

REPORT TO CABINET

Open/Exempt		Would any decisions proposed :		
Any especially affected Wards	Mandatory/	Be entirely within Cabinet's powers to decide		YES/NO
	Discretionary/	Need to be recommendations to Council		YES/NO
	Operational	Is it a Key Decision		YES/NO
All				
Lead Member: Cllr R Blunt E-mail: cllr.richard.blunt@west-norfolk.gov.uk		Other Cabinet Members consulted: All		
		Other Members consulted: CIL Spending Panel		
Lead Officer: Alan Gomm E-mail: alan.gomm@west-norfolk.gov.uk Direct Dial:01553616237		Other Officers consulted: Management Team		
Financial Implications YES/NO	Policy/Personnel Implications YES/NO	Statutory Implications YES/NO	Equal Impact Assessment YES/NO If YES: Pre-screening/ Full Assessment	Risk Management Implications YES/NO

Date of meeting: 16 November 2021

Community Infrastructure Levy (CIL) – Application for a grant from the Infrastructure Fund for New Lynnsport 3G and Coaching Academy project at Lynnsport.

Summary

As part of the implementation of CIL applications were invited for the first round of grants. This included a bid under the 'Strategic' element of the scheme for the above project. The CIL Spending Panel recommended approval of the grant of £250 000. The decision falls to Cabinet to make under the CIL Governance framework. A Member objection has been received to the scheme as a whole and is outlined in the context of the CIL grant application.

Recommendation

The CIL Spending Panel has recommended to Cabinet that the application to the CIL Infrastructure Fund should be approved, therefore Cabinet is invited to agree the grant be made, subject to the grant of planning permission.

Reason for Decision

To ensure that the CIL monies collected are being spent on appropriate infrastructure projects to reflect the growth of population occurring in West Norfolk.

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. CIL Spending Panel recommendation

2.1 The Panel met on 22 July and considered a schedule of applications and agreed the Officer recommendations for all the potential Local Project grants, and Management Team subsequently agreed the Community grants. However, for 'Strategic' grants (the subject of this report) this is subject to final agreement by Cabinet with recommendation from Management Team. The provisions which apply in accordance with the Governance framework previously agreed by Cabinet are noted below.

2.2 The main points in summary are:

- 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 only 'Strategic' project received in the first round of applications was for a project at Lynnsport and is brought to this meeting for consideration.

2.4 Details of the bid can be found at Appendix 4, but in summary the bid covers:

- It is proposed to develop a new additional 3G pitch on the River Lane playing fields at Lynnsport.
- This will help to alleviate the pressure on the current 3G.
- It will provide time for coach education sessions.
- Alive West Norfolk will work in partnership with The College of West Anglia, University Centre West Anglia and Anglia Ruskin University to develop a Coaching Academy starting with developing young leaders at school who progress to CWA.
- They will then undertake work placements and/or apprenticeships with Alive progressing to higher level apprenticeships or higher education within West Norfolk.
- It will avoid the loss of talent and staff turnover when young people have to leave for university.

2.5 The criteria for assessing Strategic projects are outlined in Appendix 3.

2.5 The recommendation of the CIL Spending Panel to Cabinet is that the New Lynnsport 3G and Coaching Academy project should be supported with a £250 000 grant. Management Team passed it for consideration by Cabinet.

3. Views received from Members about the scheme

3.1 As part of the CIL Spending Panel processes details of any applications are circulated to all Members for their potential input prior to the CIL Spending Panel meeting. When this was done prior to the meeting on 22 July, no responses were received in respect of the Alive West Norfolk proposal. However subsequent to the meeting On 27 July the Planning Policy Manager received an email from Councilor Jo Rust commenting on the application. It states:

I've just been made aware of the strategic project planned for Lynn Sport, whereby local residents will lose the use of green space and natural grass in order for a 3g football pitch to be built. I wholly oppose this. This site is currently open to all. it's well used and free for all. Why does it need to be turned into a fee generating 3 g pitch?

This project isn't necessary to support infrastructure and it certainly won't help with transport of climate change!

I wish to register my opposition to this.

3.2 Given that this application for grant falls to be considered by the Cabinet, there is therefore an opportunity for these views to be taken into account before Cabinet makes a final decision.

3.3 A separate report is being presented to Cabinet at this meeting regarding the Alive West Norfolk proposal for works at Lynnsport, clearly this is relevant in the consideration of this specific CIL Grant response.

4. Options

4.1 There is a legal duty to spend CIL in accordance with Regulations, but the priorities can be determined to suit local circumstances within the overall framework. The Spending Panel have considered the bid. Alternative options are not available to the Panel or Cabinet as we are considering the proposal made by the applicant body. However, depending on Cabinet's consideration, it would be an option to refuse the grant application.

5. Policy implications

5.1 CIL legislation gives significant scope for individual councils to direct CIL spending to reflect the local situation, so long as it conforms to general principles set out regarding 'infrastructure'. Proposals for assessing bids in the current period are aligned to the Borough Council Corporate objectives. In supporting extra growth across the Borough consideration should be given to those locations experiencing the most obvious pressures. The assessment criteria refer to this.

