

CIL Governance and Spending 2022

Contents

Region

1	Introduction	1
1.1	Statutory Requirements	2
1.2	What can CIL be spent on	2
2	Governance Arrangements	4
3	Applying for CIL funds	5
4	Strategic Projects - above £50,000	7
4.1	The Decision Making Process for Strategic Projects	8
5	Community and Local Project Allocations between £2,000 and £50,000	9
5.1	The Decision Making Process for Community and Local Projects up to £50,000	11
6	Once the funding decision has been made	12
6.1	Monitoring and Review	12
7	Appendix 1 - CIL Annual List of Infrastructure Projects	15
8	Appendix 2 - CIL Governance Framework	16
9	Appendix 3 - Strategic Projects Application Scoring Criteria	17
10	Appendix 4 - Community and Local Projects Application Form and Scoring Criteria	18

CIL Governance and Spending 2022

1 Introduction

1.0.1 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.

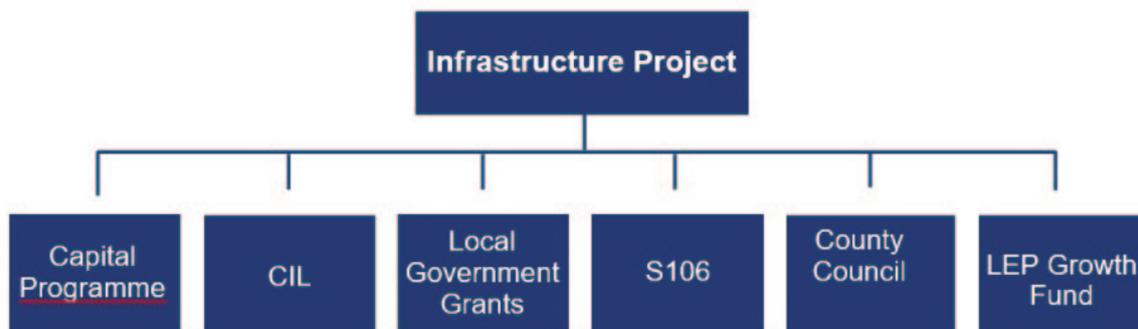
1.0.2 CIL is paid to the Borough Council by developers after their planning permissions are implemented.

1.0.3 CIL 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.

1.0.4 CIL is charged at a rate per square metre and varies according to land use.

1.0.5 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. Examples of how infrastructure projects can be funded can be seen in Figure 1.

Figure 1 - Funding Streams



1.0.6 This document details the governance arrangements in place at the Borough Council of King's Lynn and West Norfolk, for the allocation and spending of CIL.

1.0.7 The original parameters for the governance arrangements of CIL were agreed at Cabinet on 17 August 2020.

1.0.8 The governance arrangements will be reviewed on an annual basis, to meet the Corporate Objectives and Priorities, by Cabinet.

CIL Governance and Spending 2022

1.0.9 This document is based on the 7 'Appendix 1 - CIL Annual List of Infrastructure Projects' and is applicable for the financial year 2022/2023

1.0.10 The spending priorities (as aligned to the Corporate Business Plan) will be reviewed on an annual basis.

1.1 Statutory Requirements

1.1.1 Under CIL, the Borough Council will act as the designated Charging Authority.

1.1.2 As a Charging Authority the Council has an obligation to:

- 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 on the amount of CIL revenue collected, spent and retained each year.

1.1.3 The Council are required under [The Community Infrastructure Levy \(Amendment\) \(England\) \(No. 2\) Regulations 2019](#), to produce a statement of the infrastructure projects or types of infrastructure which the Council intends will be, or may be, wholly or partly funded by CIL.

1.1.4 This is referred to as the Community Infrastructure Levy List of Infrastructure Projects and replaces the Regulation 123 list (R123 list).

