

HAMBLETON DISTRICT COUNCIL

Report To: Cabinet
14 January 2014

Subject: COMMUNITY INFRASTRUCTURE LEVY (CIL) – DRAFT CHARGING SCHEDULE

**All Wards outside the North York Moors National Park
Portfolio Holder for Housing, Planning and Waste Management: Councillor B Phillips**

1.0 PURPOSE AND BACKGROUND:

- 1.1 The purpose of this report is to seek the approval of Cabinet to undertake public consultation on a Community Infrastructure Levy (CIL) Draft Charging Schedule.
- 1.2 In December 2012 Cabinet approved for consultation the CIL Preliminary Draft Charging Schedule. Since then public consultation has been undertaken between January – March 2013 and officers have been working on the issues raised. This work has included further viability assessment with revised assumptions on housing densities, land values, average house sizes and sales prices. This additional work has been presented in an Addendum Report to the original viability report which has been placed in the Members' Lounge and on the Council's website. A summary of this work is set out in Annex A.
- 1.3 In response to consultation and amendments to the CIL Regulations and Guidance, changes are proposed to the CIL Charging Schedule, the most significant changes relate to:
- i. a reduction in the residential rate from £85 to £65 per square metre;
 - ii. a slight reduction in the retail rates from £115 to £100 per square metre for supermarkets and from £45 to £40 per square metre for retail warehouses;
 - iii. agriculture-related developments (excluding dwellings) now zero rated;
 - iv. including an exemptions / exceptional relief policy.
- 1.4 The above amendments mean that the proposed Draft Charging Schedule rates are now as set out in Annex B.
- 1.5 Further viability work suggested that a reduction in the rate for residential developments would be appropriate in order to reach a reasonable balance between development viability and delivery of necessary infrastructure. In the case of the retail rates, these have been set by applying the mid point of the recommended 50-75% of the maximum rates range. The £10 base rate on commercial uses (offices, industrial) has been retained in order to remove the potential need to revise the CIL Charging Schedule in the short term and because the viability evidence suggests that such a charge will constitute only about 1% of overall costs and will not be a determining factor in whether development takes place.
- 1.6 As part of the evidence base for introducing CIL the Regulations state that the Council must demonstrate that there is a significant funding gap between the costs of identified infrastructure and the projected funding through CIL receipts and other funding sources. It should be made clear that CIL receipts alone will not provide all the required funding for the identified infrastructure schemes. An analysis of this is set out in Annex C which demonstrates a gap of approximately £17.6 million. There is an assessment of projected CIL receipts anticipated over the remaining plan period to 2026 which takes account of the

reduction in the CIL rates as proposed in the Draft Charging Schedule (DCS) and the requirement for the charging authority to pass on a 'meaningful proportion' of CIL receipts to local communities. Since the consultation on the preliminary draft the Government identified that 15% of CIL receipts raised in a parish or recognised local area should be passed on to the local town or parish council to fund locally identified infrastructure schemes. In areas where Neighbourhood Plans are adopted this proportion rises to 25%. There is also provision within Regulations for set up and administration costs relating to the introduction and management of CIL to be recouped by the Council. This is set at the maximum of 5% of CIL receipts per annum and is included in the assessment.

1.7 Annex D contains the Draft Regulation 123 List of infrastructure projects identified to be funded either wholly or in part by CIL which the Council is required to publish at the next consultation stage. It has been devised in liaison with other service providers and attempts to align with their investment plans. The schemes are not listed in priority order but the Council will need to exercise some level of prioritisation in order to deliver the most necessary schemes first.

1.8 The following timetable is proposed for the preparation of a CIL Charging Schedule up to its adoption:

Task	Date
Consultation on Draft Charging Schedule (6 weeks)	24 January – 7 March 2014
Cabinet and Council approval of Draft Charging Schedule for Submission	By 8 April 2014 (Council)
Submission	Mid April 2014
Examination	July 2014
Adoption	October / November 2014

2.0 LINK TO COUNCIL PRIORITIES:

2.1 CIL will help fund infrastructure necessary to support housing and employment development and strategic recreation facilities which are Council priorities.

