

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



Cabinet

Agenda

Tuesday, 2nd August, 2022
at 3.30 pm

in the

The Assembly Room
Town Hall
Saturday Market Place
King's Lynn

Also available to view on Zoom and available for the public to view on [WestNorfolkBC on You Tube](#)



King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX
Telephone: 01553 616200

CABINET AGENDA

DATE: CABINET - TUESDAY, 2ND AUGUST, 2022

VENUE: ASSEMBLY ROOM, TOWN HALL, SATURDAY
MARKET PLACE, KING'S LYNN

TIME: 3.30 pm

As required by Regulations 5 (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 - Items 16 and 17 below will be considered in private.

Should you wish to make any representations in relation to the meeting being held in private for the consideration of the above item, you should contact Democratic Services

1. MINUTES

To approve the Minutes of the Meeting held on 21 and 24 June and 21 July 2022 (previously circulated).

2. APOLOGIES

To receive apologies for absence.

3. URGENT BUSINESS

To consider any business, which by reason of special circumstances, the Chair proposes to accept, under Section 100(b)(4)(b) of the Local Government Act 1972.

4. DECLARATIONS OF INTEREST

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not already declared on the Register of Interests) and the agenda item to which it relates. If a disclosable pecuniary interest is declared, the member should

withdraw from the room whilst the matter is discussed.

These declarations apply to all Members present, whether the Member is part of the meeting, attending to speak as a local Member on an item or simply observing the meeting from the public seating area.

5. CHAIR'S CORRESPONDENCE

To receive any Chair's correspondence.

6. MEMBERS PRESENT UNDER STANDING ORDER 34

To note the names of any Councillors who wish to address the meeting under Standing Order 34.

Members wishing to speak pursuant to Standing Order 34 should inform the Chair of their intention to do so and on what items they wish to be heard before a decision on that item is taken.

7. CALLED IN MATTERS

To report on any Cabinet Decisions called in.

8. FORWARD DECISIONS (Pages 6 - 10)

A copy of the Forward Decisions List is attached

9. MATTERS REFERRED TO CABINET FROM OTHER BODIES (Page 11)

To receive any comments and recommendations from other Council bodies which meet after the dispatch of this agenda.

10. CIL AMENDMENTS TO GOVERNANCE DOCUMENT (Pages 12 - 50)

11. CONTAMINATED LAND STRATEGY (Pages 51 - 89)

**12. WEST WINCH FRAMEWORK MASTERPLAN FOR CONSULTATION
(Pages 90 - 121)**

13. REVENUE OUTTURN 2021-22 - REPORT TO FOLLOW

14. CAPITAL OUTTURN 2020-21 - REPORT TO FOLLOW

15. EXCLUSION OF THE PRESS AND PUBLIC

The Cabinet is asked to consider excluding the public from the meeting under section 100A of the Local Government Act 1972 for consideration of the items below on the grounds that they involve the likely disclosure of exempt information as defined by paragraph 3 of Part 1 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public

interest in disclosing the information.

PRIVATE ITEM

Details of any representations received about why the following reports should be considered in public will be reported at the meeting.

16. REVENUE OUTTURN - EXEMPT SECTION - TO FOLLOW

17. CAPITAL OUTTURN - EXEMPT SECTION - TO FOLLOW

To: Members of the Cabinet

Councillors R Blunt, S Dark (Chair), A Dickinson, P Kunes, A Lawrence,
B Long, G Middleton (Vice-Chair) and S Sandell

For Further information, please contact:

Sam Winter, Democratic Services Manager 01553 616327
Borough Council of King's Lynn & West Norfolk
King's Court, Chapel Street
King's Lynn PE30 1EX

FORWARD DECISIONS LIST

Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
Sp meeting 21 July 2022						
	West Norfolk Investment Plan for Shared Prosperity Fund	Key	Cabinet	Business Culture & Heritage Asst Director – D Hall		Public

Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
2 August 2022						
	Revenue & Capital Outturn 2021/22	Key	Cabinet	Finance Asst Dir M Drewery		Public
	CIL – amendments to Governance document	Non	Cabinet	Development & Regeneration Asst Dir S Ashworth		Public
	Contaminated Land Strategy	Key	Council	Environment		Public
	West Winch Framework Masterplan for consultation	Key	Cabinet	Development and Regeneration Asst Dir – S Ashworth		Public

Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
Sp meeting 10 August 2022						
	Staff Pay Award	Key	Council	Leader Exec Dir – D Gates		Private - Contains exempt Information under para 4 –

						information relating to consultations and negotiations with employees
	MFR contract and associated Shareholder's Agreement	Key	Cabinet	Environment Asst Dir – M Chisholm		Private - Contains exempt Information under para 3 relating to the business affairs of any person (including the authority)
	Assurance Framework – Towns Fund	Non	Cabinet	Business Culture & Heritage Monitoring Officer		Public

Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
Sp meeting 1 September 2022						
	Multi User Hub Business Case and transfer of freehold to NCC	Non	Cabinet	Business Culture & Heritage Asst Director – D Hall		Public
	Active and Clean Connectivity Business Case	Non	Cabinet	Business Culture & Heritage Asst Director – D Hall		Public
	Meeting Arrangements	Non	Cabinet	Chief Executive – L Gore Leader		Public

Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
Sp meeting 15 September 2022						

	Riverfront Business Plan	Non	Cabinet	Business Culture & Heritage Asst Director – D Hall		Public
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Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
20 September 2022						
	Custom and Self Build Site – Stoke Ferry	Non	Cabinet	Regeneration and Development Assistant Director - D Hall		Public
	Freedom of the Borough - amendments	Non	Council	Leader Chief Executive		Public
∞	Lynnsport One	Key	Council	Regeneration & Development Asst Dir Companies & Housing Delivery – D Ousby		Private - Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)
	Asset Management – Land and Property	Key	Cabinet	Property Asst Dir Property and Projects		Private - Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)
	Review of Governance of Council Companies	Non	Cabinet	Leader Chief Executive		Public

	Balloon and Lantern report	Non	Cabinet	Corporate Services and Environment Asst Director – M Chisholm		Public
	Risk Management Policy	Key	Council	Finance Chief Executive		Public

Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
15 November 2022						
	Levelling up Government response and actions	Key	Council	Business Culture & Heritage Asst Director – D Hall		Public

Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
17 January 2023						
	West Winch Framework Masterplan	Key	Council	Development and Regeneration Asst Dir – S Ashworth		Public

Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
7 February 2023						
	Budget	Key	Council	Finance Asst Director – M Drewery		Public
	Capital Programme	Key	Council	Finance Asst Director – M Drewery		Public

Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
7 March 2023						

Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
18 April 2023						

Items to be scheduled

	Notice of Motion 7-21 – Councillor Kemp – Equalities	Non	Council	Leader Asst Dir B Box		Public
	Procurement Strategy	Non	Cabinet	Finance Asst Dir – D Ousby		Public
	Review of Planning Scheme of Delegation (summer 23)	Non	Council	Development and Regeneration Asst Dir – S Ashworth		Public

RECOMMENDATIONS TO CABINET 21 JUNE 2022 FROM THE ENVIRONMENT AND COMMUNITY PANEL MEETING

EC11: CABINET REPORT - CONTAMINATED LAND STRATEGY

[Click here to view the recording of this item on You Tube.](#)

The Environmental Health Manager and Scientific Officer presented the Cabinet Report which updated the Contaminated Land Strategy.

The Chair thanked the Environmental Health Manager for the report and invited questions and comments from the Panel, as summarised below.

In response to questions from Councillor Devereux relating to mineral extractions, the Environmental Health Manager explained that Norfolk County Council were the lead authority on planning applications for mineral extraction sites with the Borough Council acting as a consultee. It was also explained that many of the contaminated sites were historical as newer sites were subject to restoration plans as part of their planning permission.

In response to a question from Councillor Squire, it was explained that high risk areas were targeted and all sites were considered in a priority order. Future risks were also considered and sites could be kept under review.

Councillor Parish referred to arsenic and the Scientific Officer explained that national background levels had been established.

In response to a question from Councillor Bubb it was explained that a programmed schedule of inspections were carried out and additional work was carried out where spills or complaints had been reported.

The Scientific Officer explained that technology was used to vent gases from site.

RESOLVED: That the Environment and Community Panel support the recommendations to Cabinet as set out below.

Cabinet Recommendation: Adopt the updated Contaminated Land Strategy.

REPORT TO CABINET

Open/Exempt		Would any decisions proposed:		
Any especially affected Wards All	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	
Lead Member: Cllr R Blunt E-mail: cllr.richard.blunt@west-norfolk.gov.uk		Other Cabinet Members consulted: All		
Lead Officer: Hannah Wood-Handy E-mail: hannah.wood-handy@west-norfolk.gov.uk Direct Dial:01553616734		Other Members consulted: CIL Spending Panel, Regeneration and Development Panel		
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: 02 August 2022

Community Infrastructure Levy (CIL) – Revised Governance and Spending arrangements 2023

Summary

The CIL Spending Panel Group and the Regeneration and Development Panel, have proposed a scheme for allocating funds collected through the CIL and a final version of the proposed priorities are presented for the Cabinet to agree for 2023.

Recommendation

1. That Cabinet agree to adopt the arrangements in the CIL Governance and Spending document attached as Appendix 1.

Reason for Decision

1. To ensure the Borough Council meets its legal requirement to administer CIL funds in an appropriate way.
2. To ensure that the benefits of CIL are shared across the Borough to meet the infrastructure demands of a growing Borough.

1 Background

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.

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

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.

When the Borough Council Cabinet agreed to adopt the CIL Governance arrangements, a CIL Spending Panel was set up. 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.

Following a review of the current Governance Document against CIL Funding Applications received to date, the Spending Panel have revised the funding criteria, to enable the most effective use of available funds, linked to current Corporate Objectives. This work has now concluded, and a final draft of the proposed scheme is presented at Appendix 1.

It is recommended by the CIL Spending Panel Group and Regeneration and Development Panel (at its meeting on 29 June) for adoption by the Cabinet.

2 The proposed funding criteria

The criteria have two main elements:

- The definition of what could be eligible for funding
- 50% split for the distribution of funds

Taking each in turn. (All the following elements are explained in greater detail in the document at Appendix 1).

3 Definition of what could be eligible for funding:

These projects will be selected by the Borough Councils, with more weight given to projects with the greatest amount of match funding and in 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).

4 The proposed list of Infrastructure Projects eligible for funding in 2023 are:

4.1 50% Infrastructure Projects over £30,001

- **18+ Adult Education Infrastructure Projects -**

To support the development of skills for adults of all ages, which may include volunteer run projects, to allow people to gain new skills, knowledge, and experience.

- **Green Infrastructure Projects**

Projects relating to open spaces, such as public parks and gardens, woodlands, fields, hedges, lakes, ponds, coastal habitats, as well as footpaths, cycle ways or rivers.

Public spaces used for recreation and education, habitats for wildlife and nature. Environmental services such as flood defences or absorption of air pollution.

- **Leisure Time Activities Infrastructure**

Accessible projects, to support leisure time activities, which may include.

- Health & well-being schemes to encourage physical activity and playstreet initiatives.
- Projects run by community/voluntary groups including Local Councils, to promote social inclusion.
- Active living projects; to increase walking, cycling and sustainable transport.

These Projects are in line with the Borough Council's Corporate Business Plan and meet 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.

- **Green Infrastructure:**

Protecting and enhancing the environment including tackling climate change.

To work with partners and the community, to improve our natural environment.

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.

- **Leisure:**
Improve and develop the quality of local sport and leisure facilities.

5 50% Infrastructure Projects between £2k and £30k

- **Education - Local Initiatives**
To support voluntary/community projects
- **Health**
To support NHS & voluntary services
Support & increase wellbeing services
- **Economic Development**
To benefit the local area/wider community
- **Community Facilities**
This may include public buildings/recreation areas:
 - To support voluntary/community groups
 - Increase facility capacity/repair existing infrastructure
- **Green Infrastructure**
To reduce carbon emissions
Support & protect biodiversity - wildlife friendly sites
- **Open Space and Leisure**
Installation & improvement of public play areas and equipment
Improvement of open spaces
Support voluntary/community leisure facilities

These Projects are in line with the Borough Council's Corporate Business Plan and meet 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 wellbeing 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 wellbeing of our communities.

6 All Projects:

- must commence within 1 year of being allocated CIL,
- and must be completed within 5 years.
- CIL will be paid on completion of the project.

7 Application processes

The detailed application form, requirements, and administration are outlined in Appendices 3, 4, and 5 to the 'CIL Governance and Spending 2023' document at Appendix 1 to this Report.

8 Options

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 CIL Spending Panel have debated and reported options to the Regeneration and Development Panel previously.

The options around the following items have been considered:

- The split of spending between infrastructure projects types, that could be supported
- The criteria of projects that could be supported
- The democratic accountability for spending agreed

9 Policy implications

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.

10 Financial implications

None specifically. CIL is collected and administered by Borough Council. The costs of administration are met from receipts. The available funds can be spent on the schemes / types of projects suggested.

11 Personnel implications

None specifically, but officers will review workloads once the scheme is up and running.

12 Statutory implications

Our spending and governance need to conform to the relevant Regulations.

13 Equality impact assessment implications

None.

14 Risk Management implications

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

15 Corporate priorities

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

16 Conclusion

A scheme for the spending of CIL receipts, according to the relevant Regulations is proposed.

It seeks to blend spending on potential larger/higher level projects, but also directs funding to small more local projects, affected by growth pressures.

The CIL Spending Panel and Regeneration and Development Panel have considered the various aspects and recommends the attached proposal (Appendix 1).