1.1.5 CIL money collected may only be allocated to and spent on these types of infrastructure.

1.1.6 The Borough Council's Annual List of Infrastructure Projects and Annual Infrastructure Funding Statement detailing CIL receipts, balances and expenditure for each financial year can be found on the Council's website at <https://www.west-norfolk.gov.uk/CIL>

1.2 What can CIL be spent on

1.2.1 CIL Regulations set the context for the spending of CIL funds on infrastructure. The regulations encourage the accumulation of CIL funds into a 'pot'.

1.2.2 Unlike other obligations or charges, CIL spending does not need to be directly related to the donor development and can address infrastructure needs in general across the Borough Council's administrative area.

1.2.3 The key points set out by the CIL Regulations and Guidance relating to CIL funding are:

- CIL should be spent on infrastructure including: roads and other transport, schools and other education, community facilities, health, sport / recreation and open spaces

CIL Governance and Spending 2022

- The infrastructure funded must support the development of the area
- CIL can be used to increase the capacity of existing infrastructure or to repair failing infrastructure, if needed to support development
- CIL and Section 106 should not be secured to fund the same infrastructure project e.g. Social/Affordable Housing

1.2.4 As per the CIL Regulations and Guidance, CIL is proportioned and allocated using the following approach:

- 5% is retained by the Borough Council of King's Lynn and West Norfolk to cover administrative costs (including consultation on the levy charging schedule, enforcing CIL, legal costs and reporting on CIL activity)
- 15%, known as the Neighbourhood Allocation, is established for spending within the neighbourhood of contributing development (up to a maximum of £100 per existing Council Tax dwelling). This allocation can either be transferred to the relevant Parish Council or retained by the Borough Council to be spent on neighbourhood projects where the development is not in a Parish. This allocation rises to 25% when a Parish has a Neighbourhood Plan in place.
- 80%, known as the CIL Infrastructure Fund, is retained by the Borough Council, to allocate to projects in accordance with the Council's Infrastructure List, which is reviewed annually, and in line with the agreed CIL Governance arrangements.

For example:

If £1,000 is received it would be distributed as follows:

- Where 1% = £10
- 5% Admin = £50
- 15% (without Neighbourhood Plan) = £150 **or** 25% (with Neighbourhood Plan) Parish Payment = £250
- the remaining sum is placed in the CIL Infrastructure fund 80% = £800 or 70%(with Neighbourhood Plan) = £700

It is very unlikely that CIL will generate enough funds to completely cover the cost of new infrastructure needed to fully support planned development. As such, there will be competing demands for this funding. With this in mind, it is important to ensure that there are robust, accountable and democratic structures in place to ensure the spending of CIL funds are prioritised in the right way.

1.2.5 The sections that follow set out the Governance Arrangements and approach for how decisions are made on the prioritisation and spend of the CIL Infrastructure Fund.

CIL Governance and Spending 2022

2 Governance Arrangements

2.0.1 The CIL Infrastructure Fund has been separated into 2 specific project types, to enable the funding to meet wider borough infrastructure requirements and also to support local community needs.

2.0.2 The estimated annual income of CIL is 1 million pounds which would be split as follows;

60% Strategic Infrastructure Projects

- These are projects which require the most amount of CIL funding
- The strategic projects will be in excess of £50,000 and be fully match funded
- Longer term projects

40% Community and Local Projects

- These are projects which will meet the needs of Parishes and Wards, to fund community projects and smaller local projects between £2,000 and £50,000
- It is expected that there will be an element of match funding for these projects.
- Short to Mid term projects which must be completed within 5 years.

2.0.3 In order to aid the organisation, checking and decision making, the Borough Council has set up a CIL Spending Panel.

CIL Spending Panel

2.0.4 The CIL Spending Panel is formed from elected Councillors and assisted by Officers and reports to the BCKLWN Management Team and Cabinet.

2.0.5 The CIL Spending Panel:

- reviews the Funding Applications received
- makes recommendations for suitable project spending
- monitors project spend and progress.

