

Rother District Council

Report to:	Cabinet
Date:	28 March 2022
Title:	Community Infrastructure Levy (CIL) Governance Arrangement and Funding Decision Protocol
Report of:	Ben Hook, Director – Place and Climate Change
Cabinet Member:	Councillor Vine-Hall
Ward(s):	All
Purpose of Report:	To amend the Council's 'Community Infrastructure Levy (CIL) Governance Arrangement and Funding Decision Protocol' to improve the speed of delivery of funding and better reflect the intention of the fund, specifically in relation to the 'Climate Emergency Bonus Fund'.
Decision Type:	Non-Key
Officer Recommendation(s):	Recommendation to COUNCIL: That
1)	the amended version of the 'Community Infrastructure Levy (CIL) Governance Arrangement and Funding Decision Protocol' be approved and adopted; and
2)	the Chief Executive be granted delegated authority to implement the recommendations of the CIL Allocations Panel in line with the proposed new process.

Introduction

1. On 31 January 2022 Full Council adopted the new 'Community Infrastructure Levy (CIL) Governance Arrangement and Funding Decision Protocol' as part of a review of the way in which CIL is apportioned amongst the projects (Minute C21/53 refers).
2. Following this meeting it has become clear that the proposed arrangements for issuing funding, i.e. CIL Allocations Panel to Cabinet and then Full Council, could lead to delays in getting the money out to projects. Furthermore, the wording in relation to the 'Climate Emergency Bonus Fund' (CEBF) does not clearly express the intention of this pot.

Discussion

3. All projects that are allocated CIL funding through the Strategic CIL Funding pot must meet the requirements as set out in s216 of the Planning Act 2008 (as amended). However, the CEBF does apportion 20% of all Strategic CIL collected specifically to projects that support the Council's commitment to be a carbon neutral district by 2030.

4. The current adopted wording states that CIL will provide ‘additional’ funding for these projects which prevents the opportunity for projects that could be wholly funded through this pot of CIL. The wording would also seem to indicate that CIL funding from this pot would only be eligible for the portion of the project that related directly to carbon neutrality. The proposed new wording as set out in Appendix 1 (as highlighted) would clarify the meaning and intent of this pot.
5. This change would also enable the Council to consider allocating monies to projects identified by the Climate Change Steering Group that meet the basic CIL requirements but may not have other obvious funding streams.
6. In addition to the changes to the CEBF, the revised protocol allows for the Chief Executive to implement the recommendations of the Steering Group. This is a return to the previous method of decision making for CIL funding and is designed to speed up the timeframe in which funding decisions can be confirmed to give infrastructure providers, Parish and Town Councils and other applicants greater assurance in deliverability.
7. The current governance process requires Full Council approval which could add up to three months to the approvals process depending on when in the committee cycle the Allocations Panel meet to consider the schemes.
8. The revised procedure is shown in paragraph 31 of Appendix 1 (attached).

Conclusion

9. The approved CIL Protocol states that, “In the event that there are significant changes proposed to this protocol, these will be presented to Cabinet and Council for approval. It will not be necessary to seek Cabinet approval for minor or legislative changes.” Although the change to the Climate Emergency Bonus Fund could be considered to be a minor amendment or clarification the change to decision making process does not fall within the definition of ‘minor’ – hence the reason for this report.
10. Cabinet are asked to consider the revised version of the Community Infrastructure Levy (CIL) Governance Arrangement and Funding Decision Protocol, as set out in Appendix 1, with the minor changes to the highlighted paragraphs and recommend these changes to Full Council.

Environmental Implications

11. This change will ensure that the climate neutrality ambitions of the Council are more deliverable with an identified stream of funding to support projects that are critical to this aim.

Financial Implications

12. While there is no time limit on the spending of Strategic CIL, there is an expectation that CIL monies will be spent on identified strategic infrastructure need.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	No	Consultation	No
Environmental	Yes	Access to Information	No
Risk Management	No	Exempt from publication	No

Chief Executive:	Malcolm Johnston
Report Contact Officer:	Jeff Pyrah, Planning Policy Manager
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Appendices:	Appendix 1 – CIL Protocol
Relevant Previous Minutes:	Minute C21/53
Background Papers:	None
Reference Documents:	None

**ROTHER DISTRICT COUNCIL'S COMMUNITY INFRASTRUCTURE LEVY (CIL)
GOVERNANCE ARRANGEMENT & FUNDING DECISION PROTOCOL**

Introduction

1. This Protocol outlines how Rother District Council (RDC), as the Charging Authority, will allocate the Strategic CIL (see definition of Strategic CIL in paragraph 13); ensuring that the governance arrangements for this decision-making process are consistent and transparent.
2. Guidance is provided below on how the Charging Authority will engage with infrastructure providers, Towns and Parishes and make funding decisions. To accompany this protocol, the following documents have also been produced:
 - a) the *Application Form* sets out how applications for CIL funding will be accepted and processed (see Appendix A below);
 - b) the *Assessment Criteria* document which gives guidance to applicants and the Strategic CIL Allocations Panel on how applications will be considered (see Appendix B below); and
 - c) the *Application Validation Checklist* document which sets out the criteria in which applications for CIL will be validated (see Appendix C below).

