

Community Infrastructure Levy Review Panel questionnaire – Arts Council England response – January 2015

Note - Response to be made online via Survey Monkey link

Please provide the following general background:

a. Brief description of your interest and involvement in CIL.

Arts Council England is the national development agency for the arts, museums and libraries in England. Our mission is 'great art and culture for everyone' and we work to achieve this by championing, developing and investing in arts and cultural experiences that enrich people's lives.

We fund a range of activities across the arts from theatre to music, poetry to dance, carnival to crafts. We support and invest in high quality arts practice and the best emerging practitioners whom we believe are essential for underpinning a dynamic creative economy. We also support a network of high quality museums across England, and work to ensure that the country's public libraries are excellent and accessible to all.

Considering the spatial and place contexts of cultural engagement is fundamental to ensuring that arts and culture add value to local, regional and national life. This has been recognised in the National Planning Policy Framework where it is stated that in performing its social role the planning system must take account of cultural well-being (NPPF, page 2). The NPPF then goes on to make numerous references to cultural facilities in discussing the infrastructure a local planning authority must consider in formulating Local Plans.

The Arts Council works hard with local authorities and other partners so that the arts and culture make a contribution to place shaping. We recognise that the planning system and investment from developers can be a key way to realise culture's potential to help make places where people want to live, learn and work. As stated in [The Community Infrastructure Levy: advice note for culture, arts and planning professionals](#), published by the Arts Council in 2012, 'The provision of adequate cultural infrastructure is essential to the creation of truly sustainable communities. Culture and the arts are able to bring people together, create links between different communities, and encourage people to feel a sense of pride and belonging in their local areas'.

The Arts Council's development role includes providing advice and guidance and working at a local level to ensure that arts, culture and libraries are integrated into communities. A thriving local cultural infrastructure benefits the economy, communities and the cultural ecology of the country as a whole. [The National Planning Policy Framework](#) recognises that cultural well-being is an essential element of the social aspect of sustainable development.

b. If a local authority, the precise stage you have reached in the CIL process.
n/a

c. If a developer/consultant, some indication of the number of different CIL processes you have been involved in, in relation to both: 1. the setting of CIL rates, and
2. payment of CIL for specific developments including details of the land use and the scale and type of development.

The Arts Council (and, previously, the Museums, Libraries and Archives Council) has been involved in:

- the development of standard charges for Section 106 contributions for the arts, museums and libraries; and
- looked at the implications of CIL in 2011, including [publishing resources](#) including the Culture and Sport Planning Toolkit (in partnership with other sector bodies) and an advice note for culture, arts and planning professionals on CIL.

Libraries, as a statutory service, need to be planned for as part of new developments. There is a strong record of local authorities using S106 to mitigate the impact of new development on demand for library services. CIL presents an even greater opportunity to create, grow and retain social, economic and environmental value locally through culture – as well as enhancing and developing the cultural value which makes for successful places and helps people have fulfilling lives.

However, it has been difficult to ascertain the extent to which arts and culture has been considered as part of CIL and the development of 123 Schedules. The Arts Council is keen to work with you further to gain a greater understanding of the levels of arts, culture and libraries involvement with and access to CIL, and what we might do to help local partners realise opportunity.

On Infrastructure:

i. To what extent is CIL contributing, or will it contribute, to infrastructure to support development and is that infrastructure being delivered?

We are aware of some examples from our sector (particularly for library services) where CIL is contributing and where benefits have accrued. However, the majority of places have not been able to access CIL for arts and culture. It is challenging to get a national level view of the uses and benefits of CIL and we would welcome the opportunity to work with you to help create this national picture and better understand the drivers at work.

ii. Has the role of the Planning Authority changed with the introduction of CIL and if so where has this worked most effectively?

iii. How are large items of essential infrastructure critical for key sites or growth locations being secured in the CIL and s.106 system?

iv. What role are CIL and s.106 playing alongside other sources of infrastructure funding and could changes to CIL (e.g. the ability to borrow against it or in kind contributions) allow it to be more effective?

There are opportunities for CIL to be used alongside Arts Council capital funding and funding available from other places, such as EU funding and the local authority's own funding. Again, it would be valuable to see a nation-wide picture of how CIL is being used alongside other funding sources.

v. What has been the impact of pooling restrictions? Is there a difference between authorities which have adopted CIL and authorities which have not adopted CIL?

vi. What impact do exemptions and reliefs have on delivering infrastructure?

vii. How are local authorities who have not adopted CIL making provision for infrastructure and how effective are these approaches?

On Viability

viii. Has a lack of viability resulted in a failure to develop a CIL?

It is important to consider viability in terms of the viability (i.e. sustainability) of the communities being created. Given the social role of the planning system, as set out in the NPPF, where cultural well-being is set out as a key component of social wellbeing, it is vital that we enable the implementation of CIL to maximise culture's contribution to viability. The arts and culture and cultural value are integral in building social value, without which, we cannot create and maintain thriving communities.

ix. Have viability concerns resulted in a low CIL level and has this had an adverse impact on the delivery of infrastructure to support development?

x. Are there appropriate tools available for establishing viability? Would standardisation using just one methodology be helpful or feasible?

xi. Do you have specific examples where non-viability on account of CIL has prevented development?

xii. Is CIL impacting on affordable housing provision?

xiii. In setting a CIL Charging Schedule has the development community played their part and been properly consulted on issues of local viability?

On Charge-setting:

xiv. Is the EIP process suitably robust?

xv. Should there be a requirement to review charging schedules at set times, if so when and why?

xvi. Should partial reviews (eg. types of use or location) be possible?

On CIL Regulations and Guidance:

xvii. Are the CIL regulations and guidance easy to use and understand?

xviii. Are there improvements that could be made to the arrangements for collecting and spending CIL?

In order to realise the full potential of arts and culture in a community and place context, we need to work to help councils understand the value of arts and culture to communities. Directing and supporting more local authority culture and planning teams to use the Culture and Sport Planning Toolkit would greatly increase the understanding of the role that arts, culture and libraries can play in creating thriving communities.

The Arts Council would value a discussion with the Review Panel on how we can work together to improve the CIL arrangements.

On Neighbourhood issues:

xix. How have the requirements for the Neighbourhood proportion of CIL been implemented?

xx. Is this encouraging communities' to support development?

Finally, on the overall system

xxi. Has the introduction of CIL made the system for securing developer contributions and delivering infrastructure simpler, fairer, more predictable, transparent and efficient? Although the NPPF has made clear the value of culture to good planning and to good places, for culture to benefit from CIL requires effective local leadership and advocacy and engagement between the cultural service leadership and the planning team in local authorities. Political leadership also need to understand the system and the benefits of investing CIL in arts and culture. We would value aggregated, national-level information on the effectiveness of this engagement, to help us better plan to provide support and guidance.

We will engage with key stakeholders as appropriate. The Arts Council will continue to work with its partners, including the LGA and the Town and Country Planning Association, to make the case for culture within the CIL context.

It is important that any changes which may be made to the CIL system as a result of this review do not negatively impact on the ability of the arts, culture and libraries sectors to access funding. Arts, culture and libraries are central to creating and maintaining social capital, which is essential for thriving communities.

xxii. Is the relationship between CIL and s.106 fit for purpose and how is this working in practice?

xxiii. Is there a better way of funding the infrastructure needed to support development?

For more information please contact:

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