Matter 5.1, 5.2, 5.3 a, b, c & d

DELIVERING POOLE'S INFRASTRUCTURE
EXAMINATION INTO THE SOUNDNESS OF THE PLAN
NOVEMBER 2011

STATEMENT ON BEHALF OF BOROUGH OF POOLE

Matter 5: Monitoring and Implementation

Question 5.1 – Are the monitoring indicators and targets clearly defined and rigorous?
Ref: DPI/5/5.1

Question 5.2 - Will monitoring be informed by detailed project by project data and if so where will this be recorded?
Ref: DPI/5/5.2

Question 5.3 - CIL and Section 106 monitoring:

(a) Should this section provide for S106 monitoring?
Ref: DPI/5/5.3a

(b) What is the evidence to support CIL target of £1,000,000
Ref: DPI/5/5.3b

(c) Can this figure be included in the DPD in advance of approval of the CIL charging schedule?
Ref: DPI/5/5.3c

(d) Is the reference to "CIL finance granted exemption consistent with CIL Regulations?
Ref: DPI/5/5.3d

Hearing Date: Thursday 17th November

1.0 Introduction

1.1 This statement considers the issues set out in Matter 5 relating to Monitoring and Implementation. Each question raised in the programme will be considered in turn.

2.0 Areas of Common Ground

2.1 No Statements of Common Ground have been submitted in relation to this matter.

3.0 Why the Delivering Poole's Infrastructure DPD is considered sound

3.1 This section of the statement considers whether the monitoring indicators and targets in the Delivering Poole's Infrastructure Development Plan Document are clearly defined and rigorous. This section demonstrates why the approach in the DPD (including any suggested changes) is considered sound:-

DPI/5/5.1 – Are the monitoring indicators and targets clearly defined and rigorous?

3.2 The monitoring indicators and targets included in the DPI DPD are aimed at striking an appropriate balance between being useful tools in quantifying progress, and actually being capable of being monitored. To achieve this aim, there are areas of the proposed monitoring indicators and targets which require amendments. Subject to the amendments proposed in Section 4.0, the monitoring indicators and targets are considered clearly defined and rigorous.

DPI/5/5.2 - Will monitoring be informed by detailed project by project data and if so where will this be recorded?

3.3 The monitoring of detailed project by project data will be part of the annual review of Poole's Infrastructure Programme, which will reflect any change in status in terms of delivery, funding secured and so forth.

3.4 Once CIL is introduced in Poole in 2012, Borough of Poole will also be bound by CIL Regulation 62 (2010 Regulations) with regard to the statutory reporting of CIL collection and expenditure. Borough of Poole will continue to produce an Annual Monitoring Report within which the Council will set out the Regulation 62 statutory reporting. The AMR will also report details regarding delivery of the projects contained in the Poole's Infrastructure Programme.

3.5 Suggested changes to the monitoring & implementation section are set out in Section 4.0 aimed at enhancing the reporting of project by project data.

DPI/5/5.3 (a) - CIL and Section 106 monitoring – Should this section provide for S106 monitoring?

3.6 Once CIL is adopted, the scope for developer contributions through section 106 provisions will be limited to 5 developments in accordance with CIL Regulation 123. The instances where the Council will want and be able to use this are likely to be relatively limited.

3.7 However, it is acknowledged that there may be opportunities where contributions through s106 in accordance with CIL Regulation 123 will be appropriate. It will be therefore be useful for the Council to monitor delivery of infrastructure secured through s106 to ensure development is not double charged once CIL is introduced. Therefore, suggested

changes are made in Section 4.0 to add an indicator which can be monitored and reported in the AMR.

DPI/5/5.3b - CIL and Section 106 monitoring - What is the evidence to support CIL target of £1,000,000

3.8 The £1,000,000 target was derived from looking at the average levels of Section 106 contributions received over the past six five years (which equates to an average of £2,000,000). The Council's existing Section 106 tariffs will be transposed into CIL once the charging schedule is adopted and therefore the Council would expect the finance collected to broadly follow a similar pattern over the plan period. It was decided that due to current market conditions, it would be appropriate to set a lower figure than the average collected over recent years to reflect fluctuations in economic viability (particularly over the next five years) over the plan period; this figure was set at £1,000,000.

3.9 However, it is accepted that the inclusion of a monetary target is not necessarily informative in terms of the submitted key outcome "IN2 (i) - collection of CIL finance" to which it relates. It will be suggested in Section 4.0 that it would be more relevant to establish a target related to the monitoring of the receipt of CIL finance by recording the rate of compliance with the Council's CIL payment regime. The £1,000,000 target is therefore proposed to be deleted and replaced as set out in Section 4.0

DPI/5/5.3c - CIL and Section 106 monitoring - Can this figure be included in the DPD in advance of approval of the CIL charging schedule?

