

Chichester District Council

THE CABINET

5 September 2017

Approval for consultation of the Draft Infrastructure Business Plan 2018-2023 with the City, Town and Parish Councils and Key Infrastructure Delivery Commissioners

1. Contacts

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2. Recommendations

2.1. That Cabinet recommends to Council:

Approval for consultation of the draft Infrastructure Business Plan 2018-23 (Appendix 1) with the City, Town and Parish Councils, neighbouring local authorities including the South Downs National Park Authority and key infrastructure Delivery Commissioners for a period of six weeks from 2 October to 13 November 2017, subject to amendments recommended by the Development Plan and Infrastructure Panel as set out in the report.

3. Background

- 3.1 The draft Infrastructure Business Plan (IBP) appended to this report prioritises the strategic and local infrastructure projects from the Infrastructure Delivery Plan (IDP) necessary to deliver the growth identified in the Chichester Local Plan, particularly within the five year period 2018- 2023. It has been compiled by the joint CDC/WSCC (Infrastructure and Growth) officers group and was recently considered by the Development Plan and Infrastructure Panel.
- 3.2 The projects were identified by CDC and WSCC, key infrastructure delivery commissioners and city, town and parish councils. The IBP sets out the methodology for selecting which infrastructure projects have been prioritised for funding from the Community Infrastructure Levy (CIL), which ones will be funded from S106/S278 agreements and which infrastructure projects are, or would need to be funded from other sources.

- 3.3 S106 projects have been identified as 'committed', this is because the required infrastructure is directly related to providing mitigation related to a site specific proposal (up to five separate planning obligations can be pooled). These do not need to be prioritised as there is more certainty that they will be provided alongside the development.
- 3.4 Projects to be funded from the CIL should relate to the cumulative growth of the area, and are not restricted by pooling. These need to be prioritised because the CIL will be insufficient to fund all the projects that have been put forward.
- 3.5 The criteria for prioritising projects are set out in Appendix C of the IBP. The CIL projects relate to the cumulative impact of development associated with the Local Plan, or help to unlock growth. The IBP provides a strategy to ensure that a balanced approach has been taken in selecting the projects to be funded from CIL. It should be noted that the total cost of projects capable of being funded from the CIL exceeds the amount of CIL expected to be collected.
- 3.6 Since last year, the amount requested by West Sussex County Council (WSCC) for school places has increased by 50%, and WSCC has advised that it expects that this will continue to increase by around 10% each year. WSCC does not know which schools will be expanded at present, so cannot provide more accurate costings. Appendix 2 shows the amount of unspent S106 contributions collected for education infrastructure, WSCC will need to show how these historic contributions, together with other sources of funding available to them including the Department for Education Basic Needs Grant will be used to offset their requests for CIL.
- 3.7 A number of new projects have been put forward for funding by Sussex Police for the year 2018/19: IBP/705; IBP/706; IBP/707. The police have explained that they cannot fund these out of their existing budgets and have set out a case for funding from CIL in some detail. The Council's legal team has confirmed that these projects constitute 'infrastructure' for CIL purposes. The police have stated that the automatic number plate recognition (ANPR) cameras would be additional cameras to serve some of the sites coming forward as part of Chichester's five year housing land supply. Officers sought clarification from Sussex Police regarding the possibility to fund these from the growth in Council Tax receipts that flows from new development, and whether the assets are in addition to the Police's existing approved capital budgets. The police have confirmed that these projects cannot be funded from the growth in Council Tax receipts, and confirmed that the assets are in addition to their existing approved capital budgets.
- 3.8 The Development Plan and Infrastructure Panel considered the police projects to be premature, as the level of strategic growth upon which their justification was based has not yet taken place. For this reason the projects have been removed from the CIL spending plan for the time being. Officers will write to the police to explain why the projects have not been selected for CIL funding this year and will be invited to resubmit their proposals once the growth in population has materialised.
- 3.9 The Real Time Passenger Information (RTPI) screen project IBP/355 in years 2019/20 and 2020/21 was previously considered and rejected by Members for CIL spend (as the technology is available as an app on mobile phones), the County Council now request that this project is reconsidered. The Development and Infrastructure Plan Panel has reconsidered this project and now support it for CIL

spend because it is an important part of the strategy to encourage the level of modal switch upon which the Local Plan depends, and to encourage new residents to make sustainable choices from the outset.