3.0 RISK ASSESSMENT:

3.1 There are no significant risks associated with approving the recommendations of this report.

3.2 Risk in not approving the recommendations:

Risk	Implication	Prob*	Imp*	Total	Preventative action
Further delay in the delivery and adoption of the CIL Charging Schedule	Longer timescale for delivery and adoption of CIL will result in loss of earlier developer contributions and a delay in the pay back of set-up costs. Also without CIL in place by April 2015, the ability to receive contributions through Section 106 agreements will be significantly limited.	4	5	20	Agree recommendations

Risk	Implication	Prob*	Imp*	Total	Preventative action
The introduction of changes to the CIL Regulations that could introduce changes to the evidence required for authorities that have not published a Draft Charging Schedule.	The Council could be required to return to the Preliminary Draft Charging Schedule stage in order to meet new requirements causing a delay in the introduction of CIL and further costs to the Council in terms of staff resources, funding, time and potential CIL receipts lost.	4	5	20	Agree recommendations
Non-conformity with the CIL Regulations 2010 (as amended)	Failure of CIL Charging Schedule to meet the requirements for approval and subsequent adoption. Significant staff resource, funding and time lost in undertaking the process with no CIL in place and limited powers available to raise funds through S106 after April 2015.	3	5	15	Carefully follow the Regulations

Prob = Probability, Imp = Impact, Score range is Low = 1, High = 5

3.3 Overall, the risks related to not agreeing with the recommendations of this report outweigh the risks of agreeing them. Therefore, the risks associated with agreeing the recommendations are considered acceptable.

4.0 FINANCIAL IMPLICATIONS:

4.1 The timescale for delivery of the CIL Charging Schedule has slipped but this will not have any significant impact on the costs of delivering the Charging Schedule other than officer time and resource. The delay in adopting the Charging Schedule from the original date of October 2013 until October 2014 may have some financial impact in terms of payments from proposals that may have been due through CIL rather than Section 106 during this 12 month period. However, with the recently announced delay in the implementation of Section 106 limitations by the Government to April 2015 and the work undertaken on like-for-like comparison of CIL and Section 106 receipts, the financial difference remains negligible.

4.2 Revisions to the proposed CIL rates will reduce the anticipated CIL receipts during the plan period and other sources of funding will be required to fill the funding gap.

4.3 The Council will need to meet the costs of the Public Examination which is estimated to be approximately £10,000. This is provided for in the CIL project budget for 2014/15.

5.0 LEGAL IMPLICATIONS:

5.1 Without the CIL Charging Schedule in place, the Council will find it difficult to defend a refusal of a planning application at appeal on the grounds of a developers' reluctance to pay an identified financial contribution. This could lead to the risk of costs being awarded against the Council.

- 5.2 The Council will need to follow the CIL Regulations (2010) as amended to ensure that the proper legal procedures have been adhered to.
- 5.3 The arrangements for receiving and managing contributions may require legal mechanisms between the Council and delivery partners such as the local highways authority, NYCC Children and Young People's Services and other relevant parties. This should not be difficult to accomplish but will need to be agreed and in place prior to the CIL Charging Schedule being adopted.

6.0 RECOMMENDATIONS:

- 6.1 It is recommended that the CIL Draft Charging Schedule be approved for public consultation and the results be reported back to Cabinet prior to submission for examination.

MICK JEWITT

Background Papers: CIL Viability – Addendum Report (Nov 2013) (Peter Brett Associates)
CIL Viability Technical Note (Nov 2013) (Peter Brett Associates)
Schedule of Responses to PDCS Consultation
Infrastructure Delivery Plan
Infrastructure Funding Gap analysis note
Projected CIL Receipts analysis
Evidence of revenue through historic Section 106 agreements
Draft Regulation 123 List
Draft Instalments Policy
CIL Exceptional Circumstances Relief Policy
CIL Exemptions Policy

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Summary of Background Work on Preparation of the CIL Draft Charging Schedule

The content of this Annex summarises the work undertaken in responding to issues raised during the Preliminary Draft Charging Schedule (PDCS) consultation held in early 2013. It also outlines the outcome of the work resulting in the recommended changes to the CIL (Draft) Charging Schedule. There is also information on other relevant aspects of the CIL process including an update on CIL Regulations and Guidance.

