

**OVERVIEW AND SCRUTINY COMMITTEE  
(REGENERATION & ENVIRONMENTAL SERVICES)**



**INFRASTRUCTURE WORKING GROUP  
FINAL REPORT  
DECEMBER 2014**



# Overview & Scrutiny

**'Valuing  
Improvement'**

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## LEAD MEMBER'S INTRODUCTION

I am very pleased to introduce this Overview and Scrutiny Committee (Regeneration and Environmental Services) Infrastructure Working Group report; the purpose of which is to consider the infrastructure issues arising from the preparation of the draft Local Plan.

The Working Group adhered to its established terms of reference and objectives (see paragraph 2 below) in interviewing witnesses and its drafting of recommendations; and it is hoped that the recommendations will help guide the Council and our communities during the Local Plan process. It would appear that engaging with the local community is essential and an example of this would be their involvement in how a proportion of a community infrastructure levy is allocated to projects which they say is important to them. The involvement with the local community in such ways will help build in growth, flexibility and acceptance of the Local Plan through to 2030.

I wish to thank all those people who gave up their valuable time to be interviewed by the Working Group. The input and expertise of interviewees greatly helped the Working Group in the formulation of its recommendations. Finally, I am extremely grateful to my fellow cross-party Working Group Members for their commitment to the well-being of our citizens and for their ideas and contributions.



Councillor Fred Weavers,  
Lead Member, Infrastructure  
Working Group



## 1.0 BACKGROUND

- 1.1 At its meeting on 18 March 2014, the Overview and Scrutiny Committee (Regeneration and Environmental Services) considered a report of the Head of Planning Services suggesting that the Committee establish a Working Group to consider the infrastructure issues arising from the preparation of the draft Local Plan. Information on the Local Plan can be obtained by using the following link <http://www.sefton.gov.uk/localplan>

The report was in response to a recommendation of the Overview and Scrutiny Committee Management Board held on 25 February 2014 requesting that the Committee establish such a Working Group to investigate, as soon as practicably possible, infrastructure issues regarding the Local Plan, in order that the work could be undertaken in line with the timescales of the Local Plan.

- 1.2 The Overview and Scrutiny Committee (Regeneration and Environmental Services) approved the establishment of the Infrastructure Working Group and appointed Councillors Dutton, Gatherer, McKinley and Weavers to serve on it.
- 1.3 At the first meeting of the Working Group Councillor Weavers was appointed Lead Member. Details of Working Group meetings are set below:-

Date	Activity
23.04.14	Scope Review and presentation from Keppie Massie
13.05.14	Interview Key Witnesses – Mike McSorley and Ivan Guy, Learning Support, Sefton MBC re: School Places Interview Key Witness – Phil Esseen, Landscape Services, Sefton MBC re: Open Space Provision
3.06.14	Interview Key Witnesses – Stephen Birch, Strategic Transportation Planning Unit, Sefton MBC and Steve Cook and Huw Jenkins, Merseytravel re: Transport, Traffic and Access Issues
24.06.14	Interview Key Witnesses – Iain Blakeley, Flood Risk – Environment Agency; Steve Howell, Catchment Manager – United Utilities and Graham Lymbery, Flood and Coastal Erosion Risk Manager – Sefton MBC re: Flood and Risk Drainage Interview Key Witness – Carolyn Berry, Strategic Estates Adviser, NHS Property Services re: Provision of Health Facilities
15.07.14	Interview Key Witness – Ian Loughlin, Senior Planner, Sefton MBC re: Assessing the Social Impact of Development Interview Key Witness – Alan Young, Strategic Planning and Information Manager, Sefton MBC re: Affordable Housing
05.08.14	Interview Key Witness – Tony Leo, Director of Commissioning (Merseyside), NHS England re: Planning for Health Care Facilities
02.09.14	Site Selection Methodology Process and consideration of recommendations
17.11.14	Informal meeting with Councillor Maher, Cabinet Member – Regeneration and



	Tourism to consider draft recommendations
25.11.14	Meeting to “sign-off” Final Report and recommendations

## 2.0 TERMS OF REFERENCE AND OBJECTIVES

2.1 The Terms of Reference and Objectives of the Working Group were approved as part of the scoping exercise at the first meeting and are set out below. The comments of the Working Group are set out below each Terms of Reference and Objective.

### 2.2 Terms of Reference

1. To understand the varied requirements for infrastructure generated by development, the constraints imposed by viability, and the varying responsibilities of those who provide infrastructure.

Working Group comment - In broad brush terms we understand the varied requirements for infrastructure generated by development. The presentation by Keppie Massie (see Paragraph 4.1) was helpful in terms of understanding ‘viability’, however, it did appear to be focused on developer and landowner issues, less attention seemed to be focused on sustainable development from a community perspective including an objective assessment of social value/ impact as part of the analysis. We recognise that this is a policy approach set by government, and that the Council has undertaken various other studies to look at some of these aspects including a consequences study, sustainability appraisal and equality impact assessments.

2. To engage with organisations responsible for providing infrastructure related to development promoted by the Local Plan.

Working Group comment - We have had several useful meetings, however some of the discussions were at a macro abstract level and didn’t provide hard evidence of the impact ‘on the ground’ (for specific sites) to aid the formulation of recommendations. We believe that our scrutiny trails were in keeping with the functions of Overview and Scrutiny and would help us make meaningful recommendations.

3. To make recommendations to Cabinet for ensuring that the provision of infrastructure is properly co-ordinated and that it is available when needed to meet the requirements of the Local Plan.

Working Group comment – Achieved.

4. To evaluate the Infrastructure proposals ensuring the proposals are sufficient to meet the needs of the Community and make recommendations thereon.



Working Group comment – Not achieved and the Working Group group have made recommendations. We acknowledge the wide ranging and complex nature of the local plan. We understand that the planning system comprises 2 key parts – strategic planning (ie local plans) and development management – where individual planning applications come forward for decisions. We would like to ensure that the Local Planning Authority maximises the use of planning conditions and formal legal agreements when determining applications so that essential infrastructure highlighted in the Local Plan (Infrastructure Delivery Plan) is secured through the planning process and applications/decision making.

5. To take account of how Neighbourhood Plans link into Sefton’s Local Plan

Working Group comment – Proposed in recommendations.

## 2.3 Objectives

1. To understand the different kinds of infrastructure required to facilitate development, including distinguishing between that which is necessary and that which is desirable.

Working Group comment – The Working Group understand the different kinds of infrastructure required for development. However the ability to distinguish between what is desirable and what is necessary is more problematic unless it is at a very abstract level, e.g. is it more important to have adequate drainage than to control traffic congestion? To truly reflect what infrastructure is needed would require a more localised view on what is desirable and what is necessary, taking local factors into account.

2. To understand who is responsible for providing infrastructure and in particular what infrastructure is the responsibility of the Council.

Working Group comment – Generally we think this is understood, however the Council’s objectives may lack the power to ensure that enforcement of the necessary infrastructure is enacted in terms of it being delivered at the right place at the right time (see Objective 9 of Sefton’s Local Plan objectives). This is especially the case when the responsibility for those actions/infrastructure lies with other organisations – and not with the Council.

It is accepted that this is the nature of the system, e.g. that the Council only has power over some elements. However as an Overview and Scrutiny Group we thought it important to take a holistic approach to the potential benefits and potential costs and that this approach is more in keeping with the ethos of social value legislation where public authorities take into account wider social value and potential social costs.



3. To understand the different mechanisms for securing funds for infrastructure, both through planning and other sources, in particular recognising the relationship between section 106 and Community Infrastructure Levy

Working Group comment – We think we understand this but clarification of how long Community Infrastructure Levy and section 106 funding will run alongside each other would be helpful. The Working Group would request further updates and discussions with Members at the appropriate time in the Local Plan process.

4. To understand the plans and programmes of infrastructure providers and how these fit in with the timetable of the Local Plan.

