

A meeting of the **OVERVIEW AND SCRUTINY PANEL (ENVIRONMENTAL WELL-BEING)** will be held in **CIVIC SUITE 1A, PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON, CAMBS PE29 3TN** on **TUESDAY, 8 NOVEMBER 2011** at **7:00 PM** and you are requested to attend for the transaction of the following business:-

**Contact
(01480)**

APOLOGIES

1. MINUTES (Pages 1 - 8)

To approve as a correct record the Minutes of the meeting held on 12th October 2011.

**Mrs A Jerrom
388009**

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 overleaf.

3. GREAT FEN PROJECT PRESENTATION

To receive an update on the Great Fen, from Kate Carver Great Fen Project Manager and John Orr from the Environment Agency who is Chairman of the Great Fen Project Steering Group.

4. GREAT FEN SUPPLEMENTARY PLANNING DOCUMENT (Pages 9 - 14)

To receive a report on the Great Fen Masterplan by the Head of Planning Services.

**S Ingram
388400**

5. LOCAL GOVERNMENT ACT 2000: FORWARD PLAN (Pages 15 - 20)

A copy of the current Forward Plan, which was published on 14th October 2011, is attached. Members are invited to note the Plan and to comment as appropriate on any items contained therein.

**Mrs H Taylor
388008**

6. CARBON MANAGEMENT PLAN (Pages 21 - 30)

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

**C Jablonski
388368**

7. LOVES FARM, ST NEOTS

Councillor Boddington to draw attention to planning matters in respect of the Loves Farm development in St Neots.

8. HUNTINGDONSHIRE COMMUNITY INFRASTRUCTURE LEVY - DRAFT CHARGING SCHEDULE (Pages 31 - 122)

To receive a report by the Head of Planning Services.

**P Bland
388430**

9. DEVELOPER CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENT (Pages 123 - 226)

To receive a report by the Head of Planning Services.

10. WORKPLAN STUDIES (Pages 227 - 232)

To consider, with the aid of a report by the Head of Legal and Democratic Services, the current programme of Overview and Scrutiny studies.

**Mrs A Jerrom
388009**

11. OVERVIEW AND SCRUTINY PANEL PROGRESS (Pages 233 - 238)

To consider a report by the Head of Democratic and Central Services on decisions taken by the Panel.

**Mrs A Jerrom
388009**

12. SCRUTINY (Pages 239 - 246)

To scrutinise decisions as set out in the Decision Digest and to raise any other matters for scrutiny that fall within the remit of the Panel.

Dated this 31 day of October 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 A Jerrom, Democratic Services , Telephone: 01480 388009, email: amanda.jerrom@huntingdonshire.gov.uk 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 Committee/Panel.

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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HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the OVERVIEW AND SCRUTINY PANEL (ENVIRONMENTAL WELL-BEING) held in Civic Suite 1a, Pathfinder House, St Mary's Street, Huntingdon, Cambs PE29 3TN on Wednesday, 12 October 2011.

PRESENT: Councillor P M D Godfrey – Chairman.

Councillors M G Baker, Mrs M Banerjee, I J Curtis, J W Davies, P Godley, G J Harlock, D Harty, C R Hyams and J S Watt.

Co-opted Members Messrs. D Hopkins and M Phillips.

IN ATTENDANCE: Councillors I C Bates, D B Dew, N Guyatt, D M Tysoe and A H Williams

32. MINUTES

The Minutes of the meeting of the Panel held on 13th September 2011 were approved as a correct record and signed by the Chairman.

33. MEMBERS' INTERESTS

Councillors D Harty and C R Hyams declared personal interests in Minute Nos. 35 and 39 respectively by virtue of their membership of Cambridgeshire County Council.

34. LOCAL GOVERNMENT ACT 2000: FORWARD PLAN

The Panel considered and noted the current Forward Plan of Key Decisions (a copy of which is appended in the Minute Book) which had been prepared by the Executive Leader of the Council for the period 1st October 2011 to 31st January 2012. Members requested sight of all reports pertaining to the remit of the Panel before they were submitted to the Cabinet.

35. ST IVES WEST URBAN DESIGN FRAMEWORK

(Councillors I C Bates and A H Williams Ward Members for the Hemingfords, Councillor D B Dew Ward Member for St Ives South and Councillor N J Guyatt, Executive Councillor for Strategic Planning and Housing, were in attendance for consideration of this item).

(See Members' Interests)

The Panel considered a report by the Head of Planning Services on the outcome of the recent consultation on the draft St Ives West Urban Design Framework (UDF) (a copy of which is appended in the Minute Book). The report included a summary of the comments received and responses to them.

In his introduction to the report Councillor Guyatt reminded the Panel that plans for the area in question had been incorporated into the Council's Core Strategy in 2002. At that time all Members had been briefed on the Strategy and on its significance once it was approved by the Planning Inspector. The Head of Planning Services explained that the aims of the UDF were to provide a framework for the delivery of high quality new housing and to create an area of accessible green space in the St Ives West area in line the principles established in the adopted Core Strategy. The UDF would provide constructive guidance to future developers of the area to the maximum advantage and minimum disadvantage of both St Ives and the villages of Houghton and Wyton.

The Head of Planning Services informed the Panel that some comments had questioned the legality of the document. However, he advised that although the document had the title of supplementary planning guidance, the first paragraph of the document explicitly stated the purpose of the UDF. Legal advice had been obtained, which confirmed that the statement of purpose would safeguard the Council from legal challenge on that particular question.

Councillor Bates was invited by the Chairman to address the Panel and, with the assistance of detailed plans of the area, drew the Panel's attention to the responses to the consultation document and the views that had been expressed by residents of Houghton and Wyton. Councillor Bates highlighted concerns over the area of green separation. As the area was within the parish of Houghton and Wyton, in his view, it did not separate Houghton and Wyton from St Ives. He further pointed out that gardens had been included within this area, which could neither be regarded as open space nor as providing a strategic gap. Additionally Councillor Bates expressed the view that under the UDF a disproportionate number of houses would be built in Houghton and Wyton and suggested an alternative proposal involving Houghton Grange.

Having also been invited by the Chairman to address the Panel Councillor Williams drew attention to the impact of the UDF on traffic on the A1123, to his perception that the St Ives West Area Working Group had not influenced the UDF and to references in a letter from Houghton and Wyton Parish Council questioning the legal status of the UDF.

Councillor Dew addressed the Panel in his capacity as Ward Member for St Ives South and as the Chairman of the St Ives West Area Working Group. He informed Members that there was no viable alternative area within St Ives on which the dwellings specified in the Core Strategy could be built. Councillor Dew also stated that he had been satisfied at the level of discussion at meetings of the Working Group. Furthermore, St Ives Town Council's Planning Committee had supported the UDF on the grounds that it would deliver a high quality development and new publicly accessible green space and afford the area protection from poor development by guiding the principles of development in the area.

In the course of their deliberations the Panel discussed a number of matters relating to the UDF. In particular, Members noted the legal advice that the Council had obtained regarding the status of the

document. Having raised concerns over the amount of traffic that would be generated by the implementation of the UDF and, in so doing, Members disagreed with the County Council's view that the A1123 was not at full capacity. They were informed that the County Council had not objected to the Core Strategy and, as the local highway authority, it had been involved in the development of the UDF. In addition, the County Council would be responsible for future traffic mitigation and management measures in the area.

Members commented on the parish boundaries in the area covered by the UDF and the significant increase that would result in the number of dwellings in Houghton and Wyton parish if the UDF was implemented. In response the Panel was advised that the Core Strategy referred to spatial planning areas rather than administrative boundaries and that changes to parish or town boundaries were not material in planning terms. No new dwellings would be built within or adjoining the built-up area of Houghton Village.

The Panel noted the views of residents of Houghton and Wyton on the effect that a significant number of new dwellings would have on the parish. Suggestions for alternative proposals for development were also noted. However, Members were informed that the UDF could not be used to prescribe the number of dwellings that would be built and that development at Houghton Grange had already been committed. With respect to building on alternative locations in St Ives, the Panel was advised that this had already been considered at the public examination of the Core Strategy.

With regard to the green area of separation, Members were advised that, in planning terms, gardens were regarded as green space and could not be developed in the future. Having concluded their discussions, the Panel

RESOLVED

- a) that the St Ives West Urban Design Framework be not supported, and
- b) that the Cabinet is recommended to reconsider the representations received from the residents of Houghton and Wyton before approving the UDF.

36. MAINTENANCE OF WATER COURSES

Pursuant to Minute No. 11/11, the Panel received a presentation from the Projects and Assets Manager, Mr C Allen, on the Council's responsibilities with regard to the maintenance of the District's watercourses. Mr Allen explained the different types of watercourses and the various bodies and authorities that held responsibility for them. He informed Members that although the Environment Agency was responsible for main rivers, they did not own the rivers or the land adjacent to them but had powers to maintain them or to require riparian owners to maintain them.

Mr Allen reported that the Council had an obligation under the Enclosures Act for the maintenance of around 100km of awarded watercourses. It currently had a budget of approximately £30k with

which to undertake this work and, therefore, only had the capability to maintain ditches that were causing major problems. However, the Council had powers to force riparian owners to carry out works. In addition, the Council had permissive powers to carry out minor repairs to pipes whose ownership was not known to prevent flooding or pollution. Ditches in large predominantly low lying areas of the District were maintained by Internal Drainage Boards who raised their own rates. The Middle Level Commissioners were responsible for main watercourses in the fens areas.

Mr Allen went on to state that the County Council recently had acquired new powers and responsibilities under the Flood and Water Management Act 2010. It would now be required to authorise and undertake enforcement in respect of flood defence structures on ordinary watercourses. With regard to flood protection for properties, Members were advised that the District Council's involvement was limited to emergency planning requirements and to providing accommodation to those made homeless as a consequence of flooding.

In answer to questions from the Panel, it was established that the Council employed contractors to carry out its maintenance of water courses. It was also confirmed that the Council was assisting the Environment Agency to carry out major flood defence work in Godmanchester. Mr Allen was unaware of a request made by the Environment Agency to the Council for financial assistance for this project.

With regard to new developments, relevant authorities were consulted on planning applications to ensure that they would not increase the risk of flooding. In addition, Sustainable Drainage Systems (SUDs), in the form of ditches, balancing ponds or soakaways, were incorporated within developments. A report on SUDs would be submitted to a future meeting of the Panel.

Having requested that further detailed information was circulated on various matters, Members requested that a representative of the County Council was invited to a future meeting to discuss that authority's new role under the Flood and Water Management Act 2010.

37. GREEN HOUSE PROJECT UPDATE

(Councillor DM Tysoe, Executive Councillor for the Environment, was in attendance for this item).

The Panel received a report by the Head of Environmental Management (a copy of which is appended in the Minute Book) containing an update on the Council's Green House Project and outlining three possible options for taking it forward. Members were advised that the scheme was an exemplar project which had successfully demonstrated how typical family homes could be sustainably refurbished to improve their energy efficiency at a time of increasing fossil fuel prices and in line with Government targets to reduce carbon emissions.

The project had received a large number of visitors and had been the

subject of positive national press coverage. Several Members commented on their own positive perception of the service the project provided to residents of the District.

The Panel acknowledged the benefits of showcasing one of the properties in order to demonstrate the benefits to residents, academic institutions and commercial enterprises of the measures that had been introduced. Members also welcomed the opportunity to promote the local economy and in particular the construction industry by providing instruction in residential environmental technology. The project would assist the Council to deliver the Government's 'Green Deal' initiative, which allowed consumers to pay for energy efficiency measures through their energy bills. However, they recognised the need for one of the properties to be rented out in order to establish their real fuel and other energy usage and the associated financial savings.

The Panel concurred with a suggestion by Councillor M G Baker that the Council should make more efforts to promote the project. It also supported the idea that the details of accredited installers of home energy efficiency measures should be made widely known. Following discussions on the costs and benefits of energy saving measures and the wider opportunities for both sponsorship and other income generation for the project, the Panel

RESOLVED

that the Cabinet be recommended to:

- a) approve the retention of the St Ives Green House until March 2014 and the rental of the St Neots property (Option 2) with the additional revenue costs being met from the existing Environmental Projects revenue budget;
- b) support the development of the project to be the main mechanism for the Council to deliver Government's Green Deal initiative in conjunction with project partners, and
- c) receive an update on the progress of the project in October 2012.

38. GREAT FEN

Following his attendance at the first meeting of the Great Fen Community Forum and pursuant to Minute No.10/85, the Chairman of the Panel updated Members on the Great Fen Project. He explained that the Head of Planning had now taken over as the Council's representative on the Great Fen Board. At the meeting of the Forum on the previous day, it had been decided to undertake a socioeconomic study on the impact of the Project on the area. This would provide answers to the Chairman's questions concerning environmental and social aspects of the project. The Council would contribute to the study using finance from its Economic Development budget. A business development plan would also be produced.

The Panel agreed to invite the Great Fen Project Manager to give a presentation on the Great Fen at its November meeting.

39. MONITORING OF SECTION 106 AGREEMENTS (PLANNING OBLIGATIONS)

(See Members' Interests).

The Panel gave consideration to a report by the Head of People, Performance and Partnerships (a copy of which is appended in the Minute Book) which provided an update on the receipt and expenditure by the Council of money negotiated under Section 106 Agreements. Following a question by a Member, the Panel was reassured that there was little chance of agreements expiring before their specified completion dates. In his role as County Councillor and Member of the S106 Working Group, Councillor Harty undertook to take up the issue of educational funding for Yaxley Community School on behalf of Councillor Mrs M Banerjee.

RESOLVED

that the contents of the report be noted.

40. OVERVIEW AND SCRUTINY PANELS' REMITS

The Panel considered a report by the Head of Legal and Democratic Services (a copy of which is appended in the Minute Book) on the remits of the Council's Overview and Scrutiny Panels. It was explained that, owing to recent changes to Executive Councillors' responsibilities on whose portfolios the remits were based, it had become necessary formally to review the remits. It was suggested that a more generic division of work should be introduced, which would cope with future internal reorganisation of the Council. The new remits would be based on the Council's service functions.

Having endorsed the new remits, Members noted that the changes would require an amendment to the Constitution and would, therefore be referred to the Corporate Governance Panel before being submitted to the full Council.

41. WORKPLAN STUDIES

The Panel considered and noted a report by the Head of Legal and Democratic Services (a copy of which is appended in the Minute Book) informing them of studies being undertaken by the other Overview and Scrutiny Panels.

42. OVERVIEW AND SCRUTINY PANEL PROGRESS

The Panel was advised of progress on issues that had been previously discussed. Having been advised of the outcome of the initial meeting of the Waste Collection Working Group, which had been attended by the Head of Operations, it was agreed by the Panel that the Working Group should comprise Councillors M G Baker, P M D Godfrey, G J Harlock and C R Hyams and Mr M Phillips.

43. SCRUTINY

The Panel received and noted the latest edition of the Council's

Decision Digest (a copy of which is appended in the Minute Book). Further information was requested on the Call Centre's handling of tourist information enquiries. A suggestion was also made that the Yaxley Customer Information Centre should open on the same days as other services in the village.

Chairman

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COMT
OVERVIEW & SCRUTINY
(ENVIRONMENTAL WELLBEING)
DEVELOPMENT MANAGEMENT PANEL
CABINET

31st October 2011
8th November 2011

21st November 2011
8th December 2011

THE GREAT FEN MASTERPLAN – PLANNING GUIDANCE

(Report by Head of Planning Services)

1. INTRODUCTION

- 1.1 The purpose of this report is to update Cabinet regarding the extensive consultation that has been undertaken in respect of the Great Fen Masterplan and, taking any appropriate additional comments from the Overview and Scrutiny (Environmental Wellbeing) Panel and the Development Management Panel into account, to adopt the Masterplan as Huntingdonshire District Council Planning Guidance to inform both Council policy and to be a material consideration in respect of potential relevant planning proposals.

2. BACKGROUND

- 2.1 The Great Fen area covers some 3,000 hectares of largely arable land in Huntingdonshire, with Peterborough to the north and Huntingdon to the south. It encompasses two National Nature Reserves at Holme Fen and Woodwalton Fen.
- 2.2 The Great Fen Masterplan was prepared by a partnership comprising Huntingdonshire District Council, the Environment Agency, Natural England, the Middle Level Commissioners, and the Bedfordshire, Cambridgeshire, Northamptonshire and Peterborough Wildlife Trusts. It was published in March 2010, and the quality of the project was subsequently recognised through the award of the prestigious Royal Town Planning Institute's Silver Jubilee Cup.
- 2.3 The Great Fen Masterplan is a spatial plan to guide the long term delivery of the Great Fen Vision and aims and objectives. The anticipated delivery timeframe extends over the next 50 years, but projects such as a first stage Visitor Centre are currently being designed for early implementation. It is anticipated that funding for implementation will be drawn from a variety of sources.
- 2.4 The agreed Great Fen Vision is:
- A restored fenland landscape providing a rich variety of habitats for people and wildlife, now and in the future*
- 2.5 The Masterplan's aims and objectives are:
- **Natural and historic environment:** To create a new resilient fenland landscape which delivers major wildlife and heritage benefits and achieves high standards of sustainability in all respects.

- **Social:** To create an accessible, inspiring and tranquil environment for recreation, education, health and wellbeing.
- **Economic:** To contribute to diversification and development of the local economy, consistent with environmental and social objectives
- **Climate change adaptation and mitigation:** To plan, design and manage the Great Fen to benefit climate change adaptation and mitigation.

2.6 The Masterplan describes what might be achieved on the ground. These themes, and the way that they interact, will strongly influence the visitor experience at the Great Fen:

- **Habitats:** The management of a wide range of habitats including open water, ponds and ditches; reed bed; fen; bog; seasonally wet grassland and marsh; woodland and scrub; fenland edge, dry grassland and woodland mosaic.
- **Landscape character and structure:** The landscape character and structure will take particular account of the wide, open spaces of the Fens, which are enclosed and framed by woodland, reed beds and other habitats and features.
- **Land and water management:** The proposed land management approach will be less intensive and more traditional in character, dominated by grazing with other activities such as hay cutting and reed harvesting also taking place. Water management will continue and will be designed to respond to the changing nature of the area over time.
- **Visitor gateways:** The Great Fen is in a rural location and does not directly adjoin the larger settlements. However, it will become a visitor attraction and people will arrive by a variety of travel modes. It is likely that eventually the Visitor Centre will become the primary hub for visitors within the Great Fen. Visitor Gateways of varying kinds, some with parking facilities, will be created around the edge of the Great Fen area. The Ramsey Heights Visitor Gateway will include education services for local schools and communities. There is also scope to create tourism opportunities in surrounding villages.
- **Access:** Access to the Great Fen area will be balanced between the needs and interests of visitors and the requirement to protect and preserve valuable habitats. Accessibility is to be managed in six zones, each of which has its own particular character.

3. PLANNING POLICY CONTEXT

3.1 The strategic planning policy context for the Great Fen Masterplan is set out in the Huntingdonshire Core Strategy, adopted in September 2009. Policy CS 9 of the Core Strategy sets out the Council's priorities for strategic green infrastructure and enhancement and the creation of corridors and links to develop a coherent network of district-wide green infrastructure. The Great Fen Masterplan is also specifically embedded within the emerging Cambridgeshire Green Infrastructure Strategy.

4. PLANNING STATUS

4.1 It is proposed that the status of The Great Fen Masterplan should be as Huntingdonshire District Council Planning Guidance. This Planning Guidance

will inform both Council policy and be a material consideration in respect of relevant potential planning proposals. The format of the Masterplan does not need to be reconfigured to give it the proposed status as Planning Guidance. This can be achieved by including a Preface to the document which explains the status that it will have. The text of the Preface can be found at Appendix A.

- 4.2 The Masterplan was subject to two phases of widespread public consultation. Phase 2 of the consultation process included visitor exhibitions and some 260 comments were received. The consultation process undertaken and its outcomes are described in detail in 'The Great Fen Masterplan: Statement of Consultation' which can be found at Appendix B.

5. CONCLUSIONS

- 5.1 The approval of The Great Fen Masterplan as Huntingdonshire District Council Planning Guidance will enable the Masterplan to be a material consideration when the Council determines forthcoming planning applications within the Great Fen area. It will also enable the Masterplan to inform policy development.

6. RECOMMENDATION

- 6.1 It is recommended that Cabinet approves the Preface text attached at Appendix A and adopts the Great Fen Masterplan as Huntingdonshire District Council Planning Guidance to both inform Council policy and guide Development Management decisions.

BACKGROUND PAPERS

The Great Fen Masterplan: March 2010 (see The Great Fen website: www.greatfen.org.uk)

Huntingdonshire Core Strategy: September 2009

Cambridgeshire Green Infrastructure Strategy: 2011

Great Fen: Statement of Consultation

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

STATEMENT OF RECOGNITION OF THE GREAT FEN MASTERPLAN AS HUNTINGDONSHIRE DISTRICT COUNCIL PLANNING GUIDANCE

The Great Fen Masterplan has been prepared by the Great Fen Project Partners which comprise the Environment Agency, Huntingdonshire District Council, the Middle Level Commissioners, Natural England and the Wildlife Trust for Bedfordshire, Cambridgeshire, Northamptonshire and Peterborough.

The Masterplan is designated as 'Huntingdonshire District Council Planning Guidance' in recognition of its flexible philosophy as an illustrative document making suggestions of what might be possible where. It is not intended to be a specific blueprint for the future of the area. The Masterplan reflects the very long term vision of the Great Fen partnership and will be accompanied by action plans to focus delivery of specific elements.

Delivery of elements of the project will be dependent upon availability of resources and the outcomes of further public engagement. The Masterplan will be used to appropriately inform decisions on planning proposals within the Great Fen area and the surrounding area. The Masterplan is a material consideration when determining planning applications.

The strategic planning policy context for the Great Fen Masterplan is set out in the Huntingdonshire Core Strategy, adopted in September 2009. Policy CS 9 of the Core Strategy sets out the priorities for strategic green infrastructure and enhancement and creation of corridors and links to create a coherent network of green infrastructure.

The Great Fen is a long term undertaking and the Masterplan has been drawn up to reflect this. The Masterplan will be reviewed periodically when that may be considered necessary by the Great Fen Partnership.

To retain the integrity of the original Masterplan this statement of recognition as Planning Guidance has been incorporated as an Addendum sheet preceding the actual Masterplan.

APPENDIX B

GREAT FEN: STATEMENT OF CONSULTATION

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FORWARD PLAN OF KEY DECISIONS

Prepared by
Date of Publication:
For Period:

Councillor J D Ablewhite
14th October 2011
1st November to 29th February 2012

Membership of the Cabinet is as follows:-

Councillor J D Ablewhite	- Leader of the Council, with responsibility for Strategic Economic Development	3 Pettis Road St. Ives Huntingdon PE27 6SR Tel: 01480 466941 E-mail: Jason.Ablewhite@huntingdonshire.gov.uk
15 Councillor N J Guyatt	- Deputy Leader of the Council with responsibility for Strategic Planning and Housing	6 Church Lane Stibbington Cambs PE8 6LP Tel: 01780 782827 E-mail: Nick.Guyatt@huntingdonshire.gov.uk
Councillor B S Chapman	- Executive Councillor for Organisational Development	6 Kipling Place St. Neots Huntingdon PE19 7RG Tel: 01480 212540 E-mail: Barry.Chapman@huntingdonshire.gov.uk
Councillor J A Gray	- Executive Councillor for Resources	Shufflewick Cottage Station Row Tilbrook PE28 OJY Tel: 01480 861941 E-mail: Jonathan.Gray@huntingdonshire.gov.uk
Councillor D M Tysoe	- Executive Councillor for Environment	Grove Cottage Maltings Lane Ellington Huntingdon PE28 OAA Tel: 01480 388310 E-mail: Darren.Tysoe@huntingdonshire.gov.uk
Councillor T D Sanderson	- Executive Councillor for Healthy and Active Communities	29 Burmoor Close Stukeley Meadows Huntingdon PE29 6GE Tel: 01480 412135 E-mail: Tom.Sanderson@huntingdonshire.gov.uk

Any person who wishes to make representations to the decision maker about a decision which is to be made may do so by contacting Mrs Helen Taylor, Senior Democratic Services Officer on 01480 388008 or E-mail: Helen.Taylor@huntsdc.gov.uk not less than 14 days prior to the date when the decision is to be made.

The documents available may be obtained by contacting the relevant officer shown in this plan who will be responsible for preparing the final report to be submitted to the decision maker on the matter in relation to which the decision is to be made. Similarly any enquiries as to the subject or matter to be tabled for decision or on the availability of supporting information or documentation should be directed to the relevant officer.

Colin Meadowcroft
Head of Legal and Democratic Services

Notes:- (i) Additions/significant changes from the previous Forward are annotated ***
(ii) For information about how representations about the above decisions may be made please see the Council's Petitions Procedure at <http://www.huntsdc.gov.uk/NR/rdonlyres/3F6CFE28-C5F0-4BA0-9BF2-76EBAE06C89D/0/Petitionsleaflet.pdf> or telephone 01480 388006

Subject/Matter for Decision	Decision/ recommendation to be made by	Date decision to be taken	Documents Available	How relevant Officer can be contacted	Consultation	Relevant Executive Councillor	Relevant Overview & Scrutiny Panel
Sale of Land at The Whaddons/Thongsley Huntingdon***	Cabinet	17 Nov 2011	Alan Worth, Valuation Planning Consent Ref: 1002034FUL	Frank Mastrandrea, Policy and Enabling Officer Tel No 01480 388208 or email Frank.Mastrandrea@huntingdonshire.gov.uk		N J Guyatt/J A Gray	Economic Well-Being
Roll Forward of the Council's Core Strategy -Its Local Development Plan***	Cabinet	17 Nov 2011	None.	Steve Ingram, Head of Planning Services Tel No 01480 388400 or email Steve.Ingram@huntingdonshire.gov.uk	Update.	N J Guyatt	Environmental Well-Being
Annual Equality Progress Report***	Cabinet	17 Nov 2011	Covering report, plus two appendices (action plan progress 2010/2011 and outcomes from Equality Impact Assessments 2010/2011	Louise Sboui, Senior Policy Officer Tel No 01480 388032 or email Louise.Sboui@huntingdonshire.gov.uk	COMT, Equality Steering Group, O&S (Social Well-Being), Employment Panel/ELAG, Cabinet	T D Sanderson	Social Well-Being

Subject/Matter for Decision	Decision/ recommendation to be made by	Date decision to be taken	Documents Available	How relevant Officer can be contacted	Consultation	Relevant Executive Councillor	Relevant Overview & Scrutiny Panel
CCTV Future Funding	Cabinet	17 Nov 2011	None.	Eric Kendall, Head of Operations Tel No 01480 388635 or email Eric.Kendall@huntingdonshire.gov.uk		T D Sanderson	Environmental Well-Being
Gypsy & Traveller Policy Issues	Cabinet	17 Nov 2011	New PPS on G & T Issues Cambs GTANA	Paul Bland, Planning Service Manager (Policy) Tel No 01480 388430 or email Paul.Bland@huntingdonshire.gov.uk	Consider latest policy issues.	N J Guyatt	Environmental Well-Being
CIL and Developer Contributions SPD	Cabinet	17 Nov 2011	Local Infrastructure Framework	Paul Bland, Planning Service Manager (Policy) Tel No. 01480 388430 or email Paul.Bland@huntingdonshire.gov.uk	Endorse as Council policy and agree next steps for CIL.	N J Guyatt	Environmental Well-Being
Waste Collection Policies	Cabinet	17 Nov 2011	None.	Eric Kendall, Head of Operations Tel No. 01480 388635 or email Eric.Kendall@huntingdonshire.gov.uk		D Tysoe	Environmental Well-Being
Great Fen Supplementary Planning Document	Cabinet	17 Nov 2011	Great Fen SPD	Paul Bland, Planning Service Manager (Policy) Tel No. 01480 388340 or email Paul.Bland@huntsdc.gov.uk	Endorse as Council policy (further details required)	N J Guyatt	Environmental Well-Being
Carbon Management Update	Cabinet	17 Nov 2011	None.	Chris Jablonski, Environment Team Leader Tel No. 01480 388368 or email Chris.Jablonski@huntingdonshire.gov.uk		D Tysoe	Environmental Well-Being
Planning Proposals Development Plan Document	Cabinet	17 Nov 2011	Updated SHLAA, Employment Land Review, Updated Retail Study	Paul Bland, Planning Service Manager (Policy) Tel No. 01480 388430 or email Paul.Bland@huntsdc.gov.uk	Approve findings for consultations as preferred options.	N J Guyatt	Environmental Well-Being

Subject/Matter for Decision	Decision/ recommendation to be made by	Date decision to be taken	Documents Available	How relevant Officer can be contacted	Consultation	Relevant Executive Councillor	Relevant Overview & Scrutiny Panel
Cambridgeshire Future Transport - Transport for Cambridgeshire	Cabinet	8 Dec 2011	None.	Paul Bland, Planning Service Manager (Policy) Tel No. 01480 388430 or email Paul.Bland@huntingdonshire.gov.uk	Update on emerging options and recommendations.	N J Guyatt	Environmental Well-Being
Cambridgeshire Green Infrastructure Strategy	Cabinet	8 Dec 2011	Cambs County Council-Led Project	Paul Bland, Planning Service Manager (Policy) Tel No. 01480 388340 or email Paul.Bland@huntsdc.gov.uk	Endorse as Council Policy (subject to County Council progress).	N J Guyatt	Environmental Well-Being
RAF Brampton Urban Design Framework	Cabinet	8 Dec 2011	Agreed Urban Design Framework	Paul Bland, Planning Service Manager (Policy) Tel No. 01480 388430 or email Paul.Bland@huntingdonshire.gov.uk	Adopt as Council Policy.	N J Guyatt	Environmental Well-Being
Draft MTP	Cabinet	8 Dec 2011	None.	Steve Couper, Head of Financial Services Tel No. 01480 388103 or email Steve.Couper@huntingdonshire.gov.uk		J A Gray	Economic Well-Being
Local Government Finance Act 1988 - Publication of Rural Settlement List	Cabinet	8 Dec 2011	None.	Julia Barber, Head of Customer Services Tel No. 01480 388015 or email Julia.Barber@huntingdonshire.gov.uk		J A Gray	Economic Well-Being
Huntingdon West Master Plan	Cabinet	8 Dec 2011	Huntingdon West Action Plan	Paul Bland, Planning Service Manager (Policy) Tel No 01480 388430 or email Paul.Bland@huntingdonshire.gov.uk		N J Guyatt	Environmental Well-Being

Subject/Matter for Decision	Decision/ recommendation to be made by	Date decision to be taken	Documents Available	How relevant Officer can be contacted	Consultation	Relevant Executive Councillor	Relevant Overview & Scrutiny Panel
Voluntary Sector Support***	Cabinet	19 Jan 2012	None.	Dan Smith, Community Health Manager Tel No 01480 388377 or email Dan.Smith@huntingdonshire.gov.uk		T D Sanderson	Social Well-Being
Location of the Call Centre***	Cabinet	19 Jan 2012	Previous Cabinet Papers	Julia Barber, Head of Customer Services Tel No 01480 388015 or email Julia.Barber@huntingdonshire.gov.uk		J A Gray	Economic Well-Being
Planning for Sustainable Drainage Systems (SuDs)	Cabinet	19 Jan 2012	CCC SuDs Options Paper	Paul Bland, Planning Service Manager (Policy) Tel No 01480 388430 or email Paul.Bland@huntingdonshire.gov.uk	Consider options.	N J Guyatt	Environmental Well-Being

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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 a significant income from the renewable energy feed-in-tariff (FIT). The most immediate plans in this respect include the installation of a 50Kwp solar photovoltaic PV array at Eastfield House which has already been the subject of a report to Cabinet and will be installed during the current financial year.

2.7 A three year programme to install further PV systems at the Council's main sites is detailed in Annexe C. This project is also the subject of an MTP bid. Income from the project is based on the current level of the (FIT) which at the moment is guaranteed for projects installed by 31st March 2012 but is likely to be reduced from this date.

2.8 To maximise income from the installation of PV systems the Council will seek to install the largest systems and those with the shortest payback period (Paxton Pits Visitor Centre and Hinchingsbrooke Country Park Visitor Centre) during the current financial year and reassess viability going forward based on any amendment to the (FIT).

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 support the installation of Solar PV panels at the Councils main sites which will generate a significant ongoing revenue stream for the Council.

