

Community Infrastructure Levy

Preliminary Draft Charging Schedule Consultation

15th March – 26th April 2013

Summary of Representations Received

August 2013

List of Representors

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Agent's Name	Agent Title	Agent's Organisation
1	Graham Nicholson	Planning Officer	Inland Waterways Assoc, Works Branch			
2	Erica McDonald	On behalf of	Notcutts Ltd			
3	Sarah Faulkner	Environment and Rural Affairs Advisor	National Farmers Union			
4	Neil Hathaway	Deputy Director of Estates and Facilities	Birmingham and Solihull Mental Health NHS Foundation Trust			
5			Asda	<i>Nicola Gooch</i>		<i>Thomas Eggar LLP</i>
6	Rose Freeman	Planning Policy Officer	The Theatres Trust			
7	Roger Yarwood	Planning Officer	National Federation of Gypsy Liaison Groups			
8	Josie and Peter Herbert					
9	Donna Taverner	Rural Advisor	Country Land & Business Association (Midlands)			
10	Robert Jays	Planner	William Davis			
11	Hayley Anderson	Planning Obligations Officer	Birmingham City Council			
12	Peter Frampton		Framptons			

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13			WM Morrisons Supermarkets Plc	<i>Kate Tinsley</i>	<i>Senior Planner</i>	<i>Peacock and Smith</i>
14	Chris Noble	Chairman	Cheswick Green Parish Council			
15	Jonathan Haywood	Economic Development Officer	Centro			
16	Trevor Eames	Secretary	Solihull Ratepayers Assoc			
17			West Midlands Police	<i>Gail Collins</i>	<i>Senior Consultant Planner</i>	<i>Tyler Parkes</i>
18	Becky Clarke	Technical Specialist	Environment Agency			
19	Cathy Tibbles	Clerk	Castle Bromwich Parish Council			
20			McCarthy & Stone Retirement Lifestyles Ltd	<i>Ziyad Thomas</i>	<i>Policy Planner</i>	<i>The Planning Bureau Ltd</i>
21	Kate Wheeler	Lead Adviser	Natural England			
22	Katherine Burnett	Area Planner	Canal and Rivers Trust			
23	Hilary Goodreid	Parish Clerk	Hockley Heath Parish Council			
24			Bluemark Projects	<i>Chris May</i>	<i>Director</i>	<i>Pegasus Planning Group</i>
25			Gallagher Estates	<i>Chris May</i>	<i>Director</i>	<i>Pegasus Planning Group</i>

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Agent's Name	Agent Title	Agent's Organisation
26			Bloor Homes	<i>Chris May</i>	<i>Director</i>	<i>Pegasus Planning Group</i>
27			Catesby Property Group	<i>James Adgey</i>	<i>Senior Planner</i>	<i>Deloitte LLP</i>
28	Martin Robeson		Martin Robeson Planning Practice			
29			Sainsbury's Supermarkets	<i>Damien Holdstock</i>	<i>Planner</i>	<i>Turley Associates</i>
30			West Midlands HARP Planning Consortium	<i>Felicity Tozer</i>		<i>Tetlow King Planning</i>
31	Richard Campbell-Kelly	Property and Insurance Manager	NEC Group	<i>Kathryn James</i>		<i>NEC Group</i>
32	Rohan Torkildsen	Planning Adviser	English Heritage			
33	Matthew Taylor		Highways Agency			
34	Andrew Burrow		Berkswell Parish Council			
35	Jon Hockley		Birmingham Airport			

Representations to Question 1: Appropriate balance between providing infrastructure and economic viability of CIL

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q1. Do you believe that the proposed charges are an appropriate balance between funding infrastructure and the potential effects (taken as a whole) of the imposition of CIL on economic viability of development across the Borough? If not why not?
1	Graham Nicholson	Planning Officer	Inland Waterways Assoc, Warks Branch	Yes
2	Erica McDonald	On behalf of	Notcutts Ltd	No. Viability analysis carried out on basis of traditional property investment. Insufficient consideration given to the effect on existing operational businesses. Business expansion is not necessarily property market dependent, could curb economic growth if not taken into account.
3	Sarah Faulkner	Environment and Rural Affairs Advisor	National Farmers Union	No comment
4	Neil Hathaway	Deputy Director of Estates and Facilities	Birmingham and Solihull Mental Health NHS Foundation Trust	No comment
5			Asda	Would be fairer to divide the Council's estimate of total infrastructure costs over the charging period by the total expected development floorspace and apply a flat levy across all forms of development. Current rate could run risk of reducing investment in Borough and creation of fewer jobs. Alternatively we request that Council reduce large scale retail developments to that of small scale.
6	Rose Freeman	Planning Policy Officer	The Theatres Trust	No comment
7	Roger Yarwood	Planning Officer	National Federation of Gypsy Liaison Groups	No comment
8	Josie and Peter			No comment

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q1. Do you believe that the proposed charges are an appropriate balance between funding infrastructure and the potential effects (taken as a whole) of the imposition of CIL on economic viability of development across the Borough? If not why not?
	Herbert			
9	Donna Taverner	Rural Advisor	Country Land & Business Association (Midlands)	No comment
10	Robert Jays	Planner	William Davis	No comment
11	Hayley Anderson	Planning Obligations Officer	Birmingham City Council	No comment
12	Peter Frampton		Framptons	No comment
13			WM Morrisons Supermarkets Plc	No. See response to Q.2 and Q.5.
14	Chris Noble	Chairman	Cheswick Green Parish Council	Yes
15	Jonathan Haywood	Economic Development Officer	Centro	Yes
16	Trevor Eames	Secretary	Solihull Ratepayers Assoc	No. Additional cost of CIL will reduce town's competitive position in relation to neighbouring authorities, where the cost base is lower. Will be detrimental to Solihull's economic viability in the long-term. Residents will also have to travel further for employment and families find it harder to buy in Borough.
17			West Midlands Police	See response to Q.10.
18	Becky Clarke	Technical Specialist	Environment Agency	No comment

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19	Cathy Tibbles	Clerk	Castle Bromwich Parish Council	No comment
20			McCarthy & Stone Retirement Lifestyles Ltd	See response to Q.10.
21	Kate Wheeler	Lead Adviser	Natural England	No comment
22	Katherine Burnett	Area Planner	Canal and Rivers Trust	No comment
23	Hilary Goodreid	Parish Clerk	Hockley Heath Parish Council	No comment
24			Bluemark Projects	Concerned about relationship between proposed CIL and the continued use of S106 agreements. Not clear yet from documentation produced by Council to what extent the items referred to in the Infrastructure Delivery Plan will be funded in part by CIL or through S106. Para.'s 84-91 of the DCLG CIL guidance (Dec 2012) explain why it is important to clearly set out the relationship between S106 and CIL.
25			Gallagher Estates	Concerned about relationship between proposed CIL and the continued use of S106 agreements. Not clear yet from documentation produced by Council to what extent the items referred to in the Infrastructure Delivery Plan will be funded in part by CIL or through S106. Para.'s 84-91 of the DCLG CIL guidance (Dec 2012) explain why it is important to clearly set out the relationship between S106 and CIL.
26			Bloor Homes	Concerned about relationship between proposed CIL and the continued use of S106 agreements. Not clear yet from documentation produced by Council to what extent the items referred to in the Infrastructure Delivery Plan will be funded in part by CIL or through S106. Para.'s 84-91 of the DCLG CIL guidance (Dec 2012) explain why it is important to clearly set out the relationship between S106 and CIL.

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27			Catesby Property Group	<p>Evidence does not provide an appropriate level of justification for the proposed CIL rates.</p> <p>Rates will have an unacceptable impact on viability of residential development in Rural areas, thus compromising deliverability and Council's ability to meet its objectively assessed housing need.</p> <p>No identification of the extent to which CIL would fill the funding gap within the Infrastructure Delivery Plan.</p> <p>No clear link between Infrastructure Delivery Plan and proposed CIL rates.</p> <p>Should publish draft Regulation 123 list as part of evidence base in line with DCLG guidance (Dec 2012).</p>
28	Martin Robeson		Martin Robeson Planning Practice	<p>No. Unbalanced approach. Designed to generate funding from Rural area residential schemes and out of centre retail development to fund NSRA infrastructure.</p> <p>Our review of the IDP and differentials in the proposed Charging Schedule appear to demonstrate a lack of an equitable balance in terms of Regulation 14.</p>
29			Sainsbury's Supermarkets	<p>Not clear which infrastructure is proposed to be funded by CIL.</p> <p>Connection between needs generated by retail development specifically (as opposed to housing) needs to be fully explained in later stages of charging schedule.</p> <p>Legislation (Section 205 and 218 of Planning Act 2008) intends CIL to respond to demand for infrastructure generated by new development and not to support general improvements - not clear if IDP reflects this.</p>
30			West Midlands HARP Planning Consortium	<p>Council's supporting material does not include a comparison of the cost of CIL compared to current S106 agreements. Also fails to consider extent to which affordable housing targets have historically been met in the Borough. This should be in the evidence base - once available it will be possible to establish whether CIL will prejudice the delivery of affordable housing.</p> <p>Appendix A of the IDP has both developer contributions and CIL as a source of funding, but this is contrary to guidance which says Councils should prevent 'double dipping' of both CIL and S106. A draft Regulation 123 list should be issued alongside</p>

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				the Draft Charging Schedule.
31	Richard Campbell-Kelly	Property and Insurance Manager	NEC Group	No. Proposed charges structure is too rigid and does not directly reflect the true impact a development has on infrastructure.
32	Rohan Torkildsen	Planning Adviser	English Heritage	No comment
33	Matthew Taylor		Highways Agency	Recognise there is a funding gap in relation to infrastructure provision in Solihull and CIL receipts could provide a valuable opportunity to contribute towards this.
34	Andrew Burrow		Berkswell Parish Council	Yes
35	Jon Hockley		Birmingham Airport	No comment