Working Group comment – This objective could be related to the Local Plan policy about infrastructure being delivered at the right time and in the right place. We have taken a broad view/approach and apart from noting that there are infrastructure providers and there will be an Infrastructure Plan, we do not have the level of knowledge required to report that we understand the programmes of infrastructure providers, because we simply do not know what they are and how they fit in with the timetable of the Local Plan. It would have been more helpful to have had access to the plans of infrastructure providers.

5. To understand and assess issues of viability and to identify the potential for development to be able to contribute to infrastructure.

Working Group comment – We understand some of the potential issues around viability and the Keppie Massie presentation (see Paragraph 4.1) have helped improve our understanding. Assessing issues of viability is more problematic as it depends on what the issues may be, e.g., profit levels v provision of local services for health, education, community sustainability etc. We understand that the Keppie Massie methodology for assessing ‘viability’ is based on including assessing/subtracting all the costs of infrastructure to be left with a figure for landowners and developers profit (20%). What was less clear was whether or not all developers thought this (profit) was enough, so developers contribution and the consequent level of provision for infrastructure is indeterminate at the moment. This could result in local needs not being met. However we acknowledge that the process of assessing viability is established through Government guidance and that this process has been followed by the Council.

6. To identify priorities for infrastructure.

Working Group comment – Priorities for infrastructure need to take account of the ‘local dimension’. We found it difficult to identify a one size fits all approach to identifying priorities as local circumstances differ. We haven’t had an opportunity to review any reports etc. that will inform the Infrastructure Delivery Plan. Officers’ comments that we were only expected to look at this



at a strategic level are noted, however the group felt that our approach should be guided by the Overview and Scrutiny function, which may result in more detailed analysis.

7. To make recommendations for how requirements for infrastructure are specified and how these are incorporated in the Local Plan and the Infrastructure Delivery Plan.

### 3.0 METHODS OF ENQUIRY

- Background reading
- Presentations
- Interviewing key witnesses
- Reports

### 4.0 KEY WITNESSES

Members of the Working Group gathered evidence through various methods, including presentations, briefings and receiving reports. Evidence was also obtained when Members had the opportunity to interview key witnesses, various Officers and Partners.

Paragraphs 4.1 to 4.9 provide a summary of the points raised in presentations/discussions held with key witnesses who had been invited to attend Working Group meetings.

#### 4.1 VIABILITY IN PLANNING

The Working Group received a presentation from Ged Massie and Jenny Adie, Keppie Massie Consultants, on infrastructure issues arising from the emerging Local Plan; and the presentation centered on the following issues:-

- the importance of viability in planning
- the purpose of economic viability assessments
- guidance associated with viability (financial and housing related)
- what is viability
- financial appraisals: key variables including:-
  - gross development value
  - construction costs
  - development programme
  - other costs
  - acquisition costs
  - developers profit
  - Section 106 agreements and Community Infrastructure Levy
- a worked example of an unviable option and ways of addressing this
- the relevance to Sefton
- conclusions – what are we seeking to achieve



A full copy of the presentation can be obtained [here](#)

Members then commented on the following issues:-

- the methodology was very much focused on the needs of land owners and developers but not on the needs of local communities – the focus was on financial rather than social value
- witnesses should be sought from communities to enable them to elaborate on the social impact and costs affecting their local areas
- concerned about the massive scale of some developments and the difficulty of taking measures to mitigate highway problems arising from such developments
- the Council, developers and local communities need to work together to secure the best developments for their communities
- the Council should make decisions on a macro strategic level
- the need to have an analysis of local community comments in order to make informed judgements
- a holistic picture and strategic analysis and response was required from the Council
- how do Neighbourhood Plans fit in with the Local Plan – which Plan had precedence in terms of provision of infrastructure

## 4.2 SCHOOLS PLACES PROVISION

The Working Group heard evidence from Mike McSorley, Head of Learning Support and Ivan Guy, School Organisation and Capital Programme Manager.

Mr. McSorley and Mr. Guy indicated that the Council had produced a [School Organisation Data Book](#) based on the School Census January 2013 and May 2013, the School Capacity Return 2013 (formerly known as the Surplus Places Return) and birth data for 2011 and previous years from the Office for National Statistics (ONS). The pupil projections contained within the Data Book were the figures supplied to the Education Funding Agency as part of the School Capacity Return 2013. Part B: Data for Geographical Areas was now also included in the October 2013 School Census data. The Data Book set out how many pupils were in each year, population trends and school capacities.

Mr. McSorley and Mr. Guy also advised that each year, a [School Organisation and School Places Briefing Paper](#) was prepared for the Cabinet Member – Children, Schools, Families and Leisure and submitted to the Overview and Scrutiny Committee (Children's Services). The Briefing Paper provided information on the most recent review of primary places and secondary places (this year, as of the January 2013 census); and that the projected figures allowed for the pupils generated from new housing that had been granted planning permission.



Mr. Guy advised that the forecasting of school places was becoming more challenging due to the establishment of Free Schools/Academies and Post 16 provision; that a planning tool was used to ensure that the numbers of pupils and school places matched; that no particular problems had yet been experienced in Sefton; but that the Local Plan would have a big impact because timescales for development were not known and that there was no nationally used formula to show anticipated numbers of children per new dwelling. Currently, 32 children (split across the primary/secondary/6<sup>th</sup> form sectors) per 100 homes was the best estimate. Developers could be asked to fund additional classrooms due to increased pupil numbers arising from their developments; however, the establishment of robust criteria would be needed to establish such anticipated additional demand to present to developers together with a mechanism for charging them. Ian Louglin indicated that charging developers could be via the Community Infrastructure Levy.

Members then raised the following issues:-

- Regarding the Liverpool Road, Formby site the developer had offered to pay for a new classroom but this was not considered adequate in relation to the scale of the proposed development. Response – Redgate Primary school also has spare capacity and is the nearest school to the site; and one of the Council’s aims is to ensure that primary school children can walk to school. Regarding secondary school provision, it is expected that pupils could travel further distances to their schools; that there was a forecast reduction in secondary school pupils over the next five years; but problems could be experienced with schools converting to academies and thereby the Council having no control over their admission numbers
- Kew Woods had increased from a 1.5 form to a 2 form and was now projected to be a 2.5 form entry school that had resulted in more and more building on the site.
- Schools need to be near the new developments to minimise traffic movements and congestion. Response – 1600 dwellings could potentially generate 240/60 primary level pupils. The estimated cost of a new school is £8 million and the estimated cost of a school extension to enable a new form entry is £2.5 million. Problems would be anticipated persuading a developer to pay for this – how could we prove all children on the new development would attend the new school/form entry? Pupil number forecasts can be made with relative accuracy for five years but after that forecasting is much more problematic
- Developers may well identify additional costs as a means to reduce the viability of schemes to avoid the need to provide, for example, affordable housing. Response – the Keppie Massie study will help to assess viability issues and the Community Infrastructure Levy is non-negotiable once agreed
- We need a balance, there should be two sides of the equation. At the moment we have plenty of information from developers re viability issues but we are short on information regarding community impacts
- Concern raised about catholic primary education in Maghull due to access issues to the school. “Crowding out” effect at Maricourt referred to – 25/30% of pupils are from outside of the area. The proposed major development in

Maghull could generate up to 4000 additional vehicles on the highway network and difficult to see how the network could cope. Response – regarding the faith element of the comments, the Catholic Archdiocese want to ensure that catholic children have the opportunity to go to catholic schools. For planning purposes however, the complication is that we do not know the faith of the residents of the new developments

