



**CIL Governance Task Group**

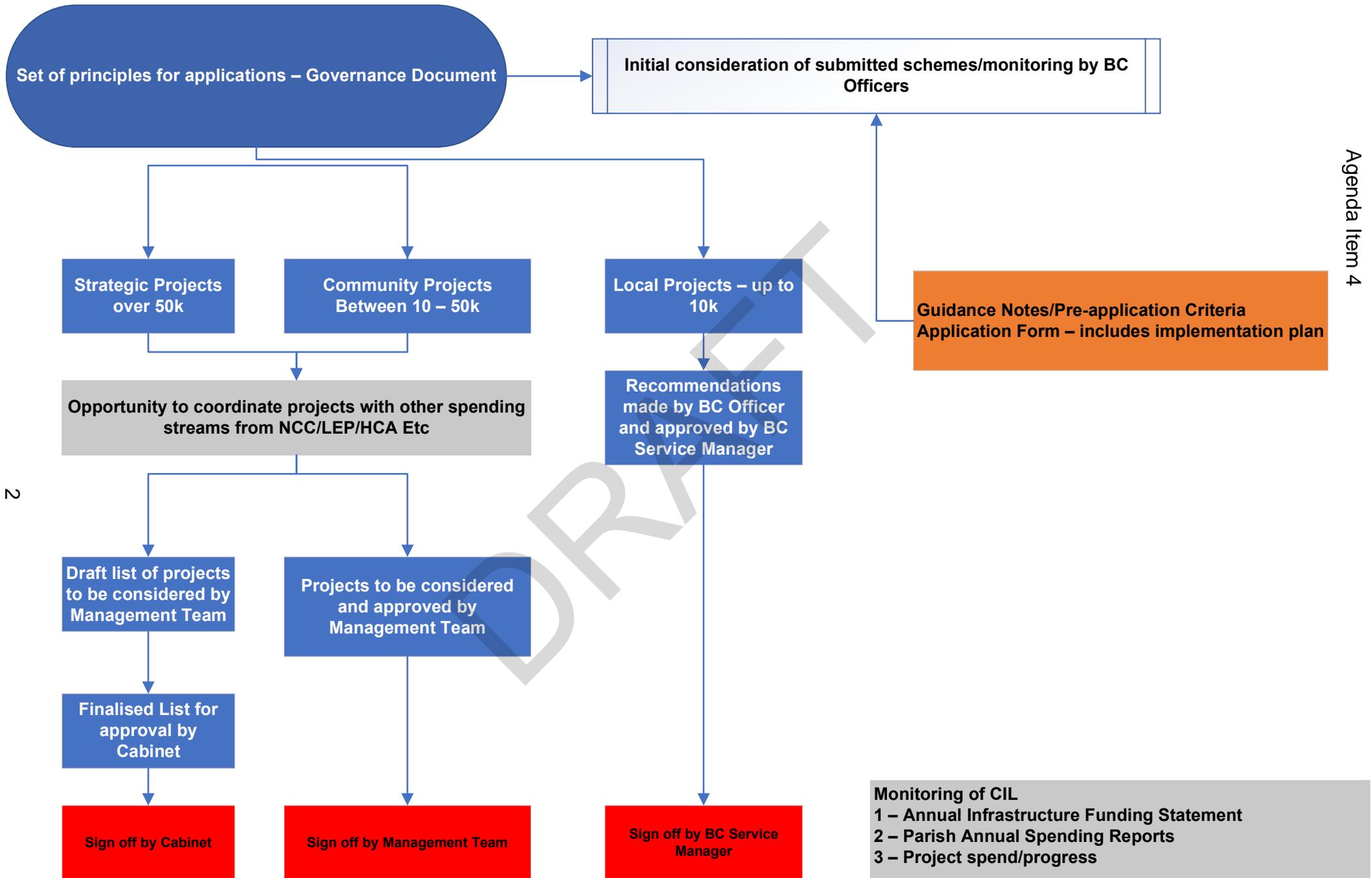
**Wednesday, 26th February, 2020 at 2.00 pm  
in the Kempe Room - Town Hall, Saturday Market Place,  
King's Lynn PE30 5DQ**

**Reports marked to follow on the Agenda and/or Supplementary Documents**

1. **Selection Criteria (Pages 2 - 25)**

**Contact**

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## **Community Infrastructure Levy**

### **Annual List of Infrastructure Projects FY2020-2021**

Following the deletion of CIL Regulation 123 in September 2019, each Collection Authority must produce an Annual Infrastructure Funding Statement.

The infrastructure funding statement will be produced and published no later than the 31 December annually and will provide details of CIL receipts, expenditure, allocations and payments.