17 Background papers

- Borough Council CIL Spending Panel and Regeneration and Development Panel notes and agendas outline the development of the proposals.

APPENDIX 1

CIL Spending and Governance Document 2023



Name of policy/service/function	CIL Governance and Spending				
Is this a new or existing policy/ service/function?	New Existing (delete as appropriate)				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service is rigidly constrained by statutory obligations	Amendment to regulations on processes to spend CIL The CIL service is constrained by Regulations. The Governance Document 2023, is in line with current CIL Regulatory requirements.				
Question	Answer				
<p>5. 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>		Positive	Negative	Neutral	Unsure
	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	

CIL DRAFT Governance and Spending_2023

Draft CIL Governance Document 2023

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CIL DRAFT Governance and Spending_2023

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.

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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 2023/2024

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 CIL webpages at https://www.west-norfolk.gov.uk/homepage/276/cil_financial_reports.

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:

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- **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 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.

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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;

Infrastructure Projects over £30,001

- These are projects which require the most amount of CIL funding
- The Infrastructure Projects will be in excess of £30,001 and be fully match funded
- Longer term projects

Infrastructure Projects up to £30,000

- These are projects which will meet the needs of Parishes and Wards, to fund smaller local projects between £2,000 and £30,000
- 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.

The Spending Panel have the ability to transfer funds within the project groups, **up to a maximum of 10% of the available CIL Funding available.**

Criteria for Funding Selection

2.0.6 The Spending Panel will review each application and base their decision on the following:

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2.0.7 Project Scoring

- filter the projects based on BC Officers' scoring
- prioritise the projects with the highest scoring;

2.0.8 When there are more project applications, than CIL Funding available, the Spending Panel will take into consideration:

- the amount of development in the relevant area, based on planning application history, to identify need for infrastructure
- the amount of CIL Funding already received relating to the area and/or project, to allow funding to be allocated to areas with less funding

2.0.9 CIL Fund Transfers

2.0.10 Each project group is allocated a percentage of the CIL Income, as identified within this Governance document.

2.0.11 There may be occasions when funding applications exceed the amount of funding available. An over subscription may relate to only 1 project group or to all project groups.

2.0.12 The Spending Panel will review the funding needs, taking into account the funding allocated to all project groups.

2.0.13 When there is not enough CIL funding within a project group to meet the application submissions, the Spending Panel may agree to transfer funding of up to 10% from a different project group with less need, based on the considerations listed above.

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

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

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

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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 a standard online template, issued by the Borough Council.

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

1. Description and details of the project
2. Purpose of the project and its benefit to the community
3. Financial details:
Expected expenditure which must include:
 - a. summary of proposed costs
 - b. details of quotes, to demonstrate that the funding request has been researched
 - c. Amount of CIL funding requested - £
 - d. Details of any match funding
4. Any other supporting information e.g. Project Report and Timescales.

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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

BCKLWN Linked Funding Applications

To ensure transparency, any application made on behalf of the BCKLWN or subsidiary organisation, will be passed to the Cabinet for scrutiny as part of the decision making process. This will apply to all funding applications from any project group.

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3.1 Application Essential Requirements

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.

3.1.1 It is expected that project sustainability has been considered, prior to applying for funding, to ensure the continued success of the project on completion.

3.1.2 **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 project must meet at least one of the criteria, as detailed in the Annual Infrastructure List.
- The organisation **must** have the legal right to carry out the proposed project
- The proposed project **will not provide a financial advantage, to benefit a commercial or private business.**
- 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.

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3.2 Consultation Requirements

3.2.1 As part of the application process, it is essential to consult with local community groups.

3.2.2 Areas in the Borough with a Local Council (Town or Parish Council):

Applications **must** be made in liaison with the relevant Local Council, this is to ensure:

- that the project meets the communities needs,
- they are given the opportunity to offer their support to the project,
- may provide an opportunity of match funding from either the Parish Precept or CIL Parish payment, where appropriate.

3.2.3 Unparished areas within the Borough:

- **Where no Local Council is present**, it would be beneficial for applicants to liaise with the local community group, usually identified as 'Parish Meeting'.
- **Where there is no community group**, applicants are advised to seek support from their local elected member(s).

3.2.4 Applicants may also wish to liaise with local elected members.

3.2.5 Details of local councils and elected members can be found on the BCKLWN Democratic Services website.

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4 Infrastructure Project Funding Allocation - over £30,001

4.0.1 50% of the CIL Infrastructure Funds will be allocated to projects requesting funding of over £30,001

4.0.2 Projects over £30k will be selected, by in line with the CIL Governance arrangements, **with more weight given to areas with significant development taking place.**

4.0.3 Allocations for spending on infrastructure, will be made to projects in accordance with the Council's adopted CIL Infrastructure List.

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

The current list of Infrastructure Projects eligible for funding over £30k, are:

18+ Adult Education Infrastructure Projects

- To support the development of skills for adults of all ages, which may include: volunteer run projects to allow people to gain new skills, knowledge and experience.

Green Infrastructure Projects

- Projects relating to open spaces, such as public parks and gardens, woodlands, fields, hedges, lakes, ponds, coastal habitats, as well as footpaths, cycleways or rivers.
- Public spaces used for recreation and education, habitats for wildlife and nature.
- Environmental services such as flood defence or absorption of air pollution.

Leisure Time Activities Infrastructure-

- Accessible projects, to support leisure time activities, which may include; health & well-being schemes to encourage physical activity and playstreet initiatives.
- Projects run by community/voluntary groups including Local Councils, to promote social inclusion.
- Active living projects; to increase walking, cycling and sustainable transport.

The Project selection criteria are in line with the Borough Councils Corporate Business Plan.

The Project Criteria meet the Corporate priorities and objectives:

4.0.5 Education : Improving social mobility and inclusion to work with partners to improve education attainment levels and the skills of local people.

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4.0.6 Green Infrastructure: 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

4.0.7 Leisure: Improve and develop the quality of local sport and leisure facilities.

Question 1

Do you want to apply for CIL Infrastructure Project Funding?

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

4.0.9 [CIL Online Application Forms](#)

4.1 The Decision Making Process for Infrastructure Projects over £30k

4.1.1 Once the 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 these 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:

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- 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.

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5 Infrastructure Project Funding Allocation between £2,000 and £30,000

5.0.1 50% of the CIL Funds will be allocated to Infrastructure Projects, requesting funds of a value between £2,000 and £30,000.

5.0.2 Projects up to £30k will be selected, by in line with the CIL Governance arrangements, **with more weight given to areas with significant match funding.**

5.0.3 Allocations for spending on infrastructure, will be made to projects in accordance with the Council's adopted CIL Infrastructure List.

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

The current list of Infrastructure Projects eligible for funding up to £30k are:

Education - Local Initiatives

- To support voluntary/community projects

Health

- To support NHS & voluntary services
- Support & increase wellbeing services

Economic Development

- To benefit the local area/wider community

Community Facilities - This may include public buildings/recreation areas:

- To support voluntary/community groups
- Increase facility capacity/repair existing infrastructure

Green Infrastructure

- To reduce carbon emissions
- Support & protect biodiversity - wildlife friendly sites

Open Space and Leisure

- Installation & improvement of public play areas and equipment
- Improvement of open spaces
- Support voluntary/community leisure facilities

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These Projects:

- **must commence within 1 year of being allocated CIL**
- **and must be completed within 5 years.**

CIL will be paid on completion of the project.

These 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

Question

Do you want to apply for CIL Infrastructure Project Funding?

If you wish to apply for the CIL 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 Infrastructure Projects between £2,000 and £30,000

5.1.1 Once the Infrastructure 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:

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- details of expenditure, how the money will be spent
- evidence of Local Council, Community meeting and elected member(s) support
- evidence to demonstrate community need and support
- evidence to demonstrate a commitment (financial or otherwise) to the project including details 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 £30,000 will then be signed off by a Senior Council Manager.

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6 Once the funding decisions have been made

6.0.1 Once funding decisions have been made, in line with the CIL Governance process, all applicants will be notified of the outcome.

6.0.2 Successful applications will be sent, via email, a Funding Offer Letter and formal legal agreement, **which must be signed and returned.**

6.0.3 To enable funding to be formally allocated to the project, a signed agreement must be returned **and formally acknowledged by the Borough Council.**

6.0.4 Where an agreement has not been returned, the funding offer will be withdrawn and the sum reallocated as part of the next round of applications.

6.0.5 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.

6.0.6 Where funding has been allocated 'in principle' or where staged payments are agreed, the scheme applicant will be expected to provide information to justify funding being transferred. The evidence of completion must include:

- **Original Invoices** - to demonstrate expenditure
- **Photographs of completed project** - to demonstrate completion and also for publicity purposes
- In some cases, to enable the project to progress, planning permission may be required. If this is the case, other relevant evidence may include:
 - Written Statement of completion
 - Planning Approval/Building Control Completion Notices - to demonstrate adherence to statutory obligations

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

6.0.8 At a minimum, an annual report will need to provide information on the progress of each scheme that funding has been allocated to.

6.0.9 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.

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6.0.10 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.

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.

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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:

- 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 DRAFT Governance and Spending_2023

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.

Infrastructure Projects funding over £30,001

- 18+ Adult Education Infrastructure Projects
- Green Infrastructure Projects
- Leisure Time Activities Infrastructure-

Infrastructure Projects funding of £2,000 and up to £30,000

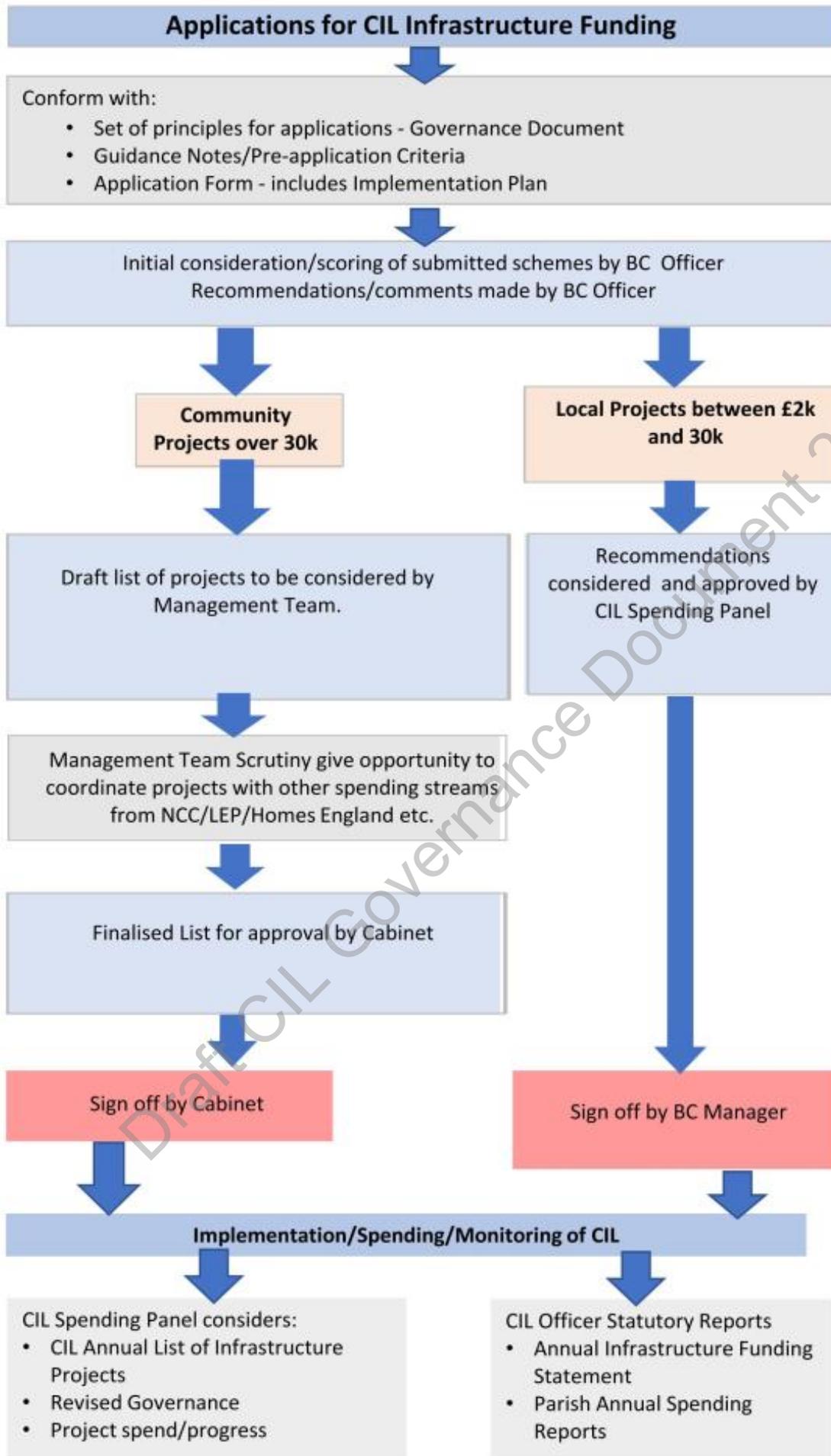
- Education – local initiatives
- Health
- Economic Development
- Community Facilities
- Green Infrastructure
- Open Space and Leisure

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

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8 Appendix 2 - CIL Governance Framework

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9 Appendix 3 - Infrastructure Projects Application Scoring Criteria

Infrastructure Project Application Form

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

Scoring Criteria

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

- Is this project necessary to support local growth?
- 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 Local Council (Parish/Town Council) or Community Group (Parish Meeting), as appropriate
- Support from Local Elected Members (Ward Councillors)
- Support from Community Groups
- Letters of support from new/existing users
- Fundraising Initiatives
- Support from County Council/Professional Bodies

9.0.1 Finance and Deliverability

- Amount of CIL funding requested
- Details of proposed expenditure
- Amount of funding committed to the project by applying any match funding
 - 1 – 10% = 1 Point
 - 11 - 20% = 2 Points
 - 21-30% = 3 Points
 - 31-40% = 4 Points
 - 41+% = 5 Points

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9.0.2 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

The Spending Panel will consider the amount of development within each Parish making an application, and also how much CIL Infrastructure funding has already been allocated to that Parish/Ward.

