

Report subject	Strategic Community Infrastructure Levy (CIL)
Meeting date	5 March 2025
Status	Public Report
Executive summary	<p>Community Infrastructure Levy (CIL) is collected from development and used to fund infrastructure necessary to support planned growth set out by the Draft BCP Local Plan. CIL receipts are split into strategic, neighbourhood and administration components. We can only spend CIL once it is received.</p> <p>Strategic CIL spending governance was agreed by Cabinet in 2021. The Capital Briefing Board (CBB) assesses project bids for strategic CIL and recommends which projects receive spending, subject to following the necessary sign off procedures in accordance with the financial regulations.</p> <p>Service providers have identified £121.8m infrastructure projects for CIL funding over the next 5 years. This exceeds the projected uncommitted £29.3m Strategic CIL budget and so prioritisation is necessary. This paper asks Cabinet to recommend to Council the priorities for Strategic CIL spend enabling CBB to manage the process.</p> <p>The preferred approach to prioritisation is set out in Option 2 in the report, to put approximately 80% of Strategic CIL towards large infrastructure projects essential to support local plan growth. The provision of Poole Town Centre flood defences and habitats sites mitigation are critical to enable the Council to grant planning permission. Approximately 20% of CIL remains for discretionary infrastructure projects.</p> <p>The annual Infrastructure Funding Statement reports all CIL spend.</p>
Recommendations	<p>It is RECOMMENDED that Cabinet recommends to Council:</p> <ul style="list-style-type: none"> a. Agree the spending priorities for Strategic CIL set out in Option 2 over the period 2024/25 to 2029/30 provided CIL income is as forecast; and b. Annually update this report for Cabinet and Council.

Reason for recommendations	The infrastructure necessary to support or mitigate the planned growth set out in the Draft BCP Local Plan far exceeds the likely income. This report enables Cabinet to set the spending priorities to provide a clear steer to the Capital Briefing Board to manage the award of CIL to projects.
Portfolio Holder(s):	Councillor Mille Earl, Leader of the Council and Chair of Cabinet
Corporate Director	Glynn Barton, Chief Operations Officer
Report Authors	Steve Dring, Planning Policy Manager
Wards	Council-wide
Classification	For Decision

Background

- Community Infrastructure Levy (CIL) collected from development is for spending on infrastructure to support planned growth set out in the local plan. CIL receipts are split as follows and as shown in Figure 1 of Appendix 1:
 - Strategic CIL – Up to 80%
 - Town/Parish Councils & Neighbourhood Portion – 15% (rising to 25% if a neighbourhood plan is in place)
 - Admin – 5%
- The regulations require us to pass 15% of the CIL receipts directly to a town or parish council of the CIL paid by development that takes place within that town or parish council area. It is the responsibility of the town or parish council to spend these CIL receipts. In unparished areas, we have set up a process for spending the neighbourhood portion of CIL. Where there is a neighbourhood plan, we put aside 25% of the CIL receipts from development taking place in that neighbourhood plan area. The neighbourhood forums can put forward projects to bid for those ringfenced monies. Strategic CIL is thus reduced to 70% in areas where there is a neighbourhood plan in place. Currently there are six neighbourhood plans for Broadstone, Boscombe and Pokesdown, Highcliffe and Walkford, Hurn, Poole Quays and Sandbanks Peninsula.
- We use 5% of CIL income for administration purposes, which is the maximum allowable under the CIL Regulations. This supports the costs associated with the collection, management and spending of CIL.
- This paper focusses on how we spend Strategic CIL. The 2008 Planning Act Regulation 216 requires that CIL is used to support '*development by funding the provision, improvement, replacement, operation or maintenance of infrastructure*', with infrastructure defined as:
 - roads and other transport facilities;
 - flood defences;
 - schools and other educational facilities;

- medical facilities;
 - sporting and recreational facilities; and
 - open spaces.
5. The Infrastructure Funding Statement (IFS) sets out the CIL and planning obligations, collected and spent in the financial year. A key role of the IFS is to set out our spending priorities for Strategic CIL in the forthcoming year(s) to provide transparency on what we are collecting CIL for.
 6. The following three sections of this report set out; (i) past CIL income and expenditure; (ii) the current CIL position; and (iii) options for prioritisation of CIL spending.

Past CIL income and expenditure

7. Strategic CIL accounts for around £4m income per annum, as shown in Figure 2 of Appendix 1.
8. We have spent £9.7m Strategic CIL since the Council formed in 2019, as shown in Figure 3 of Appendix 1. Mitigating the impact of development upon the Dorset Heathlands and Poole Harbour habitat sites has accounts for 47% of all spending. This has enabled the Council to continue to grant planning permission for new homes. Strategic CIL has also provided a crucial source of investment in Open Space, Leisure and Recreation facilities (17%).

The CIL position

9. As of 31 December 2024, we held £18.3 of unspent Strategic CIL. Of this £10m Strategic CIL is already committed to projects (see Appendix 2) leaving £8.3m Strategic CIL unallocated.
10. As set out above we can expect income of £4m Strategic CIL per annum for the five years 2025/26 to 2029/30, a total of £20m. In addition, we expect £1m income in quarter four of 2024/25. We can therefore expect £21m additional CIL over the next 5 years.
11. In total we estimate a Strategic CIL budget of £39.3m for the next five-year period (£18.3m + £21m). £10m of this is already committed, leaving £29.3m uncommitted.
12. We can only spend money once it has been received. CIL receipts vary in amount and timing. We are awaiting payment of £1m invoices in the remainder of 2024/25, which gives certainty to the forecast for 2024/25. We have £2.6m Strategic CIL billed for 2025/26. This is a healthy starting position and provided this is paid it can be expected to increase by the end of 2024/25 in line with other years.
13. In terms of cashflow, we should hold £16.16m of unspent CIL on 1 April 2025, which with known commitments and forecast income is expected to fall to £9.991m on 1 April 2026 (Appendix 3).
14. Receipts for 2024/25 remain unknown, but there is confidence that £4m can be raised based on the £2.6m that is currently billed for payment in 2025/26. However, whilst we can plan infrastructure spend, we can only spend money once it has been received.