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

Predicted Savings from Solar PV Programme

Delivery Year	Site	Cost (£)	Saving (£pa)	Income (£pa)	Payback (yrs)	CO ₂ e saving (tpa)
11/12	One Leisure Huntingdon – Dry side	£150k	£2,604	£12,238	10	20.28
	Paxton Pits Visitor Centre	£12k	£210	£1,299	7.9	1.64
	Hinchingbrooke Country Park Visitors Centre	£12k	£210	£1,299	7.9	1.64
		£174k	£3,024	£14,836	8.6	23.56

12/13	One Leisure St Ives - Indoor	£102k	£1,911	£8,981	9.3	14.89
	One Leisure Huntingdon – Wet side	£54k	£770	£5,066	9.25	8.40
	One Leisure Sawtry	£51k	£959	£4,507	9.3	7.47
	One Leisure St Ives - Outdoor	£42k	£749	£4,235	8.4	5.85
		£249k	£4,389	£22,789	9	36.61

13/14	One Leisure Ramsey	£85k	£935	£6,152	12	10.20
	One Leisure St Neots	£102k	£1,862	£8,751	9.6	14.50
	Pathfinder House*	£35k	£547	£2,995	10	4.26
		£222k	£3,344	£17,898	10.5	28.96

* System not yet included in MTP

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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. A total of 134 representations from 39 respondents were received. The key themes raised within the 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 SPD

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

3.3 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. The proposed rates have consequently been amended and it is these rates that will be subject to the four week statutory consultation:

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 B2), Community Uses (within D1 and D2) and Agricultural	£0

3.4 The CIL 'Draft Charging Schedule' for consultation 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 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. This and the finalised CIL 'Charging Schedule' will then need to be considered for adoption by Cabinet. Following adoption of the CIL, a formal Adoption Statement and the CIL Charging Schedule 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 Core Strategy: September 2009

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

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Huntingdonshire Community Infrastructure Levy - Draft Charging Schedule

Huntingdonshire Community Infrastructure Levy - Draft Charging Schedule

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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:

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"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

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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** 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.
- 2.29** 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.⁽⁶⁾
- 2.30** This is not an exhaustive list and may change in time, should new large scale major⁽⁷⁾ developments come forward.
- 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 Regulations 8 - 9 Community Infrastructure Regulations 2010 (as amended.)

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

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—

- a. it appears to the charging authority that there are exceptional circumstances which justify doing so; and*
- b. 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⁾
Broken link - possible circular reference⁽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

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- 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

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- 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 Community Infrastructure Regulations 2010, Regulation 123

25 Regulation 62 Community Infrastructure Regulations 2010 (as amended)

3 Implementing the Charging Schedule

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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

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 Needs Appendix 2:

Huntingdonshire Community Infrastructure Levy - Draft Charging Schedule

CIL funded infrastructure type	Development Specific (Non- CIL funded) infrastructure
Flood defences	Local site-related flood risk solutions requirements

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 - Preliminary Draft Charging Schedule

Name, Company/ Organisation	Comment ID	Para. Number	Not agree reason/ other comments	Officer View
Martin Page D H Barford & Co	CIL- PD135		<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.</p> <p>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		<p>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.</p> <p>The approach seems reasonable and in line with relevant legislation,</p>	Noted. HDC has been involved in the preparation of the Cambridgeshire Green Infrastructure Strategy The ANGST standards are aspirational. Realistic levels must be considered in line with the three statutory tests.

Name, Company/ Organisation	Comment ID	Para. Number	Not agree reason/ other comments	Officer View
			<p>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>	
Tim Slater, 3D Planning for Persimmon Homes (East Midlands) Ltd	CIL-PD51		<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 of funding from new development and that in the current fragile</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> <p>The Government desire to implement CIL has been known</p>

Name, Company/ Organisation	Comment ID	Para. Number	Not agree reason/ other comments	Officer View
			<p>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 will be sought / secured through the S106 process. In principle this is</p>	<p>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>

Name, Company/ Organisation	Comment ID	Para. Number	Not agree reason/ other comments	Officer View
			<p>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 our residential appraisals:</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>

Name, Company/ Organisation	Comment ID	Para. Number	Not agree reason/ other comments	Officer View
			<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>

Name, Company/ Organisation	Comment ID	Para. Number	Not agree reason/ other comments	Officer View
			<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- Woodridge 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 enhanced wherever possible. Furthermore, ‘in kind’ payments,</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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			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 proper development and impact on scheme viability. The need for a</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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			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, Januarys 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. 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. 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. 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>	Noted. Agricultural development will be reviewed in light of comments received. The appropriate levy will need to be based on viability.
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.	Noted. Agricultural development will be reviewed in light of comments received. The appropriate levy will need to be based on viability.
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>	Noted. 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.

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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, Januays 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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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>

Name, Company/ Organisation	Comment ID	Para. Number	Not agree reason/ other comments	Officer View
			<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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			<p>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 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</p>	

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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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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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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.

Name, Company/ Organisation	Comment ID	Para. Number	Not agree reason/ other comments	Officer View
			<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>	Support of the appropriate balance being met noted. The governance arrangements will clarify the future review process.
David H Woods Hinchingbrooke Health Care NHS Trust	CIL-PD36	1.9	<p>As reciplicants 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	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.	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.

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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>

Name, Company/ Organisation	Comment ID	Para. Number	Not agree reason/ other comments	Officer View
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.

Name, Company/ Organisation	Comment ID	Para. Number	Not agree reason/ other comments	Officer View
			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>

Name, Company/ Organisation	Comment ID	Para. Number	Not agree reason/ other comments	Officer View
			<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: £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>

Name, Company/ Organisation	Comment ID	Para. Number	Not agree reason/ other comments	Officer View
			<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>

Name, Company/ Organisation	Comment ID	Para. Number	Not agree reason/ other comments	Officer View
			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 planned 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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Total Infrastructure Costs

	Total Cost (£)	Alternative funding deductions
Multi-area infrastructure	1,662,607,000	<p>Link Road other funding: Housing Growth Funding - £3,491,000 HDC Capital contribution £ 510,000 Existing S106 - £ 440,000 confirmed Sainsbury contribution gas main £ 600,000</p> <p>Sale excess land Gt Fen land acquisition and restoration phase 1. HLF funded Skills Funding Agency to support HRC Sports Changing Rooms and 3G pitch A14 HA / Dept for Transport funded A1 Buckden roundabout HA funded A428 Caxton Common to A1 HA funded</p> <p>St Ives to Huntingdon Bus Priority Measures Dept for Transport Reinforcement of Grid at Eaton Socon Loves Farm contribution to Cambridge – St Neots transport corridor bus priority measures</p>
Huntingdon SPA infrastructure	45,119,665	<p>Route 6 to also utilize other transport funding Route 7 to also utilize other transport funding Majority (75%) to be funded from other sources Majority (75%) to be funded from other sources Large scale major on-site primary education via S106 Large scale major on-site primary education via S106 Large scale major development specific primary educations via S106 Large scale major on-site primary education via S106 Large scale major on-site allotments and community gardens Large scale major on-site allotments and community gardens Large scale major on-site allotments and community gardens Large scale major on-site allotments and community gardens Large scale major on-site children and young people's play Large scale major on-site children and young people's play Large scale major on-site children and young people's play Large scale major on-site children and young people's play</p>

		New Strategic Sewer Mains Gas Reinforcement
Ramsey SPA infrastructure	11,566,807	Other transport funding re Upwood School / High St and Bury Rd Enterprise Centre – developer lead Second Circuit and Transformer CHP – developer lead
St Ives SPA infrastructure	12,371,181	Part of Houghton Road funding to be received from other transport funding Majority of Houghton Rd cycle route to be received from other transport funding Part of Hill Rose scheme to be funded from other transport funding Large scale major development specific primary educations via S106 Large scale major on-site allotments and community gardens Large scale major on-site children and young people's play Feeding of Huntingdon reinforcements + local upgrades
St Neots SPA infrastructure	87,945,185	A428/ Cambridge Rd junction. A428/Barford Rd junction. Train station improvements – fully funded. Waste Recycling Brook St / St Mary's St path majority funding from other sources Large scale major on-site primary education via S106 Large scale major on-site primary education via S106 Large scale major on-site library services provision via S106 Space for creativity project Large scale major on-site allotments and community gardens Large scale major on-site children and young people's play Large scale major on-site health provision New 10-12MW Primary SubStation Increase in discharge consent for full extent of proposed growth. For cost estimate purposes only, allowance to be made for possible upgrade to WWTW New Strategic Sewer
Yaxley / Sawtry / Fenstanton KSCs	7,761,177	Circuit and Transformer

Other KSCs and small settlements	3,286,318	n/a
TOTAL	1,830,657,333	

Alternative funding amounts	Alternative funding Totals	Funding Gap (£)
		47,408,000
3,491,000		
510,000		
440,000		
600,000		
1,000,000		
13,000,000		
58,000		
1,198,000,000		
2,000,000		
380,000,000		
5,000,000		
10,000,000		
1,100,000	1,615,199,000	
		17,035,391
600,000		
195,000		
2,625,000		
633,750		
7,800,000		
869,000		
1,950,000		
3,900,000		
73,965		
14,528		
50,810		
21,754		
666,127		
130,839		
457,589		
195,912		

400,000		
7,500,000		
	28,084,274	
		4,044,307
522,500		
3,000,000		
2,000,000		
2,000,000	7,522,500	
		3,969,093
40,000		
300,000		
215,000		
4,400,000		
44,682		
402,406		
3,000,000		
	8,402,088	
		42,311,876
2,000,000		
2,000,000		
3,600,000		
653,410		
100,000		
19,800,000		
4,400,000		
800,000		
1,666,667		
241,180		
2,172,052		
2,100,000		
5,000,000		
500,000		
600,000		
	45,633,309	
4,000,000	4,000,000	3,761,177

3,286,318
121,816,162

1,708,841,171

COMT
OVERVIEW & SCRUTINY
(ENVIRONMENTAL WELLBEING)
DEVELOPMENT MANAGEMENT PANEL
CABINET

31ST OCTOBER 2011
8TH NOVEMBER 2011

21ST NOVEMBER 2011
8TH DECEMBER 2011

DEVELOPER CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENT

(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 'Draft Developer Contributions Supplementary Planning Document' (SPD) and, subject to the views of the Overview and Scrutiny Panel (Environmental Wellbeing) and Development Management Panel, to recommend that Cabinet adopts the amended, finalised SPD.

2. BACKGROUND

- 2.1 The Developer Contributions SPD sets out the Council's framework for securing planning obligations from new developments that require planning permission. The SPD is supplementary to the adopted Huntingdonshire Core Strategy, particularly Policy CS10 "Contributions to Infrastructure Requirements".
- 2.2 The SPD is complementary to the 'Huntingdonshire Community Infrastructure Levy - Draft Charging Schedule' (CIL) which was subject to a preliminary consultation at the same time as the SPD, and is to be subject to a further statutory consultation process in November / December 2011 leading to an Examination in Public by Spring 2012. Three of the Government's tests for planning obligations are now statutory for developments that are capable of being charged CIL. Therefore, planning obligations in Huntingdonshire, where a CIL charge is to be introduced, must be:
1. Necessary to make a proposal acceptable in planning terms
 2. Directly related to the proposed development
 3. Fairly and reasonably related in size and type to the proposed development
- 2.3 The SPD provides policy guidance for securing Section 106 planning obligations for the following range of site related infrastructure:
- Affordable housing
 - Green space
 - Footpaths and access
 - Health
 - Community facilities
 - Library and life long learning facilities
 - Education and schools (inc Early Years and Children's Centres) provision
 - Residential wheeled bins

2.4 The SPD also outlines a range of site related infrastructure requirements for which planning obligations would be negotiated, in accordance with the three statutory tests, including:

- Social and economic inclusion projects
- Revenue services gap funding
- Indoor sports facilities
- Public realm, including art, environmental improvements and heritage initiatives
- Carbon off-setting
- Biodiversity
- Waste management
- Archaeology
- Transport and highways

3. CONSULTATION OUTCOMES

3.1 The 'Draft Developer Contributions SPD' was subject to a widespread public consultation for a 6 week period between 25th July 2011 and 9th September 2011. A total of 179 representations from 29 respondents were received. The key themes raised within the representations were:

- Impacts on development viability
- Linkages with the proposed Community Infrastructure Levy
- Clarifications on the evidence base used to inform the SPD
- Involvement of Parish Councils in considering planning obligations
- Disagreement with the justification and scale of a proposed planning obligation administration charge
- Clarifications on the scope for contributions on a range of infrastructure types including green space, informal and formal open space, sports and playing field provision, transport, affordable housing, education, sustainable drainage systems, flood risk management, biodiversity measures, health provision, police contributions, sports and physical development officer contributions, community development officer contributions
- Links with Section 278 Highways Agency projects

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

3.3 A range of minor amendments have been incorporated into the finalised SPD in line with the officer comments. In addition, the proposed administrative charge structures have been reviewed and reduced, and proposed contributions towards police facilities, sports and physical development officers, and community development officers have been removed. Consequently, it is considered that the amended, finalised SPD is fit for purpose. The amended, finalised SPD can be found at Appendix B.

4. NEXT STEPS

- 4.1 Following adoption of the SPD, a formal Adoption Statement and the Adopted SPD need to be published on the Council's website. The SPD will then be used within the Development Management process to ascertain the level of planning obligations required for new developments in the District. When the CIL is adopted, the SPD will be used in conjunction with the CIL Charging Schedule to ascertain developer contributions.

5. CONCLUSIONS

- 5.1 The Developer Contributions Supplementary Planning Document provides a robust basis for securing developer contributions through the Development Management system. The adopted SPD will be used in conjunction with the Huntingdonshire Community Infrastructure Levy – Charging Schedule which is likely to be subject to an Examination in Public by Spring 2012.

6. RECOMMENDATION

- 6.1 It is recommended that Cabinet adopts the 'Developer Contributions Supplementary Planning Document' (attached at Appendix B).

BACKGROUND PAPERS

Huntingdonshire Core Strategy: September 2009

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

APPENDIX A

**CONSULTATION STATEMENT: DEVELOPER CONTRIBUTIONS SUPPLEMENTARY
PLANNING DOCUMENT**

APPENDIX B

**FINALISED DEVELOPER CONTRIBUTIONS SUPPLEMENTARY PLANNING
DOCUMENT**

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Developer Contributions Supplementary Planning Document

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
Roy Reeves Warboys Parish Council	DCspd2		Have observations	<p>Although the document (and the Draft Developer Contributions SPD) refer to the scale of the proposed CIL charge and the types of infrastructure for which it can be used, there is no indication as how decisions will be made on the spending of the receipts or to which public authority they will be allocated. The recently published Open Public Services White Paper envisages a transfer of responsibility for many local services to parish councils and it is therefore crucial that parish councils receive an equitable proportion of any CIL receipts for their respective areas. For example if a parish council has assumed responsibility for funding the library in its village, it would wrong for any element of the CIL for library services to be paid exclusively to the County Council.</p> <p>There should be an clear and distinct opportunity for dialogue between infrastructure providers, including parish councils, for an equitable distribution of funding. Given the number of town and parish councils in Huntingdonshire, it would also be appropriate for CIL funding to finance a parish council liaison officer to deal with the distribution of receipts as opposed to a Sports and Physical Activity Development Officer and Community Development Officer which would be primarily district council orientated.</p>	<p>Noted The 'meaningful proportion' regarding CIL funding to the local PC / TC will be consulted on by government later this year.</p> <p>The governance arrangements regarding CIL monies falls outside the remit of the SPD and the charging schedule. This will be considered as part of the next stages of the CIL implementation in partnership.</p>
Mr Simon Pickstone Peterborough City Council	DCspd3		Have observations	Peterborough City Council would like to thank you for providing the opportunity to comment on this document and have no specific issues they wish to raise with this document in its current form.	Noted.
John Chase Buckden Parish Council	DCspd9		Have observations	Buckden Parish Council is concerned that there is no indication as how decisions will be made on the spending of the receipts or to which public authority they will be allocated. With a potential transfer of responsibility for many local services to parish councils it is therefore crucial that parish councils receive an equitable proportion of any CIL receipts for their respective areas. For example if a parish council has assumed responsibility for funding towards the library in its village, it would wrong for any element of the CIL for library services to be paid exclusively to the County Council.	<p>Noted. The governance arrangements regarding CIL monies falls outside the remit of the SPD and the charging schedule. This will be considered as part of the next stages of the CIL implementation in partnership.</p>
Janet Innes-Clarke Brampton Parish Council	DCspd25		Have observations	This draft document is somewhat overwhelming for the lay person - Long, repetitive and difficult to understand. The finished document needs to be more user-friendly if non-professional people are to be consulted in detail over every development.	Noted. However, this is a technical document that needs to be used in negotiations so unfortunately it needs to be fit for that purpose.

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
Sue Bull Anglian Water Services Ltd	DCspd42			<p>Thank you for the opportunity to comment on this draft document.</p> <p>As there is no provision for water or wastewater infrastructure within this document I have no comment to make.</p> <p>Contributions towards water and wastewater infrastructure are sought through the relevant sections of the Water Industry Act 1991.</p>	Noted.
Janet Nuttall Natural England	DCspd64			<p>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.</p> <p>Natural England welcomes the proposed requirement for developer contributions towards 'green space' provision, including informal open space and allotments. We would recommend that allotments and community gardens should also incorporate orchards.</p> <p>We note the proposal for residential development of the provision of only 0.23ha of informal (natural and semi-natural green space) per 1000 people. Under current guidance parks, gardens, allotments, amenity space, play areas would not be included as informal open space. 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> <ul style="list-style-type: none"> • Everyone should live within 300 metres of an area of accessible natural green-space of at least 2 hectares ; • There should be at least one accessible 20 hectare site within 2 kilometres; • There should be one accessible 100 hectares site within 5 kilometres; • There should be one accessible 500 hectares site within 10 kilometres. <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>Accepted in part.</p> <p>Support for green space requirements noted. Accept that allotments and community gardens could also incorporate orchards and this will be clarified in the document. Natural England aspirations regarding green space are noted. The policy must, however, be fair and in scale to the development and it is believed that this level and balance has been achieved.</p>

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
				<p>It should be noted that provision of adequate green infrastructure of sufficient quality can play an important role in minimising the effects of increased access, associated with new development, on sites more sensitive to access.</p> <p>Natural England welcomes the proposed requirement for developer contributions towards footpaths, cycleways and bridleways, and the recognition of the importance of these for recreation, health, sustainable transport and creating sustainable and networked communities.</p> <p>We note that Section 106 Agreements and planning conditions will continue to be used for local infrastructure requirements on development sites, such as site specific local provision of open space and ecological mitigation.</p>	
Tim Slater, 3D Planning for Persimmon Homes (East Midlands) Ltd	DCspd73		Object	<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 in relation to CIL and the revisions to the Developer contributions (S106) process is a reaction to this.</p> <p>It remains a deep concern that the implementation of CIL in conjunction with the revised S106 regime is intended to secure a greater proportion 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>It is considered that the S106 requirements in conjunction with the proposed CIL rate set for new housing is excessive (at £100 per sqm) will raise viability issues and hamper the delivery of new housing which is contrary to the strategic aims of both the Government and HDC. The retained requirement within the S106 to fund affordable housing and education from S106 means that the vast majority of existing costs are</p>	<p>Noted.</p> <p>The revised legislative S106 and CIL systems provide a fairer and more balanced approach to developer contributions that have been considered in the viability testing supporting the CIL.</p> <p>The SPD clearly states when contributions will be required and the CIL Infrastructure Project List clearly identifies which infrastructure falls within CIL or S106 to ensure no double counting takes place.</p> <p>Following adoption of CIL, 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 S106 Agreement and phasing and payment triggers negotiated providing a flexible approach.</p>

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
				<p>retained within the system and the CIL is an additional burden. Table 11 shows an average £12k per dwelling on education with £10K+ for CIL, irrespective of other S106 costs; this is clearly a very significant cost on development (and a high percentage of the total cost of a house) that will do nothing to aid affordability.</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>It is apparent that the S106 process will be left to pick up the bits after CIL, but the lack of geographic control over where CIL will be spent has the potential for developers double paying for infrastructure. CIL is intended to fund infrastructure, however the important link between impact and mitigation is lost in CIL, therefore it cannot be guaranteed that the infrastructure needs for a client's site will be provided through CIL and as such this will be sought / secured by the Council through the S106 process. In principle this is considered to be wrong, and in practice this will accentuate the concerns over viability and delivery. The assurance in para 3.6 of the doc does not provide sufficient comfort in this respect.</p> <p>It is noted that at para 4.10 and table 5, an 'average housing mix' is introduced. Currently HDC has no market housing mix policy adopted and an assurance is sought that this is not an attempt to introduce one without due process and consideration.</p> <p>It is considered that the administrative fees set out in 4.16 are excessive and unjustified.</p> <p>I trust that this sets out the key concerns in relation to the Developer contribution document on behalf of Persimmon Homes EM. Fundamentally the increased costs contained within the Developer Contributions DPD and CIL will make it more difficult to deliver the housing and development sought by Government.</p>	
Philip Raiswell Sport England	DCspd88		Have observations	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	Support noted for green space contributions and sports development officer.

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
				<p>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>Sport England support the Council undertaking the Draft Developer Contributions Supplementary Planning Document in order to secure contributions for infrastructure that is or will be needed as a result of new development.</p> <ul style="list-style-type: none"> ▪ 5 Planning Obligation Requirements and Negotiated Requirements <p>Firstly, we support the Council's recognition that a Sports and Physical Activity Development Officer should be included in the list of required planning obligations.</p> <p>Furthermore, we also support the Council's recognition that Green Space (including outdoor sports facility provision within section 5 Planning Obligation Requirements - B: Green Space - Form in which contributions should be made - B.9) should be included in the list of required planning obligations.</p> <p>However, Indoor Sports Facilities are identified within the list of Negotiated Requirements. We therefore object as indoor sports facility provision should also be included in the list of required planning obligations (and as part of the list of required contributions within section 5 Planning Obligation Requirements - B: Green Space - Form in which contributions should be made - B.9). If only outdoor sports facility provision is included within the list of required planning obligations (and as part of the list of required contributions within section 5 Planning Obligation Requirements - B: Green Space - Form in which contributions should be made - B.9) there may be a lack of contributions collected towards the provision of indoor sports facilities.</p> <ul style="list-style-type: none"> ▪ 5 Planning Obligation Requirements - B: Green Space - Form in which contributions should be made - B.9 <p>Sport England support the Council's recognition that outdoor sports facility provision should be included in the list of required contributions.</p> <p>However, we would like to query why there are two references</p>	<p>Disagree. Due to the relatively high costs involved in the provision of indoor sports very few development schemes are likely to generate sufficient demand to warrant provision on-site and so will be negotiated. They do not fall within the Green Space obligation as the land required does not come from this need, unlike for outdoor sports.</p> <p>The two references to outdoor sports are made as one is concerning the land requirements and the other is on the capital implementation cost requirements.</p>

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
				made to the need outdoor sports facility provision contributions (within bullet point 4 and 8)? Do these relate to different types of sports facilities i.e. playing fields and others?	
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd91		Have observations	<p>We understand and agree to the principle for a CIL however it raises the question that a first and fundamental step is to ensure that there is good evidence based both on infrastructure needs and priorities and on the impact of charging regimes on the viability and deliverability of a site if they are to promote rather than prevent development. Our concerns raised on the CIL levy and the background evidence that it relies upon is also the starting point for commenting on the accompanying Developer Contributions SPD which is the focus of this response.</p> <p>We do not consider a good evidence base is available from which HDC can move forward its planning obligations strategy.</p>	Disagree. The evidence presented to support the SPD and the Preliminary Draft Charging Schedule is considered appropriately robust.
Joseph Whelan Cambridgeshire County Council	DCspd60		Object	The Huntingdonshire Draft Developer Contributions Supplementary Planning Document (SPD) contains very little information on how transport contributions will be secured before the CIL is adopted. This is a critical point that needs to be rectified. Further discussions are needed between Officers to establish how best to present information on transport. Limited information on transport contributions in the SPD is unacceptable and would incorrectly suggest that developers would not be required to make such contributions. In addition, transport contributions will need to be sought from developments prior to the implementation of CIL. When CIL is in place, as revenue contributions are not covered by CIL, the SPD needs to state that transport revenue contributions will be sought (e.g. for Bus Services).	<p>Noted.</p> <p>Transport contributions will be negotiated, as stated in the Draft SPD, taking into account the 3 statutory tests.</p>
Joseph Whelan Cambridgeshire County Council	DCspd61		Object	Section 106 agreements have to date been the major tool to require travel plans to help mitigate the effect on road infrastructure of the new development. This SPD makes no mention of travel plans or the future procurement of these.	<p>Noted.</p> <p>Travel plans will continue to be discussed and conditioned on appropriate developments as part of the negotiations regarding transport matters.</p>
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	DCspd136		Object	The Council will be benefiting from the receipt of significant planning application fees and New Homes Bonus, which should also be factored into any calculations. The SPD makes no reference to these alternative sources of funding, particularly the New Homes Bonus which is intended to be an incentive to local authorities to ensure the benefits of growth are returned to local communities and to mitigate the impact from the increased population.	<p>Noted.</p> <p>The New Homes Bonus is not likely to form part of infrastructure funding in Huntingdonshire. It is for the local council to decide how and where any money received will be subsequently spent.</p>

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	DCspd124		Have observations	The phasing of financial contributions / on-site provision is absolutely essential to viability and deliverability of major developments.	Noted. Development specific infrastructure being covered under S106 Agreement for large scale major developments will take a flexible, negotiated approach to the phasing and payment triggers.
Mark White Homes and Communities Agency	DCspd75		Have observations	<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>Viability</p> <p>The HCA notes that the draft SPD 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 our residential appraisals:</p>	<p>Comments welcomed.</p> <p>Affordable Rent is acknowledged in the CIL Viability Report. HDC Policy is for affordable housing to be supplied 70/30 split. Following the publication of PPS3, HDC is in the process of reviewing policy in line with Affordable Rent. 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>

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
				<p>40% Affordable Housing - split 70/30 social and intermediate rented;"</p> <p>The HCA is therefore concerned that this draft SPD 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 SPD itself; which goes on to say when discussing Affordable Housing: "The provision of affordable housing has been incorporated into the viability testing undertaken during the production of the Preliminary Draft Community Infrastructure Levy Charge and as such, viability is not likely to be a general consideration."</p> <p>The HCA would question whether this would be the case; as 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 Developer Contribution Policy without giving 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>The HCA would suggest that it will be quite possible that it may be in more than exceptional circumstances (as the draft SPD suggests) that developers may wish to reconsider the required contributions due to impact on the viability of the scheme. The HCA notes the process outlined in the draft SPD to deal with such disputes; the HCA is quite happy to assist local authorities through its enabling function in examining viabilities where these situations arise.</p> <p>The HCA notes that the SPD makes reference to a forthcoming Affordable Housing Advice Note that will seek to</p>	

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
				clarify the Council's approach. The HCA would welcome the opportunity to comment on draft versions of this note and is happy to offer any assistance that the HDC may require on this matter.	
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	DCspd122		Have observations	<p>On behalf of our clients, Tesco Stores Ltd. and Santon Group Developments Ltd., we hereby make the following observations and comments on the draft Developer Contributions Supplementary Planning Document (SPD).</p> <p>Our main observation is that it is not clear within the draft document the extent to which Community Infrastructure Levy (CIL) is to be considered. This is complicated by the parallel consultation which is taking place upon the draft CIL Charging Schedule.</p> <p>The document is also heavily focussed on residential development. It would be helpful if the document could include advice regarding other types of development.</p>	<p>Noted.</p> <p>The Draft SPD clearly outlines the interaction between it and the Community Infrastructure Levy.</p>
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	DCspd133		Have observations	<p>In light of our comments above we consider that the draft SPD should be reviewed in order to provide further information regarding:</p> <ul style="list-style-type: none"> · clarification in order to avoid potential double counting between CIL and Section 106 contributions · the likely requirements for non-residential development · the administration charges be reviewed · we consider that the time limits for spending the contributions secured via planning obligations should be deleted in order to enable those to be discussed on a case-by-case basis. <p>We would therefore request that we are informed of the subsequent phases undertaken as part of this process and are afforded the opportunity to comment further (included possible future attendance at the Examination in Public).</p>	<p>Accepted in part.</p> <p>The SPD clearly states where infrastructure will be required through a S106 Agreement. The CIL Infrastructure Project List further clarifies this by identifying which infrastructure could be S106 funded and which could be CIL funded to ensure no double counting takes place.</p> <p>The Council considers that commercial, as well as housing development impacts upon existing public open space. Any provision or contributions agreed in respect of commercial development will be individually assessed or calculated dependent on the details of the development, its location and other site specific details. Any such requests must satisfy the three statutory tests and CIL Regulations.</p> <p>The administration charges will be reviewed in light of comments received.</p> <p>Time limits will not be deleted.</p> <p>Request to be kept informed and option to attend the CIL Examination noted.</p>
Janet Innes-Clarke Brampton Parish	DCspd26	1.9	Have observations	1.9 It is likely to be beneficial that monies from developers can be used in the wider area but district-wide and local	Noted.

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
Council				infrastructure projects MUST have some benefit for the communities near to that development. Perhaps 'near' should be defined.	
Helen Boothman	DCspd67	1.9		What say will Local communities, ie local people, have in the choice of what infrastructure will get funded?	Noted. The CIL governance arrangements, Annual Business Plan process and Regulation 123 list will cover spending on CIL monies.
Stephen Dartford Fenstanton Parish Council	DCspd11	1.10		Will funding raised from infrastructure providers be community specific i.e used for the community in which the development occurs or pooled and used anywhere District wide.	Noted. The CIL governance arrangements, Annual Business Plan process and Regulation 123 list will cover spending on CIL monies, which could be within the community where development occurs, district-wide or outside of the district.
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	DCspd119	1.11	Object	<p>The introduction of CIL is intended to give certainty up-front to developers. However, in this case, developers are also required through the SPD to maintain very significant levels of financial contributions through S106 in addition to the CIL as well as other, specific on-site infrastructure. Developers will be expected to incur significant financial burdens as set out above, in addition to other regulatory requirements such as the Code for Sustainable Homes and renewable energy requirements.</p> <p>The level of contributions should not be excessive and should be proportionate to the scale and nature of development proposed, taking account of on-site infrastructure and other delivery costs, many of which are exceptionally high and many of which will also comprise community benefits in themselves. This should therefore, be fully taken into account. The delivery of a sustainable urban extension will mean future residents will draw upon facilities provided within the new development, placing less pressure on existing facilities in St Neots. The level of s106 contributions sought should reflect this.</p>	<p>Noted.</p> <p>S106 obligations are based on the needs of the new development and not existing communities.</p> <p>All obligations are required to meet the 3 statutory tests and the CIL work has included viability assessments that 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.</p>
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	DCspd123	1.11	Object	We do not consider that there is sufficient certainty between what would be included within CIL and what would be required through other agreements. This lack of clarity will not instil confidence for investors or businesses.	Disagree. The SPD clearly states where infrastructure will be required through a S106 Agreement. The CIL Infrastructure Project List further clarifies this by identifying which infrastructure could be S106 funded and which could be CIL funded to ensure no double counting takes place.
Stephen Dartford Fenstanton Parish Council	DCspd12	1.12		Definition of 'meaningful proportion'	The 'meaningful proportion' will be consulted on by government later this year.

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
Janet Innes-Clarke Brampton Parish Council	DCspd27	1.12	Have observations	1.12 What is a 'meaningful proportion'? Needs to be clearer. How is it decided and by whom?	The 'meaningful proportion' will be consulted on by government later this year.
David Abbott Highways Agency	DCspd5	1.13		<p>The term "strategic road network" has a specific definition for the HA. The use of the term here is fully consistent with this definition but nonetheless could easily be misinterpreted by readers. It is therefore suggested that the term be used with initial capital ie "Strategic Road Network" and an entry added the glossary at the end of the document. Such an entry might read:</p> <p>"The Trunk Road and Motorway network, which, in England, is managed on behalf of the Secretary of State for Transport by the Highways Agency. Within Huntingdonshire this consists of the A1, A1(M), A14 and A428."</p>	<p>Noted.</p> <p>Document amended and glossary updated.</p>
David Abbott Highways Agency	DCspd6	1.13		<p>Reference here to private sector funding of works on the SRN through section 278 agreements is potentially contradictory to reference in section 3.8 to building "a new strategic road" using pooled contributions. The 3.8 reference appears to be correct (though its scope needs to be expanded - see below) and the HA will be keen to ensure that funding mechanism remains in place, therefore the reference here needs to be amended to cover the process of funding SRN work through the pooled CIL contributions. For instance it is possible for the local highway authority to undertake works on the SRN under section 6 of the highways act.</p>	<p>Noted.</p> <p>Document amended</p>
Janet Innes-Clarke Brampton Parish Council	DCspd28	1.13	Support	1.13 Good. The identified mitigation works must then be actually carried out. Ensuring delivery in a timely manner is very important..How could this be enforced in the case of it not happening?	<p>Noted.</p> <p>Enforcement of Section 278 agreements not within the remit of the SPD.</p>
Garth Hanlon, Savills (L&P) Ltd for St John's College Cambridge	DCspd76	1.13	Object	<p>The draft SPD acknowledges that agreements for the private sector funding of works on the strategic road network are made under Section 278 of the Highways Act 1990. Such agreements provide a financial mechanism for ensuring delivery of mitigation works identified and determined as necessary for planning permission to be granted. Whilst it is accepted that such Section 278 Agreements are not the responsibility of the Local Planning Authority, we do think it appropriate that some more helpful reference to such issues warrant some more informative text than rather simply saying that this is not covered under the Planning Act.</p> <p>The A14 has a critical role in accommodating existing and projected new growth within the Huntingdonshire area and the pivotal role of the Highways Agency in terms of securing financial contributions towards major infrastructure will no</p>	Noted.

