

# CIL Spending Protocol

(Full bidding process)

**Adopted January 2024**



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# A. CIL Spending Protocol

## 1. Introduction & Overview

- 1.1 Epsom and Ewell Borough Council is responsible for making the decisions on the allocation of funds raised through the Community Infrastructure Levy (CIL). This will be achieved through an annual process. The aim of this Protocol is to ensure that the decision-making process for spending the levy is transparent.
- 1.2 CIL is a levy that allows the Council to raise funds from developers in recognition of the fact that new development creates pressure on the borough's infrastructure. The purpose of the levy is to give councils more choice and flexibility in how they fund the infrastructure needed to support local growth.
- 1.3 The majority of the funds collected are to be used for strategic projects, with 15% set aside for the 'Neighbourhood Portion' (subject to capping as per the CIL Regulations; and increasing to 25% where a neighbourhood plan is in place). 5% of CIL receipts are used for administration. Different processes and principles govern the spending of the Strategic CIL funds and the Neighbourhood Portion, as set out in sections 2 and 3 of this Protocol.
- 1.4 Allocation decisions are based on funds available at the end of the monitoring year, that is funds available as at 31 March of the year before decisions are made.

### Status of this document

- 1.5 This document sets out the Epsom and Ewell Borough specific protocol governing the process and criteria for selecting infrastructure projects for funding through CIL. It is intended as a framework rather than a fixed set of rules, as it is necessary to retain sufficient flexibility in the process to allow for changing circumstances, for example, if national guidance on CIL spend or local policy priorities change, or if the level of bids in relation to the level of funding changes drastically. At the beginning of each spending round, the Council will therefore review the fitness for purpose of the process and the detailed criteria within it. Amendments will only be made where they are necessary to ensure an up-to-date fair assessment and funding allocation process.

## **2. Monitoring and Reporting**

- 2.1 The progress of projects that have been allocated funding will be monitored, with project leads expected to report to the CIL team with their progress on delivery. Where projects are not delivered to the agreed timescale or are unlikely to be delivered due to a change in circumstances (see details in sections 2 and 3), the funds will be returned to the relevant funds for reallocation to other projects. The Council may also wish to report and publicise successes that have resulted from CIL funding. In accepting CIL Funds, organisations agree to details of the project being included in reports and publicity around CIL funding. The Council may approach organisations for additional material such as photographs or quotes for use in press releases. In this context, all data will be handled in line with Data Protection requirements and the Council's Privacy Policy.
- 2.2 The Council will monitor CIL receipts and spends and the sum remaining in the fund each year. The CIL Regulations require the Council to produce and publish an Infrastructure Funding Statement annually with this information.

# B. Strategic CIL Spending Protocol

## 3. Allocation of Funds: Strategic CIL

- 3.1 The Strategic CIL Pot, approximately 80% of collected funds, will be used by Epsom and Ewell Borough Council to deliver infrastructure to support development across the borough, such as road schemes, cycle ways and open spaces.
- 3.2 National CIL regulations require charging authorities use CIL for:
- funding the provision, improvement, replacement, operation, or maintenance of infrastructure to support the development of its area.
- 3.3 The levy can therefore be used to fund new infrastructure, increase the capacity of existing infrastructure or to repair failing existing infrastructure, as long as the spend is necessary to support development. CIL cannot be used to fund solutions to existing problems unless those problems are made worse as a result of new development. For the purposes of CIL “Infrastructure” includes roads and other transport facilities, schools and other educational facilities, medical facilities, sporting and recreational facilities, and open spaces.
- 3.4 CIL receipts can only be spent on capital projects, although associated revenue spending to maintain those capital items is also permissible when combined at the outset of a project.
- 3.5 Strategic funds will be prioritised to address identified infrastructure priorities outlined in the Local Plan and address the impacts of development, in line with the Regulations.
- 3.6 The Planning Service will work with both internal and external infrastructure providers to update the Infrastructure Delivery Plan for the coming year. In doing so, officers will bring together and consider knowledge from across the Council of corporate priorities, plans for development and associated infrastructure needs.
- 3.7 There is no requirement to tie the expenditure of any particular CIL receipt to a particular location or development. Since the funds will be used for strategic infrastructure projects, these are considered to benefit the whole borough.

