

# 2023/24 Local CIL & S106 Process & Guidance Notes

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## 1. Introduction

- i. What is Community Infrastructure Levy (CIL)?
  - b) 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>
  - c) 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.
  - d) The charging local authority is required to devolve a meaningful proportion of CIL to local communities. In Bristol areas with Neighbourhood Development Plan (NDP)<sup>1</sup> will receive 25% of CIL monies, whereas all other areas will receive 15% (see <https://www.bristol.gov.uk/residents/planning-and-building-regulations/planning-applications/community-infrastructure-levy-cil-and-planning-obligations> for available CIL & S106 for each area).
  - e) The remaining balance of CIL is not devolved and is used to fund major strategic infrastructure schemes across the city.
- 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:

Item	Legitimate use of CIL?	Because...
<b>A Pedestrian Crossing</b>	✓	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.

<sup>1</sup> There are currently 3 NDPs in Bristol – Old Market (Area Committee 4), Hengrove & Whitchurch (Area Committee 6) and Lawrence Weston (Area Committee 1).

<b>Park improvements</b>	✓	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.
<b>A grant to enable young people to be provided with musical instruments</b>	✗	It isn't infrastructure which supports development nor does it appear to address a demand that development places on an area
<b>Improvements to a Community Building</b>	✓	It's infrastructure AND it may additionally be able to demonstrate it addresses a demand which development places on the area
<b>An alley gating scheme</b>	✗	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
<b>A new shop front for a commercial enterprise</b>	✗	Again, it's infrastructure but it benefits a private, not a public benefit.
<b>Improvements to land or buildings that have limited or no public access</b>	✗	Not a public benefit
<b>Expansion of a surgery</b>	✓	It's infrastructure AND it may additionally be able to demonstrate it addresses a demand which development places on the area
<b>Library improvements</b>	✓	It's infrastructure AND it may additionally be able to demonstrate it addresses a demand which development places on the area
<b>An employment programme to equip local people with skills to secure work in expanding local industrial/employment sites</b>	✓	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
<b>A community work post in a local voluntary group which is at risk of redundancy because of loss of a grant</b>	✗	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 the type of mitigation and its location is stated in the S106 agreement. No decision is required and so this is administered by BCC officers. An example of this would be: "The provision of library services in the area covered by the Knowle West Regeneration Framework".

- 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 a decision to determine the details of the mitigation and location and so this decision is devolved to Area Committees.
- 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?

- a) Local devolved S106 money can only be used as set out in the S106 legal agreement between BCC and the developer.
- b) 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.

i. Amounts of CIL & S106 monies available

- a) 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: [https://www.bristol.gov.uk/en\\_US/planning-and-building-regulations/community-infrastructure-levy-money](https://www.bristol.gov.uk/en_US/planning-and-building-regulations/community-infrastructure-levy-money)
- Section 106 Updates: [https://www.bristol.gov.uk/en\\_US/planning-and-building-regulations/section-106-money](https://www.bristol.gov.uk/en_US/planning-and-building-regulations/section-106-money)

## 2. Background: CIL, S106 and Area Committees

- i. The decision-making function for devolved CIL and S106 was previously carried by Neighbourhood Committees in Neighbourhood Partnership meetings.
- ii. Following the council’s decision to end Neighbourhood Partnerships it agreed to replace these decision-making bodies with 6 Area Committees each comprising of between 4 and 6 wards.
- iii. All ward councillors are committee members for each Area Committee.
- iv. 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.

