

GRAND UNION ALLIANCE

I thought that I should brief you on my/GUA's thinking regarding the upcoming examination into the modified draft Community Infrastructure Levy Charging Schedule.

I have reviewed the GUA's submission. Given the Revised Viability Study which has said to have taken on board the changed economic circumstances, costs and yields etc., the GUA's objection to the original Study, which had unrealistic 'current costs' predating the 2022 economic crisis, could be said to have been dealt with. Or at least the GUA presently does not have the expert knowledge on current costs and values to conduct an in-depth rebuttal of the Revised Viability Study. We probably have a general idea of how the market is performing or is not, but not at the moment to the required detail. As I understand the Regulations (The Community Infrastructure Levy Regulations 2010 SI No. 948 Part 3 Regulation 21 in particular), it is the modifications that 'generate' a right to be heard and since currently the GUA does not have the required in-depth knowledge, it is not appropriate to actively participate.

No doubt the agents for the land owners/developers will be making the case arguing that the viability of their proposals will be put at risk from yet another financial burden from CIL.

As I explained when we last met in the North Acton consultation 'drop-in' those in the GUA who discussed the consultation documents were more interested in how and when the collected monies would be spent. But we recognise Issues around how and when the collected monies are to be spent by the OPDC are not the province of the Examination. The OPDC has said that it will set out its approach to neighbourhood funding and how the community can prioritise projects when the Charging Schedule is adopted. Henry Peterson for the OONF has indicated to me that he would follow up on the neighbourhood funding matter. Whilst the GUA appreciates the case for the levy to provide for essential social infrastructure and necessary active travel, public transport, employment opportunity and environmental improvements across the area, over and above those required to mitigate the specific impacts of developments, it would not support the 'big ticket' items of infrastructure beloved of engineers that would diminish and dwarf resources for such improvements.

The other substantive point raised in the GUA's submission was around community-led developments that did not necessarily enjoy the benefit of exemption from CIL enjoyed by charities and statutory social housing. Whilst the OPDC has said that it does not plan to implement any discretionary exemptions beyond those for charities and statutory social housing, the Regulations allow for a 'discretionary charitable relief policy' to be prepared by the OPDC after the Charging Schedule has been adopted.

So, this would not be a matter for examination and the examiner, rather it would be a matter for lobbying of the OPDC if the need arises.

Accordingly, I do not see much substance in the GUA requesting the right to be heard by the examiner in relation to the modifications. But of course, would attend to sit in to listen to the debate at the examination.

Regards, Robin Brown