



planning advisory service



# **Proposed reforms on developer contributions (CIL, Section 106 and Viability)**

## Consultation Events

## Spring 2018

[www.pas.gov.uk](http://www.pas.gov.uk)

# Housekeeping

- Numbers in the room – can you hear?
  - Fire
  - Phones
  - Toilets
  - End @ 16:30
  - Slide deck take away
-

# Introductions.....

- Who are the Planning Advisory Service?

*“PAS exists to support local planning authorities in providing effective and efficient planning services, to drive improvement in those services **and to support the implementation of changes in the planning system**”*

- Funded by the Ministry of Housing Communities and Local Government (MHCLG)
  - Part of the Local Government Association (LGA)
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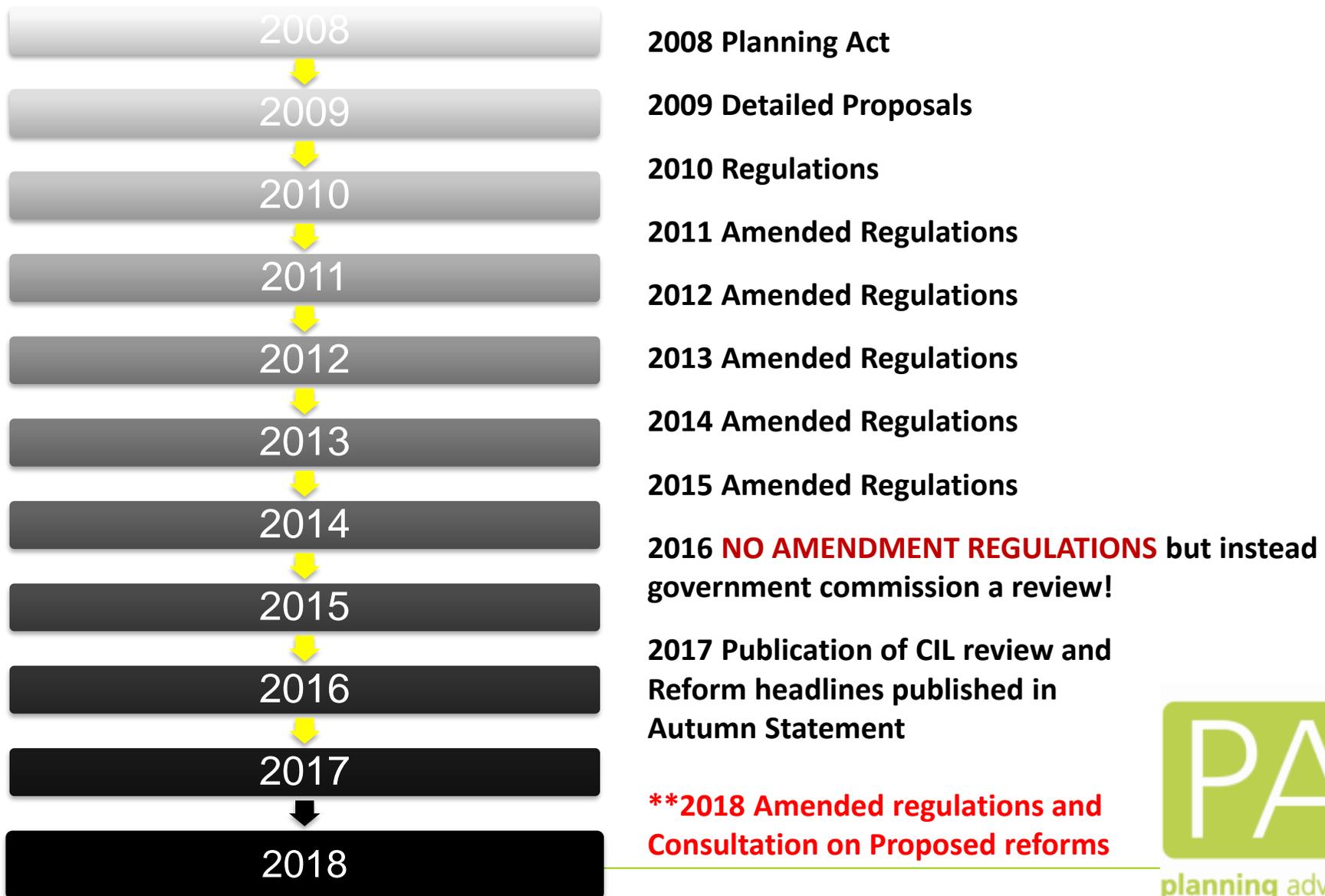
# Purpose of today

- The focus is on helping authorities to understand and respond to the government's proposals
  - Opportunity to consider, debate and ask questions on the proposed reforms and feedback directly to MHCLG
  - What do the reforms mean for your authority?
  - **Most importantly** will they help you deliver the infrastructure and affordable housing that your area needs?
-

# Keep focussed on the Delivery



# CIL and its chequered history



# Agenda

- **Session 1:** Overview of the proposed reforms
  - **Session 2:** Aligning the evidence for CIL charging schedules and plan making – Infrastructure; developer contributions and viability
  - **Session 3:** Setting your CIL rates and making them more market responsive
  - **Session 4:** – A detailed look at the process for considering development viability
  - **Session 5:** Transparency and relationship of section 106 planning obligations and CIL
  - **Session 6:** Strategic Infrastructure Tariffs
  - **Session 7:** Wrap up/PAS support
-

# Tell us what you think

Poor	Fair	Good	Excellent
1	2	3	4
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- We need to know what you think
  - Comments welcome
  - We read all of them
  - We use your ideas to change what we do and how we do it.
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# Session One

## Overview of the proposed reforms

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Ministry of Housing,  
Communities &  
Local Government

# Reforms to Developer Contributions

**Supporting housing delivery through developer contributions**  
**National Planning Policy Framework reforms on viability**

Chris Poulton & Harriet Fisher – Planning Infrastructure



- CIL Review
- Reforms in housing White Paper
- Autumn Budget commitments
- More streamlined and easier to use planning system
- Meeting the needs of communities
- More certainty for communities and developers
- Giving the right tools to local authorities
  
- **Consultation on draft NPPF**
- **Consultation on reforms to developer contributions**

## Planning Reform Context





Ministry of Housing,  
Communities &  
Local Government

## Context: value of developer contributions

**£0.9bn**

CIL levied in  
2016-17.

**£5.1bn**

2016/17: estimated  
amount agreed  
through S106.

