surrounding Area Place Plan March 2011            Bishops Castle &amp; Surrounding Area Place Plan March 2011            Bridgnorth &amp; Surrounding Area Place Plan March 2011            Broseley &amp; Surrounding Area Place Plan March 2011            Church Stretton &amp; Surrounding Area Place Plan March 2011            Cleobury Mortimer &amp; Surrounding Area Place Plan March 2011            Craven Arms &amp; Surrounding Area Place Plan March 2011            Ellesmere &amp; Surrounding Area Place Plan March 2011            Highley &amp; Surrounding Area Place Plan March 2011            Ludlow &amp; Surrounding Area Place Plan March 2011            Market Drayton &amp; Surrounding Area Place Plan March 2011            Minsterley &amp; Surrounding Area Place Plan March 2011</p>

	<p>Much Wenlock &amp; Surrounding Area Place Plan March 2011  Oswestry &amp; Surrounding Area Place Plan March 2011  Pontesbury &amp; Surrounding Area Place Plan March 2011  Shifnal &amp; Surrounding Area Place Plan March 2011  Shrewsbury &amp; Surrounding Area Place Plan March 2011  Wem &amp; Surrounding Area Place Plan March 2011  Whitchurch &amp; Surrounding Area Place Plan March 2011</p> <p><b>Economic Viability Evidence</b></p> <p>Analysis of CIL and Affordable Targets, Fordham Research, August 2010</p> <p>Further Analysis of CIL (Retail), Fordham Research, February 2011</p> <p>Affordable Housing Viability Study, Fordham Research, April 2010</p> <p>Shropshire Council sensitivity analysis of commercial, industrial and retail models</p> <p>Land Registry House Price data</p> <p><b>Results of Consultation</b></p> <p>Shropshire CIL Statement of Consultation March 2011</p> <p>Consultation on PDCS Summary of Responses March 2011</p> <p>All the above documents have been available on our website since 18<sup>th</sup> March at <a href="http://www.shropshire.gov.uk/planning.nsf">www.shropshire.gov.uk/planning.nsf</a> following menu path Planning Policy &gt; CIL: Draft Charging Schedule.</p>
<b>Regulation Number</b>	<b>The Community Infrastructure Levy Regulations, 2010 as amended by the CIL Regulations 2011</b>
12	The Draft Charging Schedule contains the information required by the Regulations, namely (a) the name of the charging authority; (b) the rates (in pounds per square metre) at which CIL is to be 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	Shropshire Council's differential Levy rates are compliant with Regulation 13, which enables charging authorities to set differential rates (including nil rates) by location and type of development.
14	In setting its differential Levy rates, Shropshire Council has complied with Regulation 14(1), which requires that it, "must aim to strike what appears to the charging authority to be an appropriate balance between (a) the desirability of funding from CIL (in whole or in part) the actual and expected estimated total cost of infrastructure required to support the development of its area, taking into account other actual and

	<p>expected sources of funding; and (b) the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area.” The balance of these considerations is detailed in the “Levy Rationale Background Paper”, which has been available on the Council's website since 18<sup>th</sup> March 2011.</p>
<p>15</p>	<p>A Preliminary Draft Charging Schedule was approved on 19<sup>th</sup> January 2011 and published on 21<sup>st</sup> January, together with the accompanying evidence base and notes. Consultation occurred in accordance with the Regulations over the period 21<sup>st</sup> January to 18<sup>th</sup> February 2011 with the prescribed consultation bodies, namely:</p> <ul style="list-style-type: none"> <li>• All Parish and Town Councils in Shropshire</li> <li>• All adjoining local planning authorities</li> </ul> <p>Comments were also invited from residents , businesses and voluntary bodies, including:</p> <ul style="list-style-type: none"> <li>• All developers, agents, landowners and interested parties on the LDF consultation database</li> <li>• Statutory LDF consultees, including the Homes and Communities Agency</li> <li>• Local interest groups</li> <li>• Local businesses on the Economic Development mailing list</li> <li>• The Shropshire CIL working group and other internal consultees</li> <li>• Registered Providers on Shropshire’s Social Housing Forum</li> <li>• The public – a press release was issued and a copy of the Preliminary Draft was made available in all public libraries, in all Customer Service Points in Shropshire, in all the Council's area headquarters and on the Council's website.</li> </ul> <p>54 responses were received on the Preliminary Draft Charging Schedule (PDCS). These informed the preparation of the Draft Charging Schedule, and were reported to Shropshire Council's Cabinet on 16<sup>th</sup> March. Full details are contained in the CIL Consultation Statement and the PDCS Summary of Responses, both of which are available on the Council's website.</p> <p>A press release was issued on 8<sup>th</sup> March to draw attention to the consideration by Shropshire Council of the Draft Charging Schedule at its next Cabinet meeting.</p>
<p>16</p>	<p>In accordance with the Regulations, the Draft Charging Schedule was published, together with a Representations Form, Accompanying Notes, relevant evidence and the 'Levy Rationale Background Paper' on the Council's website on 18<sup>th</sup> March. The webpage stated where the documents could be inspected at all libraries and Customer Service Points in Shropshire within normal opening hours, and at Shropshire Council's area headquarters at:</p>

	<ul style="list-style-type: none"> <li>• Bridgnorth: Westgate, Bridgnorth WV16 5AA</li> <li>• Ludlow: Stone House, Corve Street, Ludlow, Shropshire SY8 1DG</li> <li>• Oswestry: Castle View, Oswestry, Shropshire SY11 1JR</li> <li>• Shrewsbury: Shirehall, Abbey Foregate, Shrewsbury SY2 6ND</li> <li>• Shrewsbury: Guildhall, Frankwell Quay, Shrewsbury SY3 8HQ</li> <li>• Wem: Edinburgh House, New Street, Wem, Shropshire SY4 5DB</li> </ul> <p>Copies (electronic or paper) were sent to each of the prescribed consultation bodies. In addition, all previous respondents on the Preliminary Draft Charging Schedule and around 2,000 consultees on the LDF Consultation database were notified of the publication of the Draft Charging Schedule and representations procedure.</p> <p>A local advertisement notice was placed in the Shropshire Star on Friday 18<sup>th</sup> March 2011.</p> <p>38 representations on the Draft Charging Schedule were received. All those making representations will be informed of each subsequent stage in the examination and adoption process, including submission, publication of the examiner's report and approval of the charging schedule by the charging authority.</p>
17	The period for representations on the Draft Charging Schedule was 18 <sup>th</sup> March to 21 <sup>st</sup> April.
19	<p>Shropshire Council will submit this Declaration and the following to the examiner in accordance with the Regulations: (a) the Draft Charging Schedule; (b) a summary of the main issues raised by the representations; (c) copies of the representations; (d) any modifications; (e) copies of the relevant evidence.</p> <p>Copies of the above documents will be made available at all libraries in the Shropshire Council area, Customer Service Points and at Shropshire Council's area headquarters as required by the Regulations. All documents will be 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 will be published.</p> <p>Any modifications to the Draft Charging Schedule, as delegated to the Corporate Head of Strategic Planning in consultation with the Portfolio Holder for Housing and Planning by resolution of Shropshire's Cabinet on 16<sup>th</sup> March, will be published on the Council's website and notified to all prescribed consultation bodies, before submission of the Draft Charging Schedule to the examiner, as required by the Regulations.</p> <p>All those who have made representations on the Draft Charging Schedule will be notified of the submission of the Draft, together with any modifications, and will be kept fully informed of the progress of the examination.</p>