



**NORTH DORSET
DISTRICT COUNCIL**

**COMMUNITY
INFRASTRUCTURE LEVY**



**STATEMENT OF
COMPLIANCE**



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September 2016**

1. Introduction

- 1.1 In order to support the development of a Community Infrastructure Levy (CIL) for its area to underpin infrastructure delivery, a Charging Authority is required to submit its proposed CIL Charging Rates, in the form of a Draft Charging Schedule, for examination by an appropriate person. One of the matters with which that examination is concerned is compliance with the various statutory procedures.
- 1.2 Although no longer required to submit a declaration of compliance with legal requirements¹, North Dorset District Council has prepared this Statement of Compliance to demonstrate that it has fulfilled all the necessary drafting and procedural obligations placed on it in relation to submission of its Community Infrastructure Levy (CIL) Draft Charging Schedule to the Examiner.
- 1.3 The Council considers that it has complied with all the requirements of the Planning Act 2008 (as amended), the Localism Act 2011, and the Community Infrastructure Levy Regulations 2010 (as amended) which set out the provisions which enable a charging authority to collect a CIL in its area. In particular, the Council has used appropriate available evidence to inform the Draft Charging Schedule.
- 1.4 The next Section of this Statement summarises the various elements of compliance.

¹ Formerly required under Section 212(4) of the Planning Act 2008, Section 114(3) of the Localism Act 2011 and the 2012 amendments to the CIL Regulations removed the need to submit under Regulation 19(1) of the CIL Regulations 2010 (as amended).

2. Examination Compliance Checklist

- 2.1 The table below summarises the various elements of compliance with the Planning Act 2008 (as amended), the Localism Act 2011 and the Community Infrastructure Levy Regulations 2010 (as amended), together with accompanying statutory guidance.
- 2.2 For convenience, the submitted documents with their reference numbers are listed at Appendix A.

LEGISLATION	COMPLIANCE	SUBMISSION DOCUMENT
Planning Act 2008 (as amended by the Localism Act 2011)		
Section 206	North Dorset District Council is a 'local planning authority' (S.37 of Planning and Compulsory Purchase Act 2004)	N/A
Section 211	<p>In setting the rates and preparing the Draft Charging Schedule, North Dorset District Council has had regard to:</p> <ul style="list-style-type: none"> (i) the actual and expected costs of infrastructure; (ii) the economic viability of development; (iii) other actual or expected sources of funding for infrastructure; (iv) the actual or expected administrative expenses in connection with CIL; and (v) statutory guidance. <p>North Dorset District Council has consulted a range of stakeholders in preparing the Draft Charging Schedule and considered the responses received:</p> <ul style="list-style-type: none"> • The Preliminary Draft Charging Schedule and associated documents were considered by the Council's Cabinet on 21st May 2015. Formal consultations on the Preliminary Draft Charging Schedule took place from 24th July to 18th September 2015. • The Draft Charging Schedule and associated documents (including responses to the Preliminary Draft Charging Schedule consultation) were considered by the Council's Cabinet on 7th June 2016. Formal consultations on the Draft Charging Schedule were undertaken from 27th June to 29th July 2016. 	<p>North Dorset District Council Whole Plan Viability and CIL Study (Peter Brett Associates, February 2015)</p> <p>North Dorset District Council Whole Plan Viability and CIL Study Updated Viability Report (Peter Brett Associates, February 2016)</p> <p>North Dorset District Council CIL Preliminary Draft Charging Schedule Consultation Responses (June 2016)</p> <p>North Dorset District Council CIL Draft Infrastructure (Regulation 123) List (June 2016)</p> <p>North Dorset District Council CIL Infrastructure Funding Gap (June 2016)</p> <p>North Dorset District Council Section 106, CIL and Affordable Housing (June 2016)</p> <p>North Dorset District Council Infrastructure Delivery Plan (November 2014)</p> <p>North Dorset District Council Local Plan Part 1 (January 2016)</p>

