



Listening Learning Leading

# **Community Infrastructure Levy Spending Strategy**

**CONSULTATION SUMMARY**

**DECEMBER 2018**

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## SUMMARY

1. This report has been produced to analyse the comments received on the draft Community Infrastructure Levy (CIL) Spending Strategy consultation.

The draft CIL Spending Strategy sets out how South Oxfordshire District Council should allocate CIL revenue to help contribute to the broad range of infrastructure needs that new developments generate.

The consultation ran for four weeks between 17 August and 16 September 2018 and we received 13 responses in total, with a variety of different representatives commenting on the proposed strategy. A full breakdown of the comments and our response to them can be reviewed in Appendix A.

The consultation highlighted agreed support for the development of the CIL spending strategy, as well as some common concerns and considerations, as follows:

- parishes would not benefit from the percentage of CIL payments contributing to education and transport as such transfers may not directly support the needs of the parishes in which the CIL funds were generated
- CIL funds should be spent as local as possible to the development from which they were generated
- the percentage allocation of each spending element is lacking an evidence-based approach
- the need for transparency in the CIL administration, reporting and monitoring processes
- the need for collaborative working and joint agreements between stakeholders involved
- that local need must be met through the CIL process
- enquiries regarding how each element will be specifically spent.

## **BACKGROUND**

To support continued growth in South Oxfordshire, there is a need to ensure the appropriate level of infrastructure is in place to support new housing developments. To help fund this, developers are obliged to pay CIL on new developments to contribute towards such infrastructure needs.

Where a new development has been built, statutory regulations state that the towns and parishes where the development has occurred receive 25 percent of the CIL revenues if they have an adopted neighbourhood plan, or 15 per cent if they have not.

Up to five per cent of the CIL revenue raised can be used to cover administration costs related to tracking, monitoring and reporting on CIL revenue and expenditures.

The CIL spending strategy therefore addresses how the council will utilise the remaining balance of CIL funds generated.

A consultation strategy was developed that provided stakeholders with the opportunity to review and comment on the draft strategy, which, once adopted will then be reviewed after one year to test its effectiveness.

## **METHODOLOGY**

The consultation methodology consisted of the following:

- an email notification to key stakeholders, including district councillors, parish and town councils, developers and land agents providing a link to the documents and details of how to comment. A copy can be found at Appendix B
- preparing a summary of the CIL Spending Strategy, for ease of understanding
- updating the website and publishing the full draft report and summary document and a link to the online survey
- a focused online survey, offering the opportunity for participants to review and comment on the draft strategy in a free text box
- a four-week consultation period for submitting comments (several late comments were also accepted)

## KEY FINDINGS

2. The consultation generated feedback that supports the council's approach to develop a strategy on CIL spending.

Many respondents supported a percentage-based method to the spending strategy, however, some felt that the spending allocations should be formulated on a greater evidence-based approach. Such reasoning behind this is to seek greater transparency between all stakeholders.

The most common concern referred to in the feedback was that parishes, especially smaller ones, would not directly benefit from CIL expenditure. This theme is apparent in comments suggesting that CIL funds should be spent local to the development in which it is generated. Furthermore, comments emphasised that local need must still be met through the spending strategy, with concerns that fixing allocations will not necessarily be appropriate or meet the requirements of the diverse communities throughout South Oxfordshire.

Several comments referred to the need for greater transparency in the reporting and monitoring of CIL, emphasising the need to understand the financial implications behind delivering key infrastructure especially for major housing developments in the district. The consultation highlighted the need for transparency on how we determine the percentage split for different infrastructure types and how this is directly invested.

Other comments included general queries and questions clarifying the process for CIL, requests for higher percentage allocations or clarification on how specific provisions will be spent, for example green infrastructure, biodiversity and the exclusion of air quality provision.

All comments received have been reviewed by the Infrastructure and Development Department and feedback has been provided. This can be found in Appendix A.

## HOW WE HAVE USED RESULTS OF THE CONSULTATION

Thank you to everyone that has participated in the consultation. The officers' response to all comments received can be found in Appendix A.

