

# Agenda



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## A meeting of the **Cabinet**

will be held on Friday 5 April 2019 at 10.00 am  
Meeting Room 1, 135 Eastern Avenue, Milton Park, Milton, OX14 4SB

### **Cabinet Members:**

#### **Councillors**

Roger Cox (Chairman)  
Ed Blagrove (Vice-Chairman)  
Alice Badcock  
Eric Batts

Mike Murray  
Robert Sharp  
Elaine Ware

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Margaret Reed  
Head of Legal and Democratic

### **Council's vision**

The council's vision is to take care of your interests across the Vale with enterprise, energy and efficiency.

# Agenda

## **Open to the Public including the Press**

### **1. Apologies for absence**

To record apologies for absence.

Vale of White Horse District Council  
Cabinet agenda - Friday, 5 April 2019

## **2. Minutes**

(Pages 3 - 9)

To adopt and sign as a correct record the minutes of the Cabinet meeting held on 4 February 2019.

## **3. Declarations of interest**

To receive any declarations of disclosable pecuniary interests in respect of items on the agenda for this meeting.

## **4. Urgent business and chairman's announcements**

To receive notification of any matters which the chairman determines should be considered as urgent business and the special circumstances which have made the matters urgent, and to receive any announcements from the chairman.

## **5. Public participation**

To receive any questions or statements from members of the public that have registered to speak.

## **6. Budget setting process**

At its meeting on 28 March 2019, the Scrutiny Committee is due to consider a report on how scrutiny members could be more actively involved in the council's budget setting process. This follows a review by the committee's budget task group. A copy of the report to Scrutiny Committee can be found [here](#).

The committee may make recommendations to Cabinet. An update will be given at the meeting.

## **7. Community Infrastructure Levy spending strategy**

(Pages 10 - 38)

To consider the head of development and regeneration's report.

## **Exempt information under section 100A(4) of the Local Government Act 1972**

None

# Minutes of a meeting of the Cabinet



held on Monday 4 February 2019 at 6.00 pm  
in the Meeting Room 1, 135 Eastern Avenue, Milton Park, OX14 4SB

## Open to the public, including the press

### Present:

Members: Councillors Roger Cox (Chairman), Ed Blagrove (Vice-Chairman), Alice Badcock, Eric Batts, Robert Sharp and Elaine Ware

Officers: Steve Culliford, Andrew Down, Phil Ealey, Liz Hayden, Simon Hewings, Suzanne Malcolm, Andrew Maxted, Donna Pentelow, Margaret Reed, Richard Spraggett and Mark Stone

Also present: Councillors Bob Johnston and Catherine Webber

Number of members of the public: 2

## Ca.98 Urgent business and chairman's announcements

The chairman reported that early on Friday morning, 1 February, he decided to postpone the Cabinet meeting from 10.30am on Friday 1 February 2019 to 6pm on Monday 4 February 2019 due to the adverse weather conditions. The business before Cabinet needed to be considered urgently to enable Cabinet's recommendations to be published with the Council agenda, and in respect of the budget to enable Scrutiny Committee to consider Cabinet's recommendations, and in respect of items 8, 9 and 10 on the agenda to enable the three key decisions to be taken urgently to allow actions to be taken and work to proceed before the next scheduled Cabinet meeting on 5 April 2019.

Cabinet noted the reasons for postponing the meeting on 1 February and the reasons to re-arrange the Cabinet meeting at short notice.

## Ca.99 Apologies for absence

Councillor Mike Murray had sent his apologies for absence.

## Ca.100 Minutes

**RESOLVED:** to approve the minutes of the Cabinet meeting held on 18 January 2019 as a correct record and agree that the Chairman signs them as such.

## **Ca.101      Declarations of interest**

Councillor Robert Sharp declared a personal interest in items 6 and 7 relating to the Local Plan as he owned property that he was proposing for development, which was not allocated for development in the Local Plan.

## **Ca.102      Public participation**

Two members of the public had registered to address Cabinet as follows:

1. Douglas Bond addressed Cabinet on both Parts 1 and 2 of the Local Plan regarding a proposed amendment to the Green Belt boundary at North Hinksey. The Council had adopted Part 1 of the Local Plan, which confirmed the Green Belt boundary. The land in question was later discussed at the hearing and Cabinet was now being asked to amend the adopted policies map. Mr Bond asked why this was being addressed through Part 2 of the Local Plan. He did not believe that the council could amend the Green Belt boundary this way and reverse the previous full Council decision. He urged Cabinet to reject the officer's recommendation.
2. Richard Bahu, a St Helen Without parish councillor, addressed Cabinet on the Local Plan and neighbourhood plan. He questioned the reasoning behind removing land in the parish from the Green Belt, and urged Cabinet not to adopt Local Plan Part 2 until the neighbourhood plan had been adopted.

## **Ca.103      Local Plan Part 1: adopted policies map**

Councillor Robert Sharp declared a personal interest in this item and left the meeting during its consideration.

Cabinet considered the head of planning's report on a proposed correction to the Local Plan Part 1 Adopted Policies Map. The report recommended a factual correction was made to the Green Belt boundary at North Hinksey. The map had incorrectly shown that some land at North Hinksey had been excluded from the Green Belt; this was an administrative error.

Officers had initially proposed to correct this error through the Local Plan Part 2 process. However, a representation had been received seeking to challenge the lawfulness of that approach on the basis that the amendment did not relate to the Part 2 plan itself but was a correction to the map accompanying the Part 1 plan. In the light of this, officers issued a statement during the Local Plan Part 2 Examination, which stated that the council would 'without prejudice' delete the correction as identified on the submitted Draft Adopted Policies Map. The Planning Inspector reminded the council of this commitment in his letter dated 19 December 2018.

Cabinet was presented with two options: to make or not make the change to the Adopted Policies Map to correct the error. Cabinet considered that it was proactive and transparent to make the change and correct the error now, given that it has been brought to their attention. To not make the change would result in the map not illustrating geographically the application of policies in the Local Plan. Cabinet believed it was better to deal with the matter now and consider and recommend the correction to Council.

**RECOMMENDED** to Council to agree to make a factual correction to the Council's Adopted Local Plan Part 1 Policies Map in relation to the boundary of the Green Belt at North Hinksey village, as set out in Appendix 1 to the head of planning's report to Cabinet on 4 February 2019.

## **Ca.104 Local Plan Part 2: main modifications**

Councillor Robert Sharp declared a personal interest in this item and left the meeting during its consideration.

Cabinet considered the head of planning's report on Local Plan Part 2. Following the Examination, the Planning Inspector had suggested a series of main modifications to make the plan 'sound' and invited the council to draw up a schedule for the inspector's approval. The report summarised the main modifications and sought Cabinet's recommendation to Council to allow the modification to be subject to consultation.

Councillor Bob Johnston addressed Cabinet, asking that St Helen Without remained in the Green Belt.

Councillor Catherine Webber addressed Cabinet, asking that Shippon remained in the Green Belt.

Cabinet supported the Inspector's recommendations to include the main modifications to progress to adoption of Local Plan Part 2. It was noted that the consultation period on the modifications would run from 18 February to 1 April 2019.

**RECOMMENDED** to Council to:

- (a) agree to undertake a six-week public consultation on the Main Modifications to the Local Plan 2031: Part 2, as identified by the Planning Inspector presiding over the Part 2 plan examination, and necessary for the plan to be found Sound, as set out at appendix 3 of the head of planning's report to Cabinet on 4 February 2019;
- (b) agree to publish the additional Modifications to the Local Plan 2031: Part 2, as set out at appendix 9 of the head of planning's report; and
- (c) authorise the head of planning, in consultation with the Cabinet member for planning, to make any necessary minor amendments and corrections to the Local Plan 2031: Part 2 and its associated documents up to and prior to plan adoption.

## **Ca.105 Oxfordshire Plan 2050**

Cabinet considered the head of planning's report on the Oxfordshire Plan 2050, formerly known as the Joint Statutory Spatial Plan. The report sought approval to progress the production of the plan through adopting the Statement of Community Involvement, approving an amendment to the Local Development Scheme, and approving the Regulation 18 (Part 1) document for consultation.

Councillor Emily Smith addressed Cabinet, suggesting that the plan should contain more aspirations and that the Scrutiny Committee's recommendations should be taken into account before the consultation commenced. Councillor Smith also questioned which

organisation was accountable for the Oxfordshire Plan and asked that this was clearly set out for the public.

Cabinet welcomed the draft plan and considered that it should be a high level strategic document setting out the vision for Oxfordshire in 2050. Cabinet asked that the suggestions made by the Joint Scrutiny Committee were considered by the head of planning in agreement with the other councils' equivalents, and to make any necessary minor amendments and presentational changes to the documents prior to publishing the plan for consultation. Cabinet also asked that the plan should reference the Swindon Clinical Commissioning Group, which provided health services for part of the western Vale. The A420 should also be mentioned in paragraph 24 as one of the main road arteries in the county.