**Committee**

**Name of Wards**

**Number of  
Councillors**

<b>Area Committee 1 (NDP)</b>	Avonmouth & Lawrence Weston <b>(NDP in Lawrence Weston)</b>	3
	Clifton	2
	Clifton Down	2
	Hotwells & Harbourside	1
	Stoke Bishop	2
	Westbury-on-Trym & Henleaze	3
	<b>Total number of councillors</b>	<b>13</b>
<b>Area Committee 2</b>	Bishopston & Ashley Down	2
	Cotham	2
	Horfield	2
	Henbury & Brentry	2
	Redland	2
	Southmead	2
	<b>Total number of councillors</b>	<b>12</b>
<b>Area Committee 3</b>	Eastville	2
	Frome Vale	2
	Hillfields	2
	Lockleaze	2
	<b>Total number of councillors</b>	<b>8</b>
<b>Area Committee 4</b>	Ashley	3
	Central	2
	Easton	2
	<b>Lawrence Hill (NDP in Old Market)</b>	2
	St George Central	2
	St George Troopers Hill	1
	St George West	1
	<b>Total number of councillors</b>	<b>13</b>
<b>Area Committee 5</b>	Bedminster	2
	Brislington East	2
	Brislington West	2
	Knowle	2
	Southville	2
	Windmill Hill	2
	<b>Total number of councillors</b>	<b>12</b>
<b>Area Committee 6</b>	Bishopsworth	2
	Filwood	2
	Hartcliffe & Withywood	3
	<b>Hengrove &amp; Whitchurch (NDP)</b>	3
	Stockwood	2
	<b>Total number of councillors</b>	<b>12</b>

### 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 (there are currently 3 NDPs – Old Market, Lawrence Weston & Hengrove and Whitchurch Park) where they exist.
  
- ii. Be viable:
  - f) The project can be delivered within the proposed and agreed timescales.
  - g) Within budget
  - h) The proposed solution will address the problem/priority
  - i) 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 BCC 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 BCC 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.**

#### 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 <https://www.bristol.gov.uk/residents/planning-and-building-regulations/planning-applications/community-infrastructure-levy-cil-and-planning-obligations/how-we-allocate-planning-obligations-money>).

#### 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 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).
5	Your organisation is value driven, for the social good.
6	Your organisation has at least three trustees or directors (who are not related to each other and are not paid shareholders).
7	Your organisation reinvests any financial surpluses to further social, environmental and/or cultural objectives that bring a significant community benefit to Bristol.
8	Your organisation does not distribute any of its surpluses or assets through share dividends to individuals or shareholders.
9	Your organisation has a bank account in its own name.
10	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
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 supporting 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.
  - 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 s/he must present their proposal or idea through their local councillors. In some areas you may be asked to complete an Outline Project Proposal form, in other areas the ward councillors will complete the Outline Proposal form once the priority projects have been identified.
- iv. In some areas, CIL & S106 project proposers will be given an opportunity to present their project proposals/ideas at a local Community Network/Space or Forum meeting in their ward, where local residents will prioritise the top 1-3 project proposals/ideas, 1 being the highest and 3 being the lowest. You can find out when your local Network/Space or Forum meeting is from your local Councillors. Councillors will sign off the top priorities chosen at the community meeting in their ward and bring this prioritisation to the first formal meeting.

### **Area Committee first formal meetings**

- v. All councillors will bring their ward priority proposals to the first formal 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.

- vi. At the end of Stage one, Area Committee chairpersons will meet with relevant BCC managers to take a city-wide overview of their capacity and timescales for delivering selected projects to produce a deliverable project programme across the city.
- vii. For guidance how to complete the Stage 1 Outline Project Proposal form see Section 9 of this Guidance.
- viii. The 2023/24 Area Committee decision making timeline (including deadlines for setting priorities and completing Outline Project Proposal form, etc.) is set out in the link below: <https://www.bristol.gov.uk/residents/people-and-communities/decision-making-in-your-area/area-committee-funding-process>

## **7. Process: Stage 2 Full Project Proposals & formal Area Committee Decisions**

- i. Once the Area Committee members agree their priority projects, identified delivery organisations will be asked to complete a Stage 2 Full Project Proposal Form, setting out how they will deliver the project.
- ii. The Stage 2 Project Proposal form and guidance will be sent to all approved Outline Project Proposals.
- iii. In the 2023/24 funding process, the deadline for the full Proposal form completion varies by Area Committee and will be communicated to project proposers by email.
- iv. 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.
- v. 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.
- vi. 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.
- vii. Other projects which do not involve public realms can be delivered by community groups/organisations. Examples of such projects include community building improvements.
- viii. Applications will be assessed against CIL & S106 Criteria. Third party organisations will be expected to demonstrate a track record in managing similar size projects.
- ix. 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.
- ii. Section 2: About the Project Proposal
  - a) Give your proposal a short title that clearly summarises what will be delivered and where.
  - b) Section 3 is the heart of the outline proposal. It will also be used to assess against the CIL/S106 Criteria. Please do not exceed the amount of words allowed in each question.
  - c) Be very specific - the more specific you are the better.
  - d) 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.
  - e) If your project is seeking CIL funding, complete the CIL section. If your project is seeking S106, then complete the S106 section, ensuring 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 – see link below). For areas with Neighbourhood Development Plans or Community Plans please refer to them and reference the priorities you are proposing to address.