To support the Annual Infrastructure Statement, the Borough Council of King's Lynn and West Norfolk have produced a list of criteria for which CIL may be used for FY20/21.

#### **Strategic Projects 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 Projects between £10,000 and £50,000**

- Education – local initiatives
- Health
- Economic Development

#### **Local Projects between £1,000 and £10,000**

- Community Facilities
- Green Infrastructure
- Open Space and Leisure
- Community Transport

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

DRAFT Document - for discussion at CIL Task Group

# CIL Governance and Spending 2020 - 2021

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### 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.

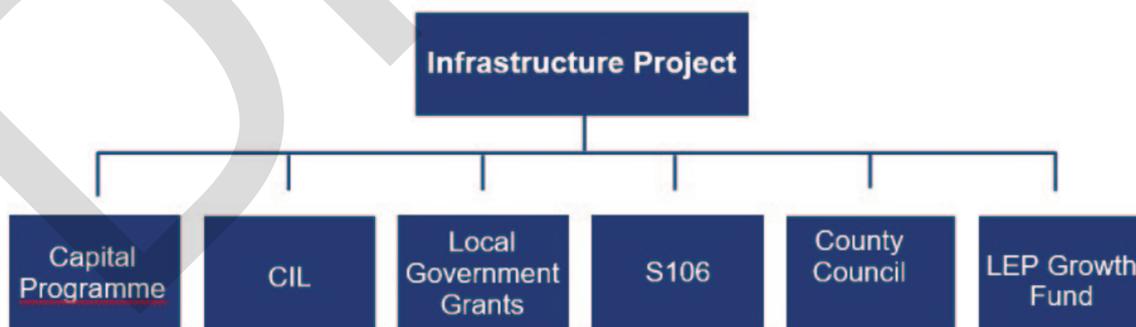
**1.0.3** CIL is governed by the CIL Regulations 2010 (amended). In the Borough of King's Lynn and West Norfolk, CIL is charged on all residential and retail developments, which add one or more new dwelling(s) or more than 100sqm of floor space. CIL is charged at a rate per square metre and varies according to land use.

**1.0.4** 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.

**1.0.5** 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. These parameters for the governance arrangements of CIL were agreed by Cabinet xxxxxx

**1.0.6** This document will be reviewed on an annual basis.

**Figure 1 - Funding Streams**



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### 2 Statutory Requirements

**2.0.1** Under CIL, the Borough Council will act as the designated Charging Authority. 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 publically on the amount of CIL revenue collected, spent and retained each year.

**2.0.2** 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 Infrastructure List.

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

**2.0.4** The Borough Council's Infrastructure List and Annual Infrastructure Funding Report 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>

### 3 What can CIL be spent on

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

**3.0.2** 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.

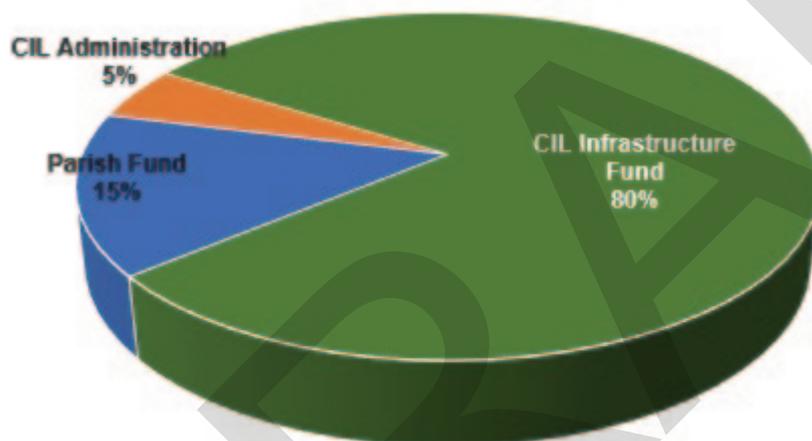
**3.0.3** The key points set out by the CIL Regulations and Guidance relating to CIL funding are:

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

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

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- 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.