- Finding it difficult to understand how community engagement via Neighbourhood Plans fits in with Sefton’s policies
- Difficult to sell the benefits of new developments to existing residents and communities
- The need for development was recognised but residents felt that developments were being forced upon them
- Concern at the lack of work done by local authorities regarding social impact
- Some communities consider that they have not been consulted adequately regarding development proposals – this has even led to the formation of a new political party in Formby
- We need to take account of neighbourhood planning – this has priority over the Local Plan. Response - this is qualified by the fact that the neighbourhood plan has to be consistent with, and operate within, the strategic context set by the Local Plan
- The Local Plan seems to keep changing – we are now advised of additional sites in Maghull and Melling. Response – this seems to be a misunderstanding of correspondence relating to the Maghull Neighbourhood Plan: no changes have been agreed by the Council since the Preferred Option was consulted on in 2013. We are currently awaiting ONS population figures that will help determine the need for sites but no decisions have yet been made on the new sites referred to
- The 2013 Strategic Housing Market Assessment was referred to that indicated the need for smaller, 1 bedroomed accommodation in Bootle. However, it was suggested that developers wanted higher profits from 3 or 4 bedroomed properties even though with average ages increasing there was a need for smaller units of accommodation. Neighbourhood Plans could and would provide information on this. Response – Developers were reluctant to build apartments and smaller units of accommodation due to recent poor market experience in areas such as Liverpool City Centre
- What can we do to help regarding the schools issue? Response – an across the board levy on each house built would help. This could be accessed when required and take the strain off Council budgets
- A proportion of the New Homes Bonus should be retained for school places in areas of development. This would show a positive benefit to local residents. Response – This is the aim of the Community Infrastructure Levy. We obtain the levy upfront to spend on infrastructure priorities as and when required; and a proportion (up to 25%) of the levy automatically goes to to the Neighbourhood Plan bodies. The Working Group recommended that Community Infrastructure Levy funding should be spent in the areas in which it is raised

- We need to apply the methodology of viability to assess what levels of Community Infrastructure Levy need to be spent on particular issues, i.e. schools. When can we use this model? Response - We do not yet have much of this information. This is the main purpose of the Keppie Massie viability study. It may be possible to ask them to report back to the Working Group when they come close to completing their study.
- It is very complex to work out all the costs and to try to assess what mitigation might be possible and what it would cost. This whole area of viability is the stuff of debates at the CIL examination. There are still many unanswered questions about the land east of Maghull [and many other sites] which we are currently trying to address with the proponents of the schemes.
- However, the Working Group can very usefully ask witnesses probing questions to make sure that the provision of all appropriate infrastructure has been adequately thought through.
- How would developments affect the “sense of place”? If we don’t provide adequate information, what would happen?
- We need to engage with and get the “buy in” of local communities to achieve social value
- If there was a forecast showing a shortage of school places could we veto developments in those areas? Response – We have a duty to provide school places and ideally these will be in areas serving local communities. The Local Plan helps us with the planning process and the use of Community Infrastructure Levy funds is beneficial.
- Do schools get consulted on aspects of development proposals? Response – A meeting was recently held with a Head Teacher and the Chair of Governors of a school in Maghull. When we know of significant development proposals then we would consult the local schools. This is the benefit of the Local Plan because development sites are identified and therefore where pressures on schools may occur. We can then estimate the numbers of pupils and what additional classrooms etc will be required.
- We are unlikely to achieve the Terms of Reference agreed at the last meeting and we need to apply a cost benefit analysis to the needs of local communities. Could we therefore employ consultants to help us with achieving our objectives? Response – This would be problematic due to the timescales involved as in all likelihood we would only be able to commission consultants at the end of life of the Working Group. However, this could be a recommendation from the Working Group

### 4.3 OPEN SPACE PROVISION

The Working Group heard evidence from Phil Esseen, Head of Landscape Development and Management. Mr. Esseen indicated that there were hundreds of formal and informal green space sites across Sefton; and that his presentation centred on these sites but not Coast and Countryside provision as these areas were not under his control.



Formal open spaces included sports pitches (football, rugby, cricket, baseball, golf, bowling greens) and that following a new charging mechanism introduced two years ago, these facilities were now largely self-financing. Formal open space provision required further assessment and to aid this, a playing pitch strategy and recreation and open space strategy were about to be commenced; and that the strategies may help to resolve objections raised to the Local Plan (regarding school playing field provision) by Sport England.

Mr. Esseen indicated that the perception was that there was more demand for formal open space provision in the north of the borough than the south, although it was acknowledged that further data may be required in this regard. In conclusion, Mr. Esseen stated that the Council had a good working relationship with the County FA managing leagues; and that in his opinion, larger formal open space sites worked better than smaller sites as it was easier to put in place better quality infrastructure such as changing rooms and car parking.

Informal open spaces included parks, community gardens, allotments and coast and countryside and these facilities (with the exception of allotments) were free to use. Measures were being investigated to mitigate reductions in service budgets, for example, new ways of managing parks with the help of “Friends Of” groups and trusts. As with formal sites, experience showed that fewer, larger, higher quality informal sites were better than many smaller sites.

With regard to the overall planning perspective, Mr. Esseen indicated that planning policy recognised that both informal and formal open space provision was of great benefit to the health and wellbeing of residents; and that every effort should be made to ensure that communities had reasonable access to such provision. With regards to current new developments, standards were in place requiring developers to provide appropriate open space provision via the use of section 106 agreements; and that under new requirements, the use of the Community Infrastructure Levy would be used. Mr. Esseen concluded that the preferred option Local Plan document did not identify any Council owned open space sites for development.

Members then raised the following issues:-

- Did the commercial viability of a site’s development affect the amount of open space provision? Response – a planning formula was used to obtain this information
- Once the Local Plan was approved, how secure would existing green spaces be in the future? Response – No Council owned green spaces are identified in the preferred options document for development apart from former school sites. Speculative developers could be rebuffed because the Local Plan would identify adequate and suitable sites for housing development thereby protecting the Council’s green spaces
- What about green spaces in private ownership, i.e. Parkhaven Trust? Response - Developers would need to identify a specific need for development
- Would Neighbourhood Plans have an input into the above scenario? Response – Yes

- How much influence do we have on green space provision as a result of large development? Response – Large developments would require a planning brief and open space provision would be included in this. This would be discussed in detail at the planning stage. It may also be possible to produce an additional specific green/open space Supplementary Planning Document
- We need Sefton to be a great place for people to want to live – new developments could be modelled on Rowntree estates for example
- What is the timescale for creating Neighbourhood Plans? Response – these can be started at any time
- Could extension of the Formby Industrial Estate be restricted due to the presence of water voles, a protected species? Response – Compensatory and suitable habitats would need to be created. Ecologists would be consulted on this
- Are land valuations in different parts of the borough taken into account i.e. in Bootle? Response – the Housing Market Renewal Initiative has been in operation for 10 years in Bootle and as part of this initiative, viability studies were undertaken, for example, on land remediation issues associated with former industrial sites for housing
- Where are we up to with the Peel Development? Response – the Council has not taken a view on this, but Peel Holdings have submitted studies in support of their proposal and these will be made available as part of the next stage of the Local Plan
- Why is public transport not included on the necessary or desirable list of infrastructure requirements? Response – the Council cannot insist on bus operators changing routes to cover new developments. However, distances to bus routes/train stations form part of the site selection process
- What is Sefton's strategy on residential development on the green belt? Response – the National Planning Policy Framework makes it incumbent on the Council to meet the needs for residential development for a period of 15 years; and that 50% of such development has been identified on the green belt with the other 50% in urban areas. This represents the use of 3% of Sefton's green belt.
- What if an incoming Government changed policy and directed the use of brownfield sites for housing development? Response – This would not make much difference as we would still need to meet our 5 year test regarding housing supply and this can only be met by the use of both brownfield and greenfield sites
- What is happening with reserve sites? Response – The Council will review all sites before the next draft Plan is agreed
- Regarding the concept of proportionality over development, by how much can we develop? Response – a 10% figure for villages is a general guide. From a planning perspective it is good to have proportionality but we do have limits and constraints in Bootle and Southport
- Would the Council compulsorily purchase land for development? Response – the Council is not in a financial position to do this and would have to rely on land owners who are favourable to the development of their land.

