

## REPORT TO CABINET

<b>Open</b>		Would any decisions proposed :			
<b>Any especially affected Wards</b>	Mandatory	Be entirely within Cabinet's powers to decide      YES Need to be recommendations to Council              NO Is it a Key Decision    YES			
All wards					
Lead Member: Cllr J Moriarty E-mail: <a href="mailto:cllr.james.moriarty@west-norfolk.gov.uk">cllr.james.moriarty@west-norfolk.gov.uk</a>		Other Cabinet Members consulted:			
		Other Members consulted: CIL Spending Panel, R & D Panel			
Lead Officer: Amanda Driver E-mail: <a href="mailto:Amanda.driver@west-norfolk.gov.uk">Amanda.driver@west-norfolk.gov.uk</a> Direct Dial: 01553 616443		Other Officers consulted: <b>Assistant Directors: Stuart Ashworth &amp; Duncan Hall</b> <b>Planning - Hannah-Wood-Handy</b> <b>Audit – Matthew Head</b> <b>Legal – James Arrandale</b>			
Financial Implications <b>YES</b>	Policy/ Personnel Implications <b>YES</b>	Statutory Implications <b>YES</b>	Equal Impact Assessment YES If YES: <b>Pre-screening</b>	Risk Management Implications <b>NO</b>	Environmental Considerations <b>NO</b>
If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s)					

Date of meeting: 16 September 2025

## COMMUNITY INFRASTRUCTURE LEVY (CIL) – FUNDING POLICY AND SPENDING STRATEGY

### Summary

The CIL Governance has been reviewed in line with advice from the Planning Advisory Service, to ensure compliance with up-to-date statutory guidance relating to developer contributions. The revised procedures will ensure that CIL funding relates directly to projects identified to support the Councils' Corporate Objectives, linked to the Local Plan, to support growth within West-Norfolk.

The Spending Strategy will be the over-arching document relating to how projects will be identified and funding allocated. The strategy will provide clarity on how this Collecting Authority intends to spend CIL collected in West-Norfolk.

The details relating to the application process will be formulated by the CIL Spending Panel, prior to the next round of CIL funding applications.

The Funding Policy document contains the terms and conditions for applicants, if funding is allocated.

### Recommendation

Cabinet Resolves:

Cabinet approve the revised Community Infrastructure Levy Funding Policy and Spending Strategy for the allocation and spend of Borough Community Infrastructure Levy raised by this Council.

#### **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:

***Determine CIL spend, ensuring it is used to fund the provision, improvement, replacement, operation; or maintenance of infrastructure to support development of its area***

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

1.4. The Planning Advisory Service (PAS) carried out a review of our current CIL governance arrangements, in consultation with the CIL Spending Panel and officers, taking into consideration 'lessons learned' from previous rounds of funding and best practice examples from other collecting authorities. The PAS Report (attached as Appendix A) provided recommendations to ensure that this Council spends CIL in line with changing statutory requirements relating to developer contributions including CIL.

1.5. The Senior CIL Officer reviewed the PAS Report and produced a draft Policy and Spending Strategies, in consultation with the Chair of the Spending Panel and the Planning Control Manager. (attached at Appendices: Appendix B - CIL Funding Policy & Appendix C: CIL Spending Strategy at Appendix C.

1.6. In addition to reviewing the CIL Governance, the funding Terms & Conditions (ToC) were reviewed. Within the existing process, the ToCs are not published and only distributed after funding has been approved by the panel. The applicant is then

sent a copy of the ToCs, they must sign and return agreement with the ToRs before funding is formally allocated. To provide greater transparency the ToRs form part of the Policy document, to enable applicants to review arrangements, prior to making an application.

1.7. The CIL Spending Panel met on 29 July 2025, to discuss the PAS Report and the proposed process. During the meeting, the Panel reviewed the draft policy and strategy, made recommendations, and agreed the next stage of the project.

1.8. The Strategy & Policy documents have been written by officers, taking into account the amendments recommended by Spending Panel.