### Producing an annual Strategic CIL Funding Proposal

- 3.8 Once a year, stakeholders involved in development and in delivery of infrastructure, will be invited to put forward projects and/or programmes for funding through CIL. The Council is particularly keen to hear from organisations with the responsibility and/or ability to deliver the projects/programmes identified in the Infrastructure Delivery Plan.
- 3.9 A sample form for bids is included at Section 5. All bids will be assessed technically for compliance with the regulations at stage one by the CIL team, only shortlisted bids that meet the technical requirements will progress to stage two. Organisations with shortlisted bids will be invited to present their projects at a workshop of the CIL Member Working Group. The CIL team will provide a template for the summary presentation to ensure consistency and aid comparability. Information likely to be requested includes:
- An overview of the project

- The CIL funding ask
  - What level of match funding is provided (i.e., other funds are being used to match fund CIL)
  - Whether CIL funding would likely lever in other funds (i.e., CIL to be used to match fund other funding streams such as central government funding)
  - Why it is needed, in particular in relation to planned new development and the delivery of Council Strategies
  - How it meets the criteria for strategic infrastructure spend (see below).
- 3.10 Following the workshop, the CIL Member Working Group, advised by the CIL team, will prioritise projects in accordance with the Eligibility and Prioritisation Criteria set out in Section 4 of this document. This will also include a consideration of whether to allocate any/all funds available that year, or whether to instead retain funds with a view to future expenditure on larger infrastructure projects.
- 3.11 The CIL Funding Proposal will be presented to the Licensing and Planning Policy Committee for agreement. For any spend over £50,000, this will then be referred to Strategy and Resources (S&R) Committee for ratification in line with the Council’s Financial Regulations. The anticipated timetable for decision making is set out later in Section 3 (subject to S&R ratification). The timetable will be communicated to interested parties in advance each year.

### **Types of recommendation**

- 3.12 The CIL Member Working Group may make the following recommendations to the Licensing and Planning Policy Committee
- Funding for the scheme/programme of works is approved.
  - Funding for scheme/programme of works is approved in principle to aid leveraging in other funds. Further detail will need to be submitted and approved.
  - Funding for the scheme/programme of works is not approved on the basis that other proposed schemes have been given greater priority.
  - Funding for the scheme/programme of works is not approved on the basis that insufficient evidence has been provided to justify it.
- 3.13 These recommendations should give bidders an indication of whether they should consider bidding for this scheme again and what additional information, if anything, should be provided with any resubmission.

### **Spending awarded amounts**

- 3.14 No funds will be released in advance of the project being delivered; rather they will be released upon completion of the project or on a staged basis agreed at the point of allocation in line with project delivery phases. In exceptional circumstances, partial release of the funds at partial completion may be considered appropriate, for example where the project falls into distinct phases. Project leads must agree this in advance through the relevant officers.
- 3.15 It is expected that projects will be delivered to the agreed timescale, and project leads are expected to make regular reports on progress, including notifying the CIL team of any expected delays to delivery. In particular towards the end of the delivery, project leads should make regular contact with the CIL team so that arrangements may be made for the timely release of funds.
- 3.16 This continual review will also serve to identify and confirm projects which because of a change in circumstances will not be delivered. Where a project will not be delivered, the agreed funds will be returned to the Strategic CIL fund for re-allocation.

### **Strategic CIL Interim spending decisions**

- 3.17 In exceptional circumstances, it may be considered expedient to propose a spend from the Strategic CIL fund outside of the annual funding cycle. Interim spends must remain exceptional and must not be a way to avoid competing against other projects through the annual funding proposal process. Therefore, any such spend would only be acceptable where the proposed spend meets the criteria for CIL spend as set out in the regulations and this Protocol, and where:
- It would be financially expedient (for example, where CIL could be used as match funding to bid for grant funding from another body such as central government); and
  - The decision cannot wait until the next annual allocation of funds.
- Or
- Funding is needed to cover a minor overspend on an ongoing CIL funded project
- 3.18 Where it becomes expedient for a decision to be made outside of the annual preparation of the Infrastructure Funding Proposal, and the above criteria are met, interim spends must be authorised by the Licensing and Planning Policy Committee, following consideration by the CIL Member Working Group or where over £50,000 Strategy and Resources Committee for ratification in line with the Council's Financial Regulations.
- 3.19 In some circumstances, only the principle of future CIL spend will need to be established, for example to support bids for external funding or to aid project planning and feasibility work. In place of actual spending decisions, the CIL Member Working Group can assess proposals and provide advice on whether the scheme would be suitable for CIL funding. The CIL funding would still need to be bid for formally through the next bidding round.

### Anticipated timetables for Strategic CIL

Date	Process
Jan-March	Engagement with internal and external infrastructure providers
April	Update to the Infrastructure Delivery Plan
May - June	Bidding open
June-September	Assessment of bids by CIL MWG
November	Spending Decision made (Funding proposal) by LPPC
December	Notification of outcome

## 4. Prioritisation Criteria for Strategic CIL

### Stage 1: Shortlisting

Before moving to a full assessment, broad sifting of projects by the Planning Policy Team will take place. All projects will be checked against a set of basic eligibility criteria. The criteria applied for this eligibility check will be:

1. The project documentation is complete and clear
2. The project delivers clear and significant benefits to the community
3. The benefits would last long term (min 10 years)
4. The project addresses the effects of new development / supports the development of the area
5. The project relates to fixed infrastructure / 'immovable' items
6. The project goes beyond pure maintenance to improve infrastructure or provide new infrastructure
7. The project is not designed to further a religious or political agenda
8. The funding sought is for project delivery (rather than project development or feasibility)
9. The Council is not aware of other dedicated funding or delivery mechanisms for the project

Any bids not meeting these criteria will not be assessed further, although officers may ask for further information to see if these can be addressed.

