
TITLE: DEVELOPER CONTRIBUTIONS FEBRUARY 2011 – TO DATE

Committee: Development and Transport Committee

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Author: Shirley Blake, Principal Sustainable Development Officer

[M144]

1.0 ISSUE

1.1 To consider the process for expenditure of developer contributions collected under the Supplementary Planning Document arrangements February 2011 to date.

2.0 RECOMMENDATION

2.1 It is recommended that this Committee supports the process for agreeing expenditure of developer contributions collected under the Supplementary Planning Document arrangements February 2011, as set out in paragraph 5.1 of this report.

3.0 BACKGROUND

3.1 Prior to February 2011, developer contributions were collected through a Section 106 (S106) planning obligation where each S106 agreement was individually negotiated and details of the projects on which the funding was to be spent were included in the planning obligation.

3.2 In February 2011, the District Council approved a Supplementary Planning Document, Developer Contributions and Planning Obligations. This set out a series of 'basic types of contributions' towards which all developments are now expected to contribute, including categories:

- education,
- community facilities,
- emergency services,
- sports facilities,
- open space,
- transport
- cost recovery.

A standard charge was set for each of these for all residential developments. In addition there is still provision for negotiations on infrastructure requirements related to a specific development.

3.3 The Supplementary Planning Document arrangements are an interim measure, pending the introduction of the full Community Infrastructure Levy in January 2013.

4.0 ARGUMENTS

4.1 Whilst the Supplementary Planning Document set out the categories of funding to be collected, it did not make any provision for the process by which this funding would be spent, other than the following:-

“These financial contributions will be ring fenced and held until cumulative developments have created sufficient monies, and the infrastructure provider is ready to implement or commission the relevant works”.

4.2 In particular, monies for education and transport, which previously were forwarded to Cambridgeshire County Council under the previous S106 agreements, are now held solely by the District Council. Cambridgeshire County Council officers have flagged up their ongoing need for these funds.

4.3 It should be noted that these monies are also ringfenced by geographical area – it must be demonstrated that the funds are providing infrastructure which mitigates the impact of the contributing development, which would usually mean within the relevant parish.

4.4 The District Council is now the accountable body for all of the funds collected, and it is required to publish information on where and how contributions have been spent on an annual basis, as part of the Annual Monitoring Report produced by the Forward Planning Team.

4.5 To date, the amount of monies collected under these categories is small. Details are set out in Appendix 1. Nevertheless a process should be agreed setting out how these monies will be distributed.

5.0 PROPOSALS

5.1 Following discussion with Cambridgeshire County Council officers the following process is recommended in respect of the distribution of monies collected under the Supplementary Planning Document arrangements:-

Education and Transport Categories

- i) That Cambridgeshire County Council are advised of the amount of funding collected under each category on an annual basis.
- ii) That Cambridgeshire County Council submit detailed proposals to the District Council of the project(s) that they would like to allocate the monies to. This information should indicate costs of the project, other funding sources, anticipated benefits and estimated time of delivery.

- iii) Decisions on the expenditure of the money to be approved by the District Council's Development and Transport Committee.
- iv) Cambridgeshire County Council to provide documentary evidence to the District Council to certify what the monies have been spent on.

Emergency Services

- i) That the emergency services are advised of the amount of funding collected under this category heading on an annual basis.
- ii) That payment of this sum of monies is made on an annual basis to the emergency services
- iii) The emergency services to provide documentary evidence to the District Council to certify what the monies have been spent on.

Community Facilities, Sports Facilities, Open Space, Cost Recovery

- i) That these monies be amalgamated with the future income which will come in from the Community Infrastructure Levy, but bearing in mind the particular geographical restriction which will apply to their use.
- ii) That these monies are held in the District Council's accounts until sufficient monies have been accumulated to progress suitable infrastructure projects.
- iii) That the recently completed Village Visions and Village Plans be used to help steer identification of projects. A six monthly update is now being sent out to the parish councils about developer contributions and sums of money available, and the District Council will advise the relevant Parish Council when significant sums have accumulate.

5.2 An annual review report will be made in respect of proposed use of the Community Infrastructure Levy funding, and linked to the Council's annual budget processes. This report will be considered by the Community & Environment Committee, Development and Transport Committee and Finance and Governance Committee.

6.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT

6.1 There are no additional financial implications arising from this report.

6.2 Equality Impact Assessment (INRA) not required.

7.0 APPENDICES

Appendix 1 – Developer Contributions received under SPD from Feb 2011 – end Sept 2012.

Background Documents**Location****Contact Officer**

Supplementary Planning Document Contributions and Planning Obligations February 2011, amended August 2011.

The Grange,
Ely

Shirley Blake, Principal Sustainable Development Officer
(01353) 665555
E-mail: Shirley.blake
[@eastcambs.gov.uk](mailto:Shirley.blake@eastcambs.gov.uk)