

Community Infrastructure Levy Charging Schedule

Thank you for your email of 17 May consulting The Theatres Trust on the CIL Draft Charging Schedule.

The Theatres Trust is The National Advisory Public Body for Theatres, and was established by The Theatres Trust Act 1976 to 'promote the better protection of theatres'. The Trust delivers statutory planning advice on theatre buildings and theatre use in England through The Town and Country Planning (Development Management Procedure) (England) Order 2010 (DMPO) requires the Trust to be consulted on planning applications which include 'development involving any land on which there is a theatre.'

We are also a consultee for Neighbourhood Development Orders and Community Right to Build Orders, and encourage local authorities, parish councils and local groups to consult the Trust on Local and Neighbourhood Development Plans that concern local theatres.

We object to the rate for 'All other uses'.

Theatres are *sui generis* due to the unique nature of their use, access requirements, and construction and make a positive contribution to the provision of cultural infrastructure in an area, and their development makes a positive net contribution to that area's infrastructure.

However, theatre uses are generally unable to bear the cost of CIL for viability reasons. The Theatres Trust recommends that in considering CIL rates in charging schedules authorities clearly indicate in the rates where the following would apply to the development of a theatre:

- the setting of a nil differential rate for all applicable theatre development – new and existing - in the charging area;
- theatres' eligibility for charitable relief (regulations 43-48 Community Infrastructure Regulations (CIR) (2010));
- the provision of discretionary relief under exceptional circumstances to theatres given their contribution to social and cultural well being and the provision of cultural infrastructure (regulation 55 CIR 2010);
- applying the provisions for D1 (Non-residential institutions) and D2 (Assembly and Leisure) to *sui generis* (theatre) use; and
- if a single rate is proposed that parallel planning obligation guidance identifies that the CIL charge is returned to the theatre development.

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