### Stage 2: Prioritisation of shortlisted projects

All eligible projects will then be considered for their value in supporting the development of the area.

Projects will be ranked as either 3 star (essential & time critical), 2 star (essential, but not time critical) or 1 star (desirable) in terms of their contribution and urgency to the development strategy.

#### Contribution to the Development Strategy

For the purposes of this assessment, the development strategy for the borough will be considered to be made up of the following plans and strategies:

- The Local Plan (emerging)
- The Local Plan evidence base (up to date evidence base for example, Transport Assessment, Open Space, Sport, and Recreation, LCWIP etc)
- An up-to-date Infrastructure Delivery Plan

Essential and time critical ★★

The project evidently contributes to the delivery of the Council's development strategy and is time critical. The infrastructure is identified as needed in the Local Plan or another part of the development strategy. These infrastructure items may be referred to as 'showstoppers' to sustainable development if not delivered by certain milestone in relation to a particular development site or group of sites. Delivery may also be urgent for other reasons (such as expediency of combining the works with other planned works), even if development that will benefit or that triggers the need for the item is expected later in the plan period.

Essential but not time critical ★★

The project evidently contributes to the delivery of the Council's development strategy but is not urgent or time critical. Projects in this category are less likely to be triggered by pressures from a particular site or groups of sites but are expected to be linked to the in-combination impact of development across the borough of the continued economic growth of the borough. While considered essential to the delivery of the development strategy for the borough, they are not immediately time sensitive.

Desirable ★

Infrastructure that is beneficial in achieving wider strategic objectives and place making ambitions. However, non-provision of the item would not mean that the Council's development strategy could not be delivered. The timing of these projects is not critical.

Since CIL is designed to deliver infrastructure to support the development of the area, funding will be prioritised for 3-star projects, followed by 2-star projects. 1-star items will be moved to the bottom of the list for consideration. These are considered lower priority and therefore will only be considered further if there are sufficient funds remaining after considering the higher priority projects. Even where this is the case, the Council may decide not to allocate funding to 'desirable' projects and instead roll over any excess funds to allocate to critical and essential projects in the following year.

The following additional criteria will be used for all projects to determine priority for funding. Each will be scored as set out below.

1. Funding is requested for a new project that has not received CIL funding previously (Yes=1, No=0)
2. The bid is supported by match funding from other sources or is likely to lever in additional funds (> or = to 75% = 3, 25%-74% = 2, <25% = 1, none = 0)
3. The project benefits the borough as a whole / offers wider as well as purely local benefits (Yes=1, No=0)
4. The project is located wholly within Epsom and Ewell Borough, or if not, the benefits will be felt mainly by Epsom and Ewell residents (Yes=1, No=0)
5. The benefits versus the cost (best value assessment) (Score 0-3, 3 being a small CIL contribution helps to deliver infrastructure that will have significant benefits, 0 being a large CIL contribution for limited benefits).

To help aid decision making the final 'best value' criteria will be used to make a judgement as to whether a project is to be awarded funding.

## 5. Example CIL bidding form (Strategic CIL)

*PLEASE DO NOT USE THE FOLLOWING PAGES TO MAKE A BID. A SPECIFIC FORM WITH INTRODUCTORY INFORMATION, CONTACT DETAILS AND DEADLINES WILL BE PROVIDED FOR EACH FUNDING ROUND*

### 1. Details of the project

#### **1a) Project Title:**

#### **1b) Brief description of the Project**

*(Please keep this description factual and brief. Section 2 of this form allows you to explain its merits)*

#### **1c) Infrastructure Provider/Organisation making the bid**

#### **1d) Project Lead contact details**

*(Please give name, email, and telephone number)*

### 2. Project Benefits

#### **2a) Please use the box below to set out why you would like to deliver this project**

*(In what way would the investment improve the facility? What benefits will the project bring to the borough? What would the consequences be of not carrying out the project?)*

#### **2b) How will the scheme help support the ongoing development of Epsom and Ewell Borough, taking account of where development has or is proposed to take place and the capacity of existing infrastructure to meet those additional demands**

In answering, please draw on the following documents

- The Local Plan (emerging)
- The Local Plan evidence base (up to date evidence base for example, Transport Assessment, Open Space, Sport, and Recreation, LCWIP etc)
- An up-to-date Infrastructure Delivery Plan

#### **2c) Is the project likely to be directly linked to and necessary as a result of foreseeable development and therefore a separate S106 contribution or S278 may be justified?**

