

BCP CIL Neighbourhood Portion: Bournemouth and Poole areas

Draft Bid Application Guidance Note

1.0 Introduction

- 1.1 This guidance note provides further information to assist communities in Bournemouth and Poole seeking to make a bid to access the Community Infrastructure Levy (CIL) Neighbourhood Portion fund. It explains the level of information that is required to support a bid, general advice on how to correctly complete the bid form and how bids will be assessed.

What is CIL?

- 1.2 The Community Infrastructure Levy (CIL) is a planning charge that local authorities in England and Wales can require of most types of new development in their area (based on £s per square metre) in order to pay for the infrastructure needed to support development. CIL charges are based on the size, type and location of the proposed new development. Poole introduced CIL in January 2013, Bournemouth in March 2016 and Christchurch in January 2017.
- 1.3 CIL can be spent on both capital projects and revenue projects, such as the maintenance of infrastructure. CIL cannot be spent on addressing current deficits in infrastructure provision unless those deficits are made worse by new development in the area.

What is the CIL Neighbourhood Portion?

- 1.4 The CIL Regulations places a duty on charging authorities to allocate at least 15%, (up to a cap of £100 per existing council tax dwelling) of CIL receipts to spend on priorities that should be agreed with the local community in areas where development is taking place. This increases to 25% where there is a Neighbourhood Plan in place. That amount will not be subject to an annual limit. This is known as the CIL Neighbourhood Portion (CIL NP).

The Council's Approach to Allocation of the CIL Neighbourhood Forum

- 1.5 For communities in Bournemouth and Poole, the Council ringfences the CIL Neighbourhood Portion from development to the ward where the development takes place. Communities from within wards are able, with the support of their ward Councillors, to bid into the CIL Neighbourhood Portion to deliver projects aimed at meeting the demands place on their area by development.
- 1.6 For areas with little development and opportunity for CIL Neighbourhood Portion to be available in their ward, the Council operates a bidding scheme for communities to access monies from the Strategic CIL pot. The bids submitted through this scheme are submitted on the same forms subject to provision of additional information and cap of award of monies to any individual project to £50,000.

Neighbourhood Plan Areas with an adopted Neighbourhood Plan

- 1.7 Where a community adopts a Neighbourhood Plan the neighbourhood portion increases to 25% of CIL collected in the plan area. In the Poole area there are currently two Neighbourhood Plans adopted; Poole Quays and Broadstone. In the Bournemouth area there is one Neighbourhood Plan adopted – Boscombe & Pokesdown.
- 1.8 In Neighbourhood Plan Areas where there is an adopted Neighbourhood Plan, the 25% of the levy collected in that area will be ringfenced for use in the NP area. This will be spent in consultation with the Neighbourhood Forum and their communities.

Neighbourhood Forum Areas without an adopted Neighbourhood Plan

- 1.9 There is not a statutory requirement to ringfence the 15% CIL NP collected in Neighbourhood Forum areas without an adopted Neighbourhood Plan for their use. Any CIL NP collected in these areas will not be ringfenced for use in the NP area and instead ringfenced to the ward within which the development takes place. Neighbourhood Forums are eligible to bid into the Council's CIL Neighbourhood Portion schemes and access funding in the same way as other parts of the community.

What can the CIL Neighbourhood Portion be spent on?

- 1.10 The CIL Regulations states that the charging authority (BCP Council) may use the neighbourhood portion of CIL, or cause it to be used, to support the development of the relevant area by funding:-
- a) The provision, improvement, replacement, operation or maintenance of infrastructure; or
 - b) Anything else that is concerned with addressing the demands that development places on an area.
- 1.11 National CIL guidance makes it clear that the charging authority should engage with the local communities where the development has taken place and agree with them how best to spend the neighbourhood funding. The guidance also emphasises the importance of the neighbourhood portion being used to deliver the infrastructure needs of the area in which the chargeable development has taken place.
- 1.12 There is a broad range of potential projects for communities to develop which could include (but is not limited to)
- Environmental improvements – eg landscaping, open space improvements
 - Public art
 - Street furniture

- Equipment for a community group
- Provision of more facilities for the community
- Projects that are beneficial to a local area
- Projects that contribute to broad community benefit

CIL cannot be used to fund:

- Projects that will only benefit individuals (five or less) or a single household
- Projects which relate solely to religious purposes
- Political activities
- Retrospective projects i.e. where the spend has already occurred
- Projects that only require revenue funding.