**RESOLVED:** to

- (a) adopt the Oxfordshire Plan 2050's Statement of Community Involvement, as amended following the close of consultation, as attached at Appendix 1 to the head of planning's report to Cabinet on 4 February 2019;
- (b) approve the amendment to Table 16 of the Local Development Scheme as set out at paragraph 22 of to the head of planning's report;
- (c) approve the Regulation 18 (Part 1) Issues consultation document for public consultation as attached at Appendix 2 to the head of planning's report; and
- (d) authorise the head of planning, in agreement with the other councils' equivalent, to make any necessary editorial corrections, minor amendments and presentational changes to the documents, and to agree the final publication for consultation version.

## **Ca.106 Housing allocations policy**

Cabinet considered the head of housing and environment's report on the review of the housing allocations policy.

Cabinet supported the revised policy, noting that it was a joint policy with South Oxfordshire District Council.

**RESOLVED:** to

- (a) adopt the Housing Allocations Policy, as appended to the head of housing and environment's report to Cabinet on 4 February 2019; and
- (b) authorise the head of housing and environment to make minor editorial changes to the policy.

## **Ca.107 Developing a health and wellbeing strategy**

Cabinet considered the head of community services' report, which sought agreement to develop a health and wellbeing strategy to set out aspirations to improve the health and wellbeing of residents in the district.

Cabinet agreed that the development of a health and wellbeing strategy would provide an opportunity to work collaboratively with partners to deliver improved health and wellbeing outcomes for the community.

**RESOLVED:** to

- (a) agree to develop a health and wellbeing strategy for Vale of White Horse District Council that sets out the council's aspirations and ambitions for improving the health and wellbeing of its communities, in partnership with key stakeholders, partners and residents, using data and insight to inform its priorities;
- (b) agree to consider developing a joint strategy with South Oxfordshire District Council, should the opportunity present itself; and
- (c) note that the head of community services in consultation with the Cabinet member for community services, will engage with key stakeholders to inform the draft strategy.

### **Ca.108 Section 106 request - Marcham Parish Council local facilities**

Cabinet considered the head of planning's report on an application by Marcham Parish Council to request section 106 funds totalling £305,095.74. The report sought Cabinet's recommendation to Council to set up a budget and pay the parish council, subject to a legal agreement on the use of the funds. Council's approval was sought as the council's financial procedure rules required full Council approval for such amounts over £100,000.

Cabinet supported the request and commended the parish council for the provision of the new community facilities. The legal agreement would clearly set out the parish council's responsibilities for the funds' use.

**RECOMMENDED** to Council to:

- (a) create a budget for £305,095.74 for a combined village hall and sports pavilion/clubhouse, multi-use games area including tennis court and sports pitches (cricket & football) project in Marcham;
- (b) agree to secure a funding agreement with Marcham Parish Council for the use of these section 106 monies of which the terms included should be passed on to The Arthur Anson Memorial Trust through a further separate funding agreement between Marcham Parish Council and The Arthur Anson Memorial Trust; and
- (c) agree to pay Marcham Parish Council £305,095.74 once the funding agreements mentioned above are signed.

### **Ca.109 Treasury management mid-year monitoring 2018/19**

Cabinet considered the head of finance's mid-year monitoring report of the treasury management service in 2018/19. This covered the period from 1 April to 30 September 2018.

Cabinet noted that the investment income received was below the budget target due to lower than expected interest rates during the period. The Joint Audit and Governance Committee had also considered the report and was satisfied that the treasury

Vale of White Horse District Council – Cabinet minutes

management activities had been carried out in accordance with the treasury management strategy and policy. Cabinet concurred and thanked the Joint Audit and Governance Committee for its work.

**RECOMMENDED:** to Council to approve the head of finance's 2018/19 treasury management mid-year monitoring report to Cabinet on 4 February 2019.

### **Ca.110 Treasury management and investment strategy 2019/20**

Cabinet considered the head of finance's report on the draft treasury management and investment strategy for 2019/20. This set out how the council's treasury service supported the financing of capital investment decisions, and how treasury management operated day to day. It set out the limitations on treasury management activity informed by the prudential indicators, within which the council's treasury function must operate. The strategy included the three elements, required by legislation:

- The prudential indicators required by the Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code 2017 for Capital Finance in Local Authorities and the CIPFA Treasury Management Code of Practice 2017;
- The annual investment strategy, which set out the council's criteria for selecting counterparties and limiting exposure to the risk of loss on its investments; and
- A statutory duty for Council to approve a minimum revenue provision policy statement.

Cabinet noted that the Joint Audit and Governance Committee had considered the draft strategy on 28 January and had agreed the recommendations. Cabinet supported the proposed strategy, including the proposed changes to counterparty limits and the wider choice of investment types permitted.

**RECOMMENDED** to Council to:

- (a) approve the treasury management strategy 2019/20, set out in appendix A to the head of finance's report to Cabinet on 4 February 2019;
- (b) approve the prudential indicators and limits for 2019/20 to 2021/22, as set out in appendix A to the head of finance's report; and
- (c) approve the annual investment strategy 2019/20, set out in appendix A (paragraphs 41 to 82) to the head of finance's report, and the lending criteria detailed in table 5.

### **Ca.111 Capital strategy**

Cabinet considered the head of finance's report on a capital strategy for the period 2019/20 to 2028/29.

The Cabinet member for finance reported that the preparation of a capital strategy was a new requirement of the Chartered Institute of Public Finance and Accountancy (CIPFA). The strategy demonstrated that capital expenditure and investment decisions were taken in line with service objectives and took account of stewardship, value for money, prudence, sustainability and affordability. The strategy was underpinned by an asset management strategy and maintenance plan, which was being developed, by medium term financial planning, and through consistent management of projects and programmes.

Cabinet supported the strategy.

**RECOMMENDED** to Council to approve the capital strategy 2019/20 to 2028/29, set out in appendix one of the head of finance's report to Cabinet on 4 February 2019.

### **Ca.112 Revenue budget 2019/20 and capital programme to 2023/24**

Cabinet considered the head of finance's report on the revenue budget 2019/20, and the capital programme to 2023/24.

The Cabinet member for finance introduced the report, and thanked officers for preparing the budget. The report set out the medium term financial plan, which showed that New Homes Bonus would not continue, meaning the council could be reliant on its reserves. The position of future revenue support funding from the government was unclear. It was recognised that Cabinet might need to review the medium term financial plan during the summer or autumn, following the government's public sector spending review.

**RECOMMENDED** to Council to:

- (a) set the revenue budget for 2019/20 as set out in appendix A.1 to the head of finance's report to Cabinet on 4 February 2019;
- (b) approve the capital programme for 2019/20 to 2023/24 as set out in appendix D.1 to the head of finance's report, together with the capital growth bids set out in appendix D.3 to the head of finance's report;
- (c) set the council's prudential limits as listed in appendix E to the head of finance's report;
- (d) approve the medium term financial plan to 2023/24 as set out in appendix F.1 to the head of finance's report;

**RESOLVED** to:

- (e) agree that the cabinet member for finance, in conjunction with the head of finance, may make minor adjustments to the head of finance's report and the prudential indicators, should they prove necessary prior to its submission to Council on 13 February 2019; and
- (f) agree to maintain car park fees and charges at current levels.

The meeting closed at 7.35 pm

# Cabinet Report



Report of Head of Development and Regeneration

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To: CABINET

Date: 5 April 2019

## Community Infrastructure Levy Spending Strategy

### Recommendation

To adopt the draft community infrastructure levy spending strategy as attached in appendix one.

### Purpose of Report

1. The purpose of this report is to seek approval of the proposed percentage-based spending strategy for income generated by the Community Infrastructure Levy (CIL), following the recent public consultation on the draft strategy.

### Corporate Objectives

2. The council's corporate plan 2016-2020 sets out the strategic objective "to support housing and infrastructure" and the corporate priority to "tackle infrastructure challenges by maximising contributions from housing development towards road improvements, public transport, health, education and other infrastructure, ensuring that funding is directed towards the most effective schemes."

### Background

3. To support the continued housing growth in the Vale there is a need to ensure the appropriate infrastructure is in place to support development. To help fund this, developers pay a CIL on new housing or retail developments to contribute towards the infrastructure supporting such developments.
4. The council started charging CIL in November 2017, therefore, there is a need for the council to put in place a clear strategy for allocation of CIL monies.

