

The Community Infrastructure Levy Expenditure Framework

**Babergh and Mid Suffolk
District Councils**

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.

CIL Expenditure – Key Documents

- 1.3 The CIL Regulations stipulate that CIL monies which are collected must be spent on infrastructure. On the 1st September 2019 new CIL Regulations were introduced. Prior to this each Council was required to publish a list of infrastructure types that would 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. However, the new CIL Regulations abolished Regulation 123 and in order that both Councils had clarity over the infrastructure that it would provide through CIL funding, both Councils adopted a CIL Position Statement (identical in content) regarding CIL expenditure.
- 1.4 Under the CIL Regulations of 2019 there was a further new requirement for each Council to produce an Infrastructure Funding Statement (IFS) each year with a deadline for the production (and publication on the web site) of the first IFS (for each Council) by the 31st December 2020. The IFS comprise a yearly document containing data on the collection and expenditure of CIL and s106 together with details relating to the allocation of Neighbourhood CIL to Parishes and its expenditure by Parishes. In addition, the IFS for each Council has to include an Infrastructure List of specific projects that District CIL (and s106) would be spent on.
- 1.5 Under the 2019 CIL Regulations there was also a requirement placed on all Councils to abolish any existing general type of infrastructure lists once any IFS had been produced and published. Both Councils produced an Infrastructure Funding Statement in November 2020 and published them in December 2020 (on the Councils web site). In addition, both Councils abolished their CIL Position Statement and will be regularly reviewing and producing/publishing a new IFS each year. Consequently, the yearly Infrastructure Funding Statements for each Council represent key documents in relation to the CIL Expenditure and should be read in conjunction with this Framework.

Reviews of the CIL Expenditure Framework and Adoption of CIL Expenditure Arrangements

- 1.6 The CIL Expenditure Framework and the CIL Expenditure Framework Communication Strategy were originally agreed and adopted by both Councils

(in April 2018). Since then, the key documents have been reviewed on three separate occasions as follows: -

- A first review was undertaken through consideration of the scheme by Babergh and Mid Suffolk's Joint Overview and Scrutiny (in November 2018) and then informed by a Joint Member Panel when changes were agreed by both Councils. These revisions (identified at the back of this document under first review) were adopted by both Councils in March 2019.
- A second review was also undertaken by consideration of the scheme by Babergh and Mid Suffolk's Joint Overview and Scrutiny (in September 2019) and then informed by a Joint Member Panel when changes were proposed and ultimately agreed by both Councils. These second review revisions (identified at the back of this document) were adopted by both Councils in April 2020.
- A third review of the CIL Expenditure Framework was undertaken by the Joint Member Panel from October 2020 through to February 2021. These third review revisions (identified at the back of this document) were adopted by both Councils in 2021.

1.7 This CIL Expenditure Framework key documents will be kept under periodic (likely yearly) review with details of any forthcoming review to be set out in the yearly CIL Key dates calendar published on the Councils' websites.

The Key CIL Expenditure Framework Documents for CIL Expenditure

1.8 The following documents comprise the key components of the CIL Expenditure Framework: -

- **CIL Expenditure Framework** - this document is the key document that sets out the parameters, processes and governance arrangements for spending CIL monies. It is available on the Councils' websites.
- **CIL Expenditure Framework Communication Strategy** - this separate document is the key document that sets out the parameters and arrangements for communication around spending CIL monies. It is available on the Councils' websites.
- **Key CIL dates calendar** - produced each year to allow all to understand important dates around CIL.
- **Infrastructure Funding Statement (IFS) for Babergh** - produced each year and contains monitoring information for income and collection of CIL, s106 and the allocation and expenditure of Neighbourhood CIL. In addition, it contains an Infrastructure List which is a list of specific infrastructure projects for Babergh that CIL can be spent on (which are largely but not wholly made up of infrastructure projects contained in the Infrastructure Delivery Plan. It is produced annually, and the current version represents the key document for allowing CIL expenditure.

- **Infrastructure Funding Statement (IFS) for Mid Suffolk** - produced each year and contains monitoring information for income and collection of CIL, s106 and the allocation and expenditure of Neighbourhood CIL. In addition, it contains an Infrastructure List which is a list of specific infrastructure projects for Mid Suffolk that CIL can be spent on (which are largely but not wholly made up of infrastructure projects contained in the Infrastructure Delivery Plan. It is produced annually, and the current version represents the key document for allowing CIL expenditure.

2. THE CIL EXPENDITURE FRAMEWORK

2.1 This document sets out the key elements, parameters 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**

2.2 Each of these sections are set out in detail below including funding parameters where appropriate.

KEY PRINCIPLES OF THE CIL EXPENDITURE FRAMEWORK

2.3 These are set out in the following Table 1.

Table 1 - Key Principles

Key Principles of the CIL Expenditure Framework	Further detail where appropriate
1. The process should encourage openness and transparency of decision taking.	The Infrastructure team publish all key information about CIL expenditure on the Councils web site.
2. CIL data must be 100% accurate and software database must have integrity and be “trusted”.	The software that the Council uses is Exacom. There is a public facing module (known as PFM) which is accessible on the Councils website under the tab of developer Contributions database.
3. Decisions must be compliant with the CIL Regulations 2010 (as amended including the CIL Regulations of 2019) and expenditure must follow the yearly Infrastructure Funding Statement for each Council.	The yearly Infrastructure Funding Statement is a legal requirement for all Councils dating from the CIL Regulations 2019 (1 st September 2019).

Key Principles of the CIL Expenditure Framework	Further detail where appropriate
4. The expenditure approach must be legally sound	All reviews of the CIL Expenditure Framework review and CIL Expenditure Programme are reviewed by the Shared Legal Service
5. Deliverability and Timeliness – a “can do” approach towards delivery of infrastructure to be employed (subject to the infrastructure project being in accordance with the CIL Expenditure Framework and the yearly Infrastructure Funding Statement (Infrastructure List) for each Council.	Infrastructure officers can be contacted about all aspects of CIL including CIL expenditure
6. CIL expenditure should support the Joint Corporate Plan, other Council strategies, the Joint Local Plan objectives and the Infrastructure Delivery Plan (which is evidence that underpins the Joint Local Plan) and the Infrastructure Funding Statement for each Council.	This is a requirement of the CIL Expenditure Framework
<p>7. The apportionment of CIL monies into three separate funds: -</p> <ul style="list-style-type: none"> • Strategic Infrastructure Fund, • Ringfenced Infrastructure Fund and the • Local Infrastructure Fund <p>All such apportionment allows saving of monies towards infrastructure projects.</p>	<p>The Strategic Infrastructure Fund allows for monies to be saved towards strategic projects for the betterment of either or both Districts and facilitates the prospect of collaborative spend with other funding organisations and/or funding streams to achieve strategic infrastructure.</p> <p>The amount to be saved into the Strategic Infrastructure Fund occurs after the 5% administrative costs are removed and then the Neighbourhood CIL portion of monies is taken out (either 15% for Parishes – (subject to a cap) with no made Neighbourhood Plan or 25% for Parishes (without a cap) where a Neighbourhood Plan is made.</p> <p>Following this 20% of the remaining CIL monies would be saved into the Strategic Infrastructure Fund leaving the remaining 80% to go into the Local Infrastructure Fund (with the exception of the following paragraph which sets out the saving of monies into a Ringfenced Infrastructure Fund)</p>
8. Planning decisions which approve housing (ten dwellings and over) / employment which carries Infrastructure to be provided by CIL and necessary for an	This is a requirement of the CIL Expenditure Framework