Background Work

1. Since the public consultation was held between January – March 2013, to which 76 responses were received, officers have been working with Peter Brett Associates to address the issues raised. This work has included further viability assessment with revised assumptions on housing densities, land values, average house sizes and sales prices. This additional work has been presented in an Addendum Report to the original viability report, produced by Peter Brett Associates.
2. Work has also been undertaken on identifying the infrastructure funding gap between the cost of identified infrastructure, the anticipated receipts through CIL, taking account of the ‘meaningful proportion’ for local communities, as well as further work on updating the supporting evidence for the charging schedule. The outcome of this work has led to a number of amendments to the charging schedule since it was consulted on as the preliminary draft.
3. The main issues raised during the public consultation were presented to Members in a briefing session on 11th June 2013 and related to:
 - i. the £10 rate on agricultural development
 - ii. the £10 rate on non-residential (office, industrial)
 - iii. the rate for residential development too high – viability challenged
 - iv. the assumptions on land values, densities, margins and house sizes challenged
 - v. the rates for retail too high – differential rates should be revisited
 - vi. an exemptions policy should be explored
 - vii. the impact of CIL on small house builders will be disproportionate.

CIL Draft Charging Schedule

4. As a result of the issues and additional work outlined above, some changes have been made to the Preliminary Draft Charging Schedule to ensure that the advice provided reflects recent guidance and responds to the main issues raised through consultation responses. These changes are now incorporated into the proposed Draft Charging Schedule. The significant changes relate to:
 - i. a reduction in the residential rate from £85 to £65 per square metre;
 - ii. a slight reduction in the retail rates from £115 to £100 per square metre for supermarkets and from £45 to £40 per square metre for retail warehouses;
 - iii. agriculture-related developments (excluding dwellings) now zero rated;
 - iv. including an exemptions / exceptional relief policy.

5. The amendments show a reduction of approximately 10-15% in charges for the retail categories and 20-25% for residential development. Revised viability work based on the information gathered at the preliminary draft stage and an updated model suggests that a reduction in the rate for residential developments would be appropriate in order to reach a reasonable balance between development viability and delivery of necessary infrastructure.
6. In the case of the retail rates, these reductions have been made as a result of further viability assessment to the original viability model for non-residential developments using a revised model. In both cases, the rates have been set by applying the mid point of the recommended 50-75% (62.5%) of the maximum rates range. There is a reduction in the anticipated level of receipts which the Council expects through CIL, however, the reduction is not so significant as to wholly jeopardise the delivery of the identified infrastructure to be funded fully or in part by CIL.
7. Members took the opportunity to discuss the proposed retail rates at the CIL Members' Briefing on 26th November 2013. Views on the level of the supermarket rate were mixed as to whether a £90 or £100 charge would be appropriate. In light of this, the approach taken has been to apply a mid point calculation as outlined above, resulting in a proposed rate of £100 per square metre. The Members' Briefing also considered the application of the £10 base rate on commercial uses (office, industrial). Again, views were mixed. However, in order to remove the potential need to revise the CIL Charging Schedule in the short term to introduce a base charge, the £10 rate has been retained in the proposed Draft Charging Schedule. The viability evidence suggests that such a charge will constitute only about 1% of overall costs and therefore will not be a determining factor in whether development takes place.
8. A number of supporting papers, including the Addendum Report by Peter Brett Associates, have been prepared and are to be published alongside the Draft Charging Schedule. These papers relate to the infrastructure funding gap, draft Regulation 123 list, historic revenue negotiated through Section 106 agreements, a draft instalments policy and a draft exemption / exceptional circumstances relief policy. The Council is consulting with North Yorkshire County Council on the content of these supporting documents.

