

A meeting of the **CABINET** will be held in the **CIVIC SUITE 0.1A PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON, PE29 3TN** on **THURSDAY, 17 NOVEMBER 2011** at **7:00 PM** and you are requested to attend for the transaction of the following business:-

APOLOGIES


Contact
(01480)

1. MINUTES (Pages 1 - 6)

To approve as a correct record the Minutes of the meeting held on 19th October 2011.

Mrs H Taylor
388008

2. MEMBERS' INTERESTS

To receive from Members declarations as to personal and/or prejudicial interests and the nature of those interests in relation to any Agenda Item. Please see Notes 1 and 2 below.

3. TREASURY MANAGEMENT REVIEW OF PERFORMANCE
(Pages 7 - 14)

To consider a report by the Head of Financial Services reviewing performance for the period 1st April to 30th September 2011.

S Couper
388103

4. EMERGENCY PLANNING - MEMORANDUM OF UNDERSTANDING (Pages 15 - 22)

To consider a report by the Head of Operations seeking approval for the Memorandum of Understanding for Emergency Management.

S Hansen
388630

5. ANNUAL EQUALITY PROGRESS REPORT (Pages 23 - 42)

To consider a report by the Senior Policy Officer on the achievement of the Council's Single Equality Scheme Action Plan.

Mrs L Sboui
388032

6. CARBON MANAGEMENT PLAN UPDATE (Pages 43 - 52)

To consider a report by the Head of Environmental Management on the Council's Carbon Management Plan.

C Jablonski
388368

7. HUNTINGDONSHIRE COMMUNITY INFRASTRUCTURE LEVY DRAFT CHARGING SCHEDULE (Pages 53 - 142)

To consider a report by the Head of Planning Services on the consultation responses received on the Huntingdonshire

P Bland
388430

Community Infrastructure Levy Charging Schedule.

8. EXCLUSION OF PRESS AND PUBLIC

To resolve:

that the press and public be excluded from the meeting because the business to be transacted contains information relating to the financial or business affairs of any particular person (including the authority holding that information).

9. FUNDING FOR CCTV (Pages 143 - 158)

To receive a report by the Head of Operations outlining options for the future operation of the CCTV service.

**E Kendall
388635**

10. LAND AT THE WHADDONS/ THONGSLEY, HUNTINGDON (Pages 159 - 166)

To consider a report by the Heads of Housing Services and of Corporate Services seeking the approval of terms for the disposal of Council-owned land at the Whaddons/ Thongsley, Huntingdon.

**S Plant
388240**

Dated this 9 day of November 2011



Head of Paid Service

Notes

1. *A personal interest exists where a decision on a matter would affect to a greater extent than other people in the District –*
 - (a) *the well-being, financial position, employment or business of the Councillor, their family or any person with whom they had a close association;*
 - (b) *a body employing those persons, any firm in which they are a partner and any company of which they are directors;*
 - (c) *any corporate body in which those persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or*
 - (d) *the Councillor's registerable financial and other interests.*
2. *A personal interest becomes a prejudicial interest where a member of the public (who has knowledge of the circumstances) would reasonably regard the Member's personal interest as being so significant that it is likely to prejudice the Councillor's judgement of the public interest.*

Please contact Mrs H Taylor, Senior Democratic Services Officer, Tel No. 01480 388008/e-mail Helen.Taylor@huntingdonshire.gov.uk /e-mail: if you have a general query on any Agenda Item, wish to tender your apologies for absence from the meeting, or would like information on any decision taken by the Cabinet.

Specific enquiries with regard to items on the Agenda should be directed towards the Contact Officer.

Members of the public are welcome to attend this meeting as observers except during consideration of confidential or exempt items of business.

Agenda and enclosures can be viewed on the District Council's website – www.huntingdonshire.gov.uk (*under Councils and Democracy*).

**If you would like a translation of
Agenda/Minutes/Reports or would like a
large text version or an audio version
please contact the Democratic Services Manager
and we will try to accommodate your needs.**

Emergency Procedure

In the event of the fire alarm being sounded and on the instruction of the Meeting Administrator, all attendees are requested to vacate the building via the closest emergency exit.

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Agenda Item 1

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the CABINET held in the Pathfinder House, St Mary's Street, Huntingdon, PE29 3TN on Thursday, 20 October 2011.

PRESENT: Councillor J D Ablewhite – Chairman.
Councillors B S Chapman, J A Gray,
N J Guyatt, T D Sanderson and D M Tysoe.

IN ATTENDANCE: Councillors I C Bates, D B Dew, Mrs J Dew, J W Davies and A Williams.

46. MINUTES

The Minutes of the meeting of the Cabinet held on 22nd September 2011 were approved as a correct record and signed by the Chairman.

47. MEMBERS' INTERESTS

Councillor Chapman declared a personal interest in Minute No. 52 by virtue of his role as advisor to the Huntingdonshire Citizens' Advice Bureaux.

48. FINANCIAL MONITORING CAPITAL PROGRAMME 2011/12

By means of a report by the Head of Financial Services (a copy of which is appended in the Minute Book) the Cabinet was acquainted with anticipated cost variations and timing changes in the Capital Programme for the 2011/12 financial year.

In considering the main variations to the programme, Members have been advised of the early repayment of a mortgage by a Housing Association. Although this money could now be utilised to fund other schemes, Executive Councillors noted that the redemption would result in a significant loss of interest. Having suggested that any future loan be subject to an early repayment clause, the Cabinet

RESOLVED

that the report be received and the expenditure variations noted.

49. FINANCIAL MONITORING - REVENUE BUDGET 2011/12

The Cabinet received a report by the Head of Financial Services (a copy of which is appended in the Minute Book) on the projected budget outturn for 2011/12 together with details of variations from the previous forecast.

Members noted that the expected outturn of revenue expenditure was £22.2m which represented a reduction in the approved budget of £398,000. However, Executive Councillors acknowledged that some £3m of reserves was required to balance the budget. Whereupon, it was

RESOLVED

that the contents of the report now submitted be noted.

50. DISABLED FACILITIES GRANTS AND CHARGES ON PROPERTIES

Pursuant to Minute No 11/42 and by way of a report by the Head of Housing Services (a copy of which is appended in the Minute Book) the Cabinet considered a proposal to put charges on properties to recover certain costs of Disabled Facilities Grants (DFGs) together with the views of the Overview and Scrutiny Panels (Social and Economic Well-Being) thereon.

Members were advised that the Housing Grants, Consultation and Regeneration Act (as amended) had given local authorities the discretion to impose a limited charge on adapted properties of owner occupiers for repayment if their property was sold within ten years and if the DFG cost more than £5,000. Having noted that the maximum that could be reclaimed was capped at £10,000 and in recognising that most adaptations do not add to the home's capital value with the exception of the garage and outbuilding conversions and extensions, the Cabinet

RESOLVED

- (a) that charges be placed on properties where owner occupiers receive a disabled facilities grant in excess of £10,000 (excluding HIA fees) where the grant is for a garage or outbuilding conversion, or extension or any combination of these;
- (b) that the Heads of Legal and Democratic Services and of Housing Services, after consultation with the Executive Councillor for Strategic Planning and Housing, be authorised to determine the most effective and efficient procedure for placing charges on properties to include the development and adoption of a repayment scheme; and
- (c) that the Head of Housing Services be authorised to decide whether to seek repayment in accordance with paragraph 2.5 of the report now submitted.

51. CAMBRIDGESHIRE PUBLIC SECTOR ASSET MANAGEMENT STRATEGY

By way of a report by the Managing Director (Communities, Partnerships and Projects) (a copy of which is appended in the Minute Book) the Cabinet were acquainted with the background to the

Making Assets Count Programme and Cambridgeshire Public Sector Asset Management Strategy. The report had been considered by the Overview and Scrutiny Panel (Economic Well-Being) whose comments were relayed to the Cabinet.

Members were advised that the Programme aimed to deliver high quality and effective management of public sector assets in Cambridgeshire. An essential part of this was the development of an Asset Management Strategy, bringing together public sector organisations across Cambridgeshire to develop a joined-up approach to the management and use of their property assets.

Having noted the benefits of sharing assets, proposals to establish a Project Board in each of the district areas and the terms of reference for the proposed Huntingdonshire Board, the Cabinet

RESOLVED

- (a) that the contents of the report now submitted be noted;
- (b) that the Making Assets Count Programme and the establishment of a Huntingdonshire Making Assets Count Board be supported; and
- (c) that the Cambridgeshire Public Sector Asset Management Strategy be endorsed.

52. VOLUNTARY SECTOR REVIEW

With the assistance of a report by the Head of Environmental & Community Health Services (a copy of which is appended in the Minute Book) the Cabinet were acquainted with the findings of a review of the Voluntary Sector Organisations that hold commissioning agreements with the Council. The report had been considered by the Overview and Scrutiny Panel (Social Well-Being) whose comments were relayed to the Cabinet.

Executive Councillors were advised that officers have met with representatives of the affected organisations to discuss the potential impact of a reduction in grant funding on service users, their ability to attract external funding and the organisations' capacity to use their financial reserves to offset any budget reductions.

In considering budget reductions, Members concurred with the Panel that a 50 % reduction in funding could place some of the organisations in a vulnerable position and may result in an increase in demand for services provided by the Council and other public sector service providers, the cost of which could exceed any grant reductions.

Particular reference was drawn to accommodation costs for some of the organisations, Members concurred with the panel that alternative accommodation options should be investigated with a view to achieving efficiencies.

Having acknowledged the excellent work of each of the organisations and in stressing the Council's commitment to supporting them, the

Cabinet

RESOLVED

- (a) that the contents of the report now submitted be noted;
- (b) that officers be requested to continue negotiations with appropriate organisations and other statutory partners in an attempt to facilitate organisational change; and
- (c) that savings potential of alternative accommodation arrangements be investigated.

53. GREEN HOUSE PROJECT UPDATE

A report by the Head of Environmental Management was submitted (a copy of which is appended in the Minute Book) reviewing progress on the Council's Green House Project, together with the deliberations of the Overview and Scrutiny Panel (Environmental Well-Being) thereon.

By way of background, Members were advised that the scheme had been an exemplar project which had successfully demonstrated practical and appropriate cost-effective retrofit energy efficiency, renewable energy and water efficiency measures.

Members' attention was drawn to three possible options for the future of the properties the first being, the sale of both properties in line with the current Medium Term Plan and two further options to enable the retention of the St Ives Green House as a showcase property until the end of the financial year 2013/14

Having concurred with the Panel that more efforts should be made to promote the project and in suggesting that alternative names should be explored to avoid any confusion over the "Greenhouse" title, the Cabinet

RESOLVED

- (a) that the St Ives Green House be retained until March 2014 and the St Neots property rented with the additional revenue costs being met from the existing Environmental Projects revenue budget;
- (b) that the development of the project as the main mechanism for the Council to deliver the Government's Green Deal initiative in conjunction with project partners be supported, subject to its rebranding; and
- (c) that a further report on progress of the Project be submitted to Cabinet in October 2012.

54. ST. IVES WEST URBAN DESIGN FRAMEWORK

(Councillors I C Bates, J W Davies, Mrs J A Dew and A Williams – local ward Members and Councillor D B Dew, Chairman of the Development Management Panel, were in attendance and spoke on this item)

With the assistance of a report by the Head of Planning Services (a copy of which is appended in the Minute Book) the Cabinet considered the content of the draft St Ives West Urban Design Framework, produced as guidance in order to shape the delivery of housing and new strategic green space within this area in accordance with the strategic direction of growth identified within the adopted Core Strategy.

The Executive Councillor for Strategic Planning and Housing, explained that the title of the finalised document would be “St Ives West Urban Design Framework” and to avoid any confusion regarding the proposed status of the guidance the sub-title references in the draft document, specifically “Planning Brief 2011”, “Supplementary Planning Document” and “Planning Policy Document” would be deleted from the finalised document.

Executive Councillors were of the opinion that on balance the framework would bring forward high quality residential development, with an associated large publicly accessible area of green open space, which it is intended would be transferred into public ownership and would serve to protect St Ives town and the village of Houghton & Wyton from inappropriate development. Members were specifically reminded that the planning guidance contained within the document was not intended to define, presume or endorse the release of sites with the area, nor constitute any formal site allocation.

In reviewing the issues involved, the Cabinet considered comments by Councillors Bates and Williams on the responses in the consultation document and the concerns held by the residents of Houghton & Wyton regarding the inadequate area of green space separation between the village and St Ives, the impact of the framework on traffic on the A1123 and to issues questioning the documents legal status. At the same time, Councillors Mrs J Dew and Davies, ward Members for St Ives, and Councillor D B Dew as Chairman of the Development Management Panel addressed the Cabinet in support of the document.

Having considered the views of the Overview and Scrutiny Panel (Environmental Well-Being), the Cabinet

RESOLVED

that the Head of Planning Services, after consultation with the Executive Councillor for Strategic Planning and Housing and the Chairman of the Development Management Panel, be authorised to finalise and approve the St Ives West Urban Design Framework as planning guidance to inform Council policy and future decisions on potential development applications.

55. SAFETY ADVISORY PANEL

The report of the Safety Advisory Panel held on 7th September 2011 was received and noted.

Chairman

OVERVIEW AND SCRUTINY
CABINET
COUNCIL

3 NOVEMBER 2011
17 NOVEMBER 2011
14 DECEMBER 2011

TREASURY MANAGEMENT REVIEW OF PERFORMANCE (Report by the Head of Financial Services)

1. INTRODUCTION

- 1.1 In February the Council adopted the latest edition of the *CIPFA Treasury Management in the Public Services: Code of Practice*, which requires the full Council to approve a treasury management strategy before the start of each financial year and to receive a mid-year report and an annual report after the end of the year. This is the second mid-year report presented under this Code and covers the period 1st April to 30th September 2011.
- 1.2 In addition, the Communities and Local Government *Guidance on Local Government Investments* recommends that local authorities review their investment strategy in the light of any changes in internal or external circumstances.
- 1.3 This report meets the requirements of both sets of guidance by reviewing the strategy, updating the Council on the performance of investments, and identifying any concerns over the credit-worthiness of counterparties.

2. TREASURY MANAGEMENT STRATEGY

- 2.1 The Council approved the 2011/12 treasury management strategy at its meeting on 23 February 2011. The investment strategy is to invest any surplus funds in a manner that balances low risk of default by the borrower with a fair rate of interest. The Council's borrowing strategy permits borrowing for cash flow purposes and funding current and future capital expenditure over whatever periods are in the Council's best interests.
- 2.2 It can be reported that all treasury management activity undertaken during the period complied with the approved strategy, the *CIPFA Code of Practice*, and the relevant legislative provisions.

3. TREASURY MANAGEMENT ACTIVITY

- 3.1. Short-term investment rates continue to be very low whilst long-term borrowing rates are higher. Given the Council's financial challenges over the next few years it is therefore appropriate, for the present, to use the Council's own revenue reserves, supplemented by mostly short term borrowing, to temporarily fund the capital programme pending the return to a more "normal" interest rate structure.

- 3.2 Therefore, during the last 6 months most activity has been in managing short term fluctuations in cash flow by borrowing or investing for short periods. However £3M was invested for 5 months from April to September 2011 to take advantage of slightly higher interest rates.
- 3.3 Much of the activity has been in liquidity accounts where the funds are accessible without notice, thus providing more security than term deposits, but also providing a good (in relative terms) rate of return.
- 3.4 There have also been deficits at other times which have required the Council to borrow temporarily from other Local Authorities at low rates and for less than a month
- 3.5 The following table summarises the transactions during the period:

	£m
Investments - as at 31 st March 2011	15.5
- matured in period	-77.0
- arranged in period	80.8
- as at 30 th Sept 2011	19.3
Borrowing - as at 31 st March 2011	-13.1
- matured/repaid in period	32.6
- arranged in period	-29.5
- as at 30 th Sept 2011	-10.0
Net investments at 31st March 2011	2.4
Net investments at 30th September 2011	9.3

- 3.6 The rise in net investments from April to September reflects the fact that the Council Tax is predominantly collected in 10 monthly instalments from April to January thus giving an improved cash flow from mid-April to mid-January each year.
- 3.7 On 30 September 2011 the Council had investments of £19.3M and borrowing of £10.0M. Annex A gives the details.

4. PERFORMANCE SUMMARY

4.1 In-house funds

All the treasury management funds are managed in-house. The portfolio historically comprised of a mixture of short-term investments and temporary borrowing to manage cash flow but now temporarily includes the borrowing and investment of the £10M advance borrowing from the PWLB.

- 4.2 The performance summary below, however, is based only on short-term investments and borrowing as that gives a truer comparison with the current benchmark of the 7 day rate.

PERFORMANCE FOR THE 6 MONTHS APRIL 2011 – SEPTEMBER 2011					
	Performance	Benchmark	Variation from benchmark	Managed Funds	
				1 April	30 Sept
Net investments	0.73%	0.22%	+0.51%	£2.4m	£9.3m

5. PERFORMANCE AGAINST BUDGET IN 2010/11

- 5.1 The latest forecast outturn is for net investment interest to exceed the budget of £93k by £23k.

6. TREASURY MANAGEMENT STRATEGY

- 6.1 All treasury management activity undertaken during the period complied with the approved strategy, the *CIPFA Code of Practice*, and the relevant legislative provisions

- 6.2 On 7 October 2011 Moody's, one of the leading credit Agencies, signalled the continuing international uncertainty by downgrading the long-term ratings of four banks and eleven building societies although their short-term ratings remained the same. They also considered which Building Societies the Government would be most likely to provide financial support to.

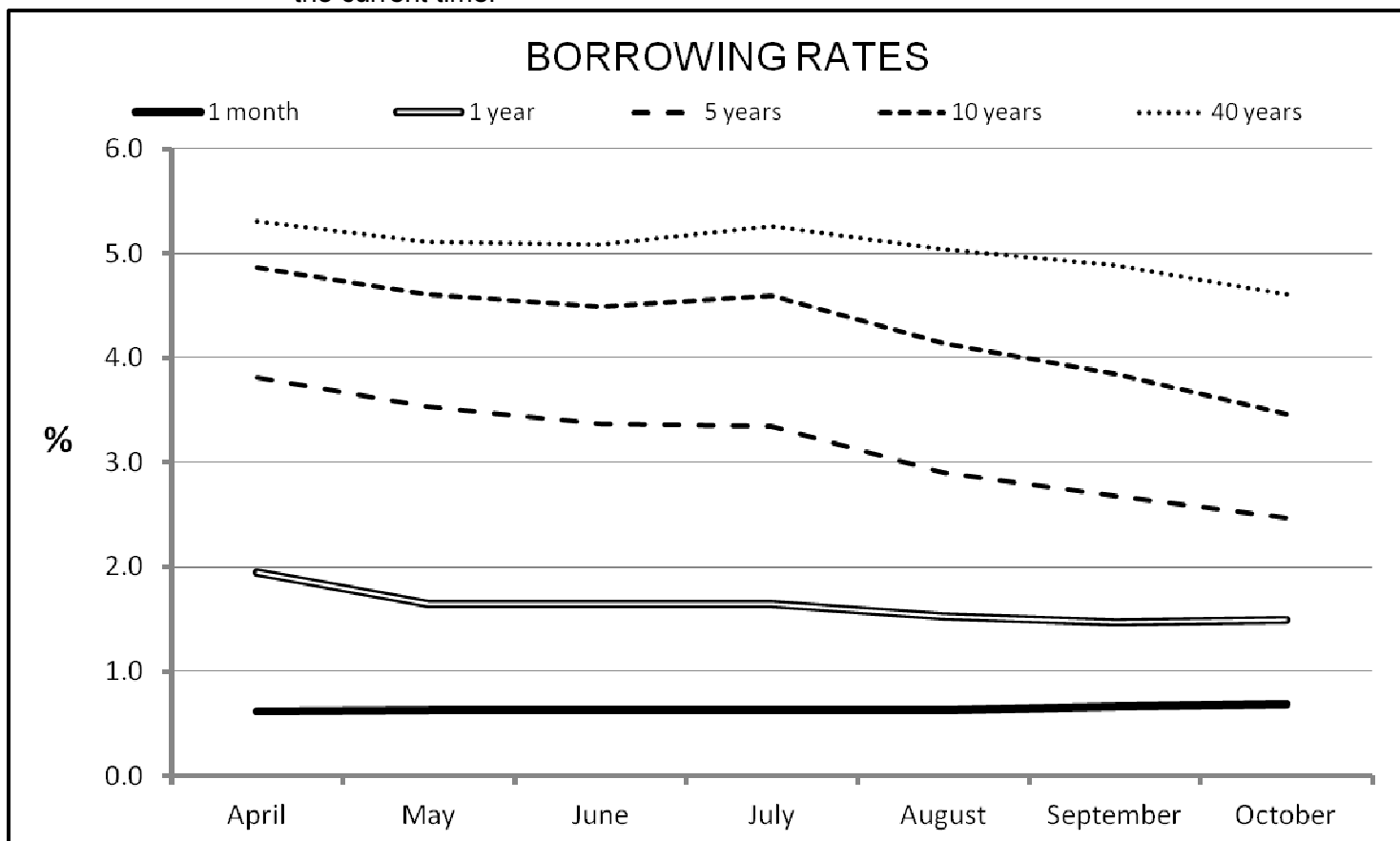
- 6.3 The Council has an investment of £5M with Skipton Building Society which matures in December 2013, and this is one of the societies which Moody's consider would be unlikely to receive Government Support if it got into difficulties. It is not felt that the Council's funds are particularly at risk though for a number of reasons. These include:

- The structure of Building Societies whereby wholesale depositors (e.g. HDC) have priority over retail deposits (the public).
- The ability of the building society industry to self-regulate by merging societies e.g. Chelsea and Stroud & Swindon in 2010 and Norwich & Peterborough in 2011.
- The high proportion of loans that are covered by assets.
- They are the 4th largest Society with assets of £13.7billion, reserves of £820 million and higher liquid assets (28%) than any of the top 12 Societies.

- 6.4 There is no need to amend the 2010/11 strategy due to these continuing international problems because it already allows us to minimise borrowing, thus reducing our levels of investments and to focus those investments into, no notice, liquidity accounts or shorter term time deposits. The Treasury Management Team is also investigating other investment opportunities such as AAA rated money market funds.

- 6.5 The chart below highlights the benefits of borrowing for short periods at

the current time:



7 TREASURY MANAGEMENT INDICATORS

7.1 The Council measures its exposures to certain treasury management risks with the following indicators which generally relate to the position as at 30 September.

7.2 Interest rate exposures

This indicator is set to control the Council's exposure to interest rate risk. The calculation sets off fixed rate investments (£10M) against fixed rate borrowing (£10M) leaving the remaining short term investments all defined as variable.

	Limit	Actual
Upper limit on fixed rate exposures	100%	0%
Upper limit on variable rate exposures (all items on fixed rates for less than 12 months are defined as variable)	100%	100%

7.3 Maturity structure of borrowing

Following advice from our Treasury Management Advisers it is proposed to combine the two cash flow tables set in the original policy because of the difficulty of differentiating cash flow borrowing when it is in the Council's interest to use its own funds or to borrow short to cover capital

expenditure:

Cash flow borrowing	Upper Limit	Lower Limit	Actual
Under 12 months	100%	100%	
Above 12 months	0%	0%	

Borrowing to fund capital schemes	Upper Limit	Lower Limit	Actual
Under 12 months	25%	0%	
12 months and within 24 months	25%	0%	
24 months and within five years	25%	0%	
Five years and within 10 years	50%	0%	
10 years and above	100%	0%	

The **Proposed** replacement table and targets becomes:

Borrowing	Upper Limit	Lower Limit	Actual
Under 12 months	75%	0%	0%
12 months and within 24 months	25%	0%	0%
24 months and within five years	25%	0%	0%
Five years and within 10 years	50%	0%	0%
10 years and above	100%	0%	100%

7.4 Investment repayment profile – limit on the value of investments that cannot be redeemed within 364 days

The purpose of this indicator is to control the Council's exposure to the risk of incurring losses by seeking early repayment of its investments. The total principal sums invested to final maturities beyond the period end were:

	2011/12 £000	2012/13 £000	2013/14 £000
Limit on principal invested beyond year end	18,700	13,100	10,100
Actual principal invested beyond year end	10,000	5,000	0

8. RECOMMENDATIONS

- 8.1 Cabinet is requested to recommend to Council:
- that it approves the revised table and targets in paragraph 7.3
 - notes the contents of this report

BACKGROUND PAPERS

Working papers in Financial Services

CONTACT OFFICER

Steve Couper – Head of Financial Services Tel. 01480 388103

ANNEX A

Investments as at 30 September 2011

		£000	Investment date	Rate %	Repayment date
Term Deposits					
Royal Bank of Scotland	Temporary investment of PWLB borrowing	5,000	19/12/08	4.04	19/12/12
Skipton Building Society		5,000	19/12/08	4.85	19/12/13
Bank of Scotland		5,000	11/03/11	1.93	08/02/12
Liquidity Accounts					
Cambridge Building Society		3,000	15/09/11	1.25	call
NatWest		1,300	30/09/11	0.80	call
TOTAL		19,300			

Borrowing as at 30 September 2011

	£000	Borrowing date	Rate %	Repayment date
Long Term				
PWLB	5,000	19/12/08	3.91	19/12/57
PWLB	5,000	19/12/08	3.90	19/12/58
Short Term				
None	0			
TOTAL	10,000			

**TREASURY MANAGEMENT – REVIEW OF PERFORMANCE
(Report by the Overview and Scrutiny Panel (Economic Well-Being))**

1. INTRODUCTION

- 1.1 At its meeting held on 3rd November 2011, the Overview and Scrutiny Panel (Economic Well-Being) considered a report by the Head of Financial Services reviewing the performance of the Council's Investments for the period 1st April to 30th September 2011. This report summarises the Panel's discussion

2. THE PANEL'S DISCUSSIONS

- 2.1 In considering the content of the report, the Panel has noted that the latest forecast outturn is for net investment interest to exceed the budget of £93k by £23k. The Head of Financial Services has reported that the financial market continues to remain uncertain and the current strategy seeks to invest any surplus funds in a manner that balances low risk of default by the borrower with a fair rate of interest.
- 2.2 With regards to the Council's investment of £5M with Skipton Building Society, the Panel has noted that this has recently been identified by Moody's, one of the leading credit Agencies, as one of the societies which they consider would be unlikely to receive Government Support if it got into difficulties. The Head of Financial Services has expressed the view that the Building Society Industry is sufficiently robust and is inclined to protect investors' interests so there is no immediate need to change this investment.
- 2.3 Attention has also been drawn to the indicators which are currently used by the Council to measure certain treasury management risks. With regard to the indicator 'Maturity Structure of Borrowing', the Panel has noted a proposal to combine the indicators for 'Cash flow borrowing' and 'Borrowing to fund capital schemes' as set out in paragraph 7.3 of the report. The change is proposed because of the difficulty of differentiating cash flow borrowing when it is in the Council's interest to use its own funds from borrowing short to cover capital expenditure. The Panel has supported the change.
- 2.4 The Panel has been informed of the Council's Investments as at 30 September 2011 and has received an explanation as to the role of the Capital Receipts Advisory Group in determining investment activity. Members have noted that the constitution and membership of this Group will need to be reviewed.
- 2.5 As a consequence of a question on the Council's Net Assets, the Panel has noted that net cash is likely to fall. Details of the net position over the course of the next few years will be presented as part of the report on the Council's budget in February 2012. Forward borrowing will be considered in light of market conditions.

3. RECOMMENDATION

- 3.1 The Cabinet is requested to take into consideration the views of the Overview and Scrutiny Panel (Economic Well-Being) as set out above when considering this item.

Contact Officer: A Roberts, Scrutiny and Review Manager
☎ 01480 388015

CABINET

17th NOVEMBER 2011

**EMERGENCY MANAGEMENT
MEMORANDUM OF UNDERSTANDING
(Report by the Head of Operations)**

1. INTRODUCTION

- 1.1 The County Council and District Councils are required in their role as Category 1 responders (as set out in the Civil Contingencies Act 2004) to make preparations and respond to civil emergencies. A Memorandum of Understanding has been drawn up to set out the guiding principles of how the councils will work together in order to optimise the deployment of resources in each council most effectively.
- 1.2 This report seeks Cabinet's agreement for the Managing Director (People, Performance and Partnerships) to sign the Memorandum of Understanding (MOU) for Emergency Management.

2. PURPOSE OF THE MEMORANDUM OF UNDERSTANDING

- 2.1 The purpose of the MOU is to ensure a clear understanding of the way in which partners will work together to deliver effective emergency planning in accordance with relevant legislations and ensure the provision of mutual aid in the event of an incident.
- 2.2 The MOU is set out in the appendix to this report. A couple of key points to note are set out in paragraph 3 below.

3. RESPONSIBILITIES AND FUNDING

- 3.1 The District Council will normally be the lead local authority responder in an emergency within their administrative boundaries. The County Council may coordinate the local authority response for any emergency extending beyond the boundaries of a single district if requested to do so by the district or if the district council is overwhelmed by the extent of the emergency.
- 3.2 There is no funding regime associated with this agreement.
- 3.3 In the event of a council requesting mutual aid from a partner agency, such as provision of additional staff to help out in an emergency, the requesting authority will bear the financial cost associated with the provision of such aid.

5. RECOMMENDATION

- 5.1 Cabinet are asked to agree that the Managing Director (People, Performance, Partnerships) signs the attached Memorandum of Understanding for Emergency Management.

Contact Officer: Sonia Hansen
Streetscene Manager
☎ 01480 388630

EMERGENCY MANAGEMENT MEMORANDUM OF UNDERSTANDING

The County Council and all District Councils are each required, in their role as Category 1 responders, (within the statutory framework of the Civil Contingencies Act 2004) to make preparations, and respond to an emergency. The nature of response, the participants, and the role of each participant will vary depending on the particular incident. The key guiding principle is to optimise the deployment of the resources in each Council to respond to the incident as effectively as possible. Participating Councils will work together to agree roles, taking into account which responsibilities are shared and which lie specifically with the County or the District.

1.0 PARTIES TO THE AGREEMENT

Cambridgeshire County Council
Cambridge City Council
East Cambridgeshire District Council
Fenland District Council
Huntingdonshire District Council
South Cambridgeshire District Council

2.0 PURPOSE OF THE AGREEMENT

- 2.1 To ensure a clear understanding of the way in which the parties will work together to deliver effective emergency planning in accordance with relevant legislation, and ensure the provision of mutual aid in the event of an incident.

3.0 PRINCIPLES OF THE SERVICE

- 3.1 This Agreement relates to the service delivery arrangements for the discharge by the County and Districts of their functions for planning for, and responding to, a civil emergency.
- 3.2 The main duties of the Civil Contingencies Act are shown below and fall equally on all those Category 1 responders whose functions are likely to be seriously obstructed by an emergency or who would consider it necessary or desirable to take action to deal with the emergency through a special deployment of resources.
- Assess Risks - Community Risk Register
 - Carry out Emergency Planning
 - Communicate with the public
 - Implement Business Continuity Management
 - Co-operate with other responders
 - Share Information with other responders
 - Provide advice & assistance to the voluntary and business sectors

4.0 SERVICE DELIVERY

- 4.1 Emergency planning is undertaken within the framework of the Cambridgeshire and Peterborough Local Resilience Forum (CPLRF) which encompasses all Category 1 responders in the area.
- 4.2 Responsibility for providing appropriate resources for emergency planning rests with each Category 1 responder, and no funding regime is attached to this agreement.
- 4.3 The County Council Emergency Management Team (CEMT) will undertake emergency planning duties on behalf of Cambridgeshire County Council and maintain arrangements within the CPLRF framework.
- 4.4 District Council Emergency Planning Officers will undertake emergency planning duties on behalf of their District Council and maintain arrangements within the CPLRF framework.
- 4.5 The County and District Councils have a joint responsibility for undertaking allocated CPLRF and local work streams, and co-ordinating these work streams to avoid duplication. Coordination will be overseen by the CPLRF Programme Board, and periodic discussions between the local authorities within Cambridgeshire.
- 4.6 All parties will undertake training, exercising and 'awareness raising' to ensure that staff allocated roles are familiar with the arrangements. This training, exercise and awareness sessions may be undertaken as part of a CPLRF requirement, or may be in response to a local need or joint response responsibility.

5.0 RESPONDING TO AN EMERGENCY

- 5.1 Leadership of the local authority response to an emergency will be determined by mutual agreement between the County Council and the affected District Council(s), depending on the nature of the emergency and its impact, based on the following principles:
 - District Councils will normally be the lead responder within their administrative boundaries.
 - District Councils will coordinate their response to a civil emergency extending beyond the boundary of the District.
 - The County Council may coordinate the local authority response for any emergency extending beyond the boundary of a single District Council if requested to do so by the Districts affected, subject to mutual agreement.
 - The County Council may coordinate the local authority response for any civil emergency within a District where the scale of the incident overwhelms the District resources and the District therefore requests County Council assistance. The County Council may also coordinate the local authority response to a 'wide area' as in the case of an incident which impacts upon a number of county areas.

- District Councils will support the County Council where the County Council has agreed to co-ordinate the local authority response.
- The County Council will respond to all civil emergencies within Cambridgeshire particularly though not exclusively, where the deployment of its services is required. This will always be in liaison with the responding District Council.

5.2 Each local authority will maintain collective arrangements to ensure an individual authority single point of contact to the emergency services.

6.0 FUNDING AND MUTUAL AID

6.1 The County and District Councils have a joint responsibility for the provision of an effective emergency response, and will normally fund the provision of resources for the services for which they are respectively responsible.

