Highcliffe and Walkford Parish Council

Request for CIL Funding – Highcliffe Library Decking Replacement

Purpose: To consider a request from Bournemouth, Christchurch and Poole Council (BCP) for the allocation of Community Infrastructure Levy (CIL) funds towards replacement of deteriorating decking at Highcliffe Library.

1. Background

Highcliffe Library is owned and managed by Bournemouth, Christchurch and Poole Council (BCP), a unitary authority. The Library is located within the Highcliffe and Walkford Parish area.

An email was received, via Cllr A Martin, from Highcliffe Library requesting financial assistance from HWPC towards replacement of decking at the rear of the library building. The decking:

- Forms part of a **designated fire escape route**
- Is reported to be in **very poor condition**
- Has an estimated replacement cost of **£6,200** (based on a quote obtained in 2024)

The request follows discussion at a BCP Overview and Scrutiny meeting and seeks to explore whether parish-level CIL funding could be allocated.

HWPC currently holds **£43,680.37** in unallocated CIL reserves.

2. Community Infrastructure Levy (CIL): Legal and Governance Considerations

2.1 Parish Council Powers to Spend CIL

Under Regulation 59C of the Community Infrastructure Levy Regulations 2010 (as amended), a parish council receiving CIL must use those funds to support:

“the development of the area by funding—
(a) the provision, improvement, replacement, operation or maintenance of infrastructure; or
(b) anything else that is concerned with addressing the demands that development places on an area.”

“Infrastructure” is defined broadly in Regulation 59(1) and includes community facilities and public buildings.

2.2 Spending CIL Outside Parish Ownership

There is no statutory requirement that CIL-funded infrastructure must be:

- Owned by the parish council, or
- Delivered by the parish council itself.

Government guidance confirms that parish councils may spend CIL on infrastructure delivered by another body, including a principal or unitary authority, provided the expenditure supports the development of the parish area.

Therefore, HWPC does have the legal power to allocate CIL funds towards a BCP-owned asset if it can be demonstrated that the expenditure provides a benefit to the parish and mitigates development impact locally.

2.3 Key Governance Risks

However, best practice and audit considerations require parish councils to consider:

- Whether the proposal mitigates **development-related impacts**, rather than addressing historic maintenance liabilities.
- Whether the expenditure would represent **substitution funding**, i.e. replacing spending that the principal authority would normally be expected to meet from its own budgets.
- Whether there is sufficient evidence of **direct benefit to parish residents**.

The decking replacement relates to a health and safety and fire compliance issue in an existing building. It is not directly linked to growth or new development pressures.

3. Assessment of the Request

- The library is a valued community facility used by parish residents.
- The decking forms part of a fire escape route, making its condition a public safety concern.
- Responsibility for maintaining the building rests with **BCP Council as owner and operator**.
- The request appears to address a backlog maintenance issue, rather than infrastructure required as a result of development.

While the works would benefit users of the library, the link between the expenditure and the mitigation of development impacts — which is the core purpose of CIL — is weak.

4. Impact Assessments

4.1 Equalities Impact

Positive impact.
Highcliffe Library is used by a wide range of residents, including older people, families, children, and individuals with disabilities. Ensuring a safe fire escape route supports inclusive access and public safety.

4.2 Environmental Impact

Neutral impact.
The replacement of decking is unlikely to result in significant environmental harm. If sustainable materials are used, there may be a minor positive environmental benefit.

4.3 Crime and Disorder Impact

Neutral impact.
No direct implications for crime or disorder. A well-maintained public building may contribute marginally to perceptions of safety.

4.4 Financial Impact

Negative impact on parish reserves.
Approval would reduce unallocated CIL reserves from **£43,680.37 to £37,480.37**. This may limit the Council's ability to fund future parish-led infrastructure projects more closely aligned to development impact.

4.5 Resources Impact

Minimal internal resource impact.
Officer time would be required to administer the grant and monitor expenditure, but no ongoing staffing implications are anticipated.

4.6 Risk Management

Key risks identified:

- **Precedent risk:** Approval may encourage future requests from BCP for maintenance of other assets.
- **Audit and compliance risk:** Potential challenge that the expenditure does not meet the statutory purpose of CIL.
- **Reputational risk:** Parish residents may question why parish CIL is funding works on a unitary authority-owned building.

5. Options for Council

1. **Approve the request** in full or in part, subject to a formal grant agreement and evidence of expenditure.
2. **Decline the request**, citing the statutory purpose of CIL and the responsibility of BCP Council as asset owner.
3. **Defer the request** pending further evidence demonstrating a direct link to development-related impact or exploring alternative funding routes.

6. Recommendation

That Highcliffe and Walkford Parish Council declines the request for CIL funding towards the replacement of decking at Highcliffe Library, on the grounds that:

- The works constitute routine maintenance of a BCP-owned asset.
- The proposal does not clearly meet the statutory purpose of CIL in addressing the impacts of development.
- Approval would expose the Council to financial, governance, and precedent risks.

Council may wish to write to BCP Council expressing support in principle for the library as a community asset, while encouraging the unitary authority to fund essential health and safety works from its own capital or maintenance budgets.