

Allocating and Spending CIL Additional Guidance

March 2024

If you need this in another format, such as large print, please call Lichfield District Council on 01543 308000 and ask to speak to the Spatial Policy and Delivery team or email developmentplans@lichfielddc.gov.uk

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Introduction

The purpose of this additional guidance document is to assist stakeholders when applying for funding from the District Council's Community Infrastructure Levy (CIL). This document should be read in conjunction with the adopted GIL Governance Administration Procedures.

The Council adopted its CIL Charging Schedule on the 19 April 2016. The [Community Infrastructure Levy Regulations 2010](#) set out the processes and procedures for the operation of CIL. The supporting Community Infrastructure Levy Governance Administration and Procedures were initially adopted in July 2016 and have been amended since adoption, the latest version was adopted in March 2024.

The CIL Governance Administration Procedures provide the detail of the governance and administrative procedures the Council has put in place to facilitate the allocation of CIL monies received by the Council.

Strategic and Local Infrastructure 'pot'

As detailed within the Governance Administration Procedures the CIL funds received by the Lichfield District Council (the Charging Authority) will be collected and distributed from a single centralised pot held by the Council. The monies received are distributed in accordance with section 5 of the Governance Administration Procedures document. This means of the total monies received a proportion is 'top-sliced' for payment towards the Special Areas of Conservation (SACs), a proportion is transferred to our local parish councils (including Burntwood Town Council and Lichfield City Council) which is known as 'Neighbourhood CIL' and a small proportion is unlisted for the administration of CIL.

Those monies which remain following the above distribution are within a centralised 'pot' and represent the monies which the Council will allocate and spend on infrastructure projects within the district. Applicants should note that potential funding is available through neighbourhood CIL and should contact the respective parish council should they wish to discuss possible funding opportunities.

Applications for monies will only be considered for projects that are identified within on the Infrastructure List within the latest [Infrastructure Funding Statement](#) (IFS). The Infrastructure List will be reviewed annually, informed by the local plan but can also be updated mid-year to reflect changes in circumstances, ensuring that the Council retains an agile approach to the prioritisation and allocation of CIL funding. The inclusion of a project or type of infrastructure on this list does not signify a commitment from the Council to fund (either in whole or in part) the listed project or type of infrastructure through CIL.

Applicants should note that the money collected through CIL is unlikely to ever be sufficient to fund all the strategic infrastructure that is needed or desired within the district. 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.

Applying for Strategic CIL Funds

Lichfield District Council will publish its Infrastructure List within its IFS no later than 31st December following the end of the previous financial year. The IFS will include the infrastructure list setting out which projects or items of infrastructure it intends to fund

through CIL.

The Council will open opportunities for stakeholders to bid for CIL funding once it is considered that sufficient funds are available for project bidding. Infrastructure providers responsible for the delivery of projects on the Infrastructure List will subsequently be invited to express an interest in bidding in for these monies during a bidding window, which will be advertised by the Council.

Detailed guidance for applicants is set out at **Appendix A** of this document and an example of the expression of interest form is included at **Appendix B**.

Applicants should note that the inclusion of a project on the Infrastructure List does not guarantee that the project will receive any CIL funding as projects will be subject to allocation criteria as set out within the Council's CIL scoring criteria.

The Expression of Interest Form requests key information:

- What is the name of the project?
- How will the project link to the Council's Infrastructure List, Infrastructure Funding Statement, and Infrastructure Delivery Plan (IDP)?
- 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 officers in accordance with the approach set out within the CIL Governance Administration Procedures.

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 project is identified within the Infrastructure List within the latest IFS.
- The project bid cannot be for a retrospective or already implemented project.
- The organisation has the legal right to carry out the proposed project.
- The organisation can satisfy financial and regulatory checks.
- The project is clearly defined as infrastructure as per the CIL Regulations.
- The project conforms with the Council's Infrastructure Funding Statement.

Eligible projects will then be scored by the CIL bid Assessor sub-group in conjunction with 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 within 3 years of any awarding of monies.
- The value for money that a project provides.

Projects will be viewed positively 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.

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 will be presented to Cabinet with recommendations for Cabinet's decision. In addition, the Infrastructure List (IL) will be presented to Overview & Scrutiny for comment, prior to approval by 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 the recommendations of SIG.

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 monitoring returns to the Council. These returns will form the basis of regular monitoring and reporting to SIG.

Appendix A: 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 Council's [Infrastructure Delivery Plan \(IDP\)](#) and [Infrastructure Funding Statement \(IFS\)](#) can be found on the [Council's website](#). 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 Council's Strategic Plan?
- Is the project identified within the Infrastructure List within the latest Infrastructure Funding Statement and/or Infrastructure Delivery Plan?

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. Bids will not be accepted for projects that are not identified within the Infrastructure List in the latest IFS or are retrospective projects or projects which have already commenced.

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 evidenced 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 within 3 years from any award. 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 risks 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 B: Example expression of interest form

Lichfield District Council: Community Infrastructure Levy, Strategic Fund

Expression of Interest Form

Submission Deadline: **DATE MONTH YEAR TIME**

This application form is supported by the following documents:

- **Community Infrastructure Levy (CIL) Governance Administration Procedures and Allocating and Spending CIL Additional Guidance**
- **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? | | |
| Is the project identified within the Infrastructure List in the latest IFS? | | |
| 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 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? | |
| How does the project contribute to the delivery of the 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 within the Infrastructure List 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 | |
| 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 years of award) | |

Constraints and Risk

Please indicate which constraints (if any) apply to your project

- 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
- Agreement to financial, legal, and regulatory checks

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 | |
| 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