

Our Ref: GNDP CIL-141111
Your Ref: CIL consultation

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Greater Norwich Development Partnership
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Dear Sirs

**CONSULTATION ON PRELIMINARY DRAFT CHARGING SCHEDULES FOR COMMUNITY
INFRASTRUCTURE LEVY –
BROADLAND DISTRICT COUNCIL, NORWICH CITY COUNCIL & SOUTH NORFOLK COUNCIL**

I write on behalf of the Broads (2006) IDB and Norfolk Rivers IDB with regard to the consultation about your proposed Community Infrastructure Levy (CIL) rates. Although I do not have any comments to note regarding the /m² rates specifically, I would like to make you aware of the following, which may impact on the CIL and/or which "flood prevention and drainage" projects it could, or should, be used to (part-)fund.

Internal Drainage Boards, including Norfolk Rivers IDB and Broads (2006) IDB, which cover parts of the three LPA areas affected by this consultation, protect areas of special drainage need, which are theoretically at a high risk of flooding from rivers or tidal inundation. However, the actual risk is substantially reduced by the works that IDBs do, in conjunction with local authorities and other relevant organisations, to ensure that surface water run-off is efficiently drained and eventually discharged to tidal rivers or the sea.

The main sources of funding for IDBs' work comes from agricultural drainage rates from landowners within their respective districts, and from the charging of special levies on Councils whose areas coincide with any part of the Board's district. However, other sources of funding can include grant aid from DEFRA or the EA for approved works, and, of particular relevance here, both Norfolk Rivers IDB and the Broads (2006) IDB, as well as most other IDBs, charge developers a Surface Water Development Contribution (SWDC) where the developer proposes to increase the rate or volume of surface water discharging to a watercourse.

Without suitable mitigation, increases in the rate or volume of surface water being discharged to a watercourse as a result of development will increase the pressure on existing drainage infrastructure, and are likely to increase the risk of flooding, whether that is to the development site or elsewhere. At the current time, where one of the Boards is prepared to grant consent for an increase in the surface water discharge from a site, this is subject to the payment of a one-off SWDC, which the Boards then allocate to a fund which is used to help finance improvements to the local drainage network to cater for the additional flows. This "he who benefits, pays" scenario ensures that the impact of improvement works on the drainage rates and special levies charged by the Boards is minimised.

However, in certain circumstances, it may be appropriate for a more strategic improvement to be undertaken, such as the creation of a new flood storage area, to reduce the pressure on a drainage network, rather than solely improving existing infrastructure. The implementation of schemes like this can reduce flows along a watercourse by storing water "off-line", which then allows additional surface water to be discharged to the drain further downstream, without increasing overall flood risk.



Cert No. GB11990

MEMBER INTERNAL DRAINAGE BOARDS

Broads (2006) IDB, East Suffolk IDB, King's Lynn IDB,

Norfolk Rivers IDB, South Holland IDB



Cert No. GB11991

I note from your consultation documents and supporting information that the CIL is intended to provide infrastructure to support development of an area rather than to make individual applications acceptable in planning terms, and that your current plans for "Flood prevention and drainage" allow for the funding, or part-funding of "Strategic flood defences where not related to specific development proposals" by the CIL, but that "The establishment and ongoing maintenance of sustainable drainage systems and any other water infrastructure which is not adopted by a licensed water undertaking or other responsible body" will have to be funded through S106 Obligations; S278 of the Highways Act; other legislation or through Planning Condition.

In my opinion, some of the items discussed in this letter as having an effect on one of the Boards can fall into the first of these categories, but others fall outside either of them. For instance, the possible creation of flood storage areas would fall into "strategic flood defences where not related to specific development proposals", but as the Boards are "responsible bodies", other improvements to drainage infrastructure maintained by one of the Boards does not fit into either of the listed categories. Therefore, it could be argued that some schemes undertaken by IDBs could potentially be (part-)funded by the CIL, but others would continue to be funded by the Board.

Both Broads (2006) IDB and Norfolk Rivers IDB wish to continue charging SWDCs, and using these to help fund improvements to drainage infrastructure. However, obviously neither Board wishes the situation to arise where a developer argues against, or refuses to pay, a SWDC on the grounds that they have already paid for this through the CIL, unless of course, the authorities levying the CIL are going to be passing part of this fee on to the IDBs in respect of the development contribution which would otherwise have been charged.

If the Boards do not receive any part of the CIL, but also for any reason lose their ability to charge SWDCs, then the drainage rates and special levies charged by the Boards would have to increase in order to meet the costs of improving drainage infrastructure to cope with additional development, which would mean a higher annual payment having to be made by the Councils contributing to each of these Boards. Without such increases, the Board would be unable to fund required drainage and flood prevention improvements, which would mean the risk of flooding would increase.

I would be grateful to receive confirmation from you in the near future as to how you envisage the SWDCs charged by IDBs sitting within/alongside the CIL, so that the chance of any future disputes about the payments made by developers towards improvements to drainage networks is minimised, but also so that the Boards' abilities to implement drainage improvement schemes are not compromised.

If you wish to discuss this matter further, I would be pleased to meet with you at your convenience.

Yours faithfully



G R DANN
PLANNING OFFICER