The final strategy document has taken into consideration all comments received and was adopted by the council on Friday 9 November 2018.

The council will complete a pilot during the next financial year, to measure the strategy's effectiveness.

## FURTHER INFORMATION

For information about the consultation or the results presented in the report, please contact the Community Engagement Team at:

**[haveyoursay@southandvale.gov.uk](mailto:haveyoursay@southandvale.gov.uk)**

To enquire about the councils' work on CIL Spending, please contact the Infrastructure and Development Team;

**write to us on:** South Oxfordshire District Council  
135 Milton Park  
Milton  
Abingdon  
OX14 4SB

**email us on:** [communityinfrastructure@southandvale.gov.uk](mailto:communityinfrastructure@southandvale.gov.uk)

**call us on:** 01235 422437

## APPENDIX A

3. A table displaying consultation comments and response feedback from the Infrastructure and Development Department.

<b>Organisation</b>	<b>Q1. Having read the CIL spending strategy, please provide your comments below:</b>	<b>Infrastructure &amp; Development Department Feedback</b>
<p><b>South Oxfordshire District Councillor</b></p>	<p>No comments to make on the spending strategy.</p> <p>What about the collection strategy?</p> <p>Is this also being reviewed?</p> <p>Is the maximum level of £150/m<sup>2</sup> enough to generate the funding needed for education and infrastructure?</p>	<p>The collection is not dealt with by a strategy – it is the CIL Schedule which is the formal policy.</p> <p>The CIL schedule is undergoing review as part of the South Oxfordshire Local Plan. Once the sites are known the viability of proposed development in the district will be assessed and rates / zones will be reviewed. The timetable for this is being governed by the Local Plan and viability work will commence once a decision is made in December 2018.</p> <p>The current charge is subject to annual indexation, so we are currently collecting more than £150 per square metre.</p>
<p><b>Elegant PPM Ltd</b></p>	<p>We note that 50% of CIL payments will go towards Education and Transport Infrastructure, overseen by OCC. We believe that a large % of those funds should be delivered back into the education and transport infrastructure needs of the Parish that has delivered though CIL funds. Parish's should be incentivised to accept development through increased funding opportunities, over and above the 15% or 25% of CIL funds they receive back. There needs to be accountability so developer's CIL contributions that are given to OCC for education and infrastructure are funnelled back to support the needs of smaller</p>	<p>This is a common concern, which is why a Memorandum of Understanding is currently being prepared between the council and OCC/OCCG, prior to the start of the fiscal period for which the annual transfer will be made.</p> <p>This will highlight those projects that OCC/OCCG will use the funding to support. Although it cannot be guaranteed that 100% of funds will be used exactly in the Parish from which they were generated, the council will endeavour to utilise such an approach as well as it can.</p>

	<p>parishes. Many small parishes are struggling to keep their local primary schools going with a lack of central funding from the governments. Many need to expand or upgrade their current facilities. Direct funding from OCC which has come from CIL contributions made by developers who have built within that Parish will encourage Parish's to support development, thus increasing housing delivery in smaller Parish's but also increasing funding to all local schools.</p>	
<p><b>Tetsworth Parish Council</b></p>	<p>The percentage allocation to OCC and OCG at 50% and 20% seem sufficient as long as these figures are spent locally to the developments that the CIL has been generated from.</p> <p>The remaining 30 % for SODC spending again must to spent as local to the development that the CIL is generated from. Smaller villages are often overlooked, and spending tends to go to local towns instead.</p>	<p>Please see comment above re OCC/OCCG.</p> <p>Similarly, council departments receiving funding will be requested, as much as possible, to support those parishes where the new housing developments have occurred.</p>
<p><b>Berinsfield Parish Council</b></p>	<p>a) The Parish Council would like to see more than 5% allocated to Green Infrastructure/Biodiversity provision.</p> <p>b) Berinsfield Parish Council is disappointed that Berinsfield was allocated 1700 new houses in the village as a non-strategic site which would get CIL, and the site has now become a strategic site which will not get CIL. The Parish Council would like confirmation of this.</p>	<p>a) Noted - the percentages will be reviewed annually based on departmental performance and the council priorities. However, if more is to be added here the question arises as to where it should be reduced.</p> <p>b) If Berinsfield is allocated as a strategic site in the emerging Local Plan then it will be subject to a section 106 agreement. The Parish Council will continue to be involved in discussion benefits to the community from the development.</p>

