LTC Clerk

Agenda Item 20

Subject: FW: Market Towns Forum - S106 Allocation
Attachments: Resolution 190114.docx

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Dear Cllr Bartlett

Further to the email from Julie Debbage regarding S106 Allocation, I am now able to respond on behalf of the Planning and Development Committee of Ross Town Council with suggestions for overall policy improvement as follows.

1. That, as resolved in January 2019, we support the earliest possible adoption of the Community Infrastructure Levy by Herefordshire Council, in line with surrounding areas (please see resolution attached).

2. That we would strongly welcome a formal consultation and review of the Planning Obligations Supplementary Planning Document as part of the review of the Core Strategy.

3. Some topics for the review to consider would be:

a) the role of NDPs in shaping community infrastructure requirements and planning obligation Heads of Terms

b) the need for Herefordshire Council to provide regular training for Parish and Town Councils on planning obligations and how to engage with the process

c) the need for, as part of the new Document, a practical guide for Parish and Town Councils, explaining how they can engage with every stage of the process

d) whether to include Parish and Town Councils in the consultations that are held with Ward members before Heads of Terms are agreed

e) whether, when Heads of Terms have been agreed, Parish and Town Councils should be provided with an explanation of the extent to which Parish and Town Councils and other local representations made during the consultation are reflected in the agreed document.

On behalf of the Town Council, I look forward to receiving any future correpondence on this matter.

Kind regards

Ross-on-Wye Town Council

1412

ROSS-ON-WYE TOWN COUNCIL

RESOLUTION 190114

This Council notes that the legal powers for English Planning authorities to introduce in their areas a Community Infrastructure Levy have been in place since the Planning Act 2008 (1). The CIL provides for Parish and Town Councils to receive at least 15% of all proceeds, or 25% if a Neighbourhood Development Plan is in place.

This Council notes the Herefordshire Council has paused the process by which CIL can be levied in the County, thus depriving Town and Parish Councils of this potential income. We note that most neighbouring authorities have introduced the levy (including Shropshire (2), Cheltenham Borough, Gloucester City, Tewkesbury Borough (3), Malvern Hills, Worcester City and Wychavon Councils (4).

Ross Town Council calls upon Herefordshire Council to proceed as quickly as possible with the implementation of CIL. The urgency is due to the rate at which planning applications are being made within the town, and the significant loss of potential CIL receipts to the Town Council if the bulk of the remaining housing allocation to 2031 is granted planning permission before a CIL charging regime is in place.

Supporting information

The Community Infrastructure Levy (CIL) was introduced to complement section 106 by providing a way for developer contributions to be channelled more effectively for community benefit, hence, it was hoped, reducing the reluctance of local communities to accept development. For those areas of England which are parished, once CIL has been introduced by a principal authority, the Parish or Town council receives 15% of the levy (subject to a cap which for Ross-on-Wye would be so large at about £480,00 a year, that it is effectively uncapped) or, once a Neighbourhood Plan has been adopted, 25% (uncapped).

For Ross Town Council CIL could be a potentially valuable source of capital funding which would allow this Council to make strategic investments in youth, health, transport and community services. It would generate the funding to make progress on many of the issues with which we struggle, for example poor play facilities, speeding and traffic pinch-points, and lack of cycle provision. However, the bulk of planning permissions against the Neighbourhood Plan targets to 2031 have now been awarded, many of them in the last two years with planned developments to the east of the town. Had Herefordshire followed the example of Shropshire, and adopted CIL in 2012, the 15% levy from these would have accrued to Ross Town Council.

Anticipating the introduction of CIL, the previous RTC successfully lobbied for the review of community governance which led to the merger of the former RTC and Ross Rural Parish Council. It also encouraged the development of a Neighbourhood Plan for Ross. Four years on, with the Neighbourhood Plan close to completion, it is disappointing that we seem to be no closer to the introduction of CIL in the county.

The government has commissioned a review of CIL and its recommendations have been published (5). The government has yet to respond to these. The review does not recommend changing the provision for

Parish and Town Councils to receive 15% or 25% of CIL. However, the review made two recommendations in respect of this funding:

- We recommend that there is closer integration at both the Local Plan and Neighbourhood Plan making stages between the local authorities and the community to ensure agreement over how the neighbourhood share of LIT is allocated
- We recommend that local authorities work closely with both parishes and neighbourhoods over the actual spending of any neighbourhood allocation of LIT to ensure that the delivery of infrastructure is supported and best value obtained.

In Herefordshire, implementing these recommendations would mean closer working between Herefordshire Council and Ross Town Council in providing better infrastructure for the town, something which should surely be welcomed by both parties.

References

(1) https://www.herefordshire.gov.uk/info/200185/local_plan/139/community_infrastructure_levy

(2) https://shropshire.gov.uk/planning-policy/community-infrastructure-levy-cil/

(3) https://www.gloucester.gov.uk/planning-development/community-infrastructure-levy-cil/

(4) https://www.worcester.gov.uk/community-infrastructure-levy

(5) https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/589637/CIL_REPORT_2016.pdf