2.0.6 The Panels role in the Governance Framework, is shown in Appendix 2 - 8 'Appendix 2 - CIL Governance Framework'

2.0.7 The current list of eligible spending is detailed in sections 4 and 5. These may change in subsequent years.

2.0.8 Cabinet will review and decide on amended priorities, as appropriate, on an annual basis.

CIL Governance and Spending 2022

3 Applying for CIL funds

3.0.1 Annually, the Borough Council will publicise the amount of CIL funding collected.

3.0.2 The Council will encourage the submission of Expression of Interest Forms, requesting CIL funding.

3.0.3 Key internal and external stakeholders responsible for delivering the infrastructure identified in the Council's Infrastructure List will receive direct notification of the opportunity to request CIL funding.

3.0.4 The stakeholders automatically notified will be:

- Internal Departments within BCKLWN
- Norfolk County Council
- Parish and Town Councils within the Borough
- All BCKLWN Councillors

3.0.5 Information about the opportunity will also be available on the Council's website.

3.0.6 The allocation of these funds will be made through an 'Expression of Interest' process.

3.0.7 A diagrammatic summary of the governance framework for CIL is set out in Appendix 1, which shows the spending and reporting arrangements that are in place.

3.0.8 Expression of Interests will be made on standard online templates, issued by the Borough Council:

- CIL Strategic Project Application Form
- CIL Community and Local Project Application Form

3.0.9 The application forms will request key information about the project, including:

- Description and details of the project
- Purpose of the project and its benefit to the community
- Financial details:
 - Estimated total cost of project
 - Amount of CIL funding requested
 - Details of any match funding
- Any other supporting information e.g. Project Report and Timescales

3.0.10 In order for a project to be considered for CIL funding, the following eligibility criteria needs to be met:

CIL Governance and Spending 2022

- The Application Form has been completed satisfactorily
- The project must meet at least one of the criteria, as detailed in the Annual Infrastructure List.
- The organisation has the legal right to carry out the proposed project
- The project is clearly defined as 'Infrastructure' as per the CIL Regulations

Applications should not include a schedule of ongoing costs, to maintain the project, once it has been completed.

The Borough will set a timescale for the submission of applications, which will be published on our webpages.

The decision making process, as detailed in Appendix 2, will commence after the application deadline has ended, to:

- ensure that all projects are reviewed fairly and transparently
- give each project the same opportunity for funding

CIL Governance and Spending 2022

4 Strategic Projects - above £50,000

4.0.1 60% of the CIL Infrastructure Funds will be allocated to Strategic projects.

4.0.2 Strategic Projects can apply for CIL funding of £50,001 or over.

4.0.3 The Strategic Projects will be selected by the Borough Council, with more weight given to areas with significant development taking place.

4.0.4 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.

The current list of Strategic Projects eligible for funding 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 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

Question 1

Do you want to apply for CIL Strategic Project Funding?

4.0.5 If you wish to apply for CIL Strategic Project Funding, please click on the link below and it will take you to the online form.

4.0.6 [CIL Online Application Forms](#)

CIL Governance and Spending 2022

4.1 The Decision Making Process for Strategic Projects

4.1.1 Once the Strategic Project Application Forms requesting CIL funding have been validated by a Council Officer, initial scoring of the projects will then take place.

4.1.2 The factors that Strategic Projects will be assessed against include:

- the need for the project
- benefit of the project
- deliverability of the project
- amount of development in the area of the project
- proposed no of houses in the project area

4.1.3 Projects will be viewed favourably if they lever in other funds that wouldn't otherwise be available, particularly where those funds may not be available in future years.

4.1.4 Ideally, bids should include significant sums of match funding.

4.1.5 At this stage, the Council Officer will notify Cabinet Members with specific portfolio responsibilities and the Local Ward member(s) of proposed projects, giving an opportunity for comment.

