

**Worthing CIL Draft Charging Schedule and Developer Contributions
Draft Supplementary Planning Document (SPD) Consultation:
WSCC officer comments**

Worthing Borough Council (WBC) is preparing to introduce a Community Infrastructure Levy (CIL), which will allow funds to be raised from developers to pay for infrastructure that is needed as a result of development. The monies collected will be used to help fund a range of infrastructure including projects that will support the provision of county council services. When a charging authority introduces CIL, section 106 requirements will be scaled back to those matters that are directly related to a specific site.

WBC has prepared a Draft Charging Schedule, which sets out the proposed charges for the CIL across the Borough (excluding the area of Worthing that falls within the South Downs National Park). This is the final stage of stakeholder engagement before WBC submits the Draft Charging Schedule for examination. WBC has also prepared a Developer Contributions Draft Supplementary Planning Document (SPD), which explains how planning obligations will work in the future and their relationship with CIL. When adopted, this guidance will replace all previous WBC guidance on developer contributions and will form a material consideration when assessing planning applications in the Borough.

The County Council has been working with WBC to identify infrastructure requirements to support development identified in the Core Strategy. A draft Strategic Infrastructure Package has been prepared to set out the improvements required to enable the provision of county council services to meet the needs of new strategic development. This package has informed the supporting evidence for the Draft Charging Schedule, most recently the Infrastructure Funding Gap Review (May 2013). The draft Charging Schedule outlines that the potential funds raised from the CIL could be £16.9m, which is significantly less than the estimated infrastructure funding gap of £83.6m. In order to manage the net shortfall, the County Council would like to see and take part in a prioritisation exercise to determine the highest priority infrastructure and to ensure that, as CIL is collected, this infrastructure is delivered first.

The DCLG's Community Infrastructure Levy Guidance (February 2014) highlights the importance of collaborative working in two-tier areas. The guidance explains that the charging authority should work closely with the County Council in setting priorities for how CIL will be spent in two-tier areas. No mechanism for prioritising infrastructure needs across different public services has yet been applied in this area. The County Council would therefore request that a robust approach to decision making on the allocation of funds is established in order to oversee the prioritisation of infrastructure across different services. The County Council remains keen to work with Worthing Borough Council to achieve this and ensure that these arrangements include provision for the County Council to input its priorities at an appropriate point in the process.

In considering the processes required to support the allocation of CIL funds, the County Council is keen to ensure that infrastructure needs and priorities are well understood and that there is an appropriate level of local member involvement in the decision-making process. It will be important that arrangements for allocating CIL are flexible and also give infrastructure providers a degree of

certainty over the likely future contribution from CIL, to ensure that they are able to make the most of funding opportunities as they arise.

Community Infrastructure Levy Draft Charging Schedule

P7: The potential to allow land payment or infrastructure delivery 'in-kind' in satisfaction of the whole or part of the CIL is welcomed. For example, this could allow developers to provide a new school on land provided by the developer to meet their obligations and for the buildings to be handed over to the local authority / academy sponsor ready for occupation.

Green Infrastructure (GI) appears to be no longer mentioned at all in the latest draft. The CIL could play an important role in the provision, enhancement and maintenance / management of GI within the Borough. The planning, creation and management of GI is an important component. Multi-functioning GI can play a significant role in delivering improved transport (e.g. Public Rights of Way network and cycle routes), improved health (through improved access to greenspace, higher quality environment, clean air, etc) and flood defence, as well as enhanced biodiversity.

Appendix 3: First Draft Regulation 123 List

The inclusion of transport improvements in the First Draft Regulation 123 List is supported. The column for infrastructure types that may be funded by CIL should also include an area-wide behaviour change programme and improvements to the pedestrian network.

The inclusion of additional school places and 'Age of Transfer' changes in the First Draft Regulation 123 List is supported. However, it should be noted that the County Council is yet to determine its position regarding the suitability of CIL as a funding mechanism for different types of education infrastructure. For example, the provision of new primary schools may be more suited to S106 agreements.

Early Years infrastructure is absent from the First Draft Regulation 123 List. Please add pre-school places to this list under the education facilities heading.

Financial contributions towards fire and rescue infrastructure, such as fire stations and appliances, may be required to meet the population growth from a proposed development. The West Sussex Fire & Rescue Service (WSF&RS) works on an integrated, countywide structure. Where a need for supporting infrastructure in relation to a proposed development is identified, a proportional contribution towards the cost of infrastructure may be required. The First Draft Regulation 123 List for Worthing does not currently refer to Fire & Rescue infrastructure. Although the WSF&RS is currently undertaking a service review and is therefore unable to identify specific improvement schemes at this stage, it is requested that fire and rescue infrastructure is added to the First Draft Regulation 123 List in the column for infrastructure types that may be funded by CIL. An appropriate exclusion is fire hydrants, which would be best delivered through S106 agreements.

Financial contributions towards library infrastructure may be required to meet the population growth from a proposed development. The County Council is continuing to explore opportunities for shared provision and use of buildings, expanding the virtual offer and the provision of unstaffed collections with self-service terminals in community buildings. The First Draft Regulation 123 List for Worthing does not currently refer to library infrastructure. Although the County Council is unable to identify specific improvement schemes at this stage, it is requested that library infrastructure is added to the First Draft Regulation 123 List in the column for infrastructure types that may be funded by CIL.

In addition to mentioning Public Open Space, it would be helpful to include Green Infrastructure (other than site specific requirements). GI is usually multi-functional and whilst it is very often open to the public, this is not necessarily the case. Within a GI section, please include improvements and upgrades to Public Rights of Way (other than site specific requirements).

It is currently unclear how often the Regulation 123 List will be reviewed. However, it would be beneficial if there was scope to review the list at appropriate intervals to ensure that it best reflects county council infrastructure priorities.

Developer Contributions Draft Supplementary Planning Document (SPD)

P10: Infrastructure to be funded through CIL – It is recommended that Green Infrastructure is specifically mentioned in this section.

P16: It is encouraging to see that there is recognition that planning obligations would be an appropriate funding mechanism for a new school.

Please add a bullet point for Green Infrastructure for inclusion in the list of infrastructure types that may be required and negotiated through a planning obligation.

West Sussex County Council
17th April 2014