### 3. Funding

#### **3a) Funding Breakdown & CIL Funding Request**

*(Please complete the table below)*

<b>Funding source breakdown</b>	<b>Amount (£)</b>	<b>% Overall cost</b>	<b>Source(s)</b>
<b><i>Total project cost</i></b>			
<b><i>Total match funding</i></b>			
<b><i>Total other funding</i></b>			
<b><i>Requested CIL funding</i></b>			
<b>Which elements of the project are you seeking CIL funding for?</b>			
<b>Further notes to clarify funding breakdown if required</b>			

**3b) What other funding sources have been identified/explored? Please identify these sources below; If CIL funding is not available what is the likelihood of funding from these sources within next 5/10 years?**

**3c) Has the project benefited from CIL funding previously? Please give brief details of the project and which year CIL funds were granted.**

**3d) Is your organisation registered for VAT?**

*(Please answer yes or no)*

#### 4. Project Delivery

**4a) Will your group / organisation be managing the delivery of the project?**

**4b) Does your organisation own the land / building / facility in questions? Do you need and have planning permission to implement the project?**

*(If your organisation is not the owner of the property in question, please give details of the owners and whether you have their permission to undertake the project)*

**4c) Please specify who will be responsible for ongoing maintenance and how this will be funded**

**4d) Please provide an outline of the implementation timetable, including key milestones.**

*(Milestones should include information on when the transfer of CIL funds is likely to be required, which in some circumstances will enable phased payments to be agreed. Please note that CIL funds are not released in advance of delivery. Instead, successful organisations will be reimbursed upon proof of successful completion of the project. Projects are more likely to be successful if they are a position to deliver to completion in the financial year following successful bidding)*

5. Summary of your bid

Please summarise your bid in the box below in **no more than 300 words**. Ensure you cover the key points from the main body of the form so that it can stand alone.

Please note anything you include in this section is likely to form part of public papers in deciding your bids.

6. List of additional material submitted in support of this bid

*We welcome additional material that will help assessors understand your project. Please list below any photographs, plans, publicity material etc you are attaching in support of your bid.*

*Please note any material you provide may be used in public documents. Please be aware by providing these you are giving us permission to reproduce the image(s). Please note below any items you do not wish to be used in that way.*

# C. Neighbourhood CIL Spending Protocol

## 6. Allocation of Funds: Neighbourhood Portion

- 6.1 For the Neighbourhood portion (15% of the funds collected in an area, or 25% in areas where a Neighbourhood Plan is in place), funds will be allocated through a bidding process, open to community groups and organisations, and Epsom and Ewell Borough Council to deliver infrastructure at a neighbourhood and community scale.
- 6.2 National CIL regulations require the neighbourhood portion to be used to support the development of the area by funding:
- the provision, improvement, replacement, operation, or maintenance of infrastructure; or
  - anything else that is concerned with addressing the demands that development places on an area.

### Neighbourhood Portion Distribution

- 6.3 Where parish councils exist, the CIL regulations require that the CIL collecting authority passes over its CIL Neighbourhood Portion receipts to the parish council to spend on local projects. Epsom and Ewell Borough is unparished, and therefore the Borough Council retains the CIL Neighbourhood Funds and allocates it to community projects.
- 6.4 Regulations do not set out at what geographical scale funding allocations in non- parished areas should be made.
- 6.5 In Epsom and Ewell, the Council has decided to allocate these funds across the whole Borough, having regard to where development has taken place or is planned to take place. This is considered to be the fairest way to allocate funds, with all community groups and organisations bidding for money having an equal chance to access the funds collected into the Neighbourhood Portion. It means that the merits of all bids can be assessed fairly against eligibility and prioritisation criteria (see Section 7). It allows funding for eligible projects to be maximised rather than being limited by the availability of funds in smaller sub-areas.

- 6.6 One exception must be noted to the Borough-wide approach: In any area that has an adopted Neighbourhood plan, some funding will be ringfenced. This is because CIL regulations require 25% (instead of 15%) of funds in areas with adopted Neighbourhood Plans to benefit that area.
- 6.7 In areas with an adopted Neighbourhood Plan, 15% of the funds raise will therefore be considered as part of the area wide allocation and associated bidding process, and an additional 10% will be ringfenced for use in the Neighbourhood specifically. The Council will work with the relevant Neighbourhood Forum, or appropriate other local groups if the Neighbourhood Forum no longer exists, to consider how to spend that 10% in the Neighbourhood Area, with a focus on delivering projects identified in the Neighbourhood Plan.

