

# CIL Spending Panel – introductory comments for meeting of 22 July 2021

## Note from the Planning Policy Manager

### 1 Background

1.1 The Borough Council of King's Lynn and West Norfolk approved the introduction of the Community Infrastructure Levy (CIL) in December 2016 and started charging on 15 February 2017. The Levy is paid to the Borough Council by developers after their planning permissions are implemented. It is governed by the CIL Regulations 2010 (amended). In the Borough of King's Lynn and West Norfolk, CIL is charged on all residential and retail developments, which add one or more new dwelling(s) or more than 100sqm of floor space. It is charged at a rate per square metre and varies according to land use. CIL is just one funding stream that can be used, in conjunction with others, to fund infrastructure projects. Alongside CIL, S106 obligations will still exist, but generally as one-off agreements to mitigate the impacts of larger developments and to secure on-site developer requirements, such as the provision of affordable housing.

1.2 As a Charging Authority the Council has an obligation to: (my emphasis in *italic / bold*)

- Prepare and publish the CIL Charging Schedule
- ***Determine CIL spend, ensuring it is used to fund the provision, improvement, replacement, operation; or maintenance of infrastructure to support development of its area***
- ***Report publicly on the amount of CIL revenue collected, spent and retained each year.***

1.3 The Borough Council is required, in the CIL Regulations, to identify the types of infrastructure it wishes to fund in whole or in part by CIL monies. These are outlined in the Council's Annual List of Infrastructure Projects. CIL money collected can only be allocated to and spent on these types of infrastructure.

### 2. Agreeing the spending and accountability – the Governance framework

2.1 The accompanying schedule of applications / introduction also gives a diagrammatic representation of the application and approval processes as previously agreed by Cabinet.

2.2 The main points in summary are:

- Local Projects have consideration by the CIL Spending Panel and sign off by a Service Manager.
- Community projects are again recommended by officers, but with scrutiny by the CIL Spending Panel before sign off by Management Team.

- Strategic projects are scrutinised and agreed by Cabinet with recommendations from officers and comment from the Spending Panel - Management Team reviews these recommendations
- The processes are intended to maximise involvement of elected Members, but allows for officers to co-ordinate applications and achieve a Corporate focus (This would include reference to spending from other sources considered regularly by Management Team).

2.3 The CIL Spending Panel therefore has a key role in the process and applications from the first round of requests for grants are now presented for consideration / onward recommendations. The terms of reference for the Panel are attached as an Appendix for information.

**Alan Gomm**  
**Planning Policy Manager**

**July 2021**

## **APPENDIX 1**

### **CIL Spending Panel – Terms of Reference**

#### **Overview**

The CIL Spending Panel provides an elected Member oversight of the Community Infrastructure Levy spending on infrastructure across the Borough having reference to the adopted 'CIL Spending and Governance Process' document. It also considers and agrees certain types of projects and recommends action on others.

#### **Tasks**

1. To keep under review the 'CIL Spending and Governance Process' document and make recommendations for change to Cabinet.
2. To receive recommendations from Officers and approve or reject these in respect of 'Local Projects' under the scheme.
3. To receive recommendations from Officers on 'Community Projects', review these and recommend approval or rejection to Management Team.
4. To receive recommendations from Officers on 'Strategic Projects', review these and make comments to Cabinet via Management Team.
5. To seek to ensure coordination of information on applications and comments on these across Portfolio Holders and other Borough Council bodies.
6. To receive monitoring reports from Officers on the operation of CIL, including necessary statutory reporting (Annual Infrastructure Funding Statement; Parish Annual Spending Reports).
7. To consider and make recommendations to Cabinet as appropriate on the implementation, spending and monitoring of CIL.