Representations to Question 2 - Providing adequate evidence on infrastructure planning and economic viability of CIL

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q2. Do you believe there is adequate evidence on infrastructure planning and economic viability to introduce a CIL? If not what additional evidence do you believe is necessary?
1	Graham Nicholson	Planning Officer	Inland Waterways Assoc, Warks Branch	Yes
2	Erica McDonald	On behalf of	Notcutts Ltd	No. Only a high level report, therefore severe limitations. Concerns that focus is based on property developers aiming to make a profit. Insufficient attention to and testing of existing business expansion to remain viable. Only a 5% contingency allowed; none for site-specific issues. Brownfield development will inevitable incur higher costs, and at minimum end of viability scale. Proposed CIL rate would therefore direct business to develop on greenfield sites, contrary to Government aims.
3	Sarah Faulkner	Environment and Rural Affairs Advisor	National Farmers Union	No comment
4	Neil Hathaway	Deputy Director of Estates and Facilities	Birmingham and Solihull Mental Health NHS Foundation Trust	No comment
5			Asda	No. Viability study does not adequately consider impact of S278 or S106. Para. 4.29 states a 5% contingency fee for unexpected costs, and S106 on commercial sites. Residential sites have been allowed a further £1000 per unit for S106. Range of S278 and/or S106 contributions will be expected in addition to CIL for commercial schemes, therefore the Council has underestimated the true cost of commercial development. Larger retail developments will have greater S106 costs. A 4,000 sqm GIA store in Birmingham would attract a £150sqm rate. Need to provide evidence of S106s incurred to date under new DCLG guidance. Viability Study does not acknowledge that the economics of conversion schemes are very different to new builds - difficult to assess whether the CIL rate will put

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				conversions at risk. No evidence that £1.2M for a generic 4,000sqm supermarket development is appropriate in terms of related infrastructure costs. Charging Schedule does not include details on actual or estimated cost of infrastructure required to support the draft Local Plan. Some superstores may necessitate additional infrastructure but in some cases the need is reduced, e.g. journey times reduced. S106 and CIL will result in unreasonable double levy. Risk that some infrastructure projects identified by Council will already have been funded by undelivered projects through existing S106s. No mechanism to allow developers to reclaim unspent CIL contributions.
6	Rose Freeman	Planning Policy Officer	The Theatres Trust	No comment
7	Roger Yarwood	Planning Officer	National Federation of Gypsy Liaison Groups	No comment
8	Josie and Peter Herbert			No comment
9	Donna Taverner	Rural Advisor	Country Land & Business Association (Midlands)	Council must consider accumulation of all charges levied on development, e.g. affordable housing, S106 and CIL. Together these charges could render development unviable.
10	Robert Jays	Planner	William Davis	High levels of residential CIL requirement are based on incorrect assumptions made in the CIL Viability Study. We consider the assumed residential build costs in Table 4.4. are too low, based on our experience in viability negotiations with the District Valuer (DV) and other LPAs. Table 4.4 equates to £85 per sq. ft, whereas we assert that £90 per sq ft is more appropriate, build costs therefore should be increased and the viability re-calculated. Concerned that land values in the Viability Study are vague, with no specific benchmarks. Majority of viability assessments we have worked with

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				include specific figures on anticipated land values, allowing for a more robust approach. The BSV uplift of 20% for greenfield sites is unrealistic, and would result in undervalued land prices for greenfield. The 20% uplift would also be too low in terms of brownfield and employment sites. A recent planning appeal in Shinfield, Reading (Ref: APP/X0360/A/12/2179141) was concerned with viability in terms of affordable housing provision and the inspector concluded that it was reasonable for a landowner to expect a competitive return of at least a 50% uplift in value. This figure should be repeated for Solihull brownfield sites. Table 4.6 of the Viability Study indicates a Developers profit for residential development of 16.67% of GDV. 20% is a more appropriate figure in line with figure the banks are lending. Also figure supported by the Inspector at the above Shinfield appeal detailed above.
11	Hayley Anderson	Planning Obligations Officer	Birmingham City Council	No comment
12	Peter Frampton		Framptons	No comment
13			WM Morrisons Supermarkets Plc	<p>Not been provided with a copy of the appraisals to comment on the efficacy of the headline CIL rate in Table 7.2.</p> <p>Comments focussed on economic viability in the representation:</p> <p>1.7 benchmarking sites - Does not specify what comparable land values of notional sites are.</p> <p>3.1-3.14 methodology - Concur that correct methodology is RLV less the Benchmark Land Value = margin for CIL. We prefer term 'Threshold' land value to benchmark, as it conveys the requirement of a 'willing seller' as required by NPPF and RICS.</p> <p>3.15 benchmark site value - Agree that Threshold Land Value as defined by the RICS Financial Viability in Planning guidance document (1st Ed. GN94/2012) is the appropriate benchmark. SMBC should review this guidance.</p> <p>In a development context the Threshold Land Value is the Market Value, not the</p>

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				<p>notional EUV. EUV is impossible to quantify at an area wide level because by definition it is site specific.</p> <p>Landowners have higher expectations of land price on retail.</p> <p>No evidence provided by CBRE to support the benchmark/threshold values.</p> <p>Table 3.2 Commercial Sites - Foodstore (Site 15) is based on a rural location, but not clear what the previous use was, and town centre locations with higher costs of site assembly and abnormals are more usually sought after. Small Convenience store (Site 16) - What is the land value? How does it compare to a town centre location?</p> <p>Unlikely that foodstore development will take place on a greenfield site, and CIL model needs to reflect significant costs of brownfield development.</p> <p>4.24 infrastructure/utilities works and site abnormal costs - These have been excluded. Major retail development incurs high additional costs, typically £0.5M for S106 costs plus a similar amount for S278 costs.</p> <p>Table 4.5 plot ratio - Contingency is a fund for unexpected costs that may occur during construction, not an allowance for abnormal costs and S106 costs.</p> <p>5.4 CIL treated as a cost (6th bullet point) - If CIL is a development cost, doesn't this result in a circular argument/formula?</p> <p>7.7-7.9 Results - Results tables are meaningless given the 'black box' approach to appraisal and reporting. Impossible to comment on the results as the Threshold Land Value is not reported.</p> <p>Regulation 123 list - Preparation and inclusion of infrastructure elements to 123 list needs to be clearly defined and understood to avoid double counting. Approach has been covered in DCLG CIL guidance document (Dec 2012) pp21-23.</p> <p>Reserve the right to make representations and be heard at the EiP</p> <p>CIL should not be set at margin of viability - require full appraisals to review and include all the costs e.g. plot ration, build costs, site specific S106/S278, contingency etc.</p> <p>Level of developers' profit should be increased.</p>

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14	Chris Noble	Chairman	Cheswick Green Parish Council	Yes
15	Jonathan Haywood	Economic Development Officer	Centro	Yes
16	Trevor Eames	Secretary	Solihull Ratepayers Assoc	No. Inadequate evidence that existing S106s cannot meet essential infrastructure needs of the area. CIL appears to be a blanket stealth tax that will increase the cost base of new housing and deter much needed local employment creation. Council would need to show evidence of specific infrastructure projects that would be cost effective in creating additional jobs with reasonable certainty of the numbers, nature and locations, which could not be financed by other means.
17			West Midlands Police	See response to Q.10
18	Becky Clarke	Technical Specialist	Environment Agency	No comment
19	Cathy Tibbles	Clerk	Castle Bromwich Parish Council	No comment
20			McCarthy & Stone Retirement Lifestyles Ltd	See response to Q.10.
21	Kate Wheeler	Lead Adviser	Natural England	No comment
22	Katherine Burnett	Area Planner	Canal and Rivers Trust	No comment
23	Hilary Goodreid	Parish Clerk	Hockley Heath Parish Council	No comment

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24			Bluemark Projects	<p>Anticipate evidence to support proposed CIL rates will be updated prior to the draft Charging Schedule consultation.</p> <p>Refer to Inspector's examination report for the Greater Norwich Development Partnership's CIL charging schedule. Many of the assumptions subject to criticism in Greater Norwich are more realistic in the CBRE study for Solihull.</p> <p>However, question overall appropriateness of the profit levels of 20% for private sale and 6.5% for affordable housing assumed in the CBRE study.</p> <p>Question whether costs of finance take appropriate account of the cash flow of schemes over their lifetime.</p> <p>The Viability Study which should accompany the draft Charging Schedule should explicitly refer to the 'Harman Guidance' of June 2012.</p> <p>No explanation for blanket assumption of £1,000 per dwelling for S106 contributions in the future.</p>
25			Gallagher Estates	<p>Anticipate evidence to support proposed CIL rates will be updated prior to the draft Charging Schedule consultation.</p> <p>Refer to Inspector's examination report for the Greater Norwich Development Partnership's CIL charging schedule. Many of the assumptions subject to criticism in Greater Norwich are more realistic in the CBRE study for Solihull.</p> <p>However, question overall appropriateness of the profit levels of 20% for private sale and 6.5% for affordable housing assumed in the CBRE study.</p> <p>Question whether costs of finance take appropriate account of the cash flow of schemes over their lifetime.</p> <p>The Viability Study which should accompany the draft Charging Schedule should explicitly refer to the 'Harman Guidance' of June 2012.</p> <p>No explanation for blanket assumption of £1,000 per dwelling for S106 contributions in the future.</p>
26			Bloor Homes	<p>Anticipate evidence to support proposed CIL rates will be updated prior to the draft Charging Schedule consultation.</p>