#### 4.4 TRANSPORT, TRAFFIC AND ACCESS ISSUES

Members met to obtain evidence from witnesses in relation to infrastructure issues relating to transport, traffic and access; and prior to interviewing witnesses, Members had considered the following documents:-

- representations received on transport, traffic and access issues during the Preferred Option consultation last summer
- traffic and congestion maps
- the Spatial Portrait for Sefton which was prepared in December 2008. This showed diagrammatically the issues facing the different communities in Sefton, and included traffic and transport challenges

and raised the following issues:-

- when the the Local Plan is introduced next year we need to ensure that it was the best possible for our residents
- concern was expressed that the Council was still having to deal with problems contained in the Spatial Portrait for Sefton that existed in 2008 together with additional issues arising from the Local Plan. It was suggested that previous Plans had not been robust enough
- uncertainty expressed about how social cost/value was assessed – residents will want to ask “what is the impact on me?” Response – this is more difficult to quantify at this stage than at the detailed planning application stage; also, as the Local Plan progresses a Sustainability Appraisal together with health and equality impact assessments will be fed into the Plan before its adoption

The Working Group then heard evidence from Stephen Birch, Team Leader, Strategic Transportation Planning Unit and from Steve Cook and Huw Jenkins, Merseytravel.

Steve Cook and Huw Jenkins gave a [presentation](#) “Merseytravel in Context” that provided information on:-

- the Liverpool City Region (LCR) Combined Authority which now incorporated the functions of the former Merseyside Integrated Transport Authority and had levy raising powers for transport
- the constitution of the Merseytravel Committee which supported and made recommendations to the LCR Combined Authority
- Merseytravel, the Combined Authority’s transport delivery body and strategic transport advisor; and that it was moving towards multi-modal remit and city region-wide coverage
- Merseytravel’s delivery role that included the management of the Merseyrail concession and the funding of non-commercial bus services
- the current 14 strategic priorities and the Transitional Corporate plan for 2014/15



- the Local Transport Plan which included the themes of supporting economic growth and reducing carbon emissions
- Transport funding beyond 2015 and the Government's creation of a "Local Growth Fund" (LGF), an un-ring fenced, competitive pot to support economic growth; and that transport was a core component of LCR's Growth Plan
- the five City Region strategic and transformational projects
- the enabling transport schemes across Merseyside including major transport schemes in Sefton relating to Maghull North, M58 improvements and A570 link way

Arising from the presentation Members then raised the following issues:-

- was there a risk that non-commercial bus services were at risk due to austerity measures? Response – yes definitely. There may be a need to utilise developer contributions from the Community Infrastructure Levy
- had Peel Holdings been consulted on the Growth Plans? Response – yes, they had been consulted directly and via the Local Enterprise Partnership representative.
- had rail links to the Port been included in the Growth Plan? Response – yes, access to the Port of Liverpool and a package of corridor improvements were included. There was a City Region programme of access improvements to the Port covering all modes and further details were available on the LEP website at [http://www.liverpoollep.org/priorities/superport/access\\_to\\_the\\_port\\_of\\_liverpool.aspx](http://www.liverpoollep.org/priorities/superport/access_to_the_port_of_liverpool.aspx)
- with regard to the Growth Fund, would the north of the country be disadvantaged in the bidding process in comparison to the south east? Response – many Local Enterprise Partnerships were asking similar questions but all Partnerships had to work to the same methodology. In the bidding process there was a clear need to demonstrate that outcomes generated growth and the Local Plan was important in doing this
- why did Sefton not have an Enterprise Zone? Response – there is no local control over these as they are designated by Government. Enterprise Zones are also meant to be large scale so it depends on where opportunities for these are
- was there any benefit in Members of Parliament lobbying on behalf of Growth Fund bids? Response – yes, it is always good to lobby. When funding for Growth bids are announced in July we will then be in a position to prioritise our schemes; and our transport priorities have to be clearly reflected in our Local Plan
- would the changes in funding make it more difficult to deliver schemes such as access improvements at stations for people with disabilities? Response - potentially yes, though we need to pursue alternative funding opportunities wherever possible, for example, station improvement grants.
- concern was expressed that business park and housing developments in the same areas commenced at different times. This potentially led to new local residents travelling to employment sites out of their areas when,



potentially, they could be employed close to their homes. The knock on effect of this was increased traffic journeys and the creation of a larger carbon footprint. Response – when the Council determines larger applications legal agreements can be used to phase developments

Stephen Birch, Team Leader, Strategic Transportation Planning Unit then detailed [locations of potential congestion hotspots \(morning peak hour\) with the implementation of Option Two of the Local Plan; and locations where traffic was expected to increase with Option Two of the Local Plan](#)

Mr. Birch indicated that he had been working closely with the Local Plan Team; that the City Region Transportation model and more specifically local modelling for Sefton had been used to forecast traffic flows; and highlighted the following points;-

- the Southport traffic model was being upgraded to assess access problems to the town from the east; and that in order to gain funding approval, there was a need to demonstrate the benefits to the Local Enterprise Partnership and the City Region of access improvements in this area
- a series of improvements had already been undertaken on the A565 Crosby/Waterloo; and that progress on the Haigh Road/Crosby Road junction improvements was being delayed due to land ownership issues
- traffic modelling was being undertaken in connection with the Maghull North new train station and park and ride facilities and upgrading of the motorway access at junction 1 on the M58
- the progression of the A5758 Brooms Cross Road (Thornton/Switch Island link) demonstrated the Council's ability to deliver major schemes
- it was anticipated that there would be increases in traffic arising from the Local Plan proposals

Arising from the presentation Members then raised the following issues:-

- due to a lack of improvement in bus service provision many local residents have no option but to use their private vehicles. In the Sefton east area, it is difficult to use public transport other than between Liverpool and Ormskirk. Response – Merseytravel were aware of these demands and were trying to get bus operators to improve services in the Sefton east area. It was important to ensure that the current alignment of the “Aintree curve” (the rail link between Bootle New Strand and Aintree rail stations) was retained; and this had been identified in the Local Plan as a protected route
- surveys undertaken in Maghull identified that a large percentage of respondents were concerned about highway infrastructure issues associated with new development. It was difficult to understand how the effects of 4000 additional cars in east Maghull could be mitigated. Response – this figure sounds a lot but spread out throughout the day it could be done. For example, 40,000 vehicles per day use Switch Island. Modelling would be used to assess the traffic flows and detailed work

would be undertaken on individual sites to see how problems could be tackled. Developers would have to contribute to such measures. The phasing of development is important and again, modelling would be used to assess this. Finally, consultants have been engaged to undertake traffic modelling in Maghull and the results of their surveys were expected in the near future

- public transport access to the children's accident and emergency in Ormskirk was poor from the Formby area. Response – Merseytravel made strong representations to the Health Authority when their proposed relocation of services from Southport was proposed
- could the Community Infrastructure Levy put some developments at risk due to viability issues? Response – yes and this was covered in Keppie Massie's presentation at a previous meeting of the Working Group and the Council could be flexible with regard to Community Infrastructure Levy/Section 106 issues/other requirements to ensure development takes place to the satisfaction of all parties.
- what are the implications of the additional housing sites proposed in response to the Local Plan consultation? Response – the Cabinet Member – Regeneration and Tourism has approved the additional sites for public consultation purposes. In the interests of transparency, these sites, which had been suggested by other bodies, must be assessed using the same approach as other sites and the Council will not be in a position to take a view until these assessments are complete
- the Burscough rail line to Wigan had been electrified but not to Southport; and the rolling stock on the line is very old and outdated. Would the electrification of the Burscough/Southport line take place? Response – There were no definite plans at the moment and some of the options associated with this were very expensive.
- traffic modelling information from our consultants was eagerly awaited. If we don't receive this information soon it may delay the findings of the Working Group.
- developers should be made to fund traffic associated issues in proportion to the size and location of their developments. Response – we have policies in place for this as part of the planning process, for example, travel plans, and we do apply these. All Merseyside local authorities apply such policies but Sefton was very robust in this and had a good track record. Also, Merseytravel's views were sought on all developments over 30 dwellings and we can impose planning conditions to comply with requests from Merseytravel
- what would you like to see from the Working Group to help with priorities? Response – comments on the priorities identified in the Local Plan and concerning clusters of development and a recognition of the approach taken at a strategic level. It was also important to be realistic about what we could achieve; and in re-stating our priorities to acknowledge that mechanisms and strategies needed to be put in place to achieve successful implementation.

