



CABINET:

15 JANUARY 2019

Report of: Director of Development and Regeneration Services

Relevant Portfolio Holder: Councillor J Hodson

Contact for further information: Mr Peter Richards (Extn. 5046)
(E-mail: peter.richards@westlancs.gov.uk)

SUBJECT: COMMUNITY INFRASTRUCTURE LEVY (CIL) FUNDING PROGRAMME 2019/20

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To report on the consultation held in Autumn 2018 on the options for the CIL Funding Programme 2019/20 and propose final recommendations for the CIL Funding Programme in 2019/20.

2.0 RECOMMENDATIONS

2.1 That the consultation feedback report provided at Appendix A be noted.

2.2 That £91,000 of CIL monies be allocated to the delivery of the following projects in 2019/20:

- Improvements to Hunters Hill Country Park, Parbold (£60,000)
- Improvements to Sluice Lane Public Right Of Way (£31,000)

2.3 That £103,000 of the neighbourhood portion of CIL raised in Ormskirk be allocated to the delivery of the following projects in 2019/20:

- Ormskirk town centre – improvements to signal co-ordination for gyratory traffic (£50,000)
- Ormskirk town centre – cycle and pedestrian link between the rail station and the bus station (£53,000)

3.0 BACKGROUND

- 3.1 The Council adopted a CIL Charging Schedule in July 2014, and has been charging CIL since 1 September 2014. In March 2015, the Council approved a CIL Governance Framework which set out how decisions would be made on the spending of CIL monies by the Council, amongst other matters. As a reminder, when CIL monies are collected by the Council in relation to any development it is divided into three parts:
- 80% of the monies are retained by the Council to be pooled with other CIL income from other developments to be spent on infrastructure as the Council sees fit across West Lancashire
 - 15% is passed to the local Parish Council that the development is located within for them to decide what infrastructure the monies should be spent on locally within the Parish. This is known as the "neighbourhood portion". Where there is not a Parish Council, the Borough Council keeps hold of the monies and must decide what infrastructure the monies should be spent on within that unparished area
 - 5% is retained by the Council to help cover the costs of administering CIL
- 3.2 In relation to the 80% of CIL income retained by the Council for spend on infrastructure across the Borough, in January 2018 Cabinet resolved that the vast majority of this CIL income should be saved towards "strategic" infrastructure; that is projects which require more than £100,000 of CIL funding. Decisions on what to spend those saved CIL monies on (and when) will be made by Cabinet as and when a project arises that is considered a suitable use of the saved monies. Last year, Cabinet decided to allocate £300,000 of saved CIL monies to the Tawd Valley Park Masterplan proposals in this way.
- 3.3 As part of that decision to save the majority of CIL income for "strategic" infrastructure projects, it was decided that the annual CIL Funding Programme should instead be focused on smaller projects (requiring £100,000 of CIL funding or less) going forward, and that a maximum of £100,000 of the CIL funds raised in a given financial year will be allocated to such smaller projects through the CIL Funding Programme each year.
- 3.4 A draft of this CIL Funding Programme must be publicly consulted upon before Cabinet make a final decision on it in January of any given year in readiness for spending the monies from April that year. The public consultation on potential smaller projects to be included in the CIL Funding Programme 2019/20 was conducted in Autumn 2018.
- 3.5 In addition, in 2017/18 CIL monies were collected in the unparished area of Ormskirk for the first time, with £115,000 apportioned through the 15% of CIL monies collected in Ormskirk. As such, this £115,000 of CIL monies from developments in Ormskirk is held by the Council who must consult with residents and businesses of Ormskirk on how best to spend these "neighbourhood" CIL monies. The Council included consultation on this alongside the consultation on the CIL Funding Programme in Autumn 2018.