Options for CIL Prioritisation

15. As part of the process of preparing the Draft BCP Local Plan we asked service providers to identify the infrastructure requirements needed to support the planned growth over the period 2024/25 to 2038/39. These infrastructure requirements are set out in the Infrastructure Delivery Plan (IDP).
16. The identified infrastructure requirements currently total £3.6bn. This is heavily transport focussed (£3.3bn) with the remaining £0.3bn for all other infrastructure.
17. Figure 4 sets out the cost of planned infrastructure by type over the next five years. £121.8m is needed against the uncommitted Strategic CIL budget of £29.3m. The projects identified in this table are at Appendix 4.

Infrastructure Type	25/26	26/27	27/28	28/29	29/30	Total
Education Provision	0	0	0	0	8.2	8.2
Seafront and Flood & Coastal Erosion Risk Management Infrastructure	8.3	1.8	1.1	0.8	1.5	13.5
Green Infrastructure, Open Space, Leisure and Recreation	7.6	3.4	2.4	3.7	10.9	28
Habitat Sites Mitigation Strategies	0.3	5.7	1	0.04	0.00	7.04
Health Provision	0.6	0.6	0.6	0.6	0.6	3
Culture	0.4	0.2	0.2	0	0	0.8
Transport (& Engineering)	11	5.2	6.2	0.7	0.5	23.6
Housing enabling and regeneration	1.3	1.2	1.1	4.2	17.6	25.4
Waste	1	8.9	2.6	0	0	12.5
Total	30.5	27	15.2	10	39.3	122.04

Figure 4 – Infrastructure projects identified by type (£m)

Note figures do not tally due to rounding

18. Each infrastructure type and key project bids are discussed below.

Education

19. **£8.2m** has been identified for projects over the next 5 years.
20. Two strategic housing sites North of Bearwood and North of Merley will be paying significant sums of Section 106 monies towards providing additional school places in local schools to the development. The CBB has previously supported a request for Strategic CIL to fund the £4.2m gap between the Section 106 monies and the estimated cost of school expansion. This would be needed towards the end of the five year period and is directly linked to housing growth.

Seafront and Flood & Coastal Erosion Risk Management Infrastructure

21. **£13.5m** has been identified for projects over the next 5 years.
22. The principal project is £7.3m for the Poole Bridge to Hunger Hill Flood defences scheme to help protect thousands of homes from flooding in Poole Town Centre. This project has £22.1m grant funding from the Environment Agency but, due to rising build costs since the grant was secured, there is now a shortfall, which Strategic CIL could cover. Without this additional funding we lose the grant and the scheme cannot go ahead. This project is a critical to the Draft BCP Local Plan

to enable planned regeneration in Poole Town Centre and should be given priority. London Land currently building 291 homes at West Quay Marina which will provide £2.4m Strategic CIL, which would result in a direct use of CIL on the adjacent flood defence. Other developments along West Quay Road could also pay CIL in future.

23. The £6.2m of other projects identified mostly cover maintenance of assets.

Green Infrastructure

24. **£28m** has been identified for projects over the next 5 years.
25. The Play Strategy would manage 180 play spaces and cost £10m by 2030. For phase 1, £3.4m of Strategic CIL is already committed.
26. £13m has also been identified for green infrastructure projects, nature conservation and enhancement to open spaces, £7m for improvements and upgrades to our leisure centres (Ashdown, Rossmore, Two Rivers Meet and Kings Park) and £1.5m for projects at Highcliffe Castle, Upton Country Park and Queens Park.

Habitats Sites Mitigation Strategies

27. The Council and its predecessor councils have always prioritised the use of Strategic CIL to implement strategies to mitigate the impact of development upon habitat sites, in particular the Dorset Heathlands and Poole Harbour. Without this mitigation the Council would not be able to grant planning permission for new homes. Currently there are four mitigation strategies. £2.1m is already committed to projects (see Appendix 2), and a further **£7.1m** of projects has been identified (Appendix 4):
28. Dorset Heathlands Planning Framework Supplementary Planning Document (SPD) 2020-2025 – £5.5m has been identified to provide heathland and mitigation infrastructure projects across the BCP area. A further £1m is currently committed to maintaining the SANGs over the five year period along with a range of other heathland mitigation projects costing £0.6m
- Dorset Heathlands Interim Air Quality Strategy 2020-2025 has a commitment of £0.5m towards funding the strategy.
 - Nitrogen Reduction in Poole Harbour SPD will require £1.5m CIL to provide grant to landowners to offset homes already granted planning permission. This is essential as the homes have already been granted permission with the expectation the Council will deliver the mitigation.
 - Poole Harbour Recreation SPD 2019-2024 will require £0.1m CIL for projects to improve accessibility to less sensitive areas of the harbour.

NHS Health contributions

29. The System Leadership Team set up a task and finish group to explore the potential for new housing development to contribute towards health care infrastructure. The recommendations of the task and finish group were fed back and approved by the System Leadership Team on 27 August 2020.
30. The work established an impact of £516 per home for BCP Council. NHS Dorset like all service providers can bid for Strategic CIL funds. For the 5,700 homes planned over the five year period, this would equate to **£3m** of Strategic CIL. If

the request is approved Dorset NHS and Hospital Trusts will cease submission of requests for Section 106 contributions on future planning applications.

31. Within this, requests for Dorset NHS for doctor's surgery improvements used a formula of one £60,000 room per 1,800 new residents. For 5,700 planned homes over the five year period that would equate to £0.4m.

Culture

32. **£0.8m** has been identified, including £0.5m to implement the library strategy by creating community hubs.

Transport

33. **£23.6m** has been identified for transport projects.
34. Of this £6.6m is identified for high priority transport projects. Projects include £3m for River Stour crossings, £0.9m to replace school crossing patrols with pedestrian crossings. A further £12.2m is needed for other transport projects.
35. A further £6m has been identified for refurbishment of Poole Lifting Bridge and the Twin Sails Bridge.

Housing enabling and regeneration

36. Strategic CIL cannot be used to fund affordable housing, but it can be used to increase the capacity of existing infrastructure or to repair failing existing infrastructure, if that is necessary to support development.
37. **£25.4m** has been identified to help deliver Local Plan allocation H.1 Holes Bay site (Former Power station), comprising £11.3m for flood defences and £6.3m for land remediation, and £4.2m for transport mitigation. This funding may not be necessary if the Council can secure Homes England grant.

Waste

38. **£12.5m** has been identified for waste projects. This includes £6m for the refurbishment of the Hurn Transfer Depot, £0.3m for litter bins and £0.3m for a new refuse vehicle for every 5,000 homes built, which is the expectation of housebuilding over the 2025-2030 year period.

