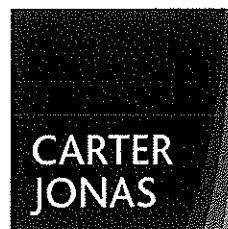


Our Ref: KG/1004909



The Property People

Mr Ernest Amoako
Planning Policy Manager
Woking Borough Council
Civic Offices
Gloucester Square
Woking
GU21 6YL

Berger House
36-38 Berkeley Square
London, W1J 5AE

28th August 2013

Dear Sir / Madam

**CIL Draft Charging Schedule
Representation on behalf of the Burhill Group Limited**

We write with comments on the Draft Charging Schedule, May 2013. Carter Jonas is retained by the Burhill Group Limited in respect of its land and property interests across Woking.

We have previously submitted objections to the Preliminary Draft Charging Schedule in March 2013 with regards to the instalment policy (Table 5) and the timing of the payments. Although amendments have been made in the Draft Charging Schedule, we still urge the Council to extend the various instalments periods from the initial level (£25,000 and below) up to the chargeable amounts of over £100,000.

Chargeable amount less than £25,000

In terms of the proposed instalment policy, we propose that the Council delay the timing of the first payment for schemes of less than £25,000 until 90 days after commencement. The reason for proposing this timetable is that the development will not be completed within this time and the residents will not be in occupation, and therefore it is unnecessary to draw down the first payment at this early stage. Delaying the first payment also assists in ensuring that the development is viable and it does this by helping the cash flow of the developer. We highlighted that a number of other authorities in the area support this more flexible approach, including for example Elmbridge Borough Council. We can see no reason for the Council to insist on payment in full at the commencement of the development.

Chargeable amount of between £25,000 and £100,000

With regards to chargeable amounts payable between £25,000 and £100,000, we note that the Council is not proposing to change requirements for payment of a third upon

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commencement. There is no basis to request payment of a third upon commencement and a more reasonable position would be to request payment of a third upon 90 days. Hopefully we note that the Council is proposing that payment of the second third will be 9 months after commencement. This is welcomed but should be supported by payment of the first third at 90 days i.e. 3 months.

It is proposed that the final third should be payable on first occupation of any part of the development and that in any event, the full amount will be paid by first occupation. This is unreasonable and too onerous. Greater flexibility is needed and it is suggested that (c) is changed that one third payable 12 months after commencement. The requirement to pay the full amount on first occupation should be deleted.


Chargeable amount of over £100,000

My client proposes in respect of chargeable amounts over £100,000, that one third should be payable at 3 months and one third at 12 months and one third at 18 months. The suggested payment of the full amount on first occupation should be deleted.

These changes are suggested to help ease the burden on developers' cash flow and be consistent with the government's guidance that "an appropriate balance" be struck.

Yours faithfully

A large black rectangular redaction box covering the signature of Kieron Gregson.

Kieron Gregson MRTPI
Planner
For and on behalf of Carter Jonas LLP
E: 
DD: 