4.1.6 The Application forms, Scoring Sheets and comments, will then be taken to the BCKLWN Management Team to review and make a formal recommendation.

4.1.7 The Management Team are required to:

- reach a balanced judgement over which projects are selected
- make recommendations on which projects should receive CIL funding
- consider whether there could be links to other areas of corporate or partner spending e.g. spending on habitats (Natura 2000 sites) mitigation works.
- take recommendations to the BCKLWN Cabinet for approval

4.1.8 Recommendations from the BCKLWN Management Team, will then go forward to Cabinet.

4.1.9 If agreed by Cabinet, the application stakeholders will be informed and funds will be allocated.

4.1.10 CIL payments up to £1,000,000 will then be signed off by a senior Council Officer.

CIL Governance and Spending 2022

5 Community and Local Project Allocations between £2,000 and £50,000

5.0.1 40% of the CIL Infrastructure Funds will be allocated to Community and Local Projects requiring funds of a value between £2,000 and £50,000.

5.0.2 Project applications must be made in liaison with Parish/Town Councils, which includes the unparished area of King's Lynn, and Wards as appropriate.

5.0.3 Bodies applying for funds, will need to demonstrate that they are properly constituted, and reflect appropriate national policies e.g. Equality, Safe Guarding and Discrimination.

5.0.4 Adjacent Parish Councils may wish to submit a combined application, to meet infrastructure requirements within the wider community.

5.0.5 The Community and Local Projects will be selected by the Borough Council, with more weight given to areas with significant development taking place.

5.0.6 The Borough Council will make the allocations for spending on infrastructure, in accordance with the Council's adopted CIL Infrastructure List.

5.0.7 The Infrastructure list will be reviewed annually and updated to reflect the changing needs within the Borough.

The current list of Community and Local Projects eligible for funding are:

- Education -- Local Initiatives
- Health
- Economic Development
- Community Facilities
- Green Infrastructure
- Open Space and Leisure
- Community Transport

The Community and Local Projects:

- must commence within 1 year of being allocated CIL

CIL Governance and Spending 2022

- be completed within 5 years.
- must be made in liaison with Parish/Town Councils, which includes the unparished area of King's Lynn, and Wards as appropriate.

CIL will be paid on completion of the project.

The Community and Local Projects are in line with the Borough Councils Corporate Business Plan.

The Project Criteria 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.
- **Health** - Improving social mobility and inclusion by continuing to assist our residents to maximise their opportunities by accessing the support and services they are entitled to.
- **Economic Development** - Delivering growth in the economy and with local housing to promote the borough as a vibrant place in which to live, to do business and as a leading visitor and cultural destination.
- **Community Facilities** - 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.
- **Green Infrastructure**- Helping to improve the health and well being of our communities by supporting our local communities to be healthy and more active
- **Open Space and Leisure** - 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 and help to improve the health and well being of our communities
- **Community Transport**- Creating and maintaining good quality places that make a positive difference to people's lives and helping to improve the health and well being of our communities by providing early help and support to communities and individuals who are vulnerable.

CIL Governance and Spending 2022

Do you want to apply for CIL Community and Local Project Funding?

If you wish to apply for the CIL Community and Local Project Funding , please click on the link below and it will take you to the online form.

[CIL Online Application Form](#)

5.1 The Decision Making Process for Community and Local Projects up to £50,000

5.1.1 Once the Community and Local Project Application Forms requesting CIL funding have been validated by a Council Officer, initial scoring of the projects will then take place.

5.1.2 The factors that projects will be assessed against include:

- evidence to demonstrate community support
- evidence of Parish Council support
- evidence to demonstrate a commitment (financial or otherwise) to the project.
- evidence of match funding
- project timescales

5.1.3 Short term projects will be looked upon favourably, especially if the CIL can be allocated and spent within the same financial year.

5.1.4 A Council Officer undertaking the initial scoring of the project will make a recommendation, based on the scoring criteria.