<p>Section 212</p>	<p>The Council will appoint an appropriate person to undertake the Examination of the Draft Charging Schedule who will have the appropriate level of experience and expertise and will be independent of the Council.</p> <p>All persons who have submitted representations about the Draft Charging Schedule have been given the opportunity to request to be heard by the Examiner.</p> <p>The Council used appropriate available evidence as referenced elsewhere in this Statement and previous CIL consultation documents.</p>	<p>Submission letter to Examiner, including schedule of documents.</p> <p>North Dorset District Council Cabinet Report 19th September 2016 and Minutes of meeting.</p> <p>Schedule of submitted documents.</p>
<p>CIL Regulations 2010 (as amended)</p>		
<p>Regulation 12</p>	<p>The Draft Charging Schedule contains the information required by the Regulations including:</p> <ul style="list-style-type: none"> (a) the name of the Charging Authority; (b) the rates in pounds per square metre at which CIL is to be charged in the authority's area (c) OS based maps which clearly identify the location and boundaries of the charging zones; (d) an explanation of how the chargeable amount will be calculated. 	<p>North Dorset District Council CIL Draft Charging Schedule (June 2016) including map appendices.</p>
<p>Regulation 13</p>	<p>North Dorset District Council Council's levy rates are compliant with Regulation 13, which enables charging authorities to set differential rates (including nil rates) by location and different intended use of development.</p>	<p>North Dorset District Council CIL Draft Charging Schedule (June 2016) including map appendices.</p>
<p>Regulation 14 (as amended)</p>	<p>In setting its levy rates, North Dorset District Council complied with Regulation 14(1) (as amended):</p> <ul style="list-style-type: none"> a) the proposed rates strike an appropriate balance between the desirability of funding from CIL (in whole or in part) the 	<p>North Dorset Whole Plan Viability and CIL Study CIL Preliminary Draft Charging Schedule (Peter Brett Associates, February 2015).</p>

	<p>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.</p> <p>Appropriate available evidence has informed the Draft Charging Schedule.</p>	<p>North Dorset Whole Plan Viability and CIL Study Updated Viability Report (Peter Brett Associates, February 2016)</p> <p>North Dorset District Council Infrastructure Delivery Plan (November 2014)</p> <p>North Dorset District Council Community Draft Infrastructure Levy Regulation 123 List (June 2014)</p> <p>North Dorset District Council Community Infrastructure Levy Infrastructure Funding Gap (June 2014)</p> <p>North Dorset District Council Community Infrastructure Levy Draft Instalments Policy (June 2014)</p> <p>North Dorset District Council Local Plan Part 1 (January 2016)</p>
Regulation 15	<p>North Dorset District Council published a CIL Preliminary Draft Charging Schedule for consultation between 24th July and 18th September 2015 in accordance with the Regulations.</p> <p>A copy of the Preliminary Draft Charging Schedule was sent to the consultation bodies.</p> <p>An advertisement was placed in the local newspaper and a press release issued.</p>	<p>North Dorset District Council CIL Preliminary Draft Charging Schedule (June 2015)</p> <p>North Dorset Whole Plan Viability and CIL Study CIL Preliminary Draft Charging Schedule (Peter Brett Associates, February 2015)</p> <p>North Dorset Whole Plan Viability and CIL Study Updated Viability Report (Peter Brett Associates, February 2016)</p>
Regulation 16	<p>North Dorset District Council published a CIL Draft Charging Schedule for formal consultation between 27th June and 29th July 2016 in accordance with the regulations. The Council took account of representations made on the Preliminary</p>	<p>North Dorset District Council CIL Draft Charging Schedule (June 2016)</p> <p>Statement of Representations Procedure (June 2016)</p>

