REPORT TO CABINET

Open		Would any decisions proposed : Be entirely within Cabinet's powers to decide YES Need to be recommendations to Council NO Is it a Key Decision YES			
Any especially affected Wards All wards	Mandatory				
Lead Member: Cllr J Moriarty E-mail: *cllr.james.moriarty@west-norfolk.gov.uk*		Other Cabinet Members consulted: Other Members consulted: CIL Spending Panel, R & D Panel			
Lead Officer: Amanda Driver E-mail: *Amanda.driver@west-norfolk.gov.uk* Direct Dial: 01553 616443		Other Officers consulted: **Assistant Directors: Stuart Ashworth & Duncan Hall** **Planning - Hannah-Wood-Handy** **Audit – Matthew Head** **Legal – James Arrandale**			
Financial Implications **YES**	Policy/ Personnel Implications **YES**	Statutory Implications **YES**	Equal Impact Assessment YES If **YES: Pre-screening**	Risk Management Implications **NO**	Environmental Considerations **NO**

Date of meeting: 23 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 (T&Cs) 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 (IFS). 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 (T&Cs) were reviewed. Within the existing process, the T&Cs are not published and only distributed after funding has been approved by the panel. The applicant is then sent a copy of the T&Cs, they must sign and return agreement with the T&Cs before funding is formally allocated. To provide greater transparency the T&Cs now 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 in liaison with the Chair of the Spending Panel to identify projects within Tiers 1 to 3 of the Council's Capital Projects Programme:

    - Tier 1 – Major Projects/schemes that are approved by Cabinet/Council to go live/are in progress.

    - Tier 2 – Operational Projects that are approved by Cabinet/Council to go live/are in progress.

    - Tier 3 – Projects and schemes awaiting detailed consideration by Cabinet or Council before transition to go live under either Tier 1 or 2.

Projects will be identified using the following criteria, as detailed in the Spending Strategy:

Essential Infrastructure

a Infrastructure is necessary to support an approved development (proposed developments with planning permission granted) in order that development carried out is sustainable

b Is identified in the Infrastructure Delivery Framework of the Local Plan, is identified in a Neighbourhood Plan or Corporate Strategy as a priority

c Represents key infrastructure as identified in the Local Plan, Neighbourhood Plan or Infrastructure Delivery Plan (IDP)

d The identification of need must demonstrate that the time of delivery for funding is correct.

Desirable Infrastructure

a The provision of this infrastructure addresses a current inadequacy in infrastructure terms and the benefits of the infrastructure are clear

b The infrastructure is identified as ‘desirable’ or a ‘priority’ in the Local Plan or Neighbourhood Plan or recent Parish Infrastructure Investment Plan (PIIP)

c Neighbourhood CIL funding has been formally allocated to fund the project

d It would allow infrastructure to be delivered through collaborative funding with Borough CIL.

Beneficial Infrastructure

a. By provision of infrastructure, would unlock further opportunities within the Borough for housing and employment growth – e.g. the relocation of a Community Centre or similar infrastructure to a new building which would be mostly funded through the sale/re-use of the land as residential or business use

and there are adequate facilities in the area to serve the development.

b It is infrastructure which has not previously been identified as essential, or desirable in the Local Plans or within a Neighbourhood Plan, but a clear link can be identified in supporting the sustainability of the Local Plan.

c) It is infrastructure which addresses a recently unexpected shortfall in infrastructure or community provision accounted for as having an influence on the sustainability of a community in the Local Plan. - e.g. closure of a pre-school facility and the need for a replacement, or the more rapid adoption of the use of electric vehicles or other beneficial environmental infrastructure or technologies.

- 68. The list of eligible Capital 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.

1.13 To ensure transparency and adequate scrutiny:

- Details of projects to be considered for CIL funding, wlll be published with the Spending Panel's agenda
- Payment of CIL will only be made on receipt of evidence to demonstrate that funds are spent in accordance with the project plan/application submission.
- All projects allocated funding over £100k will be monitored as part of the Capital Projects Programme. All projects over £100k will be considered by Cabinet, following the Council's defined scrutiny procedures.
- Projects allocated funding over £100k that are also defined to be 'Major Projects' by Cabinet, will be required to produce quarterly Project Highlight reports and will be considered by the Member Major Projects Board for assurance and monitoring purposes.

1.14 All CIL income, allocations and spend will be recorded and available for public scrutiny. Details will also be included in the IFS submitted to Central Government.

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