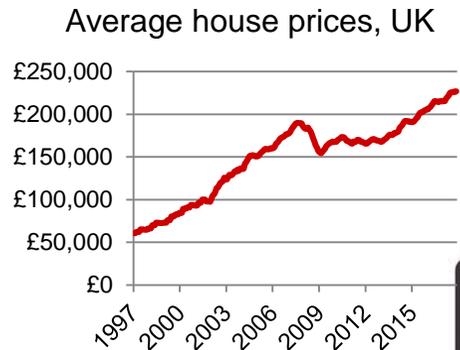
**£4bn**

of this was for  
affordable housing,  
enough for around  
**50,000 homes.**



**£6bn**

developer contributions  
agreed in 2016-17...



**£6bn**

...in real terms, **the same** as in 2007-8



## Context: uncertainty for developers, local authorities and communities

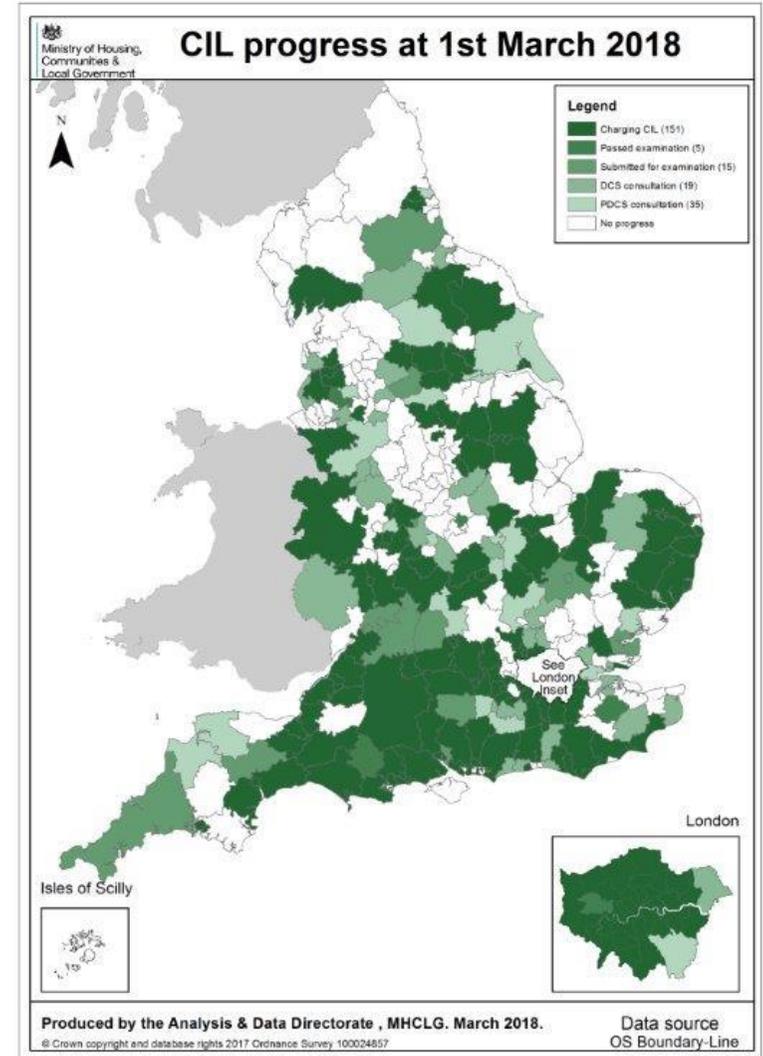
**2/3** of potential CIL authorities in  
England are charging, or  
introducing, CIL

# Over 80%

of local authorities consider that S106  
obligations delay granting of planning  
permission – slowing development

**65%** of planning authorities  
renegotiated planning  
obligations in 2016/17.

Changing the type or amount of  
affordable housing were common  
reasons for renegotiation.





## Issues with the current system

Development is  
delayed by s106  
negotiations

Renegotiating s106  
reduces  
accountability to  
local communities

Partial take-up of  
CIL – an uncertain  
patchwork

CIL rates set at  
lowest common  
denominator level

CIL rates are not  
market responsive

Transparency:  
communities don't  
know where s106 &  
CIL are spent



System doesn't  
support cross-  
boundary planning





## Reforms to developer contributions

National Planning Policy  
Framework & guidance

Developer Contributions  
consultation

Going further: a clearer and more  
robust system of developer  
contributions

Going further: Option to set  
nationally and make non-  
negotiable?



# Reforms to Developer Contributions and Viability

Reducing  
complexity and  
increasing certainty

Supporting swifter  
development

Increasing market  
responsiveness

Improving  
transparency and  
increasing  
accountability

Introducing a  
strategic  
infrastructure tariff





Ministry of Housing,  
Communities &  
Local Government

## Our proposals: Reducing complexity and increasing certainty

Setting and revising CIL:  
proportionate consultation &  
evidence

Lifting the pooling restriction in  
certain circumstances

Improvements to the operation of  
CIL: administering exemptions,  
amended permissions & abatement



## Our proposals: Swifter development – viability assessment in planning

Viability in plan-making, clear policy requirements (contributions for infrastructure and affordable housing)

Proposals complying with plan do not need viability assessment

Standardised approach to viability assessment



## Our proposals: Increasing market responsiveness

Rates can take account of land value uplift between different uses

Index residential development to house prices, non-residential to economic factors



## Our proposals: Improving transparency and increasing accountability

Replace 123 lists & restrictions  
with more transparent  
infrastructure funding statements  
(CIL & s106)

Open data templates for reporting  
developer contributions

Publically available viability  
assessments with an executive  
summary

Improved publicity



Ministry of Housing,  
Communities &  
Local Government

## Consultation

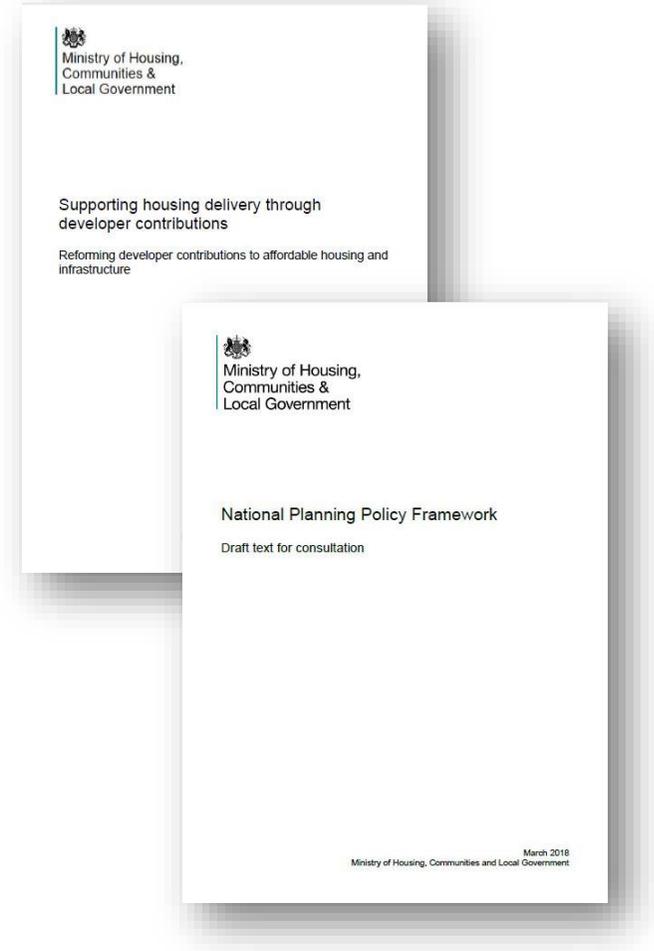
- Reforms to developer contributions
- National Planning Policy Framework...
- ...and accompanying guidance

