

**REPORT TO:** Scrutiny and Overview Committee 13 February 2020  
Cabinet 04 March 2020

**LEAD CABINET MEMBER:** Cllr Tumi Hawkins,  
Lead Cabinet Member for Planning

**LEAD OFFICER:** Liz Watts, Chief Executive

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## **Proposed Allocation Policy for the distribution of faith/community land in the new Community of Northstowe**

### **Executive Summary**

1. The new community at Northstowe, in the north west of the district, has been planned as a distinctive new town of 10,000 homes, with green space used to separate it from the neighbouring villages of Longstanton and Oakington.
2. In accordance with the development framework in place at the time of s106 agreements negotiated for Phase 1 and Phase 2 Northstowe, faith/community land allocations were secured to be offered at nil consideration; the mechanism for determining which faith/community groups would gain access to this land was not set out and instead left to the discretion of the district council.
3. The current Local Plan requires similar provisions are made for faith groups and so the policy adopted for Northstowe could have wider application to all future growth sites.
4. Cabinet is now invited to consider the allocation policy proposed for Northstowe and whether the allocation policy should be applied to all growth sites subsequently.

### **Key Decision**

5. Yes.

### **Recommendations**

6. It is recommended that the Scrutiny and Overview Committee:
  - (a) Considers and comments on the proposed policy, which has been developed in conjunction with faith groups to which it will be applied.
  - (b) Recommends that Cabinet endorses the proposed policy and agrees the application of this policy to growth sites across the district.

## Reasons for Recommendations

7. This Council requires inclusion of provision for faith groups among the range of services and facilities likely to be required in new settlements through policy SC: Meeting Community Needs of its Local Plan (2018). This has resulted in the provision of land at nil consideration and a quantity of floor space being secured at Northstowe for this purpose. Cognisant of its duty towards minority groups, any process by which this Council allocates land or space secured through policy SC4 must be allocated in a fair, transparent and reproducible way. The proposed allocation policy provides such a mechanism and has the support of the faith and community groups thus far consulted.

## Details

8. The s106 agreements for Northstowe Phases 1 and 2 make the following provision for faith/community land:
9. Phase 1 provision is 0.25 hectares, at master planning stage two sites were identified, one being in the Western Park, adjacent to the Sports Pavilion and the other at the entrance to the Phase 1 Waterpark. The former is not now deemed feasible, as there is no space available. The waterpark site might in fact be more suited to community uses (for development of a visitor centre, for example), than for a faith site.
10. Phase 2 makes provision for between 1,000m<sup>2</sup> and 1050m<sup>2</sup> gross internal floor space at nil consideration for faith/community use. The town centre strategy allows for a place of worship to be included within the Civic Hub building, or within a block on the High Street, designated for community use/place of worship. Homes England have indicated that for the purposes of this allocated space, it will be either one of these locations, not both. The phasing plan for the town centre would see the Civic Hub brought forward in Stage A (2021/22) and the alternative location in Stage C, expected to be developed from 2026.
11. The s106 also indicates that an area of serviced land within the open space land for faith/voluntary groups, which will be identified in the phasing plan “having regard to the needs of the Faith/Voluntary Groups that have specified through the Councils or otherwise; an interest in taking up space at the Development.”<sup>1</sup>
12. Both allocations will be transferred prior to the 2250<sup>th</sup> dwelling across the site (phases 1 and 2 together).
13. A Northstowe Faith Strategy group has been established to understand the needs of the faith communities and seek their view on how an allocation process might be developed.
14. Pre-application discussions with Homes England, the master developer for Phase 3 are underway at the time of writing, with requests for additional Faith land made by the Sustainable Communities team.
15. In theory, other opportunities may exist for Faith groups within other community buildings delivered through the s106 agreement commitments, but these are yet to be defined.

