



# **The Community Infrastructure Levy Expenditure Framework**

## Babergh and Mid Suffolk District Councils

Appendix A - March 2019 (Amended)

## The Community Infrastructure Levy Expenditure Framework

### 1. Background

- 1.1 The development of a detailed framework for Community Infrastructure Levy (CIL) expenditure for consideration and adoption by both Councils is required as there is no set approach for CIL expenditure prescribed either by Central Government or through the CIL Regulations 2010 (as amended).
- 1.2 As such all Councils across the country where a CIL charging regime has been adopted and is being implemented have brought in their own schemes for how CIL monies are spent.
- 1.3 The CIL Regulations stipulate that CIL monies which are collected must be spent on infrastructure. Each Council is required to publish a list of infrastructure types that will be funded wholly or partially through CIL. These lists, known as the "Regulation 123 Lists", were adopted by Babergh and Mid Suffolk and published in January 2016. These documents (which are slightly different for each Council) constitute appendices to this document and should be read in conjunction with it.
- 1.4 This CIL Expenditure Framework was originally agreed and adopted by both Full Councils (24<sup>th</sup> and 26<sup>th</sup> April 2018) and reviewed by a Joint Member Panel and the changes were agreed and adopted by Full Council of both Councils on the .....and ,,,,in 2019.
- 1.5 This Framework read alongside the CIL Expenditure Framework Communication Strategy and the yearly Key CIL Dates document constitutes the Community Infrastructure Levy Expenditure Framework for both Councils.
- 1.6 This CIL Expenditure Framework will be kept under periodic review with details of any forthcoming review to be set out in the yearly CIL Key dates calendar which will be published on the Web site.
- 1.7 This document sets out the key elements and information relating to the CIL Expenditure Framework in a clear and concise format under the following headings: -
  - Key principles of the CIL Expenditure Framework
  - Processes of the CIL Expenditure Framework
  - Validation and screening of bids and prioritisation criteria of bids under the CIL Expenditure Framework (to allow bids to be considered and determined)
  - Governance of the CIL Expenditure Framework

## 2. Key principles of the CIL Expenditure Framework

### 2.1 These are: -

- The process should encourage openness and transparency of decision taking;
- CIL data must be 100% accurate and software database must have integrity and be “trusted”;
- Decisions must be compliant with the CIL Regulations 2010 (as amended) and expenditure must follow the CIL Regulation 123 Lists for each Council;
- The expenditure approach must be legally sound;
- Deliverability and Timeliness – a “can do” approach towards delivery of infrastructure to be employed;
- CIL expenditure should support The Joint Strategic Plan and The Joint Local Plan objectives and the Infrastructure Delivery Plan (which will underpin the Joint Local Plan) and link to other Council strategies including the Infrastructure Strategy;
- The apportionment of CIL Regulation 123 monies into two separate funds, Local Infrastructure, and Strategic Infrastructure Funds, would allow saving of monies towards strategic infrastructure projects for the betterment of either or both Districts and facilitate the prospect of collaborative spend with other funding organisations and or funding streams to achieve strategic infrastructure. The amount to be saved into the Strategic Infrastructure Fund would occur after the 5% administrative costs are removed and then the Neighbourhood portion of monies is taken out (either 15% for Parishes with no made Neighbourhood Plan or 25% where a Neighbourhood Plan is made). Following this 20% of the remaining CIL Regulation 123 monies would be saved into the Strategic Infrastructure Fund leaving the remaining 80% to go into the Local Infrastructure Fund
- Planning decisions to approve housing/employment development which carry Infrastructure to be provided by CIL and necessary for an approved growth project (those with planning permission and considered by Planning Committee) shall be supported and considered a priority and these monies will also be ringfenced into a further separate “ringfenced” account so that the approved development which is ultimately carried out is sustainable.
- Publication of all expenditure, the bi annual CIL Business Plan and the Technical Assessments on the website, meaning information is readily accessible and transparent. A list of all valid Bids for CIL monies from either the Strategic Infrastructure Fund or from the Local Infrastructure fund will be published after each Bid round;

