

# COMMUNITY INFRASTRUCTURE LEVY

## DRAFT CHARGING SCHEDULE

**JULY 2014**

# **Community Infrastructure Levy (CIL)**

## **Draft Charging Schedule**

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## HOW TO COMMENT ON THIS CONSULTATION

Dudley Council previously consulted on the Preliminary Draft Charging Schedule in January 2013 and the Draft Charging Schedule in March 2014. Comments received from both consultations are set out in the respective consultation statements which can be found at the below link sets out a summary of each comment and the Council's response and action taken where considered appropriate.

Following consultation on the Draft Charging Schedule the Council is proposing a number of changes to the Draft Charging Schedule and as such has decided to re-consult on the amended Draft Charging Schedule.

The proposed changes to the Charging Schedule are listed in Appendix A to this document.

Please note that changes have also been made to the Viability Assessment and the Infrastructure Delivery Plan which have resulted in consequential changes to this Charging Schedule and Regulation 123 List.

An electronic copy of this document, along with the relevant supporting background evidence, are available on the Council's website at:

<http://www.dudley.gov.uk/resident/planning/planning-policy/local-development-framework/cil/>

Comments on the Draft CIL Charging Schedule should be addressed to:

*Email:*

[ldf@dudley.gov.uk](mailto:ldf@dudley.gov.uk)

*Postal:*

Planning Policy, 4 Ednam Road, Dudley, West Midlands, DY1 1HL

**The consultation period runs for 6 weeks from Friday 11<sup>th</sup> July to Friday 22<sup>nd</sup> August 2014.**

Please note that comments received can't be treated as confidential as all comments must be made publicly available in accordance with government regulations.

## GENERAL INFORMATION

This and other Local Development Documents are or will be made available on request in large copy print, audio version, Braille or languages other than English. If you require the document in one of these formats please contact:

Planning Policy Team, Directorate of the Urban Environment, 4 Ednam Road, Dudley, DY1 1HL or telephone 01384 814136 or email [Ldf@dudley.gov.uk](mailto:Ldf@dudley.gov.uk)

### Arabic

هذه مع بقية الوثائق لنظم العمل للتنمية المحلية متوفرة عند الطلب بطبعات مكبرة ، وعلى الكاسيت ، بريل ، أو بلغات غير اللغة الانكليزية. فلذا كنت بحاجة لوثيقة بعد من الاشكال التي ذكرت ، رجاء اتصل بفريق التخطيط لطريقة العمل ( Policy ) ، مديرية البيئة المحلية = t أدنم رود ، ددلي دي واي ١ ١ أيج أبل .  
التفون: ٠١٣٨٤ ٨١٤١٣٦ = أليه ميل [ldf@dudley.gov.uk](mailto:ldf@dudley.gov.uk)

### Bengali

এই দলিল বা ডকুমেন্ট এবং অন্যান্য স্থানীয় উন্নয়ন বিষয়ক কাঠামো সম্পর্কিত দলিলসমূহ অঙ্গরোধে বড় অক্ষরের লেখা বা লার্জ প্রিন্টে, অডিও কেসেটে, ব্রেইলে কিংবা অন্যান্য ভাষায় পাওয়া যাবে। আপনি যদি এই দলিলটি উপরোক্ত যে কোন মাধ্যম বা ফরমেটে পেতে চান, তাহলে দয়া করে যোগাযোগ করুন: planning Policy Team, Directorate of the Urban Environment, Dudley Metropolitan Borough Council, 4 Ednam Road, Dudley, DY1 1HL.  
টেলিফোন: 01384 814136, ইমেইল: [ldf@dudley.gov.uk](mailto:ldf@dudley.gov.uk).

### Chinese

這及其它地區發展架構的文件可因應需要而製成大字版、語音版、盲文點字或英文以外的語文。如你需要文件轉為以上其中一個版本，請聯絡政策計劃小組(Planning Policy Team)，城市環境保護署(Directorate of the Urban Environment)，得利市政府，4 Ednam Road, Dudley, DY1 1HL。電話：01384 814136 或電郵：[ldf@dudley.gov.uk](mailto:ldf@dudley.gov.uk)

Gujarati

"આ અને અન્ય સ્થાનિક વિકાસ ફંડર્સ દસ્તાવેજો મોટા નકલ પ્રિન્ટ, ઓડિયો આવૃત્તિ, બ્રેઇલ અથવા અંગ્રેજી સિવાય બીજી કોઈપણ ભાષામાં ઉપલબ્ધ છે અથવા કરવામાં આવશે. જો તમને આમાંથી કોઈપણ સ્વરૂપમાં દસ્તાવેજ જોઈતું હોય તો કૃપા કરી આમને સંપર્ક કરો

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## Punjabi

ਅਨੁਸੰਗ ਕਰਨ ਤੇ, ਇਹ ਦਸਤਾਵੇਜ਼ (ਸੰਸਥਾ ਨਾਮਾਵਾਂ) ਅਤੇ ਸੇਕਲ ਡਰੇਨਪਿਨ ਡਰੇਨਵਰਕ (ਸਥਾਨਕ ਵਿਕਾਸ) ਸੰਬੰਧੀ ਹੋਰ ਦਸਤਾਵੇਜ਼ ਵੱਖੋ ਵੱਖਰਾਂ ਵਿੱਚ ਅਭਿਵਿੱਧਿਕੀਤ ਤੇ ਰੀਕਾਨਡ ਕੀਤੇ ਹੋਏ, ਵੱਲੋਂ ਡਰਾਫਟ ਅਤੇ ਅੰਤਿਮੀ ਰੂਪਾਂ ਤੋਂ ਇਲਾਵਾ ਹੋਰ ਰੂਪਾਂ ਵਿੱਚ ਵੀ ਮਿਲ ਸਕਦੇ ਹਨ। ਜੇਕਰ ਤੁਸੀਂ ਕੋਈ ਦਸਤਾਵੇਜ਼ ਇਨ੍ਹਾਂ ਵਿੱਚੋਂ ਕਿਸੇ ਵੀ ਡਰਾਫਟ (ਦਸਤਾਵੇਜ਼) ਵਿੱਚ ਸੋਧ ਚਾਹੁੰਦੇ ਹੋ ਤਾਂ ਹਿੰਨਾ ਕਰਕੇ ਹੇਠ ਲਿਖਿ ਪਤੇ ਤੇ ਸੰਪਰਕ ਕਰੋ: Planning Policy Team, Directorate of Urban Environment, Dudley Metropolitan Borough Council, 4 Ednam Road, Dudley, DY1 1HL ਟੈਲੀਫੋਨ 01384 - 814136 ਈ-ਮੇਲ ਪਤਾ [info@dudley.gov.uk](mailto:info@dudley.gov.uk)

## Urdu

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# INTRODUCTION

## What is the Community Infrastructure Levy?

The Community Infrastructure Levy (CIL) is a new levy that Local Authorities can choose to charge on new developments. The money can be used to support development by funding infrastructure that the Council, local community and neighbourhoods want.

CIL is intended to supplement rather than replace other infrastructure delivery funding, and to provide infrastructure alongside new development within Dudley Borough, assisting in the delivery of sustainable development.

### **Reasons for implementing a CIL in Dudley**

Almost all development has some impact on the need for infrastructure, services and amenities so it is only fair that such development pays a share of the cost. It is also right that those that benefit financially when planning permission is granted should share some of that gain with the community to help fund the infrastructure that is needed.

Implementing a CIL in Dudley will have a number of benefits including:

- Providing the Council with additional funding to carry out a wide range of infrastructure projects to support growth;
- Providing Developers with more certainty 'up front' as to how much they will be expected to contribute;
- Providing Local Communities with greater transparency, involvement and understanding of how new development is contributing to their community

### **Purpose of this document**

This Draft Charging Schedule is published for consultation under Regulation 16 of the CIL Regulations (as amended). It provides the background to the proposed CIL Rates and is the second opportunity to comment on the proposed charges.