## 4.5 FLOOD RISK AND DRAINAGE



Members met to obtain evidence from witnesses in relation infrastructure issues relating to flood risk and drainage; and prior to interviewing witnesses Members had considered the following documents:-

- Local Plan Preferred Option Consultation - Site-specific objections – flood risk
- Policy CC2: Flood risk and surface-water management - Summary of comments, as recorded in Report of Consultation

The Working Group then heard evidence/received presentations from Iain Blakeley, Flood Risk - Environment Agency; Steve Howell, Catchment Manager - United Utilities and Graham Lymbery, Flood and Coastal Erosion Risk Manager - Sefton Council.

Steve Howell, Catchment Manager - United Utilities gave his presentation entitled “helping life flow smoothly” that provided information on:-

- Hydraulic flooding (flooding caused by hydraulic incapacity of the sewer network) and flooding from other causes (blockages, collapses etc)
- The regulatory responsibilities of Ofwat that included monitoring of investment targets to address flooding and the approval of United Utilities’ Business Plan and Asset Management Plan
- Project scoping whereby every 3 months the flooding registers were reviewed and potential projects were scoped, a solution for each scope was identified and high level costs were estimated using a cost benefit analysis model
- The risk based approach whereby solutions would be more holistic taking into account mitigation, conventional solutions, sustainable drainage systems (SuDS) and partnership working
- The development of a predictive, risk-based tool to enable proactive network management and a programme that balanced cost against measures of success
- Partnership working and the sharing of potential projects with other stakeholders and how liaison was maintained with Sefton

A full copy of the presentation can be obtained [here](#)

Arising from the presentation Members then raised the following issues:-

- Do you have a veto to stop development? Response – no but we are consulted on applications and have plans in place to alleviate existing flooding
- Is the drainage system capable of coping with the erection of 500 new homes per year? Response – A key issue was that surface water run-off should not go into the sewerage system as this could cause very high flows linked to rainfall. With the use of SuDS for surface water run-off in new development,

the main flows from new homes were foul water, which were very low in comparison

- SuDS have a limited capacity to cope and continuous heavy rainfall over a number of days causes problems that the system cannot cope with.  
Response – Generally sustainable drainage can cope with one in a 100 year storms. However, there is an acknowledgement of some existing problems and we need to ensure that new developments do not make the situation worse
- Regarding project scoping and the use of the cost benefit analysis model what are the costs and was funding guaranteed to undertake works arising from them? Response – we do not have enough funding to undertake all works arising from modelling and budgets have been cut further this year. Housing volumes are now looked at and water flows calculated accordingly. Due to £150 million less funding being available for the next Asset Management Plan then only the highest priority sites will get the investment
- What happens with sites that do not have a high priority? Response – There was an opportunity to reduce surface water flooding issues by using brownfield sites for development and using SuDS where possible to reduce discharge rates from these sites. Also, the scope for use of Community Infrastructure Levy to reduce flood risk should be investigated
- It is difficult to see how modelling will work and how residents can obtain insurance in flood risk areas. Response – The government has a prior arrangement with insurance companies on this issue nationally
- With regard to the Ofwat target of reducing 125 properties from the internal flooding register, how do you prioritise the properties? Response - Every 3 months the flooding registers were reviewed and the cost benefit analysis model used to ascertain the greatest benefit to the greatest number of residents
- With regard to the Flood and Water Management Act 2010 was it right that developers could no longer tap into existing sewers? Response – there was a presumption but not an outright restriction. SuDS can help but the onus was on the developer to show that there was no other option than to use the sewerage system
- Did the Flood and Water Management Act 2010 prohibit paving over front and back gardens and if so, how could we enforce this? Response – Planning legislation now says that planning permission is needed for paving over front gardens only, unless the area to be paved over is below 5 square metres or if porous paving is to be used. If we as a Council wished to remove the permitted development rights on other paving then an Article 4 Direction would have to be introduced, which would be in conflict with the direction of Government policy, and would lead to no-fee planning applications

Graham Lymbery, Flood and Coastal Erosion Risk Manager, Sefton Council made a short presentation noting the close working relationship between Sefton Council, United Utilities and the Environment Agency. He advised that Sefton had commissioned and prepared a Strategic Flood Risk Assessment (SFRA) in order to inform its Local Plan, and the development management process (including the



content of site-specific Flood Risk Assessments prepared by developers). The Council updated the findings of the Level 1 SFRA (2009) using a wide range of information on flood risk that had been published since the publication of that document. This updated SFRA (2013) had been produced in line with guidance within the National Planning Policy Framework (NPPF) (March 2012) and other national guidance.

The principal purpose of the SFRA is to refine the information available on the probability of flooding, taking into account all sources of flooding and the currently understood impacts of climate change. The current SFRA presents information on the probability of flooding. Where the information was available, the SFRA takes the presence of flood defences into account and the effect that they had on river and tidal flooding by presenting information on the depth, velocity and time of inundation of flooding. In line with the NPPF, this SFRA takes a proportionate approach, drawing mainly on existing evidence and studies (including those of partners such as the Environment Agency and the Council's Surface Water Management Plan).

The fundamental concepts that underpinned the SFRA reflect the NPPF and other national planning guidance. The NPPF requires development to be directed away from areas at highest risk of flooding, but, where development is necessary, making it safe without increasing flood risk elsewhere. In its Local Plan, Sefton should apply a risk-based, sequential approach to the location of development through the application of a Sequential Test and, where applicable, an Exception Test, and taking account of climate change. The SFRA facilitates the application of both the Sequential and the Exception Test for the potential sites being considered for allocation within the emerging Local Plan.

The underlying objective of the risk-based, sequential allocation of land – in relation to the SFRA and emerging Local Plan - is to reduce the exposure of new development to flooding and to reduce reliance on built flood defences. It is expected that development proposals would not increase flood risk and ideally, contribute to a reduction in the overall magnitude of flood risk.

The SFRA is therefore essential in enabling a strategic and proactive approach to be applied to flood risk management in relation to development.

The SFRA also contributes to applying the sequential approach by providing information to help understand whether sites are developable in terms of flood risk and what flood risk management measures may be required in their development.

Mr. Lymbery concluded that like other partners, the Flood and Coastal Erosion Risk Team was consulted on planning applications; and that lots of Members' discussions had centred on existing problems in Sefton but that development on greenfield sites should not cause higher rates of water run-off than at present.

Iain Blakeley, Flood Risk - Environment Agency (EA) made a short presentation advising of the following:-



- The EA had a strategic overview, and close working relationship with Sefton MBC and United Utilities
- A key task of EA was to develop a better understanding of the risks of flooding and coastal erosion and how to manage and mitigate them and to work with partners and communities to manage these risks and reduce the consequences of flooding and coastal erosion; and to produce flood maps that could be used for development and planning purposes
- The management of risks via routine maintenance works
- The capital programme and improvement works and the identification of more sustainable flood risk solutions
- The EA is a statutory consultee on some planning applications in Flood Zones 2 and 3 and for sites of over 1 hectare in Flood Zone 1.
- However, it now provides 'standing advice' and support to local authorities for Flood Zone 1 sites (sites comprise land assessed as having a less than 0.1 % annual probability (1 in 1,000 year event) of river or sea flooding).