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
				doubt be a major issue in the coming months and years if Huntingdonshire is to fulfil its Core Strategy objectives. We consider that text on the position of the Highways Agency in relation to planning contributions already being sought by Huntingdonshire District Council on sites would be helpful in this context as well as further confirmation that any contributions or obligations required by the Highways Agency do not fall within the Section 106/CIL arrangements.	
Garth Hanlon, Savills (L&P) Ltd for AWG Landholdings Limited	DCspd82	1.13	Object	At paragraph 1.13 of the SPD the document acknowledges that agreements for the private sector funding of works on the strategic road network are made under the Highways Act 1990. Whilst we accept that such Section 278 Agreements are not the responsibility of the Local Planning Authority we do feel that this document would benefit from a more helpful reference to confirm that strategic matters of infrastructure such as trunk roads and main sewer networks are not addressed within the Planning Act. All of this is set within a context that the A14 plays a pivotal role for future new growth in the Huntingdon area and it is imperative for the document to acknowledge how contributions or obligations required by the Highways Agency will be affected by suggested new SPD (and CIL) arrangements.	Noted. It is not the purpose of the document to detail other legislation and agency responsibilities.
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	DCspd125	2.6	Object	As noted within our representations to the draft CIL Charging Schedule we do not consider that these comply with the CIL regulations.	Disagree. The text here clearly states the needs associated with the CIL Regulations.
Stephen Dartford Fenstanton Parish Council	DCspd13			The viability of this section of the document is somewhat undermined by the unstable nature of current Government policy	Noted. The Draft Developer Contributions SPD and the Preliminary Draft Charging Schedule have had viability assessments undertaken by professionals in the field taking into account current policy requirements and economic conditions.
Helen Boothman	DCspd68			This all seems premature and inconsistent. The local Investment Framework has been revised in light of change in circumstances like the economic situation and yet no revision has been undertaken of the Core strategy given equally important and significant changes eg Alconbury being an Enterprise Zone. The Core strategy needs to be reviewed to reflect all current and very significant changes.	The Draft Developer Contributions SPD is directly linked with the adopted Core Strategy
Sean McGrath, Indigo Planning Ltd for Sainsburys Supermarkets Ltd	DCspd90	2.13	Have observations	Whilst the SPD confirms that proposals for retail development would trigger the need for contributions to green space, public accessibility routes, police services and sports and physical activity, details regarding the calculation of these contributions have not been provided. We consider that further information	Noted. The Council considers that commercial, as well as housing development impacts upon existing public open space. Any provision or contributions agreed in respect of commercial development will be

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
				clarifying how these, and any other contributions that would relate to retail development are calculated, should be provided in the SPD.	individually assessed or calculated dependent on the details of the development, its location and other site specific details. Any such requests must satisfy the three statutory tests and CIL Regulations.
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	DCspd121	2.13	Object	Core Strategy Policy CS 10 states that standards and formulae for calculating contributions will be set out in separate SPD or DPD documents. Hence this SPD requires developers to comply with other future SPD/DPD requirements that are entirely unknown at this stage, which is unacceptable. As a result, the SPD and CIL combined pose a major threat to the viability and deliverability of major developments.	Disagree. The Core Strategy was adopted prior to publication of the SPD. The Draft Developer Contributions SPD is the documentation referred to in the Core Strategy. The CIL work has included viability assessments that 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 to ensure viability and deliverability.
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	DCspd127	Table 1	Have observations	Table 2 (below paragraph 2.21) plots the anticipated changes in average household size between 2006 and 2026. The delivery of a major development site will take place over a lengthy period of time and which may, initially be submitted in outline form. It will be important that the calculation of contributions fully reflects the reductions in household size over this period from 2.40 to 2.16 to ensure the appropriate level of contributions.	Noted.
Phil Copsey, David Lock Associates for Urban and Civic	DCspd161	2.18	Object	The Local Investment Framework 2009 (LIF) is a vital element of the evidence base behind the s106. The LIF was based around prevailing assumptions around the growth agenda as existed at the time of its publication, and the authors of the LIF were clear that the study should be updated as information on future levels of development build-out, related phasing assumptions and the availability of funding sources emerged (LIF page 152). While updating of the LIF has taken place, it would be more accurate if Paragraph 2.18 referred to the LIF detailing the 'assumed physical, social and green infrastructure needs arising'.	Noted. The LIF trajectory had an element of trajectory. The requirements were based on the needs of that.
Stephen Dartford Fenstanton Parish Council	DCspd14	2.20		Will Parish Councils be advised of these annual reviews?	The review process will be publicly communicated.
Phil Copsey, David Lock Associates for Urban and Civic	DCspd162	2.20	Have observations	The commitment towards an annual review of the CIL Infrastructure Project Plan with stakeholders and partners is vital. With sites of a strategic scale and lengthy delivery period over numerous phases such as Alconbury it is vital that a	Noted.

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				similar discipline of regular review is employed towards the payment, phasing and use of CIL and s106 contributions.	
Phil Copsey, David Lock Associates for Urban and Civic	DCspd160	3		<p>In the context of an application for a Very Large Scale Major Development which is being currently promoted, the timing for the approval of the two documents and the co-ordinated approach of the Council in negotiating the relevant contributions is essential. It is noted that 'Infrastructure needs identified as part of the CIL will not be duplicated in any s.106 Agreement' (Paragraph 3.3 Draft Developer Contributions SPD) and that 'the CIL charging schedule differentiates between these infrastructure projects [on Large Scale Major Developments] to ensure no double counting takes place between calculating the district wide CIL rate for funding infrastructure projects and determining Section 106 agreements for funding other development site specific infrastructure projects.' (Paragraph 3.14) but this should not prevent the conclusion of a s106 agreement if the CIL charging schedule is delayed or does not currently address the infrastructure requirements generated by the development. Both the CIL Charging Schedule and Developer Contributions SPD should identify the need for a bespoke flexible approach to be adopted with respect to Very Large Scale Major Development. This flexible approach should include early pre-application discussion of heads of terms, the nature of direct provision of social infrastructure and how this is to be taken account of, 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 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 soundly based.</p> <p>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. Guidance on the implementation of the twin tracked process would be helpful in order to resolve any interim issues. Furthermore, whilst there are a number of sections that deal specifically with Large Scale Major Developments (e.g. 3.14) it is noted that there are a number which do not. Depending on whether the Council adopt a flexible approach to implementing this policy, the absence of specific reference to Large Scale Major Developments on all issues may create future difficulties.</p>	<p>Noted.</p> <p>Developments over 200 residential units will continue to have S106 Agreements to cover development specific infrastructure and will be negotiated as appropriate. Detail on this is clearly noted throughout the SPD.</p>

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Ramune Mimiene Brampton Parish Council	DCspd153	3		Financial When are contributions made over to HDC? What happens if the developer goes bust in the interim? When are they made over to the parish? Are contributions to the parish uplifted for inflation? Will the parish have to demonstrate that contributions were spent on the identified services? What happens if council policy changes during the maintenance period (e.g. libraries)?	Noted. This appears to be in reference to CIL. Contributions are handed over to HDC as the Local Planning Authority. Any 'meaningful proportion' to go to the local parish will be determined as part of the government consultation on this matter. Any money spent will need to be shown to be spent on infrastructure. Future policy / provider changes would need to take such matters into account.
Stephen Dartford Fenstanton Parish Council	DCspd15	3.3		Consultation should be held with smaller satellite communities when District wide and local infrastructure projects are being determined	Noted.
Helen Boothman	DCspd69	3.3		What consultation was carried out with local communities in preparing the revised local investment framework? Local communities need to have their voice listened to about what they consider their needs to be, through parish and town councils.	Noted. The revised Infrastructure Project List is part of the Preliminary Draft Charging Schedule process and involved a range of infrastructure partners to cover infrastructure need. The governance arrangements regarding CIL monies falls outside the remit of this SPD. This will be considered further as part of the next stages of the CIL implementation in partnership.
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	DCspd126	3.3	Object	As noted above we are not convinced that the documents provide sufficient clarity as to which contributions would fall under CIL and which would come under Planning Obligations. This could result in duplication of contributions.	Disagree. The SPD clearly states when contributions will be required and the CIL Infrastructure Project List clearly identifies which infrastructure falls within CIL or S106 to ensure no double counting takes place.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd118	3.6	Have observations	Whilst there is acknowledgement within paragraph 3.6 of the draft that developers should not be double charged it seems to be many headings for contributions for large scale development is being charged twice. (See comments at D9, E6, F7, G7, I8)	Disagree. The SPD clearly states when contributions will be required and the CIL Infrastructure Project List clearly identifies which infrastructure falls within CIL or S106 to ensure no double counting takes place.
Garth Hanlon, Savills (L&P) Ltd for St John's College Cambridge	DCspd77	3.6	Object	Accepting that the District Council's Preliminary Draft Community Infrastructure Levy Charging Schedule is being consulted at the same time as the Draft SPD on Developer Contributions, it is worth referring to the text within paragraph 3.6 of the latter which states that the introduction of the Community Infrastructure Levy is meant to restrict the use of planning obligations in order that they meet three statutory tests. The overall assumption is that the emerging planning obligations system is one that is more streamlined and	Disagree. The SPD clarifies the need to meet new legal requirements. The SPD is the first document of its kind for HDC and aims to clarify requirements and provide a fairer and more transparent process for all.

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				transparent and yet in circumstances where a new residential development of 10 dwellings or more which would come forward, it would appear that there are potentially 11 topics which would be the subject of specific reference in any Section 106 Agreement. It would appear that the District Council has taken the opportunity to review its Obligations strategy and expand upon its adopted position to seek contributions from the developer to a wide range of other "service providers" which by definition is likely to make the Section 106 Agreement more onerous and potentially more complex, notwithstanding the very real concerns we have about non-compliance of some contributions being sought - we have made individual representations on those matters. We also note that the Council is also looking at potential contributions to "negotiated requirements" listed in paragraph 5.4 which are additional to the planning obligation particularly to major developments.	
Garth Hanlon, Savills (L&P) Ltd for AWG Landholdings Limited	DCspd83	3.6	Object	We acknowledge that the Preliminary Draft Community Infrastructure Levy Charging Schedule is the subject of consultation along with the draft SPD on Developer Contributions. Whilst we understand that the two consultations are running at slightly different timescales it is important to acknowledge that the original concepts of CIL were to restrict the use of planning obligations and that those that do apply meet the statutory tests. If it is accepted that the overall intention is to streamline the process and help to deliver the document then it appears unnecessary to be simply adding in further topics of planning obligations within any Section 106 Agreement. From our understanding of the document we note that there are some 11 topics which are the subject of specific reference and which could form part of any Section 106 Agreement dependent upon the development coming forward. Collectively, you will appreciate that AWG Landholdings Ltd is concerned about the viability of new development alongside the appropriateness of contributions being sought where the tests to seek such applications is flawed.	Disagree. The SPD clarifies the need to meet new legal requirements. The SPD is the first document of its kind for HDC and aims to clarify requirements and provide a fairer and more transparent process for all.
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	DCspd128	3.7	Object	Again it is unclear why planning obligations would be used to secure community infrastructure. This again could lead to double counting.	Disagree. Following the adoption of CIL, the securing of community infrastructure through S106 will only apply to large scale major developments. The SPD clearly states when contributions will be required and the CIL Infrastructure Project List clearly identifies which infrastructure falls within CIL or S106 to ensure no double counting takes place.
Paul Davies	DCspd1	3.8	Have observations	When a Developer makes a financial or in-kind contribution (whether CIL or S106) can you guarantee that this will be used	Noted. Payments made through S106 Agreements can only be for matters that are directly related to the

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				in its entirety on that specific development and not hived off for other purposes?	needs of that development. CIL contributions are not part of the SPD and use of money collected could be but does not have to be related to the development.
David Abbott Highways Agency	DCspd7	3.8		The potential conflict with 1.13 is referred to above. Reference is made here to funding a "new strategic road" using pooled contributions. While technically this is correct it implies that it excludes improvements to existing strategic roads. Such measures might include corridor-type improvements to facilitate a range of developments as opposed to site specific measures to facilitate a single development's first point of access onto the SRN. We would recommend therefore that the scope of this section be expanded accordingly.	Accept. Document to be amended to reflect Highways Agency comments.
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	DCspd129	3.8	Object	There is reference here to pooled contributions which would appear to be contrary to the CIL regulations as noted in paragraph 2.6 of the document.	Disagree. Clear reference is made to the limitations of pooling under the CIL Regulations.
Phil Copsey, David Lock Associates for Urban and Civic	DCspd158		Have observations	This SPD is sign posted within the Core Strategy and is intended to be considered alongside the Preliminary Draft Community Infrastructure Levy Charging Schedule 2011 or any successor document (Section 1.1). There is the anticipation that the CIL charging schedule will be adopted in Spring 2012; however there is no indication whether the two documents are intended to become policy simultaneously or whether one precedes the other. As such, the wording of particular Planning Obligation Requirements within the Draft Developer Contributions SPD seeks to cover two scenarios - one where CIL has been implemented and one where it has not. It is assumed that the two documents will come forward in parallel as this will be the most logical approach and will avoid confusion. However, confirmation of this approach would be helpful.	Noted. The SPD clarifies the need to meet new legal requirements. The SPD is the first document of its kind for HDC and aims to clarify requirements and provide a fairer and more transparent process for all. It notes the change in requirements for when CIL has been adopted but this will be at a later stage due to the consultation and Examination in Public that it is required to complete.
Phil Copsey, David Lock Associates for Urban and Civic	DCspd163		Have observations	There is a need for greater clarity regarding the relationship between the two especially in the context of large and very large scale major developments. The current overlap that exists for example in open space provision, contributions to education has the potential to be confusing. Worked examples of typical developments would be helpful in showing how CIL and s106 would work in practice and what should happen in the interim until the CIL payment schedule is adopted.	Noted. The SPD clearly states when contributions will be required and the CIL Infrastructure Project List clearly identifies which infrastructure falls within CIL or S106 to ensure no double counting takes place. The potential for infrastructure to be provided by developers is noted. Text will be updated to enable this possibility to be considered at the LPAs discretion.

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				<p>There is also a need to reflect the fact that alternative approaches might need to be taken in strategic very large scale major developments where direct developer provision may be the most efficient way of delivering social infrastructure such as strategic open space etc that may have a catchment and benefit extending to the broader community beyond the site boundary.</p> <p>The SPD needs to explicitly identify this possibility and indicate flexibility in taking this into account, whilst ensuring that no double counting occurs.</p>	
Phil Copsey, David Lock Associates for Urban and Civic	DCspd159	3.14	Object	<p>The document seeks to differentiate between Large Scale Major Developments and other smaller developments (at a 200 residential unit threshold) in terms of the blend and mix between s.106 contributions and CIL payments. While we recognise the need for clarity in terms of how these small and medium size developments will come forward, the document does not seek to set any specific guidance for what might be described as Very Large Scale Development of over 1000 units. Very Large Scale Major Development, such as that being promoted at Alconbury, raise different issues in terms of the quantum and timing of supporting infrastructure, the delivery of infrastructure and the timing of contributions that differ from normal or large scale development proposals to which the approach set out in the CIL Charging Schedule and Draft Developer Contributions SPD apply.</p> <p>Developments of this scale create a range of impacts and opportunities which should be the subject of a bespoke early discussion between the developer, the Council and a range of other key stakeholders. This approach is reflected in the statement at paragraph 5.17 of the Viability Testing of CIL Charges that accompanies the consultation which states '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'.</p>	<p>Disagree.</p> <p>Note recognition of clarity brought by large scale major and smaller developments approach.</p> <p>The requirements of a development of 1000 units would be considered in the same flexible manner as proposed by the large scale major approach.</p>
Ramune Mimiene Brampton Parish Council	DCspd145	3.14	Have observations	Bands. Many charges vary above and below the 200 unit watershed. Is there a risk of developers arranging developments sizes to the detriment of the Authority?	Noted.
Ramune Mimiene Brampton Parish Council	DCspd147	3.15	Have observations	Alconbury Could be included in the list of major sites, (3.15).	<p>Noted.</p> <p>The Alconbury site referred to is not within the adopted Core Strategy directions of growth. Should it come forward it would be classified as a large scale major site for the purposes of CIL and developer contributions.</p>

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Phil Copsey, David Lock Associates for Urban and Civic	DCspd164	3.16	Support	We welcome the recognition that new large scale developments may come forward over and above those identified in paragraph 3.15.	Noted.
M. Newman, Clerk Stukeleys Parish Council	DCspd74	3.18	Support	It is noted that, unlike CIL, developer contributions will continue to be directly related to the proposed development, and will vary from site to site according to circumstances. The Parish Council supports the approach taken in this document and has no reason or evidence to suggest any changes to the formulae set out in it. We consider it essential that the Parish Council is involved in the drafting of S106 Agreements which will be based on this document.	Support welcomed. Partners engagement will continue in this process.
Ian Burns NHS Cambridgeshire	DCspd10	3.19	Support	It is important that the need for new or improved Health infrastructure and services is recognised as a result of new housing and that there is scope to apply S106 and CIL contributions for this purpose.	Noted.
Janet Innes-Clarke Brampton Parish Council	DCspd30	3.19	Object	3.19 Why are The Arts not included in developer contributions list? Physical activities seem to take precedence over intellectual pursuits eg facilities suitable for music, theatre, lectures which are just as important for community well-being.	Disagree. Facilities for the arts would be considered as part of multi-purpose community facilities, as appropriate.
Joseph Whelan Cambridgeshire County Council	DCspd45	3.19	Have observations	Please add 'Transport/Highways' and 'Archaeology' - The County Council has in the past secured archaeology contributions through S106.	These are noted as negotiated requirements and/or conditions.
Adam Ireland Environment Agency	DCspd65	3.19	Object	This is an ideal opportunity to incorporate Flood Risk Management Infrastructure (flood defences, Sustainable Drainage Systems {SuDS}, etc) within the range of community infrastructure projects that are able to benefit from Planning Contributions. 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. 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.	Accepted. Document will be amended to note flood risk management solutions as potential negotiated requirements.
Helen Boothman	DCspd70	3.19	Have	With an aging population in the county why is there no	Noted. Supported housing is covered by affordable

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			observations	obligations for accomodation for the elderly, be it care homes, wardened accommodation etc?	housing requirements.
Helen Boothman	DCspd71	3.21		And what about houghton and wyton projects to account for teh masive increase of popualtion within the parish?	Noted. The section noted refers to regeneration projects. The development referred to in the response will be considered through the usual process in order to comply with the legislative requirements.
Ramune Mimiene Brampton Parish Council	DCspd143	4	Have observations	Consultation: Are local councillors and/or parishes to be consulted on the size of contributions and their allocation to projects?	Noted. Partners engagement will continue in this process.
Ramune Mimiene Brampton Parish Council	DCspd144	4.8	Have observations	Population. Most of the costs associated with developments are specified in terms of new units of housing or population numbers. However for some areas (e.g. police, accident and emergency provision under health, footpaths and access) the inclusion of contributions based on commercial industrial new development would seem to be appropriate. How is this incorporated?	Noted. The Council considers that commercial, as well as housing development impacts upon existing public open space. Any provision or contributions agreed in respect of commercial development will be individually assessed or calculated dependent on the details of the development, its location and other site specific details. Any such requests must satisfy the three statutory tests and CIL Regulations.
Phil Copsey, David Lock Associates for Urban and Civic	DCspd165	Table 6	Object	We observe that Step 1 & 2 requires the submission of a draft Heads of Terms prior to the validation of the planning application by the Council. . This suggests that the local planning authority will vet the extent of heads of terms before declaring an application valid. This would be an extension of the current validation process - Guidance on information requirements and validation published by the Department for Communities and Local Government makes clear at paragraph 34 'In some circumstances the supporting information may be inadequate or its quality may be a concern. These are not grounds for invalidating applications,' While it is perfectly appropriate to expect draft heads of terms to be submitted, the validation process should not be used as a means of agreeing in principle heads of terms otherwise there is a risk that the Council could be exposed to a potential legal challenge. Furthermore, in the context of applications submitted prior to the CIL charging schedule being adopted this is a difficult requirement to comply with accurately.	Accepted in part. Text amended to clarify position.
Phil Copsey, David Lock Associates for Urban and Civic	DCspd166	4.13	Have observations	We observe that Step 1 & 2 requires the submission of a draft Heads of Terms prior to the validation of the planning application by the Council. . This suggests that the local planning	Accepted in part. Text amended to clarify position.

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				<p>authority will vet the extent of heads of terms before declaring an application valid. This would be an extension of the current validation process - Guidance on information requirements and validation published by the Department for Communities and Local Government makes clear at paragraph 34 'In some circumstances the supporting information may be inadequate or its quality may be a concern. These are not grounds for invalidating applications,' While it is perfectly appropriate to expect draft heads of terms to be submitted, the validation process should not be used as a means of agreeing in principle heads of terms otherwise there is a risk that the Council could be exposed to a potential legal challenge. Furthermore, in the context of applications submitted prior to the CIL charging schedule being adopted this is a difficult requirement to comply with accurately.</p>	
Joseph Whelan Cambridgeshire County Council	DCspd46	4.15	Support	The BCIS All-In Tender Price Index is published quarterly although it is proposed that an annual update is applied. It is suggested also that RPI isn't used if the All-In Tender Price Index is abolished.	Noted. The RPI is noted to tie in with index linking for CIL.
Joseph Whelan Cambridgeshire County Council	DCspd47	4.16	Have observations	The CIL Levy admin charge of 5% needs further discussion as to whether this is the right amount and further detail is needed on the scope of how the money will be spent.	Noted. The CIL levy administration charge at 5% is stated in the CIL Regulations 2010 and is not part of the SPD process.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd92	4.16	Object	<p>A S.106 management fee should not be charged by the Council. Such a payment is not in accordance with Regulation 122 of the Community Infrastructure Regulations 2010 ("CIL Regs"), since it is a payment towards the Council performing its general statutory duty of ensuring compliance with planning controls. An appeal decision relating to land at 21-25 South Lambeth Road and 1 Langley Lane, London (reference APP/N5660/A/10/2129558) ("Appeal Decision") looked at s.106 contributions, including a contribution towards the monitoring of a Travel Plan in the light of regulation 122 of the Community Infrastructure Levy Regulations 2010 ("CIL Regulations"). Paragraph 30 of the appeal decision refers to such a payment to fund the Council's performance of its statutory duty as being unlawful in the light of Regulation 122.</p>	<p>Noted. The Council believes that it is within its statutory powers to impose the management fee. The fees noted have been reviewed in light of comments received and the document will be updated to reflect this.</p>
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	DCspd134	4.16	Object	<p>The proposed s106 management costs of 5% of the total value of financial contributions, as set out at Paragraph 4.16 is completely disproportionate and without justification to meet the administration, monitoring and management costs identified at Paragraph 4.17. A 5% levy on major strategic development such as St Neots would be unreasonable and unacceptable. This excessive cost is in addition to further charges, including a fixed charge to manage non-monetary obligations of £359 per head of term, a separate on-off fee of</p>	<p>Noted. The Council believes that it is within its statutory powers to impose the management fee. The fees noted have been reviewed in light of comments received and the document will be updated to reflect this.</p>

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				£250 for a deed of variation, and additional legal costs on an hourly charge. The Council must properly explain its charges and establish a management cost that accurately reflects the cost of providing the service.	
Phil Copsey, David Lock Associates for Urban and Civic	DCspd167	4.16	Object	<p>The wording of this paragraph might be reviewed to make clear that those with an interest in a development site in terms of the legal meaning of 'interested' (paragraph B54 of Circular 05/05) must be party to a s106 agreement. Furthermore, the current wording provides the Council with no option to conclude a s.106 agreement over a large site which can accommodate the inclusion of land owners within it at a later date by use of restrictive</p> <p>obligations until such land owners have entered into the agreement.</p>	<p>Agree in terms of defining interested parties: "an interested person is someone who needs to be involved in directly complying with the provisions e.g. all those with a material interest in the land."</p> <p>In exceptional circumstances, Agreements may be entered into with parties who do not have an interest at the relevant time, but this does not need to be reflected in the policy document.</p>
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	DCspd130	4.16	Object	We do not consider that the administration charges are sufficiently justified.	<p>Noted.</p> <p>The fees noted have been reviewed in light of comments received and the document will be updated to reflect this.</p>
Ramune Mimiene Brampton Parish Council	DCspd149	4.16		Administration Charges. 4.16 "...non-monetary obligations of £350 per head of term." Could "Head of Term" be added to the glossary?	<p>Noted.</p> <p>Head of Term to be defined in the glossary "A definition of the proposed terms of a S106 Agreement"</p> <p>Wording of document to also be amended to make reference to non-monetary obligation fee of £350 per type of obligation.</p>
Phil Copsey, David Lock Associates for Urban and Civic	DCspd168	4.18	Have observations	<p>The administration fees quoted should be referred to as a guideline for negotiation as there may be circumstances with Large and especially Very Large Scale Major Developments that</p> <p>might lead to these charges being reduced or dispensed with. For example U&C is funding an Alconbury project officer to progress the consideration of the proposal, and this arrangement might endure to beyond the s106 where a direct payment in kind might be made</p> <p>to manage contributions. It is also considered that an administration charge of 5% on a large s106 could lead to unrealistically large administration charges being sought which might in</p> <p>turn impact on viability.</p>	<p>Noted.</p> <p>The fees noted have been reviewed in light of comments received and the document will be updated to reflect this.</p>

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Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd93	4.19	Object	There is no justification for late interest payments to be 4% above base rate. 2% above base rate would be a more reasonable provision.	Disagree. Payments should be made on time. The type of figure for late contractual payments is not exceptional.
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	DCspd135	4.19	Object	No justification is provided how the 4% above National Westminster Bank Plc lending rate has been arrived at.	Disagree. Payments should be made on time. The type of figure for late contractual payments is not exceptional.
Phil Copsey, David Lock Associates for Urban and Civic	DCspd169	4.20	Object	The triggers for planning obligations can in some cases precede the commencement of development on a site (such as a requirement for off-site works prior to commencement of development or even the payment of the Council's legal fees). This paragraph should be reworded to reflect this.	Accepted. Document to be reworded to insert 'normally' before triggered and add 'but may be earlier or later e.g. first occupation.'
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd94	4.21	Support	We welcome the acknowledgement that payments may be phased on significant major development.	Noted.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd95	4.22	Object	<p>In addition to our detailed comments to items listed in Section 5 of the SPD, we restate that the viability testing is fundamentally flawed. The underlying assumptions for the CIL approach and planning obligations strategy depend upon the landowner accepting a land value that would prevent development occurring. The land receipts need to be sufficiently high to seek planning permission for an alternative use over and above that generated by its current use. The examples quoted in the Drivers Jonas Deloitte ("DJD") report 'Huntingdonshire District Council Viability Testing of Community Infrastructure Levy Charges' that suggest a landowner with strategic development identified would trade at 4 times its agricultural land value is not generally acceptable or realistic and the longer term 'do nothing' strategy may be more cost-effective where the land is being actively farmed and let under agricultural tenancies. No account of this typical scenario is taken by DJD and we are not aware of any transactional evidence that would support such a generalisation.</p> <p>The methodology adopted by Newark and Sherwood regarding valuation is clearly defined as the Valuation Standards as published by the Royal Institution of Chartered Surveyors as:</p> <p>"The estimated amount for which a property should exchange from the date between a willing buyer and a willing seller"</p>	<p>Disagree. The viability assessments that have been undertaken regarding the Preliminary Draft Charging Schedule 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.</p> <p>The text at 5.14 in the viability report is explanatory as to rationale not actual figures, and comments here in the report are general in nature. Market research was carried out 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. These do reflect the approach within the RICS Valuation Standards and the assumptions made in respect of costs included are identified.</p>

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
				<p>Additionally the approach taken by DJD and the Council appears not to consider or comply paragraph 39 of the NPPF, which states;</p> <p>"Ensuring viability and deliverability</p> <p>39. To enable a plan to be deliverable, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, local standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and on-site mitigation, provide acceptable returns to a willing land owner and willing developer to enable the development to be deliverable."</p> <p>The DJD approach in dictating an "Acceptable" land owner return is fundamentally flawed both as an approach to testing the viability of CIL's and also it has the potential to create a development "Black Hole" within Huntingdonshire as neither developer's or land owners will wish to trade at these levels of financial return.</p> <p>On the basis that the viability is based on unreliable evidence and testing, hence the 'exceptional circumstance' procedure for both CIL and S106 is likely to be the norm, we object to the procedure for considering alternative provision - in the event that the Council do not change any details contained in the SPD or preliminary charging schedule as a result of other representations made.</p> <p>In assessing s.106 obligations, the Council have accepted the Three Dragons Model as the recognised industry standard. The model assumes a level of profit on GVD of 20%, which is considered to be a reasonable profit margin and also includes a fair land value base. This model should be used on a site by site basis where viability needs to be considered in relation to both the contributions being requested and the amount of CIL payable, to ensure that viability is addressed in a fair and reasonable manner and that development is able to proceed.</p>	
Phil Copsey, David Lock Associates for Urban and Civic	DCspd170	4.23	Object	The Viability Testing of CIL Charges undertaken by Drivers Jonas Deloitte assumes for residential development up to £15,000 s106 contributions per dwelling, 40% affordable housing and CIL payment of £100 per sq m (assuming an average size of 92 sq m this would	Disagree. The viability assessments that have been undertaken regarding the Preliminary Draft Charging Schedule have been undertaken by professionals in their field considering the economic viability of development across the district as a whole, whilst

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				<p>be £9,200) - a total contribution of up to £24,200 per dwelling plus affordable housing. While the CIL schedule excludes affordable housing, the s106 requirements do not appear to. If one accepts the assumption of s106 contributions of up to £15,000 per dwelling applies</p> <p>equally to affordable housing, the burden of these contributions also needs to be taken account of. Thus a theoretical scheme for 100 dwellings could generate the following contributions:</p> <p>60 market dwellings at £24,200 per dwelling = £1,452,000</p> <p>40 affordable dwellings at £15,000 per dwelling = £600,000</p> <p>Total = £2,052,000 The notional s106 costs of the affordable dwellings would be borne by the market dwellings.</p> <p>This would give a theoretical contribution of £2,052,000 divided by 60 = £34,200 per dwelling. We assume the notional s106 contribution required for affordable housing is reflected in the assumptions underpinning the viability testing, but clarification is requested.</p> <p>The viability testing also notes that small previously developed sites are marginal in terms of viability for CIL (see page 21). While the SPD considers that site clearance costs should be included in the value of land acquired, the implications of previously developed land are clearly a consideration that should be reflected in the overall consideration of viability with respect to the phasing of works and contributions and payment of CIL. The provisions for reviewing viability should also make reference to reviewing the scale and phasing of contributions for sites with extensive up front costs.</p>	<p>taking into account a range of factors such as local conditions, S106 impacts and affordable housing. The contributions assumed are discussed in the viability report and included in the testing.</p> <p>The viability of Site 1 as tested is affected by a number of issues, as discussed in paragraph 4.4 of the viability report; it is not simply the fact that the site is previously developed land. Demolition costs have been included in the testing where appropriate and the proposed levy rate has been made at a level that recognises additional costs may affect individual sites in reality.</p>
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd96	4.28	Object	<p>Paragraph 4.28 states "Some development may simply need to wait until development values improve, land values can be renegotiated or alternative funding sources lined up." This is contrary to government advice on delivering development; delivery should be encouraged. We would refer you to the written ministerial statement: 'Planning for Growth (23 March 2011)' made by Greg Clark. This statement urges local planning authorities to "support enterprise and facilitate housing, economic and other forms of sustainable development". Further, local planning authorities are required to "be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggests that prior assessment of</p>	<p>Disagree. This should be read in context of the full statement rather than just an extract. The government policies are not to permit development at any cost. A positive approach to planning is taken but this has to be considered in terms of sustainability and the impacts of development.</p>

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				<p>needs are no longer up-to-date"; and "ensure that they do not impose unnecessary burdens on developments". This statement underlines that the fact that local authorities need to consider whether Section 106 obligations are making schemes unviable and ensure the development is able to proceed, the intention expressed at the end of paragraph 4.28 to make some development wait until values improve is contrary to this. Paragraph 4.28 is also in clear opposition to paragraph's 107 and 109 of the NPPF, which state</p> <p>107. The Government's key housing objective is to increase significantly the delivery of new homes. Everyone should have the opportunity to live in high quality, well designed homes, which they can afford, in a community where they want to live. This means:</p> <ul style="list-style-type: none"> • increasing the supply of housing • delivering a wide choice of high quality homes that people want and need • widening opportunities for home ownership; and • creating sustainable, inclusive and mixed communities, including through the regeneration and renewal of areas of poor housing. <p>109. To boost the supply of housing, local planning authorities should: use an evidence-base to ensure that their Local Plan meets the full requirements for market and affordable housing in the housing market area, including identifying key sites which are critical to the delivery of the housing strategy over the plan period.</p> <p>The development at St Neots East is one such "Key Site" which is critical to the delivery of 2,500 new homes within the core strategy period to 2026.</p> <p>The HCA paper, "Investment and planning obligations: Responding to the Downturn" places emphasis on the need for delivery of development to continue using approaches to ensure that development can remain viable. Paragraph 6 of this document states "Planning policies and practice for securing planning obligations need to accommodate both the current realities and the future dynamic of the land and property markets." One method endorsed by the HCA is to provide for reduced levels of affordable housing or contributions early on during the development. In a large scale development, being undertaken on a phased basis allowance could be made for a later uplift in land values, which would</p>	

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				similarly enable an uplift in contributions or provision of affordable housing.	
Joseph Whelan Cambridgeshire County Council	DCspd48	4.32	Have observations	A 5 year time limit is generally acceptable for smaller residential schemes for education and libraries. For the major developments of 200 units plus, the County Council would be seeking to have a 10 year clawback period. This is what has been negotiated on all of the Cambridge Southern Fringe applications for example. 10 years is what we seek on all transport contributions.	Accepted. Document to be amended to show 10 year time limit for transport obligations.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd97	4.32	Have observations	The time limit for spending financial contributions needs to be 5 years from payment, regardless of the size of the proposed development. In the case of large scale major developments, the contributions are likely to be made on a phased basis anyway, which would then enable them to be spent on a phased basis.	Disagree. Large scale developments permit phased payments for key obligations to assist viability for developer.
Phil Copsey, David Lock Associates for Urban and Civic	DCspd171	4.32	Object	In response to the administration charges being sought, this SPD should include a commitment to providing feedback to landowners regarding the expenditure of contributions within the 5, 10 and 15 year time limits identified at paragraph 4.32.	Noted. An annual monitoring report will be produced that will be made available to the public. It is common practice for S106 Agreements to include a clause on the requirement for feedback on whether an obligation funded has been satisfied or not upon written request.
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	DCspd131	4.32	Object	We consider that the suggested time limits should be deleted from the document. These should be agreed on a case-by-case basis.	Disagree. Appropriate time limits are necessary.
Ramune Mimiene Brampton Parish Council	DCspd148	4.32	Have observations	Time limits. 4.32 Sets out time limits of 5 years (10 years for major sites) in which financial contributions for infrastructure are to be spent. If the clock starts with the initial planning approval then this might prove unrealistic, especially if significant time is spent on partitioning the site, or if, for commercial reasons, on-site facilities build is delayed. Urban and Civic are contemplating a 25 year roll out.	Noted. The time limit is linked to receipt of financial contribution not signing of S106 Agreement.
Janet Innes-Clarke Brampton Parish Council	DCspd31	5	Have observations	It could be difficult at times to decide if a project should be 106 or CIL - potential conflict?	Disagree. The SPD clearly states when contributions will be required and the CIL Infrastructure Project List clearly identifies which infrastructure falls within CIL or S106 to ensure no double counting takes place.
Ramune Mimiene Brampton Parish Council	DCspd151	5	Have observations	Affordability. What happens if adding up the bits the site is not viable, or if they accumulate to more than £100 per square metre. ?	Noted. The viability assessments that have been undertaken regarding the Preliminary Draft Charging Schedule have been undertaken by professionals in

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				How would the Authority deal with a change in standards/legislation after the initial purchase of the land where it was claimed that the new requirements made the site non viable?	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. Any viability issues would need to be raised with the LPA using the procedure noted in section 4.
David Abbott Highways Agency	DCspd8	5.1		The bullet points here refer to "Footpaths and Access" whereas the CIL Draft Charging Schedule refers in Para 2.29 to "Roads and other transport facilities". This is a clear inconsistency between the two documents, the former being noticeably more restrictive than the latter. 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. This will also affect section C later in the document.	Noted. The section noted is specifically for Footpaths and access within a site. Wider transport issues are noted under negotiated requirements.
Phil Copsey, David Lock Associates for Urban and Civic	DCspd172	5.1	Object	The wording of paragraph 5.1 could more appropriately refer to policy guidance for negotiating rather than requiring planning obligations. Not all of the topics listed will be relevant to each proposal, and all s106 agreements are negotiated, a fact borne out by paragraph B3 of Circular 05/05 and reflected in the wording of following sections 'Types of Facilities / Services for which provision may be required'.	Disagree. The SPD clearly states where obligations would be required and at what trigger point.
Stephen Wheatley Anglian (Central) Regional Flood and Coastal Committee	DCspd43	5.4	Have observations	The opportunity should be taken to include developer contributions towards flood risk management, including surface water management. As the Local Planning Authority, Huntingdonshire District Council is best placed to obtain these contributions. Flood risk is expected to increase with climate change. New development can also often increase the risk of flooding which will impact upon the local area. Developer contributions would be important to help mitigate any increase in flood risk to the local community or they could be used towards part funding of partnership projects to reduce flood risk. In May 2011 the Government introduced a new approach to funding flood risk management, called Flood and Coastal Resilience Partnership Funding, which enables locally raised funding to attract additional national funding for projects. 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.	Accepted. Document will be amended to note flood risk management solutions as potential negotiated requirements.
Stephen Wheatley Anglian (Central)	DCspd44	5.4	Have observations	The opportunity should be taken to include developer contributions towards flood risk management, including	Accepted.

