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22<sup>ND</sup> June 2016

Dear Mr Loughlin

### **COMMUNITY INFRASTRUCTURE LEVY PRELIMINARY DRAFT CHARGING SCHEDULE**

Historic England is the Government's statutory adviser on all matters relating to the historic environment in England. We are a non-departmental public body established under the National Heritage Act 1983 and sponsored by the Department for Culture, Media and Sport (DCMS). We champion and protect England's historic places, providing expert advice to local planning authorities, developers, owners and communities to help ensure our historic environment is properly understood, enjoyed and cared for.

Thank you for consulting Historic England about the Preliminary Draft Charging Schedule. Historic England recognises the importance of Community Infrastructure Levy as a source of funding to deliver the infrastructure required to underpin the sustainable development of Sefton.

#### **Use of CIL for the historic environment**

Paragraph 126 of the National Planning Policy Framework (NPPF) requires that local planning authorities set out in their Local Plan, a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In relation to CIL, it is argued that this means evaluating to what extent the imposition of CIL and the levels at which it is proposing to be set, will affect upon future investment in developments, which could help secure the future of heritage assets in the area.

For the historic environment in particular, we therefore encourage the council to ensure that the conservation of its heritage assets is taken into account when considering the level of the CIL to be imposed to safeguard and encourage appropriate and viable uses for the historic environment.



## Draft Charging Schedule

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The application of a local CIL charge on development, which affects heritage assets or their settings, might lead to harm being caused to their historic significance. For example, there could be circumstances where the viability of a scheme designed to respect the setting of a heritage asset in terms of its quantum of development, could be threatened by the application of CIL. There could equally be issues for schemes, which are designed to secure the long-term viability of the historic environment (either through re-using a heritage asset or through enabling development).

The regulations emphasise the need to strike an appropriate balance between the desirability of funding infrastructure from the levy with the potential effects, which CIL might have upon the economic viability of development across its area.

In terms of the historic environment, vacant or underused heritage assets not only fail to make a full contribution to the economy of the area but they also give rise to negative perceptions about that area. This in turn, can detract from its attractiveness to inward investment. Consequently, in setting thresholds there needs to be a clear understanding of the potential impact which CIL could have on investment in and regeneration of, historic areas – particularly those which have been identified as being “at risk”.

Consequently, in determining the rates of CIL that are being put forward in the charging schedule, it is essential that the rates being put forward in areas where there are groups of heritage assets at risk are not likely to discourage schemes being brought forward for their reuse or associated heritage-led regeneration. In such areas, there may be a case for either lowering the rates of CIL, possibly through using a less broad-brush approach to zoning.

We are therefore also encouraging local authorities to assert in their Draft Charging Schedules their right to offer CIL relief in exceptional circumstances specifically where the requirement to pay CIL would threaten the viability of schemes designed to ensure the reuse of heritage assets identified on Historic England’s Register of Heritage at Risk.

Following guidance set out in the Community Infrastructure Levy Relief Information Document (2011), the conditions and procedures for this could be set out within a separate statement following the Draft Charging Schedule. The statement could set out the criteria to define exceptional circumstances and provide a clear rationale for their use, including the justification in terms of the public benefit (for example, where CIL relief would enable the restoration of heritage assets identified on Historic England’s Heritage at Risk Register.) For clarity, the statement could also reiterate the necessary requirements and procedures that would be followed in such cases, including the need for appropriate notification and consultation.

## Conclusion

We urge the Council to reserve the right to offer CIL relief for particular cases, which affect heritage assets in order to avoid unintended harm to the historic environment through the application of CIL.



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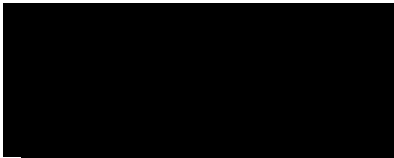


Historic England would strongly advise that the local authority's conservation staff are involved throughout the preparation and implementation of the Draft Charging Schedule as they are often best placed to advise on local historic environment issues. 004

Finally, I must note that this advice is based on the information provided by you and for the avoidance of doubt does not affect our obligation to advise you on any specific development proposal which may subsequently arise from this or later versions of the Draft Charging Schedule, and which may have adverse effects on the historic environment.

If you have any questions regarding the points raised above, please do not hesitate to contact me.

Yours sincerely,



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