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<sup>1</sup> Phase 2 s106 Schedule 11 Land for Faith/Voluntary Groups

## Considerations

16. There is wide acknowledgement of the positive role to be played by Faith groups in community development, resilience and cohesion, as captured in the MHCLG publication, "Faith in Communities: Bridging the Divide."<sup>2</sup>
17. There is pre-existing guidance on how faith land may be distributed, provided by the Cambridgeshire Horizons study (published 2008), which recommended the application of eligibility criteria for free or subsidised land on development sites; these recommendations remain of key relevance.
18. The study recommends that proposals from Faith groups made to secure free or subsidised land must demonstrate the following:
  - i. The building would accommodate, and staff would be available to support, the provision of a range of community activities that are open to all (including making premises available to other community and faith groups).
  - ii. They had the resources and practical skills to bring forward the new facility within a reasonable time.
  - iii. The organisation that would own and manage the building had charitable status.
19. Various approaches to land allocation have been considered internally by this Council, and can be summarised as follows:
  - a. First come first served.
  - b. Bidding rounds, with community consultation and a Council decision.
  - c. Bidding rounds, with a community panel decision.
20. A Faith Strategy Group has recently been established for Northstowe, to enhance and enable inter-faith dialogue and joint working to support community development, community cohesion and to consider issues such as faith land allocations.
21. The membership of the Northstowe Faith Strategy Group includes the three tiers of local government for Northstowe, i.e. Longstanton Parish Council, South Cambridgeshire District Council and Cambridgeshire County Council and a reference group of local faith leaders/representatives, who were invited to join this group.
22. The Strategy Group includes faith leaders of groups currently active in Northstowe i.e. Emmanuel Church Northstowe (affiliated to the Fellowship of Independent Evangelical Churches) and Pathfinder Church (Church of England) and others representing a spectrum of faith groups, including the Cambridgeshire County Ecumenical Officer (representing the Ecumenical Council which includes the Roman Catholic Church and a range of Protestant churches), the Cambourne Crescent and Cambridge Hindu Forum (which represents a diverse Hindu, Jain and Buddhist membership).
23. The various approaches outlined in paragraph 19 were put to the Northstowe Faith Strategy Group (November 2019) to gauge support for each. The response of the Faith Strategy Group can be summarised as follows:

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<sup>2</sup> Faith in Communities: Bridging the Divide, A report on how faith communities are helping to make strong communities, November 2018, Ministry of Housing, Communities and Local Government

24. Option (a) garnered least support. This would favour whichever group was organised first, with those currently active in Northstowe potentially at an advantage. This option may not provide the best longest term fit with the needs of Northstowe residents.
25. Option (b), **Bidding rounds, with community consultation and a Council decision** was strongly supported – it was felt that the Council as decision maker would make for the most objective process, although thorough community consultation would be a prerequisite to properly inform the decision making.
26. Option (c) was thought to have merit, but concern that it would be difficult to ensure a community panel was both representative and disinterested, favouring option (b).
27. Therefore, the consensus of the Northstowe Faith Strategy Group was to recommend to Council that Option (b) would provide a fair and transparent allocation process that would benefit from the support of the faith strategy group and would allow for community groups to bid on an equal footing.
28. Subsequently a view was sought from the community and voluntary sector via CCVS: they concurred with the Faith Strategy Group, favouring a district council decision coupled with community consultation.
29. To assist the development of this process, it was suggested that a list of the opportunities, described as “lots”, could be generated including both the allocated land and potential co-location opportunities. Faith/community groups could then indicate their interest and order of preference against these lots, to enable the Council to identify the groups likely to come forward with eligible proposals. This may look similar to the table presented in Appendix C.
30. Further work to develop and refine the criteria produced by the Cambridgeshire Horizon study has been undertaken, resulting in the following modifications:

Allocations of land and/or space provided through s106 agreements for faith/community purposes in new developments will be managed by the district council via competitive bidding rounds, with a Council decision.

The Council will provide information on the land and or/space coming forward within the development and promote these opportunities and the timetable for bidding, such that eligible groups will have reasonable time to prepare a bid.

In order to be eligible a faith/community group applicant must be able to demonstrate the following:

- i. The faith/community group has an association with Northstowe.
- ii. The organisation that would manage the faith/voluntary land and any building delivered would have charitable status.
- iii. The applicant organisation has the financial resources and organisational capacity, with evidence required to be provided as part of the application process, to bring forward any new facility within the timeframe described in the invitation to bid.
- iv. Any building delivered on the faith/voluntary land should accommodate, in addition to any dedicated worship space, shared space to be made available, with staff, to support the provision of a range of community activities open to all. Such shared space must also be made available to other community and faith groups without restriction by reason of faith, belief or lifestyle by the applicant/managing group.

