



This matter is being dealt with by

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Rugby Borough Council,
Development Strategy Team,
Town Hall,
Evreux Way,
Rugby,
CV21 2RR,

Our ref:1335609.1
Your ref:

08 June 2023

Dear Sir/Madam,

Community Infrastructure Levy Consultation

We write in response to the ongoing Community Infrastructure Levy (CIL) Charging Schedule which has been published for consultation until 16th June 2023.

The CIL Regulations require that, in order to justify charging CIL, the Council must demonstrate that there is a 'gap' between the infrastructure needs of the Borough and the funding that is available, including anticipated CIL income. The Council has therefore produced an Infrastructure Funding Gap Report. The Report concludes that even with the utilisation of CIL there will still remain a shortfall in funding that will need to be found from other sources, for instance the Council's capital programme or government grants.

CIL applies to all 'chargeable development' which is defined as:

- All new buildings, but excluding those into which people do not usually, or only occasionally, go (e.g. only to inspect machinery or structures such as electricity pylons or substations)
- Developments of 100m² or more of additional gross internal floorspace
- The creation of one additional dwelling, even if the gross internal floorspace is less than 100m²
- Some developments not requiring planning permission (permitted development) will also be liable for CIL if they do not meet the exemption criteria.

In order to establish levy rates for development, a charging authority should carry out a broad test of viability across its district, together with specific viability testing for strategic sites. In response two of the strategic allocations within Local Plan 2031, Coton Park East and South West Rugby, were tested against residential CIL.

As a result of the scale of infrastructure requirements to bring forward these strategic sites it has been recommended that their infrastructure requirements should be met through existing S106/S278 agreements, rather than via CIL. As such the Council has defined strategic site allocations as a separate charging zone for residential CIL which is nil rated.

Additionally, business uses and non-residential development (including offices, industrial and distribution and comparison retail) have been found unable to support a CIL charge.

The Draft CIL Rates per sq.m. are set out below:

<i>Development Type</i>	<i>Urban Area</i>	<i>Rural Area</i>
Residential 11 units or more	£60	£160
Residential up to 10 units	£100	£200
Residential development on strategic sites	£0	£0
Apartments in the urban area	£0	Residential charging rate applies
Convenience retail	£100	£100
All other uses	£0	£0

In line with the CIL Regulations, the Council will produce an Infrastructure Funding Statement which will be published annually by 31st December. The Infrastructure Funding Statement reports on all funds secured, received and spent in the previous financial year for CIL and S106. This Statement will include a statement of infrastructure projects that Rugby Borough Council intends to, or may be, wholly or partly funded by CIL. It will also set out the CIL spending protocol setting out the process that the Council will undertake for allocating CIL receipts.

In general, we are supportive of the Council's direction of travel in respect of CIL. However, we would seek clarity in respect of how strategic infrastructure, which is anticipated to be funded via CIL, will interact with funding provided at strategic site through S106/S278 agreements. Equally, an understanding of the reverse scenario; the implications of the delivery of strategic site and the pooling of funds for strategic infrastructure schemes not entirely funding via the S106/S278 agreements is just as important to understand. This should be made clear within the Council's Infrastructure Funding Statement.

Without the ability to scrutinise the Council's infrastructure spending protocol and understand the relationship between funding through S106/S278 agreements at strategic sites and CIL it is difficult to be certain whether required infrastructure is fully funded and therefore can be delivered.

Yours sincerely,

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