- f) Finally, 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.

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, state if you made contact with the relevant BCC 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 [communities@bristol.gov.uk](mailto: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:** [https://www.bristol.gov.uk/en\\_US/planning-and-building-regulations/section-106-money](https://www.bristol.gov.uk/en_US/planning-and-building-regulations/section-106-money)

**CIL Updates:** [https://www.bristol.gov.uk/en\\_US/planning-and-building-regulations/community-infrastructure-levy-money](https://www.bristol.gov.uk/en_US/planning-and-building-regulations/community-infrastructure-levy-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 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) If you are unable to get estimated costs, for example if you are proposing a traffic scheme to be delivered by BCC Transport, it is OK to leave this section blank. Costs will be estimated by the relevant BCC departments once all Outline Proposals have been submitted.

- 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 - <https://www.trafficchoices.co.uk/traffic-schemes/>

Bristol Parks Forum - <http://www.bristolparksforum.org.uk/>

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.
- b) Councillors can also indicate their endorsement of the proposal by email.

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 <https://democracy.bristol.gov.uk/mgFindMember.aspx>
- You can also forward it to the relevant Area Committee e-mail inbox below:

Area Committee	Email address
Area Committee 1	<a href="mailto:areacommittee1@bristol.gov.uk">areacommittee1@bristol.gov.uk</a>
Area Committee 2	<a href="mailto:areacommittee2@bristol.gov.uk">areacommittee2@bristol.gov.uk</a>
Area Committee 3	<a href="mailto:areacommittee3@bristol.gov.uk">areacommittee3@bristol.gov.uk</a>
Area Committee 4	<a href="mailto:areacommittee4@bristol.gov.uk">areacommittee4@bristol.gov.uk</a>
Area Committee 5	<a href="mailto:areacommittee5@bristol.gov.uk">areacommittee5@bristol.gov.uk</a>
Area Committee 6	<a href="mailto:areacommittee6@bristol.gov.uk">areacommittee6@bristol.gov.uk</a>

**10. Completing CIL & S106 Full Project Proposal Forms, Part One and Part Two**

The CIL & S106 2021: Full Proposal is set out in two sections:

**Part 1: Eligibility Form, Finance & Authority to Submit** and **Part Two: Full Project Proposal Form.**

They're designed to enable delivery organisations to set out in more detail as follows:

**Part 1: Eligibility Form, Finance & Authority to Submit:** their eligibility to meet the organisational criteria to use CIL and S106; financial information for payment; declarations about conflicts of interest and State Aid and to evidence that they have the authority to submit the Proposal.

**Part 2: Full Project Proposal Form:** details about how they will deliver the project that has been supported in outline by an Area Committee, how it delivers benefit to all relevant communities and that their project fits the criteria to use CIL and/or Section 106 funding.

For further support contact [communities@bristol.gov.uk](mailto:communities@bristol.gov.uk)

## Part One: Eligibility, Finance & Authority to Submit Form

### i. Section 1: Project Name and Area Committee

Use the same project name as on the Part Two form and enter the Area Committee your proposal is applying to. Complete your organisational contact details (please include any second contact we need to know about)

### ii. Section 2: Eligibility

All project proposers should complete Section 2A. Voluntary and Community Sector organisations (VCS) and Social Enterprises should **in addition** complete section 2B and, if they're not already funded by the Bristol Impact Fund, sections 2C & 2D.