- CIL expenditure to be regularly audited, including The CIL Expenditure Framework Review;
- A Communications Strategy for the CIL Expenditure Framework is necessary and constitutes an appendix to this document;
- Infrastructure projects that are funded by each Council's CIL Regulation 123 funds (whether Strategic or Local) shall be carried out on publicly owned or controlled land/buildings or where public access is guaranteed unless exceptional circumstances apply;
- Spending outside each Councils geographical boundaries is acceptable where appropriate to the circumstances of the infrastructure to be provided and where there is clear benefit to the residents of either or both Districts;
- No Member referral of cases to Cabinet for decision taking;
- Costs which will not be eligible for CIL expenditure are as follows;
  - Feasibility studies for infrastructure projects
  - Maintenance or repair costs of infrastructure projects (except for that listed in the CIL Regulation 123 lists)
  - Interests on loans for projects
  - No CIL funding for infrastructure that has already been carried out (i.e. retrospectively)
  - No payment towards costs which have already been paid and are sought for reimbursement as part of the CIL Bid (except where school extensions are planned as part of pupil placement creation which is a statutory function on the part of SCC)
  - Improvement or replacement of existing infrastructure as part of a project must include additionality (some significant tangible betterment of the existing facility otherwise it would be termed to be maintenance or repair.
- No public speaking at Cabinet where decisions are either to be noted or made, and;
- Where offers of CIL Regulation 123 funds are made to authors of Bids the monies will be allocated to the infrastructure project for a period of no longer than 2 years whereupon the support for the Bid would be withdrawn and it would be necessary to reapply through the Bid process to secure CIL Regulation 123 funds to that project.
- CIL funds can be used for an infrastructure project to make it Disability Discrimination Act compliant

## 1. Processes of the CIL Expenditure Framework

3.1 The CIL Expenditure Framework will operate with the following approach:

- Use of the Councils' existing software
- The process is centred upon a bidding round with consideration on a bi-annual basis, with email submission of bids by Infrastructure Providers (including officers of Babergh and Mid Suffolk where appropriate) and all Parishes including Community Groups.
- The bi annual bid round cycle will be as follows:

Bid Round 1 for the year		
	May	Open 1 <sup>st</sup> – 31 <sup>st</sup> May
	June/July/August	Bids validated screened and assessed against prioritisation criteria
	August	Information collated for production of CIL Business Plan ready for presentation to Cabinet
	September	Consideration of CIL Business Plan by Cabinet. Letters issued confirming outcome of bids to applicants
Bid Round 2 for the year		
	October	Open 1 <sup>st</sup> – 31 <sup>st</sup> October
	November /December/January	Bids validated screened and assessed against prioritisation criteria
	February	Information collated for production of CIL Business Plan ready for presentation to Cabinet
	March	Consideration of CIL Business Plan Update by Cabinet. Letters issued confirming outcome of bids to applicants

- Full documentation of the process for lodging, consideration, and determination of the bids with supporting guidance documents for bid submission, bid application forms and prioritisation criteria to be used for assessment of the bids will be made available on the Councils' websites.
- The timetable for the bi annual bid process will be clearly documented on the Councils' websites together with the inclusion of a flow chart and three months of early advance notification of bid submission timescales (to facilitate bid submission) to all Infrastructure Providers (including officers of Babergh and Mid Suffolk where appropriate) and all Parish/Town Councils. Bids from Community Groups may also be received.
- **Distribution of CIL income** - The Councils will retain up to 5% of the CIL income received within each District (for administrative costs). This will be apportioned at the same time as the Neighbourhood CIL allocation to Parishes. The Neighbourhood CIL allocation to Parish/Town councils (either 15% or 25% subject to a cap\*) occurs in April and October each year. On the same 6 monthly basis, the CIL Regulation 123 funds will be saved into two funding streams with the following apportionment and definitions:
  - **Strategic Infrastructure fund – 20 % of the CIL Regulation 123 fund will be held in this account**
  - **Local Infrastructure fund – 80% of the CIL Regulation 123 fund will be held in this account (with the exception of ringfenced monies to support housing schemes of 10 dwellings and above)**
- **Definitions of Strategic and Local Infrastructure:**
  - **One or more of these elements constitute Strategic infrastructure:**
    - is of strategic economic or social importance to the local Authority Areas or region in which it would be located;
    - would contribute substantially to the fulfilment of any of the objectives of the Joint Strategic Plan, Joint Local Plan, Infrastructure Delivery Plan, The Joint BMSDC Economic 'Open for Business' Strategy, the Suffolk Framework for Growth, the Government's Industrial Strategy or Local Enterprise Partnership (LEP) New Economic Strategy for Norfolk and Suffolk objectives or in any regional spatial and economic strategy in respect of the area or areas in which the development would be located;
    - would have a significant effect on the area of more than one planning authority;
    - requires authorisation at Cabinet level

\* 25% of Neighbourhood CIL is paid where permissions are granted on or after the Neighbourhood Plan is made. 15% Neighbourhood CIL is paid where a Neighbourhood Plan is not made. There is a financial cap which relates to the total amount of the 15% Neighbourhood CIL receipts passed to a parish council. Any payment must not exceed an amount equal to £100 per council tax dwelling in that parish in each financial year. This financial cap does not apply in Parishes where a Neighbourhood Plan is made.

