

Cabinet

6 September 2022

Strategic Community Infrastructure Levy (CIL) Expenditure - 2022

For Decision

Portfolio Holder: Cllr D Walsh, Planning

Local Councillor(s): All

Executive Director: J Sellgren, Executive Director of Place

Report Author: Andrew Galpin

Title: Infrastructure & Delivery Planning Manager

Tel: 01305 838214

Email: andrew.galpin@dorsetcouncil.gov.uk

Report Status: Public

Brief Summary: Dorset Council collects Community Infrastructure Levy to help contribute towards the provision of infrastructure to support the needs of new development. Governance arrangements established by Dorset Council in 2020 enable expressions of interest to be made to access funding across a wide variety of infrastructure types. Following a period of assessment, this report sets out projects which have been recommended for CIL funding approval.

Recommendation:

To agree expenditure of Strategic Community Infrastructure Levy (CIL) Funding toward the projects recommended for approval in this report and accompanying appendices.

Reason for Recommendation:

To ensure the delivery of important infrastructure to support growth and development.

1. Report

- 1.1 Dorset Council has governance arrangements in place to assist with the delivery of infrastructure funded by Community Infrastructure Levy

(CIL). These arrangements enable expressions of interest to be made for Strategic Community Infrastructure Levy funding.

- 1.2 Strategic CIL is the proportion of CIL retained by Dorset Council once it has transferred the neighbourhood proportion to the town or parish where development takes place. A small percentage of each CIL payment is recovered to support the cost of administering the levy. This strategic proportion accounts for 80% of the amount paid where there is no adopted neighbourhood plan and 70% where there is.
- 1.3 Taking over responsibility for collecting CIL, from predecessor councils, Dorset Council has effectively been collecting CIL for many years. The only predecessor Council not to operate CIL was North Dorset District Council. This will continue to be the case until Dorset Council adopts a single charging schedule alongside the emerging Dorset Council Local Plan.
- 1.4 The governance arrangements recognised the infrastructure priorities of the predecessor councils and have ensured that these priorities would be delivered through future spending opportunities. The priorities are defined by infrastructure category, with the range of categories varying due to the presence of pre-existing commitments such as habitat protection.
- 1.5 A first round of Strategic CIL expenditure took place in November 2020 with recommendations passing to Cabinet in January 2021. Approximately £3m of Strategic CIL was approved to help deliver 37 different infrastructure project proposals. Appendix 1 provides a schedule showing progress with the delivery of projects recommended for funding through round one. In summary:
 - c.£1.52m of Round One CIL funded projects are underway or complete
 - c.£1.4m of Round One CIL funded projects are not started, of which c.£100k no longer required funding and these funds are therefore available for Round Two.
 - c.£1.55m was unclaimed in Round One.
- 1.6 A member-led post-decision review of CIL expenditure then followed in 2021 to ensure that the information about CIL was being communicated appropriately and infrastructure delivered in the right place at the right time. Key changes and actions from the review included the need for further upfront engagement with town and parish councils, and for Dorset Council members to raise general awareness of the process and spending opportunities.

- 1.7 In March 2022, a dedicated developer contribution training session saw over thirty Dorset Council Members attend via MS Teams. Content for the session was shaped by the results of an online survey shared with all members during January to establish the level of knowledge and understanding around the subject area. As a result, the session covered a wide range of areas with focus placed on upfront engagement opportunities, monitoring and the reporting of performance.
- 1.8 A programme of Dorset Association of Parish and Town Council (DAPTC) facilitated briefings followed shortly after. These briefings shared similar content to the Dorset Council member sessions and were held via MS Teams on the following dates:
- 19th April (West Dorset / Weymouth & Portland Charging Areas)
 - 21st April (North Dorset – non-CIL)
 - 26th April (East Dorset / Purbeck Charging Areas)
- 1.9 Participants were informed in advance of the second strategic CIL spend opportunity which took place between the 16th May and 10th June 2022. Town and Parish Councils were encouraged to collaborate with Dorset Council Service Areas on the development and submission of expressions of interest for funds available by category. All Dorset Council members, service managers and previous participants were informed of this further spend opportunity with approximately 4 weeks' notice given before the 'window' opened. The values of CIL funds available by category are shown in the table below; note that there are no funds from the Purbeck Charging Schedule in-scope following significant expenditure in Round One.

Infrastructure Category	Opening round two balance		
	West	W&P	East
Education (including schools, educational establishments)	£484,116.48	£303,707.21	£238,397.53
Transport (including highways, walking, cycling, passenger transport)	£0	£741.44	£394.43
Green Infrastructure & Recreation (including open spaces, sports pitches, play)	£4,719.08	£48,741.44	-

Waste Management (including waste processing, waste transfer and waste recycling)	£27,429.50	£4,282.99	-
Public Realm (including public space improvements)	£0	£9,370.72	-
Culture, Leisure, Community Facilities (including arts, community, sports venues etc.)	£282,401.28	£68,812.88	-
Utilities (including broadband)	£343.04	£370.72	-
Healthcare (including health and wellbeing, clinical care)	£6,343.04	£60,741.44	-
Emergency Services	£80,686.08	£30,370.72	-
	£886,038.50	£527,139.56	£238,791.96

