

# **CIL Governance Review Cabinet Report**

**16 November 2016**

**Appendices**

## Appendix 1

### Exacom – The Apportionment Process

Exacom is our CIL Collection and funds management software. It has been created to provide Charging Authorities with a CIL Regulation compliant collection process and transparent, auditable fund management system. The CIL Regulations are extremely complex to administer, particularly the CIL calculation process and so this software is a vital aid for robust implementation of CIL.

The following paragraphs explain how the Exacom system calculates the amounts that are distributed into the Governance Pots and provides a snapshot of our CIL financials.

Exacom apportions the CIL Liability for each planning permission granted using the sqm of liable floorspace within a Neighbourhood Planning zone. The Neighbourhood Plan status at the point when planning permission is granted determines whether 15% or 25% is passed to the relevant town or parish council i.e. 15% with no adopted Neighbourhood Plan, 25% with an adopted Neighbourhood Plan.

The number of existing properties within a planning zone is also relevant because the 15% is subject to an annual cap of £100 per dwelling with any 'excess CIL revenue' automatically distributed to our bespoke Pots at the allocated percentage. The exact money due (and potentially due) to a town or parish can be identified at the touch of a button at any time and the apportionment is CIL Regulation compliant down to the last detail.

Our previous understanding of the District Pot was that this would collect the 10% (or more if capped) accrued wherever there is no Neighbourhood Plan and be used by us to deliver recreation and community infrastructure in conjunction with local councils. As the process is automated per liability, once the neighbourhood and admin apportionment is taken, the remaining amount is immediately distributed according to set percentages. Consequently when we programmed Exacom we needed to allocate the District Pot an allowance that was equal to what was intended by the original governance arrangements i.e. broad parity with the Community Pot.

We can easily interrogate Exacom to identify exactly how much is held and from which planning permission in any Pot at any given time. The planning permission liabilities that make up the overall total in the Neighbourhood Pot can be identified and used to ensure we provide the exact correct amount to the relevant Town or Parish Council.

Exacom provides the 'live' CIL financial situation, and provides us with instant and direct access to our CIL portfolio (potential income, actual, allocated and spent for each Pot). The module allows us to allocate sums directly from the various income streams (Pots) to infrastructure projects, facilitating a very efficient and transparent approach to CIL funds management and monitoring infrastructure delivery. Below is a table that shows a representation of the Exacom Dashboard on 31st August 2016, the situation can change daily.

<b>Allocation</b>	<b>Potential £</b>	<b>Due £</b>	<b>Collected £</b>	<b>Allocated £</b>	<b>Spent £</b>	<b>Interest £</b>	<b>Available £</b>
<b>Admin</b>	19,129.78	0.00	2,706.79	0.00	0.00	0.00	2,706.79
<b>Neighbourhood</b>	63,420.25	0.00	8,120.38	0.00	0.00	0.00	8,120.38
<b>County</b>	180,027.39	0.00	25,985.23	0.00	0.00	0.00	25,985.23
<b>Community</b>	60,009.13	0.00	8,661.74	0.00	0.00	0.00	8,661.74
<b>District</b>	60,009.13	0.00	8,661.74	0.00	0.00	0.00	8,661.74
<b>Totals</b>	<b>382,595.68</b>	<b>0.00</b>	<b>54,135.88</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>54,135.88</b>

The headings in the above table refer to the CIL collection process and the financial governance of holding and spending the money: **Potential** refers to Liability Notices issued against planning permissions and recorded as local land charges; **Due** means Demand Notices (invoices) issued and awaiting payment, a liability only becomes due if the planning permission is commenced (this includes demolition); **Collected** is the money we have banked; **Allocated** is when a project is created and funds are committed; **Spent** is when the money has left our account; **Interest** is annually; and **Available** is available to allocate/commit to a project. It is the Available column that bids will be assessed against.

## Appendix 2 Bidding Form and Assessment Proforma

### Lewes District Council Community Infrastructure Levy Infrastructure Projects Funding Application Form

Section 1: Applicant Information		
1.1 Organisation / Company:	Click here to enter text.	
1.2 Address:	Click here to enter text.	
1.3 Phone number:	Click here to enter text.	
1.4 Email:	Click here to enter text.	
Section 2: Infrastructure Project Overview		
2.1 Project Title:	Click here to enter text.	
2.2 Location of Project:	Click here to enter text.	
2.3 Description of the Project Proposal:	Click here to enter text.	
2.4 Identify any Project Partners & their role within the bid:	Click here to enter text.	
2.5 Indicate your organisations current commitment to the project:	Fully committed	<input type="checkbox"/>
	Partly committed	<input type="checkbox"/>
	Uncommitted	<input type="checkbox"/>

2.6 Please expand on your answer to 2.4 including any board/committee or Cabinet resolutions:  
 Click here to enter text.

**Section 3: Bid Justification**

3.1 Is the Project in the Council’s IDP and/or on the Regulation 123 List?	IDP	<input type="checkbox"/>
	123 List	<input type="checkbox"/>

3.2 How will the proposal help address the demands of development in the area?  
 Click here to enter text.

3.3 Please provide details of any evidence which supports the bid from the local community  
 Click here to enter text.

**Section 4: Current Status of the Project**

4.1 Aside from funding is the project ready to commence?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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4.2 If the answer to 4.1 is No, please list briefly the main constraints:  
 Click here to enter text.

