

## RYEDALE DISTRICT COUNCIL

### DRAFT COMMUNITY INFRASTRUCTURE LEVY (CIL) SCHEDULE

#### EXAMINATION HEARING – 22 SEPTEMBER 2015

#### EXAMINER'S NOTE / HEARING AGENDA

#### **1 Examiner**

- 1.1 My name is Philip Staddon BSc, Dip, MBA, MRTPI. I have been appointed to undertake an independent examination of the Draft CIL Charging Schedule published by Ryedale District Council.

#### **2 Programme Officer**

- 2.1 The Programme Officer is Charlotte Bogg. The Programme Officer acts as an impartial officer of the examination, under my direction, and her role is to:

- Liaise with all participants to ensure the smooth and efficient running of the examination.
- Manage all documents and ensure they are recorded and made available to all parties.
- Maintain the examination library.
- Act as the point of contact on all procedural and administrative matters.

- 2.2 The Programme Officer's contact details are:

Charlotte Bogg  
Programme Officer  
Ryedale District Council  
Ryedale House  
Malton  
North Yorkshire  
YO17 7HH

Tel: 01653 600666 Ext: 335

Email: [charlotte.bogg@ryedale.gov.uk](mailto:charlotte.bogg@ryedale.gov.uk)

- 2.3 Please contact the programme officer with any queries or requests in respect of this CIL examination.

### **3 The Examination and the Hearing Sessions**

- 3.1 The examination is to consider whether the Draft Community Infrastructure Levy (CIL) Charging Schedule published by Ryedale District Council meets the requirements of the Planning Act 2008 and the associated Regulations and Guidance. To comply with the relevant legislation and guidance, the local charging authority has to submit a charging schedule that should set an appropriate balance between helping to fund necessary new infrastructure and the potential effect of the proposed rates on the economic viability of development across its area. The impact of the charging schedule on development viability is the central theme of the examination and the associated Hearing sessions.
- 3.2 My examination is undertaken by a combination of i) a desk based consideration of written evidence and representations and ii) public Hearing sessions which will be attended by the Council and any representors who wish to exercise the 'right to be heard.'
- 3.3 I have read and studied carefully all of the documents submitted by the Council and those that have submitted representations, evidence and views through the consultation processes. This has given me a good understanding of the CIL proposals. It has also enabled me to identify the main issues and questions that I need to explore further through the examination Hearing sessions.
- 3.4 The Hearing sessions will be held on **Tuesday 22 September 2015** commencing at **10.00 a.m.** and will conclude on that day. The venue will be: **The Council Chamber, Ryedale District Council, Ryedale House, Old Malton Rd, Malton, North Yorkshire YO17 7HH**
- 3.5 The Hearing sessions will be in the form of structured 'round table' discussions, which I will chair. I have attached an agenda to this note. We will be following the order of the sessions set out. Each of the agenda topic issues will be discussed and I will invite contributions from the Council and from any participating representors.
- 3.6 The structure of the sessions has a logical flow. It begins by looking at the bigger picture in terms of exploring the strategic development plan for Ryedale district and then looks at the infrastructure needed to support planned growth. It then explores the viability evidence, looking at the assumptions made and the way the modelling outputs have been used to inform the proposed CIL zones and rates. The final session will also afford an opportunity for participants to sum up their case and for any representors to explain what changes they seek to the Schedule.
- 3.7 The Hearing will be open to the public and the media. Any filming / recording of the Hearing will be at my discretion. After the Hearing, I do not intend to accept further evidence unless I have specifically requested it. I will then prepare and submit my report.

**Philip Staddon BSc, Dip, MBA, MRTPI      13 August 2015**

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#### EXAMINATION HEARING – 22 SEPTEMBER 2015 (10.00 a.m. start)

### AGENDA

#### **Session 1 – Introductions**

- Welcome and housekeeping matters (fire, facilities, breaks etc.).
- Introduction from the Examiner and Programme Officer. Overview of the CIL examination process.
- Introductions from Ryedale District Council (and opening statement, if desired).
- Introductions from participating representors, including a short summary of their interest and issues.