Key Principles of the CIL Expenditure Framework	Further detail where appropriate
<p>approved growth project (those with planning permission) shall be supported and considered a priority and these monies are ringfenced into the Ringfenced Infrastructure Fund. Infrastructure provided to support these schemes ensures that the approved development which is ultimately carried out is sustainable.</p>	
<p>9. Publication of all expenditure, the twice yearly CIL Expenditure Programme (formerly known as the CIL Business Plan) and the Technical Assessments on the website, means all CIL information is readily accessible and transparent. A list of all valid Bids for CIL monies from either the Strategic Infrastructure Fund Ringfenced Infrastructure Fund or the Local Infrastructure Fund will be published after each Bid round has been closed.</p>	<p>This is a requirement of the CIL Expenditure legislation</p>
<p>10. CIL expenditure will be regularly audited, including the CIL Expenditure Framework Review process.</p>	<p>This is a requirement of the Councils regarding CIL</p>
<p>11. A Communications Strategy for the CIL Expenditure Framework is necessary and constitutes a key document to this Framework and should be read alongside it.</p>	<p>This is a requirement of the CIL Expenditure Framework and is a key document that should be read alongside the CIL Expenditure framework</p>
<p>12. Infrastructure projects that are funded by each Council's CIL funds (whether from the Strategic, Ringfenced or Local Infrastructure Funds) shall be carried out on publicly owned or controlled land/buildings or where public access is guaranteed (unless exceptional circumstances apply). However where leased buildings or land is involved and a CIL Bid is made for infrastructure, the lease must be long (i.e. no shorter than 25 years with a break clause no sooner than 15 years). Shorter leases will normally be regarded as unacceptable.</p>	<p>This is a requirement of the CIL Expenditure Framework</p>
<p>13. No Member referral of CIL Bid cases to Cabinet for decision taking</p>	<p>Governance arrangements contained in this CIL Expenditure Framework for CIL do not permit this.</p>
<p>14. Whilst Ward Member(s) of a CIL Bid can ask a question at Cabinet (at the discretion of the Chairman) they may not make</p>	<p>To ensure that the process satisfactorily addresses both Council's Constitution</p>

Key Principles of the CIL Expenditure Framework	Further detail where appropriate
representations or join in with the debate at Cabinet.	
<p>15. Where offers of CIL 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 allocation of funds would be withdrawn and it would be necessary to reapply through the Bid process to secure CIL funds for that project.</p>	<p>The CIL Bid Offer letter is a contract and cannot be altered or extended.</p> <p>A new CIL Bid would need to be submitted to continue with the infrastructure project</p> <p>A template to assist with this and a guidance note is available.</p>
<p>16. Delivery of infrastructure projects where CIL monies are approved – Where problems arise which threaten the delivery or completion of a project (for reason which may include Covid or where delivery costs exceed Bid amounts or there are delivery issues for legal or other reasons and the scheme cannot be delivered within the 2 year period, it is open to authors of Bids to reapply stating the reasons why delivery has not been fully or partly possible.</p> <p>A template will be available for Bidders to complete so that their original information can be updated. However, it will be important to resubmit all financial information and complete a CIL Bid application form so that the details of this scheme can be both updated and considered against the Framework parameters.</p>	<p>This is a requirement of the CIL Expenditure Framework</p>
<p>17. CIL funds can be used for an infrastructure project to make it Disability Discrimination Act compliant.</p>	<p>This is a stipulation of the CIL Expenditure Framework</p>
<p>18. All CIL Bids must be discussed with an Infrastructure officer before CIL Bid submission when Bid rounds open. Details of the Infrastructure to be provided must be submitted on a CIL Project Enquiry Form and be completed by all Infrastructure Providers, Parish or Community groups. This will allow for a discussion (and the involvement of District Ward Members, County Councillors and Parishes) and the approach towards the project should be in accordance with the</p>	<p>This is a requirement of the CIL Expenditure Framework</p>

Key Principles of the CIL Expenditure Framework	Further detail where appropriate
procedures listed elsewhere in this Framework.	
<p>19. Agreement to a structured approach to discussions at pre Bid stage for both large infrastructure projects (total costs over £250,000) and medium infrastructure projects (total costs between £50,000-under £250,000) with community engagement with Ward Member(s) Parish Council and Ward County Councillor together with reporting to an Infrastructure Sub Programme Board (of officers). Ward Members to be notified only of receipt of small infrastructure projects (total costs of 50,000 or less). This structured approach is set out in the diagram at the back of this document.</p>	<p>This is a requirement of the CIL Expenditure Framework</p>
<p>20. Continue to ringfence funds for housing developments over 10 dwellings so that the infrastructure to support the growth is provided. However, such CIL monies will only continue to be held for that settlement in the Ringfenced Infrastructure Fund for 5 years.</p> <p>If no projects come forward for this ringfenced money within that period, it will be returned to the Local Infrastructure Fund for expenditure.</p>	<p>This is a requirement of the CIL Expenditure Framework</p>
<p>21. Neighbouring communities need to contribute to larger infrastructure projects within settlements (through the use of Ringfenced Infrastructure Funds) where they would be used by the wider area (e.g. catchment areas of schools and together with catchment areas for health hubs and rail together with Strategic Leisure centres) will be considered and brought into the funding strategy so that ringfenced funds for the infrastructure project can be brought forward.</p>	<p>This is a requirement of the CIL Expenditure Framework</p>
<p>22.Evidence of need for the proposed Infrastructure project must be submitted with all CIL Bids.</p>	<p>This is a requirement of the CIL Expenditure Framework</p>
<p>23.Parishes and Community groups should show at the time of the submission of any CIL Bids whether they have any of their own funds (including Neighbourhood CIL) that could be used.</p>	<p>This is a requirement of the CIL Expenditure Framework</p>

Key Principles of the CIL Expenditure Framework	Further detail where appropriate
<p>24. No 100% funding requests for CIL Bids by Parishes/Community groups for community infrastructure.</p> <p>Maximum limit of £75,000 and 75% (of the total costs) for CIL Bids (per project/CIL Bid) for infrastructure submitted by Parishes or Community groups with the exception of sporting leisure or recreation facilities (see below).</p>	<p>These are requirements of the CIL Expenditure Framework</p>
<p>25. For sporting and recreation facilities no 100% funding requests and a. maximum funding limit on funding of these bids of £200,000 and up to 75% of the total costs of the project whichever is the smaller amount for such infrastructure listed within the IDP for CIL Bids (per project/CIL Bid. If the project is not listed in the IDP the maximum limit will be £75,000 and 75% (of the total costs) for CIL Bids (per project/CIL Bid).</p>	<p>This is a requirement of the CIL Expenditure Framework</p>
<p>26. Minimum CIL Bid of not less than £2000 on Infrastructure submitted by all Infrastructure Providers and Parishes and Community groups.</p>	<p>This is a requirement of the CIL Expenditure Framework</p>
<p>27. In respect of CIL Bids from Parishes and Community groups for Community Infrastructure, CIL Bids arising from a PIIP (Parish Investment Infrastructure Plan) will not be prioritised over those coming from a Parish without one.</p>	<p>Parish Investment Infrastructure Plans (PIIPs) are a “conversation starter” and will not be mandatory to gain CIL funds. They are a tool for Parish Councils and are informal guidance documents only.</p> <p>They are encouraged as a useful way of prioritising local infrastructure.</p> <p>(The Councils will consider publishing PIIPs on the Website as help to other Parishes in the future).</p>
<p>28. Monthly meetings between the Councils Infrastructure officers and Infrastructure providers will take place to develop an Infrastructure delivery programme (e.g. for Rail, Health and Suffolk County Council – Education and Bus Passenger transport).Monthly meetings may also occur with other Councils to discuss cross boundary infrastructure issues and to address infrastructure mitigation.</p>	<p>This is a requirement of the CIL Expenditure Framework</p>
<p>29. Those CIL Bids that are within either the Infrastructure Delivery Plan (IDP), each Council’s Infrastructure Funding</p>	<p>These are requirements for judging CIL Bids under the CIL Expenditure Framework</p>