**Contact [communities@bristol.gov.uk](mailto:communities@bristol.gov.uk) for advice if you have any queries or problems completing this section.**

### iii. Section 3: Organisation details

3a: CIL/S106 Payment release schedule: tell us how you'd prefer us to stage payments of funds if your proposal is approved by the Area Committee

3b(i). Your Bank Account details (for VCS organisations/Social Enterprises): you must be able to answer 'yes' to this question to be eligible as an organisation to receive CIL and S106 monies

ii. BCC departments: please enter the budget code to which CIL funds or S106 funds should be transferred if your proposal is approved

### iv. Section 4: Declarations

4a: Conflict of interest: it is important that any conflicts of interest are made clear and explicit. If any exist we will want to follow up to understand how your organisation will manage them transparently and responsibly

4b: DECLARATION: It is also important that any links between staff or members of your management and suppliers who may benefit from obtaining contracts to supply using Council funding are made clear.

4c. Subsidy control

- The EU State aid rules no longer apply to subsidies granted in the UK (other in very limited circumstances in which State aid rules still apply under the Northern Ireland Protocol and certain other cases set out in the UK-EU Withdrawal Agreement).
- A set of rules similar to EU state aid law governing public subsidies are included in the UK-EU Trade and Cooperation Agreement (TCA). Giving financial assistance to ‘economic actors’ from public resources is generally prohibited if it is selective, confers an economic advantage and has or could have an effect on trade or investment between the UK and EU.
- From 1 January 2021 public authorities will need to determine whether their subsidy carries any appreciable risk of triggering a dispute with a trade partner under the terms of various international and domestic agreements. This is in addition to assessing whether the proposed subsidy falls within scope of domestic law obligations relevant to subsidy control.
- There is no case law yet on the application of this definition. The European Commission however previously found on a number of occasions that public financial support for purely local operations did not involve State Aid as the projects were unlikely to have a significant effect on trade between Member States.
- The Council has carefully considered the proposed grant funding and the new subsidy control rules and believes the following applies:
  - the beneficiaries (i.e. the VCSE recipients) are active only in a limited area within the UK, namely the city of Bristol, such that the services provided by the beneficiary recipient are purely local in nature;
  - the beneficiaries’ services are aimed at a local population and are not marketed to and are unlikely to be of interest to and attract customers from EU countries
- The Council’s view therefore is that there is a low risk that the proposed grant funding would constitute an unlawful subsidy as it will not have a significant effect on international trade.

v. **Section 5: Authority to submit Proposal**

5a. Signature of the person submitting Proposal – and position in the organisation. We need to know that this proposal is submitted by a person with the authority in your organisation to make the commitments set out in the Proposal

5b. For organisations with a management committee: we need to know that the management body of your organisation is aware of and endorses this Proposal.

**Part Two: Full Project Proposal Form**

This section of your Full Proposal will be submitted in full to the Area Committee and is the information on which they make their decision on any approval of funding.

i. Section 1: Summary of the Proposal

1a: Give your project a brief, clear, descriptive name so it's easily identifiable

1b: tick the Area Committee which covers the project you are describing (if it takes place in more than one tick all that apply)

1c: Also tell us the specific ward (or wards) your project is sited in and the specific location(s). This helps us identify if it contributes to a formal Neighbourhood Development Plan area (which has ring-fenced CIL funding at its disposal)

1d: Summary: provide a brief clear summary of what the project is going to deliver

1e: Set out if you are asking for CIL and/or S106 monies for your project and how much you are asking for.

ii. Section 2: The Project

2a: enter your organisation's name.

2b: Tell us briefly about your organisation or department, your core purpose and key activities

2c: Use this section to describe the project you want to deliver clearly – describe it in reasonable details and where specifically it will be delivered.

2d: Use this section to describe your project more fully and how it meets the technical criteria to be eligible for the CIL and the S106 contributions you are requesting from the Area Committee. The Committee can only award funding for eligible projects.

