

## Policy Group – 1 February 2017

### Community Infrastructure Levy (CIL) reviews and CIL and Section 106 expenditure

#### 1. Purpose of report

This report considers various matters relating to CIL. Firstly, it considers responses to consultation on the Preliminary Draft CIL charging schedule which will inform a new charging schedule being developed alongside the Partial Review. The rest of the report relates to the existing schedule including an update to the Regulation 123 list, the principles and processes for allocating funds and an application for funds for Bog Lane SANG monitoring and visitor management.

#### 2. Key issues

##### Results of consultation on review of the Preliminary Draft CIL charging schedule

- 2.1 The Council is required to keep charging schedules under review and to ensure that levy charges remain appropriate over time. Consequently, the CIL schedule is being reviewed alongside the Partial Review of Purbeck Local Plan Part 1. The Council consulted on a Preliminary Draft alongside the Partial Review Options consultation in 2016. **Appendix 1** summarises the comments from the consultation and proposed actions as a result.

##### Review of current Regulation 123 list

- 2.2 The Regulation 123 list, which is reviewed regularly, identifies projects and areas of work that CIL receipts will be spent on. Currently, the main items on the list are the heathland mitigation requirement of Habitat Regulations requirements and repayment of loan for the study to enable reconnection of Swanage and Corfe Castle to the main rail line at Wareham. The Council also has a duty to meet other Habitat Regulations requirements as set out in the Habitat Regulations Assessment for Purbeck Local Plan Part 1 and reflected in policy PH for Poole Harbour. These requirements are set out in further detail in section 5 and **Appendix 2**. The Council is required to consult on changes to the Regulation 123 list. The proposal is to add the additional Habitat Regulation requirements to add clarity around what CIL income will be spent on.

##### Allocation of CIL income to Regulation 123 projects

- 2.3 The prime focus for CIL expenditure is Habitat Regulations requirements and repayment of the railway loan. CIL receipts are sporadic and don't begin until after commencement, which potentially could take three years, and may not be completed for two years after this. Some developments which have to be mitigated for are either not liable for CIL or can claim exemptions. Consequently the CIL receipts for liable developments must be used to mitigate such developments. Officers are proposing a scheme to ' earmark ' income in to specific ' pots ' for the different Habitat Regulations requirements and repayment of railway loan. Detail can be found in paragraphs 5.11 to 5.16.

## Process for agreeing expenditure of Section106 and CIL receipts

- 2.4 In 2015 the Council and its partners reviewed the Dorset Heathland Framework and a new structure was put in place. The result of this is that project funding bids come straight to Council, without an assessment by the local authority officers group or recommendation from the heathland executive. A process for managing project bids is set out in paragraphs 5.17 to 5.20 of this report. The proposal to delegate allocation of funds for Habitat Regulations requirements is aimed at minimising officer, councillor and agenda time, as well as speed up the allocation process.

## Bog Lane Suitable Alternative Natural Greenspace monitoring and visitor management

- 2.5 Officers are seeking funding to establish monitoring and phase 1 visitor management at Bog Lane SANG.

### 3. **Recommendation**

A report be submitted to Council recommending that Council:

- (a) notes the responses to the consultation on the review of the Preliminary Draft CIL charging schedule and agrees the actions set out in Appendix 1;
- (b) agrees to consult on the proposed update to the existing Regulation 123 list for 6 weeks to include projects that mitigate other Habitat Regulations requirements;
- (c) agrees to top slice CIL for all Habitat Regulations requirements as follows:  
  
Houses    £3,357  
  
Flats       £2,403
- (d) agrees to allocate CIL for the railway loan at £1793 per dwelling, subject to funds being available.
- (e) agrees the process for agreeing expenditure of Section106 and CIL receipts, as set out below:
  - a. Initial assessment by Planning Policy Manager to determine that the project meets the basic criteria. Any bids that are not supported by the Planning Policy Manager will be circulated to the spokesperson for the environment and the General Manager Planning and Community Services for information.
  - b. Consultation with Natural England to confirm their support for the project.
  - c. Agreement of expenditure by the General Manager Planning and Community Services in consultation with spokesperson for the environment.
- (f) agree the expenditure of £4,670 for Bog Lane SANG monitoring and phase 1 of visitor management.

## 4. Policy issues

### 4.1 How will this affect the environment, social issues and the local economy?

Addressing Habitat Regulations requirements is beneficial to the local environment with the highest protection. It also allows development to go ahead. Without the ability to mitigate the impact of new housing and tourism accommodation the Council would not be able to approve new development which provides the much needed affordable housing. New housing is also seen as a key factor in economic growth.

### 4.2 Implications

#### 4.2.1 Resources

The funding for any of the projects is secured through Section 106 or CIL (since June 2014). The funding for the Bog Lane SANG will need to come out of the heathland mitigation Section 106 funds as regulations prevent combining CIL and Section 106 funds on the same project and the SANG was originally secured through a S106 agreement. Currently the amount available for heathland mitigation projects is around £200,000, leaving around £195,000 after the allocation of £4,670.

#### 4.2.2 Equalities

N/A.

## 5. Main report

### Results of consultation on review of the Preliminary Draft CIL Charging Schedule

5.1 The Council consulted on a Preliminary Draft CIL Charging Schedule alongside the Partial Review Options consultation in the summer of 2016.