- 3.6 This report follows up on that public consultation held in Autumn 2018 on the above two allocations of CIL monies. It reports back on the responses received and recommends which schemes should be incorporated into the 2019/20 CIL Funding Programme.
- 3.7 A key document that informs the process of preparing a CIL Funding Programme is the Infrastructure Delivery Schedule (IDS). The IDS is a database of infrastructure projects that are planned or desired to take place during the current Local Plan period. It originally formed part of the evidence base for the Local Plan and the CIL Charging Schedule but has become more of a “live” document now, allowing monitoring of all infrastructure projects in the Borough and concurrent measuring of how the Local Plan is performing in delivering this key aspect of sustainable development.
- 3.8 Many projects on the IDS have a connection to new development in that they are needed or demanded because of the new development proposed and being delivered through the Local Plan. However, other projects are not necessarily linked to new development in this way, but are still needed to upgrade existing infrastructure provision or reflect aspirations that infrastructure providers have and which, in some cases, may enable further new development in the future.
- 3.9 In relation to CIL, therefore, the IDS provides the basis for assessing which infrastructure projects CIL monies should be spent on. Not all projects on the IDS will be eligible for and / or need CIL monies. This is discussed further below.
- 3.10 Infrastructure providers, ward councillors, parish councils and relevant council officers have all been given opportunity to input ideas and suggestions on schemes that could go into the latest version of the IDS, and to update details of schemes that are already in the IDS. This is a vital part of the process and the more specific and detailed the information provided, the better the Council can assess the projects. If the information is inadequate or incorrect, this will inevitably affect the assessment, particularly in relation to deliverability of a project. To this end, all contributors are invited to comment on the draft CIL Funding Programme when it is published for public consultation and can update the information provided as they see necessary.

4.0 CONSULTATION FEEDBACK

- 4.1 Public consultation also plays an important part in helping to identify those schemes with the greatest priority for local people. As such, a significant investment of funds (for publicity) and officer time is made each year into the public consultation on the CIL Funding Programme. The draft CIL Funding Programme was put out to public consultation between 12 October and 9 November 2018. It sought views on the following shortlisted projects.

For spend of CIL monies across West Lancashire (of which Cabinet last year decided a maximum of £100k should be allocated to projects requiring CIL funding of £100k or less in any given financial year):

- Improvements to Hunters Hill Country Park, Parbold (£60,000)

- Improvements to the Cheshire Lines Path, Downholland and Great Altcar (£40,000)
- Improvements to Sluice Lane Public Right Of Way (£31,000)

For spend of "neighbourhood" CIL monies in the unparished area of Ormskirk (of which £115,000 had been collected by 31 March 2018 and is available to allocate to projects providing improved infrastructure that is necessary because of new development in Ormskirk):

- Coronation Park – environmental and facility improvements (£30,000)
- Thompson Ave – play area improvements (£40,000)
- Ormskirk town centre – improvements to signal co-ordination for gyratory traffic (£50,000)
- Ormskirk town centre – cycle and pedestrian link between the rail station and the bus station (£43,000)

4.2 30 responses to the consultation were received from the public and stakeholders, and all their comments have been considered in making the final recommendations regarding CIL funding in 2019/20. A summary of the feedback and the full set of comments is provided at Appendix A. Through the consultation, no new information was provided on existing infrastructure proposals on the IDS, and only one appropriate new project was suggested (for footpath / towpath improvements between Burscough and Rufford).

4.3 With such a relatively small number of responses, limited weight can be given to the numbers of people supporting one project or another unless there is an overwhelming response in favour of one or more options but in summary:

- With regard the projects that would utilise CIL monies to be spent on smaller projects across the Borough, most support was received for Sluice Lane PROW (13), Cheshire Lines (7) and Hunters Hill (5)
- With regard the projects that would utilise the "neighbourhood" CIL monies for Ormskirk, most support was received for Thompson Ave (8), Ormskirk gyratory signals (8), the Cycle / Pedestrian link between the rail and bus station (5) and Coronation Park (4)

5.0 RECOMMENDATIONS OF THE DIRECTOR OF DEVELOPMENT AND REGENERATION

5.1 Given the feedback from the consultation and the positive assessment of the projects by officers, I recommend at 2.2 above that two projects should have CIL monies allocated to it for spending in 2019/20 through the CIL Funding Programme 2019/20:

- ***Improvements to Sluice Lane Public Right Of Way (£31,000 of CIL funding)***

If support for any one scheme stood out from the others in the consultation feedback it was the proposal for improvements to Sluice Lane PROW. The project was proposed by LCC after local residents requested improvements to the length of public footpath along part of Rufford Boundary Sluice. The public footpath is well used by residents of all ages to reach school and bus services. The path also directly connects to the current development of 48 houses at the junction of Sluice Lane / New Lane and this project would deliver improvements to pedestrian and cycle networks from the development site and Rufford in general (including the rail station) to Mere Sands Wood and the wider network of footpaths in the area.

- **Improvements to Hunters Hill Country Park, Parbold (£60,000 of CIL funding)**

This project was supported in the public consultation, and it is a long-standing aspiration of the Council to improve this attractive Country Park to form a well-used visitor destination. On the basis that this Country Park would become a sub-regional (or at least Borough-wide) visitor destination, the use of CIL funds would be justifiable given it will improve access to outdoor recreation facilities for new development in the wider West Lancashire area.