5.1.5 At this stage, the Council Officer will produce a list of all projects received, which will be published as an agenda item, for the CIL Spending Review Meeting.

5.1.6 All Councillors, including Portfolio Holders, will be notified of when the CIL Spending Review Meeting will take place.

5.1.7 Any elected member may attend the CIL Spending Review meeting under Standing Order 34.

5.1.8 The recommendations will be reviewed, by the CIL Spending Panel.

5.1.9 The CIL Spending Panel is required to:

- reach a balanced judgement over which projects to select
- agree on which projects will receive CIL funding

5.1.10 CIL payments up to £50,000 will then be signed off by a senior Council Manager.

CIL Governance and Spending 2022

6 Once the funding decision has been made

6.0.1 Successful applicants of CIL funding will be expected to maintain communication with the Borough Council, on the progress of their project, after a decision has been made to provide funding.

6.0.2 Where funding has been agreed 'in principle' or where staged payments are agreed, the scheme applicant will be expected to provide information to justify funding being transferred.

6.0.3 Applicants should continue to provide information until the scheme has been completed and all CIL funding has been spent.

6.0.4 At a minimum, an annual report will need to provide information on the progress of each scheme that funding has been allocated to. A requirement to submit this information forms part of the agreement that the successful applicant is required to sign between themselves and the Borough Council of King's Lynn and West Norfolk.

6.0.5 If an applicant does not spend CIL money within five years of receipt or does not spend it as agreed then the Borough Council may require the applicant to repay some or all of those funds.

6.1 Monitoring and Review

6.1.1 The Borough Council of King's Lynn and West Norfolk is committed to ensuring the use of CIL is open and transparent.

List of CIL Funded Projects

The Borough Council will publish a list of all projects that have been allocated CIL funding on our website.

Annual Infrastructure Funding Statement

In line with the CIL Regulations, as amended in September 2019, the Borough Council will publish an Annual Infrastructure Funding Statement.

- This report will provide details of CIL and also S106:
 - receipts
 - balances
 - expenditure
 - allocations.
 - will be published on our website annually, for each financial year, no later than 31 December.

CIL Governance and Spending 2022

6.1.2 The published reports can be found on the CIL Financial Reports webpages at: https://www.west-norfolk.gov.uk/homepage/276/cil_financial_reports

Annual List of Infrastructure Projects

6.1.3 The Council are required under [The Community Infrastructure Levy \(Amendment\) \(England\) \(No. 2\) Regulations 2019](#), to produce a statement of the infrastructure projects or types of infrastructure which the Council intends will be, or may be, wholly or partly funded by CIL.

6.1.4 This is referred to as the Community Infrastructure Levy 7 'Appendix 1 - CIL Annual List of Infrastructure Projects' and replaces the Regulation 123 list (R123 list).

6.1.5 CIL money collected can only be allocated to and spent on these types of infrastructure.

The CIL Spending Panel

6.1.6 The CIL Spending Panel will:

- review the uptake of projects within the project categories, after each application deadline has been met
- monitor the operation and implementation of CIL funding
- review the List of Infrastructure Projects, on an annual basis
- recommend amendments to the project selection criteria
- produce a Draft List of Infrastructure Projects

6.1.7 Recommendations from the CIL Spending Panel, will then go forward to Regeneration and Development (R&D) Panel.

The Regeneration and Development (R&D) Panel

The R&D Panel is made up of Elected Members, supported by Borough Council Officers.

6.1.8 The R&D Panel will:

- review the Draft List of Infrastructure Projects
- reach a balanced judgement on the project criteria, taking into consideration Corporate Priorities
- make recommendations to Cabinet

Cabinet

6.1.9 Cabinet will:

CIL Governance and Spending 2022

- review the recommendations
- approve the Annual List of Infrastructure Projects,

6.1.10 The Annual List of Infrastructure Projects will be published on the CIL Governance and Funding webpages.

6.1.11 If you have any questions about this guidance, or CIL generally, please contact the Borough Council's CIL Monitoring and Compliance Officer at CIL@west-norfolk.gov.uk.