Infrastructure Funding Gap and Projected CIL Receipts

9. As part of the evidence base for introducing CIL, the Council must demonstrate that there is a significant funding gap between the costs of identified infrastructure and the projected funding through CIL receipts and other funding sources. It should be made clear that CIL receipts alone will not provide all the required funding for the identified infrastructure schemes. An analysis of this is set out in Annex C of the Cabinet Report which demonstrates a gap of approximately £17.6 million. This gap will need to be met through other funding sources such as the Local Enterprise Partnership (LEP) Growth Fund.
10. There is also an assessment of projected CIL receipts anticipated over the remaining plan period to 2026. This assessment takes account of the reduction in the CIL rates as proposed in the Draft Charging Schedule and the requirement for the Charging Authority to pass on a 'meaningful proportion' of CIL receipts to local communities. Since the consultation on the preliminary draft, the Government identified that a proportion of 15% of CIL receipts raised in a parish or recognised local area should be passed on to the local town or parish council to fund locally identified infrastructure schemes. In areas where Neighbourhood Plans are adopted, this proportion rises to 25%. There is also provision within the Regulations and the analysis undertaken for set up and administration costs to be claimed by the Council relating to the introduction and management of CIL. This is set at the maximum of 5% of CIL receipts per annum.

Regulation 123 List – Identified Infrastructure Schemes

11. The Draft Regulation 123 List identifies infrastructure projects to be funded either wholly or in-part by CIL. The Council is required to publish this list at the Draft Charging Schedule consultation stage and it contains schemes necessary to deliver planned development growth for Hambleton. It has also been devised in liaison with other service providers and attempts to align with their investment plans as far as practicable. The schemes are not listed in priority order. However, the Council will need to exercise some level of prioritisation in order to deliver the most necessary schemes first. The Regulation 123 List can be amended and updated at regular intervals, provided that an appropriate level of consultation has taken place.

Revisions to CIL Regulations and Guidance by Government

12. Government will shortly be introducing further reforms to the CIL Regulations and Guidance following consultation on potential changes earlier in the year. The anticipated date for the introduction of these reforms is late January 2014. Changes may impact on the requirements for the charge setting process in terms of the publication of evidence at the DCS stage. Transitional arrangements will be put in place as the reforms are introduced. However, where local authorities have published a Draft Charging Schedule prior to the revised CIL Regulations and Guidance being published, then the new requirements will not apply and existing Regulations and Guidance should be followed.

**HAMBLETON DISTRICT COUNCIL
COMMUNITY INFRASTRUCTURE LEVY (CIL)
DRAFT CHARGING SCHEDULE**

ANNEX B

This Charging Schedule has been prepared in accordance with Part 11 of the Town and Country Planning Act 2008 and the Community Infrastructure Regulations 2010 (as amended). It is supported by local evidence regarding infrastructure requirements and the impact of the levy on the viability of development, as set out in the background reports. These can be found on the Council's website as part of the CIL evidence base (www.hambleton.gov.uk/cil)

Levy Rates

The rates below will be charged against the gross internal floor area of:

- All new dwellings.
- All other built development (over 100 sq m in size).
- All net additional floor area of replacement development where it exceeds 100 sq m.

Development Uses	Levy Rate (per sq m)
New Residential Development (Private Market Housing)	£65
Retail Warehouses ¹	£40
Supermarkets ²	£100
Public/Institutional Facilities as follows: education, health, community and emergency services	£0
Agricultural related developments*	£0
All Other Chargeable Development ³	£10

How the CIL charge will be calculated

In accordance with the Regulations, where applicable, the Council will issue a Liability Notice that states the chargeable amount on the granting of planning permission or as soon as possible after the grant of planning permission. The Council will calculate the amount of CIL chargeable using the formulae set out in the CIL Regulations (as amended).

Full details of the way in which CIL will be calculated, together with an overview of CIL and the full CIL Regulations can be found on the Government website:

<https://www.gov.uk/government/publications/community-infrastructure-levy-guidance-charges>

¹ Retail warehouses are defined as large format stores specialising in the sale of household goods (such as carpets, furniture and electrical goods), DIY items and other ranges of goods catering mainly for car-borne customers by having large adjacent dedicated surface car parking.

