



David Whittington
Folkestone and Hythe District Council
Civic Centre
Castle Hill Avenue
Folkestone
Kent
CT20 2QY

Growth and Communities

Invicta House
County Hall
Maidstone
Kent
ME14 1XX

Phone: 03000 415320
Ask for: Claire Pamberi
Email: claire.pamberi@kent.gov.uk

BY EMAIL ONLY

3 October 2022

Dear David,

Re: Folkestone and Hythe District Council Community Infrastructure Levy Draft Charging Schedule

Thank you for consulting Kent County Council (KCC) on the Folkestone and Hythe District Council (FHDC) Community Infrastructure Levy Draft Charging Schedule.

Kent County Council (KCC) was pleased to participate in officer discussions regarding FHDC's review of its adopted CIL Charging Schedule.

The County Council welcomes the acceptance of KCC's request to exclude education from the County's agreed list of CIL funded infrastructure at paragraphs 3.6 and 3.7 of the *CIL Infrastructure Funding Gap Statement*. KCC is clear that Section 106 is the appropriate mechanism for securing developer contributions towards the delivery of necessary education infrastructure.

Going forward, financial contributions to the Local Education Authority via section 106 planning obligations will be required to make proposed development acceptable in planning terms. This will ensure the development is fully accountable for its impacts.

KCC is in agreement with FHDC's inclusion of the additional text within its *Draft CIL Charging Schedule* at paragraphs 4.2 and 4.3 as follows:

4.2 In respect of education infrastructure, Kent County Council have advised that: "Section 106 is the appropriate mechanism for securing developer contributions towards the delivery of necessary education infrastructure and this is reflected in the FHDC CIL

Infrastructure Funding Statement schedule. Accordingly, KCC will not use any component of its proportionate share of CIL receipts¹ to fund education infrastructure.”

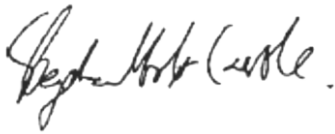
4.3 The corresponding figures for education infrastructure are presented in Table 2 of the Infrastructure Funding Statement, albeit that the education infrastructure figures are not carried forward into the total values in Table 2 as KCC will not be utilising their proportionate share of CIL receipts to fund education infrastructure.

KCC acknowledges that the revised version of the CIL Charging Schedule will be submitted for examination in due course.

In addition to the inclusion of the wording above, KCC separately seeks assurances from FHDC that a joint statement or memorandum of understanding will be entered into by both parties to formalise this arrangement. KCC would ask that this is in place by the time the CIL Charging schedule is adopted.

If you require any further information or clarification on any matters raised above, please do not hesitate to contact me.

Yours sincerely,



Stephanie Holt-Castle
Director of Growth and Communities

¹ As set out in the adopted CIL Governance Framework the District Council assigns 35% of CIL receipts to Kent County Council (KCC) in order to enable KCC to spend this proportion of the receipts in accordance with their own priorities.