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				<p>Refer to Inspector's examination report for the Greater Norwich Development Partnership's CIL charging schedule. Many of the assumptions subject to criticism in Greater Norwich are more realistic in the CBRE study for Solihull.</p> <p>However, question overall appropriateness of the profit levels of 20% for private sale and 6.5% for affordable housing assumed in the CBRE study.</p> <p>Question whether costs of finance take appropriate account of the cash flow of schemes over their lifetime.</p> <p>The Viability Study which should accompany the draft Charging Schedule should explicitly refer to the 'Harman Guidance' of June 2012.</p> <p>No explanation for blanket assumption of £1,000 per dwelling for S106 contributions in the future.</p>
27			Catesby Property Group	<p>Client's main concern relates to methodology underpinning the proposed charging rates.</p> <p>Only 1-3 bed flats have been considered for rural residential Sites 6 and 8, and a value per sqm approx. double the value used for Site 7. No justification for this assumption, and contrary to the 'market' for these sites. Furthermore, are considerably higher than average price for flats in Solihull.</p> <p>Should provide detailed working of viability assessments for each site, the £800 per sqm CIL charge for Site 6 appears exceptionally high.</p>
28	Martin Robeson		Martin Robeson Planning Practice	<p>No. Inadequate evidence of economic viability of different retail scenarios. Such development is highly sensitive to locational factors that are not effectively categorised. Also wide range of goods permitted under retail. These factors have very significant effects on rental values, yields and thus land values.</p>
29			Sainsbury's Supermarkets	<p>No comment.</p>
30			West Midlands HARP Planning Consortium	<p><i>Infrastructure Planning:</i></p> <p>No. Para. 29 of the December 2012 DCLG guidance states that authorities should take account of policies within the development plan when setting their charging schedule,</p>

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				<p>particularly for affordable housing targets. Acknowledge that the Viability Study was completed before the December guidance was issued.</p> <p>Need to re-evaluate the likely infrastructure requirements listed for allocated housing sites in the draft Local Plan with consideration of CIL. There is a need to address unallocated sites and formulate an approach for S106 and pooled contributions as well, e.g. as part of a Supplementary Section 106 guidance document.</p> <p><i>Economic Viability:</i></p> <p>Market Review Maps in Appendix 2 of the Viability Study and the area boundaries identified in the PDCS. As it is not possible to identify the locations of the sites chosen for viability testing, it is requested these boundaries are analysed in greater detail. The viability evidence has assumed a mix of 65% affordable/social rent and 35% intermediate - whereas the draft Local Plan and draft Affordable Housing SPD note that this mix can vary according to site-specific factors and will be reviewed annually. To ensure a robust evidence base should undertake viability of alternate schemes of mix, especially on allocated sites.</p> <p>From the Viability Study it is evident that Site 3 is unviable with a £75sqm CIL charge. This is ignored in Para. 6.3 of the Study. Whilst accepting the Council needs to strike an appropriate balance, as required in Regulation 14, it is felt the imposition of a £75sqm rate should be justified.</p> <p>Viability Study does not differentiate between allocated and windfall sites - the December 2012 DCLG guidance states it is particularly important to test the viability of allocated sites (Para. 8).</p> <p>Request that the draft Charging Schedule identifies those sites which are allocated sites in the Viability Study, and if additional viability work is required on untested allocated sites.</p>

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31	Richard Campbell-Kelly	Property and Insurance Manager	NEC Group	No. IDP has some value but does not give estimates for the proposed infrastructure for many proposals. Only limited reference is given to the HS2 effect.
32	Rohan Torkildsen	Planning Adviser	English Heritage	No comment
33	Matthew Taylor		Highways Agency	HA is keen to ensure it is fully involved in further discussions as the CIL CS develops, in particular, the Regulation 123 list and how this would be interrelated with requirements secured via other means including S.106 and S.278 agreements. It is critical that relevant mechanisms dovetail and are prioritised/managed effectively.
34	Andrew Burrow		Berkswell Parish Council	Yes
35	Jon Hockley		Birmingham Airport	No comment

Representations to Question 3: Charging zones and rates in residential areas

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q3. Do you agree with the separate charging zones for residential development and the CIL rates based on these zones? If not what changes do you believe are necessary to make them appropriate?
1	Graham Nicholson	Planning Officer	Inland Waterways Assoc, Warks Branch	Yes
2	Erica McDonald	On behalf of	Notcutts Ltd	Yes - but should also address comment to Q2 on brownfield sites.
3	Sarah Faulkner	Environment and Rural Affairs Advisor	National Farmers Union	No comment
4	Neil Hathaway	Deputy Director of Estates and Facilities	Birmingham and Solihull Mental Health NHS Foundation Trust	No comment
5			Asda	No comment
6	Rose Freeman	Planning Policy Officer	The Theatres Trust	No comment
7	Roger Yarwood	Planning Officer	National Federation of Gypsy Liaison Groups	No comment
8	Josie and Peter Herbert			No comment

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9	Donna Taverner	Rural Advisor	Country Land & Business Association (Midlands)	Major concerns with proposal to levy charge of £150sqm on rural market housing, CLA would suggest that urban and rural developments be judged the same. Concerned that short time frame of consultation had made it difficult for us and our members to respond. Our view that market housing in rural areas is being used to subsidise increased infrastructure requirements for town centre and mature suburbs by asking twice the amount of CIL compared to urban areas. Unacceptably high charge, would make sites unviable, and will be significant disincentive for development in rural areas.
10	Robert Jays	Planner	William Davis	No comment
11	Hayley Anderson	Planning Obligations Officer	Birmingham City Council	No comment
12	Peter Frampton		Framptons	No comment
13			WM Morrisons Supermarkets Plc	No comment
14	Chris Noble	Chairman	Cheswick Green Parish Council	Yes
15	Jonathan Haywood	Economic Development Officer	Centro	No comment

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16	Trevor Eames	Secretary	Solihull Ratepayers Assoc	No. Blanket approach fails to take account of wide differences within mature suburbs, town centres and rural areas. Specifically concerned about wide differences in land values/house prices within mature suburbs. Boundary of the local area should logically be extended to include Knowle, Bentley Heath and Dorridge as they have similar characteristics. Rural areas such as Cheswick Green are more in keeping with mature suburbs than the rural area in terms of land values and high prices.
17			West Midlands Police	See response to Q.10.
18	Becky Clarke	Technical Specialist	Environment Agency	No comment
19	Cathy Tibbles	Clerk	Castle Bromwich Parish Council	No comment
20			McCarthy & Stone Retirement Lifestyles Ltd	See response to Q.10.
21	Kate Wheeler	Lead Adviser	Natural England	No comment
22	Katherine Burnett	Area Planner	Canal and Rivers Trust	No comment
23	Hilary Goodreid	Parish Clerk	Hockley Heath Parish Council	No comment
24			Bluemark Projects	A levy rate of £150 sqm in the rural area for residential will imply a significant cost to bringing forward new housing schemes in these locations.
25			Gallagher Estates	A levy rate of £150 sqm in the rural area for residential will imply a significant cost to bringing forward new housing schemes in these locations.

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q3. Do you agree with the separate charging zones for residential development and the CIL rates based on these zones? If not what changes do you believe are necessary to make them appropriate?
26			Bloor Homes	A levy rate of £150 sqm in the rural area for residential will imply a significant cost to bringing forward new housing schemes in these locations.
27			Catesby Property Group	No. Insufficient evidence to justify proposed residential CIL rate in Rural areas. Would significantly impact on overall viability of residential proposals, especially without any exceptional circumstances allowance. Residential rural rate much higher than other parts of Solihull; and higher than any other rates proposed or adopted in West Midlands region. Imposition of significantly higher level of CIL for Rural areas may restrict development in these areas and direct development to alternative areas in the Borough.
28	Martin Robeson		Martin Robeson Planning Practice	No comment
29			Sainsbury's Supermarkets	No comment
30			West Midlands HARP Planning Consortium	No. See response to Q.2.
31	Richard Campbell-Kelly	Property and Insurance Manager	NEC Group	No. Appropriate to have different zones for town centres, mature suburbs and rural areas. Brownfield sites within towns should have a lower charge than town centres.
32	Rohan Torkildsen	Planning Adviser	English Heritage	No comment
33	Matthew Taylor		Highways Agency	No comment
34	Andrew Burrow		Berkswell Parish Council	Yes
35	Jon Hockley		Birmingham Airport	No comment

Representations to Question 4: Differential rates according to affordable housing provision

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q4. Should there be different residential rates based on the percentage of affordable housing to be provided on the site? If so what should the threshold be?
1	Graham Nicholson	Planning Officer	Inland Waterways Assoc, Warks Branch	Yes. A lower threshold with a 25% reduction when the no. of affordable homes exceeds 60%.
2	Erica McDonald	On behalf of	Notcutts Ltd	Yes. Need to account for affordable housing otherwise delivery will be reduced.
3	Sarah Faulkner	Environment and Rural Affairs Advisor	National Farmers Union	No comment
4	Neil Hathaway	Deputy Director of Estates and Facilities	Birmingham and Solihull Mental Health NHS Foundation Trust	No comment
5			Asda	No comment
6	Rose Freeman	Planning Policy Officer	The Theatres Trust	No comment
7	Roger Yarwood	Planning Officer	National Federation of Gypsy Liaison Groups	No comment
8	Josie and Peter Herbert			No comment
9	Donna Taverner	Rural Advisor	Country Land & Business Association (Midlands)	Support Council's decision for 100% relief on affordable dwellings.
10	Robert Jays	Planner	William Davis	Residential rates in rural areas too high; will have a limiting effect on development viability and is contrary to NPPF.

