

COMMUNITY INFRASTRUCTURE LEVY: DRAFT REGULATION 123 LIST (Document of Projects that will not be secured through s106 or s278) CONSULTATION REPORT April 2017



COTSWOLD
DISTRICT COUNCIL

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Introduction 1

I Introduction

1.1 As part of the *Community Infrastructure Levy : Draft Charging Schedule* consultation Cotswold District Council is reviewing projects identified in the Infrastructure Delivery Plan to determine how they will be delivered and funded over the Local Plan period to 2031. A provisional list , contained in the *Community Infrastructure Levy : Draft Regulation 123 List (Document of projects that will not be secured through s106 or s278) October 2016*, was consulted upon during the period 31st October to 28th November 2016.

1.2 This Report contains the following information:

- A summary of the individuals and organisations with whom Cotswold District Council consulted
- How those organisations were consulted
- The Consultation Events held
- A summary of the issues raised, with the Council's response.

2 Consultation

2 Consultation

2.1 Two rounds of public consultation have taken place on the Draft Reg 123 List.

2.2 The first Draft Reg 123 list was contained within the CIL Preliminary Draft Charging Schedule as Appendix B. Consultation took place Monday 27th June to Monday 8th August 2016 in accordance with Regulation 15. The purpose of the PDCS consultation was to allow local communities, developers and businesses to make representations on the initial proposed charging schedule for a CIL in Cotswold District. Full details of this consultation can be seen in the document "Cotswold District Council Community Infrastructure Levy Preliminary Draft Charging Schedule Statement of Consultation, October 2016".

2.3 Draft Regulation 123 List (Document of Projects that will not be secured through s106 or s278) October 2016

2.4 Following a review of the representations made to the Appendix B of the PDCS, the Draft Regulation 123 list was produced as a separate document and consulted upon between Monday 31st October and Monday 28th November 2016. This consultation was undertaken at the same time as the CIL Draft Charging Schedule and Draft Instalments Policy.

2.5 The Draft Reg 123 list was made available for public viewing and advertised by the following means:

- On the Cotswold District Council website
- At the Cotswold District Council Offices at Trinity Road, Cirencester and the Moreton Area Centre, Moreton-in-Marsh
- At all public libraries in the District
- At the public 'drop in sessions' at the Cotswold District Council Offices, Cirencester on 15th November and the Moreton Area Centre on 17th November 2016
- In the Cotswold District Council Members Weekly Information Sheet.

2.6 Copies were also made available for purchase, on request, at the cost of £1 inc p&p.

2.7 Notification of the Consultation was made by letter or e-mail and sent to the following:

- The statutory consultation bodies as specified in the CIL Regulations;
- The consultation bodies specified in the SCI;
- The Consultees who responded to the Preliminary Draft Charging Schedule consultation; and
- Companies, organisations and individuals that the Council considered may have an interest in CIL.

2.8 Furthermore, the consultation benefited from 'piggy-backing' on the DCS consultation which was advertised by the following means:

- By Poster, sent to all Town and Parish Councils to display on their notice boards, Libraries and Displayed in the Cotswold District Council Offices at Trinity Road, Cirencester and the Moreton Area Centre, Moreton-in-Marsh
- By TV advert screen in the Cotswold District Council Office Reception, Trinity Road, Cirencester.
- By Statutory Notice placed in the Wilts and Gloucestershire Standard and the Cotswold Journal

Consultation 2

- By press release, sent from the Council's Communications Team to coincide with the start of the consultation
- In the Cotswold District Council Members Weekly Information Sheet

2.9 Public Consultation Events

2.10 Two public consultation 'drop-in' events were held, where Officers of the Council were available to discuss all three CIL consultation documents. These took place on Tuesday 15th November 2016 in the Cotswold District Council Offices in Cirencester, where 3 people attended, and Thursday 17th November 2016, at the Moreton Area Centre, Moreton-in-Marsh, where three people attended. Both events were held from 12 noon to 5pm.

2.11 Workshops

2.12 On 10th November 2016 the Council ran two workshops to provide more information on the proposed CIL in the District. The Workshops were presented by the Council's consultants on viability and CIL, HDH Planning Consultants and Gilian Macinnes Associates. The first workshop was aimed at Statutory Consultees and representatives of the development industry. The second Workshop was for Town and Parish Councils. An attendance list for the workshops can be found in Appendix A.