Key Principles of the CIL Expenditure Framework	Further detail where appropriate
<p>Statement (IFS) and/or part of a Corporate Local Plan or as part of a Council Strategy will have greater weight when prioritisation criteria are used in the technical assessments of each CIL Bid. In addition, greater weighting towards Bids will be given where those CIL Bids align with spend with priorities designated in JLP/IDP/IFS and Neighbourhood Plans and District Council infrastructure projects.</p> <p>Agreed critical/ essential infrastructure identified in the IDP/IFS will carry more weight than desirable infrastructure.</p>	
<p>30. No monies will be awarded through a CIL Bid towards costs which have already been paid for a project (i.e. no claiming retrospectively) -except where school extensions are planned as part of a pupil placement creation which is a statutory function on the part of Suffolk County Council – these costs to include design and build costs and costs for the making of a planning application – see paragraph 3.1 of the CIL Expenditure Framework).</p>	<p>This is a requirement of the CIL Expenditure Framework</p>
<p>31. Feasibility costs will be awarded for rail feasibility studies only where a rail infrastructure project is critical/essential in the Infrastructure Delivery Plan (IDP) and definite in delivery terms (and one which the Council would be likely to support (i.e. for instance it is listed as critical/essential in the IDP).</p>	<p>This is a requirement of the CIL Expenditure Framework</p>
<p>32. Improvement or replacement of existing infrastructure (forming part of and /or total) must include a statement on additionality (some significant tangible betterment of the existing facility) must be involved otherwise the works would be termed to be maintenance or repair and therefore not eligible under the CIL Expenditure Framework. This must be more than the materials will represent an upgrade. For example, like for like replacement is not a strong enough example of an upgrade it must address additionality.</p>	<p>This is a requirement of the CIL Expenditure Framework</p>
<p>33. Churches are not excluded from CIL funding (despite there being many other funding opportunities for Churches) but proposed projects must be for</p>	<p>This is a requirement of the CIL Expenditure Framework</p>

Key Principles of the CIL Expenditure Framework	Further detail where appropriate
<p>infrastructure and the proposal must benefit the community in the widest sense by offering wide community benefits and be capable of being used by the whole community Any Bids must also address additionality (see above) and not include maintenance or church restoration costs.</p>	
<p>34. Public electric vehicle charging points will be classed as community facility infrastructure. However, they are seen as a District wide benefit and will therefore be treated as an exception to the maximum limit on community facility infrastructure.</p>	<p>This is a requirement of the CIL Expenditure Framework</p>
<p>35. Best value criteria should include land values where CIL Bids involve purchase of land for infrastructure.</p>	<p>This is a requirement of the CIL Expenditure Framework</p>
<p>36. CIL Bids that have green and sustainability characteristics shall carry greater weight in determination terms than those CIL Bids which do not.</p>	<p>These are requirements for judging CIL Bids under the CIL Expenditure Framework</p>
<p>37. If a CIL Bid is invalid upon submission opportunity will be given for the next 12-month period (from the date of its submission) to be made valid. If it is still invalid after the expiry of the 12-month period, the CIL Bid will be treated as withdrawn and no formal decision (Cabinet or delegated) will be made on it.</p>	<p>This is a requirement of the CIL Expenditure Framework</p>
<p>38. 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. Additional parameters and criteria relating to this expenditure are contained in this Table 2 below.</p> <p>In addition, it may be necessary for each Council to seek CIL or s106 contributions for infrastructure where impacts upon either Councils infrastructure is impacted upon by development outside its administrative geographical boundaries. The Councils approach to secure such contributions is set out in Table 3 below.</p>	<p>These are requirements of the CIL Expenditure Framework</p>

CIL Expenditure Outside of Each Councils Administrative Geographical Boundaries Where Development Occurs Within Babergh And Mid Suffolk And Which Results In An impact On Infrastructure Beyond Its Boundaries.

2.4 Where this occurs, it will be necessary to complete an appropriate CIL Bid application form and its consideration must adhere in all respects to the principles processes, prioritisation criteria and governance arrangements within this CIL Expenditure Framework. In addition, it will to necessary to provide information to meet the following requirements /parameters set out in the following Table (Table 2).

Table 2 - Key Principles of CIL Expenditure for Infrastructure Beyond Babergh And Mid Suffolk Administrative /Geographical Boundaries

Key Principles of the CIL Expenditure Framework	Further detail where appropriate
1. Must be collaboratively funded Bids – Babergh/Mid Suffolk will not contribute 100%.	This is a requirement of the any CIL Bid to be considered under the CIL Expenditure Framework
2. Babergh’s and Mid Suffolk's spend must be proportionate to what is being provided and linked by way of evidence to impacts of growth within BDC and MSDC and must address evidence-based impacts.	This is a requirement of the any CIL Bid to be considered under the CIL Expenditure Framework
3. Must be specific deliverable projects with timescales and oven ready schemes with all necessary formal approvals in place.	This is a requirement of the any CIL Bid to be considered under the CIL Expenditure Framework
4. Babergh and Mid Suffolk must be final funding part of the jig saw so that money is not tied up in projects that will not be delivered.	This is a requirement of the any CIL Bid to be considered under the CIL Expenditure Framework
5. Must be capital based specific infrastructure projects that address growth impacts.	Otherwise this would be termed outside the CIL Expenditure Framework
6. Will not fund projects which are not infrastructure.	This is termed outside the terms of the CIL Expenditure Framework
7. Specific infrastructure projects must be listed in the Infrastructure Delivery Plan and within the Infrastructure Funding Statement (Infrastructure List) for Districts where spend is going to occur and be developed through Statements of Common Ground or through collaborative work with neighbouring Local Authorities.	These matters will be important considerations in any decision on any CIL Bid
Consider whether the infrastructure mitigation required is classed as essential within the other Districts Infrastructure Delivery Plan, Infrastructure Funding	

Key Principles of the CIL Expenditure Framework	Further detail where appropriate
<p>Statement and Statement of Common Ground.</p> <p>Collaborative spend outside the District shall be limited to Infrastructure Provider projects only.</p>	
<p>8. Same engagement process for spends over £50,000 with Parish Councils Ward Members and County Councillors as set out elsewhere in this Framework.</p>	<p>This is a requirement of the any CIL Bid to be considered under the CIL Expenditure Framework</p>
<p>9. All spend shall be Cabinet decisions with no delegated decisions.</p>	<p>This is a requirement of the any CIL Bid to be considered under the CIL Expenditure Framework</p>
<p>10. Technical Assessment for such CIL Bids shall include a separate section where spend outside the District to responds to the additional key principles in this Table (Table 2).</p>	<p>This is a requirement of the any CIL Bid to be considered under the CIL Expenditure Framework</p>
<p>11. Normal Bid round process twice a year will apply.</p>	<p>This is a requirement of the any CIL Bid to be considered under the CIL Expenditure Framework</p>
<p>12. CIL Project Enquiry form must be submitted to allow discussions to take place before formal CIL Bid submission.</p>	<p>This is a requirement of the any CIL Bid to be considered under the CIL Expenditure Framework</p>
<p>13. It will be necessary to demonstrate that the infrastructure cannot be provided through other funding and practicable means (including through culminative growth means).</p>	<p>This is a requirement of the any CIL Bid to be considered under the CIL Expenditure Framework</p>
<p>14. All such CIL Bids must come from adjoining Local Authorities or Infrastructure Providers. Any requests from Parishes Community Groups/other organisations (such as Health Hubs, Schools) outside Babergh and Mid Suffolk administrative boundaries will be regarded as falling outside the terms of our CIL Expenditure Framework and not eligible for the submission of CIL Bids.</p>	<p>This is a requirement of the CIL Expenditure Framework</p>

2.5 Both Councils will seek to secure s106 monies or CIL for cross boundary development impacts upon infrastructure within our Babergh and Mid Suffolk where impacts are caused by development beyond Babergh and Mid Suffolk's administrative geographical boundaries. The following approach will be used as set out in Table 3.