<p><b>Watlington Parish Council</b></p>	<p>1. The strategy is a higher-level document that is aimed at the internal (County and District) audience, rather than town and parish councils. It does not offer guidance to town/parish councils on how they should process CIL payments or the type of projects for which CIL can be used. Also, it does not detail the limits of CIL in terms of use and timescale, i.e. CIL must be spent within five years or the local council may have to repay the charging authority all or part of the CIL receipts. However, the strategy does detail the annual reporting requirement by town/parish councils (Paragraph 23.vi and Appendix 4 – Annual Report for CIL funded Projects) but then goes on to address the requirement for an annual review that would seem to be applicable only to the County and District and not towns and parishes. Paragraph 23 states that:</p> <p>iv. The process should be annually reviewed, particularly in terms of the percentage allocations for infrastructure types, based on the effectiveness of delivery i.e. how much of the allocated funds departments have spent, and on project impact, i.e. the benefit such funds have had in the community. This paragraph should be rewritten to include towns and parishes and to make the review mandatory by deleting the word 'should' and replacing it with the phrase 'is to'.</p> <p>Also, as payment of CIL is not made until development begins the strategy should include an administration process that details the amount of CIL due to each parish as calculated at the time of the granting of planning permission and accruing over the year from</p>	<p>1. Guidance as to how Parish Councils can utilise CIL funding is available on our <a href="#">website</a>. In principle, however, the CIL funding can be used by Parish Councils on anything they consider infrastructure development. Footnote 3 in the report states that CIL funding needs to be spent within five years.</p> <p>The annual percentage review is for OCC/OCCG and our own departments, as the 15/25% for the Parish Councils is set by government statute not by the council. All entities are required by law to report on CIL expenditures.</p> <p>It is not possible to work on an accruals basis as some housing developments will not start even if planning permission is granted. This is why the process runs on an actual basis.</p> <p>Parishes can communicate with the council's planning department to stay informed of future revenue schemes. As such CIL revenues may be provisionally included in the Parish's annual budgets.</p> <p>2. This strategy is focused on how the council will spend CIL funds after the parish council and administration deductions are made. How Parishes are to spend CIL funds is stated elsewhere on our website. Regarding the administration of the CIL funds in the Parish Councils, this is beyond the remit of the strategy, however, support is also available from the Oxford Association of Local Councils.</p>
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	<p>1st Jan to 31st Dec. Parishes would then be able to make sure that their own record of planning permissions is in line with SODC's and will be able to budget ahead in the knowledge of what will be paid as and when development starts.</p> <p>2. In short, the strategy should be broadened to include guidance to town and parish councils on: the accounting for and administration of CIL receipts; procedures for notifying the payment authority of the type and timescale of proposed CIL projects; bidding procedures for additional CIL support for infrastructure projects that fall outside the local council's remit but are required because of the impact of local development (Appendix 2 - OCC/OCCG Form for CIL Funding, does not include Town/Parish Councils) and an annual reporting and periodic review process that includes all levels of local government.</p>	<p>The are no plans for a bidding process as no CIL funds will remain unutilised.</p> <p>Appendix 2 of the CIL strategy does not include parish councils as they do not need to apply to the council to receive their funds.</p>
<p><b>Ptarmigan Land</b></p>	<p>Approach to percentage splits by infrastructure types: We do not object to a percentage approach to distributing CIL funds as this seems a pragmatic approach. However, there is little explanation of how the percentages have been reached. The strategy states that: "as this is the first CIL Spending Strategy, there is no precedent on which to base percentage allocations. A basic reasoning approach has been adopted to arrive at unbiased percentages for all parties concerned."Although this is the first CIL spending strategy, the Council have an understanding of the infrastructure requirements needed as a result of growth through the evidence that was commissioned and submitted alongside the examination of the CIL Charging Schedule and the Council's Infrastructure</p>	<p>We acknowledge that the percentage allocation lacks a thorough evidence-based approach.</p> <p>However, previous section 106 expenditures over the previous four years were analysed and shown in the full CIL strategy document available on our website. OCC originally asked for the transportation/education split to be flexible for the moment. Should the district council believe this needs to be revised, this could be examined as a part of the annual review process and changed in 2020/21.</p>