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Regional Flood and Coastal Committee				surface water management. As the Local Planning Authority, Huntingdonshire District Council is best placed to obtain these contributions. Flood risk is expected to increase with climate change. New development can also often increase the risk of flooding which will impact upon the local area. Developer contributions would be important to help mitigate any increase in flood risk to the local community or they could be used towards part funding of partnership projects to reduce flood risk. In May 2011 the Government introduced a new approach to funding flood risk management, called Flood and Coastal Resilience Partnership Funding, which enables locally raised funding to attract additional national funding for projects. 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.	Document will be amended to note flood risk management solutions as potential negotiated requirements.
Adam Ireland Environment Agency	DCspd66	5.4	Have observations	<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.</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 (ID 558515 - Anglian Central 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>	<p>Accepted.</p> <p>Document will be amended to note flood risk management solutions as potential negotiated requirements.</p>
Tom Gilbert- Wooldridge English Heritage	DCspd89	5.4	Have observations	<p>In addition to archaeology, planning obligations should be able to cover other historic environment issues where relevant. Funding towards the enhancement and restoration of historic buildings, structures and landscapes, as well as public realm improvements, should be sought where possible on a case by case basis. There are opportunities to link S106 contributions into area grant schemes such as Townscape Heritage Initiatives to generate further monies for townscape and public realm improvements. Contributions could also be used for</p>	<p>Noted. Historic environment issues will be captured within the negotiated requirements, taking into account the 3 statutory tests.</p> <p>Document will be amended to clarify.</p>

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				educational and interpretation purposes relating to the historic environment (e.g. signage and information panels). It would be helpful if the SPD could make reference to the historic environment as a whole.	
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	DCspd120	5.4		We are seriously concerned that in addition to the list of 'planning obligation requirements' as listed at Paragraph 5.1, there is also a "non-exhaustive" list of 'negotiated requirements' included within the SPD at Paragraph 5.4, which opens up the potential for additional costs to a developer that are not set out within the SPD and which are impossible to predict, thereby removing any certainty for the developer upfront. If there is no certainty for the developer, how can they properly take into account the full costs of S106 and CIL from the outset? The non-exhaustive list is supported by no evidence or justification and must be removed from the SPD.	Noted. The negotiated requirements will be considered on a case-by-case basis taking into account the 3 statutory tests.
Andy Brand, DPP for Tesco Stores & Santon Group Devts Ltd	DCspd132	5.6	Have observations	We would note that there is reference here to a number of strategies and plans. Some of those are dated and should be updated.	Noted.
Janet Innes-Clarke Brampton Parish Council	DCspd32	A:	Object	Affordable Housing: I see no reason that CIL should not apply. Any facilities provided would be beneficial to these residents as well as the whole community.	Noted. This comment relates to the Preliminary Draft Charging Schedule and not the SPD. Affordable housing is exempt under the CIL Regulations from paying levy.
Ramune Mimiene Brampton Parish Council	DCspd150	A:	Have observations	Affordable Housing. Is it stated anywhere that the limit of 15 applies to the overall site and not to an entirely coincidental multiplicity of sub-sites each of 14 units?	Noted. The adopted Core Strategy states that affordable housing obligations will apply to residential developments of 15 or more dwellings or sites of 0.5 hectares irrespective of the number of dwellings.
Phil Copsey, David Lock Associates for Urban and Civic	DCspd173	A.3	Have observations	Paragraph A3 and following paragraphs for other contribution categories states that 'Policy CS10 sets out the contributions that for infrastructure may be required and will be applied to all housing and commercial developments....' To avoid any confusion we note that Policy CS10 does not make direct reference to commercial development and rather seeks contributions from 'development proposals'.	Accepted. Document amended to reflect wording of Policy CS10.
Stephen Dartford Fenstanton Parish Council	DCspd16	A.5		In the 'proposed reforms to social housing' have bungalows and supported accommodation for the elderly been considered	Noted. Supported housing is covered by affordable housing requirements.
Stacey Rawlings, Bidwells for Connolly Homes	DCspd98	A.11	Object	Paragraph A.11 requires affordable housing provision of 40%. This should not be a required figure, but a target figure. PPS 3 at paragraph 29 states "In Local Development Documents,	Accepted. Document amended to reflect Core Strategy wording to seek to secure 40% affordable housing.

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D.Wilson Oxford Uni				<p>Local Planning Authorities should set an overall (i.e. plan-wide) target for the amount of affordable housing to be provided." This has already been enshrined in the Council's adopted Core Strategy, policy CS4.</p> <p>Further, it is important that affordable housing provision is expressed as a target so that development is viable and continues to be able to come forward (see comments at paragraph 4 above); and that a confirmed need for affordable housing is met.</p> <p>Paragraph A.11 also sets out the size of clusters of affordable housing units which should be provided. The size of clusters should not be set within an SPD. The 15 unit cluster size is inefficient for strategic scale development and this is evidenced in the delivery of Loves Farm which included land parcels of up to 30-50 units across the individual phases.</p>	The document refers to what should, as an ideal, be provided ie 15 unit cluster size for affordable housing.
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	DCspd137	A.11	Object	Bullet 1 of paragraph A.11 of the SPD requires amendment to ensure it is consistent with Core Strategy Policy CS4 'to achieve a target of 40% affordable housing.' There is no justification for the departure to 'wish to secure 40% affordable homes.'	Accepted. Document amended to reflect Core Strategy wording to seek to secure 40% affordable housing.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd99	A.13	Object	Paragraph A.13 refers to the fact that viability is not likely to be a general consideration. This does not follow current government guidance, such as that contained in the HCA document "Responding to the Downturn" and Greg Clark's speech.	Disagree. A positive approach to planning is taken but this has to be considered in terms of sustainability and the impacts of development.
Janet Innes-Clarke Brampton Parish Council	DCspd33	B:	Support	Green Space: Agree with most items	Support noted.
Joseph Whelan Cambridgeshire County Council	DCspd49	B:	Object	<p>The document does not make provision to secure planning obligations from developers for biodiversity in order to compensate for loss or damage created by a development and/or to mitigate the impact of development.</p> <p>Developer contributions are required for ecology and biodiversity. These may apply to any scale of development depending on the specific characteristics of a site and the potential direct and indirect impacts of the development on the site and its linked areas (e.g. water corridors, green corridors, foraging areas).</p> <p>Guidance on the form in which contributions will be required should be provided within this document e.g.</p> <ul style="list-style-type: none"> Restricting development so as not to harm existing protected 	<p>Accepted in part. Ecology and wildlife areas are incorporated within the policy standard for natural and semi natural green space and their importance is recognised within the Development management DPD.</p> <p>There will also be occasions when biodiversity compensatory measures and/or mitigation will need to be secured by condition or obligation and the document will be amended to clarify this.</p>

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				habitats/species <ul style="list-style-type: none"> • Specific measures to meet the individual requirements of an identified species and / or habitat • On-site works required to enhance existing features, e.g. woodlands, hedgerows, ponds, grassland, bird nesting boxes, bat roosting boxes • Creation of new features within the site, e.g. wildlife planting, pond, nature reserve area • Financial contributions to enhance or create appropriate assets nearby e.g. accessibility improvements, interpretation facilities, nature reserve, stepping stone habitats • Programme of monitoring and / or management associated with the development site or a nearby related site 	
Helen Boothman	DCspd72	B:	Object	This is very badly written as enhancing biodiversity and development rarely go together, more thought required about separating biodiversity from recreational areas. Wildlife corridors are going to be so important moving forward enough natural undeveloped greenspace will need to be retained in the prime areas.	Accept in part. Wildlife areas are included within the policy standard for natural and semi green space. Text to be reviewed to reference wildlife conservation. There will also be occasions when biodiversity compensatory measures and/or mitigation will need to be secured by condition or obligation and the document will be amended to clarify this.
Phil Copsey, David Lock Associates for Urban and Civic	DCspd174	B:	Have observations	This and following paragraphs for other contribution categories state that large scale major residential developments of 200 units or above will require s106 contributions in addition to CIL. There is no indication within the section on green space or subsequent sections where this threshold is applied or how the CIL contribution towards the first 200 units is discounted from the s106 contribution. This point could be addressed by the addition of a worked example. There is no reflection across this section on how management and other contributions are addressed where a developer is proposing to deliver these in kind in line with agreed triggers and to agreed specifications for implementation and management. As stated, in relation to Very Large Scale Major Developments this would benefit from a bespoke approach. Reference is made at paragraph B9 to appendix 2 which is not included within the document. The cascade for adoption of open land from Town and Parish Councils, to the District Council to a Trust is noted. This is a sequential approach whereas all possible means of management should be accorded equal priority to achieve the	Accept in part. The SPD shows that large scale major developments of 200 units or above will require S106 contributions in addition to CIL. The 200 unit is a threshold but applies across all units. There is no discount from paying S106 due to CIL contributions – the latter is a separate levy charge. On large scale major developments developers will be typically expected to deliver open space and associated facilities on-site and to agreed triggers. The capital play equipment facilities costs have been included to provide guidance to developers to assist with budgeting purposes. The potential for infrastructure to be provided by developers is noted. Text will be updated to enable this possibility to be considered at the LPAs discretion. Document to be amended with regards reference to

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				<p>optimal position. It would assist if any background sources for costs identified in this section were cited, including the District Council's schedule of landscape maintenance rates referred to in paragraph B40. Likewise, it would also be helpful if the calculations, assumptions and data sources behind the off site contribution rates identified or the background source were cited.</p>	<p>appendix 2. Document to be amended to include information detailing the calculations used to identify levels of financial contributions. Document to be amended to include the council's schedule of landscape maintenance rates.</p>
<p>Garth Hanlon, Savills (L&P) Ltd for St John's College Cambridge</p>	<p>DCspd78</p>	<p>B.7</p>	<p>Object</p>	<p>The District Council states in paragraph B7 of its SPD that: <i>"Green space land contributions will apply to residential developments of 10 or more units and to commercial developments of over 1,000 sq.m or where the site area is 1 hectare or more."</i></p> <p>Our client St John's College, Cambridge are landowners adjacent to Ermine Business Park and their landholding is that area indicated for future expansion of employment to the north west of Huntingdon within the Council's Adopted Core Strategy. On the basis that the College was to bring forward a planning application for new employment development on this land as indicated within the Adopted Core Strategy, we are concerned about the reference to green space contributions in the light of commercial development being put forward. Section B on Green Space provides very little guidance indeed on what is being sought. It is largely written from a residential perspective where contributions would be triggered for 10 dwellings or more. Making the statement confirming that green space contributions will be required as a result of commercial development and then not to provide any clear guidance as to the extent or cost of such space is unhelpful. We respectfully suggest that this section be re-worded as it relates to commercial development whereby the amount of green space within any such development will be subject to a specific discussion as it relates to each individual site.</p>	<p>Noted. The Council considers that commercial, as well as housing development impacts upon existing public open space. Any provision or contributions agreed in respect of commercial development will be individually assessed or calculated dependent on the details of the development, its location and other site specific details. Any such requests must satisfy the three statutory tests and CIL Regulations.</p>
<p>Garth Hanlon, Savills (L&P) Ltd for AWG Landholdings Limited</p>	<p>DCspd84</p>	<p>B.7</p>	<p>Object</p>	<p>The section on green space within the SPD states that: <i>"Green space land contributions will apply to residential developments of 10 or more units and to commercial developments of over 1,000 sqm or more area is 1 hectare or more."</i></p> <p>The extensive text within the SPD then goes to to provide information for contributions to open space on residential development and provides little or no guidance for the extent of green space that would be required as part of commercial development which would fall within the threshold as indicated as above.</p>	<p>Noted. The Council considers that commercial, as well as housing development impacts upon existing public open space. Any provision or contributions agreed in respect of commercial development will be individually assessed or calculated dependent on the details of the development, its location and other site specific details. Any such requests must satisfy the three statutory tests and CIL Regulations.</p>

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				<p>Making a statement confirming that green space contributions will be required as a result of commercial development and then not to provide any clear guidance as to the extent at the cost of such space is unhelpful and we would seek further clarity from the Council on this aspect.</p> <p>We respectfully suggest that where the commercial development of 1,000 sqm is coming forward then the details of open space within that site should be the subject of specific discussion as it relates to every individual site.</p>	
Janet Innes-Clarke Brampton Parish Council	DCspd34	B.9	Have observations	In practice informal and formal space are often the the same area e.g marked out sports areas and open access. Care must be taken that these needs do not overlap in planning applications. If the space is too small in relation to the size of a community this situation causes conflict..	Noted.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd100	B.9	Object	The Development Management DPD will set the open space standards for developments. We refer to comments submitted at the relevant consultation stages (most recent being may 2010) which continue to apply. In this context, we continue to object to the exclusion of highway verges and shelter belts etc where these form an integral part of a development framework. For example the St Neots East UDF includes green vales alongside the spine road and water corridors which will significantly contribute to the character and quality of the informal open spaces.	Disagree. Highway verges, shelter belts and areas of open water do not form usable areas of public open space and will continue to be excluded from public open space provision.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd101	B.18	Have observations	Paragraph B.18 requires that where open space is to be delivered on-site it has to be offered first to the local Town and Parish Councils for adoption. However, this should be one option available to the developer, alongside offering to the District Council or establishing a management company to maintain the open space.	Noted. The opportunity regarding adoption is noted to go to Town and Parish Councils as the first action but not only one.
Janet Innes-Clarke Brampton Parish Council	DCspd35	B.20	Have observations	The fact a development is near to a Key Service Centre or town should not remove the obligation to provide local facilities. The existing facilities are likely to be fully used.	Disagree. The policy relates to existing provision and requirements to meet the 3 statutory tests.
Ramune Mimiene Brampton Parish Council	DCspd152	B.20	Have observations	Green Space. B20 " <i>In the .Key Service Centres (KSCs) where existing play provision is typically well distributed it is not deemed necessary for Local Areas of Play to be provided</i> ". Does this still apply to KSCs (Brampton) where existing play provision is woefully inadequate?	Noted. The policy relates to all Key Service Centres.
Janet Innes-Clarke Brampton Parish Council	DCspd36	B.21	Have observations	<p>B21 to B31. Requirments difficult to track. There seems to be room for confusion and/or manipulation.</p> <p>Responsibility for future maintenance needs to be decided at this stage.</p>	<p>Accepted in part Document amended to clarify.</p> <p>Maintenance costs are noted at para B.40 and B.41.</p>

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Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd102	B.22	Object	B22, the basis upon which a request is made for a wheeled sports facility is unclear. There should be space standards/contributions set where an identified shortfall is known within the district. Otherwise there is no policy guidance on the provision of such facilities to clearly identify which developments will be required to contribute to such a facility and at what cost and also the expected land take. Where there is an identified need within adopted policy then the SPD should include specific locational requirements within an appendix to ensure that all potential users contribute towards the provision of this type of facility.	Disagree. Mugas and wheeled sports facilities will be negotiated taking into account current capacity and the requirements of the 3 statutory tests. Document to be updated to clarify.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd103	B.31	Object	B.31, the fixed cost of ancillary items on a per project basis at £18,000 is unacceptable. Each facility will have differing requirements for seating/shelter/signage etc based upon site size per item and a carte blanche cost per facility is not justified. Also the opportunity for on-site provision in lieu of a financial contribution should be permissible within the SPD in order that developers of large scale projects can opt to influence the delivery of such items alongside the delivery of new housing rather than rely on a third party.	Accepted. The SPD will be amended to reflect that the figure of £18,000 per project will be a maximum amount and projects will be considered on a site by site basis. This figure has been included within the document to provide a guide price for developers to assist with their budgeting. On large scale major developments, developers will be typically expected to deliver such provision on site and the document will be amended to clarify requirements and potential for developer provision rather than financial contribution.
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	DCspd138	B.31	Object	We are concerned with the high costs of 'ancillary terms including shelters, seating and signage and litter bins' at a cost of £18,000 per project. To state that the same cost would apply to every project is unrealistic, is arbitrary and therefore, unjustified. The SPD should instead refer to a maximum cost or on-site provision in lieu of a contribution.	Accepted. The SPD will be amended to reflect that the figure of £18,000 per project will be a maximum amount and projects will be considered on a site by site basis. This figure has been included within the document to provide a guide price for developers to assist with their budgeting. On large scale major developments, developers will be typically expected to deliver such provision on site and the document will be amended to clarify requirements and potential for developer provision rather than financial contribution.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd104	B.33	Have observations	B.33, the level of off-site contribution is not explained. We cannot comment on the appropriateness of the level stated and request that further clarity is provided.	Noted. Text amended.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd105	B.38	Have observations	B.38, the minimum threshold should be caveated with reference to cumulative development to ensure that individual schemes or development proposals are not artificially sized to avoid on-site provision.	Disagree. Any S106 obligations must comply with the 3 statutory tests and CIL Regulations with regards 'pooling' of contributions.
Janet Innes-Clarke Brampton Parish	DCspd37	C:	Support	C Footpaths and Access: Agree with most items	Support noted.

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
Council					
Janet Innes-Clarke Brampton Parish Council	DCspd38	C.4	Have observations	Refer to Rights of Way Improvement Plan (ROWIP). Important not to overlook 'improve and promote'.	Noted.
Janet Innes-Clarke Brampton Parish Council	DCspd39	C.7		Yes! Recent developments have done little or nothing to encourage people out of their cars. Links in and between the different areas of a settlement are perceived as a security risk. This myth needs to be dispelled. Well-used, well-lit links are not a danger.	Support noted.
Janet Innes-Clarke Brampton Parish Council	DCspd40	C.8		C8 Should apply at a figure considerably less than 200 units when appropriate.	Disagree. 200 unit figure in line with large scale major development approach.
Joseph Whelan Cambridgeshire County Council	DCspd50	C.8	Object	It is not agreed that footpath and/or access contributions will only be sought on residential developments of 200 units or above once CIL is in place. There might be site specific issues for smaller developments in relation to footpaths/access that may merit a contribution.	Disagree. 200 unit figure in line with large scale major development approach.
Joseph Whelan Cambridgeshire County Council	DCspd51	C.9	Have observations	Improvements to bridges and surface improvements should specifically be noted.	Noted. Such matters would fall within 'appropriate supporting infrastructure'.
Joseph Whelan Cambridgeshire County Council	DCspd52	D:	Have observations	Adult Social Care needs to be considered in this category. It is suggested that the heading of the section is changed to 'Health and Adult Social Care'. The vision for adult social care is 'to develop communities in which older people and adults affected by disability are truly engaged and exercise choice and control over their lives. Contributions for adult social care might be necessary for larger development proposals and would be negotiated on a case by case basis.	Disagree. Any such contribution would be negotiated and be required to meet the 3 statutory tests and CIL regulations regarding 'pooling'.
Phil Copsey, David Lock Associates for Urban and Civic	DCspd175	D:	Have observations	Section D10 notes that account should be taken of other funding streams that exist to fund social infrastructure needs. The wording with regard to contributions towards current facilities should be carefully reviewed with regard to the Secretary of States policy tests as planning obligations should not be used solely to resolve existing deficiencies in infrastructure provision.	Noted. Text will be clarified.

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
Stephen Dartford Fenstanton Parish Council	DCspd17	D.2		Community Services now cover Cambridgeshire, Luton and Fenland and Health Care in the Community is no longer locally centred into community settings. Large scale developments in St Neots, St Ives and Huntingdon will put pressure on the services at Hinchingbrooke Hospital. Are future plans are being considered for this facility to cover the increase in population?	Noted. Hospital services will fall under the Community Infrastructure Levy.
Ian Burns NHS Cambridgeshire	DCspd18	D.7	Support	It must be recognised that this list is not exhaustive. As the delivery of health services and management of long term conditions changes over time so the associated infrastructure requirements may also change and so any agreed infrastructure requirements need to be regularly reviewed up to delivery.	Noted. Para D.7 notes the range of service that <u>could</u> be included. Para D.8 clarifies this is open to change.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd107	D.7	Have observations	Further, it is not clear that all of the contributions required by paragraph D.7 are site specific contributions towards specified infrastructure. The contributions described at D.7 would appear to be for a general pool of contributions towards healthcare provision, rather than site specific contributions (in particular, for example a contribution towards Primary Care GP services, intermediate care, acute facilities and mental health services - the request for revenue contributions also falls within this category, but is further critiqued at paragraph 8.2 below). These contributions are expressed to continue to be applied to large scale major developments following the adoption of the Community Infrastructure Levy Charging Schedule ("Charging Schedule"). Regulation 123 provides that once a Charging Schedule has been adopted no more than 5 planning obligations can be entered into after 6 April 2010 which provide for funding or provision of a specific infrastructure project, or a general type of infrastructure. Therefore once the Charging Schedule has been adopted, the contributions towards general health services will not be able to be made through section 106 agreements.	Noted. Para D.7 notes the range of service that <u>could</u> require contribution. Any contributions requested will take account the 3 statutory tests and the CIL Regulations regarding pooling.
Ian Burns NHS Cambridgeshire	DCspd19	D.9	Support		Support noted.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd106	D.9	Object	Type and threshold for size of development for which contributions are appropriate (SPD paragraph D9) This provides that if a CIL Charging Schedule has been adopted by Huntingdonshire District Council, CIL will be payable by developments of 10 or more dwellings. However, in the case of residential developments of 200 units or more, s.106 contributions will also be payable. This suggests that	Disagree. The draft SPD stated that health facilities contributions, via a S106 agreement, would apply to any development of 10 or more dwellings unless a CIL Charging Schedule has been adopted at which time contributions will apply to large scale residential developments only. The Preliminary Draft Charging Schedule, which was

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
				large scale development could end up paying the health contributions twice, which would be both inequitable, and have an effect on the viability of the development. This issue of double payment has also been raised in the Drivers Jonas Deloitte document 'Huntingdonshire District Council Viability Testing of Community Infrastructure Levy Charges' at 5.4 which states that "the Levy should dovetail with, and not duplicate, other mechanisms by which contributions towards infrastructure are made by developers."	consulted on at the same time as the draft SPD, included a CIL Infrastructure Project List that clearly identified which infrastructure falls within CIL or S106 to ensure no double counting takes place.
Ian Burns NHS Cambridgeshire	DCspd20	D.10	Support	This flexibility is important as the impact and needs arising from each development need to be considered individually in the local context and different solutions will be required in different situations.	Support noted.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd108	D.10	Object	<p>Paragraph D.10 requires financial contributions to support the delivery of the infrastructure and running costs to the PCT or successor NHS body. Revenue costs of providing such infrastructure cannot be supported by section 106 agreements, as they do not meet the tests in Regulation 122 of the CIL Regs, since they are not necessary to make the development acceptable in planning terms. An appeal decision dated 19 March 2007 relating to former police station and magistrates court, East Arbour St and West Arbour St London E1 0PU (reference number APP/E5900/A/06/2025956 and 7) found that such a contribution was then contrary to the guidance in Circular 05/2005 requiring any contributions to be necessary to make the development acceptable in planning terms. This requirement is now enshrined in statute (CIL Reg 122).</p> <p>Paragraph D.10 requires in some cases free serviced land contributions and financial contributions towards the delivery of such infrastructure. However, there should also be an ability for developers to construct the facilities themselves in lieu of the payment of contributions. This is a usual provision and assists with the viability of the development, since developers may well be able to make cost savings. They will also be able to time the construction of the facility with the provision of dwellings within the development. This point is made at paragraph 5.15 of the Drivers Jonas Deloitte document: Huntingdonshire District Council: Viability Testing of Community Infrastructure Levy Charges.</p>	<p>Accepted in part Document to be amended to delete reference to revenue costs in this section.</p> <p>The potential for infrastructure to be provided by developers is noted. Text will be updated to enable this possibility to be considered at the LPAs discretion.</p>
Ian Burns NHS Cambridgeshire	DCspd21	D.11	Support		Support noted.
Ian Burns	DCspd22	D.13	Have	Whilst the indicators detailed under D13, D14 and D15 are	Noted.

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
NHS Cambridgeshire			observations	useful as a general guide, actual costs will depend on the actual requirements in each individual case.	Document to be amended to clarify figures are for general guidance and not specific.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd109	D.13	Have observations	These costs seem very high: e.g. 2 GP practice: £735,000. How are they justified?	Noted. The costs have been provided by the PCT as an indication. Contributions will be negotiated.
Ian Burns NHS Cambridgeshire	DCspd23	D.14	Have observations	See D13	Noted. Document to be amended to clarify figures are for general guidance and not specific.
Ian Burns NHS Cambridgeshire	DCspd24	D.15	Have observations	See D13	Noted. Document to be amended to clarify figures are for general guidance and not specific.
Ramune Mimiene Brampton Parish Council	DCspd157	D.15	Have observations	Health. Only reference to dentist is at D15 as part of a new Primary Care Centre. Health Visitor?	Noted.
Rose Freeman The Theatres Trust	DCspd41	E:	Have observations	<p>We note the chapter on Community Facilities but unlike the CIL document there is no mention of cultural facilities. Are your cultural facilities included within the umbrella term 'community facilities'? For clarity we suggest an entry in the Glossary along the lines of community facilities provide for the health, welfare, social, educational, spiritual, recreational, leisure and cultural needs of the community but omitting any items that have their own section within the document.</p> <p>This document gives you the opportunity to recognise clearly the increasing value of culture to individuals as well as to the development of strong communities. It could help by allocating space for cultural facilities, by establishing a framework whereby developer contribution funds (S106) could be used to implement your cultural commitment, and by supporting collaborative working and the establishment of partnerships to achieve your plans.</p>	Noted. Community buildings need to be multi-purpose able to cover a range of requirements including cultural needs. Text reviewed to clarify.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd110	E.6		See comments at D9	Disagree. The draft SPD stated that community facilities contributions, via a S106 agreement, would apply to any development of 10 or more dwellings unless a CIL Charging Schedule has been adopted at which time contributions will apply to large scale residential developments only. The Preliminary Draft Charging Schedule, which was consulted on at the same time as the draft SPD, included a CIL Infrastructure Project List that clearly identified which infrastructure falls within CIL or S106

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					to ensure no double counting takes place.
Rt Revd Dr David Thomson Diocese of Ely	DCspd4	E.9	Have observations	Cambridgeshire Horizons' document "Facilities for Faith Communities in New Developments in the Cambridge Sub-Region" recommends a standard of 0.5 hectares free or equivalent for faith use per 3000 dwellings. Co-location with general community facilities may be possible, but should not be presumed as always appropriate.	Noted. Community buildings need to be multi-purpose able to cover a range of requirements including faith needs where appropriate. Text reviewed to clarify.
Ramune Mimiene Brampton Parish Council	DCspd155	F:	Have observations	Library Services. Brampton only has a mobile library. Can we get that provision on the base?	Noted. Library contributions will need to comply with the 3 statutory tests and comply with the CIL Regulations.
Joseph Whelan Cambridgeshire County Council	DCspd53	F.1	Have observations	The County Council should be referenced as the responsible authority for negotiating and securing these contributions as it's a County statutory responsibility.	Noted. The LPA is the responsible authority for negotiating S106 Agreements. Text will be updated at F.8 bullet one to state that the District Council, <u>with appropriate partners</u> , will negotiate
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd111	F.7	Have observations	See comments at D9. The standards applied to St Neots East are noted in the accompanying CIL DCS - St Neots Project Table as £800,000. Applying the £97/head contribution to the 3,500 homes identified in the corresponding UDF and the standard multiplier of 2.33 persons per unit would generate £791,035. Whilst this is a minor disparity based on the UDF, the quantum of development at St Neots East has not been fully tested and the impact on these assumptions made in the CIL DCS are currently unknown.	Disagree. The draft SPD stated that libraries and lifelong learning facilities contributions, via a S106 agreement, would apply to any development of 10 or more dwellings unless a CIL Charging Schedule has been adopted at which time contributions will apply to large scale residential developments only. The Preliminary Draft Charging Schedule, which was consulted on at the same time as the draft SPD, included a CIL Infrastructure Project List that clearly identified which infrastructure falls within CIL or S106 to ensure no double counting takes place. The specific project reference relates to the CIL Infrastructure Project List, which does not form part of the SPD. These costs are either known or expected costs.
Joseph Whelan Cambridgeshire County Council	DCspd54	F.8	Have observations	The County Council should be referenced as the responsible authority for negotiating and securing these contributions as it's a County statutory responsibility.	Noted. The LPA is the responsible authority for negotiating S106 Agreements. Text will be updated at F.8 bullet one to state that the District Council, <u>with appropriate partners</u> , will negotiate
Joseph Whelan Cambridgeshire County Council	DCspd59	G:	Have observations	General point - if there is a need for pre-school, primary and secondary contributions - the cost per house could be £12,581. This will be our approach to securing education	Noted as the comment of CCC as education authority.