	<p>Draft Charging Schedule consultation.</p> <p>The Draft Charging Schedule was published with a Statement of Representations Procedure as well as a response form and relevant evidence. Details were published on the Council's website and hard copies of the Draft Charging Schedule and Statement of Representations Procedure were made available at the Council's main office and local libraries for inspection.</p> <p>Copies of the Draft Charging Schedule and the Statement of Representations procedure were sent to the consultation bodies.</p> <p>An advertisement was placed in the local newspaper and a press release issued.</p>	<p>North Dorset District Council CIL Preliminary Draft Charging Schedule Consultation Responses (June 2016)</p>
Regulation 17	<p>14 representations were received during the statutory Draft Charging Schedule consultation period.</p>	<p>Regulation 19(1)(b) (c) Statement of Consultation and Representations (September 2016)</p>
Regulation 18	<p>N/A</p>	<p>N/A</p>
Regulation 19	<p>North Dorset District Council will submit to the Examiner, in both paper and electronic form, a letter enclosing the submission documents (with a schedule of documents set out within letter) which will include:</p> <ul style="list-style-type: none"> (a) the draft charging schedule; (b) a statement setting out details of representations, and a summary of the main issues raised by the representations; (c) copies of any representations made; (d) a statement of modifications; and (e) copies of the relevant evidence. <p>Notice of submission has been given.</p>	<p>Submission letter to the Examiner</p> <p>North Dorset District Council CIL Draft Charging Schedule (June 2016)</p> <p>Regulation 19(1)(b) (c) Statement of Consultation and Representations (September 2016)</p> <p>North Dorset District Council Community Infrastructure Levy Regulation 123 List (June 2014)</p> <p>North Dorset District Council Community Infrastructure Levy</p>

	<p>All persons who submitted responses to the CIL Draft Charging Schedule will be notified of the submission</p> <p>All submitted documents listed can be viewed on the Council's website.</p> <p>The Council's dedicated web page includes a statement of the fact that a copy of the Draft Charging Schedule and of each of the submission documents (Reg 19(1)) are available for inspection on the internet and hard copies of key documents can be viewed at the Council's main office and local libraries.</p>	<p>Draft Instalments Policy (June 2014)</p> <p>North Dorset Whole Plan Viability and CIL Study CIL Preliminary Draft Charging Schedule (Peter Brett Associates, February 2015)</p> <p>North Dorset Whole Plan Viability and CIL Study Updated Viability Report (Peter Brett Associates, February 2016)</p> <p>North Dorset District Council Infrastructure Delivery Plan (November 2014)</p> <p>North Dorset District Council Community Infrastructure Levy Infrastructure Funding Gap (June 2016)</p> <p>North Dorset District Council Local Plan Part 1 (January 2016)</p>
<p>Regulation 20 <i>CIL Examination: Consideration of representations by examiner</i></p>	<p>N/A</p>	<p>N/A</p>
<p>Regulation 21 <i>CIL Examination: right to be heard</i></p>	<p>The Council received five requests within the period for making representations to the Draft Charging Schedule consultation to speak at any Hearing arranged as part of the Examination of the Council's CIL proposals.</p> <p>No less than 4 weeks before the opening of the examination the Council will:</p> <ul style="list-style-type: none"> • notify all persons who made representations in accordance with Regulation 17; 	<p>N/A</p>

	<ul style="list-style-type: none">• publish the time and place of the CIL examination and the name of the Examiner on its website; and• place a Public Notice in the local newspaper stating the time and place of the CIL Examination and the name of the Examiner.	
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APPENDIX A

Schedule of CIL submission document references

<i>Document title</i>	<i>Document reference</i>
Submission Statement	SUB.AA
Submission letter to Examiner	SUB.BB
Draft Charging Schedule (DCS)	SUB.01
Statement of Consultation	SUB.02
Statement of Compliance	SUB.03
Draft Regulation 123 List	SUB.04
Draft Instalments Policy	SUB.05
Infrastructure Delivery Plan	SUB.06
Infrastructure Funding Gap	SUB.07
Section 106, CIL and Affordable Housing	SUB.08
North Dorset Whole Plan Viability and CIL Study Final Report	SUB.09
North Dorset Whole Plan Viability and CIL Study Update Report	SUB.10
North Dorset Local Plan Part 1	SUB.11
Preliminary Draft Charging Schedule (PDCS)	SUB.12
PDCS Consultation Responses	SUB.13
Statement of the Representations Procedure	SUB.14
North Dorset District Council Cabinet Report 19th September 2016 and Minutes of meeting.	SUB.15