Maintenance

39. Due to pressures in local government revenue funding, there is an increasing ask on CIL to support the maintenance of infrastructure. Maintenance and operation of infrastructure can be a suitable use of CIL under the legal definition. Many of the projects listed in the Infrastructure Delivery Plan are to maintain assets such as bridges, open spaces or flood defences. Some maintenance budgets have been agreed as they directly maintain assets delivered by CIL (e.g. Upton Country Park SANG, and Stour Valley River Meadows SANG).
40. The Council could consider apportioning some future CIL towards a maintenance budget. In addition, any capital projects awarded CIL should also be expected to make an allowance for future maintenance.

Supporting Neighbourhood CIL (NCIL)

41. Neighbourhood CIL will be reviewed later in 2025 after the closure of the current funding round (24 March 2025). For parishes, forums and areas with a neighbourhood plan the NCIL raised in those area is ringfenced for spending in

those communities. Some communities do not receive enough NCIL for community projects and there has been an option to apply for strategic CIL as a top up. However as evidenced in this report, there are insufficient funds to continue this approach.

Prioritisation of projects

42. Delivering the infrastructure necessary to support the planned growth in the Draft BCP Local Plan is priority for use of CIL. There are 5,677 homes planned over the five years as set out at Appendix 5.
43. Habitat sites mitigation and flood risk infrastructure is crucial to implementation of the local plan and delivery of housing. These projects should be afforded highest priority for use of CIL.
44. As discussed above there is a £121.8m ask for Strategic CIL (see Appendix 4) against an uncommitted budget of £29.3m. These projects have been nominated by service providers as priority. As these projects comes forward decision makers can assess the proposed infrastructure to ensure it mitigates planned growth in the Draft BCP Local Plan.

Options Appraisal

45. There is an estimated Strategic CIL budget of £39.3m for 2025-2030. After £10m commitments this is reduced to £29.3m.
46. Poole flood defences (£7.3m), and the habitats sites mitigation strategies (£6.6m) are crucial spending to support the Draft BCP Local Plan and account for a significant portion of this (£13.9m).
47. This leaves £15.4m to be prioritised from the remaining identified projects. We suggest four options for discussion.
48. It needs to be clear that before Strategic CIL funding is drawn down officers must check if there is alternative funding available.
49. Infrastructure needs, cashflow spend will be monitored and reviewed over time.

**Option 1 – Prioritisation of mitigation critical to delivery of the Local Plan
with flexibility on how to spend the remaining approximately 60%
of Strategic CIL**

Strategic Infrastructure (2025-2030)	Total Cost (£'000s)	Agreed Funding (£'000s)	Additional CIL Cost (£'000s)	Justification
Poole Town Centre flood defence	29.4	22.1	7.3	Essential to enable Poole Town Centre regeneration, enable the delivery of new homes and protect existing homes. Without CIL the £22.1M Environment Agency grant would be lost.
Habitats sites mitigation	8.7	2.1	6.6	Essential to grant planning permission for new homes across the BCP area. Includes new SANG and nitrogen offsetting.
Total	38.1	24.2	13.9	Leaves £15.4M (53%) of the £29.3m Strategic CIL forecast unallocated for discretionary spend.

Pros:

- Critical infrastructure is funded ensuring the local plan is deliverable.
- Secures the Environment Agency grant awarded to the Poole Bridge to Hunger Hill flood defence and protection of housing in Poole town centre.
- Flexibility, enabling the management of cash flow to align to annual priorities.
- Surplus of £15.4m unallocated CIL can be used as match funding to secure government grant, e.g. for Holes Bay development

Cons:

- Uncertainty for service providers on how projects will be funded.
- Lacks member steer over other infrastructure priorities, risking a first past the post approach to project spend.

50. If this option were taken forward an assessment criteria would need to be set to appraise individual projects to ensure that they meet the corporate strategy, Draft BCP Local Plan growth or provides match funding to secure external funding.

Option 2 – 80% of Strategic CIL allocated to essential infrastructure to support the Local Plan with approximately 20% flexible for corporate priorities

Strategic Infrastructure (2025-2030)	Total Cost (£'000s)	Agreed Funding (£'000s)	Additional CIL Cost (£'000s)	Justification
Poole Town Centre flood defence	29.4	22.1	7.3	Essential to enable Poole Town Centre regeneration, enable the delivery of new homes and protect existing homes. Without CIL the £22.1M Environment Agency grant would be lost.
Habitats sites mitigation	8.7	2.1	6.6	Essential to grant planning permission for new homes across the BCP area. Includes new SANG and nitrogen offsetting.
Bearwood and Merley Schools (education provision)	11.7	7.6	4.2	Essential to support 1700 homes in the ward. £7.6M obligation upon developers through Section 106 Agreements.
Transport	6	0	6	Essential maintenance of highway assets and/or implementation of sustainable transport to avoid congestion caused by housing growth. Will be monitored as external funding may be secured.
Total	55.8	31.8	24.1	Leaves £5.2.M (18%) of the £29.3m Strategic CIL forecast unallocated for discretionary spend.

Note figures don't tally due to rounding

Pros:

- Critical infrastructure is funded ensuring the local plan is deliverable.
- Secures the Environment Agency grant awarded to the Poole Bridge to Hunger Hill flood defence and protection of housing in Poole town centre.
- Certainty for service providers of which projects can secure CIL.
- Surplus of £5.2m for urgent project funding or for match funding to secure external grant.

Cons:

51. Overspend and would require higher CIL income than forecast, or cost savings made within projects.

- CIL cashflow issues in first few years, meaning choices needed over which projects take priority.

- Limited flexibility for other projects / service providers.
- Uncertainty for service providers on how other projects will be funded.
- Some infrastructure types unfunded – e.g. Waste, Culture, Housing, etc.

52. If this option were taken forward an assessment criteria would need to be set to appraise individual projects to ensure that they meet the corporate strategy, Draft BCP Local Plan growth or provides match funding to secure external funding.

Option 3 - To provide service areas with a proportional cut of CIL

Infrastructure Type	Proportion CIL % 2025-2030
Education Provision	15%
Seafront and FCERM	25%
Green Infrastructure, Open Space, Leisure and Recreation	15%
Habitats Sites Mitigation Strategies	20%
Culture	1%
Transport	20%
Housing enabling and regeneration	3%
Waste	1%
Total Capital Costs	100%

Pros:

- Certainty for service providers of securing CIL.

