

MALDON DISTRICT COMMUNITY INFRASTRUCTURE LEVY (CIL) January 2014**QUESTION 1 Do you feel that the proposed rates are suitably informed by the viability evidence?**

NO:

The list included in the funding gap is impressive but there are some concerns and omissions.

a) The estimates for flood prevention measures needs checking to ensure robustness in anticipating further extreme conditions due to changing weather patterns and the fact channels are intended to flow into tidal waters, which are themselves subject to extreme weather conditions. There is much scepticism from past (and current) experience particularly at Heybridge, but not only there- e.g. current flooding on parts of West Maldon estate near Morrisons after more warehousing was last built but pipes under road not widened to cope with runoff, so gardens are now frequently flooded. Appreciate such issues will be met primarily by S106 condition rather than CIL directly, but it affects the overall viability of the MDP and requires developers to play a full part with flood attenuation measures on their sites.

b) Not enough focus is given to measures to knit the substantial new suburbs at Heybridge and Maldon and the other new developments in with the existing communities and town centre in particular. Given that proposed residents in these suburbs will include a high proportion of elderly and the less well off, and that also demand for central car parking is high, public transport links to interconnect the larger town do need specifically catering for (or resurrecting and developing in the case of Heybridge). A dedicated service is alluded to but proposals are still vague. Notional costs are suggested for an additional service but that is not tested out against likely increased frequency of service for potential users. The funding mix does not define the contribution from CIL or developers or the ECC.

c) Consideration will also need to be given to more central car parking and additional park and ride provision. These costs are not included?

d) There is concern that other organisations responsible for essential parts of the delivery are not giving sufficient endorsement and priority to the Plan, and may therefore not have been forthcoming with accurate figures, or fully considered whether there will be future problems and a need for unwelcome funding at a time of recession.

The Infrastructure Delivery Plan Update rightly confirms that concern - e.g. p9 'no certainty, p11 'varying levels of engagement', p33 'no planned investment programmes', p37 'public sector capital unlikely' etc.

Until such time as the essential infrastructure has been endorsed by the relevant funding authority and is identified in concurrent capital programmes, we strongly believe the developments proposed should be deferred.

Apart from flood prevention, two particular issues for the success of the plan as a whole are mentioned by all the members :

- ensuring pressure on traffic flows is relieved right back to the A12 junctions, not only the immediately adjacent junctions, short ring roads and some traffic lights in Danbury! Peak journey times to the junctions from Maldon and Heybridge should be defined, and used in defining infrastructure targets.

- ensuring a decision on a community hospital so a site can be fixed, and providing a new or relocated gp surgery based at each of the garden suburbs to redress the current shortfall as well as meet future need. Patient to GP ratios should be measured and used in defining infrastructure targets.

d) There is some doubt as to whether the CIL rate proposed in particular for new supermarket buildings or extensions is sufficiently high, because of their adverse effect on smaller providers and start up businesses.

QUESTION 2 Do you believe the evidence on viability is correct?

NO

Assume viability here refers to the CIL rate, rather than the plan itself.

a) There is concern that the land value is subject to market forces which in turn have been influenced generally by recent central government exhortations to build and locally by the draft MDP proposals themselves. The land value given should therefore be at a backdated (lower) value to allow for this?

b) Similarly, the notional 20% profit margin for the developer appears high? Retailers would be delighted if their returns were anything like that figure.

QUESTION 3 Do you think the rates proposed strike an appropriate balance between helping to fund infrastructure through CIL and the potential effects of imposing CIL on the viability of development needed to deliver the aspirations of the LPP?

NO

It follows from the responses to question 2 that the Council needs to be more robust in its negotiations to ensure the maximum viable CIL is obtained. The difference between what is needed and what might be raised is still far too big.

QUESTION 4 Do you think the council should introduce an instalments policy?

NO

As indicated above, the strongest comment of the Maldon Society members on the proposed housing developments is a vociferous insistence that infrastructure for these developments MUST be in place prior to, or at the very least at, occupation, especially traffic measures, flooding and health provision. This follows direct experience of being let down with promised infrastructure during previous development.

Since the general procedure assumes the money will be provided shortly after commencement on site and that development can itself be phased, the further use of instalments seems entirely inappropriate.

QUESTION 5 Do you think the Council should include discretionary relief from CIL for charitable investment or 'exceptional circumstances'?

A simple yes or no is difficult as they are different. It may be desirable to allow charitable relief, but only if this can be determined on the merits of the individual charity concerned, and not automatically on having charitable status alone.

It is clearly impossible to predict now all possible 'exceptional' circumstances which might have merit over the life of the LDP, but as this may open the door to undue pressure from developers, a no is considered preferable.

QUESTION 6 Do you have any other comments on the preliminary draft schedule or supporting evidence?

YES

a) As alluded to in the response to question 1, there is deep concern about the deliverability of the LDP because of the need for concerted action by entirely separate public bodies each with their own decision making structure and finances. Given the empowerment that CIL is intended to bring about, MDC is encouraged to use that authority assertively in its negotiations to ensure comprehensive and effective delivery of its Plan. If MDC cannot wield enough influence to bring the comprehensive plan about, a special joint delivery body may need to be considered, with the specific remit to link housing development to delivery of all related infrastructure.

b) Given the possible shortfall in infrastructure funding and the unwillingness of other potentially suitable communities to accept the burden of development for the district as a whole, in deciding the allocations for spending CIL monies, and other funding streams and existing budgets, MDC are urged to give priority to those communities most affected by the new developments, particularly Heybridge, South and West Maldon, and Maldon town centre. As the strategy for the increased housing is to add

onto the largest existing towns rather than a new town near a railway, every consideration has to be given to ensure the quality of life in those existing communities is maintained for the future. If it isn't, the strategy itself will prove to have been flawed.