Draft CIL Governance Document 2023

Overview of CIL Governance Document 2023 – proposed amendments

Reason for Amendments:

- Project Criteria have been linked to current Corporate Priorities & Objectives
- Changes made, taking into consideration previous applications to date.
- Change of Project Titles to reduce confusion based on applicant feedback & highlight that projects must be related to Infrastructure.
- More opportunity for smaller projects to receive funding
- To give clarity and assist applicants when making an application
- To provide guidance to the Panel & Cabinet when decision making
- More Transparent process for the public & community
- Simplify process of scoring for Officers

Main Changes:

Section 3 Applying for Funding – BC linked apps to be approved by Cabinet, not the Spending Panel

New subsections:

3.1 Essential Requirements –For Clarity and to ensure these details are highlighted

3.2 Consultation Requirements –

- Parish/Town Council - a requirement for all applicants to liaise with Local Council
- Unparished Areas incl Kings Lynn advice to liaise with Parish meetings
- All application advised to consult with local elected members (Ward Cllrs)

Section 4. Infrastructure Projects over 30k – 50% of Available Funds

- Reduction of available funding from 60% – based on application history
- Amended Criteria - & guidance text
- Dropped Transport linked to KL Plan but added Open Space & Leisure which includes active living and sustainable transport
- Reduce lower limit to include smaller community projects within the criteria

Section 5 Infrastructure Projects between £2 & £30k – 50% of available funds

- Increase of funding from 40%– based on application history
- Reduction on upper limit to enable more community projects to be funded
- Amended Criteria & guidance text
- Dropped Community Transport but added Open Space & Leisure

All Projects – Ability to transfer up to 10% between projects – already agreed by Cabinet for last round of apps FY22_2 opening 01 July - to give panel ability to use the CIL effectively and meet application needs.

Section 9 Appendix 3 Project Application Scoring & Online Form

- One Application Form with more guidance
- Simpler format to avoid confusion
- To simplify project scoring and reduce administration for BC officers
- Additional advice provided to assist applicants
- **New** – Summary of Expenditure required
- **Amalgamated Match Funding** - to level field for unparished areas not receiving CIL
- All projects to provide Local Support & Evidence of Need – was just for over £50k apps

Online CIL Application Form _Governance Document 2023

The CIL Applications are based on the amount of funding you wish to apply for, not the overall cost of the project.

How much CIL Infrastructure Funding do you wish to apply for?

(please select one answer)

Infrastructure Project over £30,001

Infrastructure Project between £2,000 and £30,000

Q1 - Amount of CIL funding requested

Q2 - Name of Organisation submitting this request

Project Details

Please provide details of the project.

Q3 - Project Name/Title

Q4 - Brief description of the project:

Summary of Expenditure

Q5 - Please provide any/all information to demonstrate research and a summary of the project proposal including:

- Quotes for work/equipment
- Break down of costings
- Programme of spending
- Any other relevant information

Match Funding

Q6 - Please ensure you include details of all match funding as this will affect the overall scoring of your project.

Details of match funding which may include:

- Local Council Precepts
- CIL Local Council Payments allocated to the project (excluding CIL Infrastructure Applications)
- External Funding and Grants
- Fundraising

Project timescale

Q7 - Please indicate the approximate start date and timescale for completion of this project.

Shorter term projects will be looked upon more favourably.

CIL Payments are made on completion of the project.

Community Benefit

Q8 - Briefly explain how this project will benefit the local community.

Local Support

Q9 - What evidence do you have that local people support your project?

- Have you liaised with your Local Council/Community Meeting Group?
- Have you liaised with other user/community groups?
- Have you contacted your local elected members?
- Do you have any letters of support?

NCC Supporting Letter

Q10 - If the project is highways or education related, do you have a letter of support from the relevant NCC department? (please attach a copy of the letter to this application form)

(please select one answer)

Yes No

Upload

Q11 - Please upload any supporting documents as required.

Details to upload may include:

- Project Plan
- Letters of Support from NCC/Parish
- Plans
- Photographs

Sensitive Information including Quotes & Tenders will not be viewable to the public.

Contact Details

Q12 - Please provide details of the person to contact in relation to this application.

Please include:

- Name
- Email Address
- Phone Number

Contact details will not be viewable to the public under GDPR

The online details will also show - Project Progress/completion/payments made



Community Infrastructure Levy

Annual List of Infrastructure Projects 2023

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 in FY23/24.

Infrastructure Projects funding over £30,001

- 18+ Adult Education Infrastructure Projects
- Green Infrastructure Projects
- Leisure Time Activities Infrastructure

Infrastructure Projects funding of £2,000 and up to £30,000

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

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

REPORT TO CABINET

Open/Exempt		Would any decisions proposed:			
Any especially affected Wards ALL	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	
Lead Member: Cllr P Kunes E-mail: cllr.paul.kunes@west-norfolk.gov.uk			Other Cabinet Members consulted: none		
			Other Members consulted: none		
Lead Officer: Dave Robson E-mail: dave.robson@west-norfolk.gov.uk Direct Dial: 01553 670566			Other Officers consulted: Fabia Pollard, Sarah Dennis, Michelle Drewery		
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	Environmental Considerations YES/ NO

Date of meeting: 2 August 2022

CONTAMINATED LAND STRATEGY

<p>Summary The attached Strategy sets out how the Borough Council will fulfil its statutory duty to inspect the district for Contaminated Land. This is an update of the existing Strategy following the issue of new national guidance.</p> <p>Recommendation Adopt the updated Contaminated Land Strategy</p> <p>Reason for Decision So that the Borough Council can fulfil its statutory duty to investigate the district for Contaminated Land.</p>
--

1 Background

1.1 The Council has a legal duty under Part 2A of the Environmental Protection Act 1990 to inspect its district for contaminated land. The Contaminated Land Strategy sets out how this function will be carried out. This is a separate process to planning applications where development on brown field sites may require some form of clean up to be completed for its new land use.

2 Options Considered

2.1 The Contaminated Land Strategy was last updated in 2016 following the issuing of new statutory guidance by DEFRA. This document updates that Strategy incorporating new guidance and best practice.

2.2 This is a periodic review to ensure the strategy follows best practice.

2.3 Under the statutory guidance the Environment Agency (EA) peer review local authority Strategies. The EA have reviewed and agreed this Strategy.

3 Policy Implications

3.1 None identified. The Strategy follows national guidance and best practice and has been peer reviewed by the Environment Agency.

4 Financial Implications

4.1 The staffing resources are fully funded.

4.2 An annual sampling budget is provided which allows staff to take a small number of near surface soil or water samples. A reserve fund exists that would be used for more detailed works.

4.3 If more extensive sampling is required, such as use of a drilling rig or larger number of surface samples, or works to remediate the site were required, then a bid to Management Team for extra resources would be made.

4.4 If a site is determined to be Part 2A Contaminated Land and works are required, then this would normally fall to the site owner or person(s) responsible to pay for the remediation.

4.5 If neither the site owner or person responsible can be identified, then the cost for the remediation for any orphaned site would fall to the Borough Council. There is no longer any contaminated land grant available to deal with any Part 2A Contaminated Land orphaned sites requiring remediation.

5 Personnel Implications

5.1 The Environmental Health Manger – Environment over sees the work of the Environmental Quality Team which deals with Contaminated Land, Air Quality, LAPPC and Environmental Enquires. The Scientific Officer takes the lead role for Contaminated Land matters with support from the Contaminated Land Officer and input for the Environmental Health Admin Team.

5.2 The work in the whole area accounts for 2 FTE staff and no extra resources are being sought.

6 Environmental Considerations

6.1 The Part 2A regime will primarily protect human health but other receptors under the legislation also include drinking water aquifers and agricultural land.

6.2 The Part 2A regime has focused on historical land use and identified a number of sites where previous uses may have led to contamination.

6.3 Whilst separate to the Part 2A regime, the planning application process ensures that existing brown-field sites can be brought back in to use and cleaned up as the same time. The Part 2A guidance notes that most brown field sites will be remediated through the planning process rather than through Part 2A. The Scientific Officer and Contaminated Land Officer review planning applications to ensure that any contaminated land issues are identified and remediated correctly. This forms a large piece of their day-to-day workload.

7 Statutory Considerations

7.1 The Council has a statutory duty under Part 2A of the Environmental Protection Act 1990 to investigate its district.

7.2 The latest statutory guidance is dated April 2012. New technical guidance, 'Land Contamination Risk Management' (LCRM), was published in October 2020, setting out current best practice. The guidance is used under the planning process and under the Part 2A contaminated land regime site investigation, risk assessment, remediation, and assessing liabilities. The Environment Agency expects LCRM to be followed when managing the risks from land contamination.

7.3 The Strategy follows the basic principle, that the site and its contamination can only be classified as "Contaminated Land" if "significant possibility of significant harm (SPOSH)" exists. If the site in question does not meet the SPOSH criteria it will not fall within the legal definition of "Contaminated Land".

8 Equality Impact Assessment (EIA)

(Pre screening report template attached)

8.1 An EIA has been completed. No adverse impacts have been identified.

9 Risk Management Implications

9.1 This area of work is a statutory duty. The Council could be subject to legal challenge if it did not discharge this function in an effective manner.

9.2 If the Council did not investigate a contaminated land site, for example a contaminated water supply to a house, then the occupiers may suffer impacts to their health. This could result in legal challenge.

9.3 The Council could receive negative publicity if Part 2A sites were not investigated in suitable manner. The Strategy sets out how an investigation would be carried out. Officers have routinely investigated a number of potential Part 2A sites with involvement with local residents and Parish Councils. Following the approach in the Strategy has demonstrated that perceived risk and blight can be mitigated and not lead to negative publicity.

10 Declarations of Interest / Dispensations Granted

10.1 None

11 Background Papers

Contaminated Land Strategy

Non-Technical Summary

Borough Council website https://www.west-norfolk.gov.uk/info/20138/contaminated_land

Land Contamination Risk Management

<https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>

Pre-Screening Equality Impact Assessment

Borough Council of
King's Lynn & West Norfolk



Name of policy/service/function	Contaminated Land Strategy				
Is this a new or existing policy/service/function?	New / Existing (delete as appropriate)				
<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>The main aim is to set out how the Borough Council will review and investigate land to consider if it meets the criteria as "Contaminated Land".</p> <p>The Council has a statutory duty to investigate and follows statutory guidance, industry best practice and case law.</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>		Positive	Negative	Neutral	Unsure
	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 (eg low income)			X	



Borough Contaminated Land **Inspection Strategy**

Part 2A Environmental Protection Act 1990

2022 Update



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



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Version 1 – updated 2016 Strategy sections: 2.1 Naturally elevated Arsenic 3.0 Local Plan and SADMP 3.1 NPPF and technical guidance revisions 3.2 Update on regeneration activities 4.0 Risk Assessment Process updated 5.5 Sustainability and climate change added	October 2021
Version 2 – 4.2 Interaction with other regimes added	February 2022
Version 3 – 4.4 Progress on inspections updated for 2016-2021	April 2022

EXECUTIVE SUMMARY

This document details the arrangements which the Borough Council of King's Lynn and West Norfolk proposes to fulfil its legal responsibilities for strategic inspection under the contaminated land regime. The legal definition of Contaminated Land in Part 2A of the Environmental Protection Act, 1990 relates to unacceptable risks to human health and/or the wider environment.

The aims of the Contaminated Land Inspection Strategy are to:

1. Protect human health
2. Safeguard the Borough's heritage and the natural environment
3. Bring land back into beneficial use by voluntary remediation and partnership
4. Communicate findings to interested parties.

We will achieve the above through:

- Strategic inspections to find where we may need to find out more about the land or where we don't need to take any more action.
- Detailed inspections on priority sites to place them in category 1 to 4 as set out in the Statutory Guidance.
- Where remediation is required, we will carry out a cost benefit analysis.
- Serving a remediation notice or agreeing voluntary action to ensure that the benefits of remediation outweigh the costs.
- Encouraging a sustainable approach where the benefit of doing the remediation is greater than its impact.
- Factor in climate change to ensure site works and any long-term remediation is sustainably robust.
- Carry out cost recovery for remediation where we are entitled but also consider any hardship which the recovery could cause.
- Provide written statements and risk summaries to explain what we have found on each site.
- Provide access to information about contaminated land inspections through our website or by contacting our office.

1.0 INTRODUCTION AND BACKGROUND

Local authorities have the duty to identify contaminated land and to address the risks which arise from it. This document updates our previous Contaminated Land Inspection Strategy Review published in 2016 and the previous versions published since 2000 when Part 2A of the Environmental Protection Act, 1990 (EPA, 1990) was implemented.

Part 2A EPA 1990 gives local authorities the duty of identifying contaminated land and addressing the risks which arise from it in accordance with statutory provisions. The current risk-based approach to the investigation of contaminated land was introduced by the primary legislation and subsequent statutory guidance. Statutory Guidance was updated in April 2012. The guidance includes how the local authority should go about deciding whether land is contaminated land in the legal sense of the term. It also elaborates on the remediation provisions of Part 2A, such as the goals of remediation, and how regulators should ensure that remediation requirements are reasonable.

