

COMMUNITY INFRASTRUCTURE LEVY REGULATIONS 2010 (AS AMENDED)

Statement of Modifications – Lambeth Modified Draft Charging Schedule (MDCS) 2021

March 2021



1. Introduction

- 1.1 This Statement of Modifications sets out the modifications that have been made to the Lambeth Community Infrastructure Levy (CIL) Draft Charging Schedule 2020 (DCS 2020). These modifications are included within the Modified Draft Charging Schedule 2021 (MDCS 2021).
- 1.2 Under Regulation 19(4) of the CIL Regulations 2010 (as amended), the Council may modify the CIL Draft Charging Schedule following publication and consultation. Where changes are proposed the Council is required to produce a Statement of Modifications, inform the consultation bodies who were invited to make representations on the Draft Charging Schedule 2020 (DCS 2020), and provide an opportunity to request a right to be heard by the Examiner in relation to the proposed changes.
- 1.3 The DCS 2020 underwent public consultation under Regulation 16 of the CIL Regulations 2010 (as amended) between 31 January and 13 March 2020. Twenty-seven representations were received in response to this consultation. The Council's consideration of the representations is included in the *Summary of Representations – Lambeth Community Infrastructure Levy (CIL) Draft Charging Schedule 2020* which is provided in Appendix 1 of the Regulation 19 Submission Statement, also published on the CIL examination webpage. As a result of this consideration, the Council has modified the Lambeth Draft CIL Charging Schedule in the ways set out in section 2 below.
- 1.4 MDCS 2021, along with this Statement of Modifications, were submitted for examination on 8 March 2021. As required under Regulation 19(4), a copy of this Statement of Modifications has been sent to each of the persons that were invited to make representations under Regulation 16 and it has been published on the Council's CIL examination webpage.

2. Modifications to the Draft Charging Schedule

- 2.1 The Council has made two modifications to the Lambeth Draft CIL Charging Schedule 2020. These are explained below and shown in Table 1 at the end of this section. Text to be removed is shown as a strikethrough; inserted text is indicated as both red and underlined.
- 2.2 Modification 1 - reduction in the rates for hotels in charging zones B, C and D. Following consideration of the representations made on the DCS 2020 and of the impact on development of the Covid-19 pandemic, the DCS 2020 has been modified so that CIL rates for hotels in Zones B, C and D would be charged at a lower rate compared to hotels in Zone A as set out in Table 1 below. The reasons for this are set out in [LCX 05 BNP Paribas Real Estate Note on Impact of Covid-19 \(January 2021\)](#).
- 2.3 Modification 2 - amendment to the definition of retail and large retail to remove references to specific use classes. This will help ensure there is clarity about the uses included within the definition without reference to the Use Classes Order, which is subject to change from time to time.
- 2.4 The proposed modifications relate to the proposed CIL rates set out in Table 1 of the Modified Draft Charging Schedule. It is proposed to modify Table 1 in the manner set out in red in the table below: -

Table 1: Modified Draft Charging Schedule 2021

Development Type	Zone A – Waterloo and Vauxhall	Zone B – Kennington, Oval and Clapham	Zone C – Tulse Hill, Brixton and Herne Hill	Zone D – Streatham, West Norwood, Streatham Hill
Residential including co-living schemes or shared accommodation	£500	£350	£250	£200
Self-contained sheltered housing, self-contained extra care schemes and care homes	£250	£175	£100	£100
Hotel	£200	£200 £75	£200 £75	£200 £75
Office	£225	£225	Nil	Nil
Large retail development*	£225	£225	£225	£225
Other retail	Nil	Nil	Nil	Nil
Student accommodation	£400	£400	£400	£400
All other uses not identified above	Nil	Nil	Nil	Nil

* Retail includes all uses that fall within Classes A1, A2, A3, A4 and A5 of the Town and Country Planning (Use Classes) Order 1987 as amended, or any other order altering, amending or varying that Order, as well as related D2 and sui generis commercial uses including cinemas, betting shops, car showrooms, launderette. such uses as shops selling consumer goods, including food and essential items, to visiting members of the public, premises for the provision of financial and professional services, a café or restaurant, and gymnasium. It will also include related sui generis commercial uses such as pubs or drinking establishments, takeaways, cinemas, betting shops, launderette, and car showrooms. Large retail development is defined as either one of the following includes:

- Superstores/supermarkets/shopping mall/shopping centre/shopping arcade which are shopping destinations in their own right, with over 280m² of retail space, with or without a dedicated car park; or
- Retail warehouses which are large stores over 4000m² specialising in the sale of household goods (such as carpets, furniture, and electrical goods), DIY items and other ranges of goods catering for mainly car-borne customers.

3. Request to be heard

3.1 Any person may request to be heard by the CIL Examiner in relation to the modifications set out in this document. The Council has already received requests with regard to DCS 2020 through the Regulation 16 public consultation. There is no need to repeat those requests to be heard at this stage. It is only if any person wishes to exercise their right to be heard in relation to the modifications set out in this document that they need to make this request to be heard.

3.2 A request to be heard by the Examiner in relation to these modifications must be made no later than 6 April 2021 in writing by email to the CIL Examination Programme Officer Carmel Edwards at programmeofficer@carmeledwards.com with “MDCS 2021” as the email subject header. Requests should:

- Include details of the modifications (by reference to this Statement of Modifications) on which the person wishes to be heard; and

(b) Indicate whether they support or oppose the modifications and explain why.

3.3 In accordance with the Regulations, a copy of each request to be heard in relation to these modifications will be forwarded to the Examiner. Requests to be heard may be withdrawn at any time before the opening of the Examination by giving notice in writing to the CIL Programme Officer.