5.2 Given the feedback from the consultation and the positive assessment of the projects by officers even before the public consultation, I recommend at 2.3 above that two projects should have "neighbourhood" CIL monies from the unparished area of Ormskirk allocated to it for spending in 2019/20:

- **Improvements to signal co-ordination for Ormskirk town centre gyratory traffic (£50,000)**

This project has been proposed by LCC and gained some support in the public consultation. The improvements would improve flow of traffic around the town centre gyratory and so create capacity, thus managing congestion better and reducing delays in journey time.

- **Cycle and pedestrian link between Ormskirk rail and bus stations (£53,000)**

For some time, the Council and LCC have been seeking to deliver a cycle link between Edge Hill University and Ormskirk town centre and the rail station. The existing footpath between the rail station and bus station (which is well used but is in need of improvement) is proposed to form one section of this wider cycle link by improving and widening it so that it can be a shared cycle- and footpath. The majority of the funds for this proposal would be provided by S106 contributions and is the subject of a separate report to Cabinet regarding the use of those S106 funds, but an additional amount of funding is required to cover the ongoing maintenance costs of this path once it is delivered and to make up the budget for the delivery of the project to enable the creation of the path. The amount of CIL funding sought has been increased to £53,000 (compared to £43,000 in the draft CIL Funding Programme for consultation) to ensure there is sufficient budget to deliver the improvements. Any underspend in relation to the costs of the works that

might be realised in due course would be returned to the CIL pot for spending on other projects in Ormskirk in the future.

5.3 In relation to the other shortlisted projects, I would comment the following:

- **Cheshire Lines Path, Downholland and Great Altcar (CIL funding sought: £40,000)**

This project was supported in the public consultation and it does propose the long-held aspiration of the Council to upgrade a part of a key national cycling route that runs through the Borough. However, in the context of wishing to save a significant proportion of CIL income towards larger-scale projects and the associated cap of £100k of CIL funding being allocated on such smaller projects in any given year, I recommend that this project not be funded this year, but be reconsidered again next year.

- **Thompson Avenue Play Area Improvements, Ormskirk (CIL funding sought: £60,000)**

While this project did receive support in the public consultation and while there has been residential development fairly close to this open space in recent times, it is questionable whether this play area would be one that is frequented by residents of those new developments and whether an appropriate improvement could be made in a way which is accessible to the wider area. However, it is a site earmarked for improvement in the Council's Play Area Assessment and so it should be considered again in the future if a suitable improvement can be agreed that is accessible to the wider area, including recent new developments.

- **Coronation Park – environmental and facility improvements (CIL funding sought: £30,000)**

Ormskirk has significant levels of development growth proposed for delivery. This project would meet a local need or demand arising from new development by improving the main strategic public open space in Ormskirk. However, the Park has benefitted from significant investment in recent years from S106 contributions and any improvements are perhaps less urgent than some of the other projects that were shortlisted in Ormskirk. As such, this project should be considered again in the future as further neighbourhood CIL monies be collected in Ormskirk.

5.4 In relation to the new suggestion made through the consultation for towpath / footpath improvements between Burscough and Rufford, this has been added to the IDS, as it matches a long-term aspiration of the Council as set out in the Council's Green Infrastructure and Cycling Strategy, but such a proposal would not be deliverable in the short-term and not as high a priority as many other projects on the IDS, and so it would not be appropriate to allocate CIL funding at this stage.

6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 6.1 The delivery of new infrastructure funded by CIL monies will have positive implications for sustainability and contribute to the delivery of the development allocated in the West Lancs Local Plan 2012-2027 in a sustainable manner. The projects recommended in this report will contribute towards various objectives of the Council's Sustainable Community Strategy.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 There is no additional cost to Council resources of preparing and consulting on a CIL Funding Programme given that any projects prioritised for funding will be funded by CIL monies and, in some cases, match-funding identified by the infrastructure provider from other sources. The administration of CIL (including the CIL Funding Programme) is covered by the 5% administration fee retained by the Council from CIL receipts together with the Planning Services revenue budgets.

8.0 RISK ASSESSMENT

- 8.1 There are no significant risks related to this report.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is a direct impact on members of the public, employees, elected members and / or stakeholders. Therefore, an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix to this report, the results of which have been taken into account in the Recommendations contained within this report.

Appendices

Appendix A – Consultation Feedback Report on the draft CIL Funding Programme
2019/20

Appendix B – Assessment of Shortlisted Projects

Appendix C – Equality Impact Assessment