5. CIL is currently under review following the preparation of Local Plan Part 2. This may mean that additional sites become exempt from CIL and will need to fund all infrastructure from S106. Additionally, there could be changes to how infrastructure is funded, i.e. whether CIL or S106.
6. The CIL revenue can only be used to fund infrastructure as set out in our September 2017 Regulation 123 list (Appendix 2) which sets out the type of infrastructure CIL can be used for.<sup>1</sup> CIL has not fully replaced Section 106 (S106) planning obligations. These will continue to be used for infrastructure needs such as on-site open space, allotments, play areas, playing pitches, public transport, recycle bins, street naming and securing affordable housing on specified S106 designated developments. On major sites which are exempt from CIL all infrastructure will be funded through S106.
7. The CIL Regulations do not set out governance arrangements for the council, however they are clear that we have:
  - i. a duty to pass to any town and parish 25 per cent of the CIL revenues raised in those towns/parishes where there is an adopted neighbourhood plan, or 15 per cent, subject to a cap of £100 per existing council tax dwelling, where there is no neighbourhood plan;<sup>2</sup>
  - ii. a duty to transfer the CIL income to the relevant town or parish council by 28 April and 28 October in any financial year;
  - iii. the ability to recover administrative expenses incurred in connection with CIL of up to five per cent of the income generated;
  - iv. to spend the levy on infrastructure, and
  - v. a duty to report on CIL income generated and how it is spent.
8. The draft CIL strategy was sent out for consultation on 14 January 2019 with a deadline date for responses set at 11 February 2019. A summary of comments received is attached to this report together with the suggested replies (Appendix 4).
9. Taking into consideration the consultation feedback comments, the following changes have been made to the report: an additional paragraph stating “The council has recently recruited staff within the infrastructure and development department to oversee CIL expenditure. These individuals will facilitate the liaison between the parish and town councils, the relevant council departments and the external partners.” Furthermore, an additional criterion has been added to how applications to utilise CIL funding will be assessed in that “as far as possible funds should be spent in the location where they were generated”.
10. The CIL spending strategy proposes a percentage-based funding allocation procedure that systematically calculates funds to be annually allocated to relevant external partners and internal council departments, based on actual funds received and currently unspent.

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<sup>1</sup> Funds generated, save for the five per cent administration costs, cannot cover salary or overhead costs of anybody that is allocated funding.

<sup>2</sup> Funds not spent by the town and parish councils within five years will be returned to the council.

11. The recommended allocation of funding for 2019/2020 is as follows:

<b>Infrastructure type<sup>3</sup></b>	<b>Percentage of CIL to be allocated</b>
<b>OCC:</b>	
Education and transport infrastructure	50%
<b>OCCG</b>	
Community Health Care	20%
<b>VOWH:</b>	
Sports and Leisure facilities (incl. improved disabled access)	20%
Green Infrastructure/Biodiversity provision	5%
Public art and cultural heritage/Public realm (including improved disabled access)	5%
<b>TOTAL</b>	<b>100%</b>

## Financial Implications

12. An annual CIL spending cycle will be established that allocates monies between Oxfordshire County Council (OCC), the Oxfordshire Clinical Commissioning Group (OCCG), and certain council departments in line with the council's budget setting process. For council departments, officers are discussing with finance colleagues how these funds will be budgeted.
13. Currently there are unspent funds of approximately £56,000 from CIL revenues generated during 2017/18 and £192,000 generated year to date December 2018 (after deductions for administration costs and transfers to town and parish councils).<sup>4</sup> These will be added together and included in the first CIL transfer for the 2019/2020 financial year.

## Legal Implications

14. Funding agreements will be drafted on an annual basis with both OCC and the OCCG to outline the responsibilities of each party and to ensure that the funds are utilised in line with CIL regulations.
15. A project application form will need to be submitted to release funds whereupon each project will identify its inherent objectives and indicate the number of local community members who will benefit from that project. These projects will be monitored by the infrastructure and development team. Funds not spent or not allocated, within set timeframes, or misspent, will be returned to the council or deducted from future transfers.

## Risks

16. Funds allocated to OCC/OCCG will not be spent within the financial year. This would be acceptable as long as plans for how the funds will be spent have already been approved.

<sup>3</sup> Any infrastructure provided as a result of CIL, where relevant, should comply with the Local Plan Policies, Design Guide, and current best practice accessibility standards.

<sup>4</sup> Please see appendix 3. NB. CIL revenues generated need to be spent within five years.

## **Other Implications**

17. CIL funding will not meet all infrastructure needs and can only contribute towards selected projects and priorities. Expectations of what CIL funding will achieve need to be managed.

## **Conclusion**

18. The CIL spending strategy proposes a percentage-based funding allocation procedure as per paragraph 10 above. These percentages would be reviewed every two years based on performance and council infrastructure priorities.

# Appendix 1: Draft Vale Community Infrastructure Levy – Spending Strategy

## Background

1. To support the continued housing growth in the Vale of White Horse there is a need to ensure the appropriate infrastructure is in place to support development. To help fund this, developers pay a CIL on new housing or retail developments to contribute towards the infrastructure supporting such developments. The current charging schedule is being reviewed as part of the Local Plan process.
2. The CIL revenue can only be used to fund infrastructure as set out in our September 2017 Regulation 123 list (Appendix 2) which sets out the type of infrastructure CIL can be used for.<sup>5</sup> This list is derived from our December 2016 Updated Infrastructure Delivery Plan (IDP) which is updated alongside the Vale of White Horse Local Plan. The IDP will be updated for Local Plan Part 2 and the CIL Review.
3. The recently approved council staff restructure splits the collection and spending of CIL revenues between the planning service (collection) and the infrastructure and development team within the development and regeneration service (spending) respectively.
4. The infrastructure and development team will focus on ensuring effective spending and support to town and parishes to ensure infrastructure is delivered, including the possibility of providing parishes with approved projects on which they can spend allocated CIL funds. A system of monitoring will be established as a core function to ensure compliance with statutory CIL regulations and financial accountability.
5. The council has recently recruited staff within the infrastructure and development department to oversee CIL expenditure. These individuals will facilitate the liaison between the parish and town councils, the relevant council departments and the external partners.
6. CIL has not fully replaced Section 106 (S106) planning obligations. Sites that are exempt from CIL as set out in the Charging Schedule (CIL Zone 3)<sup>6</sup> will have all infrastructure funded through S106. Other sites will continue to have infrastructure needs such as on-site open space, allotments, play areas, playing pitches, public transport, recycle bins, street naming and securing affordable housing through S106. Additionally the following sites will secure through S106 education, social and community facilities and highway works as specified in the Regulation 123 List.
  - a. North of Abingdon on Thames
  - b. North West of Abingdon on Thames
  - c. North West of Valley Park
7. CIL only accounts for a small proportion of a site's overall development costs. Other factors such as the amount of affordable housing required or enabling infrastructure needs and value will have a considerable impact on viability.

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<sup>5</sup> Funds generated, save for the five per cent administration costs, cannot cover salary or overhead costs of any body that is allocated funding.

<sup>6</sup> Sites which have been zero rated for CIL are Crab Hill, Didcot Power Station, East of Coxwell Road Faringdon, Grove Airfield, Land South of Park Road Faringdon, Monks Farm, North of Shrivenham, South Faringdon and Valley Park

8. The CIL Regulations do not set out governance arrangements for the council, however they are clear that we have:
- i. a duty to pass to any town and parish 25 per cent of the CIL revenues raised in those towns/parishes where there is an adopted neighbourhood plan, or 15 per cent, subject to a cap of £100 per existing council tax dwelling, where there is no neighbourhood plan;
  - ii. a duty to transfer the CIL income to the relevant town or parish council by 28 April and 28 October in any financial year;
  - iii. the ability to recover administrative expenses incurred in connection with CIL of up to five per cent of the income generated;
  - iv. to spend the levy on infrastructure, and
  - v. a duty to report on CIL income generated and how it is spent.
9. CIL expenditure aims at mitigating the infrastructure impacts of an individual development, as well as the overall cumulative effect of development. However, although CIL spending does not have to be directly spent on the individual development through which it was raised and can be used to support infrastructure expenditure in general. Whilst this gives the council a good degree of flexibility over how to prioritise its spending, public pressure may require funds to be spent as far as possible, in the location that the CIL revenues were generated.
10. Expectations regarding the possible impact of CIL need to be actively managed. There is currently a significant infrastructure funding gap as indicated in the council's December 2016 Updated Infrastructure and Funding Report replicated below.<sup>7</sup> (The Funding Report will be updated for the CIL review). As can be seen the CIL income will not come close to filling this gap, and therefore it is clear that some infrastructure needs will not be met. CIL funding can only be expected to contribute to a small percentage of infrastructure needs.

Table 1: CIL income in the context of total infrastructure:

Total assessed infrastructure	£ 463,260,016
Other sources of income	£ 306,248,122
Funding Gap	£ 157,011,894
Total expected CIL income	£ 60,314,580
CIL income as a proportion of total assessed infrastructure	13%
Residual funding gap	£96, 697,314

### CIL income

11. In the period from November 2017 to 31 March 2018, the council received CIL payments of £ 70,014. The CIL payments only become due once a development has started and for liabilities over £50,000 developers can spread payments over three years. There will always be a gap between the amount demanded and funds received.
12. By May 2018 CIL transfers of £5,380 were transferred to four different town and parishes. Regarding the maximum five per cent allocation of CIL revenue for administration expenses, £3,500 has been utilised for 2017/18.
13. Expected CIL income, estimated in December 2016, based on the updated infrastructure and funding report, is projected at approximately £60 million<sup>8</sup> over 20

<sup>7</sup> Updated Infrastructure and Funding Report, December 2016. Page 6, Table 4.

