

Chichester District Council

CABINET

8 September 2015

Infrastructure Business Plan – Approval for consultation.

1. Contacts

Report Author

Karen Dower - Planning Policy Project Manager

Telephone: 01243 521049

E-mail: kdower@chichester.gov.uk

Cabinet Member

Susan Taylor – Cabinet Member for Housing and Planning

Telephone: 01243 514034

E-mail: sttaylor@chichester.gov.uk

2. Recommendations

- 2.1. **That the Council be recommended to approve the Infrastructure Business Plan 2016/2021 for consultation for a period of six weeks from 1 October to 12 November 2015.**

3. Background

- 3.1 The 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 first five years. It has been prepared by the joint CDC/WSCC (Infrastructure and Growth) officers group.
- 3.2 Candidate projects were identified with assistance from officers within 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, and which infrastructure projects are to be, or would need to be, funded from other sources.
- 3.3 Projects that have identified other sources of funding to contribute towards CIL projects, or where Parishes have agreed to pool their CIL to fund a mutually beneficial infrastructure project; or where the County Council, District Council or parishes have identified the same project, are also more likely to be chosen for inclusion for funding within this IBP.
- 3.4 Projects to be funded from S106 have been identified as 'committed', this is because the required infrastructure is directly related to providing mitigation related to a planning permission (up to five separate planning obligations can be pooled). These infrastructure projects don't need to be prioritised as there is more certainty that they will be provided alongside the development.

- 3.5 Projects to be funded from the CIL relate to the cumulative growth of the area, and aren't restricted by pooling. These projects need to be prioritised because the amount of anticipated CIL receipts will be insufficient to fund all the projects that have been put forward. The long list of projects is identified in Appendix A of the IBP.
- 3.6 The criteria for prioritising projects are explained in section 4 of the IBP. The projects selected to be funded from the CIL are those that are directly related to mitigating the impact of the development identified in 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 selected projects exceeds the amount of CIL expected to be collected. This will mean that other sources of funding will need to be identified or hard choices about prioritisation will have to be made.
- 3.7 A CDC/WSCC Joint Member Liaison Group will meet on 4 September and any suggested amendments to the draft IBP will be reported orally at the Cabinet meeting.

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, at county, district and parish level and provides the opportunity for formal comments from stakeholders. The IBP will also provide a framework that will result in closer working relationships with the infrastructure providers, resulting in a move away from reactive planning (once a planning application is received) to a more proactive approach to infrastructure provision to mitigate the cumulative impact of development.
- 4.2 The IBP provides a transparent methodology to show why certain projects have been selected for funding above others. The IBP also identifies other potential sources of funding and sets out where other funding sources may need to be identified, 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 and Council for approval in February 2016.

5. Proposal

- 5.1 The main purpose of this report is to recommend approval of the IBP for consultation. Those consulted are asked to consider whether the Council has correctly categorised the projects within each phase, according to the methodology within the IBP, and to assign responsibility for delivering the project 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. Many local authorities that have been collecting the CIL, allocate the CIL to projects on their CIL Regulation 123 list (This is the requirement for a published list of infrastructure types or projects which the Council

intends will be, or may be funded, wholly or partly from the CIL.) 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 also ignores the need to work in partnership with the County Council 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 draft regulation 123 list. This is to accord 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 8 and 9 April 2015 and were followed up with a letter on 10 April 2015, and reminders at subsequent Parish Forum meetings. 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 since the local elections) plus adjoining local authorities, to give them a chance to influence and comment on the IBP before it is finalised.
- 8.2 This report and draft IBP have been submitted to the meeting of the Development Plan and Infrastructure Panel on 27 August. Their views will be reported orally.

9. Community impact and corporate risks

- 9.1 Once approved, this IBP will provide transparency about which projects will be funded from the CIL within the first five year rolling period, and which infrastructure projects will be funded from other sources. It will enable the Council to have more control to ensure that infrastructure will be provided in time to accompany new development. The risks are as follows:
- That the CIL Charging Schedule does not pass the examination process;
 - That further changes are made to the CIL regulations which will remove types of development from paying the levy, creating a larger funding gap than identified in this IBP;
 - That other sources of funding fail to materialise;
 - That consensus is not reached over which projects should be prioritised for CIL funding;
 - That infrastructure delivery commissioner(s) funding priorities change;
 - That identified sources for match-funding are withdrawn;
 - That the Parishes will not spend their CIL within five years of receipt, and thus the District Council may ask for its return;
 - That a parish or infrastructure delivery commissioner misappropriates their share of the CIL;
 - That agreement is not reached over the monitoring arrangements with our CIL partners;
 - That the total amount of infrastructure 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. Appendix

Appendix – Draft Infrastructure Business Plan 2016/2021 (The full draft IBP is available in colour in the supplementary appendices pack on the Council's website; a black and white version, without appendices, is printed for members of the Cabinet.)