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1 Introduction

i What is Community Infrastructure Levy (CIL)?

- a) The Community Infrastructure Levy is a planning charge, introduced by the Planning Act 2008 as a tool for local authorities in England and Wales to help deliver infrastructure to support the development of their area. It came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010.
<https://www.gov.uk/guidance/community-infrastructure-levy>
- b) Most new development which creates net additional floor space of 100 square metres or more, or creates a new dwelling, is potentially liable for the levy.
- c) The charging local authority is required to devolve a meaningful proportion of CIL to local communities. In Bristol areas with Neighbourhood Development Plan (NDP)¹ will receive 25% of CIL monies, whereas all other areas will receive 15% (see link to available CIL & S106 for each area).
- d) Remaining balance of CIL is not devolved and will be used to fund major strategic infrastructure schemes.

ii What can Local CIL monies be used to fund?

- a) CIL funds can only be used to support the development of the local area by funding:-
 - The provision, improvement, replacement, operation or maintenance of infrastructure; or
 - Anything else that is concerned with addressing the demands that development places on an area.
- b) The following table provides examples of schemes that can be considered for devolved CIL, what CIL cannot be applied to and why, applying the above criteria:

Table 1: Legitimate use of CIL

Item	Legitimate use of CIL?	Because...
A Pedestrian Crossing	✓ Yes	It's provision of infrastructure AND could address a demand which development places on an area if it addresses more traffic arising or increased in pedestrians from new housing etc.
Park improvements	✓ Yes	It's provision of infrastructure AND could address a demand which development places on an area if it addresses need for more facilities arising from new housing/increases in population etc.
A grant to enable young people to be provided with musical instruments	✗ No	It isn't infrastructure which supports development nor does it appear to address a demand that development places on an area
Improvements to a	✓ Yes	It's infrastructure AND it may additionally be able

¹ There are currently 3 NDPs in Bristol – Old Market, Lawrence Weston, and Hengrove and Whitchurch Park. The Lawrence Weston NDP sits in Area Committee 1; the Old Market NDP sits in Area Committee 4; the Hengrove and Whitchurch Park NDP sits in Area Committee 6.

Item	Legitimate use of CIL?	Because...
Community Building		to demonstrate it addresses a demand which development places on the area
An alley gating scheme	✗ No	It's infrastructure – but it only benefits a restricted section of the population. It's not a public benefit, but acts as a private benefit
A new shop front for a commercial enterprise	✗ No	Again, it's infrastructure but it benefits a private, not a public benefit.
Improvements to land or buildings that have limited or no public access	✗ No	Not a public benefit
Expansion of a surgery	✓ Yes	It's infrastructure AND it may additionally be able to demonstrate it addresses a demand which development places on the area
Library improvements	✓ Yes	It's infrastructure AND it may additionally be able to demonstrate it addresses a demand which development places on the area
An employment programme to equip local people with skills to secure work in expanding local industrial/employment sites	✓ Yes	It's not infrastructure, it's a revenue spend BUT it does address a demand which development has placed on an area – the need to fill employment. Securing employees from further afield places demands on transport services; local labour helps reduce those demands. Raises the question about sustainability, potentially
A community work post in a local voluntary group which is at risk of redundancy because of loss of a grant	✗ No	While it might be a desirable activity, the post doesn't plausibly address a demand arising from development and it's not infrastructure either.

iii What is Section 106 (S106)?

- a) S106 is part of planning legislation. It enables local authorities to require developers to set aside monies to mitigate the impact of their development.
- b) Broadly speaking there are three types of S106:-
 - Specific local S106 schemes; this is where a detailed type of mitigation and where it happens is stated in the S106 agreement. No decision is required and so this is administered by BCC officers.
 - Unspecified local S106 schemes: this is where the details of the mitigation and/or the specific location is not determined in the S106 agreement, although the general sort of work is – e.g. 'park improvements' or 'improvements to public transport facilities'. This requires decision to determine the details of the mitigation and location and so this is devolved to Area Committees for decision.
 - Strategic S106 schemes: this is for citywide improvements like public transport or destination parks, etc. This is also administered by BCC Officers.

