



Peter Loader



By email to: TRLDF@threerivers.gov.uk, [CIL Draft Charging Schedule Consultation](#)

4th August 2014

Dear Sir,

Representation about the Community Infrastructure Levy Draft Charging Schedule

I am writing to formally request the right to be heard at the examination of the Community Infrastructure Levy Draft Charging Schedule. Please would you also notify me of:

- The submission of the Draft Charging Schedule.
- The publication of the recommendations of the examiner and the reasons for these recommendations.
- The approval of the charging schedule by Three Rivers District Council.

Below is a joint representation about the Draft Schedule, which I am submitting on behalf of two cycle campaigning groups:

1. Spokes South West Herts Cycling Group and
2. CTC, the national cycling charity.

Yours faithfully,
Peter Loader

Spokes SW Herts Cycling Group committee member
CTC local campaigner for the Rickmansworth area

CTC's local campaigning network: volunteers who campaign for better cycling conditions in their local area — the largest team of dedicated cycle campaigners in the UK.

Cyclists' Touring Club (CTC) is a Company Limited by Guarantee, registered in England no.25185, registered as a charity in England and Wales No 1147607 and in Scotland No SC042541, Registered Office Parklands, Railton Road, Guildford, Surrey, GU2 9JK.

CTC Charitable Trust is a Company Limited by Guarantee, registered in England No.5125969, registered as a charity in England and Wales No 1104324 and Scotland No SC038626



Founded 1878

**Representation about the Community Infrastructure Levy
Draft Charging Schedule**

from Peter Loader

Spokes SW Herts Cycling Group committee member
CTC local campaigner for the Rickmansworth area

Availability of the Funding Gap Consultation Information

The latest version of the CIL Planning Practice Guidance was added to the Government web site on 12th June 2014, just before the Council started this CIL consultation on 4th July 2014. According to the Guidance on Evidence and Setting Rates (at <http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/rates/evidence-and-setting-rates/>):

“In determining the size of its infrastructure funding gap, the charging authority should consider known and expected infrastructure costs and the other possible sources of funding to meet those costs. This process will help the charging authority to identify a levy funding target.

The Government recognises that there will be uncertainty in pinpointing other infrastructure funding sources, particularly beyond the short-term. Charging authorities should focus on providing evidence of an aggregate funding gap that demonstrates the need to put in place the levy.”

This funding gap information should have been available in the Consultation Documents on the Council’s web site at <http://www.threerivers.gov.uk/Default.aspx/Web/Community-Infrastructure-Levy>. I was unable to find it.

According to March 2012 Infrastructure Delivery Plan , page 46, the estimated amount of money needed for Cycle Facilities for 2011–15 is £150,000 plus two unidentified amounts. At the moment the schemes listed are either incomplete or only partially complete. So this is not a sound basis for calculating the funding gap for cycling facilities for the financial year 2015–16 onwards.

For the future, it may be relevant that the Three Rivers Cycling Strategy is being updated and also Spokes and CTC are about to present a petition to the full Council (details are attached as an appendix):

*“Please would you deliver a programme of safe cycle routes to our schools, using a substantial increase in the cycling budget of the Community Infrastructure Levy.
(This Levy will become payable by developers).”*

However, this is not precise enough to provide a basis for calculating the funding gap for cycling facilities for the financial year 2015–16 onwards.

On 12th August 2013, the Government announced the winning bids from local authorities for money to promote cycling in cities and national parks across England. It involved new funding of £10 per person per year for cycling infrastructure, half from the government and half from the local authorities. Details are at <https://www.gov.uk/government/news/government-shifts-cycling-up-a-gear>.

On 18th July 2014, the House of Commons Transport Select Committee published a report on cycling safety. Details are at <http://www.parliament.uk/business/committees/committees-a>

[z/commons-select/transport-committee/news/report-isolated-communities/](https://www.parliament.uk/commons/select/transport-committee/news/report-isolated-communities/). The main conclusion was that the current government scheme should be rolled out throughout the country by 2020:

“The Transport Committee's report on cycling safety says a cycling budget of £10 per head by 2020 is essential to fund long-term development of cycling infrastructure and to make our roads safer for cycling.

We believe that a good way of estimating the funding gap for cycling facilities for the financial year 2015–16 onwards would be:

- £10 per person per year needed for cycling facilities.
- Less £5 per person per year from winning an early bid for Government match-funding.
- Less approximately £50,000 per year capital funding from Three Rivers District Council/Hertfordshire County Council.