The Council will consider all representations received and, as a result, may recommend amendments to the Schedule prior to the independent examination of the Charging Schedule during 2014.

## **RELEVANT EVIDENCE**

The CIL Regulations state that, in setting rates, the Council must aim to strike an appropriate balance between:

- a) The desirability of funding from CIL (in whole or in part) the actual and expected estimated total cost of infrastructure required to support the development of its area, taking into account other actual and expected sources of funding; and
- b) The potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area.

The Council has used a range of documents to inform the Preliminary Draft CIL rates which aim to strike such an appropriate balance. The three key documents are:

- **Black Country Core Strategy (February 2011)**

The Black Country Core Strategy sets out the vision, objectives and strategy for future development in the Black Country up to 2026. This Strategy sets out how much and what type of development will take place in Dudley Borough to 2026 and the broad locations of that development. Policy DEL1 'Infrastructure Provision' provides the policy basis for the collection of developer contributions and sets out the variety of infrastructure that can be funded through obligations and/or CIL.

- **Dudley Infrastructure Delivery Plan (updated June 2014)**

This document provides information on what funding is required and committed to delivering the infrastructure identified as necessary to accommodate growth in Dudley Borough.

In addition to the adoption of the Black Country Core Strategy, Dudley Council has also adopted the Brierley Hill Area Action Plan (August 2011) and is in the process of producing Area Action Plans for Stourbridge and Halesowen, all of which further consider infrastructure needs. These Plans have been used to inform the assessment of infrastructure needs; as infrastructure requirements change over time and therefore this evidence has been reviewed and tested, and where appropriate further information has been gathered on the most up-to-date infrastructure needs and their costs.

The Infrastructure Plan identifies a snapshot list of the strategic infrastructure requirements need to support growth; it is important to note that this does not comprise a fully inclusive list, rather a highlight of needs that can be identified and costed at this point in time; the Infrastructure Delivery Plan is a living document and the projects will be updated and added to as further information becomes available. The evidence identifies that there is a **total Funding Gap of £178 million** and focuses on the key areas of infrastructure as set out in the table overleaf:



| <b>Infrastructure</b>                              | <b>Cost</b>         | <b>Funding Available</b> | <b>Funding Gap</b>  |
|--|---------------------|--------------------------|---------------------|
| <b>Transport</b>                                   | £54,201,000         | £38,406,000              | £15,795,000         |
| <b>Centro specific schemes</b>                     | £25,267,000         | £1,730,000               | £23,537,000         |
| <b>Air Quality</b>                                 | £1,232,200          | £120,000                 | £1,112,200          |
| <b>Nature Conservation</b>                         | £4,310,000          | £0                       | £4,310,000          |
| <b>Canals and Rivers</b>                           | £1,178,140          | £0                       | £1,178,140          |
| <b>Libraries</b>                                   | £9,055,720          | £5,253,000               | £3,802,720          |
| <b>Public Realm</b>                                | £58,524,810         | £4,548,000               | £53,976,810         |
| <b>Public Realm Maintenance</b>                    | £50,709,971         | £0                       | £50,709,971         |
| <b>Public Art</b>                                  | £370,000            | £45,500                  | £324,500            |
| <b>Flood Management &amp; Sustainable Drainage</b> | £8,504,000          | £3,684,000               | £4,820,000          |
| <b>NHS</b>   | £19,250,000         | £0                       | £19,250,000         |
| <b>Total</b>                                       | <b>£231,424,701</b> | <b>£53,786,500</b>       | <b>£178,816,341</b> |

#### • **Dudley CIL Viability Assessment (Updated June 2014)**

This report provides an evidence base to identify and test variances in economic viability between defined geographical locations within the area and then to evaluate and analyse the potential impact of applying a range of levels of CIL on the viability of residential and non-residential development within Dudley Borough.

The report considers all development uses that have the potential to come forward in the Borough during the medium to long term. This not only takes into account expectations of market driven demand, but also the requirements for focused investment that are central to the delivery of the Black Country Core Strategy's vision for the Borough.

## DRAFT CHARGING SCHEDULE RATES:

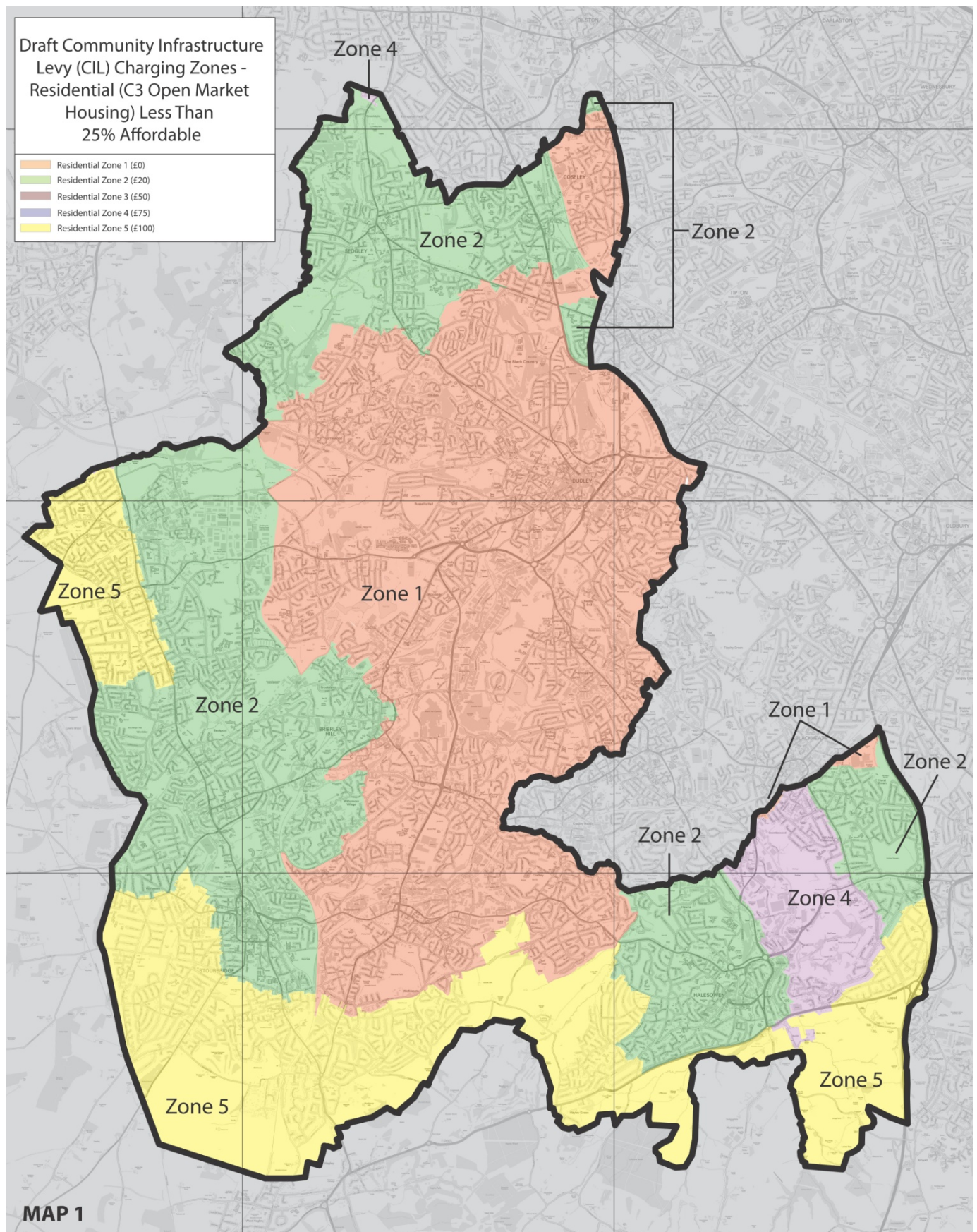
### RESIDENTIAL (SEE MAPS 1 - 4)

| <b>Residential<br/>CIL rate per m2</b> | <b>All Residential<br/>Development</b> | <b><i>Indicative CIL Charge<br/>per dwelling (based<br/>on average new<br/>floorspace per<br/>dwelling of 88sq. m)</i></b> |
|--|--|--|
| <b>ZONE 1</b>                          | <b>£0</b>                              | <b><i>£0</i></b>   |
| <b>ZONE 2</b>                          | <b>£20</b>                             | <b><i>£1,760</i></b>   |
| <b>ZONE 3</b>                          | <b>£50</b>                             | <b><i>£4,400</i></b>   |
| <b>ZONE 4</b>                          | <b>£75</b>                             | <b><i>£6,600</i></b>   |
| <b>ZONE 5</b>                          | <b>£100</b>                            | <b><i>£8,800</i></b>   |