- iv **What can Section 106 (S106) monies be used to finance?**
- Local devolved S106 money can only be used as set out in the S106 legal agreement, between BCC and the developer.
 - Area Committees will decide what and/or where to spend the devolved S106. Councillors will want to consult with their ward communities to inform their decisions.

v **Amounts of CIL & S106 monies available**

- The amount of CIL & Section 106 monies available varies across the city and is a frequently- changing picture. This is due to the number and type of developments taking place in each area at any given time. A regular monthly update is provided by the BCC Planning Obligations Manager. Full CIL & S106 reports can be viewed from the follow links:

Links:

- CIL Updates: [Planning & Building Regulations CIL money](#)
- Section 106 Updates: [Planning & Building Regulations S106 money](#)

2 Background: CIL, S106 and Area Committees

- The decision-making function for devolved CIL and S106 was previously carried by Neighbourhood Committees in Neighbourhood Partnership meetings.
- Following the council’s decision to end Neighbourhood Partnerships in 2018 it agreed to replace these decision-making bodies with 6 Area Committees each comprising of between 4 and 7 wards.
- All ward councillors are committee members for each Area Committee.
- The purpose of the Area Committees is to make decisions on how CIL and s106 funds are spent and their meetings are open to the public. The table below shows the number of Area Committees along with the names of their constituent wards and number of councillors in each committee.

Table 2 List of Area committees, wards and number of councillors

Committee	Name of Wards	Number of Councillors
Area Committee 1 (NDP)	Avonmouth & Lawrence Weston (NDP in Lawrence Weston)	3
	Clifton	2
	Clifton Down	2
	Hotwells & Harbourside	1
	Stoke Bishop	2
	Westbury-on-Trym & Henleaze	3
	Total number of councillors	13
Area Committee 2	Bishopston & Ashley Down	2
	Cotham	2
	Horfield	2

Committee	Name of Wards	Number of Councillors
	Henbury & Brentry	2
	Redland	2
	Southmead	2
	Total number of councillors	12
Area Committee 3	Eastville	2
	Frome Vale	2
	Hillfields	2
	Lockleaze	2
	Total number of councillors	8
Area Committee 4	Ashley	3
	Central	2
	Easton	2
	Lawrence Hill (NDP in Old Market)	2
	St George Central	2
	St George Troopers Hill	1
	St George West	1
	Total number of councillors	13
Area Committee 5	Bedminster	2
	Brislington East	2
	Brislington West	2
	Knowle	2
	Southville	2
	Windmill Hill	2
	Total number of councillors	12
Area Committee 6	Bishopsworth	2
	Filwood	2
	Hartcliffe & Withywood	3
	Hengrove & Whitchurch (NDP in Hengrove and Whitchurch Park)	3
	Stockwood	2
	Total number of councillors	12

3 CIL Criteria

Please note: local CIL monies must support the development of the local area by funding:

- A. The provision, improvement, replacement, operation or maintenance of infrastructure; or**
- B. Anything else that is concerned with addressing the demands that development places on an area.**

- i. CIL Criteria: All CIL proposals must:
 - a) Be evidence based:

- b) Deliver local priorities (these may come from existing Community Plans; old Neighbourhood Partnership plans; local surveys and community events/meetings)
 - c) Demonstrate need evidenced by qualitative and quantitative data.
 - d) Help meet the demands that development places on the need for infrastructure, community services and facilities in an area. OR
 - e) Deliver against a priority in a Neighbourhood Development Plan (NDP) where they exist. There are currently 3 NDPs – Old Market, Lawrence Weston and Hengrove.
- ii. Be viable:
 - a) The project can be delivered within the proposed and agreed timescales.
 - b) Within budget
 - c) The proposed solution will address the problem/priority
 - d) The delivery organisation has the skills and capacity to deliver.
- iii. Provide value for money:
 - a) Provides a sustainable solution to a problem or issue
 - b) Good project design – capital works must be properly accessible to everyone and provide high quality access for Disabled people – that is access which will stand the test of time and is fully integrated from the outset.
 - c) Where appropriate three comparable quotes are available.
- iv. Take proactive steps to:
 - a) Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited under the Equality Act 2010
 - b) Promote equality of opportunity
 - c) Foster good relations between people from different groups.
- v. Have the support of the majority of ward councillors.
 - vi. Be fully funded or developed with the agreement of appropriate heads of service. The council will not support any projects with unfunded maintenance attached.
 - vii. The decision-making process will favour fewer, larger value projects.
 - viii. Any project on or involving council land/property must have upfront approval from the relevant service manager. For each decision-making cycle the council will clarify any conditions and guidance for projects involving council land/property/maintenance.
 - ix. Feasibility studies cannot be funded in their own right – CIL must deliver tangible improvements. Feasibility studies can only be funded retrospectively as an eligible part of a project when the project they relate to is delivered on the ground.
 - x. As a result of Covid-19 we'd like to know if your project contributes to supporting the community to be Covid-19 secure. This isn't a requirement but for information.