6.2 In the event of a protracted incident where additional costs are incurred, these may be shared by the County and District Council(s) involved. An example of this might be in the provision of a Rest Centre, which is established and led by the relevant district council as part of a joint local authority response. This may require the County Council to provide facilities to transport evacuees to the centre, social care provision for vulnerable people, or library services for evacuees within the centre. Overall provision would be dictated by the scale and duration of the incident.

6.3 Mutual aid is one of the most effective means of securing additional resources during a civil emergency. Under this agreement all parties agree to the principle of the provision mutual aid subject to availability of resources.

6.4 Mutual aid would be an additional step where either a District or County Council has difficulty meeting its provision, and therefore makes an approach to another authority to make up for a shortfall. This may require a request being made to local authorities outside of Cambridgeshire. Requests for mutual aid should be made directly to the relevant council (full details are contained in Appendix 1).

7.0 EMPLOYEES

7.1 All parties will provide the suitable number of employees to fulfil the requirements of the multi-agency command and control structure in response to a civil emergency.

7.2 All parties will have suitably trained staff to coordinate and undertake the response of the Council in response to civil emergency.

8.0 LIABILITY

8.1 The County and District Councils will comply with the regulations laid down by the Civil Contingencies Act.

9.0 TERM OF AGREEMENT

9.1 This Agreement is effective from the 1 November 2011 and will run until terminated or revised by any party. This Agreement is signed on the understanding that officers do so with the authority of their respective local authorities and that this document is not legally binding, but a statement of intent.

Signed for and on behalf of Cambridgeshire County Council

----- (signature) ----- (name)
----- (position) ----- (date)

Signed for and on behalf of Cambridge City Council

----- (signature) ----- (name)
----- (position) ----- (date)

Signed for and on behalf of South Cambridgeshire District Council

----- (signature) ----- (name)
----- (position) ----- (date)

Signed for and on behalf of East Cambridgeshire District Council

----- (signature) ----- (name)
----- (position) ----- (date)

Signed for and on behalf of Huntingdonshire District Council

----- (signature) ----- (name)
----- (position) ----- (date)

Signed for and on behalf of Fenland District Council

----- (signature) ----- (name)
----- (position) ----- (date)

Appendix 1

Mutual Aid Provision

Statement of Purpose

This document concerns the provision of mutual aid during an emergency between:

- Cambridgeshire County Council
- Cambridge City Council
- Fenland District Council
- South Cambridgeshire District Council
- East Cambridgeshire District Council
- Huntingdonshire District Council

Each of the above named authorities will endeavour to provide assistance (as a responding authority) to another of the named authorities (as a requesting authority) in the form of provision of resources, in the event of an emergency when asked to do so, in accordance with the guidelines agreed.

Agreement Conditions

1. A formal request for aid shall only be made by a Chief Executive or designated lead officer with the authority of the chief executive to a chief executive/designated lead.
2. A chief executive/designated lead who receives a request for assistance shall take the appropriate action to respond to the request without delay and, in the case of a lead officer, shall inform their chief executive at the earliest opportunity. As part of the decision process, the chief executive of the responding authority must consider whether the resource requested can be made available without putting at risk the authority's service delivery obligations or ability to respond to an emergency of its own.
3. The responding authority undertakes, so far as is reasonably practicable, to provide suitable resources for the task to be performed.
4. Responsibility for coordinating aid and for meeting all legal requirements for the supervision, training, and health and safety of loaned staff rests with the requesting authority or, where more than one authority area has been affected by the emergency, by the authority that requested the aid.
5. A requesting authority shall bear the financial costs associated with the provision of

aid, and shall reimburse the responding authority on a cost recovery basis upon the termination of the aid and within a reasonable period of time following the receipt of a fully documented statement.

6. All of the authorities named in this agreement shall maintain adequate insurance arrangements to cover mutual aid circumstances and any liabilities arising from the deployment of staff to another authority area.
7. The responding authority should make arrangements to ensure that regular contact is maintained with its employee(s) working for the requesting authority and ensure that management issues are dealt with appropriately. The chief executives or lead officers of the responding and requesting authorities should maintain regular contact throughout the loan period.
8. Any disputes between the responding and requesting authorities should be resolved through negotiations between the lead officers or chief executives with a view to early resolution. An unresolved dispute should be referred to an independent chief executive, that is, the chief executive of an authority named in the mutual aid agreement but uninvolved in the emergency, or if all named authorities are involved, then the chief executive of an authority which is not a party to the agreement who shall be asked to suggest a solution to the dispute within 14 days of the referral.

DRAFT

**OVERVIEW & SCRUTINY PANEL
(SOCIAL WELL-BEING)**

1st November 2011

ELAG

9th November 2011

EMPLOYMENT PANEL

30th November 2011

CABINET

17th November 2011

**Annual Equality Progress Report
Report by Louise Sboui, Senior Policy Officer**

1. INTRODUCTION

- 1.1 The purpose of this report is to provide an annual update on progress with the achievement of the Council's Single Equality Scheme (SES) Action Plan.

2. BACKGROUND

- 2.1 The SES and action plan shows how the Council will meet its statutory responsibilities, in particular how we take account of:

- the Public Sector Equality Duties as set out in the Equality Act 2010; and
- achievement against the Equality Framework for Local Government (EFLG).

- 2.2 The SES was originally approved in September 2010 and it was agreed that a full review would take place every three years and an annual review of the action plan. However, some amendments to particular sections of the SES have been made in light of changes to the management structure and corporate plan.

3. The Equality Act 2010

- 3.1 The Equality Act was passed by Parliament in April 2010 and the majority of the new legislation came in to force during 2011. The Act replaced earlier anti-discrimination law and replaced the three separate public sector equality duties (gender, disability & race) into one Public Sector Equality Duty (PSED). The PSED entails having due regard to the need to:

- Eliminate discrimination, harassment and victimisation
- Advance Equality of Opportunity
- Foster good relations

- 3.2 The new duty covers Age, Disability, Gender Reassignment, Marriage & Civil Partnership, Pregnancy and Maternity, Race, Religion & Belief, Sex and Sexual Orientation.

- 3.3 Specific Duties were introduced in June 2011, to assist public authorities in the better performance of the Equality Duty. Specific Duties mean that the Council will need to publish:

- Equality objectives, at least every four years
 - Information to demonstrate their compliance with the equality duty, at least annually
- 3.4 The latter will need to include, in particular, information relating to our employees (see HR Employee Equality Monitoring Report to follow) and others affected by Council policies and practices such as service users.
- 3.5 The publication of this information is meant to ensure that the Council is transparent about performance on equality without any unnecessary bureaucratic processes (previous equality duties all had different features, timescales and reporting requirements). The Council therefore has the flexibility in deciding what information to publish. This information will still need to include details of analysis the Council undertook and information on which the objectives were based, including any details of any engagement or consultation undertaken.
- 3.6 To enable the Council to demonstrate compliance with the Specific Duties it is proposed that the existing SES will be retained as it is only 12 months old, fairly extensive consultation took place prior to approval and existing monitoring and updates are not overly bureaucratic.
- 3.7 Information demonstrating compliance with the duty must be published by 31st January 2012 (except for schools, who have until April 2012) and the first equality objectives have to be published by 6th April 2012, including schools. This report and attached appendices will ensure that we comply with our PSED within these timescales.

4. Equality Impact Assessments (EIA's)

- 4.1 The Council will continue to use EIA's to help comply with the Equality Duties, that is to consciously think about the three aims of the Equality Duty as part of the process of Council decision making, therefore the Council will need to understand the potential effects of Council decisions on different people and keep a record of how decisions were reached. EIA's will enable the Council to do this.
- 4.2 The Council no longer has a three year rolling timetable however it is intended that an EIA will need to be completed whenever a new policy, strategy, service or function is being developed or if any fundamental changes are proposed to an existing policy, strategy, service or function. The Cabinet/COMT report checklist now includes a box to remind authors of the need for EIAs, where appropriate, to be completed before a report is considered. Heads of Service will also receive a reminder email twice a year. Progress will continue to be monitored through the Council's performance management framework.

5. Equality Framework for Local Government (EFLG)

- 5.1 The Equality Framework for Local Government was introduced in April 2009 to replace the Equality Standard for Local Government. The new Framework has fewer indicators and an emphasis on self

assessment and peer challenge. The Framework consists of 3 levels; 'Developing', 'Achieving' and 'Excellent'. The Council underwent a successful external assessment for validation of achievement against Level 3 of the (old) Equality Standard in July 2009; therefore the Council automatically transferred to become 'Achieving' within the new Framework. However an external assessment (Diversity Peer Challenge) is required to validate this. This has been arranged for 28th & 29th February 2012. Evidence for this peer review is currently being collected.

- 5.2 Some Members will be more closely involved in this assessment than others, the Leader, Deputy Leader and members of Overview & Scrutiny Panel (Social Well-being) will be asked to be part of focus groups/interviews where they will be asked about HDC's equality priorities etc. A briefing session with these Members will be organised closer to the time of the assessment.

5. PROGRESS

- 5.1 The SES action plan is from 2010/13 and currently contains 51 actions. 47 are complete and/or on-going and four have not been achieved. Actions not complete or on-going will be carried forward. Actions arising out of the Diversity Peer Challenge will be added to the action plan.
- 5.2 Nineteen EIA's have been carried out during 2010/11, five of which were as a result of proposed cuts to budgets. A list of outcomes/actions arising out of completed EIA's is in Appendix B; no significant actions were identified.
- 5.3 The Council's corporate plan 'Growing Success', which was a comprehensive plan encompassing all of the Council's aims and objectives, has been replaced with a short term plan focusing on the Council's key external facing objectives. As such, equality and diversity are not explicitly mentioned, although the Council continues to have aims and objectives in this area as evidenced by this report and the SES.

6. RESOURCE IMPLICATIONS AND CONCLUSIONS

- 6.1 The Council has a revenue budget of £10,000 to meet the direct cost of achieving objectives, the majority of which is used for employee and Member training. Other costs include the time taken to review and make changes to services/policies in response to assessment of residents needs and completing activities set out in the Action Plan. The Equality Impact Assessments undertaken have not resulted in any significant expenditure and the Council is making a proportionate but effective response to statutory and business requirements. Costs associated with the external Diversity Peer Challenge have already been set aside.

7. RECOMMENDATIONS

7.1 Cabinet is asked to:

- Note progress with the Single Equality Scheme action plan and the findings from Equality Impact Assessments conducted during 20010/11 (Appendix A & B) and;
- Note that an external review (Diversity Peer Challenge) will take place on 28th and 29th February and be aware of the role of Members during this review.

Background Papers

Single Equality Scheme

Contact Officers: Louise Sboui, Senior Policy Officer

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Appendix A - Single Equality Scheme Action Plan 2010/2013 (annual update November 2011)

Action	Responsibility	Target	Progress
Knowing your community and equality mapping			
Continue to research the needs of people with a disability in terms of access to services and information about our services through consultation, engagement with service users (and non users) and analysis of local, regional and national reports*	Policy	On going	Partial achievement
Explore the possibility of creating a profile of LGBT (Lesbian, Gay, Bisexual, Transgender) population and Religion, Belief and non-Belief in Huntingdonshire – this was amended to equality mapping of people with a disability.	Policy	April 2011	Complete Not yet commenced
Continue to encourage corporate approach to monitoring and analysis of equality monitoring	Policy	2011	Complete and on-going
Analyse results of 2011 Census (available from 2013) and take appropriate action	Policy	2013/14	N/A
Explore the possibility of Cambridgeshire wide interpretation and translation contract	Policy	April 2011	Complete – contract commenced December 2010
Continue to monitor take up of information requested in other languages or formats	Policy	On going	On going
Continue equality impact assessment of new or amended policies/ strategies/ services. Update performance management and service plans accordingly	All Heads of Service, COMT & Policy	April 2011	Complete and on-going
Continue to engage in relevant partnerships to share good practice in addressing equality related issues across Cambridgeshire e.g. Cambridgeshire Equality & Diversity Officer Network, Huntingdonshire Diversity Forum	Policy	Report progress on 2011	Complete and on-going Achieved via continued involvement with Cambridgeshire Equality & Diversity Officer Network, Huntingdonshire

Action	Responsibility	Target	Progress
			Diversity Forum, Cambridgeshire/Bedfordshire Cluster and Cambridgeshire Constabulary Hate Crime Co-ordination Group
Positive activities to raise awareness in the district of equality & diversity issues (events, publicity etc)	Community Initiatives & Policy	April 2011	Complete and on-going until April 2012
Place shaping, leadership and organisational commitment			
Consideration of becoming a Mindful Employer* HR & Policy April 2012	HR & Policy	April 2012	Not achieved
Assessment and publication of results of equality impact assessments	Policy	September 2010, April & October 2011	Complete and on-going
Report on progress with Single Equality Scheme action plan to Chief Officers, Overview & Scrutiny & Cabinet	Policy	September 2010 and November 2011	Complete
Publication of reviewed gender and disability and race equality schemes (as part of the Single Equality Scheme in 2010)	Policy	September 2010	Complete
Produce equality & diversity employee e-newsletters	Policy	4 per year	Complete
Produce a case study/example template that can be completed by employees to help them understand how the service they provide contributes to equality & diversity and to help the Council to highlight its commitment*	Policy	April 2011	Complete
Work towards confirmation of Achieving Council status (Equality Framework for Local Government) via a Peer Assessment in 2012.	Policy	September 2012	Peer assessment brought forward to February 2012
Develop new actions within this Single Equality Scheme to meet	Policy	Sept 2011	Complete

Action	Responsibility	Target	Progress
the requirements of the new Equality Act 2010			
Publish guidelines for employees and partner organisations regarding the impact of the Equality Act 2010. In addition to this, produce summary advice sheet for local employers on equality & diversity/employee related information*	Policy & economic development	April 2011	Complete
Community engagement and satisfaction			
Continue to engage with Black and Minority Ethnic (BME) and other hard to engage groups (including older people) *	Community Initiatives & Policy	April 2011	Complete and on-going until April 2012
Support the development of community groups	Community Initiatives	April 2011	Complete
Continue to support the development of Huntingdonshire Faith Forum	Community Initiatives	April 2011	Complete and on going
Research existing disability forums (including learning disability and mental ill health) within the area which can be approached for consultation & engagement on disability issues.	Policy	April 2011	Partial completion, on-going work required
Monitor outcomes from Disability Equality Scheme review and Have Your Say event outcomes	Policy	April 2011	Complete
Ensure evidence of change for the consultation and engagement with children and young people	Policy	April 2011	Complete
Support the development of a children and young people 'friendly service' award	Policy	April 2011	Funding ceased, action not achieved.
New action - Support the development of Young Inspectors at One Leisure	External project officer	Establish three by March 2012	Huntingdon One Leisure already established
Continue with the Gypsy/Traveller consultation and engagement work to identify pitches locally	Planning		Complete and on-going
Responsive services & customer care			
Consider better signage and facilities within Council buildings with	HQ	2012	Complete

Action	Responsibility	Target	Progress
public access*	accommodation group, Customer Services & Leisure		
Establish public access PC's at St Ives and St Neots	Customer Services	2011	Achieved at St Neots but St Ives Customer Service Centre closed.
Produce a simple easy to read guide to Council services	Policy	September 2011	Complete
Publicity to improve access by getting wheelie bins off pavements	Operations Division	April 2011	Complete
HDC will promote good practice in the design and maintenance of the public realm and on public transport, including access for disabled people, through the implementation of its planning policies and, where possible, influencing the County Council and local public transport providers.	Planning	April 2013	On-going
Ensure Huntingdon Shop Mobility is closely linked with Huntingdon town centre redevelopment.*	Planning & Community Initiatives	2012	On-going
Continue to support Papworth Trust work experience and shadowing placements*	Policy & Customer Services	April 2011	Delayed due to Papworth. On-going (Customer Services) Countryside Services on-going
Continue to support St Neots International Community Group	Community Initiatives	December 2010	Complete
Promote and distribute the Moving Stories DVD Community Initiatives	Community Initiatives	December 2010	Complete

Action	Responsibility	Target	Progress
Support the Junior PCSO scheme with diversity awareness sessions	Community Initiatives	December 2010	Complete and on going until April 2012
Support the development of the ESOL action plan for Huntingdonshire and be part of the delivery group	Community Initiatives	April 2011	Complete
Support anti social behaviour case workers with diversity advice and support	Community Initiatives	December 2010	Complete and on going until April 2012
Analysis of hate crime figures to determine if any actions are required	Community Initiatives & Policy	April 2011	Complete and on going
A modern & diverse workforce			
Explore how the Council can support transsexual and transgender employees	HR & Policy	2011	Not achieved.
Work with the county and other districts to explore feasibility of joint approach to LGBT employee network and LGBT countywide survey.	Policy	April 2011	Complete and on-going. Survey will not go ahead.
Analyse Equal Pay audit for equality issues. Set equality objectives where required	HR	April 2011	Work commenced. Policy has completed the work – waiting for next stage
Explore how best to include sexual orientation, religion and belief in HR employment monitoring	HR	April 2011	Complete and on going
Continue to collect and analyse previous year's employment (equality monitoring) data to produce monitoring and analysis of workforce profiles by equality categories. Set equality objectives where required	HR & Policy	April 2011	Complete and on going
Continue to build capacity amongst Council employees and Members through awareness training, information sharing sessions or newsletters. Identify employees who could receive	HR & Policy	Annual review	Complete and on-going

Action	Responsibility	Target	Progress
specific disability awareness training. Investigate how to ensure Operations Division employees can access Equality & Diversity training			Further work required
Analyse equality training database to identify % of staff received training and create target % for next 3 years	HR & Policy	April 2011	Complete
Promote all of the work life balance options	HR	2011	Complete
Improve disability disclosure amongst employees and Members. Consider 'hidden disabilities' training for managers or basic mental health awareness training for employees*	HR & Policy	2011	Partially complete Training arranged
Work with the Richmond Fellowship to ensure that support for employees is available Customer Services 2011	Customer Services	2011	Complete - work commenced and on-going
Carry out a Local Labour Market Assessment HR & Policy 2012	HR & Policy	2012	Not complete
Analysis of One Leisure employee survey on awareness of equality & diversity. Use findings to tailor equality & diversity training for One Leisure employees.	One Leisure	2011	Complete

Appendix B: Single Equality Scheme summary of findings from Equality Impact Assessments 2010-2011 (annual update November 2011)

Findings from Equality Impact Assessments 2010-2011

Service	Summary and supporting actions
Community Initiatives	<p>July 2011 Proposed cuts in grant funding could be phased in from 2012/13, this will entail reduced funding for some community-delivered services from six voluntary sector organisations. All six organisations affected by these proposals have been involved in a systematic consultation process (meetings held June –July 2011). Meetings were held to discuss the potential impact of various levels of funding reduction and how negative impacts may best be managed. A refreshed EIA on the potential impact of these proposals was completed in September 2011 and the findings of this assessment have been made available to Members to inform their debates at Scrutiny (4-10-11), Cabinet (20-10-11) and Council (2-11-11); prior to any funding decisions being taken.</p>
Planning Services	<p>February 2011 This EIA examined the potential impact of proposed efficiency savings in the Capital Programme specifically within the Transportation function of Planning Services. <u>No adverse impact identified.</u> However, in relation to rural isolation, it must be noted that the Council budget relating to rural transport support i.e. Community Transport services, has been protected from budget cuts thereby seeking to mitigate the effects of rural isolation. <u>Action to support the service</u> - The Council will continue to maintain its work on Market Town Transport Strategies, Safe Cycle Routes, Local Transport Plan Bid, Bus Shelter Provision & Railway Station Improvements and to seek scheme delivery via a range of other funding sources such as S.106 and the Sustainable Transport Fund and other options, possibly using external funding.</p>
Operations Division	<p>May 2011 This EIA examined the potential impact of proposed efficiency savings on Operations Division, which includes Markets, CCTV, Car Parks, Countryside Services, Refuse & Recycling and Grounds Maintenance. Cutting CCTV may have an impact on the whole community by potentially raising fear of crime; there</p>

	<p>could be a disproportionately negative impact on the more vulnerable groups in society. The potential impact of changes to Charter Markets, Car Parks. Refuse & Recycling and possibly Grounds Maintenance will need to be investigated further.</p> <p><u>Mitigating actions:</u></p> <ul style="list-style-type: none"> • consider alternatives to minimise impact on CCTV service • consideration of how to maintain some countryside services e.g. working with Friends Groups and the Wildlife Trust.
<p>Customer Services Centres</p>	<p>December 2010</p> <p>This EIA examined the potential impact of proposed efficiency savings relating to customer service provision in St Ives, Ramsey and Yaxley.</p> <ul style="list-style-type: none"> • Some impact in terms of gender as affected employees are female (but will be redeployed). • Although no evidence was found, it is likely that reduction in service will impact on disabled people • Ramsey and Yaxley currently record services offered for younger and older people. These include help with finding work, writing CV's, learning services, bus and rail passes, general issues around services offered by other organisations (e.g. age concern, pensions, other benefits, etc). Younger customers will still be able to access services specific for them via the libraries and with the neighbourhood management services. It was noted that older customers are often less mobile and may not be able to use their free bus pass to travel into Huntingdon. However, they will be able to use the free phone from Ramsey to contact the call centre or will be able to access the CAB for other general queries. <p><u>Mitigating actions:</u></p> <ul style="list-style-type: none"> • Communicating the changes to all customers • Obtain costs for travelling into Huntingdon from other areas • Obtaining telephone line in Ramsey library <p>Update July 2011</p> <p>Overview & Scrutiny panel have asked for an update in June 2012 as there was little to report at the July 2011 meeting as changes not yet into effect due to timescales involved with changing work practices.</p>

<p>Environmental Management</p>	<p>February 2011 This EIA examined the potential impact of proposed efficiency savings in the Capital Programme specifically, schemes around Environmental Improvements and Access. These schemes have provided in the past, help to parish and town councils with funding to help pay for and design expertise for public building conversions, renovations, improvements such as ramped entrances and improvements to pavements (improving access, signage and usage). This will impact most on older people, parents with young children, and those with a wide range of disabilities <u>Mitigating action</u> - Continue to provide advice and information to community building committees/parish councils etc concerning possible designs and alternative sources of funding, possibly using external funding.</p>
<p>Housing – Housing Strategy</p>	<p>December 2010 The Housing Strategy aims to provide direction for both private and social housing activity within the District. The Strategy was reviewed during 2010 and an EIA identified <u>no adverse impact</u>. However, vulnerable people e.g. people who have disabilities, persons fleeing domestic violence or harassment because of their ethnicity, sexuality or religion, could positively benefit from a strategy that provides, through direct service provision including advice, assistance and financial resources the opportunity for vulnerable people to live independently.</p>
<p>Housing – Homelessness Strategy</p>	<p>November 2010 The Homelessness Strategy aims to</p> <ul style="list-style-type: none"> • address the causes of homelessness in the area • introduce initiatives to prevent homelessness wherever possible • provide sufficient temporary accommodation for those households that are or may become homeless • ensure that appropriate support is available for people who have previously experienced homelessness in order to prevent it happening again <p>The Strategy was reviewed during 2010 and an EIA identified <u>no adverse impact</u></p>
<p>Home Improvement Agency</p>	<p>May 2011 An EIA was undertaken to consider the operational and managerial merger of Huntingdonshire District</p>

	<p>Council's Home Improvement Service with that of South Cambridgeshire District's and Cambridge City Councils. <u>No adverse impact</u> has been identified, however <u>actions to support the merger</u> include:</p> <ul style="list-style-type: none"> • Include a wider range equality questions in future monitoring forms and customer satisfaction survey • Analyse responses by equality groups to satisfaction surveys and benchmark against previous responses • It is proposed that Parish Councils be asked to promote the service and any detailed changes to it to ensure the service, and information surrounding it, remains accessible to a wide variety of applicants
<p>Policy, Performance & Partnership - Incremental Progression Framework for Qualification Success</p>	<p>July 2010 The purpose of this policy is to promote a consistency of approach to achieve a measure of uniformity towards incremental progression for staff undertaking recognised qualifications. The policy includes specific guidelines for Apprentices, Technical Trainees, Professional Trainees, Professional/Management Qualifications The policy was reviewed and an EIA found that due to lack of monitoring and analysis, it is not currently known whether adverse impact taking place. <u>Mitigating action:</u></p> <ul style="list-style-type: none"> • Monitoring Statistics on who receives incremental progression via examination success and numbers of trainees.
<p>Democratic Services – Political Management Structure</p>	<p>April 2010 This function aims to provide an effective political management structure supporting sound, open, transparent and accountable decision-making. An EIA of this function found <u>no adverse impact</u> however there are a number of <u>actions to support the service</u> include:</p> <ul style="list-style-type: none"> • Raise public awareness of the opportunities local people have to become councillors. • Investigate ways of giving local people more say in local decision making. • Have regard to the multi-faith Calendar when setting the Council's Schedule of Meetings and Member Development Programme; • Offer equalities training to all Councillors

<p>HR - Adverse Weather Policy</p>	<p>April 2010 The purpose of the policy is to set out the procedure for attending work in adverse weather conditions. The Council has a reasonable expectation that all employees will make every effort to carry on work as usual either by attending their normal place of work or working flexibly. An EIA found that due to lack of monitoring and analysis it is not currently known whether adverse impact taking place. <u>Mitigating action:</u></p> <ul style="list-style-type: none"> • Statistics to be recorded as and when adverse weather situations arise. HR to mail round to Activity Managers and record data.
<p>HR – Disability at Work</p>	<p>November 2010 This policy aims to provide managers and employees with guidance on a range of support and reasonable adjustments that HDC can provide disabled employees to ensure they are supported at work an EIA of this new policy found <u>no adverse impact</u> but there were positive differential impact for disabled employees. <u>Action to support this policy include:</u></p> <ul style="list-style-type: none"> • Continue to collect and analyse previous year’s employment (equality monitoring) data to produce monitoring and analysis of workforce profiles by equality categories. Set equality objectives where required. • Continue to build capacity amongst Council employees and Members through awareness training, information sharing sessions or newsletters. Identify employees who could receive specific disability awareness training • Improve disability disclosure amongst employees and Members. Consider ‘hidden disabilities’ training for managers or basic mental health awareness training for employees. • Work with the Richmond Fellowship to ensure that support for employees is available • Carry out a Local Labour Market Assessment
<p>HR – Stress Management Policy</p>	<p>September 2010 The policy aims to reduce the rate and duration of sickness absence from stress-related illness. Not currently known whether adverse impact taking place <u>Mitigating actions:</u></p>

	<ul style="list-style-type: none"> • The stress management policy will form part of the overall health, safety and welfare policy for the Council. Details will be circulated to all managers and employees after the meeting of the Employment Panel on 27 September 2010. • Advice and support will be provided on the new policy and toolkit to managers and employees by HR • Statistical information held by HR should be modified to include additional data to demonstrate compliance with equality legislation.
HR - Redundancy Policy	<p>September 2010 The aim of this policy is to provide a fair, consistent, and legal process through which to deal with redundancy whether voluntary or compulsory, responding to appeals against dismissal, dealing with redundancy payments and seeking suitable alternative work. <u>No adverse impact</u> identified, however an <u>action to support this policy</u> is proposed:</p> <ul style="list-style-type: none"> • Consider how to monitor the usage of the policy - Stats to be recorded as and when redundancy situations arise.
Attendance Management Policy	<p>December 2010 The renewed policy provides guidance to ensure that sickness absence is handled promptly, sensitively and consistently by managers throughout the Council. It also provides guidance to employees on sickness absence and the potential consequences for their employment. <u>No adverse impact</u> identified however, monitoring is not currently carried out.</p> <ul style="list-style-type: none"> • Raise awareness of this policy • Monitoring of sickness absence – this is linked into encouraging disclosure of personal information, Equalities monitoring needs to be introduced for the policy
Overpayments Policy	<p>December 2010 The main objective of this policy is to set out how the Council will deal with the administration of Housing Benefit overpayments. <u>No adverse impact</u> identified, however <u>actions to support the policy</u> include:</p> <ul style="list-style-type: none"> • To monitor the requests received requesting a reduction in the weekly recovery rate against data we hold on sex, age disability and (where available) race. This may inform whether any groups appear to be being treated differently compared to the caseload mix

	<ul style="list-style-type: none"> To ensure that staff attend appropriate equality and diversity training courses in line with HR guidelines.
Revenue & Benefits – Service Standards	<p>March 2011 The aim of this policy is to set out the standards and level of service that we aim to provide to our customers across the whole remit of the service area. <u>No adverse impact</u> however there are a number of <u>actions to support</u> the document include:</p> <ul style="list-style-type: none"> To ensure that the make-up of the benefit caseload reflects the demographics of the district as a whole. To ensure staff are aware and trained on equality and diversity issues To ensure that the Council meets the service standards and take appropriate action where needed To publicise performance so that customers can see if service standards are being met.
Revenue & Benefits – Landlords Policy	<p>July 2010 The main objective of this policy is to set out the roles and responsibilities of the Council and landlords in the administration of Housing Benefit. The EIA found <u>no adverse impact</u> identified, however an <u>action to support this policy</u> is proposed:</p> <ul style="list-style-type: none"> Staff are trained on benefit regulations and equality and diversity
Car Parks Management	<p>January 2010 An EIA found <u>no adverse impact</u>, however, the service does deliver a positive differential service for people with disabilities. Blue Badge holders are allowed to park for free in HDC car parks and there are special spaces for the disabled and some car parks specifically for the disabled. <u>Actions to support this service</u> include:</p> <ul style="list-style-type: none"> Investigate how to ensure Operations Division employees can access Equality & Diversity training Continue to monitor appeals for any accusations of discrimination

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**ANNUAL EQUALITY PROGRESS REPORT
(Report by the Overview and Scrutiny Panel (Social Well-Being))**

1. INTRODUCTION

1.1 At its meeting held on the 1st November 2011, the Overview and Scrutiny Panel (Social Well-Being) considered a report by the Senior Policy Officer providing an update on progress with the achievement of the Council's Single Equality Scheme and its associated action plan. This report sets out the Panel's discussions.

2. COMMENTS

2.1 The Panel has been informed of the legislative background to the Single Equality Scheme, together with details of the achievements made by the Council over the previous year in respect of the Action Plan. In noting progress against the Plan, attention has been drawn to the fact that of the 51 actions contained within the Plan, 47 have been completed or are ongoing. The Panel has also been informed that 19 Equality Impact Assessments have been carried out over the course of the 2010/11 year. Five of these have been prompted by proposed budgetary cuts to some of the Council's services.

2.2 Members have been reminded of the Equality Framework for Local Government and the Panel has noted details of an external assessment due to be undertaken in late February 2012. The assessment will seek to validate the Council's current status as an "Achieving" Council with Members of the Panel partaking in this assessment in February.



2.3 In response to a question, it has been confirmed that training on equality matters has been delivered to Members and that a further programme will be rolled out in due course.

3. RECOMMENDATION

3.1 The Cabinet is invited to consider the comments of the Overview and Scrutiny Panel (Social Well-Being) as part of its deliberations on the report by the Senior Policy Officer.

BACKGROUND INFORMATION

Minutes and Report of the meeting of the Overview and Scrutiny Panel (Social Well-Being) on 1st November 2011.

Contact Officer: Miss H Ali, Democratic Services Officer
 01480 388006
 Habbiba.Ali@huntingdonshire.gov.uk

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**COMT
OVERVIEW & SCRUTINY PANEL
(ENVIRONMENTAL WELL-BEING)
CABINET**

**24 OCTOBER 2011
08 NOVEMBER 2011**

17 NOVEMBER 2011

CARBON MANAGEMENT PLAN UPDATE (Report by Head of Environmental Management)

1. INTRODUCTION

- 1.1 At a time of economic uncertainty, the need to reduce energy consumption has never been so pressing. Increasing energy and fuel prices are causing great concern for local authorities, as is longer term energy security. In aiming to use public funds efficiently, whilst making cost savings; low carbon operations are becoming increasingly important.
- 1.2 In September 2010 an initial update was given on progress in delivering the Council's Carbon Management Plan (CMP) approved in June 2009. The report highlighted the need to introduce a more joined up approach to carbon management across the Council's sites and outlined the work undertaken by the Council's Environment Team to deliver a Carbon Dioxide Equivalent (CO₂e) saving of 13% in the first year of implementation (09/10).
- 1.3 With a target to deliver a 30% CO₂e reduction over a five year period (08/09-12/13), this report gives details of work undertaken in year two of the CMP, of progress made towards reaching this target and makes recommendations for further implementation of the CMP to maximise financial savings from reduced energy use.

2. BACKGROUND

- 2.1 Work to develop clearly defined energy strategies for each of the Councils 10 main sites is ongoing. These tailored plans prioritise actions to introduce energy efficiency and renewable measures during the current financial year and the remainder of the CMP period. Measures identified have been evaluated and costed and together they will save energy and generate revenue for the Council. The measures are listed site by site (Annexe B attached) and are being funded through the Councils existing SALIX Energy Efficiency Fund and from the Council's limited Environment Strategy capital budget.
- 2.2 Analysis of current progress towards reaching a 30% reduction in CO₂e emissions has been carried out in line with guidance provided by DECC and DEFRA on reporting greenhouse gas emissions, and a 15% reduction has been made since the baseline year used for the CMP (08/09). This is a saving of 1,026 tonnes of CO₂e and is a significant achievement. For more details please see the Green House Gas report 2010/11 issued to DECC (Annexe A attached).
- 2.3 The Council's Environmental Resource Efficiency Group (EREG) has now been meeting regularly for over a year and communication across

the Council is giving a much clearer picture of where energy is being used. Mapping of CO₂e emissions and energy use per site has been extremely helpful in prioritising energy and CO₂e saving projects and focusing on where the greatest immediate savings can be made.