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q4. Should there be different residential rates based on the percentage of affordable housing to be provided on the site? If so what should the threshold be?
11	Hayley Anderson	Planning Obligations Officer	Birmingham City Council	No comment
12	Peter Frampton		Framptons	No comment
13			WM Morrisons Supermarkets Plc	No. Affordable housing level should be set first, the CIL rate follows. See Report on the Examination of the Draft Mid Devon District Council CIL Charging Schedule (Feb 2013). Inspector commented that the affordable housing targets will remain the starting point in the consideration of any planning application. The key test is whether or not the assumptions underlying the proposed level of CIL would undermine the delivery of the Plan targets.
14	Chris Noble	Chairman	Cheswick Green Parish Council	No
15	Jonathan Haywood	Economic Development Officer	Centro	No comment
16	Trevor Eames	Secretary	Solihull Ratepayers Assoc	No. As affordable housing already qualifies for a nil rate, it would be an anomaly to apply differential rates.
17			West Midlands Police	See response to Q.10.
18	Becky Clarke	Technical Specialist	Environment Agency	No comment
19	Cathy Tibbles	Clerk	Castle Bromwich Parish Council	No comment
20			McCarthy & Stone Retirement Lifestyles Ltd	No comment

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q4. Should there be different residential rates based on the percentage of affordable housing to be provided on the site? If so what should the threshold be?
21	Kate Wheeler	Lead Adviser	Natural England	No comment
22	Katherine Burnett	Area Planner	Canal and Rivers Trust	No comment
23	Hilary Goodreid	Parish Clerk	Hockley Heath Parish Council	No comment
24			Bluemark Projects	Doubt that CIL Regulations 2010 (as amended) would allow for a lesser CIL rate for residential developments that accommodate the 40% on-site affordable housing.
25			Gallagher Estates	Doubt that CIL Regulations 2010 (as amended) would allow for a lesser CIL rate for residential developments that accommodate the 40% on-site affordable housing.
26			Bloor Homes	Doubt that CIL Regulations 2010 (as amended) would allow for a lesser CIL rate for residential developments that accommodate the 40% on-site affordable housing.
27			Catesby Property Group	Yes. Very high CIL rates in Rural areas and Mature suburbs will potentially significantly impact on viability and affordable housing provision. Inspector's report for Mid-Devon recommended lowering residential rate from £90 to £40 sqm to allow for affordable housing delivery, in accordance with Development Plan.
28	Martin Robeson		Martin Robeson Planning Practice	No. It would seem wholly inappropriate to then distinguish between sites in respect of the amount of affordable provision.
29			Sainsbury's Supermarkets	No comment
30			West Midlands HARP Planning Consortium	No. Proposition of charging a different rate based upon the level of affordable housing provided by development is not in accordance with Regulation 13.
31	Richard Campbell-Kelly	Property and Insurance Manager	NEC Group	Yes. Thresholds should be set at 10, 25, 50, 75 and 100%

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q4. Should there be different residential rates based on the percentage of affordable housing to be provided on the site? If so what should the threshold be?
32	Rohan Torkildsen	Planning Adviser	English Heritage	No comment
33	Matthew Taylor		Highways Agency	No comment
34	Andrew Burrow		Berkswell Parish Council	No
35	Jon Hockley		Birmingham Airport	No comment

Representations to Question 5: Differential rates for retail development

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q5. Do you agree with the differential rates for the different types of retail development and are the thresholds appropriate? If not what changes do you believe are necessary?
1	Graham Nicholson	Planning Officer	Inland Waterways Assoc, Warks Branch	Yes
2	Erica McDonald	On behalf of	Notcutts Ltd	No. Unclear whether the Notcutts Ltd garden centre would be considered under Other Retail Formats, or All other uses? If we were classed together with retail warehousing, it would constrict the development and growth of our existing operational business. This principle would apply to other retail schemes, where development for existing site expansion may have been marginal (and not eligible for S106), but now would be unviable. Analysis and thresholds too broad-brush.
3	Sarah Faulkner	Environment and Rural Affairs Advisor	National Farmers Union	No comment
4	Neil Hathaway	Deputy Director of Estates and Facilities	Birmingham and Solihull Mental Health NHS Foundation Trust	No comment
5			Asda	No. CIL retail charges contrary to government guidance and viability evidence: Clause 13 (1) of the CIL Regulations does not allow differential rates based solely on the size of developments intended for the same use. Evidence in Viability study does not justify the differential rate. Considerable difference between the net sales area of a store and its GIA. Precise net sales area of a particular development is unlikely to be known when planning permission is granted, and CIL calculated. Evidence not sufficiently fine-grained as only assessed one small and one larger store. Possible that difference in viability is due to location and not size - location is obviously very important given the nil rate in NSRA. Have not published the additional viability testing for retail above £150sqm.

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q5. Do you agree with the differential rates for the different types of retail development and are the thresholds appropriate? If not what changes do you believe are necessary?
6	Rose Freeman	Planning Policy Officer	The Theatres Trust	No comment
7	Roger Yarwood	Planning Officer	National Federation of Gypsy Liaison Groups	No comment
8	Josie and Peter Herbert			No comment
9	Donna Taverner	Rural Advisor	Country Land & Business Association (Midlands)	No comment
10	Robert Jays	Planner	William Davis	No comment
11	Hayley Anderson	Planning Obligations Officer	Birmingham City Council	No comment
12	Peter Frampton		Framptons	No comment
13			WM Morrisons Supermarkets Plc	No. Acknowledge that £300sqm represents a significant discount on Foodstore (Site 15, para. 7.6), but Small Convenience Store turns from green to amber somewhere between £150 and £350sqm, which could be between 0% and 58% discount. The use of 'amber' between EUV and BSV is flawed and not transparent because CBRE have not quoted what these are for comment - the BSV is the relevant threshold, not the EUV, as one would not sell below BSV. Solihull CIL rate for foodstores is one of highest proposed nationally - CBRE note challenges in national property market but not reflected in their work. Further analysis will indicate CIL rate is too high.

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q5. Do you agree with the differential rates for the different types of retail development and are the thresholds appropriate? If not what changes do you believe are necessary?
				Foodstore (Site 15) is based on 4,400 sqm (47,362 sqft), which is much lower than the Morrisons standard foodstore is 70-75,000 sqft. Conversely, the Small convenience store (Site 16) is based on 355sqm (3,821 sqft), which is above the normal requirement for convenience stores of up to 280sqm (3,000 sqft) in order to stay within the Sunday trading threshold. Recommend re-running the CIL Viability study on the following basis (having regard to comments in elsewhere).
14	Chris Noble	Chairman	Cheswick Green Parish Council	Yes
15	Jonathan Haywood	Economic Development Officer	Centro	Yes
16	Trevor Eames	Secretary	Solihull Ratepayers Assoc	No. With the exception of supermarkets and large convenience stores category CIL should be restricted to bands of £25 or £50 maximum to encourage new investment in job creating developments. Shirley Town Centre should be nil rated to maintain its economic viability and attract inward retail and new business development. See no significant difference between regeneration of North Solihull and Shirley, which puts Shirley at a commercial disadvantage.
17			West Midlands Police	See response to Q.10.
18	Becky Clarke	Technical Specialist	Environment Agency	No comment

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q5. Do you agree with the differential rates for the different types of retail development and are the thresholds appropriate? If not what changes do you believe are necessary?
19	Cathy Tibbles	Clerk	Castle Bromwich Parish Council	No comment
20			McCarthy & Stone Retirement Lifestyles Ltd	No comment
21	Kate Wheeler	Lead Adviser	Natural England	No comment
22	Katherine Burnett	Area Planner	Canal and Rivers Trust	No comment
23	Hilary Goodreid	Parish Clerk	Hockley Heath Parish Council	No comment
24			Bluemark Projects	No comment
25			Gallagher Estates	No comment
26			Bloor Homes	No comment
27			Catesby Property Group	No. Insufficient evidence provided. Unclear how floorspace threshold has been established. Inspectors are only supporting differential rates for retail where there is appropriate supporting viability evidence, which is absent here.
28	Martin Robeson		Martin Robeson Planning Practice	No. Need to be more categories of retail development. E.g. An open A1 retail warehouse scheme will potentially command a much greater rental and much lower yield thus influencing land value, than a more restricted bulky goods permission. CBRE evidence base too coarse, and therefore not robust. No credible explanation for identical retail formats having CIL rates twice as high as each other depending on whether they are located in a defined town centre area or elsewhere. The relevant Local Plan retail policy appears to prevent such development outside the

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q5. Do you agree with the differential rates for the different types of retail development and are the thresholds appropriate? If not what changes do you believe are necessary?
				boundaries defined on p.9 of the consultation document.
29			Sainsbury's Supermarkets	Unclear if retail thresholds refer to GIA or otherwise. CIL Regulations only permit differential charges by reference to location or different intended use of development. Consultation Paper on CIL reforms (April 2013) states in Para. 21 that 'differential rates cannot be set in relation to the size of development.' Council needs to demonstrate a distinction can be made between genuinely different uses and supported by fine grain viability evidence. In our view this has not been done. Proposed CIL charging regime currently not properly justified and falls outside of scope of Regulations.
30			West Midlands HARP Planning Consortium	No comment
31	Richard Campbell-Kelly	Property and Insurance Manager	NEC Group	Yes
32	Rohan Torkildsen	Planning Adviser	English Heritage	No comment
33	Matthew Taylor		Highways Agency	No comment

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q5. Do you agree with the differential rates for the different types of retail development and are the thresholds appropriate? If not what changes do you believe are necessary?
34	Andrew Burrow		Berkswell Parish Council	Yes
35	Jon Hockley		Birmingham Airport	No comment

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Representations to Question 6: Differential rates for other types of development