4 Section 106 Criteria

- i. The Criteria to spend any devolved local S106 is specified in an agreement between Bristol City Council and the developer. This is published monthly and can be found from the link (see 1.v.a above).

5 Who Can Deliver CIL and S106 Projects?

- i. CIL- and S106-funded projects can be delivered by Departments of Bristol City Council or Other statutory service-providing organisations.
- ii. CIL- and S106- funded projects can also be delivered by voluntary and community sector organisations, which meet the criteria shown below and have a track record of successful delivery. Independent/third party organisations will need to complete a funding agreement/contract as appropriate.

No	Eligibility 1: for VCS organisations
1	Your organisation is already based in or delivering services in Bristol (it already has an established presence in Bristol and the work your organisation does is for the benefit of Bristol people).
2	Your organisation is non-governmental.
3	Your organisation is constituted (it has a governing document – a set of rules - either constitution or a Memorandum and Articles of Association).
4	Your organisation is incorporated, or if it is not incorporated, then you have an agreement from an incorporated organisation that can hold the funding on your behalf.
5	Your organisation has a set of objectives that allows it to undertake the activities you are proposing. (The constitution must allow your organisation to undertake the activities you are requesting funding for).
6	Your organisation is value driven, for the social good.
7	Your organisation has at least three trustees or directors (who are not related to each other and are not paid shareholders).
8	Your organisation reinvests any financial surpluses to further social, environmental and/or cultural objectives that bring a significant community benefit to Bristol.
9	Your organisation does not distribute any of its surpluses or assets through share dividends to individuals or shareholders.
10	Your organisation has a bank account in its own name.
11	Your organisation is not seeking to use the grant to promote particular political parties or religious beliefs.
Eligibility 2: VCS organisation must have:	
1	Copy of your Governing Document (Constitution or Memorandum and Articles of Association)
2	Full list of your organisation's Trustees/Directors showing their addresses, roles and relationships (if any).
3	Copy of your most recent annual report
4	Copy of your most recent signed accounts
5	A policy covering financial and procurement procedures
6	A Health and Safety Policy
7	An Equal Opportunities Policy
8	Equalities data

Eligibility 2: VCS organisation must have:	
9	If your project is to build or extend a building your constitution should state as part of the objectives that you can manage a building for the benefit of the local community
10	£5 million Public Liability Insurance - this will also be required if you are working with the general public
11	Will your organisations be working with children, young people or vulnerable adults?
12	If so do you have the appropriate Safeguarding Policies in place (this is required if you are working with Children and Young People or Vulnerable People)

6 Process: Stage 1 Local Community Input

- i. This stage is about offering local community members an opportunity to have an input into the CIL & S106 process. It involves asking local communities to put forward project proposals/ideas and help shape local CIL & S106 area priorities.
- ii. Each area is different in how they go about establishing the priorities for their area. However broadly speaking it is common for all areas to have the following key steps:
 - a) A way to receive CIL/S106 project proposals/ideas – usually by contacting the local ward councillors and/or sending to the Area Committee e-mail (see 9, Section 7).
 - b) A public event/meeting to present proposals/ideas to the public at ward level in an accessible building. During the Covid-19 pandemic this is likely to be delivered online.
 - c) A way of prioritising project proposal/ideas.
- iii. Any resident or group, organisation or city council department can put forward project proposals/ideas. To do this they must present their proposal or idea through their local councillors. Ideally you should set out your proposal on an Outline Project Proposal form, but sometimes ward councillors will complete the Outline Proposal form on your behalf.
- iv. Once all the ideas for proposals have been collected most areas will host a public meeting or event at which the proposals are presented. Because the number of ideas will outstrip the funding available this meeting will need to prioritise which proposals are most important and/or affordable and produce a short-list with their local councillors.
- v. You can find out when your local community meeting, event or Forum meeting is from your local Councillors or from the Council Website at <https://www.bristol.gov.uk/people-communities/community-meetings-and-events>.