- 2.4 Work undertaken to date has largely focussed on One Leisure sites with a wide range of projects implemented including:
- Variable speed drives – for reducing the speed of pool pumps
 - Passive infrared lighting – Sensing movement and light
 - Voltage optimisation – to reduce incoming voltages by up to 10%
 - Insulation – both cavity fill and roof fabric
 - Valve and pipe insulation – Reducing heat loss in plant rooms
 - Pool covers – Retaining heat overnight
- 2.5 Members of EREG continue to report their department’s resource consumption via the Council’s scorecard reporting system to ensure the Council is on track with targets committed to in Growing Awareness; Our Plan for the Environment .
- 2.6 In addition to the projects already implemented there is considerable scope to reduce energy use further during the remaining three years of the CMP (Annexe B attached) and for the Council to generate energy and significant income from the renewable energy feed-in-tariff (FIT).
- 2.7 Eleven sites were originally identified for PV installation and this was the subject of an MTP bid. In the light of a recent consultation concerning changes to the Government FIT, it appears that larger installations at two of the Council’s sites (Eastfield House and Huntingdon Leisure Centre Dry Side) will be the most financially advantageous approach for the Council. Work is already underway on seeking planning permission for the scheme at Eastfield House and a planning application will be made for Huntingdon Leisure Centre, with a view to installing both systems by the 31st March 2012.

3. FINANCIAL/ RESOURCE IMPLICATIONS

- 3.1 Overall energy use at the Council’s 10 main sites has decreased by 7% since the baseline year and the energy bill at these sites has decreased by £49K since 2009/10 as shown in the table below which is based on billing data. Against a backdrop of rising fuel prices and the addition of energy intensive buildings and services to the Council’s estate, these results are an outstanding success.

Year	Energy spend	% change
2008/09	£662,828	
2010/11	£613,810	↓ 7%

- 3.2 Although the CMP and the work of the Environment Team has been successful in reducing energy, CO₂e and fuel costs, more can be done at most sites over the remaining three years of the plan and beyond. Over 70% of the Council’s total energy spend is from five main sites

including three leisure centres, Pathfinder House and the Operations Centre at Eastfield House.

- 3.3 Projects to reduce energy use at these five buildings must continue as a priority over the next three years and will result in further energy and cost savings. Physical measures at leisure centres and Eastfield House are already being put in place and considerable amount is being done to reduce energy use within Pathfinder House through behavioural change, including Saturday closure and active management using the sophisticated building management system (BMS).

4. CONCLUSIONS

- 4.1 Significant progress has been made in reducing emissions during the first two years of the Carbon Management Plan. The Council is now half way towards achieving its target of reducing CO₂e emissions by 30% over a five year period. A clear delivery pathway has been identified for the remaining three years of the plan with projected savings evidenced by the payback of highly successful, easily replicated projects that have been implemented to date.
- 4.2 The review of energy use at the Council's main buildings indicates that there is still significant scope to undertake lower cost, fabric based efficiency measures with shorter payback periods and to combine these with projects with a slightly longer payback that will maximise the use of renewable energy and generate a significant income for the Council.
- 4.3 Close working between One Leisure and Environmental Management has enabled energy efficiency and consequent cost savings to be central to the delivery of high quality leisure services. Going forward it will remain very important to make the most of refurbishment opportunities at buildings such as One Leisure St Ives, to 'design in' energy saving measures such as natural lighting and natural ventilation. Failure to do so will result in high running costs at what can be very energy intensive facilities.

5. RECOMMENDATIONS

- 5.1 Cabinet is recommended to:
- (a) note the good progress towards the implementation of the Councils Carbon Management Plan and the positive impact this has had on energy use and energy bills at the Councils main sites.
 - (b) to support ongoing cross-functional energy reviews to maximise cost savings and the continued use of the Salix ring-fenced funding and Environment Strategy Capital funding to implement further energy saving projects.
 - (c) to note the installation of Solar PV panels as outlined in paragraph 2.7 of this report.

BACKGROUND INFORMATION

HDC Carbon Management Plan

Contact Officer: Chris Jablonski (Environment Team Leader)
Tel: Ext. 8368

Green House Gas (GHG) Emissions for Huntingdonshire District Council's (HDC) Estate – Financial Year 2010/2011

GHG emissions data for period 1 April 2010 to 31 March 2011			
	Global Tonnes of Carbon Dioxide equivalent (CO ₂ e)*		
	10/11	09/10	Base Year 08/09
Scope 1 – Direct emissions	2,761	2,760	3,205
Scope 2 – Energy indirect	3,070	3,088	3,577
Scope 3 – Other indirect	93	168	167
Total gross emissions	5,923	6,016	6,949
Carbon offsets	0	0	0
Green tariff	0	0	0
Total annual net emissions	5,924	6,016	6,949
Intensity measurement 'Tonnes of CO ₂ e per member of full time staff'	8.3	7.4	9.0

*CO₂e includes Carbon Dioxide, Nitrous Oxide and Methane emissions

Company Information

HDC is a District Council covering a geographical area of approximately 350 square miles and home to a population of over 160,000.

Reporting Period

1 April 2010 – 31 March 2011

Change in emissions

Scope 1 - This section of the table above records all of HDC's gas, petrol and diesel consumption, used to heat Council-owned buildings and to run the fleet of waste collection and street cleansing vehicles and the fleet of pool cars.

There has been a steady decrease in CO₂e from the consumption of gas, petrol and diesel. This can be attributed to a number of measures including energy efficiency solutions at the leisure centres, such as boiler replacements and insulation and the rescheduling of refuse and recycling rounds to reduce miles travelled by the fleet.

There has been a small increase in the use of gas in the last few years which is attributable to the installation of Combined Heat and Power (CHP) at Huntingdon Leisure Centre, but further fuel savings from our fleet have meant that overall, CO₂e emissions from scope 1 sources have decreased and by 444 tonnes since the baseline year (2008/2009).

Scope 2 - This section of the table above records all of HDC's electricity purchased to power Council-owned buildings. There has been a small decrease in emissions from these sources in the last year. This again can be attributed to the energy efficiency works that have taken place at the leisure centres, the installation of CHP and the installation of voltage optimisation technology at several Council-owned buildings. Overall, scope 2 CO₂e emissions have decreased by 507 tonnes since the baseline year.

Scope 3 - This section of the table records CO₂e emissions from HDC's business travel. The introduction of a number of 'travel for work' initiatives and the availability of both pool cars and pool bikes have resulted in a significant decrease in emissions from business travel. HDC have chosen not to report emissions from commuter travel as the data is incomplete and believed to be a very small proportion of the total emissions. Overall, scope 3 emissions have reduced by 74 tonnes since the baseline year.

Approach

We have followed the Governments guidance (September 2009) on how to measure and report GHG emissions.

Organisational boundary

We have used the financial control approach

Operational scopes

The Council has measured scope 1, 2 and 3 emissions where a monitoring system is in place to do so.

Overall, scopes 1, 2 and 3 together result in a decrease of 93 tonnes of CO₂e emissions in the last year (1.53%) and a reduction of 1026 tonnes of CO₂e emissions (14.75%) since the baseline year.

The work undertaken to achieve these savings has been supported by a ring-fenced fund from Central Government (Salix funding) and has resulted in financial savings to the Council in energy and fuel costs.

	GHG emissions 10/11 in tonnes CO ₂ e	Exclusions and % this represents
Scope 1		
Gas consumption	1,330	
Owned transport	1,431	
Process emissions	0	
Fugitive emissions	0	
Total scope 1	2,761	
Scope 2		
Purchased electricity	3,070	
Total scope 2	3,070	
Significant scope 3		
Business travel	93	By private staff vehicle only
Total significant scope 3	93	

Base year

Our baseline year is 2008/2009 which we set using a fixed base approach. We have recalculated our baseline year emissions to take into account the change to GHG factor from CO₂ factor.

Targets

Our emissions reduction target is to reduce our global GHG emissions, scopes 1, 2 and 3 by 30% from the baseline year 2008/2009 by the end of 2013/2014. The Environment Team and the Environmental Resource Efficiency Group is responsible for the achievement of the target.

Intensity measure

The Council has chosen 'Tonnes of CO₂e per member of full time staff' as the Council does not have a product output. Our intensity measure has increased this year due to a decrease in staff, despite emissions reductions.

External assurance statement

None currently in place

Carbon offsets

The Council has not brought into any carbon offsetting schemes.

For more information please contact the Environment Team on 01480 388388 or email heet@huntingdonshire.gov.uk

Savings from energy efficiency measures 2011/12 – 2012/13
Payback calculated using independent SALIX project identification tool

Site	Measure	Delivery year	Cost (£)	Saving (£pa)	Payback (yrs)	CO ₂ e saving (tpa)
One Leisure Huntingdon – Dry side	Valve/pipe insulation	11/12	£1,260	£1,260	1	8.41
	Voltage optimisation	11/12	£16,635	£3,766	4.5	22.59
	Boiler replacement	11/12	£15,000	£3,092	5	16.36
	Lighting controls (PIR's)	11/12	£8,819	£2,235	4	10.86
% saving on 10/11 energy bill - 19.9%			£41,714	£10,353	4	58.22
One Leisure Huntingdon – Wet side	Voltage optimisation	12/13	£18,053	£3,432	5	23.39
	Pool covers	11/12	£3,455	£1,820	2	9.63
% saving on 10/11 energy bill - 12.2%			£15,658	£5,595	2.8	35.36
One Leisure St Ives - Outdoor	Lighting controls (PIR's)	11/12	£3,480	£969	3.5	5.45
% saving on 10/11 energy bill – 3.75%						
One Leisure St Ives - Indoor	Valve/pipe insulation	11/12	£5,500	£5,500	1	37.23
	Cavity wall insulation	12/13	£15,000	£3,330	4.5	30.43
	Voltage optimisation	12/13	£22,000	£8,480	3	28.87
	Lighting controls (PIR's)	11/12	£9,000	£2,907	3.2	17.43
	Pool covers	11/12	£3,458	£6,661	1.3	14.09
% saving on 10/11 energy bill – 22.6%			£54,958	£26,878	2	128.05
One Leisure Ramsey	Valve/pipe insulation	11/12	£2,600	£2,600	1	18.69
	Lighting controls (PIR's)	12/13	£4,157	£866	4.8	6.30
	Variable speed drives	11/12	£1,850	£1,020	1.8	6.12
% saving on 10/11 energy bill – 11.01%			£8,607	£4,486	1.9	31.11
One Leisure Sawtry	Valve/pipe insulation	11/12	£2,650	£2,650	1	18.49
	Voltage optimisation	12/13	£12,259	£3,264	3.9	22.25
	Lighting controls (PIR's)	12/13	£578	£145	4	0.80
	Pool covers	11/12	£2,514	£1,294	2	20.16
	Variable speed drives	11/12	£1,980	£1,329	1.5	7.97
% saving on 10/11 energy bill – 15.20%			£19,981	£8,682	2.3	69.67
One Leisure St Neots	Valve/pipe insulation	11/12	£1,876	£1,876	1	13.08
	Voltage optimisation	11/12	£25,964	£5,309	5	32.86
	Pool covers	11/12	£6,005	£2,775	2.3	11.15
% saving on 10/11 energy bill – 10.72%			£33,845	£9,960	3.4	57.06
Pathfinder House	Voltage optimisation		Decision pending site survey			
	Building management system training	11/12	We are unable at this time to quantify the savings in CO ₂ e and energy associated with these measures as we are currently undertaking full monitoring of the site.			
	Saturday closing	11/12				
	Server virtualisation	11/12				
	Desk top virtualisation	11/12				
% saving on 10/11 energy bill - /						
Eastfield House	Voltage optimisation	12/13	£18,484	£3,702	5	25.01
% saving on 10/11 energy bill – 6.74%						
*TOTAL % saving on 10/11 energy bill – 40.31%			£196,727	£65,030	3	409.93

CARBON MANAGEMENT PLAN UPDATE
(Report by the Overview and Scrutiny Panel (Environmental Well-Being))

1. INTRODUCTION

- 1.1 At its meeting held on 8th November 2011, the Overview and Scrutiny Panel (Environmental Well-Being) considered the report by the Head of Environmental Management containing an update on the Carbon Management Plan. Members did not reach a consensus on the UDF. The following paragraphs contain a summary of the Panel's discussions on the report.

2. THE PANEL'S DISCUSSIONS

- 2.1 The Panel has noted the good progress that has been made towards the achievement of the Council's carbon reduction targets.
- 2.2 Members have focussed on the Council's plans to reduce its energy consumption through the installation of PV systems. Although the government has indicated that it will change its policy, which will reduce the rate of return, it is still considered that the installation of systems will provide an advantageous return.
- 2.3 Owing to the fact that the market in PV systems is fluctuating, the Panel has recommended that the Appendices should be updated to reflect market rates. On the understand that this will be done and that further analysis of the viability of the project is undertaken in light of government policy changes, the Panel has supported the recommendations in the report by the Head of Environmental Management

3. CONCLUSION

- 3.1 The Cabinet is requested to take into consideration the views of the Overview and Scrutiny Panel (Economic Well-Being) as set out above when considering this item.

Contact Officer: A Roberts, Scrutiny and Review Manager 01480 388015

Background Documents - Reports and Minutes of the meeting of the Overview and Scrutiny Panel (Environmental Well-Being) held on 8th November 2011.

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**COMT
OVERVIEW & SCRUTINY
(ENVIRONMENTAL WELLBEING)
CABINET**

**31ST OCTOBER 2011
8TH NOVEMBER 2011**

17TH NOVEMBER 2011

HUNTINGDONSHIRE COMMUNITY INFRASTRUCTURE LEVY DRAFT CHARGING SCHEDULE

(Report by Head of Planning Services)

1. INTRODUCTION

- 1.1 The purpose of this report is to update Cabinet on the outcomes of the recent consultation on the 'Huntingdonshire Community Infrastructure Levy - Preliminary Draft Levy Charging Schedule' and, subject to the views of the Overview and Scrutiny Panel (Environmental Wellbeing), to recommend that Cabinet approves the amended 'Draft Charging Schedule' for a statutory four week consultation in November / December 2011.

2. BACKGROUND

- 2.1 The 'Huntingdonshire Community Infrastructure Levy - Preliminary Draft Charging Schedule' sets out the Council's framework for justifying the introduction of a new Community Infrastructure Levy (CIL) that will be charged on most new development across the District. The CIL is a mechanism, introduced by Government in 2010, to allow local planning authorities to raise funds from development to pay for the infrastructure that is, or will be, needed as a result of new development.
- 2.2 The CIL is based on identified community infrastructure needs, and is payable per net additional square metre of floorspace. Affordable housing development, development by charities and a limited range of minor ancillary development is exempt from CIL. Domestic household extensions up to 100 square metres of net additional floorspace are not liable for CIL. All other development is liable for CIL which is charged on a scale of rates based on viability testing. The outcome of the viability testing means that some types of new development, such as new business space, are subject to a nil charge, whilst other types of new development, including all new dwellings (houses and flats), are subject to a viability tested charge. The proposed charges for the 'Draft Charging Schedule' are set out section 3 of this report.
- 2.3 The CIL 'Draft Charging Schedule' is complementary to the 'Developer Contributions Supplementary Planning Document' (SPD) which was subject to a consultation at the same time as the CIL 'Preliminary Draft Charging Schedule'. The adoption of the SPD is to be considered by Cabinet in December 2011. The SPD will come into operation when it is adopted, and the SPD and the CIL will operate together when the CIL is adopted. It is envisaged that the CIL 'Draft Charging Schedule' will be subject to an Examination in Public, followed by adoption by Spring 2012. The next steps for the CIL are set out in section 4 of this report.

3. CONSULTATION OUTCOMES

- 3.1 The CIL 'Preliminary Draft Charging Schedule' was subject to a widespread public consultation for a 6 week period between 25th July 2011 and 9th September 2011. The proposed CIL rates set out in the CIL 'Preliminary Draft Charging Schedule' were as follows:

CIL PRELIMINARY DRAFT CHARGING SCHEDULE Proposed charge for development types	CIL RATE per sq metre
All development types unless stated otherwise in this table (standard rate - which includes all new dwellings)	£100
Retail < 1,000 sq m (A1/A2/A3/A4/A5)	£50
Retail = 1,000 sq m or above (A1/A2/A3/A4/A5)	£140
Hotel (C1)	£60
Nursing Home (C2)	£45
Health (D1)	£140
Business (B1), General Industrial, Storage & Distribution (B2 and B2) and Community Uses (within D1 and D2)	£0

- 3.2 A total of 134 representations from 39 respondents were received. Members of the Huntingdonshire Developers and Agents Forum attended a presentation and Q&A session on 5th September 2011. The key themes raised within the consultation representations were:

- Impacts on development viability and challenges on the justification and scale of proposed CIL charges.
- Clarifications on the viability testing and evidence base used to inform the CIL.
- Linkages with the proposed Developer Contributions Supplementary Planning Document.

- 3.3 The detailed representations and related officer comments are contained in the Consultation Statement at Appendix A.

- 3.4 A range of minor changes have been incorporated into the CIL 'Draft Charging Schedule' in line with the officer comments. In response to consultation comments, the proposed CIL rates have been reviewed through further viability testing. Consequently, amendments have been made to the proposed CIL rates, including:

- A reduction in the standard rate (which includes all new dwellings) from £100 per sq m to £85 per sq m.
- A change to the thresholds for retail uses based on development under and above 500sq m (as opposed to under and above 1,000 sq m).
- A reduction in the retail charges to £40 per sq m below 500sq m, and £100 per sq m above 500 sq m.
- Clarification that agricultural uses would have a zero charge (but agricultural dwellings would be subject to the standard charge of £85 per sq m).

- 3.5 The CIL 'Draft Charging Schedule' table has consequently been amended as follows, and it is these rates that will be subject to the four week statutory consultation.

CIL DRAFT CHARGING SCHEDULE Proposed charge for development types	CIL RATE per sq metre
All development types unless stated otherwise in this table (standard rate - which includes all new dwellings)	£85
Retail 500 sq m or less (A1/A2/A3/A4/A5)	£40
Retail > 500 sq m (A1/A2/A3/A4/A5)	£100
Hotel (C1)	£60
Nursing Home (C2)	£45
Health (D1)	£140
Business (B1), General Industrial, Storage & Distribution (B2 and B2) and Community Uses (within D1 and D2), and agricultural	£0

- 3.6 The full CIL 'Draft Charging Schedule' document that will be subject to consultation in November / December 2011 can be found at Appendix B.

4. NEXT STEPS

- 4.1 Following the four week statutory consultation in November / December 2011 the 'Draft Charging Schedule', its supporting evidence and the consultation responses will be submitted for an Examination in Public (EiP), to be held by an independent Examiner. It is envisaged that the EiP will take place in February 2012 and the Examiners report will be issued by April 2012. Following formal adoption, likely to take place late April 2012, a formal Adoption Statement and the CIL Charging Schedule will need to be published on the Council's website.
- 4.2 The detailed governance and procedural aspects of distributing and implementing the CIL are being developed to enable the introduction of CIL charging in the 2012/13 financial year.

5. CONCLUSIONS

- 5.1 The 'Huntingdonshire Community Infrastructure Levy - Draft Charging Schedule' provides a robust, evidenced basis for the introduction of a new CIL charge in the District. Once adopted the CIL will be used with the Developer Contributions SPD to determine developer contributions towards site related infrastructure and wider community infrastructure across the District.

6. RECOMMENDATION

- 6.1 It is recommended that Cabinet:
- (i) approves the 'Huntingdonshire Community Infrastructure Levy - Draft Charging Schedule' (attached at Appendix B) for a four week statutory consultation in November / December 2011.

- (ii) authorises the Executive Councillor for Planning and Housing in conjunction with the Head of Planning Services to make minor amendments as necessary prior to and following the statutory consultation to prepare the 'Huntingdonshire Community Infrastructure Levy - Draft Charging Schedule' for submission for Examination.

BACKGROUND PAPERS

- Huntingdonshire Local Investment Framework 2009
- Core Strategy 2009
- Huntingdonshire Market Report, August 2010 published with Preliminary Draft Charging Schedule
- Huntingdonshire Viability Testing of Community Infrastructure Levy Charges Report, 2011 published with Preliminary Draft Charging Schedule
- Huntingdonshire Preliminary Draft Charging Schedule Project Plan List
- Huntingdonshire Draft Charging Schedule Project Plan List Update, November 2011
- Huntingdonshire CIL Addendum Report, November 2011
- Huntingdonshire Draft Charging Schedule Explanatory Note, November 2011

CONTACT OFFICER - Enquiries about this report to Steve Ingram, Head of Planning Services, on 01480 388400

Name, Company/ Organisation	Comment ID	Para. Number	Not agree reason/ other comments	Officer View
<p>Martin Page D H Barford & Co</p>	<p>CIL- PD135</p>		<p>I was on holiday when the forum meeting was held on the 5th September and therefore was unable to attend. However, there is a point that I understand emerged from the meeting where your clarification will be helpful.</p> <p>Currently the Council requires developers to meet the infrastructure contributions for social housing, such as education improvements and MTTs, in addition to providing serviced land. I appreciate the CIL arrangements do not apply to social housing, but I understand it was indicated at the meeting that the Council may seek social housing infrastructure contributions through Section 106 agreements. This would be outside of the CIL arrangements and the recent public consultation exercise, however it would have an impact on the level of CIL charge that is affordable and is not included within the assumptions made by Drivers Jonas Deloitte in paragraph 3.4 of their viability testing document.</p> <p>To illustrate the potential impact, a development of 20 units (each with a typical floor area of 92 sqm) comprising 12 market units would generate a CIL contribution of £11,400. However, if the Council intends to secure the same level of contributions for the social units through S106 agreements the infrastructure costs for the development would increase to £184,000. This would factor back to a cost of £167 per sqm on the market units and would be beyond the bearable cost identified by Drivers Jonas Deloitte.</p> <p>The CIL payments will represent a significant increase in development costs that will impact on sites coming forward. In the circumstances I consider the council must clarify its intention with regard to social housing infrastructure costs and if there are proposals this must be assessed with the levy and factored into the assessment prepared by Drivers Jonas Deloitte in the viability testing.</p> <p>It is acknowledged the CIL costs will effectively have to be borne by the landowner, but with the prolonged economic downturn there is increasing caution amongst developers and values have dropped further since 2010. We consider the CIL arrangements will only further frustrate the delivery of housing growth in the district, particularly when paragraphs 4.4 and 4.5 of the Drivers Jonas Deloitte viability report conclude the proposed CIL level of £100 per sqm is not viable on town centre sites where redevelopment values with the CIL levy will be unlikely to exceed current use values and this will be the same for brownfield employment sites. Clarification that you acknowledge this is the case will be helpful. Also given this statement I presume some of the SHLAA sites will need to be removed.</p>	<p>Noted. The guidance in the Preliminary Draft Charging Schedule and the Draft Developer Contributions clearly states when contributions will be required. A mixed development infrastructure needs is considered in its entirety now and will continue to be the case for large scale major sites once CIL has been adopted.</p>

Name, Company/ Organisation	Comment ID	Para. Number	Not agree reason/ other comments	Officer View
			<p>In light of the above I consider any intention to secure infrastructure contributions for social housing and the proposed CIL charges is inextricably linked, and the Council must clarify its intentions.</p> <p>I would be grateful to know what you think will happen.</p>	
Simon Pickstone Peterborough City Council	CIL-PD1		Peterborough City Council would like to thank you for providing an opportunity to comment on this document. We do not have any fundamental issues with the proposals contained within this document at this stage. However, we would like to seek reassurance that Huntingdonshire District Council is satisfied that its limited number of sites (2 only) used to assess development viability for B-class development in the Drivers Jonas Deloitte Viability Testing Report (Sites E1 & E2) are suitably representative of all B-class development types across the District? This issue relates to your 'set consultation question' 6 (Appendix 1).	Noted. The viability assessments have been undertaken in accordance with the Regulations and guidance taking a strategic view. It is considered that the testing on the B class development is representative of viability across the District.
Janet Innes-Clarke Brampton Parish Council	CIL-PD14		General: This could be difficult to decide if the project is 106 or CIL – potential conflict	Noted. The Infrastructure List clearly defines between S106 and CIL. The publication of the CIL Regulation 123 list following adoption will further support this.
Janet Innes-Clarke Brampton Parish Council	CIL-PD15		The village with the disruption and inconvenience of the new development should still have a majority of the money	Noted The 'meaningful proportion' will be consulted on by government later this year. With regard to the potential redevelopment of RAF Brampton – this is defined as a 'large scale major' development area where developer contributions will be a combination of CIL and S106.
Rose Freeman The Theatres Trust	CIL-PD16		We have no comment to make on the draft charging schedule but note that new cultural facilities will receive contributions for infrastructure requirements through Core Strategy Policy CS10 which is cited on page 4.	Noted.
Joseph Whelan Cambridgeshire County Council	CIL-PD32		Further work is needed between Officers to address the point of how CIL monies will be split between the County, District and other service providers. A clear statement as to how the CIL monies will be split needs to be agreed prior to the CIL Charging Schedule consultation programmed for this autumn.	Noted. The District Council has worked closely with the County Council on this matter from the outset of the CIL Pilot project, and will continue to do so. The distribution of CIL revenues does not form part of the Charging Schedule. However, this is being worked on with partners, including CCC.
Janet Nuttall Natural England	CIL-PD37		Natural England is the Government agency that works to conserve and enhance biodiversity and landscapes, promote access to the natural environment, and contribute to the way natural resources are managed so that they can be enjoyed now and by future generations.	Noted. HDC has been involved in the preparation of the Cambridgeshire Green Infrastructure Strategy The ANGST standards are aspirational. Realistic levels

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			<p>The approach seems reasonable and in line with relevant legislation, therefore Natural England does not wish to offer any further substantive comments in respect of the Community Infrastructure Levy rate.</p> <p>Natural England is pleased to see the inclusion of strategic green infrastructure and biodiversity enhancement / mitigation provision within the document.</p> <p>We offer the following comments in relation to Natural England's ANGST (Accessible Natural Green Space standards), in respect of development opportunities and in order to ameliorate issues of deprivation to access to open/green spaces, which can be as a result of cumulative development:</p> <p>Natural England believes that local authorities should consider the provision of natural areas as part of a balanced policy to ensure that local communities have access to an appropriate mix of green-spaces providing for a range of recreational needs, of at least 2 hectares of accessible natural green-space per 1,000 population. This can be broken down by the following system:</p> <p>Everyone should live within 300 metres of an area of accessible natural green-space of at least 2 hectares ;</p> <p>There should be at least one accessible 20 hectare site within 2 kilometres;</p> <p>There should be one accessible 100 hectares site within 5 kilometres;</p> <p>There should be one accessible 500 hectares site within 10 kilometres.</p> <p>In order to identify deficiencies and opportunities in relation to local green infrastructure provision, we would recommend that you consult Natural England's Cambridgeshire and Peterborough ANGSt Analysis 2011 and the revised Cambridgeshire Green Infrastructure Strategy 2011.</p> <p>Natural England notes that this is the preliminary draft charging schedule; we would be interested in being consulted on any further iterations.</p>	<p>must be considered in line with the three statutory tests.</p>
<p>Tim Slater, 3D Planning for Persimmon Homes (East Midlands) Ltd</p>	<p>CIL-PD51</p>		<p>Persimmon Homes (EM) accepts that the Government is committed to the implementation of CIL throughout the country and that the current consultation from HDC is a reaction to this.</p> <p>It remains a deep concern that the implementation if CIL in conjunction with the revised S106 regime is intended to secure a greater proportion</p>	<p>Noted. Regulations are clear that CIL balances economic viability with development implementation. It is a process that will provide a clear and fair approach to development throughout Huntingdonshire.</p>

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			<p>of funding from new development and that in the current fragile housing and development market this will inevitably have an adverse impact on the delivery of new development. The current consultations in relation to both CIL and the S106 / Developer Contributions DPD have to be considered together for a major house builder as it is the collective impact that will influence development decisions and strategy.</p> <p>It is Persimmons view that the additional costs contained within the consultation drafts for CIL and S106 are likely to deter land owners and developers from bringing new land and development forward. This implication is apparently at odds with the wider stated aim of Government to stimulate housing development in particular to provide an increased rate of delivery.</p> <p>CIL abandons the fundamental and established link between the impacts of the development proposed and the planning contributions sought, and this is considered deeply regrettable. It is clear that money collected through CIL can be spent on developments and projects that have no direct relationship to the project that provides the funding in geographic or practical terms.</p> <p>It is welcomed that affordable homes will be zero rated for CIL and this approach is considered sensible as these properties are largely delivered by developers through S106 process anyway.</p> <p>It is in principle welcomed that CIL will be chargeable on all new development, as previously the S106 process placed a disproportionate burden of S106 /development finance upon major developments, with minor developments not contributing.</p> <p>It is considered that the CIL rate set for new housing is excessive (at £100 per sqm) is too high and that this will in conjunction with the S106 that will be necessary of the majority of major housing sites, will raise viability issues and hamper the delivery of new housing which is contrary to the strategic aims of both the Government and HDC.</p> <p>Critically it is considered that neither the CIL document nor the Developer contributions document explain with certainty how the 2 systems will work in parallel. It is evident that this will not simplify the system of negotiation on S106 as on major site these will continue to be necessary but the viability issue will remain as a significant proportion of 'development value ' will have been taken through CIL.</p> <p>The lack of geographic control over where CIL will be spent has the potential for developers double paying for infrastructure as CIL is intended to fund this but cannot be guaranteed that the infrastructure needs for a client's site will be provided through CIL and as such this</p>	<p>The Government desire to implement CIL has been known about since 2008 and clarified by the 2010 Regulations and, as such, there has already been considerable time for the potential impact of such a levy to be considered. The viability assessments have considered the current economic climate.</p> <p>The residential levy rate proposal has been based on viability assessment undertaken by independent professionals commissioned to assist by HDC and has taken into account S106 impacts and affordable housing. All assessments have taken into account payment as set out in the 2010 Regulations ensuring that the total levy is paid before the end of the first year. HDC has made it clear that following the Amendment Regulations 2011, a payments policy will be developed that will provide equal or further time to pay, which would have a positive impact on viability. For large scale major developments phasing provides a further viability benefit and through the negotiation process payment schedules will be agreed.</p> <p>The control of CIL expenditure is not part of the remit of the Preliminary Draft Charging Schedule. The development specific infrastructure for large scale major developments will continue to be met through S106 Agreements and so ensure infrastructure needs for a site will be met. CIL will still be required to be paid as well as S106 contributions on eligible development.</p>

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			<p>will be sought / secured through the S106 process. In principle this is considered to be wrong, and in practice this will accentuate the concerns over viability and delivery.</p> <p>I trust that this sets out the key concerns in relation to the CIL document on behalf of Persimmon Homes EM. Fundamentally the increased costs contained within the CIL and the £100 per sqm rate will make it more difficult to deliver the housing and development sought by Government.</p>	
<p>Mark White Homes and Communities Agency</p>	<p>CIL-PD56</p>		<p>This is the response from the Homes & Communities Agency (HCA) to the above consultation. The HCA is a government agency; working with our local partners, we use our skills and investment in housing and regeneration to meet the needs of local communities; creating new affordable homes and thriving places. The statutory objects of the Agency as set out in the Housing and Regeneration Act 2008 are to:</p> <ul style="list-style-type: none"> • improve the supply and quality of housing in England; • secure the regeneration or development of land and infrastructure in England; • support in other ways the creation, regeneration or development of communities in England or their continued well-being; and • contribute to the achievement of sustainable development and good design in England, with a view to meeting the needs of people living in England. <p>The HCA has not been formally invited to comment on this document, but wishes to comment as follows:</p> <p>The HCA notes that the draft DPD states that Huntingdonshire District Council (HDC) have tested the viability of development in Huntingdonshire as part of the development of the Preliminary Draft Community Infrastructure Levy Charging Schedule. The HCA notes that this is based on the 2011 report produced for HDC by Drivers Jonas Deloitte.</p> <p>The HCA notes that this document states that:</p> <p>“Until Affordable Rent can be written into policy, or a work around is created, we have to assume that Residential Providers will deliver affordable housing in line with local policy”</p> <p>The document goes on to state that:</p> <p>“We have made the following generic assumptions with regard to all of</p>	<p>Noted. The Charging Schedule is not a DPD.</p> <p>The view was taken that, despite the fact that national planning policy may now allow for Affordable Rent, unless HDC policies were revised to allow it in lieu of, or in addition to, Social Rent, then development coming forward would still be required to meet local policy ie Social Rent.</p> <p>Affordable Rent is acknowledged in the Viability Report. HDC Policy is for affordable housing to be supplied at a 70/30 split. Following the publication of PPS3, HDC is in the process of reviewing policy in line with Affordable Rent. However, to ensure viability was correctly considered, AH levels at current policy was undertaken. If Affordable Rent had been used this could be seen to improve viability. This does not impact on the matter of adhering to PPS3 requirements and meets the necessary PPS 12 requirements.</p> <p>There may need to be further policy clarifications on this matter in line with emerging planning reforms (e.g. localism and the NPPF), but viability is not likely to be unduly affected.</p>

