

# Chichester District Council

Cabinet

10 January 2023

## Consideration of Consultation Responses Received on Chichester District Council's Draft Infrastructure Business Plan 2023-2028

### 1. Contacts

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### 2. Recommendation

#### 2.1 That Cabinet recommends that the Council:

- (i) Approves the proposed responses to the representations received and subsequent modifications to the Draft Infrastructure Business Plan 2023-2028 as set out in Appendix 1; and
- (ii) Approves the amended IBP including the CIL Spending Plan attached as Appendix 2.

### 3. Background

- 3.1 This draft Infrastructure Business Plan (IBP) 2023-2028, once approved by Council in March 2022 will replace the current IBP 2022-2027.
- 3.2 The draft IBP was subject to consultation with the City, Town, and Parish Councils; West Sussex County Council (WSCC); Neighbouring Planning Authorities including the South Downs National Park Authority; and key infrastructure delivery commissioners. The consultation ran from 13 September to 25 October 2022.
- 3.3 The IBP prioritises the strategic 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 2023-2028. It includes updates and new projects put forward by WSCC and the key infrastructure commissioners. Appendix A of the IBP (Appendix 2) includes the most up to date list of local projects which the City, Town and Parish Councils intend to deliver using their CIL contributions.
- 3.4 The IBP sets out the methodology for selecting which infrastructure projects have been prioritised for funding from the Community Infrastructure Levy (CIL) during the

five-year period from 2023 to 2028, which ones will be funded from S106/S278 agreements and which infrastructure projects are to be, or would need to be, funded from other sources.

- 3.5 The consultation resulted in responses being received from **WSCC, Chichester District Council**, and the following City, Town, and Parish Councils: **Chichester City; Chidham and Hambrook; Earnley; Loxwood; Oving; Southbourne; Tangmere** and the following key Infrastructure Commissioners: **Southern Water**. The consultation responses are summarised in Appendix 1 of this report.
- 3.6 Most of the consultation responses related to:
- Re-phasing/timing of projects;
  - Change of project lead;
  - Projects to be deleted as they have been delivered or no longer required or are duplicates;
  - Amalgamation of projects;
  - Change in funding source;
  - Updated details/costs for the projects; and
  - New projects to be added.
- 3.7 Since the implementation of the CIL on 1 February 2016, £26,004,616 has been collected up to 31 October 2022. This includes £1,300,231 for administration (5%) £4,101,282 for parishes and £20,603,103 for CDC to spend on strategic projects. However, historically the amount spent on CIL administration has been significantly lower than that collected and at the end of the last financial year a further £604,812 had been transferred from administration to the strategic project budget, giving a revised total of £21,207,915 available for CDC (this includes funds spent on projects to date). Distributions to parishes are made half yearly in arrears and at the end of October 2022, the total amount handed over was £4,011,598 with the remainder carried forward to the next distribution.
- 3.8 The CIL deficit projected in 2026/27 and 2027/28 has widened partly as a result of a number of sites being delivered with 100% affordable housing rather than the policy requirement of 30% and partly as a result of anticipated delays to the delivery of housing at strategic sites as reflected in the latest housing trajectory, and also due to the increase in project costs. Future CIL revenue to be generated is a best estimate to aid CIL spend planning. However, we only agree CIL spend for projects one year ahead, and once sufficient money has been collected to fund them.
- 3.9 Projects within the IBP that have been delivered during 2022 from parish council CIL and other funding sources include:
- IBP/964 Picnic benches for North Hall, Loxwood Village Hall, Loxwood
  - IBP/590 Village Green Drainage improvements, Wisborough Green
  - IBP/765 Levelling of cricket outfield, Village Green, Wisborough Green
  - IBP/939 Provision of running track, Bosham
  - IBP/940 Bosham Village Hall roof repairs, Bosham
  - IBP/661 School access improvements, north of the District
  - IBP/538 Oving Road Crossroads closure

- IBP/698 Resurfacing of North Hall playground, Loxwood
- IBP/611 Refurbishment of the Chidham and Hambrook Village Hall, Chidham and Hambrook
- IBP/768 Installation of 2 bus shelters, Southbourne
- IBP/554 Development of the cemetery's new 2 acre field to make it suitable for burials, Southbourne and Westbourne
- IBP/601 Improve public footpath FP258, Chidham and Hambrook
- IBP/714 Parish owned street light replacement, Southbourne
- IBP/734 A community bus or other form of transportation, Chidham and Hambrook
- IBP/769 Phase 2 of the replacement of the Parish lights, Southbourne
- IBP/639 Bund around Malcolm Road recreation ground, Tangmere

