

# Community Infrastructure Levy (CIL)

## Guidance Note for Submitting Bids to the Sevenoaks District Council CIL Spending Board



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## 1. What is CIL?

1.1 The Community Infrastructure Levy (CIL) allows local authorities to secure funding for infrastructure to support development in their area.

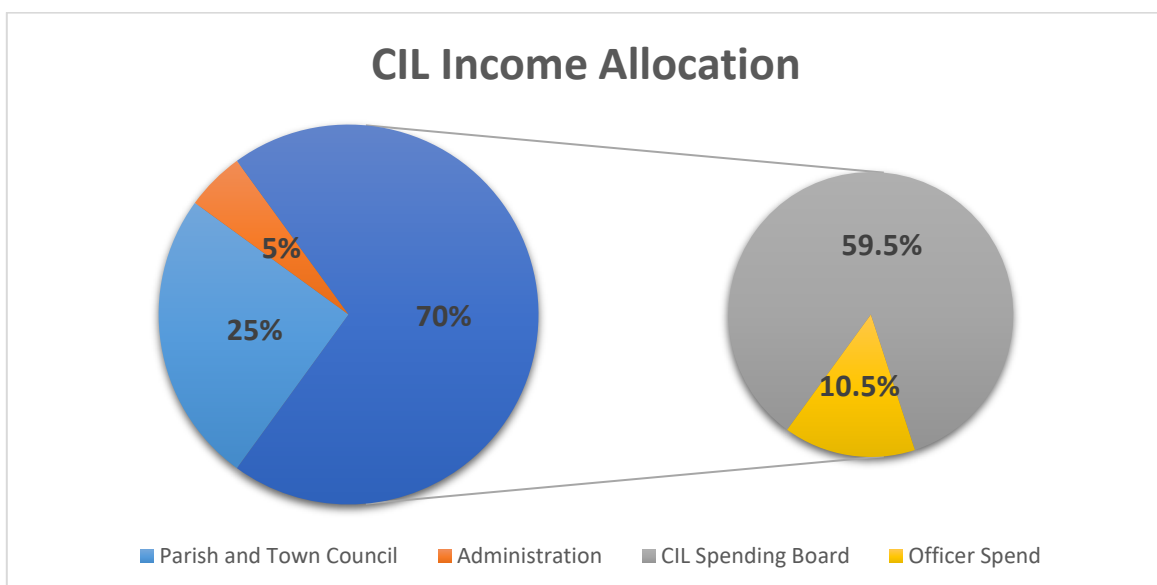
1.2 This is done by requiring developers to pay a standard charge per square meter (m<sup>2</sup>) of qualifying new development. The charge that we expect for development across the District is laid out in Sevenoaks District Council's CIL Charging Schedule. A copy of this can be found on the Council's website:

[CIL Charging Schedule](#)

1.3 CIL is proposed to help pay for things such as schools, health facilities and transport improvements - all infrastructure projects that are necessary to support new development.

1.4 In line with CIL Legislation, the Council's CIL income is spent on the following:

- 25% is allocated to Town and Parish Council's to spend on infrastructure. Part of this money can also be spent on, "*anything else that is concerned with addressing the demands that development places on an area*" (CIL Regulations 2010 as amended).
- Up to 5% of the CIL Income can be spent, by the CIL Charging Authority (Sevenoaks District Council) on the administration of CIL.
- This leaves 70% for Sevenoaks District Council to spend on CIL projects.
- 15% of this is allocated to officers to spend outside of the CIL Spending process (to be agreed by the Portfolio Holder for Development & Conservation by a Portfolio Holder Decision following consultation with the Leader, Chairman and Vice Chairman of CIL Spending Board). This equates to 10.5% of the CIL income.
- 85% of this is allocated to infrastructure projects through the CIL Spending Board. This equates to 59.5% of the CIL income.