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			<p>our residential appraisals:</p> <p>40% Affordable Housing – split 70/30 social and intermediate rented;”</p> <p>The HCA is therefore concerned that this draft DPD does not give sufficient weight to national policy in the form of the Technical Changes to Annex B PPS3 – Affordable Housing Definition; this change is referred to in the Drivers Jonas Deloitte report but not the DPD itself.</p> <p>The HCA would point out that under the new policy, developers can legitimately offer Affordable Rent rather than Social Rent. Furthermore it will be the case that for a local authority to insist on Social Rent they will be offered a reduced number of affordable dwellings compared to that provided through Affordable Rent given the increase in value and improved viability of the scheme to the developer resulting from offering Affordable Rent dwellings as part of the development’s affordable housing provision.</p> <p>The HCA would also wish to point out that basing Community Infrastructure Levy Charging Policy on a study that does not give proper consideration to the new national policy will result in other problems in relation to the delivery of affordable housing through these contributions; local authorities should be aware that if new Social Rent units were to be owned and managed by housing associations, some may be reluctant to do so given that their business plans have been restructured to Affordable Rent debts and repayments. There may also be banking covenant issues for housing associations in taking on new Social Rent units.</p> <p>These delivery issues may have wider impacts on the delivery of infrastructure required to support these developments.</p> <p>The HCA is therefore concerned that this Draft DPD may fail to meet the test of soundness outlined in Planning Policy Statement 12 Local Spatial Planning (PPS12) in regard to the requirement for the document to be justified by a robust and credible evidence base and for it to be consistent with national policy, given that the evidence base for this policy does not fully take into account national policy or the impact this will have on viability locally.</p>	
Philip Raiswell Sport England	CIL-PD65		<p>Thank you for consulting Sport England on the above consultation document. Sport England is the Government agency responsible for delivering the Government’s sporting objectives. Maximising the investment into sport and recreation through the land use planning system is one of our national and regional priorities. You will also be aware that Sport England is a statutory consultee on planning applications affecting playing fields and a non statutory consultee on planning applications proposing major housing development.</p>	<p>Support welcomed.</p> <p>Under the proposals green space land will continue to be agreed through S106 but the capital cost of outdoor facilities will fall under CIL except for large scale major sites.</p>

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			<p>Sport England welcome the Council undertaking the Community Infrastructure Levy – Preliminary Draft Charging Schedule in order to secure contributions for infrastructure that is or will be needed as a result of new development.</p> <p>♣ 2 Policy Background – Supporting Documents - Policy CS 10 Contributions to Infrastructure Requirements</p> <p>Firstly, we support the Council's recognition that open space and recreation (including leisure and sports facilities) should be included in the list of infrastructure that may require contributions.</p> <p>♣ Reviewing the Infrastructure Projects Suitable for CIL</p> <p>Under the heading 'S106 Development Specific (Non-CIL funded) infrastructure' development specific provision of formal green space land is identified. As only outdoor sports facilities are included within this we object to this as if only development covered by S106 Development Specific Infrastructure comes forward there may be a lack of contributions collected towards the provision of indoor sports facilities.</p> <p>We would therefore recommend that indoor sports facilities are covered by S106 Development Specific Infrastructure arrangements.</p>	
Alan Williams Houghton and Wyton Parish Council	CIL-PD67		I may be wrong (!), but my reading is that HDC will collect CIL with no mechanism to transfer funds to other levels of government e.g. to the county council for schools and highways. Parish Councils should also receive a share; I suggest a fixed proportion and my suggested level would be 10%	Noted The mechanism through which Parish and Town Councils may benefit from development related CIL receipts is known as the 'meaningful proportion'. This is currently under consultation from DCLG, and the consultation will close on 30 st December 2011.
Tom Gilbert- Wooldridge English Heritage	CIL-PD68		<p>Thank you for consulting English Heritage on the above document. We have not considered the document in detail, but note that the district council are looking to use CIL for strategic infrastructure rather than local infrastructure. We hope that developer contributions for the historic environment can still be obtained through Section 106 agreements. This could include improvements to open space and public realm, possibly linked to a Heritage Lottery Fund scheme and/or green infrastructure work, as well as archaeological investigations, access and interpretation schemes and the restoration of buildings and other heritage assets.</p> <p>In relation to CIL, it is possible that strategic infrastructure improvements within the district could include the historic environment, such as historic bridges or schools as well as historic landscapes and green spaces, and we hope that such assets can be preserved and</p>	<p>Welcome comments.</p> <p>Public realm matters are covered with the Developer Contributions SPD along with archaeological investigations and a number of other related matters.</p> <p>Consideration of the historic environment is noted and always considered.</p>

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			enhanced wherever possible. Furthermore, 'in kind' payments, including land transfers (Paragraph 52 of the CIL Overview, November 2010) could include the transfer of a listed building at risk into different ownership as a move towards safeguarding such buildings.	
Nairn Davidson Luminus Group	CIL-PD69		<p>In principle we have no issue with the idea of CIL and it is helpful to see a transparent approach to District wide priorities. The key to making CIL work will be the overlap between s106 (or lack of it). Equally the methodology of how the viability of a site will be assessed if the developer cannot afford the contributions has yet to be fleshed out. It is vital that this is applied uniformly at a time when sites are struggling to make any profit. If this isn't recognised, supply will continue to dry up. With regard to the evidence base at 2.17 we are concerned at the deliverability of this and therefore infrastructure expected could take considerably longer than expected. We would query whether section 2.21 has taken account of changes to benefit levels and what this could mean to household sizes. Section 3.13 talks only about affordable housing being delivered via a s106 when in fact a number will be delivered from exception sites. We feel that the average assumption in section 4.11 is too high as most sites will be 1-3 beds. Under section 4 it is unclear when payment is due although it mentions demand notices to be issued on commencement. This will be extremely difficult for developers to fund and should be on first occupation. We believe section 4.13 requiring tenants to be party to an agreement is unworkable. We would question in section 4.15 why contributions should be linked to build cost inflation. The developer will only see an increase in value if sales inflation exceeds build inflation. Regarding section 4.16, developers are already paying for planning. 5% is unreasonable as it takes no more time to manage a large site to a small site, and any late payments are charged interest anyway. We would query in section 4.26 why 3 Dragons is not being used to test viability as it is in London. Regarding section 4.28, the comment that an application will need to wait is not sensible as interest costs alone will ensure that it becomes less viable, not more so, as low house price increases and high build cost increases become ever diminishing.</p>	<p>Welcome comments.</p> <p>Viability assessments have considered full policy needs with regards affordable housing and S106 requirements. CIL is mandatory, except where exemptions apply or in very rare cases exceptional circumstances are granted. Any viability issues raised by a developer will need to be considered on other contributions to the CIL. This would depend on the specifics of the site.</p> <p>Infrastructure costs are considerable but it has never been the government's intention for CIL to be <u>the</u> funder of infrastructure. Prioritisation will need to take place as part of the governance arrangements – this falls outside the remit of the Charging Schedule. The level of CIL has been based on sound viability assessments.</p> <p>Some of the comments in this representation relate to the Developer Contributions SPD consultation, and are considered in a separate document.</p>
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	CIL-PD70		<p>We represent Connolly Homes Plc David Wilson Estates and the Masters, Chancellors and Scholars of the University of Cambridge. Our client's principle concerns are to deliver the majority part of St Neots East urban extension and to ensure the evolution and preparation of consistent policy documents.</p> <p>Our representations take into account both the CIL Regulations 2010 and the CIL Amendment Regulations 2011.</p> <p>We do not object, per se, to the concept of CIL however we do not consider the evidence presented to support the proposed charging schedule is sufficiently robust to ensure that the levy will not inhibit</p>	<p>Support of CIL noted.</p> <p>The evidence presented to support the Preliminary Draft Charging Schedule is considered appropriately robust.</p>

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			proper development and impact on scheme viability. The need for a robust evidence base is made clear in the Drivers Jonas Deloitte report 'Viability Testing of Community Infrastructure Levy Charges' of 2011 ("DJD Report") at paragraph 1.12.	
Colin Brown, Januays for The Fairfield Partnership	CIL-PD43		It is going to be crucial to ensure that there is no double counting in terms of CIL payments relative to any Section 106 payments. This is stated in various places in the document but it is important that S106 is not used to have a second "bite of the cherry" where substantial levies are being collected under CIL.	Noted. Infrastructure is clearly defined between S106 and CIL. The publication of the Regulation 123 list following adoption will further support this.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	CIL-PD88		NEW HOMES BONUS The approach does not acknowledge the importance of the New Homes Bonus which is intended to sit alongside the planning system to help deliver the vision and objective of the community and the spatial strategy for the area. The Bonus is intended to assist with issues such as service provision and infrastructure delivery. The publication of the Scheme Grant Determination 2011/2012 confirms that Huntingdonshire will receive £831,677. It is not clear to what extent this bonus has been factored into the Infrastructure funding and hence would affect requirements being put forward for the CIL. Newark and Sherwood has included this bonus towards its infrastructure deficit.	Noted. The New Homes Bonus is not likely to form part of infrastructure funding in Huntingdonshire. It is for the District Council to decide where and how any such bonus will be subsequently spent.

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Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	CIL- PD110		<p>In light of our comments above we do not consider that the Council's draft Charging Schedule is appropriate at this time. Further consideration needs to be given to the impact that the suggested</p> <p>levels of contribution would make upon schemes. We do not consider that the work undertaken to</p> <p>date is sufficient to enable the Council to accurately assess the impact upon the viability of commercial schemes.</p> <p>We would therefore request that we are informed of the subsequent phases undertaken as part of</p> <p>this process. In accordance with the guidance on responding to the Draft Charging Schedule, we</p> <p>wish to be notified when the draft schedule has been submitted to the examiner. In making these</p> <p>representations we also confirm that we would welcome an invitation to be heard by the examiner</p> <p>appointed to conduct the public examination of the draft charging schedule. It of course remains</p> <p>open to us to bring forward detailed evidence to the examination in public in due course.</p>	<p>Comments noted.</p> <p>The evidence presented to support the Preliminary Draft Charging Schedule is considered appropriately robust. The District Council is in no doubt that the the Draft Charging schedule is appropriate at this time.</p> <p>Request to be kept informed noted.</p> <p>Request to be heard by the examiner noted.</p>
Ramune Mimiene Brampton Parish Council	CIL- PD127		<p>New Homes Bonus</p> <p>Will local communities be encouraged to supplement Cil and S106 payments with this bonus which is intended to "ensure the economic benefits of growth are more visible within the local area," ... "and in particular the neighbourhoods most affected by housing growth "</p>	<p>Noted.</p> <p>The New Homes Bonus is not likely to form part of infrastructure funding in Huntingdonshire. It is for the District Council to decide how and where any money received will be subsequently spent.</p>
Alexanders	CIL- PD131		<p>The introduction of the CIL is welcomed.</p>	<p>Support noted.</p>
Stephen Dartford Fenstanton Parish Council	CIL-PD6	1.4	<p>As this "will not fund 100% of the costs of the infrastructure requirements". What proportion will be funded and what other funding opportunities are available besides s106.</p>	<p>Noted.</p> <p>It has never been the government's intention for CIL to be the funder of infrastructure. Prioritisation will need to take place as part of the governance arrangements which fall outside the remit of the charging schedule. Other complementary funding sources will be required to deliver many elements of infrastructure.</p>

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Ramune Mimiene Brampton Parish Council	CIL- PD122	1.5	1.5 CIL is charged on net additional floorspace(i.e. 2 floors = times 2) This avoids needle development. One consequence is presumably that houses built with large attics that subsequently have dormers installed but the extension would be below the chargeable limit. What is the position on garages and conservatories?	Noted. The impact of extensions is noted through the regulations and will not be required to pay if less than 100 sq m. Anything that is new floorspace will be considered for payment of CIL dependant on the regulations.
Colin Brown, Januays for The Fairfield Partnership	CIL-PD44	1.8	This is an important acknowledgment that - for the most part - CIL is to be complementary to any S106 requirements, which may be more site specific, and not represent an additional charge.	Noted
Paul Hammett National Farmers Union	CIL-PD4	1.9	<p>Farming is a major part of the local rural economy and a major land use. The potential application of a CIL to a farm business would be profound. The NFU requests that agricultural and horticultural development should be zero-rated. Typical on-farm development (a livestock shelter or a crop store for example) does not result in any uplift of land value – the principle on which CIL is based. We would be happy to provide further information in support of this argument as required.</p> <p>The Government increasingly recognises the strategic as well as economic importance of UK food and fuel production in the light of projected world shortages. For more information on this please refer to the recently published Foresight report into global food and farming futures</p> <p>http://www.bis.gov.uk/foresight/our-work/projects/current-projects/global-food-and-farming-futures</p> <p>To encourage local food production, we need a supportive planning framework. The CIL zero-rating of agricultural development would be an important complementary element of that support.</p>	<p>Noted.</p> <p>Agricultural development will be reviewed in light of comments received. The appropriate levy will need to be based on viability.</p>
R W Dalgliesh Milton (Peterborough) Estates Co	CIL-PD38	1.9	We are supportive of representation made by the CLA and the NFU in respect of agricultural buildings and ask that you reconsider this aspect.	<p>Noted.</p> <p>Agricultural development will be reviewed in light of comments received. The appropriate levy will need to be based on viability.</p>
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	CIL-PD89	1.9	<p>CHANGES TO CHARGING SCHEDULE</p> <p>We note the June 2011 HDC Cabinet agreement to consult on the draft Charging Schedule. That version differs to the charging rates now proposed and we question where the differences have been shown to justify an even higher rate that that upon which Cabinet agreement was sought and given. For example the £98 sq m rate for residential development projects has risen to £100 standard rate in the published draft for consultation. In a scheme comprising circa 3,500 homes (i.e. St Neots East) this could have an impact of an additional £700,000 payable to CIL using an average 1000sqft (93sqm) unit size. There is</p>	<p>Noted.</p> <p>Changes made following the Cabinet report where outlined at the Cabinet meeting and subsequently endorsed, as agreed, by the Portfolio holder. The changes were made following discussions through the government's front runners programme to be clear and simple whilst ensuring the regulations were met and charges were viable.</p>

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			no clear reason to justify the change (increase) in levy now proposed in the consultation DCS from that which was generated from the same evidence base and reported to the June 2011 Cabinet.	
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	CIL- PD101	1.13	We are concerned that Section 106 agreements for our client's schemes will often include significant contributions to highway and other works. As set out later in our response, the level of CIL sought for larger retail developments would therefore bring into question the viability of such schemes.	Noted. The viability assessments have evidenced the proposed levy rates.
Ramune Mimiene Brampton Parish Council	CIL- PD123	1.13	1.13 I had understood that there was no new money, yet this para says all eligible developments must pay towards CIL as well as any site specific requirements. The question is therefore is the total amount of money payable potentially increased through CIL?	Noted. The legislative changes have been set up to provide a fair and more transparent process. Rather than collecting contributions from some developments, now all developments could potentially contribute. The total amount payable is linked to the impact of the proposed development and viability.
Colin Brown, Januarys for The Fairfield Partnership	CIL-PD45	1.14	It is important that developers who are expected to make available serviced sites for schools on urban extension sites are not then expected to fund the construction of the school in question, and that any further contributions that might be negotiated are proportional to the size of the development proposed.	Noted. All S106 contributions will need to meet the three statutory tests.
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	CIL- PD102	1.14	We do not consider that the documents provided by the Council provide sufficient certainty to prevent the possibility of double counting contributions. This should be given further consideration and be set out clearly.	Disagree. The Infrastructure Project List clearly identifies which infrastructure falls within which category to ensure no double counting takes place.
Ramune Mimiene Brampton Parish Council	CIL- PD124	2.2	2. 2 "Administrative expenses can be funded from CIL." Do these come out of the £100 per square metre? What level of administrative expenses is envisaged?	Noted. The administrative expenses are drawn from the levy rate and are not a further charge.
Adam Ireland Environment Agency	CIL-PD40	2.7	<p>Policy CS10</p> <p>This is an ideal opportunity to incorporate Flood Risk Management Infrastructure (flood defences, Sustainable Drainage Systems, etc) within the range of community infrastructure projects that are able to benefit from Planning Contributions. We are encouraged to see that it has been considered within the preliminary CIL Draft Charging Schedule.</p> <p>With reduced Central Government funding available for flood defences / asset management there will be greater emphasis on Local Authority having to provide a percentage of capital required for either the installation of new defences or increasing the Standard of Protection afforded to settlements by existing defences. The Flood and Coastal Resilience Partnership Funding, as described by Stephen Wheatley (Developer Contributions response - ID 558515 - Anglian Central</p>	<p>Comments welcomed.</p> <p>The Planning Act clearly identifies flood defences as items of infrastructure.</p> <p>Amendments will be made to show that flood defences will fall under CIL with the exception of local site related flood risk solutions provision which will continue under S106 or condition as appropriate.</p>

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			<p>Regional Flood and Coastal Committee) is a means through which localised funding can be matched by National funds.</p> <p>In addition, the transfer of responsibility for SuDS to the Lead Local Flood Authority {LLFA} (Cambridgeshire County Council) may result in changes to the adoption process for any SUDS. The LLFA should be consulted in relation to this issue, particularly if they intend to incorporate charging for the adoption and/or maintenance of SuDS within new developments.</p>	
Sue Bull Anglian Water Services Ltd	CIL-PD18	Policy CS 10	<p>Thank you for the opportunity to comment on this document.</p> <p>I note Policy CS10 Contributions to Infrastructure Requirements lists 'utilities infrastructure..'</p> <p>I would be keen to discuss this with you with regard to water and wastewater and explore the possibilities. To date developer contributions has been sought through the appropriate sections of the Water Industry Act 1991.</p>	Comments welcomed. Subsequent discussions held.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	CIL-PD79	2.16	<p>Density</p> <p>We note that the Council has agreed an assumed development of 40 units per hectare for the residential appraisals (background paper 'Viability testing of CIL Charges', Drivers Jonas Deloitte) in assessing the viability of the Levy. However the SHLAA assumptions for ST Neots East is based on 45 units per hectare which we consider has informed the Residential Site 2 appraisal. This may well be too high in the current and future housing markets in this area. It creates an assumption on the extent of development that will contribute towards and share the cost of the critical infrastructure required to deliver the strategic site at St Neots East.</p>	<p>Noted</p> <p>Site densities for each site were assumed to be as per those in the SHLAA to be representative of a site of that type.</p> <p>For Residential Site 2 the notional density stated in the SHLAA for St Neots East is 45 dph, the developable area is 50% and the anticipated capacity is 4,140 dwellings.</p> <p>We have applied these assumptions in assessing the development capacity for Site 2.</p>
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	CIL-PD80	2.16	<p>Land value</p> <p>It is fundamentally wrong to assume that landowners will be willing to bring forward development land with planning permission at the rate of £100,000 per hectare for strategic scale sites (as referred to at paragraph 5.14 of the DJD Report). Where has the assumption been derived from and what constitutes the definition of "a level that a reasonable landowner would transact"? The impact the latter would have upon viability assumptions when generated from this starting point is significant and this is an unrealistic premise. By any standards this is an extremely low level and we are of the view that a high proportion of landowners would not be prepared to release their land on this basis. There is no market evidence or robust transactional evidence to support the DJD assumptions that strategic sites command lower values and no allowance has been made for site specific abnormal costs on brownfield sites such as remediation, or</p>	<p>Noted.</p> <p>The viability assessments have been carried out by a highly experienced team. The Council believe the assumptions made in this process are robust.</p> <p>£100,000 per ha was not assumed in the calculations. The text at 5.14 is explanatory as to rationale not actual figures, and comments here in the report are general in nature.</p> <p>Abnormal costs for remediation, archaeology, cut and fill etc are normally determined on a site specific basis, whereas CIL testing is required to be representative across a district. No allowances have therefore been made for specific items other than as identified for demolition or infrastructure on Residential Site 2.</p>

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			<p>archaeology, cut and fill etc on all sites.</p> <p>DJD has stated at paragraph 3.8 that it has applied market comparable rates for land value yet at paragraph 2.13 it highlights the difficulty the firm had in obtaining market evidence. At paragraph 2.14 it estimates the level at which sites with some future hope value may have, again without hard evidence yet it concludes at paragraph 5.14 that landowners of strategic sites should accept a similar value. These statements are not based on a 'fair return' to landowners which raises concerns over future land availability and delivering the adopted Core Strategy.</p> <p>Relevant guidance, in respect of land value is provided by the good practice note from 1 July 2009 - 'Investment and Planning Obligations : Responding to the Downturn' set out in the Homes and Communities Agency's expectations for securing affordable housing from planning permissions and associated s106 obligations alongside HCA investment. This predated the CIL Regulations, but was intended to inform HCA regional staff engagement with Local Planning Authorities (LPAs) and other stakeholders. It stated:</p> <p>"39. Viability, in the current market, is impacted by both house prices and land values. Data on the former is widely available, but for land it is very hard to establish values in the current market as the number of transactions is so low and many sales are forced (i.e. there is not a willing buyer and seller). In the expectation of rising prices, developers will frequently choose to hold land rather than develop at current land values,. However, as developers reach their financial year ends, increasing numbers of write downs are being seen. At the same time developer behaviour will seek to mitigate land value loss through negotiation or renegotiation of planning obligation viability assumptions."</p> <p>Fundamentally we disagree with the DJD residual valuation approach, we believe using an assumed land value as a specific cost is flawed and setting this cost an artificially low level to conclude at paragraph 5.14 that 'higher charges still maintain viability' is flawed. Bidwells has relevant market evidence to demonstrate a fair land value which should be applied. We will request a meeting with HDC and its advisors to review these issues in light of our concerns.</p> <p>Specifically, 'Residential Site 2' is a strategic scale development scenario. There is no breakdown of the assumed site area and no residualised price per acre stated in contrast to the other residential sites. This detail should be included for continuity and comparison. We conclude it is based on the Council's major urban extension at St Neots East, being the only qualifying site within the Core Strategy of this nature. This development scenario will contribute towards a significant</p>	<p>Market research was carried our to reflect local market conditions in viability testing. Estimate base values for the different sites tested are as set out in Appendix 3 of the report, and are not at the levels discussed in the rationale in paragraph 2.14 or 5.14 of the viability report.</p> <p>The approach taken does not assume a fixed land cost in the residual appraisals; the residual value for each site was compared against a base value to ascertain whether the landowner would sell, as set out in 4.2 and Appendix 3 of the viability report.</p> <p>In the assessment of Site 2 DJD relied upon data set out in the SHLAA as well as the market data that was available to them at the time to ensure the development scenario reflects reality as much as possible. For Residential Site 2 the notional density stated in the SHLAA for St Neots East is 45 dph, the developable area is 50% and the anticipated capacity is 4,140 dwellings. We have applied these assumptions in assessing the development capacity for Site 2.</p>

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			proportion of the CS housing targets to 2026 and thus CIL revenue for HDC. The development appraisals must be robust and based on a clear and sound evidence base to ensure that housing delivery will not be affected.	
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	CIL-PD81	2.16	<p>Developer Profit</p> <p>The study assumes a Developers Profit margin of up to 17.50 % on the GDV. Most developers and house builders will only undertake development where they can demonstrate a Profit on GDV of at least 20% at the outset and many banks and funders are insisting on 25% Profit on GDV in the current economic climate. We are concerned that the residual appraisal for a strategic scale development such as the example 'Residential Site 2' generates a Profit on GDV of 11.50%, and in our experience house builders will not accept a return at anything approaching this level given the capital outlay and timescales associated with a site of this size.</p>	<p>Noted.</p> <p>The appraisals assume a consistent level of developer's profit in accordance with our view of what is reasonable for the sites tested in the local market context.</p>
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	CIL-PD83	2.16	<p>Affordable Housing</p> <p>A 40% affordable housing requirement has a significant impact on viability and therefore any assumptions in respect of affordable housing revenue, build cost, contribution to Section 106 costs etc have to be realistic and prudent. Although affordable housing has generally, in the last few years, generated value this has always been due to grant subsidy and the reality once servicing and infrastructure costs have been taken into account is affordable housing makes a loss and is subsidised by the private housing.</p> <p>At this precise moment in time and in the absence of affordable housing grant, affordable revenues are generally at best in the region of £100 per square foot. There will be no grant funding in the future but in some quarters there is an assumption that "Affordable Rent" will help generate more revenue from affordable and thus help cover the grant void. However there is no local policy on "Affordable Rent" and as yet no indication of likely revenue generated. Against this background we fail to see how DJD can justify an affordable housing revenue of £137 sq ft in the 'Residential Site 2' appraisal. The application of the DJD assumptions into the residential site appraisals highlights these errors. DJD acknowledge that these calculations generate higher values than Market sales (paragraph 3.24 of DJD report). Moreover if affordable housing revenue was reduced to circa £100 sq ft total revenue falls by approximately £46 million raising serious concerns over viability.</p> <p>The DJD Residential site appraisals 1-5 include affordable housing revenues for rented at 55-68% of OMV and intermediate housing at 99-100% OMV. This requires justification and endorsement from the HCA that these are figures are acceptable and will allow affordable housing</p>	<p>Noted.</p> <p>Viability assessments assumed no grant funding.</p> <p>The affordable values have been derived through the use of ProVal software (a specialist affordable housing residual appraisal model). In relation to Social Rent we have modelled target rents, less costs, received over a cashflow term. In relation to Shared Ownership we have modelled both the initial equity receipt, and the rent on the unbought equity, less costs over a cashflow term. We have calculated both the level of equity and the rent charged based on affordability criteria / target household incomes used by HDC. In our experience it is not unusual for affordable values to match or even (in theory) exceed private values, especially in areas where market values are less than £200/sqft, given that affordable value calculation is only partially linked to market value.</p>

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			to be brought forward . The recently examined Newark and Sherwood CIL development appraisals set these figures at 40% (rented) and 70% (intermediate) which is broadly consistent with industry based evidence.	
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	CIL-PD84	2.16	<p>Private Sales Revenues</p> <p>The DJD appraisals use private sales revenue between £150-£200 sq ft for houses and £170-£220 sq ft for flats which is a broad spread across the District. As stated in the report, DJD had great difficulty in obtaining accurate net revenue evidence. In our recent experience there is generally a 10% difference between gross asking price and net revenue.</p> <p>Against this background we fail to see how DJD can justify an average private value of £206 sq ft for 'Residential Site 2' which is an example of a predominantly housing led scheme. Our evidence of private dwelling sales at Loves Farm, St Neots, a current housing led scheme under construction in the district, indicates an average net sale revenue of £187 per sq ft from October 2008 to August 2011 on a total of 103 completions as against an average gross asking price of £200 per sq ft. Using an average revenue of £187 per sq ft reduces the private revenue in 'Residential Site 2' by circa £47 million. The impact is self evident.</p>	<p>Noted</p> <p>The comparable market evidence in terms of sales values was gathered from a range of schemes as set out in Appendix 1 (Market Report) of the viability report. The private sales rates (revenue) used are based on achieved sales prices after incentives have been stripped out as set out in that report.</p>
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	CIL-PD85	2.16	<p>Build Costs</p> <p>In the residential development appraisals DJD use basic build costs of between £64-£67 per sq ft plus a cost of 20% of construction to cover any specific site works. Our interpretation of this is an overall build cost of £77-£80 per sq ft which is simply not sufficient to build a dwelling to Code for Sustainable Homes Level 3. We would normally adopt a minimum of £95 per sq ft plus make an allowance for increased costs associated with future Code requirements up to £115 per sq ft overall. Even without allowing for future Code requirements on 'Residential Site 2' example there could well be additional build costs of circa £55 million to be allowed for.</p> <p>Additionally no separation has been made between affordable and open market units , as acknowledged by A.11 HDC which states "Design Standards shall be as dictated by the Homes and Communities Agecny regardless of whether Social Housing Grant has been secured". The design standards required by the HCA contribute additional costs to the developer, at present not acknowledgment has been made of this within the appraisal, and suggests that the assumptions used are not correct and that the appraisal has not been considered in sufficient detail.</p>	<p>Noted</p> <p>The viability testing was carried out on BCIS levels with a contingency of 3%, together with an allowance of 20% for site specific works.</p>
Stacey Rawlings,	CIL-PD86	2.16	Construction and Sales Rates	Noted

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Bidwells for Connolly Homes D.Wilson Oxford Uni			<p>Paragraphs 3.43 and 3.44 of the DJD report relate to construction and sales rates both of which appear extremely optimistic. National statistics would probably indicate an average sales rate of in the region of 0.5 units per week. In the financial year to the end of June 2011 David Wilson Homes completed 28 private sales at Loves Farm, St Neots or 0.53 units per week. Assuming four developers on 'Residential Site 2' this would give a total of 8.5 units per month as against the DJD assumption of 15 units. Once again this flawed assumption has an overwhelming impact on timescales, cashflow and viability. The Loves Farm evidence illustrates that large consortium sites are difficult to market and there is a fine balance to be struck between maintaining sales revenues and thus margin as against sales rates.</p>	<p>Sales rates reported by agents in market research have been identified in the Market Report in Appendix 1 of the viability report.</p> <p>The sales rate for Residential Site 2 arises from conversations had with the sales agents of the Loves Farm development, in addition to others. It is based on five developers selling 3 units per month each.</p>
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	CIL-PD87	2.16	<p>Other matters</p> <p>The detailed results of this analysis may impact upon the size of the funding gap that the proposed CIL levy is intended to help reduce. There is limited information in the publicly available reports that accompany this consultation to enable us to understand the funding streams for infrastructure provision and specifically those which may have an impact upon local site delivery i.e. A428 improvements, school provision. There is a risk of double counting if those items which are also required to meet demand arising from strategic scale development but which are also likely to address a current infrastructure deficit in an area and benefit a wider community are not delivered on time and by necessity are brought forward by a developer. This is highlighted by the DJD Report at paragraph 5.4 which states "the Levy should dovetail with, and not duplicate, other mechanisms by which contributions towards infrastructure are made by developers". We wish to understand the likelihood of these potential conflicts occurring and the impact this may have on the viability testing by DJD to prevent the s106/affordable housing package being significantly affected at the application stage. The inability of a developer to require the delivery of a specific item at a given time may put a constraint on delivery.</p> <p>It is also worth noting that in addition to costs relating to CIL and Section 106 obligations, the costs of residential development is likely to rise by virtue of the need to apply the application of increasing CSH and renewable energy requirements. These will add substantially to future construction costs. Has this likely change been factored into the viability appraisal of the Residential Site 2 – strategic scale appraisal? We consider it has not been accounted for and the proposed levy charges have not been properly tested.</p> <p>Additionally, following the Government Spending review, the availability of any grant funding in the provision of affordable housing is very</p>	<p>Noted.</p> <p>Viability testing has been carried out in accordance with CIL regulations as the basis for the preliminary draft charging schedule.</p> <p>The infrastructure list clearly identifies infrastructure requirements and whether it will fall under S106 or CIL.</p>

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			<p>unlikely in the current climate. All of these factors put further pressure on scheme viability.</p> <p>We are extremely concerned that the Council's justification for CIL rests solely on the DJD Report and residual appraisals. Our experience and evidence illustrates potential errors in fundamental inputs such as private and social residential revenues, build costs, sales rates, abnormal costs and profit margins. In isolation one of these factors could have a major impact on viability; in combination the impact undermines completely the DJD residual valuations.</p> <p>Our concerns regarding the evidence base underlining the proposed CIL charging schedule are compounded by the Council's intentions in respect of how it will be applied to new developments. Again, whilst we do not object to the imposition of CIL per-se, it is fundamentally important to ensure that it will not inhibit the delivery of the adopted Core Strategy requirements and specifically the residential led urban extensions.</p>	
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	CIL-PD109	2.16	<p>DJD Viability Report Section 3 Paragraph 3.10</p> <p>The methodology which is presented does not include any consideration of Section 106 contributions arising from commercial developments; it focuses on residential developments where an allowance for Section 106 contributions is included. The model on page 11 of the report is therefore not relevant to commercial developments. This re-inforces our view that the inclusion of such a high rate of CIL for large retail proposals would potentially result in those schemes being unviable as there is no allowance for additional Section 106 costs.</p>	<p>Noted.</p> <p>The DJD report explains that the mode on page 11 is a starting point for assessments. Paragraph 3.50 provides further detail with regards commercial assessments.</p> <p>S106 contributions will be required in line with the Developers Contributions SPD or successor documents on a negotiated basis.</p>
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	CIL-PD71	2.17	<p>We do not accept that the Table 1 Infrastructure costs can be directly applied to the growth levels expected within Huntingdonshire District to inform a Maximum CIL level. For example the multi area projects which include the A428 widening need to be apportioned to the relevant authority areas which will benefit from the infrastructure and the whole burden cannot be used to generate an indicative maximum level for Huntingdonshire at £21,657 and £235. The Multi area funding gap should be correctly apportioned to the wider growth targets and a suitable amount apportioned to HDC, rather than assume any funding gap is applied to one of the local authority areas for the purposes of CIL assessments. The table is misleading.</p> <p>HDC does not include any general principles for the apportionment of CIL monies. The recently examined Shropshire CIL included a Code of Practice which set out the general principles to include a ceiling of 10% of monies collected to meet the wider strategic infrastructure projects with the majority balance towards local projects. This information</p>	<p>Disagree.</p> <p>The infrastructure project list is to provide information on indicative projects that will be required to meet the needs of development. In the list supporting the Preliminary Draft Charging Schedule, some projects have been noted as multi-area as they could benefit more than one town. This is fully in line with the purpose of CIL.</p> <p>The multi area project funding has been reviewed to ensure all costs have been deducted where considered appropriate.</p> <p>There is no requirement to provide details on apportionment of CIL monies as part of the Charging Schedule process.</p>