<sup>8</sup> Updated Infrastructure and Funding Report, December 2016. Page 6, Table 4: total CIL income - £60,314,580

years i.e. £3 million per annum. Estimating future CIL incomes annually is difficult as the charging rate although fixed is index linked and will therefore change over time, some developments may be delayed, and some expected developments may never get started. Therefore, the annual amount of funds generated will fluctuate dependent on the amount of new developments started in that year plus the rate of payment of CIL charges that have been carried forward from previous years.

14. In order to simplify the allocation process funds available for CIL spending will be based on actual amounts received, less transfers to town and parishes and administrative costs incurred. Funds currently available are set out in the council’s CIL Annual Financial Statements.<sup>9</sup> To comply with the council’s budget setting process the actual amount of CIL funds available at each December year end will be used as a basis for calculating the allocation amounts.<sup>10</sup>

**A percentage allocation to OCC/Oxfordshire Clinical Commissioning Group (OCCG) and selected council departments**

15. The advantage of allocating a percentage of CIL revenues towards key infrastructure types is that it:

- i. provides clarity for OCC/OCCG so they can plan ahead and meet infrastructure needs for which they are responsible;
- ii. enables the relevant internal council departments to incorporate funds into their annual strategies and plans;
- iii. will give the wider community the confidence that necessary infrastructure will be provided either by the town or parish or other CIL recipients;
- iv. negates the requirement for a bidding process to take place, saving time and resources.

16. Once the 15 or 25 per cent allocations for the town or parishes, and the maximum five per cent for CIL administration costs have been deducted, the balance remains with the council to be utilised.<sup>11</sup> Taking into consideration historical percentages regarding S106 usage and incorporating the intended infrastructure expenditures in the council’s Infrastructure Delivery Plan of December 2016 as well as comments from key council officers, percentage allocations, split by OCC, OCCG, and the council expenditures, for the different infrastructure types, are set out in Table 2 below. Please note that as this is the first CIL Spending Strategy, there is no specific precedent on which to base percentage allocations. A collective agreement approach has been adopted to arrive at unbiased percentages for all parties concerned but these can be flexible. The possibility of having a contingency fund was considered, however, officers consider that this would not work within the current allocation process and would generate significant additional administration costs.

Table 2: CIL percentage allocation

Infrastructure type	Percentage of CIL available
<b>OCC:</b>	
Education and transport infrastructure	50%
<b>OCCG:</b>	

<sup>9</sup> Generated by the planning service who track all invoiced and received CIL payments.

<sup>10</sup> Fiscal year end actuals would arrive too late for budgeting timings.

<sup>11</sup> Please see Appendix 3.

Community Health Care	20%
<b>VOWH:</b>	
Sports and Leisure facilities (including improved disabled access)	20%
Green Infrastructure/ Biodiversity provision	5%
Public art and cultural heritage/Public realm (including access for disabled)	5%

### **Oxfordshire County Council:**

17. During consultation OCC have requested that a certain percentage of the funding would need to be shared with them to ensure the broader provision of infrastructure items, identified as part of general development needs, but restricted to transport and education only. As per Table 2, OCC's suggested allocation of CIL would be 50 per cent.
18. A memorandum of Understanding (MoU) between the council and OCC will need to be outlined in this respect agreeing how CIL funds transferred to OCC will be spent. This would be revised annually. The amount to be transferred will be calculated on an annual basis. The amount should be included in our annual financial budget and released in either a lump sum annual payment or quarterly as per the agreement reached.
19. OCC would complete a request for CIL funding form in order to draw down the allocated funding. This request would be subject to set criteria that:
- meet the requirements of CIL Regulations
  - address the needs identified in our Infrastructure Development Plan
  - be fully costed
  - be deliverable within a specified timescale.
  - as far as possible funds should be spent in the location where they were generated.

### **Oxfordshire Clinical Commissioning Groups (OCCG):**

20. Similarly, following consultation with OCCG, they have requested that a certain percentage of the funding would need to be apportioned to the health sector to ensure that the provision of health care can also be increased in line with the demand generated by the increased number of residents in a location. As per Table 2, OCCG's suggested allocation of CIL revenue for expenditure would be 20 per cent. The same procedures as OCC would need to be applied in terms of agreeing a MoU, annual budget allocations, and requests for funding.

### **The Council's allocation**

21. The council's allocation will be spent in line with department spending strategies and priorities. Any allocations not utilised by the year end could be transferred to other council departments, as deemed appropriate in accordance with council financial procedures and rules. Any amounts unspent or unallocated at the end of the year will be returned to the CIL budget to be utilised the following year.
22. It is important to note that developments liable for S106 planning obligations (North of Abingdon on Thames, North West of Abingdon on Thames, and the North West of

Valley Park, plus those sites listed in CIL Zone 3<sup>12</sup>) will continue to secure funding for on-site specific infrastructure needs, as well as an element of offsite infrastructure, subject to current pooling regulations. Strategic sites will continue to deliver key infrastructure on site, such as new schools, transport improvements, health provision, leisure, and community facilities.

### Town and Parishes

23. It should be noted that a significantly larger proportion of infrastructure monies will be going to town or parishes than historically secured via S106 funding. With this additional funding the town or parishes will therefore be expected to support projects identified in their neighbourhood plans, where applicable, as well as other local infrastructure improvements such as items as set out in our September 2017 Regulation 123 list (Appendix 2) which sets out the type of infrastructure CIL can be used for.<sup>13</sup> This list is derived from our December 2016 Updated Infrastructure Delivery Plan (IDP) and is updated in line with the Local Plan.
24. Should town or parishes wish to support projects at a district level and should town/parish clerks have the relevant qualifications that enables them to do so, then guidance notes are already available from the Oxfordshire Association of Local Councils (OALC).<sup>14</sup> These will be promoted to the relevant town and parish councils.
25. It will be important to establish strict monitoring practices to ensure the CIL allocations are spent on the relevant infrastructure required. This role will be fulfilled by a “CIL support and infrastructure implementation officers” who will monitor the use of funds whilst also supporting the town or parishes in the usage of their allocated funds. These roles will be funded from the CIL five per cent administrative support charge.

### CIL Spending Strategy Timetable

26. The timetable for the finalisation of the CIL Spending Strategy is set out in Table 3 below:

Table 3: Proposed timetable for CIL Spending Strategy:

November 2018	Scrutiny Committee consider draft strategy
December 2018	ICMD to approve the draft Spending Strategy to be sent out for consultation.
January 2019	Spending Strategy to be sent out for consultation (4 weeks).
February 2019	Review of consultation results
April 2019	Formal Cabinet approval of CIL Spending Strategy
April 2019	Calculation of December 2018 year end unspent CIL balance for the financial year 2019/20 for inclusion in the council’s annual budget.
April 2019	Transfer of CIL funds to relevant budgets or recipients
April – Dec 2019	Monitoring of CIL spend

<sup>12</sup> Sites which have been zero rated for CIL are Crab Hill, Didcot Power Station, East of Coxwell Road Faringdon, Grove Airfield, Land South of Park Road Faringdon, Monks Farm, North of Shrivenham, South Faringdon and Valley Park

<sup>13</sup> Funds generated, save for the five per cent administration costs, cannot cover salary or overhead costs of any body that is allocated funding.

<sup>14</sup> CIL – OALC guide for parish councils, October 2018.

## **Linking CIL Spending Strategy to Capital Programme**

27. CIL is just one funding stream that can be used in conjunction with others to fund infrastructure projects. The CIL spending estimates should be included in the council's capital programme and approved as part of the council's budget setting each February. The advantage of linking the CIL funded spending estimates to the council's capital programme is to ensure a full overview of the key infrastructure projects supported under various funding streams and the identification of any gaps.
28. Annual budget allocations will be made to OCC, OCCG, and the relevant internal council departments based on December year end actual CIL funds generated, less transfers made to parishes and a five per cent administration cost deduction. Any amounts unspent or unallocated will be returned to the CIL budget to be reallocated the following year. There will be no other additional budget requirement.
29. The budgetary allocation of the five per cent administration costs will be split evenly between CIL revenue management i.e. invoicing developers and tracking collection, and CIL spending and monitoring.

### **Can the levy be spent outside the Vale of White Horse?**

30. There have been incidences of other councils requesting S106 money for infrastructure projects outside their administrative areas, particularly where a new development lies on or close to our administrative borders. However, we advise that the council limits such arrangements, neither initiating nor accepting such proposals.

### **Can the CIL funds be spent outside the development area where they were generated?**

31. Yes. Funds will be spent as far as possible, in the location where the CIL revenues were generated. However, where there is an identified need for larger infrastructure facilities, that also benefit a wider area and a large proportion of the population, this will be considered reasonable.

### **Reporting of CIL**

32. Both the council and the town or parishes are required to prepare an Annual Monitoring Report in relation to CIL income and expenditure (Financial Statement) and publish it on its website no later than 31 December each year for the proceeding financial year. Town and parishes also have to produce and send a copy of their annual report on their spending of CIL monies to the council. We will publish this information on our website. CIL monies passed on to town or parishes, which have not been spent within five years of receipt can be recovered by the council who then must spend such CIL monies to support the development of the area which they have been recovered from.