3.10 As set out in paragraph 3.12, the £1,000,000 is proposed to be deleted. It is accepted that it is not guaranteed that this target can be met in advance of the CIL charging schedule.

DPI/5/5.3d - CIL and Section 106 monitoring - Is the reference to "CIL finance granted exemption" consistent with CIL Regulations?

3.11 The word "exemption" should read "relief" in the DPI DPD. The purpose of including this indicator was in the event of making available Relief for Exceptional Circumstances and wanting to monitor how much CIL was given this form of relief. Therefore, the reference (subject to replacing "exemption" with "relief") is consistent with the CIL Regulations.

3.12 However, looking at the wider aim of IN2 (iii) and IN3 (iii), the overriding objective is to monitor the effectiveness and impact of the CIL rates once they have been introduced, which will require more than just looking at relief. Therefore, suggested changes are made in Section 4.0 to clarify the monitoring framework in this regard.

4.0 Suggested Changes

4.1 Suggested changes to the Monitoring and Implementation Framework are set out in following three tables. For ease of reference, deleted text is highlighted using ~~strikethrough~~ and proposed additional text is highlighted in red.

IN1 – Poole's Infrastructure Delivery Framework:

Key Outcomes	How will these be delivered	Who is responsible for delivery	Indicators of achievement	Targets/ Monitoring
~~(i)~~ Ensure that new developm ent~~s~~ provide necessary site-related infrastruct	Partnership working ~~to ensure objectives are shared by all sectors~~ with infrastructure providers	Borough of Poole/Developers/Other Infrastructure Providers	~~N/a~~ The grant of planning permission where site-related infrastructure is required	Ensure compliance with Circular 05/05 and CIL Regulations

ure	Implemented through the Development Management process			
~~(ii)~~Introduce Community Infrastructure Levy (CIL)	~~Adoption of CIL Charging Schedule and reviewed on annual basis~~ Through bringing forward a CIL Charging Schedule in accordance with the CIL Regulations	Borough of Poole	~~N/a~~ Completion of public consultation stages and submission of Draft CIL charging schedule for Examination in Public	~~N/a~~ Adopt CIL charging schedule by December 2012
~~(iii) Coordination of infrastructure funding~~	~~Borough of Poole to set up Infrastructure Delivery Executive to govern finance raised through CIL and other funding sources~~	~~Borough of Poole/Other Infrastructure Providers~~	~~CIL Reporting Procedure as required by CIL Regulations~~ ~~Reported in AMR~~	~~N/a~~
~~(iv) Review of PIP~~ Maintaining an up to date Poole's Infrastructure Programme	Through continued partnership working ~~to ensure infrastructure priorities are identified and delivery planned for~~ and consultation with infrastructure providers and developers to	Borough of Poole/other infrastructure providers/ developers	~~Reported in AMR~~ Publishing updated Poole's Infrastructure Programme on an annual basis	~~N/a~~ Publish updated Poole's Infrastructure Programme by December each year of plan period

	update Poole's infrastructure needs when necessary			
~~(v)Poole's Infrastructure Hierarchy~~ Implementation of the Infrastructure Hierarchy and delivery of Poole's Infrastructure Programme	Bringing forward a CIL charging schedule in accordance with the CIL Regulations adoption procedure Borough of Poole confirming CIL governance arrangements to manage finance raised through CIL and other funding sources	Borough of Poole/Other Infrastructure Providers	~~Improved provision~~ Delivery of Heathland/Poole Harbour SPA mitigation works Delivery of Neighbourhood infrastructure ~~Provision~~ Delivery of strategic infrastructure Collection of CIL finance Securing of other infrastructure funding Delivery of infrastructure projects set out in Poole's Infrastructure Programme	~~Targets of finance collected for infrastructure projects~~ Adopt CIL charging schedule by December 2012 Reporting data in AMR on: (a) Identification of new infrastructure projects; (b) Amount of funding secured for individual projects; (c) IN1 (C) (i) Infrastructure projects which have been implemented/ delivered; (d) IN1 (C) (ii) infrastructure projects which have been implemented/ delivered; (e) IN1 (C) (iii) infrastructure projects which have been implemented/ delivered;

				(f) IN1 (C) (iv) infrastructure projects which have been implemented/ delivered

Table 1 – Indicators, Targets and Milestones for IN1

IN2 – ~~Community Infrastructure Levy (CIL and Section 106 Planning Obligations~~ Developer Contributions

