

**TONBRIDGE & MALLING BOROUGH COUNCIL**

**PLANNING and TRANSPORTATION ADVISORY BOARD**

**16 May 2012**

**Report of the Director of Planning, Transport and Leisure**

**Part 1- Public**

**Matters for Recommendation to Cabinet - Non-Key Decision**

**1 DEVELOPMENT AND INFRASTRUCTURE, CREATING QUALITY PLACES – KCC CONSULTATION DOCUMENT**

**This report updates Members in respect of a response to a consultation document published by KCC seeking views on the future funding and delivery of community infrastructure that KCC is responsible for.**

**1.1 Background**

- 1.1.1 The County Council provides primary and secondary education, adult social care, community learning, libraries and archives and youth services as part of the community infrastructure to serve existing and new communities in Kent.
- 1.1.2 For new developments, developer contributions are currently negotiated using Section 106 Agreements to meet any additional need for these services. KCC has published guidance for developers in the form of the KCC Developers Guide (2007) setting out a methodology for calculating contributions. This is being revised to reflect changes in the way that developer contributions are negotiated, for example, by the introduction of Community Infrastructure Levy.
- 1.1.3 The purpose of the document is to set out KCC's position in the delivery of those elements of community infrastructure that the County is responsible for. It is not a comprehensive framework for delivering all future community infrastructure.
- 1.1.4 A copy of the response, which was returned to KCC by email on the 20<sup>th</sup> April to be within the consultation period, is appended to this report.

**1.2 A brief summary of the document**

- 1.2.1 The document sets out a framework, which KCC intend to use to work with District Councils and the development industry to deliver community infrastructure. It recognises that there are a number of alternative funding sources for providing infrastructure in future and that there are other forms of infrastructure than those that are the responsibility of KCC. In particular there are services and local facilities that fall within the purview of the Borough Council that will feature. In addition, although not strictly infrastructure, there are matters such as affordable

housing provision that put a policy burden on development and are important local considerations in the context of assessing the viability of development and the extent to which other contributions can be obtained. The document is essentially therefore a bidding document for funding for KCC infrastructure.

### **1.3 Key issues addressed by the officer response**

- 1.3.1 That KCC should recognise in the document that Districts will have to take account of all the infrastructure needs arising from new development and that those elements addressed by the Framework are only a part of that consideration.
- 1.3.2 That the document should acknowledge that following the Localism Act communities will have more influence in relation to delivering community infrastructure in their areas.
- 1.3.3 Contributions for Highways, while not strictly community infrastructure per se, are omitted and should be referred to in this document as they were in the previous version, as they are clearly part of the overall picture of development contributions often sought by KCC.
- 1.3.4 The housing growth projections set out in the South East Plan will be reviewed in the light of new District Local Plans and basing growth assumptions on the South East Plan is misleading.
- 1.3.5 Assumptions about the level of service required while KCC is in the process of reviewing those services and the viability and cost of delivering services through community hubs may need revisiting.
- 1.3.6 Clarification and updating in respect of the types of funding that may be available in future and how they will work in practice, especially in respect of CIL.
- 1.3.7 Further guidance and discussions invited on how additional school place/schools may impact on new developments.

### **1.4 Legal Implications**

- 1.4.1 None arising from this report.

### **1.5 Financial and Value for Money Considerations**

- 1.5.1 None arising from this report.

### **1.6 Risk Assessment**

- 1.6.1 There is no risk associated with this report. There potentially was a risk associated with not responding to the consultation, that our concerns would not have been recorded. In particular it is important that KCC see their own position in the context of all the considerations that the Borough Council will need to take into account.

## 1.7 Equality Impact Assessment

1.7.1 See 'Screening for equality impacts' table at end of report

## 1.8 Recommendation

1.8.1 That the Board endorse the comments previously made by officers.

Background papers: Consultation Document:  
Development and Infrastructure Creating Quality  
Places (KCC January 2012)

contact: Ian Bailey

Steve Humphrey  
Director of Planning Transport and Leisure

<b>Screening for equality impacts:</b>		
<b>Question</b>	<b>Answer</b>	<b>Explanation of impacts</b>
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	This is a report seeking endorsement of comments made in respect of a consultation only
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	This is a report seeking endorsement of comments made in respect of a consultation only
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		

*In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.*