5.2 Very few comments were received relating to CIL. This may have been because it was overshadowed by the Partial Review but CIL is of interest to a selected audience, mainly developers, landowners/agents and planning consultants. CIL consultations in the past have attracted limited responses. More comments are anticipated following publication of the draft schedule and the new Regulation 123 list.

5.3 The next stage is publication and consultation on a Draft CIL Charging Schedule and Regulation 123 list. It is likely that we will continue to progress the CIL charging schedule review alongside the Local Plan Partial Review. We will be updating the timetable for both documents through a revised Local Development Scheme in Spring 2017.

5.4 The proposed actions are summarised below:

- Consider adding the definition of viability in to the Draft Community Infrastructure Levy Charging Schedule.
- Clarify the balance between funding through Section 106 agreements and CIL through the Regulation 123 list and updated Infrastructure Plan.
- Publish the Regulation 123 list alongside the draft CIL charging schedule.
- Discuss any potential viability study update requirements with the viability consultants.

- Meet with service providers to update the Infrastructure Plan and identify the best way of securing funding.

## Review of current Regulation 123 list

- 5.5 The Regulation 123 list sets out those infrastructure projects the Council intends will be, or may be, wholly or partly funded by CIL. In accordance with CIL regulations, development contributions to the projects listed on the list will not be sought through planning obligations. The Council is committed to reviewing the list once a year.
- 5.6 In addition to heathland mitigation, our Habitat Regulations Assessment for Purbeck Local Plan Part 1 (PLP1) identifies that development needs to be nitrogen neutral and mitigate for additional recreation pressure on Poole Harbour. Within PLP1 Policy PH – Poole Harbour reflects this.
- 5.7 The Nitrogen Reduction in Poole Harbour Supplementary Planning Document (SPD) identifies that developers will need to ensure that settlement extensions are nitrogen neutral and any mitigation will be secured through Section 106 agreements. For infill or windfall development the Council will need to ensure mitigation is provided using CIL receipts.
- 5.8 Experience in neighbouring authorities suggests that mitigation for recreation pressure cannot be provided on-site alongside settlement extensions and mitigation for all development will need to be secured using CIL receipts. A joint Poole Harbour Recreation SPD is under development to address this.
- 5.9 It is proposed that projects addressing nitrogen neutrality for infill and windfall sites, and projects that mitigate for recreational impact on Poole Harbour, be added to the list of projects fundable by CIL as set out in Appendix 2.
- 5.10 The consultation will take place for 6 weeks from 7<sup>th</sup> April 2017, subject to Council agreement on 21 March 2017.

## Allocation of CIL income to Regulation 123 projects

- 5.11 As stated in paragraph 5.1 the Council is required to mitigate for other impacts of development on the natural environment, in addition to heathlands mitigation. The following is a summary of the proposed top slicing for Habitat Regulations requirements.

	Heathland mitigation	Nitrogen neutrality	Recreational pressure on Poole Harbour	Total
House	£1997	£1260	£100	£3,357
Flat	£1403	£900	£100	£2,403

- 5.12 Some developments that require mitigation are not CIL liable or are exempt. The Council still needs to top slice from CIL for these developments.
- 5.13 Approved applications may not be implemented and, therefore, paying CIL for up to 3 years. Also, because the majority of CIL is paid in instalments, it is likely that initially the CIL receipts will not meet these requirements and there will be a time lag before the funds are available. The proposal is, following the publication of the annual housing monitoring report,

to top slice funding for Habitat Regulation requirements for exempt development and CIL liable development that has begun, in order to determine how much, if any, is available for the railway loan and other projects. Once enough funding has been set aside for Habitat Regulations requirements then the Council can look at repaying the railway loan.

- 5.14 For example, CIL liability for applications requiring mitigation from 2014-15 that are exempt and those that are CIL liable and have begun is £117,258.81. Habitat Regulations requirements top slicing for those applications would be £77,814. CIL income for the year was £41,893.38. For the same applications, an additional £31,757.31 CIL was received in 2015-16. This indicates we are not in a position to make any payments towards paying off the railway loan or consider other projects for those applications over that period. This would need to be a rolling process, so that as more CIL instalments are paid and other development begins to pay CIL, the Council would top slice for Habitat Regulations after administration and parish CIL, and review what is left for the railway loan and other projects.
- 5.15 These figures are 'front-loaded' in that the non-paying developments are included but this pressure on CIL will eventually be shared with the other liable developments once they start paying CIL.
- 5.16 Figures from 2014/15 suggest that top slicing £1793 per house will pay off the railway loan by the end of the current PLP1 in 2027. The proposal is that as funding becomes available the Council transfers funding annually at the rate above.

#### Process for agreeing expenditure of Section 106 and CIL receipts

- 5.17 The Council holds Section 106 obligation funds that are available for heathland mitigation projects. Since June 2014 Section 106 obligations for heathland mitigation have been replaced by CIL receipts.
- 5.18 Before the restructure, project applications were assessed by an officer group, including Natural England, prior to a recommendation to the heathland executive and final agreement by Council.
- 5.19 The following procedure is proposed for agreeing expenditure on all Habitat Regulation requirements mitigation projects:
- Initial assessment by Planning Policy Manager to determine that the project meets the basic criteria. Any bids that are not supported by the Planning Policy Manager will be circulated to the spokesperson for the environment and the General Manager Planning and Community Services for information.
  - Consultation with Natural England to confirm their support for the project.
  - Agreement of expenditure by the General Manager Planning and Community Services in consultation with spokesperson for the environment.
- 5.20 Monitoring and expenditure of Section 106 and CIL receipts will continue to be reported through the Annual Section 106 and CIL Monitoring Report.