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			should be provided by HDC.	
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	CIL-PD90	2.17	<p>The appendix containing a list of eligible infrastructure items that CIL would deliver or contribute towards is helpful in principle but we express concern at the list for St Neots in the Local St Neots Projects Table.</p> <p>Our consulting engineers, PBA welcome the inclusion of the following St Neots schemes in the CIL DCS:</p> <p>1.</p> <p>£2 million for A428/Cambridge Road roundabout improvements led by CCC - timescale 2012-2013</p> <p>2.</p> <p>and the £2 million for A428/ Barford Road roundabout improvements led by CCC - timescale 2016.</p> <p>3.</p> <p>£1.198bn for A14 Ellington to Fen Ditton - led by HA, not programmed - funding issues.</p> <p>4.</p> <p>£4.58 million for Cambridge - St Neots Transport Corridor Bus Priority measures led by CCC - not programmed</p> <p>We seek evidence from HDC to confirm that projects 1& 2 are to be delivered on time to meet the requirements of St Neots East. We are concerned that projects 3 & 4 are not yet programmed and there is no certainty to their delivery or assessment of how either will impact on the future growth of St Neots.</p> <p>PBA's main concern is with the timing and uncertainty over the delivery of the following scheme:</p> <p>5.</p> <p>£380 million for A428 Caxton Common to A1 - led by HA and programmed from 2021 - Status funding secured.</p> <p>This scheme is probably the most critical item of infrastructure to enabling the delivery of St Neots East as it relates to the dualling of the A428 at the site. However, there is a timing issue as it is not expected until 2021. The impact of this on the delivery of St Neots East or other</p>	<p>Disagree.</p> <p>There is no double counting as it will only be large scale major sites, following the adoption of CIL, who will continue with a range of infrastructure being secured through S106 and these elements have been discounted from the cost to show the funding gap.</p> <p>The items 1 and 2 mentioned by the respondent will in fact be S106 / S278 type requirements. This will be amended to avoid confusion.</p> <p>Projects 3 and 5 are Highways Agency projects, and project 4 is a Cambridgeshire County Council project. Each project and its status is well known to the respondents who sit on a multi agency Delivery Board for St Neots East which includes the HA and CCC.</p> <p>Current uncertainties over funding and delivery do not mitigate against the inclusion of these important strategic projects in the infrastructure list.</p> <p>Equally, with regard to the other detailed comments on site related infrastructure, the respondents are aware of the requirements through their active involvement in the preparation of the approved St Neots East Urban Design Framework</p>

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			<p>developments in the town is not yet known and we seek clarity from Huntingdonshire Council on how it will consider planning applications in the intervening period.</p> <p>£1.1 million has already been secured through s106 for bus corridor but the Infrastructure Schedules do not specify whether that is the Cambridge -St Neots or the St Ives to Hunts scheme.</p> <p>However we note that the A428/Cambridge Road junction improvement is noted in the Local St Neots Table as a CIL responsibility. This conflicts with the summary table 'Total Infrastructure Costs' which states that the same payment is 'all developer funded'.</p> <p>PBA also question the cost estimates for the St Neots WwTW. The infrastructure schedule includes a cost estimate for St Neots WwTW upgrade (£500,000) and a New strategic sewer (£600,000) listed under CIL contributions. The Water Authority (Anglian Water Services) will be required to undertake a certain amount upgrade works themselves and will secure a certain amount of funding (from OFWAT) – for future development it is to be expected they will seek to recover any necessary upgrade costs from the Developer, these costs should be clear and transparent. The initial estimate provided by AWS for part of St Neots East urban extension was over double the stated figure so we would welcome clarification as to the cost estimate included in the infrastructure schedule for this particular item.</p> <p>PBA also note that there are no sustainable travel items (e.g. bus) in the St Neots list – is this an omission?</p> <p>There is no renewable energy infrastructure provision in the list – often the provision of such infrastructure can become a revenue generator for the Charging Authority and should be considered as part of the plan. We note the accompanying Draft Developer Contributions SPD includes within its regeneration projects list potential contributions towards the St Neots LCDI Renewable Energy project. This is not sufficiently progressed to be included with the Draft SPD which in turn does not enable HDC to understand the impact on major sites within the town and viability testing.</p> <p>The same would also apply to St Neots Town Centre Regeneration projects which has not been sufficiently progressed by HDC to enable proper consideration of any impacts upon the viability testing of Residential Site 2.</p> <p>There are a number of areas highlighted on this project list where it appears that one development would end up paying twice for the same infrastructure, as there is a CIL payment, and also a site specific contribution required. This occurs in particular as follows:</p>	

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			<p>Allotments and community gardens: there is a site specific requirement for the provision of these at St Neots East (at a cost of £241,180) but also a requirement to pay CIL towards a provision of £19,040 for allotments and community gardens. The Developers of St Neots East will therefore have to contribute twice.</p> <p>Children and young people's play space: Site specific s.106 payment for St Neots East of £2,172,052 plus contribution to CIL (towards a provision of £171,473)</p> <p>Primary School: site specific requirements to construct one primary school (£19,800,000 to £24,200,000) at Wintringham Park plus contribution to CIL to provide primary education accommodation and pre-school places.</p> <p>Primary Care Centre: site specific provision is required for this through s.106 agreements, plus a CIL contribution towards the same services is also required.</p> <p>Police service capital provision: s.106 site specific provision is required for funding amounting to £103,102 is required, plus a CIL contribution towards a cost of £8,002 for police is required.</p> <p>The costs of provision of a 4.5 to 5.5 form entry new primary school of £19,800,000 to £24,200,000 seems excessive. The cost of a one form entry primary school elsewhere has been quoted as £4.05 million. This education requirement under the St Neots Projects list for a single large primary school is incorrect and does not comply with the ST Neots East UDF or CCC best practice which suggests that 2 smaller schools should be provided. This also conflicts with the guidance in the accompanying Developer Contributions SPD which sets out a maximum 3FE primary school size and 630 places. The table should be corrected and the costs updated to reflect any difference in provision.</p> <p>In general, the assumptions made for s106 costs arising from the St Neots East development are not sufficiently detailed in the report and we request a detailed breakdown of those charges to understand the basis from which they have been derived.</p>	
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	CIL-PD107	2.17	We note that the Huntingdon West Link Road is included despite the Compulsory Purchase Order not yet being made on this land.	Noted.
Helen Boothman	CIL-PD41	Table 1	And what happens when a major development is built within a village - I trust the village would benefit?	Noted. Government is due to consult on a 'meaningful proportion'

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				of CIL that will be available to the parish that accepts the development to use on appropriate infrastructure.
Colin Brown, Januays for The Fairfield Partnership	CIL-PD46	Table 1	It will be important for the list of infrastructure requirements to be kept fully up to date, as circumstances change, new provision is made, and any new sources of funding are found. We question if A14 improvement should be included given funding uncertainty (project currently abandoned).	Noted. A14 costings have been shown but are discounted in determining the CIL funding gap.
Helen Boothman	CIL-PD42	2.26	Great in theory but how would eh practice really be when we know that District and County appear to find it difficult to talk now evidenced by the lack of communication regarding schools and traffic in the ST Ives West?Houghton East debacle. This is before any S106 or CIL is involved!	Noted. CCC, along with other partners, have been working closely with HDC on this matter from the start and is involved in the frontrunners programme.
Rose Freeman The Theatres Trust	CIL-PD17	2.27	Our interest is RAF Brampton under para.2.27 for large scale developments where we wish to be consulted on future development plans for the Brampton Park Theatre especially pre-application.	Noted. Future plans will be consulted on following the normal process.
David Abbott Highways Agency	CIL-PD5	2.29	<p>The table refers to "Roads and other transport facilities" whereas the Draft Developer Contributions Supplementary Planning Document refers in Para 5.1 to "Footpaths and Access". This is a clear inconsistency between the two documents, the latter being noticeably more restrictive than the former.</p> <p>This inconsistency should be removed, preferably with the more flexible description of the two prevailing. Furthermore, both documents should be made clearer as to what types of transport measures would be appropriate for CIL funding. We would recommend that measures to reduce the reliance on solo driving should be given particular prominence in this respect.</p>	Noted. The table will be amended to clarify that local site-related road/ transport provision will fall under S106 and/or condition, as is currently the case. The Draft Developer Contributions SPD shows that such matters will fall under conditions, negotiated matters and/or footpath and access obligation requirements.
Stephen Dartford Fenstanton Parish Council	CIL-PD8	2.29	Social infrastructure (community facilities) should include provision for burial grounds	Noted in Infrastructure list.
Joseph Whelan Cambridgeshire County Council	CIL-PD35	2.29	<p>Core Strategy Policy CS10 outlines contributions to infrastructure required by new developments which includes strategic green infrastructure and biodiversity enhancement/mitigation. However, the table at paragraph 2.29 fails to include biodiversity under the CIL funded infrastructure column. Whilst recognising that there cannot be double counting with S106 contributions, biodiversity needs to be included for CIL contributions as well.</p> <p>The CIL schedule should also include the Green Infrastructure Strategy 2011 in the Policy Background section.</p>	Noted.

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			The above amendments should be made to recognise the importance of green infrastructure and biodiversity	
Colin Brown, Januays for The Fairfield Partnership	CIL-PD47	2.29	We question if ramp metering on A14 slip roads ought to be considered as a CIL item, at a time when there is no available public funding for the overall A14 widening scheme.	Noted.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	CIL-PD72	3.3	<p>The timing of the levy payment will be subject to an instalment policy which HDC is yet to publish. In order to comment on the assumptions made within the document and the impact on the viability of strategic scale development, this information should be consulted upon as part of the DCS.</p> <p>The minimum timing set out at paragraph 3.3 is onerous considering the size of some of the developments which could come forward, the timeframe within which they will come forward, and the size of some of the CIL payments required. With this in mind, the timing of the payments should be linked to house completions. Since regulation 70 of the CIL Regs has now been amended, it is not necessary, or relevant to refer to the previous instalment payments as set out previously within that section. We note that the DJD Report, at paragraph 3.9 refers to the issues for a significant scheme which could result in the entire charge being paid prior to the first unit being sold and that payment dates should be set to maximise viability, particularly for Large Scale Major sites.</p>	<p>Noted.</p> <p>The payment policy is not part of the Charging Schedule. The viability assessments have considered the original payment policy under the CIL Regulations 2010. It is stated that any payment policy will not result in less time being permitted but be the same or more time, thus improving viability of schemes.</p>
Colin Brown, Januays for The Fairfield Partnership	CIL-PD48	3.4	We support this phased approach.	Support noted.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	CIL-PD73	3.4	We consider that to expect developers to incur additional capital expenditure at the start of a project would deter developers from investing in the district and place unnecessary burden on an already difficult property market. A key test in the appropriate level of CIL is that the proposed rate should not put at serious risk overall development in the area. We welcome the recognition that an outline permission granted for phased development will trigger the CIL levy by phase and not upon grant of the original outline permission. In drafting its instalment policy, we restate the Council should consider staged payments to be made within each phase and linked to house completions.	<p>Noted.</p> <p>The viability assessments undertaken to determine the CIL level have considered the original payment policy under the CIL Regulations 2010 that expected payment within a prescribed period within the first year. It is stated that any payment policy will not result in less time being permitted but be the same or more time, thus improving viability of schemes.</p> <p>The Regulations are clear about outline consents and phasing, which needs to be agreed prior to any permission being granted.</p>
M. Newman, Clerk Stukeleys Parish Council	CIL-PD53	3.8	The Parish Council further understands that the CIL document proposes that a "meaningful proportion" of the Levy would be assigned to the local community – and that in rural areas this would be the Parish Council. It is understood that Government guidance is awaited on the definition of what is meant by a meaningful proportion. We support the proposition that part of the CIL would be given to the local community, and would wish to work with the District Council in	<p>Support noted.</p> <p>The governance arrangements fall outside the remit of the Charging Schedule, however, HDC will continue to work in partnership with Town and Parish Councils through the emerging localism agenda Part of the District Council's emerging response to this opportunity is to develop a Neighbourhood Planning template for use across the</p>

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			identifying appropriate projects which could thus be funded within our area. There will need to be discussions as to how this can be effectively progressed to ensure a transparent and accountable approach which is capable of being monitored.	district.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	CIL-PD74	3.8	<p>The DCS includes a statement that a proportion of levy receipts will be retained locally for investment in infrastructure but 'the level of funding has yet to be decided'. We consider this too ambiguous. Paragraph 3.8 is not clear enough on what the CIL will be spent on. Whilst the Charge Setting and Charging Schedule Procedures guidance produced by the Department for Communities and Local Government, states at paragraph 15 that the role of the evidence supporting CIL is not to provide absolute upfront assurances as to how authorities intend to spend CIL, it does clarify that local infrastructure need has to be demonstrated to justify the CIL. This has not been done at paragraph 3.8: it is not sufficient to say that a proportion of CIL monies will go to local neighbourhoods without quantifying a figure which at present would be needed to provide necessary infrastructure in local neighbourhoods and providing evidence to support the same.</p> <p>The DCS should also include a target amount to give clarity to developers on what level of CIL will be available to deliver the infrastructure that is identified within the Infrastructure Project Lists.</p>	<p>Noted. A decision on the level is not required for the Charging Schedule and will be made following consultation from the Government on this matter. Any level set will not determine what is available for spending on the infrastructure projects as other funding sources. Local communities will similarly need to decide their priorities which could well mean that their contribution supports the funding of infrastructure projects identified.</p>
Ramune Mimiene Brampton Parish Council	CIL- PD125	3.8	<p>3.7 "The Government intends to require charging authorities to allocate a "meaningful proportion" of levy receipts back to the neighbourhood in which the development takes place".</p> <p>What is your understanding of "meaningful proportion" and how do you define "neighbourhood"?</p>	<p>Noted. A decision on the level of the 'meaningful proportion' is not required for the Charging Schedule and will be made following consultation from the Government on this matter. The neighbourhood is to be agreed by the LPA. It is anticipated that where Parish and Town Councils exist then these will form the neighbourhood area.</p>
Ann Enticknap St Ives Town Council	CIL- PD133	3.8	The view is that a proportion of the CIL should be given to Town and Parish Councils.	<p>Noted. A 'meaningful proportion' of the CIL is likely to be available to the Town and Parish Councils in which development occurs.</p>
M. Newman, Clerk Stukeleys Parish Council	CIL-PD54	3.10	On the wider front, it is understood that the District Council will identify those infrastructure projects across the District to be funded through CIL by means of an annual business plan. We consider that this should be determined in consultation with local communities, within the spirit of Localism.	<p>Noted. The governance arrangements fall outside the remit of the Charging Schedule, however, HDC will continue to work in partnership and consult with local communities.</p>
Ann Enticknap St Ives Town Council	CIL- PD134	3.10	The view is that the District and County Councils should consult with Town and Parish Councils when identifying priorities for their CIL funding.	<p>Noted. The governance arrangements fall outside the remit of the Charging Schedule, however, HDC will continue to work in partnership and consult with local communities.</p>

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Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	CIL- PD111	Appendix 1:	<p>No. Viability and deliverability are essential to bringing forward development in the current economic climate.</p> <p>The ability of developers and landowners to each generate realistic land values and development profits is critical to ensuring the release of land for development. There appears to have been little investigation into the fundamental notion of land value by the Council, or more precisely what level would a reasonable landowner agree to sell their land for. The Drivers Jonas Deloitte (DJD) report appears deficient in this respect. The assumptions in the DJD report of land value are in our experience low, and at a level in which landowners will choose not to sell. If a developer cannot agree a price for the land with the landowner there will be no prospect of any development taking place which threatens viability and delivery.</p> <p>Other areas of concern from the DJD report that will have implications upon viability include:</p> <ul style="list-style-type: none"> • Density – 40 dwellings per hectare may be too high in the current market • Developer Profit – assumes 17.5% on the GDV. Most developers will be seeking at least 20% on GDV or even 25% to secure funding • Build Costs – the assumptions do not appear to take into account increasing Code for Sustainable Homes requirements which have a significant effect on build cost. Similarly, this is relevant to on-site renewable energy costs. <p>The costs set out in CIL will place very significant burden on developers, particularly when coupled with potential S106 costs set out in the Developer Contributions DPD [sic] and the limited ability to offset/negotiate, which could jeopardise major important development projects including the St Neots East Expansion.</p> <p>The CIL does not strike the right balance between the desirability of securing appropriate funding and the potential effects on economic viability. The selection of £100 per square metre appears as an arbitrary figure not adequately justified by the DJD report. It is not clear whether the level of Infrastructure Funding can be met through the suggested CIL figure, eg £100 x 92 (average sq.m per dwelling) = £9,200 per dwelling x 7,582 (proposed no. of dwellings in plan period) = £69, 754, 400. This appears to leave a £94 million shortage in funding. Can this be achieved by the proposed charges for retail, hotels, nursing home and health or other revenue streams? The Council does not appear to have referred to other sources of funding</p>	<p>Disagree. The level of CIL has been based on sound viability assessments.</p> <p>As set out in the report, comparables were difficult to find and often deals are commercially sensitive. DJD spoke to local agents and house builders to provide them with a steer on residential development land values and the results are set out in the report. It is not clear which figures are being queried as too low; the residual value for each site was compared against a base value to ascertain whether the landowner would sell, as set out in 4.2 and Appendix 3 of the viability report.</p> <p>Density - 40 units per ha was not the standard assumption in the viability testing. The density of each site was derived from SHLAA figures for a site of that type as agreed with HDC planning officers to represent a range of low, medium and high density sites.</p> <p>Developer Profit - DJD appraisals assume a consistent level of developer's profit in accordance with DJDs view of what is reasonable for the sites tested in the local market context.</p> <p>Build Costs – these were based on BCIS figures with a 3% contingency and an allowance of 20% for site specific works.</p> <p>It has never been the government's intention for CIL to be the funder of infrastructure. Prioritisation will need to take place as part of the governance arrangements – this falls outside the remit of the Charging Schedule.</p> <p>The viability assessments undertaken to determine the CIL level have considered the original payment policy under the CIL Regulations 2010 that expected payment within a prescribed period within the first year. It is stated that any payment policy will not result in less time being permitted but be the same or more time, thus improving viability of schemes.</p> <p>The Regulations are clear about outline consents and phasing, which needs to be agreed prior to any permission being granted.</p> <p>Noted wish to appear at Examination. .</p>

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			<p>for infrastructure such as the New Homes Bonus.</p> <p>For major developments, there should be greater flexibility in the phasing of payments. Under the CIL Regulation 70 the full level of contributions would need to be made within 8 months of commencement of development, which is entirely undeliverable. The draft charging schedule must respond to circumstances and allow major residential developments to secure income from house sales to make contributions. The omission of an appropriate instalment policy in this consultation document is a major concern and prevents consultees adequately responding on this issue, at this stage.</p> <p>There is a need for much more substantive discussion with developers. At present the CIL proposals and the Developer Contributions SPD will not work. We will be providing detailed supplementary information to the Council in due course. We wish to appear at the Examination and request a meeting with Senior Officers at the Council to fully discuss out concerns at the earliest opportunity.</p>	
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	CIL- PD112	Appendix 1:	<p>No. Viability and deliverability are essential to bringing forward development in the current economic climate.</p> <p>The ability of developers and landowners to each generate realistic land values and development profits is critical to ensuring the release of land for development. There appears to have been little investigation into the fundamental notion of land value by the Council, or more precisely what level would a reasonable landowner agree to sell their land for. The Drivers Jonas Deloitte (DJD) report appears deficient in this respect The assumptions in the DJD report of land value are in our experience low, and at a level in which landowners will choose not to sell. If a developer cannot agree a price for the land with the landowner there will be no prospect of any development taking place which threatens viability and delivery.</p> <p>Other areas of concern from the DJD report that will have implications upon viability include:</p> <ul style="list-style-type: none"> • Density – 40 dwellings per hectare may be too high in the current market • Developer Profit – assumes 17.5% on the GDV. Most developers will be seeking at least 20% on GDV or even 25% to secure funding • Build Costs – the assumptions do not appear to take into account increasing Code for Sustainable Homes requirements which have a significant effect on build cost. Similarly, this is relevant to on-site renewable energy costs. 	As above

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			<p>The costs set out in CIL will place very significant burden on developers, particularly when coupled with potential S106 costs set out in the Developer Contributions DPD [sic] and the limited ability to offset/negotiate, which could jeopardise major important development projects including the St Neots East Expansion.</p> <p>The CIL does not strike the right balance between the desirability of securing appropriate funding and the potential effects on economic viability. The selection of £100 per square metre appears as an arbitrary figure not adequately justified by the DJD report. It is not clear whether the level of Infrastructure Funding can be met through the suggested CIL figure, eg £100 x 92 (average sq.m per dwelling) = £9,200 per dwelling x 7,582 (proposed no. of dwellings in plan period) = £69, 754, 400. This appears to leave a £94 million shortage in funding. Can this be achieved by the proposed charges for retail, hotels, nursing home and health or other revenue streams? The Council does not appear to have referred to other sources of funding for infrastructure such as the New Homes Bonus.</p> <p>For major developments, there should be greater flexibility in the phasing of payments. Under the CIL Regulation 70 the full level of contributions would need to be made within 8 months of commencement of development, which is entirely undeliverable. The draft charging schedule must respond to circumstances and allow major residential developments to secure income from house sales to make contributions. The omission of an appropriate instalment policy in this consultation document is a major concern and prevents consultees adequately responding on this issue, at this stage.</p> <p>There is a need for much more substantive discussion with developers. At present the CIL proposals and the Developer Contributions SPD will not work. We will be providing detailed supplementary information to the Council in due course. We wish to appear at the Examination and request a meeting with Senior Officers at the Council to fully discuss out concerns at the earliest opportunity.</p>	
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	CIL- PD113	Appendix 1:	<p>No. Viability and deliverability are essential to bringing forward development in the current economic climate.</p> <p>The ability of developers and landowners to each generate realistic land values and development profits is critical to ensuring the release of land for development. There appears to have been little investigation into the fundamental notion of land value by the Council, or more precisely what level would a reasonable landowner agree to sell their land for. The Drivers Jonas Deloitte (DJD) report appears deficient in this respect The assumptions in the DJD report of land value are in our experience low, and at a level in which landowners will choose not to sell. If a developer cannot agree a price for the land with the landowner</p>	As above

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Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	CIL- PD114	Appendix 1:	<p>No. Viability and deliverability are essential to bringing forward development in the current economic climate.</p> <p>The ability of developers and landowners to each generate realistic land values and development profits is critical to ensuring the release of land for development. There appears to have been little investigation into the fundamental notion of land value by the Council, or more precisely what level would a reasonable landowner agree to sell their land for. The Drivers Jonas Deloitte (DJD) report appears deficient in this respect The assumptions in the DJD report of land value are in our experience low, and at a level in which landowners will choose not to sell. If a developer cannot agree a price for the land with the landowner there will be no prospect of any development taking place which threatens viability and delivery.</p> <p>Other areas of concern from the DJD report that will have implications upon viability include:</p> <ul style="list-style-type: none"> • Density – 40 dwellings per hectare may be too high in the current market • Developer Profit – assumes 17.5% on the GDV. Most developers will be seeking at least 20% on GDV or even 25% to secure funding • Build Costs – the assumptions do not appear to take into account increasing Code for Sustainable Homes requirements which have a significant effect on build cost. Similarly, this is relevant to on-site renewable energy costs. <p>The costs set out in CIL will place very significant burden on developers, particularly when coupled with potential S106 costs set out in the Developer Contributions DPD [sic] and the limited ability to offset/negotiate, which could jeopardise major important development projects including the St Neots East Expansion.</p> <p>The CIL does not strike the right balance between the desirability of securing appropriate funding and the potential effects on economic viability. The selection of £100 per square metre appears as an arbitrary figure not adequately justified by the DJD report. It is not clear whether the level of Infrastructure Funding can be met through the suggested CIL figure, eg £100 x 92 (average sq.m per dwelling) = £9,200 per dwelling x 7,582 (proposed no. of dwellings in plan period) = £69, 754, 400. This appears to leave a £94 million shortage in</p>	As above

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Sean McGrath, Indigo Planning Ltd for Sainsburys Supermarkets Ltd	CIL-PD82	Appendix 1:	<p>The Preliminary Draft Charging Schedule confirms at Appendix 1 that a CIL rate of £50 per m² will be charged for retail developments that are less than 1,000m² (G.I.A) and that the CIL rate will increase to £140 per m² where 1,000m² (G.I.A) or more retail floorspace is proposed. No information is provided as to how these figures have been calculated. Unless, further information clarifying this is provided, it is not possible to specify whether the proposed CIL rates are acceptable. As such, we recommend that further information justifying this is provided by the Council.</p>	<p>Noted.</p> <p>The viability assessments clearly demonstrate the levels are viable.</p> <p>The lower rate proposed for the 1000 sq m size was derived from the viability testing undertaken on units smaller than 1,000 sq m. Additional testing has been undertaken which will be evidenced with the Draft Charging Schedule.</p>
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	CIL-PD115	Appendix 1:	<p>No. Viability and deliverability are essential to bringing forward development in the current economic climate.</p> <p>The ability of developers and landowners to each generate realistic land values and development profits is critical to ensuring the release of land for development. There appears to have been little investigation into the fundamental notion of land value by the Council, or more precisely what level would a reasonable landowner agree to sell their land for. The Drivers Jonas Deloitte (DJD) report appears deficient in this respect The assumptions in the DJD report of land value are in our experience low, and at a level in which landowners will choose not to sell. If a developer cannot agree a price for the land with the landowner there will be no prospect of any development taking place which threatens viability and delivery.</p>	<p>Disagree.</p> <p>As set out in the report, comparables were difficult to find and often deals are commercially sensitive. DJD spoke to local agents and house builders to provide them with a steer on residential development land values and the results are set out. In the report. It is not clear which figures are being queried as too low; the residual value for each site was compared against a base value to ascertain whether the landowner would sell, as set out in 4.2 and Appendix 3 of the viability report.</p> <p>Density - 40 units per ha was not the standard assumption in the viability testing. The density of each site was derived from SHLAA figures for a site of that type as agreed with</p>

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			<p>Other areas of concern from the DJD report that will have implications upon viability include:</p> <ul style="list-style-type: none"> • Density – 40 dwellings per hectare may be too high in the current market • Developer Profit – assumes 17.5% on the GDV. Most developers will be seeking at least 20% on GDV or even 25% to secure funding • Build Costs – the assumptions do not appear to take into account increasing Code for Sustainable Homes requirements which have a significant effect on build cost. Similarly, this is relevant to on-site renewable energy costs. <p>The costs set out in CIL will place very significant burden on developers, particularly when coupled with potential S106 costs set out in the Developer Contributions DPD [sic] and the limited ability to offset/negotiate, which could jeopardise major important development projects including the St Neots East Expansion.</p> <p>The CIL does not strike the right balance between the desirability of securing appropriate funding and the potential effects on economic viability. The selection of £100 per square metre appears as an arbitrary figure not adequately justified by the DJD report. It is not clear whether the level of Infrastructure Funding can be met through the suggested CIL figure, eg £100 x 92 (average sq.m per dwelling) = £9,200 per dwelling x 7,582 (proposed no. of dwellings in plan period) = £69, 754, 400. This appears to leave a £94 million shortage in funding. Can this be achieved by the proposed charges for retail, hotels, nursing home and health or other revenue streams? The Council does not appear to have referred to other sources of funding for infrastructure such as the New Homes Bonus.</p> <p>For major developments, there should be greater flexibility in the phasing of payments. Under the CIL Regulation 70 the full level of contributions would need to be made within 8 months of commencement of development, which is entirely undeliverable. The draft charging schedule must respond to circumstances and allow major residential developments to secure income from house sales to make contributions. The omission of an appropriate instalment policy in this consultation document is a major concern and prevents consultees adequately responding on this issue, at this stage.</p> <p>There is a need for much more substantive discussion with developers. At present the CIL proposals and the Developer Contributions SPD will not work. We will be providing detailed supplementary information to the Council in due course. We wish to appear at the Examination and</p>	<p>HDC planning officers to represent a range of low, medium and high density sites.</p> <p>Developer Profit - DJD appraisals assume a consistent level of developer's profit in accordance with DJDs view of what is reasonable for the sites tested in the local market context.</p> <p>Build Costs – these were based on BCIS figures with a 3% contingency and an allowance of 20% for site specific works.</p>

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			request a meeting with Senior Officers at the Council to fully discuss out concerns at the earliest opportunity.	
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	CIL- PD116	Appendix 1:	<p>No. Viability and deliverability are essential to bringing forward development in the current economic climate.</p> <p>The ability of developers and landowners to each generate realistic land values and development profits is critical to ensuring the release of land for development. There appears to have been little investigation into the fundamental notion of land value by the Council, or more precisely what level would a reasonable landowner agree to sell their land for. The Drivers Jonas Deloitte (DJD) report appears deficient in this respect. The assumptions in the DJD report of land value are in our experience low, and at a level in which landowners will choose not to sell. If a developer cannot agree a price for the land with the landowner there will be no prospect of any development taking place which threatens viability and delivery.</p> <p>Other areas of concern from the DJD report that will have implications upon viability include:</p> <ul style="list-style-type: none"> • Density – 40 dwellings per hectare may be too high in the current market • Developer Profit – assumes 17.5% on the GDV. Most developers will be seeking at least 20% on GDV or even 25% to secure funding • Build Costs – the assumptions do not appear to take into account increasing Code for Sustainable Homes requirements which have a significant effect on build cost. Similarly, this is relevant to on-site renewable energy costs. <p>The costs set out in CIL will place very significant burden on developers, particularly when coupled with potential S106 costs set out in the Developer Contributions DPD [sic] and the limited ability to offset/negotiate, which could jeopardise major important development projects including the St Neots East Expansion.</p> <p>The CIL does not strike the right balance between the desirability of securing appropriate funding and the potential effects on economic viability. The selection of £100 per square metre appears as an arbitrary figure not adequately justified by the DJD report. It is not clear whether the level of Infrastructure Funding can be met through the suggested CIL figure, eg £100 x 92 (average sq.m per dwelling) = £9,200 per dwelling x 7,582 (proposed no. of dwellings in plan period) = £69,754,400. This appears to leave a £94 million shortage in funding. Can this be achieved by the proposed charges for retail, hotels, nursing home and health or other revenue streams? The</p>	As above

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Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	CIL- PD117	Appendix 1:	<p>No. Viability and deliverability are essential to bringing forward development in the current economic climate.</p> <p>The ability of developers and landowners to each generate realistic land values and development profits is critical to ensuring the release of land for development. There appears to have been little investigation into the fundamental notion of land value by the Council, or more precisely what level would a reasonable landowner agree to sell their land for. The Drivers Jonas Deloitte (DJD) report appears deficient in this respect The assumptions in the DJD report of land value are in our experience low, and at a level in which landowners will choose not to sell. If a developer cannot agree a price for the land with the landowner there will be no prospect of any development taking place which threatens viability and delivery.</p> <p>Other areas of concern from the DJD report that will have implications upon viability include:</p> <ul style="list-style-type: none"> • Density – 40 dwellings per hectare may be too high in the current market • Developer Profit – assumes 17.5% on the GDV. Most developers will be seeking at least 20% on GDV or even 25% to secure funding • Build Costs – the assumptions do not appear to take into account increasing Code for Sustainable Homes requirements which have a significant effect on build cost. Similarly, this is relevant to on-site renewable energy costs. 	As above

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			<p>The costs set out in CIL will place very significant burden on developers, particularly when coupled with potential S106 costs set out in the Developer Contributions DPD [sic] and the limited ability to offset/negotiate, which could jeopardise major important development projects including the St Neots East Expansion.</p> <p>The CIL does not strike the right balance between the desirability of securing appropriate funding and the potential effects on economic viability. The selection of £100 per square metre appears as an arbitrary figure not adequately justified by the DJD report. It is not clear whether the level of Infrastructure Funding can be met through the suggested CIL figure, eg £100 x 92 (average sq.m per dwelling) = £9,200 per dwelling x 7,582 (proposed no. of dwellings in plan period) = £69, 754, 400. This appears to leave a £94 million shortage in funding. Can this be achieved by the proposed charges for retail, hotels, nursing home and health or other revenue streams? The Council does not appear to have referred to other sources of funding for infrastructure such as the New Homes Bonus.</p> <p>For major developments, there should be greater flexibility in the phasing of payments. Under the CIL Regulation 70 the full level of contributions would need to be made within 8 months of commencement of development, which is entirely undeliverable. The draft charging schedule must respond to circumstances and allow major residential developments to secure income from house sales to make contributions. The omission of an appropriate instalment policy in this consultation document is a major concern and prevents consultees adequately responding on this issue, at this stage.</p> <p>There is a need for much more substantive discussion with developers. At present the CIL proposals and the Developer Contributions SPD will not work. We will be providing detailed supplementary information to the Council in due course. We wish to appear at the Examination and request a meeting with Senior Officers at the Council to fully discuss out concerns at the earliest opportunity.</p>	
Ramune Mimiene Brampton Parish Council	CIL- PD126	Appendix 1:	<p>Appendix 1</p> <p>1. Q 8. The discretion to encourage and discourage development by location should not be lightly thrown away. Reserve powers should be retained.</p>	CIL must be based on viability evidence and not policy.
Phil Copsey, David Lock Associates for Urban and Civic	CIL- PD128	Appendix 1:	<p>The proposed standard charges are based on the Viability Testing of CIL Charges undertaken by Drivers Jonas Deloitte which reviews a range of development scenarios. The table at appendix 3 demonstrates that those development scenarios with elements of previously developed land (scenarios 1, 3 and 4) struggle to achieve</p>	<p>Support of CIL noted.</p> <p>Should any large scale major sites come forward, they will all be dealt with in the way outlined which will see development specific infrastructure being covered under</p>

