

Lichfield District Council

Allocating and Spending CIL: Additional Guidance

Community Infrastructure Levy



Community Infrastructure Levy

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Updated July 2021

Lichfield District Council Community Infrastructure Levy Allocating and Spending CIL

Context

Lichfield District Council adopted its Community Infrastructure Charging Schedule (CIL) on the 19th April 2016. The supporting Community Infrastructure Levy Governance Administration Procedures were adopted in July 2016 and amended in June 2021.

The Governance Procedure sits underneath the processes and procedures contained within the CIL Regulations and provides details of the local response adopted to enable sustainable development within Lichfield District. Focusing on ensuring corporate and political ownership of the delivery of infrastructure requirements the document explains the statutory requirements and introduces a CIL Allocation Structure amongst other requirements. For ease of reference the Structure is replicated in **Appendix A** of this document. A complete copy of the document can be viewed on the District Council's website, www.lichfielddc.gov.uk.

Allocating and Spending CIL: Guidance

The Governance Procedure established a key principle in terms of the distribution of CIL funding. Receipts remaining after administration costs and monies committed to Special Areas of Conservation and the 'Meaningful Proportion' to our Parish Councils will go into a 'centralised pot' for the purpose of supporting the delivery of strategic and local infrastructure improvements on a district wide basis.

This document provides guidance on how funds within the 'centralised pot' will be distributed and includes advice for applicants (See **Appendix B**) and how to bid for monies (See Expression of Interest Form, **Appendix C**). It aims to help support those applying for CIL funding and establish an annual process for the allocating of monies.

Strategic and Local Infrastructure

Applications for monies will only be considered that deliver infrastructure needs identified in the District Council's Infrastructure Funding Statement and address requirements articulated within the District Council's Infrastructure Delivery Plan. Both these documents are available to view on the District Council's website.

Applicants should note that given the scale of CIL monies available it is very unlikely that CIL funds alone will completely cover the cost of new infrastructure needed to fully support planned development. As such, there will be competing demands for the 'centralised pot'. It is important to ensure that there are robust, accountable and democratic structures in place to ensure the spending of CIL funds are prioritised appropriately.

In accordance with national Regulations, the District will pass on a 'meaningful proportion' of CIL receipts to Parish Councils to support the delivery of local infrastructure requirements. For Parishes where no

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Neighbourhood Plan is in place or is still emerging, this will be 15% of CIL (capped per number of dwellings in the Parish area as per the CIL Regulations. Where a Parish has an approved Neighbourhood Plan in place, 25% of CIL (uncapped) will be passed to the Parish Council.

Applying for Strategic CIL Funds

Lichfield District Council will publicise the amount of CIL funding received and available to allocate. Bodies will subsequently be invited to express an interest (EOI) in bidding in for these monies using an EOI template available via the Council's website.

The Expression of Interest Form requests key information:

- What is the name of the project
- How will the project link to the District Council's Regulation 123 List and Infrastructure Delivery Plan
- What is the cost of the project
- Who are the partners (if any) involved in the project
- What other funding sources are being/have been secured
- When will the project be delivered

Expression of Interest Forms submitted will be reviewed by an Internal Officer Working Group (IOWG), who will ensure that all submitted forms include the key information required, meet basic criteria (listed below) and are therefore eligible for CIL funding.

In order for a project to be considered for CIL funding, the following eligibility criteria needs to be met:

- The Expression of Interest Form has been completed satisfactorily
- The organisation has the legal right to carry out the proposed project
- The project is clearly defined as infrastructure as per the CIL Regulations
- The project conforms with the District Council's Infrastructure Funding Statement

Eligible projects will then be scored by the Strategic Infrastructure Group (SIG).

The factors that projects will be scored against include:

- The need for the project.
- The public benefit of the project.
- The deliverability of the project.
- The value for money that a project provides.

Projects will be viewed favourably if they illustrate a robust match funding portfolio in other funds that wouldn't otherwise be available, particularly where those funds may not be available in future years, or where it makes use of match funding.

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SIG will prioritise the eligible projects based on the above evaluation and provide an initial indication of the level of funding the project could receive. This information together with a recommendation will be presented to the Overview and Scrutiny Committee.

Overview and Scrutiny Committee will assess the information received and the recommendation of SIG and duly make a recommendation to Cabinet as to whether a project should receive CIL monies and if so the level of this. In making its recommendations and will provide an explanation as to how that decision was reached.