A concise non-technical summary strategy update has also been produced. As a result of the new Statutory Guidance and progress made with inspections, this version of Contaminated Land Inspection Strategy updates previous versions. Previous versions set out further background to the UK contaminated land regime.

The overarching objectives of the government's policy on contaminated land and the Part 2A regime are set out in the Statutory Guidance:

- (a) To identify and remove unacceptable risks to human health and the environment.
- (b) To seek to ensure that contaminated land is made suitable for its current use.
- (c) To ensure that the burdens faced by individuals, companies and society as a whole are proportionate, manageable, and compatible with the principles of sustainable development.

This document details the Borough Council's approach to carrying out its inspection duty under section 78B(1) of Part 2A EPA 1990 which is that: 'Every local authority shall cause its area to be inspected from time to time for the purpose - (a) of identifying contaminated land; and (b) of enabling the authority to decide whether such land ... is required to be designated as a special site.'

The Statutory Guidance suggests that local authorities take a strategic approach to carrying out the inspection duty and that the approach should be rational ordered and efficient, reflecting local circumstances. This document sets out the Borough Council's approach as a written strategy which has been formally adopted and published.

1.1 Aims

The primary aim of the Borough Council is to fulfil its statutory obligations under the Part 2A regime and to achieve the objectives set out in the Statutory Guidance. The Borough Council aims to:

1. Protect human health
2. Safeguard the Borough's heritage and the natural environment
3. Bring land back into beneficial use by voluntary remediation and partnership
4. Communicate findings to interested parties.

1.2 Objectives

To achieve the aims, the Borough Council will:

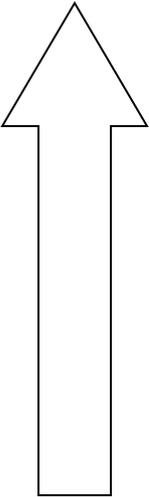
- Prioritise sites for inspection.
- Carry out Strategic inspections of priority sites.
- Carry out Detailed Inspections of sites there is a reasonable possibility that a significant contaminant linkage could exist.
- Carry out Risk Assessment to determine if a significant contaminant linkage exists.
- Communicate the findings and inform interested parties of inspections through Written Statements and Risk Summaries.

- Determine whether land is contaminated land as defined by Part 2A EPA 1990.
- Consider how contaminated land should be remediated, the cost and benefits of remediation and where appropriate issue a remediation notice.
- Establish who is liable to pay for remediation actions.
- Recover the costs of remediation where possible.

1.3 Priorities

Section 1.2 outlined the Council’s aims. Specific inspection priorities are outlined in table 1.

Table 1 – Specific Inspection Priorities

Scenario	Priority
1 Land where significant harm is being caused or there is significant possibility of such harm being caused to human health	<p data-bbox="1252 1093 1374 1128">Highest</p> 
2 Pollution of controlled waters is being or is likely to be caused and where the EA advises the Council that prompt action is required (e.g. land within Source Protection Zones or affecting potable water supply)	
3 Land where significant harm is being caused or there is a significant possibility of such harm being caused to ecological systems or living organisms within protected locations	
4 Land where significant harm is being caused or is likely to be caused to property (in the form of crops, produce, livestock, owned or domesticated animals, wild animals subject to shooting or fishing rights and buildings)	

2.0 THE BOROUGH COUNCIL AREA

Earlier versions of the strategy set out the geographical context of the King's Lynn and West Norfolk administrative area. Some of the relevant detail is provide below.

2.1 Sources of natural contamination

Arsenic is a metalloid element, which occurs in the earth's upper continental crust. Due to its reputation historically as a poison, the harmful aspects of Arsenic are well known. Topsoil covering half of England and Wales typically contains less than 15 mg/kg Arsenic. Technical Guidance by the British Geological Survey reported 'normal background concentrations' of arsenic at up to 32 mg/kg in soil.

There is evidence that some areas of West Norfolk, notably the north-west and along the coastline, which have Carstone¹ and Sandstone geology or underlying ironstones, may have natural Arsenic concentrations higher than 'normal background', compared to other rock types. Arsenic in topsoil and subsoil in these areas could exceed risk assessment criteria.

The environmental quality team are consulted on planning applications and may request further human health risk assessment when development is proposed in areas with naturally high arsenic.

2.2 Water Resources

The underlying geology in the Borough reflects the general dip of the bedrock towards the east and there is a clear divide between groundwater sensitivity in the east and west of the Borough. In the east, bedrock contains principal aquifers (a rock formation that holds a significant amount of water) including the Chalk, Sandringham, Mintlyn and Leziate Sands. There are a number of zones which have been delineated to protect public water supply. To the west of the region the

¹ BGS, Lexicon of Named Rock Units, Carstone, <https://www.bgs.ac.uk/lexicon/lexicon.cfm?pub=CA> (accessed August 2020)

Kimmeridge and Ampthill Clay Formations are not significant for water supply. The bedrock is overlain by various superficial deposits and river channels, some of which are secondary aquifers supporting water supply on a smaller scale.

2.3 Historical Land Use

Historical land use in the borough is dominated by the agricultural sector, food processing and associated infrastructure. Manufacturing and engineering have also formed part of the area's industrial history. Towns, villages, and large country houses had coal gasworks and landfills. The area also had several sites used as airfields during World War 2.

To date, investigation of land affected by contamination has been predominantly through the planning process when sites are proposed for redevelopment.

For example, the former gas works site on the outskirts of Hunstanton was successfully remediated and redeveloped for a new Tesco store. The infilled former Wisbech Canal was investigated to demonstrate that development alongside it did not pose an unacceptable risk to people or the wider environment. Considerable work has been carried out to remediate former industrial land which forms the Nar Ouse Regeneration Area (NORA).

Major redevelopment at NORA is underway south of King's Lynn. NORA was previously a major coal gas works and fertiliser factory. Parts of the area have been remediated as part of groundworks and construction. This regeneration project has received the active consideration of the Borough Council in co-operation with a number of external partners. Hardings Pits, in the same area, is a former brickworks and landfill, now a 'doorstep green'. The site has been investigated to show that recreational use does not pose an unacceptable risk to site users.

Land formerly belonging to Morston was investigated when the company went into receivership. An Environmental Site Assessment and Risk Assessment were completed. It was concluded that the site does not pose an immediate risk to human health.

Strategic inspections of a number of additional sites have also been completed in accordance with the Statutory Guidance. Sites have included landfills, railways, WW2 airfields, gasworks, docks, and food processing. To date no land has been determined as contaminated land as defined in Part 2A.

3.0 WIDER APPROACH

The environmental quality team works with colleagues across the council and within the County to consider land contamination as part of the council's work in development management, vacant & derelict land, economic development, affordable housing, property management, closed landfills, and open spaces.

The analysis of environmental issues formed a key part of constructing Corporate Strategy. Therefore, many of the underlying corporate objectives are environmentally based. The Borough Council's Environmental Statement presents progress and future plans in the context of these corporate objectives. The Environmental Statement reports the Council's environmental aims and activities and includes progress on Part 2A.

Policies on land use and development reflect the Government's policy of encouraging sustainable development as set out in the National Planning Policy Framework (NPPF). As part of the Local Plan, the Borough Council's Core Strategy sets out the spatial planning framework for the development of the Borough up to 2026 and provides guidance on the scale and location of future development in the Borough. It contains

strategic policies on a range of topics that include: the environment, employment, infrastructure, and housing.

In September 2016, the Borough Council adopted the Site Allocations and Development Management Policies (SADMP) plan. This plan supports the Core Strategy by providing detailed policies and guidance and allocating specific areas of land for development. The document also contains area-wide development management policies which are detailed policies for particular issues and types of development. The Environmental Quality Team have had an input on these policies as they can impact on land affected by contamination.

A review of the Local Plan has commenced. This will combine the Core Strategy and SADMP documents to create one plan for the Borough covering the period from 2016 to 2036. The first stage of consultation took place in the Spring of 2019. The new plan is expected to be adopted in 2022.

The Borough Council's Corporate Enforcement Policy explains in general terms the approach adopted by the Council when carrying out its duty to enforce a wide range of legislation. Central to this Enforcement Policy is the aim to promote efficient and effective approaches to regulatory inspection and enforcement, which improve regulatory outcomes without imposing unnecessary burdens.

3.1 Development Control

Investigation and remediation of land contamination is predominantly through the planning system. Action is secured by negotiations with the developer and application of planning conditions. The council's approach is guided by the NPPF, national planning practice guidance and Norfolk wide technical guidance to ensure that sites can be suitable for proposed new use.

We take account of ground conditions and pollution arising from previous uses and any proposals for land remediation. The contaminated land

team require that adequate site investigation information, prepared by a competent person, is presented.

The Scientific Officer is on the review panel of the YALPAG group producing technical guidance for use in the planning process and which has been adopted for use across Norfolk. The team are also helping to produce guidance with the National Contaminated Land Officers Group on cover systems for remediating contaminated land.

3.2 Regeneration

Working as a consultee on the planning process, we have helped to ensure the safe redevelopment of several former factory sites to provide hundreds of new homes in King's Lynn, Hunstanton and also in some surrounding villages.

King's Lynn was designated Growth Point status in May 2008 to support the housing and jobs required in the town. It is envisaged that up to the period 2021 the population of the urban area of King's Lynn will grow from 41,500 to 50,000 people and will accommodate 7,000 of the 12,000 new houses earmarked for the borough. New development will primarily be located on the previously developed brownfield land. The integrated programme of development is based on the regeneration policy framework called the Urban Development Strategy. The Strategy was adopted in 2006 to guide the overall regeneration of King's Lynn and is part of a family of documents from the Urban Renaissance Strategy.

Our colleagues in Property Management have made good use of our expertise when making decisions about the council's portfolio of land assets and the Projects team has been successful in securing government funding for projects to regenerate disused land.

3.3 Brownfield Register

The Housing and Planning Act 2016 has the objective to increase the number of new build homes. One requirement is for councils to compile

a register of brownfield land suitable for housing. This will make it easier for developers to identify and build on brownfield sites. Information from Contaminated Land inspections has been made available to help compile the brownfield register.

4.0 APPROACH TO STRATEGIC INSPECTION

4.1 Objectives

Strategic Inspection aims to collect information to make a broad assessment of land and then identify priority land for more detailed consideration.

To achieve this aim, we will carry out:

- Summary Desk Study
- Site visit and walkover survey
- Outline conceptual model
- Identify potential unacceptable risks
- Report including recommendations for further action

4.2 Risk Based Prioritisation of Inspection Activities

We will comply with the requirements and advice set out in section 2 of the statutory guidance which relates to local authority inspection duties of land. BS 10175:2011+A2:2017 and other good practice documents are used as a basis for the investigation of potentially contaminated sites. The Statutory Guidance has not changed since the last inspection strategy update, but the number and quality of available risk-assessment tools has. There are a number of useful assessment criteria including 'Suitable for Use Levels' (S4ULs) published by LQM/CIEH in 2015 which, although not intended for use in strategic risk assessment, are a useful additional line of evidence in the risk assessment process for our own strategic investigations and as part of the planning consultation process.

The statutory guidance includes a four category system for considering land under Part 2A, ranging from Category 4, where there is no risk that

land poses a significant possibility of significant harm (SPOSH), or the level of risk is low, to Category 1, where the significant possibility of significant harm (SPOSH) is unacceptably high. 'Category four screening levels' (C4SLs) have been developed as a technical tool to help local authorities when deciding to stop further assessment of a site, on the grounds that it falls within Category 4 for Human Health.

New Contaminated Land Risk Management (LCRM) guidance has been published by the Environment Agency based on the Model procedures for the management of land contamination – contaminated land report (CLR11). CLR11 has now been withdrawn. The Environment Agency expects LCRM to be followed when managing the risks from land contamination.

The process involves identifying, making decisions on, and taking appropriate action to deal with land contamination in a way that is consistent with government policies and legislation within the UK.

Priority is given to the identification and inspection of areas of land where it is most likely that a pollutant linkage will exist involving human health. For example, land where people live and have a garden where they grow vegetables to eat.

If we consider it likely that land might be contaminated land on the grounds that significant pollution of controlled waters is being caused, or there is a significant possibility of such pollution being caused, it will consult the Environment Agency and have regard to the Agency's advice.

We have already decided which sites are a priority for strategic inspection. On all sites where we have found a previous contaminative use, a score has been allocated according to the types and number of sources and receptors present and the likely pathways. The highest

scoring sites are being inspected first. These initial inspections are the 'strategic inspections'.

Sites may come to our notice as a result of a complaint or information from a member of the community. These are investigated to ensure that risks to human health, to water or the wider environment are assessed, and that appropriate action taken to avoid harm as set out in the statutory guidance. This may result in a referral to other teams or agencies if the site requires investigation under another regime regarding amenity, nuisance, or waste licensing.

Depending on the individual site, the risk assessment process may be stopped part way through. For example, if enough is known about risk either to leave the process altogether or to move to the next part of the process – options appraisal. If after a strategic inspection, the site is no longer a priority for inspection then we will produce a written statement explaining how this has been decided.

4.3 Written Statements

The statutory guidance states that 'the local authority is likely to inspect land that it then considers is not contaminated land.' For example, where inspection is ceased because there is little or no evidence to suggest the land is contaminated land. 'In such cases, the authority should issue a written statement to that effect'.

The Borough Council will produce written statements for all sites which have been subject to a strategic inspection and where we have decided not to proceed any further with inspection. The written statement will summarise desk study and walkover survey information and will include conclusions and recommendations for the site. The written statements will make it clear that on the basis of the assessment, we have concluded that the land does not meet the definition of contaminated land under Part 2A.