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			<p>viability based on the standard charges set out and including s106 assumptions of £1,000 per unit.</p> <p>U&C as the promoters of the transformational redevelopment of Alconbury Airfield support the implementation of CIL and the infrastructure enhancements that it will bring. U&C are committed to providing comprehensive high quality new infrastructure to support its vision.</p> <p>However, the Alconbury site is unique in terms of its scale, the extent of previously developed land and the level of infrastructure provision that its redevelopment will provide, much of which will also benefit the wider District. While CIL is supported, U&C promote a bespoke approach to CIL and s106 that recognises these unique circumstances. This will include the careful phasing and staging of payments taking account of the delivery of advance infrastructure, and the building in of regular review mechanisms to allow the CIL and s106 requirements to be monitored and managed appropriately.</p> <p>The question of whether the proposed charge is appropriate for the Alconbury site is therefore difficult to answer without some greater analysis of the extent of s106 requirement, the extent to which in kind contributions will be recognised, the extent to which infrastructure that serves a wider strategic role over and above serving the development will be recognised and the manner in which contributions will be phased.</p> <p>It is worth pointing out that of the viability scenarios tested, a development of the scale and character of Alconbury is not represented. However the statement at paragraph 5.17 of the viability assessment that 'if there is a conflict between Levy charges, required s106 and affordable housing in terms of viability then the authority has the opportunity to take a site specific approach to ensure that a deliverable and realistic package can be provided that best meets the need of the specific scheme' picks up on many of U&C's concerns. The intention to offer discretionary relief at paragraph 1.6 is welcome, and provides a basis for the exceptional circumstances pertaining to Alconbury to be negotiated.</p> <p>Both the CIL Charging Schedule and Developer Contributions SPD should in our view identify the need for a bespoke flexible approach to</p>	<p>S106 Agreement and phasing and payment triggers negotiated providing a flexible approach.</p> <p>Exceptional circumstances should not be seen as a tool to be used simply as it will be very rare to permit such requests and complying to state aid will be problematic in most cases.</p> <p>The negotiation of the S106 Agreement permits the 'bespoke' approach outlined. CIL is mandatory.</p> <p>Should the Alconbury development area come forward, it will be considered as a large scale major development, as per the criteria set out in the CIL documentation.</p>

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			<p>be adopted with respect to Very Large Scale Major Development. This flexible approach should include early pre-application discussion of</p> <p>heads of terms, the nature of direct provision of social infrastructure and how this is to be taken account, relief from CIL if appropriate, or the off-setting of CIL within a s106 to avoid double counting, etc. This will allow the local planning authority to take an early strategic</p> <p>decision as to how to approach the issue of contributions and the extent to which CIL will be applied, and will ensure that the heads of terms submitted alongside the application will be</p> <p>soundly based. It will also avoid abortive work for both the local planning authority and applicant in preparing heads of terms and the associated costs and delays.</p>	
Phil Copsey, David Lock Associates for Urban and Civic	CIL-PD129	Appendix 1:	The inter-relationship between the s106 SPD and Preliminary Draft Charging Schedule would benefit from greater clarity. Worked examples of contributions would be welcome as a means of demonstrating how it is envisaged that the two mechanisms work together for major development schemes, and how double counting and offsetting of CIL contributions against s106 is to be assessed.	Noted. The infrastructure list clearly demonstrates which projects relate to CIL and S106. CIL is mandatory.
Phil Copsey, David Lock Associates for Urban and Civic	CIL-PD130	Appendix 1:	<p>As stated in our answer above, it is not possible to come to a definitive view on this point based on the current information. Much will depend on the flexibility offered, especially in the</p> <p>early stages of strategic development where much investment needs to take place to move development forwards. The specified phasing of the payment of CIL set down in the CIL Regs is in this regard unhelpful.</p> <p>The Huntingdonshire Infrastructure Project List might benefit from further commentary to augment the projects identified including the source of each cost and the assumptions behind them. It would also be helpful to list more fully other sources of finance that might be drawn upon to support infrastructure projects. While some sources are identified, these would be better placed alongside the costs for individual projects where they are related so that the outstanding requirement sought to be met by CIL can be clearly seen and understood.</p> <p>Other sources of funding could also include the role of the New Homes Bonus over coming years as well as the business rate growth retention from the Alconbury Enterprise Zone.</p> <p>Finally, the charging schedule should also be clearer in setting out the timescale for updating and refreshing the project list and viability</p>	<p>Noted. The Infrastructure Project list provides the necessary information to show the aggregate funding gap. It is recognised that showing other funding sources at this time is difficult and will continue to change with time.</p> <p>Where other funding sources are known, it has been stated if it is anticipated in Huntingdonshire that they will be used to fund infrastructure.</p> <p>The projects that could be funded via CIL will be clearly shown in the Regulation 123 list following the adoption of a Charging Schedule. CIL is not <u>the</u> funder of infrastructure. A business plan will be produced. This will be made clearer within the Charging Schedule.</p>

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			assessments and thus the charging schedule, and on the manner of reporting on CIL in line with Regulation 62 of the CIL Regs.	
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	CIL-PD75	1.4	<p>We welcome the nil Levy rate for affordable housing, which would be in compliance with the 100% relief in both the 2010 Regulations and the CIL Amendment, 2011. This would help support the prioritisation of affordable housing contributions and delivery in Huntingdonshire in line with the Council's Core Strategy target of 40% affordable housing to be delivered on qualifying residential development sites. However we do not accept the evidence base of the DJD study which is relied upon to demonstrate the viability testing of major strategic sites and we consider this may still have a major impact upon the delivery of affordable housing. Please refer to our comments to 'residential site 2' appraisal.</p> <p>For clarity, the table on pg 15 should expressly state 'Affordable Housing (C3) - £0'.</p>	<p>Support welcomed. The table on pg 15 cannot reference affordable housing at £0 levy as a £0 levy on viability has not been set. The non payment of levy is an exemption as stated at paragraph 1.4.</p> <p>The residential levy rate proposal has been based on viability assessment undertaken by professionals in their field considering the economic viability of development across the district, whilst taking into account S106 impacts and affordable housing.</p> <p>It is not clear which part of the evidence base is being called into question here as the market report attached to the viability report sets out the basis for the work, but individual comment has been made to the various responses to appraisal inputs as appropriate.</p>
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	CIL-PD76	1.5	<p>We support the Council's offer of discretionary relief if a levy would have an unacceptable impact on the economic viability of the development where s106 obligations require very high levels of additional contributions. The principle of discretionary relief where a planning obligation has been entered into for a sum greater than the chargeable CIL amount is supported. It is recognised that a viability assessment would be needed in such cases. However this offer is only meaningful if the charging rate has been set on a level that was accepted by the development industry to be affordable and viable at the outset. We disagree with the standard charging rate of £100/sqm for most development (subject to the identified exclusions set out in para 1.9 of the DCS) for reasons set out in this response.</p>	<p>Noted.</p> <p>The proposed levy rates have been set based on viability work and testing of a variety of sites to ensure that it is affordable in the majority of cases. Within the appraisals the availability of headroom over and above the proposed CIL levy rate has been considered. The proposed rate is supported by the testing carried out.</p>
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	CIL-PD77	1.5	<p>Return of unexpended monies</p> <p>As there is no mechanism that enables CIL payments to be paid back to the developer to recover CIL money if wider infrastructure works have to be provided by a developer at a future date to release units – i.e. if St Neots WWTW upgrade not in place by the time it is needed to mitigate impacts of a specific phase of development at St Neots East or the Cambridge Road roundabout improvements are not in place/funded by CIL in time. The impact of this scenario should be properly recognised and discounted from any associated s106 contributions and be expressly stated in the document.</p>	<p>The spending of CIL monies does not form part of the Charging Schedule. CIL monies will not be paid back. They are not paid to deliver a given piece of infrastructure, as under a S106 Agreement, but are a levy. The Infrastructure Project List is not identifying projects that CIL will deliver but infrastructure projects required. CIL is not <u>the</u> funder of infrastructure.</p>
Stacey Rawlings,	CIL-PD78	1.5	Payments in Kind	Noted.

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Bidwells for Connolly Homes D.Wilson Oxford Uni			The DCS does not provide an option to make a payment in kind rather than pay the CIL itself. However, DCLG guidance on CIL 'an overview' states at paragraph 54 that there may be circumstances where it may be more desirable to receive land instead of monies, for example where the most suitable land for infrastructure is within the ownership of the party liable for payment of the levy. The land used for the payment in kind should be valued by an independent valuer who will ascertain its 'open market value' which will determine how much liability the in-kind payment will set off. There are many instances throughout the Infrastructure Project List where land will be required to provide infrastructure, and the ability to provide in kind payments would assist viability and deliverability of developments and infrastructure.	The document will be clarified to explain potential for payment in kind for land, although this is a regulatory matter and not part of the Charging Schedule levy setting.
Simon Pickstone Peterborough City Council	CIL-PD2	1.9	Peterborough City Council would like to thank you for providing an opportunity to comment on this document. We do not have any fundamental issues with the proposals contained within this document at this stage. However, we would like to seek reassurance that Huntingdonshire District Council is satisfied that its limited number of sites (2 only) used to assess development viability for B-class development in the Drivers Jonas Deloitte Viability Testing Report (Sites E1 & E2) are suitably representative of all B-class development types across the District? This issue relates to your 'set consultation question' 6 (Appendix 1).	Noted. The viability assessments have been undertaken by professionals in their field considering the economic viability of development across the district as a whole, whilst taking into account S106 impacts and affordable housing. Although ostensibly only two sites were considered, the type of development for Site 2 was flexible (B1/ B2/ B8). The viability testing considered the potential for different B-class uses on the same site to determine the most appropriate, and also ran the size implications as set out in the table in Appendix 3 of the viability report. In light of the market research carried out as evidenced in the viability report, and given the results of the appraisal testing, we are satisfied that the testing is suitably representative of the results for B-class development types for Huntingdonshire and that the CIL rate recommended is justified.
Kate Russell Central Association of Agricultural Valuers	CIL-PD7	1.9	We are concerned to note that there is no reference to agricultural development in the charging schedule. While some will expect that agricultural buildings would fall within the definition "structures which people do not normally go into or do so only intermittently for the purpose of inspecting or maintaining fixed plant or machinery" and thereby be exempt from CIL, this is not expressly stated and there is a risk that it will be left open to interpretation. As the charging schedule stands, "agricultural development", because it is not specifically listed, would fall within the standard charge category and this cannot have been intended by the Council. A charge of £100 per sq m would render practically all agricultural development	Noted. Agricultural development will be reviewed in light of comments received. The appropriate levy will need to be based on viability.

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			<p>unviable.</p> <p>We propose that "agricultural development" is added to business, general industrial and storage and distribution at a zero charge to avoid any confusion over the matter. This is the approach already taken by other local authorities, including Newark and Sherwood District Council.</p>	
Stephen Dartford Fenstanton Parish Council	CIL-PD9	1.9	<p>We do agree the proposed standard charge for most developments. More information is required i.e. type of development - housing?</p> <p>We do not agree with the proposed charge for health development. How does this charge relate to that of a large retail site?</p>	<p>Support noted regarding proposed standard charge.</p> <p>Note non-support of health charge. Charges are related to viability assessments.</p>
Ian Burns NHS Cambridgeshire	CIL-PD11	1.9	<p>We object to a CIL charge on health developments. In most cases, new Health infrastructure will be built to replace existing infrastructure or to meet the local needs of new housing development. A charge of £140 per square metre seems inappropriate and could result in essential health infrastructure becoming unaffordable and therefore not being provided, which in turn could lead to an increase in health inequalities. For example a new 1000 sqm Primary Care Facility under this proposal would have to pay £140,000 to CIL. Although new Health buildings, for NHS services, may be funded from private capital this is recouped from the NHS so this charge would effectively be another charge on local public funding for the NHS.</p> <p>The proposal seems contradictory when Health is proposed as a potential recipient of CIL funds</p> <p>Logically, if it is felt this charge is appropriate to health as a public service, it should also be applied to Education, Libraries, police and all other public service uses.</p>	<p>The proposed health charge in the Preliminary Draft Charging Schedule was based on viability evidence.</p>
Michael Alexander, Alexanders for Alexanders	CIL-PD13	1.9	<p>We agree with the comments made by the Central Association of Agricultural Valuers (CAAV). HDC covers an area of prime quality farmland and in order to meet the challenges of food production in the coming years needs the benefit of a supportive planning framework. Any liability to CIL on agricultural development will be a positive disincentive and will place farmers within HDC at a disadvantage when compared with other authorities where agricultural development will be zero charged.</p> <p>We believe that CIL should make reference to agricultural development in accordance with the comments made by the CAAV and that agricultural development within HDC should be zero rated.</p>	<p>Noted.</p> <p>Agricultural development will be reviewed in light of comments received. The appropriate levy will need to be based on viability.</p>
Cassie Fountain,	CIL-PD19	1.9	OBJECTION	Noted.

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Peacock & Smith Ltd for Wm Morrison Supermarkets Plc			<p>On behalf of our clients, Wm Morrison Supermarkets plc, we OBJECT to the proposed CIL rate charge for retail development identified in the Table following Paragraph 1.9.</p> <p>In particular, we OBJECT to the following matters:</p> <ul style="list-style-type: none"> • The significantly lower CIL rate of £50 per sq.m for retail developments < 1,000 sq.m will unreasonably favour smaller scale retail developments over larger and appears to support a decision by the charging authority (Council) to support smaller units which goes beyond viability considerations alone and conflicts with national guidance. It is therefore considered that separate rates for new retail development of different sizes is not reasonable or properly justified, and has the effect of conferring selective advantage within the retail development sector. It is suggested that the rates are amended to provide one, reduced flat rate for new retail development providing over 100 sq.m gross internal floor area. • The proposed CIL rate of £140 per sq.m for new retail developments of 1,000 sq.m or more is very high, and for a large foodstore (of around 7,400 sq.m GIA) will result in a CIL charge of £1.036m which is excessive. A levy of this level is likely to render future large-scale retail developments unviable, particularly when taking in to account other costs for local infrastructure works and other contributions required as part of typical s106 Agreements (such as highway works which can typically be very expensive to ensure large scale retail developments function well). This CIL level is also significantly higher than a figure recently approved in a similar document for Newark and Sherwood District Council, which adopted a figure of £125 per sq.m in Newark Growth Point and £100 per sq.m elsewhere in the District. <p>SUGGESTED CHANGE TO THE CIL RATE FOR RETAIL DEVELOPMENT</p> <p>It is suggested that the Council should adopt one CIL rate for all retail development providing more than 100 sq.m additional (new) gross internal floorspace, and that the charging level should be amended and full justification for the new figure should be given to ensure that all relevant factors have been taken in to consideration.</p> <p>We reserve the right to comment further at later stages of preparation of this document.</p>	<p>The viability assessments clearly demonstrate the levels are viable.</p> <p>The market evidence did not give clear differential in values sufficient to support different rates for different areas. The lower rate proposed for the 1000 sq m size was derived from the viability testing undertaken on units smaller than 1,000 sq m. Additional testing has been undertaken which will be evidenced with the Draft Charging Schedule.</p>
Joseph Whelan Cambridgeshire County Council	CIL-PD21	1.9	<p>It is proposed that a standard charge of £100 be set and this will apply to all residential development.</p> <p>The Huntingdonshire Local Investment Framework suggested that a</p>	<p>Support for standard charge noted.</p> <p>The governance arrangements will clarify the future review process.</p>

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			<p>residential development within the District could afford £217 per square metre back in 2009.</p> <p>The latest information, provided by Huntingdonshire District Council, suggests that just £98 per square metre is viable. This is a significant reduction which has been attributed to the changing economic climate. The County Council supports the rate for the standard charge on the condition that it is reviewed on an annual basis. If £217 was achievable in the past, then it could be achievable again in the near future. Reviewing the rates on an annual basis may also help to address the viability gap.</p>	
Andrew Barr, Robinson & Hall LLP for Robinson & Hall LLP	CIL-PD22	1.9	<p>We are concerned that as there is no specific reference to agriculture in the charging schedule it is the intention of the Council to apply the levy to all agricultural development. We share the concerns of others that to apply a charge of £100/sq m to agricultural development would render projects unviable and we would ask the Council to address this anomaly. The majority of agricultural development involves replacement of obsolescent buildings or new buildings appropriate for the purposes of more efficient food production and does not result in significantly enhanced overall land value with minimal impact on infrastructure. To apply the standard charge therefore would place farmers in the HDC area at a particular disadvantage and we would therefore ask the Council to address this anomaly. It would appear that other authorities have taken the view that to apply the levy to agriculture is unreasonable and will be adding 'agricultural forestry and horticultural' development to those categories where a zero charge is applied. We would ask the Council to do likewise.</p>	<p>Noted.</p> <p>Agricultural development will be reviewed in light of comments received. The appropriate levy will need to be based on viability.</p>
Joseph Whelan Cambridgeshire County Council	CIL-PD23	1.9	<p>It is acknowledged that the range of County infrastructure required from this type of development is lower than for residential development and therefore the rate is lower whilst supporting that larger retail development (over 1000 sq m) pay a higher rate due to the scale of development. The County Council supports these rates on the condition that they are reviewed on an annual basis.</p>	<p>Support for retail charges noted.</p> <p>The governance arrangements will clarify the future review process.</p>
Joseph Whelan Cambridgeshire County Council	CIL-PD24	1.9	<p>It is acknowledged that the range of County infrastructure required from this type of development is lower than for residential development and therefore the rate is lower. The County Council supports this rate on the condition that it is reviewed on an annual basis.</p>	<p>Support for hotel charge noted.</p> <p>The governance arrangements will clarify the future review process.</p>
Joseph Whelan Cambridgeshire County Council	CIL-PD25	1.9	<p>It is acknowledged that the range of County infrastructure required from this type of development is lower than for residential development and therefore the rate is lower. The County Council supports this rate on the condition that it is reviewed on an annual basis.</p>	<p>Support for nursing home charge noted.</p> <p>The governance arrangements will clarify the future review process.</p>
Joseph Whelan Cambridgeshire County Council	CIL-PD26	1.9	<p>It is suggested that a standard charge for health should be reconsidered. It would be expected that private healthcare could afford the £140 per square metre rate, but to have the same rate for public</p>	<p>The proposed health charge in the Preliminary Draft Charging Schedule was based on viability evidence.</p>

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			healthcare may appear unreasonable.	
Joseph Whelan Cambridgeshire County Council	CIL-PD27	1.9	Business and general industrial units will often have a significant impact on the transport and highway network; however, in the interests of supporting economic growth in the District, the County Council supports this rate at present. As per the other rates, it should be reviewed on an annual basis.	Support for developments set with zero charge. The governance arrangements will clarify the future review process.
Joseph Whelan Cambridgeshire County Council	CIL-PD28	1.9	Costs to County Council provided services and infrastructure would generally be uniform across the District. For example the cost of providing a new school in Huntingdon would be the same as providing a new school in Upton. A uniform rate is therefore supported	Support of uniform rate across the district noted.
Joseph Whelan Cambridgeshire County Council	CIL-PD29	1.9	The infrastructure definition is reasonable as it is not an exhaustive list. Further projects should be included for transport, rights of way network and waste management	Noted
Joseph Whelan Cambridgeshire County Council	CIL-PD30	1.9	The County Council has in the past secured contributions in this way and so supports the principle.	Noted.
Joseph Whelan Cambridgeshire County Council	CIL-PD31	1.9	<p>Whilst the rationale for encouraging growth is understood and supported it should be recognised that the CIL rate proposed will leave a funding gap that will need to be filled by other funding. However, in many cases, this alternative funding may not have been identified or be available, leaving the County Council exposed to a financial risk in fulfilling its statutory funding.</p> <p>As the economy improves, it is quite possible that residential development could afford a higher (up to £217 per square metre) rate again. Therefore, it is important that the CIL rate is reviewed annually to ensure the level of risk to the public purse is managed.</p> <p>The County Council agrees that the appropriate balance has been achieved at present, but this balance may not be appropriate in the future. We therefore stress the importance of continued annual reviews.</p>	<p>Support of the appropriate balance being met noted.</p> <p>The governance arrangements will clarify the future review process.</p>
David H Woods Hinchingbrooke Health Care NHS Trust	CIL-PD36	1.9	<p>As recipricants of the CIL we consider that to charge Health category is not appropriate.</p> <p>Why is Health charged at £140/sqm when we assume other non specified public sector categories such as education are charged at £100/sqm. Is this assumption correct and if not what is the rate?</p> <p>Why is Health same charge as retail?</p> <p>This level of charge would result in an extra £140,000 cost to our possible Critical Care Centre scheme.</p>	The proposed health charge in the Preliminary Draft Charging Schedule was based on viability evidence.

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R W Dalgliesh Milton (Peterborough) Estates Co	CIL-PD39	1.9	We are supportive of representations made by the CLA, CAAV and the NFU in respect of agricultural buildings and request that you reconsider this aspect.	Noted. Agricultural development will be reviewed in light of comments received. The appropriate levy will need to be based on viability.
M. Newman, Clerk Stukeleys Parish Council	CIL-PD52	1.9	It is noted that the Community Infrastructure Levy (CIL) will be a fixed amount payable by developers of most types of development other than that for employment uses. Thus in the case of employment development at Alconbury Airfield, whether within or outside the identified Enterprise Zone, no CIL will be payable. It is understandable that the greatest CIL contribution will come forward from residential development, but it is questioned as to why health provision (D1) is set at the same level as retail (A1)	The proposed health charge in the Preliminary Draft Charging Schedule was based on viability evidence.
M. Newman, Clerk Stukeleys Parish Council	CIL-PD55	1.9	We are, however, extremely concerned about the approach proposed by the Chancellor of the Exchequer in his Budget Statement that in future conversion of offices and other employment buildings would no longer require planning permission. It seems that this would open up a clear loop-hole in CIL, with offices etc. designed for easy conversion to apartments and thus avoiding payment of CIL. Given the scale of employment at Alconbury Airfield this is a matter which should be addressed.	Comment noted. Change of use legislation does not form part of the consideration of the Charging Schedule. The criteria relating to the employment development at Alconbury through the Enterprise Zone will be established through the emerging Local Development Order.
AWG Landholdings Limited	CIL-PD57	1.9	<p>The introduction of CIL by Huntingdonshire District Council must reflect the most up-to-date infrastructure modelling in order to take into account all available funding sources into account whilst ensuring that there is a robust analysis of any levy on the viability of development across the District.</p> <p>The justification for this is reflected in the significant changes that were made to the rates following further work undertaken in the context of the Local Investment Framework 2009 – the Council has quite rightly accepted the need to review issues of viability in the light of changing economic circumstances and accordingly has made necessary changes to CIL rates to ensure that there are prospects for growth in the District.</p> <p>Setting unrealistic CIL rates will only threaten new investment projects and as such, the identification of a nil CIL rate for Business (B1), General Industrial, Storage & Distribution (B2 and B8) and Community Uses (within D1 and D2) is supported.</p> <p>In general on behalf of AWG Landholdings Limited, we support the general rates that are being applied on the basis of our experiences elsewhere where higher rates would appear be suggested to be levied. The introduction of CIL is clearly a significant new approach for the development industry and the Charging Authorities and it is a truism to state that those initial authorities adopting CIL will be a test-bed for</p>	<p>Support of general rates noted.</p> <p>The Infrastructure Project List is to identify infrastructure requirements and an aggregate funding gap. It is not there to state which projects might receive CIL funding in order to implement. The Regulation 123 list will identify infrastructure that could receive CIL funding.</p> <p>In line with the guidance the infrastructure list does not need to be exhaustive but show a “selection of infrastructure projects or types...which are indicative of the infrastructure likely to be funded by CIL in that area.”</p> <p>The level of CIL has been based on sound viability assessments. The viability assessments undertaken to determine the CIL level have considered the original payment policy under the CIL Regulations 2010 that expected payment within a prescribed period within the first year. It is stated that any payment policy will not result in less time being permitted but be the same or more time, thus improving viability of schemes.</p> <p>The Regulations are clear about outline consents and phasing, which needs to be agreed prior to any permission being granted.</p>

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			<p>those intending to follow.</p> <p>With the Newark and Sherwood CIL being recently adopted, it provides a helpful template and guide as to what Huntingdonshire will face - the Inspector in the former report placed great weight upon the evidence to support the submitted schedule and the evidence which would show that the infrastructure that it intended to fund has a reasonable chance of being delivered. Huntingdonshire will certainly be no different.</p> <p>At the officer presentation on the 5th September 2011, the Council officers appeared to confirm that the improvements to the strategic road network and to the strategic sewerage network do not form part of CIL. Correspondence with the officer now suggests that the Preliminary Draft Charging Schedule is the first stage consultation with regards to setting appropriate levy rates and now includes reference to such infrastructure although the Draft Schedule is not the place for considering individual infrastructure items in detail. This begs the question as to how CIL levies have been identified at this stage and we would seek clarification from the Council on this issue.</p> <p>The officer has confirmed that this Draft stage does not preclude AW making submission through the Water Cycle study for inclusion of projects within the Regulation 123 list.</p> <p>It is the case that the standard changes listed within the Preliminary Draft Charging Schedule whilst appearing acceptable do not provide a clear picture as to the true costs of development and in particular to those major development schemes will have an impact on trunk roads or strategic sewerage networks.</p> <p>We would also comment that the Council should take a flexible approach to securing CIL payments in situation where the guidance suggest they should be paid over at the point of commencement of development. In certain cases and certainly for major development this could critically affect the cash flows of the project. We support the planning views at the recent presentation that they will take a flexible approach and look at the payment of CIL through instalments. Clearly the detail of this will be dependant upon the scale and nature of the development scheme but is certainly the case that reducing the up front cost can only help the delivery of such major schemes.</p>	
AWG Landholdings Limited	CIL-PD58	1.9	<p>The charging rate for retail development suggests a lower rate for smaller retail developments presumably on the basis that larger stores would be able to absorb a higher rate of CIL on average. The Inspector at the Newark and Sherwood Examination commented that proposing a division of 500 sq m between large and small retail developments was arbitrary and lacking in convincing evidential justification.</p>	<p>Noted. The Newark and Sherwood decision is directly related to the lack of clear viability justification for two rates in that case. It is considered that there is clear viability evidence in Huntingdonshire for such a proposal.</p>

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			<p>Importantly at paragraph 21 of that report he remarked:</p> <p>“Without a very clear viability justification two different rates for retail development could be said to unreasonably favour smaller retailers over larger ones and/or constitute a policy decision by the charging authority to support smaller units that goes beyond viability considerations alone and conflicts with national policy accordingly. It would also be more complicated to implement given the existing exemptions for small proposals in the national CIL regulations and that all CIL rates are on a sliding scale according to size alone in any event. The Council has effectively acknowledged these points in responding to those seeking a differential rate to favour small housing.”</p> <p>The Inspector said that the difference rate was neither reasonable nor justified and amended the Council’s schedule.</p> <p>Having regard to the above it would appear only appropriate that the Council revert to a single rate for retail development.</p>	
AWG Landholdings Limited	CIL-PD59	1.9	<p>Under the proposed CIL rate table in the Preliminary Draft Charging Schedule, it is noted that “Health (D1)” attracts a CIL rate of £140 per sq m. As a D1 use, one would anticipate that the kind of health uses that would come forward would be those with community benefit such as clinics, crèches and day centres. It is therefore surprising to see a separate entry for Community Uses (within D1 and D2) which has a nil CIL rate.</p> <p>There is clearly a tension here in terms of what the Council is seeking to charge for and certainly we would advocate that for D1 uses of community benefit then this should attract a nil CIL rate. We can only assume that the kind of development that “Health D1” is intending to cover is a development which would clearly be of a private commercial nature although we cannot understand why such a development would not constitute “community use”. The Council either need to delete the Health D1 CIL rate of £140 per sq m or provide clarity within the glossary and within the evidence to make it clear what form, scale and nature of development it is intending to catch under this definition.</p>	The proposed health charge in the Preliminary Draft Charging Schedule was based on viability evidence.
AWG Landholdings Limited	CIL-PD60	1.9	<p>AWG Landholdings Limited support the proposed zero charge for the above proposed uses classes.</p> <p>It is noted that the earlier work undertaken by the Council’s consultants in 2009 that a CIL rate of some £54 per sq m for business uses was being suggested in the context of the Local Investment Framework. It is quite clear that within only a matter of months the Council has had to acknowledge the volatility of economic conditions which has resulted in a significant recalculation of those rates. This simply confirms the need for the Council to constantly monitor the CIL rates and the Local</p>	<p>Support of zero levy noted.</p> <p>It will be for the LPA to decide when it is appropriate to review a Charging Schedule.</p>

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			Investment Framework and attendant viability. To this end we note that the Inspector at the Newark and Sherwood Examination strongly supported the need for the Council to undertake a full review at a 3 year period after adoption. We strongly recommend the Council take the same approach.	
St John's College Cambridge	CIL-PD61	1.9	<p>The introduction of CIL by Huntingdonshire District Council must reflect the most up-to-date infrastructure modelling in order to take into account all available funding sources into account whilst ensuring that there is a robust analysis of any levy on the viability of development across the District.</p> <p>Thus the standard changes listed within the Preliminary Draft Charging Schedule whilst appearing acceptable do not provide a clear picture as to the true costs of development and in particular to those major development schemes will have an impact on trunk roads or strategic sewage networks.</p> <p>The justification for this is reflected in the significant changes that were made to the rates following further work undertaken in the context of the Local Investment Framework 2009 – the Council has quite rightly accepted the need to review issues of viability in the light of changing economic circumstances and accordingly has made necessary changes to CIL rates to ensure that there are prospects for growth in the District.</p> <p>Setting unrealistic CIL rates will only threaten new investment projects and as such, the identification of a nil CIL rate for Business (B1), General Industrial, Storage & Distribution (B2 and B8) and Community Uses (within D1 and D2) is supported.</p> <p>In general on behalf of St Johns College, Cambridge we support the general rates that are being applied on the basis of our experiences elsewhere where higher rates would appear be suggested to be levied. The introduction of CIL is clearly a significant new approach for the development industry and the Charging Authorities and it is a truism to state that those initial authorities adopting CIL will guinea pigs for those intending to follow.</p> <p>With the Newark and Sherwood CIL being recently adopted, it provides a helpful template and guide as to what Huntingdonshire will face - the Inspector in the former report placed great weight upon the evidence to support the submitted schedule and the evidence which would show that the infrastructure that it intended to fund has a reasonable chance of being delivered. Huntingdonshire will certainly be no different.</p> <p>At the officer presentation on the 5th September 2011, the Council officers appeared to confirm that the improvements to the strategic</p>	<p>Support of rates noted.</p> <p>The Infrastructure Project List is to identify infrastructure requirements and an aggregate funding gap. In line with the guidance the infrastructure list does not need to be exhaustive but show a "selection of infrastructure projects or types... which are indicative of the infrastructure likely to be funded by CIL in that area." The list does show certain projects that could be funded by CIL but due to the other statutory processes regarding strategic road networks and sewers, the cost has been reviewed and excluded from the aggregate funding gap to determine the levy.</p> <p>The viability assessments have been undertaken by professionals in their field considering the economic viability of development across the district as a whole, whilst taking into account a range of factors such as S106 impacts and affordable housing. For strategic sites an infrastructure phase has been incorporated.</p>

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			road network and to the strategic sewerage network would not form part of CIL. Recent correspondence from officers suggest that the Preliminary Draft Charging Schedule is a first stage consultation with regards to setting appropriate levy rates and states that it is not the place to consider individual infrastructure items in detail. This begs the question as to how the CIL rates have been derived and we would seek clarification from the Council on this issue.	
St John's College Cambridge	CIL-PD62	1.9	<p>The charging rate for retail development suggests a lower rate for smaller retail developments presumably on the basis that larger stores would be able to absorb a higher rate of CIL on average. The Inspector at the Newark and Sherwood Examination commented that proposing a division of 500 sq m between large and small retail development s was arbitrary and lacking in convincing evidential justification.</p> <p>Importantly at paragraph 21 of that report he remarked:</p> <p>“Without a very clear viability justification two different rates for retail development could be said to unreasonably favour smaller retailers over larger ones ad/or constitute a policy decision by the charging authority to support smaller units that goes beyond viability considerations alone and conflicts with national policy accordingly. It would also be more complicated to implement given the existing exemptions for small proposals in the national CIL regulations and that all CIL rates are on a sliding scale according to size alone in any event. The Council has effectively acknowledged these points in responding to those seeking a differential rate to favour small housing.”</p> <p>The Inspector said that the difference rate was neither reasonable nor justified and amended the Council's schedule.</p> <p>Having regard to the above it would appear only appropriate that the Council revert to a single rate for retail development.</p>	Noted. The Newark and Sherwood decision is directly related to the lack of clear viability justification for two rates in that case. It is believed that there is clear viability evident in Huntingdonshire for such a proposal.
St John's College Cambridge	CIL-PD63	1.9	<p>Under the proposed CIL rate table in the Preliminary Draft Charging Schedule, it is noted that “Health (D1)” attracts a CIL rate of £140 per sq m. As a D1 use, one would anticipate that the kind of health uses that would come forward would be those with community benefit such as clinics, crèches and day centres. It is therefore surprising to see a separate entry for Community Uses (within D1 and D2) which has a nil CIL rate.</p> <p>There is clearly a tension here in terms of what the Council is seeking to charge for and certainly we would advocate that for D1 uses of community benefit then this should attract a nil CIL rate. We can only assume that the kind of development that “Health D1” is intending to cover is a development which would clearly be of a private commercial nature although we cannot understand why such a development would</p>	The proposed health charge in the Preliminary Draft Charging Schedule was based on viability evidence.

