

## **OFFICER DELEGATED DECISION 26 MARCH 2021**

**Report title:** Planning Transport and Development - Infrastructure Projects

**Wards:** All

**Portfolio:** Councillor Matthew Bennett, Cabinet Member for Planning, Investment & New Homes

**Report Authorised by:** Eleanor Purser and Sara Waller: Strategic Directors for Sustainable Growth and Opportunity

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### **Report summary**

The report proposes authorisation of the allocation of up to £483,190 from Lambeth Community Infrastructure Levy (CIL) receipts for the year 2020/21 to fund resources for the Planning, Transport and Sustainability (PTS) service. This allocation is associated with the feasibility, scoping, design, consultation, business case development and ongoing management of internal and external delivery partners, associated with ensuring the delivery of infrastructure projects. Should other sources of external or internal funds become available as projects develop, their use may be prioritised over CIL. As such, this figure is a maximum cap and the expectation is that other funds will be drawn down to offset some of these costs where available. The projects the officers have been and will continue to work on are on the Council's Infrastructure Delivery Plan (IDP). It should be emphasised that the allocation of CIL funding in this way is essential in enabling appropriate officer resource to be committed so these infrastructure projects can come forward.

### **Finance summary**

The £483,190 being requested will be funded through CIL Strategic Infrastructure and will contribute towards the delivery of Lambeth's Infrastructure projects in 2020/21.

### **Recommendations**

1. To allocate up to £483,190 from Lambeth Strategic CIL receipts to fund the progression of infrastructure projects from the Infrastructure Delivery Plan being commissioned, project managed and/or cliented by PTS in 2020/21 to enable these projects to come forward.

## 1. CONTEXT

- 1.1 The Borough Plan (2019) sets out an ambitious agenda for the borough, which puts good growth at the heart of realising the borough's objectives. To deliver these strategic objectives, effective planning and delivery of development and its associated infrastructure is required.
- 1.2 The delivery of infrastructure is vital to encourage investment and regeneration within the borough. This stimulates labour market activity, house building and the creation of businesses across the borough. By the same token, these activities encourage opportunities for local residents as well as creating a more harmonious environment to live and work within. The positions identified will be fundamental in helping provide advice, design input and bring forward infrastructure developments in the areas of:
  - Schools and other educational facilities;
  - Health centres and other community facilities;
  - Parks, open spaces, streets and other areas of the public realm; and
  - Transport.
- 1.3 Several infrastructure projects are critically aligned alongside the delivery of the Local Plan. Without those projects and a successfully delivered Local Plan, projected growth in the borough could not be achieved in a sustainable manner. This includes major transport projects, health facilities, school places and further educational facilities. Additionally, site-specific planning obligations may be used to secure delivery of on-site infrastructure; therefore it is critical that the PTS service ensures a team of officers covering the breadth of strategic applications, policy and transport strategy projects work together to ensure that the service inputs in a cohesive and comprehensive way to support the delivery of infrastructure projects across the borough.
- 1.4 The Council's role in facilitating and delivering infrastructure is important in the creation of a pipeline (and ultimately the delivery) of development projects that generate income for the Council in terms of the resulting business rates, New Homes Bonus, Community Infrastructure Levy, Section 106 development contributions and Council Tax.
- 1.5 Policy D3 also identifies that as development-led change occurs at a neighbourhood level, local infrastructure will be considered and co-ordinated to address local needs.
- 1.6 Policy T1 of the Lambeth Local Plan seeks to ensure that sustainable modes of travel are embedded in new development. Policies T2 and T3 require that walking and cycling are prioritised and promoted. Policies T4 and T5 require that public transport infrastructure is enhanced and improved and the use of river transport is maximised. Policy T6 requires that the impact of development is effectively assessed in relation to transport infrastructure capacity. Policies T7 and T8 require that car trip generation is minimised. The associated Infrastructure Delivery Plan identifies strategic transport projects that are critical to enable growth in the borough.
- 1.7 The majority of the Policy team input to infrastructure delivery through work on the Site Allocations DPD. A number of the allocations will enable delivery of key infrastructure, for example health two hospital reconfigurations, MedTech hub, other SLAM and GSTT assets and the primary school/library at Johanna Oasis site.