**Includes 5% CIL Administration Costs**

## RESIDENTIAL (C3 OPEN MARKET HOUSING) CHARGING ZONES

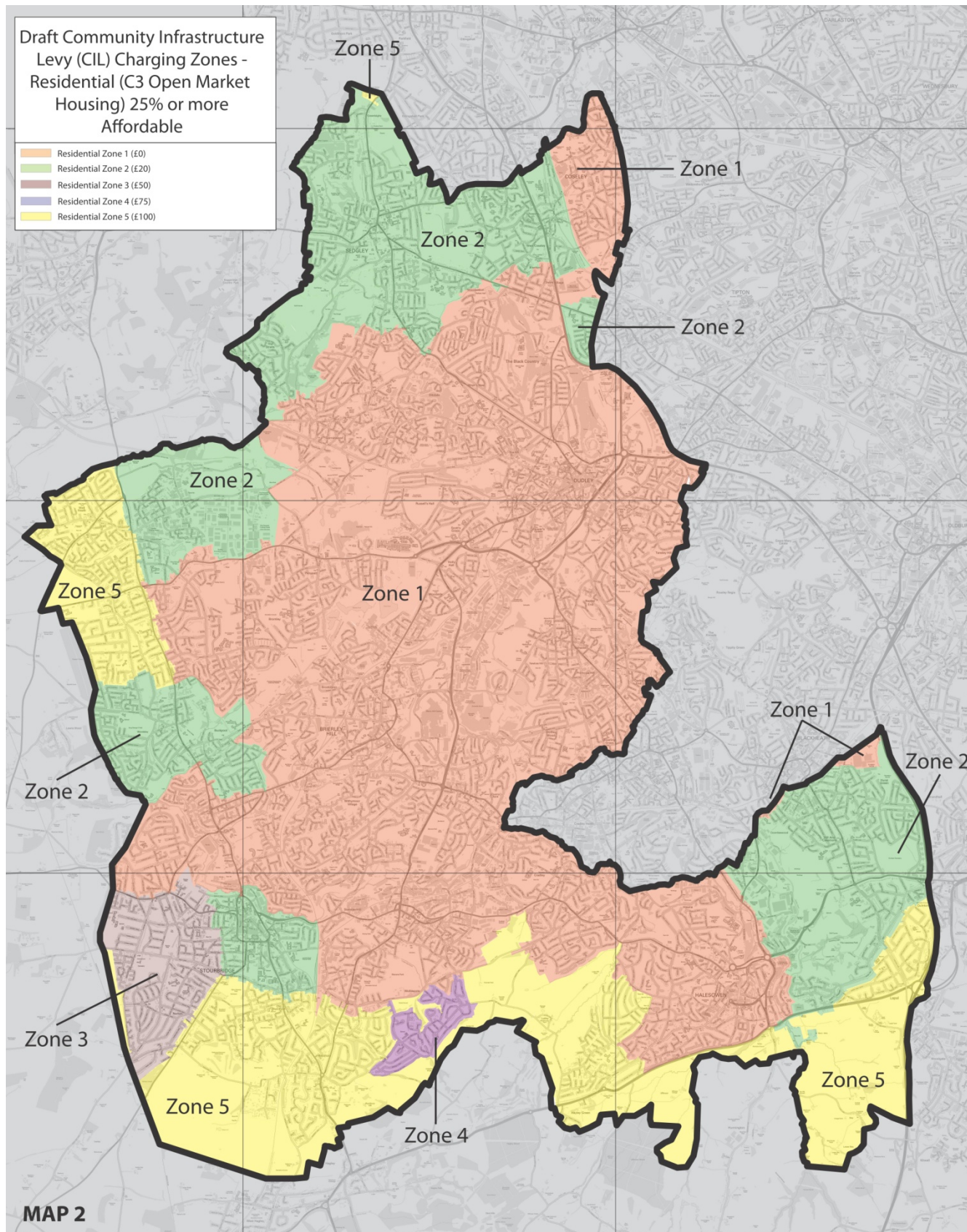
### SITES WITH LESS THAN 25% AFFORDABLE HOUSING PROVISION





## RESIDENTIAL (C3 OPEN MARKET HOUSING) CHARGING ZONES

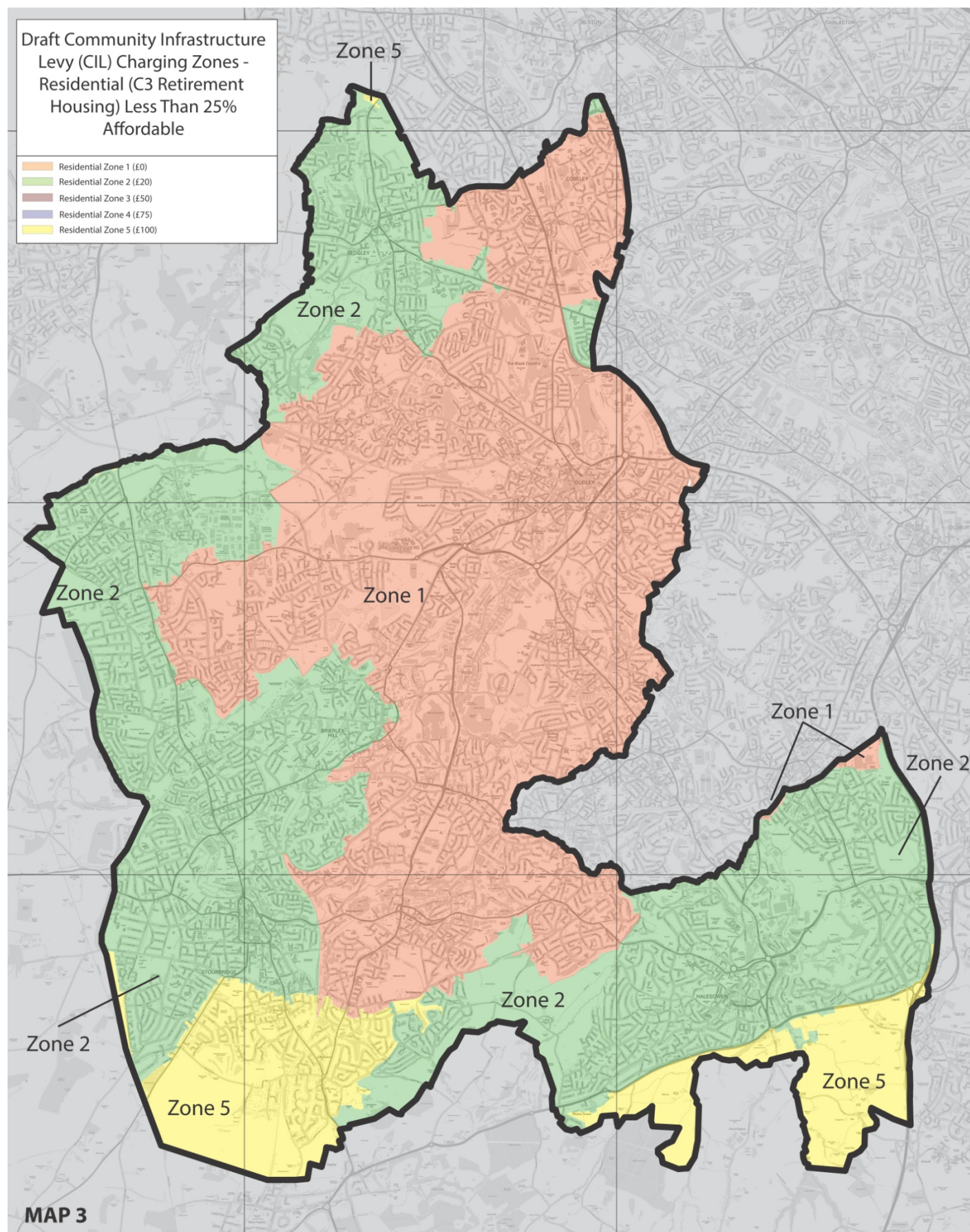
### SITES WITH 25% OR MORE AFFORDABLE HOUSING PROVISION





