

Community Infrastructure Levy

From: Heidi Clarke <Heidi.Clarke@sportengland.org>
Sent: 16 September 2014 15:17
To: Community Infrastructure Levy
Subject: Draft Charging Schedule and Draft planning obligations

Dear Sir/Madam

Thank you for consulting Sport England on the above documents. 'Sporting and recreation facilities' are included within the definition of Community Infrastructure Levy (CIL) infrastructure in the 2008 Planning Act (section 216) which means money raised can be used to fund new or enhanced sports facilities. Sport England would seek the document specifically paragraph 3.8 to be amended to clarify that Sports development will be exempt from paying CIL. In order to provide an informed response Sport England has considered the following documents which will be referenced in the response:

- Draft Charging Schedule
- Infrastructure Delivery Programme 2011 (IDP)
- Draft planning obligations SPD

The Draft Regulation 123 List sets out what CIL money will be spent on. It advises that CIL will be used to fund social infrastructure, including social and community facilities, sports, recreational, play infrastructure and Youth provision, and cultural facilities (excluding on site provisions). This is considered very general.

The IDP adopted in 2011 identifies an aspiration for a new multi-use stadium in Bath and the upgrading of sports field changing facilities. It's understood the Council and Bath Rugby have agreed on a proposal to increase the stadium capacity along with creating an additional site. It also identifies the need for a 4 court sports hall, an additional 25m pool and two artificial grass pitches.

Sport England is aware the Council have started work on both a Playing Pitch Strategy and an assessment of need and opportunity to for a Built Sport Facility strategy. Once finished it is essential that this evidence of sporting needs and priorities must be fed into both the IDP, the CIL Reg 123 list and Obligations SPD. It is quite useful if the council provide a list of infrastructure priorities and then identify which will be part funded by CIL along with other sources of funding and which will be funded by S106 agreements.

In order to increase likelihood of the levy being spent on sport, the Reg 123 list must detail specific projects for sport. Rather than the Reg 123 list having a generic section relating to the provision of strategic sport infrastructure Sport England would recommend the Council to list the sports projects in order of priority and in some detail. Such will increase the likelihood of delivery. Unless the Council identify specific projects on the 123 list, it may be more effective for sporting contributions to be sought through planning obligations however this is only in the case where it can be linked to a strategic housing development.

The Council should be aware that after April 2015, no more than five planning obligations can be used to pool funds for any one piece of infrastructure/project. Therefore the Council will need to think quite strategically and plan effectively for sports infrastructure delivery in the future linking development sites with specific projects to meet identified sporting needs. This will enable the Council to take a proactive approach and ensure the most effective use of planning obligations and CIL together to help deliver this/meet the needs of the population.

Any planning obligations must also pass the following tests as set out in paragraph 204 of the NPPF:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

I trust you find the above helpful. If you have any questions or require further assistance, please do not hesitate to contact me.

Kind regards

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