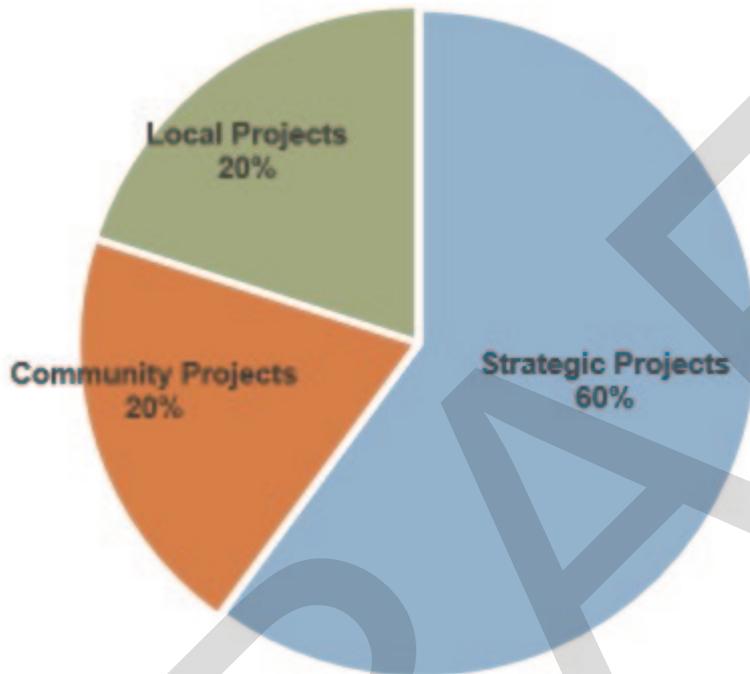
**3.0.5** It is very unlikely that CIL will generate enough funds to completely cover the cost of new infrastructure needed to fully support planned development. As such, there will be competing demands for this funding. With this in mind, it is important to ensure that there are robust, accountable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

**3.0.6** 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.

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### 4 Governance Arrangements

**4.0.1** The CIL Infrastructure Fund has been separated into 3 specific project types, to enable the funding to meet wider borough infrastructure requirements and also to support local community needs.



**4.0.2** 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

#### **20% Community Projects**

- These are projects which will meet the needs of Parishes and Wards, to fund community projects between £10,000 and £50,000
- It is expected that there will be an element of match funding for these projects.
- Mid term projects

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### 20% Local Projects

- These allocations will be used to meet the local infrastructure requirements for smaller more local projects up to £10,000
- It is expected that there will be an element of match funding for these projects
- Short term projects which must be completed within 5 years

**4.0.3** If funding is not fully allocated to Local or Community Projects, on an annual basis,, the remaining CIL will be allocated to the Strategic Projects.

### 5 Applying for CIL funds

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

**5.0.2** On an annual basis, the Council will encourage the submission of Expression of Interest Forms, requesting CIL funding.

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

**5.0.4** The allocation of these funds will be made through an annual 'Expression of Interest' process. 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.

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

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

**5.0.6** All of 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 match funding
- Any other supporting information e.g. Project Report and Timescales

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

- The Application Form has been completed satisfactorily
- The organisation has the legal right to carry out the proposed project
- The project is clearly defined as 'Infrastructure' as per the CIL Regulations

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### 6 Strategic Projects - above 50k

**6.0.1** 60% of the CIL Infrastructure Funds will be allocated to Strategic projects, with an estimated total cost of over £50,000.

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

**6.0.3** 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.

**6.0.4** 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

#### Question

**Apply for Strategic Project Funding?12 'Appendix 2 - Strategic Projects Application Form and Scoring Criteria'**

### 6.1 The Decision Making Process for Strategic Projects

**6.1.1** 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. The factors that 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

**6.1.2** 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, or where it makes use of match funding.

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

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**6.1.4** The Management Team are required to:

- reach a balanced judgement over which projects to fund.
- make recommendations on which projects should receive CIL funding
- take recommendations to the BCKLWN Cabinet for approval

**6.1.5** Recommendations from the CIL Spending Panel will then go forward to Cabinet. If agreed by Cabinet, stakeholders will be informed and funds will be allocated.

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

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### 7 Community Project Allocations between 10k and 50k

**7.0.1** 20% of the CIL Infrastructure Funds will be allocated to Community projects requiring funds of a value between £10,000 and £50,000.

**7.0.2** These project applications must be made in liaison with Parish and Ward Councils.

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

**7.0.4** 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.

**7.0.5** The current list of Community Projects eligible for funding are:

- Education -- Local Initiatives
- Health
- Economic Development

#### Question

**Apply for Community Project Funding?13 'Appendix 3 - Community Projects Application Form and Scoring Criteria'**

#### 7.1 The Decision Making Process for Community Projects

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

**7.1.2** The factors that projects will be assessed against include:

- Evidence of need -
  - Number of new dwellings built in Parish/Ward
  - Number of new dwellings identified in the Borough Local Plan/Parish Neighbourhood Plan
  - Details of community support
  - Contribution to Local Plan Objectives

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- Stakeholder Support
- Finance and Deliverability of the project
  - Evidence to demonstrate a commitment (financial or otherwise) to the project.
  - Project timescales

**7.1.3** 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, or where it makes use of match funding.

**7.1.4** A Council Officer undertaking the initial scoring of the project will make a recommendation to the BCKLWN Management Team, based on the scoring criteria.