# RESIDENTIAL (C3 RETIREMENT HOUSING) CHARGING ZONES

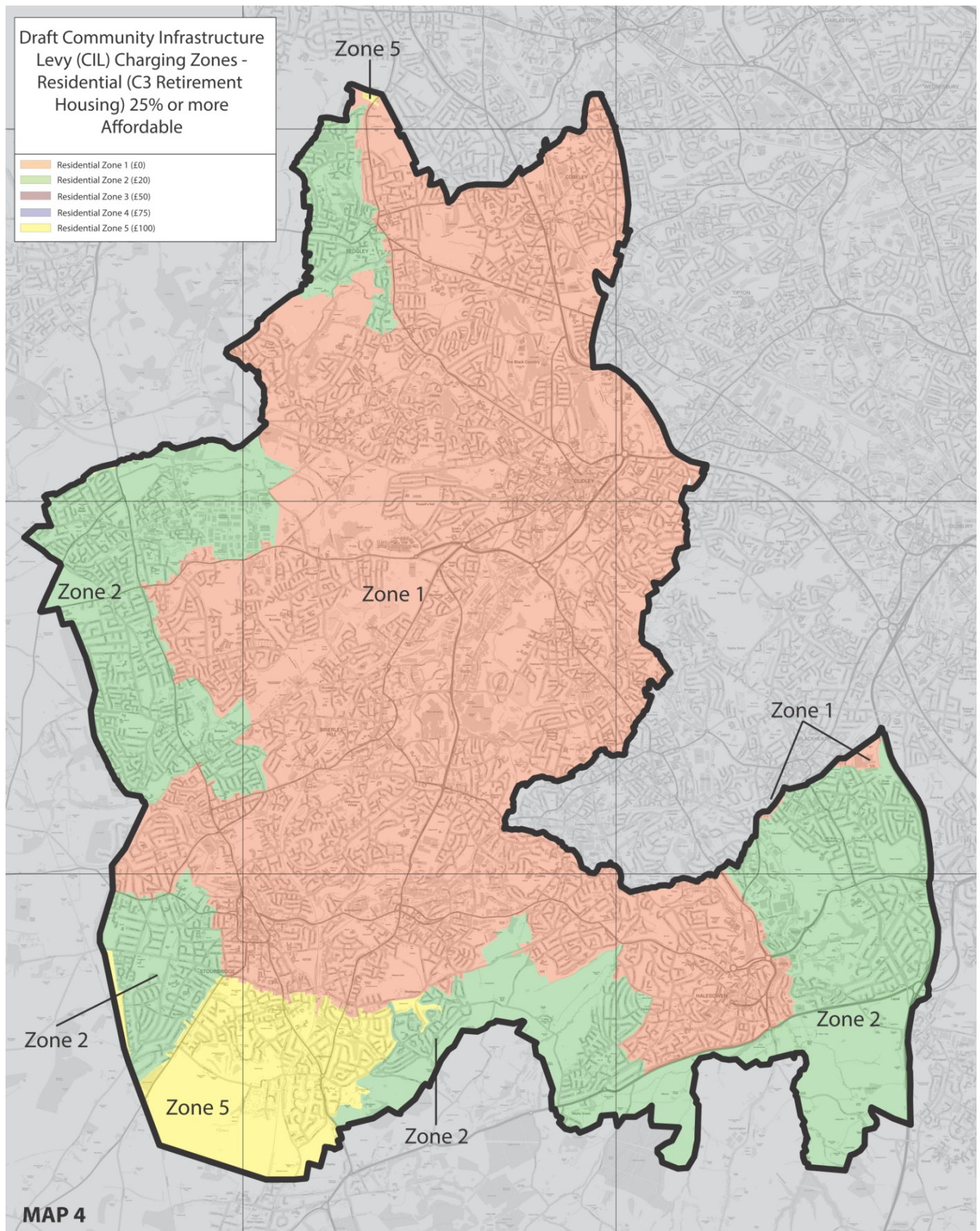
## SITES WITH LESS THAN 25% AFFORDABLE HOUSING PROVISION





# RESIDENTIAL (C3 RETIREMENT HOUSING) CHARGING ZONES

## SITES WITH 25% OR MORE AFFORDABLE HOUSING PROVISION



## DRAFT CHARGING RATES – RETAIL (SEE MAP 5)

| Retail CIL rate per m2  | Merry Hill & Waterfront<br><i>(as part of mixed-use development that would trigger Core Strategy Policy CEN3 infrastructure)*</i> | Merry Hill & Waterfront<br><i>(Standalone development that would not trigger Core Strategy Policy CEN3 infrastructure)</i> | Remaining Areas |
|---|---|--|-----------------|
| Comparison A1 Retail over 100sq. m                              | £0*   | £100   | £100            |
| Convenience A1 Retail over 100sq. m                             | £0*   | £100   | £100            |
| A3-A5 Retail (Public House, Restaurant, Hot Food) over 100sq. m | £0*   | £95  | £95             |