**Open until 10 May**

[www.gov.uk/government/collections/  
national-planning-policy-framework-and-  
developer-contribution-consultations](http://www.gov.uk/government/collections/national-planning-policy-framework-and-developer-contribution-consultations)

[Respond via surveymonkey](#)

**MHCLG Planning Infrastructure**  
**Chris Poulton** @ctpoulton  
**Harriet Fisher** @harriet\_fisher1





Ministry of Housing,  
Communities &  
Local Government

# Questions?

## Session Two

**Aligning the evidence for CIL charging schedules and plan making – Infrastructure; developer contributions and viability**

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## Aligning evidence – speeding up planning decisions and making CIL-setting easier

### The issues the consultation seeks to address

- Setting and revising CIL is slow. Resource constraints affect reviewing of charges
- Some developers argued rates should be reviewed more regularly
- Viability assessment slows planning permission being given
- Renegotiation reduces certainty for local communities

### What is proposed

- Viability assessment focuses on plan-making. It is not generally required for decision taking.
- Plans set out policy requirements for developer contributions (infrastructure and affordable housing)
- Policies are realistic and do not make development unviable
- Assessments follow the approach set out in Planning Guidance.
- Aligning CIL evidence requirements (infrastructure need and viability) with that for plans
- Where evidence shows a funding gap significantly greater than anticipated CIL income, further evidence of infrastructure funding need should not be required
- Reflecting changes in market conditions by assessing recent trends, rather than procuring new costly evidence
- Give authorities flexibility to establish appropriate consultation (rather than two fixed periods)

# **Westminster's CIL**

## **Charging Schedule, Evidence and Governance Arrangements**

**May 2018**



## Westminster's CIL: Overview

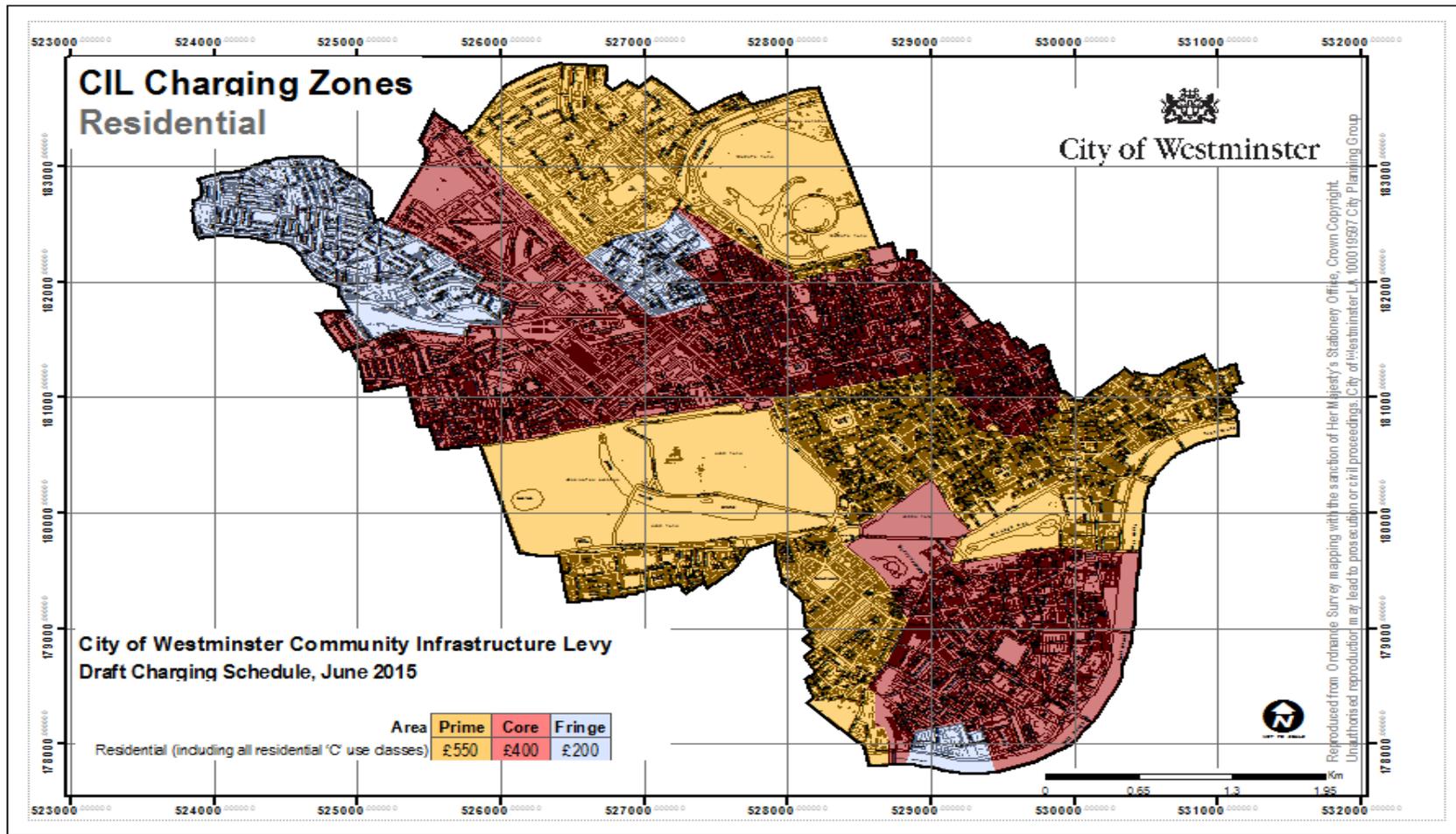
- Charging Schedule adopted in 2016 and took effect on 1<sup>st</sup> May that year. The following rates were set:

Area	Prime	Core	Fringe
Residential (including all residential 'C' use classes)	£550	£400	£200
Commercial (offices; hotels, nightclubs and casinos; retail) (all 'A' use classes and sui generis retail)	£200	£150	£50
All other uses	Nil		

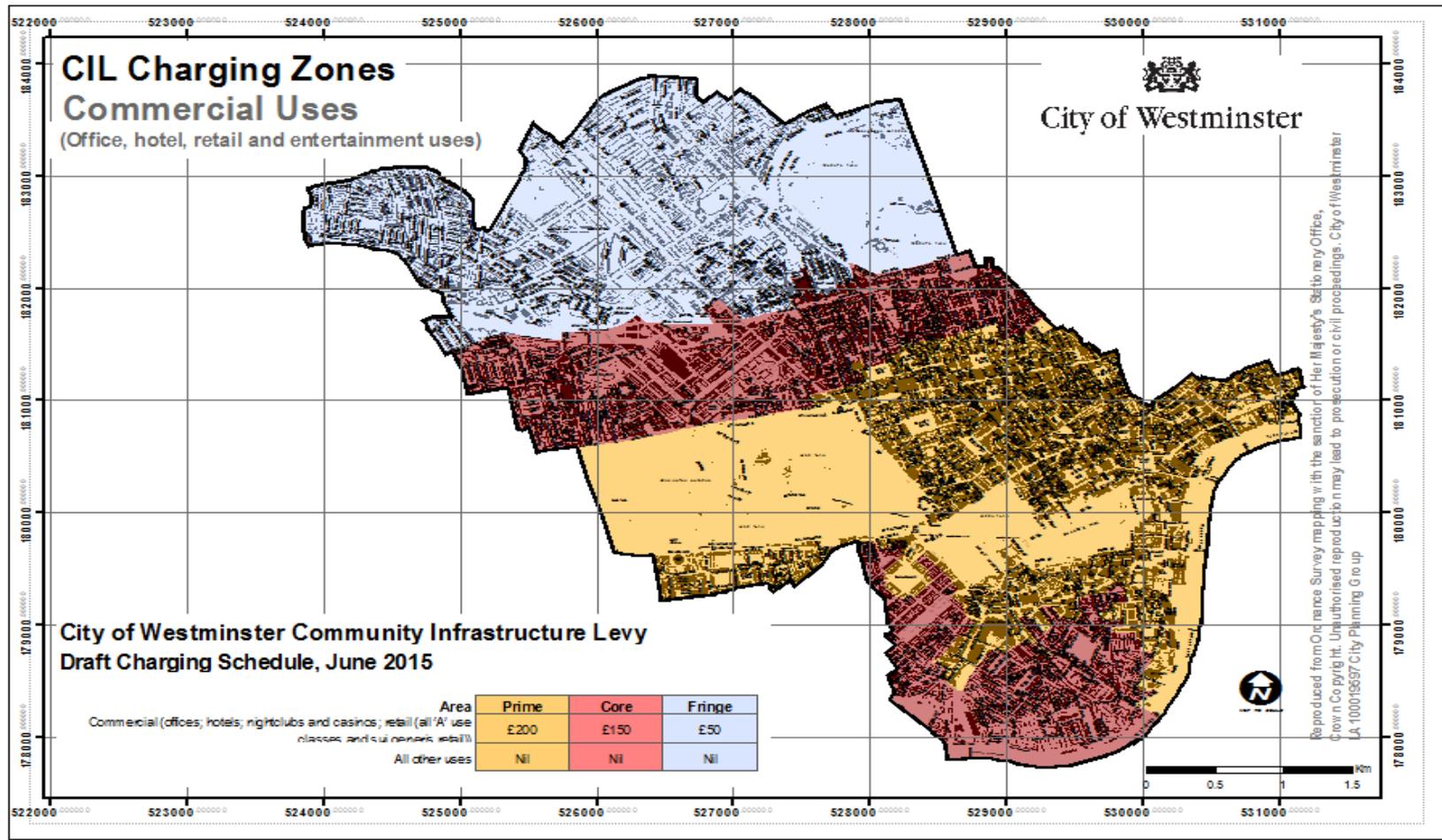
- Different charging zones were also devised for residential and commercial development, set according to existing planning policy designations and housing affordability evidence



# Westminster's CIL: Residential Charging Zones



# Westminster's CIL: Commercial Charging Zones



# Westminster's CIL: Key Evidence

Two key pieces of evidence needed to support adoption of the Charging Schedule:

1. Infrastructure Delivery Plan (URS) and Addendum (CIL Knowledge)
2. Viability Study (BNP Paribas)



## Key Evidence: IDP

IDP set out baseline of infrastructure provision in the city and divided it into categories:

- Roads and other transport facilities.
- Flood defences.
- Schools and other educational facilities.
- Health facilities.
- Social care and community safety facilities.
- Sporting and recreational facilities.
- Open spaces.

In collaboration with internal and external stakeholders via an Infrastructure Board, service plans were used to assess future demand

List of projects was drawn up alongside funding requirements, identifying an infrastructure funding gap of £645m for 2012-18



## Key Evidence: IDP

Projected CIL income suggested c. £70m towards the funding gap, with annual CIL income of c. £17.5m across a typical development cycle

S106 pooling restrictions could result in loss of £2.3m over the same period – giving incentive to a speedy adoption of CIL



## Key Evidence: Viability Study

Viability Study carried out in 2015 by BNP Paribas

Initial report carried out in 2014 to support Preliminary Draft Charging Schedule – tested development viability in context of the adopted development plan using Residual Value (RV)/ Existing Use Value (EUV) approach

Further work carried out in support of Draft Charging Schedule to test a high number of ‘proxy’ developments and additional sensitivity testing taking account of build costs and affordable housing requirements

CIL charging rates were set at around 5% of development costs, and were not dissimilar to the rates proposed in neighbouring boroughs



## Key Evidence: Viability Study after CIL

- PDCS: 93 proxies (20 hypothetical); DCS a further 63 (all real cases)
- Now using study as basis for testing City Plan viability
- Added a further 20 proxies (all real cases), updating costs (build costs, CIL)
- Using the model now to test policy options
- Still using EUV+ approach – a key issue during CIL-setting
- CIL zones being used for other policy-setting



## Approach to Developer Contributions

Draft SPD was produced to support the CIL examination, setting out Westminster's approach to developer contributions, alongside a draft Regulation 123 List

SPD explained how CIL, S106 and S278 obligations and planning conditions would interact once CIL came into force