Table 3 - Key Principles of Seeking to Secure s106 and /or CIL Contributions For Development Impacts Upon Infrastructure Within Babergh And Mid Suffolk Are Caused By Development Beyond Babergh And Mid Suffolk’s Administrative Geographical Boundaries.

Key Principles of the CIL Expenditure Framework	Further Detail where appropriate
1. Proactively track developments that are submitted to our neighbouring Districts.	Proactive work required
2. Proactively discuss the impacts with Districts and Counties where appropriate.	Proactive work required
3. Ensure these views are captured in any responses to neighbouring Local authorities’ consultations and ensure through discussion our infrastructure and s106 and CIL needs are met.	Proactive work required
4. Track outcomes of these applications and monitor their commencement where appropriate to secure money (whether through s106 or CIL).	Proactive work required
5. Secure s106 and CIL monies and work towards delivery of projects to deliver infrastructure when monies are secured.	This approach continues to be followed
6. Hold regular meetings with adjoining Councils/Infrastructure Providers and work collaboratively.	Such meetings are being held and will continue

Elements of CIL Bids That Will Not Be Classed As Eligible Under This CIL Expenditure Framework.

2.6 There are some elements of CIL Bids that will not be classed as eligible under this CIL Expenditure Framework. These are set out in the following Table (Table 4).

Table 4 – Elements of CIL Bids That Will Not Be Classed As Eligible Under This CIL Expenditure Framework.

Key Principles of the CIL Expenditure Framework	Further detail where appropriate
1. Feasibility studies for infrastructure projects (except for rail infrastructure).	These are termed outside the terms of the CIL Expenditure framework (except for rail infrastructure).
2. Maintenance or repair costs of buildings/ infrastructure/ projects.	These are termed outside the terms of the CIL Expenditure framework

Key Principles of the CIL Expenditure Framework	Further detail where appropriate
3. Interests on loans for projects.	This is termed outside the terms of the CIL Expenditure Framework
4. No CIL funding for infrastructure that has already been carried out (i.e. retrospectively).	This is termed outside the terms of the CIL Expenditure Framework
5. 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).	This is termed outside the terms of the CIL Expenditure Framework
6. 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.	This is a requirement of the CIL Expenditure Framework
7. Portable equipment or resources (e.g. books desks tables shelving and associated portable equipment/tools).	These are termed outside the terms of the CIL Expenditure framework
8. Lamp standards, light bulbs, information kiosks, parish notice boards, seats.	These are termed outside the terms of the CIL Expenditure framework
9. Telephone boxes, fire alarms, public drinking fountains, refuse bins or baskets.	These are termed outside the terms of the CIL Expenditure framework
10. Public art/ceremonial structures.	These are termed outside the terms of the CIL Expenditure framework
11. No professional fees or contingency costs.	These are termed outside the terms of the CIL Expenditure framework
12. CIL Bid requests direct from schools –all education funding must be because of a proven education need and CIL Bids will need to be submitted by the County Council. All other education Bids will be outside the CIL Expenditure Framework.	These are termed outside the terms of the CIL Expenditure framework

For clarification, the following items are eligible for CIL funding.

2.7 The following items set out in Table 5 are eligible for CIL funding.

Table 5 - For Clarification, The Following Items Are Eligible for CIL Funding

Key Principles of the CIL Expenditure Framework	Further detail where appropriate
1. Hearing loops in village halls, sound bars and projectors which are permanently fixed.	This is termed within the CIL Expenditure Framework
2. Permanent telephony and telecommunication infrastructure required to carry out health services.	This is termed within the CIL Expenditure Framework

3. PROCESSES OF THE CIL EXPENDITURE FRAMEWORK

3.1 The CIL Expenditure Framework will operate with the following approach as set out in the following Table (Table 6).

Table 6 – Key Processes of the CIL Expenditure Framework

Key Processes of the CIL Expenditure Framework	Further detail where appropriate
1. Use of the Councils' existing software.	The software that the Council uses is Exacom. There is a public facing module (known as PFM) which is accessible on the Councils website under the tab of developer Contributions database
2. The process is centred upon a bidding round with consideration on a twice-yearly basis, with email submission of bids by Infrastructure Providers (including officers of Babergh and Mid Suffolk where appropriate) and all Parishes including Community Groups.	See Diagram at Appendix B to the rear of this report. This is a requirement of the CIL Expenditure legislation
3. 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.	This is a requirement of the CIL Expenditure legislation
4. The timetable for the twice-yearly bid process will be clearly documented on the Councils' websites together with the inclusion of a flow chart. 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)	The timetable can be found at Appendix B to the rear of this document. There is also a yearly Key dates CIL calendar which can be seen on the Councils web site

Key Processes of the CIL Expenditure Framework	Further detail where appropriate
<p>and all Parish/Town Councils. Bids from Community Groups can also be submitted.</p>	
<p>5. The apportionment of CIL monies into three funds; Strategic Infrastructure Fund, Ringfenced Infrastructure Fund and Local Infrastructure Fund will occur twice yearly.</p> <p>This apportionment in particular allows saving of monies towards strategic infrastructure projects for the betterment of either or both Districts and facilitates the prospect of collaborative spend with other funding organisations and or funding streams to achieve strategic infrastructure.</p> <p>The division of monies between the three funds occurs in April and October each year immediately after the apportionment of/ payment of Neighbourhood CIL.</p>	<p>Examples of the type of Infrastructure to be funded through the Strategic Infrastructure Fund, the Ringfenced Fund and the Local Infrastructure Fund can be found at Appendix A to the rear of this document.</p> <p>The way that both Councils store their money in separate names accounts is a requirement of the CIL Expenditure Framework.</p>
<p>6. All interest accrued on CIL monies will be paid into the Strategic Infrastructure Fund pot.</p>	<p>This is a requirement of the CIL Expenditure legislation</p>
<p>7. 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 funds will be saved into three separate funding streams with the following apportionment and definitions: -</p> <ul style="list-style-type: none"> • Strategic Infrastructure fund – 20 % of the CIL funds will be held in this account • Ringfenced Infrastructure Fund - ringfenced monies to deliver infrastructure to support housing schemes of 10 dwellings and above) • Local Infrastructure fund – 80% of the CIL funds will be held in this account 	<p>The Cap is explained in Appendix C to the rear of this document</p> <p>The way that both Councils store their money in separate names accounts is a requirement of the CIL Expenditure Framework.</p>

