

Appendix 1: Regulation 123 List consultation – table of responses

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Respondent		Consultee response	Council comments
1	Mr P Waite	Generally in agreement. But reserve right to comment further following discussions with others.	Support noted – no changes made
2	Miss N Watson	I agree with them , I feel that the communities that are already present need to be considered when new housing developments are agreed to , especially when it comes to the road network and the impact of so many more vehicles on the road due to the new development, living in aylesford myself I have seen hugh (sic) changes to my local area with no thought of the locals there already regarding roads , doctors , dentists, the hugh (sic) scale of some of the housing developments that have sprung up have caused traffic chaos and has made living here unbearable our council seem to have not taken that into account when approving new developments and have left the people who was there initially with lives that blighted by them with no recompense for such blight! I know new housing must be built but not with out new roads ring roads and new roads to take in to account the amount of new vehicles that will be using them. Roads are my main concern followed by Doctors and my inability to get an appointment.	Support noted – no changes made
3	H Gilham	I see these changes (if finance available in some cases) to be acceptable.	Support noted – no changes made
4	Mr M Cockett	Agree.  Without this amendment money cannot be made available for the expansion of Lenham Primary school to meet the educational needs of the population increase demanded in the MBC Local Plan.	Support noted – no changes made
5	Mr G Osborne	All seems fine to me.	Support noted – no changes made
6	M McFarlane, Lenham Parish Council	I agree with the proposed changes to the Regulation 123 List on behalf of Lenham Parish Council, as the funds for education provision, are required to ensure the capacity of Lenham Primary School is able to serve the expected increase in numbers, due to the proposed development of 1000 new dwellings in the parish.	Support noted – no changes made
7	Mr A Walmsley, Lenham Parish	The change to the Education section relating to the Lenham primary school should be supported.	Support noted – no changes made

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	Planning Chairman	From the viewpoint of the additional housing in the Lenham broad location this is an infrastructure necessity the Lenham and Harrietsham Primary Schools are already nearly full. They both require to be doubled in size to even begin to cope with the projected future child population.	
8	Mr P Culver	I totally agree with the changes to the list, with so many houses being built in the lenham parish and for cohesion of school and expansion to the existing school is the correct option.	Support noted – no changes made
9	Miss K Shircore	I agree with the proposed addition expansion of Lenham Primary School due to the number of new houses planned for this area.	Support noted – no changes made
10	Mr R Sinclair	<p>Add into the CIL funded Headings:</p> <p><b>Highways and Transportation</b></p> <ul style="list-style-type: none"> <li>• Improve Parking at Stations – Particularly @ Bearsted</li> <li>• Move the bus station to Maidstone East and Incorporate it into the MBC /KCC scheme.</li> <li>• MBC’s Integrated Transport Strategy 2011-2031 identified that “The town’s rail stations and bus station are not generally well connected to each other, making for a poor interchange experience.”</li> </ul> <p><b>Health Provision</b></p> <ul style="list-style-type: none"> <li>• Set up a proper air quality monitoring system based on sensors that are linked to an air quality app.</li> <li>• Regular reporting to the Community.</li> </ul> <p><b>Social and Community Infrastructure</b></p> <ul style="list-style-type: none"> <li>• EV – power points, understand and plane for more than one car parking space per household. <a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/818810/electric-vehicle-charging-in-residential-and-non-residential-buildings.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/818810/electric-vehicle-charging-in-residential-and-non-residential-buildings.pdf</a></li> <li>• Safe and secure play areas.</li> <li>• Installation of broadband connections via cable for phones and TV.</li> <li>• Support for 5G Connections - Bigger and taller mobile phone masts could be built without councils' permission across the countryside, under a proposed overhaul of planning rules in England.</li> </ul>	<p>Comments on Highways and transportation, health provision and Social and community infrastructure are noted. However, they are outside the remit of this consultation exercise as the Council only sought comments on the proposed minor amendments.</p> <p>As such, no changes made.</p>