- will routinely be the subject of collaborative spend
- Illustrated Examples include strategic flood defence; hospitals and new rail infrastructure
- **One or more of these elements constitute Local infrastructure:**
  - Local infrastructure is infrastructure types detailed on the Regulation 123 List which has been identified as being required to support granted planning permissions in order to make the development sustainable in planning terms – (this is allocated CIL 123 spend);
  - Local infrastructure relates to infrastructure projects which are meeting need at a local level, can easily be identified as compliant with the Regulation 123 List infrastructure types and which support the expansion, improvement, provision of local services for the people living or visiting within the local area
- Illustrated examples include: extensions to early years, primary, secondary, or further education; bus stops and Real Time Passenger Information notice boards (RTPI); expansion of libraries or enhancement of the mobile library service; expansion to GP practices (where approved by NHS England); provision of leisure and community facilities, such as extensions to community buildings and leisure centres, provision of play equipment and areas, sports facilities and open space; and waste recycling facilities.
- The apportionment of CIL Regulation 123 monies into two pots, Local Infrastructure and Strategic Infrastructure Funds, would allow saving of monies towards strategic infrastructure projects for the betterment of either or both Districts and facilitate the prospect of collaborative spend with other funding organisations and or funding streams to achieve strategic infrastructure. All interest accrued on CIL monies will be paid into the Strategic Infrastructure Fund pot. The division of monies between the two funds will occur in April and October each year.
- Current 6 monthly allocations to Parish/Town Councils (which occur in April and October) continue, and where CIL is received, use a proactive approach to encourage collaborative spend using Parish Infrastructure Investment Plans document and approach (PIIPs) The Parishes apportionment of CIL monies will remain at 15% (where there is no Neighbourhood Plan) and 25% where a Neighbourhood Plan is made for two reasons;
  - to safeguard the ability to secure strategic infrastructure and make the 20% saving from the CIL 123 funds into the Strategic Infrastructure Fund
  - to ensure that the CIL infrastructure requirements on the growth projects are met such that development is therefore sustainable

- Collaborative approach towards expenditure working with Infrastructure Providers and Parishes to get projects delivered and to “add value” is important and supported
- Explore and secure funding from other external funding streams (e.g. LEP and Government funding) and other internal funding streams (s106 Community Grants and where appropriate Locality funding) to spend alongside CIL where appropriate, especially in connection with strategic infrastructure projects but also for Local Infrastructure Funds projects. Proactive work will be needed to identify and secure strategic infrastructure projects for both Districts.
- Proactive work will also need to occur around CIL infrastructure such that the Infrastructure to be provided by CIL from the Local Infrastructure Fund (together with the s106 items) are known (and can be understood in terms of viability and the level of affordable housing to be provided). This work will provide clarity around Bids which are likely to come forward for growth projects in the future.
- Funding bids must provide adequate evidence/information to provide necessary certainty on timely delivery – “oven ready” schemes will be given priority
- The production and publication of bi annual CIL Business Plans for both Councils (within 6 months of the Bid rounds opening)
- CIL monies can be spent flexibly alongside s106 monies, Community grants and Locality monies and any other external or internal funding streams but expenditure of s106 monies must be in accordance with the terms of the s106 agreement
- Tiered approach to decision-taking involving some officer delegation and larger decisions by Cabinet
- All decisions to be final.
- No appeals process
- Only one Bid per project per bidding round
- After a refusal – no more Bids for this project unless funding circumstances are materially different – or a time period passes of not less than 1 year.
- Where Bids to be submitted, evidence of Community support shall be required (From Division County Councillor, Ward District Member and Parish Council)
- Once Bids are validated and screened (see below) Officers will direct any appropriate Bids towards other funding streams where this is considered to be more appropriate (each Councils unspent s106 monies – where the terms of the Legal Obligation would allow that spend to occur.