Key Processes of the CIL Expenditure Framework	Further detail where appropriate
<p>8. Apportionment of Neighbourhood CIL. Currently six-monthly allocations to Parish/Town Councils (which occur in April and October) continue, and where Neighbourhood CIL is received, a proactive approach is used to encourage collaborative spend (using Parish Infrastructure Investment Plans (PIIP) documents if produced). The Parishes apportionment of CIL monies (set out in the CIL Regulations 2010 (as amended) will remain at 15% (where there is no Neighbourhood Plan) and 25% where a Neighbourhood Plan is made for three reasons: -</p> <ul style="list-style-type: none"> • to safeguard the ability to secure strategic infrastructure and make the 20% saving from the CIL 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 • to meet legislative requirements. <p>9. Collaborative approach towards expenditure working with Infrastructure Providers and Parishes to get projects delivered and to “add value” is important and supported.</p>	<p>This is a requirement under the CIL Regulation legislation and the terms of the CIL Expenditure Framework</p>
<p>10. Explore and secure funding from other external funding streams (e.g. LEP and Government funding) and other internal funding streams (s106 monies Community Grants and where appropriate Locality funding) to spend alongside CIL where appropriate, especially in connection with Strategic Infrastructure projects but also for Ringfenced Infrastructure and Local Infrastructure Fund projects. Proactive work will be needed to identify and secure strategic infrastructure projects for both Districts.</p>	<p>This is a requirement under the CIL Expenditure Framework</p>
<p>11. Funding bids must provide adequate evidence/information to provide necessary certainty on timely delivery – “oven ready” schemes will be given priority.</p>	<p>This is a requirement under the CIL Expenditure Framework</p>

Key Processes of the CIL Expenditure Framework	Further detail where appropriate
12. Proactive work will also need to occur around CIL infrastructure such that the Infrastructure to be provided by CIL Funds (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.	Proactive work required
13. The production and publication of at least twice yearly CIL Expenditure Programmes for both Councils (normal production/publication within 6 months of the Bid rounds opening).	This is a requirement under the CIL Expenditure Framework
14. 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.	This is a requirement under the CIL Expenditure Framework and the use of all s106 monies must be in accordance with the terms of the particular s106 Obligations where the monies are held
15. Tiered approach to decision-taking involving some officer delegation and larger decisions by Cabinet.	This is a requirement under the CIL Expenditure Framework
16. All CIL Bid decisions to be final.	This is a requirement under the CIL Expenditure Framework
17. No appeals process in respect of any CIL Bid decisions.	This is a requirement under the CIL Expenditure Framework
18. Only one Bid per project and per bidding round.	This is a requirement under the CIL Expenditure Framework
19. After a refusal – no more Bids for this project unless funding circumstances are materially different and/or a time period passes of not less than 1 year.	This is a requirement under the CIL Expenditure Framework
20. Where Bids are to be submitted, evidence of Community support shall be required (From Division County Councillor, District Ward Member and Parish Council).	This is a requirement under the CIL Expenditure Framework
21. Validation - 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	This is a requirement under the CIL Expenditure Framework

Key Processes of the CIL Expenditure Framework	Further detail where appropriate
<p>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.</p>	
<p>22. Yearly report on CIL and s106 expenditure will be required as part of the CIL Regulations 2019. This document known as an Infrastructure Funding Statement (IFS) will need to be produced by the 31st December each year for each Council in addition to the twice yearly CIL Expenditure Programme for each Council.</p>	<p>This is a requirement under the CIL Expenditure Framework</p>
<p>23. Payment of successful bids to be in accordance with CIL guidance to be published on the Councils' websites.</p>	<p>This is a requirement under the CIL Expenditure Framework</p>
<p>24. 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 is as an Infrastructure provider which has a contractual framework agreement in place. This ensures that the project will achieve Best value and thereby meet Best value objectives within the CIL Expenditure Framework. With regard to Bids for school extensions and education facilities (that are contained within the CIL Position Statement), 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</p>	<p>This is a requirement under the CIL Expenditure Framework</p>

Key Processes of the CIL Expenditure Framework	Further detail where appropriate
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>25. Consultation on valid CIL Bids - 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 14 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>This is a requirement under the CIL Expenditure Framework</p>
<p>26. Determination of especially important Strategic Infrastructure Fund, Ringfenced Infrastructure Fund or Local Infrastructure Fund CIL Bids by Cabinet or using delegated powers (requiring approval or refusal or noting by Cabinet) can occur in advance of the normal twice yearly CIL Expenditure Programme process where appropriate.</p>	<p>This is allowed under the requirements of the CIL Expenditure Framework</p>
<p>27. Technical assessments of all CIL bids where decisions are being made will be undertaken and published as part of the CIL Expenditure Programme documentation so that decision taking is open and transparent.</p>	<p>This is a requirement under the CIL Expenditure Framework</p>
<p>28. Infrastructure for Community use – a new CIL 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) This must be used before any CIL Bid is submitted so that the structured approach towards infrastructure project development can commence before a CIL Bid is submitted and determined.</p>	<p>This is a requirement under the CIL Expenditure Framework</p>
<p>29. Further amplification is contained in this document relating to the criteria for Value for money (or Best Value) - to address the internal Audit requirements of September 2018.</p>	<p>This is a requirement under the CIL Expenditure Framework</p>

Key Processes of the CIL Expenditure Framework	Further detail where appropriate
<p>30. CIL Bid application forms are available on the Councils web site as follows: -</p> <ul style="list-style-type: none"> • CIL Bid application forms designed for community infrastructure projects both above and below the governance threshold of £10,000 to address different information requirements (e.g., a Business case where required) • CIL Bid application forms for Passenger Transport 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) • CIL Bid application forms for Health facilities /proposals • CIL Bid forms for Education facilities proposals • Rail Bid forms for Rail infrastructure projects • CIL Bid forms for adjoining Councils and Infrastructure Providers (outside of Babergh /Mid Suffolk's administrative geographical boundaries 	<p>The submission of CIL Bid application forms is required under the CIL Expenditure Framework and guidance forms are placed on the web site to help Bid authors.</p>
<p>31. Engagement process for all CIL Bids over £50,000 and all CIL Bids where expenditure is required beyond Babergh and Mid Suffolk's administrative and geographical boundaries as follows: -</p> <ul style="list-style-type: none"> • A structured approach to discussions at pre Bid stage for both large (over £250,000) and medium (between £50,000-under £250,000) infrastructure projects with stakeholder engagement with Ward Member(s) Parish Council and Ward County Councillor (Stage 1) together with development of the project with all those parties (Stage 2) with both stages being signed off by an Council Infrastructure Sub Programme Board together with a third stage which represents project sign off before a CIL Bid is submitted.(The 	<p>This is a requirement under the CIL Expenditure Framework</p>