2. Round Two Findings

- 2.1 34 expressions of interest were received. Each submission has since been assessed and scored by members of the CIL Team using an approved scoring matrix.
- 2.2 Appendix 2 provides a full breakdown of all expressions of interest received along with assessment scores and the reasons behind each recommendation. Some categories of infrastructure, for example Green Infrastructure & Recreation, were well-oversubscribed, meaning that some recommendations for refusal have been made simply on the basis that projects did not fall within the budget available, particularly if the proposal couldn't be delivered with an amount of CIL of lesser value to that sought. Where possible, recommendations seek to maximise the potential of funding, even if the assessment scoring is sub optimal.
- 2.3 Three expressions of interest were received from Town Councils. As explained in paragraph 1.2 of this report, town and parish councils automatically receive a proportion of CIL receipts when chargeable development takes place in their area. Dorset Council updates a published record of [neighbourhood CIL monies passed to Town & Parish Councils](#) every 6 months. Town and Parish Councils have greater discretion over how to spend their share of CIL and are required to monitor and report on progress with CIL funded infrastructure delivery.
- 2.4 Where town councils have made expressions of interest, their published accounts were checked to establish the availability of neighbourhood CIL. In the case of the expressions made by

Weymouth Town Council (CIL/GR2/011 – Melcombe Regis Play Area Enhancement, and CIL/GR2/016 Marsh Outdoor Gym Equipment) and Portland Town Council (CIL/GR2/013 – Victoria Gardens Public Toilets), this check established that there were sufficient unallocated neighbourhood CIL funds held by those town councils to cover the full cost of their respective project proposals. As such these Eols have been recommended for refusal. Dorchester Town Council have already spent/committed their neighbourhood CIL and are seeking additional strategic CIL funding through their expression of interest (CIL/GRS/022 – Corn Exchange) to add further value to a project which has already benefitted from s106 investment: this proposal has been recommended for approval.

2.5 In summary,

- 17 expressions of interest are recommended for approval including proposals for school improvement serving Ferndown and SEND across the Weymouth & Portland and West Dorset areas. These expressions for schools alone represent nearly £1m.
- 15 expressions of interest totalling £400,000 are recommended for refusal;
- 2 expressions of interest have potential to be funded entirely by other forms of developer contribution funding.

2.6 All recommendations have been presented to Capital Strategy Asset Management Group (CSAMG) who help oversee the implementation of the CIL governance process. The group met in July to review outputs and to recommend them for consideration by Cabinet.

3. **Financial Implications**

3.1 Funds collected through the Community Infrastructure Levy are paid by persons deemed as the liable party for that development. This is typically the landowner or developer who receives planning consent for CIL liable development. What constitutes CIL liable development varies across the Dorset Council area.

3.2 Appendix 3 provides further financial information about the recommendations contained in this report including opening balances for Round 2, the total value of expressions of interest submitted by category, the value of those recommended for approval and any residual balance. Should the recommendations in this report be accepted in full, a residual balance of c.£260,000 will become available for a third round of CIL expenditure.

- 3.3 The first and second round of CIL expenditure focused on CIL receipts which had been demanded (invoiced), up until the 31st of August 2019. The funds have been used to support infrastructure identified in infrastructure lists (Regulation 123) by the predecessor councils. These lists largely contained infrastructure categories as opposed to specific projects, driving an element of choice in the final destination of CIL funding.
- 3.4 It is proposed that future funding rounds manage the spend of monies collected subsequently.
- 3.5 Some recommendations made in this report identify the opportunity for other developer contribution funded sources, namely s106, to contribute towards the project cost.
- 3.6 Dorset Council recovers 5% of each CIL receipt to cover the cost of administering the levy.

4. **Climate Implications**

Some of the projects recommended for funding approval have a positive effect on climate change whether that be through encouraging greater use of walking and cycling on improved Rights of Way surfaces, or education initiatives to deal with litter and the impact on climate change. The majority of projects however are regarded to have a neutral effect on climate change.

5. **Well-being and Health Implications**

Projects within the green infrastructure and recreation category such as the improvement of artificial sports pitch surfacing will have a positive impact on health and wellbeing due to increased playing pitch capacity. Projects directly related to clinical health include the fit-out of 1st floor accommodation at Puddletown Surgery and upgraded clinical flooring at The Bridges Surgery in Weymouth. The project relating to Redlands Community Café and Soft Play will have a strong positive impact on mental health and wellbeing. All the projects recommended for approval are regarded to have a positive or neutral impact.

6. **Other Implications**

A number of the recommendations will have a positive impact on Council property and assets such as the improvement of household recycling centres, sports and community facilities and educational establishments. Investment from CIL will reduce the impact of increased demand on these facilities, enabling them to operate in a more efficient way.

Voluntary organisations

A number of the recommendations will have a positive effect on community and voluntary organisations. The recommended improvements to Redlands Community Sports Hub would benefit existing community groups and may encourage greater take-up by other groups. The recommendation to upgrade the playing pitch surface at Portland Utd FC will have a direct positive benefit for the club by allowing greater community usage of the pitch and associated facilities.

Community safety

The project proposals by Dorset Police which include ANPR cameras and a Public Engagement Van will have a positive impact on community safety.

Safeguarding

The independent travel training project will contribute positively to safeguarding by enabling young people with special educational needs to travel independently on public transport.

7. Risk Assessment

7.1 HAVING CONSIDERED: the risks associated with this decision; the level of risk has been identified as:

Current Risk: Low

Residual Risk: Low

8. Equalities Impact Assessment

An Equalities Impact Screening has been completed. This has identified several positive impacts from the recommendations on protected characteristics relating to age, disability, pregnancy and maternity, people with caring responsibility, rural isolation and socio-economic deprivation. Many of the positive impacts have also been identified through the implications section of this report.

Governance arrangements for CIL have previously been subject to EqIA.

9. Appendices

Appendix 1 - CIL Round 1 Expenditure Update

Appendix 2 - CIL Round 2 Submitted Project Details and Recommendations

Appendix 3 – CIL Round 2 Financial Position Summary

10. **Background Papers**

CIL Governance Arrangements [Agenda for Cabinet on Tuesday, 28th July, 2020, 10.00 am - Dorset Council](#)