Cons:

- Temptation for service providers to spent full allocation without Council wide review of priority projects (use it or lose it).
- No flexibility for cashflow.

53. Does not provide the required amount of funding in the year it is needed (i.e. education funding not needed until 2029/30, whereas Poole flood defence project is needed in full in 2025/26.)

- No surplus for urgent project funding or for match funding to secure external grant.

Option 4 – Strategic CIL spending focussed on resolving public concerns over planning applications within wards where development occurs

54. Public objections to planning applications largely focus on a perceived lack of local infrastructure, which can be summarised as traffic congestion, lack of school places, difficulty getting doctor's appointments and loss of green infrastructure/open space. Option 4 seeks to prioritise Strategic CIL to tackle these local issues in the wards where development takes place.

Strategic Infrastructure (2025-2030)	Total Cost (£'000s)	Agreed Funding (£'000s)	Additional CIL Cost (£'000s)	Justification
Poole Town Centre flood defence	29.4	22.1	7.3	Essential to enable Poole Town Centre regeneration, enable the delivery of new homes and protect existing homes. Without CIL the £22.1M Environment Agency grant would be lost.
Habitats sites mitigation	8.7	2.1	6.6	Essential to grant planning permission for new homes across the BCP area. Includes £4.9M Strategic CIL already committed. Provides new and improved open space and protects heathland and Poole Harbour.
Bearwood and Merley Schools (education provision)	11.7	7.6	4.2	Essential to support 1700 homes in the Bearwood and Merley ward. £7.6M obligation upon developers through Section 106 Agreements.
Transport	3.9	0	3.9	Implementation of sustainable transport to avoid congestion caused by housing growth. Will be monitored as external funding may be secured. Could include maintenance of highway assets.
Open space	7	3.4	3.6	To fund phase 2 of the Council's Play Strategy
Health – doctor's surgeries	0.4	0	0.4	Cost based on formula for number of residents to be used by NHS to fund expansions to surgeries (does not include doctors that are funded by other means)
Total	61.1	35.2	26	Leaves £3.3M (11%) of the £29.3m Strategic CIL forecast unallocated for discretionary spend

Note figures don't tally due to rounding

Pros:

- Critical infrastructure is funded ensuring the local plan is deliverable.
- Secures the Environment Agency grant awarded to the Poole Bridge to Hunger Hill flood defence and protection of housing in Poole town centre.
- Spending on infrastructure in wards / immediate area where development can allay public concerns of over development
- Certainty for service providers of which projects can secure CIL.
- Surplus of £3.3m for urgent project funding or for match funding to secure external grant.

Cons:

- CIL cashflow issues in first few years, meaning choices needed over which projects take priority.
- No flexibility for other projects / service providers.
- Uncertainty for service providers on how other projects will be funded.
- Some infrastructure types unfunded – e.g. Waste, Culture, Housing, etc.
- Is limited to Merley and Bearwood schools.
- Would not fund strategic transport issues.

55. All options could be considered as they each have advantages and disadvantages. Options 1, 2 and 4 support the critical infrastructure necessary to support the local plan with Options 2 and 4 taking this further to provide certainty to other essential infrastructure. While Option 1 provides flexibility with surplus CIL available it will lead to competition between service providers for the remaining funding. Options 2 and 4 therefore provides more certainty to service providers but competing demands for cashflow and a possible overspend will need to be carefully managed. With Options 2 and 4 some services will miss out on CIL funding in the five-year period, although there is a modest opportunity to address this if service demand for capital funding is a corporate strategy priority. Option 4 would see more CIL spend at a local level than Option 2 which is more strategic.
56. Option 3 is a different approach that provides each service provider with certainty of budget top sliced from CIL each year. This can split the CIL fund it many smaller amounts taking several years to build up into meaningful sums lacking flexibility and providing frustration over timing of spend. One per cent of the £4m forecast Strategic CIL come is £40,000. Service providers may also opt to spend less strategically due to significant budget pressures.

Preferred Option

57. Option 2 is preferred as it focusses on strategic infrastructure but requires further discussion about which projects are included. Appendix 3 includes a suggested CIL cashflow to ensure there are sufficient funds available. Poole flood defences

and transport would utilise the majority of funding in the 2025/26 to 2027/28 year period. This would mean delaying the Upton Country Park SANG and Nitrogen offsetting to 2027/28. This is a risk as the funding may be needed earlier. The education funding is likely to be needed nearer to 2030.

58. Option 2 provides each service provider with clear expectations on what projects are fundable from CIL.
59. Discussions will be needed with service providers to understand limited options to seek Section 106 Agreements from development for financial sums in lieu of CIL. Care will be needed so that there is no double dipping as this would squeeze development viability and delivery and likely reduce future CIL rates the Council could charge through the Draft CIL Charging Schedule.
60. Service providers may need to be more proactive – some already are – in their discussions with communities about the role of neighbourhood CIL to address local infrastructure needs.

Summary of financial implications

61. The financial implications are discussed in the main report.
62. There was a CIL audit in 2021/22 that recommended:
 - High priority:
 - It is recommended that a governance framework is implemented, including the following;
 - a documented decision-making process covering all aspects of CIL expenditure.
 - corporate oversight and direction of CIL spend.
 - a BCP Apportionments and Allocations policy, for agreement by relevant senior officers and Councillors.
 - Medium priority:
 - It is recommended that future CIL spending priorities are formally considered and endorsed for detailed inclusion in the 2020/21 Infrastructure Funding Statement.
63. The governance framework was established by Cabinet in 2021. The Future Infrastructure Programme Board was set up to help facilitate more efficient and effective strategic decision making for all infrastructure activity, including Community Infrastructure Levy (CIL). In 2023 the board was renamed the Capital Briefing Board (CBB). The CBB will act as an initial gateway for project requests and sanction the development of any relevant business cases and the preferred source of funding. It comprises key officers within the Council and is not a decision making board. Officers are currently guided by the spending priorities identified by the Capital Briefing Board, with the authority required to spend CIL acquired in accordance with the Financial Regulations.
64. All decisions are then recorded in accordance with the financial recommendations. The Apportionments and Allocation of CIL was also agreed and published on the website for the collection of CIL (CIL instalment policy, payment in kind and discretionary relief).

65. A new CIL spending audit is currently underway with a report due in 2025. The findings will be included in the next review of this paper.