Arising from the presentations Members then raised the following issues:-

- In Maghull residents were concerned about flooding issues associated with proposals to build 1600 dwellings on one site and 300 on another nearby site. United Utilities had indicated that it could cope with 30 homes per year being built. How could we cope with this discrepancy? Response – The 30 homes per year figure would allow United Utilities to develop its investment plan. In the vicinity of the sites referred to there is an existing sewer and we would encourage, through detailed discussions with developers and our partners, that developers should connect to this sewer. Use of SuDS will manage surface water flows
- Funding had been set aside for maintenance of Dobbs Gutter in Formby but problems were not being addressed. Flooding issues here need to be resolved prior to new development taking place. Response – The problems at Dobbs Gutter are well known and detailed investigations were required to identify causes. Certain solutions could then be modelled, using cost benefit analysis, but the benefit must outweigh the cost by a 8:1 ratio. Mr. Lymbery agreed to provide Members with a detailed response regarding Dobbs Gutter
- West Lancs BC propose to allow the erection of 250 dwellings close to Sefton's boundary – would they use our drainage systems? Response – Yes as it would make sense to do so; and officers routinely talk to colleagues in neighbouring authorities
- The rising water table was having an adverse affect on the "River Nile" under Duke Street. Response – there was a general issue of ground water and the Council was looking to increase its understanding and monitoring of associated risks not only at this location but across Sefton, and with partners across Merseyside. Furthermore, there were now much closer working arrangements in place with local authority neighbours to manage flood risk. However, the introduction of the sustainable drainage applications system put forward by the Flood and Water Management Act 2010 arising from the Pitt Review of the summer 2007 floods, has been delayed by the government

- Restrictions on paving over driveways, the planting of more trees, evaporation pools or imposing obligations for the collection and storage of “grey water” – what can the Working Group do to help? Response - Raising the broader awareness of flooding issues in local communities would be very helpful. There is not enough funding available to resolve every problem and residents need to be advised that they have an important role to play to help themselves in this respect. Also, an explanation as to why things could or couldn't be done due to budgetary constraints.
- Are residents aware of their riparian water rights and responsibilities? Response – We are aware of this issue but uncertain how best to publicise such issues to residents. Members agreed that they would be willing to help in the publication of information on this issue
- Has the recent road/sewer collapse in Formby got anything to do with the additional use of the road by heavy goods vehicles associated with the Powerhouse development? Response – the public highway should be capable of dealing with such additional traffic use but investigations would be undertaken to find out why the problem occurred; however, it is difficult to survey buried infrastructure. The highways development control team look at all highway access issues associated with large developments.

#### 4.6 PROVISION OF HEALTH FACILITIES

Members met on two separate occasions to obtain evidence from witnesses in relation to infrastructure issues relating to the provision of health facilities.

On the first occasion the Working Group heard evidence/received a presentation from Carolyn Berry, Strategic Estates Adviser, NHS Property Services. Ms. Berry updated the Working Group on the organisational reforms and restructures of the NHS; and how General Practitioners operated and were funded by local Clinical Commissioning Groups. A copy of an NHS England document “Understanding The New NHS” can be obtained by using the following link:-

<http://www.england.nhs.uk/wp-content/uploads/2014/06/simple-nhs-guide.pdf>

Arising from the presentation Members then raised the following issues:-

- Were there criteria for dealing with additional population/patients due to new developments? Response – Yes, CCG health service planners use a planning tool to look at the range of services needed; and the age profile of the population is also looked at
- What if G.P.'s, who owned their own premises, retired? Response – CCG's would look to secure alternative provision in the area
- At what point did population/patient numbers trigger the need for a new G.P surgery? Response – many factors would have to be taken into account such as how many other surgeries were in the local vicinity, how many patients were on each list and the age profile/demographics of the local population





- Who in the NHS was looking at Local Plan issues? There was on-going consideration to close a Maghull Community Dental service which seemed strange given the proposed new development to take place in the area. Response – It was the role of CCG’s to look at the demographics of an area and the services required
- If there are long waiting lists to see a G.P. how do we know that further development won’t make a poor situation worse; and could the Working Group be assured that the NHS was monitoring such situations? Response – CCG’s should be closely involved with the Council in this matter
- Would it be worth having a CCG witness rather than a property services witness at the Working Group? Response – yes definitely because property services have no responsibility for commissioning services

On the second occasion the Working Group received a presentation from Tony Leo, Director of Commissioning (Merseyside), NHS England and obtained evidence in relation to infrastructure issues relating to planning for health care facilities. Mr. Leo, advised that the NHS commissioning system was previously made up of primary care trusts and specialised commissioning groups; that from 1 April 2013 most of the NHS commissioning budget was now managed by 211 clinical commissioning groups (CCGs) two of which operated within Sefton; that these were groups of general practices which came together in each area to commission the best services for their patients and population; that nationally, NHS England commissioned specialised services, primary care, offender healthcare and some services for the armed forces; and that it had 27 area teams but was one single organisation operating to a common model with one board. Mr. Leo also detailed the responsibilities of other health bodies such as Healthwatch, whose purpose was to understand the needs, experiences and concerns of people who used health and social care services and to speak out on their behalf; of the public health functions undertaken by local authorities including Health and Wellbeing Boards (HWBB) that promoted co-operation from leaders in the health and social care system to improve the health and wellbeing of their local population and reduce health inequalities; and Public Health England (an operationally autonomous executive agency of the Department of Health), whose role was to protect and improve the nation's health and wellbeing and reduce health inequalities.

Mr. Leo then detailed the commissioning planning processes that both NHS England and CCGs went through, normally in the second week in December, to develop plans for the next five years regarding what services were required locally; and that in addition, joint strategic needs assessments, unique to each local area and produced by HWBBs, were used to assess the current and future health and social care needs of the local Community and that these were needs that could be met by the local authority, CCGs, or the NHS.

Mr. Leo concluded by indicating that across Sefton NHS England contracts with approximately:-

- 56 GP practices



- 40 Dental practices
- 76 pharmacies
- 32 opticians

Arising from the presentation Members then raised the following issues:-

- How can we increase care to the projected ageing population of Sefton?  
Response – CCGs need to plan and engage the Health Education Board and health professionals such as pharmacists and district nurses; There was a national strategy to shift from hospital settings to community services therefore there was a need to strengthen these areas; and that CCGs need to connect with Sefton Council to gauge future population demographics, new housing developments etc
- Was there an ability to shift services between different organisations?  
Response – the Sefton and adjacent areas were well catered for by specialist Trusts
- What mechanisms were in place to ensure health care providers were aware of the Local Plan? Response – the Preferred Option document was shared with HWBB and work is ongoing with public health colleagues; all development sites had been shared with public health for planning purposes; and data could be looked at to plan for the future
- What are the criteria for triggering the need for another dental practice in an area? Response – due to the public/private nature of dental practices there was a limited ability to do this although there was a need to ensure sufficient NHS provision; and there were some good examples of many services (GP/dental/pharmacy) being contained in one location
- What mechanism was in place to ensure that health care provision keeps pace with developments? Response – we would need to know population shifts and work closely with local authority colleagues; we also have a good lead in time regarding the lifetime of the Local Plan and therefore we can plan for health service commissioning. This also provides the opportunity to forge closer working links with the HWBB
- A comment was made about how well a community pharmacy in Maghull was operating offering advice to patients. Response – some pharmacies offer good service provision like this but there is a lack of consistency across the board. It is anticipated that a more consistent, improved service would be in place within the next 10/15 years
- A comment was made that at a public meeting to discuss the proposed closure of a community dental practice in Maghull it became apparent that the dentist was unaware of the major proposed residential developments in the area contained in the Local Plan.
- A question was asked about the extension of opening hours of GPs' surgeries. Response - the national plan aims to have certain GP surgeries open 7 days per week. However, it must be stressed that not all surgeries would be open 7 days per week as this would only happen in larger practices where there are enough staff to provide cover.