Sections 2d(i) & 2d(ii): depending on which funding you are seeking, set out clearly how your project:

2d(i): CIL Funding: meets the legal definitions which condition use of CIL monies\* AND addresses local needs and priorities – provide evidence of how you know these are priorities  
**See Section 3: CIL Criteria in the Guidance above**

\*Note: These are:

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

2d(ii): S106 Funding: enter the details of the specific S106 contributions you are asking for and describe how your project meets the conditions of those S106 contributions AND addresses local needs and priorities – provide evidence of how you know these are priorities

You can view latest updates on Section 106 monies available to each Area Committee at:

<https://www.bristol.gov.uk/residents/planning-and-building-regulations/planning->

[applications/community-infrastructure-levy-cil-and-planning-obligations/how-we-allocate-planning-obligations-money](#)

Section 2e: Describing Success: You need to propose at least **one** Outcome which your project will deliver and **up to three** which can describe its success in meeting local needs and priorities. You may need to select a measure which plausibly suggests that the outcome is likely and the evidence you'll use to communicate success.

Think about how you'd describe the impact of your project in a local article or at a local meeting to convey its positive impact.

iii. Section 3. Equalities, Inclusion and the Public Sector Equality Duty

**For more information see:**

**BCC Equality and Inclusion Strategic Framework 2023-2027:**

<https://www.bristol.gov.uk/policies-plans-strategies/equalities-policy>

**Equality Act 2010:**

<https://www.bristol.gov.uk/council-and-mayor/policies-plans-and-strategies/equality-diversity-and-cohesion-policies/our-equality-policies-and-equalities-legislation>

**Public Sector Equality Duty:**

<https://www.bristol.gov.uk/council-and-mayor/policies-plans-and-strategies/equality-diversity-and-cohesion-policies/our-equality-policies-and-equalities-legislation>

**Ward Profiles:** <https://www.bristol.gov.uk/council-and-mayor/statistics-census-information/ward-profile-data>

iv. 3a: Appendix 1: Public Sector Equality Duty and Equalities Impact Assessment table:

Complete this table and tick to confirm you've completed and attached. **Your Full Proposal will not be considered for funding without a completed Public Sector Equality Duty and Equalities Impact Assessment**

Protected Characteristics and Equalities Communities – What's the difference?

'Protected Characteristics' is the term introduced within the Equality Act 2010. They are 9 characteristics around which people can be treated less equally or discriminated against or victimised or be excluded from participation in wider community or public life. They are:

- Age
- Sex (gender)
- Religion and belief (includes having no belief)
- Sexual orientation
- Ethnicity
- Disability
- Civil Partnership/Marriage

- Gender re-assignment (transgender)
- Pregnancy & maternity

‘Equalities Communities’ is an older concept. They are specific named sub-groups within the broader categories of Protected Characteristics which are agreed to experience historic and institutional discrimination and exclusion. They are identified as:

- Women and girls
- Young people
- Older people
- Black and minority ethnic people
- Disabled people
- Lesbian, gay, bisexual people,
- transgender people
- People with religion or belief

### The Public Sector Equality Duty

The general equality duty applies to Bristol City Council and other public bodies such as The Police, who carry out a public function. In summary, those subject to the general equality duty must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not (including tackling prejudice and promoting understanding between people from different groups)

### Equalities Impact Assessments

An Equality Impact Assessment is a tool to help service providers make sure that policies, practices, activities and decisions do what they are intended to do and for everybody.

They also ensure that service providers meet their equality duties (and deliver their Equalities Policies) by assessing likely (or actual) effects of decisions on equalities communities. Providers have a duty to look for the potential positive impacts and opportunities to promote equality of a given policy or activity or piece of work; and if there are potentially negative impacts, to remove, mitigate or justify them.

#### v. 3b: Disabled Access to Capital Projects:

High quality access for disabled people to all CIL and S106-funded capital projects is essential. You should use this section to describe how you will deliver this if relevant to your project.

vi. Appendix 1: Public Sector Equality Duty and Equalities Impact Assessment table

A short video and presentation on how to create a good Equalities Impact Assessment are available on this webpage: <https://www.bristol.gov.uk/residents/people-and-communities/decision-making-in-your-area/area-committee-funding-process>

As a formal Council committee, Area Committees are legally obliged to give due regard to all elements of the Public Sector Equality Duty. Again, don't invent contributions just to complete each section; only complete where your project makes a genuine contribution, but say clearly why if you consider your project makes no contribution to any of the elements of the duty.

We've set out the Protected Characteristic category from the Equality Act 2010 in **bold text** and the Equality Community sub-group in regular text.