Summary of legal implications

66. The requirements for how CIL can be collected and spent are set out in the Community Infrastructure Levy Regulations 2010 (as amended). Regulation 59 states:

'A charging authority must apply CIL to funding the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area.'

67. Other key paragraphs include:

- Para 61: No more than five per cent of CIL collected in that year to be spent on administration; and
- Para 121A: Publish the Infrastructure Funding Statement annually.

68. The Conservation of Habitats and Species (EU Exit) Regulations 2019 known as the Habitat Regulations require that decision makers ensure that a project or proposal does not cause an adverse effect to a protected site or species. There are numerous habitat sites afforded such protections in South East Dorset, in particular the Dorset Heathlands and Poole Harbour.

Summary of human resources implications

69. No implications identified

Summary of sustainability impact

70. A Decision Impact Assessment (DIA) has been completed.

71. All options will have a positive impact on: transport and accessibility, natural environment, learning and skills, health and well-being, economy, communities and climate change and energy and communities and culture. No positive or negative impacts identified for sustainable procurement. Unknown impact identified for waste and resource use due to more detailed assessment needed as each project is delivered.

72. Sustainability is key with new infrastructure planning. CIL can be used for climate adaptation and mitigation. Environmental projects which can lever further external funding / grants can use the CIL monies as partnership funding to make the money go further.

Summary of public health implications

73. Strategic CIL can be spent on public health infrastructure for prevention such as public open spaces, trees, green infrastructure and active travel. It can also be spent directly on doctor's surgeries. Option 2 includes habitat sites strategies which includes the provision of new open space, and Transport which includes active travel. Many of the already committed projects have public health benefits, e.g. the Play Strategy.

Summary of equality implications

74. An Equality Impact Assessment (EqIA) Screening has been completed. The EqIA Panel assessed the EqIA screening report on 12 February 2025. Following amendments to the report, it has been rated green.
75. All 4 options proposed for the spending of Strategic CIL will have benefits for those with protected characteristics. No negative impacts have been identified. Option 1 is the weakest option for identified benefits. Option 2 is better and most strongly relates to Local Plan delivery and Plan's consultation process, which considered equalities and facilitates delivery of new homes for a range of people. Options 3 and 4 would reach and likely benefit the broadest range of people with protected characteristics.

Summary of risk assessment

76. The key risks are outlined in this report.
77. Shortfalls in Strategic CIL funding may lead to service providers seeking Section 106 instead from development. These asks would reduce the CIL rates the Council is able to charge. The Council in preparing the Draft BCP Local Plan and Draft CIL Charging Schedule has through viability assessment attempted to maximise CIL income. CIL is non-negotiable and provides the Council a steady income to spend upon infrastructure, whereas Section 106 Agreements lead to haphazard payments by larger sites over many years making planning the delivery of infrastructure extremely difficult. For example NHS Dorset and the Hospital Trusts have stated that they will no longer seek Section 106 from development if they receive a portion of CIL.

Background papers

Infrastructure Funding Statement (Published - [Examination library | BCP](#))
Draft BCP Local Plan (Published - [Infrastructure Delivery Plan - submission version June 2024](#))

Appendices

- Appendix 1** – Figures
Appendix 2 – Committed Strategic CIL
Appendix 3 – Strategic CIL cashflow for Option 2
Appendix 4 - Infrastructure costs 2024/25 to 2029/30
Appendix 5 – Planned housing by ward
Appendix 6 – Equality Impact Assessment (EqIA)
Appendix 7 – Decision Impact Assessment (DIA)

Appendix 1 – Figures

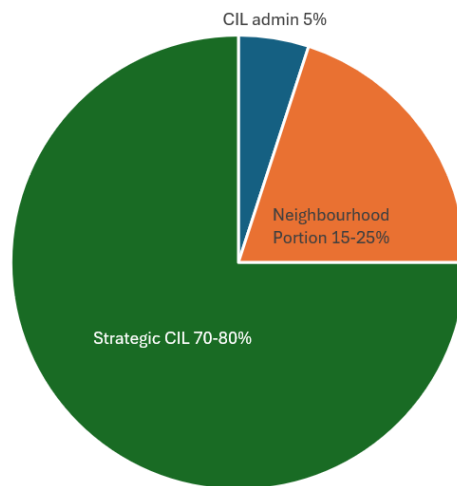


Figure 1: Split of CIL receipts

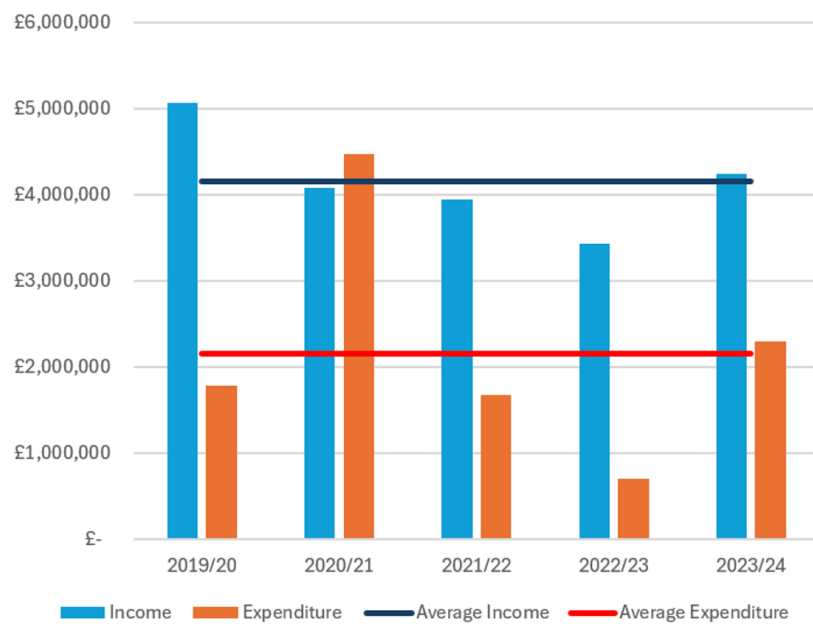


Figure 2 – Strategic CIL income and expenditure (2019-2024)