Delivery Plan. This evidence would give a broad understanding of the proportional split between infrastructure types to help inform the percentage allocations. The proposed strategy is very limited in explanation as to why 50% was deemed sufficient for Oxfordshire County Council, and it is surprising that no indication has been given about the split between education and transport. The Council produced a Community Infrastructure Levy Infrastructure Planning and Funding Gap paper in February 2015 to support the CIL Charging Schedule and form part of the evidence base for the CIL examination. Table 1 of that paper identified the funding gap for education, public transport and wider transport was £201,012. This was approximately 86% of the total funding gap identified for the district. Although this information may need updating, it provides a useful indication and could be cross checked against more up to date information in the infrastructure work associated with the emerging Local Plan. Given the rural nature of the district as a whole and the pressures on transport, as evidenced through the Core Strategy and the emerging Local Plan evidence bases, we would expect more evidence and reasoning to be provided about how these percentages had been reached, and how they reflect proportional investment needs as a result of the growth between infrastructure types. CIL will be an important income stream to top up other funding streams for transport alongside S106 and external sources. We would therefore welcome a more evidence-based approach to the determination of the percentage split between the infrastructure types and think that, for the

	<p>sake of transparency, the percentages for transport and education should be separated. General We think it is positive that the CIL Spending Strategy at footnote 2 acknowledges that once the Local Plan is finalised the amount of S106 designated developments may increase. The approach taken previously in the CIL Charging Schedule was based on viability of strategic allocations that had a high level of S106 obligations. It is likely that this approach will be needed again in the future in parts of the district where lower values are present and where there are high site-specific costs for infrastructure.</p>	
<p><b>The Chilterns Conservation Board</b></p>	<p>The Chilterns Conservation Board welcomes the inclusion of biodiversity in the CIL spending strategy. However, it is unclear in the strategy as currently drafted how the SODC element will be spent, and we ask that provision is made and confirmed in the strategy document for partner organisations to bid for funds to deliver biodiversity projects. It is likely that Chilterns Conservation Board would be interested in using CIL funding to deliver ecological enhancement projects in the Chilterns AONB.</p>	<p>The biodiversity allocation will be handed to the relevant department and incorporated into its budget for 2019/20 who will work with partners to deliver appropriate projects.</p>

<p><b>Savills on behalf of Bloor Homes</b></p>	<p>Savills is instructed by Bloor Homes to provide a response to the consultation on the above CIL Spending Strategy. This representation is made with particular reference to Bloor Homes' land interest at Ladygrove East, Didcot.</p> <p>Bloor Homes is seeking to progress an outline application for residential-led development on this site in late 2018/early 2019. Currently, as a large allocated housing site, Ladygrove East is zero-rated for CIL and any application will be subject to a Section 106 agreement that secures financial contributions towards local infrastructure improvements considered necessary.</p> <p>Nonetheless, Bloor Homes is mindful that the South Oxfordshire CIL will be reviewed in its entirety in 2019 alongside the ongoing work to progress the new Local Plan 2033 through to formal adoption. Bloor Homes will continue to monitor progress on both the Local Plan and the CIL Review and, if necessary, will make further representations at the appropriate time in response to these emerging documents.</p> <p>Bloor Homes is aware that any application to develop Ladygrove East will be required to make a proportionate financial contribution to the delivery of the Didcot Northern Perimeter Road Phase 3 (NPR3). This key piece of infrastructure is specifically excluded</p>	<p>It is important to manage expectations as to how much revenue will be generated by CIL and what needs it can meet.</p> <p>The funding to be forwarded to OCC, for example, will only represent a small part of their annual spending plans. As such, CIL should not be looked as a means to meet all the infrastructure needs for the district. CIL funds generated are likely to fall a long way short of that.</p>
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from CIL as per the Regulation 123 List of April 2016 that remains valid today.