Set out transitional arrangements from April 2015, where tariff-style infrastructure contributions would no longer be sought, until CIL was adopted

Progress slowed by stream of national policy changes – now awaiting new City Plan



# Regulation 123 List

Reg 123 List sets out what types of infrastructure CIL will be used to fund:

- Crime and anti social behaviour infrastructure;
- Educational facilities;
- Health facilities;
- Parks and Open Space;
- Public Realm improvements;
- Social and community facilities;
- Sports and Leisure facilities;
- Transport and highways excluding works covered by Section 278 agreement;
- Utilities; and
- Waste

List also specifically excludes works required to make a development acceptable in planning terms, covered by S106 and planning conditions



## **CIL Spending: Governance Arrangements**

Following adoption of Charging Schedule, Westminster set up a Cabinet Committee to agree CIL spending

Comprised of 3 Members (Portfolio Holders for Planning and Public Realm; City Highways; Environment, Sports and Community) and meets quarterly

Supported by Senior Officer Group comprised of Heads of Service/ Directors and supported by Planning Policy Officers

Committee agreed to a Spending Policy Statement, which allocates funding on a percentage basis to types of infrastructure, and sets criteria that individual proposals must meet in order to be eligible for CIL funding



# CIL Spending: Governance Arrangements

CIL percentages:

Portion	Percentage
Strategic	70-80%
Neighbourhood	15% capped at £100 per council tax dwelling (will increase to 25% uncapped where neighbourhood plans are adopted)
Administration	5%

Strategic Portion:

Public Realm/ Transport	Health & Community Services	Education	Parks/ Sport & Leisure	Utilities / Waste	Other*
50%	10%	5%	5%	10%	20%

\*Other portion is for other priorities/ contingencies that may arise

## **CIL Spending: Governance Arrangements**

Potential projects under the 'strategic portion' are put forwarded via the Senior Officer Group in accordance with the criteria in the CIL Spending Policy Statement

Project managers complete project forms providing detail on how project meets spending criteria, details of delivery partners and other sources of funding, etc.

Also opportunity for individual Councillors to suggest projects for local ward priorities

Officers currently working on governance arrangements for 'neighbourhood portion' spend, including engagement with neighbourhood forums



# Government CIL Proposals

- Welcome:
  - “mend not end”
  - flexibility around consultation
  - support for re-use/harmonisation of CIL and local plan evidence
  - ending regulation 123 lists and infrastructure funding statements - but these should be streamlined and sit within existing suite of documents we have to produce. Should allow “double dipping”
  - support for s106 monitoring fees
- Don't welcome proposed approach to indexation. Keep it simple and use CPI for all!
- Now need to consolidate and improve regulations and guidance
- Consider extension of CIL principle to affordable housing





City of Westminster

**Thank You**

# Questions and feedback

- **Do you agree to the proposals on proportionate evidence?**
    - **What local plan evidence could also be used as the evidence for CIL, and vice versa?**
    - **What evidence do you already have that could be used in this way? Will you have to commission anything new?**
    - **How will you keep this evidence current to ensure that it usefully informs the different stages of local plan and CIL development?**
-

## Tea / coffee 15 mins

***Do you have any detailed technical questions or issues that you haven't been able to raise?***

***If so write it on your feedback form or pop a post it in the golden treasure box with the details and your contact details***

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# Session Three

**Setting your CLIL rates and making them more market responsive**

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## The issues the consultation seeks to address

- The value of section 106 planning obligations and CIL per dwelling built has remained broadly the same since 2011/12.
- By contrast, house prices in England have increased by 30%.
- Increasing market responsiveness will allow local authorities to better target increases in value, while reducing the risks for developers in an economic downturn.

## What is proposed

### **The Government proposes:**

- to allow local authorities to set differential CIL rates based on the existing use of land.
- that CIL for residential development should be indexed to the House Prices Index (HPI)
- that CIL for non-residential development should be indexed to a different metric, either:
  - a) Consumer Price Index (CPI) or
  - b) to a combined proportion of HPI and CPI.



# PAS CIL Events

March/April/May 2018

Gilian Macinnes



# Session 3

- Setting your CIL rates and making them more market responsive

# Increasing Market Responsiveness:

- CIL rates based on existing Land use value
- Indexation
- What do you think?



# Technical Treasure Chest

- What are your issues?



# Questions and feedback

- **Would having the ability to set different CIL rates on the basis of different existing use values work in your area?**
  - **Would the technical complexities deter you from setting a rate?**
-

## Lunch 1 hour

***Do you have any detailed technical questions or issues that you haven't been able to raise?***

***If so write it on your feedback form or pop a post it in the golden treasure box with the details and your contact details***

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# Session Four

**A detailed look at the process for  
considering development viability**

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## A detailed look at the process for considering development viability

### What issues the consultation seeks to address

- Use of viability assessments has expanded significantly. This causes delays, uncertainty and increases risk. It can also result in lower contributions for infrastructure and affordable housing.
- Planning obligations are frequently renegotiated. This can lead to a lack of trust with local communities

### What is proposed

- All plans should be assessed for viability. Viability assessment should not normally be needed at the decision making stage. Any application that meets local plan requirements is assumed to be viable (fast-track)
- Any viability assessment at the application stage should refer back to the plan
- National Planning Guidance standardises key elements of the viability assessment, including gross development value, costs, benchmark land value and developer return.
- Benchmark land value derived from existing use values. This ensures policy compliance is factored into the price paid for land.
- Benchmark return to the developer of 20% of GDV (plus contingency) to be tested by plan makers. This reflects risk, which developers must manage throughout.