31. The application process would require the applicant to provide information as set out in Appendix D with a weighted scoring matrix used to assess the relative merits of bids received, judged by officers comprising an assessment panel.
32. Project proposals and officer assessments would be published, followed by a six weeks period for consultation, with views invited from the community to inform the final council decision; the degree of public support would contribute to the weighted scoring.
33. The Council would publish its final decision, with a period of one month allowed for appeals, before the successful applicant would be made an offer.
34. Failure to disclose relevant information during or post application, failure to adhere to policies provided or failure to deliver to agreed milestones could result in withdrawal of any offer and the termination of any leasehold agreement with the applicant.

### **Options**

35. Cabinet could
  - (a) approve the draft policy for Northstowe Faith/Community land allocation or
  - (b) recommend changes to the draft policy and/or application assessment format
  - (c) recommend the draft policy be adopted for the district to cover all growth sites.

### **Implications**

36. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered: -

### **Financial**

37. The district council would be responsible for any land transferred to it by the developer, prior to transfer to the successful faith/community applicant. The costs associated with managing that land in the interim would fall to the district council and therefore it would be preferable if this exposure was minimised. This requires careful consideration of the timing of any bidding rounds to enable either direct transfer to the successful bidder (i.e. the faith or community group) or to minimise the period of district council ownership thereby eliminating transfer fees and/or minimising land management costs.

### **Legal**

38. The district council must adopt a policy for the allocation of faith/community land which is compatible with the Equalities Act 2010.

### **Staffing**

39. It will be possible to implement this draft allocation policy for Northstowe within existing resources.

## **Risks/Opportunities**

40. The Council has the opportunity to support community building in new communities by ensuring s106 commitments to provide faith/community land and space in the new community of Northstowe (and potentially elsewhere in the district) can be delivered in practice, in a fair and transparent fashion.
41. The loss of support from faith groups through a process which does not enjoy their confidence could undermine positive place making in new communities and endanger community cohesion.
42. The process must also ensure that the community buildings or services promised by the successful can be delivered within the desired timeframe, to ensure community benefits and prevent problems arising from land left undeveloped.
43. There is the potential to explore opportunities to co-develop and deliver other community facilities with faith groups separate to the s106 provision by application of this faith/community land allocation policy and the selection process proposed therein.

## **Equality and Diversity**

44. A full Equality Impact Assessment (EqIA) has been carried out to inform the development of this policy proposal. The EqIA details the impact of this policy on all groups with protected characteristics, not least those of marriage and civil partnership, of race and of religion or belief. The policy outcome will impact on residents' ability to enjoy freedom of thought, belief or religion and take part in religious worship; on implementation the policy must support community diversity and cohesion in the new communities and respond to the particular characteristics of the new community.

## **A modern and caring Council**

45. An appropriate Faith/Community land allocation policy will help the Council to establish and sustain successful and new communities – which can only be achieved through a process which will allow decisions to be made in an open, transparent and inclusive way.

## **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.

## **Appendices**

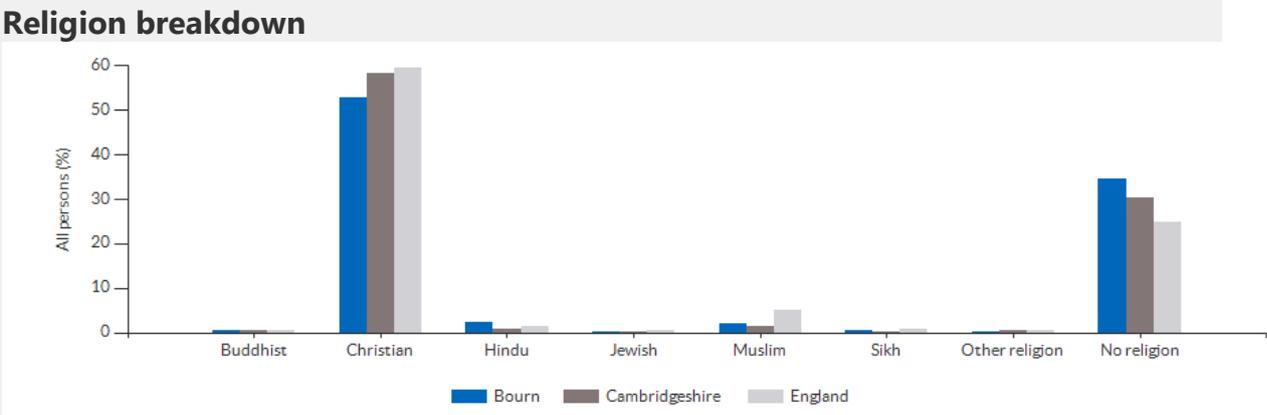
- Appendix A: Local Plan 2018 Policy SC4 (relevant sections)
- Appendix B: Religious diversity in Bourn Ward
- Appendix C: For illustrative purposes only – Lot descriptions prior to bidding rounds
- Appendix D: Draft application assessment format