**Section 5: Current Funding for the Project**

5.1 Please indicate the total cost of the project: [Click here to enter text.](#)

5.2 How much funding does the project currently have?	75-100%	<input type="checkbox"/>
	50-74%	<input type="checkbox"/>
	25-49%	<input type="checkbox"/>
	Up to 25%	<input type="checkbox"/>
	None	<input type="checkbox"/>
	Uncertain / unknown	<input type="checkbox"/>

5.3 Please provide a detailed summary of the total CIL funding required, broken down into required funding phases. Please also use this space to explain how non-CIL funding is obtained:

[Click here to enter text.](#)

5.4 Is there a related revenue spend (i.e. day-to-day running costs, maintenance etc.) associated with the Project? If so please set out the details:

[Click here to enter text.](#)

5.5 Is the project expected to receive any S.106 funding?

Yes

No

5.6 If Yes, please explain the relationship between S.106 and CIL funding (noting that the CIL Regulations expressly prevent S.106 agreements and CIL funding for the same item of infrastructure):

[Click here to enter text.](#)

5.7 Does the Project help secure the release of additional funding?

Yes

No

5.8 If Yes, please indicate what other priority projects would be delivered:

[Click here to enter text.](#)

### Section 6: Delivery Timescale

6.1 What is the current delivery timescale for the Project:

Immediate

Up to 5 years

5-10 years

10-15 years

More than 15 years

6.2 Please provide further details on the programme for delivering the project:

[Click here to enter text.](#)

### Section 7: Constraints

7.1 Please show what constraints (if any) apply to your project:

Physical and environmental impacts e.g flood risk, contamination, topography, biodiversity, noise etc      Yes       No

Approvals and licences e.g planning permissions      Yes       No

Ownership, acquisition or compulsory purchase order issues      Yes       No

Partnership and governance issues      Yes       No

Dependency on other projects going ahead      Yes       No

7.2 If the answer to any of the questions in 7.1 is Yes, please provide further details here, including the extent to which the issues concerned can be overcome by mitigation:

[Click here to enter text.](#)

### Section 8: Links to Other CIL Funding Regimes

8.1 Does the Project cover more than one Charging Authority?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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8.2 If yes, please identify the other charging authority/authorities it covers, indicate the precise nature of this coverage and state how you are looking for CIL you are seeking to be apportioned between charging authorities.

[Click here to enter text.](#)

### Section 9: Governance

9.1 Please indicate what governance structures you have in place for this project:

[Click here to enter text.](#)



## SWOT Analysis of Infrastructure Funding Bids

<b>Funding Pot for Bid:</b>			
<b>Name of Project:</b>			
<b>Name of Organisation:</b>			
<u>Criteria examples</u>  On the Reg 123 In the IDP Project part-funded Community support Project committed & ready to deliver No/few constraints Strong governance arrangements Project partner commitment          Score range: 0 to +5	<b>Strengths</b>                      Score =	<b>Weaknesses</b>                      Score =	<u>Criteria examples</u>  No identified infrastructure need No project partners No funding & requires large cash injection No community support Weak governance arrangements Several constraints High on-going maintenance costs          Score range: -5 to 0
Justification for score:		Justification for score:	
<u>Criteria examples</u>  Unlocks additional funding streams Generates further community projects Technology development & innovation Partnerships & collaboration Cross-boundary strategic delivery Duty-to-Cooperate          Score range: 0 to +5	<b>Opportunities</b>                      Score =	<b>Threats</b>                      Score =	<u>Criteria examples</u>  Political effects Insurmountable weaknesses Legislative effects – double dipping, not infrastructure Environmental effects High ongoing maintenance costs Uncertainty/source of match funding          Score range: -5 to 0
Justification for score:		Justification for score:	
<b>Overall Score =</b>			
Name of Assessor: Date of Assessment:		Closing Remarks:	

## Assessment of Bids for CIL Project Funding

Bids are to be assessed on their own merit and against any other bids from the same Pot (County, District, and Community). Bids from one Pot should not be assessed against bids from another Pot.

	Project Bid	Project Bid	Project Bid	Project Bid
<b>Amount sought</b>				
<b>% of Total Cost</b>				
<b>% Cost secured</b>				
<b>Location</b>				
<b>Type of Infrastructure</b>				
<b>Project partners</b>				
<b>Commitment</b>				
<b>IDP / 123 List IDP weighting</b>				
<b>Community Support</b>				
<b>Constraints</b>				
<b>Timescale</b>				
<b>Unlock additional funding/projects</b>				
<b>Cross Boundary</b>				

<b>Governance</b>				
<b>Any other issues / factors with submission bid</b>				
<b>Consultation comments from District Councillor for the relevant ward/parish</b>				
<b>Preferred Project(s)</b>				
<b>Assessor's recommendation &amp; comments</b>	<p>Based upon the level of income in the CIL Pot, pressing infrastructure requirements, unforeseen events or developments, changes of legislation etc. which, if any, of the projects should be recommended to the Executive Board for consideration for CIL funding?</p>			