Key Processes of the CIL Expenditure Framework	Further detail where appropriate
<p>inception stage (stage 1 will have a project Initiation Document). Stage 2 will have a Development of Infrastructure project document. The third stage will have a Sign off stage document before the submission of the CIL Bid).</p>	
<p>32. Copies of all CIL Bid application forms and a location plan for both Districts will be held on the Councils IT software (which is accessible to District Council Members only through Connect).</p>	<p>For ease of reference or all District Ward Members</p>
<p>33. Different portions of funding making up the total cost of a project shall be included in the CIL Expenditure Programme.</p>	<p>This is a requirement under the CIL Expenditure Framework</p>
<p>34. CIL Expenditure Programme should have Bid Offer date added so that the two year period for the offer is visible (so that the expiry of the CIL Bid offer letter and the ultimate delivery of the project is readily apparent and can be easily cross referenced).</p>	<p>This is a requirement under the CIL Expenditure Framework</p>
<p>35. Continue with monthly meetings with Infrastructure providers to develop an Infrastructure delivery programme and publish a list of projects which is being developed called the Emerging Infrastructure Projects in the CIL Expenditure Programme.</p>	<p>This is a requirement under the CIL Expenditure Framework</p>
<p>36. CIL Bid Guidance for application forms will include guidance on how the Council will pay the CIL monies, what information and approach is needed before monies are paid together with the need for photographs of part completed/completed infrastructure projects.</p> <p>This guidance will also explain the Ringfenced Infrastructure Fund and the role of the planning consultation responses on infrastructure</p> <p>Improved guidance on Neighbourhood CIL to be issued to Parishes and District Council Members.</p>	<p>These are requirements under the CIL Expenditure Framework</p>
<p>37. Once CIL Bids are valid – the screening part of process commences– i.e. where CIL Bid is valid, screen all other opportunities for other forms of funding (external/unspent s106/community grant/neighbourhood CIL). Ensure that the outcomes of these other funding opportunities are known before committing to CIL expenditure so that CIL is last piece of jigsaw puzzle.</p>	<p>These are requirements under the CIL Expenditure Framework</p>

Key Processes of the CIL Expenditure Framework	Further detail where appropriate
<p>Bidders are encouraged to explore all possible alternatives for other sources of funding alongside requests for CIL funding including using crowd funding/encouraging donations/gifts. (Other sources of funding that could also be considered are loans or Public Works Loan Board funding).</p> <p>Ensure that all other sources of funding have been secured so that CIL funding is the last piece of the jigsaw so that the scheme can be delivered.</p>	
<p>38. CIL Bids will be treated as withdrawn if no progress is made after 12 months and no further action will be taken on them (does not stop a resubmission).</p>	<p>This is a requirement under the CIL Expenditure Framework</p>
<p>39. Where a Bid is refused, the Councils will not reconsider an identical CIL Bid.</p>	<p>This is a requirement under the CIL Expenditure Framework</p>
<p>40. Provide a list of changes following the first second and third reviews of the CIL Expenditure Framework at the rear of the document outlining key changes to the Framework</p>	<p>This is a requirement under the CIL Expenditure Framework</p>
<p>41. Retain three advance emails to Parishes and infrastructure providers but stress the importance of the structured pre submission process.</p>	<p>This is a requirement under the CIL Expenditure Framework</p>
<p>42. Where infrastructure being proposed also carries a dual use (such as education provision which would 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>This is a requirement under the CIL Expenditure Framework</p>
<p>43. Next (fourth) review to occur at the same time as Bid round 8 (October 2021) and be in place before Bid round 9 (May 2022). The Joint Member Panel will remain to inform this fourth review.</p>	<p>This is a requirement under the CIL Expenditure Framework</p>
<p>44. All existing undetermined CIL Bids which are held over until CIL Bid round 7 – May 2021 (from Bid round 6 - October 2020 or any of the other earlier Bid rounds) and included as</p>	<p>This is a requirement under the CIL Expenditure Framework</p>

Key Processes of the CIL Expenditure Framework	Further detail where appropriate
undetermined in the CIL Expenditure Programme will have a “one Bid round opportunity” to be determined following Bid round 6 without reference to any newly imposed restrictions following the third review of this Framework.	

4. Validation and Screening of Bids And Prioritisation Criteria of Bids Under The CIL Expenditure Framework (To Allow CIL 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 Expenditure Programme documentation) taking the following into account:

4.2 **Validation criteria for CIL Bids** is set out in the following table (Table 7).

Table 7 – Validation Criteria

Validation Criteria for CIL Bids	Further detail where appropriate
<p>1. 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) together with evidence of need for the infrastructure).</p>	<p>These elements are the validation criteria for the CIL Bid process</p>
<p>2. Valid Bids on Bid Submission template to new CIL Expenditure email address CILexpenditure@baberghmidsuffolk.gov.uk including the following:</p> <ul style="list-style-type: none"> ▪ Description of infrastructure, location, purpose ▪ Need /Justification ▪ Costs and funding streams for provision ▪ Quotations for works ▪ How much financial support is sought from Babergh and Mid Suffolk District Councils and for what ▪ Collaborative spend – yes/no and if yes give details 	<p>These elements are the validation criteria for the CIL Bid process</p>

Validation Criteria for CIL Bids	Further detail where appropriate
<ul style="list-style-type: none"> ▪ 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 14 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>3. 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 screening and priority criteria.</p>	<p>These elements are the validation criteria for the CIL Bid process</p>

4.3 **Screening process** is set out in the following table (Table 8).

Table 8 – Screening Criteria

Screening Process for CIL Bids When Valid	Further detail where appropriate
1. Must follow the Infrastructure Funding Statements for each Council where infrastructure to be provided.	These elements are the Screening criteria elements for the CIL Bid process
2. Consider whether this infrastructure bid could 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).	These elements are the Screening criteria elements for the CIL Bid process
3. Where appropriate, information will be checked or sought to verify the information within the bid.	These elements are the Screening criteria elements for the CIL Bid process
4. Where there are CIL infrastructure “asks” under Development Management decisions on major projects, these will be given consideration in terms of devising the CIL Expenditure Programme and through a programme of delivery working collaboratively with the Infrastructure Providers.	These elements are the Screening criteria elements for the CIL Bid process

4.4 **Prioritisation criteria** is as set out in the following table (Table 9).

Table 9 - Prioritisation criteria

Prioritisation Criteria	Further detail where appropriate
1. Infrastructure necessary for an approved growth project (those with planning permission) in order that development carried out is sustainable	This criteria is a requirement of the CIL Expenditure Framework
2. Positively scores against provisions /objectives of Joint Corporate 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	This criteria is a requirement of the CIL Expenditure Framework

Prioritisation Criteria	Further detail where appropriate
3.It represents key infrastructure (critical /essential)	This criteria is a requirement of the CIL Expenditure Framework
4.Value for money (or Best Value.	Guidance on Best Value is located at the rear of the document
5.Clear community benefits	This criteria is a requirement of the CIL Expenditure Framework
6.Community support	This criteria is a requirement of the CIL Expenditure Framework
7.Deliverability (“oven ready” schemes)	This criteria is a requirement of the CIL Expenditure Framework
8.Affordability (from Strategic/Local infrastructure or Ringfenced Infrastructure Funds)	Any infrastructure project must be affordable to gain favourable consideration
9.Timeliness	This criteria is a requirement of the CIL Expenditure Framework
10.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)	This criteria is a requirement of the CIL Expenditure Framework
11.Supports housing and employment growth	This criteria is a requirement of the CIL Expenditure Framework
12.Have a package of measures been proposed and submitted which allow for ongoing maintenance of the infrastructure such that its longevity can be assured	This criteria is a requirement of the CIL Expenditure Framework
13.Must be based on the developing/adopted Infrastructure Delivery Plan/current Infrastructure Funding Statement unless circumstances dictate otherwise	This criteria is a requirement of the CIL Expenditure Framework
14.Does the provision of this infrastructure address a current inadequacy in infrastructure terms?	This criteria is a requirement of the CIL Expenditure Framework

Prioritisation Criteria	Further detail where appropriate
15.By releasing funds, it would allow infrastructure to be realised such that the CIL funds are like the last piece of the jigsaw puzzle	This criteria is a requirement of the CIL Expenditure Framework
16.Will the infrastructure be capable of being used by the wider community.	This criteria is a requirement of the CIL Expenditure Framework
17.By provision of infrastructure it would unlock further opportunities within the District for housing and employment growth How does the proposal affect green infrastructure principles.	This criteria is a requirement of the CIL Expenditure Framework
18.How does the project address green/sustainability principles/infrastructure.	This criteria is a requirement of the CIL Expenditure Framework
19.How does the project affect state aid implications.	This criteria is a requirement of the CIL Expenditure Framework
20.How does the project affect security and safety in the community.	This criteria is a requirement of the CIL Expenditure Framework

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 biannual CIL Expenditure Programme for each District.

