

Extract from minutes of Place Scrutiny Committee – 23 July 2020

Dorset Council – Community Infrastructure Levy Governance Arrangements

In advance of the report being presented to the committee, the Chairman raised a number of points for consideration by councillors, which included whether there should be councillor involvement in the approval of the prioritisation of Community Infrastructure Levy (CIL) spend on behalf of the Council, the use of mitigated areas and whether unspent monies should be redistributed? The impact of neighbourhood plans was also highlighted.

The report set out that the Council needed to establish a clear CIL Governance Structure to oversee the convergence of legacy councils CIL receipts and collection, auditing and spending of this and future CIL monies. The report proposed the key governance arrangements for the delivery of infrastructure through CIL to ensure CIL served its purpose of contributing to the delivery of the infrastructure necessary to support development in Dorset.

The committee considered the issues arising from the report and during discussion the following points were raised:

- There was a need for a clear definition of the term ‘local’ when looking at the allocation of CIL monies. This point was raised by a number of committee members
- The Infrastructure and Delivery Planning Manager highlighted the map within the report which showed the Dorset Council CIL charging areas. It was noted that monies collected in each of the identified areas would be retained within the area in order to maintain the local link
- The report proposed a process for the identification of projects and how decisions would be taken. It was noted that some larger projects would be considered by Cabinet, with others being considered by officers and agreed under delegation
- In response to a question raised, it was confirmed that the arrangements for Chickerell were unchanged
- A comment was made that the proposals provided the right balance of councillor involvement and officer delegation
- With reference to appendix A (CIL prioritisation scoring matrix) and the category ‘Wider community benefits and implications’, a question was raised as to the scoring set out in respect of foreseeable risks or negative impacts. In response it was confirmed that the scoring was the wrong way round and that this would be updated in time for consideration at Cabinet on 28 July 2020
- There would be a need to look at costs when a new charging schedule was developed
- In respect of recognising the importance of local democracy, it was highlighted that a specific proportion of CIL monies were retained by the local parish or town council

- The Portfolio Holder for Planning noted the importance of stakeholders, including town and parish councils being aware of the availability of CIL funding and to be encouraged to bring forward proposals. The Portfolio Holder thanked officers for their work in this area

The recommendations contained within the report were proposed by S Gibson seconded by V Pothecary with the inclusion of a note with regard to the need to update appendix A and the scoring for the category 'Wider community benefits and implications', in respect of foreseeable risks or negative impacts.

Recommendation to Cabinet

1. To agree these specific arrangements:
 - a) To spend CIL monies within the same geographical charging area from which they were levied, pre and post 31/8/19.
 - b) The CIL infrastructure spending priorities pre 1/9/19, as laid out in appendix C.
 - c) The mechanism for prioritisation and spend of CIL funded infrastructure pre and post 31/8/19, as set out in this report and appendix A.
2. To amend the Terms of Reference for Property Management Group (PMG) to enable it to scrutinise & prioritise infrastructure projects seeking funding from the Community Infrastructure Levy and provide recommendations to Capital Strategy and Asset Management Group (CSAMG) / the Executive Director of Place regarding which projects should receive such funding.
3. To delegate to the Executive Director of Place in consultation with the Portfolio Holder Planning, the approval of the prioritisation, of CIL spend on behalf of the Council as reported to CSAMG.

Decision

That appendix A (CIL prioritisation scoring matrix) be updated prior to consideration by Cabinet on 28 July 2020, in respect of the scoring for the category 'Wider community benefits and implications' – 'Are there any foreseeable risks or negative impacts which may arise from the project?'

Updated Appendix A as per decision

Category	Criteria	Response	Score	
Council Priority	Does the project contribute to the Council's Statutory Obligations	Yes	10	
		No	0	
Council compliance / corporate fit	Is the project consistent with other strategic plans (Local Transport Plan, LEP Growth Plan)?	Yes	10	Non-consistency risks non-approval and resource wastage.
Funding	Does the project attract match funding	No	0	Match Funding is simply leveraging a financial commitment towards the cost of the project from a source other than and in addition to CIL funding. Additional funding can make a project more deliverable and appealing.
		1% - 20%	1	
		21% - 40%	2	
		41% - 60%	3	
		61% - 80%	4	
		81% - 100%	5	
	Is there an additional funding requirement for maintenance of the project?	No	5	Maintenance costs to maintain a project following completion can be significant, for instance in public realm instances. If additional on-going maintenance is required it is unlikely that the Council would be able to fund this out of its own reserves
		Yes - Moderate	3	
		Yes - Significant	0	
Deliverability	Can the infrastructure be delivered now?	No – significant issue	0	Significant issues could include; landownership issues, remediation issues,

				reliant on other projects, reliant on other partners, not consistent with planning policy
		No – minor issues	3	Minor issues could include any of the above but they are surmountable
		Yes	5	There would be no issues with land ownership or constraints, the project would be consistent with policy and ideally have planning consent.
Wider Community Benefits and implications	Are there any foreseeable risks or negative impacts which may arise from the project?	No	5	These risks could include the Council’s Corporate Plan not being met; closure of local facilities; reduced or interrupted access to facilities or open space; loss of open or amenity space etc.
		Minor Risk	3	Consultation with the wider community including ‘hard to reach groups’ is important to ensure that the potential project is serving the needs of the community and they are aware of how they can input into the project preparation or implementation.
		Yes	0	Wider community benefits could include Safer Routes to Schools; pedestrian crossings; speed humps; public amenity space; better access; enhanced community facilities etc.
	Has the project already benefited from discussions with the local community?	Yes	5	Consultation with the wider community including ‘hard to reach groups’ is important to ensure that the potential project is serving the needs of the community and they are aware of how they can input into the project preparation or implementation
		No	0	
	Will the implementation of project create new	Yes	5	Wider community benefits could include Safer Routes to Schools; pedestrian crossings; speed humps;

local jobs or wider community benefits?			public amenity space; better access; enhanced community facilities etc.
	No	0	
Is there evidence to show that the project is meeting a local need or demand?	Yes	5	It should be demonstrated that the project is fulfilling a need or demand and where possible that this is for the benefit of the wider community and not a select few, for example multi-use community centres
	No	0	
Does the proposal have a positive impact on equality?	yes	5	Does the proposal help to tackle discrimination or disadvantage, advance equality of opportunity or foster good relations between different protected groups? (i.e. on the basis of age, disability, gender reassignment, pregnancy & maternity, race, religion or belief, sex or sexual orientation)
	No	0	