CIL Governance and Spending 2022

7 Appendix 1 - CIL Annual List of Infrastructure Projects

7.0.1 The Council are required under [The Community Infrastructure Levy \(Amendment\) \(England\) \(No. 2\) Regulations 2019](#), to produce a statement of the infrastructure projects or types of infrastructure which the Council intends will be, or may be, wholly or partly funded by CIL.

7.0.2 This is referred to as the Community Infrastructure Levy List of Infrastructure Projects and replaces the Regulation 123 list (R123 list).

7.0.3 CIL money collected can only be allocated to and spent on these types of infrastructure.

Strategic Projects funding over £50,000

- Education related to 18+ employment – post college based education
- Transport – linked to the Lynn Transport Plan
- Environment – green areas linked to the BCKLWN Climate Change Policy

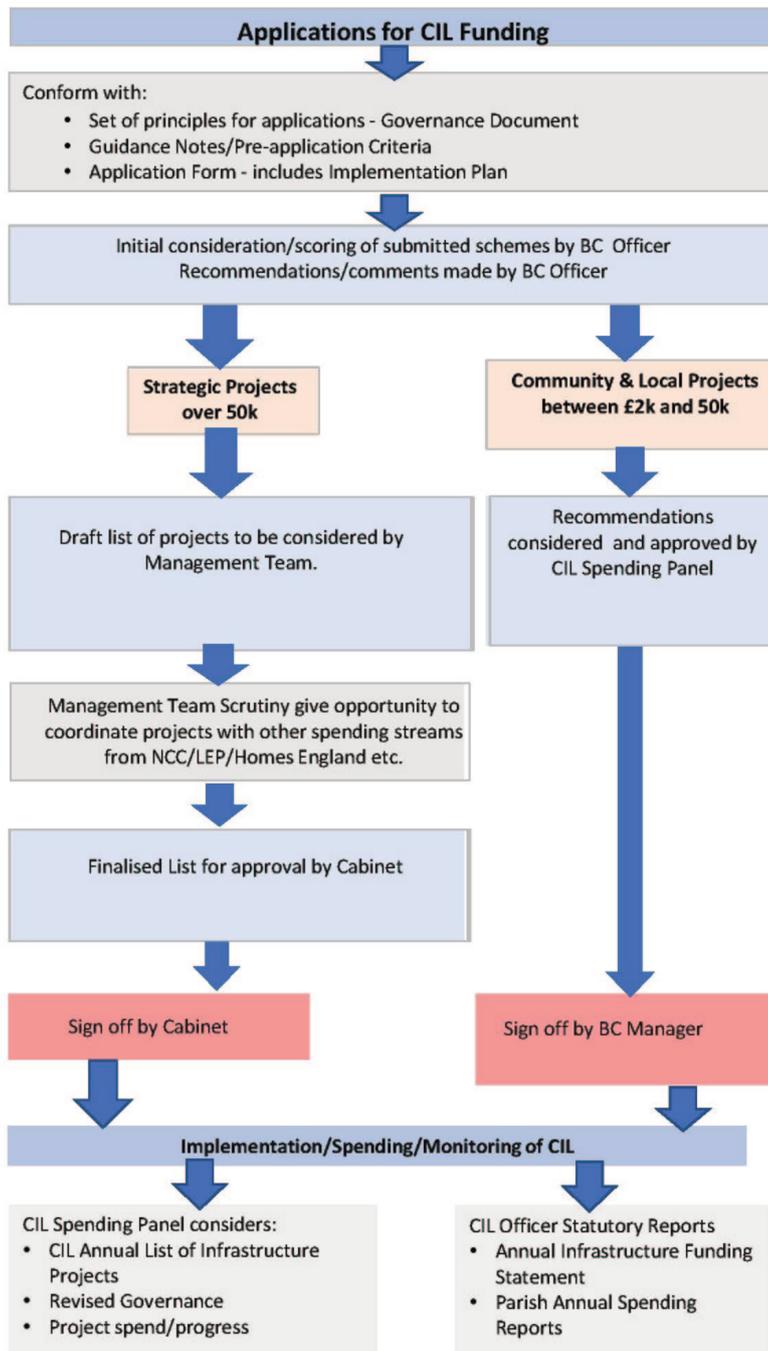
Community and Local Projects funding of £2,000 and up to £50,000