Bloor Homes is supportive of the decision to zero-rate Ladygrove East for the purposes of CIL and also to exclude NPR3 from being funded by CIL receipts given the role the road can play in facilitating the further expansion of Didcot.

Nonetheless, Bloor Homes retains an interest in the amount of money the Council receives from CIL and how those receipts are allocated. In line with national planning guidance, the financial contributions that Bloor Homes will agree to provide in the Section 106 agreement accompanying any planning permission for Ladygrove East will need to proportionate to the impacts of the proposal itself. As such, the Council will need to find additional sources of funding to ensure infrastructure projects are fully funded and delivered.

To date, the Council has produced "CIL Annual Financial Statements" for the financial years 2016/17 and 2017/18. These have been relatively high-level reports that confirm the total amount of CIL monies received, the level of those receipts required to fund administrative tasks related to CIL and the amount of CIL receipts passed over to Town and Parish Councils.

Whilst it is understood that the Council is required to produce an annual statement confirming these matters for the benefit of the towns and parishes of the districts, these statements do not provide sufficient information on how the remaining CIL receipts are

Agreed, annual spending reports will need to be more substantial in future years.

used to fund the key infrastructure projects that are ordinarily delivered by the Council, Oxfordshire County Council (OCC) and the Clinical Commissioning Groups (OCCG) and the relationship of those CIL receipts to the range of funding secured by SODC, OCC and others to facilitate development in Didcot and beyond. This means that it is difficult for Bloor Homes to be confident that the proposed Spending Strategy is soundly based.

It is important that the spending strategy is not viewed in isolation and SODC should satisfy itself that the proposed proportionate distribution of CIL receipts is soundly based, having due regard to the infrastructure requirements in the District.

Paragraph 18 of the consultation document places the onus on OCC to request an annual payment of CIL receipts that outlines the projects those receipts will be spent on in line with the current IDP. These projects need to have been fully costed and confirmed as deliverable in a specified timescale. This is a reasonable approach.

However, at this stage, there is concern that there is limited information to understand if 50% of CIL receipts will be sufficient to deliver the necessary education and transport improvements needed to support the large-scale growth planned for the District. If OCC cannot fund these projects with their 50% share of the total CIL receipts, the requirements placed upon them in Paragraph 18 are largely superfluous. It is important that this is considered now to ensure that sites remain deliverable and SODC's housing strategy is realised.

This concern applies equally to the allocations for OCCG and SODC itself. It is expected that CIL receipts will be needed to help fund, at least in part, the remaining cost of infrastructure projects to which Ladygrove East will also make financial contributions towards (NPR3 excluded).

In line with national guidance, for a financial contribution levied on Ladygrove East to be justified, it must link to a project that can be fully funded and delivered. If this cannot be proven, then the contribution from Ladygrove East will not be justified and should not be requested as part of a Section 106 agreement.

Therefore, it is of paramount importance that SODC applies a joined up approach and consider these matters now to ensure that the proposed Spending Strategy is sound and deliverable. Bloor Homes welcome the proposal that this Strategy will be reviewed annually as it will provide the Council an opportunity to “course correct” if key infrastructure is not being delivered due to lack of funds.