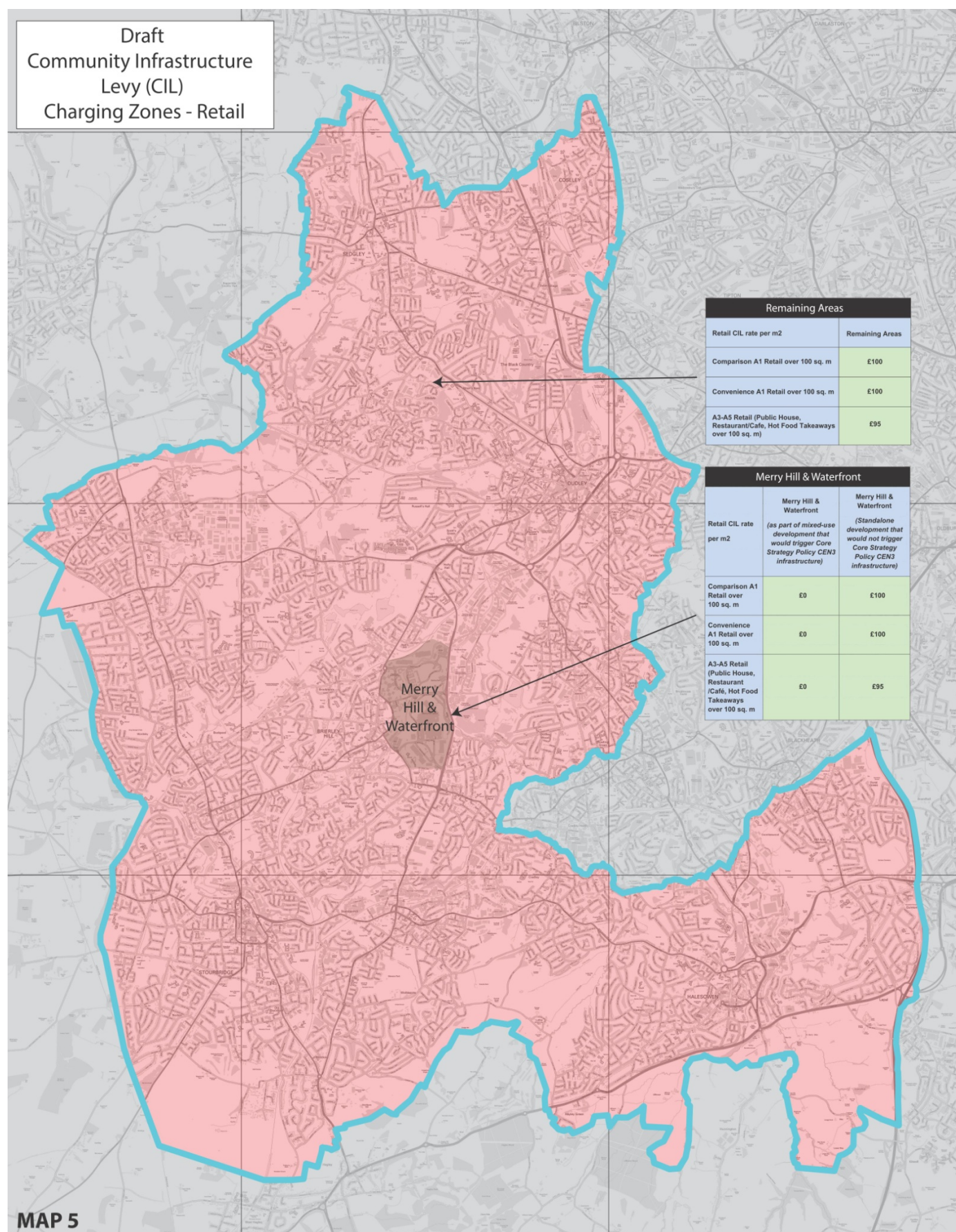
Includes 5% CIL Administration Costs

\* Infrastructure at Merry Hill and Waterfront as required by Core Strategy Policy CEN3 to be delivered primarily through the use of Legal Agreements and not through CIL – See Draft Reg. 123 List (Appendix 1)

| Indicative CIL Charges on Typical Retail Developments                                       |   |         |
|---|---|---------|
| 200 sq. m standalone Convenience and/ or Comparison on site with no existing use            | Anywhere within Dudley Borough  | £20,000 |
| 200 sq. m Convenience and/or Comparison on site with other existing use (no new floorspace) | Anywhere within Dudley Borough  | £0      |
| A2 Use (eg Banks, Building Societies, estate and employment agencies, betting shops)        | Anywhere within Dudley Borough  | £0      |
| 150 sq. m A5 Hot Food Takeaway new build with no existing use                               | Anywhere within Dudley Borough, (except where part of a mixed use development at Merry Hill which triggers CS Policy CEN3 infrastructure) | £14,250 |
| 150 sq. m A3 Restaurant new build with no existing use                                      | As part of mixed use development at Merry Hill which triggers CS Policy CEN3 infrastructure   | £0      |



# RETAIL CHARGING ZONES





## DRAFT CHARGING RATES – OTHER USES

| Proposed CIL rate per m2 | All Areas |
|--------------------------|-----------|
| All other uses           | £0        |

### Calculation of the CIL Rates

Charging authorities are advised not to adopt CIL rates at or near the margin of viability. This is to allow for future fluctuations in market conditions and means that the Charging Schedule will not need to be reviewed with every minor change in conditions.

Taking into account the above information the rates set out above are considered to strike the most appropriate balance between the desirability of funding infrastructure in the area and the potential effects on the economic viability of development in the Borough. They include an allowance of up to 5% to cover administration costs, as permitted by the CIL Regulations for this purpose.

## PAYMENT OF CIL

### Who will pay CIL?

CIL is charged in pounds per square metre on the net additional floorspace of a development. Any new build or extension is only liable to pay CIL if it has 100 sq. m or more of gross internal floor space, or involves the creation of additional dwellings, even when that is below 100 sq. m.

The gross floorspace of any existing buildings on the site to be demolished will be deducted from the CIL charge. Any floorspace resulting from the development to the interior of an existing building will similarly be deducted. Floorspace subject to demolition or resulting from change of use will be disregarded where it has been in continuous lawful use for a six month period in the previous three years prior to the development being permitted.

### How will CIL be collected?

The CIL Charges will, in most cases, be due from the date that a liable development is commenced. When planning permission is granted, alongside the 'Decision Notice' the Council will issue a 'Liability Notice' setting out the amount of CIL that will be due for payment when the development is commenced, the payment procedure and the possible consequences of not following the procedure.

### Instalments Policy

The CIL Regulations sets a default for full payment of CIL within 60 days of commencement of development. However the Regulations also allow Councils to set an Instalments Policy to allow payments to be spread over longer periods. To assist developers with the payment of their CIL charge, the following Instalments Policy is proposed:

| Total CIL Liability          | Maximum Number of Payments | Payment Period  |
|------------------------------|----------------------------|---|
| Up to £20,000                | 1                          | No instalments - full amount within 60 days of commencement   |
| Between £20,000 and £50,000  | 2                          | 40% within 60 days of commencement,<br>60% within 12 calendar months of commencement  |
| Between £50,000 and £100,000 | 2                          | 25% within 60 days of commencement,<br>75% within 12 calendar months of commencement  |
| Over £100,000                | 4                          | 20% within 60 days of commencement date<br>20% within 6 calendar months of commencement<br>30% within 12 calendar months of commencement<br>30% within 18 calendar months of commencement |

## **Charitable Relief:**

### **Mandatory:**

The CIL Regulations give relief from CIL if the following 3 criteria are met:

1. The chargeable development will be used wholly or mainly for charitable purposes; and
2. That part of the chargeable development to be used for charitable purposes will be occupied by, or under the control of, a charitable institution; and
3. The exemption must not constitute state aid.

### **Discretionary Charitable Relief:**

The Council also intends to offer relief from CIL where the following criteria are met:

1. The whole or greater part of the chargeable development will be held by the claimant, or by the claimant and other charitable institutions, as an investment from which the profits will be applied for charitable purposes; and
2. That portion of the chargeable development to be held as an investment and will not be occupied by the claimant for ineligible trading activities (any trading activity ineligible except than to sell donated goods to use the proceeds for its charitable purposes); and
3. Relief must not constitute a notifiable state aid

Clawback of the CIL monies can be required by the Council if the development no longer qualifies for relief within a 7 year period from commencement of the development, on one of the following 3 grounds:

1. Change of purpose to non-eligible use;
2. Change of ownership to non-eligible owner
3. Change of leasehold to non-eligible lessee

### **Exceptional Circumstances**

The Council intends to offer a process for giving relief from CIL in exceptional circumstances where a specific scheme cannot afford to pay. This will avoid rendering sites with specific and exceptional cost burdens unviable should exceptional circumstances arise. The Council will consider claims for relief from landowners on a case by case basis provided the following conditions are met:

- A S106 Agreement must exist on the planning permission permitting the chargeable development;
- The Council must consider paying the full CIL would have an unacceptable impact on the development's economic viability; and
- Relief from CIL must not constitute a notifiable State Aid

### **Payments In-Kind**

There may be circumstances where it will be more desirable for the Council to receive land instead of monies. The CIL Regulations allow the Council to accept land transfers as a payment in kind for the whole or part of the levy. This will be considered on a site by site basis in line with the requirements set out within the regulations.

## **SPEND OF CIL**

### **Draft Regulation 123 List**

The definition of Infrastructure is set out within the CIL Regulations. The Infrastructure Delivery Plan (August 2013) sets out the infrastructure required for the Borough up to 2026.

Based on these identified infrastructure requirements the Council has prepared a Draft Regulation 123 List. The List sets out specific projects that the Council has identified as candidates to be funded by CIL monies in whole or in part, split into Strategic, Major and Minor categories based on cost. The Council proposes to allocate 75% of monies to Strategic and Major projects, 10% to Minor projects, with 15% to local communities for Neighbourhood Funding (see below).

