Broxbourne Small Sites Community Infrastructure Levy

Statement of Compliance

2 November 2026

This statement has been produced to demonstrate that the Borough of Broxbourne (the Council) has complied with the requirements set out in the Planning Act 2008, the CIL Regulations 2010 (as amended) and MHCLG guidance in relation to submission of its CIL Draft Charging Schedule.

The Council hereby declares that, as the charging authority:

- it has complied with the requirements of Part 11 of the Planning Act 2008 and Part 3 (Charging schedules) of the CIL Regulations 2010 (as amended) as the charging authority;
- it has used appropriate available evidence to prepare its draft charging schedule; and
- it has dealt with any other matters prescribed by CIL Regulations 2010 (as amended).

Planning Act 2008

Section 211 – Amount

In preparing its CIL Draft Charging Schedule, the Council has had regard to the following appropriate available evidence:

- The Infrastructure Delivery Plan supporting the Local Plan, to establish the actual and expected cost of infrastructure
- The viability report prepared to test the economic viability of development after imposition of CIL rates, which was tested using a range of scales of development between 1 and 9 dwellings
- Other actual and expected sources of funding for infrastructure, as set out in the Infrastructure Funding Statement.

Section 212 – Charging Schedule: examination

The council has appointed an independent examiner, Terrence Kemmann-Lane JP DipTP FRTPI MCMI, who has suitable qualifications and extensive experience of CIL examination, and to whom the draft charging schedule has been submitted. The council has appointed an independent Programme Officer, Penny O'Shea, to assist the examiner.

The drafting requirements set out in section 211 of the Planning Act have been complied with.

The council will allow anyone who has made representations about the draft charging schedule to be heard by the examiner.

CIL Regulations 2010

Regulation 12 – Format and content of charging schedules

In accordance with Regulation 12, the Draft Charging Schedule contains the name of the charging authority, the proposed rates in pounds per square meter, how the CIL chargeable amount will be calculated.

Regulation 13 – Differential rates

The charging authority proposes to set differential rates by reference to the intended number of dwellings to be constructed or provided under a planning permission. The charging schedule makes clear that the charge will apply only to residential developments of between 1 and 9 residential dwellings.

Regulation 14 - Setting rates

In evidencing a funding gap and producing a robust viability report (both submitted to the examiner), the council has demonstrated it has struck an appropriate balance between the desirability of infrastructure funding from CIL and the potential effects of the levy on the economic viability of development across its area.

[Regulation 15 – This relates to consultation on a Preliminary Draft Charging Schedule but was removed by the Community Infrastructure Levy (Amendment)(England) Regulations 2019 (SI 2019/1103).]

Regulation 16 – Publication of a draft Charging Schedule

A statement of representations procedure was contained in email notifications to specified bodies and others, as well as on the online response form. The Council published its draft charging schedule on its website, made copies available in the Council Offices in Cheshunt, and sent copies to the relevant consultation bodies. See further details in the Consultation Statement. *[The requirement for local advertisement in part d) was removed by the 2019 amendment regulations].*

Regulation 19 – Submission of documents and information to the examiner

The following documents have been submitted to the examiner:

- Draft Charging Schedule (Regulation 19 (1a))
- Statement of representations made, including a summary of representations and main issues raised, and the Council responses to the representations (Regulation 19 (1b))
- Copies of the representations made (Regulation 19 (1c))
- Copies of the relevant evidence (Regulation 19 (1e)) –namely the Infrastructure Funding Statement, Infrastructure Delivery Plan, and Viability Study

These have been shared with the examiner in a format agreed with him and in compliance with Regulation 19(2). All relevant documents have been published to the examination website.