### **Neighbourhood Portion Bidding Rounds - Process**

- 6.8 Once a year, councillors, constituted community groups, resident associations and similar groups will be invited to submit proposals for consideration by the Council.
- 6.9 The bidding round and deadlines will be advertised on the Council's website and social media channels. The CIL team will email information to a list of contacts at community groups. Ward councillors will also be informed of the opportunity and invited to work with local communities on potential bids.
- 6.10 Initial technical assessment (stage 1) of the bids following the deadline is undertaken by the CIL team, using the criteria set out at Section 7. Shortlisted bids will be progressed to stage two. The CIL Member Working Group, advised by the CIL team will prioritise the bids. This is followed by a briefing for ward councillors.
- 6.11 The proposed funding allocation for the neighbourhood portions will be presented by the CIL Member Working group to the Licensing and Planning Policy Committee for approval. For any spend over £50,000, this will then be referred to Strategy and Resources Committee for ratification in line with the Council's Financial Regulations.
- 6.12 The anticipated timetable for decision making is set out at the end of Section 6. The timetable will be communicated to interested parties in advance each year.

## Neighbourhood Portion Bidding Rounds – Requirements

- 6.13 Bids must be made using the forms provided by the Council for that particular bidding round. An example of the likely questions is provided at Section 8, but it may be necessary to amend the form in any given year. The form will be designed to enable the assessment of bids against the eligibility and prioritisation criteria (see Section 7).
- 6.14 The assessment is designed to be in line with national regulation and guidance on CIL Neighbourhood Portion spending, and to establish the funding reach, the community reach, and the community benefit of the proposals at a local level. In broad terms projects are more likely to benefit from CIL funding which provide or improve services and facilities and provide demonstrable benefits for the community now and into the future and which deliver maximum benefit for the CIL money provided.
- 6.15 In line with these principles, the following should be noted:
- a. Projects must be well developed at the time the bid is made. Organisations should be clear on the details of their projects, and bids should be based on robust evidence of the desired outcomes, the cost and delivery mechanism for the scheme. The bid must set out the full costs of the scheme and the proportion to be funded from CIL. Bid documentation should be complete, clear, and concise.
  - b. Projects must be for the delivery stage of a project, rather than for project development or feasibility work, which should take place in advance of bids being made.
  - c. Projects should benefit the community beyond the short term (more than 3 years). Projects must deliver new or improved immovable items of infrastructure, such as buildings and/or fittings and fixtures; bids for movable items which would have no guarantee of staying with the group long term, such as equipment or vehicles, will not be supported. Funding will only be allocated to capital projects, although associated revenue spending to maintain those capital items is also permissible. For example, staff costs will not be funded.
  - d. Bids that seek funding solely for maintenance works to an existing asset will not be funded through CIL. However, where a wider bid includes some elements of repairs and maintenance, and overall, the project would make the asset more robust and resilient to increased use associated with new development, such bids will be considered. As an example, resurfacing a worn path, parking area or sports pitch in the same material as existing would not be considered for funding. However, a project to resurface that sought to, for example, address drainage issues and/or use a more robust harder wearing material and thereby make the asset more robust to increased use would be considered.
  - e. The Council is keen to spread the reach of CIL as far as possible. Groups and /or infrastructure that has not previously received CIL funding will be prioritised over those that have previously benefitted (see criteria in Section 7). The length of time since any previous CIL funding will also be considered. By the same token, the Council will not fund repeat applications for the same project. For example, if a previously funded project has gone over

budget, or the brief of the project has been extended, CIL funding will not be granted to cover the additional costs.

f. Projects should be accessible to the whole community. To safeguard this principle, projects which are designed to further political or religious agendas will not be eligible. Further, facilities that are accessible and open to the whole community without substantial barriers will be prioritised over those that would have exclusionary policies or expect fee-paying membership for full access to the facility. For the avoidance of doubt, it is accepted that many facilities and projects will benefit limited sections of the community. For example, facilities tailored to certain groups e.g., Age Concern. Such organisations and facilities would not be considered exclusionary for the purposes under this consideration.

g. Groups making bids should have fully considered other options for funding, in particular if there are other funding streams available which are dedicated or better suited to the project in question, these should be sought in preference of CIL. CIL may not be granted where the Council is aware of alternative more appropriate sources of funding. If other potential funding for the project is contingent upon CIL also being granted, the bid should make this clear.

h. Bidders should demonstrate that they are willing and able to support the project financially. This may be from other grants or fundraising or the organisation's own resources. There is an expectation that match funding should at least equal the amount of CIL support requested. However, this is not an absolute requirement and bids will still be considered where less than 50% match funding offered. Where this is the case, bidders must provide justification as to why they cannot provide the match funding. Match funding in the form of volunteer hours will also be considered, but cash match funding is preferred. Guidance on how to calculate the value of volunteer hours will be given as part of the bid form.

