

David Holmes

From: Roy Warren [Roy.Warren@sportengland.org]

Sent: 16 July 2014 16:25

To: trldf

Subject: CIL Draft Charging Schedule Consultation

Dear Sir/Madam

CIL Draft Charging Schedule Consultation

Thank you for consulting Sport England on the above consultation document. Sport England is the Government agency responsible for delivering the Government's sporting objectives – see <http://www.sportengland.org/about-us/what-we-do/> for more detail . I would wish to make the following comments:

Infrastructure Delivery Plan

While acknowledging that the IDP is not part of the CIL charging schedule, as the IDP provides an important part of the evidence base for the Council's CIL I would wish to make comments on it so that appropriate consideration can be given before the charging schedule is submitted for examination. I have examined the current IDP (March 2012) and while there is a section on Green Infrastructure this does not include sports facilities such as playing fields and other outdoor sports facilities that make a significant contribution to green infrastructure. This is surprising since the Council has a Playing Pitch Assessment (2010) which is considered to be a vital piece of evidence to consider when developing the charging schedule and when allocated collected monies to projects when the levy is implemented in the future. Furthermore, the draft Regulation 123 list (July 2014) includes publically accessible leisure facilities and open space provision (including outdoor/indoor sports and leisure facilities) although the current IDP does not include any indoor and outdoor sports facility infrastructure. As infrastructure on the Regulation 123 list may benefit from CIL funding it is important that such infrastructure can be justified through the IDP which provides the evidence base for the list. It is possible that this issue may be explained by the IDP being out-of-date and not accounting for comments made on the preliminary draft CIL charging schedule when Sport England made similar representations.

To address this it is requested that the IDP include a new section on sports/leisure facilities which identified the gaps in provision identified in the evidence base and the priority infrastructure projects to address such gaps. Such projects should be costed so that the estimated funding gap is clear and the potential that CIL can offer to meet such gaps is identified. This would help support the continued inclusion of such facilities in the Regulation 123 list which Sport England welcomes but without inclusion in the IDP is confusing and difficult to justify. The sporting evidence base should also be used to expand the Infrastructure Delivery Plan and to ensure that sporting infrastructure requirements are clearly set out alongside other infrastructure types. Without this there is the concern that the additional needs generated by new development for outdoor sports facilities will not be addressed through CIL which will be the main mechanism for securing developer contributions for such infrastructure in the future. Consequently, there is a concern that new development will place pressure on existing community sports facilities which the playing pitch strategy has identified are already deficient in relation to meeting current needs (e.g. pitch and changing facility quality).

Relationship to Infrastructure Provision Secured through Section 106 Agreements

As many infrastructure types including sport offer potential to be provided directly by developers through planning obligations as well as through CIL, the charging schedule should provide guidance for developers and the community on the relationship between CIL and site specific infrastructure requirements associated with major developments. At present it is unclear whether a major development which provided on-site (land and infrastructure) community facility provision (such as sport) would need to make CIL payments which could potentially be spent on the same infrastructure off-site. As developers cannot be charged for the same infrastructure through planning obligations and CIL, the charging schedule or its supporting documents should provide clarity and transparency on this issue e.g. through clarifying what infrastructure planned major developments will be expected to provide through planning obligations.

In Kind Infrastructure Delivery

In addition, following the 2014 CIL Regulation Amendments (and revised Guidance), provision has been made for enabling 'in kind' CIL payments for direct infrastructure delivery as well as by land. From consideration of the draft charging schedule, there would not appear to be any reference to 'in kind' CIL payments. As this would provide the flexibility for developers to pay directly for community infrastructure such as sports facilities, the charging schedule should in accordance with the regulations offer sufficient flexibility for such payments and provide guidance on how this will be applied in practice.

I hope that these comments can be given full consideration before the charging schedule is submission for examination. I would be grateful if I could be notified of the submission of the draft schedule, publication of Inspector's recommendations and the approval of the schedule in due course.

Please contact me if you have any queries.

Regards

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