The Bidding Process for the CIL Neighbourhood Portion

- 1.13 BCP Council has set up a CIL Allocations Panel to advise how the CIL NP should be spent in Bournemouth and Poole.
- 1.14 Community groups seeking to access Bournemouth and Poole's CIL NP funds to deliver a localised infrastructure project will need to make a bid for the monies to BCP Council. The CIL NP Panel then reviews the bids and makes recommendations on which projects should be awarded funding based on an assessment of community and cost benefit and overall feasibility.
- 1.15 The process for accessing the CIL NP is explained further as follows:

Stage 1 – Bid Preparation: Applicants are required to liaise with their local Ward Councillors and local community in respect of their projects before submitting bids to ensure that there is likely to be support for the project. For applications funding Council proposals, applicants are strongly encouraged to discuss their projects with the relevant Council department before submitting a bid. In addition to talking with Councillors, the community and Council Officers, applicants will need to develop their bid in terms of obtaining sufficient information on cost, timescale and delivery partners to demonstrate to BCP Council that the proposed projects are deliverable.

Stage 2 – Bid Submission: The applicant then submits the bid for funding on the bid application form before the bid submission deadline as advertised on the website. BCP Council will periodically review the amount of Bournemouth and Poole CIL NP funds available to determine the frequency of future bidding rounds.

Stage 3 – Initial Assessment: The CIL NP Officer (s) will check the CIL application forms for completeness. Information on bids will be compiled for circulation for consideration by the CIL NP Panel.

Stage 4 – CIL NP Panel Review and Decision on allocation of funds: As soon as possible following the end of the bid submission deadline, BCP Council CIL NP Panel will meet to review the bids and make decisions on

allocating the money. To ensure compliance with the Council's financial regulations, decisions on larger awards of money may be referred to the Growth and Infrastructure Service Director and / or Cabinet for a final decision. Following a successful Panel decision, the CIL NP Officer (s) will advise which bids have been successful and unsuccessful.

Stage 5 – Project Implementation: BCP Council will fund projects and release monies in accordance with its financial, procurement and legal rules and regulations.

- 1.16 This process will be reviewed on an annual basis to consider its ongoing effectiveness for distributing BCP CIL NP monies. The remainder of this guidance note sets out further information for filling in the form and the type of information BCP Council expect to assist with the assessment process.

2.0 The Bid Form

- 2.1 This section gives, additional guidance to applicants on filling out the form. Should you need further advice or information before making a bid please contact the CIL NP Officer (s) at [email to be set up](#)

Section 1 – Applicant Details

Community group / organisation

- 2.2 Where the bid is submitted from a community group, business or another organisation it is important for BCP Council to have these details provided. Please provide the company or organisation details in full.
- 2.3 BCP CIL NP is aimed at delivering benefits to local communities. The applications should therefore be submitted from groups or individuals representing community interests and not direct from Council departments.
- 2.4 There may, however, be instances where a Council department and a local community group have shared support on a project that could benefit from BCP CIL NP funding. BCP Council departments can therefore work jointly with communities to support bids in these instances but the bid itself must be demonstrably community-led and submitted from an individual or organisation representing the community.

Bid Form Section 2 – Project Details

Wider community benefits

- 2.5 It is recognised that the majority of Bournemouth or Poole CIL NP projects will have local (i.e. ward level) benefit rather than Bournemouth / Poole wide. However, there may be some CIL NP projects that go beyond just the local benefit and have potential to deliver benefits to a wider section of Bournemouth and Poole's community.