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q6. Do you agree with the rates for the other types of development? If not what changes do you think are necessary to make them appropriate?
1	Graham Nicholson	Planning Officer	Inland Waterways Assoc, Warks Branch	Yes
2	Erica McDonald	On behalf of	Notcutts Ltd	No comment
3	Sarah Faulkner	Environment and Rural Affairs Advisor	National Farmers Union	No comment
4	Neil Hathaway	Deputy Director of Estates and Facilities	Birmingham and Solihull Mental Health NHS Foundation Trust	No comment
5			Asda	No comment
6	Rose Freeman	Planning Policy Officer	The Theatres Trust	Support the nil rate for 'All other Uses' on p.7. Theatres are generally unable to bear cost of CIL for viability reasons. The Theatres Trust supports the setting of a nil rate, application of charitable or discretionary reliefs, applying D1/D2 rates where differential rates are proposed or recycling the charge to the theatre development where a single rate is proposed.
7	Roger Yarwood	Planning Officer	National Federation of Gypsy Liaison Groups	Assumed that residential Gypsy sites (mobile homes and caravans) will be classified 'all other uses' and thus attract no levy. This position is supported on the basis that Gypsy sites should be treated in the same way as affordable housing.
8	Josie and Peter Herbert			No comment

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q6. Do you agree with the rates for the other types of development? If not what changes do you think are necessary to make them appropriate?
9	Donna Taverner	Rural Advisor	Country Land & Business Association (Midlands)	Concerned that farm shops would have to pay CIL under retail classification - farm shops are a diversification from agricultural and should not be treated the same as large supermarkets.
10	Robert Jays	Planner	William Davis	No comment
11	Hayley Anderson	Planning Obligations Officer	Birmingham City Council	No comment
12	Peter Frampton		Framptons	Proposed CIL rate for hotels will impose unjustifiable cost burden on hotel development and should be omitted. Hotels attract inward investment, whether recreational or business tourists; likely to attract new revenue to Borough. Contentious that hotels will impose demands for new social and physical infrastructure. Scale of charge is too onerous, and will be a disincentive for development to take place.
13			WM Morrisons Supermarkets Plc	No comment
14	Chris Noble	Chairman	Cheswick Green Parish Council	Yes
15	Jonathan Haywood	Economic Development Officer	Centro	Yes

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q6. Do you agree with the rates for the other types of development? If not what changes do you think are necessary to make them appropriate?
16	Trevor Eames	Secretary	Solihull Ratepayers Assoc	No. With the exception of supermarkets and large convenience stores category CIL should be restricted to bands of £25 or £50 maximum to encourage inward investment for new job-creating opportunities. Shirley should be nil rated to encourage regeneration and facilitate competition along the High Street (see Q5). Retirement living accommodation, elderly accommodation and care homes for elderly should be nil rated.
17			West Midlands Police	See response to Q.10.
18	Becky Clarke	Technical Specialist	Environment Agency	No comment
19	Cathy Tibbles	Clerk	Castle Bromwich Parish Council	No comment
20			McCarthy & Stone Retirement Lifestyles Ltd	See response to Q.10.
21	Kate Wheeler	Lead Adviser	Natural England	No comment
22	Katherine Burnett	Area Planner	Canal and Rivers Trust	No comment
23	Hilary Goodreid	Parish Clerk	Hockley Heath Parish Council	No comment
24			Bluemark Projects	No comment
25			Gallagher Estates	No comment
26			Bloor Homes	No comment
27			Catesby Property	No comment

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q6. Do you agree with the rates for the other types of development? If not what changes do you think are necessary to make them appropriate?
			Group	
28	Martin Robeson		Martin Robeson Planning Practice	No comment
29			Sainsbury's Supermarkets	See response to Q.10.
30			West Midlands HARP Planning Consortium	No. Support Council's decision to evaluate two residential care sites. This type of development is identified in SHMA 2009 and included in Council's objective for Policy P4 of the draft Local Plan. However, there seems to be a number of errors in respect to the Use Class of these two sites throughout the Viability Study document, we presume these two sites are indicative of C2 and these irregularities should be corrected in next consultation stage. One of these sites is unable to support the proposed £25sqm CIL charge (Para. 7.23) The Viability study is based on market research but not underpinned by evidence as required by the CIL legislation. Concerned that Council has not tested the effect of CIL on older people's housing in C3 class. Corby Borough Council viability study tested CIL for extra care development, and considered it very different standard C3 and care homes, and would not support CIL (Para.'s 6.36-38). Viability work is important as by 2028 it is predicted persons over 75 will represent 21% of households in the Borough. Should consider a charge for all older persons' development rather than dividing as C2 and C3 in line with Regulation 13.
31	Richard Campbell-Kelly	Property and Insurance Manager	NEC Group	No. Different rates are appropriate. However, consideration should be given to how SMBC will deal with, for example, an office development that changes its use to C1 (hotel) after practical completion to avoid a charge. Will this be through the CIL or S106/S275 payments?
32	Rohan Torkildsen	Planning Adviser	English Heritage	No comment
33	Matthew Taylor		Highways Agency	No comment

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q6. Do you agree with the rates for the other types of development? If not what changes do you think are necessary to make them appropriate?
34	Andrew Burrow		Berkswell Parish Council	Yes
35	Jon Hockley		Birmingham Airport	The rationale for the proposed CIL rate for Hotels is unclear at present. The CBRE supporting viability study states "The three hotel scenarios...reflect different locations comprising the Mature Suburbs and Solihull Town Centre. All scenarios fail to show a positive margin above BSV that could support a CIL charge. The sensitivity analysis allowing for improvements in rent or yield do not improve the position." It is unclear then how the proposal for the CIL charge has been arrived at, other than a reference to local experience which appears to be unsupported by evidence in the Study.

Representations to Question 7: Providing adequate evidence for nil rates

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q7. Do you agree there should be a nil rate for the development types not listed (i.e. including office, industrial & agricultural developments)? If not why not?
1	Graham Nicholson	Planning Officer	Inland Waterways Assoc, Warks Branch	No. Disagree with nil rate for office as often in prime locations.
2	Erica McDonald	On behalf of	Notcutts Ltd	No comment
3	Sarah Faulkner	Environment and Rural Affairs Advisor	National Farmers Union	No comment
4	Neil Hathaway	Deputy Director of Estates and Facilities	Birmingham and Solihull Mental Health NHS Foundation Trust	No comment
5			Asda	No comment
6	Rose Freeman	Planning Policy Officer	The Theatres Trust	No comment
7	Roger Yarwood	Planning Officer	National Federation of Gypsy Liaison Groups	No comment
8	Josie and Peter Herbert			No comment
9	Donna Taverner	Rural Advisor	Country Land & Business Association (Midlands)	CLA supports proposal to not apply CIL to office, industrial or storage (B8) in these financially difficult times. Supports proposal to not impose CIL on agricultural or forestry developments - upgrading of buildings and infrastructure does not result in commercial gain.
10	Robert Jays	Planner	William Davis	No comment

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q7. Do you agree there should be a nil rate for the development types not listed (i.e. including office, industrial & agricultural developments)? If not why not?
11	Hayley Anderson	Planning Obligations Officer	Birmingham City Council	No comment
12	Peter Frampton		Framptons	No comment
13			WM Morrisons Supermarkets Plc	No comment
14	Chris Noble	Chairman	Cheswick Green Parish Council	Yes
15	Jonathan Haywood	Economic Development Officer	Centro	Developments not listed could potentially be large employers that could place extra demand on the public transport system, which could require a financial contribution from the scheme.
16	Trevor Eames	Secretary	Solihull Ratepayers Assoc	Yes. Retirement living accommodation, (e.g. Cat II as provided by McCarthy and Stone properties), elderly accommodation and care homes for elderly should be nil rated. See Q9.
17			West Midlands Police	Yes. Effectively means that most of the PCCWM's operational facilities will not be liable for CIL. As drafted, PCCWM or other emergency services would be liable for payment of £25 per square meters should they have a requirement for a training centre with residential accommodation (outside the NSRA). Therefore, we consider it is important for the PCCWM and other emergency services to be explicitly referred to as a distinct Development Typology liable for 'nil' CIL. PCCWM is a non-profit making social and community service provider and as such it should be exempted from payment of CIL.
18	Becky Clarke	Technical Specialist	Environment Agency	No comment

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q7. Do you agree there should be a nil rate for the development types not listed (i.e. including office, industrial & agricultural developments)? If not why not?
19	Cathy Tibbles	Clerk	Castle Bromwich Parish Council	No comment
20			McCarthy & Stone Retirement Lifestyles Ltd	No comment
21	Kate Wheeler	Lead Adviser	Natural England	No comment
22	Katherine Burnett	Area Planner	Canal and Rivers Trust	No comment
23	Hilary Goodreid	Parish Clerk	Hockley Heath Parish Council	No comment
24			Bluemark Projects	No comment
25			Gallagher Estates	No comment
26			Bloor Homes	No comment
27			Catesby Property Group	No comment
28	Martin Robeson		Martin Robeson Planning Practice	No comment
29			Sainsbury's Supermarkets	No comment
30			West Midlands HARP Planning Consortium	No comment
31	Richard Campbell-Kelly	Property and Insurance Manager	NEC Group	Yes

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q7. Do you agree there should be a nil rate for the development types not listed (i.e. including office, industrial & agricultural developments)? If not why not?
32	Rohan Torkildsen	Planning Adviser	English Heritage	No comment
33	Matthew Taylor		Highways Agency	No comment
34	Andrew Burrow		Berkswell Parish Council	Yes
35	Jon Hockley		Birmingham Airport	Yes