**7.1.5** The Scoring Sheets and recommendations will then be taken to the BCKLWN Management Team for approval.

**7.1.6** The Management Team are required to:

- reach a balanced judgement over which projects to fund.
- make recommendations on which projects should receive CIL funding

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

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### 8 Local Project Allocations between 1k and 10k

**8.0.1** 20% of the CIL Infrastructure Funds will be allocated to local projects requiring funds up to £10,000.

**8.0.2** The Local Projects:

- must commence within 1 year of being allocated CIL
- be completed within 5 years.
- must be made in liaison with Parish and Ward Councils.

**8.0.3** CIL will be paid on completion of the project.

**8.0.4** The Local Projects will be selected by the Borough Council.

**8.0.5** 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.

**8.0.6** The current list of Local Projects eligible for funding are:

- Community Facilities
- Green Infrastructure
- Open Space and Leisure
- Community Transport

#### Question

**Apply for Local Project Funding?14 'Appendix 4 - Local Projects Application Form and Scoring Criteria'**

#### 8.1 The Decision Making Process for Local Projects

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

**8.1.2** The factors that projects will be assessed against include:

- Evidence to demonstrate a commitment (financial or otherwise) to the project.

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- Match funding
- Project timescales

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

**8.1.4** A Council Officer undertaking the scoring of the project, will make a recommendation to a senior Planning Manager for approval.

**8.1.5** The Planning Manager is required to:

- reach a balanced judgement over which projects to fund.
- make recommendations on which projects should receive CIL funding

**8.1.6** CIL payments up to £10,000 will be signed off by a senior Council Manager.

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### 9 Once the funding decision has been made

**9.0.1** 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.

**9.0.2** 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.

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

**9.0.4** 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.

**9.0.5** 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.

### 10 Monitoring and Review

**10.0.1** The Borough Council of King's Lynn and West Norfolk is committed to ensuring the use of CIL is open and transparent. To this end, the Borough Council will publish a CIL Infrastructure Spending Report, setting out which projects have been selected and the progress of each.

**10.0.2** In line with the CIL Regulations, as amended in September 2019, the Borough Council will publish an Annual Infrastructure Funding Report. This report will provide details of CIL receipts, balances, expenditure and allocations. This report will be published annually for each financial year, no later than 31 December.

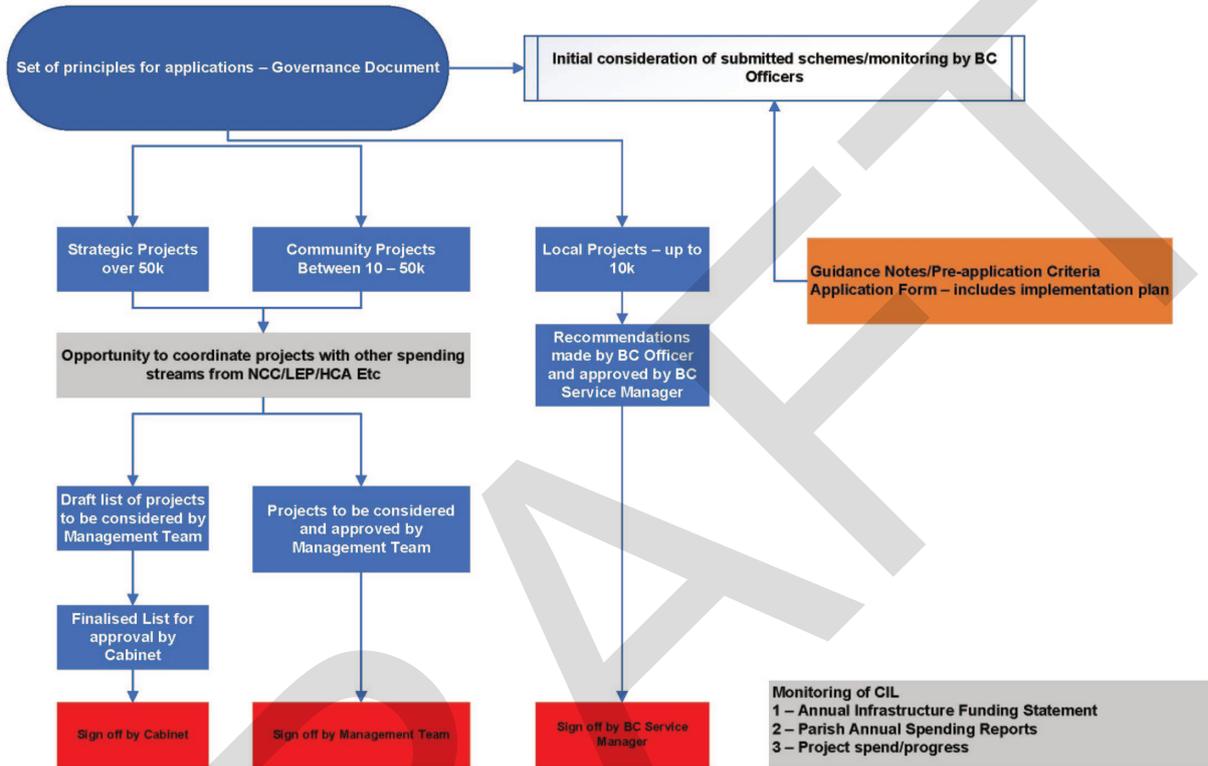
**10.0.3** In addition, the Borough Council will review the allocation criteria and draft an Annual Infrastructure Business Plan, which will be reported to Cabinet each year to agree on how CIL funds should be spent.