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
				contributions in the interim period before CIL is adopted. This level of contribution may result in additional viability claims, and therefore applications will need to be looked at on a case by case basis.	
Phil Copsey, David Lock Associates for Urban and Civic	DCspd176	G:	Have observations	There appears to be a mismatch between the multiplier ranges identified at paragraph G11 and those within Table 7. A theoretical development of 100 3 bed dwellings with 40% affordable housing would generate 61 - 85 children using the rates at paragraph G11; using table 7 it would generate 70 children from the market housing and 180 children from the social rented - 250 children in total. It would be helpful if the background to the costs per place identified should also be published for review.	Noted. The information in the document is correct. The ranges at para G.11 are general multipliers and those at Table 7 are detailed multipliers. The calculations stated in the response are incorrect simply adding up figures for children per 100 dwellings whereas in the scenario stated 60 units would be market and 40 affordable.
Joseph Whelan Cambridgeshire County Council	DCspd55	G.2	Have observations	Please reference the County Council as the responsible authority for negotiating and securing these contributions as it is a County statutory responsibility	Noted. The LPA is the responsible authority for negotiating S106 Agreements. Para G.2 already makes reference to requirements of the Local Education Authority.
Joseph Whelan Cambridgeshire County Council	DCspd56	G.5	Have observations	Please remove reference to the Guide for Planning Officers and Developers as this document was not shared with Members and therefore has no formal endorsement.	Agreed. Para G.5 to be deleted.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd112	G.6	Have observations	Education is expressed to be provided either by contribution, or by contribution plus the provision of land as an in-kind payment. However, there should also be an ability for developers to construct the schools themselves in lieu of the payment of contributions. This is a usual provision and assists with the viability of the development, since developers may well be able to make cost savings. They will also be able to time the construction of the school with the provision of dwellings within the development. This point is made at paragraph 5.15 of the Drivers Jonas Deloitte document: Huntingdonshire District Council: Viability Testing of Community Infrastructure Levy Charges.	Noted. The potential for infrastructure to be provided by developers is noted. Text will be updated to enable this possibility to be considered at the LPAs discretion.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd113	G.7	Have observations	Further duplicate payments by the developer could occur where they are providing school facilities on site and also paying CIL towards more general facilities within the area.	Noted. The SPD clearly states when contributions will be required and the CIL Infrastructure Project List clearly identifies which infrastructure falls within CIL or S106 to ensure no double counting takes place.
Garth Hanlon, Savills (L&P) Ltd for St John's College Cambridge	DCspd79	G.7	Object	At the planning officer presentation held at Pathfinder House on the 6 th September 2011, planning officers responded to questions about seeking contributions for education from affordable housing. The Planning Director made it very clear that no educational contributions would be sought from	Disagree. Community Infrastructure Levy payments are not chargeable on affordable housing. S106 education contributions are chargeable on market and affordable housing, with the latter having

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
				<p>affordable housing irrespective of their size.</p> <p>If this in indeed the case, then Section G: Education and Schools need to confirm that this is indeed the Council's position The current text suggests that all housing developments of 4 or more dwellings (paragraph G.7) will trigger the need for educational contributions.</p> <p>We would also confirm that the Council must accept that educational contributions should only be sought where no spare capacity exists - if school places are available the the developers clearly should not be asked to make surplus provision. Accordingly, paragraph the first sentence of paragraph G.7 should be amended to read <i>"New housing developments within the District will trigger the need for education and school provision unless surplus provision already exists....."</i></p>	<p>a greater impact on educational facilities than the former.</p> <p>It can be confirmed that contributions of any kind will only be sought where space capacity in the appropriate locality does not exist, in line with the 3 statutory tests. This is clearly stated at para 5.2.</p>
Garth Hanlon, Savills (L&P) Ltd for AWG Landholdings Limited	DCspd85	G.7	Object	<p>On the 6th September 2001, District Council Officers answered specific queries on the Development Contributions SPD Document and confirmed that education contributions would not be sought from affordable housing developments. If this is indeed the case then the text within paragraph G.7 of the document needs further clarification given that the existing text states that for all housing developments of four or more dwellings this will trigger the need for education contributions. Clearly this is inconsistent with the Officers assertions at the recent meeting.</p> <p>Furthermore, we would seek further clarity from the Council in respect of new developments that may come forward in situations where there is already surplus capacity. In our view it is inequitable to seek contributions where adequate capacity already exists and accordingly we suggest that the first sentence of paragraph G.7 should be amended to read: <i>"New housing developments within the District will trigger the need for education and school provision unless surplus provision already exists."</i></p>	<p>Disagree.</p> <p>Community Infrastructure Levy payments are not chargeable on affordable housing.</p> <p>S106 education contributions are chargeable on market and affordable housing, with the latter having a greater impact on educational facilities than the former.</p> <p>It can be confirmed that contributions of any kind will only be sought where space capacity in the appropriate locality does not exist, in line with the 3 statutory tests. This is clearly stated at para 5.2.</p>
Joseph Whelan Cambridgeshire County Council	DCspd58	G.8	Have observations	County Council needs to be added instead of District	<p>Noted.</p> <p>The LPA is the responsible authority for negotiating S106 Agreements.</p> <p>Para G.8 already makes reference to negotiation with appropriate partners.</p>
Joseph Whelan Cambridgeshire County Council	DCspd57	G.10	Have observations	Please remove reference to the Guide for Planning Officers and Developers as this document was not shared with Members and therefore has no formal endorsement.	<p>Agreed.</p> <p>Reference to the guide will be removed.</p>
Stacey Rawlings, Bidwells for Connolly Homes	DCspd114	Table 9	Object	The indicative costs for schools seem very high. £7.3million for a 2 form entry primary school. In other areas we have seen an estimate of £4.05 million for a 1 form entry primary school and	Noted.

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
D.Wilson Oxford Uni				we would expect there to be economies of scale with such provision.	
Ramune Mimiene Brampton Parish Council	DCspd156	G.22	Have observations	Education. As "...contributions will not be sought from specialist older persons housing schemes or 1 bedroom dwellings" this raises the prospect of variation in the level of levy which could cause confusion. It also opens the Pandora's Box of "Me too" claims e.g. sport provision waiver for the specialist older persons housing scheme, etc. On the whole this wrinkle should be avoided.	Disagree. The exclusions from the contributions requirements are valid and ensure compliance with the 3 statutory tests.
Joseph Whelan Cambridgeshire County Council	DCspd62	H:	Have observations	Additional improvements at Alconbury, Bluntisham and Whittlesey Household Recycling Centres need to be added to the IPL so that waste management contributions can be secured through CIL. Prior to the adoption of CIL, the Draft SPD should make reference to the County's RECAP Waste Management Design Guide which will provide the basis on which S106 negotiations will be made. The County Council intends to undertake a second round of public consultation on the RECAP Waste Management Design Guide in September.	Noted. The Infrastructure Project List is part of the evidence supporting the emerging Charging Schedule and its purpose is simply to evidence an infrastructure funding gap. Reference to the RECAP guide already exists at para H.4.
Joseph Whelan Cambridgeshire County Council	DCspd63	H:	Have observations	Residential Wheelie Bins. Reference is made to developer contributions being sought for the provision of wheelie bins which is consistent with the content of Design Guide. However, there is no reference made to contributions for containers to enable greater recycling within homes and bring sites (which are described as mini recycling centres in para H5 of the Draft SPD).	Noted. The provision of wheeled bins to new build residential properties incurs a direct capital cost to the Council. The amounts levied to occupiers through the council tax system includes a proportion for the collection of refuse, but does not include provision for the capital outlay incurred to provide these receptacles.
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	DCspd139	H:	Object	We question the proposal for s106 contributions towards residential wheelie bins and the Police. It would reasonably be expected that this cost is met by the Council Tax. There is no justification why these should present a further burden on developers.	Disagree in part. The contributions for wheelie bins are valid and the cost of such requirements need to be met. The police contributions have been reviewed and will be deleted from the SPD. Any future CIL charge will cover infrastructure costs associated with matters such as custody suites.
Phil Copsey, David Lock Associates for Urban and Civic	DCspd177	H:	Have observations	While provision of wheelie bins is clearly required, the possibility of achieving this by means other than a contribution to the waste authority should be noted.	Noted. Wheelie bins will need to be funded as outlined in the SPD in order to meet the requirements for the appropriate fleet collection.
Ramune Mimiene Brampton Parish Council	DCspd146	H.11	Have observations	Inflation. Section H, Residential Wheelie Bins includes reference to the cost being updated annually (H11). How are other costs inflated over time?	Noted

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	DCspd140	I:	Object	We question the proposal for s106 contributions towards residential wheelie bins and the Police. It would reasonably be expected that this cost is met by the Council Tax. There is no justification why these should present a further burden on developers. Similarly, it is understood that funding for the Police is met by Government grant and Council Tax and we question whether the imposition of contributions from developers is reasonable.	Disagree in part. The contributions for wheelie bins are valid and the cost of such requirements need to be met. The police contributions have been reviewed and will be deleted from the SPD. Any future CIL charge will cover infrastructure costs associated with matters such as custody suites.
Ramune Mimiene Brampton Parish Council	DCspd154	I:	Have observations	Police. Why are the modest capital costs of additional police and police support not covered by increased precept income, which must cover capital costs for the remainder of the force?	Noted. The police contributions have been reviewed and will be deleted from the SPD. Any future CIL charge will cover infrastructure costs associated with matters such as custody suites.
Phil Copsey, David Lock Associates for Urban and Civic	DCspd178	I:	Have observations	The background to the figures employed for contributions needs to be fully referenced so that the costs can be reviewed. The final sentence of paragraph I17 should be clear that this contribution as calculated would only apply to non-residential floorspace likely to involve a concentration of people outside of work.	Noted. The police contributions have been reviewed and will be deleted from the SPD. Any future CIL charge will cover infrastructure costs associated with matters such as custody suites.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd115	I.8	Object	Paragraph I.8 requires payments towards CIL, but also contributions to be applicable to large scale major developments. See coments at D9. Police requirements should not be dealt with through obligations but any payments should be secured by CIL.	Accepted. The police contributions have been reviewed and will be deleted from the SPD. Any future CIL charge will cover infrastructure costs associated with matters such as custody suites.
Garth Hanlon, Savills (L&P) Ltd for St John's College Cambridge	DCspd80	I.8	Object	Paragraph I.8 within the SPD states: <i>"New housing developments within the district and commercial developments that are likely to involve the concentration of people outside of work often associated with alcohol, such as leisure, restaurant, take-away, pub and night club uses will trigger the need for police contributions."</i> It then goes on to state that: <i>"Police service contributions will apply to any residential development of 10 more dwellings and any commercial development of 1,000 m² or more floorspace..."</i> St John's College, Cambridge are landowners adjacent to Ermine Business Park in Huntingdon and have been promoting this area of land within the Council's Local Development Framework for commercial uses. The Adopted Core Strategy indicates that the College's landholding is appropriate for new employment development and on the basis of an application being prepared and submitted to the Council it is essential that the College is aware of contributions that may be sought as the focus of this development. Clearly in the context of Section I in the SPD as it relates to "police"	Accepted. The police contributions have been reviewed and will be deleted from the SPD. Any future CIL charge will cover infrastructure costs associated with matters such as custody suites.

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
				<p>we would not be making contributions to the Police having regard to the anticipated nature of new development (i.e. as an extension to the existing business park). In such a context, we suggest that further clarity and consistency is introduced into the wording of I.8 to clarify the Council's position and accordingly suggest the following wording to be provided.</p> <p><i>"New housing developments within the District and commercial development that are likely to involve the concentration of people outside of work often in association with alcohol, such as leisure, restaurant, takeaway, pub and nightclub uses will trigger the need for Police contributions. In these circumstances, Police service contributions will apply to any residential developments of 10 or more dwellings and only relevant commercial development of 1,000 m² or more of floorspace..."</i></p>	
<p>Garth Hanlon, Savills (L&P) Ltd for AWG Landholdings Limited</p>	<p>DCspd86</p>	<p>I.8</p>	<p>Object</p>	<p>Paragraph I.8 within the SPD states: <i>"New housing developments within the District and commercial developments that are likely to involve a concentration of people outside of work often associated with alcohol, such as leisure, restaurant, takeaway, pub and nightclub uses will trigger the need for Police contributions"</i>. It goes on to state that: <i>"Police service contributions will apply to any residential development of 10 or more dwellings and any commercial development of 1,000 sqm or more of floorspace..."</i> AWG Landholdings Ltd are concerned that new commercial developments that may well be of an office nature should not be the subject of planning obligations which do not directly relate to the new development itself and are which not necessary in order to make it happen.</p>	<p>Accepted. The police contributions have been reviewed and will be deleted from the SPD. Any future CIL charge will cover infrastructure costs associated with matters such as custody suites.</p>
<p>Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni</p>	<p>DCspd116</p>	<p>J:</p>	<p>Object</p>	<p>This does not meet the test laid down by regulation 122 of the CIL Regs. It is covering the costs of a service which should already be supplied by the Council, and therefore cannot be shown to be necessary to make the development acceptable in planning terms, or directly related to the development.</p>	<p>Accepted. The sports and physical development activity development officer contributions have been reviewed and will be deleted from the SPD.</p>
<p>Garth Hanlon, Savills (L&P) Ltd for St John's College Cambridge</p>	<p>DCspd81</p>	<p>J:</p>	<p>Object</p>	<p>This section within the SPD suggests that contributions from housing and commercial development will be sought towards the "provision of a Sports and Physical Activity Development Officer for community benefit". There is very little detail within Section J of the SPD as to what such an officer would be doing although the Council suggest in paragraph J.7 that these could include " <i>holiday programmes, after school clubs, sports club development, over 50's activities, exercise referral and healthy lifestyle activities</i> ". We fail to see how the Council apply such a contribution within the five tests of Circular 05/2005 and certainly cannot see how</p>	<p>Accepted. The sports and physical development activity development officer contributions have been reviewed and will be deleted from the SPD.</p>

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
				<p>such a contribution is "necessary to make a proposal acceptable in planning terms". It is inappropriate for the Council to introduce such obligations in this manner on a simple assumption that "new housing and commercial development will trigger the need" (paragraph J.6). The list of functions for such an officer (J.7) suggests some form of teaching/education and we cannot support such a contribution. In the circumstances of St John's College promoting the land adjacent to Ermine Business Park for new employment, we cannot see how such a contribution will stand up to scrutiny in light of the five tests, three of which are now enshrined within statutory legislation.</p> <p>Finally we note that the wording in Section J is remarkably similar to the wording in Section K as it relates to the "Community Development Officer". There is clear duplication (particularly in respect of the community benefits set out in J.7 and K.7) which is totally inappropriate notwithstanding our serious concerns about non-compliance with legislation. Section J should be deleted.</p>	
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	DCspd141	J:	Object	<p>There is no rationale for contributions to be made towards Sports and Physical Activity Development Officers and Community Development Officers. The level of contribution expected from developers is to pay each officer's substantial £40,000 annual salary for a 15 year period, which is unjustified and unreasonable. We wish to further review, in detail, the full range of proposed contributions and CIL and would wish to discuss this with you as a matter of urgency given the strategic importance of the delivery of St Neots to the LDF.</p>	Accepted. The sports and physical development activity development officer contributions have been reviewed and will be deleted from the SPD.
Garth Hanlon, Savills (L&P) Ltd for AWG Landholdings Limited	DCspd87	J:	Object	<p>It is understood that this section of the SPD is a new approach as far as the Distinct is concerned. However, there is very little detail indeed within Section J of the SPD as to what such an Officer would be doing although the Council suggested at paragraph J.7 that this could include: <i>"Holiday programmes, after school clubs, sports club development, over 50's activities, exercise referral and healthy lifestyle activities."</i></p> <p>We therefore fail to see how the Council apply such a contribution within the five tests of Circular 5/05 and certainly cannot see how a contribution is "necessary to make a proposal acceptable in planning terms". It is inappropriate for the Council to include such obligations in such a manner on a basic assumption that "new housing and commercial development will trigger the need" (paragraph J.6) in the circumstances and where AWG Landholdings Ltd are bringing forward sites for development, we cannot see how a contribution will stand up to scrutiny in light of the tests.</p>	Accepted. The sports and physical development activity development officer contributions have been reviewed and will be deleted from the SPD.

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
				We note that the wording in Section J is remarkably similar to the wording in Section K as it relates to the "Community Development Officer". There is a clear duplication in both and on that basis we consider both sections J and K should be deleted from the SPD.	
Phil Copsey, David Lock Associates for Urban and Civic	DCspd179	J:	Have observations	It would be of assistance if the requirements for sports and physical activity development officers and community development officers were more fully explained, and how new provision as a result of new developments will augment existing levels of provision of such initiatives across the District. This section should also be updated to offer flexibility for equivalent roles to be funded and provided outwith the public sector, such as through making contributions to other sports development or community initiatives, and how any contributions in kind might be offset against any requirements. Very large scale developments could fund such measures directly themselves, hence the need for flexibility.	Noted. The sports and physical development activity development officer contributions have been reviewed and will be deleted from the SPD.
Stacey Rawlings, Bidwells for Connolly Homes D.Wilson Oxford Uni	DCspd117	K:	Object	See comments at J	Accepted. The community development officer contributions have been reviewed and will be deleted from the SPD.
Stuart Garnett, Savills (L&P) Limited for Gallagher Estates	DCspd142	K:	Object	There is no rationale for contributions to be made towards Sports and Physical Activity Development Officers and Community Development Officers. The level of contribution expected from developers is to pay each officer's substantial £40,000 annual salary for a 15 year period, which is unjustified and unreasonable. We wish to further review, in detail, the full range of proposed contributions and CIL and would wish to discuss this with you as a matter of urgency given the strategic importance of the delivery of St Neots to the LDF.	Accepted. The community development officer contributions have been reviewed and will be deleted from the SPD.
Phil Copsey, David Lock Associates for Urban and Civic	DCspd180	Appendix 1:	Have observations	It is unclear what is meant by watersports centre. Given the cost of £600k quoted this is not envisaged to include a swimming pool. It would be helpful if the background source for the costs outlined was cross referenced to allow the background data to be reviewed.	
Nairn Davidson Luminus Group	Response via CIL			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	Welcome comments. The evidence base is robust and in line with the adopted Core Strategy. Para 3.13 amended to reflect comment. The average house size is based on an average calculation across all sizes.

Name, Company/ Organisation	Comment ID	Para. Number	Do you?	Comment	Officer's recommendation
				<p>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 quesry 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>The legal requirements stated in section 4 are standard. The fees noted have been reviewed in light of comments received and the document will be updated to reflect this</p>
Rose Freeman The Theatres Trust	Response via CIL			<p>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.</p>	<p>Noted. The document will be amended to clarify that new cultural facilities <u>may</u> receive contributions through a negotiated process, if these can be fully justified.</p>

Developer Contributions Supplementary Planning Document

Huntingdonshire LDF | Developer Contributions Supplementary Planning Document

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1 Introduction

- 1.1** This Supplementary Planning Document (SPD) sets out Huntingdonshire District Council's policy for securing developer contributions from new developments that require planning permission. This SPD is supplementary to the Adopted Huntingdonshire Core Strategy, particularly Policy CS10 and should be considered alongside the Preliminary Draft Community Infrastructure Levy Charging Schedule 2011 or any successor documents.
- 1.2** The District Council expects all eligible types and sizes of new development in Huntingdonshire to contribute to site related and broader infrastructure through a combination of the following mechanisms:
- Planning conditions (development and project specific)
 - Planning obligations e.g. Section 106 Agreements (development and project specific)
 - Community Infrastructure Levy (District wide)
- 1.3** The necessity for site related developer contributions, secured through planning conditions and section 106 Agreements, is assessed against the needs of each site and project.
- 1.4** The Community Infrastructure Levy (CIL) is charged on most new development, based on an approved CIL Charging Schedule. Some types and sizes of development, including small extensions and development by some charities, are exempt from liability to pay a levy under the CIL Regulations 2010. A Preliminary Draft Community Infrastructure Levy Charging Schedule was consulted on at the same time as the draft of this SPD. A Draft Charging Schedule is due to be consulted on later this year and it is anticipated that a Charging Schedule will be adopted by Huntingdonshire District Council in Spring 2012.

Planning Conditions and Obligations

- 1.5** The District Council negotiates financial or other contributions for site related infrastructure improvements that are required to enable planning permission to be granted as they make a new development acceptable or successful.
- 1.6** The developer contributions are secured by applying conditions to planning permissions or through a negotiated planning obligation, also known as a Section 106 Agreement, which is prepared and concluded as part of the planning application process.
- 1.7** Planning conditions and obligations are a tried and tested mechanism to require individual developments to provide or pay for the provision of development specific infrastructure requirements. They are flexible and have historically delivered a wide range of site and community infrastructure benefits, including the transfer of land for community use.

The Community Infrastructure Levy (CIL)

- 1.8** The District Council is entitled to charge a Community Infrastructure Levy (CIL) on new developments within the District⁽¹⁾. The CIL applies to most new developments and charges are based on the size and type of the new development. The basis for the CIL charge for each development type is detailed in the District Council's Preliminary Draft Community Infrastructure Levy Charging Schedule, which is being consulted on at the same time as this SPD.
- 1.9** The CIL will generate funding to deliver a range of District-wide and local infrastructure projects that support residential and economic growth, provide certainty for future development, and benefit local communities.

1 Community Infrastructure Regulations 2010 (as amended)

1 Introduction

- 1.10** It allows the District Council to work with infrastructure providers and communities to set priorities for what the funds should be spent on, and provides a predictable funding stream so that the delivery of infrastructure projects can be planned more effectively.
- 1.11** The CIL is designed to give developers and investors greater confidence to invest because there will be more certainty 'up front' about how much money they will be expected to contribute towards community infrastructure. Equally, the community will be better able to understand how new development is contributing towards prioritised infrastructure projects across the District.
- 1.12** It is envisaged that local communities which accept new development in their areas will be allocated a 'meaningful proportion' of the collected CIL funds to help support their own local infrastructure projects.

Highway Improvements

- 1.13** Agreements for the private sector funding of works on the Strategic Road Network would normally be made under section 278 of the Highways Act 1980, as amended by Section 23 of the New Roads and Street Works Act 1991. These agreements provide a financial mechanism for ensuring delivery of mitigation works identified and determined as necessary for planning permission to be granted. Under certain circumstances, particularly where works are required as mitigation for multiple developments, CIL may be the more appropriate funding mechanism. Neither mean that the Highways Agency will support a developer in any planning application or subsequent proceedings.
- 1.14** Section 278 Agreements are not the responsibility of the Local Planning Authority. Further guidance on the Section 278 process and the steps which will need to be taken by a developer and others, when such an agreement is contemplated, can be found on the Department for Transport website and the Cambridgeshire County Council website.

2 The Purpose of the SPD

- 2.1** Huntingdonshire is a focus for housing and economic growth in Cambridgeshire. Huntingdonshire District Council, Central Government and Cambridgeshire County Council are committed to building sustainable communities through a plan led system.
- 2.2** The purpose of the Developer Contributions SPD is to:
- Explain the District Council's policies and procedures for securing developer contributions through planning conditions and obligations.
 - Explain the relationship between the required developer contributions and the Community Infrastructure Levy in a fair and transparent way.
 - Provide evidence and guidance to developers and landowners about the types of contributions that will be sought and the basis for charges.
- 2.3** This will ensure that new development is supported by locally and democratically prioritised community infrastructure.

Planning Legislation

- 2.4** The statutory framework for planning obligations is set out in Section 106 of the Town and Country Planning Act 1990 as amended by section 12 (1) of the Planning and Compensation Act 1991. The Government's Office of the Deputy Prime Minister (ODPM) Circular 05/2005 requires planning obligations to meet all of the following tests. They have to be:
1. Necessary to make a proposal acceptable in planning terms.
 2. Directly related to the proposed development.
 3. Fairly and reasonably related in size and type to the proposed development.
 4. Relevant to planning.
 5. Reasonable in all other respects.
- 2.5** The Planning Act (2008) also provides the enabling powers for Local Authorities to apply a Community Infrastructure Levy (CIL) to development proposals to support infrastructure delivery in an area. Local Authorities are entitled to charge a Levy on the basis that it can contribute to well evidenced, costed and justified community infrastructure.
- 2.6** The CIL Regulations 2010 which provide the detail on the implementation of CIL were published in April, 2010. Developer Obligations and CIL need to be complementary contribution mechanisms. The DCLG New Policy Document for Planning Obligations Consultation Draft March 2010 outlined new statutory restrictions on planning obligations in line with the CIL regulations that:
- Put 3 of the 5 Circular 5/05 tests (numbers 1, 2 and 3 in list above) on a statutory basis for developments which are capable of being charged CIL.
 - Ensure the local use of CIL and planning obligations do not overlap.
 - Limit pooled contributions towards infrastructure which may be funded by CIL.

Planning Policy Context

- 2.7** 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. However, at this time, the planning policy context is as set out below.

2 The Purpose of the SPD

2.8 Planning Policy Statement (PPS) 12: Local Spatial Planning 2008 states that infrastructure planning is central to the plan making process. It expects Core Strategies to be supported by evidence of what physical, social and green infrastructure is needed to enable the growth identified to happen.

"Good infrastructure planning considers the infrastructure required to support development, costs, sources of funding, timescales for delivery and gaps in funding. This allows for the identified infrastructure to be prioritised in discussions with key local partners. This has been a major theme highlighted and considered via HM Treasury's CSR07 Policy Review on Supporting Housing Growth. The infrastructure planning process should identify, as far as possible:

- *infrastructure needs and costs;*
- *phasing of development;*
- *funding sources; and*
- *responsibilities for delivery."*

2.9 The **East of England Plan (EEP)** is the Regional Spatial Strategy (RSS) for the Eastern Region. It was published in May 2008 and sets the regional framework for preparation of local development documents. The EEP sets specific targets and policy requirements. It requires Huntingdonshire to deliver a minimum of 11,200 homes in the period 2001 – 2021, and provide a share of 75,000 new jobs for Cambridgeshire over the same period.

2.10 The Government has indicated that it intends to abolish the RSS. It has been established that this intention is not a material consideration for plan production, therefore until the Localism Bill is enacted and comes into force the EEP remains part of the Development Plan.

2.11 The planning policy context for planning related developer contributions in Huntingdonshire District Council is established through the Local Development Framework (LDF) and other related documents and evidence.

2.12 The adopted **Huntingdonshire Core Strategy** is the development plan for Huntingdonshire for the period from 2009 to 2026. It sets out the District Council's vision for the sustainable development of the District, including a policy framework for addressing the infrastructure requirements necessary to meet the planned growth of the district to 2026.

2.13 Core Strategy Policy CS10 sets out the contributions that may be required for infrastructure and will be applied to all housing and commercial developments across the administrative area of Huntingdonshire.

2.14 The **Development Management Development Plan Document (DPD)** Proposed Submission, which during preparation was known as the Development Control Policies DPD, will be part of the Local Development Framework (LDF) and the statutory development plan. It will support the Core Strategy and the East of England Plan. It will set out the Council's policies for managing development in Huntingdonshire and will be used to assess and determine planning applications.

2.15 The Development Management Policies reflect the spatial vision and objectives of the Core Strategy. The policies rarely include cross-references to other policies as all the policies should be read together alongside the policies of the Core Strategy. More site-specific policies will be introduced through the Planning Proposals DPD that may be relevant. Where necessary, detailed guidance will be provided through Supplementary Planning Documents or Masterplans. The production of a Supplementary Planning Document on Planning Obligations to provide details on the range and level of infrastructure provision required was highlighted in the section on Contributing to Successful Development as one of the mechanisms, along with the Community Infrastructure Levy, for securing appropriate infrastructure contributions.

2.16 **Huntingdonshire's Sustainable Community Strategy 2008 – 2028** shows how HDC with its partners will build a better future for Huntingdonshire. It reflects key strategies, specifically the Local Development Framework, which will be the delivery mechanism for the spatial elements of the strategy.

Evidence Base

2.17 Huntingdonshire is a focus for economic and residential growth and the adopted Core Strategy identifies the key directions of growth. The table below highlights the projected growth within the spatial planning areas from 2011 to 2026, including sites already with planning permission, as taken from the Annual Monitoring Report 2010.

Table 1 Dwelling Numbers across the District

	2011 - 2016	2016 - 2021	2021 - 2026	Total
Huntingdon SPA*	1067	1564	160	2791
Ramsey SPA*	298	110	0	408
St Ives SPA*	612	559	0	1171
St Neots SPA*	2043	1743	1000	4786
Fenstanton KSC ⁺	45	80	0	125
Sawtry KSC ⁺	175	100	0	275
Yaxley KSC ⁺	69	10	40	119
Other KSCs ⁺	48	8	0	56
Sites outside SPAs / KSCs	19	0	0	19
Small sites district wide (under 9 dwellings)	281	0	0	281
Total	4657	4174	1200	10031
* Spatial Planning Area + Key Service Centre				

2.18 The main local evidence base that justifies developer contributions, and CIL in particular, is the Huntingdonshire Local Investment Framework (LIF) 2009. The LIF is a study that supports the adopted Core Strategy 2009. It details the physical, social and green infrastructure needs arising from the planned growth of Huntingdonshire to 2026 and the potential funding sources, including developer contributions, that could viably be obtained to help meet this need. The LIF is supported by a detailed viability assessment and a CIL project list.

2.19 The infrastructure needs and costs identified in the LIF have been updated as part of this work and the Community Infrastructure Levy implementation. 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 The Purpose of the SPD

- 2.20** The Infrastructure Project Plan list will be reviewed annually in consultation with stakeholders and partners. The phasing of development (housing trajectory) is updated each year in line with the annual monitoring exercise. Additional information on funding resources from other organisations has been added to the model and the CIL levy refined to keep it in line with current economic conditions.
- 2.21** In determining infrastructure needs at this stage, the Council and partners have had to translate dwelling growth figures into population generation. This has been undertaken by utilising the anticipated change in average household sizes 2006 – 2026 as shown in the following table⁽²⁾:

Table 2 Change in Household Size

	2006	2011	2016	2021	2026
Average household size	2.40	2.33	2.25	2.19	2.16

3 The Planning Contributions Framework

- 3.1** Planning conditions and obligations have, to date, been the standard planning process mechanisms for ensuring that development proposals are acceptable and can be granted planning permission. Following the legislative and policy changes outlined earlier in this SPD, the mechanisms used to ensure appropriate funding to meet the needs of a planning application have changed to include the Community Infrastructure Levy as well as the aforementioned planning conditions and obligations (S106 Agreements).

The Community Infrastructure Levy (CIL)

- 3.2** The Community Infrastructure Levy (CIL) applies to most new developments and charges are based on the size and type of the new development. The basis for the CIL charge for each development type is detailed in the District Council's Draft Community Infrastructure Levy Charging Schedule, which is planned to be consulted on in December 2011. It is anticipated that, following an Examination in Public, the Huntingdonshire Charging Schedule will be adopted in Spring 2012.
- 3.3** The CIL will generate funding to deliver a range of District-wide and local infrastructure projects that support residential and economic growth, provide certainty for future development and benefit local communities. Infrastructure needs identified as part of the CIL will not be duplicated in any S106 Agreement.

Planning Conditions

- 3.4** Planning conditions are requirements made by the Local Planning Authority for actions that are needed in order to make a development acceptable in planning terms. They cannot be used to secure financial contributions but can be used to ensure that certain elements related to the development proposal, and which may benefit the wider community, are carried out. In Huntingdonshire such conditions are likely to cover, amongst other things, the requirement to:
- undertake archaeological investigations
 - implement necessary local site-related transport improvement
 - undertake appropriate flood risk solutions.

Planning Obligations

- 3.5** Planning obligations, also known as Section 106 Agreements, are legal agreements between Local Planning Authorities and developers, usually negotiated in the context of planning applications. Their purpose is to make unacceptable development acceptable in planning terms. Government Circular 05/2005 (ODPM) permits planning obligations to be used in the following ways:
- Prescribe the nature of a development e.g. by requiring a proportion of affordable housing within a development
 - Secure a contribution from a developer to compensate for loss or damage created by a development e.g. loss of open space.
 - Mitigate the impact of a development impact, e.g. through increased public transport provision.
- 3.6** The introduction of the Community Infrastructure Levy has restricted the use of planning obligations so that they must meet three new statutory tests, they cannot be used to double charge developers for infrastructure, and they cannot be used in the form of a pooled tariff system. Affordable housing and other site and development specific measures that cannot be funded from the CIL are able to be funded through planning obligations.

3 The Planning Contributions Framework

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- 3.7** In Huntingdonshire, planning obligations will be used to secure significant site related community infrastructure on the large scale major⁽³⁾ developments that have been identified through the adopted Core Strategy and related Urban Design Frameworks, Development Briefs and other policy documents. The CIL will also apply to these developments to enable contributions to District wide and local community infrastructure.
- 3.8** Planning obligations can be secured through:
- In-kind and financial contributions. These could include, for example, the provision of land, facilities, or funds that enable the delivery of development related community needs.
 - One-off payments and phased payments, and maintenance payments. These could include, for example, funds provided to be invested to enable land and facilities to be maintained to agreed specifications over a period of time.
 - Pooled contributions, for example, towards the cost of a large strategic project that could include improvements to existing strategic roads, to be delivered at a later date taking into account the limiting of pooling contributions towards infrastructure introduced through the CIL Regulations 2010.
 - Unilateral Undertakings by developers. This involves the applicant undertaking to the Authority to deal with specified planning issues before planning permission is granted. It may be offered at any point in the application process or where agreement has not been reached after initial negotiations.
- 3.9** Planning obligations may be:
- Unconditional or subject to conditions.
 - Positive, requiring the developer to do something specific.
 - Negative, restricting the developer from doing something.
 - Related to specific financial payments based on a formula and often referred to as a commuted sum.
- 3.10** Planning obligations “run with the land” and are linked to specific planning permissions. They are registered as a land charge and will form part of the planning register, which is available for public inspection. They are enforceable against the original developer and anyone who subsequently acquires an interest in the land.
- 3.11** Timing of implementation is an important factor, especially in the following circumstances:
- If a planning obligation specifies a timescale within which the developer is required to undertake certain actions.
 - If the planning permission refers to the phasing of development, the planning obligation may be linked to this phasing arrangement.
 - If the planning obligation provides for a commuted sum to be paid to the Local Planning Authority the money must be spent within a specified period.
 - If money raised through a planning obligation is not spent within the agreed period, the developer could be reimbursed with the outstanding amount, together with any interest accrued.