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Appendix B: Religious diversity in Bourn ward

New Communities tend to be more ethnically and religiously diverse than longer established communities. This is illustrated by Cambridgeshire Insight data for Bourn Ward, within which the new community of Cambourne was included at the time of the last national census (2011) and until the change of ward boundaries at the last local election.



Source: ONS Census 2011

Religion	Bourn		Cambridgeshire		England	
	Count	%	Count	%	Count	%
Buddhist	62	0.6	3,264	0.5	238,626	0.5
Christian	5,453	52.8	361,532	58.2	31,479,876	59.4
Hindu	229	2.2	4,142	0.7	806,199	1.5
Jewish	22	0.2	1,652	0.3	261,282	0.5
Muslim	216	2.1	8,990	1.4	2,660,116	5
Sikh	45	0.4	895	0.1	420,196	0.8
Other religion	24	0.2	2,636	0.4	227,825	0.4
No religion	3,575	34.6	189,016	30.4	13,114,232	24.7

Appendix C: (For illustrative purposes only – Lot descriptions given prior to bidding rounds)

Bidding round 1: Bidding round to open beginning Q2 2020/21 and close by end of Q3					
Lot	Description of the opportunity	Location	Restrictions	Timeframe for transfer	Delivery timeframe
Lot 1	Phase 1 faith/community land: an area of serviced land provided as part of the on-site public open space 0.25 hectares – use may include the construction of buildings. Leasehold interest (terms to be defined) at nil consideration.	Phase 1 Waterpark	Contract will include a covenant that any building subsequently constructed on Faith/Voluntary Groups Land shall be used for the benefit of local faith and voluntary groups associated with the development which may include any and all purposes reasonably ancillary thereto.	Land transfer to SCDC expected prior to occupation of 75% of the dwellings within the adjacent development parcel (H13). Estimated to be Q X XXXX	The applicant must use reasonable endeavours , to deliver the project within two years of the lease being signed.
Lot 2	An area of serviced land within the site capable of providing not less than 1,000m <sup>2</sup> or more than 1,050m <sup>2</sup> gross internal floor area of a stand-alone facility together with provision for or appropriate access to parking provision for disabled users of the facility. Leasehold interest (for a term not less than 125 years but with break clauses of not less than 5 years in favour of the tenant only) at nil consideration.	Town Centre	Contract will include a covenant that the Faith/Voluntary Group Land shall not be used for any purpose other than for the benefit of local faith and voluntary groups or faith/voluntary community groups associated with the development and which may include any and all purposes reasonably ancillary thereto.	The exact boundaries for the Faith/Voluntary Groups Land or a relevant part thereof shall be agreed by SCDC as part of the reserved matters application for the first development parcel adjacent to the Faith/Voluntary Groups Land or the development parcel within which it is located. Estimated to be QX XXXX	The applicant must use reasonable endeavours , to deliver the project within two years of the lease being signed.

## Appendix D: Draft application assessment format

Please state which Lot you are bidding to obtain.

*We will use the term 'organisation' throughout to cover individual groups and consortia (where appropriate). In the following section you will be asked to state the aims and objectives of your organisation and describe the usual activities or services your organisation provides.*

1. What does your organisation do? Please summarise your constitution or mission statement.
2. Is your organisation or lead partner organisation if a consortium, a registered charity? If so, please give your registration number and state your charitable purposes.
3. How many members are involved in your organisation each year? How many of these are from South Cambridgeshire? Please specify whether these are organisations or individuals.
4. What geographical area do you cover?
5. What is your association with Northstowe?
6. How long has your organisation been running?
7. How many staff and how many volunteers work for your organisation?