## Bog Lane SANG monitoring and visitor management

- 5.21 Bog (formerly Holme) Lane SANG Section 106 agreement final management and maintenance plan did not include visitor access management and monitoring. Consequently the Council needs to address this using funds secured through Section 106 agreements. These costs have since, and will continue to be, secured through the Section 106 agreement associated with settlement extensions.
- 5.22 As well as mitigating the Westgate development in Wareham, it is anticipated that the site will attract other users, particularly if the promotion is right.
- 5.23 A leaflet has already been produced on the site as part of a pack which will be circulated around the Westgate development. The site will also promoted through Dorset Dogs website.
- 5.24 The attached application form (**Appendix 3**) summarises the costs for monitoring and phase 1 of the visitor access management.
- 5.25 Monitoring includes on-site visitor surveys and people counters. The initial baseline survey is repeated at 3 years and 5 years. The information gathered from the baseline survey will inform phase 2 of the visitor access management, i.e. how many interpretation boards and where to put them. The information from the people counters is downloaded quarterly. Both the visitor surveys and people counter data will be compatible with other data collected across the south east Dorset heathlands.
- 5.26 The Council does not have to meet all the costs of monitoring as the Urban Heaths Partnership have equipment that they can loan – highlighted in yellow on the application form – to the value of £884. They are also providing the cost of one person for one day as part of the baseline survey – to the value of £160. A total of £3,145 is sought to fund the monitoring for the first 5 years.
- 5.27 The visitor management project has been split into phases as the position, numbers and content of the interpretation boards will be informed by the baseline visitor survey, the detail of any brown signs from the A351 to help people find the site will not be available until an initial application process with Dorset County Council is complete. An addendum to the Section 106 for Westgate development in Wareham is required to agree the additional work and inclusion in the maintenance schedule. A further application will be made for funding when the information and finalised plan is available. The costs for phase 1 total £1100.
- 5.28 A total of £4,670 is sought to cover the monitoring (£3,145), phase 1 of visitor management including a launch event (1,100), and contingency (£425).

### **Appendices:**

- 1 - Preliminary Draft Community Infrastructure Levy Charging Schedule Consultation Responses Summary**
- 2 - Proposed update of Regulation 123 list**
- 3 - Bog Lane SANG monitoring and visitor management application for funding**

Background papers:

There are none.

For further information contact:-

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## Preliminary Draft Community Infrastructure Levy Charging Schedule Consultation Responses Summary

The Council has been implementing the Community Infrastructure Levy (CIL) since June 2014 and is now reviewing the charging schedule in light of the Partial Review and the need to deliver more local infrastructure through strategic settlement extensions of 200 dwellings or more. The consultation asked for comment on the proposed revised rates for different new development uses across the housing sub-markets.

The response to the consultation was low. Response to CIL consultations is traditionally low compared with local plan consultations, as it is more focussed in its audience. The Partial Review may have diverted some interest away. A few respondents to the Partial Review made comments on CIL and the viability study and have been included in this summary. We anticipate more responses when we publish the Regulation 123 list with a Draft Community Infrastructure Levy Charging Schedule, which will identify how different infrastructure is likely to be funded, i.e. through Section 106 Agreements, CIL or other funding sources.

### Comments:

There is general support from the development industry for pulling back on CIL on strategic sites of 200 or more homes to enable site specific infrastructure to be provided by developers. Dorset County Council also supports this approach as it will provide a better balance between site specific prerequisites and general supporting infrastructure. There is a suggestion that some larger sites should be zero rated for CIL but there is still a requirement for some strategic projects to be funded jointly.

There is a query about the overlap in land values in the Purbeck Rural Fringe submarket and Upton and Purbeck Rural Centre submarkets. Purbeck rural fringe land values are wide ranging but the top end does extend beyond the top end of Upton and the Rural Centre. New development is likely to fetch values at the higher end of the range. Residual land values of strategic sites in Upton and Wool (rural centre) area at 40% affordable housing and Moreton (rural fringe) area at 50% are roughly comparable.

Wareham St Martin suggested that hotels and care homes should be charged £10 to help alleviate their impacts. There is currently no evidence to show that such developments would be viable, which is key criteria for applying a charge.

Recent changes in legislation, particularly around starter homes have been highlighted and the Council will need consider the impacts, particularly on viability.

There is some confusion over the term viability and a lack of understanding around funding infrastructure but this may clear up with the publication of the Regulation 123 list and more detail in the infrastructure plan. There is concern around the potential for 'double dipping', ie using Section 106 and CIL obligations to fund the same piece of infrastructure.

Affpuddle and Turnerspuddle Parish Council have suggested that CIL be negotiated on a case by case basis but regulations do not permit this.

### Actions:

- Consider adding the definition of viability in to the Draft Community Infrastructure Levy Charging Schedule.

- Clarify the balance between funding through Section 106 agreements and CIL through the Regulation 123 list and updated Infrastructure Plan.
- Publish the Regulation 123 list alongside the draft CIL charging schedule.
- Discuss any potential viability study update requirements with the viability consultants.
- Meet with service providers to update the Infrastructure Plan and identify the best way of securing funding.