Summary of the Process

3. Contact will be made with key infrastructure providers and Town and Parish Councils on an annual basis to identify and understand the infrastructure requirements across the district. The key infrastructure bodies to be contacted are identified in the Infrastructure Delivery Plan (currently on page 18 of the [Infrastructure Delivery Plan \(2019\), attached at appendix D](#)). This invitation for infrastructure projects to be considered will also be posted on Rother DC's website. An estimation of the likely amount of CIL funding available for the year ahead will also be identified to encourage representative applications.
4. RDC will compile a list of infrastructure priorities based on those submitted by Town and Parish Councils and infrastructure providers. This Infrastructure List will then be included within the Infrastructure Funding Statement (IFS) that will be published on the Council's website by the 31st December each year. The Infrastructure List will then be considered and prioritised by the Strategic CIL Allocations Panel and selected projects will be invited to apply for funding using the Application Form. The Charging Authority has developed an Assessment Criteria Document (Appendix B) to assist applicants and the Strategic CIL Allocations Panel in considering funding applications. These Assessment Criteria, which should be read alongside the Application Form, provide guidance on a question by question basis for applicants when preparing their funding application. The Assessment Criteria identify seven key areas of consideration:
 1. The *Strategic Case*
 2. *The Local Benefits Case*
 3. *Environmental/Climate Change Impacts*

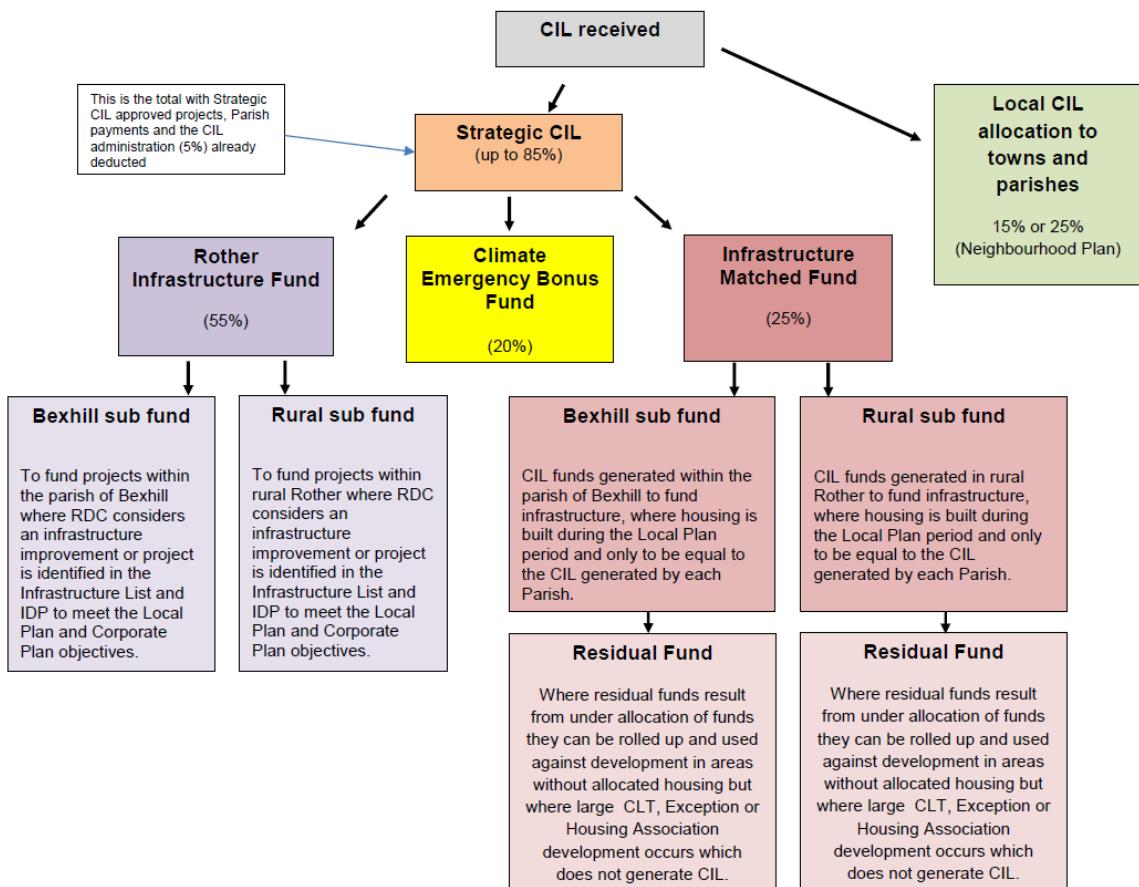
4. *Equality and Fairness*
 5. *Delivery*
 6. *The Financial Case, and*
 7. *Timescales*
5. The CIL Officer will validate applications as and when they are received using the Validation Checklist (set out at Appendix C). This process is required to filter out applications which are incomplete or unsuitable. For example, applications where the application form has not been completed or has been completed incorrectly; proposals where the organisation applying does not have the legal right to deliver the proposed infrastructure; proposals which are clearly inconsistent with the aims of CIL or proposals which would have no benefit to the residents and visitors of the Rother District (please refer to the Validation Checklist for the full requirements).
 6. For the applications which do not pass the validation stage, a written response will be provided to the applicant explaining why the application will not be considered and may suggest a revised submission for a future review.
 7. Following the validation process, the CIL Officer will make an initial assessment of the applications and score them accordingly with proposals being made to the Strategic CIL Allocations Panel. These scores will then be circulated to the Panel prior to the Allocations meeting.
 8. The decisions will be made in line with the Charging Authority's Assessment Criteria. The members of the Strategic CIL Allocations Panel will not be involved in submitting applications on behalf of their town or parish, to avoid any conflicts of interests.
 9. Following the Strategic CIL Allocations Panel's decisions, the CIL Officer will contact the successful/unsuccessful applicants and where appropriate will provide feedback on the unsuccessful applications.

Strategic CIL Funding Apportionment

10. Strategic CIL (that which is retained by RDC) can be used to fund a wide range of infrastructure such as transport, flood defences, schools, hospitals and other health and social care facilities. However, charging authorities (RDC) may not use the levy to fund affordable housing. Local authorities must spend the levy on infrastructure needed to support the development of their area, and they will decide what infrastructure is needed¹ and this will be informed by the Infrastructure Delivery Plan (current [Infrastructure Delivery Plan \(IDP\) – March 2019](#)), subsequent reviews of the IDP and the Infrastructure List.
11. The diagram below illustrates how the Strategic CIL funds are sub-divided into four² specific allocation areas as follows:

¹ Paragraph 144 Reference ID: 25-144-20190901 - Planning Practice Guidance

² The Residual Fund as set out below will only be used if there are left over funds from the Distribution Fund



"Rural" – covers anywhere outside of the parish of Bexhill in the Rother district.