**10.0.4** The Borough Council will continue to monitor the operation and implementation of CIL.

**10.0.5** 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](mailto:CIL@west-norfolk.gov.uk) or call 01553 616443.

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11 Appendix 1 - CIL Governance Framework



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## 12 Appendix 2 - Strategic Projects Application Form and Scoring Criteria

### Strategic Project Application Form

To submit your CIL Funding Application, please use the online form at: <https://west-norfolk-consult.objective.co.uk/public/cilapp20-21>

### Scoring Criteria

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

- Is this project necessary to support infrastructure for development?
- Is the total cost of the project over 50k?
- 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

**12.0.2** 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 No proposed Houses relating to the project - -based on planning applications and local plan allocations

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## 13 Appendix 3 - Community Projects Application Form and Scoring Criteria

### Community Project Application Form

To submit your CIL Funding Application, please use the online form at: <https://west-norfolk-consult.objective.co.uk/public/cilapp20-21>

### Scoring Criteria

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

- Is this project necessary to support local growth?
- Is the total cost of the project between 10k and 50k?
- Has match funding and financial commitment been secured?
- Is the project deliverable within 1-5 years?
- Is this application linked to Education, Health or Economic Development?

**13.0.2** Each project will be scored on the following:

#### **13.0.3 Evidence of Need**

- No new dwellings identified in the BCKLWN Local Plan:
  - 1 – 49 = 1 Point
  - 50 – 99 = 2 Points
  - 100-149 = 3 Points
  - 150 – 199 = 4 Points
  - 200+ = 5 Points
- What evidence that local people support the project - maximum score = 5
  - Petitions
  - Community Consultation Outcomes
  - Letters of support from new/existing users
  - Fundraising Initiatives

**13.0.4** How does the project contribute to the delivery of the objectives and policies of the BCKLWN Local Plan:

- 1 point per Local Plan Objective/Policy Out of 10

#### **13.0.5 Evidence of stakeholder support**

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**13.0.6** Details of support for the project from other stakeholders or organisations Parish Council Support - maximum score = 5

- Borough Council Support
- County Council Support
- Service Provider Support
- Other Stakeholder Support

### **13.0.7 Finance and Deliverability**

**13.0.8** Amount of CIL funding requested

**13.0.9** Amount of funding committed to the project by applying organization 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

**13.0.10** 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

**13.0.11** 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

**13.0.12** Project Timescale

- Start date:
  - 0 – 6months = 5 Point
  - 6 – 9 Months = 4 Points

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- 9 – 12 Months = 3 Points
- 12 – 18 Months = 2 Points
- 18 Months + = 1 Point

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## 14 Appendix 4 - Local Projects Application Form and Scoring Criteria

### Local Project Application Form

To submit your CIL Funding Application, please use the online form at: <https://west-norfolk-consult.objective.co.uk/public/cilapp20-21>

### Scoring Criteria

**14.0.1** Any Local Project Application must meet all criteria below:

- Is the total cost of the project between 1k and 10k?
- Has match funding and financial commitment been secured?
- Is the project deliverable within 1-5 years?
- Is this application linked to:
  - Community Facilities,
  - Community Transport,
  - Green Infrastructure
  - Leisure and Open Space

**14.0.2** Each project will be scored on the following:

#### **14.0.3 Financial Commitments**

**14.0.4** Amount of funding committed to the project by applying organization 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

**14.0.5** 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

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- 65 – 85% = 4 Points
- 85 – 100% = 5 Points

### **14.0.6** 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