3 Draft Reg 123 List Respondents

3 Draft Reg 123 List Respondents

3.1 There were 25 representations made by 21 Consultees. The main issues raised were:

- The Reg 123 was noted or supported
- Objection was raised to certain infrastructure projects not appearing on the list
- Additional projects or spending priorities were suggested
- Information requested that would not appear in the Reg 123 List, including the need for a SPD to be produced.

3.2 A summary of these representations and the Council's response can be seen in Chapter 4.

3.3 The following table lists those Consultees who made representations:

Consultee ID	Name
766318	Daniel Janocka
900979	Katherine Clark
1042453	Highways England
764402	John Allan
1038251	Colin Godfrey
1038587	Cheryl Agg
1040454	Cirencester Town Council
953576	Denis Stokes
1043847	Persimmon Homes Wessex
930277	Historic England
898029	Hallam Land Management Ltd
50978	Moreton-in-Marsh Town Council
512606	Fairford Town Council
51244	Bovis Homes Ltd
1013098	Gloucestershire County Council (Jonathan Medlin)
51182	Down Ampney Parish Council
901399	The Co-operative Group
776450	Robert Hitchens Ltd

Draft Reg 123 List Respondents 3

Consultee ID	Name
51282	Redrow Homes (SW)
1043615	Sport England
849502	Bathurst Development Ltd (BDL)

Table 1 Summary Table of Respondents

4 Summary of Responses

4 Summary of Responses

Nature of Comment	Summary of main issues	Consultee ID	Comment ID	Subsequent actions / actions outcome
Reg 123 list	Welcomes consultation, no comments	1042453, 776450	8, 12	Noted.
Reg 123 list	CDC hasn't struck the appropriate balance in seeking to obtain funding from CIL and expected costs of funding infrastructure given that education or community and social facilities and strategic green space is missing from Reg 123 list . These should be reinstated. Doesn't provide clarity on how these items will be funded and delivered	1043851, 51244, 51282, 901399, 898029, 1043847	22, 23, 25, 24, 21, 19	Will be dealt with in DCS comments. This is not the purpose of the Reg 123 list.
	CIL will only fund 25% of identified infrastructure and other funding will be needed.	776450	12	Noted.
1	Funds should be used to improve community facilities to improve social benefit and sustainability of villages.	51182	16	CIL receipts must be spent on infrastructure. However, the 15 -25% of CIL receipts given to Parishes can be spent on their priorities.
1.1	The draft Reg 123 list is noted or generally supported.	776450, 1013098	7,11	Noted.
1.4	The Reg 123 List should be subject to regular review.	1013098, 953576	6, 10	Noted.
2	The Reg 123 list should include: <ul style="list-style-type: none"> Restore items removed from earlier Reg 123 list: Canal Restoration . Improved flood defence/ mitigation of the River Cam. Specific projects for providing and improving sports pitches and facilities. 	764402, 953576, 1043615, 512606, 1040454, , 1038251	9, 10, 17, 14, 5, 3, 1	CIL will need to fund infrastructure required to support development in the Local Plan, as identified with Infrastructure Providers such as GCC. Cannot be used to remedy existing deficiencies. Must be certain that schemes will not be funded by s106 or

Summary of Responses 4

Nature of Comment	Summary of main issues	Consultee ID	Comment ID	Subsequent actions / actions outcome
	<ul style="list-style-type: none"> Existing drainage problems in Fairford identified in TW/GCC schemes. Cycle link from Cirencester to the Water Park. Kemble to Tetbury cycle route should refer to linking with Cirencester. Cirencester flood risk mitigation should include reference to provision of River Churn upstream water storage, bund attenuation. A419/A428 roundabout improvements, such as lane markings. 			s278. If a project isn't on CIL, it can still receive CIL funding. Parishes can use their neighbourhood proportion to pay for local schemes.
2.1	<p>The Reg 123 list should include :</p> <ul style="list-style-type: none"> Improvements to the footpath connecting Down Ampney Village Hub to Linden Lea; Improvements/upgrade to the infant block in Down Ampney Primary School. Extension to Down Ampney village shop/cafe; Toilet facilities at All Saints Church, Down Ampney; Reference to funding for initiatives set out within the Council's adopted Historic Environment Strategy 	51182, 930277	15, 20	CIL will need to fund infrastructure required to support development in the Local Plan, as identified with Infrastructure Providers such as GCC. Cannot be used to remedy existing deficiencies. Must be certain that schemes will not be funded by s106 or s278. If a project isn't on CIL, it can still receive CIL funding. Parishes can use their neighbourhood proportion to pay for local schemes.
2.3	<p>The Reg 123 list should include in Moreton-in-Marsh:</p> <ul style="list-style-type: none"> A429 Road Bridge improvements(road widening and pavement); Improvements to the access/exit to Fosseway Avenue A429. 	50978	13	CIL will need to fund infrastructure required to support development in the Local Plan, as identified with Infrastructure Providers such as GCC. Cannot be used to remedy existing deficiencies. Must be certain that schemes will