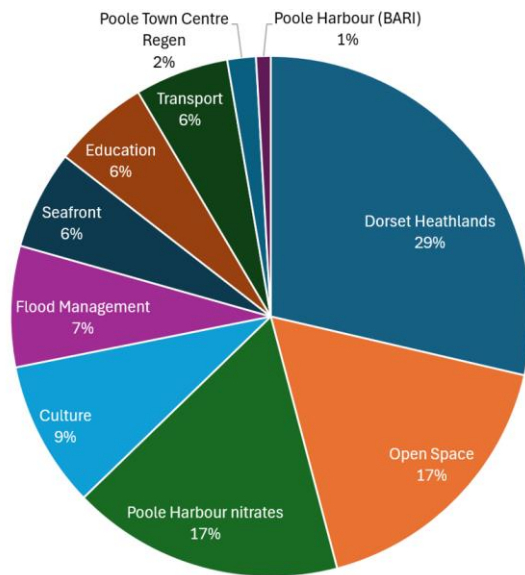


Figure 3: CIL spending by type 2019-2024

Appendix 2 – Strategic CIL commitments (£000)

Commitments:	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30
Sluice Gates - Baiter	50	1,162				
Russell Cotes Museum (Urgent Maintenance)	36					
Russell-Cotes MEND project (repair works jointly funded by Arts Council England, BCP Council and public donations)		250				
Scaplens Court (part of Our Museum project)	529					
Capital Funding Swap (Detail below)	447	324				
<i>Public Conveniences</i>	21					
<i>Poole Park</i>	117					
<i>Christchurch Legacy Play areas</i>	13	187				
<i>Highcliffe Castle and Tea Rooms</i>	34					
<i>Poole Museum HLF Round One Bid</i>	24					
<i>Christchurch Priory - Heritage Triangle</i>	135	137				
<i>Corporate Estate - heritage assets</i>	103					
Christchurch legacy Strategic CIL - Connecting Christchurch (aims to improve access to urban green spaces, particularly for elderly and ill)	41	90				
Poole High Street Heritage Action Zone (completion of public realm project)		164				
Hamworthy Park Sea Walls	233					
Lake Pier refurbishment	330					
Mudford Pontoon	107	64				
RNLI Signage	309					
Highcliffe Beach Access	100					
Upton Country House Stabilisation	252					
Plan for Play Strategy – Phase 1		1,700	1,691			
Ashdown Floodlights	91					
Habitats sites mitigation (detail below)	616	265	267	188	390	323
<i>Cherry Tree HIP</i>	1					
<i>Iford Meadows and Playing Fields HIP</i>	34					
<i>Upton Country Park Barn Enhancement</i>	56					
<i>Dorset Heathlands Air Quality Mitigation Strategy</i>	40	80	80		200	131
<i>Upton Country Park SANG annual maintenance 23/24</i>		85	87	88	90	92
<i>Stour Valley River Meadows SANG inc. annual maintenance</i>	317	100	100	100	100	100
<i>Winton Recreation Ground HIPs</i>	35					
<i>Upton Country Park Project</i>	42					
<i>St Catherine's Hill</i>	9					
<i>BARI – Turlin Moor saltmarsh project</i>	2					
<i>BARI - Stage 2 paddle power map</i>	9					

Commitments:	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30
<i>BARI- Access improvements at Studland</i>	71					
Annual total	3,141	4,019	1,958	188	390	323
Total	10,019,000					

Table note:

- Russell Coates Museum urgent maintenance is committed, the MEND project has not been subject to formal sign off.
- Highcliffe Beach access – of the £100k, £24k has formal sign off, £76k has yet to receive formal sign off.
- Highcliffe and Walkford Parish Council providing match funding using Neighbourhood CIL.
- Dorset Heathlands HIPs Fund – this fund is top sliced from CIL to ensure development granted planning permission is mitigated. Project spend yet to be brought forward for sign off.
- All other projects listed have formal sign off.

Acronyms:

BARI (Poole Harbour - Birds and Recreation Initiative).

HIPs (Dorset Heathlands - Heathland Infrastructure Project).

SANG (Dorset Heathlands - Suitable Alternative Natural Greenspace)

Appendix 3 – Cashflow for Option 2 (£000s)

	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30
CIL cash held	18,301	16,160	9,991	1,783	2,095	5,705
Expected CIL income	1,000	4,000	4,000	4,000	4,000	4,000
End of year CIL position	19,301	20,160	13,991	5,783	6,095	9,705
Total Commitments	3,141	4,019	1,958	188	390	323
CIL Remaining	16,160	16,141	12,033	5,595	5,705	9,382
Uncommitted:						
Habitats sites mitigation		1,500	4,100	1,000		
Poole Town Centre flood defence		3,650	3,650			
Transport		1,000	2,500	2,500		
Bearwood & Merley schools						4,200
Total Cost Uncommitted	0	6,150	10,250	3,500	0	4,200
CIL cashflow (cumulative) End of year position	16,160	9,991	1,783	2,095	5,705	5,182

Appendix 4 – Infrastructure costs 2024/25 to 2029/30

Infrastructure Project	Cost
1. Education Provision	
School: Up to 2 forms of entry across Bearwood and Merley, at all age groups to mitigate growth at Merley and Bearwood .	4,200,000
School: Special School to the need for specialist and AP places. This could potentially be a conversion of the existing Parkfield School or a new school on the site of the former Queensmead Care Home. Different finance options.	4,000,000
Sub-totals	£8,200,000
2. Seafront and Flood & Coastal Erosion Risk Management Infrastructure	
Creekmoor Flood Alleviation Scheme: Phase 2 to commence from 2030+ and pumping station may be required.	100,000
Capital Flood, Coastal and Erosion Risk Management (FCERM) - Asset Refurbishment.	1,200,000
Christchurch Quay Wall Refurbishment	1,000,000
Bournemouth Cliff Stability - Sand Drains Refurbishment	750,000
Kinson Dam Repairs and Ecological Enhancements and Catchment Flood Protection	250,000
Debris Screen Safety Upgrades	100,000
Flood Incident Monitoring Equipment	250,000
Walkford Brook (at Chewton Bunny) Deculverting	300,000
Sterne Flood Alleviation Scheme: Phase 2 to commence from 2030+ and pumping station may be required.	100,000
Poole Bridge to Hunger Hill Flood Defence Scheme	7,400,000
Falconer Drive and Turlin Moor: Mitigation against flooding.	100,000
Mudford Sandbank CP Works (Strategy ODUs 1 and 2)	515,000
Willow Drive and the Quomps flood defences (Strategy ODU5)	250,000
Stanpit flood defences (Strategy ODU9)	250,000
Avon Beach to Highcliffe CP works (Strategy ODUs 12 and 13)	715,000
Sand dune management for multiple benefits inc. coast protection, environment and amenity across Poole & Christchurch Bays	100,000
Cliff Management Strategy and Monitoring/ Maintenance at High Risk Locations	100,000
Sub-totals	£13,480,000
3. Green Infrastructure, Open Space, Leisure and Recreation	
Play Strategy - Phases 2 and 3 - Fund and manage 180 play areas and related facilities. Audit and strategy to bring forward future investment plan and rationale for all sites	6,900,000
Stour Valley River Project Masterplan - Circular routes, way marking, bridge improvements, gateways and further delivery of the SVP objectives.	375,000
Coastal Nature Park - Create a joined-up network of trails and access to and between Poole and Christchurch Harbours. Way-finding, interpretation, wildlife engagement opportunities and specific enhancements of information gateways such as Steamer Point, Stanpit	450,000