The Interaction between Planning Obligations and CIL

- 3.12** Following the adoption of a Charging Schedule, CIL will become the main source of funding available through development management decisions for the majority of sites.
- 3.13** The provision of affordable housing lies outside of the remit of CIL and will continue to be secured, in the main, through Section 106 Agreements as well as some exception sites. 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 footpaths and roads, and archaeology. The principle is that all

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

eligible developments must pay towards CIL as well as any site specific requirement to be secured through Section 106 Agreements. Further details on the levy charge can be found in the Preliminary Draft Community Infrastructure Levy Charging Schedule, which is also being consulted on at this time and should be read in conjunction with this document.

- 3.14** Large scale major developments⁽⁴⁾ usually also necessitate the provision of their own development specific infrastructure, such as schools, which 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.
- 3.15** The large scale major developments identified so far which will necessitate Section 106 Agreements covering development specific infrastructure in addition to their CIL levy in the District 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)
- 3.16** 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.
- 3.17** 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.⁽⁵⁾
- 3.18** This is not an exhaustive list and may change in time, should new large scale major developments come forward.

Range of Developer Contributions

- 3.19** Developer contributions will be used to deliver the Huntingdonshire Local Development Framework Core Strategy, the Huntingdonshire Local Strategic Partnership's Community Plan, and emerging Neighbourhood Development Plans.
- 3.20** National planning policy recognises that where existing infrastructure is inadequate to address the impact of new development, it is reasonable to expect developers to contribute towards the financing of new or improved infrastructure:
- Directly relating to the development, through planning conditions and obligations
 - Required within the wider community, through a Community Infrastructure Levy
- 3.21** Developer contributions through planning obligations will be sought towards a range of community infrastructure, including:

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

5 Regulations 8 - 9 Community Infrastructure Regulations 2010 (as amended.)

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- Affordable Housing
- Green Space
- Footpaths and Access
- Health
- Community Facilities
- Library and Life Long Learning Facilities
- Education and Schools (including Early Year's and Children's Centres) Provision
- Residential Wheeled Bins

Regeneration Projects

- 3.22** The Council continually reviews opportunities to regenerate and enhance local communities. Additional projects may necessitate further contributions. In doing so, it will be ensured that the tests of lawfulness are met with regards S106 contributions, CIL requirements and meeting the planning policies as given in the Huntingdonshire Core Strategy 2009, the Development Management DPD: Proposed Submission 2010, the Huntingdon West Area Action Plan 2011 and any successor documents or guidance.
- 3.23** Projects identified where additional contributions may be required, on a site by site basis without exceeding policy levels and in line with the 3 statutory tests, include:
- St Neots Town Centre regeneration
 - St Ives Town Centre regeneration
 - Huntingdon Town Centre regeneration
 - Huntingdon West re-development
 - St Neots LCDI Renewable energy project.
- 3.24** This is not an exhaustive list and will be updated as necessary. Development briefs and other guidance relating to these projects will provide more detail on these projects as they become applicable.

Status of the Developer Contributions SPD

- 3.25** The SPD forms part of the Huntingdonshire Local Development Framework and is a material consideration when assessing planning applications within the District. It links with the adopted Huntingdonshire LDF Core Strategy and its associated Development Plan Documents and Supplementary Planning Documents.
- 3.26** Other elements of the Huntingdonshire District Council Local Development Framework, including the evidence base that underpins it, can be found at www.huntingdonshire.gov.uk.

4 The District Council's Approach to Developer Contributions

- 4.1** As Local Planning Authority, Huntingdonshire District Council has a fundamental legal role and responsibility in implementing the Developer Contributions process. In particular, the process needs to ensure that a balance is maintained between development-related and competing community infrastructure needs of the District.
- 4.2** It is the District Council's role to lead Planning Obligation (S106) negotiations, to notify developers of their CIL liabilities, and to ensure that funds provided by developers are spent as planned in conjunction with the agreed requirements of other authorities and implementation agencies. These may include, for example, education and transport requirements of Cambridgeshire County Council, and health service requirements of the Primary Care Trust or successor organisations.

Consultation, Negotiation and Notification

- 4.3** The District Council's Planning Service leads the Developer Contributions process, with input from a range of other District Council service areas, partner authorities and other public bodies.
- 4.4** Whilst the guidance provided in this Developer Contributions SPD aims to be as clear as possible, developers will benefit from seeking early negotiations with Planning Services officers to agree planning obligations and understand their CIL liabilities prior to submitting planning applications.
- 4.5** Negotiations will include consultation with other District Council service areas where appropriate (e.g. where open space or affordable housing is to be provided) and others including Cambridgeshire County Council regarding contributions or obligations relating to their responsibilities (e.g. transport and education).
- 4.6** The benefits of this approach include:
- It ensures that developers are aware of the scale of likely contributions required for a proposed development at the earliest opportunity.
 - It assists in determining project viability.
 - It provides greater clarity and certainty to the process.
 - It minimises the timescales involved in determining affected planning applications.

Developer Contributions Process

- 4.7** Prior to submitting a Draft Heads of Terms with a planning application, developers will need to consider a range of factors that influence contributions.
- 4.8** The household size of residential developments will need to be considered in order to understand the population change. The following table is taken from the Development Management DPD: Proposed Submission 2010 and indicates the average number of people living in new dwellings according to the size of the property.

Table 3 Average Number of People per Household

Number of bedrooms	Average people per household
1 bedroom	1.21
2 bedrooms	1.86

4 The District Council's Approach to Developer Contributions

Number of bedrooms	Average people per household
3 bedrooms	2.25
4 bedrooms	2.90
5 bedrooms	3.45
6 bedrooms	4.80

4.9 Where the household size is not known then an average should be used. The Huntingdonshire Local Investment Framework provided a forecast for the change in average household sizes as:

Table 4 Forecast average household sizes

	2011 - 2016	2016 - 2021	2021 - 2026	2026 - 2031
Average household size	2.33	2.25	2.19	2.16

4.10 The Preliminary Draft Community Infrastructure Levy Charging Schedule has considered the average housing mix based on the Huntingdonshire market behaviour applied numbers from the Cambridgeshire Horizons Property Size Guide 2010.

Table 5 Average housing mix (market behaviour applied)

	Minimum mix %	Maximum mix %	Assumed mix %	Area sq m
1 bed	3	5	4	45
2 bed	13	22	22	67
3 bed	22	39	30	85
4 bed	27	48	34	108
5+ bed	8	14	10	128

4.11 Where the housing mix is not known then an average area should be used of 92 sq m.

4.12 The District Council's process for agreeing Developer Contributions involves a series of steps, set out in Table 6, that are designed to ensure that the process is as swift and transparent as possible.

Table 6 Steps in the Developer Contributions Process

Steps	Planning Obligations	Community Infrastructure Levy
1	As part of the documentation submitted with the planning application, the developer provides draft Planning Obligations Heads of Terms form, using the template that will be available on the District Council's website. Planning applications will not be validated if the developer does not provide a draft Planning Obligations Heads of Terms form.	The developer provides the appropriate floorspace details with the application, where available. An Assumption of Liability Notice should be completed and included with the paperwork.
2	After the planning application is validated and the draft Heads of Terms are agreed in principle, the District Council's Legal Services team are instructed to prepare a draft Section 106 Agreement once the Local Planning Authority is minded to approve the application.	Once full details of the planning proposal are known, the District Council will determine the levy based on the adopted charges.
3	Once the developer and the District Council have agreed the draft Section 106 Agreement, the S106 Agreement has been signed and sealed and planning permission has been granted, details will be registered by the District Council's Land Charges section.	If planning permission is granted, a Liability Notice will be issued and the levy rate will be registered by the District Council's Land Charges section.
4	The agreed Planning Obligations and their relevant triggers are entered on the Council's Planning Obligations database. Implementation of agreed projects is monitored through to completion.	Once verification of commencement date has been received, a Demand Notice/s will be issued to the person/s liable to pay the CIL.
5	On final payment of the outstanding S106 contributions, the District Council's Land Charges section will remove the charge from the Land Charges Register.	On final payment of the outstanding CIL charge, the District Council's Land Charges section will remove the charge from the land charges register.
NB: the above table is for indicative purposes only.		

Legal Information

- 4.13** Developers will need to produce satisfactory proof of title for their particular site and all persons with an interest in the development site including mortgagees, tenants and option holders must be party to the agreement.

Local Land Charges

- 4.14** Planning obligations have to be registered as local land charges. Applicants will therefore need to produce title to the site and third parties, such as mortgagees, may have to be party to agreements.

Inflation

- 4.15** All Developer Contributions payments will be index linked to inflation. Any increase in the national All-in Tender Price Index published from time to time by the Building Cost Information Service of the Royal Institution of Chartered Surveyor(s) will result in an equivalent increase in the value of financial contributions and the figure for a given year is the figure for 1st November of the preceding year, as is the case with

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the Community Infrastructure Levy. In the event that the All-in Tender Price Index ceases to be published, the index to be used will be the retail prices index; and the figure for a given year is the figure for November of the preceding year.

Administration Charges

4.16 A S106 management fee will be charged for each S106 agreement. The fees for this will be reviewed on an annual basis and published separately on the Council's website. The current fees (2011/12) are as follows:

- 0.8% of the total value of financial contributions for the first £1million and 0.4% of any remaining value above £1million;
- a fixed charge to manage non-monetary obligations of £350 per type of obligation;
- a separate one-off fee of £250 will be charged for a deed of variation; and
- additional legal costs based on an hourly charge of £120 to £150 per hour, dependent on the officer involved.

4.17 The revenue generated from the fee will be used for S106 administration, monitoring and management purposes.

4.18 The administration fee for the Community Infrastructure Levy is incorporated within the Levy itself, so no separate additional fee is payable.

Late Interest Payments

4.19 In the event of any delay in making any payment required under a S106 Agreement interest shall be payable on the amount payable at the rate of four per cent per annum above National Westminster Bank Plc base lending rate from time to time in force from the date that the relevant payment falls due to the date of actual payment.

Triggers for Planning Obligations

4.20 Planning Obligations are normally triggered on commencement of development i.e. the date on which works to begin the development start, as defined by the carrying out of a material operation (section 56 of the 1990 Town and Country Planning Act), but may be earlier or later e.g. first occupation.

Timing of Developer Contribution Payments

4.21 The timescale for payment of planning contributions will be set out in the agreement. This will normally be due on commencement of development, but maybe prior to completion or first occupation. In the case of significant major development, payments may be phased to ensure development viability.

Viability

4.22 The contributions details in Section Five are considered to be reasonable and fairly related to the scale of development planned and its impact.

4.23 The Council has tested the viability of development in Huntingdonshire as part of the development of the Draft Community Infrastructure Levy Charging Schedule, on the basis of current conditions and taking into account the provision of 40% affordable housing with no grant provision, in line with current HDC policy requirements.

4.24 The Homes and Communities Agency HCA '2011/15 Affordable Homes Programme - Framework' published on 14 February 2011 introduces two major changes. They are (i) a reduction in grant funding and (ii) a new product called 'Affordable Rent (AR)', which at 80% of market rents are higher than 'Social Rent'. AR has now been included in the definitions of affordable housing in PPS3 but it does not currently feature in any local policy. Similarly, the HCA's Framework comprises requirements for Registered Providers

(RPs) that may not comply with current local planning policies. Until Affordable Rent can be written into policy, it has to be assumed that Registered Providers will deliver affordable housing in line with local policy. The Localism Bill will also oblige Local Authorities to produce a Strategic Tenancy Policy (STP) to outline its response to these proposals. In determining its STP, the council will take into account the affordability of AR relative to local incomes. The STP will inform the council's policy on affordable housing tenures but it should be stressed that PPS3 adds AR to the definitions of affordable housing and does not exclude other forms such as 'Social Rent' and this, more affordable tenure, may still feature in the Council's STP.

- 4.25** The costs incurred in delivering a workable, high quality development are to be expected and should have been reflected in the price paid for land, and will not normally reduce the ability of a site to provide the required obligations. Expected costs will include affordable housing, site clearance and remediation, good quality, design measures, landscaping, noise and other environmental attenuation measures, and appropriate infrastructure provision (which may include highway and public transport measures). Developers will be required to demonstrate any abnormal development costs at the earliest possible stage, in order that their impact on the viability of a scheme may be assessed. Price paid for land may not be a determining factor if too much has been paid or historic land values or developer profit margins are being protected at the expense of required contributions such as affordable housing.
- 4.26** If an exceptional circumstance does arise whereby a developer wishes the Council to reconsider the required contributions due to the impact on the viability of the scheme, the developer will need to submit a written request to the Local Planning Authority.
- 4.27** In line with exceptional circumstances procedure for the Community Infrastructure Levy, a claim for required planning obligations on a specific development to be reconsidered will need to:
- a. be submitted to the Local Planning Authority in writing;
 - b. be received by the Local Planning Authority before commencement of the development;
 - c. include the relevant particulars requested by the Local Planning Authority; and
 - d. be accompanied by—
 - i. an assessment carried out by an independent person of the cost of complying with the planning obligation mentioned and the CIL charge,
 - ii. an assessment carried out by an independent person of the economic viability of the development,
 - iii. an explanation of why, in the opinion of the claimant, payment of the planning obligations, and any CIL charge, would have an unacceptable impact on the economic viability of that development,
 - iv. where there is more than one material interest in the relevant land, an apportionment assessment, and
 - v. a declaration that the claimant has sent a copy of the claim, including all accompanying paperwork, to the owners of the other material interests in the relevant land (if any).
- 4.28** The independent person referred to above appointed to carry out an economic assessment must have appropriate qualifications and experience and be appointed by the local planning authority at the reasonable agreed cost of the claimant.
- 4.29** Based on the independent financial viability findings, developer contributions may be discounted or the phasing of infrastructure altered where this would not make the development unacceptable in planning terms. In certain circumstance, the Local Planning Authority may need to make a judgement as to whether a development would still be acceptable in planning terms with a reduced level of contributions where other funding sources cannot be found. Some development may simply need to wait until development values improve, land values can be renegotiated or alternative funding sources lined up.

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- 4.30** In exceptional circumstances where discounted contributions are agreed, these should be distributed between the identified requirements, depending on individual factors affecting the site, the availability of mainstream funding and the District Council's priorities informed by the Huntingdonshire Local Strategic Partnership Sustainable Community Strategy 2008 – 2028, or successor documents.
- 4.31** If discounted payments are approved, the Council may seek to recover all or part of the costs of discount at a later date through the use of deferred contribution clauses, where there are indications that the market could rise in the medium term.
- 4.32** In the case of applications for 100% affordable housing (for example, on rural exception sites), the Council will consider reducing the basic contributions/standard charges as part of the planning application process.

Spending Financial Contributions

- 4.33** Time limits for the expenditure of financial contributions will be included within planning obligations. The agreed timeframe will depend on the purpose and amount of contribution received. The policy agreed at Huntingdonshire District Council with its partners is to have a 5 year time limit in which to spend the contribution on the infrastructure identified in the signed agreement. However, for large scale major developments⁽⁶⁾ and general transport obligations a 10 year time limit will be given. Where maintenance contributions are included, this is calculated over a 15 year maximum period and is not time limited.

Monitoring of Developer Contributions

- 4.34** It is important that the negotiation of planning obligations and subsequent expenditure of any contributions received from developers is carefully monitored so that the handling of developer contributions is managed in a transparent and accountable way.
- 4.35** The District Council's systems for managing this process will include:
- The S106 Advisory Group: comprising members of the Development Management Panel, make decisions on the scope and detail of large scale Planning Obligations related to major development proposals.
- 4.36** The District Council will:
- maintain an ongoing overview of progress with the implementation of site specific and community infrastructure projects. This team provides a 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.
 - maintain a Developer Contributions Database to record progress with all Section 106 Agreements and CIL contributions, 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.

Public Access to Planning Obligations

- 4.37** Planning Obligations form part of the planning permission. This is a public document and will be placed on the public planning register together with the planning decision notice. This information will be made available on the District Council's website.
- 4.38** Furthermore, to continue the transparent process and accountability with regards planning obligations, details of member decisions will continue to be made available via the Council website.

6 DCLG Development Control PS1/2 statistical definition 2007/8

5 Planning Obligation Requirements

5.1 The following pages provide the policy guidance for requiring planning obligations. They relate to:

- Affordable Housing
- Green Space
- Footpaths and Access
- Health
- Community Facilities
- Library and Life Long Learning Facilities
- Education and Schools (including Early Year's and Children's Centres) Provision
- Residential Wheeled Bins

5.2 In considering the planning obligations requirements for a development, the current capacity of infrastructure will be considered to ensure that obligations are only necessary where present facilities are not able to accommodate the additional need generated by the development.

Negotiated Requirements

5.3 In addition to the requirements noted above, there may also need to be additional elements to the planning obligation, particularly for major developments. Such negotiated elements could include a variety of planning obligation areas dependent on the specific development and its impact on the local area, in accordance with the three statutory tests.

5.4 This could include:

- Social and economic inclusion projects;
- Revenue services gap funding;
- Indoor sports facilities;
- Public realm, including art, environmental improvements and heritage initiatives
- Carbon off-setting
- Biodiversity
- Waste Management⁽⁷⁾
- Archaeology⁽⁸⁾
- Transport/Highways⁽⁹⁾.
- Flood risk management solutions

5.5 It should be noted that specifically in relation to transport contributions, the Cambridgeshire Local Transport Plan 2011 - 2026: Implementation Plan identifies the importance of securing development funding. It notes that significant contributions to improving transport are expected from developers through Section 106 agreements negotiated as part of planning permissions by the County and District Council. Funding for transport gained through the planning process will be used to help deliver measures contained within the Market Town Transport Strategies. In addition to funding infrastructure measures arising from development, funding will also be required to contribute towards revenue funding of transport initiatives.

5.6 Market Town Strategies have been written for each of the market towns in Huntingdonshire and approved by Cabinet. Each strategy provides a programme of integrated and costed transport initiatives.

7 Responsibility of Cambridgeshire County Council

8 Responsibility of Cambridgeshire County Council

9 Responsibility of Cambridgeshire County Council

A: Affordable Housing

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A: Affordable Housing

Context

- A.1** Housing is a fundamental need and it is well documented that unsuitable housing conditions or being unable to access affordable housing can affect the quality of life of people. The need to make links between housing and health, social care, community safety, social inclusion, transport, energy efficiency, sustainability, education and employment is fully recognised.
- A.2** The District Council will continue to seek to secure appropriate affordable housing provision on development sites in accordance with the Adopted Core Strategy, the Development Management DPD: Proposed Submission 2010 and the Huntingdonshire Housing Strategy 2006 – 2011 or successor documents and policies as appropriate.
- A.3** Specifically, Core Strategy Policy CS4 sets out the affordable housing in development requirements and CS10 sets out the contributions that for infrastructure may be required and will be applied to all development proposals across the administrative area of Huntingdonshire.
- A.4** Local policies, such as the Huntingdonshire Housing Strategy, are based on national and local policy guidance and evidence from the Strategic Housing Market Assessment (SHMA), and other relevant surveys and analysis. The District Council's planning policy framework adequately addresses the issue of delivering affordable housing and details a developer's contribution in this respect, alongside the other development contributions outlined in this SPD.
- A.5** A number of proposed reforms to social housing were announced by the government in late 2010 as part of the Spending Review. In future, social housing is expected to reflect more effectively individual needs and changing circumstances. Social Landlords will be able to offer a growing proportion of new social housing tenants new intermediate rental tenancies at Affordable Rent (AR) levels.
- A.6** AR homes will be made available to tenants at a higher rent than traditional Social Rented housing (SR) up to a maximum of 80% of market rent and allocated in the same way as SR housing is at present. Landlords will have the option to offer AR properties on flexible tenancies tailored to the housing needs of individual households. The government has introduced a series of other measures such as changes to tenure (no longer a requirement to offer lifetime tenancies, flexibility to offer shorter terms with a minimum of two years); greater flexibility for local authorities in their strategic housing role and options to increase mobility for social tenants.
- A.7** The Localism Bill will also oblige Local Authorities to produce a Strategic Tenancy Policy (STP) to outline its response to these proposals. This is required within 12 months of enactment of the Bill. In the background of significant change the Council will produce its STP in this timeframe and it is anticipated that an Affordable Housing Delivery Guidance Note or revised SPD will be issued. Developers will be expected to have due regard to these documents and their content may be regarded as material considerations in determining a planning application. In determining its STP, the council will take into account the affordability of AR relative to local incomes.
- A.8** Huntingdonshire's Sustainable Community Strategy 2008 – 2028 shows how HDC with its partners will build a better future for Huntingdonshire. It reflects key strategies, specifically the Local Development Framework which will be the delivery mechanism for the spatial elements of the strategy.

Types of facilities/ services for which provision may be required:

- A.9** On site provision of affordable housing or, in exceptional circumstances, land off-site or a financial contribution to off-site provision.

Type and threshold for size of development for which contributions are appropriate:

- A.10** New housing developments within the District will trigger a need for affordable housing. The Core Strategy Policy CS4 states that affordable housing obligations will apply to residential developments of 15 or more dwellings / 0.5 hectares (1.24 acres) irrespective of the number of dwellings, or in smaller rural settlements 3 or more dwellings / 0.1 hectares (0.25 acres).

Form in which contributions should be made:

- A.11** Contributions will be required in a number of forms as outlined below, taking into account specific site requirements.
- The District Council will seek to achieve 40% affordable homes (calculated to the nearest whole number) where the thresholds above are met.
 - The mix in terms of property types will be provided by the Council's Housing Policy and Enabling Officer who will assess need by reference data such as the Council's Housing Register (including special needs), information held by the Homebuy Agent, the SHMA, and specialist providers of special needs housing. Units will be required to be distributed throughout the proposed development area; small clusters comprising not more than 15 units should be provided. Design Standards shall be as dictated by the Homes and Communities Agency regardless of whether Social Housing Grant has been secured.
 - The Council's forthcoming Affordable Housing Advice Note will seek to clarify the Council's approach to the negotiation of affordable housing.
 - The District Council takes the view that costs incurred in delivering a workable, high quality development are to be expected and should be reflected in the price paid for the land. These factors will, therefore, not normally reduce the ability of a site to contribute towards affordable housing provision.
 - Expected costs will include site clearance, good quality design measures, landscaping, noise and other environmental attenuation measures, and appropriate infrastructure provision (which may include highway and public transport measures). Developers will be required to demonstrate any abnormal development costs at the earliest possible stage, in order that their impact on the viability of a scheme may be assessed. (see also paragraphs 4.22 to 4.31).
 - As a minimum, developers will be expected to provide serviced free land for the affordable housing.

Provision Required

- A.12** Affordable housing units should be provided via a Registered Provider (RP) at a cost that enables the RP to deliver the necessary mix and tenure of units. Given the overwhelming need to provide affordable housing it will only be in very exceptional circumstances that a capital contribution/commuted sum may be acceptable in lieu of on-site provision. The minimum sum paid will be equivalent to the market value of the land assuming private development, that would otherwise have been required to provide affordable housing. The council will appoint a suitably qualified surveyor to assess the value and developers would be required to meet the costs of this.
- A.13** The provision of affordable housing has been incorporated into the viability testing undertaken during the production of the Preliminary Draft Community Infrastructure Levy Charge and, as such, viability is not likely to be a general consideration. The viability testing assumes that no grant will be provided. However, if an exceptional circumstance does arise whereby a developer wishes the Council to reconsider the required contributions due to the impact on the viability of the scheme, the developer will need to submit a written request to the Local Planning Authority as outlined at paragraph 4.26.

A: Affordable Housing

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- A.14** In cases where the council agrees (by reference to the viability assessment and other relevant factors) that on site provision cannot be achieved, alternative options for the contribution may be considered including changes to the affordable tenure mix, the number of affordable units, the phasing of delivery, the provision by the developer of an alternative suitable site for the affordable housing, whether grant may be available and whether a financial contribution would be acceptable.

B: Green Space

Context

- B.1** Open spaces are an essential element in the delivery of sustainable communities. They not only contribute to the health and well-being of the area, they are also essential to the biodiversity and delivery of a high quality designed development.
- B.2** The District Council will continue to seek to secure appropriate open space and sports facilities on development sites in accordance with the Adopted Core Strategy, the Development Management DPD: Proposed Submission 2010, the Open Space, Sports and Recreational Needs Assessment and Audit 2006, the Sports Facilities Strategy for Huntingdonshire (2009) or successor documents as appropriate.
- B.3** Specifically, Core Strategy Policy CS10 sets out the contributions that for infrastructure may be required and will be applied to all development proposals across the administrative area of Huntingdonshire.
- B.4** Huntingdonshire's Sustainable Community Strategy 2008 – 2028 shows how HDC with its partners will build a better future for Huntingdonshire. It reflects key strategies, specifically the Local Development Framework, which will be the delivery mechanism for the spatial elements of the strategy.

Types of facilities/ services for which provision may be required:

- B.5** On-site provision of land that is required for open space within the development, including the capital costs associated with the provision of children and young people's play equipment, parks and gardens, allotments/ community gardens layout such as fencing and laying water to the site and outdoor sports provision.
- B.6** However, if a Community Infrastructure Levy Charging Schedule has been adopted by Huntingdonshire District Council, contributions will only be required from:
- All schemes for the development specific provision of the land only required for informal and formal open space contributions
 - Large scale major⁽¹⁰⁾ residential developments of 200 units or above additionally for the capital cost of children and young people's play equipment, parks and gardens, allotments/community gardens layout such as fencing and laying water to the site and outdoor sports provision. All other requirements will be met by the Community Infrastructure Levy charge.

Type and threshold for size of development for which contributions are appropriate:

- B.7** New housing and commercial developments within the District will trigger a need for green space and associated set up costs. Green space land contributions will apply to residential developments of 10 or more units and commercial developments of over 1000 sq m or where the site area is 1 hectare or more.
- B.8** The following associated contributions thresholds will also apply unless a Community Infrastructure Levy Charging Schedule has been adopted by Huntingdonshire District Council in which case the contributions will only apply to large scale major residential developments of 200 units or above:
- In the Market Towns and Key Service Centres, play equipment contributions will apply to residential developments of 69 or more units.
 - In all other locations outside of the Market Towns and Key Service Centres, play equipment contributions will apply to residential developments of 18 or more units.
 - Allotments / Community gardens capital layout contributions will apply to residential developments of 10 or more units.

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

B: Green Space

Huntingdonshire LDF | Developer Contributions Supplementary Planning Document

- Outdoor sports contributions will apply to residential developments of 10 or more units.
- Maintenance contributions will be required to support any facility provision.

Form in which contributions should be made:

B.9 Contributions will be required in a number of forms as outlined below, taking into account specific site requirements.

- **Informal Green Space Contributions** will be required from proposals for residential development of the provision of 2.12ha of land per 1,000 population for usable, informal green space and play facilities to meet the anticipated needs of residents for casual active pursuits. This should incorporate 0.8ha of land for play facilities per 1,000 population to the standards set out in the Development Management DPD: Proposed Submission 2010, except for any supported housing element of the development proposal.
- The informal green space should be distributed broadly in the proportions below, taking into account the nature of the development proposed and existing local provision:
 - 0.48ha for parks and gardens
 - 0.23ha for natural and semi-natural green space, primarily for wildlife conservation
 - 1.09ha for amenity green space (excluding domestic gardens) incorporating Children's play space
 - 0.32ha for allotments and community gardens, including orchards
- The above informal green spaces are exclusive of highway verges, shelter belts, structural planting, existing woodland and areas of open water.
- **Formal Green Space Contributions** will be required from proposals for residential development of the provision of 1.61ha of land per 1,000 population for outdoor sports facilities to meet the anticipated need of resident for formal active pursuits. At least half of all playing pitch and court provision should be freely accessible for community usage.
- The District Council takes the view that open space is a key component to delivering a workable, high quality development and, as such, the design and layout of the open space will need to be agreed as part of the overall design of the scheme.
- **Children's play space capital contributions** will be required for equipped and designated children's play spaces on 0.25 ha of informal green space per 1,000 population or 2.5m² per person, within the 0.8ha of land for play facilities per 1,000 population as noted above.
- **Allotments / community gardens layout capital contributions** will be required to support the associated land provision.
- **Outdoor sports provision capital contributions** will be required on a negotiated basis.

Provision Required:

LAND

B.10 Contributions for informal open space, based on the provision required per person as noted above, will be required in the form of free public land.

B.11 Amount of space per person = 2.12ha of land / 1,000 population = 0.00212ha per person, which is sub-divided into:

- 0.48ha for parks and gardens/ 1,000 population = 0.00048ha per person
- 0.23ha for natural and semi-natural green space/ 1,000 population = 0.00023ha per person
- 1.09ha for amenity green space (excluding domestic gardens)/ 1,000 population = 0.00109ha per person
- 0.32ha for allotments and community gardens/ 1,000 population = 0.00032ha per person

- B.12** Of the above 1.09ha amenity green space requirement, 0.8ha of land per 1,000 populations should be for play facilities, which equates to 0.0008 ha per person.
- B.13** Children's play space shall be delivered in line with the guidelines set out in the Field in Trust (FIT) Planning and Design for Outdoor Sport and Play (2009). In line with FIT recommendations this should be distributed with 0.25 ha per 1,000 population or 2.5m² per person allocated to equipped and designated children's play spaces. The remaining 0.55 ha per 1,000 population or 5.5 m² per person should comprise casual/informal play space.
- B.14** On schemes of 10 or more dwellings where it is not desired to deliver Parks and Garden's, Natural and Semi Natural Green Space or Amenity Green Space (excluding equipped children's play) land within a scheme then off-site contributions will be required. This contribution will enable either the enhancement of existing local facilities or the development of additional facilities to serve the development.
- B.15** If these areas of space are not delivered on-site, an off-site contribution will be required, in accordance with the three statutory tests and CIL Regulations 2010 (as amended).
- B.16** The open space requirement per person is:
Parks and Gardens- 4.8m² per person
Natural and Semi Natural Green Space- 2.3m² per person
Amenity Green Space- 10.9m² per person
Total requirement per person – 18m²
- B.17** The land purchase cost including any landscape works is £7.52 per metre, which covers land value of £5 per metre and the cost of any soft landscape works at £2.52 per metre.
- B.18** Based on the above, a contribution of $18 \times 7.52 = £135.36$ per person will be required for off-site contributions to Parks and Garden's, Natural and Semi Natural Green Space or Amenity Green Space (excluding equipped children's play). For an average dwelling of 2.33 occupants the required contribution will be £315.38.
- B.19** For schemes of between 10 and 199 dwellings, or where it is not feasible for on-site delivery of allotment or community garden land, an off-site contribution will be required, in accordance with the three statutory tests and CIL Regulations 2010 (as amended).
- B.20** The open space requirement per person- 3.2m² per person. The land purchase cost including laying out and preparation for allotment cultivation (including water supply, fencing and plot preparation) £10.00 per m².
- B.21** Based on the above, a contribution of $3.2 \times 10 = £32.00$ per person will be required for off-site contributions to allotment and community gardens. For an average dwelling of 2.33 occupants the required contribution will be £74.56.
- B.22** Commercial scheme contributions will be individually assessed or calculated dependent on the details of the development, its location and other site specific details.
- B.23** Contributions for formal open space, in the form of outdoor sports pitches and courts will also be required in the form of free public land or off-site contributions in lieu of such provision.
- B.24** The amount of outdoor sports pitch and court space per person = 1.6ha of land / 1,000 population = 0.0016 ha per person.
- B.25** At least half of all sports pitch and court provision shall be freely accessible for community usage.

B: Green Space

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- B.26** For all large scale major⁽¹¹⁾ developments on-site provision of formal playing pitches and courts should be discussed with the Council at the earliest opportunity.
- B.27** On developments of 1810 or more dwellings where open space and/or facilities are delivered on-site, in the first instance such land and facilities must be offered to local Town and Parish Councils for adoption. In the event of the Town or Parish Council being unable to consider adoption, this requirement will revert to the District Council. Should the District Council not be in a position to agree to the adoption, developers must submit a proposal to the Head of Planning detailing how a Trust shall be set up for the new community to ensure appropriate future maintenance measures are implemented.