- **Rother Infrastructure Fund** – 55% of the Strategic CIL will fund projects where RDC considers an infrastructure improvement or project is required to meet the adopted Local Plan objectives. Those selected from the Infrastructure List to apply for funding from the Rother Infrastructure Fund (RIF) will be required to demonstrate how their infrastructure scheme proposal meets the Local Plan and Corporate Plan objectives. The RIF will be split into two sub funds – one for Bexhill and one for rural Rother, each fund representing the actual CIL funds generated in those two areas and to fund infrastructure in each area. Allocation of funds to each area will be limited to the funds generated by each area, except in exceptional circumstances where the project would benefit the whole of Rother.
- **Infrastructure Matched Fund** – 25% of the Strategic CIL will fund projects specific to individual Towns and Parishes of Rother and the amount requested from the Infrastructure Matched Fund (IMF) should be match-funded and can only be used in towns and parishes where housing is allocated and built, but also available where non-allocated sites of at least 6 houses are permitted and constructed, as the purpose of CIL is to fund substantive infrastructure that demonstrates it helps offsets the impact of new development. Those town and parish projects with a wider impact could receive a greater proportion of funding (up to 100%) from the IMF depending on whether and to what extent the project can truly demonstrate a wider infrastructure benefit. The IMF will also be split into two sub funds – one for Bexhill and one for rural Rother, each fund representing the actual CIL funds generated in those two areas and to fund infrastructure in both areas. Funding from the IMF is not automatic and is dependent on a parish or town having a prioritised infrastructure plan/list. Funding will need to be applied for by application.

- **Climate Emergency Bonus Fund** – 20% of Strategic CIL will support the Council's commitment to be a carbon neutral district by 2030 as set out in the Environment Strategy (September 2020). While, the Council would expect all infrastructure proposals to consider and minimise their carbon emissions, the Climate Emergency Bonus Fund will provide funding, either in part or in whole, where infrastructure projects can demonstrate that they will make a significant contribution to the reduction of carbon emissions or to the offsetting of carbon emissions. A project must specifically indicate in their application that they would like to claim the climate emergency bonus and set out how their project will achieve demonstrable carbon reductions / offsetting. It should be made clear what difference the 'climate emergency bonus' would make to their project, and why it might not be deliverable without this funding. Those projects from either the RIF or IMF which demonstrate green credentials can also apply for "top-up" funding from this pot.
- Where there are monies that have not been allocated from the IMF (over a given time period to be agreed), these monies will be transferred to a **Residual Fund** (RF), which again will be split into two sub funds – one for Bexhill and one for rural Rother. It is proposed that these RF be apportioned for use in areas where large Community Land Trusts (CLTs), Exception Sites or solely Affordable Housing Schemes have been developed as these types of development are exempt from CIL. In addition, the RF may allocate monies that would normally be eligible for funding from the Community Grant Scheme (CGS) if they are considered within the Strategic CIL infrastructure definition and cannot be funded through Local CIL or other local funding sources (Public Works Loan Board (PWLB), parish or town reserves etc.). Funding applications can then be invited from these areas for infrastructure schemes for consideration by the Strategic CIL Allocations Panel.

12. Funding will only be allocated from either the RIF or IMF, with the opportunity to seek additional funding from the Climate Emergency Bonus Fund. RIF and IMF will only fund agreed and prioritised infrastructure projects, (see section on the Infrastructure List below) where funds have a high likelihood of coming forward. Firm commitments can only be made once CIL is received by the District Council. This is because RDC cannot take out loans to fund CIL projects. The minimum amount funded will be £30,000, which is the maximum grant awarded from the CGS. Funding applications for smaller projects may be more appropriately funded through alternative schemes such as the CGS, PWLB, through the Local CIL or the Residual Fund.

Infrastructure List

13. An Infrastructure List is a statement of the infrastructure projects or types of infrastructure which the charging authority intends will be, or may be, wholly or partly funded by CIL. This is a requirement of the [Infrastructure Funding Statement \(IFS\)](#) and is reviewed annually. At the time of publication of this document, the most up-to-date list of infrastructure requirements to support development identified through the Local Plan is set out in the [2019 IDP](#).
14. It is important to clearly identify what infrastructure is needed to deliver the development planned for by the Local Plan. Much of the infrastructure will be within the district boundary but other elements may cross boundaries, such as

High-Speed Rail and be deliverable by several providers and benefit development in more than one planning authority.

15. The IDP Schedule identifies infrastructure fundamental to the delivery of the objectives and spatial strategy of the Local Plan. It identifies both the infrastructure required to support the level and distribution of development proposed in the Local Plan and also those infrastructure improvements that are required to resolve existing deficiencies and promote sustainable communities.
16. Parish and town councils and infrastructure providers will be asked, on an annual basis, to provide a list of proposed infrastructure requirements to support development proposed through the Local Plan or where housing is built during the Local Plan period. This list should identify whether any identified infrastructure requirements proposed are of local impact only or can be demonstrated to have a wider strategic impact in Rother (e.g. building a local exercise facility might be local only, whereas road improvements on an "A" or "B" road may have a broader impact).
17. The priorities in the Infrastructure list will comprise of:
 - Long term maintenance/repair of Rother owned assets, where this is necessary to support development
 - New infrastructure to support development.
 - Projects with outside organisations where the projects are jointly funded, deliver a direct benefit and can be demonstrated to be necessary as a result of development.