It will be necessary for SODC to provide a much wider annual update on how it is spending CIL. There needs to be complete clarity on reporting and monitoring, so applicants and residents alike can understand how CIL receipts are being spent and how they have enabled the delivery of key infrastructure in a timely manner. Furthermore, these annual statements need to look

	<p>forward to the following year(s) to outline how future CIL receipts will be spent. For Bloor Homes, who intends to bring forward a key allocated site, a report after the event is not particularly helpful. A soundly based strategy based on predicted expenditure and delivery timeframes, is critical.</p> <p>In summary, Bloor Homes does not object to the Spending Strategy in principle and recognise that a percentage-based approach to allocating CIL receipts will provide certainty for all. However, at this stage, it is unclear if the proposed allocations will ensure necessary infrastructure will be delivered. Moving forward, it will be essential to link the annual review of these allocations within the Spending Strategy to the most up to date evidence and ensure that CIL receipts are spent in the most effective way. This will allow the ambitious growth planned for the District to be supported by the necessary infrastructure.</p>	
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<p><b>Oxfordshire County Council</b></p>	<p>Response to Consultation on the South Oxfordshire District Council proposed CIL Spending Strategy: The following comments are made on behalf of Oxfordshire County Council in response to the South Oxfordshire District Council's (SODC) consultation on its draft Community Infrastructure Levy (CIL) Spending Strategy.</p> <p>We welcome the opportunity to respond and work with SODC in utilising the CIL to help facilitate sustainable growth within South Oxfordshire. While the various comments below are numbered this is for ease of reference and does not necessarily imply priority of any statement. 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 SODC 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 (3rd para) that the list (Reg</p>	<p>Replying to each point in return:</p> <p>1: Agreed CIL revenues have not as yet generated the same funding levels as the S106 process.</p> <p>2/3: To remove Education from the Regulation 123 list is unlikely, however, this suggestion can be discussed at the next review meeting.</p> <p>4: A table of previous S106 spending has been included in the full CIL strategy and has influenced the fact that the majority of funds have been allocated to OCC.</p> <p>The limit of OCC spending to transport and education was based on an original request from OCC to do so. This was agreed to on the basis that should the various other infrastructure items be included then the CIL funding may be spread too thin to have an impact.</p> <p>5: There is no guarantee that education will be removed from the Regulation 123 list as such this suggestion is somewhat redundant. Furthermore, percentages have to be fixed so that the process can work on an actual basis. However, they will be reviewed annually. An indicative percentage would not work as other recipients would have to access to receive less.</p> <p>6: Noted. However, such amounts would be quite small and unlikely to have an impact on OCC budget</p>
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<p>123 List) will be updated on a regular basis and reviewed annually. 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 SODC 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. We note that SODC has previously proposed (in 2017) to change the education component of the Reg 123 List and the County Council supported that in its comments lodged in October 2017. Removing Education infrastructure altogether is we consider, a simpler and more effective way forward.</p> <p>3. This request arises in part from a comparison of the overall value of contributions identified in our Single Responses with the likely CIL residual receipts. The amount of identified Education contributions that have not been able (because of the current CIL Reg 123 List) to be secured to date through S106s exceeds the total likely forecast residual income to 2027 (Core Strategy Plan period).</p> <p>4. With regards to the proposed CIL percentage allocations as set out in Table 1 of the consultation</p>	<p>commitments. That said your suggestion could be considered an option should such an event arise.</p> <p>7: We are currently in need of the 5% administration support to cover the cost of salaries of staff to undertake both CIL collection and spending. Unfortunately, CIL allocations can only be used to support infrastructure projects not admin costs. This same rule applies to the recipient council departments.</p> <p>8: Forms for CIL applications and reporting can still be amended and are open for discussion with the relevant council staff. However, the present format of what funding is required, what it will be used for, and how many people will benefit does not seem overly burdensome.</p> <p>9. The July 2017 FAQs for Town and Parish Councils will be updated as there seems to be a need for greater guidance on how parishes can spend CIL revenues.</p>
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document we note that no precedent has been used on which to base the proposed allocations. An assessment of S106 secured in the 4 years prior to April 2016, while not necessarily a direct comparison, suggests that the percentage of S106 funding justified and secured towards County Council infrastructure & services exceeded 65% of the contributions.

Regarding Table 1 in the consultation:

i. The 50% identified against OCC infrastructure equates to between 35% & 40% of the overall gross CIL receipts (a significant drop from the 65% referred to above ):

ii. The Table 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.

