

**CONSULTATION ON EAST CAMBRIDGESHIRE DISTRICT COUNCIL'S  
REGULATION COMMUNITY INFRASTRUCTURE LEVY (CIL) 123 LIST**

**To:** Economy and Environment Committee

**Meeting Date:** 21 April 2015

**From:** Executive Director, Economy Transport & Environment

**Electoral division(s):** Burwell, Ely North and East, Ely South and West, Haddenham, Littleport, Soham and Fordham Villages, Sutton, Woodditton

**Forward Plan ref:** Not applicable      **Key decision:** No

**Purpose:** To inform Members of the response to the consultation on the East Cambridgeshire District Council Regulation 123 List which identifies projects for Community Infrastructure Levy funding.

**Recommendation:** Committee is asked to endorse the recommendations of the 'Joint East Cambridgeshire District Council and Cambridgeshire County Council Steering Group for Planning and Transport', namely to add the following projects to the CIL Regulation 123 list:

- a) Area Special School, Littleport
- b) Expansion and redevelopment of Staploe Medical Centre, Soham
- c) Lode to Quay Cycle Path
- d) Strategic Waste Contribution – Witchford Household Recycling Centre
- e) Wicken-Soham-Ely Cycle Path

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## **1. PURPOSE**

- 1.1 East Cambridgeshire District Council (ECDC) is currently consulting on their Community Infrastructure Regulation 123 List which includes a list of infrastructure projects that may benefit from Community Infrastructure Levy (CIL) contributions in future. Members' views are sought on the proposed list of schemes which are being recommended for inclusion on the Regulation 123 list from the 'Joint East Cambridgeshire District Council and Cambridgeshire County Council Steering Group for Planning and Transport' and any other issues that need to be considered in this response.

## **2. BACKGROUND**

- 2.1 The Community Infrastructure Levy (CIL) came into force in April 2010. It allows local authorities in England and Wales to raise funds from new development in their area. The money can be used to fund a wide range of infrastructure that is needed as a result of development. Since 6 April, CIL is the principal method for securing funding towards infrastructure needed for growth. Section 106 developer contributions will be restricted to providing site specific infrastructure requirements and related mitigation measures.
- 2.2 Under the CIL Regulations charging authorities must produce an agreed list of infrastructure to be funded through CIL. This is referred to as a Regulation 123 list (the list). The District Councils, as Local Planning Authorities, are the designated CIL charging and collecting authorities and are required to publish this list. Projects on the list are eligible for CIL funding and cannot be funded from Section 106. Inclusion of a project on the list does not commit the charging authority to spend funds on the project – it simply indicates that this is a potential scheme that could benefit from CIL funding as CIL will not cover the full cost of infrastructure requirements.
- 2.3 The County Council works with the District Councils to set out our infrastructure requirements, primarily covering Schools, Transport, Libraries and Waste, and to agree priorities. However it is the charging authorities that have the final decision on what is included on the list.
- 2.4 The levy must focus on new infrastructure for growth, rather than remedy existing deficiencies. Charging authorities can work collaboratively to pool funds to support delivery of sub-regional infrastructure. To date, within Cambridgeshire, only Huntingdonshire and East Cambridgeshire have adopted CIL. South Cambridgeshire District Council and Cambridge City Council are currently working towards introducing CIL by spring 2016.
- 2.5 East Cambridgeshire District Council (ECDC) introduced CIL on 1 February 2013. The CIL is based on the East Cambridgeshire Core Strategy 2009 but also makes provision for development coming forward through the Local Plan which ECDC is expecting to adopt in summer 2015. The Local Plan will make provision for 11,500 new dwellings from 2011-2031.
- 2.6 While the estimated potential income from CIL was originally circa £30M over the lifetime of the Local Plan; Government introduced additional legislative exemptions and restrictions which have resulted in less CIL funding being secured to date. These legislative changes include:

- allowing Parish and Town Councils to receive a ‘meaningful proportion’ of at least 15% of CIL receipts relating to their Parish,
- self-build and residential extensions exemptions from paying CIL.