1.5 Therefore 59.5% of all the money collected by Sevenoaks as the CIL Charging Authority is awarded to infrastructure projects through the Council's CIL Spending Board.

## **2. What is the CIL Spending Board**

2.1 The CIL Spending Board was set up to consider bids for Community Infrastructure (CIL) funding. The Board comprises of 15 elected Members of the District Council, who are chosen according to political proportionality rules.

2.2 The role of the Board is to discuss each application/bid put before them, before making a recommendation to Cabinet as to which projects should be awarded CIL.

2.3 More details as to the Governance of the Spending of CIL and the CIL Spending Board can be found in the Council's Constitution. Please use the following link: [Council Constitution- Appendix X1: Community Infrastructure Levy](#)

2.4 Please note that normally the amount of CIL money coming into the Council will be less than the amount of money requested through the CIL Spending Board. So not every project will be funded. This document helps you to understand the process the bids go through and the criteria that we assess the bids by to help you submit stronger bids.

## **3. What projects can the CIL Spending Board award money to?**

3.1 In line with the CIL Legislation, CIL charging authorities must apply CIL to funding the "provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area". (Paragraph 59 of CIL Regulations 2010 as amended). CIL can also be applied to infrastructure outside its area, where to do so would support the development within its area.

3.2 The Legislation also allows CIL Charging Authorities to pass to any other person or body to apply CIL funding for the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area.

3.3 This means the Spending Board can award CIL monies to infrastructure projects in the District. It can also award funding to projects outside the District provided they support development with Sevenoaks, for example flood defences or a new road junction. Any outside organisation can apply for funding for any infrastructure projects which supports development in the District.

3.4 Please note that the CIL monies, awarded through the CIL Spending Board, should only be used to 'top-up' an existing project/bid. Bids that request 100% of the money and where organisations have not attempted to maximise other sources of funding are not likely to be considered favourably.

3.5 Funding will not be granted for any ongoing or revenue spend (e.g., consultancy fees, viability/feasibility studies, staff costs etc.)

#### 4. What is Infrastructure?

4.1 If the CIL Spending Board can only fund infrastructure projects, it is therefore considered important to define what infrastructure is.

4.2 The term “infrastructure” is the basic systems, facilities and services which support development in an area. These can include highways and other transport facilities, flood defences, energy, educational facilities, health and social care facilities, community facilities, green blue infrastructure etc.

4.3 Examples of bids that have been granted funding in previous CIL Spending Boards include:

- Community Facilities
- Playground facilities
- Train station improvements
- Health hub development
- Landscape improvements (Green Infrastructure)
- Parking Projects
- A Day Nursery
- Public Toilets

4.4 The papers and agendas of previous CIL Spending Board meetings are available [here](#).

4.5 Please also find below a table which summarises themes and projects that fall within the definition of infrastructure. This is just a guide for the types of projects you can submit, provided your project is for infrastructure. Please note, funding will not be restricted to these themes:

Infrastructure Category	Type of Infrastructure / Project
<b>Highways &amp; Transport</b>	Road networks Rail networks Bus services Cycling and walking routes Public Rights of Way (PROWs) Car parking facilities (including electric vehicle charging points)
<b>Flooding</b>	Flood defences (Note – Blue Green Infrastructure can also provide solutions to mitigate any effects).
<b>Utilities</b>	Water Supply

<b>Infrastructure Category</b>	<b>Type of Infrastructure / Project</b>
	Wastewater Water quality Waste management and facilities (including recycling facilities)
<b>Communications</b>	Telecommunications equipment High speed broadband
<b>SOCIAL INFRASTRUCTURE</b>	
<b>Community facilities</b>	Places of worship Sport venues Leisure Centres Playing pitches Meeting places Libraries Cultural buildings or infrastructure Leisure and play equipment
<b>Education</b>	Pre-school and nursery schools Primary education Secondary education Post 18 / higher education Adult education Special educational needs
<b>Health and social care facilities</b>	GP surgeries Dental services Hospitals and community trusts Mental health services Adult social care services Children's social services
<b>Police and emergency services facilities</b>	Schemes involving physical infrastructure for the police, fire and rescue services, and ambulance services.
<b>OTHER INFRASTRUCTURE</b>	
<b>Blue-Green infrastructure</b>	Natural / semi-natural open space Maintenance or improvement of bodies of water Biodiversity Parks / country parks Local Wildlife Sites Local Nature Reserves Areas of Outstanding Natural Beauty
<b>Other</b>	Minerals Energy