The List also sets out any infrastructure which is excluded from CIL funding as it is being provided through Planning Obligations (S106 Agreements).

The Draft Regulation 123 List is appended to the Draft CIL Charging Schedule as Appendix 1

### **Prioritisation and Allocation of CIL Monies**

Allocation of CIL monies to infrastructure projects on the Regulation 123 List (85% - 75% Strategic and Major & 10% Minor) will be made by the Council based on a standard set of criteria in order to fairly and transparently enable prioritisation of projects. The Council has prepared two Draft Prioritisation Matrices for consultation, one for Strategic and Major Projects and one for Minor Projects. These Matrices are appended to this document as Appendix 2.

### **Proportion of CIL monies to be used for Neighbourhood Funding**

The CIL Regulations set out the requirement for 15% of CIL monies (or 25% where there is an adopted Neighbourhood Development Plan) to be subject to engagement by the Council with the communities where development has taken place and agree with them how best to spend the monies. These monies can be spent on a wider range of projects that the general CIL monies can be as follows:

- Provision, improvement, replacement, operation or maintenance of infrastructure; or
- Anything else that is concerned with addressing the demands that development places on an area.

Government guidance encourages Councils to use existing community consultation and engagement processes where possible in the allocation and spend of the 15% neighbourhood funding. The Council is currently considering the most effective, clear and transparent approach to engaging local communities.

## **Appendix 1 - Draft Regulation 123 List**

### **Infrastructure Projects Submitted for CIL Funding**

The Community Infrastructure Levy (CIL) Regulation 123 requires all CIL charging authorities to publish a list of infrastructure likely to be funded, or part funded from CIL and to prioritise these projects. CIL can be used to fund the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of the charging authority's area.

The CIL Regulation 123 restricts use of Section 106 Planning Obligations for infrastructure that will be funded in whole or in part by the CIL to ensure there is no duplication or 'double funding' between the two types of developer contributions towards the same project.

Dudley's CIL Regulation 123 List is set out below. The List can be reviewed and updated regularly and the inclusion of a project or type of infrastructure does not signify a commitment from the Council to fund the project (either in whole or in part). This List excludes transport infrastructure at Merry Hill and some public art projects as these will be funded via Legal Agreements associated with the relevant planning permission(s) and not through CIL.

This List has been informed under the aspirations of the Black Country Growth Strategy and the policies and approach of the Core Strategy for the Black Country, Council Delivery Plan, Channel Strategy, S106 SPD and Local Transport Plan.

### **Regulation 123 List**

The List has been split into three categories of Infrastructure Projects:

- Strategic Projects where the funding gap is over £4m
- Major projects where the funding gap is between £100,000 and £4m
- Minor projects to support small local infrastructure projects (< £100,000)

It is the intention of the Council that 75% of all CIL revenue should be banked for the strategic and major projects, 10% should be used to help fund minor projects and 15% will be the 'Meaningful Proportion' to be spent by the communities.

| Project                  |   | Funding Gap | Priority |
|--------------------------|---|-------------|----------|
| Strategic Projects       |   |             |          |
| Transport                | Dudley Town Centre Traffic Management Plan                                | £4,500,000  |          |
|                          | Dudley Southern Gateway Major Scheme                                      | £12,000,000 |          |
|                          | LTP3 Strategy delivery - ongoing capital programme                        | £34,026,000 |          |
|                          | Dudley Bus Station  | £6,830,000  |          |
|                          |   |             |          |
| Nature Conservation      | Canal Habitats Enhancement  | £4,156,843  |          |
|                          |   |             |          |
| Public Realm             | Dudley Town Centre King Street/Trindle Road Boulevard                     | £10,629,805 |          |
|                          | Halesowen Town Centre Public Realm Implementation                         | £12,679,918 |          |
|                          | Stourbridge Town Centre Public Realm Implementation                       | £12,344,917 |          |
|                          |   |             |          |
| Public Realm Maintenance | Dudley Town Centre Market Place, Castle St., High St. & St. Edmunds Place | £4,295,239  |          |
|                          | Dudley Town Centre King Street/Trindle Road Boulevard                     | £8,645,455  |          |
|                          | Halesowen Town Centre Public Realm Implementation                         | £10,040,395 |          |
|                          | Stourbridge Town Centre Public Realm Implementation                       | £10,040,394 |          |
|                          |   |             |          |
| Dudley Group NHS         | Additional bed base a RHH   | £4m         |          |

|                         |   |            |  |
|-------------------------|---|------------|--|
| <b>Foundation Trust</b> |   |            |  |
| <b>Major Projects</b>   |   |            |  |
| <b>Transport</b>        | AAP Infrastructure - Stourbridge  | £500,000   |  |
|                         | AAP Infrastructure - Halesowen  | £150,000   |  |
|                         | A4101 Pensnett Improvements   | £3,025,000 |  |
|                         | Sprint (Quinton – Halesowen)  | £3,900,000 |  |
|                         | Merry Hill Bus Priority / Bus Station   | £3,200,000 |  |
|                         | CCTV Installation and refresh   | £2,700,000 |  |
|                         | Interchange Information Upgrades  | £150,000   |  |
|                         | NCN Route 54 to Pensnett Trading Estate and associated links  | £500,000   |  |
|                         | Stourbridge - Kingswinford cycle route  | £800,000   |  |
|                         | Roadside Bus Infrastructure Investment  | £1,900,000 |  |
|                         | On street electronic public transport information   | £345,000   |  |
|                         | Access to Dudley Initiatives  | £250,000   |  |
|                         | Innterconnect - Brierley Hill   | £1,00,000  |  |
|                         | Interconnect - Dudley   | £1,00,000  |  |
|                         | Lye Bus Station Improvements  | £900,000   |  |
|                         |   |            |  |
| <b>Air Quality</b>      | Awareness campaign to promote the take up of retrofitting technologies including whole life costs for bus fleets and SMEs | £300,000   |  |

|                          |  |            |  |
|--------------------------|--|------------|--|
|                          | The provision and operation of air quality monitoring equipment  | £780,000   |  |
|                          |  |            |  |
| <b>Canals and Rivers</b> | Regeneration Corridor 14 – Towpath Enhancements  | £139,500   |  |
|                          | Regeneration Corridor 16 – Towpath Enhancements  | £338,640   |  |
|                          |  |            |  |
| <b>Libraries</b>         | Public Use ICT   | £808,000   |  |
|                          | RFID Kiosks  | £600,000   |  |
|                          | Building Refurbishment   | £2,270,720 |  |
|                          |  |            |  |
| <b>Public Realm</b>      | Dudley Town Centre Market Place, Castle St., High St. & St. Edmunds Place  | £2,811,835 |  |
|                          | Dudley Town Centre Crown Square  | £463,436   |  |
|                          | Cradley/ Windmill Hill Public Realm Improvements   | £570,000   |  |
|                          | Lye Public Realm Enhancements  | £1,443,778 |  |
|                          | Pensnett Public Realm Enhancements   | £1,443,778 |  |
|                          | Quarry Bank Public Realm Enhancements  | £2,317,856 |  |
|                          | Shell Corner   | £1,443,778 |  |
|                          | Brierley Hill High Street Public Realm   | £2,577,825 |  |
|                          | Brierley Hill Northern Gateway<br>Brierley Hill Link Space between High St. & Cottage St.<br>Brierley Hill Place | £5,172,811 |  |
|                          |  |            |  |



