

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

CIL GOVERNANCE TASK GROUP

Minutes from the Meeting of the CIL Governance Task Group held on Thursday, 23rd January, 2020 at 2.00 pm in the Kempe Room - Town Hall, Saturday Market Place, King's Lynn PE30 5DQ

PRESENT: Councillors T Parish (Chair), F Bone, A Bubb, M de Whalley, J Kirk, and D Whitby

MEMBERS PRESENT UNDER STANDING ORDER 34: Councillor Ryves.

OFFICERS: Alan Gomm, LDF Manager and Amanda Driver, CIL Officer

1 **APOLOGIES FOR ABSENCE**

None.

2 **MEMBERS PRESENT UNDER STANDING ORDER 34**

Councillor Ryves.

3 **NOTES FROM THE PREVIOUS MEETING**

The notes from the previous meeting were agreed as a correct record.

4 **CIL DISTRIBUTION AND SPENDING**

The LDF Manager presented a report which consolidated the ideas and issues raised by the Task Group at their previous meeting in relation to how CIL money was distributed and spent. He presented the three proposals along with pros and cons of each proposal.

It was also noted that the projected income from CIL was approximately £1.2 million. It was highlighted that there was a Government exemption in place for self-build and if this was not in place the income would be up to around £2.5 million.

The Task Group considered the three proposals and the following comments were made:

Proposal 1 – Split 60/20/20

- Projects would need to be looked at and prioritised.
- Match funding would be crucial in most cases, but each case would be considered on its own merits.

- It would be up to the Borough on how the strategic pot would be allocated. Norfolk County Council projects would not be excluded, but projects would need to link in with the Borough priorities and benefit the local community.
- An area to consider could be training applicable for skills needed for employment, which could benefit the local economy.
- The Task Group was reminded that money needed to be used for infrastructure and had to be Capital funding. CIL money could not be used to subsidise private business or for State Aid.
- Resources required to administer the projects would need to be considered. The Task Group was advised that at their next meeting they would be discussing detailed processes for distribution.
- There would need to be flexibility on the 60/20/20 split if funds were over or under subscribed. The split would also need to be reviewed annually. It was noted that funds could roll over to future years if they were not spent.
- There would need to be a time limit on when organisations received payment after completion of works. It was explained that CIL monies could be released within seven days if required.
- There would also need to be a process in place for how long CIL money would be allocated to an organisation, and if it was unused the process for the expiry of projects and reallocation of funds. Clarification would also be required if the time limit was different to the limit on funds which were directly paid to Parishes, which was currently five years.

Proposal 2 - All Parishes

- This would be a simple scheme, but would it serve the needs of the whole Borough as there would be no funds available for strategic projects.
- It could be trialled.

Proposal 3 – Split 3 ways

- This was a variation of proposal 1, but with a different level of split.
- It would be resource intensive and could potentially constrain the amount of larger strategic projects.
- The Task Group was informed that 5% of CIL income could be used for administration of the scheme.

The Task Group considered all three proposals.

AGREED: 1. The Task Group supported Proposal 1.
 2. Proposal 1 to ensure that there was flexibility within the scheme to shift money if there was underspend or oversubscription.
 3. A review process is built into the scheme and a process for unspent funds to roll over to the next year.

5 **NEXT MEETING - DETAILED PROCESSES FOR DISTRIBUTION**

The Task Group were asked to consider the detailed processes for distribution, which would be considered at the next meeting.

The CIL Officer circulated examples of spending criteria and expression of interest forms.

6 **DATE OF THE NEXT MEETING**

Tuesday 4th February 2020 at 2.00pm in the Town Hall.

The meeting closed at 3.08 pm

If the answer to any of the questions below is no then the project is not considered eligible to apply for CIL funding.

Criteria questions:	Yes	No
Is this project necessary to support local growth?		
Is the total cost of the project between xxxxxxx		
Has match funding and financial commitment from the organisation submitting application form been secured?		
Is the project deliverable within 1-5 years?		
If the project is highways or education related do you have a letter of support from the relevant NCC department?		