- 3.10 The Infrastructure Joint Member Liaison Group (IJMLG) met on 12 July 2017, and the CIL spending plan (IBP Section 4, table 11 page 26) reflects their views about which projects should be selected for funding within the next five years. It should be noted that only the projects identified for funding in 2018/19 can be guaranteed, this is because the amount of money to be collected from the CIL in future years is a best estimate, and will not be certain until the CIL monies have been collected.

4. Outcomes to be achieved

- 4.1 The approval of this IBP for consultation relies on the collaboration of all three tiers of local government, and provides the opportunity for formal comments from stakeholders. The IBP provides a framework to promote closer working relationships with the infrastructure providers and results in a move away from reactive planning (once a planning application is received) to a more proactive approach to infrastructure provision.
- 4.2 The IBP provides a transparent methodology to show how projects have been selected. It also identifies other potential sources of funding in order to make best use of the CIL.
- 4.3 Once the consultation has ended, officers will take any suggested amendments back to the CDC/WSCC Joint Member Liaison Group for consideration, before the IBP is further considered by Cabinet in February 2018 and Council for approval in March 2018.

5. Proposal

- 5.1 The purpose of this report is to recommend approval for consultation of this IBP with those who were invited to identify necessary infrastructure projects and their own infrastructure plans for inclusion within the IBP, and to offer them an opportunity to influence which projects are selected to be funded from the CIL. Those consulted are asked to consider whether the Council has correctly categorised the projects within each phase, according to the methodology within the IBP, to ensure the project will be delivered on time with the correct infrastructure provider.

6. Alternatives that have been considered

- 6.1 The alternative is not to have an IBP, or not to have a formal process for selecting projects to be funded from the CIL, or to fund different CIL projects. Many local authorities that have been collecting the CIL, allocate funds to projects on their Regulation 123 list without having a formal process for doing so. The disadvantage of this approach is that it does not provide 'up front' certainty about which infrastructure projects will be funded, and no guarantee that the infrastructure delivery commissioner will be able to provide the infrastructure in time to accompany the growth of the area. It may also reduce the opportunity of working in partnership with the County Council, neighbouring local planning authorities and parish councils.

7. Resource and legal implications

7.1 The projects selected for CIL funding must be in accordance with the Council's published Regulation 123 list. This is to comply with the CIL Regulations.

8. Consultation

8.1 The projects within this IBP were identified through informal consultation with West Sussex County Council; key infrastructure providers, and the City, Town and Parish Councils. In the case of the latter, workshop sessions were held on 7, 19, 20 and 21 April 2017 for those that wanted to attend, and were followed up with reminders via email. This report is to approve the draft IBP for further consultation with those who were invited to contribute (particularly given that parish priorities may have changed or projects progress needs to be updated) to give them a further chance to influence and comment on the IBP before it is finalised.

9. Community impact and corporate risks

9.1 Once approved, this IBP will provide transparency about which projects will be funded from the CIL between years 2018/2023. It will enable the Council to have more control over the timely delivery of infrastructure. The risks are as follows:

- That changes are made to the CIL regime, resulting in less money being collected than identified in this IBP;
- That other sources of funding fail to materialise;
- That consensus is not reached over CIL projects prioritisation;
- That infrastructure delivery commissioner(s) funding priorities change;
- That identified sources for part-funding are withdrawn;
- That the infrastructure to be provided is insufficient to mitigate the impact of development.

10. Other Implications

Crime & Disorder:	None
Climate Change:	None
Human Rights and Equality Impact:	None
Safeguarding:	None

11. Appendices

Appendix 1– Draft Infrastructure Business Plan 2018/2023 (Note that the Appendices to this draft Infrastructure Business Plan have not been printed with these agenda papers, but are available electronically or in hard copy in the Members room).

Appendix 2- Education money collected through S106