## **Payment of Funds to successful bidders to the Neighbourhood Portion**

- 6.16 All bidders will be notified of the Committee decision and will be told whether their bid was successful in full, successful in part (funding a lower amount than requested), considered premature (e.g., where further work to show deliverability is needed), or unsuccessful. Groups whose bids are successful will be notified of the amount allocated to their project. Notifications will be sent out following the formal funding decisions by the Licensing and Planning Policy Committee and where relevant Strategy and Resources.
- 6.17 Bidders should note the timetable for bidding, and decisions on the bids, and should consider whether this causes any difficulties for the delivery timescales of their projects. The Council will not provide an indication of likely success, much less an actual decision on the funding in advance of the formal Committee decision. If the timetable set does not suit delivery timescales, groups are asked to refrain from making a CIL bid.
- 6.18 For the avoidance of doubt, in approving CIL Neighbourhood Portion bids, the Council is supporting the project financially only and is not committing to providing or supporting the delivery of the project. Bidders take on the responsibility of delivering the project. This includes bids by Epsom and Ewell Borough Councillors.
- 6.19 Following allocation of the funds, project leads are required to give 3 monthly update reports on their projects to the CIL Team. The Council expects projects with agreed CIL funding to be delivered within one year of funding being agreed, with extensions possible in advance agreement with the Council. This is to allow for unexpected slippages in project delivery. If the project is not completed within five years, the Council will return the promised funds back to the CIL fund for reallocation.
- 6.20 No funds will be released to groups in advance of the project being delivered; rather they will be released upon completion of the project. If this does not suit the delivery model of the project or the organisation, a bid to the CIL fund should not be made. In exceptional circumstances, the Council may agree to partial release of the funds at partial completion. However, this must be discussed and agreed with the Council in advance.
- 6.21 Upon completion of the project, the group must invoice the Council for the release of the funds. The invoice should include the organisation's VAT registration number (if applicable). Payments will be net of VAT where the organisation receiving funds is VAT registered.
- 6.22 Invoices from contractors to make a CIL payment directly will not be accepted.
- 6.23 Along with the invoice, the Council will expect supporting information for the claim, which may include photos, timesheets, contractor's invoices, or other evidence.
- 6.24 Officers may wish to view the completed works.
- 6.25 In order to receive payment, the Group or Organisation must be set up as a supplier for Epsom and Ewell Borough Council on the Council's finance system. The full requirements to be set up as a supplier can be found here [Finance Supplier application](#).
- 6.26 In the case of local groups who do not have their own bank account the Council is able to accept supplier requests from a third-party organisation nominated in writing by the group.

### **Provision for Neighbourhood CIL Interim Spends**

- 6.27 In the case of the neighbourhood portion, interim spends are not envisaged, as the full amount of available funding may have been allocated through the budget each year.
- 6.28 However, similar to the Strategic CIL, the CIL Member Working Group can at any point in the year assess proposals and provide advice on whether the scheme would be suitable for neighbourhood CIL funding. Officers will also be able to give broad estimates as to the possible CIL allocation for each budget in the coming year. Relevant delivery teams can then use this information on the availability of CIL, for example to support bids for external funding.

### **Anticipated timetables for Neighbourhood CIL**

<b>Date</b>	<b>Process</b>
April	Advertise bidding timetable
May-June	Bidding open
June-September	Assessment of bids by CIL MWG
November	Spending Decision made by LPPC* and notification of outcome

\*Bids over £50,000 agreed by Licensing and Planning Policy Committee will be referred to the Strategy and Resources Committee for ratification which could impact the anticipated timetables for decision making.

## 7. Prioritisation Criteria for Neighbourhood Portion

### Stage 1: Shortlisting

#### Eligibility of All bids

Before moving to a full assessment, broad sifting of the projects will take place. All projects will be checked against a set of basic eligibility criteria. The criteria applied for this eligibility check will be:

1. The bid documentation is complete and clear.
2. The project delivers clear and significant benefits to the community.
3. The benefits would last beyond the short term (3 years).
4. The project addresses the effects of new development / supports the development of the area.
5. The project goes beyond pure maintenance to improve infrastructure or provide a new infrastructure.
6. The bid is for fixed infrastructure / 'immovable' items.
7. The project is not designed to further a religious or political agenda.
8. CIL funding has not previously been given to the same project.
9. The funding sought is for project delivery (rather than project development or feasibility).
10. The CIL ask does not exceed the available funds.
11. Relevant authority and permissions are in place or are evidenced to be in progress.
12. The Council is not aware of other dedicated funding or delivery mechanisms for the project.

Any bids not meeting these criteria will not be assessed further, although officers may ask for further information to see if these can be addressed.

### Stage 2: Prioritisation of shortlisted projects

The bids remaining after the eligibility check will be assessed against the criteria shown below. Criteria cover the funding reach, the community reach, and the community benefit of the proposal.

#### Key Criteria

The following key criteria will be scored as set out below, in prioritising the projects. In years where bids far exceed the funds available, they may be used to remove bids from further consideration altogether.

1. The facility is open to all / a community-based club (vs one which largely benefits private members) (Yes=1, No=0)
2. The group or facility has not had CIL funding in the last 2 years (Yes=1, No=0)
3. The bid is supported by match funding (cash or other) (this demonstrates community support), or is likely to lever in other funds (> or = to 75% = 3, 25%-74% = 2, <25% = 1, none = 0)
4. It is the first time the group or the project is receiving CIL funding (Yes=1, No=0)
5. Match funding is in cash (as opposed to volunteer hours) (Yes=1, No=0)

6. The benefits versus the cost (best value assessment) (Score 0-3, 3 being a small CIL contribution helps to deliver infrastructure that will have significant benefits, 0 being a large CIL contribution for limited benefits).