Regulation 123 List Projects Expression of Interest Form

If you require assistance completing this form, please contact cil@west-norfolk.gov.uk or telephone 01553 616443

Project Details	
Project name.	
Name of organisation submitting this expression of interest.	
Brief description of the project, including its purpose, how it will benefit the community and the geographical area it covers.	
Evidence of Need	
Please indicate how the evidence of need for this project has been gathered. Include details of any research that you have carried out of strategies/plans which identify this project as a priority.	
What evidence do you have that local people support your project?	
How does the project contribute to the delivery of the Borough Council's Corporate Plan?	
How does the project contribute to the delivery of the objectives and policies of the BCKLWN Local Plan?	

How does the project contribute to the delivery of the priorities of the Norfolk Local Transport Plan 2011 – 2026 (applicable to transport projects only)	
How does the project contribute to the delivery of the principles and priorities of the Norfolk Health & Wellbeing Strategy 2018-2022? (applicable to transport projects only)	
Evidence of stakeholder support	
If the project is highways or education related do you have a letter of support from the relevant NCC department? (please attach a copy of the letter to this application form)	
Please provide details of support for the project from other stakeholders or organisations	
Finance and Deliverability	
Total cost of project (must be between xxx - xxx)	
Amount of funding committed to the project by applying organisation (e.g. Parish Councils own CIL funding or precept).	
Details of other match funding secured (amount and organisation providing funds)	
Amount of CIL funding requested	
Please indicate the approximate start and finish dates of the project. (must be deliverable within 1-5 years of application)	
Other supporting information	
Please give details of any other information you would like to provide in support of your application	

Please return this form to cil@west-norfolk.gov.uk



Please return completed form to: CIL@west-norfolk.gov.uk

Community Infrastructure Levy (CIL)

PROJECT EXPRESSION OF INTEREST AND APPLICATION FOR FUNDING FORM

SECTION 1: FOR COMPLETION BY THE PROJECT APPLICANT

1) Contact Details:

Name:	
Organisation:	
Phone number:	
E-mail address:	

2) Criteria

<ul style="list-style-type: none">2.1 How does the project address the specific impacts of the new developments from which the funding has been generated? (You may consider this on a Parish basis a Locality basis or a Ward basis.)

<ul style="list-style-type: none">2.2 How does the project provide links to the locality of the area where development has taken place? (for example if your project has a Parish wide impact)

- **2.3 What evidence can you provide which shows how the community have been listened to and support this project?**

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2.4 Does the project show that it either:

- **Supports the development of the relevant 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 the area.**

Yes No

3) Project Contact Details:

Contact details for the project (if different to person completing the form)	
Project Name	
Project Location	
Parish which will benefit from this project	

4) Project Details:

4.1 Description of your project (maximum 300 words)
4.2 Reasons for supporting this project (maximum 300 words)

4.3 Is this a new project or does this project link into an existing project?			
4.4 Target Start Date		4.5 Target Completion Date	

4.6 If planning permission is required for this project has it been granted?

5) Funding:

5.1 Total Cost of Project:	
5.2 Amount sought from the CIL Fund:	
5.3 Benefit (Money identified from other sources)	

6) Bank Details (for successful projects)

6.1 Details of the Bank Account into which the funds from the Neighbourhood Portion of CiL should be paid:			
Bank name:		Sort code:	
Account name:		Account number:	

6.2 If the project is being delivered internally, internal code is required below:													

SECTION 2: FOR COMPLETION BY CIL OFFICER

Project Form Validation Decision (Officer decision)

SECTION 3: FOR COMPLETION BY CIL SPENDING PANEL

Project Expression of Interest Recommendations (Working Group decision)

SECTION 4: FOR COMPLETION BY SUPPORTING COUNCIL SERVICE AREAS

Recommendations received on project delivery (Officer decision)

SECTION 6: OUTCOME OF THE COUNCIL CABINET DECISION

Recommendation (Cabinet decision)

SECTION 7: PROCESS LOG

	Process start date	Date agreement reached
Expression of interest and Officer Validation		
Spending Panel recommendations		
Service Area recommendations		
Submission to Council Cabinet for agreement		
Payment of Funds		

Guidance Notes

Introduction

Borough Council of King's Lynn and West Norfolk (BCKLWN) is obligated, under the CIL Regulations 2010 (as amended), to produce a Regulation 123 list (R123 list).