Funding Considerations³

18. The Charging Authority must be satisfied that value for money is being achieved. All applications should contain quotations for the proposed works and provide evidence of any other funding sources. Strategic CIL funding is conditional upon this requirement and an application may fail the validation process if the Council is not satisfied that the scheme represents value for money.
19. The Charging Authority recognises that large-scale projects seeking funding that is greater than the current amount available for CIL may be an issue. However, greater weight can be given to well-prepared large-scale projects accompanied by a project plan evidencing how much CIL is needed and how much should be set aside over successive periods.
20. It should be noted that the value of CIL contributions available for the Strategic CIL Allocations Panel to allocate is difficult to forecast and is subject to deductions and exemptions. Furthermore, CIL contributions are dependent on the commencement of the chargeable development which is also difficult to predict. Therefore, the allocation of future funding will always be considered subject to availability.

³ This is to be read in conjunction with the Assessment Criteria

21. It must be reasonably demonstrated in applications that all other funding options have been explored. It is unlikely that CIL will be granted unless this can be demonstrated.
22. A scheme would not need to be located in the Rother District to qualify for funding. However, the proposal must demonstrate a clear strategic benefit to residents and/or visitors of Rother. The proposal would need to demonstrate a clear link between the proposed infrastructure and new housing or retail development in Rother.
23. The [CIL Regulations](#) state that funds must be spent on '*infrastructure necessary to support growth*'. Therefore, the Charging Authority is responsible for identifying infrastructure required to support strategic development and should avoid using CIL receipts to address the current insufficiencies in infrastructure provisions.

Scoring of Proposals

24. There is a total of 18 'scored' questions on the application form, alongside other questions which are for informative purposes only (such as the location of the proposed infrastructure). The maximum total of points which can be awarded per proposal is 52 points. The final score will fall into one of the following categories:

0 – 12: *Recommendation that no CIL is allocated*

13 – 33: *Allocation of CIL is a low priority*

40 – 52: *Allocation of CIL is a priority*
25. A proposal scoring 13 or above does not signal a guarantee of funding. The scoring guidance is for internal discussion purposes only and assists the Strategic CIL Allocations Panel in grading and prioritising proposals. Whether a project does, in fact, receive CIL funding will depend on the infrastructure priorities identified in the Infrastructure List and IDP, the application for funding being made and the amount of CIL available at that time.
26. The Charging Authority recognises that whilst it may wish to secure the delivery of all infrastructure items, prioritisation is required. The [Infrastructure Delivery Plan 2019](#) classifies infrastructure requirements into three categories; desirable, important or critical. The Strategic CIL Allocations Panel is advised to give extra weight to proposals that are considered important or critical.

IMMATERIAL	Proposal does not support development taking place and does not accord with the overall spatial strategy objectives.
DESIRABLE	The infrastructure proposed does not support significant development taking place but will facilitate the delivery of the overall spatial strategy objectives.
IMPORTANT	The infrastructure proposed is required to support the planned development as well as overall spatial strategy objectives but does not need to be prioritised.

CRITICAL	The infrastructure proposed is critical to the delivery of planned development as well as the overall spatial strategy objectives and should be identified as a priority at the appropriate stage in relation to the implementation of the Core Strategy.
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Allocation of Funds

- 27. Approved CIL projects will be subject to a Funding Agreement that will need to be signed by both the Recipient and Funder (Charging Authority). It is not necessary for the Strategic CIL Allocations Panel to allocate the entire available spending balance at any one time. If schemes are not deemed important enough, the money shall not be allocated and reserved for schemes that are.
- 28. The release of funding payments will be agreed on a case by case basis; although payments of CIL will normally be made following the substantial completion of the works. The Charging Authority recognises that for larger projects instalments may be more appropriate, or on some occasions, may agree to upfront funding. However, all funding is conditional and subject to satisfactory works.
- 29. Following the allocation of funds, the CIL Officer will continue to liaise with the infrastructure providers to ensure that the projects are delivered. As per the Funding Agreement, the Charging Authority will require monitoring and reporting throughout the project, with a final report on completion.