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

- **Delegated Decisions (to Assistant Director – Sustainable Communities)**

a) Decisions to approve infrastructure projects the subject of bids where the amount of monies sought from the Ringfenced Infrastructure Fund or the Local Infrastructure Fund is £10,000 or less

b) Decisions to refuse infrastructure projects the subject of bids where the amount of monies sought from the Ringfenced Infrastructure Fund or the Local Infrastructure Fund is £10,000 or less

c) 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

d) 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 Ringfenced and 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

d) All decisions on CIL Bids where CIL monies would be spent beyond the administrative and geographical boundaries of Babergh and Mid Suffolk.

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 encyclopaedia](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.

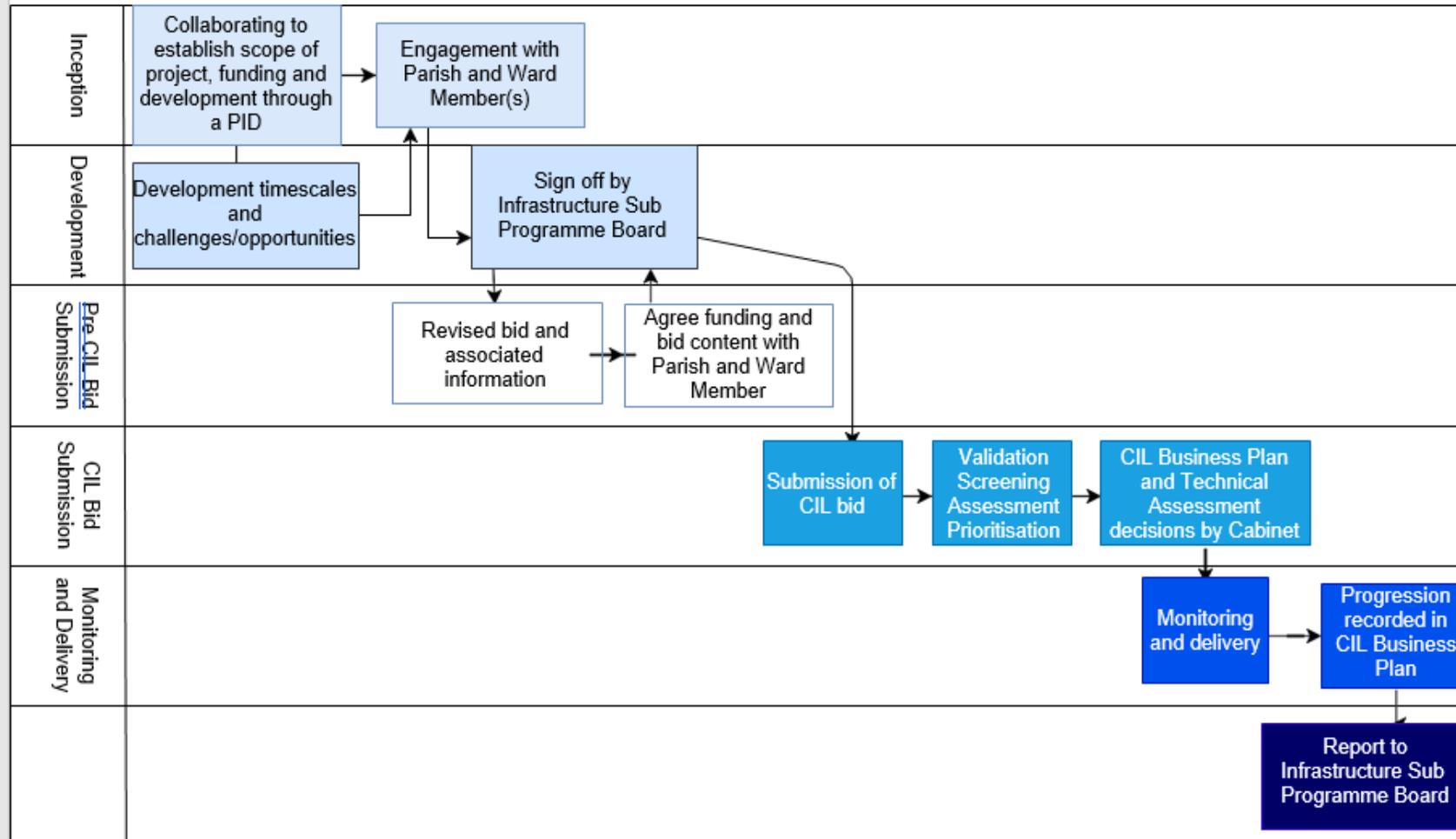
2.16.2 Achieving best value is about enabling the Strategic priorities of the Councils with the most effective use of financial resources and requires the consideration of quality factors in the evaluation of offers from suppliers as well as cost.

Babergh and Mid Suffolk District Councils
Endeavour House
8 Russell Road
IPSWICH
IP1 2BX.

THE CIL EXPENDITURE FRAMEWORK ENGAGEMENT PROCESSES

The following documents are part of the CIL Expenditure Framework and constitutes the diagram of the new structured process around engagement with Parishes, Ward Members and County Councillors on Infrastructure project development incorporating Stages 1,2 and 3 documentation before CIL Bid submission.

Delivery of Large/Medium Scale Infrastructure Projects



Engagement Process

Documentation to support the inception stage, the development stage and the pre submission stage of the new structured process for the development of infrastructure projects prior to their submission as a CIL Bid (stage 4) as follows: -

Infrastructure Delivery - Stage 1, 2 and 3 Documentation Template

Task/Actions	Commentary	Lead Officer/Timescales	Activity/Outcomes
Project Initiation Document/ project Enquiry form for Community development - date completed			
Purpose			
Capacity of existing infrastructure and need for project			
Scale			
Shape			
Cost Multipliers			
Timescales and Delivery			
Local Issues through District Ward Member,			
Local Issues through Parish Council			
Local Issues through County Councillor			
Consider Joint Local Plan/IDP/NP/Other Council strategies			
Consider PIIPs			
Costs			
Funding opportunities What has been secured already What could be looked at to augment funding opportunities			
Other opportunities/ added value /additionality			
What other consultation is required/or is scheduled to take place together with timescales			

APPENDIX A

EXAMPLES OF DEFINITIONS OF STRATEGIC INFRASTRUCTURE PROJECTS, RINGFENCED INFRASTRUCTURE PROJECTS AND LOCAL INFRASTRUCTURE PROJECTS.