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			not constitute "community use". The Council either need to delete the Health D1 CIL rate of £140 per sq m or provide clarity within the glossary and within the evidence to make it clear what form, scale and nature of development it is intending to catch under this definition.	
St John's College Cambridge	CIL-PD64	1.9	<p>St Johns College, Cambridge support the proposed zero charge for the above proposed uses classes.</p> <p>It is noted that the earlier work undertaken by the Council's consultants in 2009 that a CIL rate of some £54 per sq m for business uses was being suggested in the context of the Local Investment Framework. It is quite clear that within only a matter of months the Council have had to acknowledge the volatility of economic conditions which has resulted in a significant recalculation of those rates. This simply confirms the need for the Council to constantly monitor the CIL rates and the Local Investment Framework and attendant viability. To this end we note that the Inspector at the Newark and Sherwood Examination strongly supported the need for the Council to undertake a full review at a 3 year period after adoption. We strongly recommend the Council take the same approach.</p>	<p>Support for zero charges noted.</p> <p>It will be for the LPA to decide when it is appropriate to review a Charging Schedule.</p>
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	CIL-PD91	1.9	<p>The infrastructure burden required to deliver major sites should be properly accounted for in the site specific viability testing. The £100 sqm rate broadly applied to the development appraisals in the DJD report does not demonstrate that such developments are viable as the inputs are wrong. Refer to sections 2 and 3 above for detailed comment. This should be reconsidered. We fundamentally disagree with the DJD report assumptions as set out in Section 3 of this representation.</p>	<p>The viability assessments have been undertaken by professionals in their field considering the economic viability of development across the district as a whole, whilst taking into account a range of factors such as S106 impacts and affordable housing.</p> <p>A £55.5m allowance, based on £250,000 per net developable acre, was made for infrastructure items to deliver a strategic site, as identified in the viability testing for Residential Site 2.</p>
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	CIL-PD92	1.9	<p>The DJD assumptions that inform the viability testing require further scrutiny.</p>	<p>Comment is noted.</p> <p>The viability assessments have been undertaken by professionals in their field.</p>
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	CIL-PD93	1.9	<p>The DJD assumptions that inform the viability testing require further scrutiny.</p>	<p>Comment is noted.</p> <p>The viability assessments have been undertaken by professionals in their field.</p>
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson	CIL-PD94	1.9	<p>The DJD assumptions that inform the viability testing require further scrutiny. The specific exclusion from the standard rate for nursing homes within Class C2 should be rolled out to the wider Class C2</p>	<p>Comment is noted.</p> <p>The viability assessments have been undertaken by</p>

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Oxford Uni			which qualifies for change of use without further planning permission.	professionals in their field. .
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	CIL-PD95	1.9	The different charging rate for Health within Class D1 at £140 as oppose to the wider standard charge (£100) or the nil levy charge for the remainder of D1 is not clear. The Council will be familiar with the activities permissible under D1 without requiring a further planning permission. Some of those will not trigger CIL based on the nil levy rate applied to Community Uses. The whole of the D1 Use Class should be included within the nil levy for consistency and to prevent abuse. For example a major site which includes within its s106 liability a requirement to include early years child care will not be clear on whether HDC will view that as a business enterprise or a community use. This definition differs between local authority areas. The health uses within strategic development attract s106 obligations and to impose a further charge per sqm in addition is unacceptable.	The proposed health charge in the Preliminary Draft Charging Schedule was based on viability evidence. Whether the development is a private development or one that is required through a S106 Agreement is not the decision making point for whether CIL is payable. This is clearly detailed in the CIL Regulations
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	CIL-PD96	1.9	Agree	Noted.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	CIL-PD97	1.9	Whilst we generally accept the principle of a district-wide flat rate levy on development types we remain concerned that specific infrastructure that is identified to be delivered under CIL will impact upon the delivery of strategic sites and specifically St Neots East.	Acceptance in principle of district-wide flat rate levy noted. The Infrastructure Project List is to identify infrastructure requirements and an aggregate funding gap. In line with the guidance the infrastructure list does not need to be exhaustive but show a "selection of infrastructure projects or types... which are indicative of the infrastructure likely to be funded by CIL in that area." The list does show certain projects that could be funded by CIL but not what will receive funding.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	CIL-PD98	1.9	The infrastructure definition at para 2.4 needs to show clear accountability of those items which are site specific s106 obligations for which a CIL levy is also applied (see below). Consideration of the DCS and the draft Developer Contributions SPD indicates double counting in its existing form.	The Infrastructure List clearly defines between S106 and CIL to ensure no double counting takes place. The publication of the Regulation 123 list following adoption will further support this.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	CIL-PD99	1.9	The s106 Development Specific Infrastructure is separated out and detailed comments are made to the accompanying draft Developer Contributions SPD. As referred above, the provision of s106 infrastructure needs to be transparent to ensure that no double counting occurs. This issue has been acknowledged by DJD in its report on Viability testing (Paragraph 5.4). In those examples stated in section 6 of this representation, we raise concern that the payment of CIL will lead to double counting unless an allowance is made for this	The Infrastructure List clearly defines between S106 and CIL. The publication of the Regulation 123 list following adoption will further support this. CIL is mandatory, except where exemptions apply or in very rare cases exceptional circumstances are granted.

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			layer within the accompanying SPD to acknowledge that there will need to be an offset within the s106 site specific requirement to account for the Levy payment.	
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	CIL- PD100	1.9	<p>We refer to comments set out in section 2 and 3 of this report and summarise our position as follows:</p> <p>The appraisals in the viability study make a number of assumptions and generalisations which do not reflect the local and regional market.</p> <p>CIL rates have been set on the viability evidence available to the Council, which does not in our view provide a robust opinion. For example it is based on sale figures not achieved prices.</p> <p>Under 3 "Methodology" of the DJ Viability testing report, the residential appraisal assumes a standard 40 units per hectare. No other density options have been tested to understand the difference in impact.</p> <p>The DJD study investigates the potential for charging CIL by showing the likely impact on economic viability of residential and non-residential scenarios across the District. The approach taken in the DJD Study does not follow the well recognised methodology of residual land valuation to inform the appraisals. At paragraph 3.7, the firm has instead put in land at "a specific cost set at a level that a reasonable landowner would transact" at, i.e. a "base level".</p> <p>At 3.8 the "market comparable rates" applied are questionable as the preceding sections describe the difficulties the author had in obtaining comparable evidence. Bidwells has detailed knowledge of those sites which differs from the stated assumptions.</p> <p>The affordable housing rates are not justified and are equal to Open Market Values in some cases.</p> <p>The strategic scale development appraisal is flawed. We are more concerned that the 'residential site 2' example is based on St Neots East as it mirrors the SHLAA baseline for those potential development parcels. In this case it is based on (as yet) unknown infrastructure and site assembly costs and is too simplified. The sites included within St Neots East are defined in the adopted UDF for the urban extension and the potential capacity differs significantly from the SHLAA assumptions.</p> <p>We acknowledge that the example appraisals are based on both residential and non-residential scheme typologies (SHLAA hypothetical schemes) that are likely to come forward across Huntingdonshire District. However the "residential" Site 2 is clearly based on St Neots East SHLAA figures and is therefore main focus appraisal of this</p>	<p>The viability assessments have been undertaken by professionals in their field considering the economic viability of development across the district as a whole, whilst taking into account a range of factors such as local conditions, S106 impacts and affordable housing. For strategic sites an infrastructure phase has been incorporated.</p> <p>The 40 units per ha assumption was only used in initial viability testing in a single hectare model. 40 units per ha was not the standard assumption in the viability testing. The density of each site was derived from SHLAA figures for a site of that type as agreed with HDC planning officers to represent a range of low, medium and high density sites.</p> <p>The single hectare model was used simply in initial viability testing. The traditional residual method was then used in viability testing of the individual sites to arrive at a residual land value; the residual value for each site was compared against a base value to ascertain whether the landowner would sell, as set out in 4.3 and Appendix 3 of the viability report.</p> <p>All evidence from market research is set out in the Market Report as Appendix 1 of the viability report. It is not clear which sites are being referred to in this comment as none are specifically referred to in 3.8.</p> <p>Note request for meeting.</p>

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			<p>representation.</p> <p>The results of the appraisals are not properly compared to reasonable existing or alternative use value benchmarks across the district as the information for these comparable sites is not robust. It must be recognised that small changes in assumptions can have a significant individual or cumulative effect on the residential land value generated and/or the value of CIL potential. If this is not set at a realistic rate from a robust evidence base, this will result in a reduction in affordable housing provision and other s106 benefits.</p>	
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	CIL-PD103	1.9	we do not agree with the proposed standard charge for 'most development'. We consider that the schedule is unduly balanced towards gaining contributions from large scale retail development (see our comments below). The levy should be applied more flexibly such that the contributions are shared across all of the different types of development. The current approach would appear to compromise retail and health developments given the extent of the draft rate.	<p>Noted.</p> <p>The viability assessments have evidenced the proposed levy rates.</p>
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	CIL-PD104	1.9	<p>We consider that the retail development figures should be provided as one figure regardless of the scale of the proposal; currently the rate is preferable for smaller types of retail development. It is not therefore necessary to differentiate between the two scales of retail floorspace. We consider that a consolidated single figure would be more appropriate (albeit it would seem appropriate to require a more limited contribution from retail developments of say 100m2).</p> <p>Notwithstanding this the extent of difference between the two figures (£50 for up to 1,000m2:</p> <p>£140 for over 1,000m2) is not considered to be appropriate.</p> <p>We also consider that alternative figures for different types of 'A' use class should be adopted.</p>	<p>Noted.</p> <p>The viability assessments clearly demonstrate the levels are viable.</p> <p>The lower rate proposed for the 1000 sq m size was derived from the viability testing undertaken on units smaller than 1,000 sq m. Additional testing has been undertaken which will be evidenced with the Draft Charging Schedule.</p>
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	CIL-PD105	1.9	<p>We do not agree that the use of zero charges for certain types of development is appropriate</p> <p>as those uses should make a contribution towards CIL.</p>	<p>Noted.</p> <p>The viability assessments have evidenced the proposed levy rates.</p>
Tim Isaac CLA	CIL-PD10	1.9	<p>We are concerned to note that there is no reference to "agricultural, horticultural and forestry development" in the charging schedule. By not being expressly stated, there is a risk that its inclusion or otherwise will be left open to interpretation.</p> <p>As the charging schedule stands, "agricultural, horticultural and forestry development", because it is not specifically listed, could fall within the standard charge category and this cannot have been intended by the</p>	<p>Noted.</p> <p>Agricultural development will be reviewed in light of comments received. The appropriate levy will need to be based on viability.</p>

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			<p>Council. If it was intended, then we would fundamentally object. A charge of £100 per sq m would render practically all agricultural development unviable. There is no viability assessment to justify such a charge.</p> <p>Many buildings required by rural businesses are replacing obsolescent ones with no consequential impact on infrastructure at all. Any increase in the value of the property is directly related to the costs of the new building and there is little or no enhancement in the overall land value.</p> <p>We propose that "agricultural, horticultural and forestry development" is added to business, general industrial and storage and distribution at a zero charge to avoid any confusion over the matter. This is the approach already taken by other local authorities, including Newark and Sherwood District Council and therefore would be more consistent.</p>	
Andrew Middleditch, Henry H Bletsoe & Son for Henry H Bletsoe & Son	CIL-PD66	1.9	<p>We support the views expressed by the CLA, CAAV and NFU, that new agricultural buildings should be the subject of a zero charge. New agricultural buildings are often erected to replace existing obsolete buildings and as such place no additional burden on strategic infrastructure. Any proposal to make a charge for new agricultural buildings would severely disadvantage farmers trying to respond to the ever changing demands of modern agricultural practice and would affect the viability of being able to erect new buildings needed to meet the high standards now imposed upon the agricultural industry. In this respect, agriculture should be treated no differently from any other business and therefore the same zero rate proposed for business uses should also be applied to agricultural buildings. We are also concerned that the Council may not have given full consideration to the impact of other forms of development which may fall outside of the standard use classes, and hence we would not support a standard levy without proper consideration being given to the type of development being proposed. We suggest that any levy to be placed on uses which may be regarded as sui generis should be subject to separate and independent negotiation.</p>	<p>Noted.</p> <p>Agricultural development will be reviewed in light of comments received. The appropriate levy will need to be based on viability.</p>
Ann Enticknap St Ives Town Council	CIL-PD132	1.9	The initial charges are accepted	Acceptance of charges noted.
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	CIL-PD106	1.10	In our view the Council should commit to reviewing the CIL rate on an annual basis. This would enable inflation to be included within that review and a new set of figures being produced.	It will be for the LPA to decide when it is appropriate to review a Charging Schedule. Levy rates are index linked.
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	CIL-PD118	1.12	It is not yet clear whether a single flat rate levy would be justified across the entire District and may present anomalies. The Preliminary Draft Charging Schedule and the evidence base do not appear to explain the justification for a single flat rate levy. In the absence of such information it is difficult to comment further on this other than to note	<p>Noted.</p> <p>The evidence base gathered from our market research indicated that there was a spread of values across the District but there were no clear lines of demarcation sufficient to justify clear boundaries in accordance with the</p>

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			that the CIL front runners for Newark and Sherwood and Shropshire both have varying levies across their areas.	Regulations for different CIL rates. The testing carried out was intended to cover different value levels and different types of sites so take account of the differences.
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	CIL-PD119	2.2	It is not clear why this is a question as the definition is extracted from Section 216(2) of the Planning Act 2008, as amended by Regulation 63 of the Community Infrastructure Levy Regulations 2010 to omit 'affordable housing.' Perhaps this is more relevant to the Developer Contributions SPD to ensure site specific infrastructure requirements are clearly justified.	Noted. Reference is to table the question followed.
Ian Burns NHS Cambridgeshire	CIL-PD12	2.4	See our comment on 1.9 (Appendix 1)	Noted.
Stephen Wheatley Anglian (Central) Regional Flood and Coastal Committee	CIL-PD20	2.4	Flood defences should be specifically included in the table of infrastructure considered within Huntingdonshire, both for CIL funded infrastructure and S106 Development Specific infrastructure. Flood defences are included in the infrastructure listed under Section 216 of the Planning Act 2008, as confirmed in paragraph 2.2. Flood risk management is particularly important to this area. Huntingdonshire District Council should take the opportunity to raise funds locally towards reducing flood risk wherever possible. The new approach to funding flood defences, introduced by the Government in May 2011, is called Flood and Coastal Resilience Partnership Funding. This new approach means that locally raised funding can now attract additional national grant funding in partnership projects to reduce flood risk. For example, a project to reduce the current flood risk to over 500 homes in Godmanchester could receive £3m of national funding if this could be matched by locally raised contributions.	The Planning Act clearly identifies flood defences as items of infrastructure. Amendments will be made to show that flood defences will fall under CIL with the exception of local site related flood risk solutions provision which will continue under S106 or condition as appropriate. CIL is not the funder of infrastructure. The Governance arrangements, Annual Business Plan process and Regulation 123 list will cover spending on CIL monies.
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	CIL-PD120	2.4	There is a risk of double counting arising here, for example, Section 216(2) of the Planning Act 2008 includes schools and other education facilities, whilst the table under paragraph 2.4 in Appendix 2 refers to s106 developer specific infrastructure to include 'large scale major development specific school provision.' It would be unreasonable, for example, to be required to pay CIL charges towards schools outside of the catchment are whilst through s106 making contributions towards on-site provision of schools to meet the particular needs of the new community. This requires careful scrutiny by the Council in applying to all of the infrastructure types identified.	The Infrastructure Project List clearly identifies which infrastructure falls within which category to ensure no double counting takes place. The publication of the Regulation 123 list following adoption will further support this.
Joseph Whelan Cambridgeshire County Council	CIL-PD33	2.6	The A141 and junction improvement schemes need to be added to the IPL along with the cost for improvements to the rights of way network. The IPL has some key transport projects missing which are significant in terms of aiding the delivery of and mitigating against the potential	The Infrastructure Project List is to identify infrastructure requirements and an aggregate funding gap. In line with the guidance the infrastructure list does not need to be exhaustive but show a "selection of infrastructure projects or types.... which are indicative of the infrastructure likely to

Name, Company/ Organisation	Comment ID	Para. Number	Not agree reason/ other comments	Officer View
			<p>impact of growth. Proposed transport schemes that should be included are:</p> <p>Huntingdon</p> <p>The schemes for the improvements to the A141 and its junctions need to be fully included. The A141 currently experiences congestion and delays, particularly at peak times. This road and its junctions will need improvements to facilitate growth in Huntingdon. Without improvements, it is likely that any increase in vehicle trips will add further congestion and delays on the link.</p> <p>All areas</p> <p>The costs for improvements to the rights of way network should be added to the IPL.</p>	<p>be funded by CIL in that area.” The list does show certain projects that could be funded by CIL but not what will receive funding.</p>
Joseph Whelan Cambridgeshire County Council	CIL-PD34	2.6	<p>Improvements to the existing Household Waste Recycling Centres at Alconbury, Bluntisham and Whittlesey need to be added to the IPL.</p> <p>The St Neots Household Waste Recycling Centre is captured within the IPL. The County Council is also in the process of preparing a RECAP Waste Management Design Guide which is due to go out for a second round of public consultation in September prior to adoption in late 2011/early 2012. This Design Guide refers to the need for improvements to the existing Alconbury, Bluntisham and Whittlesey Household Waste Recycling Centres (proportionate to the scale of housing growth in Huntingdonshire District and neighbouring authorities). These improvements will need to be listed, along with their costs within the IPL. County Council Officers will provide further information in relation to these costs.</p>	<p>The Infrastructure Project List is to identify infrastructure requirements and an aggregate funding gap. In line with the guidance the infrastructure list does not need to be exhaustive but show a “selection of infrastructure projects or types... which are indicative of the infrastructure likely to be funded by CIL in that area.” The list does show certain projects that could be funded by CIL but not what will receive funding.</p>
Joseph Whelan Cambridgeshire County Council	CIL-PD49	2.6	<p>Flooding Infrastructure</p> <p>Surface Water Management Plans in Huntingdonshire are currently being prepared. They will identify areas vulnerable to surface water flooding, look at the causes, and then suggest solutions. The solutions are likely to lead to new surface water flooding infrastructure projects being planning in the future (but currently unknown at this stage). Such projects should be added to the CIL Regulation 123 infrastructure list once they are known, therefore allowing them to be eligible to benefit from CIL receipts.</p>	<p>The Planning Act clearly identifies flood defences as items of infrastructure.</p> <p>Amendments will be made to show that flood defences will fall under CIL with the exception of local site related flood risk solutions provision which will continue under S106 or condition as appropriate.</p> <p>CIL is not <u>the</u> funder of infrastructure. The Governance arrangements, Annual Business Plan process and Regulation 123 list will cover spending on CIL monies</p>
Joseph Whelan Cambridgeshire County Council	CIL-PD50	2.6	<p>The Godmanchester Flood Alleviation Scheme is an Environment Agency project that would benefit from receiving CIL funding. Consideration should be given to adding this project to the Infrastructure Project List and County Officers would welcome further discussion.</p>	<p>Noted.</p>

Name, Company/ Organisation	Comment ID	Para. Number	Not agree reason/ other comments	Officer View
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	CIL- PD121	3.1	No. The application of CIL, s106 contributions and on-site infrastructure and other delivery costs required for the development of this major site will in combination, have significant effects upon the successful delivery of this site and viability. The costs for on-site infrastructure (eg transport, recreation, etc) are exceptionally high and will comprise community benefits in themselves. The Council must have greater understanding of these considerations, as a whole and undertake further assessments itself on this matter, and not rely solely on the DJD report, that as demonstrated here, has a number of flaws.	The viability assessments have been undertaken by professionals in their field considering the economic viability of development across the district as a whole, whilst taking into account a range of factors such as local conditions, S106 impacts and affordable housing. For strategic sites an infrastructure phase has been incorporated. This has helped to guide what the LPA considers to be the appropriate balance.
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	CIL- PD108		A definition should be included of gross internal area.	Noted.

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APPENDIX B

**HUNTINGDONSHIRE COMMUNITY INFRASTRUCTURE LEVY – DRAFT CHARGING
SCHEDULE**

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Huntingdonshire Community Infrastructure Levy - Draft Charging Schedule

Huntingdonshire Community Infrastructure Levy - Draft Charging Schedule

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1 Introduction

- 1.1 This consultation document is Huntingdonshire District Council's "Draft Community Infrastructure Levy Charging Schedule". It is supported by appropriate information and evidence regarding the creation of a reasonable levy for the locality.
- 1.2 A Preliminary Draft Community Infrastructure Levy Charging Schedule was subject to 6 weeks consultation between 29 July and 9 September 2011. 134 responses were received from 39 consultees and, as a result, elements of the evidence base supporting the Draft Charging Schedule have been reviewed and consequent amendments incorporated into this draft.

What is the Community Infrastructure Levy?

- 1.3 The Community Infrastructure Levy (CIL) allows local planning authorities to raise funds from developers towards the cost of the infrastructure that is or will be needed as a result of new development. It came into force on 6th April 2010.
- 1.4 The CIL is an amount payable per net additional m² of floorspace. The levy set is based on community infrastructure needs identified in the Huntingdonshire Local Investment Framework which formed part of the evidence base for the adopted Huntingdonshire Core Strategy. It is further supported by updated infrastructure modelling which takes other potential funding sources into account, and an analysis of the impact of any levy on the viability of development across the district.
- 1.5 Funds raised through the CIL will be used to help pay for a wide range of community infrastructure required to support the needs of sustainable developments in the District. It will not fund 100% of the costs of the infrastructure requirements and will therefore be one element in a range of funding opportunities that need to be used to ensure that community infrastructure is effectively delivered.

Who will have to pay the CIL?

- 1.6 CIL will be charged on most new development. Liability to pay CIL arises when, on completion of the development, the gross internal area of new build on the relevant land is 100 square metres or above. The development of all new dwellings, even if it is less than 100m², is liable to pay CIL. The levy is chargeable on the basis of a calculation related to pounds per square metre on the net additional floorspace.
- 1.7 CIL will not be charged on changes of use that do not involve new additional floorspace or on structures which people do not normally go into or do so only intermittently for the purpose of inspecting or maintaining fixed plant or machinery⁽¹⁾. Affordable housing development and development by charities is exempt from charge.
- 1.8 Details on the Draft Charging Schedule levy rates can be found at Appendix One.

What are the benefits of CIL?

- 1.9 Most development has some form of impact on the infrastructure needs of an area and, as such, it is fair that the development contributes towards the cost of the needs. Those needs could be physical, social and green / environmental infrastructure.
- 1.10 The CIL simplifies the process of developer contributions. Developer contributions will still be payable through negotiated Section 106 Agreements in line with the Developers Contributions SPD. Once a CIL Charging Schedule is formally adopted, the range of developer contributions payable through Section 106 Agreements will be significantly streamlined in the majority of cases.

1 Regulation 6 Community Infrastructure Regulations 2010 (as amended)

1 Introduction

Huntingdonshire Community Infrastructure Levy - Draft Charging Schedule

- 1.11** The CIL is a fair, transparent and accountable levy which will be payable by the majority of new housing developments, whether 1 unit or 1000 units, and a range of other development types. The CIL gives developers a clear understanding of what financial contribution will be expected towards the delivery of community infrastructure needs, whilst providing the Local Planning Authority with a simple developer contributions process.

What happens to Section 106?

- 1.12** The CIL is intended to provide infrastructure to support the development of an area rather than making an individual planning application acceptable in planning terms (which is the purpose of Section 106 Agreements). CIL does not fully replace Section 106 Agreements. On particular developments some site specific mitigation requirements may still need to be provided through a Section 106 Agreement in addition to the CIL levy.
- 1.13** However, the CIL Regulations have placed limitations on the use of planning obligations by:
- Putting three of the five policy tests on the use of planning obligations as set out in Circular 5/05 on a statutory basis for developments which are capable of being charged the Levy
 - Ensuring the local use of the CIL levy and planning obligations does not overlap
 - Limiting pooled contributions from planning obligations, from no more than five developments, towards infrastructure which may be funded by the Levy.
- 1.14** CIL will therefore become the main source of funding available through development management decisions. The provision of affordable housing lies outside of the remit of CIL and will continue to be secured through Section 106 Agreements.
- 1.15** Section 106 Agreements and planning conditions will also continue to be used for local infrastructure requirements on development sites, such as site specific local provision of open space, connection to utility services (as required by legislation), habitat protection, access roads and archaeology. The principle is that all eligible developments must pay towards CIL as well as any site specific requirement to be secured through Section 106 Agreements. Details on this can be found in the Developer Contributions SPD, which should be read in conjunction with this document.
- 1.16** **Large scale major developments**⁽²⁾, usually also necessitate the provision of their own development specific infrastructure, such as schools. These are dealt with more suitably through a Section 106 agreement, in addition to the CIL charge. It is important that the CIL Charging Schedule differentiates between these infrastructure projects to ensure no double counting takes place between calculating the district wide CIL rate for funding of infrastructure projects and determining Section 106 Agreements for funding other development site specific infrastructure projects.
- 1.17** The Local Planning Authority will not be able to charge individual developments for the same specific infrastructure project through both planning obligations and the Levy. An infrastructure project list will be published on the Huntingdonshire District Council website once a Charging Schedule has been adopted to show the infrastructure projects or types of infrastructure that it intends will be, or may be, wholly or in part funded by CIL⁽³⁾.

2 DCLG Development Control PS 1/2 statistical definition 2007/8

3 Regulation 123 Community Infrastructure Levy Regulations 2010 (as amended)

2 Policy Background

2.1 This section sets out the evidence the District Council has used to produce this Draft Charging Schedule. The core elements of this are the outline of infrastructure necessary to support development that will be funded through CIL and the viability assessments that have been carried out to identify the charge. Forthcoming planning reforms are likely to change the planning policy context, particularly through the introduction of a new National Planning Policy Framework (NPPF) and the enactment of the Decentralisation and Localism Bill.

2.2 In setting a Community Infrastructure Levy rate, a Charging Authority must comply with both Regulation 14 of the Community Infrastructure Levy Regulations 2010 which states:

14.—(1) In setting rates (including differential rates) in a charging schedule, a charging authority must aim to strike what appears to the charging authority to be an appropriate balance between—

- a. the desirability of funding from CIL (in whole or in part) the actual and expected estimated total cost of infrastructure required to support the development of its area, taking into account other actual and expected sources of funding; and*
- b. the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area.*

(2) In setting rates in a charging schedule, a charging authority may also have regard to actual and expected administrative expenses in connection with CIL to the extent that those expenses can be funded from CIL in accordance with regulation 61.

and Section 211 (2) and (4) from Part 11 of the Planning Act 2008:

211. (2) A charging authority, in setting rates or other criteria, must have regard, to the extent and in the manner specified by CIL regulations, to—

- a. actual and expected costs of infrastructure (whether by reference to lists prepared by virtue of section 216(5)(a) or otherwise);*
- b. matters specified by CIL regulations relating to the economic viability of development (which may include, in particular, actual or potential economic effects of planning permission or of the imposition of CIL);*
- c. other actual and expected sources of funding for infrastructure.*

211. (4) The regulations may, in particular, permit or require charging authorities in setting rates or other criteria—

- a. to have regard, to the extent and in the manner specified by the regulations, to actual or expected administrative expenses in connection with CIL;*
- b. to have regard, to the extent and in the manner specified by the regulations, to values used or documents produced for other statutory purposes;*
- c. to integrate the process, to the extent and in the manner specified by the regulations, with processes undertaken for other statutory purposes;*
- d. to produce charging schedules having effect in relation to specified periods (subject to revision).*

2 Policy Background

Huntingdonshire Community Infrastructure Levy - Draft Charging Schedule

- 2.3** The Charging Schedule levy rate should, therefore, strike a balance between the desirability for funding and the impact any levy may have on the economic viability of development across the whole development of Huntingdonshire.

Supporting Documents

- 2.4** Huntingdonshire District Council has considered a range of evidence and policy documents in reaching the conclusion set out in the Preliminary Draft Charging Schedule.
- 2.5** The **Huntingdonshire Core Strategy 2009** sets the strategic spatial planning framework for development in Huntingdonshire to 2026 and contains strategic policies to manage growth and guide new development in Huntingdonshire based on the Vision that:
- 2.6** *“In 2026 Huntingdonshire will have retained its distinct identity as a predominantly rural area with vibrant villages and market towns. Residents will be happier, healthier and more active and will enjoy an improved quality of life with improved access to a wider range of local jobs, housing, high quality services and facilities and green infrastructure.”*
- 2.7** Core Strategy Policy CS10 outlines contributions to infrastructure required by new developments.

Policy CS 10

Contributions to Infrastructure Requirements

Development proposals will be expected to provide or contribute towards the cost of providing appropriate infrastructure, and of meeting social and environmental requirements, where these are necessary to make the development acceptable in planning terms where this complies with the requirements set out in Circular 5/2005 or successor documents.

Contributions may also be required to meet the management and maintenance of services and facilities provided through an obligation where this complies with the requirements set out in Circular 5/2005. The appropriate range and level of contributions will be assessed in a comprehensive manner, taking into account strategic infrastructure requirements and using standard charges where appropriate. Standards and formulae for calculating contributions will be set out in separate Supplementary Planning Documents or Development Plan Documents. Where appropriate, the particular requirements of specific sites, including any additional or special requirements will be set out in other DPDs.

In order to prevent avoidance of contributions any requirement will be calculated on the complete developable area, rather than the area or number of homes/ floorspace of a proposal, where the proposal forms a sub-division of a larger developable area.

The nature and scale of any planning obligations sought will be related to the form of development and its potential impact upon the surrounding area. Where appropriate, any such provision will be required to be provided on site. Where this is not possible, a commuted payment is likely to be sought. In determining the nature and scale of any planning obligation, specific site conditions and other material considerations including viability, redevelopment of previously developed land or mitigation of contamination may be taken into account. The timing of provision of infrastructure and facilities will be carefully considered in order to ensure that appropriate provision is in place before development is occupied.

Contributions that may be required include the following:

- affordable and key worker housing;
- open space and recreation (including leisure and sports facilities);
- strategic green infrastructure and biodiversity enhancement/ mitigation;

- transport (including footpaths, bridleways, cycleways, highways, public transport, car parks and travel planning);
- community facilities (including meeting halls, youth activities, play facilities, library and information services, cultural facilities and places of worship);
- education, health and social care and community safety;
- utilities infrastructure and renewable energy;
- emergency and essential services;
- environmental improvements;
- drainage / flood prevention and protection;
- waste recycling facilities; and
- public art, heritage and archaeology.

Contributions will be calculated taking into account provisions of the Community Infrastructure Levy.

2.8 The **Huntingdonshire Local Investment Framework (LIF) 2009** is a key supporting document to the Core Strategy and the development of the Charging Schedule. It identifies the physical, social and green infrastructure needs arising from the planned growth of Huntingdonshire to 2026 and the potential funding sources, including planning obligations and Community Infrastructure Levy that could viably be secured to help meet this need.

2.9 The **Huntingdonshire Local Strategic Partnership Sustainable Community Strategy Vision 2008 – 2028** is that:

“The Huntingdonshire Strategic Partnership is working together to achieve a long term vision for Huntingdonshire as a place where current and future generations have a good quality of life and can –

- *make the most of opportunities that come from living in a growing and developing district;*
- *enjoy the benefits of continued economic success;*
- *access suitable homes, jobs, services, shops, culture and leisure opportunities;*
- *realise their full potential;*
- *maintain the special character of our market towns, villages and countryside; and*
- *live in an environment that is safe and protected from the effects of climate change and where valuable natural resources are used wisely.”*

2.10 The **Cambridgeshire Horizons Integrated Development Plan** considers the goals set out in the East of England Plan and the Regional Economic Strategy and identifies and costs, where possible, project-level interventions needed to achieve them. These projects are sub-regional in scale and, as such, are strategic in nature, having greater than district-level impact.

2.11 The **Cambridgeshire Local Investment Plan (CLIP)** provides the context for future strategic funding discussions with the Homes and Communities Agency (HCA). The objective of the CLIP is to address the need for investment across Cambridgeshire whilst encompassing the key objectives of the HCA by delivering sustainable growth and regeneration, and representing excellent value for money. It summarises the investment priorities identified by each district to achieve this goal.

2.12 The **Greater Cambridge Greater Peterborough Local Enterprise Partnership** was established in 2010 and is based on the complementary functional economic areas of the cities of Cambridge and Peterborough, together with neighbouring market towns and communities. The LEP area covers Cambridgeshire, Peterborough City, Rutland, Cambridge, East Cambridgeshire, Fenland, Huntingdonshire and South Cambridgeshire Districts but beyond these administrative boundaries, the real economic geography extends into parts of North Hertfordshire, Uttlesford, St Edmundsbury and Forest Heath; South Holland and King's Lynn & West Norfolk. The LEP mission is to:

2 Policy Background

Huntingdonshire Community Infrastructure Levy - Draft Charging Schedule

"lead our area's growth to 100,000 significant businesses and create 160,000 new jobs by 2025 in an internationally renowned low carbon, knowledge-based economy"

2.13 The LEP aims to ensure the delivery of:

- A doubling of GVA⁽⁴⁾ over a twenty year period - from £30 billion to £60 billion annually
- Growth in number of significant businesses (as measured by Inter-Departmental Business Register) from 60,000 to 100,000 by 2025
- Creation of 160,000 net new jobs by 2025
- Delivery of 100,000 new homes over a 20 year period

Setting the CIL rate

2.14 The Local Investment Framework 2009 was the first piece of work undertaken to look at the potential for introducing a Community Infrastructure Levy across Huntingdonshire and utilised a single hectare development model to initially assess viability. At that time the viability assessment suggested a maximum viability rate for residential development at what equated to £217 per square metre and a maximum viability rate of £54 per square metre for commercial.

2.15 Economic circumstances have changed since that work was undertaken, a new coalition government has come into power, the CIL Regulations 2010 and the CIL (Amendment) Regulations 2011 have come into force, and Parliament is considering the Decentralisation and Localism Bill which contain major potential planning reforms, including neighbourhood planning, and the CIL (Amendment) Regulations, linked to this Bill, are expected to come into force in 2012.

2.16 A review of work undertaken to date was therefore required in order to progress towards a Charging Schedule for Huntingdonshire. The key evidence review has been:

- Huntingdonshire Market Report by Drivers Jonas Deloitte, August 2010
- Huntingdonshire District Council Viability Testing of Community Infrastructure Levy Charges by Drivers Jonas Deloitte, 2011
- Huntingdonshire Infrastructure Project Plan List, 2011

2.17 The updated Project Plan List outlines the need for infrastructure from planned growth, taking into account current capacity, and identifies whether it will be funded by CIL, S106 obligations or other funding. The table below summarises this information, broken down into multi-areas, spatial planning areas (SPAs), key service centres (KSCs) and other area infrastructure needs, to show the total cost of the infrastructure required and the resulting funding gap, once known or potential other funding sources have been deducted.