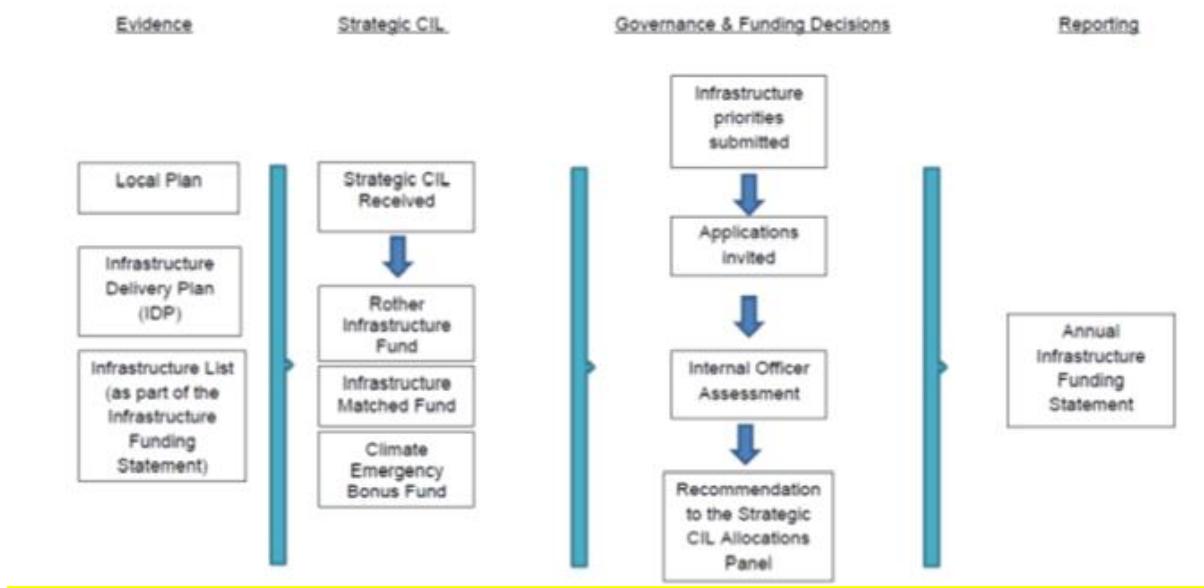
Annual Reporting

- 30. The regular infrastructure updates will feed into the annual Infrastructure Funding Statement, which will set out the income, expenditure and progress of the funded projects. The IFS will be approved by the Cabinet Portfolio Holder for Strategic Planning in liaison with the Cabinet Portfolio Holder for Finance and Performance Management and published on the Council's website before the 31st December each year to note the funded proposals and to approve the infrastructure priorities for the year ahead.

Application process

- 31. Figure 1 below sets out how evidence on infrastructure need is gathered, how Strategic CIL is allocated and awarded, and finally reported.

Figure 1



32. The table below summarises the annual process in relation to CIL governance and spending. This timetable runs from December – December each year.

Month	Funding Protocol Key Milestones	Other CIL Responsibilities
January	<ul style="list-style-type: none"> The Strategic CIL Allocations Panel will meet to discuss the Infrastructure List and shortlist infrastructure priorities/projects and recommend which ones should be invited to apply for funding. Shortlisted priorities/projects to be sent the application form and guidance pack. 	
March	<ul style="list-style-type: none"> Application forms to be returned. 	
April	<ul style="list-style-type: none"> CIL Officer to validate applications and check that all required information has been submitted. Strategic CIL Allocations Panel to meet and discuss applications and recommend which ones should receive Strategic CIL funding with onward recommendations to Cabinet. 	Local portion of the funds released (end of April)
May	<ul style="list-style-type: none"> Cabinet to consider the recommendations of the Strategic CIL Allocations Panel with onward recommendations to Council. 	
June	<ul style="list-style-type: none"> Council to consider the recommendations of Cabinet. 	
July	<ul style="list-style-type: none"> Subject to sufficient Strategic CIL funds being available, further projects could be invited to apply for funding in agreement with the Strategic CIL Allocations Panel. Shortlisted priorities/projects to be sent the application form and guidance pack. 	
September	<ul style="list-style-type: none"> Application forms to be returned. 	
October	<ul style="list-style-type: none"> CIL Officer to validate applications and check 	Local portion of

Month	Funding Protocol Key Milestones	Other CIL Responsibilities
	<p>that all required information has been submitted.</p> <ul style="list-style-type: none"> • Strategic CIL Allocations Panel to meet and discuss applications and recommend which ones should receive Strategic CIL funding. • Chief Executive to implement recommendations from CIL Allocations Policy. • Contact made with Infrastructure providers and Town and Parish Councils to identify infrastructure priorities for the year ahead, which will form the Infrastructure List. 	the funds released (end of October)
November		
December	<ul style="list-style-type: none"> • Updates on all approved projects to feature in the annual IFS. 	Annual IFS to be published on the Council's website by end of December.

Successful projects will be required to enter into a Funding Agreement.

Review

33. In the event that there are significant changes proposed to this protocol, these will be presented to Cabinet and Council for approval. It will not be necessary to seek Cabinet approval for minor or legislative changes. The Charging Authority continues to engage with other local authorities in relation to the implementation and spend of the Strategic CIL in the Rother District. The CIL Funding Decision Protocol and accompanying documents are not statutory documents and therefore have not been subject to a statutory consultation.

**For official use only**

Date received: _____

Received by: _____

CIL Pot: SP-B/SF-R/DF-B/DF-R/CC (delete as applicable)

Ref No: CIL/_____

**COMMUNITY INFRASTRUCTURE LEVY
APPLICATION FORM**

In order to help us process your application, please ensure:

- You read the Assessment Criteria before completing the application form.
- All questions are answered as fully as you can.
- Supporting information is submitted with your application, where relevant/requested.
- The declaration section at the end of the application form is completed and signed by an appropriate representative of the applicant group/organisation.

All applications and supporting information must be submitted to the CIL Officer.

If you have any queries about any part of the application, please contact the CIL Officer

at cil@rother.gov.uk.

Organisation

Name of organisation including any partners	
Key contact(s) and roles	
Postal address	
Phone Number	
Email Address	

Project Overview

Project name	
Brief project description (no more than 100 words)	
Location of proposed development (please provide a site location plan with the site edged in red)	
Amount of CIL Funding Requested	
Total cost of the project	

Strategic Case

No.	Question	Answer
1	Is the need for the scheme identified in any RDC adopted strategy or plan?	
2	How does the proposal demonstrate that it supports development of the area?	
3	What is the evidence of need for the proposed infrastructure?	
4	Which pot is this application applicable to? (Choose either the RIF or IMF and Climate Emergency Bonus Fund if applicable) See Q4 in the Assessment Criteria section.	<ul style="list-style-type: none"> • Rother Infrastructure Fund Bexhill, or Rural • Infrastructure Matched Fund Bexhill, or Rural • Climate Emergency Bonus Fund
5	Type of infrastructure item being applied for? (Delete those that are not applicable)	<ul style="list-style-type: none"> • Green infrastructure • Utilities • Transport • Community facilities • Education

		<ul style="list-style-type: none"> • Health • Emergency Services • Other (please specify): _____
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Local Benefits Case

6	What are the direct and indirect benefits of the proposal?	
7	Please provide details of any consultation undertaken with the community or other stakeholders.	