In addition, work will be undertaken to see if other funding can be pulled into the scheme from internal (Community grants and Locality Funds - where appropriate) and external funds (LEP Government funding and other external sources) so that the CIL funds can be distributed as widely as possible

- Yearly Report on CIL collection and expenditure required by Regulation 62 of the CIL Regulations 2010 (as amended) in addition to the bi annual CIL Business Plan
- Payment of successful bids to be in accordance with guidance to be published on the Councils' websites.
- For all Community Infrastructure Bids three quotes to carry out the works will be required. These quotes must be offered to the Bidders and then submitted as part of the Bids on the basis that the cost of the works will remain held and not vary for a 6-month basis. (so as to be sure that when CIL monies are offered the project can be completed for the cost of the works submitted). Where Infrastructure Providers (such as Suffolk County Council -SCC) submit Bids for either education projects or bus passenger transport improvement proposals there will be no need to submit three quotes as Suffolk County Council as an Infrastructure provider has a contractual framework agreement in place which ensures that the project will achieve Best value and thereby meet Best value objectives. With regard to Bids for school extensions and education facilities (that are Regulation 123 list compliant), the Infrastructure provider must pay for feasibility studies and planning application costs prior to the CIL Bid being made. Once any such Education CIL Bids are submitted these costs can then be included in the overall cost of the project (so these costs are recovered by SCC as part of the agreed project)
- When Bids are made valid consultation will occur with the District Ward Member the Division County Councillor for the Ward affected and the Parish Council for that ward (except where the Parish Council is the Bidder for the Infrastructure project). The Consultation will occur by email and 21 days will be allowed for the submission of comments. A copy of the CIL Bid application form and a location plan will be sent to the consultee. Infrastructure officers will carry out a site inspection and photographs will be taken.
- Where infrastructure being proposed also carries a dual use (such as education provision to also be used by the community) the completion of a Community User Contract is required so that the community use can be guaranteed. (This will be a bespoke legal Contract designed to suit the circumstances of the CIL Bid case)
- Determination of especially important Local Infrastructure Fund or Strategic Infrastructure Fund CIL Bids by Cabinet or using delegated powers (requiring approval or refusal or noting and endorsement by Cabinet) can be determined in advance of the bi annual CIL Business Plan where appropriate.

- Technical assessments of all the bids where decisions are being made will be undertaken and published as part of the CIL Business Plan documentation so that the decision taking is open and transparent.
- Infrastructure for Community use – a new Project Enquiry form has been devised to allow early advice and support to be given to Parishes and Community groups where projects are identified (whether for CIL or other forms of funding)
  - Further amplification contained in the document relating to the criteria for Value for money (or Best Value) - to address the internal Audit of September 2018
  - New CIL Bid application forms designed for community infrastructure projects both above and below the governance threshold of £10,000 to address different information requirements (for small/larger projects)
  - New CIL Bid application forms for Passenger Transport and Improvement (shorter than before also recognizing and adapting the Framework such that three quotes are not required as there is a contractual framework agreement in place for delivery -which meets best value objectives)
  - New CIL Bid application forms for Health facilities /proposals
  - New CIL Bid forms for Education facilities proposals

#### **4. Validation and Screening of Bids and Prioritisation Criteria of Bids under the CIL Expenditure Framework (to allow Bids to be considered and determined)**

4.1 Each Bid will be validated, screened, and prioritised and a technical assessment will be completed (and ultimately published on the web site as part of the CIL Business Plan documentation) taking the following into account as follows: -

4.2 **Validation criteria** is as follows: -

- The correct CIL Bid form must be submitted. All the questions on the Bid application form must be fully completed (where information known or where additional information is required e.g. Business Case)
- Valid Bids on Bid Submission template to new CIL Expenditure email address [CILexpenditure@babberghmidsuffolk.gov.uk](mailto:CILexpenditure@babberghmidsuffolk.gov.uk) including the following:
  - Description of infrastructure, location, purpose?
  - Need /Justification?
  - Costs and funding streams for provision?
  - Quotations for works

- How much financial support is sought from BMSDC and for what?
- Collaborative spend – yes/no and if yes give details?
- Who is leading on delivery?
- Delivery proposal and timescales?
- Will the Infrastructure be provided on Public or Private land? – has the Bidder obtained all the necessary permissions to implement the infrastructure?
- If the infrastructure needs planning permission - has this been sought and obtained?
- has any State Aid already been received or offered from other government sources?
- Consideration of future funding/maintenance once project is complete
- Business Plan required dependant on size of the project (see guidance documents)
- When Bids are made valid consultation will occur with the District Ward Member the Division County Councillor for the Ward affected and the Parish Council for that ward (except where the Parish Council is the Bidder for the Infrastructure project). The Consultation will occur by email and 21 days will be allowed for the submission of comments. A copy of the CIL Bid application form and a location plan will be sent to the consultee. Infrastructure officers will carry out a site inspection and photographs will be taken.