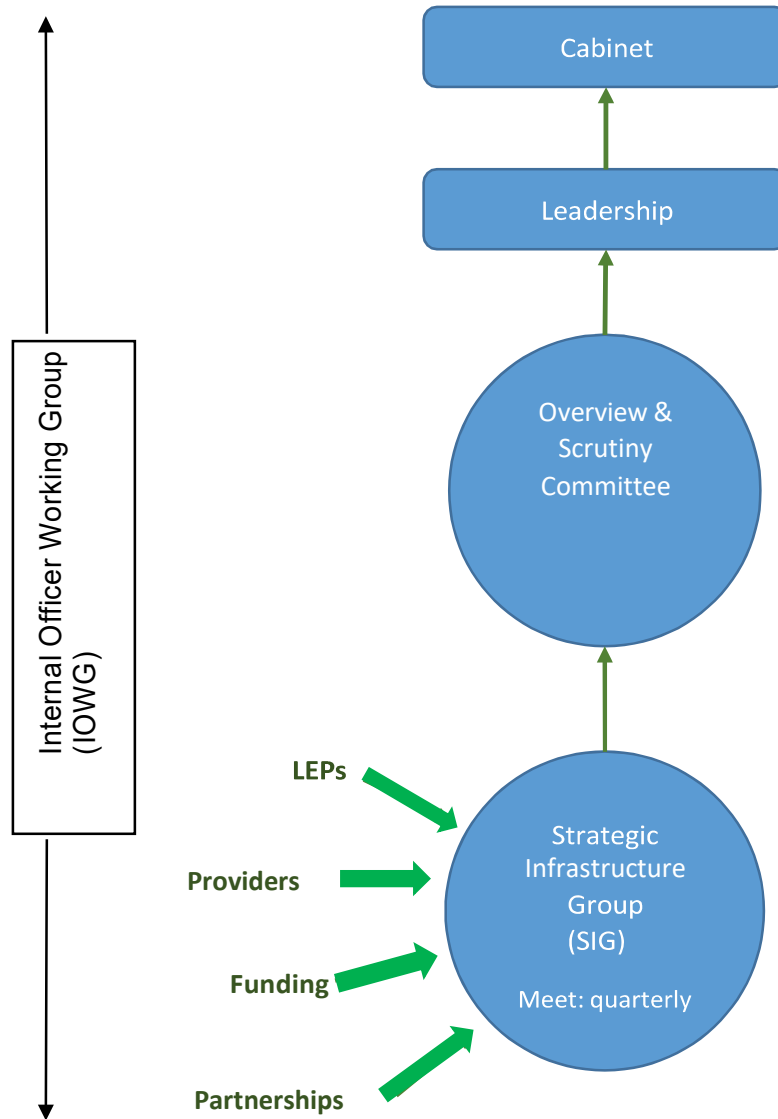
As stated, recommendations from the Overview and Scrutiny Committee will then go forward to Cabinet. If agreed by Cabinet, stakeholders will be informed and funds will be allocated. Cabinet has the right to make a decision which does not accord with that of SIG and the Overview and Scrutiny Committee.

Once the Funding Decision has been made

When CIL funding is allocated to infrastructure providers, the CIL funding can only be used to deliver the agreed infrastructure type or project. As the Charging Authority, the Council will retain the right to recover CIL receipts that have been wrongly spent or not spent within agreed timescales.

To ensure the appropriate and timely delivery of projects, conditions will be attached to the allocation of CIL. Successful infrastructure providers will be required to enter into a Grant Agreement which will confirm the detail of those conditions. The grant agreement will include a commitment to complete quarterly monitoring returns to the Council. These returns will form the basis of a quarterly monitoring report to the Overview and Scrutiny Committee

Appendix A - Strategic CIL Allocation Governance Procedure



Appendix B - Community Infrastructure Levy Guidance for Applicants

Section One: Your Organisation, Your Project Proposal and Details

Please provide contact details including the name of the person that will receive correspondence concerning the bid application. We may wish to request additional information or clarification during the bid evaluation process and therefore you may wish to include contact details of the person within your organisation best able to provide response. Please ALSO use this section to provide a brief summary of your project and its location. You may choose to use maps and plans to articulate the location or details of your project; if so these should be simple and easy to understand. They should also be attached electronically at the end of the form. You should also indicate in this section the arrangements in place for the sound and proper implementation for the project for example who will manage the project.

Section Two: Evidence of Need

Please use this section to provide your reasons why you think your project should be prioritised for CIL Funding. A copy of the District Council's Infrastructure Delivery Plan and Infrastructure Funding Statement can be found online at www.Lichfielddc.gov.uk. Please indicate in this section the arrangement for the sound and proper implementation of the project for example the professional competencies /previous experience you may wish to include supporting evidence; this should be attached electronically at the end of the form.

The money collected from CIL can only be used to fund infrastructure projects in the area that are needed as a result of development:

- Is this project necessary to support local growth?
- Has the applicant provided evidence of need?
- Has the application provided evidence of stakeholder support (where applicable)?
- Does the project offer wider as well as local benefits?
- Does the project contribute towards the delivery of infrastructure by a provider (including the County Council) where it can be satisfactorily demonstrated that the infrastructure would not otherwise be delivered; i.e. that all other possible funding sources are insufficient?
- Does the project contribute to the delivery of the District Council's Corporate Plan?
- Does the project deliver specific objectives and policies of the Lichfield Local Plan Strategy?
- Does the project deliver specific objectives and projects within the Infrastructure Funding Statement and/or Infrastructure Delivery Plan?
- Is this project identified as a priority in a relevant Neighbourhood Plan or Settlement policies within the currently adopted Local Plan Strategy?

