

Sevenoaks District Council
Community Infrastructure Levy Spending Board
Decision Making Process

First Stage of Validation Process

~~Lead Officer's initial validation of bids~~

The lead officer will undertake an initial validation of bids. The following will not be put to the spending board for consideration and, subject to any request for a review process offered, shall be considered as invalidated:

- Those schemes for which a pro-forma has not been completed.
- Those schemes where the bidding organisation does not have the legal right to carry out the proposed scheme or the support from the statutory provider of that service.
- Those schemes that could clearly not be defined as infrastructure* to support development.

The lead officer's validation of bids will be agreed by the chairman of the CIL Spending Board in advance of papers being published for the spending board meeting.

A written response will be provided to the bidder to explain this decision. This may suggest that a revised submission is considered at a future meeting.

Second stage of Validation Process

The Lead Officer will carry out a second stage in the validation of bids, which will assess the proposed bids against the following criteria in order to make recommendations on the bids submitted:

- The need for the scheme
- Whether the scheme supports local or Key Infrastructure projects
- Whether the applicant is working in partnership to implement the scheme
- Is the scheme part of an existing Strategy or Plan?
- The public benefit of the scheme?

- Has the applicant sought to maximise funding from other sources?
- Is there clear project management
- Is the scheme deliverable?
- Does the scheme and bid have local support?
- Has the project already had CIL funding?
- Does the scheme provide an overall community benefit?

**Infrastructure Definition - The term “infrastructure” is the basic systems, facilities and services which support development in an area. These can include highways and other transport facilities, flood defences, energy, educational facilities, health and social care facilities, community facilities, green blue infrastructure etc*

Each bid will be scored against how they perform against each category. The lead officer’s initial assessment and recommendations will be provided to the Chairman and Vice Chairman of the CIL Spending Board in advance of the papers being published for the Spending Board Meeting. The Report to the CIL Spending Board will include a summary of what criteria the bids score highly against and those where they perform weaker against.

Those applications which are not referred to that meeting of the Board shall be refused.

CIL Spending Board’s Key Considerations

The CIL spending board’s key considerations will be whether there is a public and overall community benefit of the proposed scheme for residents in Sevenoaks District. In determining this, the spending board will consider the following issues in making its recommendation.

- Whether sufficient evidence has been provided to demonstrate a strong social, environmental or economic justification for the scheme.
- Whether sufficient evidence has been provided to demonstrate a strong link between new development and the scheme.
- Whether sufficient evidence has been submitted to show that the project involves partnership working.
- Whether the scheme forms part of a planned, local, economic or community strategy to address the need for local or strategic infrastructure.

- Whether sufficient evidence has been provided to show the clear public benefit to the scheme.
- Whether sufficient evidence has been provided to show that other sources of funding have been maximised
- Whether there is sufficient certainty that the scheme will be delivered, including considering whether the project has all the necessary permissions in place and evidence has been provided to demonstrate that there are sufficient maintenance arrangements in place.
- Whether the scheme has local support.
- Whether the project has already benefited from CIL through the Parish and Town Councils.
- Whether overall the bid provides a benefit to the community as a whole

The board may also take into account other factors that it considers relevant.

Limited CIL funding is available and it is unlikely that it will fund all of the infrastructure schemes that are considered necessary to support development. Where it is necessary to choose between schemes that could both be appropriate uses of CIL (i.e. they satisfy all of the considerations set out above), the board will give particular consideration to the public benefit of the schemes for residents in Sevenoaks District and the link between development and the scheme.

Types of recommendation

The board may make the following recommendations to Cabinet for it to ratify. The recommendation to Cabinet for each item should usually be for one of the following:

- Funding for the scheme is approved subject to a legal agreement being entered into. If no legal agreement is entered into, within 6 months the bid will be reported back to the CIL Spending Board to be reconsidered.
- Funding for the scheme is secured and set aside for this project. The funding will be paid upon the completion of a legal agreement and when planning permission is granted for the project. If planning permission is not granted, the bid will be reported back to the CIL Spending Board to be reconsidered.
- Funding for the scheme is secured and set aside for this project. The funding will be paid upon the completion of a legal agreement and when all the funding sources laid out in the submission documents have been secured. If

not all the funding is secured, within 1 year, the bid will be reported back to the CIL Spending Board to be reconsidered.

- Funding for the scheme is not approved on the basis that other proposed schemes have been given greater priority.
- Funding for the scheme is not approved on the basis that insufficient evidence has been provided to justify it.
- A decision of the provision of funding a scheme is deferred. It is considered that further evidence is required to fully show the benefits of the scheme.
- A decision of the provision of funding for a scheme is deferred. It is considered that further evidence is required to indicate whether the project is viable.

If the decision is for the application to be refused then an applicant should be given sufficient information to understand the reason why. If it is deferred then the applicant should be given sufficient clarity over what information is required for the Bid finally to be determined.