## **5. How do I make a bid to the CIL Spending Board?**

5.1 To make a bid for CIL funding, you can fill in the [online questionnaire](#).

5.2 Alternatively, you can download and print a CIL funding application form (pro-forma) and send this in by email to [cil@sevenoaks.gov.uk](mailto:cil@sevenoaks.gov.uk); or by post to CIL Spending Board Applications, Planning Policy, Sevenoaks District Council, Argyle Road, Sevenoaks, TN13 1HG.

5.3 We will make the deadline for each round of bidding clear on our website and any notification letters sent out.

5.4 Please be aware that you must submit all the information and evidence that you want to be assessed as part of your bid before the deadline. We will not accept any further information after the deadline. This is to ensure that all bids are treated the same and the process is fair.

## **6. Will every bid be assessed at the CIL Spending Board?**

6.1 Not every bid submitted will be assessed by the CIL Spending Board.

6.2 Once we have advertised for bids and the deadline for submission is closed, the bids go through a two-stage validation process. Bids can be rejected at both stages depending on whether a valid bid is made and how well the bid is considered to meet the criteria that the Council has agreed to assess the bids by.

6.3 We will inform you in writing as to the outcome of your bid.

6.4 Please find more information below as to how we assess the bids submitted to the CIL Spending Board. We will assess all the bids together using the same criteria. It may be that whilst your bid is good, that other bids are stronger and therefore we will only present the strongest bids to the CIL Spending Board.

## **7. How do we assess your bid?**

7.1 As stated above every bid will go through a two-stage validation process.

### First stage

7.2 The First stage is to ensure that the proforma has been completed correctly and that the bid is for infrastructure. Bids will be considered invalid at this stage if the following occurs:

- Those schemes for which a pro-forma has not been completed.
- Those schemes where the bidding organisation does not have the legal right to carry out the proposed scheme or the support from the statutory provider of that service.

- Those schemes that could clearly not be defined as infrastructure to support development.

7.3 If your bid is found to be invalid, you will be informed in writing as to the reasons why and your bid will not go before the CIL Spending Board.

7.4 If your bid is refused at stage 1, there is an option for you to request a review of this decision by Sevenoaks District Council. How to do this is shown in Appendix 1 of this document.

### Second Stage

7.5 All bids that pass the first stage of validation, will then be considered at the second stage of validation. This second stage seeks to consider whether the bid put forward closely meets the following criteria:

- The need for the scheme.
- Whether the scheme supports Local or Key Infrastructure projects.
- Whether the applicant/organisation is working in partnership to implement the scheme.
- Is the scheme part of an existing Strategy or Plan?
- The public benefit of the scheme.
- Does the project/bid help the Council achieve its ambition to reduce net greenhouse gas emissions and achieve its Net Zero 2030 target?
- Has the applicant sought to maximise funding from other sources?
- Is there clear project management?
- Is the scheme deliverable?
- Does the project/bid have local support?
- Has the project already had CIL funding?
- Does the scheme provide an overall community benefit?

7.6 Each bid will be assessed by officers and scored against how they perform against each category.

7.7 The lead officer's initial assessment and recommendations will be provided to the Chairman and Vice Chairman of the CIL Spending Board in advance of the papers being drafted and published for the Spending Board Meeting.