|                                 |   |             |  |
|---------------------------------|---|-------------|--|
| <b>Public Realm Maintenance</b> | Dudley Town Centre Crown Square                         | £376,922    |  |
|                                 | Cradley/Windmill Hill Public Realm Improvements         | £998,205    |  |
|                                 | Lye Public Realm Enhancements                           | £2,495,532  |  |
|                                 | Pensnett Public Realm Enhancements                      | £2,495,532  |  |
|                                 | Quarry Bank Public Realm Enhancements                   | £3,992,934  |  |
|                                 | Shell Corner  | £2,495,532  |  |
|                                 | Brierley Hill High Street Public Realm                  | £2,096,602  |  |
|                                 | Brierley Hill Northern Gateway                          | £1,118,187  |  |
|                                 | Brierley Hill Link Space between High St. & Cottage St. | £314,490    |  |
|                                 | Brierley Hill Place                                     | £1,304,552  |  |
|                                 |   |             |  |
| <b>Public Art</b>               | Hospital Art Programme                                  | £280,000    |  |
|                                 |   |             |  |
| <b>NHS</b>                      | Hybrid theatre at RHH                                   | £1.5 - £2m  |  |
|                                 | Additional day case facilities at RHH                   | £1m         |  |
|                                 | Growth in emergency dept. RHH                           | £2.5m       |  |
|                                 | Aseptic Suite at RHH                                    | £2m         |  |
|                                 | Maternity at RHH  | £2m         |  |
|                                 | Additional CT & MRI Scanning and facilities at RHH      | Up to £1.5m |  |
|                                 | Outpatient Expansion                                    | £2m+        |  |
|                                 | Mortuary Facilities at RHH                              | £500,000    |  |
|                                 | X-Ray facilities at RHH                                 | £500,000    |  |

|  |   |                       |  |
|--|---|-----------------------|--|
|  | Paediatrics at RHH  | £2m                   |  |
|  | Pharmacy at RHH   | £250,000              |  |
|  |   |                       |  |
| <b>Flood Management &amp; Sustainable Drainage</b> | Sustainable Urban Drainage Systems  | £480,000              |  |
|  | Land Drainage   | £1,200,000            |  |
|  | Storm Water Flood Management  | £900,000              |  |
|  | Water Quality   | £120,000              |  |
|  | Reservoirs  | £120,000              |  |
|  | Main River Flood Risk Management  | £2,000,000            |  |
| <b>Minor Projects</b>                              |   |                       |  |
| <b>Transport</b>                                   | Brierley Hill High Street   | £50,000               |  |
|  | Coseley Station Improvements  | £12,000               |  |
| <b>Air Quality</b>                                 | Delivery & Promotion of Low Emissions Technologies:<br>The provision of concessionary parking for electric vehicles | £32,200               |  |
|  |   |                       |  |
| <b>Nature Conservation</b>                         | Railways Habitats Improvement   | £60,823               |  |
|  | Dudley Southern Hub   | £92,055               |  |
|  |   |                       |  |
| <b>Canals and Rivers</b>                           | SC1 Brierley Hill Strategic Centre – Access enhancements  | £50,000 - £100,000    |  |
|  | Regeneration Corridor 11a - Towpath Enhancements  | £100,000              |  |
|  | Regeneration Corridor 11a - Access Enhancements   | £50,000 - £100,000    |  |
|  | Regeneration Corridor 11a – Bridge/Lock Enhancements  | £5,000 - £20,000 each |  |

|                     |   |                          |  |
|---------------------|---|--------------------------|--|
|                     | Enhancements  | £20,000 each             |  |
|                     | Regeneration Corridor 11b – Towpath enhancements      | £100,000                 |  |
|                     | Regeneration Corridor 11b – Access enhancements       | £50,000 -<br>£100,000    |  |
|                     | Regeneration Corridor 16 – Access enhancements        | £50,000 -<br>£100,000    |  |
|                     | Regeneration Corridor 16 – Bridge/tunnel enhancements | £5,000 -<br>£20,000 each |  |
|                     |   |                          |  |
| <b>Libraries</b>    | Public Archives                                       | £87,000                  |  |
|                     | Arts Space  | £37,000                  |  |
|                     |   |                          |  |
| <b>Public Realm</b> | Dudley Town Centre Inhedge Gardens                    | £77,073                  |  |
|                     |   |                          |  |
| <b>Public Art</b>   | Round Oak Memorial                                    | £44,500                  |  |

## **Appendix 2 - Project Prioritisation Matrices**

Allocation of CIL monies to infrastructure projects on the Regulation 123 List will be made by a process of prioritisation. The Council has prepared two Draft Prioritisation Matrices for consultation, one for Strategic and Major Projects and one for Minor projects. These Matrices set out standard criteria to transparently enable the prioritisation of projects.

These matrices are currently in draft and may be altered following consultation. They do not cover every eventuality as projects are all individual. Therefore, some other points to consider in prioritising projects may include:

- How much of the scheme would be CIL funded?
- What percentage of the total CIL monies available would the scheme require?
- How soon would the benefits of the project be seen on the ground?

**Site Prioritisation Matrix for Major and Strategic Projects (Higher Score = more feasible project)**

| Category                               | Question  | Answer                  | Attributable Score |   |
|--|---|-------------------------|--------------------|---|
| <b>Funding</b>                         | Does the Project attract match funding?   | No                      | 0                  | Match Funding is simply leveraging a financial commitment towards the cost of the project from a source other than and in addition to CIL funding. Additional funding can make a project more deliverable and appealing.                              |
|  |   | 1% - 20%                | 1                  |   |
|  |   | 21% - 40%               | 2                  |   |
|  |   | 41% - 60%               | 3                  |   |
|  |   | 61% - 80%               | 4                  |   |
|  |   | 81% - 100%              | 5                  |   |
|  | Is there an additional funding requirement for maintenance of the project?      | No                      | 5                  | Maintenance costs to maintain a project following completion can be hefty, for instance in public realm instances. If additional on-going maintenance is required it is unlikely that the Council would be able to fund this out of its own reserves. |
|  |   | Yes – moderate          | 3                  |   |
|  |   | Yes - significant       | 0                  |   |
| <b>Deliverability</b>                  | Can the infrastructure be delivered now?  | No – significant issues | 0                  | Significant issues could include; landownership issues, remediation issues, reliant on other projects, reliant on other partners, not consistent with planning policy.  |
|  |   | No – minor issues       | 3                  | Minor issues could include any of the above but they are surmountable and there is a commitment to release the site.  |
|  |   | Yes                     | 5                  | There would be no issues with land ownership or site restraints, the project would be consistent with policy and ideally have planning consent.   |
| <b>Wider Benefits and implications</b> | Are there specific implications or risks if this project does not come forward? | Strategic               | 0                  | Strategic risks would be those that would undermine the development strategy for the Borough  |
|  |   | Major                   | 3                  | A major risk would be one that prevents a specific scheme coming forward  |

|                      |   |       |   |   |
|----------------------|---|-------|---|---|
|                      |   | Minor | 5 | Minor risks of non delivery are local and non widespread  |
|                      | Has the project already benefited from stakeholder engagement?                                | Yes   | 5 | Obviously, early engagement allows stakeholders to influence the project and iron out potential barriers.   |
|                      |   | No    | 0 |   |
|                      | Does the proposal have a positive impact on equality?   | No    | 0 | Does the proposal help to tackle discrimination or disadvantage, advance equality of opportunity or foster good relations between different protected groups? (i.e. on the basis of age, disability, gender reassignment, pregnancy & maternity, race, religion or belief, sex or sexual orientation) |
|                      |   | Yes   | 5 |   |
| <b>Corporate fit</b> | Is the project consistent with other strategic plans (Local Transport Plan, LEP Growth Plan)? | Yes   | 5 | Non-consistency risks non-approval and resource wastage.  |