- Education – local initiatives
- Health
- Economic Development
- Community Facilities
- Green Infrastructure
- Open Space and Leisure
- Community Transport

7.0.4 This list will be continually reviewed, to meet the changing needs and aspirations of the Borough to support future infrastructure.

CIL Governance and Spending 2022

8 Appendix 2 - CIL Governance Framework



CIL Governance and Spending 2022

9 Appendix 3 - Strategic Projects Application Scoring Criteria

Strategic Project Application Form

To submit your CIL Funding Application, please use the online form at: https://west-norfolk.objective.co.uk/portal/cil_folder/cilappsfy/

Scoring Criteria

Any Strategic Project Application must meet **all** criteria below:

- Is this project necessary to support infrastructure for development?
- Is the amount of CIL Funding you are requesting over £50,000?
- Has match funding and financial commitment been secured?

Current scope for funding (reviewed annually):

- Education related to employment (post 18 college based education)
- Transport, linked to Lynn Transport Plan
- Environment – green areas linked to Climate Change Policy

Each project will be scored on the following:

- Does the project meet the current scope, as listed above.
- Is the project match funded.
- Development in the area – based on planning application history
- Current number of proposed houses relating to the project - based on planning applications and local plan allocations

CIL Governance and Spending 2022

10 Appendix 4 - Community and Local Projects Application Form and Scoring Criteria

Community and Local Project Application Form

To submit your CIL Funding Application, please use the online form at: https://west-norfolk.objective.co.uk/portal/cil_folder/cilappsfy/

Scoring Criteria

Any Community and Local Project Application must meet **all** criteria below:

- Is this project necessary to support local growth?
- Is the amount of funding you would like to request, between £2,000 and £50,000?
- Has match funding and financial commitment been secured?
- Is the project deliverable within 1-5 years?

Each project will be scored on the following:

Evidence of Need

- **What evidence that local people support the project - maximum score = 5**
 - Petitions
 - Support from Parish/Ward Council
 - Letters of support from new/existing users
 - Fundraising Initiatives

Finance and Deliverability

- **Amount of CIL funding requested**
- **Amount of funding committed to the project by applying organisation own funding (e.g. Parish precept):**
 - 1 – 5% = 1 Point
 - 5 – 10% = 2 Points
 - 11 – 15% = 3 Points
 - 16 – 20% = 4 Points
 - 21+% = 5 Points

CIL Governance and Spending 2022

- **Parish/Wards - Amount of funding committed to the project by applying Parish CIL funds**
 - No CIL = 1 Point
 - 10 – 25% = 1 Point
 - 25 – 45% = 2 Points
 - 45 – 65% = 3 Points
 - 65 – 85% = 4 Points
 - 85 – 100% = 5 Points

- **Details of other match funding secured, (amount and organisation providing funds)**
 - 1 – 5% = 1 Point
 - 5 – 10% = 2 Points
 - 11 – 15% = 3 Points
 - 16 – 20% = 4 Points

 - 21+% = 5 Points

Project Timescale

- Start date:
 - 0 – 6 months = 5 Point
 - 6 – 9 Months = 4 Points
 - 9 – 12 Months = 3 Points
 - 12 – 18 Months = 2 Points
 - 18 Months + = 1 Point