

REPORT TO: Scrutiny and Overview
LEAD OFFICER: Director of Planning and New Communities

3 April 2014

COMMUNITY INFRASTRUCTURE LEVY (CIL) INFRASTRUCTURE LIST

Purpose

1. On 12 September 2013 Cabinet “AGREED that the draft ‘high level’ infrastructure list in relation to the Council’s Community Infrastructure Levy proposals be referred to the Scrutiny and Overview Committee at the end of the consultation process, subject to agreement by the Chairman of the Scrutiny and Overview Committee”.
2. The Council consulted on the CIL Preliminary Draft Charging Schedule between 17 July and 30 September 2013.
3. This not a key decision because it’s purpose is to note representations to a consultation and to recommend the infrastructure list to Cabinet who will make the final decision. It was first published in the March 2013 Forward Plan.

Recommendations

4. Committee is asked to:
 - (i) Note the infrastructure items highlighted during the public consultation on the CIL Preliminary Draft Charging Schedule and
 - (ii) Recommend the draft Regulation 123 infrastructure list to Cabinet

The infrastructure need

5. The National Planning Policy Framework (NPPF) states (Para 162) that ‘Local planning authorities should work with other authorities and providers to:
 - assess the quality and capacity of infrastructure for transport, water supply, wastewater and its treatment, energy (including heat), telecommunications, utilities, waste, health, social care, education, flood risk and coastal change management, and its ability to meet forecast demands; and
 - take account of the need for strategic infrastructure including nationally significant infrastructure within their areas’.
6. The NPPF (para 177) goes on to say ‘It is equally important to ensure that there is a reasonable prospect that planned infrastructure is deliverable in a timely fashion. To facilitate this, it is important that local planning authorities understand district-wide development costs at the time Local Plans are drawn up. For this reason, infrastructure and development policies should be planned at the same time, in the Local Plan’.
7. The CIL guidance published February 2014 has an entire section dedicated to infrastructure planning that re-emphasises the need to consider the District wide needs alongside the Local Plan and CIL charging schedules.

8. In August 2012 Peter Brett Associates concluded work on an Infrastructure Delivery Study (IDS) required to support the current and emerging Local Plans for South Cambridgeshire and Cambridge City.
9. The IDS objectively assessed development and infrastructure requirements and identified the infrastructure and services required to support levels of growth set out in the current core strategy and the emerging Local Plans. The IDS also identifies the costs, timescales and the details of how these schemes could be funded, thereby demonstrating a possible funding gap. The IDS will be considered within the Local Plan Examination.
10. The IDS was updated in August 2013 having direct regard to the development sites being proposed through the emerging Local Plan. The study can be found at Chapter 10 via the following link:

<https://www.scams.gov.uk/content/evidence-base-and-supporting-studies>
11. The IDS is a live document and will remain subject to regular review by the District Council. For CIL purposes, there is only a need to demonstrate that (i) a funding gap exists and (ii) that the Council has in place a list of those items it intends funding through CIL.
12. Table 1 below replicates the extent of the infrastructure requirements and the associated costs in South Cambridgeshire taken from table 4.2 of the IDS.

	2011-2013	2016-2021	2021-2026	2026-2031	Total in plan period
South Cambs (District Wide)	£33,382,125	£1,205,720,000	£61,510,000	£66,390,000	£1,367,002,125
Bassingbourn Area	£34,266	£127,182	£172,302	£206,761	£540,511
Bottisham Area	£91,260	£854,138	£291,062	£349,729	£1,586,189
Cambourne	£805,000	-	-	-	£805,000
Cambourne West	-	£1,302,992	£20,790,904	£3,756,188	£25,850,084
Comberton Area	£45,795	£553,869	£397,006	£476,182	£1,472,852
Cottenham Area	£116,403	£456,608	£224,706	£269,420	£1,067,137
Gamlingay Area	£4,003,427	£40,631	£238,658	-	£4,282,716
Impington Area	£593,137	£423,969	£132,714	£158,349	£1,308,169
Linton Area	£24,495	£2,131,344	£158,349	£190,245	£2,504,433
Melbourn Area	£135,774	£10,143,043	£529,720	£634,529	£11,443,066
Sawston Area	£99,811	£5,491,163	£1,215,519	£822,212	£7,628,705
Swavesey Area	£66,265	£3,355,161	£197,936	£238,658	£3,858,020
Bourn Airfield	-	-	£2,540,116	£17,233,009	£19,773,125
Northstowe	£1,291,520	£122,535,641	£104,219,610	£45,234,646	£273,281,417
Waterbeach	-	£29,000,000	£380,000,000	£18,573,540	£427,573,540
South Cambs Total	£40,689,278	£1,382,135,741	£572,618,602	£154,533,468	£2,149,977,089

13. Table 2 below sets out the cost of infrastructure requirements over both SCDC and Cambridge City (i.e. those items that cannot be directly attributable to either charging authority but that both authorities require).