7.8 The bids that most closely match the criteria above, will then be summarised in a report and Council officers will make a recommendation to the Board as the bids that they consider should receive CIL money. The Report to the CIL Spending Board will



include a summary of what criteria the bids score highly against and those where they perform weaker against. These recommendations are not binding and the CIL Spending Board will decide on the night, based on the evidence provided to them, which bids should receive CIL.

- 7.9 Those applications which are not referred to the Board, as they do not closely match the criteria, will be refused. Again you will be notified in writing if this occurs and we will provide the reasons as to why your project was not successful on this occasion.
- 7.10 There is no right of appeal for projects that are refused at this stage. This is because you are welcome to amend the bid, to address the areas where the Council considered the project performs weakly and you can re-submit to the next Spending Board. There is no limit the amount of bids you can make and also in the number of times a bid is submitted.

## 8. What makes a strong bid?

8.1 Firstly, it is important as part of any bid, to make clear as to exactly what the money is going towards. Whilst it may be clear what the overall project is, it is helpful to know exactly what part of the project the CIL money will fund.

8.2 A successful bid, as described above, is a bid/project that closely matches the criteria laid out in section 7. For example, where it has been shown that there a clear local need for a scheme or it is a key infrastructure project. Schemes will also be looked upon more favourably if they have local support, support from infrastructure providers and have sought to maximise other sources of funding.

8.3 We thought it would be helpful to identify each of the criteria below and provide a brief explanation as to the type of information that the Council would look for:

Criteria Number	Criteria Description	Details
1	The need for the scheme	<p>Explain the need for and the benefits of the scheme. We ask that each applicant respond specifically in regard to the Economic, Social and Environmental needs of the District and its residents.</p> <p>We will award points under each section:</p> <ul style="list-style-type: none"> <li>i) Economic: Are there benefits to the economy? This can include providing employment, supporting local businesses or attracting visitors to the area.</li> <li>ii) Social: What is the benefit to the local community or wider community? This can include listing the community groups that would use a facility or providing evidence that the project is a much needed community infrastructure project which supports development in the area.</li> </ul>

Criteria Number	Criteria Description	Details
		<p>iii) Environmental: Are there clear benefits to the environment by implementing this scheme. Whilst we are aware that new projects would improve the immediate environment, bids would be looked upon more favourably, if they included a wider environment benefit. For example, landscaping improvements to a wider area, enhancements to wildlife, enhancements to the overall appearance of the wider site etc.</p>
2	Does the scheme proposed support local or strategic infrastructure?	<p>Schemes that will provide for key infrastructure projects or are identified in the Council's Infrastructure Funding statement as a priority are likely to have a greater impact i.e. medical, schools, highways, flooding will receive higher scores.</p> <p>Evidence should also be provided to demonstrate a strong link new development and the bid project.</p> <p>Projects which clearly support the local community and provide evidence of a clear community benefit will also be looked upon favourably.</p>
3	Working in partnership	<p>Have you provided evidence that you are working in partnership with one or more organisation? We will look at the type of partners involved, how formal the Partnership is and the amount of involvement from all partners.</p> <p>Partnership does not just have to be financial, it can be working with an organisation to provide services. The formality of the partnership should be made clear.</p> <p>Please note; we will take into account those infrastructure/statutory providers that do not need to work in partnership.</p> <p>Please address this issue in any bid as it is helpful to know if you cannot work in partnership and why.</p>
4	Is the Bid scheme part of an existing Strategy/Plan?	<p>Here we would expect a bid to indicate that it is being put forward as part of an existing Strategy or Plan.</p> <p>This could include</p> <ul style="list-style-type: none"> <li>• Neighbourhood or Parish plans;</li> <li>• A business plan;</li> <li>• The Council's Infrastructure Funding Statement;</li> <li>• A Community Strategy;</li> <li>• Regional strategies;</li> <li>• Economic strategies;</li> <li>• Work Programmes by statutory bodies; or</li> </ul>