**Site Prioritisation Matrix for Minor Projects (Higher Score = more feasible project)**

| Category       | Question   | Answer            | Attributable Score |   |
|----------------|--|-------------------|--------------------|---|
| <b>Funding</b> | Does the Project attract match funding?                                    | No                | 0                  | Match Funding is simply leveraging a financial commitment towards the cost of the project from a source other than and in addition to CIL funding. Additional funding can make a project more deliverable and appealing.                              |
|                |  | 1% - 20%          | 1                  |   |
|                |  | 21% - 40%         | 2                  |   |
|                |  | 41% - 60%         | 3                  |   |
|                |  | 61% - 80%         | 4                  |   |
|                |  | 81% - 100%        | 5                  |   |
|                | Is there an additional funding requirement for maintenance of the project? | No                | 0                  | Maintenance costs to maintain a project following completion can be hefty, for instance in public realm instances. If additional on-going maintenance is required it is unlikely that the Council would be able to fund this out of its own reserves. |
|                |  | Yes – mediocre    | 2                  |   |
|                |  | Yes - significant | 5                  |   |

|  |   |             |   |   |
|--|---|-------------|---|---|
| <b>Deliverability</b>                            | Can the infrastructure be delivered now?  | No          | 0 | Is the project dependent on other projects/partners/land remediation/planning permission?   |
|  |   | Yes         | 5 |   |
| <b>Wider Community Benefits and implications</b> | Are there any foreseeable risks or negative impacts which may arise from the project? | No          | 0 | These risks could include the Council's Air Quality Management Plan not being met; closure of local facilities; reduced or interrupted access to facilities or open space; loss of open or amenity space etc.   |
|  |   | Minor risks | 2 |   |
|  |   | Yes         | 5 |   |
|  | Has the project already benefited from discussions with the local community?          | Yes         | 0 | Consultation with the wider community including 'hard to reach groups' is important to ensure that the potential project is serving the needs of the community and they are aware of how they can input into the project preparation or implementation.   |
|  |   | No          | 5 |   |
|  | Will the implementation of project create new local jobs or wider community benefits? | No          | 0 | Wider community benefits could include Safer Routes to Schools; pedestrian crossings; speed humps; public amenity space; better access; enhanced community facilities etc.  |
|  |   | Yes         | 5 |   |
|  | Is there evidence to show that the project is meeting a local need or demand?         | No          | 0 | It should be demonstrated that the project is fulfilling a need or demand and where possible that this is for the benefit of the wider community and not a select few, for example multi-use community centres.   |
|  |   | Yes         | 5 |   |
|  | Does the proposal have a positive impact on equality?                                 | No          | 0 | Does the proposal help to tackle discrimination or disadvantage, advance equality of opportunity or foster good relations between different protected groups? (i.e. on the basis of age, disability, gender reassignment, pregnancy & maternity, race, religion or belief, sex or sexual orientation) |
|  |   | Yes         | 5 |   |
| <b>Council compliance</b>                        | Does the project fit with local policy?   | No          | 0 | The proposed project should fit with Planning Policy, Transport Policy, Council Plan and Corporate Policies.  |
|  |   | Yes         | 5 |   |

**Appendix 3 - Information on the amount of funding collected in recent years through Section 106 Agreements, including the extent to which affordable housing and other targets have been met.**

| <b>Financial Year</b>                                     | <b>S106 monies received</b> | <b>Purpose of Payment</b>   | <b>S106 monies spent</b> |
|---|-----------------------------|---|--------------------------|
| <b>2009/10</b><br><br><b>Information published in AMR</b> | £624,976.80                 | Transport - £92,333.60<br>Public Realm - £109,474.17<br>Open Space, Sport and Recreation - £253,659.91<br>Nature Conservation - £95,404.88<br>Libraries - £1,878.63<br>Traffic Regulation Orders - £5,000<br>Air Quality Equipment - £67,225.61 | £482,244.08              |
| <b>2010/11</b><br><br><b>Information published in AMR</b> | £531,436.48                 | Transport - £118,973.32<br>Public Realm - £16,183.43<br>Open Space, Sport and Recreation - £363,914.38<br>Nature Conservation - £6,345.84<br>Libraries - £11,019.51<br>Traffic Regulation Orders - £15,000                                      | £625,742.24              |
| <b>2011/12</b><br><br><b>Information published in AMR</b> | £1,260,043.92               | Transport - £167,858.75<br>Public Realm - £62,877.55<br>Open Space, Sport and Recreation - £874,228.85<br>Nature Conservation - £54,595.42<br>Libraries - £13,927.35  | £297,057.69              |



|   |               |  |   |
|---|---------------|--|---|
|   |               | Public Art - £12,000<br>Education - £14,556<br>Bus Shelter Contribution - £25,000<br>Traffic Regulation Orders - £35,000   |   |
| <b>2012/13</b><br><br><b>Information published in AMR</b> | £1,066,268.68 | Transport - £177,565.63<br>Public Realm - £66,500.10<br>Open Space, Sport and Recreation - £494,737.90<br>Nature Conservation - £9,393.67<br>Libraries - £25,397.90<br>Traffic Regulation Orders - £30,000<br>Air Quality - £271.18<br>Education - £727.80<br>Affordable Housing - £261,674.50   | £294,791.35                             |
| <b>2013/14</b>  | £1,009,451.58 | Affordable Housing - £432,386.50<br>Education - £34,398.28<br>Traffic Regulation Orders - £20,000.00<br>Highway Contribution - £50,000.00<br>Bus Shelter Contribution - £700.00<br>Libraries - £34,100.34<br>Nature Conservation - £22,160.27<br>Open Space, Sport and Recreation - £298,610.36<br>Public Realm - £71,813.20<br>Transport Infrastructure Improvements - £45,282.63 | <b>Information awaited from finance</b> |

**Information on monies received and spent through S106 Agreement for the 2009/10 – 2012/13 financial years, along with information on the delivery of affordable housing is set out in the ‘Planning Obligations’ and ‘Creating Sustainable Communties’ chapters of the Council’s AMRs.**

**Copies of the Council’s AMRs for the 2009/10 – 2012/13 periods are available to view on the Council’s webpages at the following link:**

**<http://www.dudley.gov.uk/resident/planning/planning-policy/local-development-framework/annual-monitoring-report/>**

## Appendix A: List of changes to CIL Draft Charging Schedule, Infrastructure Delivery Plan and Viability Assessment

| Change Number | Proposed Amendments to Charging Schedule and associated documents   |
|---------------|---|
| 1             | Amend Infrastructure Delivery Plan (IDP) to incorporate comments from the Canal and River Trust and Sport England   |
| 2             | Incorporate specific costed projects provided by Centro into the IDP and the Regulation 123 List where appropriate.   |
| 3             | Publish information on recent funding through S106 Agreements as Appendix 3 of the Charging Schedule.   |
| 4             | Amend heading in table on Page 10 of Charging Schedule from <i>“Less than 25% Affordable Housing provision (on sites of less than 15 dwellings or where provision has been reduced on viability grounds alone)”</i> to <i>“All Residential Development”</i>   |
| 5             | Amend Retail Table on Map 5 so that the charge at Merry Hill and the Waterfront for standalone comparison retail from “N/A” to “£100” to ensure consistency with the Retail table in the main charging schedule document.   |
| 6             | Amend Maps 3 and 4 (Retirement Housing) to reflect updated viability information following reconsideration of a number of assumptions on retirement housing development. Viability Assessment also updated accordingly.   |
| 7             | Amend the footnote to the Retail table within the Charging Schedule to read <i>“Infrastructure at Merry Hill and Waterfront as required by Core Strategy Policy CEN3 to be delivered <u>primarily</u> through the use of Legal Agreements and not through CIL...”</i> .   |
| 8             | Separate the 15% Community Proportion figure from the identified Funding Gap in the IDP and Draft Charging Schedule.  |
| 9             | Amend Charging Schedule to reflect changes made in the 2014 CIL Amendment Regulations: <ul style="list-style-type: none"> <li>• Change requirement from a building having to be in use for a six month period in the previous 12 months to a six month period in the previous 3 years (Page 19)</li> <li>• Remove the requirement for the cost of complying with the linked S106 Agreement to be greater than the relevant chargeable amount (Page 21)</li> </ul> |
| 10            | Undertake a number of minor amendments to the Charging Schedule to make it appropriate as a submission document for consideration by the Planning Inspectorate including: <ul style="list-style-type: none"> <li>• Removal of Consultation Questions from the Charging Schedule to a separate consultation form;</li> <li>• Update Infrastructure Funding Gap table and Draft Regulation 123 List to reflect changes made to the IDP</li> </ul>                   |