Infrastructure Project	Cost
Marsh, Lake pier, the cliffs and chines. Improve access points at Shelley Park to Boscombe Cliff	
Bourne Valley greenway and related active travel routes. Infrastructure improvements to enhance route, access, signage and quality	250,000
Castleman trailway improvements. Key active travel route connecting Upton CP, Poole Town out northwards to Broadstone, Merley and Wimborne.	150,000
Railway Walks project; linking train stations from Poole Town, Hamworthy, Holton heath and Sandford to access routes and trails and access to the countryside.	2,000,000
Harbourside Park, fund Phase 1 of the recommendations in the Masterplan	500,000
Bournemouth Lower and Central Gardens. Improve the green space infrastructure.	1,000,000
Kings Park masterplan and delivery project	5,150,000
Improved community parks and creation of Green Heart Parks. Investment into Green Heart Parks, to improve the quality of facilities, such as café's, play, park infrastructure (seating, lighting, planting) and to ensure these spaces are thriving and not succumbing to ASB and decline	250,000
Trees and Woodland Strategy - Managing tree stock and related policy. Tree planting strategy to mirror urban greening, BNG and other policies	500,000
Ward based Improvement plans. Creating improvement plans across the most deprived wards and areas that will be served best by addressing environmental justice.	500,000
Infrastructure for accessing countryside sites - East	100,000
Infrastructure for accessing countryside sites - Central	100,000
Infrastructure for accessing countryside sites - West	100,000
Alum Chine Cliff instability and reprofiling works	350,000
Poole Park heritage entrance pillars	40,000
Poole Park road redesign following through -road closure	150,000
Steamer point Infrastructure Improvements	75,000
Alexandra Park Infrastructure improvements for Accessibility	75,000
Shelley park infrastructure Improvements	100,000
Christchurch harbour and surrounding green space National nature reserve application	100,000
Luscombe Valley SSSI access improvements	100,000
Christchurch Tennis Centre – re-establish 4 disused courts	240,000
Rossmore Leisure Centre - Upgrade changing rooms and toilets to meet modern DDA compliance regulations and meet customers accessible needs	500,000
Two Riversmeet - Studio proposal to include martial arts, dance, training and development hub	1,596,453
Two Riversmeet Plant Room Upgrade	479,000
Ashdown Leisure Centre External Facility upgrade, Athletics Track, Tennis Courts, Astro Pitches and Car Park	3,000,000
Two Riversmeet 3G pitch upgrade	120,000

Infrastructure Project	Cost
Two Riversmeet - Paddle Tennis Centre Installation	400,000
Two Riversmeet - poolside surround replacement	47,356
Kings Park - Ground Floor Development - Stage 2 Sports Hall	100,000
Kings Park - Ground Floor Development - Stage 3 Refurbish/remodel changing rooms and reception area to meet DDA regulations and customers experience, introduce retail space	500,000
Kings Park - Improvement to Lights in Main Hall	40,000
Highcliffe Castle - Lighting change over to sustainable option, sensor operated	30,000
Highcliffe Castle - Great Hall and south wing stabilisation works	100,000
Highcliffe Castle - Wintergarden blind installation	9,500
Highcliffe Castle - Dining Room Floor complete refit	50,000
Highcliffe Castle - Match funding for next phase lottery project (phase 8)	350,000
Upton County Park - installation of accessible fire hydrant	90,000
Upton County Park - Bird Screen to enhance bird viewing facility to west of Holes Bay	35,000
Upton House - Development of National Lottery Heritage Fund Discovery Project Phase 2 application	30,000
Upton Country Park - Match funding for Phase 2 National Lottery Heritage Fund Delivery Stage	300,000
Upton Country Park - Playground equipment - upgrades	250,000
Queens Park Playground Equipment - upgrades	150,000
Queens Park & Office space - renovation	80,000
Implementation of signage and PRE equipment for inland water - Water Safety Framework	100,000
Sub-total	£27,912,309
4. Habitats Regulations Assessment	
Dorset Heathlands Infrastructure Projects (HIPs):	
Upton Country Park SANG: Phase 4	5,000,000
Millhams Mead (Bournemouth) HIPs scheme	332,000
Bourne valley park access improvements	150,000
Poole Harbour SPA Recreational Disturbance	
UCP dog fencing phase 2	11,000
UCP Viewing platform	25,000
Sea wall bird nesting pilot project	8,000
habitat resilience and improvement project	80,000
Poole Harbour Nitrogen Reduction	
Poole Harbour SAC/SPA nutrients (nitrates and phosphates) - 62+ hectares land to mitigate permissions at 1 April 2024 at £25k ha	1,500,000
Briantspuddle Wetland project	10,000
Sub-total	£7,116,000
5. Health Provision	
NHS projects to meet growth - assumes £516 CIL per home as per HUDU modelling (minus clinical rooms). NHS to list projects.	3,000,000
Sub-total	£3,000,000