### **Conclusion**

33. The CIL spending strategy will utilise a percentage allocation approach, apportioning funds on an annual basis, calculated on available actual funds, once town or parish allocations and council administrative costs have been deducted. The rationale for this is detailed above in paragraph 15. Table 2 above details the CIL percentage allocations.

34. Such an approach will be piloted for two years, with a review by Scrutiny and Cabinet after one year to ensure compliance in terms of achieving CIL objectives and to assess the effectiveness of the Strategy.

## Appendix 2- Vale of White Horse District Council Regulation 123 List, September 2017

1.1 Regulation 123 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) indicates that a Charging Authority can publish on its website a list of infrastructure projects or types of infrastructure that it intends will be, or may be, wholly or partly funded by CIL (other than CIL to which regulation 59E or 59F applies).

1.2 Infrastructure listed below – Regulation 123 list - Infrastructure Projects or Type (that may be wholly or partly secured through CIL) – will no longer be secured through S106 planning obligations or through S278 of the Highways Act (unless as part of the Highways England network). The exceptions to this are set out below in Exclusions from the Regulation 123 List (to be secured through S106, S278 or alternative measures).

1.3 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.

1.4 The list does not signify a commitment by the Council to deliver the project, nor does it indicate the Council's CIL spending priorities.

<b>Regulation 123 list - Infrastructure Projects or Type (that may be wholly or partly secured through CIL)</b>	<b>Exclusions from the Regulation 123 List - (to be secured through S106, S278 or alternative measures)</b>
Primary Education (including Early Education Child Care)	(i) The provision of primary education, early education and child care facilities, required to mitigate the impact of development of land at: <ul style="list-style-type: none"> <li>• Sites in CIL Zone 3<sup>1</sup></li> <li>• North of Abingdon on Thames</li> <li>• North West of Abingdon on Thames</li> <li>• North West of Valley Park</li> </ul> (ii) The provision of land for primary education and/or early education and care.
Secondary Education (including Sixth Form within a Secondary School)	(i) The provision of secondary education infrastructure required to mitigate the impact of the development of: <ul style="list-style-type: none"> <li>• Sites in CIL Zone 3<sup>1</sup></li> </ul> (ii) The provision of land for secondary and/or sixth form education.
Further Education (outside of Secondary Schools)	
Special Educational Needs Facilities	(i) The provision of special educational needs facilities associated with the development of: <ul style="list-style-type: none"> <li>• Sites in CIL Zone 3<sup>1</sup></li> </ul> (ii) The Provision of land for special educational needs facilities
<b>Regulation 123 list - Infrastructure Projects or Type (that may be wholly or partly secured</b>	<b>Exclusions from the Regulation 123 List - (to be secured through S106, S278 or alternative measures)</b>

<b>through CIL)</b>	
<p>Social and Community facilities including:</p> <ul style="list-style-type: none"> <li>• community halls</li> <li>• indoor sports and leisure facilities</li> <li>• libraries</li> <li>• adult day care</li> <li>• museums</li> <li>• indoor youth facilities</li> </ul>	<p>(i) The provision of on-site social and community facilities associated with the development of North West Valley Park</p> <p>(ii) The provision of all social and community infrastructure required to mitigate the impact of sites in CIL Zone 3<sup>1</sup>.</p> <p>(iii) The provision of all social and community infrastructure required to mitigate extra care, nursing and care homes, and non-residential development.</p>
Road network, cycleways, & footpaths	<p>(i) The provision of works and other public realm improvements (on or off site) to roads, cycleway, footpath and public rights of way that are required to directly mitigate individual developments.</p> <p>(ii) Strategic highway works related to sites within CIL Zone 3<sup>1</sup></p> <p>(iii) The provision of South facing slips at Lodge Hill</p> <p>(iv) The provision of Science Bridge, A4130 widening between Science Bridge and Milton interchange, and Harwell Road</p> <p>(v) Rowstock Roundabout</p> <p>(vi) Strategic Highways works required in relation to extra care, nursing and care homes, and non-residential development (excluding works associated with supermarkets/retail warehouses).</p> <p>(vii) Milton Interchange</p> <p>(viii) A4130/ Collet junction</p>
Strategic Open Space	<p>(i) The provision of strategic open space in relation to sites within CIL Zone 3<sup>1</sup></p> <p>(ii) The provision and maintenance of on-site public open space, play areas (e.g. LAPs, LEAPs, NEAPs), outdoor youth facilities (e.g. MUGAs) and outdoor sports facilities (including associated buildings)</p> <p>(iii) Provision required in relation to extra care, nursing and care homes, and non-residential development.</p>
Flood mitigation measures	<p>(i) Site specific flood risk management e.g. SUDS.</p> <p>(ii) Flood mitigation measures where the works are required to mitigate non-residential development.</p>

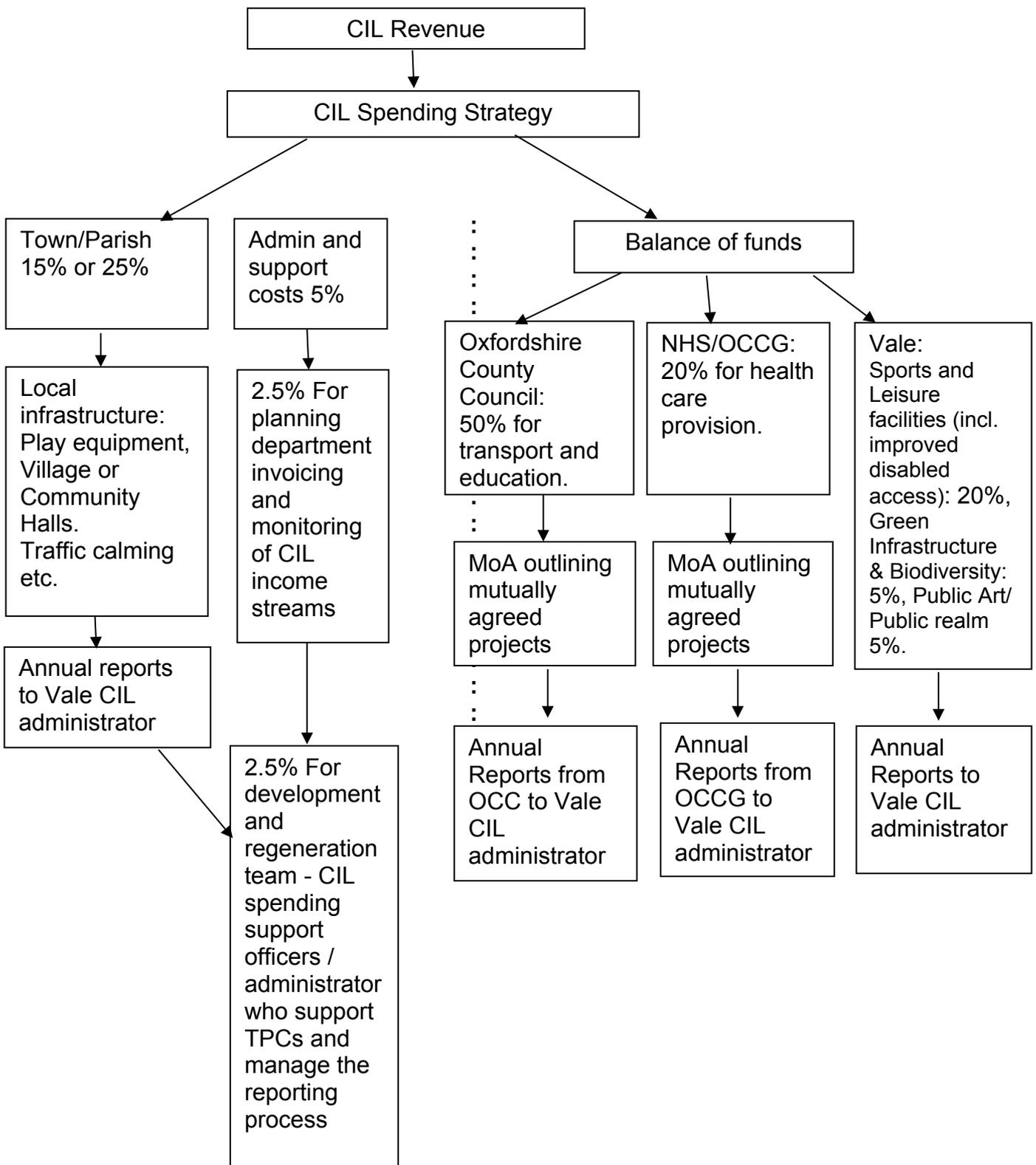
<sup>1</sup> Sites which have been zero rated for CIL are Crab Hill, Didcot Power Station, East of Coxwell Road Faringdon, Grove Airfield, Land South of Park Road Faringdon, Monks Farm, North of Shrivenham, South Faringdon and Valley Park

1.5 The Council may seek to secure S106/S278 contributions towards other projects where it is satisfied that the need meets the tests in Reg. 122 of the CIL Regulations 2010 (as amended) and it is not referred to above in the Reg. 123 List as funding for infrastructure to be wholly or partly funded by CIL.