#### 4.3 **Screening process** is as follows: -

- Must follow the CIL Regulation 123 Lists for each Council where infrastructure to be provided
- Could this infrastructure bid be provided using other internal and external funding streams that the Councils can either submit Bids for or support others or where the Council has access to other funding (e.g. LEP Government funding or other external funders s106, Community Grants. and Locality funding where appropriate? – if so, can it be delivered using this without complete or any reliance on CIL funds)
- Any incomplete bids will be considered, and effort will be made to get the bid fully complete and capable of then being assessed against the priority criteria.
- Where appropriate, information will be checked or sought to verify the information within the bid

- Where there are CIL infrastructure “asks” under Development Management decisions on major projects using delegated powers, these will be given automatic priority (from ringfenced funds and /or Strategic/Local Infrastructure funds).

#### 4.4 **Prioritisation criteria** is as follows: -

- Infrastructure necessary for an approved growth project (those with planning permission) in order that development carried out is sustainable
- Positively scores against provisions /objectives of Joint Strategic Plan and/or Joint Local Plan and/ or Infrastructure Strategies or other Babergh/Mid Suffolk Strategies or external strategies Babergh/Mid Suffolk support and/or input into
- It represents key infrastructure (essential)
- Value for money (or Best Value – please see below for guidance on Best Value)
- Clear community benefits
- Community support
- Deliverability (“oven ready” schemes)
- Affordability (from Strategic/Local infrastructure or ringfenced CIL Funds)
- Timeliness
- By releasing CIL money can we achieve infrastructure provision through collaborative spend? (i.e. Infrastructure providers, Parish/Town Councils, Babergh/Mid Suffolk infrastructure provision, or LEP/Government funding)
- Supports housing and employment growth
- Have a package of measures been proposed and submitted which allow for ongoing maintenance of the infrastructure such that its longevity can be assured
- Must be based on the developing/adopted Infrastructure Delivery Plan unless circumstances dictate otherwise
- Does the provision of this infrastructure address a current inadequacy in infrastructure terms?
- By releasing funds, it would allow infrastructure to be realised such that the CIL funds are like the last piece of the jigsaw puzzle
- Will the infrastructure be capable of being used by the wider community?
- By provision of infrastructure it would unlock further opportunities within the District for housing and employment growth

## 5. **Governance of the CIL Expenditure Framework**

5.1 All decisions once validated screened and assessed and considered against the priority criteria will be collated and presented to Cabinet in the bi annual CIL Business Plan for each District.

5.2 There will be tiered approach to decision taking in respect of bids submitted for Strategic Infrastructure Funds or Local Infrastructure Funds as follows: -

- **Delegated Decisions (to Assistant Director – Planning and Communities)**
  - a) Decisions to approve Infrastructure to be provided by CIL and necessary for an approved growth project (those with planning permission and considered by Planning Committee) in order that development which is ultimately carried out is sustainable. (Cabinet to note these decisions because of the likely amount of expenditure involved – over £150K)
  - b) Decisions to approve infrastructure projects the subject of bids where the amount of monies sought from the Local Infrastructure Fund is £10,000 or less
  - c) Decisions to refuse infrastructure projects the subject of bids where the amount of monies sought from the Local Infrastructure Fund is £10,000 or less
  - d) Decisions to carry forward Infrastructure projects the subject of bids to the next Bid Round where the amount of monies sought from the Local Infrastructure Fund is £10,000 or less
  - e) Any decision which Officers consider may be of such significance or of a controversial nature such that Cabinet should take the decision in respect of the bid

### **Cabinet decisions**

- a) Decisions to approve or refuse all Strategic Infrastructure Fund bids
- b) All other decisions to approve or refuse all other Local Infrastructure Fund bids which are not covered by the delegated decision taking outlined above under the delegated decisions listed above
- c) Noting by Cabinet of all decisions on bids where delegated decisions are taken.

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### **Guidance Foot note on Value for money or Best Value**

**Best Value** was government policy in the United Kingdom affecting the provision of public services in England and Wales. In Wales, **Best Value** is known as the Wales Programme for Improvement. **Best Value** was introduced in England and Wales by the Local Government Act 1999, introduced by the UK Labour Government. Its provisions came into force in April 2000.