- 1.8 The Lambeth Transport Strategy sets out the Council's ambitious objectives for the next 20 years and includes a wide range of projects and initiatives that will be required to support growth, make efficient use of resources, reduce transport inequality and enable people to lead healthier lives. The relevant post holders will play a critical role in delivering the above.
- 1.9 Policy T5 identifies that a high-quality public transport system is essential to Lambeth's strategy to promote sustainable travel patterns in the borough, with less reliance on private cars and increasing use of other modes. Improvements to the accessibility and quality of public transport infrastructure are therefore imperative to maximise its use – particularly for the less able. The positions identified carry the expertise to support, advise, collaborate and input to proposals to ensure development comes forward in line with this infrastructure requirement.
- 1.10 The Council has published a list of relevant infrastructure projects that it intends will be or may be wholly or partly funded by CIL. This was formerly the Regulation 123 list but has now been replaced by the Infrastructure Funding statement which includes an Infrastructure List. The work the positions proposed in this report will undertake are within projects contained within the borough level infrastructure projects, set out in the IDP. The PTS officer input includes work and advice to facilitate delivery of a number of these projects, as shown at Appendix I.
- 1.11 Whilst the provision, improvement, replacement, operation or maintenance of infrastructure necessarily sits across a wide range of Council business units and external partners, the key posts identified have critical and key roles in leading on the feasibility, scoping, consultation and business case development for infrastructure projects, which unlock development, as well as the liaison and co-ordination of infrastructure delivery with external partners, both in terms of public sector partners and private developers.

## **2. PROPOSAL AND REASONS**

- 2.1 Posts within the service undertake work that focuses on developing and supporting the Local Plan, and subsequent revisions to that, by recognizing development and growth opportunities. These posts are crucially involved in the preparation of an up-to-date Infrastructure Delivery Plan and the local CIL review (running alongside the current Lambeth Local Plan review). The Development Management process is a key mechanism for achieving many of the objectives of the Local Plan and the Senior Strategic Applications planners will help ensure that the enhancement of existing and new infrastructure within the borough is undertaken to support the growth and additional demand created by new development in the borough.
- 2.2 As identified in section one, the transport positions will be critical in delivering the Lambeth Transport Strategy and associated infrastructure projects (see paragraphs 1.6, 1.7 and 1.8).
- 2.3 It is proposed to allocate funds from Lambeth's strategic CIL receipts to meet salary costs for the posts identified. The funding allocation would cover the salary costs for the financial year 2020/21. This approach would enable the PTS service to:
- Secure the necessary funds to maintain the necessary levels of resource to undertake its work to deliver infrastructure projects;

- Undertake the essential and often resource intensive work required in order to bid for funds, either internally, or externally, to support feasibility and scoping work for infrastructure related projects; and,
- Continue to work to secure external income from external funders to support its work on infrastructure to unlock growth and development.

- 2.4 Regulation 59 of the CIL Regulations 2010 as amended requires the Council to apply CIL on funding the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area. The proposed allocation in this report relates to the provision of relevant infrastructure in accordance with the requirements of the CIL Regulations and the Council's Regulation 123 list.
- 2.5 All provision, improvement, replacement, operation or maintenance of infrastructure requires employment of staff. Provision of infrastructure includes design and development work to be carried out prior to the actual delivery of the infrastructure. The Infrastructure Delivery Plan (IDP) is the means by which the infrastructure needs to support sustainable growth within the Local Plan are identified. The CIL allocation applied for here is in relation to projects on the IDP.
- 2.6 The PTS specific posts identified as being involved in delivery of these projects is set out below. The division is led by the Director for Planning, Transport and Sustainability. These positions are in the main working borough-wide and not limited by area.
- 2.7 For the benefit of this report, the posts have been grouped into 'whole' posts – however it could be that whilst the provision is equivalent to X% of an officer's time, in reality there may be more officers involved in the various aspects of infrastructure delivery within the service and therefore the time expended has been aggregated in this way.
- Senior Planner Strategic applications – P03 – 100%;
  - Senior Planner Strategic applications – P03 – 100%;
  - Principal Planning Officer (strategic) – P05 – 100%;
  - Senior Planner - Vauxhall Stockwell and W Norwood – P03 – 25%;
  - Planner – Central – P01 – 25%
  - Senior Planner Policy – P03 – 100%;
  - Principal Planning Policy Officer - P05 – 100%;
  - Split Principal Transport / Conservation Planner (Projects) – P05 – 100%;
  - Transport Planner – P01 – 100%;,
  - Trainee Transport Planner – S01 – 25%;
  - Directors salary (proportion)
- 2.8 The request for additional CIL drawdown during this financial year of up to approximately £483,190 (compared to last year's request for up to £386,000) is due to the additional infrastructure work that is being undertaken which has necessitated additional officer time being committed from within the Central; Vauxhall, Stockwell and West Norwood teams.
- 2.9 The total cost for these posts is set out in Table 1 below. This includes on-costs (employers National Insurance and pension contributions).