² Supermarkets are defined as large format, self-service stores, usually with large adjacent dedicated car parks, that are principally used as people's main weekly food and essential consumer good shopping (although some comparison goods will often also be sold). A large proportion of supermarket customers will use a trolley, rather than a basket in the store.

³ This means all other chargeable development as identified in Regulations and Guidance – industrial, offices etc.

* Agricultural related developments exclude agricultural worker's dwellings. These are covered by the residential charge.

**Hambleton District Council
Community Infrastructure Levy (CIL):
Infrastructure Funding Gap**

ANNEX C

Introduction

In order to introduce CIL, Hambleton District Council, as the charging authority, must demonstrate a shortfall in funding between the expected total cost of infrastructure needed to support development growth in the area over the plan period and the level of funding likely to be forthcoming from other sources of funding for infrastructure. This will identify a CIL infrastructure funding target.

The April 2013 CIL Guidance states that the information on the charging authority area's infrastructure need should be directly related to the infrastructure assessment that underpins their relevant plan. The Government also recognise that there will be uncertainty in pinpointing other infrastructure funding sources, particularly beyond the short term.

Hambleton prepared an Infrastructure Delivery Plan (IDP) as part of its evidence base for the Local Development Framework (LDF) Allocations Development Plan Document which was adopted in 2010. The IDP identifies the key infrastructure requirements needed to support the level of planned growth in the charging area. The infrastructure requirement is largely based on the IDP adopted as part of the LDF Allocations document but also reflects other infrastructure priorities which have become apparent since then.

The table below provides the most up to date information available on the infrastructure funding gap for the charging area. It does not include any infrastructure projects identified in the IDP that would not be eligible for CIL funding or already have sufficient funding identified from other sources.

Infrastructure Type	Infrastructure Requirement	Total Cost	Confirmed Funding Sources	Funding Gap
Road Network / Transport	North Northallerton Link Road	c.£12,000,000	Developer contributions as at 1/11/13 = £393,570	c.£11,606,430
Road Network / Transport	Junction improvements required to mitigate the impact of housing and employment allocations.	Not yet costed	None	Not yet costed
Road Network / Transport	Northallerton Transport Interchange	£750,000	None	£750,000
Road Network / Transport	Thirsk Transport Interchange	£400,000	None	£400,000
Road Network / Transport	Access Improvements to Dalton Industrial Estate	£2,500,000	None	£2,500,000
Road Network / Transport	Bedale (Sub Area) Footpath & Cycleway Network	£2,325,000	Developer contributions as at 1/11/13 = £383,902	£1,941,098
Road Network / Transport	Easingwold (Sub Area) Footpath & Cycleway Network	£150,000	Developer contributions as at 1/11/13 = None	£150,000
Road Network / Transport	Stokesley (Sub Area) Footpath & Cycleway Network	£471,000	Developer contributions as at 1/11/13 = None	£471,000
Education	Provision of additional primary school places required as a result of new development across the charging area.	c.£5,200,000	Developer contributions as at 1/11/13 = £919,978	c.£4,280,022
Education	Provision of a new primary school to be located within the North Northallerton development.	£7,500,000	Developer contributions as at 1/11/13 = £816,060	£6,683,940
Healthcare	Provision of healthcare / GP facilities across the charging area to meet the increased need due to new development.	£696,000	None	£696,000
Open Space	Town Park, Northallerton	£1,079,800	None	£1,079,800
Open Space	North Northallerton Sports & Recreation Area	c. £1,000,000	None	c. £1,000,000
TOTAL		c. £34,071,800	£2,513,510*	c.£31,558,290

* Based on latest figures from Section106 Agreement monitoring – as at 1/11/2013

The table above identifies that Hambleton has a CIL infrastructure funding target of around £34 million.