South Oxhey and Watford Rural Parish Council

Setting a zero CIL rate for housing development in South Oxhey may constitute a notifiable state aid under European Commission regulations. In addition:

- Parish Councils may decide that they want to receive and spend a proportion of the CIL generated by their parish. If all parish councils in the District did so, a zero housing CIL rate in South Oxhey would result in Watford Rural Parish Council receiving less CIL money than other Parish Councils. This would make it more difficult for Watford Rural Parish Council to persuade the District and County Councils to increase the priority of cycle schemes in their area by part-funding them. This would result in resources being directed away from South Oxhey and towards other parishes.
- The existing planning obligations apply equally to owners of housing development land whether their land is in South Oxhey or in other parts of the District. (An example is the existing planning obligation for sustainable transport, which is calculated from the number of extra long-term and short-term parking spaces provided by a development). So the imposition of a zero CIL rate for housing seems to represent a subsidy to owners of housing development land in South Oxhey.
- The CIL rate for non-housing development is the same throughout the District. If paying this levy does not affect the viability of non-housing development in South Oxhey, why is it necessary to subsidise housing development?
- The Draft Regulation 123 List specifies that the South Oxhey Regeneration Scheme (which involves some housing) must pay for Education Facilities, Publicly Accessible Leisure Facilities etc., Health Care Facilities, Other Social and Community Facilities, and Emergency Services. But other South Oxhey housing developments will not. If the South Oxhey Regeneration Scheme is viable despite these charges, why are other South Oxhey housing schemes not able to pay them?
- The Draft Regulation 123 List specifies that the South Oxhey Regeneration Scheme (which involves some housing) will not pay for Strategic and Local Transport Proposals, i.e. cycling infrastructure. Would paying its fair share of the cost of cycling infrastructure stop the South Oxhey Regeneration Scheme from being viable?

So it appears not to comply with the Guidance at http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/rates/evidence-and-setting-rates/#paragraph_021:

“A charging authority which chooses to differentiate between classes of development, or by reference to different areas, should do so only where there is consistent economic viability evidence to justify this approach.”

The housing market in Three Rivers District is buoyant and demand for housing is high. So we would like the Council to consider whether it is appropriate not to distort the market for housing development land and instead have the same level of housing CIL for all of the District. The current proposal is certainly not in the best interests of cyclists.

Appendix — Petition to Three Rivers District Council

*“Please would you deliver a programme of safe cycle routes to our schools, using a substantial increase in the cycling budget of the Community Infrastructure Levy.
(This Levy will become payable by developers).”*

The petition has been organised by SPOKES South West Cycling Group and CTC as part of the national Space For Cycling campaign. The national campaign is calling on local Councils to make our streets safe and inviting for people to cycle — regardless of age or ability.

Statement giving reasons for the petition

We believe that cycling to school instead of travelling by motor vehicle cuts congestion, improves health, and reduces pollution.

In Holland 49% of children go to school by bicycle¹ and the Three Rivers Local Plan’s parking standards assume that 6.7% of primary school students and 20% of secondary school students will cycle to school.² Unfortunately, the figures from the County Council’s 2012 travel survey showed that only about 2% of school journeys in Three Rivers were by cycle.³

Transport Initiatives has carried out a cycling safety audit for the District Council. This classifies roads, paths, and crossings in terms of the UK National Cycle Training Standard (Bikeability) Level needed to be able to ride in comparative safety. It highlights many potential local cycle routes to school which are currently unsafe for use by primary school pupils (who have reached Bikeability Level 2) because of the speed and amount of motor traffic. These problems also make the potential routes uninviting for secondary school pupils who have reached Bikeability Level 3.⁴ We believe that implementing safe cycle routes to our schools will increase the percentage of school students choosing to cycle to school and so will reduce journeys to school by motor vehicle. This should even improve the situation for people who choose to travel by motor vehicle.

By the end of 2014, the District Council plan to start using the Community Infrastructure Levy (which is payable by developers) to fund infrastructure that the Council, local community and neighbourhoods need.⁵ The first version of the plan for which infrastructure would be provided by the Levy is based on providing only the

1 *Cycling: the next generation*, an article in the Irish Times. A review of the article by the European Cyclists' Federation is at <http://www.ecf.com/2013/07/cycling-the-next-generation/>

2 Cycle Parking Standards for Schools on page 78 of the Three Rivers Development Management Policies Local Development Document at http://www.threerivers.gov.uk/GetResource.aspx?file=Final_Development_Management_Policies_LDD_Adopted_July_2013.pdf

3 The School Travel by Mode table on page 5 of *Hertfordshire County Travel Survey, Key Results for Three Rivers, 2012* at <http://www.hertsdirect.org/docs/pdf/d/3riversdistpro.pdf>

4 See the results of the safety audit in the *Maps by area* and *Cycling safety audit* sections of <http://www.threerivers.gov.uk/Default.aspx/Web/CyclingInformation>

high priority long-distance cycle routes between towns, not the local cycle routes within towns.⁶ We believe that both local and long-distance cycle routes are needed, and now is the time to raise the money to start implementing local cycle routes as well as long-distance ones, giving priority to providing safe cycle routes to our schools.

5 For more details see <http://www.threerivers.gov.uk/Default.aspx/Web/Community-Infrastructure-Levy>

6 The cycling section of the Three Rivers Infrastructure Delivery Plan 2012 is on page 34 of <http://www.threerivers.gov.uk/GetResource.aspx?file=Three Rivers Infrastusture Delivery Plan 2012.pdf>