This list sets out the infrastructure projects that may benefit from CIL funding. The distribution of CIL funding is a matter for the Council to decide; the Regulations only prohibit expenditure of CIL funds on infrastructure projects that are not included on the R123 list as follows:

Provision of transport related infrastructure (roads and public transport)
Provision of library facilities
Provision of additional pre-school places at existing establishments
Provision of primary school places at existing schools
Provision of secondary, sixth form and further education places
Provision of health facilities
Provision of leisure and community facilities
Provision of 'off site' open space and public realm
Strategic green infrastructure (excluding suitable alternative natural

A project being included on the R123 List does not signify a guarantee of CIL funding. Whether a project receives CIL funding will depend on the Council's priorities at the time of the application for funding being made, and the amount of CIL funding available. The Borough Council will ensure timely release of funds when invoices are received for satisfactorily completed works.

If you require any guidance or assistance in applying for CIL funding, please contact cil@west-norfolk.gov.uk or telephone 015532 616443.

What CIL can and cannot fund

CIL Regulations state that funds must be spent on 'infrastructure necessary to support growth'.

The Planning Act 2008 provides a wide definition of infrastructure which can be funded by the levy, including (but not exclusively) transport, flood defences, schools, hospitals, other health care, social care, play areas, parks and green spaces, cultural and sports facilities, district heating schemes, police stations and other community safety facilities.

CIL can only be spent on capital projects, although associated revenue spending to maintain those capital items is also permissible.

It can be used to increase the capacity of existing infrastructure or to repair failing infrastructure if that is necessary to support development

CIL cannot be used to fund solutions to existing problems i.e. traffic calming/management or on repairs to existing infrastructure in an area that hasn't experienced housing growth.

Application process

After establishing that a project meets all the pre-application criteria, a stakeholder should submit a completed CIL Funding Application Form to the CIL Officer at BCKLWN.

Once the application has been received, it will be scored against a set criteria and passed to the CIL Spending Panel. The Panel will discuss and assess the application against the criteria. If the project meets the stated criteria and the Panel recommends approval, CIL funding will be released.

If an application is unsuccessful, the applicant will be advised why and, if appropriate, whether they should consider re-applying at a different time.

Scoring criteria

A copy of the scoring criteria and details of sources of evidence and potential match funding can be found on the BCKLWN website. Applicants are advised to consider this information before completing the Expression of Interest form.

In order to be eligible for CIL funding a project must satisfy the criteria below:

- Be necessary to support local growth
- The total cost of the project must be between £xxxx - xxxx
- Match funding and a financial contribution from the organisation submitting application must have been secured
- The project must be deliverable within 1-5 years
- If the project is highways or education related, the application must be accompanied by a letter of support from the relevant CCC department.

Eligible projects will be scored on their ability to meet the criteria set out below; extra weighting will be given to the scores awarded for good fit with the Councils infrastructure priorities.

Proposed project fit with BCKLWN Local Plan and Council Corporate Plan

The above documents set out the Council's infrastructure priorities, based on proposed housing growth across the district and in consultation with local communities:

- Does the project contribute to the delivery of the Boroughs Council's Corporate Plan?
- Does the project deliver specific objectives and policies of the BCKLWN Local Plan?
- Does the project deliver specific objectives and policies of the Norfolk Local Transport Plan (if applicable)?
- Does the project deliver specific priorities of the Norfolk Health & Wellbeing Strategy

Deliverability and funding of proposed project

Proposed projects will be considered with regard to the following criteria:

- The ability of the applicant to deliver the expected benefits on time and within budget.
- Level for financial commitment from the applicant organisation.
- The level of match funding that the project has been secured.

Prioritisation of proposed projects based level of local growth and evidence of need

The money collected from CIL can only be used to fund infrastructure projects in the area that are needed as a result of development:

- Is this project necessary to support local growth?
- Has the applicant provided evidence of need?
- Has the application provided evidence of stakeholder support (where applicable)?
- Does the project offer wider as well as local benefits?
- Does the project contribute towards the delivery of infrastructure by a provider (including the County Council) where it can be satisfactorily demonstrated that the infrastructure would not otherwise be delivered; i.e. that all other possible funding sources are insufficient?