Bids are unlikely to be successful unless it can be reasonably demonstrated that there are no other

funding mechanisms or streams available that could deliver the project being proposed.

Section Three: Evidence of Stakeholder Support

Details should be provided to demonstrate how the proposal has captured the ambitions of local and interested communities or organisations about the details of the project through a variety of engagement techniques. It would be expected that partner support is evidence in a Letter of Support; they should be attached electronically at the end of the form.

Section Four: Finance, Deliverability and Current funding for the Project

This section provides you with the opportunity to illustrate at what stage in development your project is and how you will develop your project to enable it to become deliverable. This section provides you with the opportunity to request the amount of CIL funding required to enable your project to be delivered. We would also like to understand the other funding streams that are supporting your project and when this funding will become available. Evidence of grant funding support should be attached electronically at the end of the form. Please include in your response proposals for the ongoing maintenance and upkeep of the item of infrastructure. You should also include the costs associated with the implementation of the project for example professional fees, regulatory fees.

Section Five: Constraints and Risks

In this section you should identify the constraints and risks that will shape how your project will be delivered and how you intend to address these constraints. We would expect that the information in this section shapes your response to Section Four in terms of deliverability. You should also include a complete risk assessment which includes actions to manage those risk identified.

Section Six: Declaration

Consideration should be given to who in your organisation should sign the Declaration. Information submitted through the Expression of Interest will, if successful, be used to form the Grant Agreement.

Appendix C

Lichfield District Council: Community Infrastructure Levy, Strategic Fund Expression of Interest Form

Submission Deadline 1st October 2021 5:00pm

This application form is supported by the following documents:

- Community Infrastructure Levy (CIL) Governance Administration Procedures and Allocating and Spending CIL
- An editable version of the application form can be provided on request.

Pre-application Criteria

Criteria questions:	Yes	No
Is this project necessary to support local growth?		
What is the total cost of the project?		
Has match funding and financial commitment from the organisation submitting application form been secured?		
Is the project deliverable within 3-5 years?		

CIL Infrastructure List
Project Expression of
Interest Form

If you require assistance completing this form, please contact cil@lichfielddc.gov.uk

Organisation and Project Proposal Details	
Project name.	
Details of key person of contact	
Name of organisation submitting this expression of interest.	
Describe your organisation's main purpose and regular activities.	
Brief description of the project, including its purpose, how it will benefit the community and the geographical area it covers.	
What is the legal status of your organisation?	
Evidence of Need	
Please indicate how the evidence of need for this project has been gathered. Include details of any research that you have carried out of strategies/plans which identify this project as a priority.	
What evidence do you have that local people support your project?	

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How does the project contribute to the delivery of the District Council's Corporate Plan?	
How does the project contribute to the delivery of the objectives and policies of the current Local Plan Strategy?	
Is this project identified as a priority in the latest Infrastructure Funding Statement?	
Is this project identified as a priority in the latest Infrastructure Delivery Plan?	
Explain how your project meets the following elements	
Explain the existing problem, issue or need that the project addresses.	
To what extent does the project resolve the issue?	
Who are the likely beneficiaries of the project?	
What evidence do you have of consultation with the community or stakeholders for this project?	
Would the project lead to any income generation?	
What measures do you intend to put in place to ensure your project reaches a successful completion?	
Evidence of stakeholder support	
If the project is highways or education related do you have a letter of support from the relevant SCC department? (please attach a copy of the letter to this application form)	
Please provide details of support for the project from other stakeholders or organisations	

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Finance. Deliverability and Current funding for the Project	
Total cost of project	
Amount of funding committed to the project by applying organisation (e.g. Parish Council's own CIL funding or precept).	
Details of other match funding secured (amount and organisation providing funds)	
Amount of CIL funding requested	
Please indicate the approximate start and finish dates of the project. (must be deliverable within 3-5 years of application)	
Constraints and Risk	
<p>Please indicate which constraints (if any) apply to your project</p> <ul style="list-style-type: none"> - Physical and environmental impacts e.g. flood risk, contamination biodiversity, noise etc. - Approvals of necessary consents e.g. planning permissions - Ownership, acquisition or compulsory purchase order issues - Partnership and governance issues - Dependency on other projects going ahead 	
Please provide further information about any constraints identified or detail any constraints not listed.	
Please explain to what extent the constraints identified can be overcome.	

Please explain the risks involved in the project and identify measures to reduce or overcome such risks.	
Risk	Management
Risk: Financial, raising sufficient funds within the time frame	

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Risk: Delivery	
Risk: Reputational	
Risk: Other	

Declaration

When you have completed the Expression of Interest, please sign the declaration below.

To the best of my knowledge the information I have provided on this application form is correct.
Signed
Position in Organisation :
Date

Please return this form to cil@lichfielddc.gov.uk

Any Questions

If you have any questions, please email CIL@lichfielddc.gov.uk