- 2.6 BCP Council would therefore like to give bidders the opportunity to explain further how a project will deliver wider benefits than just the immediate community area.

Bid Form Section 3 – Community Support

Is this proposal supported by local Ward Councillors representing the area where the project will be located? If yes, please provide confirmation below

- 2.7 BCP Council aims to allocate money to those projects that have clear community support. Before making a bid, applicants (if not Ward Councillors themselves) are strongly encouraged to speak with their local Ward Councillors and get their support for the project. Where Ward Councillor support has been given please list the Councillor names on the form and provide any supporting evidence (e.g. letter or email confirming support).
- 2.8 Ideally all Councillors representing the Ward where the project will be located would support the project. There will be either two or three Ward Councillors for applicants to contact in each case and discuss their projects.
- 2.9 In addition to Ward Councillors, BCP Council strongly encourages bids to be supported by the local community that will benefit from the project.
- 2.10 Where this can be evidenced please provide this with the bid form. For example, a letter from the local resident's association, petitions in support, social media polls (e.g. Facebook) etc. will all be useful information to demonstrate the level of local support for the project

Bid Form Section 4 – Project Cost

Total cost of project and budget lines

- 2.11 It is important for BCP Council to understand the total costs involved with delivering a project including ongoing maintenance. The form requires applicants to provide the following information:

The total (gross) cost of the project

- 2.12 Please provide, as far as is known, the total gross cost of the project (including VAT). The total cost of the project will not necessarily be the same as the amount of BCP CIL NP required as the project may be part funded from other sources. This information is to help BCP Council determine the various costs involved as well as the extent of BCP CIL NP needed to deliver the project.
- 2.13 Where possible please provide evidence of quotations to confirm the accuracy of the proposed project costs.

- 2.14 BCP Council recognises that some projects will need to provide less information than others due to different complexities. It is for the applicant to provide the appropriate level of cost information that they consider is required in each case.

Please also provide details of any grant / match funding already or expected to be secured to help meet some of the costs identified. Where alternative funding has been secured please provide as much evidence as possible i.e. award confirmation letter etc.

- 2.15 Please note that BCP Council may want to contact applicants before the assessment stage to clarify any of the information provided on the form, including costs. This is to ensure that as much information is provided for when the CIL NP Panel undertake the assessment of each bid.

Total CIL funds sought

- 2.16 Please provide how much CIL is being sought to help deliver the project. This could be either the same as the total project cost or just the residual amount required (in addition to other funding already secured) to ensure the project can be delivered.

Bid Section 5: Delivery Details

- 2.17 The project has to be shown to be deliverable in principle before BCP Council can allocate funds. This part of the form requires applicants to provide as much information as possible to demonstrate to BCP Council that delivery can be achieved without reasonable impediment including not placing un-due resource obligations onto BCP Council.

Expected project start and end dates

- 2.18 It is important for BCP Council to understand how long it will take to deliver a project from start to finish. Please provide details of the following:

- Start date: Please provide the likely date from which eligible expenditure will be incurred
- End date: Please provide the likely date by which all the activities / works described in the application will be completed and all invoices will be paid.

Will the scheme be on public or private land and has the landowner given permission for the project to proceed? Please provide details of support

- 2.19 BCP Council recognises that the majority of the projects will be proposed on Council owned land although there may also be some projects proposed on other land ownerships. Whether it is on public or private land, this needs to be made clear in the application form.

- 2.20 In either scenario, before the bid is submitted the applicants will need to have obtained permission from the landowner for the project to proceed on their land.
- 2.21 In the case of Council-owned land, applicants will need to discuss with the relevant department in advance of making the bid (i.e. Highways, Estates, Environment, Community and Culture, Education etc.) and provide evidence of support for the project and any conditions.

Who will deliver the project?