[Best value - Wikipedia, the free encyclopedia](https://en.wikipedia.org/wiki/Best_value)

en.wikipedia.org/wiki/Best\_value

## **BMSDC Procurement Manual**

Pages 50 and 51

### **2.12 Social Value**

2.12.1 The Councils have a duty to consider the creation of social value; which is to maximise the additional benefit that can be created by procuring the supplies, services and works above- and- beyond the benefit of merely the supplies and services themselves.

2.12.2 The delivery of Social Value aligns to the Councils' Joint Strategic Plan in the following areas: • Community Value – enabling communities to become more self -sufficient through the provision of self-help schemes, improvement of facilities, provision of education and employment opportunities.

- Regional Economic Development – subject to the test of fairness and equality for potential suppliers the opportunity to support the local economy.
- Environmental – using a solution which protects and /or enhances the environment.

### **2.16 Value for Money (Best Value)**

2.16 Value for Money (Best Value) 2.16.1 The Councils have a duty to ensure that best value is provided in the delivery of its services and this obligation shall be reflected across all the Councils' commissioning and procurement.

2.16.2 Achieving best value is about enabling the Strategic priorities of the Councils with the most effective use of financial resources and requires the consideration of quality factors in the evaluation of offers from suppliers as well as cost.

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March 2019 (Amended)

## Edition Amendments (March 2019)

Revision (from April 2018 document)	Reason for changes
<p>Paragraph 1.4, 1.5 and 1.6 - Text changed to reflect review and changes to Key CIL Expenditure documents including the production of a yearly Key CIL Date calendar which will be published on the Councils web site.</p>	<p>Clarification and to Amendments following review by the Joint Member Panel to add clarity and certainty around the CIL Bid process</p>
<p>Paragraph 2.1 – 8<sup>th</sup> bullet point – after priority add “and these monies shall be ringfenced into a further separate ringfenced account”</p>	<p>Clarification only</p>
<p>Paragraph 2.1 – 9<sup>th</sup> bullet point – add word “valid” after all</p> <p>Add “bi annual” before CIL Business Plan</p> <p>And substitute “and the CIL Expenditure Update document” with “Technical Assessments for each valid CIL Bid”</p> <p>And add “and before consultation occurs” after “published after each Bid round”.</p>	<p>Clarification only</p>
<p>Paragraph 2.1 – 13<sup>th</sup> bullet point - add “of either or both Districts” after residents</p>	<p>Clarification only</p>
<p>Paragraph 2.1 – 15<sup>th</sup> bullet point – alter 2<sup>nd</sup> bullet point by addition of “or repair” after maintenance</p> <p>Also add further caveats as follows: -</p> <p>No CIL funding for infrastructure that has already been carried out (i.e. retrospectively)</p> <p>No payment towards costs which have already been paid and are sought for reimbursement as part of the CIL Bid (except where school extensions are planned as part of pupil placement creation which is a statutory function on the part of SCC).</p> <p>Improvement or replacement of existing infrastructure as part of a project must include additionality (some significant tangible betterment of the existing facility otherwise it would be termed to be maintenance or repair).</p> <p>No contingency costs will be eligible</p>	<p>Amendments following review by the Joint Member Panel</p>

<b>Revision (from April 2018 document)</b>	<b>Reason for changes</b>
No professional fees will be eligible	
Paragraph 2.1 – 16 <sup>th</sup> bullet point – add “and endorsed” after noted and add by Cabinet at the end of the sentence	Clarification only
<p>Paragraph 2.1 – insert further bullet point after 17<sup>th</sup> as follows: -</p> <p>CIL funds can be used for an infrastructure project to make it Disability Discrimination Act compliant</p>	Clarification sought as part of the Review by the Joint Member Panel
<p>Paragraph 3.1 3<sup>rd</sup> bullet point – make following changes: alterations to the timings in the table by making the Bid round open for the whole of the calendar month of May and October Bid round 1 and Bid round 2 - add the words “for the year” immediately afterwards</p> <p>Make following changes to the table:</p> <p>Change June /July and add /August Change November/Dec and add /January Change January to February Change February to March</p>	Clarification only
<p>Paragraph 3.1 - 5<sup>th</sup> bullet point – three months of advance email notification before the Bid round opens to allow Bidders more Notice about Bid rounds opening in May and October each year</p> <p>change bi yearly to bi annual</p>	Amendments following review by the Joint Member Panel and recommendation from Overview and Scrutiny meeting 19 <sup>th</sup> November 2018
<p>Paragraph 3.1 - 6<sup>th</sup> bullet point and add the following to second sub bullet point</p> <p>(with the exception of ringfenced monies to support housing schemes of 10 dwellings and above)</p>	Clarification only
<p>Paragraph 3.1 10<sup>th</sup> main bullet point – add the following sentence</p> <p>All interest accrued on CIL monies will be paid into the Strategic Infrastructure Fund pot.</p>	Amendments following review by the Joint Member Panel