**Table 1: 2020/21 salary costs**

<b>Role/Description</b>	<b>FTE</b>	<b>% of post</b>	<b>Total Cost based on %age (£)</b>
Senior Planner Strategic applications	1	100	<b>57,842</b>
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Principal Planning Officer (strategic)	1	100	<b>66,114</b>
Senior Planner - Vauxhall Stockwell and W Norwood	0.25	25	<b>13,551</b>
Planner – central	0.25	25	<b>11,778</b>
Senior Planner Policy	1	100	<b>57,842</b>
Principal Planning Policy Officer	1	100	<b>66114</b>
Split Principal Transport / Conservation Planner (Projects)	1	100	<b>66,114</b>
Transport Planner	1	100	<b>50,750</b>
Trainee Transport Planner	0.25	25	<b>11,244</b>
Director's salary	n/a	n/a	<b>24,000</b>
<b>Total</b>	<b>7.75</b>		<b>483,190</b>

2.10 Appendix I provides a breakdown of the projects which officers have been involved in supporting delivery of those projects.

2.11 The PTS service has been fundamental in securing external funding to enable delivery of infrastructure and growth and to deliver capital, revenue and business rate receipts to the Council over recent years. This includes:

- Successfully negotiating the Island Site proposals at Vauxhall through the planning committee process at the end of 2018. In addition to providing 257 residential flats, a 618 bedroom hotel, and significant new office space, the scheme also enables the new Vauxhall traffic gyratory to come forward (which is a major infrastructure project funded by both Lambeth and TfL); and a CIL payment of c. £22.5m;
- Entering in planning performance agreements and pre-application negotiations around the Keybridge House site which generated in excess of £15m in S106 contributions, CIL funding, revenue income receipts, over 300 jobs created during construction, support of local business a new primary school and over 200 jobs expected to be created post development;
- Entering into design and build negotiations to bring forward the redevelopment of the Clapham Park Estate (4,077 dwellings) with more than £11m in CIL and S106 contributions, delivery of major transport improvements to the South Circular Road and a new local centre on King's Avenue to support the local community;
- Delivery of key development projects in Waterloo (e.g Shell Centre) in order to bring forward new public realm to support increased employment and residential density; and,
- Advanced negotiations on Elizabeth House which, if granted planning permission, will deliver enhanced infrastructure to the Waterloo area.
- HBC funding for the SADPD securing external funding to enable delivery of infrastructure

### **3. FINANCE**

- 3.1 As per Table 1 above the requested CIL strategic Infrastructure requirement is £483,190 and will contribute towards the delivery of Lambeth infrastructure in 2020/21
- 3.2 The recommended amount is a maximum figure and the actual drawdown could be less depending on vacancies within the service area and whether other funding is available.

### **4. LEGAL AND DEMOCRACY**

- 4.1 This report seeks an allocation from CIL receipts in order to fund infrastructure projects being delivered by specific roles within the Planning Transport and Development service.
- 4.2 Section 216 of the Planning Act 2008 and the related Community Infrastructure Regulations 2010 (as amended) requires the Council to apply CIL or cause it to be applied, to funding infrastructure. Infrastructure includes facilities such as roads and other transport facilities, educational facilities, medical facilities, sporting and recreational facilities, and open spaces. The Council's relevant infrastructure projects are those included in its Regulation 123 list referred to in paragraph 1.5 of this report.
- 4.3 It is noted in the body of this report that the proposed allocation is made pursuant to Regulation 59 of the Community Infrastructure Regulations 2010 (as amended). The government's on-line Planning Practice Guidance (paragraph 71 in the advice on the Community Infrastructure Levy) explains that this allows CIL to be used to fund a very broad range of facilities and that this flexibility gives local areas the opportunity to choose what infrastructure they need to deliver their Local Plan. It also advises that local authorities must spend CIL on infrastructure needed to support the development of their area, and they will decide what infrastructure is needed and that CIL is intended to focus on the provision of new infrastructure and should not be used to remedy pre-existing deficiencies in infrastructure provision unless those deficiencies will be made more severe by new development.
- 4.4 The Council will need to consider this advice in deciding on the proposed allocation set out in this report.
- 4.5 With reference to the above, any use of Section 106 contributions must be in accordance with the purposes specified in the relevant agreements and the decision maker must be satisfied that the proposed spend is consistent with those purposes.
- 4.6 The Council's Constitution requires that all key decisions, decisions which involve resources between the sums of £100,000 and £500,000, and important or sensitive issues, must be published on the website. However, in accordance with Paragraph 13 of the Access to Information Procedure Rules (Part 3, Section 2 of the Council Constitution), the Monitoring Officer has given the authority to waive the pre-notification period for reasons of urgency.

### **5. CONSULTATION AND CO-PRODUCTION**

- 5.1 Not applicable. Each project delivered by officers will be subject to its own consultation strategy.

