

Planning Obligations,

Mr Samuel Hubbard,
Planning Policy Officer,
Waveney District Council,
Town Hall,
High Street,
Lowestoft,
Suffolk, NR32 1HS.

Enquiries to: Neil McManus
Tel:
Email:
Web: www.suffolk.gov.uk

Your ref:
Our ref: Waveney CIL consultation
Date: 16 January 2013

Dear Sam,

**WAVENEY LOCAL DEVELOPMENT FRAMEWORK – COMMUNITY
INFRASTRUCTURE LEVY – consultation on Community Infrastructure Levy
Guidance, December 2012**

I refer to the publication on 14 December 2012 of the Department of Communities and Local Government '*Community Infrastructure Levy Guidance, December 2012*'. By way of letter dated 27 December 2012 this is being consulted upon in connection with Waveney District Council's Draft Charging Schedule, which is going forward for examination. This consultation has a closing date of Monday 28 January 2013. This consultation response is made on behalf of Suffolk County Council.

I provided a response to the previous consultation which had a closing date of 16 November 2012. As previously advised the county council is supportive of Waveney District Council introducing a Community Infrastructure Levy (CIL) in Waveney. This is fully in line with the Government's 'direction of travel' to enable and support growth.

I have read the new guidance and in particular note that paragraph 48 says "Collaboration with County Councils is important, not only in setting the levy rate (or rates), but also in agreeing priorities for how the levy will be spent in two-tier areas, where they are responsible for delivery of key strategic infrastructure. Where possible, priorities for spending the levy should take account of County Councils' infrastructure spending priorities in the light of the aggregate funding gap and other infrastructure funding sources." This clarification in the new guidance is greatly welcomed and supported. Indeed these issues were raised in my letter dated 16 November 2012 (further copy attached) which, whilst pre-dating the publication of the new CIL guidance, are still relevant and therefore form part of this consultation response.

The County Council has worked collaboratively with Waveney throughout the preparation of the Draft Charging Schedule.

The County Council and Waveney have a long history of working collaboratively on matters relating to Section 106 and infrastructure, including the adoption of the Waveney Core Strategy and the Lake Lothing Area Action Plan (in terms of meetings, written representations and attendance during public examination). The County Council worked with Waveney and all the other District Councils in Suffolk to produce the County-wide Developer's Guide to the use of Section 106 across the County, which was adopted in 2012. This Guide helped form the basis of some of the assumptions made in the Waveney Infrastructure Study.

The County Council had a number of meetings and correspondence with representatives of Waveney during the drafting of the Infrastructure Study back in the Spring of 2011. As such the Infrastructure Study reflected the needs for County Council provided infrastructure at the time of publication. This engagement continued through the production of the Preliminary Draft Charging Schedule and the Draft Charging Schedule.

More recently the County Council has engaged with Waveney through the newly formed Suffolk CIL Officer Group (SCIOLOG) which is tasked with finding common methods of implementing and operating CIL across the County.

The County Council will continue to work with Waveney over the coming year in setting up protocols and procedures for the spending and prioritising of CIL funds.

I confirm that if there is to be a public hearing by the examiner then I would like the opportunity to attend on behalf of Suffolk County Council in order to support Waveney District Council in moving towards the adoption of the CIL Charging Schedule. However, if there is to be no public hearing then I am content for responses to be based on my written submissions.

Yours sincerely,

Neil McManus
Planning Obligations Manager

Planning Obligations,

Mr Samuel Hubbard,
Planning Policy Officer,
Waveney District Council,
Town Hall,
High Street,
Lowestoft,
Suffolk, NR32 1HS.

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Our ref: Waveney CIL consultation
Date: 16 November 2012

Dear Sam,

**WAVENEY LOCAL DEVELOPMENT FRAMEWORK – COMMUNITY
INFRASTRUCTURE LEVY - publication of the Draft Charging Schedule consultation**

I refer to the above which is subject to public consultation and has a closing date of Friday 16 November 2012. This consultation response is made on behalf of Suffolk County Council from a spatial planning perspective.

As previously advised the county council is supportive of Waveney District Council introducing a Community Infrastructure Levy (CIL) in Waveney. This is fully in line with the Government's 'direction of travel' to enable and support growth.

We note that there is a large funding gap for infrastructure that justifies the need for a local CIL. We also note the proposed CIL Charging Rates set out in Tables 3.1 and 3.2 of the '*Raising funds for infrastructure delivery*' consultation document.

The '*Waveney Infrastructure Study March 2012*' document ought to be updated to reflect recent changes regarding education. They do not impact on the proposed CIL Charging Rates. These are as follows, namely:

1. **Education: Pre-school.** Paragraph 4.1.2 needs to be amended. Section 7 of the Childcare Act sets out a duty to secure free early years provision for pre-school children of a prescribed age. The current requirement is to ensure 15 hours per week of free provision over 38 weeks of the year for all 3 and 4 year-olds. The Education Bill 2011 amended Section 7, introducing the statutory requirement for 15 hours free early years education for all disadvantaged 2 year olds. This means pre-school provision is now not just a market provided facility.
2. Paragraph 4.1.4 needs to be amended. Each new place costs £6,091 (2012/13 costs), which gives a revised funding gap of £225,367.