<b>Revision (from April 2018 document)</b>	<b>Reason for changes</b>
<p>Paragraph 3.1 - 13<sup>th</sup> main bullet point and paragraph 4.3 2<sup>nd</sup> bullet point rewording of paragraphs: -  approach to CIL expenditure should be to secure funds alongside any CIL Bids from external (LEP Government funding and other sources) and internal funding sources (s106 Community grants and Locality funding where appropriate)</p>	<p>Amendments following review by the Joint Member Panel</p>
<p>Paragraph 3.1 17<sup>th</sup> bullet point - change the wording to: -   The production and publication of bi annual CIL Business Plans for both Councils (within 6 months of the Bid rounds opening)</p>	<p>Clarification only</p>
<p>Paragraph 3.1 Bullet point deleted which states No Member referrals as this is found elsewhere in the document</p>	<p>Clarification only</p>
<p>Paragraph 3.1 – 18<sup>th</sup> and 25<sup>th</sup> bullet points - wording change to respect CIL monies can be spent against different internal and external funding streams including s106</p>	<p>Amendments following review by the Joint Member Panel</p>
<p>Paragraph 3.1 – 26<sup>th</sup> bullet point substitute bi yearly for bi annual and delete “and 6 monthly update”</p>	<p>Clarification only</p>
<p>Paragraph 31. – new bullet point 28 –  For all Community Infrastructure Bids three quotes to carry out the works will be required. These quotes must be offered to the Bidders and then submitted as part of the Bids on the basis that the cost of the works will remain held and not vary for a 6-month basis. (so as to be sure that when CIL monies are offered the project can be completed for the cost of the works submitted)</p> <p>Where Infrastructure Providers (such as Suffolk County Council -SCC) submit Bids for either education projects or bus passenger transport improvement proposals there will be no need to submit three quotes as Suffolk County Council as an Infrastructure provider has a contractual framework agreement in place which ensures that the project will achieve Best value and thereby meet Best value objectives.</p>	<p>Amendments following review by the Joint Member Panel and point raised during Overview and Scrutiny meeting on the 19<sup>th</sup> November 2018</p> <p>Amendments following discussion and agreement by the Joint Member Panel (following meeting with Babergh and Mid Suffolk and Suffolk County Council Officers and Members.</p>

<b>Revision (from April 2018 document)</b>	<b>Reason for changes</b>
<p>With regard to Bids for school extensions and education facilities (that are Regulation 123 list compliant), the Infrastructure provider must pay for feasibility studies and planning application costs prior to the CIL Bid being made. Once any such Education CIL Bids are submitted these costs can then be included in the overall cost of the project (so these costs are recovered by SCC as part of the agreed project).</p>	
<p>Paragraph 3.1 29<sup>th</sup> bullet point – change for that Ward to for that “parish”</p>	<p>Clarification only</p>
<p>Paragraph 3.1 – new bullet point 29 and paragraph 4.2 2<sup>nd</sup> main bullet point 14<sup>th</sup> new small bullet point as follows: -</p> <p>When Bids are made valid consultation will occur with the District Ward Member the Division County Councillor for the Ward affected and the Parish Council for that ward (except where the Parish Council is the Bidder for the Infrastructure project). The Consultation will occur by email and 21 days will be allowed for the submission of comments. A copy of the CIL Bid application form and a location plan will be sent to the consultee. Infrastructure officers will carry out a site inspection and photographs will be taken.</p>	<p>Amendments following review by the Joint Member Panel</p>
<p>Paragraph 3.1 new bullet point 30 reads</p> <p>Where infrastructure being proposed also carries a dual use (such as education provision to also be used by the community) the completion of a Community User Contract is required so that the community use can be guaranteed. (This will be a bespoke legal contract designed to suit the circumstances of the CIL Bid case)</p>	<p>Amendments following review by the Joint Member Panel and through discussions with the Communities team and Strategic Leisure Advisor.</p>
<p>Paragraph 3.1 new bullet point 31</p> <p>Determination of especially important Local Infrastructure Fund or Strategic Infrastructure Fund CIL Bids by Cabinet or using delegated powers (requiring approval or refusal or noting by Cabinet) can be determined in advance of the bi annual CIL Business Plan where appropriate.</p>	<p>Amendments following review by the Joint Member Panel</p>