4.4 Monitoring and Reporting Progress

Progress on achieving the objectives is reviewed and reported to Cabinet by the Environmental Health Manager. Section 7 details the progress that has been made with data management and publication of the public register.

The map-based screening and strategic inspections identified the following groups of sites:

- Very High 26
- High 130
- Medium 1757
- Low 1323

Very high sites are predominantly landfills and former military land. The number of medium and low sites will be reduced when the documentary data is reviewed, and duplicate records removed. Sites are being inspected in priority order or when information becomes available on a particular site.

4.5 Summary of inspections

Up to December 2021

- 26 sites were prioritised very high priority for detailed inspection
- 25 very high priority sites have had detailed inspections consisting of
 - 18 landfills
 - 1 oil shale extraction site
 - 1 clay pit
 - 1 gasworks
 - 1 fire site
 - 1 chemical/fertiliser works
 - 1 heavy engineering works
 - 1 former airfield
- 25 sites have written statements and 2 of the inspected sites will be kept under review. No sites have been determined as contaminated land.

- In the five years 2016-2021, the environmental quality team provided contaminated land advice on 3924 planning applications and discharge of conditions applications (average of 650 per year).

To date, no sites have been determined as contaminated land. Full details of inspected sites and written statements are published on our webpage: www.west-norfolk.gov.uk/contaminated_land_part_2a. There have been a number of staff changes and a new trainee officer in post from October 2021. This meant other work has taken priority for part of this time. Other demands are placed on the team's time such as contributing to major regeneration projects and development plans or responding to critical incidents. However, it is expected that up to 12 sites can be inspected each year over the next five years.

5.0 APPROACH TO DETAILED INSPECTION

5.1 Aim

The aim of detailed inspection is to obtain sufficient information to decide whether the land is contaminated land. Where there is evidence that significant harm is being caused or that there is a significant possibility of significant harm, the site will be first priority. An example would be a site where contamination has been identified on the surface of a site where humans may come into direct contact.

Sites may also require detailed inspection because the findings of the strategic inspection recommend that we find out more information. The statutory guidance says that detailed inspections are required where it is considered that "there is a reasonable possibility that's a significant 'contaminant linkage' exists".

5.2 Detailed Inspection Procedures

A detailed inspection will be carried out when there is a reasonable possibility that a contaminant linkage exists because of:

- information or complaints received

- evidence gathered during strategic inspection

To achieve the aim of detailed inspection our objectives will be to identify and characterise:

- current use
- sources, contaminants & receptors
- the relationships between sources, contaminants & receptors (contaminant linkage)
- whether any contaminant linkage is significant

To achieve the above objectives the detailed inspection will include some or all of the following actions:

- i. detailed desk study
- ii. site visit and walkover survey
- iii. intrusive investigation
- iv. soil sampling
- v. chemical analysis of selected samples
- vi. generic quantitative risk assessment (GQRA)
- vii. detailed quantitative risk assessment (DQRA)
- viii. detailed inspection report including conclusions on whether or not the land might be contaminated land, including categorisation from 1 to 4 as set out in the statutory guidance
- ix. recommendations for further action.

Site owners and people with an interest in the land and any other relevant bodies such as Natural England are contacted before a detailed inspection takes place and are provided a copy of the draft report before it is published. All data is stored in line with current data protection laws. The Environment Agency are also consulted regarding groundwater protection or if the site may meet the definition of a Special Site as set out in Contaminated (England) Land Regulations 2006. Detailed inspections have provided sufficient data to decide whether further information is needed or if the inspection can be ceased.

5.3 Risk Summaries

If enough is known about likely unacceptable risks and there is a risk of harm, the land will be determined as Contaminated Land. Determination is the formal process in the Statutory Guidance for Part IIA by which the Local Authority decides whether or not a particular area of land is contaminated land. The Local Authority has sole responsibility for determination although it can choose to rely on information provided by others, such as the Environment Agency or consultants. The responsible officer will collect sufficient information from a detailed inspection of a particular piece of land to determine whether or not the land is contaminated land and will produce a written record of the decision.

The statutory guidance sets out categories of harm and pollution of controlled waters from 1 to 4. Risk summaries will be produced for sites in the categories 1 and 2. Written statements (see section 4.3 above) will be produced for land in categories 3 and 4.

The risk summary will include:

- a) a summary of our understanding of the risks including: contaminant linkages, potential impacts, estimated possibility that impacts may occur, timescale that impacts may happen.
- b) description of our understanding of the uncertainties behind the assessment.
- c) description of the risks in a context that is understandable to a non-expert.
- d) Description of our initial views on remediation

5.4 Remediation cost benefit analysis

The statutory guidance states that the enforcing authority must decide if remediation actions are reasonable with regard to:

- i. The practicability, effectiveness, and durability of remediation;
- ii. The health and environmental impacts of the chosen remedial options;
- iii. The financial costs which is likely to be involved;

- iv. The benefits of remediation with regard to the seriousness of the harm or pollution of controlled waters in question.

We will consider these factors as described in section 6(d) of the statutory guidance and report our findings and recommendations. If we serve a remediation notice we will require the 'best practicable technique' to be carried out. This will require the remediation action which has been identified as having benefits outweighing the costs.

At this stage the statutory guidance states that 'the financial standing of any person who may be required to pay for a remediation action are not relevant to the consideration of whether the costs of a remediation action are reasonable'. However, we will consider this factor as described in the next section below.

5.5 Sustainability

Current best practice guidance recommends considering a sustainable approach to land contamination risk management. Using a sustainable approach can make sure the process balances the environmental, social, and economic impacts. This can also factor in climate change to ensure site works and any long-term remediation is sustainably robust. A sustainable approach can help to ensure that the benefit of doing the remediation is greater than its impact. LC:RM recommends following the approach in the industry-led Sustainable Remediation Forum UK (SuRF-UK). BS ISO 18504: *Soil quality – sustainable remediation* also provides procedures on sustainable remediation.

6.0 COST RECOVERY

The provisions for establishing liability are set out in Part 2A. The statutory guidance provides further guidance on circumstances where more than one person is liable to bear the responsibility for remediation. The statutory guidance further sets out what the enforcing authority should consider when making any cost recovery decision.

In general, the Borough Council will:

- i. Seek to recover in full reasonable costs incurred when performing its duties in relation to remediation of contaminated land
- ii. Wherever possible apply the 'polluter pays' principle, whereby the costs of remediating pollution are borne by the polluter
- iii. Where cost recovery is not possible, seek sources of finance (external to the council) for remediation
- iv. Have due regard to the avoidance of hardship which the recovery of costs may cause
- v. Aim for an overall result which is as fair and equitable as possible to all who may have to meet the costs of remediation, including local and national taxpayers.

Section 5.4 set out the process of cost benefit analysis which will be used to decide if a remediation action is reasonable. These factors, particularly the financial cost of remediation, will also affect the decision on whether to recover costs. The statutory guidance states that 'the financial standing of any person who may be required to pay for a remediation action are not relevant to the consideration of whether the costs of a remediation action are reasonable, although they may be relevant in deciding whether the cost of remediation can be imposed on such persons.

The statutory guidance sets out some considerations which the enforcing authority should have regard to the following when making cost recovery decisions:

- i) Threat of closure or insolvency of a Commercial Enterprise
- ii) Availability of funds from a trust when the appropriate persons act as trustees
- iii) Impact on charity's activities
- iv) Impact on a social housing landlord to provide or maintain social housing
- v) If a person is likely to have profited financially from the activity which led to the land being contaminated land

- vi) Where another person is also responsible for the contamination but cannot now be found
- vii) Where the cost of remediation may exceed the likely value of the land after remediation.
- viii) Any increase in the value of the land
- ix) Precautions taken before land was acquired
- x) Where owner-occupiers did not know and could not reasonably have known that the land was affected by the contaminants in question

The Borough Council will also consider whether it could recover more of its costs by deferring recovery and securing costs by a charge on the land in question.

As recommended in the statutory guidance, we will have regard to the circumstances of each individual case. In deciding whether to recover costs we will report our reasoning to the Executive Director, Environment and Planning for approval.

6.1 Voluntary Action

Where appropriate remediation measures are being taken, we will not serve a remediation notice. The cost of remediation in this case would be borne by the person carrying out the remediation. In this case the statutory guidance states that the authority should assume that appropriate measures are being taken if (a) it is satisfied that the standard of remediation will be equal to or better than what would have been specified in a remediation notice and (b) the authority is satisfied with the timescale.

6.2 Hardship

When making the decision to recover costs the Borough Council will consider: (a) the extent to which the liable person would suffer financial hardship were they required to pay the costs (b) all other circumstances as deemed relevant.

In the case of owner-occupiers of dwellings the Borough Council will apply an approach similar to that in the Council's Private Sector Housing Investment Policy (2013) and will take account of the liable persons means tested benefits or the Means Test as set out in the Private Sector Housing Investment Policy.²

6.3 Contaminated Land Capital Projects Programme

In the past the Environment Agency ran the Contaminated Land Capital Projects Programme to help local authorities in England cover the capital cost of implementing the contaminated land. DEFRA funded this work. The Borough Council successfully bid for funding for intrusive investigation of the former Wisbech Canal. The subsequent report showed that the land is not contaminated land. The Borough Council now has information and resources to share with owners and developers of property in the area. This has reduced the burden and removed financial costs for people wishing to buy, sell or develop properties in the area. More information is available on our [webpage](#).

From April 2014 DEFRA no longer supported the cost of investigating and remediating contaminated land under Part 2A through the Contaminated Land Capital Project Programme. All funding ceased on 1 April 2017.

The Borough Council has a small fund available for initial inspections, if limited soil sampling is required. Where there is an immediate risk to public health a report and business case would be made to consider the resources required.

² As defined and set out in the Housing Grants, Construction and Regeneration Act 1996, The Housing Renewal Grants Regulations 1996 and the Housing Renewal Grants (Amendment) (England) Regulations 2008 No. 1190

7.0 ACCESS TO INFORMATION

7.1 Communication

The Statutory Guidance suggests that we keep a record of our reasons for deciding if land is not contaminated land and that we should inform land owners and consider informing other interested parties. We will consider each site individually and let landowners have a copy of the Written Statements from strategic inspections. We will also make information available when the Environmental Quality team are consulted on an application for planning consent on the land.

We may let other interested parties such as neighbours and potential purchasers have the Written Statement if they want to know more about the land. For example, in response to 'failed' environmental searches. Written Statements will be published on our webpage unless there are exemptions under the Environmental Information Regulations.

If we are carrying out a detailed inspection, we will let landowners and occupiers know. Before making a determination that land is contaminated land, we will inform the owners and occupiers of the land and any other person who appears to be liable to pay for remediation, unless there is an overriding reason not to do so. We may also let owners and occupiers of neighbouring land know if they could be affected.

The statutory guidance sets out who we shall give notice to if we determine that land is contaminated land. A written record of the determination including the risk summary will be publicly available and published on our webpage.

7.2 Arrangements for giving access to information

Information on the progress of strategic and detailed inspections is managed using the Borough Council's IDOX Uniform IT system and displayed on our geographic information system. We can produce

reports to manage our workload and to find information in response to customer enquiries.

Any information related to land contamination which appears as part of an application for planning consent with the Borough Planning Office is a public record by virtue of the Town and Country Planning Act 1990 and the Town and Country Planning (General Development Procedures) Order 1995 and is available at the Council's offices or via the website (www.west-norfolk.gov.uk).

Information which is recorded as part of the public register as required by Contaminated Land (England) Regulations 2000 is available to the public in the Environmental Health and Housing Department during normal office hours. Charges are made for the copying of such information to cover the costs reasonably incurred. Public Register information is also made available on the Councils website.

Requests for environmental information are subject to the Access to Environmental Information Regulations. They can be made in person, by post or email. A standard charge is made to cover research and administration costs. We can supply information collated as part of our strategic inspections, particularly on current Part 2A status, pollution incidents, complaints, historic land use, and historic landfill.

7.3 Public Register

The public register will record regulatory action taken on land determined as contaminated land. The register currently contains no entries.

The register will form a publicly available source of information. The particular details to be included in the register are prescribed in regulation 15 of, and schedule 3 to, the Contaminated Land (England) Regulation 2000. This can include:

- remediation notices and appeals against such notices;
- remediation statements and declarations;

- appeals against charging notices;
- notices relating to the designation of land as a special site;
- notices relating to termination of designation as a special site;
- guidance issued by the Environment Agency;
- notification of remediation actions;
- convictions for offences under the legislation.

The findings from investigations are published on our website. We have included sites which have been investigated but not included on the register as they are not contaminated land.

8.0 REVIEW

8.1 Timetable

Once adopted, this Strategy will apply until reviewed in 2026 or if there is a significant change in legislation.

9.0 COVID-19

The borough council has had to reprioritise all its resources to respond to the coronavirus (COVID-19) pandemic. The environmental quality team have helped in the response to maintain essential services and adapted our work as part of the process of recovery. This strategy may need revision over the period of the plan to reflect changes as recovery takes place.

REPORT TO CABINET

Open/Exempt		Would any decisions proposed:			
Any especially affected Wards ALL	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	
Lead Member: Cllr P Kunes E-mail: cllr.paul.kunes@west-norfolk.gov.uk			Other Cabinet Members consulted: none		
			Other Members consulted: none		
Lead Officer: Dave Robson E-mail: dave.robson@west-norfolk.gov.uk Direct Dial: 01553 670566			Other Officers consulted: Fabia Pollard, Sarah Dennis, Michelle Drewery		
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	Environmental Considerations YES/NO

Date of meeting: tbc

TITLE: CONTAMINATED LAND STRATEGY

Summary

The attached Strategy sets out how the Borough Council will fulfil its statutory duty to inspect the district for Contaminated Land. This is an update of the existing Strategy following the issue of new national guidance.