*Tell us about your proposal.*

8. Describe the project/service you wish to provide. If you are applying as the lead body for a consortium, please include details of the service/s your partners wish to provide. What might the outcomes be?
9. What evidence do you have that there is a need for the service / project and who has been involved in determining that need? Have you or the communities you work with carried out a needs analysis?
10. How many individuals/organisations will benefit from your proposal? (Beneficiary and outcomes information will need to be evidence based.)
11. What will the demographic, socio-economic and ethnic profile of your beneficiaries be? How will you monitor this?
12. Tell us about the capacity and sustainability of your service / project – what will happen if your application is not successful?
  - 1) How will your proposed project be managed and led? What will be the intended governance arrangements? ( Note: applicants must meet relevant legal responsibilities, including those of an employer, and adopt, implement and monitor good employment practices, including having relevant insurances to cover operations.)
13. If your proposal includes delivery of a community building, will your proposal include provision of a dedicated worship space? Will men and women have access to different areas of the building? Do you have an outline specification for the community building?

14. Do you intend to involve the community in helping to develop your plans/designs?
15. Will your proposal include provision of services of benefit to the wider community, open to all (including all those with protected characteristics under UK law)?
16. If your proposal includes delivery of a community building, will your community building provide shared space bookable by other community/ faith groups without restriction (by reason of faith, belief or lifestyle)?
17. If your proposal includes delivery of a community building, over what days/hours would you propose making shared space available to other community/faith groups.

#### *Financial viability*

18. What is the total cost of your project?
19. Please break down the costs by activity and by partner agency where applicable and include VAT if appropriate.
20. What funds have you/ will you raise as a contribution to project costs?
21. Where will the balance of funding be found?
22. Will your project be dependent on raising funds to meet running costs long term?
23. Please provide information concerning the finances of your organisation, for the last three years:
  - Total income in last financial year
  - Total expenditure in last financial year
  - Date of year end
  - Current unrestricted reserves
  - Current restricted reserves
24. Please provide your organisation's policy on reserves.
25. Please provide a 5 year business plan for this project.

The following documents will be required to accompany your applications:

1. A copy of your organisation's constitution or mission statement
2. A copy of your equal opportunities policy
3. A copy of your child and vulnerable adult protection policy, including details of your DBS checking / safer recruitment policy
4. A copy of your health & safety policy
5. A copy of your volunteer policy
6. A copy of your policy for the protection of the environment
7. An up-to-date copy of your accounts
8. Evidence of a business account with 2 cheque signatories
9. Any other material you feel would support your application

#### Declaration

- I have read the guidance notes for completing this form, have read and understood the criteria and general conditions under which any grant may be awarded and agree to comply with these.
- I agree to let SCDC know if any of the information provided changes at any time during the application process and, if applicable, during the leasehold period.
- I give permission for SCDC to provide a summary of this bid to provide details of the applications received during the consultation period prior to award.
- I give permission for SCDC to make available details of the bid on request should an award become the subject of appeal.

- I give permission for SCDC to record this information in electronic form and to publish details in local press and web-based locations if my application is successful.

#### Eligibility check and bid assessment matrix

		Weighting	Weighted score
Is the applicant or lead organisation a registered charity?	Yes/No		
Has the applicant provided all the documentation requested?	Yes/No		
What evidence has the applicant offered to support the need for their proposal	Score out of 5	10%	
What evidence has the applicant offered to support an association with Northstowe	Score out of 5	10%	
What is the likely benefit to be brought by the proposal to Northstowe residents (consider both the benefits to the community of interest, the services provided to the wider community and the extent to which other groups will benefit from any shared space). What monitoring will be in place to measure outputs and outcomes?	Score out of 5	20%	
Is the applicant able to evidence it has the organisational capacities and resources and are the stated timescales realistic?	Score out of 5	20%	
Is the applicant able to demonstrate a sound financial track-record? What is the extent to which the proposals constitute a sound, resilient and sustainable business plan?	Score out of 5	30%	
What evidence is there for public support for this proposal based on the consultation responses?	Score out of 5	10%	
Total score			

Evaluation of answers under each heading	Scoring
Proposals meet the required standard in all material respects	5
Proposals meet the required standard in most material respects, but are lacking or inconsistent in others	4
Proposals fall short of achieving expected standard in a number of identifiable respects	3
Proposals significantly fail to meet the standards required, contain significant shortcomings and/or are inconsistent with other proposals	2
Completely fail to meet required standard	1
Nil response (no answer provided)	0

#### Post-assessment feedback to applicants

Total assessment scores and rankings will be made available to all applicants following the conclusion of the Council's assessment of all eligible applications.

Further feedback on the breakdown of scoring under the above six headings will be made available to all applicants on request, within the window for appeals.