Representations to Question 8: Instalment policy for phased payments

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q8. Do you believe the Council should allow CIL payments to be made in instalments, and if so what should they be?
1	Graham Nicholson	Planning Officer	Inland Waterways Assoc, Warks Branch	Yes
2	Erica McDonald	On behalf of	Notcutts Ltd	Yes. Phasing of payments where large sums are due, would lessen the impact on cash flow and finance costs. Otherwise, the real CIL cost will be higher to the developer and the interest passed to the financier.
3	Sarah Faulkner	Environment and Rural Affairs Advisor	National Farmers Union	No comment
4	Neil Hathaway	Deputy Director of Estates and Facilities	Birmingham and Solihull Mental Health NHS Foundation Trust	No comment
5			Asda	Welcome introduction of instalment policy.
6	Rose Freeman	Planning Policy Officer	The Theatres Trust	No comment
7	Roger Yarwood	Planning Officer	National Federation of Gypsy Liaison Groups	No comment
8	Josie and Peter Herbert			No comment
9	Donna Taverner	Rural Advisor	Country Land & Business Association (Midlands)	CLA agrees with instalments policy.
10	Robert Jays	Planner	William Davis	No comment

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q8. Do you believe the Council should allow CIL payments to be made in instalments, and if so what should they be?
11	Hayley Anderson	Planning Obligations Officer	Birmingham City Council	No comment
12	Peter Frampton		Framptons	No comment
13			WM Morrisons Supermarkets Plc	Yes. Support policy set out on p.10 of PDCS Consultation document. Payment by instalment eases burden on developer whose cashflow is weakest at time of commencement on site.
14	Chris Noble	Chairman	Cheswick Green Parish Council	No
15	Jonathan Haywood	Economic Development Officer	Centro	No comment
16	Trevor Eames	Secretary	Solihull Ratepayers Assoc	Yes. Serious consideration should be given for payments to be linked to completion or occupation of developments as funding new development is a major issue.
17			West Midlands Police	See response to Q.10.
18	Becky Clarke	Technical Specialist	Environment Agency	No comment
19	Cathy Tibbles	Clerk	Castle Bromwich Parish Council	No comment
20			McCarthy & Stone Retirement Lifestyles Ltd	Would welcome flexibility in timing CIL payments as on commencement, as this would be an additional financial cost to the developer. Part payment on first occupation and then phased depending on occupation levels would be fairer. Suggest either a bespoke CIL rate for sheltered housing and other specialist

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q8. Do you believe the Council should allow CIL payments to be made in instalments, and if so what should they be?
				accommodation, or that the CIL levy is restricted to the saleable areas of these forms of development.
21	Kate Wheeler	Lead Adviser	Natural England	No comment
22	Katherine Burnett	Area Planner	Canal and Rivers Trust	No comment
23	Hilary Goodreid	Parish Clerk	Hockley Heath Parish Council	PC would recommend upfront payment by the developer to ensure prompt payment. It would be costly to chase late or nil payments and SMBC may feel some money should be written off rather than chased.
24			Bluemark Projects	No comment
25			Gallagher Estates	No comment
26			Bloor Homes	No comment
27			Catesby Property Group	Yes. Range of instalments should be phased in accordance with completion rate of development. E.g. Payments on commencement, completion of first quarter, second quarter, third quarter and completion of the scheme.
28	Martin Robeson		Martin Robeson Planning Practice	Most commercial developments become of real value at their completion or occupation. By far the largest component should be paid at this stage. Instalments in time periods (see p.10) would be wholly inept in dealing with commercial realities.
29			Sainsbury's Supermarkets	No comment
30			West Midlands HARP Planning Consortium	Yes. Support an instalment policy; linking final payments to occupation of property would assist the delivery of the sites.
31	Richard Campbell-Kelly	Property and Insurance Manager	NEC Group	Yes. Instalments should be based on occupancy levels as this provides a direct link to effect on infrastructure.
32	Rohan Torkildsen	Planning Adviser	English Heritage	No comment

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q8. Do you believe the Council should allow CIL payments to be made in instalments, and if so what should they be?
33	Matthew Taylor		Highways Agency	No comment
34	Andrew Burrow		Berkswell Parish Council	No. All CIL payments should be paid upfront as CIL is paid from the increased in land values. Developer has saved money on the purchase of land and the money to pay the CIL is immediately available from the saving on the land purchase price. Phased payments would allow the developer to benefit from improved cash flow by holding on to part of the CIL money for a period.
35	Jon Hockley		Birmingham Airport	No comment

Representations to Question 9: Additional exemptions to paying CIL

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q9. Do you believe the Council should offer additional exemptions in the circumstances listed above?
1	Graham Nicholson	Planning Officer	Inland Waterways Assoc, Warks Branch	Yes
2	Erica McDonald	On behalf of	Notcutts Ltd	Yes. Certainly where an additional S106 would also be required, and the combined effect would render the development unviable. No gain to either party if development does not go ahead.
3	Sarah Faulkner	Environment and Rural Affairs Advisor	National Farmers Union	No comment
4	Neil Hathaway	Deputy Director of Estates and Facilities	Birmingham and Solihull Mental Health NHS Foundation Trust	No comment
5			Asda	Urge Council to include exceptional circumstances relief as will provide flexibility to allow strategic or desirable development schemes to come forward even if they aren't profitable. Exempting schemes from certain S106 obligations is unlikely to be sufficient to counteract negative impact of CIL charge. Large regeneration or housing schemes are likely to carry heavy site specific infrastructure costs, and most likely to qualify for exceptional circumstances relief.
6	Rose Freeman	Planning Policy Officer	The Theatres Trust	No comment
7	Roger Yarwood	Planning Officer	National Federation of Gypsy Liaison Groups	No comment
8	Josie and Peter			No comment

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q9. Do you believe the Council should offer additional exemptions in the circumstances listed above?
	Herbert			
9	Donna Taverner	Rural Advisor	Country Land & Business Association (Midlands)	Concerned that there is no allowance for housing for essential workers in agriculture, forestry and other essential rural businesses. CLA would like clarification that these would be applied a nil rate like affordable housing - CIL should not apply as they are justified as a requirement of the business.
10	Robert Jays	Planner	William Davis	No comment
11	Hayley Anderson	Planning Obligations Officer	Birmingham City Council	No comment
12	Peter Frampton		Framptons	No comment
13			WM Morrisons Supermarkets Plc	Yes. SMBC should include an exceptional circumstances test for viability. Foodstores are often an enabler of development, and there may be circumstances where SMBC wants a scheme to go ahead for the greater good, but CIL would render it unviable. Foodstores often pay substantial S106 contributions which could exceed the CIL levy.
14	Chris Noble	Chairman	Cheswick Green Parish Council	No
15	Jonathan Haywood	Economic Development Officer	Centro	No comment

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q9. Do you believe the Council should offer additional exemptions in the circumstances listed above?
16	Trevor Eames	Secretary	Solihull Ratepayers Assoc	Yes. Retirement living accommodation, (e.g. Cat II as provided by McCarthy and Stone properties), elderly accommodation and care homes for elderly should be nil rated. This will encourage appropriate and affordable accommodation for the elderly, and release existing larger under-used homes for families. Elderly individuals are invariably local residents who have contributed over a working lifetime to the infrastructure and well-being of Solihull community.
17			West Midlands Police	See response to Q.10.
18	Becky Clarke	Technical Specialist	Environment Agency	No comment
19	Cathy Tibbles	Clerk	Castle Bromwich Parish Council	No comment
20			McCarthy & Stone Retirement Lifestyles Ltd	See response to Q.10.
21	Kate Wheeler	Lead Adviser	Natural England	No comment
22	Katherine Burnett	Area Planner	Canal and Rivers Trust	No comment
23	Hilary Goodreid	Parish Clerk	Hockley Heath Parish Council	No comment
24			Bluemark Projects	No comment
25			Gallagher Estates	No comment
26			Bloor Homes	No comment
27			Catesby Property Group	Yes.

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q9. Do you believe the Council should offer additional exemptions in the circumstances listed above?
28	Martin Robeson		Martin Robeson Planning Practice	Yes. First sentence of final bullet point on p.11 is wholly inappropriate, as it confuses the task of setting criteria to assess foreseeable exemptions, whereas truly exceptional circumstances cannot be foreseen by their very nature. There must however be an allowance for unforeseen exceptional circumstances and this must be recognised in the Charging Schedule.
29			Sainsbury's Supermarkets	No comment
30			West Midlands HARP Planning Consortium	Yes. Consider that within short and medium term allowing exemptions would assist the delivery of affordable housing in Solihull and ensure housing remains deliverable on a few specific sites, particularly in current depressed market.
31	Richard Campbell-Kelly	Property and Insurance Manager	NEC Group	Yes. Exemptions or discounts for developments that create employment opportunities in North Solihull. Some developments may create employment or opportunities that would be economically unviable if CIL was due. Therefore, should build in some defined flexibility to accommodate these circumstances, rather than a vague reference to 'exceptional circumstances.'