CIL Revenue Projections

This projection has been updated to reflect the changes to the rates for supermarkets and retail warehouses contained in the Draft Charging Schedule, the reduced residential rate and the Council's decision to remove the £10 rate on all agricultural related buildings. The updated table is provided at Appendix 1 and shows that the revenue projection has reduced to £17,587,635.

Meaningful Proportion (Local CIL Fund)

In addition, it should also be remembered that a meaningful proportion of the CIL generated by development must be allocated to Town or Parish Councils where the development took place. Since the publication of the PDCS, the Government has announced that a local council with an adopted neighbourhood plan will receive 25% of the CIL receipts generated by development within the neighbourhood plan area (provided that planning permission was granted for the development after the neighbourhood plan was adopted) to spend on local infrastructure. In areas without a neighbourhood plan, the local council will receive 15% of CIL receipts generated by development in the area (with a cap on the CIL revenue the charging authority has a duty to give local councils equal to £100 per dwelling in the area in each financial year). Currently, there are no adopted neighbourhood plans within the Hambleton charging area, although there are some local councils currently working towards this.

Whilst local councils may decide to use some or all of the local funds to deliver infrastructure projects identified in the table above, this cannot be guaranteed. On this basis, the revenue projection can be further reduced by £2,726,083 to £14,861,552

Administration Costs

The Council, as charging authority, is entitled to recoup set up costs and administrative fees for the management, monitoring and delivery of the CIL charging process. CIL Regulations allow for a maximum of 5% of annual CIL receipts to be claimed for this purpose. Such a charge of 5% equates to £879,382 over the plan period (£73,282 per annum). This means that the revenue projection can be further reduced to £13,982,170.

Conclusion

The total identified infrastructure funding gap for the District for works required to accommodate planned growth to 2026 is £31,558,290. The total projected revenue from CIL over the same period is £13,982,170. This leaves a funding gap of approximately £17.6 million.

**Appendix 1:
CIL Revenue Projections (2014-2026) and the Meaningful Proportion**

	CIL Charge per sq.m	No. units in plan period (note 1a)	Market Units (note 1b)	Unit floorspace (note 2)	Gross floorspace (note 3)	Estimated net additional proportion	Estimated net additional floorspace (note 4)	Estimated CIL revenue in plan period	Estimated annual CIL revenue (2014-2026) (12 years)
Residential									
Houses	65	3,480	1,914	130	248,820	95%	236,379	15,364,635	1,280,386
Non-Residential									
Retail warehouses	40				3,000	90%	2,700	108,000	9,000
Supermarkets	100				3,000	90%	2,700	270,000	22,500
Offices & Industrial (50%) - (note 5)	10				195,000	90%	175,500	1,755,000	146,250
Other Chargeable Development	10				10,000	90%	9,000	90,000	7,500
Total								17,587,635	1,465,636
Less following costs									
5% Admin fee	£879,382	(£73,282 p.a.)							
5% Admin fee + meaningful proportion (notes 6 and 7)	£879,382 + £2,506,238 (@ 15%)	(£229,694 p.a.) +							
	£219,845 (@ 25%)	(£20,149 p.a.) =	£3,605,465					16,708,253	1,392,354
								13,982,170	1,165,181

Notes:

- 1a. taken from the Local Development Framework (2014-2026).
- 1b. affordable housing is not liable for CIL. We assume that an average of 45% affordable is achieved.
2. the average unit size is based on assumptions applied in the viability assessments.
3. office and industrial floorspace relates to the 75ha sought in the Core Strategy, converted to floorspace based on the 85:15 split between industrial and offices. 40% site coverage is assumed for both uses, with industrial assumed to be single storey and offices three storey on average. Retail floorspace is an estimate based on one new supermarket and one new retail park being permitted over the plan period.
4. CIL is levied on net additional floorspace, so an allowance is made for existing buildings demolished to make way for new development.
5. the assumption is that 50% of allocated employment land is developed.
6. the meaningful proportion is limited to the value of £100 per existing dwelling in the identified local area each financial year.
7. 15% is calculated against 95% of overall market dwelling provision and 25% against 5% of overall market dwelling provision.