The Council has received suggestions for applying CIL differently, or introducing policies. The application of CIL is set nationally and cannot be re-interpreted locally. The Council has already considered policies around instalments and discretionary exemptions to CIL charges. We have an instalment policy in place and the Council took the decision not to allow discretionary reliefs due to the impact on CIL income from mandatory reliefs.

Representations have been made regarding expenditure of CIL. CIL funds are very limited and the current priorities are Habitat Regulations mitigation (without which there would be no new homes) and paying off the Norden -Wareham railway feasibility loan which the Council is committed to repaying, but we will consider other projects when we draw up the Regulation 123 list which accompanies the draft CIL charging schedule.



**Appendix : Summary of responses to Preliminary Draft CIL Charging Schedule**

**CIL Rates & Submarket Areas**

Who said	Comment	Officer response	Action
Dorset County Council	The change is supported as this will provide for a better balance between site specific prerequisites and general supporting infrastructure. Care will need to be taken when drawing up the Regulation 123 list.	Noted	None
Wareham St Martin Parish Council	Cannot see why Strategic residential Purbeck Rural Centre and Upton should be different to Strategic residential Wareham and Purbeck Rural Fringe. Propose both should be £20 per square metre.	The rates are set according to land prices and house prices which determine residual land values. These vary across the district and therefore the capacity to charge CIL varies. The viability study indicates that the sub-market areas should be the same as those set for the original preliminary draft and draft charging schedules, i.e. there is no differentiation between Upton and Purbeck rural centre. The study also recommends a low rate for strategic sites to enable them to deliver site specific improvements through Section 106 agreements.	None
	Believe C1 and C2 should be £10 per sqm to alleviate impact on infrastructure, both will make money in the future and can afford it.	The viability study indicates that development uses such as hotels and care homes are non-viable in terms of CIL. It does not necessarily mean, however, that such schemes are non-deliverable per se. It means that at the present time clear scope for CIL charging cannot be evidenced in viability terms.	None

Who said	Comment	Officer response	Action
<p>Affpuddle and Turnerspuddle Parish Council</p>	<p>Not clear why the CIL for strategic developments is set so low and in any case should be negotiated on a case-by-case basis. A step change at the 200 mark will lead to all sorts of anomalies.</p> <p>The CIL Preliminary Draft Charging Schedule effectively accepts the recommendations of the DSL viability study without question. I believe that PDC should take a more positive role in setting the CIL to meet the needs of the district.</p> <p>Don't understand the meaning of the term viability.</p>	<p>Firstly, CIL is not a negotiable charge but a set levy, so it needs to be set at a level such that enough development comes forward to meet the need for housing. It does not have to be set at a level where all developments are viable. The level for strategic developments is set low because they will be expected to deliver significant amount of site specific infrastructure, such as schools or road improvements to service the site, in combination with up to 4 other strategic sites where appropriate. A threshold for strategic sites and the switch to reducing CIL liability to enable significant infrastructure to be secured through site specific Section 106 agreements needs to be set. The viability study shows that there is a drop in residual land values including CIL between 200 units and 500 units, and hence we have selected 200 units as our threshold for strategic sites.</p> <p>Dixon Searle Ltd are the Council's expert consultants and highly experienced in this area. CIL levels have to be balanced against the provision of on-site infrastructure including affordable housing.</p> <p>The viability study defines the term viability in the glossary in appendix 4.</p>	<p>None</p> <p>None</p> <p>Consider adding the definition of viability into the CIL charging schedule.</p>

Who said	Comment	Officer response	Action
	<p>Standard tariffs may be appropriate for small developments, but for the larger developments that are planned it would be advantageous if PDC could assess the infrastructure costs on a case-by-case basis and then negotiate a levy that gives the community as a whole a fair result.</p>	<p>CIL is a set tariff and cannot be negotiated on a case by case basis. Planning obligations can be secured through Section 106 agreements for site related issues or CIL for more strategic issues. The preferred approach in the Partial Review is to have larger sites which have economies of scale. By pulling back on the level of CIL for these sites they have more capacity to provide the infrastructure required through Section 106 agreements. Delivery of infrastructure through Section 106 agreements is more predictable than through CIL. The Council is allowed to pool up to 5 planning obligations secured through Section 106 agreements. There are, however, a number of issues that need to be tackled strategically with contributions from more than 5 planning obligations, which is why the Council will continue to collect CIL.</p>	<p>None</p>
Swanage Town Council	<p>The preliminary draft charging schedule states that reducing the CIL on strategic developments will enable the sites to deliver infrastructure such as schools. This seems to be saying that the lower the CIL the more infrastructure can be delivered, which does not make sense.</p> <p>In support of the objectives of the review.</p>	<p>Noted.</p>	<p>Clarify the balance between Section 106 agreements and CIL</p>
Barton Wilmore	<p>Welcome the proposed draft CIL schedule for strategic sites of £20 per square metre. Broadly support reduction in CIL to enable delivery of infrastructure. No 123 list yet.</p>	<p>Noted. The preliminary draft charging schedule sets a range of rates across the sub-market areas from £10 to £30. A draft Regulation 123 list will be published alongside the draft CIL charging schedule.</p>	<p>None</p> <p>Publish the Regulation 123 list alongside the draft CIL charging schedule.</p>
Terence O'Rourke for Bloor Homes	<p>Recommends that site 14, Alternative Option for Lytchett Matravers be exempted from CIL, to enable a bespoke package of infrastructure to be developed, informed by discussions with the adjoining parish and town councils.</p>	<p>The Council is already proposing a much reduced CIL rate for strategic sites to enable the provision of site specific infrastructure. We are not proposing a zero rate for market housing as there is still strategic infrastructure to be provided.</p>	<p>None</p>