Recommendation

Adopt the updated Contaminated Land Strategy

Reason for Decision

So that the Borough Council can fulfil its statutory duty to investigate the district for Contaminated Land.

1 Background

1.1 The Council has a legal duty under Part 2A of the Environmental Protection Act 1990 to inspect its district for contaminated land. The Contaminated Land Strategy sets out how this function will be carried out. This is a separate process to planning applications where development on brown field sites may require some form of clean up to be completed for its new land use.

2 Options Considered

2.1 The Contaminated Land Strategy was last updated in 2016 following the issuing of new statutory guidance by DEFRA. This document updates that Strategy incorporating new guidance and best practice.

2.2 This is a periodic review to ensure the strategy follows best practice.

2.3 Under the statutory guidance the Environment Agency (EA) peer review local authority Strategies. The EA have reviewed and agreed this Strategy.

3 Policy Implications

3.1 None identified. The Strategy follows national guidance and best practice and has been peer reviewed by the Environment Agency.

4 Financial Implications

4.1 The staffing resources are fully funded.

4.2 An annual sampling budget is provided which allows staff to take a small number of near surface soil or water samples. A reserve fund exists that would be used for more detailed works.

4.3 If more extensive sampling is required, such as use of a drilling rig or larger number of surface samples, or works to remediate the site were required, then a bid to Management Team for extra resources would be made.

4.4 If a site is determined to be Part 2A Contaminated Land and works are required, then this would normally fall to the site owner or person(s) responsible to pay for the remediation.

4.5 If neither the site owner or person responsible can be identified, then the cost for the remediation for any orphaned site would fall to the Borough Council. There is no longer any contaminated land grant available to deal with any Part 2A Contaminated Land orphaned sites requiring remediation.

5 Personnel Implications

5.1 The Environmental Health Manger – Environment over sees the work of the Environmental Quality Team which deals with Contaminated Land, Air Quality, LAPPC and Environmental Enquires. The Scientific Officer takes the lead role for Contaminated Land matters with support from the Contaminated Land Officer and input for the Environmental Health Admin Team.

5.2 The work in the whole area accounts for 2 FTE staff and no extra resources are being sought.

6 Environmental Considerations

6.1 The Part 2A regime will primarily protect human health but other receptors under the legislation also include drinking water aquifers and agricultural land.

6.2 The Part 2A regime has focused on historical land use and identified a number of sites where previous uses may have led to contamination.

6.3 Whilst separate to the Part 2A regime, the planning application process ensures that existing brown-field sites can be brought back in to use and cleaned up as the same time. The Part 2A guidance notes that most brown field sites will be remediated through the planning process rather than through Part 2A. The Scientific Officer and Contaminated Land Officer review planning applications to ensure that any contaminated land issues are identified are remediated correctly. This forms a large piece of their day-to-day workload.

7 Statutory Considerations

7.1 The Council has a statutory duty under Part 2A of the Environmental Protection Act 1990 to investigate its district.

7.2 The latest statutory guidance is dated April 2012. New technical guidance, 'Land Contamination Risk Management' (LCRM), was published in October 2020, setting out current best practice. The guidance is used under the planning process and under the Part 2A contaminated land regime site investigation, risk assessment, remediation, and assessing liabilities. The Environment Agency expects LCRM to be followed when managing the risks from land contamination.

7.3 The Strategy follows the basic principle, that the site and its contamination can only be classified as "Contaminated Land" if "significant possibility of significant harm (SPOSH)" exists. If the site in question does not meet the SPOSH criteria it will not fall within the legal definition of "Contaminated Land".

8 Equality Impact Assessment (EIA)

(Pre screening report template attached)

8.1 An EIA has been completed. No adverse impacts have been identified.

9 Risk Management Implications

9.1 This area of work is a statutory duty. The Council could be subject to legal challenge if it did not discharge this function in an effective manner.

9.2 If the Council did not investigate a contaminated land site, for example a contaminated water supply to a house, then the occupiers may suffer impacts to their health. This could result in legal challenge.

9.3 The Council could receive negative publicity if Part 2A sites were not investigated in suitable manner. The Strategy sets out how an investigation would be carried out. Officers have routinely investigated a number of potential Part 2A sites with involvement with local residents and Parish Councils. Following the approach in the Strategy has demonstrated that perceived risk and blight can be mitigated and not lead to negative publicity.

10 Declarations of Interest / Dispensations Granted

10.1 None

11 Background Papers

Contaminated Land Strategy

Non-Technical Summary

Borough Council website https://www.west-norfolk.gov.uk/info/20138/contaminated_land

Land Contamination Risk Management

<https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>

Pre-Screening Equality Impact Assessment

Borough Council of
King's Lynn & West Norfolk



Name of policy/service/function	Contaminated Land Strategy				
Is this a new or existing policy/service/function?	New / Existing (delete as appropriate)				
<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>The main aim is to set out how the Borough Council will review and investigate land to consider if it meets the criteria as "Contaminated Land".</p> <p>The Council has a statutory duty to investigate and follows statutory guidance, industry best practice and case law.</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>		Positive	Negative	Neutral	Unsure
	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 (eg low income)			X	

REPORT TO CABINET

Open		Would any decisions proposed :			
Any especially affected Wards	Mandatory/	Be entirely within Cabinet's powers to decide		Yes	
	Discretionary /	Need to be recommendations to Council		No	
	Operational	Is it a Key Decision		NO	
Lead Member: Cllr Richard Blunt E-mail: cllr.Richard.Blunt@West-Norfolk.gov.uk		Other Cabinet Members consulted:			
		Other Members consulted:			
Lead Officer: Claire May E-mail: Claire.may@west-norfolk.gov.uk Direct Dial:		Other Officers consulted: Stuart Ashworth Nikki Patton, Karl Patterson			
Financial Implications NO	Policy/ Personnel Implications NO	Statutory Implications YES	Equal Impact Assessment YES If YES: Pre- screening	Risk Management Implications Yes	Environmental Considerations Yes

Date of meeting: 2 August 2022

CONSULTATION ON DRAFT SOUTH EAST KING'S LYNN GROWTH AREA FRAMEWORK MASTERPLAN SUPPLEMENTARY PLANNING DOCUMENT (SPD)

Summary

This report seeks authorisation to undertake a statutory 6 week consultation on the Draft South East King's Lynn Growth Area Framework Masterplan Supplementary Planning Document

Recommendations:

That the:

- Local Plan Sub Committee note the contents of this report and recommends to Cabinet that the Draft South East King's Lynn Growth Area Framework Masterplan SPD (Appendix 1 to this report) be approved for a statutory 6 week consultation
- Cabinet note the contents of this report and approve the Draft South East King's Lynn Growth Area Framework Masterplan SPD (Appendix 1 to this report) for a statutory 6 week consultation, and
- To delegate authority to the Planning Policy Manager in consultation with Cabinet Member for Development and Regeneration to consider and agree any minor amendments and consultation arrangements required to finalise the document for consultation.

Reason for Decision

Preparation and adoption of the South East King's Lynn Growth Area Framework Masterplan SPD will provide guidance to assist in the determination of planning applications that fall within the West Winch Growth Area. The production of an SPD will ensure general conformity with the policies contained in the Council's Core Strategy (2011), the Site Allocations and Development Management Policies (2016) which are being carried forward into the Local Plan Review.

Background

- 1.1 Supplementary Planning Documents (SPDs) do not form part of the development plan for the area so they cannot introduce new planning policies into the development plan. However, an adopted SPD is a material consideration in decision making.
- 1.2 The Draft South East King's Lynn Growth Area Framework Masterplan Supplementary Planning Document (SPD) builds upon and provides more detailed advice and guidance on policies in the adopted Core Strategy (2011), the Site Allocations and Development Management Policies (2016) relating to the West Winch Growth Area which are being carried forward into the Local Plan Review.
- 1.3 The Draft SPD sets out the expectations on design, house mix, sustainability and green credentials, as well as the need to consider the impact on heritage assets and biodiversity. The Draft SPD sets out at a very high level, the location of the new housing access road, where development is considered suitable, ensuring that there is a degree of separation from the development and the village of North Runcton, while integrating with existing development and facilities in West Winch.
- 1.4 At this stage the only authority sought is to go out for consultation on the Draft SPD. The results and feedback on that consultation will be taken to Cabinet in the future.

2.0 Consultation

- 2.1 Consultation on the Draft SPD will need to follow the statutory process for the preparation and adoption of SPDs, including consultation in accordance with the Council's adopted Statement of Community Involvement (SCI). Accordingly, the following is proposed to form the basis of the consultation strategy for the Draft SPD:
 - Published on the Council's web site
 - Press notice
 - Council's social media
 - Emails sent to consultees on the Local Plan database, who have indicated they are interested in Planning Policy consultations
 - Consultation Events
 - Parish Council's web sites
- 2.2 The consultation will be open for a statutory period of six weeks and will commence on the 5 August 2022 following the approval by Cabinet and conclude on the 15 September 22.

- 2.3 Officers will liaise with the Communications Team to ensure the consultation is publicised as widely as possible. The outcome of the consultation, and any resulting amendments to the SPD, will be reported back to the Cabinet and then Council as part of the adoption process. In accordance with the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012, the Council must publish a consultation statement explaining how any issues raised in representations have been addressed in the SPD.

3 Options Considered

- 3.1 One alternative option would be to do adopt the Draft South East King's Lynn Growth Area Framework Masterplan without consultation. Such an option would lessen the weight that can be given to the document when assessing planning applications as without consultation, it cannot be adopted as an SPD.
- 3.2 Another alternative option would be to not progress the Draft SPD at all. Such an approach without this overall framework for future development in the West Winch Growth Area may give rise to greater uncertainty for both developers and the public and longer decision making.

4 Policy Implications

- 4.1 Although the proposed SPD is not a development plan document it will, on adoption, be a material consideration in the determination of planning applications.

5 Financial Implications

- 5.1 The cost of the preparation and consultation on the Draft SPD is within the Planning Policy budget and the West Winch Growth Area Revenue Budget.

6. Personnel Implications

- 6.1 The consultation on the Draft SPD will be undertaken by officers from the Strategic Housing Team, Planning Policy Team and Development Control Team.

7 Environmental Considerations

- 7.1 Sustainability appraisals for supplementary planning documents are only required in exceptional circumstances, but the Council must still consider whether there is a requirement for strategic environmental assessment (SEA).
- 7.2 In this case, the policies within the Core Strategy (2011), the Site Allocations & Development Management Policies (2016) and the Local Plan Review related to the Growth Area were subject to a Sustainability Appraisal. It is therefore considered that a new and separate SEA is required.

8 Statutory Considerations

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 8.2 The Town and Country Planning (Local Planning) (England) Regulations 2012 provide guidance on the preparation and adoption of supplementary planning documents.
- 8.3 The Council is required by law to consult on the SPD and to take into account all consultation responses received before adopting the SPD. As soon as reasonably practicable after adopting an SPD, the Council must (i) make available the SPD and an adoption statement and (ii) send a copy of the adoption statement to any person who asked to be notified of the adoption of the SPD.

9 Equality Impact Assessment (EIA)

- 9.1 Pre-screening EIA is attached.

10 Risk Management Implications

- 10.1 Non-compliance with regulatory requirements of the preparation of the SPD could leave it open to challenge, or lessen the weight attributed to it.

11 Declarations of Interest / Dispensations Granted

None

12 Background Papers

APPENDICES

APPENDIX 1 The Draft South East King's Lynn Growth Area Framework Masterplan Supplementary Planning Document (SPD)