NOT PROTECTIVELY MARKED

3. **Education: Primary.** Paragraph 4.3. All schools across Waveney now operate on a 2 tier basis. Paragraph 4.2.1 should reflect that all schools now operate on a 2 tier basis.
4. Paragraph 4.2.5 needs to be amended to reflect updated data received from Suffolk County Council in tables 4.2.1, 4.2.2 & 4.2.3. In summary as a result of the move from 3 to 2 tiers and updated forecasts to 2016 there is now estimated to be a deficiency of 194 places to meet existing needs. Against estimated housing growth of 417 dwellings this will require funding for 105 new school places (417 x 0.25).
5. Tables 4.2.1, 4.2.2 & 4.2.3. See updated data attachments.
6. Paragraph 4.2.6 needs to be amended. It should be noted that based on current forecasts that Blundeston CEVCP will be over capacity by 2016 and that Bramfield CEVCP will be at capacity by 2016. If from the 202 windfall dwellings all 51 new primary school places arising are required this will give an additional funding gap of £621,231.
7. Paragraph 4.2.8 needs amending. Each new primary school place costs £12,181 (2012/13 costs), which gives a revised funding gap of £1.279m (105 places x £12,181) in Lowestoft.
8. **Education: Secondary and sixth form.** All schools now operate on a 2 tier basis.
9. Paragraph 4.3.1 needs amending. There are four secondary schools which serve Lowestoft (East Point Academy, Pakefield School, The Benjamin Britten High School and The Denes High School). In addition there is Lowestoft Sixth Form College. In Beccles there is the Sir John Leman High School (includes a sixth form) and in Bungay there is a High School (includes a sixth form).
10. There is a new Free School in the Waveney area which currently occupies the Carlton Colville Primary School site. This school has a capacity of 540 places but it is too early to calculate any forecast data or what impact it might have on other schools. The Free School is due to relocate to the closed Beccles Middle School site in 2014.
11. Based on current forecasts there may be 457 surplus secondary school places across Lowestoft, although Pakefield School is forecast to be over capacity by 2016. There is currently forecast to be surplus capacity available at Beccles and Bungay.
12. **General comments.** There needs to be greater clarity about the inter-relationship between CIL and Section 106. It is important that this is clear to all stakeholders involved and interested in the development management process. It is suggested that the existing county-wide '*Section 106 Developers Guide to Infrastructure Contributions in Suffolk*' is updated if the CIL Charging Schedule is adopted in order to provide transparency for developers in Waveney.
13. Has the level of CIL taken into account the level of affordable housing and on-site Section 106 contributions, Section 278 matters, Section 38 matters and planning conditions? Is the margin of £1,000 per unit allowance left for site-specific residual Section 106 items sufficient?

NOT PROTECTIVELY MARKED

14. It is noted in paragraph 2.17 of the Viability Study by BNP Paribas Real Estate that affordable housing requirements may be reduced to ensure the site remains financially viable when taking into account other development costs. This policy is very important if certain sites require a higher level of site-specific mitigation measures e.g. transport assessment.
15. There needs to be a clear and transparent mechanism whereby sufficient money collected by Waveney District Council via the CIL Charging Schedule flows directly back to the county council (and other infrastructure providers), so that infrastructure for which it is responsible can be funded and delivered in a timely fashion e.g. transport and education. The county council would welcome the opportunity to discuss how this can be achieved and would strongly suggest a county-wide approach in order to agree over-arching principles and a working protocol, which will be common to all districts across Suffolk. By not doing this could seriously compromise the timely delivery of local and strategic infrastructure which is the responsibility of the county council, which would be contrary to the principles of ensuring the delivery of sustainable development.
16. Infrastructure Delivery Plan (IDP). It is suggested that there is the need for an agreed IDP between various stakeholders (to include the county council), which identifies projects, all funding sources and a delivery timetable across Waveney. This must link with the CIL money collected by Waveney.
17. We would welcome working in close partnership with Waveney to agree the list of infrastructure projects and types of infrastructure which it intends to spend CIL receipts on i.e. the Regulation 123 list.

I confirm that I wish to be heard at the public hearing by the examiner in order to support Waveney District Council in moving towards the adoption of the CIL Charging Schedule.

Yours sincerely,

Neil McManus
Planning Obligations Manager

From: Neil McManus
To: "'planningpolicy@waveney.gov.uk'" <planningpolicy@waveney.gov.uk>
CC: "'Sam Hubbard'" <sam.hubbard@waveney.gov.uk>
Date: 16/01/2013 17:33
Subject: WAVENEY LOCAL DEVELOPMENT FRAMEWORK - COMMUNITY INFRASTRUCTURE LEVY- consultation on Community Infrastructure Levy Guidance, December 2012
Attachments: Waveney CIL consultation response 28 January 2013.pdf; Waveney CIL consultation response November 2012.pdf

Dear Sam,

Please see attached response.

Regards, Neil.

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