Criteria Number	Criteria Description	Details
		<ul style="list-style-type: none"> <li>• If it has been identified as a key or much needed project by the community.</li> </ul> <p>Please note: Any plan or strategy that has gone through some form of public consultation will carry more weight.</p>
5	Public Benefit	<p>It is likely that bids are looking to provide the greatest public benefit will be looked upon more favourably than those that do not bring a greater benefit to the wider community. For example, a bid put forward that only benefits one section of the community will be looked upon less favourably as a project that benefits the whole community and has a wider influence.</p> <p>We are therefore looking for schemes that will provide something that is advantageous or good; that will relate to, or affecting a population or a community as a whole.</p>
6	Does the scheme help the Council to reduce net greenhouse gas emissions and achieve its Net Zero 2030 target?	<p>We would expect bids to indicate how they will help the Council to reduce net greenhouse gas emissions and achieve its Net Zero 2030 target.</p> <p>Projects will be looked upon more favourably if they provide evidence to show that they will help produce less or no greenhouse emissions. A scheme that does not contribute at all will receive a lower score.</p>
7	Does the scheme show that funding has been maximised from other sources?	<p>The majority of money to fund a project should not come from CIL. The majority of funding should be sought from other sources of funding.</p> <p>This is not an exhaustive list but please see below for some examples of other sources of funding:</p> <ul style="list-style-type: none"> <li>• raising money from the community</li> <li>• <a href="https://www.kent.gov.uk/leisure-and-community/community-grants-and-funding">https://www.kent.gov.uk/leisure-and-community/community-grants-and-funding</a></li> <li>• National Lottery Community Fund</li> <li>• Sports England</li> <li>• KCC Village Hall Scheme</li> <li>• Kent Sport</li> <li>• Local Charities</li> <li>• From Parish and Town Council's own CIL</li> <li>• From the organisations submitting the bid.</li> </ul> <p>Any bids, that have not sought to maximise other sources of funding, will not be considered to closely meet the criteria set out.</p>

Criteria Number	Criteria Description	Details
		<p>Please note schemes that will be relying totally (100% of the project) on CIL funding will not be considered favourably.</p> <p>Schemes that already have a large amount/majority of funding in place will receive a higher score. The security of the funding should also be considered and made clear.</p> <p>It would be helpful to know as part of your bid if you have sought funding from a variety of sources, even if you have not been successful.</p>
8	Deliverability	<p>Through your bid and evidence submitted, we would expect you to show that the project is well managed. We would encourage you to provide for example:</p> <ul style="list-style-type: none"> <li>• Clear dates for start and finish of the project.</li> <li>• Details of the management of the project and timescales</li> <li>• Details of when you will provide updates to SDC</li> <li>• Clear working plan and costings.</li> </ul> <p>We would also expect you to have been granted planning permission or other consent if it is required or sought.</p> <p>Bids that have planning permission in place will be looked upon more favourably. Any submission should also include considering whether the works require PP or whether the proposal is permitted development.</p> <p>It is considered that large scale projects which are supported by a number of neighbourhood, local and business plans are unlikely to have all their paperwork and funding in place. Therefore, this part of the assessment should also consider the benefits of a larger scheme against the fact that they do not have all their permissions in place.</p>
9	Does the Bid have local support?	<p>Does your Bid have the support of a local member, a local organisation or business and/or the Parish and Town Council?</p> <p>Bids that have local support are more likely to be looked upon favourably.</p> <p>Please note – a bid will not be refused if it does not have local support.</p>

Criteria Number	Criteria Description	Details
10	Has the project already had CIL funding?	<p>A lower score will be given for those projects which have already received CIL funding via the CIL Spending Board or have benefited from CIL exemption. Unless a strong justification can be provided as to why further funding is required.</p> <p>Projects which are working in Partnership and include CIL funding from Parish or Town Councils will be looked upon more favourably.</p> <p>If the Parish and Town Councils are not contributing to their own CIL, this will not be looked upon favourably, and an opportunity is provided to allow them to explain why.</p>
11	Evaluation of the overall benefits of the scheme and the benefit it provides to the community	<p>Higher scores will be given to those projects/bids which show that they have sought the majority of their funding from other sources and overall provide clear evidence of a community benefit or need.</p> <p>Projects/bids where the CIL money would complete the scheme will also be scored highly.</p>

8.4 As stated, any bid that addresses and provides evidence to show they have met all of the criteria above are likely to be looked upon more favourably.