5. The County Council requests that;

i. 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 1; i.e. the 50% is an indicative level as opposed to a ceiling.

ii. 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).

This would enable SODC, working with the County Council (& 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 SODC.

6. In paragraph 20 of the draft strategy it states that "Any allocations not utilised by the year end could be transferred to other council departments, ...". We presume that this potential re-allocation relates to the proportions ringfenced in Table 1 to SODC delivery (i.e. Sports & Leisure, Public art etc.). Given our comments above (para. 5) any such non-utilised allocations should also be considered when assessing allocation submissions by the County Council.

7. 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 SODC the

	<p>equivalent of one fifth of the 5%.</p> <p>8. We look forward to working with SODC 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 seek review and refine where appropriate the CIL funding application form (Appendix 2 of the consultation document) to ensure that it is administratively both straightforward.</p> <p>9. Within the consultation document (paragraph 2) it states that CIL can only be used to fund infrastructure as set out in the existing Regulation 123 List. However, while local authorities must spend the levy on infrastructure needed to support the development of their area there is a wider range of things upon which a town or parish council may spend their (neighbourhood) proportion, provided that it meets the requirement to “support the development of the area”. The Reg 123 List is not a definitive list of infrastructure upon which CIL will be spent. However, as referenced above (re Education infrastructure) it does impact critically upon the ability to secure S106 contributions towards infrastructure on it.</p> <p>I trust that this is helpful.</p>	
<p><b>South Stoke Parish Council</b></p>	<ul style="list-style-type: none"> <li>• Where a small village/Parish Council or Parish Meeting does not have the resources and/or the inclination to carry out a Neighbourhood Plan, but does formally consider housing and other community improvements within a Village/Parish Plan, this should</li> </ul>	<p>Government regulation stipulates the 15% and 25% divide. The council cannot change that.</p> <p>2. As mentioned above, an agreement will be drawn up between the council and OCC/OCCG to ensure as much</p>

	<p>be recognized in terms of CIL by the awarding of a 20% share for any housing developments – other than small windfall or infill - that are suggested by that Village/Parish Plan, supported by the community, receive Planning Permission, and is then implemented by the PC.</p> <ul style="list-style-type: none"> <li>• For the proposed 50% of CIL awarded to OCC - after deduction of the T or PC 15 or 25%, and the 5% which goes to SODC for admin – for OCC’s Education and Transport infrastructure (= Roads), the T or PC from which this 50% arises, should receive 15 or 25% of this amount for their own pre-specified Education and/or Transport Infrastructure projects, as maybe identified in their respective Neighbourhood or Village/Parish Plans.</li> </ul>	<p>as possible such funds are spent in areas where they are generated. It will not be possible to allocate OCC/OCCG funds to parish councils. That said parishes are advised to contact OCC/OCCG to ensure their needs are known. Should parishes wish to directly support projects undertaken by OCC/OCCG agreements may be arranged for that to take place (similar to the Memorandum of Understanding that the council is setting up).</p>
<p><b>Oxfordshire Clinical Commissioning Group</b></p>	<p>To confirm the OOCCG commissions health care services to all residents registered with an Oxfordshire GP. We are pleased to note that SODC 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 OOCCG 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 OOCCG an opportunity to plan and support infrastructure and estate where it is required and where the population has grown. The proposed</p>	<p>Thank you for the positive feedback. The Memorandum of Understanding format will be shared with you as soon as available.</p>

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 OOCCG 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. The OOCCG is very keen to continue working closely with SODC 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.

Please note any future Memorandum of Understanding would also need to pass through our committee structure for formal approval. We look forward to working with you and continuing this dialogue to support the health needs of the SODC residents.