Pre-Screening Equality Impact Assessment

Borough Council of
King's Lynn & West Norfolk

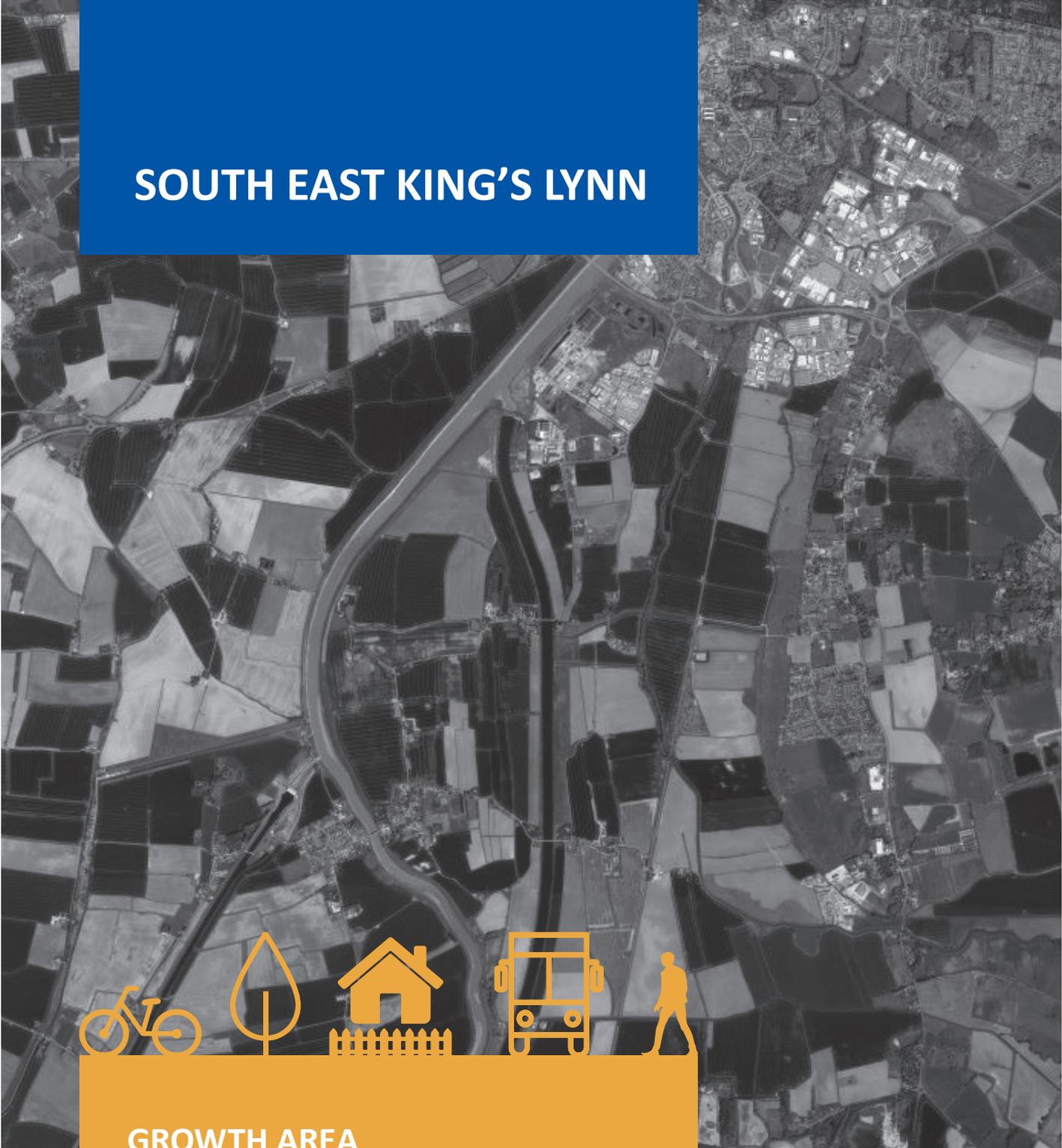


Name of policy/service/function	The Draft South East King's Lynn Growth Area Framework Masterplan Supplementary Planning Document (SPD)				
Is this a new or existing policy/service/function?	Existing				
<p>Brief summary/description of the main aims of the policy/service/function being screened.</p> <p>Please state if this policy/service is rigidly constrained by statutory obligations</p>	<p>The Draft South East King's Lynn Growth Area Framework Masterplan Supplementary Planning Document (SPD) builds upon and provides more detailed advice and guidance on policies in the adopted Core Strategy (2011), the Site Allocations and Development Management Policies (2016) relating to the West Winch Growth Area which are being carried forward into the Local Plan Review.</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>		Positive	Negative	Neutral	Unsure
	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 (eg low income)			x	

APPENDIX 1



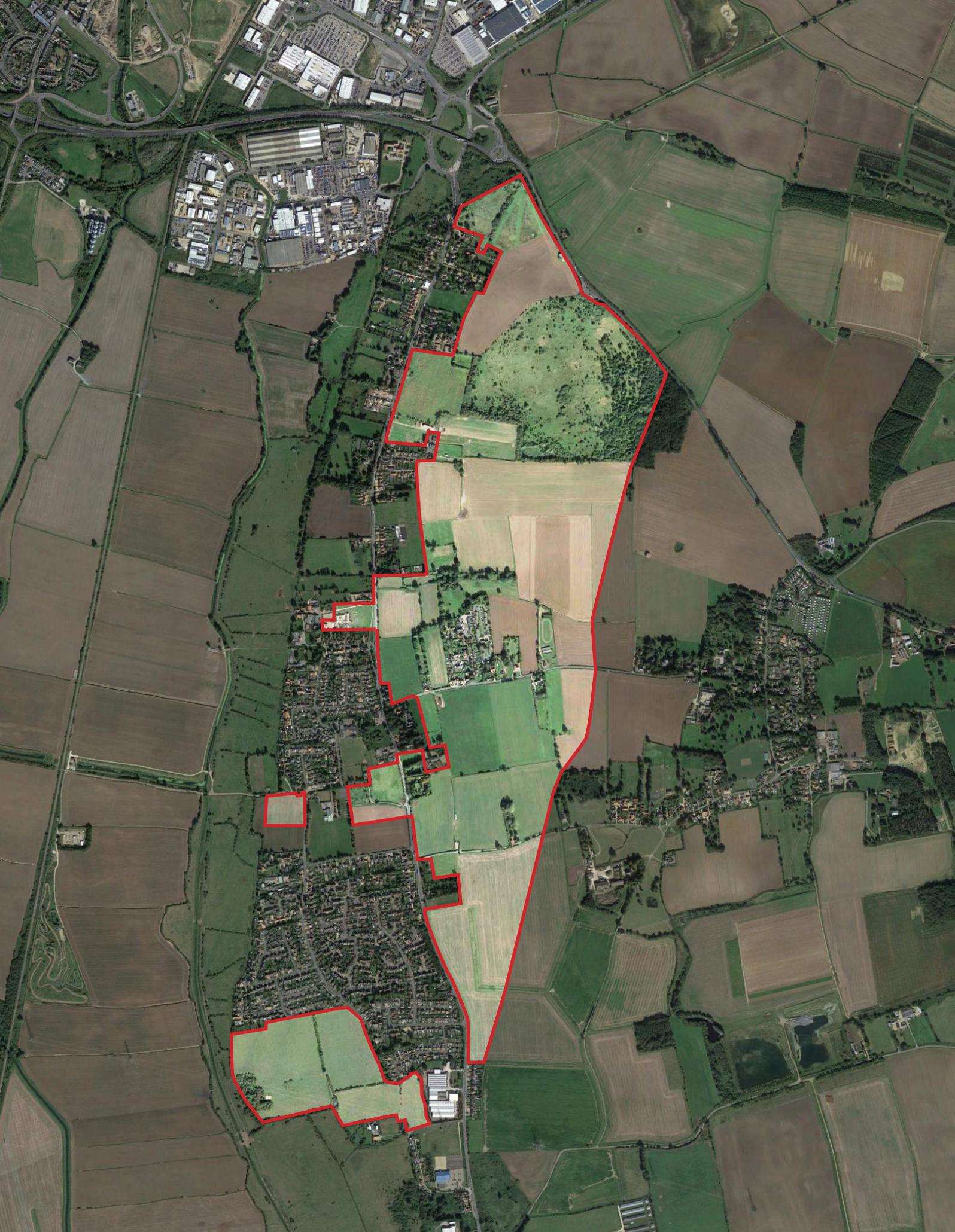
SOUTH EAST KING'S LYNN



GROWTH AREA FRAMEWORK MASTERPLAN

SUPPLEMENTARY PLANNING DOCUMENT
Consultation Draft July 2022

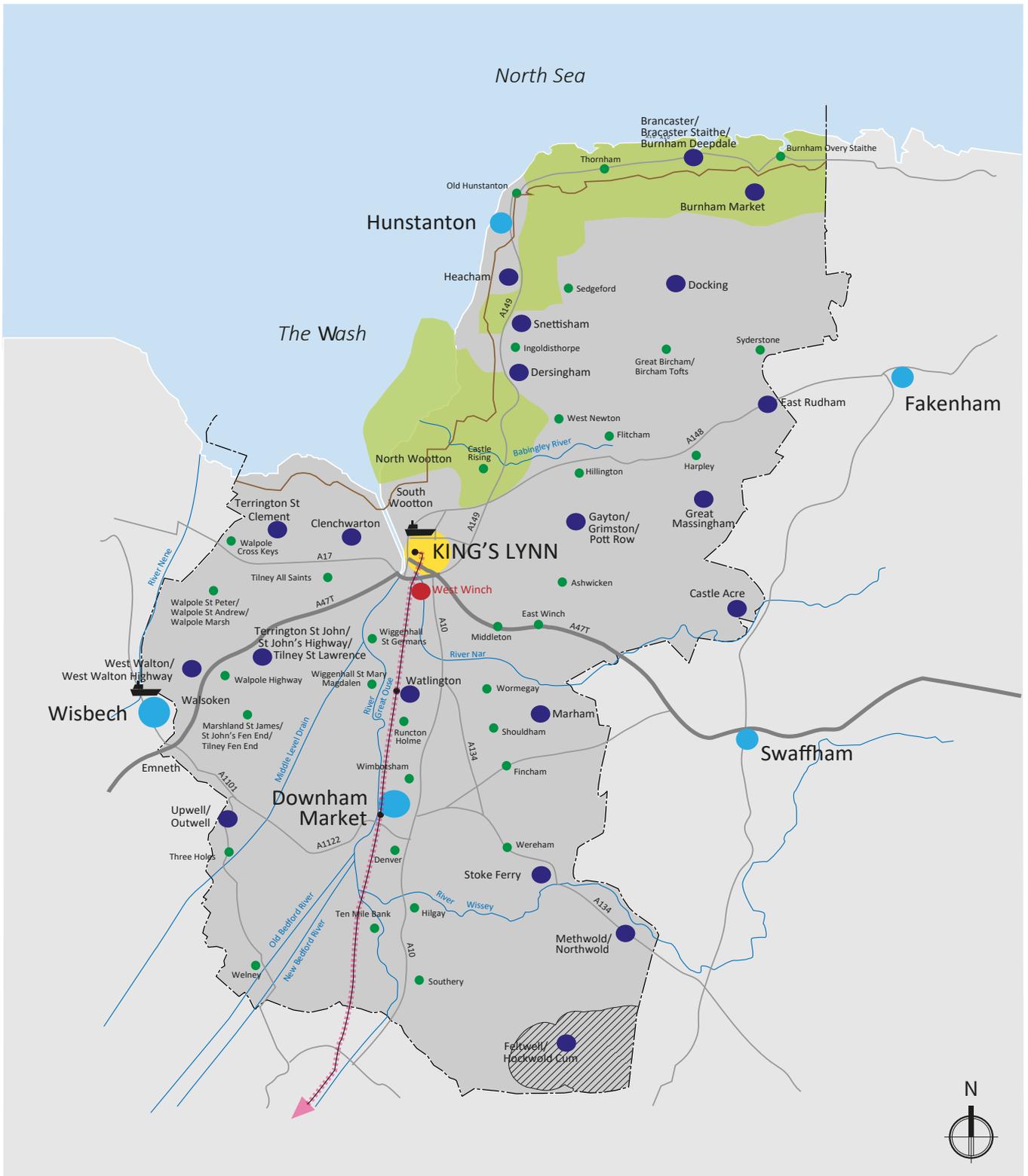




Red Line denotes Indicative Site Allocation E2.1 extents

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BOROUGH CONTEXT PLAN

KEY:

- | | | | | | |
|---|--------------------------|---|----------------------------------|---|----------------------------|
|  | Sub Regional Centre |  | Borough Boundary |  | AONB |
|  | Main Towns |  | Main Roads |  | Stone Curlew Zone |
|  | Key Rural Service Centre |  | Coastal Zone (subject to change) |  | Railway Network & Stations |
|  | Rural Village |  | Rivers |  | Enhanced Rail Service |
| | |  | Port | | |

01 ROLE OF FRAMEWORK MASTERPLAN

This document is a consultation draft Supplementary Planning Document. When adopted, the SPD will be used by applicants, Planning Officers and other Council departments in the planning decision-making process.

The Core Strategy (2011) (CS) and the Site Allocations and Development Management Policies Plan (2016) (SADMP) allocated the West Winch Growth Area as a strategic 'urban expansion' area around King's Lynn to meet most of the Borough's need for housing over the plan period in a sustainable manner with the appropriate level of supporting facilities. This strategic allocation has been carried forward into the Local Plan Review which will replace the CS and SADMP.

It is envisaged that the West Winch Growth Area will deliver **2,500 new homes** in the Local Plan period to 2038 and up to 4000 new homes in the fullness of time, together with its supporting infrastructure.