1.9. After the Spending Panel, CIL Officers consulted with Audit and Legal, to ensure compliance with internal procurement arrangements & local policies.

1.10. The recommendations from Audit and Legal, related to operational requirements, have been amalgamated into the documents for consideration before Cabinet.

1.11. The main changes proposed for CIL Project Funding are set out below.

1.12. The Borough CIL money received, after the parish payments and administration fees are removed, is proposed to be split into 2 separate funding processes, one being Local Projects and the other Strategic Projects.

**1.12.1. Local Projects - 20%**

- Using an online application form similar to the existing process
- Amendment of application amounts from £2k-£50k revised to £10k minimum with maximum request up to £100k – ensuring the local project funds are not all allocated to just 1 project
- No specific list of criteria for local project applications, however there will be validation requirements;
- All valid projects will be considered for funding;
- Delegated responsibility for allocating funding for the local projects – raised from £50k to £100k;

**1.12.2. Strategic Projects 80%**

- No application process
- Officers from across the council will work with Cabinet members to review the list of identified infrastructure projects, to ensure that the CIL Spending Strategy operates accordingly
- Projects already identified by the Council, as infrastructure to support growth in West Norfolk
- A list of eligible projects will be prepared and presented to the CIL Spending Panel
- The Spending Panel will have delegated responsibility to select and allocate CIL funding up to £100k to any project(s) from the prepared list, Panel may make recommendations of projects over £100k to Cabinet
- For any Strategic Project above £100k, decision making will rest with Cabinet.

## **2 Options Considered**

2.1 There is a legal duty to spend CIL in accordance with the Regulations, but the priorities can be determined to suit local circumstances within the overall framework.

### **Option 1 – Adopt a new CIL Process:**

The Spending Panel recommend approval of the CIL Funding Policy and Spending Strategy. The CIL Strategy is a longer-term plan which will ensure there is clarity relating to the future allocation and spend of CIL for West Norfolk. Enabling CIL to be allocated to larger strategic projects will benefit the wider community, and link directly to the Council's vision for the future.

### **Option 2 – Keep the current governance arrangements:**

The current arrangements are based on an annual review. This is a short-term plan relating to the allocation of CIL and does not provide any assurance of future CIL allocations for this Council.

2.2. Currently, CIL funding is allocated using a scoring system that is based on the quality of the application submitted and gives priority to short term projects but does not consider how each application aligns with growth in West Norfolk or the community value of projects. The selection criteria is open to interpretation, and many projects allocated funding to-date, do not align with the revised government guidance on how developer contribution should be spent.

## **3 Policy Implications**

CIL legislation gives scope for Councils to direct CIL spending to reflect the local situation but must relate to 'Infrastructure to support new development'. The proposed procedures align to the Council's vision for the future, to support growth across West Norfolk.

## **4 Financial Implications**

4.1 CIL is collected and administered by the Borough Council as a CIL Collecting Authority, in accordance with the CIL regulations (as amended). CIL income and expenditure is reviewed bi-annually and verified by accountancy.

4.2 Local project 20% - funding will be allocated based on verified CIL receipts. Strategic Projects 80% - future income may be forecast, to allow for longer term projects to be considered but only verified income will be formally allocated to projects.

## **5 Personnel Implications**

5.1 None

## **6 Environmental Considerations**

6.1 None

## **7 Statutory Considerations**

7.1 CIL spending and governance must conform to the relevant regulations.

## **8 Equality Impact Assessment (EIA)**

8.1 Pre-screening EIA is attached.

## **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 West Norfolk. The Infrastructure Spending Statement, published on the council's website each year, is part of that risk management, as well as ensuring transparency.

## **10 Declarations of Interest / Dispensations Granted**

10.1 None

## **11 Background Papers**

- CIL Project Plan
- Corporate & Local Plan Priorities
- PAS Guidance – Start with the spend in mind

## **12 Appendices:**

- A - PAS CIL Governance Report
- B - CIL Funding Policy Document
- C - CIL Spending Strategy