Environmental Impacts

8	<p>Will your project if implemented have a negative, positive or neutral environmental impact?</p> <p>(Delete those that are not applicable)</p> <p>If there is anticipated to be an impact, please detail the level and type of impact this will have on the environment.</p>	<ul style="list-style-type: none"> • Positive • Negative • Neutral
9	Please detail any mitigation measures which are to be used in the project to minimise any negative impacts to the environment?	

Equality and Fairness

10	With regard to the project, please explain how you have given consideration to the different needs of people and describe the steps that have been taken to minimise the potential for discrimination and maximise equality of opportunity.	
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Delivery

11	Are there any risks associated with the delivery of the scheme?	
12	What would be the implications of CIL funding not being available?	

Financial Case

13	Please provide a breakdown of the project costs and provide quotes to substantiate your figures where possible. Please outline the forecasted total cost of the project.	
14	Please provide a detailed summary of the total CIL funding required, including any payment phasing.	
15	Please indicate why CIL funding is being sought and outline the	

	<p>source of any additional funding that has been secured or is being sought.</p> <p>Present other funding secured in the following or similar format:</p> <table border="1"> <tr><td>Source</td><td></td></tr> <tr><td>Amount</td><td></td></tr> <tr><td>Conditions Attached</td><td></td></tr> <tr><td>Use by Date</td><td></td></tr> <tr><td>Funding Confirmed</td><td></td></tr> </table>	Source		Amount		Conditions Attached		Use by Date		Funding Confirmed	
Source											
Amount											
Conditions Attached											
Use by Date											
Funding Confirmed											

Time Scales

16	What is the delivery timescale for the project? Please outline key milestones.	
17	What are the on-going costs of the project, who is responsible for these and how have these been planned for?	

Please ensure that any supporting documentation is attached to the application form.

Declaration

I am authorised to submit this funding application on behalf of the organisation that I represent. To the best of my knowledge the information I have provided on this application form is correct. If circumstances change prior to this application being considered for CIL funding, the organisation that I represent will notify Rother District Council.

I confirm that all sections of the application form have been fully answered, and the following information will be provided with the application submission:

- evidence of the applicant groups constitution, where applicable
- evidence of consents/permissions obtained, where required
- quotes for project works
- evidence of other funding awards or applications submitted, where applicable
- any other relevant documentation to support the application proposal

Signed:

Position in applicant organisation: _____

Date: _____

Please submit the completed, signed form and any supporting documentation to the CIL Officer at cil@rother.gov.uk.

PRIVACY STATEMENT

The personal data collected on this form is necessary for processing your application for Community Infrastructure Levy (CIL) grant funding. This includes considering whether to grant the application and to ensure the effective management of CIL grant funding if approved.

If your application is unsuccessful then personal information will be retained for a period of up to 7 years after the application is refused. Your personal data shall then be deleted securely. If your application is successful then your data will be retained for the duration of the project applied for and for the full period in which the contract under which the monies are transferred is enforceable, and up to 7 years after the final CIL grant payment is made to the project. Your personal information will then be deleted securely.

Unless otherwise stated we will handle personal information in accordance with the Council's Privacy Policy, which can be found through our website at <https://www.rother.gov.uk/data-protection-and-foi/privacy-policy/>

Appendix B

ASSESSMENT CRITERIA

Before Rother District Council can reach a decision to release funds from the Strategic Community Infrastructure Levy, it needs to be able to consider a range of information. The table below sets out the criteria in which the information provided in the Application Form will be considered against.

Q	PRO-FORMA QUESTION	KEY CONSIDERATIONS
1	Is the need for the scheme identified in any RDC adopted strategy or plan? Up to 3pts available	Does the proposal have regard to any of the following? <ul style="list-style-type: none"> • Is the proposal identified in the Infrastructure Delivery Plan (2019) or subsequent updates or the Infrastructure Funding Statement (Infrastructure List)? • Does the proposal comply with the Core Strategy?
2	How does the proposal demonstrate that it supports development of the area? Up to 4pts available	The CIL Regulations state that funds must be spent on ' <i>infrastructure necessary to support growth</i> '. The CIL should not be spent to remedy current insufficiencies in infrastructure provision unless those insufficiencies will intensify through new development. Proposals will score high if the project unlocks sites to enable development and is a catalyst for further development. It may be that the project enables other projects to come forward. <u>Things to consider</u> <ul style="list-style-type: none"> • Does the proposal meet the CIL Guidance? • How does the proposal reflect the aims of CIL in so far as it helps bring forward development in the area? For example, a new access road may unlock a development site which can provide housing for the area. • Is the investment required to enable or mitigate the impacts of growth? • Are there any secondary effects such as increasing foot fall to local shops or shortens journey times?
3	What is the evidence of need for the proposed infrastructure? Up to 2 pts available	Does the proposal relate to any published strategies that your own organisation has in place? Proposals will score higher if the infrastructure is programmed into the organisation's infrastructure plan.
4	Which pot is this application applicable to? +1pt if applicable to one of the pots. +1pt if also applicable to the Climate Emergency Bonus Fund.	Does the proposal fit into any of the 3 funding pots? <ul style="list-style-type: none"> • Rother Infrastructure Fund (RIF) – can you demonstrate how the infrastructure scheme proposal meets the Local Plan and Corporate Plan objectives, and is it identified as critical infrastructure in the IDP? The RIF is split into two sub funds – one for Bexhill and one for rural Rother, each fund representing the actual CIL funds generated in those two areas and to fund infrastructure in each area. • Infrastructure Matched Fund (IMF) - the amount requested from the DF should be match-funded and can only be used in towns and parishes where housing is permitted and built with priority given to sites allocated in