Area Committee informal meetings

- vi. All councillors will bring their ward priority proposals to an informal Area Committee meeting. Area Committee members will consider project proposals from each ward within their Area and will select a manageable number of proposals, considering the spread of projects across their Area Committee area, the impact of the projects in their communities and the CIL & S106 funds available to them. They will invite those projects to go forward to develop a Full Project Proposal in Stage 2.
- vii. For information how to complete the Stage 1 Outline Project Proposal form see Section 9 of this Guidance.

- viii. The 2021 Area Committee decision making timeline (including deadlines for setting priorities and completing Outline Project Proposal form, etc.) is set out in the link below.

Links

- [2021 Area Committee Timeline FINAL](#)
- [2021 CIL & S106 OUTLINE PROJECT PROPOSAL FORM](#)

- ix. **Tree Planting decisions in 2021:** Section 106 funds a lot of replacement and new tree planting in the city's local neighbourhoods. **All the formal funding decisions for tree planting using local S106 funds in 2021 will be made at the Area Committee Informal meetings in July 2021.**

7 Process: Stage 2 Full CIL & S106 Project Proposals & formal Area Committee Decisions

- Once the Area Committee members agree their priority projects the identified delivery organisations will be asked to complete a Stage 2 Full Project Proposal Form, setting out how they will deliver the project.
- The Stage 2 Project Proposal form and guidance will be sent to all approved Outline Project Proposal delivery organisations.
- The deadline for the full Proposal form completion is set out in the 2021 CIL, S106 Timeline available from BCC website, see above link.
- Large project proposals involving public realm improvements are likely to be delivered by relevant BCC departments: for example installing or upgrading traffic lights, zebra crossing, etc. Other similar examples include installing new children play area, which can only be delivered by BCC Parks department.
- There may be some exceptions where BCC departments would support a third party organisation to deliver projects involving minor improvements to public realms: for example, Street Pocket Parks or other projects involving refurbishments. However these would need to be approved by the relevant department to ensure they meet relevant standards.
- Projects involving public realm and being delivered by a third party organisation will be provided a link officer from relevant BCC Department. Their role is to provide advice where necessary and ensure BCC standards are met.
- Other projects which do not involve public realms can be delivered by community groups/organisations. Examples of such projects include community building improvements.
- Applications will be assessed against CIL & S106 Criteria. Third party organisations will be expected to demonstrate a track record in managing similar size projects.
- The Area Committees will receive completed Full Project Proposals and will decide whether to approve funding in a formal meeting and any conditions they might want to set. You can find out when your local Area Committee meeting is from your local councillor/s and from [the council webpages](#).

8 Process: Stage 3 Post Area Committee Decision

- i. All project proposers will be informed of the Area Committee's decisions.
- ii. Successful third party delivery organisations will be asked to complete and return their Funding Agreement.
- iii. Funding will only be released once all relevant documents are in place and signed Funding Agreement is returned.
- iv. All projects must be delivered in line with Funding Agreement and once completed monitoring forms must be completed and returned.