### 3.10 Updates which require changes to be made to the CIL Spending Plan

#### **West Sussex County Council projects:**

- IBP/330 (Expansion of existing primary school(s) across the Chichester locality) rescheduled from 2024/2025 to 2026/2027;
- IBP/657 (School access improvements – Chichester) rescheduled from 2024/2025 to 2026/2027;
- IBP/331 (Expansion of existing primary schools across the Bournes locality) rescheduled from 2023/2024 to 2024/2025;
- IBP/660 (School access improvements – Bournes) rescheduled from 2023/2024 to 2024/2025;
- IBP/332 (Expansion of existing primary schools across the Manhood locality) rescheduled from 2024/2025 to 2026/2027;
- IBP/659 (School access improvements at expanded primary school(s) Manhood) rescheduled from 2024/2025 to 2026/2027;
- IBP/656 (Sustainable transport corridor – City Centre to Portfield) increase in total costs from £500,000 to £3,500,000 – although CIL request remains the same at £500,000;
- IBP/710 (Reconfiguration/improvement of Westhampnett Waste Transfer Station/Household Waste Recycling Site) each of the phases will be slipped by one year to £250,000 in 2023/24, £1,125,000 in 2024/25, £1,125,000 in 2025/26.

3.11 The effect of changes required to the IBP CIL Spending Plan because of this consultation, together with adjustments relating to the amount of CIL expected to be collected in relation to the housing trajectory of October 2022 are shown in Appendix 2.

## 4. Outcomes to be Achieved

4.1 The IBP is reviewed and rolled forward annually. It includes all the key infrastructure projects within the Local Plan area, monitors their progress and identifies which infrastructure projects have been selected to be funded from the District Council's CIL in the five-year period, together with the City, Town, and Parish Councils' CIL spending plans. Through the production of the IBP, the Council can prioritise the infrastructure that will be delivered utilising CIL funds to meet the needs generated by development.

## **5. Proposal**

- 5.1 The purpose of this report is to consider (a) the representations received to the consultation and suggested modifications to be made to the IBP as highlighted in this report and Appendix 1 and (b) the updated IBP 2023-2028 and CIL Spending Plan at Appendix 2.

## **6. Alternatives 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. 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 commissioners will be able to provide the infrastructure in time to accompany the growth of the area. It also ignores the need to work in partnership with the County Council and parish councils.

## **7. Resource and Legal Implications**

- 7.1 The projects allocated for CIL funding must be published and monitored in the new Infrastructure Funding Statement to conform to the 2019 CIL Regulations.

## **8. Consultation**

- 8.1 The projects within this IBP were identified through consultation with West Sussex County Council, key infrastructure providers, and the City, Town, and Parish Councils, and considered by the Development Plan and Infrastructure Panel.

## **9. Community Impact and Corporate Risks**

- 9.1 The IBP provides transparency about which CIL projects have been prioritised for funding between years 2023-2028. It will enable the Council to have more control over the timely delivery of infrastructure. The risks are as follows:
- Outbreaks of pandemic slowing anticipated rates of development;
  - Debtors being slow in making payments;
  - Changes needed to the payment by instalment policy resulting in a delay in collecting CIL receipts;
  - Changes to the CIL regime, resulting in less money being collected;
  - Other sources of funding fail to materialise;
  - Consensus not achieved over CIL spend;
  - Infrastructure delivery commissioner(s) funding priorities change;
  - That the infrastructure to be provided is insufficient to mitigate the impact of development;
  - Inflation resulting in an increase in project costs;
  - There is a risk of a loss of projected CIL receipts due to developers implementing schemes with a greater proportion of affordable housing. However, this risk is now managed via a restriction in relevant Section 106 agreements for housing development so that the planning benefits and disbenefits of any variation from the permission granted can be fully considered on a case-by-case basis.

## 10. Other Implications

	Yes	No
<b>Crime and Disorder</b>		✓
<b>Climate Change and Biodiversity</b>		✓
<b>Human Rights and Equality Impact</b>		✓
<b>Safeguarding and Early Help</b>		✓
<b>General Data Protection Regulations (GDPR)</b>		✓
<b>Health and Wellbeing</b>		✓

## 11. Appendices

Appendix 1: Summary of Representations and Proposed Modifications to the IBP

Appendix 2: IBP 2023-2028 (electronic copy) CIL Spending Plan extract printed.