- 2.22 The applicant must make clear in the bid application form who will be delivering the project. There will generally be three routes for the delivery of a project; delivery by BCP Council; delivery by the applicant; or delivery by a third-party provider on behalf of the applicant. Guidance on these routes is as follows:

Delivery by BCP Council

- 2.23 The application must make clear if it is expected that BCP Council will deliver the project through use of its statutory powers. If this is the case then applicants should discuss delivery with the relevant Council service provider before the bid is made to provide assurances that there is capacity within the relevant department to deliver the project.
- 2.24 If BCP Council are to have any involvement in the delivery and / or future maintenance of the project, it is important for the applicant to confirm that the project has been discussed with the relevant Council department before the bid was made. Please provide confirmation details of which department was contacted, the officer you spoke to and the outcome from the discussions. Where no contact has been made with the relevant Council department then where necessary the bid will be referred back to the applicant to ensure this part of the process is undertaken before the bid can be assessed
- 2.25 If BCP Council is able to deliver it in principle but not until a certain date due to existing workloads and lack of capacity then the application should clearly set this out and provide details of when the project will be delivered.
- 2.26 If BCP Council will charge costs to deliver the project that the applicant will need to cover through CIL then this must be included in the information provided in Section 5 of the application form.

Delivery by the applicant or a through a third-party provider

- 2.27 If the project will be delivered by the applicant or a third party on behalf of the applicant, the application form should make this clear when completing the form. In this scenario, applicants need to be aware that BCP Council will require a funding agreement with the chosen contractor before releasing the money.

- 2.28 The funding agreement will include legally enforceable conditions on which the money is provided such as required quality of work, public liability responsibilities, project delivery timescales and ensuring the money is spent on the project bid and for no other purpose.
- 2.29 If entering into a funding agreement, BCP Council's legal costs will need to be paid for in drawing up and executing the agreement. If this cost is needed to be funded through the CIL NP then this must be included as part of the project cost information under Section 5 of the bid form.
- 2.30 In all cases BCP Council will require the projects to be delivered in accordance with BCP Council's financial, procurement, and legal rules and regulations. Further details in this regard will be discussed with successful bidders following the decision on their projects.

What consents are needed to deliver the project i.e. planning permission and how will these be secured?

- 2.31 The application needs to set out what consents are required to deliver the project. Consents could include obtaining planning permission, agreeing a lease on the land, obtaining a license etc. Where consents are required the application needs to provide assurances that they can reasonably be secured. Evidence from the relevant organisation (i.e. pre-application advice from the local planning authority) will help to demonstrate where any necessary consents are likely to be obtained.

Describe how the revenue / maintenance costs, if not covered by the sought CIL funds, will be funded for the lifetime of the project.

- 2.32 Given the financial constraints BCP Council has to work within it is important to ensure the use of CIL NP does not place significant additional financial and resource burdens on Council operations.
- 2.33 It is expected that the majority of bids will include the ongoing maintenance costs over the lifetime of the scheme as part of the overall cost information provided under Section 4.
- 2.34 For those projects that do not, BCP Council will need to see what alternative arrangements are in place for the infrastructure to be maintained.

3.0 Assessing the Bids and Next Steps

- 3.1 The CIL Allocations Panel will assess bids against a checklist having regard to the submitted forms.
- 3.2 Applicants will be informed of the outcomes of the evaluation by email, after the decision on their bid has been made.
- 3.3 Please note that the timing of when a successful bid can be funded will depend on the amount of BCP CIL NP available and where applicable,

Council resources. Successful projects may have to wait for sufficient funds to be collected. BCP Council will maintain a schedule of successful projects and contact applicants when sufficient funds are in place to deliver the projects. BCP Council will also manage the bid deadline process and where there is no money available reserves the right to suspend the bid process to allow time for existing successful bids to be delivered and sufficient BCP CIL NP monies to be built up to fund future projects.

State Aid

- 3.4 State aid rules can apply. Using taxpayer-funded resources to provide assistance to one or more organisations in a way that gives an advantage over others may be state aid. Public authorities are responsible for ensuring their policy measures and projects comply with the rules, and BCP Council will undertake such analysis and all necessary checks before awarding any applications.