Who said	Comment	Officer response	Action
Terence O'Rourke for the Moreton Estate	<p>The NPPG states that there should be no actual or perceived double dipping, with developers paying twice for the same item of infrastructure. The only way to remove any perceived 'double dipping' and reduce pressure on the viability of such sites is to exempt all strategic development sites from CIL.</p> <p>As part of a new infrastructure-led approach it is recommended that strategic sites be exempted from Community Infrastructure Levy (CIL) where they are to come forward through single overarching planning applications, and that bespoke packages of infrastructure be developed for sites based upon the specifics of proposals and their context.</p>	<p>Any perceived double dipping will be avoided by the publication of a Regulation 123 list.</p>	<p>Publish the Regulation 123 list alongside the draft CIL charging schedule.</p>
Terence O'Rourke	<p>We can see no evidence that supports the District Council's proposal to see 50% affordable housing delivered on site at Moreton Station as part of policy AH, or a lower level of 40% on greenfield land at Upton and Wool. The target level of provision identified in the consultation document needs to be realistic.</p>	<p>The Council is already proposing a much reduced CIL rate for strategic sites to enable the provision of site specific infrastructure. We are not proposing a zero rate for market housing as there is still strategic infrastructure to be provided.</p>	<p>None</p>
Tetlow-King for South West HARP	<p>CIL needs to be set at a level which does not impact on affordable housing provision</p> <p>The Council will need to revise viability work following the introduction of a requirement for starter homes.</p> <p>Support nil rate for C2 uses – care home and residential institutions.</p>	<p>Purbeck rural fringe land values are wide ranging but the top end does extend beyond the top end of Upton and the Rural Centre. New development is likely to fetch values at the higher end of the range. Residual land values of strategic sites in Upton and Wool (rural centre) area at 40% affordable housing and Moreton (rural fringe) area at 50% are roughly comparable.</p> <p>Noted. The viability study indicates that the CIL levels and affordable housing are achievable.</p> <p>The Council will discuss with its viability consultants any updates that may be necessary as a result of recent legislation.</p> <p>Noted</p>	<p>Nothing</p> <p>Nothing</p> <p>Discuss any potential update requirements with the viability consultants.</p> <p>Nothing</p>

Who said	Comment	Officer response	Action
	Do not support increase in Purbeck rural centre and Upton to £50 per square metre as, in combination with the provision of starter homes, this will impact on the delivery of traditional affordable housing.	The viability study recommends a level of £50 per square metre for the rural centre and Upton. Starter homes are likely to improve viability when included as part of the provision of affordable housing. We acknowledge that the introduction of starter homes as part of affordable housing provision will impact upon the provision of traditional forms of affordable housing but this is set in national statute and not something we can change at a local level.	Nothing
Individual	Fail to see the difference between a strategic & non-strategic new house & why one should be charged about roughly 7 times the charge as the other. To me the main difference is to penalise the small developer who does not have all the benefits of economies of scale of larger developers. Make them equal at least	Strategic sites will be expected to provide a significant amount of infrastructure which the developer will need to fund, which is why the CIL has been much reduced to allow this to happen. The draft standard CIL rates for non-strategic sites are set at a similar level to current rates which are viable.	None
Theatres Trust	We note a number of uses are charged at a Nil rate, and that sui generis uses are not listed. For clarity and to simplify the charging schedule, it may be better to group these together as 'All other uses - Nil'.	If it's not on the list it can't be charged so listing all other uses as nil is not necessary.	None

### CIL Process and Application

Who said	Comment	Officer response	Action
Langton Matravers Parish Council	Existing houses should have change of use + CIL fee attached if they are sold on as Second Homes.	CIL is only applicable to new viable development, as set down in statute.	None
Tetlow-King for South West HARP	Strongly encourage the Council to implement an instalments policy.	The Council implemented an instalments policy at the same time as implementing CIL in June 2014 and are updating it.	None

Who said	Comment	Officer response	Action
	Recommend that the Council adopts discretionary reliefs, including where market housing is part of a rural exception site.	The Council has considered allowing discretionary relief and decided against it. Due to the limited CIL income the Council agreed to only provide mandatory relief.	None
	Recommend that the Council specifies when a CIL review will take place.	Government guidance sets down when a local authority should undertake a review and therefore the authority does not need to repeat this. Guidance states that in addition to taking account of market conditions and infrastructure needs, charging authorities should also consider linking a review of their charging schedule to any substantive review of the evidence base for the Local Plan.	None
Home Builders Federation	The Viability Study states that the dwelling sizes assumed for the purposes of the viability study "follow the new nationally described space standards". The Home Builders Federation do not believe those assumptions set out within the Viability Assessment are not those contained in the Technical Housing Standards - Nationally Described Space Standard (2015).	Officers have checked the new national standards with the assumed dwelling sizes for affordable homes in the viability study and they match. Where the national standards give two options for a dwelling type the study uses the larger size and where there is more than two options the study uses the middle figure.	None

### Expenditure of CIL

Who said	Comment	Officer response
Dorset Clinical Commissioning Group	NHS Dorset Clinical Commissioning Group wish to be sited as an organisation to be a priority of CIL funds to support the development of primary health care services within the Purbeck District Council local communities. We would welcome information on how the levy is arrived at and implemented.	The Council will continue to work with the NHS to identify any additional requirements caused by new development and the best way of funding them.
		Continue to work with the NHS to identify any additional requirements caused by new development and the best way of funding them.

