

WAKEFIELD COMMUNITY INFRASTRUCTURE LEVY CHARGING SCHEDULE EXAMINATION

Main Issues and Questions

Main Issues for consideration by the Examiner

- A. *Has the Charging Authority complied with the procedural requirements in the 2008 Act (Part 11 and section 221) and the 2010 Community Infrastructure Regulations (as amended)?*
- B. *Is the CIL charging schedule supported by appropriate available evidence on infrastructure planning and economic viability?*
- C. *Are the proposed CIL charging rates informed by and consistent with the evidence?*
- D. *Does the evidence show that the proposed CIL charging rates would not put at risk the overall development of the area? Has an appropriate balance been struck between helping to fund the new infrastructure required and the potential effects of the levy on the economic viability of development across the borough?*

Questions for Examination

RESIDENTIAL RATES

Viability Evidence Assumptions

1. Is the CIL Viability Evidence submitted by the Council in support of the Draft Charging Schedule appropriate, particularly with regard to its assumptions for build costs, abnormal development costs, residual S106 costs, professional fees, and sales values for residential development?
2. Would sensitivity testing the appraisals with lower sales values and higher costs, including build costs, abnormals, professional fees and residual S106 costs assist in more robustly demonstrating the viability of the proposed residential charges, in particular the high zone charge?

High Zone Charge

3. Does the rate of £55psm for the high residential charging zone allow a sufficient buffer to absorb unforeseen development costs and fluctuations in the housing market?
4. In the light of the answers to questions 1 and 3, does the available evidence support the proposed rate of £55psm in the high value areas of the borough and would it put at risk the delivery of residential development across the borough?

Questions for Examination

Charging Zone Boundaries

5. Does the CIL Viability Evidence support the inclusion of the areas of Wrenthorpe, Outwood, Snow Hill, Newton Hill, Ossett, Walton and areas to the south and west of Wakefield within the high residential charging zone?
6. Would a fourth charging zone with a CIL rate somewhere between the proposed high and medium zone charges be justified by the evidence?

Strategic sites

7. Given the reliance of the borough on large sites of more than 10 hectares to deliver its housing requirement, does the available evidence show whether large sites, including the Special Policy Areas (SPAs), could viability support the proposed residential CIL charges?
8. Is there a need for specific appraisals for the SPAs and large Housing Sites of more than 10 hectares to demonstrate whether or not the proposed CIL charges would put at risk the delivery of residential development across the borough?

GENERAL ISSUES

Infrastructure Planning Evidence

9. Does the Infrastructure Delivery Plan Evidence (IDPE) provide appropriate evidence of an aggregate funding gap that demonstrates the need for a CIL charge?

Reg 123 List and S106 contributions

10. Does the revised Draft CIL Regulation 123 list (July 2015) provide sufficient clarity on future infrastructure to be funded by CIL or secured through S106/S278 agreements to avoid 'double-dipping'?

Instalments Policy

11. In the light of the draft Instalments Policy and the proposals for phased payments of CIL in paragraph 9.3 of the DCS, does the evidence show whether or not the proposed instalments policy would put at risk the viability of large development schemes, the delivery of which would be phased over a longer period of time?

RETAIL RATES

Viability Study Assumptions

12. Is the CIL Viability Evidence submitted by the Council in support of the Draft Charging Schedule appropriate, particularly with regard to its assumptions on the yields, rents, build costs and residual S106 costs for retail warehousing and supermarkets?
13. Does the available evidence support the typology of scheme sizes used for the appraisal of retail development in the CIL Economic Viability Evidence, in particular for retail warehouse parks and supermarkets?

Rates

14. Does the available evidence support the proposed rates of £103psm for large supermarkets and £89psm for retail warehousing and would they put at risk the delivery of retail development across the borough?

Questions for Examination

15. Do the rates of £103psm for large supermarkets and £89 for retail warehousing allow sufficient buffer to absorb unforeseen development costs and fluctuations in the market?

Threshold

16. Is the proposal to set a minimum threshold of 2,000sqm for the proposed CIL rate for large supermarkets informed by and consistent with the evidence?

Definition of retail warehousing

17. Is the definition of retail warehousing in the footnote to the table in paragraph 7.1 in the Draft Charging Schedule sufficiently precise to provide the required clarity to developers and operators?