One or more of these elements constitute A PROJECT 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 Corporate Plan, Joint Local Plan, Infrastructure Delivery Plan (IDP) and each Councils Infrastructure Delivery Plan (IFS), 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.
 - 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 Ringfenced Infrastructure and Local infrastructure:

- Infrastructure (under the Ringfenced Infrastructure Fund) constitutes infrastructure projects detailed within the Infrastructure Delivery Plan (IDP) and the Infrastructure Funding Statement (Infrastructure List) - (IFS) of each Council and which has been identified as being required to support the grant of planning permissions (for developments of 10 dwellings and above) in order to make the development sustainable in planning terms

One or more of these elements constitute Local infrastructure:

- Local Infrastructure constitutes infrastructure projects which are detailed on the CIL Position Statement and which are meeting need at a local level, can easily be identified as compliant with the CIL Position Statement 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.

March 2021

APPENDIX B – THE CIL BID ROUND CYCLE

The twice-yearly bid round cycle will be as follows:

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

APPENDIX C – THE DEFINITION OF THE CAP RELATING TO NEIGHBOURHOOD CIL

This cap is as follows: -

* 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.

March 2021

March 2019 (Amended)

FIRST COMMUNITY INFRASTRUCTURE LEVY (CIL) EXPENDITURE FRAMEWORK REVIEW (March 2019)

Edition Amendments (March 2019) - Key Changes

- The production of a yearly Key CIL Date calendar which will be published on the Councils web site each year.
- 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 contingency costs will be eligible.
- CIL funds can be used for an infrastructure project to make it Disability Discrimination Act compliant.
- 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.
- All interest accrued on CIL monies will be paid into the Strategic Infrastructure Fund pot.
- 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).
- 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).
- 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 by Cabinet) can be determined in advance of the biannual CIL Business Plan where appropriate.

- Infrastructure for Community use – a new CIL 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).
- 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).
- Business Plan required dependant on size of the project (see guidance documents).
- 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 forms for Education facilities proposals.

March 2019

April 2020 (Amended)

SECOND COMMUNITY INFRASTRUCTURE LEVY (CIL) EXPENDITURE FRAMEWORK REVIEW (APRIL 2020)

Edition Amendments (April 2020) - Key Changes

- Abolition of the Regulation 123 Lists on the 1st September 2019 and the adoption of the CIL Position Statements for both Councils outlining what each Council will spend its CIL money on.
- Renaming of the CIL Business Plan to the CIL Expenditure Programme.
- Twenty five new key principles are inserted into Table 1 covering a wide range of subject matter including a new structured approach to resolving CIL Bids applications at pre submission of a CIL Bid including reporting to an Infrastructure Sub Programme Board at stages 1 and 2 and a stage 3 sign off stage (see diagram at the end of this document).
- Revised monitoring documents will be needed as part of the CIL Regulations 2019 where the need to produce an Infrastructure Funding Statement (IFS) is required for both Councils.
- New clarification inserted about permanent equipment which are eligible for CIL funds.
- Speaking at Cabinet - now altered in the Framework to reflect the Councils Constitution.
- Consultation period changed from 21 days to 14 days.
- Twenty-four new measures are inserted into Table 6 covering a wide array of process changes including new guidance, new rail forms, new limitations on expenditure on infrastructure submitted by the community together with recreations infrastructure projects.
- Four new prioritisation criteria added to Table.

- Deletion of one unused category which is not required from the original document as the remainder of the provisions adequately provide sound governance for CIL Bid determination.
- Addition of a Diagram to detail the new structured process around engagement for the development of infrastructure projects prior to their submission as a CIL Bid.
- Addition of documentation to support the inception stage, the development stage and the pre CIL submission stages of the new structured process for the development of infrastructure projects prior to the submission as a CIL Bid (stage 4).

April 2020

March 2021 (Amended)

THIRD COMMUNITY INFRASTRUCTURE LEVY (CIL) EXPENDITURE FRAMEWORK REVIEW (MARCH 2021)

Edition Amendments (March 2021) - Key Changes

- Abolition of the CIL Position Statements for both Councils and their replacement with the Infrastructure Funding Statement (IFS) for each Council. The IFS contains data on CIL and s106 income and expenditure together with details of the allocation and expenditure of Neighbourhood CIL. In addition, the IFS for each Council contains an Infrastructure List of infrastructure projects which CIL will be spent on. The IFS for each Council is different and will be updated each year. The IFS gives a list of specific infrastructure projects that CIL will be spent on and therefore its production for each Council each year is critical to the expenditure of CIL and should be read in conjunction with the CIL Expenditure Framework.
- New CIL Bid application form for requests for CIL funds from adjoining Local Authorities/Infrastructure Providers for CIL to support infrastructure projects outside the Babergh and Mid Suffolk administrative boundaries where it can be satisfactorily proven that our growth impacts on infrastructure beyond the District's boundaries such that mitigation is required.
- New additional criteria for dealing with such CIL Bids (from adjoining Local Authorities/Infrastructure Providers) as follows: -
 - Must be collaborative Bids – Babergh/Mid Suffolk will not contribute 100%.
 - Babergh's and Mid Suffolk's CIL spend must be proportionate to what is being provided and linked by way of evidence to impacts of growth within Babergh and Mid Suffolk and must address evidence-based impacts.
 - Must be specific deliverable projects with timescales and oven ready schemes with all necessary formal approvals in place.
 - Babergh and Mid Suffolk must be final part of the funding jig saw so that CIL funds are not tied up in projects that will not be delivered.
 - Must be capital based specific projects that address growth impacts.
 - Will not fund projects which are not classed as infrastructure.
 - Specific infrastructure projects must be listed in the Infrastructure Delivery Plan and within the Infrastructure Funding Statement (Infrastructure List) for Babergh and Mid Suffolk where spend is going to occur.
- Same engagement process for Parish Councils Ward Members and County Councillors (as already set out in the Framework) where CIL expenditure beyond each Districts administrative/geographical boundaries is over £50,000.

- All such CIL expenditure beyond each Districts administrative/geographical boundaries shall be Cabinet decisions with no delegated decisions.
- Technical Assessment shall include an additional section where CIL spend outside the administrative/geographical boundaries of the Districts to respond to these additional criteria.
- Collaborative spend outside the District shall be limited to Infrastructure provider projects only.
- Normal Bid round process twice a year will apply.
- Submission of a CIL Project Enquiry form before actual CIL Bid submission will be necessary and can be submitted year-round.
- Consider whether the required mitigation can be provided by other means (through culminative growth impacts).
- Is the infrastructure mitigation required classed as essential within the other Districts Infrastructure Delivery Plan, Infrastructure Funding Statement and Statements of Common Ground.
- All CIL Bids for expenditure beyond the Districts administrative/geographical boundaries must come from adjoining Local Authorities or Infrastructure Providers. Any requests from Parishes Community Groups/other organisations (such as Health Hubs, Schools) outside BDC and MSDC administrative boundaries will be regarded as falling outside the terms of our CIL Expenditure Framework – not eligible for making CIL Bids.
- CIL Bid requests direct from schools – agreed we make position clear in the CIL Expenditure Framework that all education funding must be because of a proven education need and other Bids will be outside the CIL Expenditure Framework.
- Use of CIL Project Enquiry Form – regarded as very useful for building a programme of infrastructure delivery. Agreed all infrastructure projects must submit a CIL Project Enquiry Form before actual CIL Bid submission.
- One transitional Bid round – where circumstances warrant one transitional Bid round for all existing undetermined CIL Bids so that they are not disadvantaged by any changes in this review.
- Agreement to keep CIL Expenditure Framework under review. Agreed another review (fourth) whilst Bid round 8 is underway (October 2021) so that any revisions are adopted before Bid round 9 occurs in May 2022.
- Agreed the Joint Member Panel remain to inform the fourth CIL Expenditure Framework review.

March 2021