<p><b>Henley Town Council</b></p>	<p>Henley Town Council supports the proposed CIL percentage allocations as listed in Table 1 but is concerned about the omission of Air Quality as an infrastructure type – unless it is included in one of the other categories?</p> <p>Henley Town Council also feels that the suggested reporting requirements for parishes are onerous. Currently we return a simple statement from the RFO/Accountant. We aren't sure why Henley has to meet SODC's objectives – we are meeting infrastructure demands in Henley rather than across SODC as a whole.</p>	<p>Noted regarding the omission of air quality. When the percentages are reviewed next year this category of infrastructure will be considered further.</p> <p>Current reporting requirements are considered too light (one line in some cases) and do not fully explain how CIL funding has been utilised. We will review the requirement to show how a project meets SODC's objectives.</p>
<p><b>Wallingford Town Council</b></p>	<p>Wallingford Town Council is concerned by the proposal, that once the parish component of CIL is deducted from developer contributions, the remainder be allocated by way of fixed percentages between OCC, SODC and Primary Health Care. Our objection, is not on the precise numbers attached to these percentages, but that in making any such fixed allocation you are assuming that county wide requirements are representative of local needs. Why, for example, should OCC receive 50% of the remaining CIL allocation, even in areas affected by a development which is well served by County services, but in obvious need of major investment in primary health care?</p> <p>Wallingford Town Council objects to the proposed changes as it will remove all flexibility for CIL contributions to be allocated based on genuine local needs. We feel that the current system, whereby the</p>	<p>As noted above, the MoU with OCC/OCCG will endeavour, as much as possible, to ensure that OCC/OCCG funds are spent to support those areas in which housing development has occurred and as such infrastructure needs are highest.</p> <p>These are not changes as there has never been a CIL strategy before. This system has been brought in at a national government level and as such the council is obliged to follow it.</p> <p>Again this is a complaint against the move from an S106 system to the CIL system. This is a national policy and the council is obliged to implement it.</p>

needs of the local community should inform the use of CIL from each and every planning application based on needs of the community predominantly affected by the liable development, should be retained.

There is also an underlying principle at stake here. In assuming that CIL be allocated in fixed proportions, you are weaken the requirement for planning officers to ensure that they properly understand the needs of communities affected by development at the time of planning applications. By retaining the current system, planning officers are effectively incentivised to ensure the best deal is obtained from the CIL contributions, and that negotiations between the statutory bodies involved in spending CIL properly research, defend and challenge CIL expenditure based on local need. We can appreciate that this imposes a certain overhead in operations, but we feel it is the correct way to best serve the interests of local communities and benefits transparency. Were you to adopt fixed allocations, the incentives to properly understand the needs of, and impacts upon, local communities affected by CIL liable developments will be greatly reduced.

## APPENDIX B

A copy of the email notification sent to all consultees.

Dear Sir / Madam,

We are inviting comments on our draft Community Infrastructure Levy (CIL) Spending Strategy, which sets out how we think the council should allocate CIL revenue. The strategy has been formulated so that funds from CIL go towards the infrastructure that new housing developments need, such as roads, parks, community and health centres and schools.

You can view the strategy and a short summary with some background information [here](#).

**To provide your comments on the CIL Spending Strategy, please visit:**

[https://survey.southandvale.gov.uk/s/CIL\\_2018/?m=12345abcde](https://survey.southandvale.gov.uk/s/CIL_2018/?m=12345abcde)

**Responses can be submitted until Midnight on Sunday 16 September 2018.**

Once the consultation is complete, we will publish a summary report on the feedback received and the council's response to any main issues or suggestions received. Only the names of organisations submitting responses will be included in the report, not individuals. Consultation data will be deleted after the report has been published.

Feedback received from the consultation will be considered when preparing the final version of the strategy.

For more information about the consultation, or to obtain a paper copy of the strategy and/or a response form, please email [haveyoursay@southandvale.gov.uk](mailto:haveyoursay@southandvale.gov.uk) or call 01235 422600.

Kind regards

Jodie Wales  
Community Engagement Officer, South Oxfordshire District Council

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If you do not wish to receive further emails from us, please click the link below, and you will be automatically removed from our mailing list.

[https://survey.southandvale.gov.uk/s/CIL\\_2018/?m=12345abcde&optout=1](https://survey.southandvale.gov.uk/s/CIL_2018/?m=12345abcde&optout=1)