**Hambleton District Council
Community Infrastructure Levy (CIL):
DRAFT Regulation 123 List**

Introduction

This document has been prepared in accordance with Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended). CIL Regulation 123 restricts the use of planning obligations for infrastructure that will be funded in whole or in part by the Community Infrastructure Levy, to ensure no duplication between the two types of developer contributions.

Charging authorities are required to publish on its website a list (the Regulation 123 list) setting out those projects or types of infrastructure that it intends will benefit from CIL funding. The Regulation 123 list can be reviewed at any time but it is likely that the Council will undertake to do this annually, following the publication of the Council's Annual Monitoring Report which will identify progress on collecting and spending CIL. In line with Government guidance on the preparation and implementation of the CIL, the Council will undertake appropriate local consultation when reviewing the Regulation 123 list.

The inclusion of a project or type of infrastructure in this list does not signify a commitment from Hambleton District Council to fund, either in whole or in part, the listed project or type of infrastructure through CIL. Nor does the order of the list imply any order of preference or weighting of one project against another.

This Draft Regulation 123 list has been prepared in support of the Council's CIL Draft Charging Schedule that is the subject of public consultation between Friday 24th January and Friday 7th March 2014. It is important to note that Hambleton District Council is not due to implement CIL until Autumn 2014 at the earliest and therefore the contents of the list may change depending on changes to local or national funding of infrastructure, changes to the development pressures and infrastructure requirements facing the District, or changes to the CIL Regulations prior to the Council's implementation of CIL.

Infrastructure To Benefit From CIL Funding

The list below sets out those infrastructure projects that Hambleton District Council intends will be, or may be, wholly or partly funded by CIL.

	Location	Infrastructure Requirement
Road Network & Transport	Northallerton	North Northallerton Link Road and Bridge
	Northallerton	Northallerton Public Transport Interchange
	Bedale	Bedale Footpath and Cycleway Network
	Easingwold	Easingwold Footpath and Cycleway Network
	Stokesley	Stokesley Footpath and Cycleway Network
	Dalton	Access Improvements to Dalton Industrial Estate
	Thirsk	Thirsk Public Transport Interchange
	District – Wide	Strategic junction improvements (not site-specific) required to mitigate the impact of housing and employment allocations.
Education	Northallerton	Provision of new primary school in North Northallerton
	District - Wide	Provision of additional primary school places required as a result of new development.
Green Infrastructure	Northallerton	North Northallerton Sports and Recreation Area
	Northallerton	Northallerton Town Park
Healthcare	District - Wide	Healthcare Facilities – Additional GPs

Continuing Role for Planning Obligations (Section 106 Agreements)

The CIL Regulations 2010 (as amended) include a deadline of April 2015 beyond which restrictions on the pooling of planning obligations (i.e. S106 Agreements and commuted sums) will come into force. From this date, the Council will not be able to pool more than five contributions from separate developments towards a single item of infrastructure not to be funded by the CIL. In order to ensure that developments are not charged twice for the same item of infrastructure, the Council cannot require the provision of any item of infrastructure on the Regulation 123 list via a planning obligation. For example, where education contributions are sought, the CIL receipts will be apportioned by the charging authority against the priority of each scheme. No other S106 contributions will be sought. CIL contributions will be sought for strategic road and junction improvements (not site specific) which will provide improvements to the wider road network. S106 contributions will be sought for site specific works (e.g. access to the site).

Despite these restrictions, there will continue to be an important role for planning obligations in mitigating the site specific impacts of a development and in providing affordable housing. The Council will continue to secure the types of infrastructure identified in its adopted Local Development Framework by way of planning obligations, where they meet the tests set out in Regulation 122 of the CIL Regulations 2010 (as amended) and do not appear on the Council's Regulation 123 list.

Affordable housing, on-site infrastructure requirements and open space provision (in line with Policy DP37 of the Council's Development Policies Development Plan Document) and maintenance payments to ensure the long-term upkeep of open spaces, will continue to be sought via planning obligations.