planning advisory service



# **Draft Planning Practice Guidance: Viability – Application in Practice**

**17<sup>th</sup> April 2018**

**[www.local.gov.uk/pas](http://www.local.gov.uk/pas)**

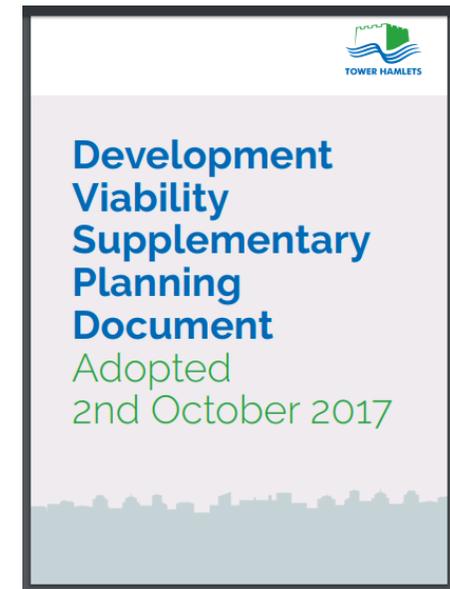
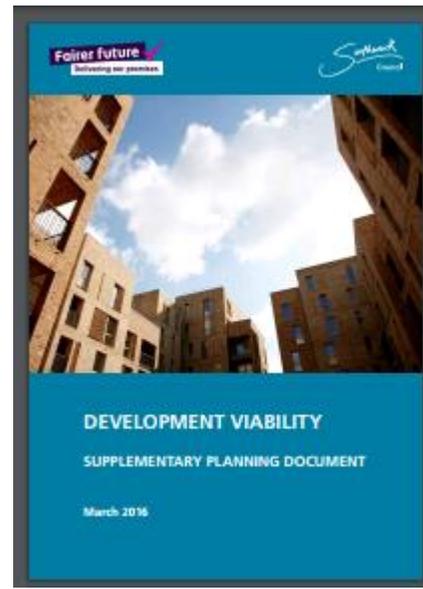
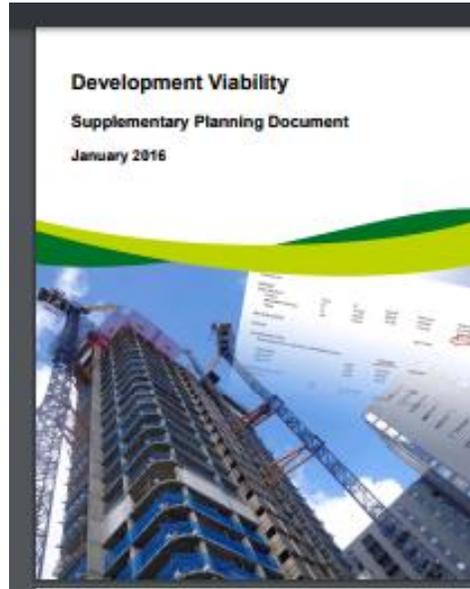
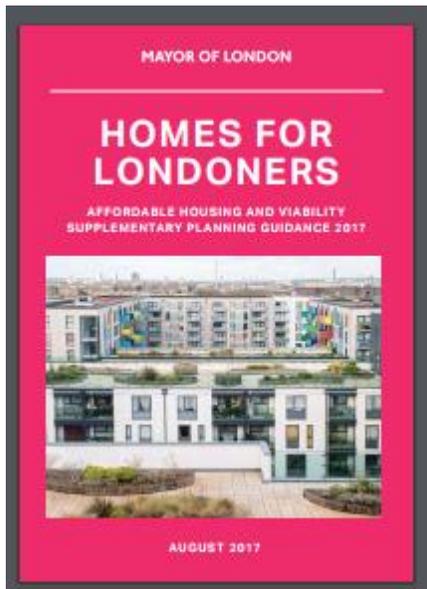
# Why has viability become so important?

- Development viability - one of the **most controversial** issues in planning in recent years
- **Increase** in policy requirements being **contested** on viability grounds
- Considered to be susceptible to **gaming** and viewed with **suspicion** by **local authorities** and **communities**.
- **Undermines** the **delivery** of local plan requirements e.g. affordable housing
- **But .....**

But .....



## Authorities are striking back



# A collaborative approach

- The **London Borough Viability Group** established in 2014
- Set up in **response** to the **increasing emphasis** placed on **development viability** in the planning process
- Adopted a [London Borough Viability Protocol](#) and meet several times a year to share practice.
- Increasing activity **outside** of London
- Circumstances may be different but **lessons to be learnt** through **collaboration** and **sharing of knowledge**
- **Consistency** in approach to viability assessment for plan making, decision making, section 106 planning obligations and CIL is required.



## Draft Planning Practice Guidance: Viability - Application in Practice

## LBTH Development Context

- East London, east of the Square Mile, West of Stratford (Olympics).
- Highest adopted housing target in London (circa 4,000 per annum).
- Deliver most housing in UK (15/16 = 3,625 units).
- A Local Authority of mixed fortunes: Vast disparities in wealth.
- 20,000 people on housing waiting list.
- Development viability is very relevant!

## LBTH Viability Context

- Development Viability Team (5 roles, 2 filled).
- In October 2017 adopted a Development Viability SPD.
- Active member of the London Authorities Viability Group.
- We appoint consultants to act on our behalf using a framework panel.

# Draft PPG Proposals that LBTH Applies

## Increased emphasis on viability at plan-making stage (1)

- PPG:

*“The role for viability assessment is primarily at the plan making stage.” ; and*

*“Proposals for development should accord with the relevant policies in an up-to-date development plan and where they do no viability assessment should be required to accompany the application.”*

- We are not implementing this but do follow the “Threshold Approach to Viability”.

## Increased emphasis on viability at plan-making stage (2)

- “Threshold Approach” is where a scheme proposes to a) Deliver 35% affordable housing, and b) Meet the Council’s affordable housing tenure split, no Viability Assessment is required to be submitted.
- Proposed in the Greater London Authority’s Affordable Housing and Viability SPG: Approach is quite popular.
- LBTH’s verdict: Generally supportive. Greater clarity on plan-making viability assessments required.

## Review Mechanisms (1)

- PPG: Review mechanisms can be used to amend developer contributions to account for changes in values and costs.
- We already use review mechanisms, which are set out in our Development Viability Supplementary Planning Document (SPD) and the Greater London Authority's Affordable Housing and Viability Supplementary Planning Guidance (SPG).
- Viability Assessment must be updated at trigger point.

## Review Mechanisms (2)

- Triggers are:
  - If development not commenced within 2 years;
  - For phased schemes, beginning of each new phase (after first)
  - End of scheme (on sale of 75% of units)
- We've not actually triggered any yet, such is the development pipeline.
- LBTH verdict: Very helpful proposal, to capture growth in values.

## Standardising Inputs to Viability Assessments

- PPG: Clarifies how Gross Development Value should be defined and what cost elements should be accounted for.
- LBTH's Development Viability SPD already clarifies these things.
- LBTH verdict: Useful proposal for authorities that don't use viability that much.

## Accounting for Land Value in Viability Assessments

- Most challenging aspect of viability by far.
- PPG: Advocates an approach based on the existing use value of the site, plus a premium (“EUV+”). Can also account extant planning consents.
- LBTH usually apply EUV+: Set out in Development Viability SPD.
- Principle of EUV+ supported (definitely better than price paid). However, the premium (most difficult part of viability) is key...