Projects will be assessed against all the Criteria to receive an overall score. Projects will be ranked on this basis, with those with higher points prioritised for funding, up to the level of funding available in that year. While the starting point will always be to fund projects to the amounts requested through the bids, the council may decide to offer less funding, in order to fund a greater number of eligible bids.

Regardless of the level of funding available, more than half of the points available must be attained to receive funding, i.e., based on the criteria above 10 points are available, so at least 6 points must be achieved for funding to be made available.

To help aid decision making the final 'best value' criteria will be used to make a judgement as to whether a project is to be awarded funding.

## 8. Example CIL Bidding Form (Neighbourhood Portion)

### 1. Details of the project

#### 1a) Project Title:

#### 1b) Brief description of the Project

*(Please keep this description factual and brief. Section 2 of this form allows you to explain its merits)*

#### 1c) In which Epsom and Ewell Borough Council ward is the project located?

#### 1d) Organisation or Group making the bid

#### 1e) Project Lead contact details

*(Please give name, email, and telephone number)*

### 2. Project Benefits

#### 2a) Please use the box below to set out why you would like to deliver this project

*(In what way would the investment improve the facility? What benefits will the project bring to the local community and/or users of the facility? What would the consequences be of not carrying out the project?)*

#### 2b) Community Reach: Who will benefit from the project?

*(Please consider and briefly cover: Who will be the main beneficiaries of the improvements? Can everyone in the community use the facility? Are there restrictions, or specific target groups? Are there membership or entrance fees – if so, please give details)*

#### 2c) Please identify the new development that has led to the need for this project arising?

### 3. Funding

#### 3a) Funding Breakdown & CIL Funding Request

*(Please complete ALL FIELDS in the table below)*

Funding source breakdown	Amount (£)	% Overall cost	Source(s)
<b>Total project cost</b>			

<b>Total match funding*</b>			
<b>Total other funding**</b>			
<b>Requested CIL funding</b>			
<b>Which elements of the project are you seeking CIL funding for?</b>			
<b>Further notes to clarify funding breakdown if required</b>			
<p><i>*Match funding in the form of a financial contribution (such as fundraising by the group or money obtained from grants) is preferred and bids will be ranked more highly where this criterion is met. However, it is recognised that voluntary organisations may not always have a sufficient 'cash sum' or funding from other organisations to match fund. Volunteer hours will therefore be considered as match funding. To provide a consistent basis for assessment, please use the following figures as a basis for calculating volunteer time: professional services – up to £350 a day; skilled labour - £150 a day; unskilled labour - £50 a day.</i></p> <p><i>The Council has a baseline expectation of 50% match funding, and bids will be ranked more highly if this criterion is met. However, it is not an absolute requirement. If you are unable to provide this level of match funding, please indicate in the notes box in this table what efforts you have made to raise match funds, and why you are not able to provide this level of match funding.</i></p> <p><b>** Other funding</b></p> <p><i>List any other sources of funding which contribute to the project, but which you do not wish to be considered as match funding.</i></p>			

**3b) Has the facility or your organisation benefited from CIL funding previously?**

*(Please give brief details of the project and which year CIL funds were granted)*

**3c) Does your group have its own bank account?**

*(Please answer yes or no. You do not need to provide details at this stage. If answering no is there an alternative organisation or umbrella organisation who have agreed to provide use of their bank account (give details))*

**4. Project Delivery**

**4a) Will your group / organisation be managing the delivery of the project?**

**4b) Does your organisation own the land / building / facility in questions? Do you need and have planning permission to implement the project?**

*(If your organisation is not the owner of the property in question, please give details of the owners and whether you have their permission to undertake the project)*

**4c) Please specify who will be responsible for ongoing maintenance and how this will be funded**

**4d) Please provide an outline of the implementation timetable, including key milestones.**

*(Milestones should include information on when the transfer of CIL funds is likely to be required. Please note that CIL funds are not released in advance of delivery. Instead, successful organisations will be reimbursed upon proof of successful completion of the project. Projects are more likely to be successful if they are a position to deliver to completion in the financial year following successful bidding)*

5. Summary of your bid

Please summarise your bid in the box below in **no more than 300 words**. Ensure you cover the key points from the main body of the form so that it can stand alone.

Please note anything you include in this section is likely to form part of public papers in deciding your bids.