		<p>the Local Plan, as the purpose of CIL is to offset the impact of development. In addition, those projects with a wider impact could be funded by up to 100% from the IMF depending on whether and to what extent the project can truly demonstrate a wider infrastructure impact. The IMF will also be split into two sub funds – one for Bexhill and one for rural Rother, each fund representing the actual CIL funds generated in those two areas and to fund infrastructure in both areas. Funding from the IMF is not automatic and is dependent on a parish or town having a prioritised Infrastructure Plan.</p> <ul style="list-style-type: none"> • Climate Emergency Bonus Fund - In September 2019, RDC declared a climate emergency. It adopted an Environment Strategy in September 2020 and has committed to become a carbon neutral organisation and district by 2030. Can the project make a significant contribution to the reduction of carbon emissions or to the offsetting of carbon emissions and what will the bonus allow the project to do in addition to what is already proposed by the project, for example by meeting any of the carbon reduction outcomes listed in Appendix E? Please demonstrate in your submission how the proposal meets Environment Strategy's vision and pledges.
5	Type of infrastructure being applied for? +1pt if match made	Does this meet the definition of infrastructure as categorised by the CIL Planning Practice Guidance ?
6	What are the direct and indirect benefits of the proposal? Up to 4pts available	<p>Proposals that score highly will have a profound positive effect on a wide range of users.</p> <p>A scheme would not need to be located in the Rother District to qualify for funding. However, the proposal must demonstrate a clear strategic benefit to residents and/or visitors of Rother.</p> <p>Things to consider:</p> <ul style="list-style-type: none"> • Would the project lead to any income generation? • Does the project cover more than one Charging Authority and will the infrastructure serve areas beyond the local area, including neighbouring boroughs? • Does the proposal offer wider as well as local benefits? • Are there any indirect benefits? For example, a new leisure facility would provide a direct benefit to the community. However, an indirect benefit may be that obesity rates in the locality reduce.
7	Please provide details of any consultation undertaken with the community or other stakeholders. Up to 3pts available	<p>Proposals will score high if a range of consultation techniques have been used involving a wide range of stakeholders and end users over a sustained period of time and evidence demonstrates engagement has helped build consensus and identifying the needs of the community.</p> <p>Things to consider:</p>

		<ul style="list-style-type: none"> • Is there community support/objection to this project? • Provide evidence of any petitions, campaigns, fundraising initiatives, consultation responses, community engagement techniques, letters of support etc. • How have any groups with 'protected characteristics' been consulted (see question 10)?
8	<p>Will your project, if implemented have a negative, positive or neutral environmental impact?</p> <p>Up to 5pts (positive and negative available)</p> <p>If there is anticipated to be an impact, please detail the level and type of impact this will have on the environment.</p>	<p>The Climate Emergency is an issue that affects each and every one of us and it is vital that we all play a part in addressing it. All projects will be expected to demonstrate how they respond, regardless of whether they are seeking additional funding from the Climate Emergency Fund.</p> <p>Negative impact examples could include:</p> <ul style="list-style-type: none"> • Increase in carbon emissions, reducing green space, etc <p>Positive impacts could include:</p> <p>Improving air quality, biodiversity net gain, reducing carbon emissions and improving climate resilience (see Appendix E) etc</p>
9	<p>Please detail any mitigation measures which are to be used in the project to minimise any negative impacts to the environment?</p> <p>Up to 2 pts available</p>	<p>Examples of this could include:</p> <ul style="list-style-type: none"> • Electric Vehicles • Renewable energy sources • Recycled products, etc
10	<p>With regard to the project, please explain how you have given consideration to the different needs of people and describe the steps that have been taken to minimise the potential for discrimination and maximise equality of opportunity.</p> <p>Up to 4 pts available</p>	<p>The Public Sector equality duty covers the following protected characteristics age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.</p> <p>The purpose of identifying equalities issues and assessing the impact is to help make sure that the project reflects the needs of all sections of the community.</p> <p>Proposals will score high if all opportunities to promote equality have been taken and no potential for discrimination or adverse impact to equality or missed opportunities have been identified.</p> <p>Things to consider:</p> <ul style="list-style-type: none"> • Identify which groups will be affected by the proposal. • Identify any positive/negative impacts for the 'protected' groups? • Are any 'protected' groups more affected by the proposal than others, if so why? <p>How can any negative impacts be mitigated?</p>
11	Are there any risks	List the key risks involved in running the project and how

	<p>associated with the delivery of the scheme and how they are mitigated?</p> <p>Up to 5pts available</p>	<p>those risks will be managed. Proposals will be awarded greater weight if there is a strong certainty of delivery, costs identified, funding in place planning approved (where relevant) and political and community support for the proposal.</p> <p>Things to consider:</p> <ul style="list-style-type: none"> • Are there any physical and environmental impacts (e.g. flood risk, contamination, biodiversity, noise, etc.) that need to be mitigated? • Is the project dependent on other projects going ahead? • Has a risk assessment been carried out? • Does the proposal require any land to be secured? Are there any ownership, acquisition or compulsory purchase order issues? • Will the proposal require planning permission or any other statutory approvals or licenses? If so, has advice been obtained?
12	<p>What would be the risks if CIL funding not being available?</p> <p>Up to 2 pts available</p>	<p>Where it can be satisfactorily demonstrated that the infrastructure would not otherwise be delivered unless CIL funding can be secured and the absence of CIL will cause significant risks, the proposal will score high.</p> <p>Things to consider:</p> <ul style="list-style-type: none"> • Would investment reduce on-going costs placed on the council and local community in the long-term? • What would be the impact if investment was delayed (additional cost)?
13	<p>Please provide a breakdown of the project costs and provide quotes to substantiate your figures where possible. Please outline the forecasted total cost of the project.</p> <p>Up to 3pts available</p>	<p>The Charging Authority must be satisfied that value for money is being achieved. It is therefore advised that all applications should contain more than one quote for the proposed works. CIL funding is conditional upon this requirement. Projects which are accompanied by a detailed cost plan will be awarded greater weight as it demonstrates that the project has been fully researched and considered.</p>
14	<p>Please provide a detailed summary of the total CIL funding required, including phasing.</p> <p>Up to 3 pts available</p>	<p>The charging authority recognises that large scale projects seeking funding that is greater than the current amount available for CIL may be an issue. However, greater weight can be given to well-prepared large-scale projects accompanied by a project plan evidencing how much CIL is needed and how much should be set aside over successive plan periods.</p>
15	<p>Please indicate why CIL funding is being sought and outline the source of any additional funding that has been secured or is being sought.</p> <p>Up to 3 pts available</p>	<p>It must be reasonably demonstrated that all other funding options have been explored. It is unlikely that CIL will be granted unless this can be demonstrated. Greater weight will be given to proposals which are only partly reliant on CIL and the majority of funding has been secured.</p> <p>Things to consider:</p> <ul style="list-style-type: none"> • What other sources of funding have been considered