6. Financial implications

6.1 None specifically. CIL is collected and administered by Borough Council. The available funds can be spent on the schemes / types of projects suggested. There is sufficient funding available to award a grant to the proposal.

7. Personnel implications

7.1 None specifically.

8. Statutory implications

8.1 Our spending and governance needs to conform to the relevant Regulations.

9. Risk Management implications

9.1 None specifically. Monitoring of spending and more particularly delivery is important to ensure money is directed to improved infrastructure in the Borough.

10. Corporate priorities

10.1 The proposals in the document are firmly referenced back to the Corporate priorities.

11 Equality Impact Assessment (EqIA)

(Pre-screening report template attached)

11.1. Attached

12 Declarations of Interest/Dispensations Granted

12.1. None.

13. Conclusion

13.1 The proposal is for a significant upgrade to the 3G pitch provision at Lynnsport, but with additional education and training programmes in the form of a Coaching Academy, leading to higher education qualifications for people in the West Norfolk area. As such it meets criteria within the CIL Governance Framework for assessing bids for CIL infrastructure spending. (See Appendix 3). Officers recommended approval to the CIL Spending Panel and they have agreed in turn to recommend

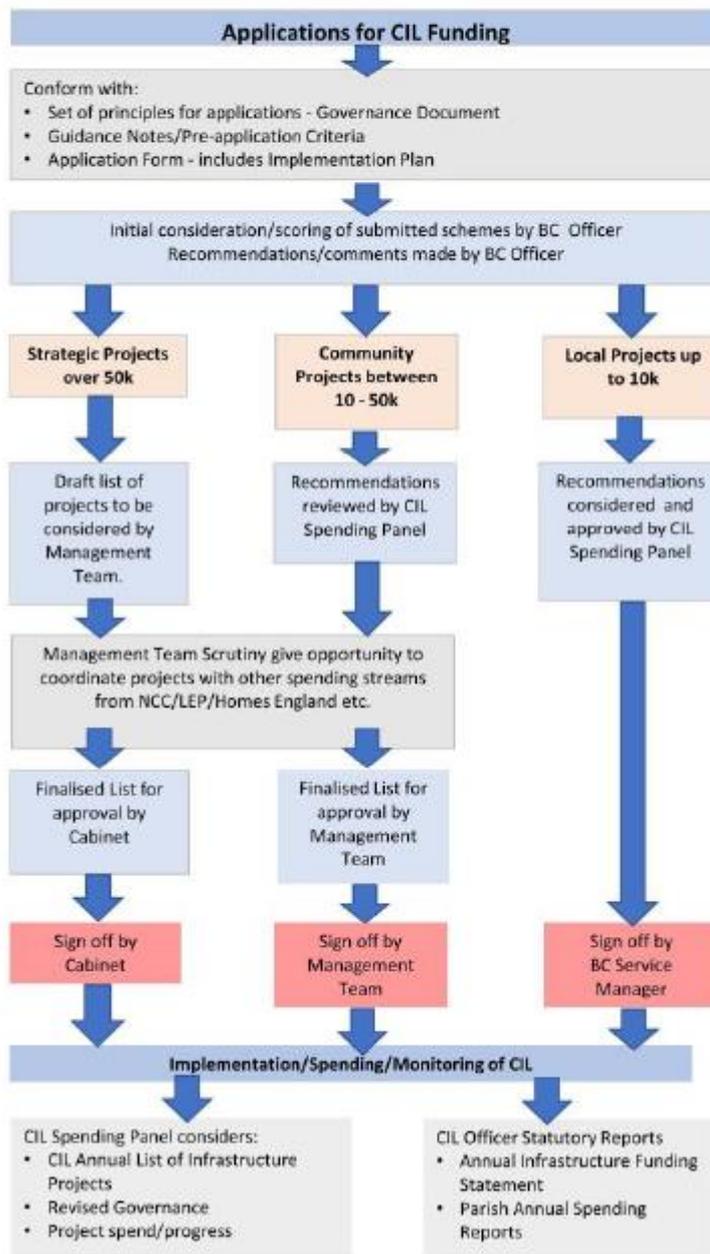
approval to Cabinet. A Member representation was received to the scheme, and this has been reported for Cabinet to consider.

14. Background papers

Borough Council CIL Spending Panel notes and agendas outline the consideration of the particular proposal.

CIL Governance decision making outline diagram

12 Appendix 2 - CIL Governance Framework



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.

Definition of what could be eligible for funding under 'Strategic Projects'

(taken from the CIL Governance document)

The **Strategic Projects** will be selected by the Borough Council, with more weight given to areas with significant development taking place. The Borough Council will make the allocations for spending on infrastructure, in accordance with the Council's adopted CIL Infrastructure List. The Infrastructure list will be reviewed annually and updated to reflect the changing needs within the Borough. (This annual review mechanism applies to **all** the project categories as outlined below).