4 Summary of Responses

Nature of Comment	Summary of main issues	Consultee ID	Comment ID	Subsequent actions / actions outcome
	<ul style="list-style-type: none"> Improved and additional facilities on Queen Victoria Playing Field. Provision of out of town car park behind the bowls club. Public open space on sites M19 and M19A identified in the local plan. A community centre. Refurbish astro-turf at Redesdale Place. Replace bus shelter on A429. Provide allotments and provide power and secure building at existing allotments. 			not be funded by s106 or s278. If a project isn't on CIL, it can still receive CIL funding. Parishes can use their neighbourhood proportion to pay for local schemes.
2	The Reg 123 list should be amended to include changes in priorities - see the list provided by GCC	1013098	7	The list is noted, but only those schemes where GCC is certain that only CIL funding is sought can be named on the list. Omission does not mean that CIL funding won't be sought. Further discussion with GCC needed to ensure the most up to date list is adopted.
2	Supports use of s106 to provide sports infrastructure on Chesterton Strategic Site, but beware of pooling restrictions.	1043615	17	Noted
2	Should clarify that any provision required to make a development acceptable be excluded from the Reg 123 list	1043615	17	The list will be in conformity with the Regulations. Investigate whether this needs to be clarified here or in SPD.
2	Old railway line between Kemble and Tetbury is privately owned,	900979	2	This is an identified project in the LTP3 prepared by

Summary of Responses 4

Nature of Comment	Summary of main issues	Consultee ID	Comment ID	Subsequent actions / actions outcome
	around Culkerton this has no public access.			GCC. Discuss further with GCC.
2	Other Councils have produced a SPD on planning obligations to make it clear how CIL and s106 payments will be sought.	1043615	17	Noted
2	CIL should not be used to fund anything related to the Chesterton Site , or if so, Chesterton should be charged CIL.	1038251	3	Chesterton will be required to fund infrastructure directly related to it through s106.
2.3	How does the local plan secure funding for education needs.	1038587	4	Usually secured through s106 agreements, but some schemes can be funded through CIL if no pooling restrictions.
2.4	Notes that all infrastructure required for Chesterton is excluded from the Reg 123 list.	849502	18	Noted.

Table 2 Summary of Representations to Draft Reg 123 List

A Workshop Attendees

A Workshop Attendees

.1 The following people attended the two workshops held at Cotswold District Council Offices, Cirencester on 10th November 2016. The Events were run by Simon Drummond Hay of HDH Planning and Gilian MacInness, of Gilian Macinness Associates.

Cotswold District Council CIL Draft Charging Schedule Workshop 1 Attendance: Statutory Consultees and Development Industry 2pm	
Zoe Styles	Pioneer Property Services on behalf of Robert Hitchins Ltd
Kim Hudson	West Oxfordshire District Council
Richard Pitts	Gloucestershire County Council
Jonathan Medlin	Gloucestershire County Council
Andrew Ford	South Worcestershire Council
Maureen Margrie	Cirencester Housing
Barbara Pond	Gloucestershire Rural Communities Council
Helen Thomas	Joint Core Strategy
Peter Chambers	Perry Bishop and Chambers
Joanne Billingham	Cotswold District Council
Nicola Melville	Cotswold District Council
Joanne Corbett	Cotswold District Council
Lindsay Wood	Cotswold District Council
Jo Sterrick	Cotswold District Council
Philippa Lowe	Cotswold District Council
Joseph Walker	Cotswold District Council

Table 3

Cotswold District Council CIL Draft Charging Schedule Workshop 2 Attendance: Parish and Town Councils 6pm	
Bourton on the Water	Bryan Sumner
	Ernie Rumsey

A Workshop Attendees

Tetbury	Stephen Hirst
Chipping Campden	Michael Haines
Longborough	Tim Gardner
Somerford Keynes	Sarah Powell
	Ron Munroe
Kemble and Ewen	David Ball
Preston	Julie Tomblin
Fairford	Richard Harrison
Meysey Hampton	Roger Case
Cotswold District Council	Philippa Lowe
Cotswold District Council	Joanne Billingham
Cotswold District Council	James Brain
Cotswold District Council	Lesley Davies
Cotswold District Council	Jo Sterrick

Table 4

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