Key Outcomes	How will these be delivered	Who is responsible for delivery	Indicators of achievement	Targets/ Monitoring
~~(i)~~ Start collection of CIL finance	Through ~~adoption of~~ bringing forward a CIL Charging Schedule in accordance with the CIL Regulations adoption procedure Introduction of collection and governance arrangements for the administration of CIL	Borough of Poole	~~Amount of CIL finance raised per annum~~ Adoption and implementation of CIL charging schedule	~~£1,000,000 per annum from CIL~~ Adopt CIL charging schedule by December 2012. Collect 100% of CIL in accordance with the Borough's CIL Payment Schedule
~~(ii)~~ Reporting CIL collection and expenditure on projects benefitting from CIL finance	Through the PIP and Borough of Poole's CIL governance arrangements Through compliance with the	Borough of Poole/~~Other Infrastructure Providers~~	~~List of projects delivered through CIL per annum~~ The publication of CIL reporting in line with CIL Regulations ~~Reported in AMR~~	~~Targets for expenditure to be quantified~~ Report CIL collection and expenditure in accordance with CIL Regulations in AMR by 31st December

	procedures for the reporting of CIL in the CIL regulations			
~~(iii)~~ Annual review of CIL rates ~~and viability appraisal~~	~~Monitoring of CIL~~ Through updating Borough wide viability appraisal on an annual basis	Borough of Poole	~~Amount of CIL finance granted exemption~~ Completion of annual review of viability appraisal	~~Less than £100,000 per annum~~ Publish results of viability appraisal review in AMR. Where viability appraisal review identifies that CIL rates need to change, begin statutory procedure for adopting an amended CIL charging schedule
Monitoring of infrastructure projects delivered through s106 obligations	Through the Development Management process Maintaining a register of signed Section 106 agreements and undertakings	Borough of Poole	Publishing the CIL Regulation 123 list which stipulates those projects being delivered through Section 106 and those through CIL	Ensure infrastructure secured by Section 106 accords with the provisions set out in the CIL Regulations Review and Publish CIL Regulation 123 list by 31st December each year of plan period
Establish register to record viability assessments submitted	Through the Development Management process Establishing	Borough of Poole	Establish register by December 2012 and update thereafter	Establish register by December 2012 and update thereafter

with planning applications	the register to record viability assessments submitted to support planning applications			
Deliver works and projects required to mitigate impact from housing development on European sites.	Identification of specific projects in Poole's Infrastructure Programme. Allocation of CIL finance allocated to delivery of mitigation works and projects	Borough of Poole/Dorset Heathlands Executive	Provision of identified mitigation projects. Reduction in human related impact on European sites	Specifically report CIL finance expenditure for European sites in AMR.

Table 2 – Indicators, Targets and Milestone for IN2

IN3 – Strategic Flood Defences

Key Outcomes	**How will these be delivered**	**Who is responsible for delivery**	**Indicators of achievement**	**Targets/ Monitoring**
~~(i)~~ Delivery of Regeneration Area ~~sites~~ flood defences	On-going discussions with Regeneration Area landowners/ developers	Borough of Poole/Developers	Grant of planning permission for PCS11 sites ~~Completion~~ Implementation and delivery of Regeneration Area planning permissions ~~developments~~	Delivery of Regeneration Area by ~~2016~~ end of plan period.
~~(ii)~~ Delivery of other strategic flood defences	Through adoption of CIL charging schedule and In	Borough of Poole/Developers/ Environment Agency	~~CIL reporting~~ Adoption of CIL Charging Schedule	~~£10,000,000 raised towards flood defences by 2026~~

~~in line with~~ set out in the FRMS	partnership with Environment Agency Through ~~and~~ the Development Management process		Securing the delivery of any sections of the FRMS outside of the Regeneration Area within the plan period up to 2026.	Adopt CIL Charging Schedule by December 2012.
~~(iii) Review of CIL rates and viability appraisal~~	~~Monitoring of CIL~~	~~Borough of Poole~~	~~Amount of CIL finance granted exemption~~	~~Less than £100,000 per annum~~
Provision of compensatory habitats	Through partnership working with Natural England and the Environment Agency.	Borough of Poole/Environment Agency	Delivery of compensatory habitats in the plan period.	Report delivery progress of compensatory habitat sites identified in Poole's Infrastructure Programme each year in AMR.

Table 3 – Indicators, Targets and Milestone for IN3

5.0 Conclusions

5.1 Subject to the proposed suggested changes, the Council considers that the Monitoring and Implementation framework is robust and may be found sound.