Table 1 Infrastructure Costs

	Total Infrastructure Cost (£)	Assumed / potential funding deductions, inc development specific (£)	Funding Gap (£)
Multi-area infrastructure	1,662,607,000	1,615,199,000	47,408,000
Huntingdon SPA infrastructure	45,199,665	28,084,274	17,035,391

4 Gross Value Added (GVA) measures the contribution to the economy of each individual producer, industry or sector in the United Kingdom and is used in the estimation of Gross Domestic Product (GDP).

	Total Infrastructure Cost (£)	Assumed / potential funding deductions, inc development specific (£)	Funding Gap (£)
Ramsey SPA infrastructure	11,566,807	7,522,500	4,044,307
St Ives SPA infrastructure	12,371,181	8,402,088	3,969,093
St Neots SPA infrastructure	87,945,185	45,633,309	42,311,876
Yaxley / Sawtry / Fenstanton KSCs	7,761,177	4,000,000	3,761,177
Other KSCs and small settlements	3,286,318	n/a	3,286,318
TOTAL	1,830,657,333	1,708,841,171	121,816,162

2.18 Based on the residential trajectory of planned growth, excluding those which already have planning permission, 7582 dwellings could come forward between 2011 and 2026. Of these, a target of 40% affordable housing contributions would be sought, which are not liable to pay CIL, resulting in 4549 units potentially liable to pay CIL during the plan period. Taking an average house floorspace as 92 sq m, this would mean that the following amount would need to be charged per square metre in order to meet the funding gap:

Table 2 Maximum CIL level

Charge per unit	= £121,816,162 / 4549 = £26,778
Charge per square metre	= £26,778 / 92 = £291
NB: This is for indicative purpose only and only considers residential development.	

2.19 However, Regulation 14 of Community Infrastructure Regulations 2010 requires a charging authority to:

aim to strike what appears to the charging authority to be an appropriate balance between—

(a) the desirability of funding from CIL (in whole or in part) the actual and expected estimated total cost of infrastructure required to support the development of its area, taking into account other actual and expected sources of funding; and

(b) the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area.

2.20 In order to achieve this, the Council commissioned Drivers Jonas Deloitte to carry out an update into current market conditions and undertake a range of viability assessments, as noted in paragraph 2.16. This began by undertaking simple assessments using a single hectare development model to assess generic viability at varying levels of CIL followed by more specific site scenario appraisals. The outcome of this work has been to propose a number of CIL use charges applicable to the one geographical zone covering the whole of Huntingdonshire. In setting these levels, consideration has been given to development

2 Policy Background

Huntingdonshire Community Infrastructure Levy - Draft Charging Schedule

specific infrastructure needs, including affordable housing provision, through S106 obligations and the need not to set the levy to the highest feasible level. In doing so, it is important to note that the Levy is not the only form of funding infrastructure and should dovetail with, and not duplicate, other mechanisms by which contributions towards infrastructure are made by developers.

2.21 The aforementioned work along with the evidence of the adopted Core Strategy 2009 has helped to establish a new Community Infrastructure Levy being proposed in the Draft Charging Schedule.

Reviewing the Infrastructure projects suitable for CIL

2.22 The Huntingdonshire Local Investment Framework – the infrastructure development plan supporting the Huntingdonshire Core Strategy – was adopted in 2009. It provides a full breakdown of the infrastructure needs of the district based on the projected growth outlined in the Core Strategy, namely from 2001 to 2026, a total of at least 14000 homes will be provided in Huntingdonshire with about 85ha of new land for employment in order to contribute to the creation of at least 13,000 jobs.

2.23 The LIF looked at a range of infrastructure types. However, development progress has moved on and been affected by an economic recession. There has also been a change in government and the CIL Regulations 2010 have gained Royal Assent and one phase of amendments have come into force with a second phase anticipated by April 2012.

2.24 A review of the list of infrastructure needs identified in the Local Investment Framework has therefore been undertaken. This has been undertaken with key partners and infrastructure providers specifically considering potential CIL funded projects, as set out in para 16 of the DCLG Community Infrastructure Levy Guidance 2010. The revised list has taken into account:

- reviewed housing trajectory
- current alternative funding availability
- CIL infrastructure projects excluding large scale major site-specific projects, as noted below.

2.25 It is important to remember that whilst CIL will have the potential to raise significant funding for local infrastructure needs, it should be recognised as one of a range of funding options that can be utilised in the delivery of infrastructure.

2.26 In reviewing the infrastructure list, further work has been undertaken to consider large scale major developments⁽⁵⁾, those of 200 residential units or more, in more detail. This is for a number of reasons, as outlined in the Viability Testing of Community Infrastructure Levy Charges, undertaken by Drivers Jonas Deloitte on behalf of Huntingdonshire District Council. Primarily, such sites usually necessitate the provision of their own development specific infrastructure, such as schools, which are dealt with more suitably through a Section106 agreement, in addition to the CIL charge. It is important that the CIL Charging Schedule differentiates between these infrastructure projects to ensure no double counting takes place between calculating the district wide CIL rate for funding of infrastructure projects and determining Section 106 Agreements for funding other on-site specific infrastructure projects.

2.27 The large scale major developments identified so far are:

- St Neots Eastern Expansion (development site to East of the East Coast mainline railway) as defined in approved Urban Design Framework
- St Ives West (as defined in the emerging Urban Design Framework)
- Huntingdon West (as defined in the Area Action Plan)
- RAF Brampton (as defined in the emerging Urban Design Framework)
- Bearscroft Farm, Godmanchester (as defined in the SHLAA)
- Ermine Street (Northbridge), Huntingdon (as defined in the SHLAA)

5 DCLG Development Control PS 1/2 statistical definition 2007/8

- 2.28** This is not an exhaustive list and may change in time, should new large scale major⁽⁶⁾ developments come forward.
- 2.29** In line with Policy CS10 of the Core Strategy, to prevent avoidance of contributions any requirement will be calculated on the complete developable area, rather than the area or number of homes/ floorspace of a proposal, where the proposal forms a sub-division of a larger developable area, such as an identified large scale major development.
- 2.30** It is advisable for each large scale major development to come forward in its entirety at outline application stage in order for the scheme as a whole to be considered. Outline applications will need to agree phases of development in order for each phase to be considered as a separate development and enable CIL to be levied per agreed phase.⁽⁷⁾
- 2.31** Taking into account the above, the revised infrastructure list now looks at the infrastructure areas as identified in the LIF but has excluded certain categories including certain development specific infrastructure on large scale major developments to be secured by S106 obligations and items required by condition. The table below outlines the infrastructure funding split from the project list in order to ensure that no double counting takes place. It should be noted that this is not a definitive list of infrastructure types.

CIL funded infrastructure type	Development Specific (Non- CIL funded) infrastructure
Roads and other transport facilities	Local site-related road / transport requirements
Schools and other educational facilities	Large scale major ⁽⁸⁾ development specific school provision
Health facilities	Large scale major ⁽⁹⁾ development specific health provision
Sport and recreational facilities	Large scale major ⁽¹⁰⁾ development specific sport and recreational facilities
Green infrastructure open spaces / facilities	Development specific provision of informal and formal green space land requirements
Social infrastructure	Large scale major ⁽¹¹⁾ development specific library provision and community facilities
Economic regeneration	Local site-related economic inclusion requirements
Emergency services	Large scale major ⁽¹²⁾ development specific police provision
Utilities	Local site-related utility requirements
Flood defences	Local site-related flood risk solutions requirements

- 2.32** Further information on this and the project list can be found at Appendix 2: 'Infrastructure Needs'.

6 DCLG Development Control PS 1/2 statistical definition 2007/8
 7 Regulations 8 - 9 Community Infrastructure Regulations 2010 (as amended.)
 8 DCLG Development Control PS 1/2 statistical definition 2007/8
 9 DCLG Development Control PS 1/2 statistical definition 2007/8
 10 DCLG Development Control PS1/2 statistical definition 2007/8
 11 DCLG Development Control PS 1/2 statistical definition 2007/8
 12 DCLG Development Control PS 1/2 statistical definition 2007/8

3 Implementing the Charging Schedule

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3 Implementing the Charging Schedule

3.1 A chargeable development, one for which planning permission is granted, that is liable to pay CIL covers all new developments⁽¹³⁾.

Exemptions/ Relief to Pay CIL

3.2 A number of new developments are not required to pay CIL for a number of reasons.

- If the gross internal area of **new build is less than 100 square metres**, and does not comprise of one or more dwellings, then liability to pay CIL does not arise⁽¹⁴⁾.
- If the owner of a material interest in the relevant development land is a **charitable institution**, it is exempt from liability to pay CIL subject to conditions⁽¹⁵⁾.
- If there is discretionary charitable relief to do so, discretionary charitable relief from liability to pay CIL may be given for a development that is held by a **charitable institution as an investment** from which the profits will be applied for charitable purposes subject to conditions⁽¹⁶⁾.
- If the chargeable development comprises or is to comprise qualifying **social housing** (in whole or in part), it is eligible for relief from liability to pay CIL subject to conditions⁽¹⁷⁾.
- If there are **exceptional circumstances** for doing so, relief (“relief for exceptional circumstances”) from liability to pay CIL may be given subject to conditions⁽¹⁸⁾ – see section below.
- If the development only concerns a **change of use** and no additional new floorspace then it will not be liable to pay CIL, although it could be liable to S106 Developer Contributions.
- If the new development is for a **building into which people do not normally go** or into which people go only intermittently for the purpose of inspecting or maintaining fixed plant or machinery, it is not liable to pay CIL, although it could be liable to S106 Developer Contributions⁽¹⁹⁾.

Discretionary Relief for Exceptional Circumstances

3.3 Regulation 55 of the Community Infrastructure Regulations 2010 (as amended) permit a charging authority to:

grant relief (“relief for exceptional circumstances”) from liability to pay CIL in respect of a chargeable development (D) if—

- it appears to the charging authority that there are exceptional circumstances which justify doing so; and*
- the charging authority considers it expedient to do so.*

3.4 The above may only happen if a planning obligation of greater value than the chargeable amount has been entered into in respect of the planning permission which permits the chargeable development and the charging authority considers that payment of the levy would have an unacceptable impact on the economic viability of the development⁽²⁰⁾⁽²¹⁾.

13 Regulation 9 CIL Regulations 2010 (as amended)

14 Regulation 42 CIL Regulations (as amended)

15 Regulation 43 CIL Regulations 2010 (as amended)

16 Regulation 44 CIL Regulations 2010 (as amended)

17 Regulation 49 CIL Regulations 2010 (as amended)

18 Regulation 55 CIL Regulations 2010 (as amended)

19 Regulation 6 CIL Regulations 2010 (as amended)

20 Regulations 55 – 57. Community Infrastructure Regulations 2010 (as amended)

21 DCLG Community Infrastructure Levy Relief Information Document, May 2011

Implementing the Charging Schedule 3

Huntingdonshire Community Infrastructure Levy - Draft Charging Schedule

- 3.5** It is the intention of Huntingdonshire District Council to offer such relief. A statement confirming this will be issued once the Charging Schedule has been adopted, in compliance with Regulation 56. It should be noted that the Council has undertaken viability assessments to carefully consider the level at which the proposed CIL charges have been set, taking into account the provision of affordable housing at 40% and development specific S106 obligations. In view of this, the consideration for relief will be rare and any relief given must be done in accordance with the procedure stated above and state aid rules.

Calculating the Chargeable Amount

- 3.6** The calculation of the chargeable amount to be paid by a development is set out in Regulation 40 of the Community Infrastructure Levy Regulations 2010⁽²²⁾. This states:

1. *The collecting authority must calculate the amount of CIL payable (“chargeable amount”) in respect of a chargeable development in accordance with this regulation.*
2. *The chargeable amount is an amount equal to the aggregate of the amounts of CIL chargeable at each of the relevant rates.*
3. *But where that amount is less than £50 the chargeable amount is deemed to be zero.*
4. *The relevant rates are the rates at which CIL is chargeable in respect of the chargeable development taken from the charging schedules which are in effect—*
 - a. *at the time planning permission first permits the chargeable development; and*
 - b. *in the area in which the chargeable development will be situated.*
5. *The amount of CIL chargeable at a given relevant rate (R) must be calculated by applying the following formula—*

$$\frac{R \times A \times I_p}{I_c}$$

I_c

where—

A = the deemed net area chargeable at rate R ;

I_p = the index figure for the year in which planning permission was granted; and for the year in which planning permission was granted; and

I_c = the index figure for the year in which the charging schedule containing rate R took effect.

6. *The value of A in paragraph (5) must be calculated by applying the following formula—*

$$\frac{C_r \times (C - E)}{C}$$

C

where—

22 As amended by the Community Infrastructure Levy (Amendment) Regulations 2011

3 Implementing the Charging Schedule

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C_R = the gross internal area of the part of the chargeable development chargeable at rate R , less an amount equal to the aggregate of the gross internal area of all buildings (excluding any new build) on completion of the chargeable development which –

- a. on the day planning permission first permits the chargeable development, are situated on the relevant land and in lawful use:
- b. will be part of the chargeable development upon completion: and
- c. will be chargeable at rate R .

C = the gross internal area of the chargeable development; and

E = an amount equal to the aggregate of the gross internal areas of all buildings which –

- a. on the day planning permission first permits the chargeable development, are situated on the relevant land and in lawful use; and
- b. are to be demolished before completion of the chargeable development.

Collection of the Levy

3.7 A notice of liability will be issued by Huntingdonshire District Council as soon as practicable after the day on which a planning permission first permits development stating the chargeable amount in relation to the development. The responsibility to pay the levy runs with the ownership of land on which the liable development will be situated and is a local land charge.

3.8 Payment of the levy is due from the date the chargeable development commences. A commencement notice must be submitted to Huntingdonshire District Council no later than the day before the day on which the chargeable development is to be commenced. Regulation 69B of the amended Community Infrastructure Regulations permits a charging authority to allow persons liable to pay CIL to do so by instalments following the publication of an instalment policy. Huntingdonshire District Council will publish an instalment policy at the point of adoption of the Charging Schedule. However the time permitted for payment will be no less than as stated in the former Regulation 70 of the Community Infrastructure Regulations 2010 i.e. as follows:

2. Where the chargeable amount is equal to or greater than £40,000, payment of the amount of CIL payable in respect of D (A) is due in four equal instalments at the end of the periods of 60, 120, 180 and 240 days beginning with the intended commencement date of D .⁽²³⁾ (A) is due in four equal instalments at the end of the periods of 60, 120, 180 and 240 days beginning with the intended commencement date of D .
3. Where the chargeable amount is equal to or greater than £20,000 and less than £40,000, payment of A is due in three equal instalments at the end of the periods of 60, 120 and 180 days beginning with the intended commencement date of D .
4. Where the chargeable amount is equal to or greater than £10,000 and less than £20,000, payment of A is due in two equal instalments at the end of the periods of 60 and 120 days beginning with the intended commencement date of D .
5. Where the chargeable amount is less than £10,000, payment of A is due in full at the end of the period of 60 days beginning with the intended commencement date of D .

23 Where D is the chargeable development

Implementing the Charging Schedule 3

Huntingdonshire Community Infrastructure Levy - Draft Charging Schedule

- 3.9** For developments where the outline planning permission permits development to be implemented in phases, planning permission first permits a phase of the development on the day of the final approval of the last reserved matter associated with that phase (Regulation 8 Community Infrastructure Regulations 2010). As such, each phase can be considered as a separate development and CIL will be levied per agreed phase rather than the site in its entirety.
- 3.10** Developments granted planning permission by way of a general consent will first be required to submit a notice of chargeable development prior to commencement of development (Regulations 5, 8 and 64 Community Infrastructure Regulations 2010).
- 3.11** From commencement of development, a demand notice will be issued by Huntingdonshire District Council to the liable person/s requesting payment of the levy amount.

Spending of the CIL Levy

- 3.12** CIL resources will be spent on the infrastructure needed to support the new development across Huntingdonshire. It will fund new infrastructure and will not be used to fund the provision of any deficit in provision unless this is necessary to meet the need of the new development. The levy can also be used to expand, repair or refurbish existing infrastructure where necessary for new development. In addition, it may, in the future, be spent on the ongoing costs of providing infrastructure; and could consider funding maintenance, operational and promotional activities.
- 3.13** The Government intends to require charging authorities to allocate a 'meaningful proportion' of levy receipts back to the neighbourhood in which the development has taken place. This will enable the local community to decide on what infrastructure priorities they have, whether in their locality or covering a wider geography, and take control to address them. Huntingdonshire District Council will provide a proportion of the CIL monies to local neighbourhoods from the adoption of their Charging Schedule, whether the Localism Bill and Amendment of CIL Regulations (II) have gone through all necessary parliamentary processes or not by that time. The level of funding has yet to be determined.
- 3.14** As required⁽²⁴⁾, Huntingdonshire District Council will publish on its [website](#) a list of infrastructure projects or types of infrastructure that it intends will be, or may be, wholly or partly funded by CIL.
- 3.15** The collection and subsequent expenditure of any levy contributions received from developers will be carefully monitored so that the handling of CIL monies is managed in a transparent and accountable way.
- 3.16** The District Council will:
- maintain an ongoing overview of progress with the implementation of community infrastructure levy and site specific infrastructure projects. A clear focus for liaising between the various District Council Service Areas, partner Authorities and other delivery agencies which are responsible for ensuring particular projects are completed satisfactorily will be provided.
 - maintain a Developer Contributions Database to record progress with all CIL contributions and Section 106 Agreements, and enable the correct procedures to be followed and notices issued as projects move forward.
 - prepare a comprehensive Developer Contributions Annual Monitoring Report which will be published on the District Council's website⁽²⁵⁾.
- 3.17** It is anticipated that in the future, through an agreed process working with the Huntingdonshire Strategic Partnership, the Greater Cambridge Greater Peterborough Local Enterprise Partnership and Town/Parish Councils, an Annual Business Plan outlining the coming years future infrastructure priorities will be

24 Regulation 123, Community Infrastructure Regulations 2010 (as amended)

25 Regulation 62 Community Infrastructure Regulations 2010 (as amended)

3 Implementing the Charging Schedule

Huntingdonshire Community Infrastructure Levy - Draft Charging Schedule

produced. This would work with a range of other agendas and plans including Neighbourhood Plans / Development Orders as they come forward, Homes & Communities Agency Local Investment Plan, Enterprise Zones and Business Improvement Districts.

4 Next Steps

Future Timetable

- 4.1 Following this consultation of the Huntingdonshire Draft Charging Schedule, all responses will be considered along with any further information in order for the District Council to decide whether any additional changes are required. If it is deemed appropriate for further changes then a schedule of changes will be published⁽²⁶⁾ prior to the Charging Schedule being submitted for examination.
- 4.2 After an Examination in Public has taken place, the CIL examiner will issue a report, which will recommend that the charging schedule should be approved, rejected, or approved with modifications. If he or she considers the CIL charging schedule acceptable, the District Council must then formally adopt the charging schedule in order for it to come into effect.
- 4.3 The table below outlines the time frame for the future steps in this process through to adoption by Huntingdonshire District Council.

Timescale ⁽¹⁾	
November / December 2011	Consultation on the Draft Charging Schedule for 4 weeks
February 2012	Examination in Public held
April 2012	Inspector's Report
April / May 2012	Adoption of Charging Schedule

1. subject to change

26 Regulation 19 Community Infrastructure Regulations 2010(as amended)

Appendix 1: Draft Charging Schedule

Huntingdonshire Community Infrastructure Levy - Draft Charging Schedule

Appendix 1: Draft Charging Schedule

1.1 This is the Draft Charging Schedule for Huntingdonshire and has been prepared in accordance with:

- Part 11, Planning Act 2008
- Community Infrastructure Levy Regulations 2010
- Community Infrastructure Levy (Amendment) Regulations 2011
- Community Infrastructure Levy Guidance: Charge setting and charging schedule procedures
- Planning Policy Statement 12: Creating strong safe and prosperous communities through Local Spatial Planning

1.2 Huntingdonshire District Council, as the local Planning Authority, is the Charging Authority and will also be the Collecting Authority.

Liability to Pay CIL

1.3 A chargeable development, one for which planning permission is granted, that is liable to pay CIL covers all new developments⁽²⁷⁾.

The CIL Rate

1.4 The charge detailed below will be levied on most new building developments that people would normally use. It is chargeable in pounds per square metre on the net additional floorspace **if** that floorspace is more than 100m². However, if the development involves the creation of a new dwelling, even if it is less than 100m², it is still liable to pay CIL.

1.5 Huntingdonshire District Council proposes to set a standard rate across the district of £100 per square metre for all development types unless specifically stated otherwise, based on the viability work undertaken – see Appendix 3: 'Assessment of Viability'.

Proposed Charge for development types	CIL rate (per square metre)
All development types unless stated otherwise in this table	£85 (standard rate)
Retail 500 sq m or less (A1/ A2/ A3/ A4/ A5)	£40
Retail > 500 sq m (A1/ A2/ A3/ A4/ A5)	£100
Hotel (C1)	£60
Nursing Home (C2)	£45
Health (D1)	£140
Business (B1), General Industrial, Storage & Distribution (B2 and B8), Community Uses (within D1 and D2) and Agricultural	£0

1.6 The rate shown shall be updated annually for inflation in accordance with the Building Cost Information Service (BCIS) of the Royal Institute of Chartered Surveyors "All In Tender Price Index".

27 Regulation 9 CIL Regulations 2010 (as amended)

Draft Charging Schedule Appendix 1:

Huntingdonshire Community Infrastructure Levy - Draft Charging Schedule

- 1.7** Site specific contributions may also be required through a Section 106 agreement or as part of the Conditions attributed to a planning consent. Details on this can be found in the Draft Developer Contributions SPD, which, following a statutory consultation process at the same time as the Preliminary Draft Charging Schedule, is due to be considered for adoption in December 2011.

CIL Geographical Zone

- 1.8** The proposed levy rates will apply uniformly to all land uses across the whole geographic extent of the district of Huntingdonshire.

Appendix 2: Infrastructure Needs

Huntingdonshire Community Infrastructure Levy - Draft Charging Schedule

Appendix 2: Infrastructure Needs

- 2.1** In preparing the Draft Charging Schedule, the necessary infrastructure, phasing and cost needs to be ascertained. This is not a definitive list but an indication of the likely infrastructure required by new development, taking account of any current surpluses – this is in line with CLG Community Infrastructure Guidance, March 2010.
- 2.2** Under Section 216 of the Planning Act 2008, infrastructure includes:
- roads and other transport facilities
 - flood defences
 - schools and other educational facilities
 - medical facilities
 - sporting and recreational facilities
 - open spaces
 - affordable housing.
- 2.3** It is important to note that the wording used in the act is ‘includes’ and, as such, this is not an exhaustive list. Regulation 63 of the Community Infrastructure Regulation 2010 has amended this listing to exclude affordable housing.
- 2.4** The infrastructure considered within Huntingdonshire is shown in the following table.

CIL funded infrastructure type	Development Specific (Non- CIL funded) infrastructure
Roads and other transport facilities	Local site-related road / transport requirements
Schools and other educational facilities	Large scale major ⁽²⁸⁾ development specific school provision
Health facilities	Large scale major ⁽²⁹⁾ development specific health provision
Sport and recreational facilities	Large scale major ⁽³⁰⁾ development specific sport and recreational facilities
Green infrastructure open spaces / facilities	Development specific provision of informal and formal green space land requirements
Social infrastructure	Large scale major ⁽³¹⁾ development specific library provision and community facilities
Economic regeneration	Local site-related economic inclusion requirements
Emergency services	Large scale major ⁽³²⁾ development specific police provision
Utilities	Local site-related utility requirements
Flood defences	Local site-related flood risk solutions requirements

28 DCLG Development Control PS 1/2 statistical definition 2007/8
 29 DCLG Development Control PS 1/2 statistical definition 2007/8
 30 DCLG Development Control PS1/2 statistical definition 2007/8
 31 DCLG Development Control PS 1/2 statistical definition 2007/8
 32 DCLG Development Control PS 1/2 statistical definition 2007/8

Infrastructure Projects

- 2.5** The Infrastructure plan projects required due to the planned growth across Huntingdonshire up to 2026 have been assessed and costed, as required by Planning Policy Statement: Creating strong safe and prosperous communities through Local Spatial Planning. The phasing of development, potential other funding sources and responsibilities for delivery have also been considered. The list is not an exhaustive list and can change at any time.
- 2.6** Full details on the project list can be accessed on the Council's [website](#).

Appendix 3: Assessment of Viability

Huntingdonshire Community Infrastructure Levy - Draft Charging Schedule

Appendix 3: Assessment of Viability

3.1 In deciding the rate of CIL, a Charging Authority is required to have regard to the economic viability of the area. Regulation 14 Community Infrastructure Regulations 2010 (as amended) states:

14.—(1) In setting rates (including differential rates) in a charging schedule, a charging authority must aim to strike what appears to the charging authority to be an appropriate balance between—

- a. the desirability of funding from CIL (in whole or in part) the actual and expected estimated total cost of infrastructure required to support the development of its area, taking into account other actual and expected sources of funding; and*
- b. the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area.*

3.2 The Local Investment Framework included viability assessments on the area. However, the market has seen considerable changes in the last 18 months and Huntingdonshire District Council commissioned Drivers Jonas Deloitte to undertake a market review update and further viability assessments, taking into account the change in market conditions and the change in the affordable housing landscape and availability of grant funding support.

3.3 The market review was undertaken in August 2010 and highlights the current position regarding the residential, employment and retail markets in Huntingdonshire following the global recession. The full document outlining the affect this has had on housing supply, market prices and incentives and residential land values can be accessed in the Huntingdonshire Market Report by Drivers Jonas Deloitte, August 2010.

3.4 The global recession and a range of legislative changes has also necessitated an update of viability assessments. These were undertaken by Drivers Jonas Deloitte on behalf of Huntingdonshire District Council and completed in May 2011.

3.5 The viability work has taken into account the findings of the Market Report and outlines the methodology used to assess the viability of residential and commercial development in Huntingdonshire to inform the setting of the levy in the Draft Charging Schedule. In assessing the viability, the payment periods as noted in Regulation 70 of the Community Infrastructure Regulations 2010 were used namely that:

(2) Where the chargeable amount is equal to or greater than £40,000, payment of the amount of CIL payable in respect of D (A) is due in four equal instalments at the end of the periods of 60, 120, 180 and 240 days beginning with the intended commencement date of D.⁽³³⁾ (A) is due in four equal instalments at the end of the periods of 60, 120, 180 and 240 days beginning with the intended commencement date of D.

(3) Where the chargeable amount is equal to or greater than £20,000 and less than £40,000, payment of A is due in three equal instalments at the end of the periods of 60, 120 and 180 days beginning with the intended commencement date of D.

(4) Where the chargeable amount is equal to or greater than £10,000 and less than £20,000, payment of A is due in two equal instalments at the end of the periods of 60 and 120 days beginning with the intended commencement date of D.

(5) Where the chargeable amount is less than £10,000, payment of A is due in full at the end of the period of 60 days beginning with the intended commencement date of D.

33 Where D is the chargeable development

Assessment of Viability Appendix 3:

Huntingdonshire Community Infrastructure Levy - Draft Charging Schedule

- 3.6** Regulation 69B Community Infrastructure Levy Amendment Regulations 2011 permit a charging authority to allow persons liable to pay CIL to do so by instalments following the publication of an instalment policy. Huntingdonshire District Council will publish an instalment policy at the point of adoption of the Charging Schedule. The time permitted for payment will be no less than as stated in the former Regulation 70 of the Community Infrastructure Regulations 2010 as noted above and so will either have no bearing on viability to that shown or could improve it, all other matters being equal.
- 3.7** Following the consultation on the Preliminary Draft Charging Schedule, further testing and research has been undertaken. Full details can be found on the Council's [website](#).

Glossary

Adoption

The point at which the final agreed version of a document comes fully into use.

Affordable Housing

Housing available at a significant discount below market levels so as to be affordable to householders who cannot either rent or purchase property that meets their needs on the open market. It can include social-rented housing and intermediate housing. It is defined in Planning Policy Statement 3: 'Housing'.

Annual Monitoring Report (AMR)

Document produced each year to report on progress in producing the Local Development Framework and implementing its policies.

Community Infrastructure

Facilities available for use by the community that could provide for a range of social, economic and environmental infrastructure needs.

Core Strategy

The main document in the Local Development Framework. It is a Development Plan Document containing the overall vision, objectives, strategy and key policies for managing development in Huntingdonshire.

Development Plan

The documents which together provide the main point of reference when considering planning proposals as defined in legislation.

Development Plan Documents

A document containing local planning policies or proposals which form part of the Development Plan, which has been subject to independent examination.

Examination

Independent inquiry into the soundness of a draft Development Plan Document chaired by an Inspector appointed by the Secretary of State, whose recommendations are binding.

Infrastructure

A collective term for services such as roads, electricity, sewerage, water, education and health facilities.

Large Scale Major Development

A development comprising of a:

- residential development of 200 or more dwellings or ,where the residential units is not given, a site area of 4 hectares or more, or
- any other development where the floor space to be built is 10,000 sq m or more or where the site is 2 hectares or more

as per the DCLG Development Control PS 1/2 statistical definition 2007/8.

Local Development Framework (LDF)

The collective term for the group of documents including Local Development Documents, the Local Development Scheme and Annual Monitoring Reports.

Mitigation measures

These are measures requested/ carried out in order to limit the damage by a particular development/ activity.

Open Space and Recreational Land

Open space within settlements includes parks, village greens, play areas, sports pitches, undeveloped plots, semi-natural areas and substantial private gardens. Outside built-up areas this includes parks, sports pitches and allotments.

Planning Obligation

Obligation (either an agreement or unilateral undertaking) under Section 106 of the Town and Country Planning Act 1990 (as amended).

Regional Spatial Strategies (RSS)

Plan covering the East of England as a whole, and setting out strategic policies and proposals for managing land-use change (NB. Likely to be abolished as part of emerging planning reforms).

Spatial Planning

Spatial planning goes beyond traditional land use planning. It brings together and integrates policies for the development and use of land with other policies and programmes which influence the nature of places and how they function. This will include policies which can impact on land use, for example, by influencing the demands on or needs for development, but which are not capable of being delivered solely or mainly through the granting of planning permission and may be delivered through other means.

Submission

Point at which a draft Development Plan Document (or the draft Statement of Community Involvement) is submitted to the Secretary of State for examination.

Supplementary Planning Documents

Provides additional guidance on the interpretation or application of policies and proposals in a Development Plan Document.

Sustainable Development

In broad terms this means development that meets the needs of the present without compromising the ability of future generations to meet their own needs. The Government has set out five guiding principles for sustainable development in its strategy "Securing the future - UK Government strategy for sustainable development". The five guiding principles, to be achieved simultaneously, are: Living within environmental limits; Ensuring a strong healthy and just society; Achieving a sustainable economy; Promoting good governance; and Using sound science responsibly.

Unilateral Undertaking

Where a planning obligation is required to secure a financial contribution, instead of agreeing obligations through the standard process of negotiation and agreement between the Council and the developer, developers may provide a Unilateral Undertaking. This is a document that contains covenants given by the developer and enforceable by the Council, but with no reciprocal covenants given by the Council. The Council will only rely on such a Unilateral Undertaking to secure a financial contribution if its provisions are acceptable to the Council. The provider of the undertaking will have to submit evidence of legal title to the application site with the undertaking and will be responsible for the Council's legal costs in checking the suitability and acceptability of the undertaking.

Use Class Order

Planning regulations outlining a schedule of uses to which a given premises or building can be put. Some changes of use require planning permission.

Vitality and Viability

In terms of retailing, vitality is the capacity of a centre to grow or to develop its level of commercial activity. Viability is the capacity of a centre to achieve the commercial success necessary to sustain the existence of the centre.

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**HUNTINGDONSHIRE COMMUNITY INFRASTRUCTURE LEVY
DRAFT CHARGING SCHEDULE
(Report by the Overview and Scrutiny Panel (Environmental Well-Being))**

1. INTRODUCTION

- 1.1 At its meeting held on 8th November 2011, the Overview and Scrutiny Panel (Environmental Well-Being) considered the report by the Head of Planning Services on the Huntingdonshire Community Infrastructure Levy Draft Charging Schedule. The following paragraphs contain a summary of the Panel's discussions on the report.

2. THE PANEL'S DISCUSSIONS

- 2.1 In the course of their deliberations, Members have noted that following viability testing, the charging schedule has been amended. The Panel has also been advised that a new S106 policy will be required. The terms of CIL are non-negotiable, so any enforceable conditions will be applied through S106 agreements. It is possible that developers might challenge S106 agreements.
- 2.3 The Panel is reassured that the Charging Schedule will be subject to an examination in public to ascertain whether it is sound. Having queried the application of charges to health, Members have noted that the test is solely whether the charges are viable and testing has established that an even higher charges could be viable. They have also challenged why charities will not be charged as some are large land owners. In response, it has been reported that this is only where the development is for charitable purposes.
- 2.4 On the basis that the testing has been carried using a nationally agreed methodology, the Panel has supported the publication for consultation of the Draft Charging Schedule including the revised rates.

3. CONCLUSION

- 3.1 The Cabinet is requested to take into consideration the views of the Overview and Scrutiny Panel (Economic Well-Being) as set out above when considering this item.

Contact Officer: A Roberts, Scrutiny and Review Manager 01480 388015

Background Documents - Reports and Minutes of the meeting of the Overview and Scrutiny Panel (Environmental Well-Being) held on 8th November 2011.

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