## **6. RISK MANAGEMENT**

- 6.1 The main risk if this CIL allocation is not approved will be that the infrastructure projects required to support the delivery of sustainable growth will not progress and therefore cannot be delivered, which will impact on the Council's corporate programme

## **7. EQUALITIES IMPACT ASSESSMENT**

- 7.1 An Equality Impact Assessment for this report is not relevant at this stage. Each infrastructure project which requires planning permission is subject to an Equalities Impact Assessment. With respect to CIL, a full EIA was carried out in 2013 for the adoption of Lambeth's CIL Charging Schedule and this continues to be relevant and accurate. That report states: "The infrastructure and services that CIL will provide (for example schools, medical and community facilities, improvements to green open spaces, and transport) will enhance accessibility and liveability of all sectors of society, including all equality groups."
- 7.2 The 2015 Local Plan, which includes the infrastructure plan, underwent a sustainability appraisal, which also covered the statutory requirements for an Equality Impact Assessment. This can be found in the online Local Plan evidence base. The work undertaken as part of the current review of the Local Plan in the Submission version of the Lambeth Local Plan (2020), including the updated draft Infrastructure Delivery Plan (IDP) has also been subject to the same processes.

## **8. COMMUNITY SAFETY**

- 8.1 The infrastructure projects that PTD are involved in for which CIL is being allocated contribute indirectly towards the safety of the local population in Lambeth. (see 9.1 below)

## **9. ORGANISATIONAL IMPLICATIONS**

### **Environmental**

- 9.1 These infrastructure projects for which CIL is being allocated include a number of environmental improvements that will benefit the local population in Lambeth. Failure to deliver these key infrastructure projects will mean that the borough is not keeping pace with increases in development in the borough, failing to adequately mitigate the impacts of that development and thereby failing to deliver sustainable growth. Insufficient infrastructure can be a contributory factor of increases in air pollution and can also compromise community safety.

### **Health**

- 9.2 Not applicable.

### **Corporate Parenting**

- 9.3 Not applicable.

### **Staffing and accommodation**

- 9.4 Existing posts in existing building

## **Responsible Procurement**

9.5 Not applicable.

## **10. TIMETABLE FOR IMPLEMENTATION**

10.1 The funding covers financial year 2020/21 only.

10.2 The table below details the stages and deadlines for implementing the recommendations:

<b>Activity</b>	<b>Proposed Date</b>
Publication on Decisions online	26/03/21
Officer or Cabinet Member Decision	26/03/21

## AUDIT TRAIL

Consultation				
Name and Position/Title	Lambeth Directorate	Date Sent	Date Received	Comments in paragraph:
Councillor Matthew Bennett	Cabinet Member, Planning, Investment and New Homes	17/03/21	22/03/21	
Eleanor Purser and Sara Waller, Strategic Directors	Sustainable Growth and Opportunity	11/03/21	12/03/21	Throughout
Matthew Gaynor, Assistant Director of Finance	Finance and Investment	20/11/20	14/02/21	In finance section & throughout
Greg Carson, Legal Services	Legal and Governance	03/11/20	03/11/20	4.1 to 4.5
Maria Burton, Democratic Services Officer	Legal and Governance	03/11/20	16/11/20	Throughout

## REPORT HISTORY

<b>Original discussion with Cabinet Member</b>	Throughout 2020
<b>Report deadline</b>	N/A
<b>Date final report sent</b>	N/A
<b>Part II Exempt from Disclosure/confidential accompanying report?</b>	No
<b>Key decision report</b>	No
<b>Date first appeared on forward plan</b>	N/A
<b>Key decision reasons</b>	N/A
<b>Background information</b>	<u>CIL Regulations 2010 as amended</u> <u>Future Lambeth 2016-2021</u> <u>Lambeth Local Plan 2015</u> Infrastructure Delivery Plan Borough Plan (2019) Draft Lambeth Transport Strategy Local Plan in the Draft Revised Lambeth Local Plan (DRLLP) 2018
<b>Appendices</b>	Appendix 1: Capital Investment Programme Infrastructure Projects

## APPROVAL BY OFFICER IN ACCORDANCE WITH SCHEME OF DELEGATION

I confirm I have consulted Finance, Legal, Democratic Services and the Procurement Board, and taken account of their advice and comments in completing the report for approval:

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Post:** Rob Bristow  
Director Planning Transport & Sustainability

I approve the above recommendations:

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Post:** Eleanor Purser,  
Strategic Director, Sustainable Growth & Opportunity

**Any declarations of interest (or exemptions granted):**

**Any conflicts of interest:**

**Any dispensations:**