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q9. Do you believe the Council should offer additional exemptions in the circumstances listed above?
32	Rohan Torkildsen	Planning Adviser	English Heritage	<p>Yes. Urge Council to reserve the right to offer CIL relief for particular cases which affect heritage assets to avoid unintended harm to the historic environment through the application of CIL.</p> <p>Para. 126 of the NPPF requires LPAs to set out a positive strategy for the conservation and enjoyment of the historic environment. Level of CIL should safeguard and encourage appropriate and where possible facilitate viable uses for the historic environment.</p> <p>Vacant or underused heritage assets fail to make a full contribution to the area's economy and give rise to negative perceptions - thus detract from inward investment. Should recognise impact of CIL on investment in and regeneration of historic areas. Encourage the right to offer CIL relief specifically where the requirement to pay CIL would threaten the viability of schemes designed to ensure the reuse of heritage assets, in particular those on EH's Heritage at risk register.</p>
33	Matthew Taylor		Highways Agency	No comment
34	Andrew Burrow		Berkswell Parish Council	The question is not clear as to what exemptions it refers. Charitable relief would constitute an indirect subsidy to charities, and it is not the Council's role to do this. The PC supports the proposal to exempt a development from CIL as described in p.11 of consultation document.
35	Jon Hockley		Birmingham Airport	Yes

Representations to Question 10: Other comments

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q10. Any other comments?
1	Graham Nicholson	Planning Officer	Inland Waterways Assoc, Works Branch	A clear and readable document.
2	Erica McDonald	On behalf of	Notcutts Ltd	<p>Yes. Notcutts Ltd have operated a garden centre at Shirley at the existing premises for over 30 years. Buildings (often glasshouses) are relatively large, with large areas of external sales display, and much greater than a traditional retail model.</p> <p>We may envisage increasing our covered (internal) sales area in the future to remain competitive. Do not consider that proposed CIL rates would be viable for garden centres, as opposed to retail warehouse parks. Viability appraisal should consider such requirements of non-traditional 'other retail formats'; perhaps to raise the threshold when existing operational premises have to pay CIL?</p> <p>Could negatively impact business growth in the Borough. CIL rates not set in a way to encourage brownfield development for commercial or residential.</p>
3	Sarah Faulkner	Environment and Rural Affairs Advisor	National Farmers Union	NFU represents farming businesses, with an essential role in producing local food, maintaining the green belt and urban fringe. Consider it important to recognise the needs of these businesses within CIL document. Welcome decision to introduce a 'nil' levy rate for 'all other uses', including agriculture. CIL is based on uplift of land value that occurs when planning permission is granted; this is not the case with new agricultural buildings. Nil rate will allow agricultural and rural business to grow. Unlike housing development, agriculture makes none or minimal impact on infrastructure. May wish to be heard in accordance with Article 21 of CIL Regs 2010 by the examiner - please notify me of any such Inquiry.
4	Neil Hathaway	Deputy Director of Estates and Facilities	Birmingham and Solihull Mental Health NHS Foundation Trust	Health is noted as a beneficiary of CIL - would this include Mental Health Services? Will BSMHFT be exempt from payment - as a public body this would be circular? Service and premises investment in the area is required over the next 4-5 years - CIL would be a concern if it is purely a charge against our developments for the clients and service users of the Solihull area.

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q10. Any other comments?
5			Asda	<p>To achieve the Council's Strategic Objectives as set out in the draft Local Plan, the Council will need to set an appropriate CIL charge that will encourage development. All other forms of development will receive a significant subsidy at the expense of large convenience development; will be a disincentive and resultant market distortion to invest in this sector. Retail is one of largest employers and job-creators currently in UK. Supporting papers do not acknowledge this trend or fully assess role of retail within the national economy. CIL charge would discourage large convenience developers from developing anchor stores within local centres.</p> <p>Conclusions: Abandon attempt to link CIL rates to net retail floorspace; revisit the viability evidence to fully account for S106 and S278 payments; adopt exceptional circumstances relief; produce a draft instalment policy; adopt a flat levy rate across all development in Borough; or introduce a flat rate for convenience retail at an appropriate level.</p>
6	Rose Freeman	Planning Policy Officer	The Theatres Trust	Theatre makes a positive contribution to cultural infrastructure in an urban area. Pleased that theatres are identified in the Infrastructure Delivery Plan at para. 4.7, and would like to be consulted on the review of the Arts Development Strategy, if available.
7	Roger Yarwood	Planning Officer	National Federation of Gypsy Liaison Groups	No comment
8	Josie and Peter Herbert			We support the views of Shirley Ratepayers Association on CIL within the Solihull and Knowle areas.

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q10. Any other comments?
9	Donna Taverner	Rural Advisor	Country Land & Business Association (Midlands)	<ul style="list-style-type: none"> • CLA is a national organisation representing the wide diversity of the rural community, including ca. 35,000 land holdings and rural business. Majority of our landowning membership is family farm owner-occupiers. • CLA would like clarification that sui generis is for car dealerships only. • Can CIL be amended by an inflation measure? • Document does not set a review date for CIL - CLA would recommend a review within the year. • What will happen where landowners decide to build houses to keep within their own long-term ownership to diversify their income through a residential portfolio of properties? CIL charge would be based on existing revenues to obtain an alternative rental income stream. We believe Council should be more flexible in their approach for the payment of CIL, e.g. not charge CIL until a rental income is fixed.
10	Robert Jays	Planner	William Davis	No comment
11	Hayley Anderson	Planning Obligations Officer	Birmingham City Council	No comments to make at this stage, but would like to be further consulted.
12	Peter Frampton		Framptons	No comment
13			WM Morrisons Supermarkets Plc	No comment
14	Chris Noble	Chairman	Cheswick Green Parish Council	Yes. The Parish Councils would like to see the CIL introduced with a minimum delay after the introduction of the new Local Plan. This would reduce the number of applicants attempting to obtain outline planning permission without paying CIL. Council should employ consultants and deploy additional resources in the planning department to minimise the time to introduce the CIL. This would be self-financing as it would increase the funding required to finance new infrastructure and community facilities.

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q10. Any other comments?
15	Jonathan Haywood	Economic Development Officer	Centro	None
16	Trevor Eames	Secretary	Solihull Ratepayers Assoc	<p>Yes. Considerable evidence that the cost and price of private new housing is increasing faster than house prices, as a result of cumulative impacts of charges and other levies together with cumbersome planning process.</p> <p>Concerned that CIL is a very significant additional stealth tax that will further increase building costs and reduce provision of housing at a time of acute housing shortage. Given housebuilders already own considerable landbanks, the cost of CIL will be passed onto new house prices.</p> <p>Strongly object to application of CIL on any change of use applications.</p> <p>Nil banding should be regarded as a temporary concession for three year periods, and reviewed every three years.</p> <p>Should reconsider the differential urban and rural residential rates, which may lead to housing market distortion.</p>
17			West Midlands Police	<p>We act for the Police and Crime Commissioner for West Midlands (PCCWM), formerly known as West Midlands Police Authority.</p> <p>There's an urgent need for the PCCWM to receive financial contributions towards essential infrastructure from developer contributions (CIL/S106) to bridge its funding gap. Provision of police stations and safety facilities are important in ensuring that the national and local strategic objectives of providing community facilities which help to create environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion are met.</p> <p>The PCCWM strongly OBJECT to the Council stating that 'It is unlikely that developer contributions would be allocated to Emergency Services...' - Inevitably this will mean that the PCCWM are unable to fund the necessary infrastructure to serve the expanding population.</p> <p>In addition, the PCCWM OBJECT to the statement in Appendix A 'Infrastructure Delivery Plan</p>

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q10. Any other comments?
				<p>Schedule' that reads, 'As far as the Council is aware, none of the Authorities within the West Midlands Metropolitan Area have historically paid S106 contributions to emergency services as these are revenue-funded by Central Government and Council taxes.' Other authorities in the country have paid Section 106 contributions towards police authorities and Central Government and Council taxes are insufficient to fund infrastructure generated by the Local Plan.</p> <p>The PCCWM formally recommend that Police infrastructure be included in the 'Regulation 123 List' which Solihull MBC will base on their IDP. Without developer contributions towards this essential infrastructure the CIL and the IDP will be unsound as the national and local planning policy strategic objectives would be undermined.</p> <p>NPPF recognises the importance of security and social cohesion (Para.'s 58, 69, 156); The Planning Act 2008 allows for a broad range of infrastructure to be funded by CIL, as supported by QC advice to the Police Authorities; Policy P21 of the draft Local Plan confirms that the Council will work in Partnership with infrastructure providers and other delivery agencies including West Midlands Police.</p> <p>Number of authorities that have fully endorsed developer contributions for policing: Black Country, Shropshire, Forest of Dean, South Buckinghamshire, Wyre Forest, Rugby, South Staffordshire, South Worcestershire.</p> <p>PCCWM funding has been cut across the country as part of the Comprehensive Spending Review in October 2010. This will reduce funding by 20% in real terms over the next four years.</p> <p>In summary, the PCCWM formally request that:</p> <ul style="list-style-type: none"> the Police and other emergency services are explicitly referred to in the Community Infrastructure Levy – Draft Preliminary Charging Schedule as a distinct Development Typology, within the Nil CIL rate; the PCCWM infrastructure projects are included in the Regulation 123 List ; the following statement in the IDP, 'It is unlikely that developer contributions would be allocated to Emergency Services...' be removed; the following statement in the IDP Appendix A, "As far as the Council is aware, none of the

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q10. Any other comments?
				Authorities within the West Midland Metropolitan Area have historically paid S106 contributions to emergency services as these are revenue-funded by Central Government and Council taxes.' be removed; they are actively engaged on an on-going basis in the future reviews of the IDP to ensure that the evolving needs of the PCCWM are kept up to date; and they are prioritised for receipt of CIL and S106 Agreement developer funding to contribute towards meeting the funding gap to enable them to respond effectively to the proposed level of growth in the Solihull Local Plan with the provision of police stations and safety facilities important in ensuring that the national and local strategic objectives of providing community facilities which help to create environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion are met.
18	Becky Clarke	Technical Specialist	Environment Agency	No formal comments at this stage, but would ask to be reconsulted in relation to any proposed amendments or periodic refreshes to the Infrastructure Delivery Plan. Where we identify a deficiency in our asset or maintenance regime which may stall development, or an improvement scheme that may improve the viability of a development site, we may request to include it within the IDP.
19	Cathy Tibbles	Clerk	Castle Bromwich Parish Council	Consultation noted with interest.
20			McCarthy & Stone Retirement Lifestyles Ltd	McCarthy and Stone Retirement Lifestyles Ltd are market leader in the provision of retirement housing for sale to the elderly. Effect of CIL will be to constrain land supply - threat to land with a high existing land value and thus delivery of retirement developments, which need to be sited in close proximity to town and local centres. The provision of specialist accommodation for the elderly plays a clear role in meeting housing needs in the draft Local Plan (Policy P4 Meeting Housing Needs). The ONS population projections and the Local Plan acknowledge there will be a growing elderly population over the plan period in Solihull. DCLG guidance document (Dec 2012) states that the CIL levy should not threaten delivery of the relevant Plan as a whole (Para. 29) and charging schedules should not disproportionately