## Accounting for Land Value in Viability Assessments

- Generally, premiums in LBTH = 20% - tied by SPD.
- PPG: Premium should:

*...reflect the minimum price at which it is considered a rational landowner would be willing to sell their land*

- Basing premium on sale by “rational owner” seems dangerous and could lead to BLVs ignoring policy.
- LBTH verdict: EUV+ approach supported, approach to premium need to be reconsidered.

## What return for developers should be allowed?

- PPG proposes 20% on GDV for market housing and 6% for affordable housing.
- LBTH tends to apply these rates, our SPD is not specific.
- LBTH verdict: Helpful.

## Accountability and Viability Assessments

- PPG Proposal:
  - Suitably qualified practitioner with professional integrity.
  - Viability Assessment set out in a way that aids clear interpretation.
- LBTH: similar statement in SPD.
- LBTH verdict: Positive – Could go further.

## Transparency and Viability Assessments

- PPG: Viability Assessments “should be prepared on the basis that it will be made publicly available”.
- LBTH has a position of transparency. Via our SPD, we advertise that we will only accept viability assessments on the basis that they will be made publicly available (excl. exceptional circumstances).
- Also updating our Local List.
- LBTH verdict: Important - trust in the system and for collecting comparable information.

## Conclusions

Three things to take away:

- Consider adopting a Development Viability SPD or other local guidance on viability (maybe in Local Plan).
- In responding to PPG consultation, really think about approach to Land Value and Premium.
- Transparency is important.

# What do you think?

- **What are the impacts of focussing viability assessments on plan-making rather than decision taking?**
  - **What will the impacts of a standardised approach to viability be in your authority?**
  - **What are the risks and benefits?**
  - **How much flexibility should be retained in the system?**
  - **Is the approach to review mechanisms right as a tool for providing flexibility?**
-

## **Session Five**

**Transparency and relationship of  
section 106 planning obligations  
and CIL**



## Relationship and transparency of planning obligations and CIL

### The issues the consultation seeks to address

- Improve public attitudes to development and address developer concerns about use of contributions
- Complex and opaque viability assessments – community concerns
- Confusion and variation in Regulation 123 lists
- Pooling restriction can mean otherwise acceptable sites are rejected
- Pooling restriction a barrier to delivering large sites

### What is proposed

- Remove regulatory requirements for Regulation 123 lists
- Introduce Infrastructure Funding Statements for CIL and s106
- Publically available viability assessments (except for in exceptions circumstances)
- Standard open data templates for monitoring and reporting
- Work together to publicise any infrastructure contributions
- Lifting the pooling restriction...



## Relationship and transparency of planning obligations and CIL

### What is proposed

Lift the pooling restriction where:

- Areas have adopted CIL
- Not adopted CIL because it is unfeasible
  - Viability – authorities in bottom 10% of house prices
  - National parks
- Not adopted CIL but development planned on several large sites
  - across a whole authority where % homes are on a limited number of large sites
  - or across England on sites defined as strategic

# Session 5



- Transparency and the Relationship between s106 and CIL

# Governance of CIL & S106

- A key reason communities reject development is that it does not come with supporting infrastructure



# What do you need to make a place ?



Berkeley Homes – Holborne Lakes

# It is all about delivery

- What is the best approach to delivering infrastructure to deliver development – s106 – CIL – s278 – a combination?



Knights Park – houses, school, shops, transport  
-Dandara Homes



# CIL Review panel



- Concerns about how much money has been collected
- Implications of pooling limitation
- Concerns about reg. 123 list
- CIL- How much collected, where's it been spent and on what?
- If the LPA are saving it – do people know what for?
- Lack of clarity in reporting
- Do your communities know what CIL is buying/ is it buying anything yet?
- Do your communities know what the development industry is paying for with CIL and s106?

# Pooling Limitation - Almost Gone - but not quite!



- The pooling almost gone – time for celebration?
- CIL Review Panel's - view - it has got in the way of delivery
- The further away from 2010 the more pooling issues/problems there are
- Who still needs to pool – Those without a CIL unless
  - LA in tenth percentile average new built prices
  - development is concentrated on strategic sites

## Reg. 123 –what it is & is not:

- Infrastructure listed in reg. 123 list **can no longer be secured through s106 planning obligations or through s 278 of the Highways Act** (unless as part of the HE network).
- The intention is to ensure that there is no duplication in the use of both CIL and s106 from the same application for development for the same infrastructure project.
- **If you list any infrastructure on the 123 list you cannot ask for any s106 or s278 from any project even those that are zero rated – being project specific is generally good.**
- You can spend CIL on things that are not on the list.

# Reg. 123 list - deleted

- The purpose of the reg. 123 list?
- What was it trying to achieve?
- Did it achieve it?
- Is it a sad loss?



## Reg. 123 list (OUT)

## Infrastructure Funding Statement (IN)

- What is the benefit of an Infrastructure Funding Statement?
- The Infrastructure Funding Statement :
  - Sets out infrastructure priorities and delivery
  - Improves communication with local communities about s106
  - Sets out CIL priorities for the next 5 years
  - And s106 spending
  - Report on s106 and CIL spending over the last year
  - Improve clarity on what infrastructure will be provided through s106 and what will be provided through CIL

# Infrastructure funding statement



**Draft**

**GMAC**  
Gilian Macinnes Associates  
helping you deliver

**INFRASTRUCTURE FUNDING STATEMENT**

**Toytown District**

**What is this Statement for? & Summary**  
SUMMARY OF INFRASTRUCTURE REQUIRED, GAP, CONTRIBUTIONS FROM CIL & S106 ( SPECIFIC LARGE PROJECTS IF RELEVANT)  
LINKS TO CIL PAGE, S106 MONITOR, & PUBLIC ACCESS  
**2018-19 Developer Contributions Summary**

<b>CIL</b>	£ liability notices issued	
	£ CIL received	
<b>Section 106</b>	£ secured	
	£ received	
	£ spent	
	N. affordable units by type	
<b>Other Funding</b>		

**Breakdown of CIL receipts and expenditure**

Total CIL expenditure	£
Summary details of CIL expenditure	
e.g.	
CIL Infrastructure spending list:	£
Cycle path	£
Tram extension	
CIL spending on Infrastructure scheme preparation:	£
e.g.	
Plans and specification for Smith St Junction	
CIL applied to borrowing, including any interest, to fund infrastructure e.g.	£
Interest payments on western bypass	
Total CIL applied to administrative expenses	£
Total CIL receipts retained at the end of the reported year	£

**Draft**

**GMAC**  
Gilian Macinnes Associates  
helping you deliver

**Breakdown of Section 106 contributions expenditure**

Affordable Housing	Units & value	Commuted sum
Open Space		
Transport		
Community facilities		
Education		
Health		
Green infrastructure		
Highways		
Other- list		

**2019-24 Forecasted Developer Contributions**

CIL	2019-20 £XXm; 2020-21 £XXm; 2021-22 £XXm, 2022-23 £XXm, 2023-24 £XXm
S106	2019-20 £XXm; 2020-21 £XXm; 2021-22 £XXm, 2022-23 £XXm, 2023-24 £XXm

Forecast should reflect the expected contributions from sites within the Local Plan

**Priorities for spending developer contributions**

Narrative:

- Explanation infrastructure spending priorities:
- Approach to strategic sites
- CIL

**CIL Priorities 2019-24**

- Castle swimming pool refurbishment:
- Extension to King Edward High School

# The Fear – ‘double dipping’

- Lifting the pooling restriction – will it lead to double dipping
- Will the ‘Infrastructure Funding Statement’ ensure no double dipping – from the same development for the same infrastructure ?