		<p>and applied for. Please highlight or explain where other possible funding sources have been considered insufficient.</p> <ul style="list-style-type: none"> • Is the proposal expected to see any Section 106 funding? • Is there a remaining funding shortfall? If so, how much? How will the shortfalls in funding be met?
16	<p>What is the delivery timescale for the project? Please outline key milestones.</p>	<p>Please outline whether the scheme is:</p> <ol style="list-style-type: none"> a) Short term – within five years +3 pts b) Medium term – between five to 10 years +2 pts c) Long term – more than 10 years +1pt
17	<p>What are the on-going costs of the project, who is responsible for these and how have these been planned for? Up to 3 pts available</p>	<p>Things to consider:</p> <ul style="list-style-type: none"> • Can on-going costs be covered by warranties? • Are on-going costs covered by another organisation? • Does the proposed infrastructure provide opportunities to generate income to meet the future costs?

Max 52 points available

VALIDATION CHECKLIST

To be completed by Community Infrastructure Levy Officer.

	REQUIREMENT	PROVIDED
1	The project has been shortlisted from the Infrastructure List or IDP.	
2	Application form completed, including a response to each question.	
3	The organisation applying has the legal right to deliver the proposed infrastructure.	
4	The proposal meets the requirements to be eligible for CIL funding.	
5	The proposal would not duplicate funding secured through Section 106.	
6	Scheme has a total value which exceeds £30,000.	
7	Quotes for the proposed works have been submitted.	
8	Site location plan with line edged in red for the location of the proposed scheme is provided.	
9	Evidence has been provided which demonstrates the seven key areas of assessment have been considered in full: 1. <i>The Strategic Case</i> 2. <i>The Local Benefits Case</i> 3. <i>Environmental Impacts</i> 4. <i>Equality and Fairness</i> 5. <i>Delivery</i> 6. <i>The Financial Case, and</i> 7. <i>Timescales</i>	

Appendix D

Identification of key Infrastructure Sectors

Sector	Infrastructure Type	Lead Body³
Transport	Road Network Rail Network Public Transport Cycling and Walking Infrastructure	East Sussex County Council Highways England Sustrans Network Rail Train operating companies Bus operating companies Community Transport operators
Community Infrastructure	Community, Arts, Culture and Leisure Adult Social Care and Supported Accommodation Libraries Cemeteries and Places of Worship	Rother District Council East Sussex County Council Parish Councils
Education	Nursery Education Primary and Secondary Education Further and Higher Education	East Sussex County Council Further Education Colleges
Health	Health Care (Acute Care and General Hospitals, Psychiatric Hospitals, Primary Care Services and Ambulance Services)	NHS Sussex Hastings and Rother Clinical Commissioning Group (CCG)
Environment	Management of watercourses and waterbodies Water quality Designated sites	Environment Agency East Sussex County Council Rother District Council Neighbouring Authorities
Green Infrastructure	Sports Centres and Pitches Parks, Open Space and Play Areas	East Sussex County Council Rother District Council High Weald AONB Joint Advisory Committee
Flood Defence	Flood defences	Environment Agency East Sussex County Council Rother District Council
Utility Services	Water and Waste Water Energy Supply (gas, electricity and renewable energy) Telecommunications Waste Management	Southern Water South East Water National Grid UK Power Networks Southern Gas Networks East Sussex County Council
Emergency Services	Police Service Fire Service Ambulance Service	East Sussex Fire and Rescue Service Sussex Police South East Coast Ambulance Services

Appendix E

How does the project proposal make a significant contribution to the reduction of carbon emissions or to the offsetting of carbon emissions?

Carbon Neutral Outcomes	What does this mean in simple terms?	Project Example (this list is not exhaustive)
Reduce carbon emissions from commercial, industrial and public sector organisations, and promote a circular economy	A 'circular economy' is where materials are kept in circulation as long as possible to minimise resource extraction – this includes recycling, reuse and the use of recycled content in new products.	Reuse of an existing building, rather than building a new one, to provide access to services locally.
Help Rother households reduce their carbon footprint and make more sustainable choices	Reductions in energy usage or embedded energy content, particularly household utilities and goods purchased.	Creation of community allotments for a local food growing scheme.
Reduce emissions from transportation including people and goods	Reduce travel miles whenever possible, and switch to low carbon alternatives when not.	New pedestrian and cycle paths to improve links around and to town centres and into the countryside.
Expansion of renewable energy	Increase the amount of energy that is produced from renewable sources.	Installation of a district heating system.
Climate resilient communities, landscapes and infrastructure	Improving the community's ability to withstand the expected effects of climate change, including rising sea levels and more frequent extreme weather events.	Installation of flood defences in a coastal community; Adaptation of community buildings to facilitate multi-use functions such as improved access to facilities, health services or work space.
Increase carbon drawdown through natural and engineered climate solutions	Actively reducing carbon dioxide levels in the atmosphere by removing and sequestering.	Creation of new or improvement of existing areas of woodland to enhance carbon drawdown from the atmosphere.