Table 2

	2011-2013	2016-2021	2021-2026	2026-2031	Unspecified	Total
Strategic for Both Local Authorities	£9,687,657	£127,500,000	£2,000,000	£6,500,000	£85,000,000	£230,687,657

14. Although the IDS sought to identify potential funding sources, it is thought that the potential funding evidence put forward has less relevance due to (i) the unreliability of the funding previously identified and (ii) other funding opportunities coming forward.

Preliminary Draft Charging Schedule (PDCS)

15. 232 representations to the consultation have been received from a total of 45 respondents and their agents.

Respondent	Count
Developer / Agent	22
Individual	6
Local Government	2
Other	3
Parish Council	12

16. Examples of infrastructure that respondents provided through the PDCS consultation are listed below.

Generic projects	Specific projects
Community bus services	A14
Community facilities and Youth provision	A428
Cycling/walking routes	Abington and Sawston cycleway
Drainage	Abington and Wandlebury cycleway
Health	Abington and Whittleseford station cycleway
Higher education	Dualling of A505
Park and ride provision	East-West rail link
Public open space	Gamlingay-Potton-Sandy cycleway
Primary school places	Hildersham crossroads on the A1307
Public transport	Roundabout improvement on A1301
Strategic infrastructure projects	Sawston electrical infrastructure improvements
Traffic calming	
Water supply	

The infrastructure list

17. The CIL Regulations prevent charging authorities from funding infrastructure items through both CIL and section 106 contributions (i.e. “double dipping”) such that section 106 contributions cannot be secured to fund items on the Regulation 123 infrastructure list.
18. When CIL was first introduced no particular emphasis was given to the infrastructure list and there was no requirement for the charging authority to present it as part of their CIL examination.

19. In response to concerns raised by the development industry (i.e. the fear that they might be double charged), the Government has taken steps to ensure more transparency in the CIL rate setting. New CIL guidance now requires charging authorities to prepare and consult on a draft infrastructure list throughout the charge setting process. This will then be carried through to the examination.

20. The following Draft Regulation 123 list, is being taken to Cabinet on 10 April:

- (i) Pre-school education*
- (ii) Secondary school education*
- (iii) Libraries and lifelong learning*
- (iv) Public and community transport*
- (v) Strategic green infrastructure*
- (vi) Village halls and community centres*
- (vii) Household recycling centres*
- (viii) Primary health care*
- (ix) Major transport schemes identified in the Transport Strategy for Cambridge and South Cambridgeshire*

*except where required as part of the following allocated strategic sites and any windfall development that is the scale of a large-scale major i.e. (a large-scale major development is one where the number of residential units to be constructed is 200 or more):

- NS/3 and SS/7 Northstowe
- SS/2 Darwin Green
- SS/3 (2) (the parcel Land North of Newmarket Road) Cambridge East
- SS/5 Waterbeach
- SS/6 Bourn airfield
- SS/8 Cambourne West

21. For information Cambridge City's draft Regulation 123 list is as follows:

Strategic transport infrastructure (excluding development specific mitigation works on, or directly related to a development site)
Education infrastructure
Household waste and major waste recycling facilities
Libraries and lifelong learning facilities
Community facilities
Strategic public realm improvements
Indoor sports facilities

CIL revenue

22. An assessment by Officers has demonstrated that the Council might expect to receive in the region of £22.5m from CIL revenue over the plan period (to 2031). Once an assumed local proportion of 15% and an administration proportion of 5% have been deducted the residual revenue available to projects the Council wishes to fund is £18m. The above figures are subject to change if one or more Parish Councils adopt a Neighbourhood Development Plan (where such Parishes would benefit from 25% of CIL receipts).

23. This was, however, calculated prior to the Government announcement that self-build developments will be exempt from CIL, which will have a negative effect on revenues.

Summary

24. At the meeting on 10 April Cabinet will be asked to approve a public consultation on (i) the Draft Charging Schedule and (ii) the draft Regulation 123 list. Subject to such approval being forthcoming the consultation will start at the end of April and will likely last for no less than 6 weeks.
25. The draft Regulation 123 infrastructure list will be worked up in more detail ahead of the CIL examination and further work may be undertaken on the list following adoption of CIL.
26. The Council is able to change the Regulation 123 list at any point in the future – following public consultation.
27. Members and Parish Councils will have the opportunity to make representation on the final infrastructure list prior to approval.

Options and recommendations

Recommendation 1

28. To note the infrastructure items put forward as part of the consultation on the Preliminary Draft Charging Schedule.

Recommendation 2

- (i) To recommend approval of the draft Regulation 123 infrastructure list to Cabinet (recommended option)

Other options

- (ii) To note the report without giving a recommendation on the draft Regulation 123 infrastructure list
- (iii) Not support the recommendation under (i) above
- (iv) To recommend an alternative draft Regulation 123 list

Effect on Strategic Aims

Aim 1 – We will listen to and engage with residents, parishes and businesses to ensure we deliver first class services and value for money

A7. Ensure the South Cambridgeshire Local Plan and Community Infrastructure framework are based on effective engagement

Aim 2 – We will work with partners to create opportunities for employment, enterprise, education and world-leading innovation

Approach - Planning for timely infrastructure to support developments

Approach - Maximising benefits to the community from new developments

Background Papers

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;

- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

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Appendix 1 - Draft Cabinet report