In particular, consider the following more detailed contributions your project might make:

- To contribute positively to benefit people around their protected characteristics or people in Equality Groups
- Remove or minimise disadvantages suffered by people due to their protected characteristics.
- Take steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people. Includes (among other things) taking steps to take account of disabled people's impairments – in other words, design your project to enable participation.
- Encourage people with certain protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

Examples:

**1.2 Does it contribute to eliminate unlawful discrimination, harassment and victimisation?**

A library wants to make its toilet available for public use and upgrades it to become fully accessible, including widening doors and changing the layout so that it doesn't discriminate against disabled users of its services or the wider general public. The CIL/S106 funding is used to fund these improvements.

**1.3 Does it advance equality of opportunity?** A new Play area within a Park or Open Space recognise the needs of disabled children and/or parents/carers who may be disabled and design into the play: accessible pathways; accessible play opportunities; tactile play for sight-impaired children; play that produces sounds; entrances which enable people using wheelchairs or mobility scooters to enter/leave the play area. The CIL/S106 funding is used to fund these improvements.

**1.4 Does it foster good relations between people who share a protected characteristic and others – to improve good relations between different groups in the city?** A

Cemetery/Crematorium might refurbish its provision to make it more multi-faith/humanist in design so it is neutral and welcoming to a wide range of cultural traditions; they might amend their processes to make it possible to conduct fast burial provision to communities which have a tradition of next-day interment of the dead. The CIL/S106 funding is used to fund these improvements.

Potentially adverse impacts and mitigations: Use the last two column in the table to identify any negative impacts which your project may have on any people with Protected Characteristics or from any of the Equality sub-groups within them; identify how you will minimise or remove these impacts or justify why you are unable to do so.

vii. **3c: Involving the community:**

Both locally devolved S106 and CIL are funds which are about delivering against local needs and priorities. Use this section to describe how you have already and how you will continue to involve relevant sections of the local community in shaping your project and how it meets their needs. You should include how you've involved people from relevant Equalities Communities and people with Protected Characteristics so you have understood their needs and how your project can deliver benefits which meet any specific needs they may have.

viii. **Section 4. Project Delivery Details**

4a. Land/Resource ownership: the Area Committee needs to be confident that your project has the permission of the landowner if the organisation proposing the project does not itself own the land or resources.

4b. Delivery Track record: A condition of CIL & S106 funding is that the organisation delivering the project must be able to demonstrate their capacity. Please tell the Area Committee about your track record in delivering similar or equivalent pieces of work; the skills, experience, quality assurance processes and procurement experience you will apply to the delivery of this project.

4c. Delivery timetable and key events/activities: as part of describing your capacity the Area Committee wants to see a timeline with key milestones and activities and a plausible plan to deliver your project. Please set this out in the table in this section. Please adjust the time frame as needed.

4d. Project Delivery Budget: this is divided into two sections: the Capital costs to complete the project itself and the Maintenance and Revenue costs once the project is in place. Please note that you must set out if you are raising additional funds to complement or match the CIL or S106 contributions you are asking for; if you already have them or are raising them and when you expect to know whether you are successful or not.

Revenue and Maintenance costs: You must identify any revenue and maintenance costs you are asking for from CIL sources; Any S106 funds you are seeking will already have maintenance costs retained by Bristol City Council – but you must make sure that these are confirmed by the relevant BCC department and entered on this budget line as secured or not. Identify any

external or other funding which will be used for maintenance/revenue or will be raised from other sources.

4e. How would you manage delivery of your project if the Area Committee offers you less funding than you are requesting? Area Committees have received a high number of project outline proposals and there is a possibility that the Committee may want to offer less funding than you are requesting. Please use this space to set out how you would manage your project in the event you are offered less funding. Please be honest if a reduction would make the project undeliverable.

4f. How have you arrived at your project costs?: Set out the assumptions and backgrounds to why you've entered the costs in your budgets and what they are based on.

## 11. Support

For further support contact:

**The Community Resource Team**

Email: [communities@bristol.gov.uk](mailto:communities@bristol.gov.uk)

Bristol City Council website: <https://www.bristol.gov.uk/people-communities/local-decision-making>