Who said	Comment	Officer response	
Dorset and Wiltshire Fire and Rescue	Additional funding will be required to provide essential infrastructure such as new, upgraded or relocated fire stations, vehicles or equipment.	The Dorset and Wiltshire Fire and Rescue have indicated that would look to planning obligations for funding, indicated where the impact will be greatest but provided no detail. Officers will meet with the Dorset and Wiltshire Fire and Rescue to try to add more detail and identify the best way of funding them.	Continue to work with Dorset and Wiltshire Fire and Rescue to identify any additional requirements caused by new development and the best way of funding them.
Individuals	<p>The CIL on new developments should be used to support current facilities improve what they can offer. We have several active clubs in the Purbecks that could really benefit with financial support to provide continued sports facilities for the new children that no doubt will come with any extra homes. Planners do not put CIL funding back into housing developments.</p> <p>Please do not spend on cycle ways and railways. Both are either not frequently used or are financially viable. Spend it on local amenities like local cinemas, children's play areas and sensible traffic flow improvements.</p>	<p>CIL funds are very limited and the current priorities are Habitat Regulations mitigation (without which there would be no new homes) and paying off the Norden -Wareham railway feasibility loan which the Council is committed to repaying, but we will consider other projects when we draw up the Regulation 123 list which accompanies the draft CIL charging schedule.</p> <p>Sites templates, which will include what the developer will be expected to provide if a site is selected for pre-submission stage, may include local amenities such as children's play areas and be secured through section 106 agreements.</p>	<p>We will consider other projects when we draw up the Regulation 123 list which accompanies the draft CIL charging schedule. Site templates will be drawn up for sites taken forward to the pre-submission stage identifying what site specific infrastructure the developer will need to provide.</p>

Who said	Comment	Officer response	
Swanage Town Council	Query whether there will be CIL funds available for road improvements in the town.	<p>CIL funds are very limited and the current priorities are Habitat Regulations mitigation and paying off the Norden -Wareham railway feasibility loan but we will consider other projects when we draw up the Regulation 123 list which accompanies the draft CIL charging schedule. The town council could use the CIL they receive for road improvements.</p>	Consider the possibility of funding for road improvements in Swanage when drawing up the Regulation 123 list.
Affpuddle and Turnerspuddle Parish Council	Will CIL be enough to fund the necessary infrastructure, especially as the central budget has been cut?	<p>CIL has never been intended to replace core funding but to fill an infrastructure gap. As we become more certain of the sites we will be taking forward and the associated infrastructure requirements, we will add detail to the infrastructure plan. Site templates will be drawn up for sites taken forward to the pre-submission stage identifying what site specific infrastructure the developer will need to provide.</p>	<p>As we become more certain of the sites we will be taking forward we will add detail to the infrastructure plan. Site templates will be drawn up for sites taken forward to the pre-submission stage identifying what site specific infrastructure the developer will need to provide.</p>



## Proposed Priorities for CIL Funding (Regulation 123 List) 2014

Regulation 123 of the Community Infrastructure Levy Regulations 2010 restricts the use of planning obligations (often referred to as section 106 agreements as part of a planning permission) for infrastructure that will be funded in whole or in part by the Community Infrastructure Levy. *This is to ensure that there is no duplication between infrastructure or funds secured through Section 106 agreements and CIL receipts. ~~the two types of development contributions.~~* In order to make this transparent, the Council must publish a list of infrastructure that may be funded from CIL. The list below sets out those infrastructure projects the Council intends will be, or may be, wholly or partly funded by CIL. In accordance with Regulation 123, development contributions to the projects listed below will not be sought through planning obligations.

The Council will review this list at least once a year, as part of its role in monitoring the collection and spending of CIL.

### Infrastructure projects to be funded at least in part by the CIL:

- Heathland Mitigation – this is essential to enable residential development to come forward without causing harm to protected heathland, and will include:
  - Visitor access management, wardening, education, and monitoring;
  - Visitor access management of Winfrith Heath;
  - Visitor access management at Studland; and
  - Visitor access survey and recreation strategy to inform site and visitor access management at Arne/Hartland/Stoborough.
  
- *Nitrogen mitigation projects for infill and windfall development. Settlement extensions are expected to be nitrogen neutral.*
  
- *Recreational impact on Poole Harbour Special Protection Area for all developments.*
  
- Swanage to Wareham Rail Reconnection – the Council is committed to finding funding towards the reconnection which is part of the Purbeck Transportation Strategy.
  
- Projects identified as critical to the delivery of Purbeck Local Plan Part 1 as set out in the infrastructure plan. These include:
  - Purbeck Transportation Strategy infrastructure projects:
    - A35 / A351 Baker's Arms roundabout improvements;
    - Public transport service enhancements;
    - Upton footway / cycleway improvements; and
    - Swanage sustainable transport improvements;
  - Education infrastructure;
  - Other Social Infrastructure, including libraries; and
  - Green Infrastructure, including sports, recreation and play areas not linked to housing allocations in any local plans so far as not included under previous headings in this Regulation 123 list.