#### **Session 2 –The Ryedale Plan (adopted 2013)**

This concise session will explore the Council's approach to planned sustainable growth in the Ryedale district, as set out in The Ryedale Plan and other associated plans and strategies. The session will not re-open Development Plan examination issues. Its purpose is simply to fully understand the nature of planned growth in terms of scale, location, site types and policy requirements. This is important because the CIL examination will be considering the viability impacts of the proposed CIL charges on this planned development. Discussion points will include:

- Vision, aims and objectives of The Ryedale Plan.
- Scale of planned growth.
- Overview of the spatial approach to housing growth including the roles of:
  - The district's five towns – Malton and Norton, Pickering, Kirbymoorside and Helmsley.
  - The villages and wider rural area.
- Affordable housing policy requirements and achievement (in practice).
- Employment development – requirements and approach.
- Retail development – requirements and approach.

### **Session 3 – Infrastructure evidence**

This session will explore the evidence concerning the infrastructure needed to support the planned growth. Discussion points will include:

- Infrastructure Delivery Plan (January 2012).
- Infrastructure Funding Gap calculation (£63.78 million).
- CIL income projection calculations (£6.24 million).
- The Draft Regulation 123 List.
- Residual role of S.106 Planning agreements.

### **Session 4 – Residential development – viability evidence, CIL zones and the proposed CIL Charges**

This session will explore the Council's viability evidence and CIL proposals in respect of residential development. The evidence is found in three documents: the Viability Assessment (VA) (August 2013); the VA Addendum Report (April 2014) and the Revised Draft Charging Schedule Report (February 2015). The session will examine the following:

#### Modelling assumptions

- The modelling methodology (including changes to the model between the different reports).
- Robustness in terms of the range of sites in the district.
- Residential sales values and the definition of the lower, moderate and high value areas - data sources, dates, changes and trends.
- Benchmark land values – sources and robustness of the low, moderate and high value areas.
- Affordable housing assumptions.
- Build costs, external works costs and contingency allowances.
- Fees, finance, stamp duty and acquisition costs.
- Residual S.106 Planning agreement costs.
- Developer profit.
- The 'modelling error'.

### Residential modelling results, proposed CIL zones and CIL rates.

- The 'revised' modelling outputs (February 2015).
- Approach to differentiation by area and rationale for the two zone approach.
- Process of defining CIL rates and the approach to viability 'buffers'.
- The viability impacts of the charges in the areas where most new homes are planned.
- The exclusion of 'apartments' from CIL charges.
- Agricultural occupancy housing.

### **Session 5 - Retail development – viability evidence and proposed CIL charges**

- Overview of anticipated retail development in Ryedale district in the Plan period.
- Viability modelling assumptions.
- Viability modelling results.
- The approach to differentiation by retail type and associated definitions.
- The case for the £120 per square metre (psm) CIL charge for 'supermarket' developments.
- The case for the £60 psm CIL charge for 'retail warehouse' developments.

### **Session 6 – Other CIL matters**

This brief session will include discussions on:

- The £0 psm for specified public / institutional developments and 'all other chargeable development (incl. apartments).'
- Draft 'Discretionary Relief / Exemption and Instalment Policy.'
- Any other CIL related matters that the Council or representors wish to raise.

(contd.)

**Session 7 – Summing up and close**

In this final session, I will give the participants an opportunity to sum up their views on the evidence. The focus of this session will be on an overarching examination question, which is whether the CIL proposals strike an 'appropriate balance' between funding necessary infrastructure and development viability. The session will include:

- Summing up – each representor.
- Summing up – Ryedale District Council.
- Next steps and timetable for report writing and publication.
- Close.

**Mr. P.J. Staddon – Appointed Examiner – 13 August 2015**