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11	Mrs F Kenward, Ulcombe Parish Council	<p>Ulcombe Parish Council agree with the changes to the CIL Regulation 123 List.</p> <p>With the large increase in housing numbers it is vital that adequate funding is in place to provide high quality education for the children of Lenham.</p>	Support noted – no changes made
12	Mrs J Sams	<p>We agree with the comments of Lenham Parish Council regarding the 1 form entry of Lenham Primary School being included in the 123 list.</p> <p>Lenham is facing a huge increase in housing and the funding for the school expansion must be allocated to satisfy the educational need.</p>	Support noted – no changes made
13	Mrs J Burnett, East Sutton Parish Council	<p>East Sutton Parish Council agrees with the proposed changes. Lenham is seeing a significant amount of new housing and require the monies from developers to ensure their education provision is kept in line.</p>	Support noted – no changes made
14	Cllr S Prendergast	<p>I am writing in my capacity as the local Member representing Lenham at the education authority - Kent County Council. I am in agreement with the proposed changes to the Regulation 123 List for the following reasons:</p> <p>1) The amendments would be in line with government guidance issued in April this year which recommends that for two tier areas where education and planning responsibilities are not held within the same local authority, that S106 may be the most effective mechanism for securing developer contributions.</p> <p>2) Would give much needed certainty to this essential education provision within the Lenham Broad Location - identified as critical in the Maidstone Infrastructure Delivery under Policy EDR6.</p> <p>3) Would bring it in line with Broad Location at Invicta Barracks.</p> <p>Shellina Prendergast</p> <p>KCC Member - Maidstone Rural East</p>	Support noted – no changes made

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15	Mr G Parsons, Sport England	<p>Sport England is the Government agency responsible for delivering the Government’s sporting objectives. Maximising the investment into sport and recreation through the land use planning system is one of our priorities. You will also be aware that Sport England is a statutory consultee on planning applications affecting playing fields.</p> <p>The purpose of Reg 123 list is to set out what infrastructure will be funded by new development under CIL and is to avoid duplicate payments by development for the same items of infrastructure, once through S106 and once through CIL. This is referred to as ‘double dipping’ on the planning portal.</p> <p>We note the inclusion of ‘green and blue infrastructure’ on the Reg 123 List. Sport England agree that around 500+ homes should provide an area of open space/playing fields for sport or a pitch hub on-site and should be secured by s106 rather than CIL.</p> <p>The Reg 123 list appears to omit ‘indoor sport’ such as sports halls, swimming pools and even artificial grass pitches. This is a major concern of Sport England. CIL is probably the best vehicle to deliver such large infrastructure projects including modernising existing facilities.</p> <p>We also recommend that the Reg 123 List needs to be clear on what it will seek and what it won’t seek. Being silent e.g. ‘indoor sport’, is not very helpful.</p>	<p>Comments on green and blue infrastructure, and the lack of reference to indoor sports are noted. However, they are outside the remit of this consultation exercise as the Council only sought comments on the proposed minor amendments.</p> <p>As such, no changes made.</p>
16	Mr M Woodhead, Countryside Properties	<p>I’m writing to you on behalf of my client Countryside Properties Ltd to make a representation on the current consultation on the CIL Regulation 123 list. The proposed changes include adding “1FE expansion of Lenham Primary School for broad location H2 (3), Lenham, Maidstone”.</p> <p>Countryside Properties remain neutral to this inclusion on the basis that the Council are satisfied that this does not amount to double counting. If primary school contributions in Lenham were not considered to be part of the original CIL calculation, then the inclusion now as a separate Section 106 item is not objected to.</p>	<p>Noted. No changes made.</p>
17	Mrs B Cooper, Kent	<p>The County Council notes that the substantive change relates to the education provision, which now includes the one form entry expansion of Lenham Primary as an ‘exclusion’ - to be funded instead via Section 106 contributions, rather than via future receipts from CIL. As Local Education Authority, the County Council is supportive of this proposed amendment.</p>	<p>Support noted. No changes made.</p>

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	County Council		
The Environment Agency, Highways England, Historic England and Natural England all responded with no comment as the matters for consultation were beyond their remits.			