The Council will update the infrastructure plan regularly. *Projects addressing Habitat Regulations requirement will be prioritised for funding, followed by repayment of the loan to kick start the Swanage to Wareham Rail Connection. Other projects will be considered as funds become available. ~~The projects listed above will be prioritised at a later date.~~*

Added text

Deleted text

<b>Heathland Mitigation Project Proposal</b>		
<b>Project Title: Visitor management and monitoring of Bog (formerly Holme) Lane SANG</b>		
<b>Sponsoring Organisation:</b> <b>Purbeck District Council</b>	<b>Project Costs</b> Project Total: £5,714 Amount requested: £4670	Is this project included in a published project list: - SPD <input type="checkbox"/> DPD <input checked="" type="checkbox"/> SEDGI <input type="checkbox"/>
<b>Location: Bog Lane SANG</b>		
<b>Grid reference:</b>		
	<b>Start and Finish Date:</b> <b>Spring 2017 – Spring 2022</b>	
<p><b>Project Outline:</b> (Brief description; key aims and objectives and highlighting mitigation effect)</p> <p><b>To provide visitor access management and monitoring for Bog (formerly Holme) Lane SANG. The SANG was secured through a section 106 agreement in support of the Westgate development at Worgret Road, Wareham of 153 homes.</b></p> <p><b>Monitoring costings have been established and include on-site visitor surveys and installing people monitors (long range pyros).</b></p> <p><b>Visitor access management is better achieved in 2 phases.</b></p> <p><b>Phase 1 includes:</b></p> <ul style="list-style-type: none"> <li>• <b>Determining design, number and position of interpretation boards following baseline visitor survey(part of the monitoring project) which will be used to inform the scheme;</b></li> <li>• <b>Negotiation of additional Section 106 agreement to establish the requirements for interpretation boards for the SANG; and</b></li> <li>• <b>Initial application to Dorset County Council for the principle of brown signage to the SANG. If the principle of brown signage is agreed the further work and money will be needed to devise an appropriate scheme.</b></li> </ul> <p><b>Phase 2 includes:</b></p> <ul style="list-style-type: none"> <li>• <b>Design, production and installation of interpretation boards; and</b></li> <li>• <b>Agreement of brown sign scheme with Dorset County Council.</b></li> </ul> <p><b>This application is for monitoring costs and phase 1 of visitor access management.</b></p> <p><b>Combined the projects will encourage use of the SANG, improve appropriate behaviour on the site, and allow the Council to monitor use of the site for 5 years.</b></p> <p><b>Attachments:</b> Location plan <input type="checkbox"/> Site plan <input type="checkbox"/> Design <input type="checkbox"/> Budget Plan <input type="checkbox"/> Project Schedule <input type="checkbox"/></p> <p><b>Key Actions to deliver benefits:</b> (Give outline of work to be completed- further details to be provided in Budget Plan and Project Schedule)</p> <p><b>Monitor visitors to the site through:</b></p> <ol style="list-style-type: none"> <li>a) <b>On site visitor surveys including an initial baseline followed by repeated surveys at 3 years and 5 years, and</b></li> </ol>		

**b) Installing people counters, downloading and managing data collected**

**The data will be compatible with other data gathered as part of the South East Dorset Heathlands access management and monitoring.**

**Establishing agreement for interpretation boards and brown signage will pave the way for schemes to encourage appropriate use and enjoyment of the SANG.**

**Expected Outcomes:**

(What mitigation effects will be achieved by the project – refer to scoring criteria. Quantify outcomes in terms of no of visitors, range of visitors, reduction of impact on Heathlands)

**Monitoring will enable the Council to monitor the use of the SANG and form part of the wider monitoring of heathlands carried out annually.**

**The installation of interpretation boards and brown signage will encourage use of the SANG given its distance from the development it is designed to serve.**

**Environmental Impact:**

(Does the project avoid significant environmental impact? Consider impacts to biodiversity, archaeology, and other environmental factors. Have baseline surveys been carried out? Have potential impacts been assessed and mitigation measures produced?)

**The SANG has been established to minimise impact on protected heathland. The visitor signage will help this happen by improving the experience of the site, encouraging the use of this site and minimising the use of nearby heathland sites.**

**The Habitat Regulations Assessment for Purbeck Local Plan Part 1 identifies the need for good signposting due to the distance of the SANG from the development.**

**How will the benefits of the project be quantified?**

(Include a monitoring plan; establish baseline, collect evidence of change, timescales of monitoring )

**The funding is sought to improve understanding and use of the site and monitor and provide monitoring for use of Bog Lane SANG.**

**A baseline visitor survey will be carried out in the Spring, followed by repeat surveys at 3 years and 5 years.**

**Visitor numbers between these surveys will be measured through the use of long range pyros which monitor movement past them. Data to be downloaded 4 times a year.**

**Project Plan:**

**Who will be responsible for Project Management?**

**Visitor Management – Rachael Shefford, PDC**

**Monitoring – Sue Bellamy, PDC**

**Will the work be done in house or with an external contractor?**

**Design of boards in-house.**

**Production and installation of interpretation boards contracted out.**

**Negotiation of additional S106 agreement in house.**

**Application for brown signs in house.**

**Are additional staff required?**

(Engineer/Surveyor/ UHP staff)

**Using the Urban Heaths partnership for monitoring, who are providing the baseline visitor survey as part of the current strategic access management and monitoring agreement and loaning equipment**

**Does the project have the necessary permissions?**

(Natural England, Environment Agency, English Heritage, LA Planning approval – in principle/confirmed)

**Need to amend section 106 agreement. Cost included in budget. For future SANGs secured as part of settlement extensions this work will form part of the original Section 106 agreement.**

**Bid is to provide funding for the negotiation of S106 agreement and initial application for brown signs.**

**What are the timescales for delivery?**

(Can the project be phased? Will the benefits be delivered in line with the phasing? What are the implications if not all phases are delivered?)