# Joint Working



- *“In particular joint working should help to determine where additional infrastructure is necessary, ...” para 28 Draft NPPF*
- *“Plans should set out contributions expected in association with particular sites and types of development... This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, green and digital infrastructure). Such policies should not make development unviable, and should be supported by evidence to demonstrate this” ( Draft NPPF para 34)*
- *“Planning policies should ...*
  - *b) be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned;..”*

# Joint Working ..



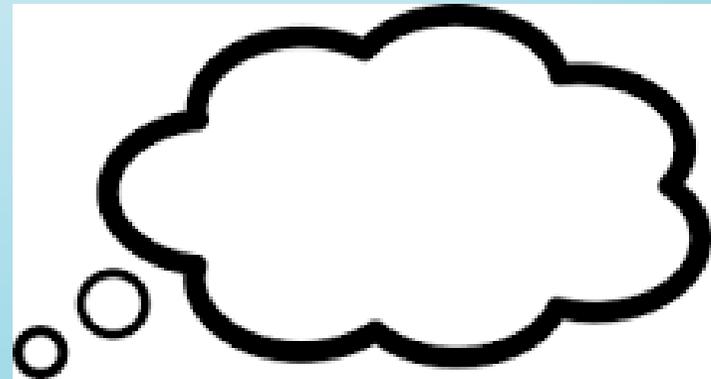
- You need to work collaboratively to:
  - identify the infrastructure required to support development;
  - Identify the cost of that infrastructure to build it into the plan viability assessment; and
  - Identify whether it is best provided through CIL or s 106 Planning Act or s 278 Highways Act.
- Joint/collaborative working :
  - Infrastructure Provider -District and County
  - But also -Infrastructure Provider –e.g. Highways & Transportation and Planning Depts

# Early Engagement

- LPA – Land owners
- LPA – Infrastructure provider
- Land owners - LPA – Infrastructure provider
- *“The role for viability assessment is primarily at the plan making stage. Drafting of plan policies should be iterative and informed by engagement with landowners, developers, infrastructure and affordable housing providers...”*
- *“..It is important for developers and other parties buying (or interested in buying) land to have regard to the total cumulative cost of all relevant policies when agreeing a price for the land” - draft PPG*
- Viability – early engagement in plan making stages- transparency required
- It is also an opportunity to determine the best approach to funding – part of the development, s106, s278 or CIL

# It's All About Delivery

- Will removing pooling help?
- Will the Infrastructure funding Statement improve delivery?
- What do you think?



# Q & A



# Contact me



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## Tea / coffee 15 mins

***Do you have any detailed technical questions or issues that you haven't been able to raise?***

***If so write it on your feedback form or pop a post it in the golden treasure box with the details and your contact details***

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## **Session Six**

# **Strategic Infrastructure Tariffs**



## The issues the consultation seeks to address

- CIL Review recommendation
- Evolving pattern of strategic planning...
- ...but without being able to contribute to funding strategic infrastructure

## What is proposed

- An 'extra tool' to help fund strategic infrastructure
- SIT – similar to Mayor of London's CIL
- Combined authorities or joint committees could introduce SIT
- Funds strategic infrastructure...
- ...could fund local infrastructure that mitigates impact of strategic infrastructure

# Q-Strategic Infrastructure Tariff

- What is ‘Strategic’ infrastructure? Do you agree with the definition:

*“..the Government considers this to be infrastructure projects with multiple benefits that have a direct impact on all the local areas across which the SIT is charged....Alternatively, strategic infrastructure could be defined by a fixed cost or size threshold.”?*

- Combined Authorities and ‘Joint Committees’ – will you have one?
- Do you think it is a good idea to have a SIT in your area?
- What do you think SIT will be use for in your area?
- % for local priorities that mitigate the impacts of strategic Infrastructure-  
What would that be for?

# Session Seven

## Wrap up and PAS support



# Purpose of today.....Did we succeed?

- Has today helped you to understand and respond to the government's proposals?
  - Have you considered, debated and asked questions?
  - Do you have an understanding of what the reforms mean for your authority?
  - Will they help you move forward to implement / review CIL & S106 and .....
  - **Most importantly** will they help you **DELIVER?**
-

# Next Steps.....

- Brief your colleagues, managers and Councillors on the matters that impact your authority.
  - Consultation closes 10<sup>th</sup> May 2018
  - Also opportunity to comment on wider reforms –
    - NPPF
    - NPPG
  - Remember this regime is here to stay ..... Or at least for a while yet.
-

# PAS next steps

- Subscribe to our bulletin.
  - Talk to us. We are friendly. [pas@local.gov.uk](mailto:pas@local.gov.uk)
  - We are funded until 2019 - Tell us what we can do to help
  - Invite us to your local POG
  - Let us know if you are doing great things. We will help you promote them.
  - Remember the Khub practitioner network, We hang out there too
-

# Remember - tell us what you think

Poor	Fair	Good	Excellent
1	2	3	4
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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- We need to know what you think
  - Comments triply welcome
  - We read all of them
  - We use your ideas to change what we do and how we do it.
-

We are at  
www.pas.gov.uk  
  
@pas\_team



### Focus on Enforcement



28 August 2015

These events will cover a new advice note on some of the key tools at the disposal of Enforcement services. They will also provide an opportunity to discuss the tools in more detail, including how to get the best from them for your service.

Pause 1 2 3

### Councillor hub



### Getting your plan in place



### PAS support



### Search our website

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### PAS Bulletin

We have a monthly Bulletin, which brings you news of our latest support, case studies, events and muses.

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 PAS @pas\_team 4 Sep  
We offer on-site support for the local plan process (inc.OAN and 5 year land supply). Get in touch if we can help! [ow.ly/RuCyM](#)  
Expand

We will sign you up for our bulletin. It's not another news service.



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