2.7 As of 26 February 2015 ECDC has received £609,651.66 from CIL liable development. In accordance with the Regulations, CIL income has been divided as follows:

<b>Amount Received</b>	<b>Administration (5%)</b>	<b>Parish Council (15%)</b>	<b>R123 Projects (80%)</b>
£609,651.66	£30,482.58	£91,447.75	£487,781.33

2.8 As strategic developments such as Ely North come forward, additional CIL monies will become available for allocation towards infrastructure identified on the Regulation 123 list (see below) will be regularly reviewed and consulted on to take account of this.

2.9 At present the East Cambridgeshire Regulation 123 list consists of the following strategic infrastructure projects:

- Ely Leisure Centre
- Ely Southern Bypass
- Littleport Secondary School
- Soham Railway Station

2.10 The County Council supports the prioritisation of Ely Southern Bypass, Littleport Secondary School and Soham Railway Station. Indeed CIL will be a key element of the funding package to help deliver these projects, some of which are also expected to require prudential borrowing by the County Council to support growth set out in the Local Plan.

2.11 In order to maximise CIL funding, ECDC does not propose that CIL will be able to fund the entirety of a project, and as such match funding will be required. ECDC also proposes that the list will be reviewed annually or as need arises and will consult with the County Council and other key stakeholders each time an amendment is proposed.

### **3 PROPOSED PROJECTS FOR INCLUSION ON THE REGULATION 123 LIST**

3.1 In addition to the items identified on the list (see paragraph 2.9), ECDC recently invited proposals for other strategic projects (i.e. costing over £4M) and major projects (i.e. costing £100K to £4M) that could be included on the list. The CIL Regulations state that funds must be spent on ‘infrastructure necessary to support growth’.

3.2 As part of this consultation, East Cambridgeshire received 21 proposed projects, submitted by various organisations, including 5 from the County Council underlined below:

- Area Special School 2-19, Littleport (CCC)
- Bottisham VC extension (CCC)
- Burwell Sports Hub (Burwell Parish Council (PC))

- Children's play area (Kirtling and Upend PC)
- Cycle networks between market towns (CCC)
- Cycle path from Thistle Corner to Sainsbury's (Cllrs Gareth & Pauline Wilson)
- Cycle path Burwell to Exning (Burwell PC)
- Dualling of the A10 between A142 Witchford Road and A142 Angel Drove (CCC)
- Expansion and redevelopment of Staploe Medical Centre (Staploe Medical Centre)
- Improvements to verge - The Causeway (Burwell PC)
- Indoor sport facilities projects (ECDC Commercial Services committee)
- Lode to Quy Cycle Path (Lode and Swaffam Bulbeck PCs)
- Refurbishment/updating of village hall (Westley Waterlees Village Hall Committee)
- Roundabout or alternative at Witcham Toll (Haddenham PC & Cllrs Wilson)
- Strategic Waste Contribution – Witchford Household Recycling Centre (CCC)
- Swaffam Prior CoE Primary School extension (Reach and Swaffam Prior PCs)
- Traffic calming measure for Mill Hill, Swaffam Prior (Swaffam Prior PC)
- Traffic lights at Haddenham Crossroads (Haddenham PC & Cllrs Wilson)
- Traffic Management Reach Road/Swaffam Road junction, Burwell (Burwell PC)
- Wicken-Soham-Ely Cycle Path (Wicken PC)
- Wicken-Soham Cycleway (Soham TC)

3.3 ECDC and County officers worked closely to consider prioritisation of the proposed projects. ECDC and the County Council have also worked closely via the relevant partnership liaison and advisory group – the 'Joint East Cambridgeshire District Council and Cambridgeshire County Council Member and Officer Steering Group for Planning and Transport' (the Group). This joint working resulted in the production of scoring criteria against which proposed projects were considered:

- fit with East Cambridgeshire Local Plan and ECDC Corporate Priorities
- fit with Cambridgeshire Local Transport Plan 2011-31, where applicable
- deliverability and funding
- prioritisation based on level of local growth and evidence of need

3.4 This approach to prioritisation helps ensure that funding can go towards the most critical and essential infrastructure needed to support growth, i.e. transport and education infrastructure is prioritised.