## **9. What happens at the CIL Spending Board?**

- 1.1 If your bid makes it through the two stages of Validation and is presented to the CIL Spending Board, you will be informed in writing.
- 1.2 The CIL Spending Board is a formal meeting that is led by the Chairman of the Board.
- 1.3 At the beginning of the meeting, the Chairman will move the recommendation made by officers and indicate the Bids on which Local Members, the Town or Parish Council, applicants or members of the public have asked to speak on.
- 1.4 Officers from the Council will be invited to introduce a summary of the current status of CIL at the beginning of the meeting, this could include a summary of current CIL Legislation, the amount of funding available and where the CIL receipts have come from.
- 1.5 The Chairman will read out each project title and the officer from the Council will introduce the bid, then lay out the key considerations and summarise the recommendation for each bid.

- 1.6 Please note – you will be expected to have a representative to provide a short introduction of your project to the Board. You/they must be available to answer any question members of the Board may have regarding your bid. You will need to register before the meeting to speak. Those wishing to speak must contact the District Council before 5pm on the day of the Spending Board at the latest. Email: [Democratic.Services@sevenoaks.gov.uk](mailto:Democratic.Services@sevenoaks.gov.uk) or Tel: 01732 227199.
- 1.7 Speakers who have registered to speak, will be invited to do so by the Chairman in the following order, for a maximum of 3 minutes (Local Members will have 4 minutes):
- Company/person/body responsible for the Bid
  - A member of the public wishing to speak for the Bid.
  - A member of the public wishing to speak against the Bid
  - The Local Council representative.
  - The Local Member Notwithstanding the foregoing, the Chairman retains discretion to allow additional speakers as s/he sees fit.
- 1.8 Speakers are allowed visual aids of up to 5 slides.
- 1.9 Once you have spoken, Members will then have the opportunity to ask questions of clarification. This process will be managed by the Chair of the Board.
- 9.10 Members of the Board will then have the opportunity to ask questions of the officers present.
- 9.11 A discussion regarding each Bid will then take place.
- 9.12 A decision on each bid will only be made at the end of the meeting after all the bids have been discussed. This ensures that every bid is considered and fully discussed before any decision on the allocation of CIL money is made.
- 9.13 The Board can only consider the bid put before them and the details provided by the applicant. This means that the Board cannot amend any details of the bid or the amount of money awarded at the meeting. They can only agree, refuse or defer if they consider more information is needed or that further investigation is required to be carried out in regard to the costs of the project.
- 9.14 Each bid is assessed under the criteria laid out in Section 8 of this Guidance.
- 9.15 The board may make the following recommendations. It is for the Council's Cabinet to ratify and confirm the recommendations. The recommendation to Cabinet for each item should usually be for one of the following:
- Funding for the scheme is approved.
  - Funding for the scheme is approved subject to a legal agreement being entered into. If no legal agreement is entered into, within 6 months the bid will be reported back to the CIL Spending Board to be reconsidered.
  - Funding for the scheme is secured and set aside for this project. The funding will be paid upon the completion of a legal agreement and when planning permission is granted for the project. If planning permission is not granted, the bid will be reported back to the CIL Spending Board to be reconsidered.

9.16 If your bid is not successful in receiving CIL funding by the Board, this will be made clear by the Board. Their recommendation will be provided in writing and will also provide an indication as to whether you should consider bidding for this scheme again and what additional information, if any, should be provided with any resubmission.