## 4.7 ASSESSING THE SOCIAL IMPACT OF DEVELOPMENT

The Working Group received a presentation from Ian Loughlin, Senior Planner – Sefton MBC that outlined the following issues in relation to “Addressing Social Concerns in the Local Plan”:-

- Ways in which social issues are evaluated (Sustainability Appraisal, Consequences Study, Health Impact Assessment, Equalities Impact Assessment)
- Sustainability Appraisal – The purpose of the Sustainability Appraisal (SA) is “to promote sustainable development through the integration of environmental, social and economic considerations in the preparation of Local Plans”.
- SA of the Councils Local Plan document is a Statutory and Legal requirement by Government (Planning and Compulsory Purchase Act, 2004) to ensure that plans contribute to the statutory objective of achieving sustainable development.
- SA is about sounder and more sustainable plans, better decisions by looking at all the facts, more sustainable patterns and forms of development and so ultimately it is about good planning.
- The four stages of SA: Stage A – Setting the scope; Stage B – Developing options and alternatives and assessing effects; Stage C – prepare SA Report and Stage D – make available for comment and submit.
- Stage A – Scoping Report – Looking at data and other information across Sefton to determine what the key economic, environmental and social issues are; Develop those issues into a list of Sustainability Objectives; Consult with Statutory consultees and the wider public on those issues and objectives and make changes in response to comments.
- Looking at the key issues for Sefton and Sefton’s list of Sustainability Objectives including Economic; Environmental and Social.
- Stage B – Developing and assessing the options; key findings – preferred option; How policies are improved by the Sustainability Appraisal process.
- The Consequences Study assesses the anticipated consequences, in social, economic and environmental terms, of Sefton Council choosing to pursue one of three Local Plan development options. Conclusions of the preferred option.
- Health Impact Assessment and Equalities Impact Assessment.

- Conclusions.

A full copy of the presentation can be obtained [here](#)

Arising from the presentation Members then raised the following issues:-

- How big does a site/development need to be for a Sustainability Appraisal to be carried out? Response – Sustainability Appraisal relates to planning documents rather than specific development sites. However all development plans need a SA regardless of the level of development proposed.
- At what point in the process would a Neighbourhood Plan be considered? Response – When the Sustainability Appraisal is carried out.
- Observation - that Ward Councillors should be informed and consistently updated on any developments in their area in order that they are well informed to communicate key messages to the public. It was highlighted that doing so strengthens communities. Response – At pre-application stage the Council encourages developers to make contact with Ward Councillors but the Council can't force developers and unfortunately some don't see the benefits of engaging with the public and Ward Councillors early in the process.
- How will the Council demonstrate that they have listened to the Community e.g. "You Said and We Did". Response – We intend to draft a paper with all the comments made during the consultation with responses.
- Observation - it would be useful if the comments and response paper, referred to above, could be put in the public domain in advance of the publishing of the Local Plan. Response – this will not be possible – the Report for Consultation will be published at the same time as the publication Draft Plan so people will be able to see how their comments have been taken into account.
- The benefits of the Council adopting a Local Plan should be highlighted and emphasised.
- The requirement and desire to meet the needs of the ageing population in terms of ensuring there is a proportion of houses built for older people.
- The benefits of new developments for the Local Community should be emphasised, employment opportunities, boost to the local economy etc.
- Comments need to be made at Publication Stage of the Local Plan, even if they have already been made during previous consultation, comments from previous consultation will not be carried forward.
- Would the Council consider commissioning a piece of work to research demographics and the implications of this for the future of the Borough? Response – Due to the inward and outward migration, it would prove very difficult.

## 4.8 AFFORDABLE HOUSING



The Working Group received a presentation from Alan Young, Strategic Planning and Information Manager – Sefton MBC that outlined the following issues in relation to “Affordable Housing and the Local Plan”:-

- Sefton Affordable Housing Policy Position;
- Section 106 – Affordable Housing Delivery;
- Strategic Housing Market Assessment
- Estimated level of Housing Need per annum
- Keppie Massie Viability Work
- Growth and Infrastructure Act 2013 – “Section 106 BA”
- Challenges with Affordable Housing

A full copy of the presentation can be obtained [here](#)

Arising from the presentation Members then raised the following issues:-

- Measuring by bedspace what is the difference? Response - we generally get more affordable housing by using bedspaces as opposed to dwelling units.
- The Council intends to adopt a Community Infrastructure Levy quickly after the Local Plan is adopted.
- A Community Infrastructure Levy is a planning charge, introduced by the Planning Act 2008 as a tool for Local Authorities in England and Wales to help deliver infrastructure to support the development of their area. It came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010. Developments may be liable for a charge under the Community Infrastructure Levy (CIL), should the Council adopt one.
- The Planning Inspectors have advised that any Community Infrastructure Levy should be pitched at the right level to reflect local economic viability.
- The National Growth Fund is a fund that can be accessed through the Liverpool City Region which bids on the Councils behalf.

#### **4.9 SITE SELECTION METHODOLOGY PROCESS**

The Working Group received a presentation from Tom Hatfield, Planning Services, on the Local Plan - site selection methodology.

Mr. Hatfield gave an overview of the process and advised that the Review of the site selection process was to inform the next version of the Local Plan; that it was prepared taking account of consultation responses and examples from other local authorities; and that it would be appraised by consultants as part of the wider ‘Sustainability Appraisal’, which was a key legal requirement. Mr. Hatfield then detailed the 5 part assessment structure relating to constraints to development, access to services, green belt purposes, site specific / wider benefits and delivery considerations.

Mr. Hatfield concluded by indicating that regarding the selection of sites:-



- The total amount of housing was dependent on the 2014 SHLAA and updated NLP housing need assessment
- The extent of constraints in Sefton will largely dictate the sites that are chosen
- Where there is choice the Council will seek to choose the least constrained sites that deliver the most benefits
- Was based in part on professional judgement
- Must be robust: will be subject to a high level of scrutiny from both local residents and developers / land owners.

A full copy of the presentation can be obtained [here](#)

Arising from the presentation members raised the following issues:-

#### Constraints to Development

- Concern was raised regarding utility infrastructure and whether utility companies could provide adequate supplies. Response – Sites within the Plan will be shared with utility providers who in turn, could factor in such development sites within their own plans

#### Access to Services

- Concern was raised about restrictions on the numbers of pharmacies due to national planning guidelines
- Concern was expressed that some communities were struggling with poor GP/clinic provision and that this situation would be exacerbated by new developments in these areas
- Concern was expressed that there was a shortage of school places in some areas and that this situation could be exacerbated in the future especially with respect to the demolition of the former Ainsdale Hope High School. Response – Children’s Services have advised that that if necessary increased demand can be met by expansion of existing schools; and that overall there were surplus school places across Sefton. Furthermore, population projections indicate that the school age population will remain static or decline
- With regard to CIL will it be used outside of the area in which it was generated? Response – this will be determined by Council priorities.