1.6 The Council may spend CIL on projects not specified in the Reg. 123 list, above, where it funds infrastructure to support the development of its area.

1.7 The Council will regularly review the list to ensure that it reflects the Infrastructure Delivery Plan.

### Appendix 3 – CIL procedural overview



## Appendix 4

<b>Organisation</b>	<b>Q1. Having read the CIL spending strategy, please provide your comments below:</b>	<b>Infrastructure &amp; Development Team Feedback</b>
Active Communities Team - Community Services	<p>"Welcome the 20% contribution for sport and leisure however more clarity is needed on the CIL 123 list and whether it is the best solution for Vale?</p> <p>There is an assumption that under strategic open space this includes outdoor sports pitches this needs to be stated in the CIL 123 list. Where for example would CIL fund new provision or improved outdoor playing pitches or artificial training pitches? This needs to be clarified specifically as maintenance is excluded from investment.</p> <p>Re the CIL split the OCC contributions should also include Libraries and OCCG contribution should include Adult Day Care.</p>	<p>By the CIL 123 list we assume you mean the regulation 123 list, which is a broad outline of what can be spent with CIL funds. Agreed the list is quite broad in its statements but is stated as such so that all sports activities, such as outdoor pitches, are covered within the definition.</p> <p>The Active Communities department are positive that they can use their CIL funding to attract matching funding and as such are looking for a "multiplier effect".</p> <p>Unfortunately, CIL cannot support everything, and some prioritisation has to be made. Libraries as such have been excluded. And OCCG will use their funds predominantly for supporting health practices.</p>
Vale of White Horse Council, Corporate Services	<p>CIL funding should also be allocated for essential energy infrastructure, which does not seem to be part of the categories listed.</p> <p>This could include:            electric vehicle charging            renewable energy infrastructure            private wire networks            battery storage            heat networks</p> <p>This infrastructure is required to meet the objectives of the Oxfordshire Energy Strategy adopted December 2018</p>	<p>Agreed, this has been omitted from the regulation 123 list. The CIL funds will be used to support environmental issues in that the bio-diversity activities of the council will receive CIL funding. Again, CIL cannot support everything, the amounts involved are relatively small, and some prioritisation has to be made.</p>
The Oxfordshire Clinical Commissioning Unit	<p>Re: Draft Community Infrastructure Levy – Spending Strategy</p> <p>Firstly, may I take this opportunity to thank The Vale of White Horse District Council (VOWH) for engaging with the Oxfordshire Clinical</p>	<p>Many thanks for this positive feedback. We look forward to working with OCCG as we move forward with the Memorandum of Agreement and the project implementation phase.</p>

Commissioning Group (OCCG) regarding the proposed draft for the CIL Spending Strategy.

To confirm the OCCG commissions health care services to all residents registered with an Oxfordshire GP.

We are pleased to note that VOWH recognises that both large scale housing developments planned across the District and smaller windfall sites will have a direct impact on our local health services, in particular the local primary care facilities.

Having read the draft CIL policy and understanding the complexities it has taken to arrive at this juncture the OCCG wishes to make the following comments and is essentially in agreement with this approach to the suggested percentage allocation of these funds.

Using CIL funding where the development has occurred makes sound sense. It gives the OCCG an opportunity to plan and support infrastructure and estate where it is required and where the population has grown.

The proposed reporting system gives good governance so that it can be seen how funds are used in an effective and timely manner.

The suggested amount of 20% towards health care is considered to be a fair, reasonable and a proportionate amount and in accordance with the likely future demand on health services. Furthermore, the OCCG recommend that this figure remains as currently proposed within the draft Spending Strategy as this passes through your own committee structure.

We are also pleased to note that CIL funds would be allocated to other infrastructure providers, particularly, the improvement of disability access for local sports and leisure facilities.

In our opinion a percentage allocation system will work much more effectively than a bidding system and gives greater transparency on how CIL funds are used.

	<p>The OCCG is very keen to continue working closely with VOWH to ensure that the wider strategic implementation of health services across the District reflects the needs of the new households whilst supporting the current residents.</p> <p>Please note that the Memorandum of Understanding would also need to pass through our committee structure for formal approval.</p> <p>We look forward to working with you and continuing this dialogue to support the health needs of the VOWH residents.</p>	
Radley Parish Council	<p>Please see attached file "190128 Radley PC response to the Vale Infrastructure strategy" quoted below:  <a href="https://files.smartsurvey.io/2/1/4YYMPCPV/105902749_7993726_817140.docx">https://files.smartsurvey.io/2/1/4YYMPCPV/105902749_7993726_817140.docx</a></p> <p>Radley Parish Council has three main concerns about these proposals:</p> <p><b>i. A bigger share of CIL for OCC</b></p> <p>The draft strategy proposes that 50% of CIL receipts (after allowing for the parish share and admin costs) are allocated to OCC for education and transport infrastructure. No justification is offered for this apportionment. The evidence suggests that an OCC allocation of 70% would be more appropriate.</p> <p>The Vale's IDP for Local Plan Part 1 identifies infrastructure needs arising from development of the two strategic sites in Radley and indicates which of these will fall to CIL rather than s 106. 72% of CIL needs relate to OCC services (see analysis in Annex)<sup>15</sup>. The same general conclusion can be drawn from VWHDC's cross-district information on the type of infrastructure benefitting from developer funding in the 5 years prior to the adoption of CIL. This split in the ratio 69:31 as between OCC and other services<sup>16</sup>.</p> <p>This issue is of particular concern in Radley as the expansion of Radley</p>	<p>The CIL strategy supports as many community needs as possible. Should the share of CIL for OCC rise to 70% then of course other recipients would have to receive less or nothing at all. Please note that the amount of funding for OCC will be quite small in comparison to their annual budgetary needs, as such, raising this by 20% would have no significant impact.</p> <p>The council has recently recruited staff within the infrastructure and development dept. to oversee CIL expenditure. These individuals will facilitate the liaison between the parish and town councils, the relevant council depts. and the external partners.</p> <p>These staff will be available as a point of contact for Radley PC.</p> <p>The council has communicated the need to spend CIL revenues in the locations it was raised to all recipients. This is impossible to do completely accurately, however, the CIL application process will look at this as an integral factor towards project approval. Your suggestion to add this to paragraph 16 seems</p>

<sup>15</sup> We have not done the same analysis of IDP proposals for all sites but have no reason to suppose that the results would be very different.

<sup>16</sup> This information was provided in an earlier version of the VWHDC draft strategy.

	<p>Primary School to meet additional demands arising from the developments is high priority.</p> <p><b>ii. Mechanisms to help parishes determine priorities for their share of CIL</b></p> <p>The draft strategy is completely silent about arrangements for liaison between parishes, the Vale and other authorities to ensure their CIL programmes are complementary. The strategy needs to address this issue.</p> <p>Radley PC is expecting CIL receipts in the order of £1.5m over the seven years from 2019/20, and is currently developing its own strategy for how this money should be spent. We need to understand other authorities' plans for CIL expenditure to ensure that our plans complement theirs. This is particularly true in relation to the expansion of the primary school and to plans for leisure and recreation facilities which may overlap with the Vale's.</p> <p><b>iii. Ensuring that CIL revenues are spent in the location where they are generated</b></p> <p>Radley PC considers that CIL should be spent on meeting infrastructure needs arising from the development to which it relates. The Vale's own Infrastructure Delivery Plan lists needs arising from each of the strategic sites, and this should be the basis for project selection. It is not in our view acceptable that CIL income should be diverted to projects elsewhere in the district when needs identified in the IDP for the development site in question are unmet.</p> <p>While the strategy recognises this argument, no mechanisms are proposed to put the principle into effect. An appropriate requirement should be added to the proposed criteria for approving projects set out in paragraph 16. These criteria should apply to internal Vale projects financed from CIL as well as to OCC and OCCG projects.</p> <p>Footnotes: We have not done the same analysis of IDP proposals for all sites but have no reason to suppose that the results would be very different.</p>	<p>reasonable.</p>
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	<p><sup>2</sup> This information was provided in an earlier version of the VWHDC draft strategy.</p>	
<p>Charney Bassett Parish Council</p>	<p>See Proposal in attached document, quoted below:  <a href="https://files.smartsurvey.io/2/1/5G3DKEDF/106871426_7993726_825603.pdf">https://files.smartsurvey.io/2/1/5G3DKEDF/106871426_7993726_825603.pdf</a></p> <p>Comment on Vale of White Horse District Council Draft Community Infrastructure Levy Strategy</p> <p>Summary:  The District's CIL strategy is directed towards benefiting only those local communities that are hosting new developments. It does not have to be so. The strategy should be amended so there is opportunity for smaller communities to benefit from CIL where they are likely to be affected by new development.</p> <p>The District's CIL strategy looks at how the remaining portion of the payments will be administered after deductions after town and parish payments are made and admin costs are deducted and advises that this could be used "to mitigate the impact of an individual development as well as the overall cumulative effect of development" (3).</p> <p>However, it believes that "...public pressure may require funds to be spent as much as possible in the location that the CIL revenues were generated".</p> <p>So the District appears to have decided that its CIL fund will be spent only on those communities directly affected by development (i.e. in those areas within which new development will take place).</p> <p>Relevance of CIL to Charney Bassett:  Charney Bassett is classified in the District's adopted Local Plan (Part</p>	<p>Feedback in general to date suggests that there is an overriding request from councillors and town and parish councils that funds should be spent in the areas where they are generated. For example, please see Radley Council above, and Kennington and Faringdon below.</p> <p>To match any increased transport needs generated by new housing close to Charney Bassett, it is suggested that they contact OCC directly. Please note that the CIL funding contributes only a small proportion of the OCC budget and although it would appear unlikely that CIL funds would be used to meet your increased needs, separate funding within OCC may be able to do so.</p> <p>The proposal to withdraw biodiversity and public art money is a question of preference, and the suggestion put forward would detract from other community needs beyond road traffic.</p> <p>The suggested solution to ask OCC to ring fence a small percentage of the CIL funding for areas affected by CIL generating areas might be possible, however, the amount of funding involved would remain small and unlikely to meet expected needs.</p>