CAPITAL PLAY EQUIPMENT / FACILITIES

- B.28** In the Market Towns and Key Service Centres, a minimum threshold of 69 dwellings shall apply before play provision must be delivered on site.
- B.29** In the Market Towns and Key Service Centres where existing play provision is typically well distributed it is not deemed necessary for LAPs (Local Areas for Play) to be provided. Consequently the larger LEAP (Local Equipped Areas for Play) category of provision has been set as the minimum threshold for on-site delivery of equipped play spaces.
- B.30** In large scale major developments it will be expected that NEAPs (Neighbourhood Equipped Areas for Play) shall also be provided, in addition to the requirement for LEAPs.
- B.31** Large scale major developments may also require, in addition to provision of LEAPs/NEAPs, Multi-Use Games Areas (MUGAs) and wheeled sports areas. It is recognised that MUGAs and wheeled sports areas serve large areas of population and therefore the decision to request these facilities may vary depending on existing local facilities. Furthermore in some instances if there is a close proximity to an existing skate park an earth/crushed limestone surfaced BMX track may be more appropriate. These will be negotiated on a case-by-case basis.
- B.32** In all other locations, excluding Market Towns and Key Service Centres, a minimum threshold of 18 dwellings shall apply before play provision should be delivered on site. In the event of a proposed development being served by an existing play facility, an off-site contribution in lieu of this provision will be more appropriate. This contribution will enable the enhancement of existing facilities to meet the needs of the additional population.
- B.33** The method of calculation is: number of residential units x average household population x 2.5m².
- B.34** For example an 18 unit development would bring a population of 41.94, calculated from 18 units x 2.33 average household size. Applying the policy requirement of 2.5m² per person for equipped play would then produce a development requirement of 104.8m² or 1 x LAP.
- B.35** A 69 unit development would bring a population of 160.77, calculated from 69 units x 2.33 average household size. Applying the policy requirement of 2.5m² per person for equipped play would then produce a development requirement of 401.9 m² or 1 x LEAP.
- B.36** LEAPs, NEAPs and LAPs that all satisfy FIT design criteria will cost the following amounts excluding VAT (as at 01/04/11):
- LAP - £17,458
 - LEAP- £46,555
 - NEAP-£69,832

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- B.37** A wheeled sports facility consisting of a concrete skate park constructed in-situ will cost £120,000 excluding VAT at current prices (2011).
- B.38** An earth/crushed limestone BMX track will cost £25,000 excluding VAT at current prices (2011).
- B.39** A MUGA (0.07ha) will cost £90,000 excluding VAT at current prices (2011). Should floodlighting be required this will add a further £20,000 excluding VAT on to the project cost.
- B.40** All of the above types of facility will also require ancillary items including shelters, seating and signage and litter bins at a maximum guide cost of £18,000 per project excluding VAT (2011). Requirements will be considered on a case-by-case basis. It will be expected that the developer will provide the required ancillary items on agreement.

CAPITAL ALLOTMENTS AND COMMUNITY GARDENS

- B.41** Based on the policy requirement for 0.32 ha per 1000 population, or 3.2m² per person, allotment land will generally only be delivered on site on large scale major⁽¹²⁾ developments. The layout and requirements for on-site facilities are detailed in the District Council's specification for the setting out of allotment land.
- B.42** An allotment site including fencing, roadways and a water supply to plots will cost £10 per m² to lay out.

CAPITAL OUTDOOR SPORTS

- B.43** A minimum threshold of 450 units shall apply before outdoor sports facilities must be delivered on-site. This is based on the fact that taking an average household size of 2.33, the provision of two senior football pitches would not be required before this level of population growth and the provision of the necessary formal open space. Such provision should be negotiated with the Council at the earliest opportunity. Current standards of provision for a range of outdoor sports facilities have been adopted by the Council and can be seen in Appendix One - this is for guidance only and the facilities required will be dependent on the development needs and current capacity. As such, the necessary requirements will vary from one development to another.
- B.44** Developments of between 10 and 449 units will be required to provide an off-site contribution for outdoor sports to enhance existing facilities to meet the needs of the population growth, where appropriate, and will be negotiated on a case-by-case basis.

MAINTENANCE

- B.45** Developers will be required to pay appropriate commuted sum payments to cover future maintenance requirements to the local Town, Parish or District Council. Commuted sum payments will be calculated using the District Council's Schedule of Landscape Maintenance Rates (see Appendix Two), covering a fifteen year period and will be revised annually.
- B.46** In addition to the landscape maintenance schedule, the following commuted sums have been calculated over a fifteen year period and are updated annually:
 - LAP - £18,600 to cover weekly inspection and repairs and maintenance provision
 - LEAP- £38,700 to cover twice weekly inspections and repairs and maintenance provision
 - NEAP- £44,450 to cover twice weekly inspection and repairs and maintenance provision
 - Concrete skate park- £81,900 to cover inspections required on a daily basis (364 days/year)
 - Earth/crushed limestone surfaced BMX track- £26,700 to cover weekly inspection and annual grading/topping up of surfaces
 - MUGA- £35,050 to cover twice weekly inspection, annual surface spraying, renewal of line marking and deep cleaning of surface .

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C: Footpaths and Access

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C: Footpaths and Access

Context

- C.1** Footpaths, cycleways and bridleways are an important resource for recreation, healthy living and sustainable transport and are key to creating sustainable and networked communities.
- C.2** The District Council will continue to seek to secure appropriate footpaths and access on development sites in accordance with the Adopted Core Strategy and the Development Management DPD: Proposed Submission 2010 or successor documents as appropriate. The County Council is the responsible Authority for such infrastructure.
- C.3** Specifically, Core Strategy Policy CS10 sets out the contributions that may be required for infrastructure and will be applied to all development proposals across the administrative area of Huntingdonshire.
- C.4** Cambridgeshire County Council has published a document "Public Rights of Way: A Guide for planners and developers" that summarises the statutory provisions and best practice relating to Public Rights of Way (PROW). The County Council also publishes the Cambridgeshire Public Rights Of Way Improvement Plan. This aims to manage, improve and promote a Public Rights of Way network as an integral part of a wider transport system, which meets the needs of that community for safe, sustainable local transport, and which improves public health, enhances biodiversity, increases recreational opportunities and contributes to the rural economy.
- C.5** Cambridgeshire Local Transport Plan (LTP3) 2011 – 2026 seeks to address existing transport challenges as well as setting out the policies and strategies to ensure that planned large-scale development can take place in the county in a sustainable way. Making sustainable modes of transport a viable and attractive alternative to the private car; ensuring people – especially those at risk of social exclusion – can access the services they need within reasonable time, cost and effort wherever they live in the county; and protecting and enhancing the natural environment by minimising the environmental impact of transport are just some of the challenges it hopes to address.
- C.6** Huntingdonshire's Sustainable Community Strategy 2008 – 2028 shows how HDC with its partners will build a better future for Huntingdonshire. It reflects key strategies, specifically the Local Development Framework which will be the delivery mechanism for the spatial elements of the strategy.

Types of facilities/ services for which provision may be required:

- C.7** On site provision of appropriate publicly accessible routes to move within the site and in and out of the development.

Type and threshold for size of development for which contributions are appropriate:

- C.8** New housing and commercial developments within the District will trigger a need for publicly accessible routes. Contributions will apply to residential developments of 10 or more units and commercial developments of over 1000 sq m or where the site area is 1 hectare or more unless a Community Infrastructure Levy Charging Schedule has been adopted by Huntingdonshire District Council in which case contributions will only apply to large scale major⁽¹³⁾ residential developments of 200 units or above.

Form in which contributions should be made:

- C.9** Contributions will be required in a number of forms as outlined below, taking into account specific site requirements.

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- The District Council will negotiate with prospective developers to secure the necessary footpath and access needs for the development.
- The District Council takes the view that footpaths and access are a key component to delivering a workable, high quality development and, as such, the design and layout of such provision will need to be agreed as part of the overall design of the scheme.
- Free, publicly accessible land contributions will be required as a minimum.
- Financial contributions will also be required to support the delivery of appropriate supporting infrastructure, such as fencing, gates, stiles, seating, bins, interpretation boards and signage.

Provision Required:

- C.10** Contributions will be required to provide publicly accessible land for the provision and upgrading of necessary footpaths and other forms of access to move within the site and in and out of the development. The amount of provision will depend on the location and size of each site and its surrounding area. As such, cases, whether for residential, commercial or mixed development, will be negotiated and form part of the agreed design process.
- C.11** Contributions will also be necessary to the legal consents required for the construction of new links.

D: Health

Context

- D.1** The District Council will continue to seek to secure appropriate health service facilities related to development sites. In considering whether contributions will be sought towards the provision of health service facilities, the Council will liaise with their local National Health Service (NHS) Primary Care Trust (PCT), or successor bodies, and other relevant agencies. Consideration will be given to relevant health documents such as the Strategic Plan Document 2010 - 2015, the Corporate Strategy and the Strategic Services Delivery Plan (currently under development 2011). Health needs are informed by the Joint Strategic Needs Assessment (JSNA) which is a suite of documents that include an overall summary plus client group or themed areas including a JSNA for New Communities.
- D.2** In addition, the Government White Paper "Our Health, Our Care, Our Say", the Lord Darzi Interim Review of the NHS, the latest White Paper "Equity & Excellence; Liberating the NHS" and the NHS Future Forum recommendations seek to shift more health and social care into community settings, closer to peoples homes and continue the ongoing modernization of service delivery. The impact of development therefore goes far beyond the need for GP facilities and services which have often been the only element of health services considered in the past.
- D.3** The District Council will continue to seek to secure appropriate health service facilities to meet the needs of communities from new development sites in accordance with the Adopted Core Strategy, the Development Management DPD: Proposed Submission 2010, or successor documents as appropriate.
- D.4** Specifically, Core Strategy Policy CS10 sets out the contributions that for infrastructure may be required and will be applied to all development proposals across the administrative area of Huntingdonshire.
- D.5** Huntingdonshire's Sustainable Community Strategy 2008 – 2028 shows how HDC with its partners will build a better future for Huntingdonshire. It reflects key strategies, specifically the Local Development Framework, which will be the delivery mechanism for the spatial elements of the strategy.
- D.6** The Spatial Planning and Health Group (SPAHG), a group of planning and health experts, aims to improve public health through the positive use of spatial planning. It was first convened as part of NICE's⁽¹⁴⁾ Spatial Planning and Health Programme Development Group. At the conclusion of that research in November 2010, SPAHG was formed to take forward the work of developing and implementing key themes and actions. In June 2011, the Group published "Steps to Healthy Planning: Proposals for Action", which identifies 12 key action points to guide and help those involved in health and planning to improve health through spatial planning.

Types of facilities/ services for which provision may be required:

- D.7** On site provision of land for space within development to accommodate identified health needs. In certain circumstances it may be more appropriate to have the facility at an alternative location off site. In such circumstances, where more than 50% of need for infrastructure is generated by the proposal, a proportionate financial contribution to purchase the land or provision of the land as an in-kind payment will be required. Contributions will also be needed in all cases for the construction or funding of these health service facilities. The range of services that this could include is;
- Primary Care: GP Services
 - Intermediate Care: Day Places and Beds
 - Acute Facilities: elective, non-elective and day care beds
 - Mental Health Services

14 NICE, the National Institute for Health and Clinical Excellence, is an independent organisation responsible for providing national guidance on promoting good health and preventing and treating ill health.

D.8 The above is open to change due to policy and legislative changes.

Type and threshold for size of development for which contributions are appropriate:

D.9 New housing developments within the District will trigger a need for health facilities. Health facilities contributions will apply to any development of 10 or more dwellings unless a Community Infrastructure Levy Charging Schedule has been adopted by Huntingdonshire District Council in which case contributions will only apply to large scale major⁽¹⁵⁾ residential developments.

Form in which contributions should be made:

D.10 Contributions will be required in a number of forms as outlined below, taking into account specific site requirements.

- The District Council will negotiate with prospective developers with a view to securing the necessary health service facility needs for the development.
- Free, serviced land contributions or a financial contribution to purchase the land will be required as a minimum for the erection of appropriate health facilities.
- As a first principle, the District Council expects developers to provide a financial contribution towards the delivery of the required infrastructure. If appropriate, consideration of the developer building the required infrastructure to an agreed specification will be considered on a case-by-case basis in consultation with appropriate partners.
- In assessing whether contributions should be required, a range of factors will need to be considered including:
 - Will the development create a demand for new facilities or services?
 - Can existing facilities or services absorb the new patients and/or users?
 - Will new patients/users generated by the development be able to access existing services and facilities easily?
 - Will the development result in the loss of existing health facilities and is adequate alternative provision being made?
 - Can the increased needs arising from the development be met by existing resources and funding regimes?
- Contributions will be sought where, as a result of the development;
 - New premises/facilities are required as a result of the increased needs arising from the development.
 - Current facilities are inadequate for the additional users, in terms of their quality or accessibility for users (based on accepted NHS standards) and therefore need to be improved or extended in order to meet the needs of the development.
 - Inadequate alternative funding is available to provide the additional facilities or services required as a result of the development.

Provision Required:

D.11 Contributions will vary with each development. The need for on-site development is dependent on the viability and proximity of other health infrastructure. Strategic planning of health services and infrastructure may identify a particular development site as a preferred location for a health facility to serve the development alone or including a wider area than the development itself.

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D: Health

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- D.12** The impact of any individual development is clearly dependent on the factors detailed above and can vary considerably. The PCT, or any successor NHS body, will therefore assess the impact of the development using the factors detailed above.
- D.13** The contribution will be negotiated case by case. As a guide, at this time, an equivalent cost for a 2GP practice is in the region of £735,000, dependant on the individual requirements for each facility. Each GP may have up to 1800 patients registered to them.
- D.14** Indicative cost per person for a 2GP practice = $\text{£}735000 / (1800 + 1800) = \text{£}204$ per person
- D.15** Indicative cost for a new Primary Care Centre (GP, dentist, community & other health services) with approximately 1000 sq m internal space = £2,100,000.

E: Community Facilities

Context

- E.1** The level of provision of community buildings, including such buildings as village halls, faith and cultural facilities, has a direct influence over the quality of life one can expect to achieve. The local environment for a community is greatly enhanced by the provision of such infrastructure and aides to promote healthy and socially inclusive communities.
- E.2** The District Council will continue to seek to secure appropriate community facilities to meet the needs of communities from new development sites in accordance with the Adopted Core Strategy, the Development Management DPD: Proposed Submission 2010, or successor documents as appropriate.
- E.3** Specifically, Core Strategy Policy CS10 sets out the contributions that for infrastructure may be required and will be applied to all development proposals across the administrative area of Huntingdonshire.
- E.4** Huntingdonshire's Sustainable Community Strategy 2008 – 2028 shows how HDC with its partners will build a better future for Huntingdonshire. It reflects key strategies, specifically the Local Development Framework, which will be the delivery mechanism for the spatial elements of the strategy.

Types of facilities /services for which provision may be required:

- E.5** On-site provision of land for space within development to accommodate identified community building needs. In certain circumstances it may be more appropriate to have the facility at an alternative location off site. In such circumstances, where more than 50% of need for infrastructure is generated by the proposal, a proportionate financial contribution to purchase the land or provision of the land as an in-kind payment will be required. Contributions will also be needed in all cases for the construction or funding of said community facilities. The facility could entail a building within which a series of infrastructure facilities are co-located and this would be considered on a case-by-case basis.

Type and threshold for size of development for which contributions are appropriate:

- E.6** New housing developments within the District will trigger a need for community facilities. Community building contributions will apply to any development of 10 or more dwellings unless a Community Infrastructure Levy Charging Schedule has been adopted by Huntingdonshire District Council at which time contributions will only apply to large scale major⁽¹⁶⁾ residential developments.

Form in which contributions should be made:

- E.7** Contributions will be required in a number of forms as outlined below, taking into account specific site requirements.
 - The District Council will negotiate with prospective developers with a view to securing the necessary community facility building needs for the development.
 - Free, serviced land or a financial contribution to purchase the land will be required as a minimum for the erection of appropriate new facilities.
 - Financial contributions will be required to support the delivery of the infrastructure and running costs to the appropriate body.
 - As a first principle, the District Council expects developers to provide a financial contribution towards the delivery of the required infrastructure. If appropriate, consideration of the developer building the required infrastructure to an agreed specification will be considered on a case-by-case basis in consultation with appropriate partners.

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E: Community Facilities

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Provision Required:

- E.8** Contributions will vary with each development. There is no standard amount set for community facilities. The costs can be broken into 3 distinct parts: land purchase, construction costs and fixtures / furnishings.
- E.9** A standard of 61sqm per 1,000 persons⁽¹⁷⁾ was used in the Local Investment Framework calculations. More locally and more recently, in November 2009, an informal standard of 111 square metres per 1000 heads of population⁽¹⁸⁾ was set in South Cambridgeshire. This is an increase of over 80% of the LIF calculations. The most recent example of a community facility to have received funding through a Section 106 Agreement is with regards the facility to the large scale major development⁽¹⁹⁾ at Loves Farm of 1350 dwellings. The building planned is 285 sq m in size. Taking the average household size of 2.33⁽²⁰⁾ this results in a development population of 3145. From this we can state that local provision is currently providing 91 sq m per 1000 population, which is part way between the LIF standard used from the East Midlands and the local standard from neighbouring South Cambridgeshire.
- E.10** The building planned for Loves Farm will cost in the region of £500,000 including all professional costs but excluding land purchase. For the development size in question, notably 1350 dwellings, this equates to an average cost of £370 per dwelling.
- E.11** On developments of 10 or more dwellings where community facilities are delivered, in the first instance such facilities must be offered to local Town and Parish Councils for adoption. In the event of the Town or Parish Council being unable to consider adoption, this requirement will revert to the District Council. Should the District Council not be in a position to agree to the adoption, developers must submit a proposal to the Head of Planning detailing how a Trust shall be set up for the new community to ensure appropriate future maintenance measures are implemented.

17 Milton Keynes SPG Social Infrastructure Works 2005

18 South Cambridgeshire District Council Community Facilities Assessment (CFA) 2009

19 DCLG Development Control PS 1/2 statistical definition 2007

20 Local Investment Framework 2009, Table 5.4

F: Libraries and Life Long Learning

Context

- F.1** Public libraries are an important asset to local communities. They provide free access to books and information services, and the internet, as well as opportunities for life long learning and leisure. Local authorities must ensure that their libraries meet national standards and expectations, and provide the quality of service that people need, expect and will use.
- F.2** The District Council will continue to seek to secure appropriate library and life long learning facilities to meet the needs of communities from new development sites in accordance with the Adopted Core Strategy, the Development Management DPD: Proposed Submission 2010, or successor documents as appropriate. The County Council is the responsible Authority for such infrastructure.
- F.3** Specifically, Core Strategy Policy CS10 sets out the contributions that for infrastructure may be required and will be applied to all development proposals across the administrative area of Huntingdonshire.
- F.4** The Public Libraries, Archives and New Development: A Standard Charge Approach was first published by the Museums, Libraries and Archives (MLA) Council in 2008 and sets the nationally recognised standards. The latest update to this was published in May 2010.
- F.5** Huntingdonshire's Sustainable Community Strategy 2008 – 2028 shows how HDC with its partners will build a better future for Huntingdonshire. It reflects key strategies, specifically the Local Development Framework which will be the delivery mechanism for the spatial elements of the strategy.

Types of facilities/ services for which provision may be required:

- F.6** On site provision of land for space within development to accommodate an identified library facility. In certain circumstances it may be more appropriate to have the facility at an alternative location off site. In such circumstances, where more than 50% of need for infrastructure is generated by the proposal, a proportionate financial contribution to purchase the land or provision of the land as an in-kind payment will be required. Contributions will also be needed in all cases for the construction or funding of said library service facilities, including fit-out costs. This could entail a building within which a series of infrastructure facilities are co-located and this would be considered on a case by case basis.

Type and threshold for size of development for which contributions are appropriate:

- F.7** New housing developments within the District will trigger a need for library and life long learning facilities. Library and life long learning contributions will apply to any development of 10 or more dwellings unless a Community Infrastructure Levy Charging Schedule has been adopted by Huntingdonshire District Council at which time contributions will only apply to large scale major⁽²¹⁾ residential developments.

Form in which contributions should be made:

- F.8** Contributions will be required in a number of forms as outlined below, taking into account specific site requirements.
- The District Council, with appropriate partners, will negotiate with prospective developers with a view to securing the necessary library and life long learning facility and fit-out needs for the development.
 - Free, serviced land or a financial contribution to purchase land will be required as a minimum for the erection of appropriate facilities.
 - As a first principle, the District Council expects developers to provide a financial contribution towards the delivery of the required infrastructure. If appropriate, consideration of the developer building the

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F: Libraries and Life Long Learning

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required infrastructure to an agreed specification will be considered on a case-by-case basis in consultation with appropriate partners.

Provision Required:

- F.9** Contributions will vary with each development. The costs can be broken into 3 distinct parts: land purchase, construction costs and fixtures / furnishings.
- F.10** The level of provision required by a new build is specified in the Cambridgeshire County Council's agreed service levels policy for library and life long learning provision. In cost terms the investment figure is derived from recent local work and in line with the Museums Library and Archives Council Standard Charge approach to the provision of library facilities for new developments.
- F.11** The two main parameters of a standard charge for public libraries are:
- A **space standard**; the MLA recommends a figure of 30 square metres per 1,000 population as a benchmark for local authorities.
 - A **construction and initial fit out cost**; these can vary by site and area; taking the RICS (Royal Institution of Chartered surveyors) Building Cost Information Service data, this can be from £3,233 per square metre to £3,929 per square metre. A recommended current benchmark figure for East Anglia is £3,233 per square metre.
- F.12** A calculation using the benchmark figure above gives a cost of £96,990 (30 x £3,233) per 1,000 people, or £97 per person in new housing. These figures do not include any land purchase costs.
- F.13** However, where a contribution is required not for a new build facility but to make necessary enhancements and/ or expansions to existing provision, in order to meet the additional demands which will be placed on that provision by the increase in population, then the contribution required will draw on the Museums Library and Archives Council (MLA) Standard Charge approach:
- In relation to fitout, IT and bookstock by applying the MLA figure to the projected population growth
 - In relation to the building costs by using a multiplier based on 35% of the MLA construction figure. This is on the basis that what will be needed is not a complete new building or extension to existing buildings but changes to the internal configuration and layout. The figure of 35% is derived from the actual costs of adaptation work carried out in early 2011 at St Neots Library.
- F.14** On developments of 10 or more dwellings where library and life long learning facilities are delivered, in the first instance such facilities must be offered to Cambridgeshire County Council for adoption. In the event of the County Council being unable to consider adoption, this requirement will revert to the Town or Parish Council and then the District Council. Should the District Council not be in a position to agree to the adoption, developers must submit a proposal to the Head of Planning detailing how a Trust shall be set up for the new community to ensure appropriate future maintenance measures are implemented.

G: Education and Schools

Context

- G.1** Providing the necessary opportunities to raise the levels of achievement of all children and young people is fundamental to the future success of the district and its communities. Cambridgeshire's Vision for Education: Schools for the Future aims to inform all new school buildings as well as guiding schools in reviewing their own educational vision. The Vision is specific enough to brief designers of any new building on the overall concept required. The details will vary for each school.
- G.2** The District Council will continue to seek to secure appropriate education and schools facilities, including Early Year's and Children's Centres provision, in accordance with the requirements of the Local Education Authority and other education partners, on development sites in accordance with the Adopted Core Strategy and the Development Management DPD: Proposed Submission 2010 or successor documents as appropriate. The County Council is the responsible Authority for such infrastructure
- G.3** Specifically, Core Strategy Policy CS10 sets out the contributions that for infrastructure may be required and will be applied to all development proposals across the administrative area of Huntingdonshire.
- G.4** Huntingdonshire's Sustainable Community Strategy 2008 – 2028 shows how HDC with its partners will build a better future for Huntingdonshire. It reflects key strategies, specifically the Local Development Framework which will be the delivery mechanism for the spatial elements of the strategy.

Types of facilities/ services for which provision may be required:

- G.5** On site provision of land for space within development to accommodate identified education and school facilities, including early year's and children's centres provision. In certain circumstances it may be more appropriate to have the facility at an alternative location off site. In such circumstances, where more than 50% of need for infrastructure is generated by the proposal, a proportionate financial contribution to purchase the land or provision of the land as an in-kind payment will be required. Contributions will also be needed in all cases for the construction or funding of said facilities.

Type and threshold for size of development for which contributions are appropriate:

- G.6** New housing developments within the District will trigger the need for education and school provision. Education and school contributions will apply to any development of 4 or more dwellings unless a Community Infrastructure Levy Charging Schedule has been adopted by Huntingdonshire District Council at which time contributions will only apply to large scale major⁽²²⁾ residential developments.

Form in which contributions should be made:

- G.7** Contributions will be required in a number of forms as outlined below, taking into account specific site requirements.
 - The District Council, with appropriate partners, will negotiate with prospective developers with a view to securing the necessary provision of new school places. This includes the provision of early years facilities, primary education places, children's centres provision, secondary education places and post-16 education places.
 - Within the large scale major⁽²³⁾ developments, this is likely to necessitate the provision of free serviced land as a minimum for the erection of appropriate facilities.
 - As a first principle, the District Council expects developers to provide a financial contribution towards the delivery of the required infrastructure. If appropriate, consideration of the developer building the

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G: Education and Schools

required infrastructure to an agreed specification will be considered on a case-by-case basis in consultation with appropriate partners.

- Contributions will not be sought from specialist older persons housing schemes, or 1 bed dwellings as these types of property are unlikely to accommodate any children.

Provision Required:

G.8 Contributions will vary with each large scale major⁽²⁴⁾ development.

G.9 The number of pupils living on a new development is dependent on the size of the dwellings provided (number of bedrooms) and the mix of tenures between private market homes and social housing. Whilst the County Council will amend its demographic forecasts for an individual development when more detailed information on the housing mix is available, the location and size of school sites often needs to be identified as part of any masterplanning for a development well ahead of information on the detailed mix of housing being available.

G.10 As a result, general multiplier ranges have been adopted by Cambridgeshire County Council of:

- 18-25 early years (0-4 year olds) of which 9-13 are pre-school aged children (3-4 year olds) per 100 new dwellings
- 25-35 primary age children (4-10 year olds) per 100 dwellings
- 18-25 secondary pupils (11-15 year olds) per 100 dwellings.

G.11 Once detailed housing mix information for a development is available, the County Council will use the following detailed multipliers to calculate the expected number of children:

Table 7 Detailed child yield multipliers for Cambridgeshire (number of children per 100 dwellings of given size)

Age group	Number of bedrooms					
	Market housing			Social rent		
	2	3	4+	2	3	4+
0-3	0	20	30	30	60	60
of which pre school element (3-4)	0	10	15	15	30	30
4-10	0	30	50	0	80	140
11-15	0	20	35	0	40	120

G.12 Although the costs of any provision on a large scale major⁽²⁵⁾ development will be considered on a case by case basis, the cost noted will be calculated on the basis of applying a cost per square metre building rate to the gross area of the building required. The gross floor area is derived from the government's Building Bulletin guidance and costs are based on contract data from the most recent capital projects undertaken in Cambridgeshire. It is expected that fully serviced land⁽²⁶⁾ will be provided by the developer at nil cost.

G.13 For Primary school developments, the following guidance will be followed:

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

26 Definition of fully serviced to be agreed with the appropriate infrastructure provider

- A 210 place (1 FE) primary school, with Early Years provision and offering extended school services, will require, in general, a 1.5 hectare site.
- A 420 place (2 FE) primary school, with Early Years provision and offering extended school services, will require, in general, a 2.3 hectare site.
- A 630 place (3 FE) primary school, with Early Years provision and offering extended school services, will require, in general, a 3 hectare site.

G.14 In new developments, the County Council will request sites for primary schools within the range of 120 (0.5FE) to up to 630 (3FE) places where circumstances dictate this to be the best option.

G.15 For new or expanding Secondary Schools, the site requirement is derived from DfES recommended standards for total site area contained within DfES Building Bulletin 98 “Briefing Guide for Secondary School Projects” as shown in the following table. It should be noted that all the secondary schools in Huntingdonshire have now gained Federation status and, as from September 2011, will each open as a new Academy underneath a multi-Academy Trust.

Table 8 DfES recommended site areas for secondary schools

Size of School	DfES Minimum Area (ha)	DfES Maximum Area (ha)
4 FE	4.5	5.0
5 FE	5.6	6.0
6 FE	6.0	7.0
7 FE	7.0	7.9
8 FE	7.8	8.6
9 FE	8.3	9.7
10 FE	9.2	10.4
11 FE	10.0	11.6
12 FE	10.8	12.2

G.16 Secondary Schools within Cambridgeshire range in size from 4 FE (600 pupils) to 11 FE (1650 pupils). The Council will continue to operate without a strict policy on size of secondary school in order to promote diversity and reflect local circumstances and opportunities.

G.17 Children’s Centres are the vehicle for providing services for families with children aged 0-4 years. A Children’s Centre will be requested in major development areas. In smaller developments a pro-rata contribution to the provision of a centre will be required from developers.

G.18 The Local Education Authority now also has the responsibility for commissioning the provision of post-16 education and is tasked with establishing any additional or revised pattern of provision that may be required as a result of major developments. The County Council does not support the provision of facilities providing fewer than 150 places. The new Commissioning Plan for Post-16 provision will form the basis for calculating any necessary developer contributions on a case by case basis.

G.19 The table below outlines indicative costs relating to the provision of new education and school facilities for large scale major⁽²⁷⁾ developments.

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

G: Education and Schools

Huntingdonshire LDF | Developer Contributions Supplementary Planning Document

Table 9 Indicative Costs for Buildings

Size of Facility	Cost of Building
2 FE (420) Primary School	£7.3m
5 FE (750) Secondary School	£21.7m
Community Room for 48 Place Pre-School	£0.5m
Children's Centre	£0.5m

G.20 The cost per place for provision in relation to an existing facility is:

Table 10 Cost per Place

Facility	Cost per Place
Pre-school	£10,417
Primary	£17,381
Secondary	£28,933

G.21 Contributions will be based on the cost of providing a school place (source – Cambridgeshire County Council), and the average 'child yield' per dwelling (see table above). Contributions will not be sought from specialist older persons housing schemes, or 1 bed dwellings as these types of property are unlikely to accommodate any children.

G.22 The method of calculation is: Cost of a place x (child yield per 100 units / 100) = cost per unit

G.23 For outline applications where the mix is unknown, the general multiplier ranges would be applied. Table 11 below details these costs, as at 2011, as provided by Cambridgeshire County Council and are subject to change.

Table 11 Cost per dwelling

Facility required	Cost per place	Average Child yield multiplier	Average Cost per dwelling
Pre-school	£10,417	0.11	£1146
Primary	£17,381	0.3	£5214
Secondary	£28,933	0.215	£6221

G.24 For applications where the detailed housing mix is known, table 7 showing the Detailed child yield multipliers for Cambridgeshire (number of children per 100 dwellings of given size) would be used, as appropriate.

G.25 All education contributions will be negotiated, as necessary, taking into account current spare capacity within the locality.

H: Residential Wheeled Bins

Context

- H.1** Household waste management is critical in developing sustainable communities to ensure that waste production is reduced and recycling is increased.
- H.2** The District Council will continue to seek to secure appropriate householder waste storage containers on development sites in accordance with the Adopted Core Strategy and the Development Management DPD: Proposed Submission 2010 or successor documents as appropriate.
- H.3** Specifically, Core Strategy Policy CS10 sets out the contributions that for infrastructure may be required and will be applied to all development proposals across the administrative area of Huntingdonshire.
- H.4** The Cambridgeshire and Peterborough Minerals and Waste Plan 2011 sets out a requirement for developments to make provision for waste storage, collection and recycling in accordance with the content of the RECAP Waste Management Design Guide, or successor documents as appropriate. The Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Draft Supplementary Planning Document 2011 provides advice on the design and provision of waste management infrastructure.
- H.5** As a Waste Collection Authority, the District Council is responsible for the collection of household waste from kerbsides and also the provision of mini recycling centres throughout the District. Residential waste is collected via wheeled bins where possible. The three main waste streams collected are dry recycling, gardens & kitchen waste and domestic waste and, as such, 3 wheeled bins are required per house.
- H.6** Huntingdonshire's Sustainable Community Strategy 2008 – 2028 shows how HDC with its partners will build a better future for Huntingdonshire. It reflects key strategies, specifically the Local Development Framework which will be the delivery mechanism for the spatial elements of the strategy.

Types of facilities/ services for which provision may be required:

- H.7** Provision of waste storage containers (wheeled bins) required to meet the new residential needs.

Type and threshold for size of development for which contributions are appropriate:

- H.8** New housing within the District will trigger a need for the provision of waste storage containers (wheeled bins). Contributions will apply to all residential developments.

Form in which contributions should be made:

- H.9** Contributions will be required in a number of forms as outlined below, taking into account specific site requirements.
- The District Council will require all residential developments to contribute to the provision of waste management infrastructure including waste storage containers.
 - The District Council takes the view that householder waste management infrastructure storage is a key component to delivering a workable, high quality development and, as such, the design and layout of such provision will need to be agreed as part of the overall design of the scheme.
 - Financial contributions will be required to allow for the provision of appropriate coloured waste storage containers (wheeled bins) by the District Council.

Provision Required:

- H.10** Contributions will be required to allow for the provision of appropriate coloured waste storage containers (wheeled bins) by the District Council.

H: Residential Wheeled Bins

Huntingdonshire LDF | Developer Contributions Supplementary Planning Document

- H.11** Each dwelling will require the provision of one black, one blue and one green wheeled bin. The cost of such provision, in 2011, is £57.20 per dwelling and is reviewed annually.
- H.12** An integrated approach is required for provision in flats and apartments. It is unlikely that any one option will provide a complete solution and so a negotiated, integrated approach will be required in line with the Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Draft Supplementary Planning Document 2011 or successor documents.
- H.13** As an indication of the cost of provision, developments of 8 or more flats or apartments may benefit from the provision of communal 1100 litre bins. A scheme of eight units will require 1 x refuse and 2 x dry recycling 1100 litre capacity storage containers. Larger sized schemes will also be calculated on the basis of 3 communal bins per 8 properties. The cost of the provision is £620 (excluding VAT) per communal bin, to cover the provision of the bin, annual Health and Safety inspections and all repairs, calculated over a fifteen year period. The rate of £620 per communal bin is reviewed annually.