3.5 The Group met on 13 March 2015 to consider the proposed projects against the criteria. As a result, the following projects are being recommended for inclusion on the list:

- Area Special School 2-19, Littleport (CCC)
- Expansion and redevelopment of Staploe Medical Centre, Soham (Staploe Medical Centre)
- Lode to Quy Cycle Path (Lode and Swaffam Bulbeck PCs)
- Strategic Waste Contribution – Witchford Household Recycling Centre (CCC)
- Wicken-Soham-Ely Cycle Path (Wicken PC)

3.6 This list will be recommended to East Cambridgeshire's Full Council, and the endorsement of this Committee if given, will also be reported.

3.7 The other County Council proposed projects are not being recommended for inclusion on the list at this time for the following reasons:

- Cycle networks between market towns – while this project scored highly, it lacked sufficient details regarding deliverability and funding. Subject to additional details being included, this project could be submitted for consideration again. (The Wicken-Soham-Ely Cycle Path project proposed by Wicken TC and recommended for inclusion on the list forms a part of this project.)
- Dualling of the A10 between the A142 Witchford Road and A142 Angel Drove junctions – this project is not expected to commence within the required 5 year timescale.
- Expansion of Bottisham Village College – it is expected that this will be funded through pooling the relevant S106 contributions.

#### **4. ALIGNMENT WITH CORPORATE PRIORITIES**

##### **4.1 Developing the local economy for the benefit of all**

CIL helps to develop the local economy for the benefit of all by funding infrastructure, and ensuring that the impacts of growth can be mitigated by investing such contributions in improvements or towards new infrastructure.

##### **4.2 Helping people live healthy and independent lives**

CIL helps fund infrastructure. Much of this infrastructure will help people live healthy and independent lives, e.g. by improving cycling and pedestrian facilities and improving access by healthy active means of travel.

##### **4.3 Supporting and protecting vulnerable people**

CIL helps fund infrastructure. Investment in infrastructure helps improve access for all.

#### **5. SIGNIFICANT IMPLICATIONS**

##### **5.1 Resource Implications**

Working with the District Council to identify projects for inclusion on the Regulation 123 list and secure funding for County Council projects on the list requires resources. Additional resource will also be required to engage with Parish Councils in the future in order to maximise the chances of their projects being included on the list. If parish councils support the same projects as the County Council additional funding could be unlocked as parish councils will already be receiving a 'meaningful proportion' of at least 15% of CIL receipts relating to their Parish.

##### **5.2 Statutory, Risk and Legal Implications**

East Cambridgeshire District Council administers the CIL however it is used to pay for the infrastructure required to support development in the district. It is therefore essential that the County Council fully engages with this process. Without securing CIL funding, delivery of County Council infrastructure will be at risk.

### 5.3 Equality and Diversity Implications

No significant implications.

### 5.4 Engagement and Consultation Implications

Paragraphs 3.1-3.5 set out how the County Council has engaged with the District Council. Regular engagement with the District Council on this issue will continue.

### 5.5 Localism and Local Member Involvement

Paragraphs 3.1-3.5 set out how the County Council has engaged with the District Council. Regular engagement with the District Council on this issue will continue.

### 5.6 Public Health Implications

No significant implications.

Source Documents	Location
Report to E&E Committee 27 May 2014: <i>Appointments to internal advisory groups and panels, and partnership liaison and advisory groups</i> – includes appointments to the ‘Joint East Cambridgeshire District Council and Cambridgeshire County Council Member and Officer Steering Group for Planning and Transport’	Available <a href="#">here</a>
East Cambridgeshire CIL Regulation 123 List	Available <a href="#">here</a>