6. List of additional material submitted in support of this bid

*We welcome additional material that will help assessors understand your project. Please list below any photographs, plans, publicity material etc you are attaching in support of your bid.*

*Please note any material you provide may be used in public documents. Please be aware by providing these you are giving us permission to reproduce the image(s). Please note below any items you do not wish to be used in that way.*

# D. Terms of Reference

## 9. CIL Member Working Group terms of reference

### 1. Remit

The MWG is a Councillor group set up to consider bids for Community Infrastructure (CIL) funding and submit recommendations to the Licensing and Planning Policy Committee for allocation of the funds. If the LPP Committee chooses not to approve a particular recommendation, then it shall provide an explanation setting out the reasons.

The Working Group scrutinises each project for strategic fit (Strategic CIL), community benefit (Neighbourhood CIL) and compliance with CIL requirements.

The Working Group is additionally accountable for the oversight, monitoring and governance of awards. This includes contract management where triggered, application revisions and extensions, financial updates, project delivery scrutiny, output creation and compliance with funding agreements.

### 2. Membership of the MWG

Core membership

- One representation from each Policy Committee
- One representative from the Member Climate change action group
- One member from the opposition

Optional – for information purposes only (none voting)

- Delegations invited along e.g., SCC divisional member
- Relevant Ward members (Neighbourhood CIL only)

The LPPC representative will Chair the Group.

Membership will be reviewed annually in line with constitution and preferences.

Officer attendance (advisory capacity)

Officers are responsible for advising Members and ensuring that proper protocol is followed throughout. They will act in an advisory role to the Members regarding the suitability of each project, including carrying out the scoring process.

- Director of Environment, Housing and Regeneration
- Head of Place Development
- Planning Policy Manager

### 3. Conflicts of interest

Members must declare and note any conflicts of interest or other personal interests prior to review of a project and this information should be recorded. Should a Member be conflicted,

they will be asked to step down during the final decision-making process regarding any recommendation towards which they are conflicted however, they are able to form part of any discussion that leads up to a decision. Where the Chair of the Working Group is conflicted, the other members will be responsible for appointing a Chair to take their place for the item in question.

#### **4. Quorum**

No business shall be transacted at any meeting of the Working Group unless at least four non-conflicted members are present and voting.

A majority vote will be accepted and where a consensus majority is not possible the Chair shall have a casting vote.

#### **5. Meetings**

As required to advise LPPC and ensure effective and timely allocation of CIL monies.

#### **6. Objectives**

The MWG Group objectives are:

- To take an objective and detached view of applications
- To advise and recommend to LPPC schemes that will have maximum benefits to the community.
- To ensure overall programming of infrastructure projects agreed by LPPC
- To monitor receipts and expenditure of CIL monies

The MWG will be responsible for:

- Recommending projects to LPPC which require CIL funding, following assessment in accordance with the agreed criteria.
- Regular monitoring and reporting to LPPC on the delivery of projects including revisions to timescales and expenditure.
- Reporting to LPPC after completion of each project.
- Identification of other current and future infrastructure expenditure and funding streams.
- Ensuring a fair and transparent process is followed in the scrutiny and subsequent recommendation of fundings awards.

#### **7. Transparency**

Working Group papers and minutes are to be published in the public domain. Papers may include redacted information when commercially sensitive or confidential.

#### **8. Output**

Regular project progress updates to LPPC on CIL priorities and funding of projects

## 10. CIL Officer Team terms of reference

### 1. Remit

The CIL Officer Team is set up to undertake an initial assessment of CIL bids to ensure the project is CIL compliant and if so that adequate information is submitted in order for Members to make a clear decision.

The Team is additionally responsible for ensuring all relevant documentation is completed by the CIL MWG.

Officers are responsible for advising Members and ensuring that proper protocol is followed throughout. They will act in an advisory role to the Members regarding the suitability of each project, including carrying out the scoring process.

### 2. Membership of the CIL Officer Team

- Planning Policy Manager
- Principal Planning Officer (Infrastructure)
- CIL Lead administrator
- CIL grants officer

The Planning Policy manager will Chair the Group.

### 3. Conflicts of interest

Officers must declare and note any conflicts of interest or other personal interests prior to review of a project and this information should be recorded. Should an officer be conflicted, they will be asked to step down from the sifting for the project for which they are conflicted however, they are able to form part of the team sifting other applications.

### 4. Meetings

As required to advise the CIL MWG and ensure effective and timely allocation of CIL monies.

### 5. Objectives

The CIL Officer Team objectives are:

- To ensure the CIL MWG have all the necessary information to inform their assessments of bids.
- To advise the CIL MWG on how to implement and interpret the CIL Spending Protocol evaluation criteria.
- To provide guidance to the CIL MWG on evaluating the bids.

The CIL Officer Team will be responsible for:

- Implementing the recommendations from the CIL MWG and LPPC
- Regular reporting on project progress
- Regular reporting on CIL balances

- Ensuring all documentation is completed.

**6. Transparency**

Papers and minutes are to be published in the public domain. Papers may include redacted information when commercially sensitive or confidential.

**7. Output**

Regular project progress updates to the MWG on CIL priorities and funding of projects