Bids are unlikely to be successful unless it can be reasonably demonstrated that there are no other funding mechanisms or streams available that could deliver the project being proposed.

CIL Projects Scoring Form

Question	Criteria	Score
Project Details		
Project name		
Name of organisation submitting this expression of interest		
Brief description of the project, including its purpose, how it will benefit the community and the geographical area it covers.	<p>Score for expected catchment area of impact:</p> <p>Under 500 people = 1 point 501-1,000 people = 2 points 1,001-1,500 people = 3 points 1,501-2,000 people = 4 points 2,500+ = people = 5 points Calculate using BCKLWN Revenues data - Council Tax Houses</p>	Out of 5
Evidence of Need		
Please indicate how the evidence of need for this project has been gathered. Include details of any research that you have carried out of strategies/plans which identify this project as a priority	<p>One point awarded for each piece of evidence submitted (max 5 points)</p> <p>+</p> <p>Score for number of new dwellings identified in BCKLWN Local Plan (evidence of growth):</p> <p>1-49 new dwellings = 1 point 50-99 new dwellings = 2 points 100-149 new dwellings = 3 points 150-199 new dwellings = 4 points 200+ new dwellings = 5 points</p>	Out of 10
What evidence do you have that local people support your project?	<p>One point awarded for each piece of evidence submitted (max 5 points) e.g.:</p> <p>Petitions outcomes of community consultations or appraisals outcomes from open days letters of support from new or existing users, fundraising initiatives</p>	Out of 5
How does the project contribute to the delivery of the Borough Council's Corporate Plan?	<p>One point awarded per Corporate Plan promise/project (max 5 points x 2 extra weighting)</p>	Out of 10

	given)	
How does the project contribute to the delivery of the objectives and policies of the BCKLWN Local Plan?	1 point awarded per Local Plan objective/policies (max 5 points x2 extra weighting given)	Out of 10
How does the project contribute to the delivery of the objectives and policies of the Norfolk Local Transport Plan 2011 – 2026 (applicable transport projects only)	1 point awarded per Local Transport Plan objective/policies (max 5 points) (x2 extra weighting given)	Out of 10
How does the project contribute to the delivery of the priorities of the Norfolk Health & Wellbeing Strategy 2018 - 2022? (applicable to transport projects only)	1 point awarded per priorities of the Health & Wellbeing Strategy (max 5 points) (x2 extra weighting given)	Out of 10

Evidence of stakeholder support		
If the project is highways or education related do you have a letter of support from the relevant NCC department? (must have copy of the letter attached to application form)	n/a	n/a
Please provide details of support for the project from other stakeholders or organisations	One point awarded for evidence of the following (max 5 points) Parish Council support Borough Council support County Council support Service provider support Other stakeholder support	Out of 5
Finance and Deliverability		
Total cost of project (must be between xxx and £xxxx)	n/a	n/a
Amount of funding committed to the project by applying organisation (e.g. Parish Councils own CIL funding or precept)	For settlements with a population of less than 3,000 a minimum of 5% of the amount of CIL requested 5-10%=1 point 11-15%=2 points	Out of 5

	<p>15-20%=3 points 21-25%=4 points 25+=5 points</p> <p>Settlements with a population over 3,000 a minimum of 10% of the amount of CIL requested</p> <p>10-15%=1 point 15-20%=2 points 21-25%=3 points 30-35%=4 points 35+= 5 points</p>	
Details of other match funding secured or identified (amount and organisation providing funds)	<p>Level of match funding as percentage of amount of CIL requested:</p> <p>Settlements with less than 3,000 popn 1-5%=1 point 6-10%=2 points 11-15%=3 points 15-20%=4 points 21%+=5 points</p> <p>Settlements with 3,000+ popn</p> <p>1-10%=1 point 11-20%=2 points 21-30%=3 points 31-40%=4 points 41%+=5 points</p>	Out of 5
Amount of CIL funding requested		n/a
Please indicate the approximate start and finish dates of the project. (must be deliverable within 3-5 years of application)	n/a	n/a

Total Score (out of maximum of 65 for non-transport projects, 85 for transport projects)	Score	Score as %