1) as 'open countryside'. As a result, very little new development can be anticipated so few direct CIL payments to the Parish Council are likely. Like many others, Charney Bassett is a settlement close to areas where significant development will take place and where the effects will be felt - in particular through increased traffic.

There are some 32 identifiable settlements in the District that, like Charney Bassett, are classified as 'open countryside'. Identifying their total population is difficult, but Appendix 1 (available in the link above) indicates that they account for at least 4,000 residents and, in all likelihood, in excess of 5,000. Collectively these settlements account for at least 3% – 4% of the District population (4).

Charney Bassett has an adopted Community-led Plan (5). Residents' main concern was road safety. The village is a known 'rat run' for traffic seeking access to (and from) A420 and beyond from the south – principally Wantage/Grove. Several stretches of road in the village have no footpaths. The Parish Council paid for a traffic volume and speed survey in 2018 that established notable peak traffic flows with vehicles persistently travelling above the 30 mph limit. With so much growth still planned nearby, traffic volumes and speeding violations will only continue to increase. Verge and road damage, particularly to edges, is a growing problem.

In discussion with OCC a number of initiatives to help improve road safety have been identified (Appendix 2) (available in the link above) but their funding is well beyond a small Parish Council and the County Council has apparently not maintained a road safety budget since 2010. There is nothing in the consultation paper to suggest that CIL will help villages such as Charney Bassett mitigate the impacts of development nearby – in our particular case much needed improvements to road safety.

Finally, the village is used as an official alternative route where the A420 has to be closed following a vehicle accident. This may only be occasional, but large volumes of traffic can be involved and it is important that the village road system is made as safe as possible to cater for such occasions. The strategy for the A420 in the County

Council's Local Transport Plan (LTP4) recognises a need for the road to operate efficiently in order to avoid rat running on minor roads. One solution put forward is a 3 Para 5 of Consultation Paper 4 District population 128,738 in 2016 according to District Data Analysis Service 5 May 2016 need for mitigation measures (6) on minor roads to help cope with rat running, but the only way put forward for funding such measures is for planning applicants to bring forward such measures as part of their planning applications. As already pointed out, Charney Bassett is not an area where new development can be anticipated so it is most unlikely that any necessary funding will come directly from planning applications.

Proposed Alterations to the District CIL Strategy:

There needs to be better recognition that the considerable development that is taking place in the Vale impacts on the whole District – not just the Town/Parish in which they are located. Smaller communities who will not receive CIL funding directly (because they are classified as “open countryside) should have access to a proportion of the funding being administered by the District and County Councils.

In the particular case of Charney Bassett, the process of Village -Led Community Planning is in danger of being undermined if properly thought out and realistic proposals to counter the consequences of nearby housing developments cannot be properly funded. CIL provides a means to overcome this, but not without a change in the way it is proposed to be administered. Failure to offer some support for communities like ours affected by the considerable development taking place in the Vale is likely to make it very difficult to get public involvement and engagement when the Community-Led Plan is next updated. A relatively small amount of funding could have a potentially significant benefit to communities like Charney Bassett in terms of mitigating the negative impacts of large new developments nearby.

One way forward would be for a small percentage of the District CIL fund (perhaps 3% - or £90k) to be held back for bids from the type of communities we have identified. This should be taken from the 10% of funds identified for green infrastructure, green infrastructure and public art etc. and made available for initiatives that would help mitigate the

	<p>impact of new development. Because a common concern will be road safety, the fund should be made available for such spending, notwithstanding this is normally a County function (Appendix 1 highlights the settlements particularly affected by through traffic) (7) .</p> <p>Alternatively, the intended District/County MoU should include provision for a specified proportion of the CIL funds that are passed to OCC to be ring-fenced for bids by Parish Councils that host the communities listed in Appendix 1 – and particularly those highlighted. In this case the fund would be administered by the County Council and not the District Council. If this approach is preferred, the County Council share of CIL might be increased to 53% to accommodate this. The MoU could alternatively commit a proportion of the County’s CIL spending to a dedicated road safety budget – but that would not guarantee to adequately benefit the communities identified, so is not preferred.</p> <p>6th February 2019</p> <p>Footnotes:  1. Since November 2017  2 Para 9 of Consultation Paper  3 Para 5 of Consultation Paper  4 District population 128,738 in 2016 according to District Data Analysis Service  5 May 2016  6. LTP4 says these should include local traffic calming and traffic/speed management measures, to be agreed with the relevant local communities.  7 It is possible that this is the intention behind the ‘public realm’ spending fund identified in the proposals table. But this seems unlikely - given the District’s stated overall approach to CIL. Whether this is the case or not, the intention behind this element of the fund needs to be made much clearer in any event.</p>	
Kennington Parish Council	Vale of White Horse DC need to find a mechanism in order that a geographic relevance is given to where the CIL money is generated and where it is spent. For example, 70% of funds which are passed on	The council has communicated the need to spend CIL revenues in the locations it was raised to all recipients. This is impossible to do completely accurately,

	to OCC and OCCG could be spent anywhere in Oxfordshire and would not necessarily benefit those in the local area. Reviews should be open and frequent, and the council's overseeing scrutiny committee should oversee this.	however, the CIL application process will look at this as an integral factor towards project approval.
Faringdon Town Council	Faringdon Town Council have agreed that VoWHDC should be requested to send details of what they propose to spend S106 contributions and their part of the CIL. FTC would like to ensure that the voice of the community is heard. FTC understands this money can be spent anywhere and therefore it wishes it to be stressed that any monies generated from residential and other developments in Faringdon should be spent in Faringdon to offset the impact of such development on the town.	As above, the council has communicated the need to spend CIL revenues in the locations it was raised to all recipients. This is impossible to do completely accurately, however, the CIL application process will look at this as an integral factor towards project approval.
Buckland Parish Council	<p>Buckland Parish Council is concerned that the impact of residential development outside our parish has a significant impact on our village's/parish's roads and traffic volume with no CIL proceeds being applied to mitigate.</p> <p>We support wholeheartedly the analysis of the CIL proposals submitted by Charney Basset PC although we have not reproduced the analysis with reference to the particular situation in Buckland and especially the stretch of the A420 running through our parish. We submit that the District's CIL strategy does not have to be solely directed towards benefiting those communities that are hosting new developments. The strategy should be amended so there is the opportunity for smaller communities to benefit from CIL where they are likely to be affected by the consequences, e.g additional traffic, stemming from new development further afield.</p>	As mentioned in response to the Charney Basset PC consultation comments, feedback in general to date suggests that there is an overriding request from councillors and town and parish councils that funds should be spent in the areas where they are generated. For example, please see Radley Council, Kennington and Faringdon above.
Oxfordshire County Council	<p>We welcome the opportunity to respond and work with VWHDC in utilising the CIL to help facilitate sustainable growth within the Vale of White Horse.</p> <p>While the various comments below are numbered this is for ease of reference and does not necessarily imply priority of any statement. We are aware in responding that the CIL climate may well change (including the removal of pooling restriction and also of the Regulation 123 List) if and when the Government's potential CIL regulations</p>	<p>To respond in order:</p> <p>1 &amp;2: Noted as per your comments on the regulation 123 list and education. This will be considered next time the regulation 123 list is renewed/revised.</p> <p>3: The CIL strategy proportions will be piloted for 2 years and reviewed after one year by Cabinet (as stated in the strategy). Should such percentages be</p>