<b>Revision (from April 2018 document)</b>	<b>Reason for changes</b>
<p>Paragraph 3.1 new bullet point 32 and wording of paragraph 4.2 slightly re-worded to reflect the following</p> <p>Technical assessments of all the bids where decisions are being made will be undertaken and published as part of the CIL Business Plan documentation so that the decision taking is open and transparent</p>	<p>Clarification only</p>
<p>Paragraph 3.1 new bullet point 3</p> <p>Infrastructure for Community use – a new Project Enquiry form has been devised to allow early advice and support to be given to Parishes and Community groups where projects are identified (whether for CIL or other forms of funding)</p>	<p>Amendments following review by the Joint Member Panel and through discussions with the Communities team and Strategic Leisure Advisor.</p>
<p>Paragraph 3.1 34<sup>th</sup> new bullet point</p> <p>Further amplification contained in the document relating to the criteria for Value for money (or Best Value) - to address the internal Audit of September 2018</p>	<p>Amendments following review by the Joint Member Panel and to address the results of the Internal Audit in September 2018</p>
<p>Paragraph 3.1 35<sup>th</sup> new bullet point</p> <p>New CIL Bid application forms designed for community infrastructure projects both above and below the governance threshold of £10,000 to address different information requirements (for small/larger projects)</p>	<p>Amendments following review by the Joint Member Panel and through discussions with the Communities team and Strategic Leisure Advisor</p>
<p>Paragraph 3.1 36<sup>th</sup> new bullet point</p> <p>New CIL Bid application forms for Passenger Transport and Improvement (shorter than before also recognizing and adapting the Framework such that three quotes are not required as there is a contractual framework agreement in place for delivery -which meets best value objectives)</p>	<p>Amendments following review by the Joint Member Panel and feedback from the Infrastructure provider</p>
<p>Paragraph 3.1 37<sup>th</sup> new bullet point</p> <p>New CIL Bid application forms for Health facilities /proposals</p>	<p>Amendments following review by the Joint Member Panel and feedback from the Infrastructure provider</p>

<b>Revision (from April 2018 document)</b>	<b>Reason for changes</b>
Paragraph 3.1 38 <sup>th</sup> new bullet point  New CIL Bid forms for Education facilities proposals	Amendments following review by the Joint Member Panel and feedback from the Infrastructure provider
Paragraph 4.2 – new 1 <sup>st</sup> bullet point  The correct CIL Bid form must be submitted. All the questions on the Bid application form must be fully completed (where information known or where additional information is required e.g. Business Case)	Amendments following review by the Joint Member Panel
Paragraph 4.2 – 2 <sup>nd</sup> bullet point – CIL expenditure email address <a href="mailto:CILexpenditure@baberghmidsuffolk.gov.uk">CILexpenditure@baberghmidsuffolk.gov.uk</a>	Clarification only
Paragraph 4.2, 2 <sup>nd</sup> main bullet point new 13 <sup>th</sup> sub bullet point Business Plan required dependant on size of the project (see guidance documents)	Amendments following review by the Joint Member Panel and through discussions with the BMSDC Communities team.
Paragraph 4.3 – 5 <sup>th</sup> bullet points add “infrastructure” before “asks” and add using ringfenced funds at the end of the sentence	Clarification only
Paragraph 4.4 - 2 <sup>nd</sup> and 10 <sup>th</sup> bullet points – change BMSDC to Babergh/Mid Suffolk	Clarification only
Paragraph 4.4 – 4 <sup>th</sup> bullet point Add (please see text at the end of this document for guidance on Best Value)	Further amplification of the criteria following the Internal Audit of September 2018 and the review by the Joint Member Panel
Paragraph 4.4 - 8 <sup>th</sup> bullet point Change (from CIL funds) to (from Strategic/ Local Infrastructure funds or ringfenced CIL funds)	Clarification only
Paragraph 4.4 – 15 <sup>th</sup> bullet point Change “our” to the CIL	Clarification only
Paragraph 5.1 slight rewording and add for each District at the end of the sentence	Clarification only
Paragraph 5.2 Job Title change – Assistant Director Growth to Assistant Director Planning and Communities	Clarification only
Paragraph 5.2 remove “and endorsement”	Clarification only

March 2019