**Monitoring is phased in accordance with the Dorset Heathlands Planning Framework 2015-2020, and is planned to begin in Spring 2017 with baseline visitor survey.**

**Has a project risk assessment been completed?**

(List any significant or unresolved risks and mitigation measures)

**N/A**

**Has a maintenance plan been agreed?**

(Is additional funding needed? How have the maintenance costs been calculated?)

**Maintenance will be tied into revised Section 106 agreement**

**How does this project align to spatial plans?**

1. Is this project located within 5km of a Natura 2000 site?  
**Yes, all of Purbeck is within 5km of a Natura 2000 site, except for a narrow strip of land along the southern coast of the district.**
  
2. Does this project have links to new residential developments? How close are new residential developments to this project; 400m /1km / 5km / >5km  
**Bog Lane SANG provides mitigation for 153 homes at Westgate, Worgret Road, Wareham, between 1km and 5km as the crow flies.**
  
3. Does this project serve a local community or reach a wider population?  
**The site is open to the wider population of Purbeck and current evidence shows that residents of Stoborough are already using the site. The site features in a pack of countryside sites put together by UHP, and will feature on a website promoting sites for dog walking. It is anticipated that other residents and visitors will use the site if promoted appropriately.**
  
4. Is this project linked to strategic objectives; e.g. local plan, SEDGI plan  
**The requirement for a SANG is identified in Purbeck Local Plan Part 1 as mitigation for the Westgate settlement extension. The Habitat Regulations Assessment for Purbeck Local Plan Part 1 identifies the need for good signposting due to the distance of the SANG from the development.**
  
5. Has evidence been collected to demonstrate local need?  
**N/A**
  
6. Does this project combine with other projects and/or cross boundaries to provide additional benefits?  
**The SANG is part of a network of SANGs being delivered in conjunction with development across SE Dorset.  
The monitoring data will be compatible with other monitoring data which is collected across SE Dorset.**

**Budget Plan - Break Down of Costs:**

<b>Item</b>	<b>Description</b> (Give quantities/materials)	<b>Cost</b> (c)apital or (r)evenue?)
<b>Monitoring</b>		
		<b>Capital costs</b>

<b>Long-range pyros</b>	<b>Measures number of visitors to site, including collection and uploading and storage of data.</b>	<b>£765</b>
<b>Recycled plastic housing for pyros</b>		<b>£45</b>
<b>Time lapse data logger</b>		<b>£675 plus delivery</b>
<b>Flash memory cubes</b>		<b>£78</b>
<b>Memory cube reader</b>		<b>£156</b>
<b>Buzzer box</b>		<b>£35</b>
<b>LCD control box</b>		<b>£195</b>
<b>Numero/EcoPC software package for data</b>		<b>£395</b>
<b>USB adaptor</b>		<b>£25</b>
<b>Spend required</b>		<b>£1,485</b>
<b>Equipment available to borrow or utilise from UHP</b>		<b>£884</b>
		<b>Revenue costs</b>
<b>Initial visitor surveys 8 hours recommended minimum</b>		<b>£160</b>
<b>Additional officer time to cover more than 1 entrance per hour</b>		<b>£160</b>
<b>3 year repeat surveys 2 officer days</b>		<b>£300</b>
<b>5 year repeat surveys 2 officer days</b>		<b>£300</b>
<b>Monitoring officer time for each sensor (4</b>		

downloads per year, for 3 years):		
First sensor 1 day /year		£450
Subsequent sensors on same site 1/2 day per sensor		£450
Spend required		£1,660
<b>Provided as part of the existing UHP funding agreement</b>		<b>£160</b>
Sub total for monitoring		£3,145
<b>Visitor access management phase 1</b>		
		<b>Revenue costs</b>
Launch event		£500
Addendum to Section 106 Agreement		£350
Application for brown tourist signs		£250
Sub total visitor access management		£1100
Total bid		£4245
Contingency 10%		£425
<b>TOTAL CASH BID</b>		<b>£4,670</b>

	Costs highlighted in yellow are covered by equipment loaned by Urban Heaths Partnership or staff time from existing UHP core team.
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**Project Summary:**

<b>Key action/decision</b>	<b>Date to be completed by</b>	<b>Progress</b>
<b>Baseline visitor survey</b>	<b>Spring 2017</b>	
<b>Installation of people counters</b>	<b>Spring 2017</b>	
<b>Launch event</b>	<b>Spring 2017</b>	
<b>Managing people counter data</b>	<b>Quarterly 2017-2022</b>	
<b>3 year visitor survey</b>	<b>Spring 2020</b>	
<b>5 year visitor survey</b>	<b>Spring 2022</b>	
<b>Section 106 addendum</b>	<b>Spring 2017</b>	
<b>Application to DCC regarding brown signs</b>	<b>Spring 2017</b>	

**DRAFT**