

**APPENDIX 5 – DRAFT STATEMENT OF COMPLIANCE WITH CIL
REGULATIONS AND GUIDANCE**



Community Infrastructure Levy - Legislative and Regulatory Compliance Statement

May 2014

This statement has been produced to demonstrate that Dacorum Borough Council has complied with the requirements set out in the Planning Act 2008, the CIL: Regulations 2010 (as amended) and DCLG CIL Guidance. The following table summarises how the Council has complied with the legislative requirements for the introduction of CIL

Planning Act 2008	
Paragraph 211	<p>In setting the rates and preparing the Draft Charging Schedule Dacorum Borough Council 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 expected administration expenses in connection with CIL and Statutory Guidance.</p> <p>Dacorum Borough Council consulted a range of stakeholders in preparing the Draft Charging Schedule with consultations taking place as follows:</p> <p>Preliminary Draft Charging Schedule – 12th December 2012 to 12th March 2013. Draft Charging Schedule – 22nd January 2014 to 12th March 2014.</p>
Paragraph 212	<p>Dacorum Borough 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.</p> <p>All persons who have submitted representations about the Draft Charging Schedule have been given the opportunity to be heard by the examiner.</p> <p>The following appropriate, available evidence has informed the Draft Charging Schedule:</p> <p>Dacorum Core Strategy 2006-2031 (September 2013) Dacorum Viability Study Update (June 2013) Dacorum Site Viability Assessment (December 2013) Infrastructure Delivery Plan Update (January 2014) Infrastructure Funding Gap Assessment Update (January 2014) Response to comments on the PDCS (July 2013)</p> <p>This Statement of Compliance with the CIL Regulations and Guidance was approved by Council on the 28th May 2014.</p>
Community Infrastructure Levy Regulations 2010 (as amended)	
Regulation 12	<p>The Draft Charging Schedule contains the information required by the Regulations namely:</p> <p>(a) The name of the Charging Authority (Dacorum)</p>

	<p>(b) The rate (in pounds per square metre) at which CIL is charged within the authority's area,</p> <p>(c) The location and boundaries of the zones for differential rates, on an Ordnance Survey base showing grid lines and references, and</p> <p>(d) An explanation of how the chargeable amount will be calculated.</p> <p>The date of approval, the date the charges take effect and a statement of its publication in accordance with the CIL Regulations and Planning Act 2008 should all be published on the completed Charging Schedule.</p>
Regulation 13	Dacorum Borough Council's differential rates are compliant with Regulation 13, which enables charging authorities to set differential rates (including nil rates) by location, type and scale of development
Regulation 14	<p>In setting its differential rates, Dacorum Borough Council, has complied with Regulation 14(1) which requires that it <i>"to strike 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 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"</i></p> <p>The following appropriate available evidence has informed the Draft Charging Schedule:</p> <p>Dacorum Core Strategy 2006-2031 (September 2013) Dacorum's Draft Infrastructure List/Regulation 123 List Dacorum Viability Study Update (June 2013) Dacorum Site Viability Assessment (December 2013) Infrastructure Delivery Plan Update (January 2014) Infrastructure Funding Gap Assessment Update (January 2014) Response to comment on the PDCS (July 2013)</p> <p>This matter was considered by Council at its meeting of the 28th May 2014</p>
Regulation 15	<p>A Preliminary Draft Charging Schedule was approved by Cabinet on the 27th November 2012. It was published on the 12th December 2012, together with the accompanying evidence base for public consultation. Consultation occurred over the period 12th December 2012 to 12th March 2013 with the prescribed consultation bodies.</p> <p>Letters containing copies of the CIL PDCS and inviting representations on it were forwarded to the consultation bodies (including adjoining Local Planning Authorities/County Council/Parish and Town Councils/persons who are resident</p>

	<p>and those carrying on business/voluntary bodies and those representing the interests of persons carrying out business in the Dacorum area)</p> <p>The Council invited representations from persons and organisations who were on the Dacorum LDF and CIL databases including local agents, builders and architects and infrastructure providers.</p> <p>The Council utilised the local press (Hemel Gazette and Berkhamsted and Tring Gazette) and Social media to publicise the consultation.</p> <p>30 responses were received on the Preliminary Draft Charging Schedule (PDCS). These informed the preparation of the Draft Charging Schedule and were reported to Cabinet on the 23rd July 2013. A summary of the representations and our response to them is set out on the Council's website.</p>
Regulation 16	<p>In accordance with the Regulations, the Draft Charging Schedule was published, together with relevant evidence and a Statement of Representations Procedure/Statement of Fact on the Council's website on the 22nd January 2014. The website stated that the Charging Schedule could be inspected at the Civic Centre, Hemel Hempstead and deposit points in Berkhamsted and Tring. Copies were sent to each of the prescribed consultation bodies.</p> <p>All previous respondents on the Preliminary Draft Charging Scheduled were notified of the publication of the Draft Charging Schedule.</p> <p>A local advertisement notice was placed in the local press on the 22nd January 2014.</p> <p>20 representations on the Draft Charging Schedule were received. Those making representations will be informed of subsequent stages in the examination and adoption process, including submission, publication of the examiner's report and approval of the Charging Schedule by the Charging Authority in accordance with their requests.</p>
Regulation 17	<p>The period for representations on the Draft Charging Schedule was 22nd January 2014 to 12th March 2014</p>
Regulation 19	<p>Dacorum Borough Council submitted this Declaration and the following documents to the examiner on the 4th June 2014 in both paper and electronic form (where practicable to do so):</p> <ul style="list-style-type: none"> (a) The Draft Charging Schedule (b) A summary of the main issues raised by the representations (c) Copies of the representations (d) Any modifications

	<p>(e) Copies of the relevant evidence</p> <p>Copies of the above documents will be made available at the Civic Centre as required by the Regulations. All documents will be available on the Council's website and a statement of fact that all documents are available for inspection and where they can be inspected will be published.</p> <p>Any modifications to the Draft Charging Schedule will be published on the Council's website and notified to all prescribed consultation bodies as required by the Regulations.</p> <p>All persons who requested to be notified of its submission, were notified of its submission on the 4th June 2014</p>
Regulation 21	<p>The Council received 2 requests to be heard by the Examiner within the period for making representations to the Draft Charging Schedule.</p> <p>The Council will publish the time and place of the CIL examination and the name of the examiner on its website and notify all persons who made representations in accordance with Regulation 17.</p> <p>An advert will be placed in the newspapers covering the Borough stating the time and place of the CIL examination and the name of the examiner.</p>