	<p>changes are brought into being.</p> <p>Comments:</p> <p>1.The introduction of CIL secures funding towards infrastructure from a larger proportion of development proposals than the S106 process alone did. However, since its introduction in VWHCD CIL has had a detrimental impact on the ability to secure appropriate funding towards mitigating the impacts of development on certain key infrastructure; such as education.</p> <p>2. The impact of CIL upon funding towards expanding and improving schools' infrastructure has arisen largely because of the inclusion of Education within the CIL Reg 123 List. In Appendix 1 to the Draft CIL Spending Strategy it states (para 1.7) that the list (Reg 123 List) will be reviewed regularly. While the Government's proposals may make subsequent reviews redundant we would ask that next review and update of the Reg 123 List takes place as soon as possible. The County Council would welcome working collaboratively with VWHDC in reviewing the effectiveness of the Reg 123 List and any potential changes to it. In advance of such collaboration we strongly urge that as part of the next review/amendment Education be removed from the List as an infrastructure type or project that is to be funded through CIL.</p> <p>3.With regards to the proposed CIL percentage allocations as set out in Table 2 of the consultation document we note that no precedent has been used on which to base the proposed allocations. An assessment of S106 secured in the neighbouring South Oxfordshire District Council in the 4 years prior to April 2016 (admittedly not a direct comparison) suggests that the percentage of S106 funding justified and secured towards County Council infrastructure &amp; services exceeded 65% of the contributions.</p> <p>Regarding Table 2 in the Draft Community Infrastructure Levy – Spending Strategy document in the consultation, it is noted that the 50% identified against OCC infrastructure equates to between 35% &amp; 40% of the overall gross CIL receipts.</p>	<p>deemed to be inappropriate, appropriate steps will be taken.</p> <p>As rightly stated the 50% for OCC is allocated once 30% has already been allocated to TPCs and admin cost. For OCC to receive the 65% of the total CIL generated (as per S106) they would need to be allocated approximately 90% of the remaining balance, (as opposed to the current 50%). Clearly this would not be possible as it would leave virtually nothing for any other community needs.</p> <p>4i. With respect to expanding OCC usage beyond Transport and Education, this was set as such so as not to spread the CIL funds too thin across various departments of OCC, especially as there seems to be a lack of funding for transport and education (as mentioned by other consultees and yourself). We suggest this be reviewed after one year.</p> <p>4ii. The 50% has to remain a ceiling, unless other recipients find themselves unable to spend their allocations. At which point those funds may become available (if not carried forward to the following year.</p> <p>4iii. As mentioned above the percentages will be regularly reviewed.</p> <p>5. Government regulation stipulate that only the collecting council can utilise the 5% administration cost allocation. CIL cannot be used to support salary costs and needs to be spent on infrastructure items only.</p> <p>6. VWHDC officers looks forward to the continued co-operation we had so far on the Memorandum of Understanding, the monitoring and reporting of the use of CIL monies, as well as in refining the CIL</p>
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	<p>4.The County Council requests that;</p> <ul style="list-style-type: none"> <li>i. The Table (Table 2) and the draft strategy both indicate that OCC allocations should be restricted to Education and Transport infrastructure. While these represent the likely key elements of County Council delivery infrastructure need in the short term, the County council should be able to include other justified infrastructure within its CIL spend applications</li> <li>ii. Until the 2nd anniversary of the date upon which Education is confirmed to have been removed from the Reg 123 List that the County Council should be allowed/encouraged to put forward applications for potential CIL Spending which cumulatively exceed the 50% identified in the Table 2; i.e. the 50% is an indicative level as opposed to a ceiling.</li> <li>iii. After the 2nd anniversary of any removal of Education infrastructure from the List – the allocation percentages are further reviewed. (The reason for the 2 years post removal is to allow for the pipeline developments where CIL-limited S106 mitigation is relevant).</li> </ul> <p>This would enable VWHDC, working with the County Council (&amp; other parties) to optimise the infrastructure delivery to support the housing growth and potentially agreeing to a larger proportion of CIL use on schemes where other potential CIL applications hadn't progressed sufficiently to satisfy an allocation by VWHDC.</p> <p>5. We suggest that both the County Council and OCCG receive a contribution towards their extra administrative duties within the CIL regime in supporting housing delivery; equivalent to a proportion of the capped 5% administration allocation. We ask that the County Council receives from VWHDC the equivalent of one fifth of the 5%.</p> <p>6. We look forward to working with VWHDC officers in drawing together a Memorandum of Understanding for the allocation, monitoring and reporting on the use of CIL monies. As part of that collaborative working we would want to help review and refine where appropriate the CIL</p>	<p>funding application form.</p>
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	funding application form to ensure that it is administratively straightforward.	
Individual	The structure of the breakdown of funds allocated seems proportionate and sensible. In my opinion where Vale and County Councils take on spending for infrastructure, there should a clear, credible and definite consultation period with the community in which the development is being built in order that the community has its say on how these funds are to be spent. This would reduce the perceived mis-spend of funds in areas that are not affected by the development in question, but receive the CIL funding benefits all the same.	Thanks for the positive feedback.  VWHDC officers will work with PTCs to support their CIL implementation process, including community level consultations.
Individual	<p>Faringdon has had a large about of new housing which is great and I would welcome more, however, nothing has been down for the town. We need restaurants if you scan over local Facebook pages a lot of people ask where is nice to eat, the only place that people recommend is the tapas bar, the rest recommend out of Faringdon. Surely the people of Faringdon should support the town more but where in the town can you go for a family meal NOWHERE.</p> <p>Parking is dangerous, the council would not care if someone was injured, potholes too along Coxwell road is out of control.</p> <p>The local swimming pool staff are great but the centre is in poor condition, the boilers keep breaking which means the pool is freezing, the showers where people wash their hair is next to the pool, therefore, soap is getting into the main pool. The changing room is terrible, everything is broken.</p> <p>And finally, the A420 is the worst road I have ever been on, the amount of traffic is terrible. There are accidents every week and that's not taking into account the near-miss accidents, WHY isn't this road a dual road.</p> <p>Oh and the infant school is bursting, my only option was to drive my child to Lechlade, out of Oxon to Gloucestershire because the school in Faringdon said no room at the inn.</p>	Thanks for this diverse feedback. We will forward this to the relevant departments.

Individual	I support the planned strategy	Thank you
Individual	<p>Thanks for providing this consultation. However I disagree with:</p> <p>Vale of White Horse: green infrastructure/biodiversity provision 5%</p> <p>Vale of White Horse: public art and cultural heritage/public realm (including improved disabled access) 5%</p> <p>Despite there are not enough funds for everything I believe these 2 categories should increase their budgets up to 15% as through the good management for open spaces can help to prevent social and health problems. Thanks. -</p> <p><a href="https://files.smartsurvey.io/2/1/HNGKTPTQ/105182576_7993726_811466.pdf">https://files.smartsurvey.io/2/1/HNGKTPTQ/105182576_7993726_811466.pdf</a></p>	<p>Thanks you for this feedback, the percentages will be reviewed after one year by the council's cabinet members.</p> <p>The issue as you mentioned is that there are not enough funds for everything, and an extra 20% allocation here would have to be deducted from somewhere else.</p>
Individual	Most of the CIL is squandered, the whole amount should be spent on transport infrastructure and social housing.	<p>I am not sure on what basis you state that the CIL is being squandered as the VWHDC has not as yet started spending CIL funds.</p> <p>You can only therefore be referring to PTC expenditures which to date in Vale have only been small.</p> <p>VWHDC officers will undertake a thorough monitoring of CIL spend and ensure its proper usage.</p>
Individual	Don't disagree with split of money but would like opportunity for local (Parish Council) input to what and when.	Parish Councils receive 15/25% of the CIL funding to spend on their own infrastructure projects themselves.
Individual	<p>Whilst I see the need for money to support the local provision of health Care and Education I do regard CIL money as a tax which is paid to the District Council. This money then becomes public money which is not the case with s106 money. The CIL strategy is a copy of the s106 approach and as such could well be given to GP surgeries and schools both of which may not be publicly owned. If the money is used to support improvements to assets that could be sold then public money is being used to support private enterprise which I feel is unacceptable. The support of services however would be acceptable.</p>	VWHDC officers will be working with all the Oxford Clinical Commissioning Group to monitor how CIL funds will be spent. Inherent within OCCG activities is the need to support the expansion of GP surgeries, however, your concern that funds would be used to support private enterprises is valid and VWHDC consider this when determining spending.
Individual	The distribution of CIL receipts seems to be fair. The VoWH 30%	As mentioned above, the council has communicated

	<p>portion of the balance also seems fair in its distribution. However, it is essential that the VoWH portion is spent in those communities affected by developments and the consequent population increase.</p> <p>E.g. the population of Faringdon was 7,121 at the 2011 census. It is now 8,300 and will be over 11,600 if all the proposed housing developments come to fruition. This is a 60% increase in population, yet apart from a proposed primary school and some expansion of the Community College there has been no commensurate improvement in infrastructure for sports and leisure facilities, green infrastructure/biodiversity provision, and public realm. There have been some benefits for public art and cultural heritage from S106, but this has not been available from the majority of developments. The CIL spending strategy should support the Local Plan and Neighbourhood Plans.</p>	<p>the need to spend CIL revenues in the locations it was raised to all recipients. This is impossible to do completely accurately, however, the CIL application process will look at this as an integral factor towards project approval.</p>
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