9 Guidance for Completing Stage 1 Outline Project Proposal Form

- i. Section 1: Name, address and contact details of Project Proposer :
 - a) In this section please provide the name and address of the project proposer, state if the proposal/idea is from an individual or group. If it is a group please provide name and contact details of the group. Likewise if it is from an individual please provide full name and contact details. It is important to provide both landline telephone and mobile numbers and email address for future communications.
 - b) It is also very important to state the name of the ward your project proposal relates to and if it is a Neighbourhood Development Plan area, please state which one it is.
 - c) Please tell us whether your group / organisation is equalities-led. This is when more than two thirds of the board identify as Black Asian or Minority Ethnic (BAME), Lesbian Gay Bisexual Transgender Queer + (LGBTQ+), Disabled or from another equalities group.
- ii. Section 2: About the Project Proposal:
 - a) Section 2 is the heart of the outline proposal. It will also be used to assess against the CIL/S106 Criteria. Do not exceed the amount of words allowed in each question.
 - b) Be very specific - the more specific you are the better.
 - c) Describe what the project is looking to deliver and the outcomes/improvements you hope to achieve for the community if the project is funded. Provide an estimate of the number of people likely to benefit from the project.
 - d) If your project is seeking CIL funding, complete the CIL section. If your project is seeking S106, then complete the S106 section, ensure you provide full details of the S106, including Permission / Site / S106 Code and how your project proposal meets the stated purpose of the contribution (look in the Section 106 Updates – Links, below). For areas with Neighbourhood Development Plans or Community Plans please refer to them and reference the priorities you are proposing to address.
 - e) Consider how the project will provide benefits for people with protected characteristics including Age, Gender Reassignment, Marriage and Civil Partnership, people with Disability, Pregnancy and Maternity, Race, Religion and Belief, Sex and Sex Orientation. For example, it may improve access for disabled people.

- f) Please tell us whether the proposal contributes to the Covid19 recovery in any way. This will only be used by councillors for information, and is not a requirement of funding.

iii. Section 3: Land Ownership:

- a) Any project concerning public realm or spaces, e.g. Parks, Highways, Health Centres, Schools, etc. will require a statutory lead organisation to deliver the project or permission from relevant department to carry out the works. In this section please state if your project proposal involves in public space.
- b) If so provide as much details as possible, state if you made contact with the relevant department and name of the contact person. Please provide the landowner's comments.
- c) If no contact has been made please state the department the public space comes under, for example if your project involves developing a new children play area in a park, then state Parks Department.
- d) To find out if land is owned by Bristol City Council use the Pinpoint mapping link below.
- e) If you are not a councillor completing this form and require support please speak to your local councillors, they should be able to help you. If you are a councillor requiring support with this form, please email neighbourhoods&communities@bristol.gov.uk

Links

[Bristol Pinpoint Map](#) (Just zoom in to reveal land ownership by BCC Directorate. Left click to open details)

Section 106 Updates: [Planning & Building Regulations S106 money](#)

CIL Updates: [Planning & Building Regulations CIL money](#)

iv. Section 4: Financial information:

- a) During Stage 1, the Outline Project Proposal Form asks for an estimate of the finances for your project. Please provide in this section an estimated cost of your project proposal/idea and how much CIL and or S106 funding you are seeking: for example, it might be the full cost of the project or a contribution (match funding), etc.
- b) If you require contribution to match other funding, please state the amount of contribution you require and where the rest of the money will come from. Please state if any match funding or contribution is secured or pending.
- c) To get rough cost estimation for highways scheme please visit Traffic Choices website, where you will find information about different highways improvement schemes and estimated costs related to each scheme, for more information you could visit the Traffic Choices link below.
- d) It is also worthwhile to speak to other groups who may have developed and fundraised for a similar project to yours, for example for projects relating Parks, you might get support from Bristol Parks Forum – see link below.

Links

[Bristol Traffic Choices Schemes](#)

[Bristol Parks Forum](#)

v. Section 5: Signatures

- a) The Outline Project Proposal form will need to be signed off by local councillors. If you are not the local councillors, please ensure you pass the completed form to your local councillors so they can sign it and take it to their local ward public event and ultimately to their Area Committee meeting for consideration if it is prioritised at the ward level.

vi. Section 6: Where to send completed Outline Project Proposal forms.

- a) Send a completed Outline Project Proposal form to:

- Your local ward councillors. You can find their e-mail contacts at [your local ward councillor](#)
- Please also send a copy to the relevant Area Committee e-mail inbox below:

Area Committee	Email address
Area Committee 1	areacommittee1@bristol.gov.uk
Area Committee 2	areacommittee2@bristol.gov.uk
Area Committee 3	areacommittee3@bristol.gov.uk
Area Committee 4	areacommittee4@bristol.gov.uk
Area Committee 5	areacommittee5@bristol.gov.uk
Area Committee 6	areacommittee6@bristol.gov.uk

10 Support

For further support contact:

[Your ward councillors](#)

Or

The Community Resources Team

neighbourhoods&communities@bristol.gov.uk

Telephone: 0117 352 5640

Bristol City Council website: [local-decision-making](#)