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q10. Any other comments?
				<p>impact on particular sectors (Para. 37).</p> <p>Development scenario - The PDCS should differentiate between different forms of residential development, such as standard market housing and specialist accommodation for the elderly as there are very specific viability issues with the latter. The viability of retirement homes should be assessed against both likely EUV and potential AUV (competitor uses). A typical development scenario would be a flatted retirement housing scheme, located on a previously developed site within 0.4 miles of a town centre.</p> <p>Communal areas - Many forms of specialist accommodation for the elderly, such as retirement housing, provide communal areas for residents at an additional cost to developers, which are larger in size and built to a higher specification than open market flatted developments. Typical open market flatted development will provide 16% non-saleable floorspace; 30% for sheltered accommodation and 35% for Extra Care.</p> <p>Sales Rate - There is a much longer sales period for retirement housing, resulting in additional empty property costs, borrowing and finance costs, and sales and marketing. Typical sales rate is 1 unit a month, and typical sales and marketing fees are over 6% of GDV, not 4%.</p> <p>Empty Property Costs - In a McCarthy and Stone development the staff costs and communal facilities are paid by residents via a service charge; those of empty properties are subsidised by the developer until all the units are sold. For a typical 45 unit McCarthy and Stone Later Living development the Empty Property Costs are on average £100K.</p> <p>Build Costs - Our experience is that specialist accommodation for the elderly tends to be 5% higher than apartments, and 15-20% higher than estate housing. No analysis of build costs for sheltered accommodation is provided in the Viability Study.</p>

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q10. Any other comments?
21	Kate Wheeler	Lead Adviser	Natural England	<p>Natural England is not a service provider, nor do we have detailed knowledge of infrastructure requirements within the area concerned. However, we view CIL as playing an important role in delivering the strategic approach towards networks of biodiversity and green infrastructure as outlined in Para. 114 of the NPPF.</p> <p>Advise that the Council gives careful consideration to how it intends to meet Para. 114, and the role of CIL in this. We would be concerned if enhancements to the natural environment were only ad hoc.</p> <p>Potential infrastructure requirements may include:</p> <ul style="list-style-type: none"> • Access to natural greenspace. • Allotment provision. • Infrastructure identified in the local Rights of Way Improvement Plan. • Infrastructure identified by any Local Nature Partnerships and or BAP projects. • Infrastructure identified by any AONB management plans. • Infrastructure identified by any Green infrastructure strategies. • Other community aspirations or other green infrastructure projects (e.g. street tree planting). • Infrastructure identified to deliver climate change mitigation and adaptation. • Any infrastructure requirements needed to ensure that the Local Plan is Habitats Regulation Assessment compliant
22	Katherine Burnett	Area Planner	Canal and Rivers Trust	<p>Could you explain further whether all the infrastructure schemes listed in Appendix A of the IDP will go on the Regulation 123 list?</p> <p>If desirable projects are included, what is the likelihood of those related to canals being prioritised?</p> <p>If desirable projects are not included on the list, could we pursue these works via S106 obligations?</p>

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q10. Any other comments?
23	Hilary Goodreid	Parish Clerk	Hockley Heath Parish Council	1. What checks would be in place to ensure the money received by the Parish Council as a meaningful proportion was being spent on local activities of benefit to the whole community? 2. How can the PC and others recommend various infrastructure works to SMBC? 3. Are the infrastructure works to be completed in the same location as the development takes place?
24			Bluemark Projects	No comment
25			Gallagher Estates	No comment
26			Bloor Homes	No comment.
27			Catesby Property Group	No comment
28	Martin Robeson		Martin Robeson Planning Practice	No comment
29			Sainsbury's Supermarkets	No comment

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q10. Any other comments?
30			West Midlands HARP Planning Consortium	<p>West Midlands HARP Planning Consortium includes all the leading Housing and Registered Providers (HARPs) across the West Midlands. Our clients' principal concerns are to optimise the provision of social/affordable housing and ensure evolution and preparation of consistent policies throughout the region.</p> <p>Main concern is that delivery of affordable housing is not squeezed by CIL charges set too high.</p> <p>Council should properly consider the overall impact of CIL on the delivery of affordable housing.</p> <p>We await the Inspector's final report on the draft Local Plan - if the Inspector requests a change to the draft Policy P4 (b) to allow use of market housing to finance affordable housing delivery on rural exception sites, we are concerned the higher rural charge of £150 sqm would impede delivery of cross-subsidy schemes, and reduce delivery of affordable homes in rural locations. We would advise testing the effect of CIL on cross-subsidy schemes and its impact on delivery of affordable housing, in line with Para. 27 of DCLG Dec 2012 guidance. Depending on the results, the Council could commit to using any CIL raised in connection with a rural exception site within the local area.</p>
31	Richard Campbell-Kelly	Property and Insurance Manager	NEC Group	Yes. For developments within existing large developments such as the NEC CIL reductions should be made available if the development results in additional larger development to facilitate it.
32	Rohan Torkildsen	Planning Adviser	English Heritage	No comment
33	Matthew Taylor		Highways Agency	Keen to be involved with drafting of Regulation 123 list.
34	Andrew Burrow		Berkswell Parish Council	Well thought out proposal with good consultation of the Parish Councils.
35	Jon Hockley		Birmingham Airport	Thank you for the consultation, and apologies for the slightly late response

Representations to Questions 11A and 11B: Focus groups

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q11a. Do you wish to be invited to any focus groups that may be arranged?	Q11b. If so what subject areas or issues should be covered in a focus group?
1	Graham Nicholson	Planning Officer	Inland Waterways Assoc, Works Branch	No	No comment
2	Erica McDonald	On behalf of	Notcutts Ltd	No comment	Could size thresholds for existing operational premises perhaps be greater than for new 'investment-led' development? How to address need of existing operational business to expand without being caught by CIL, when previously wouldn't have to pay S106.
3	Sarah Faulkner	Environment and Rural Affairs Advisor	National Farmers Union	No comment	No comment
4	Neil Hathaway	Deputy Director of Estates and Facilities	Birmingham and Solihull Mental Health NHS Foundation Trust	Yes	Any focus groups on Development and Spend/Finance.
5			Asda	No comment	No comment
6	Rose Freeman	Planning Policy Officer	The Theatres Trust	No comment	No comment
7	Roger Yarwood	Planning Officer	National Federation of Gypsy Liaison Groups	No comment	No comment
8	Josie and Peter			No comment	No comment

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q11a. Do you wish to be invited to any focus groups that may be arranged?	Q11b. If so what subject areas or issues should be covered in a focus group?
	Herbert				
9	Donna Taverner	Rural Advisor	Country Land & Business Association (Midlands)	No comment	No comment
10	Robert Jays	Planner	William Davis	No comment	No comment
11	Hayley Anderson	Planning Obligations Officer	Birmingham City Council	No comment	No comment
12	Peter Frampton		Framptons	No comment	No comment
13			WM Morrisons Supermarkets Plc	Yes	Retail
14	Chris Noble	Chairman	Cheswick Green Parish Council	No	No comment
15	Jonathan Haywood	Economic Development Officer	Centro	Yes	Public transport and connectivity
16	Trevor Eames	Secretary	Solihull Ratepayers Assoc	Yes	<ul style="list-style-type: none"> • More detailed examination of zoning • Examine case for nil rate in central Shirley regeneration envelope • Examine case for nil rate on new build elderly and disabled accommodation • Ensure Solihull remains competitive compared to neighbouring authorities

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q11a. Do you wish to be invited to any focus groups that may be arranged?	Q11b. If so what subject areas or issues should be covered in a focus group?
17			West Midlands Police	Yes	We are keen that the PCCWM is engaged in discussions to identify community safety and security infrastructure funding requirements on an ongoing basis during the Plan period since inevitably the current IDP represents a snapshot in time.
18	Becky Clarke	Technical Specialist	Environment Agency	No comment	No comment
19	Cathy Tibbles	Clerk	Castle Bromwich Parish Council	No	No comment
20			McCarthy & Stone Retirement Lifestyles Ltd	No comment	No comment
21	Kate Wheeler	Lead Adviser	Natural England	No comment	No comment
22	Katherine Burnett	Area Planner	Canal and Rivers Trust	Yes	CRT is keen to explore issues in Q10 further.
23	Hilary Goodreid	Parish Clerk	Hockley Heath Parish Council	No comment	No comment
24			Bluemark Projects	No comment	No comment
25			Gallagher Estates	No comment	No comment
26			Bloor Homes	No comment	No comment
27			Catesby Property Group	No comment	No comment

CIL Ref	Consultee Name	Consultee Title	Consultee Organisation	Q11a. Do you wish to be invited to any focus groups that may be arranged?	Q11b. If so what subject areas or issues should be covered in a focus group?
28	Martin Robeson		Martin Robeson Planning Practice	Yes	1. Balance between funding infrastructure through CIL and the effects on developments across the Borough. 2. Retail levy differentials, locational structure and related viability evidence base.
29			Sainsbury's Supermarkets	No comment	No comment
30			West Midlands HARP Planning Consortium	No	Deliverability of affordable housing Extra-care housing
31	Richard Campbell-Kelly	Property and Insurance Manager	NEC Group	Yes	Developments outside North Solihull that help to generate employment in North Solihull.
32	Rohan Torkildsen	Planning Adviser	English Heritage	No comment	No comment
33	Matthew Taylor		Highways Agency	No comment	No comment
34	Andrew Burrow		Berkswell Parish Council	Yes	Any major change to proposal
35	Jon Hockley		Birmingham Airport	Yes	Happy to be involved if necessary