Infrastructure Project	Cost
6. Culture	
Charminster Library Roof Replacement/ significant repairs	200,000
Investment in Libraries to create Community Hubs in accordance with the emerging Library Strategy	500,000
Heritage Strategy	75,000
Sub-total	£775,000
7. Transport & Engineering	
Twin Sails Bridge - maintenance	2,500,000
Poole Lifting Bridge VMS signs	250,000
Poole Lifting Bridge - maintenance	2,750,000
Beechy Road to Bournemouth railway station cycling and walking improvements	50,000
New River Stour Bridge walking and cycling - next to New Road - create Parley to Bournemouth sustainable transport corridor link	300,000
Iford Lane riverbank path restoration	75,000
Castleman Trailway new steps/structures at Merley for equestrians	50,000
Turks Lane resurface and drainage	75,000
New path, Broadstone Golf Course	200,000
Replacement bridge at Canford School	500,000
New bridge just East of Canford School connect with SANG	500,000
Stour Valley signage design, survey, installation and maintenance programme	300,000
Upgrade and raise paths along Stour between Throop and Bear Cross (south side)	300,000
Level access to Parkstone Rail Station (Weymouth direction)	200,000
Replacement of life expired Bournemouth Wayfinding (Totems x 80, Fingerposts x 75)	1,175,000
Deansleigh Road Cycle route on land dedicated to Council as highway for RBH expansion	1,000,000
Castleman Trailway - Willet Arms to Broadstone Way all-weather surface (whole length or prioritise sections) 3km	750,000
Upton Country Park - widen footway to connect to new Dorset Council LTP Scheme including crossing, improvements at park entrance, improvements to bridleway/cattle creep + improvements to signing/lining on slip road approach etc + scheme surfacing extension in to BCP	150,000
Baiter park extension to Poole Quay	300,000
Western Road/Leicester Road junction - crossing and side road narrowing	60,000
Mobility Hubs at 31 locations across BCP	1,175,000
New pedestrian and cycle bridge over River Stour linking Iford to Barrack Road in vicinity of former Bailey Bridge	250,000
Tuckton Bridge replacement bridge across River Stour	250,000
Cycle access to Redhill Park car park including new cycle access points)	10,000
Safer Routes to Schools inc. School Streets	492,000
Narrow Junction of Alumhurst Road/Mountbatten Road	100,000
Hamworthy disused railway track rear of Allens Lane - feasibility	100,000
SRS improvement on gyratory outside Winton primary Oswald road. (trial with wands)	70,000

Infrastructure Project	Cost
New crossing and junction changes outside Oakdale Junior School.	200,000
100m shared use Harwell Road near Longspree Academy	25,000
Bridleway SE18/8 / Bridleway 1 Resurface (PXQP+M64 Poole) Poole Road - Upton Gateway Roundabout	50,000
Pegasus crossing and connecting ground works, Ringwood Road (Q3CM+P62, Bournemouth)	300,000
Upgrade footpath Throop to Hurn to shared route	1,500,000
Madeira Roundabout zebra crossings all arms	125,000
Resurfacing of cycle path BH2 towards pier	50,000
Pegasus Crossing Hurn Court Lane across Christchurch Road - Linking to E62-31	300,000
Crossing and bus stop outside Branksome train station	150,000
20mph programme rollout across residential areas	200,000
Kinson path links - various - surfacing of various unbound paths which cut across little bits of green space but are currently not wheelchair friendly.	80,000
Top 20 pedestrian crossings requests	100,000
Pedestrian crossing within signal junction at The Avenue/Western Road	100,000
Bridge at Sewage Works River Stour near Parley Golf - additional footbridge and paths either side.	2,300,000
Castle Lane East reconfiguration inc. refurbishment of signal junctions, accessibility improvements, general network improvements inc. resilience	125,000
Northbourne (Small Park) new bridge over Stour - New walking and cycling bridge over Stour as per TCF scheme	300,000
Zebra crossing Queens Park Avenue / Howard Road junction - speed reduction, safer route to schools.	200,000
School Crossing Patrollers (SCP) upgrade to ped crossings	1,500,000
Bear Cross roundabout crossings/ completing TCF S6-1	125,000
Somerford Road from Sainsburys to Purewell Cross Road/Stanpit - speed reduction, cycling, walking, road safety. SRTS to Highcliffe School	80,000
New bus shelters inc. RTI, CCTV	525,000
Penn Hill signal upgrade to tie in with CIL funding already agreed for new pedestrian phase across Leicester Road (10PS 2002)	350,000
Leicester Road / Lindsay Road refurbishment/upgrade currently hardware issues (10PS 2002)	40,000
Upgrade programme for ITS / Signal sites- Currently 40 sites over 20 years old of which 20 are junctions with limited dedicated pedestrian or intelligent traffic management facilities.	500,000
Pedestrian crossing facilities at Surrey Road / Branksome Wood Road Junction (23PS 2002)	300,000
Sub-total	£23,457,000
8. Housing enabling and regeneration	
Hawkwood Road affordable housing development, Boscombe - Community Centre	950,000
Former Power Station, Poole (Holes Bay) - Land Remediation	6,300,000
Former Power Station, Poole - flood defences	11,300,000
Rigler Road / Blandford Road Junction	1,000,000

Infrastructure Project	Cost
Blandford Road / New Quay Road Mini Roundabout including Station Road	500,000
Blandford Road / Jefferson Avenue Junction	2,500,000
Twin Sails Approach / New Quay Road / Rigler Road Junction	2,800,000
Sub-total	£25,350,000
10. Waste	
New refuse collection vehicle per 5,000 newly built dwellings	300,000
New underground bin collection vehicle per 25 installed bins	210,000
Underground bins for Bournemouth & Poole Town Centres	750,000
Hurn Transfer Station Refurbishment	6,000,000
Litterbins	250,000
Recycling Centre compliance & futureproofing	5,000,000
Sub-total	£12,510,000
Total Capital Costs	£121,800,309

Appendix 5 – Planned housing development by ward (2024/25-2029/30)

Ward	Homes
Alderney & Bourne Valley	7
Bearwood & Merley	799
Boscombe East & Pokesdown	81
Boscombe West	159
Bournemouth Central	1,292
Broadstone	93
Burton & Grange	16
Canford Cliffs	262
Canford Heath	10
Christchurch Town	171
Commons	43
Creekmoor	158
East Cliff & Springbourne	162
East Southbourne & Tuckton	52
Hamworthy	139
Highcliffe & Walkford	48
Kinson	41
Littledown & Iford	3
Moordown	39
Mudford, Stanpit & West Highcliffe	70
Muscliff & Strouden Park	19
Newtown & Heatherlands	81
Oakdale	62
Parkstone	267
Penn Hill	115
Poole Town	868
Queens Park	60
Redhill & Northbourne	41
Talbot & Branksome Woods	63
Wallisdown & Winton West	21
West Southbourne	49
Westbourne & West Cliff	314
Winton East	72
Total	5,677