9.17 If your bid is successful, the recommendations of the Spending Board will be presented to the next Council's Cabinet after the CIL Spending Board has met. If agreed, you will be informed in writing.

9.18 It is likely that you will need to sign a legal agreement before the money is passed over and there may be other conditions that you may need to meet before the money is transferred. This legal agreement, amongst other things, seeks to ensure that you spend the money on the project laid out in the bid and to ensure that the Council is kept informed of your progress.

9.19 The Council's Cabinet cannot refuse a bid, but can ask the CIL Spending Board to clarify a decision or review their decision on one or all the bids put forward to the Board. If this occurs, we will notify you of this.

## **10. What happens if I want to amend my bid?**

- 10.1 Sevenoaks District Council will not allow a bid to be amended once it has been submitted. If however there has been a change of circumstances, we would ask that you contact us at [cil@sevenoaks.gov.uk](mailto:cil@sevenoaks.gov.uk) as soon as possible so that this change can be addressed and any changes to the scheme can be reported to the CIL Spending Board.
- 10.2 If changes occur once it has already been agreed that the CIL money should be granted for your project, we would ask that you contact us in writing. The Legal Agreement requires any changes to be approved by the Council in writing.
- 10.2 If changes occur after the money has been agreed or spent, in the Council's Governance of CIL, it states that the Council can permit some changes to a bid, but only where the following circumstances apply:
  - where the project (and the community benefits provided) is at least substantially similar to that approved; and
  - where the risk to the CIL monies does not materially increase
- 10.4 At present, under no circumstances would this allow for more monies from the Council or for CIL to pay a greater proportion of the project, without a fresh bid.
- 10.5 Therefore, if you wish to amend your bid after CIL money has been awarded please submit in writing to Sevenoaks District Council ([cil@sevenoaks.gov.uk](mailto:cil@sevenoaks.gov.uk)) and we will confirm in writing whether the change is in keeping with the advice above.

## **11. When is the CIL Spending Board held?**

- 11.1 In line with the Governance of CIL, Sevenoaks District Council look to hold a CIL Spending Board at least twice a year, but this does depend on how much CIL income we receive.
- 11.2 In general, Board meetings are held at the Chairman's discretion taking into account the level of CIL income.

## **12. How can I be notified when a Board is held?**

- 12.1 We will publicise the next CIL Spending Board on our website using the following link:  
[Sevenoaks District Council's Engagement Portal](#)
- 12.2 You can also email us at the following address [cill@sevenoaks.gov.uk](mailto:cill@sevenoaks.gov.uk) to be added to our mailing list.

## **13. Conclusion**

- 13.1 We trust this document provides you with some guidance as to how you can submit a strong bid to the CIL Spending Board and the process that your bid will go through.
- 13.2 If you have any further questions in regard to any aspect of CIL, please contact the Councils Officers at [cil@sevenoaks.gov.uk](mailto:cil@sevenoaks.gov.uk).



## Appendix A

### Request for a review of a bids considered by Sevenoaks District Council not to succeed under Stage 1 of the Validation Process

1. A request for a review must be made within 6 months of the letter from Sevenoaks District Council informing them of one of or more of the following:

- that the project is not considered to be infrastructure;
- that the bid is considered to be incomplete or
- there is insufficient evidence to show that the organisation making the bid has the right to carry out the scheme.

2. The request for a review must be submitted formally in writing or emailed to the following address [cil@sevenoaks.gov.uk](mailto:cil@sevenoaks.gov.uk).

3. The request for a review must contain additional evidence/information in addition to the original bid as to why they consider their project complies with the 1st stage of validation.

4. Sevenoaks District Council will review the information submitted, they will liaise with Legal and make a decision on the information submitted within 6 weeks. If a decision cannot be met within 6 weeks, they will contact the organisation to explain why and provide a new date for a decision to be made.

5. A senior manager will review the case, before a response is provided.