The proposed list of Strategic Projects eligible for funding in the current year are:

- Education - related to 18+ employment - college based education
- Transport - linked to the Lynn Transport Plan
- Environment - green areas linked to the Council's Climate Change Policy

The Strategic Projects are in line with the Borough Councils Corporate Business Plan. The Project Criteria as below are proposed so that they meet the Corporate priorities and objectives:

- **Education** - Improving social mobility and inclusion to work with partners to improve education attainment levels and the skills of local people.
- **Transport** - Delivering growth in the economy and with local housing to promote, lobby and support infrastructure improvements across the district.
- **Environment** - Protecting and enhancing the environment including tackling climate change to work with partners and the community to improve our natural environment and creating and maintaining good quality places that make a positive difference to people's lives to maintain accessible, clean, pleasant and safe public places and communities.

Details of the New Lynnsport 3G and Coaching Academy bid

From AD

Placeholder

Ref 32 New Lynnsport 3G and Coaching Academy	
Applicant	Alive West Norfolk
Description	<p>Sport England and the Football Association have identified insufficient artificial pitches in West Norfolk, the only one being located at Lynnsport and it is deemed there should be at least 3.5 3G pitches in West Norfolk to meet the population and affiliated football teams needs. This is consistent with the current 3G pitch usage which has 96% utilisation at peak times. Alongside this there is a shortage of sports coaches and particularly higher level coaches at level 3 or higher in the borough which means we cannot fulfil the demand in terms of school programmes, clubs and participation sessions. It is proposed to develop a new additional 3G pitch on the River Lane playing fields at Lynnsport to alleviate the pressure on the current 3G and this will provide time for coach education sessions. We will work in partnership with The College of West Anglia, University Centre West Anglia and Anglia Ruskin University to develop a Coaching Academy starting with developing young leaders at school who progress to CWA and then undertake work placements and/or apprenticeships with Alive progressing to higher level apprenticeships or higher education within West Norfolk so we do not lose talent and suffer staff turnover when young people have to leave for university.</p> <p>Supporting Information Submitted: Site Plan</p>
Additional Information	There is significant wider reach of this programme enhancing the physical and mental wellbeing of residents through schools programmes, community programmes, participation programmes and events. It will help inspire a generation of young people improving aspirations and attainment and providing a skilled workforce to enhance wellbeing in West Norfolk. Staff will be based at the Dutton Pavilion to manage the new development which will also aid in managing the open space at River Lane and reducing anti-social behaviour.
Amount of CIL funding requested:	£250,000.00
Total cost of project	£910,000
Total match funding secured	The Football Foundation have confirmed they will fund 75% (£660,000) of this project as a priority project in an area of high deprivation in West Norfolk.
BC Officer Recommendation	Made by: CIL Officer_ Amanda Driver Dated: 25 May 2020
<p>Summary of Project/Recommendation to Management Team:</p> <p>CWA Education Opportunities Meets current scope – Y Match Funded? Y Development in the Area – Y. Current No proposed Houses relating to the project – Local Plan Strategic Allocations 200+ Houses Local Plan: CS14/DM9 Community Facilities</p>	

Ward/Portfolio Cllr Comments	
Kings Lynn Ward North Lynn: Cllrs B Jones	
Portfolio Holders:	
CIL Spending Panel Comments	
Management Team Comments: Coordinate with Funding Streams	
Cabinet Decision	
Decision Approved/Refused:	Reason for Refusal (if applicable):
Cabinet Member sign off	
Signature:	Date:
BC Officer Actions	
Result: Refusal/Approval:	
Date Applicant Contacted with result:	
Total CIL Fund Allocated	£
Details of Project Manager	
Date Fund Transfer Raised & sent to Accountancy	



Pre-Screening Equality Impact Assessment

Borough Council of
**King's Lynn &
West Norfolk**



Question	Answer	Comments			
<p>2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular service/function?</p>	<p>No</p>	<p>CIL Infrastructure Grant proposal</p>			
<p>Is this a new or existing policy/service/function?</p>	<p>Existing scheme</p>	<p>under which a grant is considered.</p>			
<p>Brief summary/description of the main aims of the policy/service/function being screened.</p> <p>Please state if this policy/service is rigidly constrained by statutory obligations</p>	<p>Proposal for additional facilities incorporating educational opportunities.</p>				
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		<p>Positive</p>	<p>Negative</p>	<p>Neutral</p>	<p>Unsure</p>
	Age			x	
	Disability			x	
	Gender			x	
	Gender Re-assignment			x	
	Marriage/civil partnership			x	
	Pregnancy & maternity			x	
	Race			x	
	Religion or belief			x	
	Sexual orientation			x	
	Other (e.g., low income)			x	

another?		
3. Could this policy/service be perceived as impacting on communities differently?	No	
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	No	The specific grant application is judged to be contributing to the educational (and indirect recreational) provision in respect of a growing population in the Borough.
5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section	No	Actions: None
		Actions agreed by EWG member: Claire Dorgan / Alison Demonty
<p>If 'yes' to questions 2 - 4 a full impact assessment will be required unless comments are provided to explain why this is not felt necessary:</p> <p>Decision agreed by EWG member:Claire Dorgan / Alison Demonty</p>		
Assessment completed by:		
Name	Alan Gomm	
Job title	Planning Policy Manager	
Date	21 October 2021	