#### Green Belt Purposes

- With regard to the assistance towards urban regeneration by the encouragement of recycling derelict and other urban land, could the Council apply for the recently announced Government funding for land remediation? Response – the Government money referred to is an interest free loan and not a grant and therefore it has to be repaid. Accordingly, it does not really help with the viability of developing a site



- Regarding urban sprawl what is the acceptable % figure for development of villages? Response – there is no threshold defined in national planning policy. However, some appeals made to the Government Planning Inspectorate have allowed villages to be cumulatively increased by two or three times their size

#### Site Benefits and Delivery

- What if a landowner gave an intention to build on their land but then changed their mind? Response – the Council would need a very strong assurance from landowners that the use of their land for development would be allowed before its inclusion in the Local Plan

### 5. RECOMMENDATIONS

1. The Working Group propose that infrastructure proposals are assessed ensuring that they are sufficient to meet the diverse needs of the local community and mitigate any local adverse effects of development that may result in the failure of Local Plan objectives, recommendations and/or plan policies and to ensure the key principles for the Spatial strategy are met.
2. The Working Group recommends that the Sustainability Appraisal makes specific reference to infrastructure improvements to mitigate any problems, or maximise benefits, identified through the appraisal process. Such opportunities should be clearly highlighted through cross references between the Sustainability Appraisal and the Infrastructure Delivery Plan. Where mitigation is found to be impracticable or the wider impact on surrounding areas unacceptable, alternatives will be sought.
3. The Working Group propose that account is taken of the local evidence generated by Neighbourhood Plans and policies to ensure a holistic approach to planning within Sefton's Local Plan and associated documents in relation to the provision of infrastructure and community facilities.
4. The Working Group recommend that a report be submitted to Cabinet Members and Overview and Scrutiny Committee (Regeneration and Environmental Services), at the appropriate time, setting out the approach to the Community Infrastructure Levy and the potential relative priorities to be attached to the range of infrastructure needs. This process should be supported by giving priority to locally determined infrastructure needs and government guidance informing how Community Infrastructure Levy contributions should be allocated.
5. Flood Risk and Drainage: The Working Group recommends that any new development does not increase flood risk from any source within the site and elsewhere, and where possible reduces flood risk.
6. The Working Group is concerned at the impact large development building sites may have on existing communities. The Working Group recommends



that a clear policy approach is set out in the Local Plan and Infrastructure Delivery Plan to ensure that the infrastructure needed is provided in a timely manner.

7. The Working Group recommends that the clear policy approach includes measures to reduce or mitigate disruption caused by development including noise, pollution, increased congestion, and traffic impacts on the highway network. The Council is asked to maximise the use of planning conditions and legal agreements to control and mitigate impacts of new development – particularly in relation to traffic management, construction impacts and hours of operation.

8. The Working Group recognises the importance of the provision of adequate health provision and infrastructure. The Working Group requests that the Local Plan team work in liaison with the relevant Health officials to ensure that the impact of new homes is managed and planned well in advance so that sufficient health care is provided in the right locations. The Working Group requests that reports are submitted annually by Public Health (supported by Planning Services) to the appropriate Overview and Scrutiny Committees on this matter.

9. The Working Group recognises the importance of not only building homes but building communities. The Working Group requests that the Local Plan ensures that sufficient /appropriate community facilities are included in new developments with support from developers.

10. The Working Group recognises the important contribution of green spaces to making Sefton an attractive place to live. The Local Plan should include appropriate policies to protect valuable green spaces – including opportunities for establishing locally determined green space standards through neighbourhood planning, site specific master plans or development briefs. To be eligible to receive Community Infrastructure Levy the Working Group would encourage local communities to consider adopting a Neighbourhood Plan to maximise benefits to their communities.

11. The Working Group recommends that school places are provided as close as possible to where the need arises. The Working Group recommends that the provision for school facilities be incorporated into the Infrastructure Delivery Plan, with a clear approach to where, how and when additional school places will be provided.

12. Highways and Transport: The Working Group recommends that any development does not increase the number of additional daily car journeys to socially unacceptable levels and that policies should be included to require large developments to include (and fund) necessary highways improvements subject to them not having an unacceptable impact on the local community; such improvements should include benefits to accessibility and sustainable transport choices such a cycle lanes etc.





13. The Working Group recognises the importance of adequate public transport and requests that the Local Plan considers ways to improve transport East/West across the borough, including developers' role in assisting with supported transport services.

14. The Working Group recommends that any affordable and/or social housing is developed in a way that ensures 'pepperpotting' as opposed to clustering.

15. The Working Group recommends that housing mix in new developments reflects the demographic need for the local community and that appropriate local evidence is used as part of the policy.

16. The Working Group recommends that the Local Planning Authority in completing the publication draft, revisit policies related to the provision of infrastructure to ensure they are robust so that appropriate infrastructure will be delivered at the right time in the right place. A robust policy approach should be developed to ensure that an equitable balance is achieved between viability from a developers and landowners perspective and the social costs and benefits for the local community.

17. Sefton Council write to the Secretary of State for Communities and Local Government expressing concern about the potential risks associated with infrastructure providers and their ability to deliver required infrastructure at the right time and in the right place, and requesting the ability to apply harsher sanctions when planning conditions are unmet. The Secretary of State be asked to issue additional guidelines on viability assessments to include a more 'balanced' approach – including the assessment of community impact and value in addition to developers and landowners considerations.

18. That recommendations 1 to 17 above be monitored through the Authority Monitoring Report being submitted to Overview and Scrutiny Committee (Regeneration and Environmental Services) and Cabinet. This is a requirement for monitoring the implementation of the Local Plan and takes place at least once a year.

## 6. CONCLUSIONS

The Working Group recognised that there are many policies contained in the Local Plan that, if they were successfully implemented, would facilitate the achievement of the objectives of the Local Plan. The Working Group also recognised that there will be an Infrastructure Development Plan. However, we cannot comment as to the robustness of this plan or that of any mitigation plans related to how increased congestion will be dealt with e.g. when either of these issues may reach a tipping point when the achievement of the plan objectives will be brought into question.



An area of concern is the degree and extent of the implementation of enforcement measures, for example, how Sefton will meet the Local Plan objective 'To make sure that new developments include the essential infrastructure, services and facilities that they require'. There are concerns related to risks associated with infrastructure providers and whether they will be able to deliver the necessary infrastructure in a timely manner at the right place. Does this fact bring into question whether the policy relating to Infrastructure and Developer Contributions is adequate enough to provide the assurances and guarantees that would alleviate the concerns regarding inadequate infrastructure and mitigation?

Appropriate policies may exist in the Plan, but without the ability to provide assurances/guarantees that these things will be addressed, infrastructure needs may be unmet and mitigation inadequate. Is merely having a policy enough, without any way of ensuring that it has the desired impact? Are planning conditions robust enough to ensure compliance? The Working Group consider that its suggested recommendations, if all fully implemented, would cover this concern and how this may be managed through the planning and development processes.

It seems that several key infrastructure providers are companies who are dependent on the uncertainties of the market place which may affect their ability to provide the funding to meet the infrastructure needed to meet the objectives and policies in the Local Plan, at the right place and at the right time. The Working Group express concern about the implications of additional development which may become part of the Local Plan through the Modification Process; and the resulting impact on the infrastructure of such additional development.

We understand Sefton's responsibility to develop policies prior to the Local Plan being accepted, however, some of our concerns relate to issues that may arise once the Plan has been accepted. This may bring questions about the achievement /potential failure of plan policies/ objectives. If this were to happen to quote someone at the recent Keppie Massie presentation, it would be 'A show stopper' and the policies would potentially fail to deliver a particular site.

The Infrastructure Working/Scrutiny Group recognised from the outset the importance of this piece of work and the very limited timescale that we were given to complete it. The Local Plan will affect the whole of Sefton for coming generations and we have made our comments, observations and recommendations based on an objective analysis of the evidence we had to hand. We have in a short space of time attempted to provide a piece of work that we hope will contribute to the development of policy that will help to ensure the achievement of the objectives in the proposed Local Plan. We realise that some of the issues herein are beyond the immediate control of Sefton Council, others may not be. We have attempted to provide what we

believe to be an analysis based on the function of Overview and Scrutiny, taking on board time restraints etc.

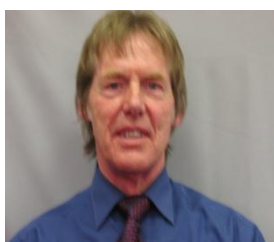


## 7. ACKNOWLEDGEMENTS AND THANKS

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- All Key Witnesses
- Steve Matthews, Lead Officer to the Review and Ian Loughlin

Thanks must also go to the Members of the Working Group who have worked hard and dedicated a great deal of time to this review, namely:-



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**Councillor Denise Dutton**



**Councillor Lynn Gatherer**



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