Outdoor Sports Facilities Standards Appendix 1:

Huntingdonshire LDF | Developer Contributions Supplementary Planning Document

Appendix 1: Outdoor Sports Facilities Standards

Table 12 Outdoor Sports Facilities Standards, July 2011
(reviewed annually) - for guidance only

Facility Type	Local Standards of provision per 1000popn		Provision per person	Cost per unit		Area (m ²)	Cost per m ²	Cost per person
	Standard	Sq m		per sq m	£			
Synthetic Turf Pitches	Sand filled 0.04 STPs (7526m ² = 1 STP 301.04m ² = 0.04 STP)	301.04	0.3010	730,000	7,526m ² Senior Football fenced & floodlit 106x71	7,526	97.00	29.20
	3rd Generation 0.04 STPs (7526m ² = 1 STP 301.04m ² = 0.04 STP)	301.04	0.3010	790,000	7,526m ² Senior Football fenced & floodlit 106x71	7,526	104.97	31.60
	Hockey pitch 0.04 STPs (6388m ² = 1 STP 255.52m ² = 0.04 STP)	255.52	0.2555	690,000	6,388m ² Hockey Pitch 18mm sand dressed fenced & floodlit 101.4x63	6,388	108.02	27.60
Grass pitches (Senior Football Youth Football Mini Soccer Rugby Cricket) Ancillary changing provision etc needed - see pavilions	16,100m ² 1.61ha/1000	16100	16.1000	75,000	7,697 m ² £75,000 Senior pitch 107.90x71.33 Not inc land acquisition Min 2 pitch area requirement	7,697	9.74	156.88
	16,100m ² 1.61ha/1000	16100	16.1000	25,000	1,843m ² £25,000 Mini-soccer 53.04x34.75	1,843	13.56	218.39
	16,100m ² 1.61ha/1000	16100	16.1000	65,000	6141m ² £65,000 Youth Football 98.76x62.18	6,141	10.58	170.41
	16,100m ² 1.61ha/1000	16100	16.1000	115,000	12,320m ² £115,000 Rugby Union 154x80	12,320	9.33	150.28
	16,100m ² 1.61ha/1000	16100	16.1000	200,000	21,070m ² £200,000 Cricket pitch (126.12x167.06)	21,070	9.49	152.82
Outdoor Tennis Courts (2 courts)	0.45 courts (4,400 per 2 courts) 2/4,400x1,000 278.86m ² 1227m ² /4,400x1,000	278.86	0.2789	145,000	1,227m ² 2 court macadam 36.58x33.53 Fenced & floodlit	1,227	118.17	32.95

Appendix 1: Outdoor Sports Facilities Standards

Huntingdonshire LDF | Developer Contributions Supplementary Planning Document

Facility Type	Local Standards of provision per 1000popn		Provision per person	Cost per unit		Area (m ²)	Cost per m ²	Cost per person
	Standard	Sq m		per sq m	£			
Outdoor Bowling Green	1 rink per 2,000 people (min 5 rink facility 40m ²) (2/2000x1,000) (1,600 = 40x40 green 320m ² = 1 rink (2,000popn) 160m ² = 1,000popn)	160	0.1600	110,000	1,600m ² £110,000 green Flat or crown green 40x40 Needs pavilion/clubhouse co-located as well - see pavilion costs	1,600	68.75	11.00
Changing Rooms	1 facility per 2 pitches 1 facility per 2,000 300m ² (300/2,000 = 0.15m ²)	150	0.1500	575,000	4 team pavilion & clubhouse	300	1,916.67	287.50
Watersports centre (inc changing & storage provision)	1 facility per 40,000 population 400m ² (300m ² pavilion plus 100m ² for storage) 400m/40,000popn x 1,000	10	0.0100	600,000	575,000 pavilion & 25,000 for additional storage requirements	400	1,500.00	15.00
Trim Trials/ Active Places/ Outdoor Gyms (provision per person)	1 facility per 1,000 population 0.001 facility	1	0.0010	50,000	facility, maintenance & supervision/education			50.00

Schedule of Landscape Maintenance Rates Appendix 2:

Huntingdonshire LDF | Developer Contributions Supplementary Planning Document

Appendix 2: Schedule of Landscape Maintenance Rates

Table 13 Schedule of Landscape Maintenance Rates (to 31/3/12) - reviewed annually

Village Pond/Open Water (up to 0.05ha)		£	34,720.00	per site
Village Pond/Open Water (over 0.05ha)		£	44,798.00	per hectare
Open Space (formal)		£	43,681.00	per hectare
Sports Pitch		£	105,993.00	per hectare
Open Space (conservation)		£	33,599.00	per hectare
Woodland (existing mature)		£	31,360.00	per hectare
Woodland (new buffer/copse)		£	27,999.00	per hectare
Balancing Area (mainly dry pond)		£	35,843.00	per hectare
Balancing Area (mainly wet pond)		£	31,360.00	per hectare
Formal Shrubbery		£	48.93	per sq m
Hedges		£	3,060.00	per 1000m2 hedgeface
Play Area LAP (3 items)		£	18,600.00	each
Play Area LEAP (5 items)		£	38,700.00	each
Play Area NEAP (8 items)		£	44,450.00	each
MUGA		£	35,050.00	each
MUGA with floodlights		£	45,050.00	each
Concrete Skate Park		£	81,900.00	each
BMX Track		£	26,700.00	each
Hoggin footpaths		£	3.26	per sq m
Tarmac footpaths		£	21.11	per sq m
French drain	Jetting/inspection	£	5.30	per linear m
	Manhole emptying	£	158.00	each
Swales		£	87,358.00	per hectare
	With shrubbery	£	49.00	per sq m

Appendix 2: Schedule of Landscape Maintenance Rates

Huntingdonshire LDF | Developer Contributions Supplementary Planning Document

Ditches	Digging	£	9.54	per linear m
	Flailing	£	4.23	per linear m
Stilling Ponds	Emptying	£	95,013.00	per pond
	Inspection/repair	£	21,114.00	per pond
	Hardstanding	£	3.26	per sq m

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.

Heads of Term

The definition of the proposed terms of a S106 Agreement.

Infrastructure

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

Interested Party

An interested party or person is someone who needs to be involved in directly complying with the provisions of a S106 Agreement eg all those with a material interest in the land

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.

Strategic Road Network

The Trunk Road and Motorway network, which, in England, is managed on behalf of the Secretary of State

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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**OVERVIEW AND SCRUTINY PANELS
(SOCIAL WELL-BEING)
(ECONOMIC WELL-BEING)
(ENVIRONMENTAL WELL-BEING)**

**1ST NOVEMBER 2011
3RD NOVEMBER 2011
8TH NOVEMBER 2011**

**WORK PLAN STUDIES
(Report by the Head of Legal and Democratic Services)**

1. INTRODUCTION

- 1.1 The purpose of this report is to allow Members of the Panel to review their programme of studies and to be informed of studies being undertaken by the other Overview and Scrutiny Panels.

2. STUDIES

- 2.1 The Council has a duty to improve the social, environmental and economic well-being of the District. This gives the Overview and Scrutiny Panels a wide remit to examine any issues that affect the District by conducting in-depth studies.
- 2.2 Studies are allocated according to the Overview and Scrutiny remits. Details of ongoing studies being undertaken by the two other Panels are set out in the attached Appendix.
- 2.3 Members are reminded that if they have a specific interest in any study area which is not being considered by their Panel there are opportunities for involvement in all the studies being undertaken.

3. RECOMMENDATION

- 3.1 The Panel is requested to note the progress of the studies selected.

BACKGROUND DOCUMENTS

Minutes and Reports from previous meetings of the Overview and Scrutiny Panels.

**Contact Officers: Miss H Ali, Democratic Services Officer
01480 388006**

**Mrs A Jerrom, Member Development Officer
01480 388009**

**Mrs C Bulman, Democratic Services Officer
01480 388234**

ONGOING STUDIES

STUDY	OBJECTIVES	PANEL	STATUS	TYPE
Visitor Development & Town Centre Vibrancy	To consider issues relating to Visitor Development & Town Centre Vibrancy.	Economic Well-Being	Further information requested on the cost of the tourism service and the benefits it brings to both the Council and to the District. Noted that Tourism activity is not currently being undertaken. Study is on hold until circumstances change.	Whole Panel Study
Gypsy & Traveller Welfare	To examine existing gypsy and traveller sites in the District with a view to informing any future Planning Policy on sites.	Social Well-Being	Report requested for submission to a future meeting. Following consultation with the Chairman, agreed that the study would proceed once Government guidance has been issued on future provision requirements.	To be determined.
Health Implications of the Night Time Economy	To follow up the previous study undertaken by the former Overview and Scrutiny (Service Support).	Social Well-Being	Report to be considered at Panel's November 2011 meeting.	Whole Panel Study

Leisure Centre Financial Performance and Employment Structure	<p>To review the overall financial performance and monitoring arrangements. To consider the current / future business structure.</p> <p>To consider whether an increase in income might be made by charging non-residents of the District a higher rate to use the Council's leisure centres.</p>	Economic Well-Being and Social Well-Being	<p>Meetings of the Working Group held on 3rd March, 28th April, 23rd June and 1st September 2011.</p> <p>Expected to conclude in the new year. Further meeting to be held on 7th November 2011.</p> <p>Interim report submitted to Cabinet on 23rd June 2011. Cabinet requested the Executive Councillor for Organisational Development to review the Council's IT costs, including the basis upon which the IT network service is re-charged to users.</p>	Working Group
Cambridgeshire Local Investment Plan	To review the implications of the Investment Plan upon local housing, to include the potential shortfalls in the delivery of affordable housing within the District, identify what housing is due to come forward and to include reference to the underlying links between housing and planning.	Social Well-Being	Report due to be presented to Panel in January 2012.	Whole Panel Study.
CCTV Provision within the District	To review the impact of the Council's proposal to cease the CCTV service with effect from April 2012.	Social Well-Being	Report to be considered at Panel's November 2011 meeting.	Whole Panel Study.

Voluntary Sector	To seek alternative ways of supporting the Voluntary Sector from 2013/14 onwards and to assess the social value of the services that they provide within the District.	Social Well-Being	The Working Group's final report to be considered at Panel's November 2011 meeting.	Working Group
A14 improvements.	To review the implications to the local economy of the decision not to proceed with the A14 improvements.	Economic Well-Being	Agreed to invite a representative of the Highways Agency to a future meeting to discuss their plans in the event of an interruption to traffic flow.	Whole Panel Study.
Review of Neighbourhood Forums in Huntingdonshire	To undertake a review of the Neighbourhood Forums in Huntingdonshire.	Social Well-Being	Views of the County and District Members, Town and Parish Councils and Partners will be reported to the Panel in November.	Working Group
Homelessness	To consider the emerging issue of homelessness arising as a result of changes to the Housing Benefit system.	Social Well-Being	Background report to be submitted to a future Panel meeting.	To be determined.
District Council Support Services	To review the District Council's support services.	Economic Well-Being	Preliminary information to be submitted to the November Panel meeting.	To be determined.
Development of the Alconbury Airfield site.	To consider the implications for the local economy from the establishment of a local enterprise zone on the former Alconbury Airfield site.	Economic Well-Being	Presentation to be given to November Panel meeting.	To be determined.

POSSIBLE FUTURE STUDIES

<p>The Employees Performance Development Review Process</p>	<p>To review the current process.</p>	<p>Economic Well-Being</p>	<p>Amendments to the Performance Related Pay System are being considered as part of the current years pay negotiations and the consultation on pay structure.</p>	<p>To be determined.</p>
<p>Business Rates</p>	<p>To consider the implications to the Authority from changes to Business Rates.</p>	<p>Economic Well-Being</p>	<p>Report to be prepared when further information is available.</p>	<p>To be determined.</p>

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Panel Date	Decision	Action	Response	Date
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19/05/10	Corporate Plan – Growing Success Councillors P M D Godfrey and D Harty appointed to the Corporate Plan Working Group.	Quarterly reports submitted to all Overview & Scrutiny Panels.		
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13/07/2010	Great Fen Project The Panel attended a tour of the Great Fen.		The Director of Environmental and Community Services advised Members that updates on the progress of the project would be presented to the Panel at 6 monthly intervals.	
7/12/10	The Panel requested an update from the Director of Environmental and Community Services.	Email requesting update sent.	An update on the Great Fen Project will be presented at the March meeting of the Panel.	00/10/11 08/03/11
08/03/11	Report sent to Cabinet Middle Level Commissioners to be invited to meeting on completion of Hydrology report by Atkins			TBC
08/4/11	Cabinet response received, Cllr Dew to take Panel's views to next meeting of Great Fen Partners		Supplementary Planning Document expected at November meeting. (see Forward Plan)	08/11/11
13/9/11	Councillor Godfrey requested that the Great Fen appear on the Panel's October agenda.			12/10/11
12/10/11	Councillor Godfrey reported on GF Community Forum. GF Project Manager to be invited to present to November meeting		This item appears elsewhere on the agenda.	08/11/11

Panel Date	Decision	Action	Response	Date
7/12/10	<u>Environment Strategy</u> The Panel received a review of the Environment Strategy.	Members requested a further review in 12 months time.	An update on the Environment Strategy will be presented at the Panel's meeting in December 2011.	December 2011
	<u>Forward Plan</u>			
12/01/10	Site Options Planning Proposals Development Plan Document	Guidance and new policy awaited		08/11/11
07/12/10	Cambridgeshire Green Infrastructure Strategy	Report requested		08/12/11
08/03/11	Great Fen Supplementary Planning Document	Report requested		08/11/11
14/06/11	Cambridgeshire Future Transport	Further report requested		08/12/11
14/06/11	Waste Collection and Recycling Policies	Report requested		TBC
12/11/11	CIL Developer Contributions – Supplementary Planning Document	Report requested – delayed		08/11/11
12/11/11	Carbon Management Update	Report requested		08/11/11
12/11/11	Planning Proposals Supplementary Planning Document	Report requested		08/11/11
12/11/11	RAF Brampton Urban Design Framework	Report requested		08/12/11
12/11/11	Huntingdon West Area Master Plan	Report requested		08/12/11
13/05/09	<u>Provision of Play Facilities for Young People</u> This item was transferred over from the former Overview and Scrutiny Panel (Service Delivery) who			

Panel Date	Decision	Action	Response	Date
<p>2/02/10</p> <p>2/11/10</p> <p>7/12/10</p>	<p>had identified this subject as a potential area for study. Particular interest expressed on how these facilities are managed and insured and if they were maintained by the District Council. The study sought to make recommendations on achieving an even distribution of facilities across the District and on meeting the ongoing revenue costs associated with such facilities.</p> <p>Final report of Working Group considered by Panel. Report presented to Cabinet on 22nd April 2010 by Councillors P G Mitchell and R J West.</p> <p>The Panel considered a progress report on the two recommendations that were endorsed by the Cabinet. The Panel has discussed whether to revisit its previous recommendations regarding the maintenance of outdoor youth facilities. Further financial details awaited before proceeding further.</p> <p>In light of recent developments, the Panel has agreed to pursue this matter further at a later date.</p>			<p>TBC</p>
<p>3/11/09</p>	<p><u>Monitoring of Section 106 Agreements (Item transferred over from O&S Social Wellbeing Panel)</u></p> <p>Panel agreed to include the Monitoring of Section 106 agreements in its work plan.</p>	<p>Monitoring reports to be submitted to Panel on a quarterly basis.</p>	<p>Quarterly monitoring report received at Oct 2011 meeting.</p>	<p>13/10/11</p>

Panel Date	Decision	Action	Response	Date
2/11/10	<p><u>CCTV Provision (Item transferred over from O&S Social Wellbeing)</u></p> <p>Panel expressed some concern at the recent budgetary announcement made by the Council to reduce CCTV provision within the District in 2011-12 with a view to ceasing the service from April 2012.</p>			
4/01/11	<p>Members have requested an update on negotiations with Partners on the future of the service from 2012/13 onwards to be submitted to the Panel's July 2011 meeting.</p>	<p>Request submitted to the Head of Operations.</p>	<p>Update report received at July meeting.</p>	<p>TBA</p>
13/09/11		<p>2 petitions received.</p>	<p>Further report due.</p>	
12/10/11	<p>CCTV to be transferred back to Social Well being Panel. The Environmental Well being Panel have requested to be kept informed of opportunities for involvement.</p>			
14/06/11	<p><u>Maintenance of Water Courses</u></p> <p>The Panel has requested a presentation on the maintenance arrangements in place for water courses within the District.</p>	<p>Presentation requested from the Projects and Assets Manager.</p>	<p>C Allen attended Oct meeting and suggested that CCC be invited to a future meeting to advise of their growing responsibilities.</p>	<p>TBC</p>
13/09/11	<p><u>Planning Implications of the Enterprize Zone</u></p> <p>The Panel has requested further information to be circulated on the planning implication following the successful bid for an Enterprise Zone in the District.</p>	<p>Information to be circulated once available. Members invited to attend a presentation to the Social Wellbeing Panel.</p>		

Panel Date	Decision	Action	Response	Date
13/9/11	<p><u>Tree Strategy Working Group</u></p> <p>To form a strategy in conjunction with the Tree Officers for the retention and planting of trees.</p> <p><u>Waste Collection Working Group</u></p> <p>The Panel created a working group to look into waste collection policies. Cllrs M Baker, Godfrey, Harlock, Mr M Phillips.</p>	<p>Meetings held 5/11/10, 24/11/10 and 27/7/11. Draft policy being drawn up by Brian Ogden for submission to the group for comment.</p> <p>First meeting took place on 6/10/11 attended by E Kendall – Head of Operations. Mr Kendall would continue to formulate the Council's waste collection policies and bring them to the working group for comment prior to their submission to Panel.</p>		TBA
12/10/11	Councillor Hyams joined the group.			

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Decision Digest

Edition 118

Monthly summary of the decisions taken at meetings of the Council, Cabinet, Overview & Scrutiny and other Panels for the period 26th September to 28th October 2011.

ANNUAL REVIEW OF THE EFFECTIVENESS OF THE SYSTEM OF INTERNAL AUDIT

In accordance with the Accounts and Audit Regulations 2011, the Corporate Governance Panel has reviewed the effectiveness of the system of internal audit and is satisfied with the Audit and Risk Manager's opinion that adequate assurance was provided by the Council's internal control environment in terms of the effective exercise of its functions.

REVIEW OF THE EFFECTIVENESS OF THE CORPORATE GOVERNANCE PANEL

The Corporate Governance Panel has undertaken a review of its own effectiveness. The review concluded that the Panel was acting effectively and in accordance with its terms of reference. The content of an action plan designed to address a number of issues raised during the review was endorsed by the Panel.

The Panel agreed to undertake the exercise on an annual basis, with the next session to be undertaken in March 2012. This will give new Members an opportunity to enhance their knowledge and experience in corporate governance matters.

REVIEW OF THE EFFECTIVENESS OF THE INTERNAL AUDIT SERVICE

The Corporate Governance Panel has noted that a review of the effectiveness

of the system of internal audit has concluded that the Council's internal audit service meets the requirements of the CIPFA Code of Audit Practice for Internal Audit in Local Government. The Panel has endorsed an action plan which addressed the areas for improvement identified during the self-assessment process.

GOVERNANCE STATEMENT

The Chairman of the Corporate Governance Panel has been authorised to consent to the final wording and sign the Governance Statement for 2011. A number of amendments to the Statement were made by Members at the meeting.

LOCAL OMBUDSMAN – GOVERNMENT LOCAL SETTLEMENT OF COMPLAINT

Details of a complaint against the Council have been noted by the Corporate Governance Panel together with the terms of a compensatory payment which had been negotiated under the terms of the Council's scheme of delegation.

TRAINING OF CORPORATE GOVERNANCE PANEL MEMBERS

Members of the Corporate Governance Panel have agreed that training on specific subject matters will be considered on a meeting by meeting basis.

2011 PAY NEGOTIATIONS

Having received a detailed briefing by the Managing Director (Resources) on the proposals, the Employment Panel has reconsidered the current position in negotiations on the 2011 Pay Award and on changes to the pay structure. The Panel has also discussed the process adopted thus far for the presentation of proposals to staff and has welcomed the intention to undertake a staff survey to generate a better response to the consultation.

Having given an early indication on the direction of the proposals and expressed a wish not to extend the consultation period beyond the existing deadline of 15th November 2011, the Panel has authorised the Chairman and Vice-Chairman, in consultation with the Managing Director (Resources) and the Executive Leader to negotiate with Employee Side representatives on the 2011 Pay Award and proposals to re-structure the District Council's pay systems with a view to reaching agreement for approval at a future meeting of the Panel.

VOLUNTARY SECTOR REVIEW

The Overview and Scrutiny Panel (Social Well-Being) has noted the outcome of a review of the voluntary sector organisations that hold commissioning agreements with the Council. The review assessed the potential impact of a reduction in grant funding on their service users and on their own ability to attract external funding.

The Panel has discussed a number of matters including the social value of the services provided by voluntary organisations, the outcome of the Equality Impact Assessment, the provision of financial support to the organisations by other funders and the

value of the contributions made by each of the organisations.

The Panel has suggested to the Executive Councillor for Healthy and Active Communities that future funding levels should be based on an assessment of the level of need for the services offered by the organisations. An important consideration will be whether they are offered on a District-wide basis. It has further been suggested that a uniform rate of reduction across all the organisations would not be appropriate and that each organisation should instead be treated on an individual basis. Finally, the Panel has recommended the Executive Councillor for Healthy and Active Communities to consider alternative accommodation options for these organisations and the provision of support from Council Officers in their search for external and/or match funding opportunities.

Following consideration of the outcome of the review, the Cabinet acknowledged the excellent work of the voluntary sector locally, reaffirmed their commitment to supporting them and requested that negotiations continue to attempt to achieve organisational change and the potential of savings from alternative accommodation arrangements.

CAMBRIDGESHIRE ADULTS WELL-BEING AND HEALTH OVERVIEW AND SCRUTINY COMMITTEE

The Overview and Scrutiny Panel (Social Well-Being) has received an update on matters currently being considered by the Cambridgeshire Adults Wellbeing and Health Overview and Scrutiny Committee, which included the forthcoming NHS consultation on the Redesign of Mental Health Services in Cambridgeshire, acute stroke services for Huntingdonshire residents, a review of

home care services, the Adult Social Care Review of Progress Against the Integrated Plan, the review of dementia services and the Health and Wellbeing Board.

OVERVIEW AND SCRUTINY PANEL (SOCIAL WELL-BEING) – PROGRESS

The Overview and Scrutiny Panel is seeking a response from Circle Healthcare on the provision they have made to finance the Public Finance Initiative (PFI) for the construction of the treatment centre at Hinchingsbrooke Hospital.

CAMBRIDGESHIRE PUBLIC SECTOR ASSET MANAGEMENT STRATEGY

The Overview & Scrutiny Panel (Economic Well-Being) has received an update on proposals to prepare a Cambridgeshire Public Sector Asset Management Strategy and establish a Making Assets Count Board for Huntingdonshire. Members have welcomed the suggestion that public sector organisations should develop a joined-up approach to the management and use of their property assets. Sharing facilities with other public sector partners has the potential to generate significant financial benefits through reduced costs and enhanced returns. However given that the proposal is expected to yield financial benefits, Members have commented that the report should include specific financial targets and that the project should have a more broadly defined commercial objective. Members have also queried whether there is any potential to involve the voluntary sector in the proposals and have been informed that there is likely to be some cross over with the current voluntary sector support project and with the ongoing efforts to let parts of the Council's Headquarters to other organisations

The Panel has discussed the proposals to establish a Project Board in each of the District areas to focus on specific projects where there appears to be potential for sharing accommodation and improving service delivery. It has been noted that Huntingdon Town Centre, Huntingdon Operations Centre, St Neots Town Centre, Training Facilities and the development of community hubs for service delivery at Yaxley, Ramsey and Sawtry have been identified as priorities for Huntingdonshire. Members have commented on the need to ensure that the District Council achieves the best value and outcomes from the Board and have asked the Managing Director (Communities, Partnerships and Projects) to submit a further report outlining progress made in six months time.

The Panel has commented generally on the likely impact on the local economy of public sector organisations leasing fewer properties in the future. With regard to the potential for changes to take place to the structure of local government, the Panel has recommended that the public sector property portfolio should be flexible enough to suit the circumstances of the time and the local area. In the longer term, Members have suggested that the project should make provision for public sector employee numbers to go up as well as down.

Subsequently and having considered the views of the Panel, the Cabinet has endorsed the document as a guide to asset management planning and its delivery. Executive Councillors have also expressed their support for the work of the Making Assets Count Programme and the establishment of a Huntingdonshire Making Assets Count Board.

DISABLED FACILITIES GRANTS AND CHARGES ON PROPERTIES

The Overview and Scrutiny Panels for Social and Economic Well-Being have endorsed a proposal to place charges on properties where owner occupiers receive a Disabled Facilities Grant (DFG) in certain defined circumstances.

The Social Well-Being Panel has received clarification on a number of matters which include the resources required to implement the proposal, the anticipated level of charges placed on properties, the criteria utilised to claim repayments, when applicants will be notified of charges and the market value of properties adapted by DFGs.

The Economic Well-Being Panel have discussed a number of issues including the likely impact of the proposals on property values, the cost of imposing charges and the length of time occupiers will remain in their properties. They have also queried whether there will be a sliding scale for repayments over time and have been informed that if the property is sold within a ten year period the full amount will be claimed up to a maximum limit of £10,000.

Having regard to the limited funding which is provided by Central Government for DFGs, the Economic Well-Being Panel has suggested that the District Council, in conjunction with other local authorities in the region should make representations to Government requesting additional support. Members have also commented that the maximum amount that could be reclaimed by local authorities has been capped at £10,000 for several years and that representations should also be made that the figure should be index linked.

Having considered the views of the Overview and Scrutiny Panels, the Cabinet has agreed to introduce

charges on properties adapted through DFGs where the owner has received a grant in excess of £10,000 for a garage or outbuilding conversion, extension or any combination of these. The charge will be placed on adapted properties if the property is sold after ten years. The Cabinet has authorised the Heads of Legal and Democratic Services and of Housing Services, after consultation with the Executive Councillor for Strategic Planning and Housing, to determine the most effective/efficient charging procedure. The decision as to when repayments should be sought will be down to the Head of Housing who will be guided by the requirements of the Disabled Facilities Grants General Consent Order 2008.

PROJECT MANAGEMENT

The Overview & Scrutiny Panel (Economic Well-Being) has previously identified a need for the Council to introduce internal guidelines on the kind of information, which should be included in the business case for large projects. It arose following investigations into the business case for the multi-storey car park in Huntingdon.

As a means of establishing whether there exists a need to undertake a study into this matter, the Panel has asked for information on whether the Council has any significant projects in the medium term. If this is the case the Panel will look at the Council's existing project management structures and their future information requirements. Members have suggested that it is important to ensure that rigorous post project appraisals are undertaken at the conclusion of a particular project.

OVERVIEW AND SCRUTINY REMITS

The Overview and Scrutiny Panels have considered proposed changes to the way their remits are defined in the Constitution. The remits have been

revised and now refer to the Council's service functions as opposed to the responsibilities of Executive Councillors.

The Social Well-Being Panel has also decided to reinstate its previous Section 106 monitoring arrangements for the scrutiny of leisure and play facilities and agreed to consider the budgets associated with services that fall within the Panel's remit.

ST IVES WEST URBAN DESIGN FRAMEWORK

The Overview and Scrutiny Panel (Environmental Well-Being) has requested the Cabinet to reconsider the representations received from residents of Houghton and Wyton before approving the draft St Ives West Urban Design Framework (UDF). The Panel decided it could not support the framework following a vote which had resulted in 5 votes to 4 against the document.

The Panel reached their decision following consideration of the comments received during the recent consultation. Members also took into account statements made by Ward Members for Houghton and Wyton who expressed the view that the UDF will result in a disproportionate number of houses being built in the village. Additionally they were concerned over traffic congestion on the A1123 and felt that the proposed green gap of separation between the villages and St Ives was inappropriate.

At the same time the Panel listened to alternative points of view which included the requirements of the Council's Core Strategy that had been agreed by Members and public examination, and the protection from poor development that the guiding principles within the document would afford the area.

This issue also has been considered by the Development Management Panel and the Cabinet and having had regard to the views of the Overview & Scrutiny Panel and representations from local District Councillors both decided to authorise the Head of Planning Services, after consultation with the Executive Councillor for Strategic Planning and Housing and the Chairman of the Development Management Panel to finalise and approve the UDF, as planning guidance, to inform Council policy and future decisions on potential development applications.

MAINTENANCE OF WATER COURSES

The Overview and Scrutiny Panel (Environmental Well-Being) has received a presentation on the maintenance of the District's watercourses, the different types of water courses and the various bodies and authorities responsible for them

The Council has an obligation under the Enclosures Act for the maintenance of approximately 100km of awarded water courses. However, with a budget of £30k the Council is only able to maintain ditches causing major problems. The Panel has been advised that in normal circumstances the Council's involvement in protecting properties from flooding is confined to emergency planning and the provision of accommodation to those affected by it. However the Council can use its permissive powers to carry out minor repairs to pipes of unknown ownership in order to avoid flooding or pollution, or to enforce clearance by 'riparian' owners.

The Panel has invited an Officer from the County Council to a future meeting to explain the new role the County Council will have under the Flood and Water Management Act 2010.

GREEN HOUSE PROJECT UPDATE

The Environmental Well-Being Panel having expressed its support for the Council's exemplar Green House project, have recommended the Cabinet to retain the property in St Ives as a showcase for the demonstration of sustainable environmental refurbishment to both residents and local businesses. The Panel has however recommended that the property in St Neots be offered for rental in order that fuel and energy usage can be monitored.

This conclusion was supported by the Cabinet. In terms of the future, the Cabinet was of the view that more effort should be made to promote the scheme and that subject to a move away from the 'Greenhouse' description supported the development of the project as the main mechanism for the authority to deliver the Government's Green Deal initiative in conjunction with project partners.

GREAT FEN

Having received an update on the Great Fen Project, the Overview and Scrutiny Environmental Well-Being Panel have requested that a presentation be made by the new project manager to a future meeting. The Council's Head of Planning Services has now taken over as the Council's representative on the Great Fen Board and the Council will be contributing to the project using finance from the Economic Development budget.

Of the development applications considered by the Development Management Panel in October, approval was given to a proposal for the first phase of a programme to deliver visitor facilities to that part of the Great Fen Project to the east of Holme.

These will comprise improvements to the existing car park entrance and road access, the construction of a birdwatchers hide and provision of footpaths (to a picnic area) and better access generally around the site.

NATIONAL FOOD HYGIENE RATING SCHEME

The Licensing and Protection Panel has reluctantly recommended the Head of Environmental and Community Health Services to submit an application for grant funding from the Food Standards Agency (FSA), which if successful would enable the Council to migrate from the current Scores on the Doors hygiene rating scheme to one run by the FSA. The Panel has listened to the arguments for and against the new system and has agreed that the Council has little choice but to change to the system, which will be marketed nationally.

THE ENVIRONMENTAL PROTECTION (CONTROLS ON OZONE-DEPLETING SUBSTANCES) REGULATIONS 2011

The Licensing and Protection Panel has been informed of the introduction of the above Regulations which are designed to control the production, import, export, placing on the market, recovery, recycling, reclamation, destruction and use of substances that deplete the ozone layer. The Panel has delegated authority to suitably qualified officers to enforce the provisions of the Regulations which revoke and replace previous Regulations, on behalf of the Council.

THE TRADE IN ANIMALS AND RELATED PRODUCTS REGULATIONS 2011

The Licensing and Protection Panel has delegated authority to appoint suitably qualified officers to enforce the

provisions of the above Regulations. The provisions amalgamate and simplify current statutory instruments which cover the import of live animals and animal products from both EU and non EU countries.

ADOPTION OF THE DRIVING STANDARDS AGENCY (DSA) DRIVING TEST FOR PRIVATE HIRE AND HACKNEY CARRIAGE DRIVERS

The Licensing and Protection Panel has agreed to replace in house officer led driving tests for private hire and hackney carriage drivers with a standard, impartial and nationally recognised qualification.

The test which will affect all new applications from 1st January 2012, will be carried out by an executive agency of the Department of Transport and will ensure all applicants (and any existing driver about whom there are concerns) have achieved a high standard of driving in relation to private hire and hackney carriage vehicles.

HACKNEY CARRIAGE FARES

The Licensing and Protection Panel has agreed to an increase of 6.86% to tariff 1 taxi fares and 6.12% to tariff 2. Expert advice sought by the Council on the matter considered the increases to be reasonable and affordable to the public yet viable for hackney carriage proprietors. The increases will take effect from 1st December 2011 subject to no objections being received following the publication of the variation.

AMENDMENTS TO THE LICENSING ACT 2003 ARISING FROM THE POLICE REFORM AND SOCIAL RESPONSIBILITY ACT 2011

The Licensing Committee has received an update on the amendments to the

Licensing Act 2003 arising from the Police Reform and Social Responsibility Act 2011, and the implications for the Council.

The amendments which have been designed to 'rebalance the licensing system in favour of local communities' include making the Licensing Authority a Responsible Authority and the removal of the vicinity and interested party test, which may well result in an increased number of contested applications and hearings.

APPOINTMENT OF SUB-COMMITTEES

The Licensing Committee has simplified its system for establishing sub-committees by allowing them to comprise any three of the twelve members of the Licensing Committee.

DEREGULATION OF ENTERTAINMENT

The Licensing Committee has received details of a consultation exercise currently being undertaken by the Department of Culture, Media and Sport. The consultation, which seeks the views of the public, examines the deregulation of Schedule One of the Licensing Act 2003, and the removal of the need for a licence from as many types of entertainment as possible.

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