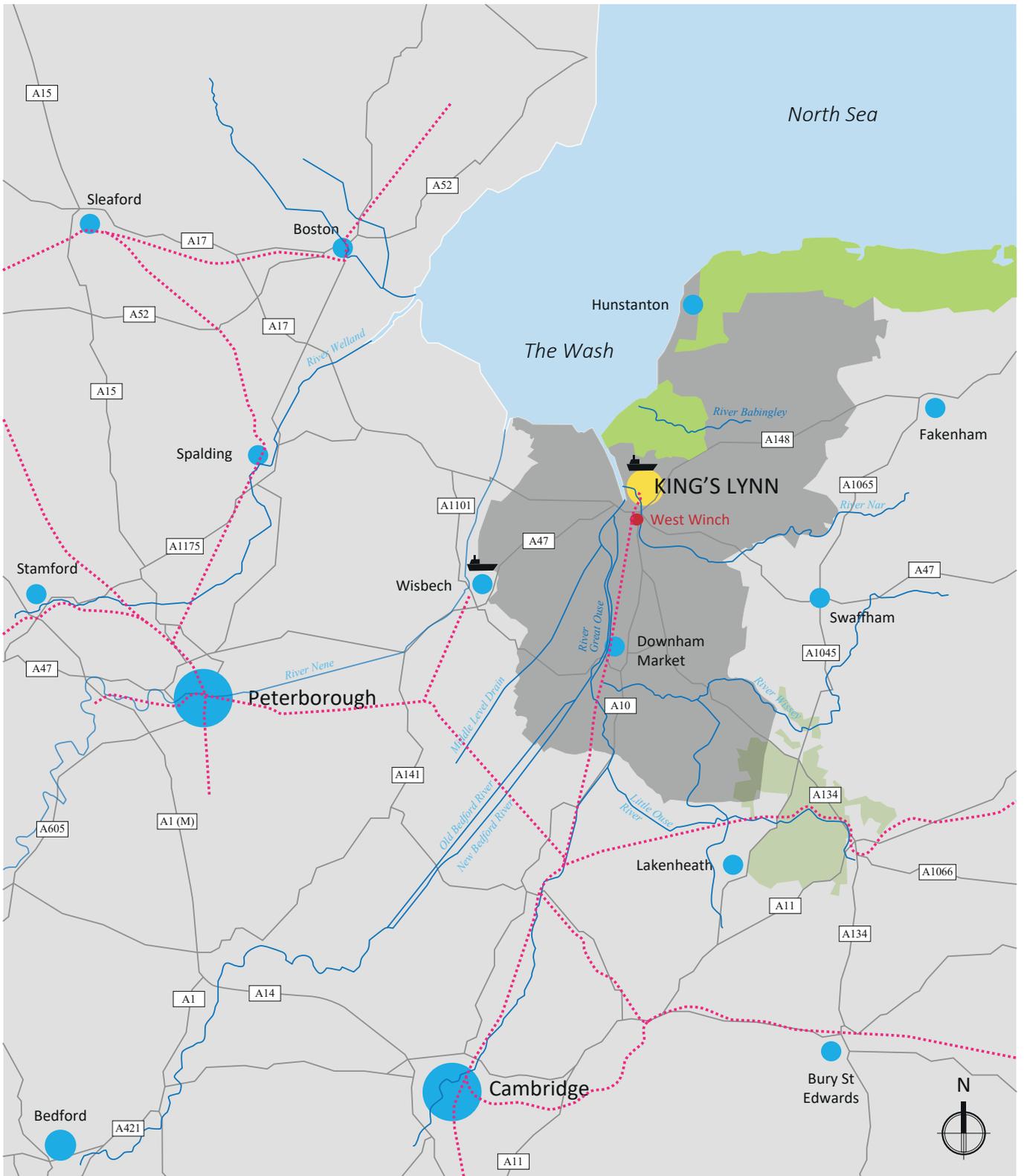
A number of actions have been undertaken in recent years to support the development; these include:

- Detailed allocation provisions in the SADMP (2016)
- Preparation of a Neighbourhood Plan for the parishes of West Winch and North Runcton (2016) which gives detailed requirements for the Growth Area
- An Infrastructure Delivery Plan (2018) to ensure the viability of the overall project is understood and translates to a reasonable set of planning obligations and landowner agreements.

It is apparent that there are different types and levels of documents giving types of 'advice' to developers. The Borough Council considers that it will aid clarity and effectiveness if there was one source for: viability; infrastructure requirements importantly including the West Winch Housing Access Road) and; planning policy requirements. We will be able to have clear references to it in the various Section 106 agreements and landowner agreements.

This Framework Masterplan is intended to fulfil that function. It also has the advantage of being able to provide updated information, and a more detailed focus on practical implementation and a design framework, all of which is informed by public consultation.

Part B of Policy E2.1 of the SADMP makes various requirements for what can loosely be called 'co-ordination' of infrastructure, with phasing/ timetabling etc. It highlights the need for a clear statement bringing these aspects together. The Borough Council through this Framework Masterplan is addressing that 'co-ordination' requirement.



WIDER CONTEXT PLAN

KEY:



Sub Regional Centre



Main Towns



Main Roads



Rivers



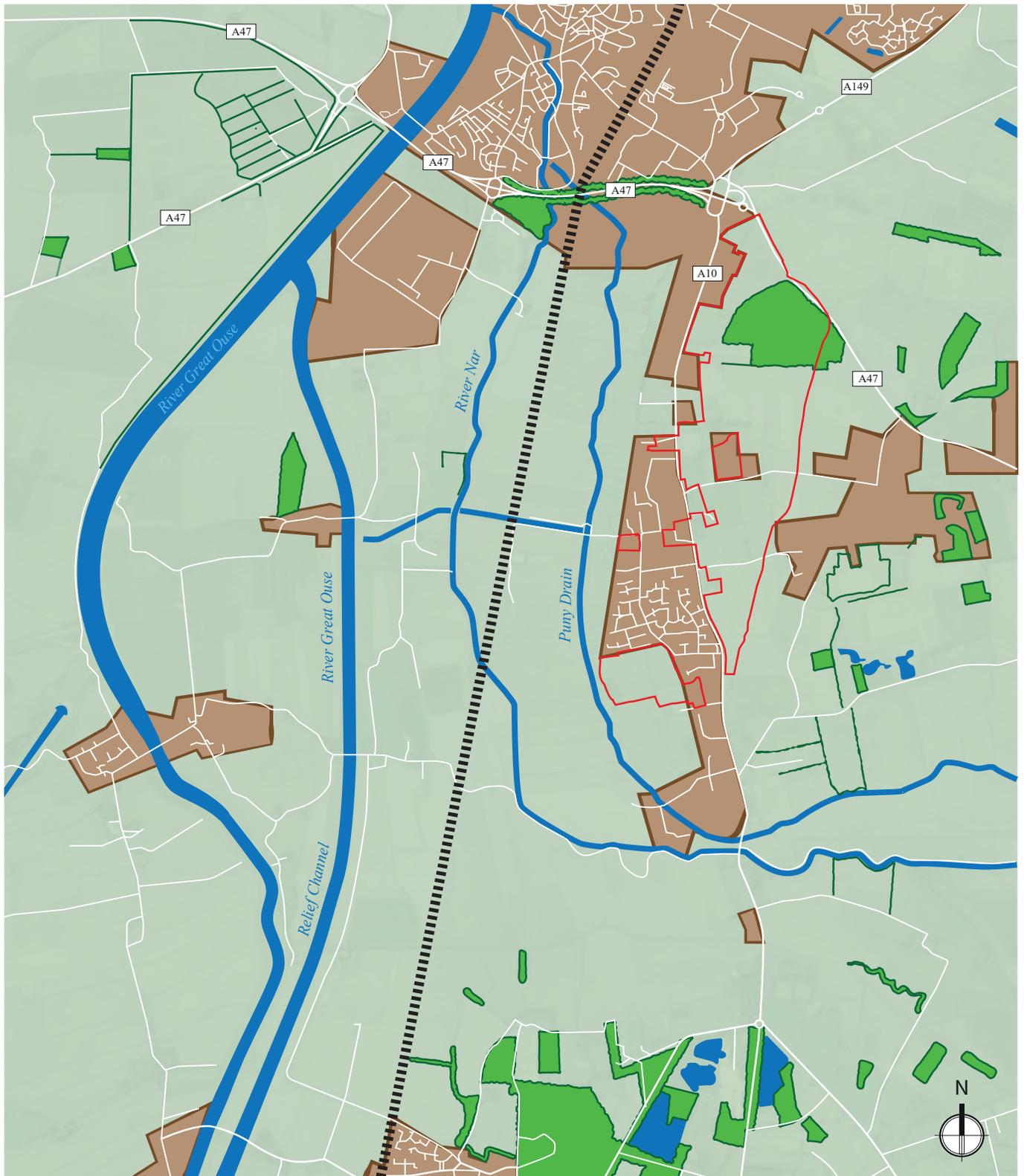
Port



AONB



Railway Network



SITE CONTEXT PLAN

KEY:

- | | | |
|--|---|---|
|  Urban Areas |  Significant Woodland Blocks |  Rivers + Water Bodies |
|  Road Network |  Predominantly Rural/Agricultural Land |  Rail Network |
| | |  Masterplan Boundary |

02 WHAT THE SPD CONTAINS

As will be seen in the contents list this Framework Masterplan contains a mixture of specified infrastructure (including the West Winch Housing Access Road (WWHAR)); considerations of viability; phasing.

In design terms it addresses the appropriate locations for land uses, but also the broad design parameters for those uses (block layouts etc).

The SPD also considers the arrangements that have been put in place with landowners/ developers in the Growth Area. This includes the governance arrangements, and the ways in which the various bodies (public and private) are involved.

The Borough Council has prepared (through consultants Mott MacDonald and Gerald Eve) an Infrastructure Delivery Plan (IDP). The Framework Masterplan gives expression to the content of this IDP.

The Framework Masterplan has been prepared so it can become Supplementary Planning Guidance. It will need to undergo consultation with:

- Parish Councils
- Neighbourhood Plan groups
- Local residents / businesses
- Landowners
- Other statutory consultees

This is appropriate so that significant weight can be given to the final document in considering individual planning applications on the site. It will be a primary document referred to when Section 106 agreements are prepared.

Significant work is being undertaken with landowners and developers to ensure the delivery of development on the site, the Framework Masterplan will be the manifestation of the written policies and aspirations of the interested parties in the Growth Area.

The West Winch Growth Area is founded on the principles of comprehensive development of the site together with provision of the infrastructure set out in the Infrastructure Delivery Plan (IDP). Contributions to and provision of infrastructure will be secured through a Framework Section 106 Agreement. To assist the development management process, the Council will adopt this Framework Masterplan which shows the broad distribution of land uses and infrastructure and would be included in the Framework Section 106 Agreement.

The Framework Masterplan reflects the emerging masterplans for the **Hopkins (planning ref 13/01615/OM)** and **Metacre (planning ref 18/02289/OM)** applications as well as the design, location and infrastructure associated with the **West Winch Housing Access Road (“WWHAR”)**.

The Growth Area has the best potential to be delivered if it is considered **as a whole**, in a comprehensive and consistent manner.

03 CONSULTATION

We are interested to hear the views of everyone including residents, businesses, community groups and all other stakeholders.

The consultation period starts on the Friday 5th August 2022 and runs for a period of six weeks, ending on Thursday 15th September 2022.

The Sustainability Appraisal (SA/SEA) prepared for the Local Plan Review appraises the environmental, social and economic implications of the West Winch Strategic Growth Area and this can be viewed on the Council's web site.

As the Framework Masterplan is working directly to the Local Plan Review, the Borough Council is utilising the SA / SEA outcomes in confirming the impacts of the Masterplan.

This document and supporting documents can be viewed and downloaded from the Councils website at:
www.west-norfolk.gov.uk/westwinchconsult



Next Steps

Following this consultation, all representations will be considered and final amendments made before the SPD is completed and adopted. Once adopted, the SPD will assist in the planning process.

Our preferred method for accepting your representations is **via email** to:
strategichousing.westwinch@west-norfolk.gov.uk

You can also send representations by post to:
Strategic Housing Team
BCKLWN
King's Court
Chapel Street
King's Lynn
Norfolk
PE30 1EX

04 PLANNING HISTORY

Involving the community and representatives of the Borough Council, The Princes Foundation for the Built Environment facilitated community design workshops to explore options for development within West Winch and North Runcton from 2010 through to 2013.

These workshops created the basis for the concept of creating new distinctive neighbourhoods dominated by large swathes of green infrastructure which specifically arose from the no-build zones of the two high pressure gas pipelines that run through the parishes. These design works resulted in a indicative masterplan demonstrating how development could come forward within the growth area.

In 2013, Hopkins Homes submitted an Outline planning application for change of use from agricultural/undeveloped land to a new development of housing and associated facilities; comprising a mix of up to 1110 residential units; primary school , local centre, public open space, landscaping and highway access on the A47 and A10 (Ref 13/01615/ OM).

The application, located between the northernmost pipeline and the A47 amounts to a third of the growth area and provides essential infrastructure such as first part of the WWHAR, school and neighbourhood centre. The application was submitted with an Environmental Statement as required by the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (now 2017).

The application through its lifetime has been through significant design review with the support of Homes England and has adapted along the way in terms of the requirements specified within the SADMP 2016, the Local Plan Review and the North Runcton and West Winch Neighbourhood Plan (NRWWNP) (2017).

In December 2018, Metacre Ltd submitted an Outline planning application for up to 500 homes with a neighbourhood centre, associated landscaping, parking and supporting infrastructure in the Rectory Lane, West Winch area through to Chequers Lane at its southernmost point. The development straddles either side of the A10 in that location surrounding the existing shop and Grade II Listed St Mary's Church.

Again, the application responds to the policies within the SADMP and the NRWWNP. The application was originally consulted upon but it was determined by the Secretary of State that the development in combination with the Hopkins Homes site required an Environmental Statement to be submitted and thus remained invalid until its submission in February 2022. The application is now live and applicant is currently responding to consultation comments.

Both applicants have consistently worked with the Borough Council, Homes England and other stakeholders throughout the lifetime of the growth area and whilst seeking to promote their own developments recognise the need to provide a comprehensive response across the Framework Masterplan Area.



05 PLANNING POLICY

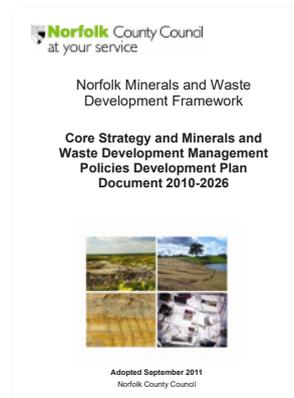
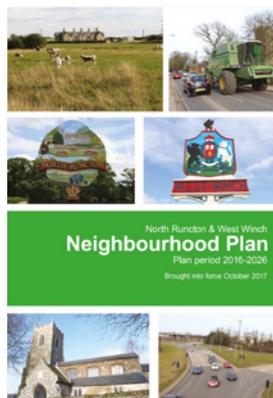
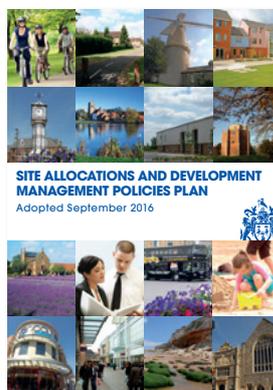
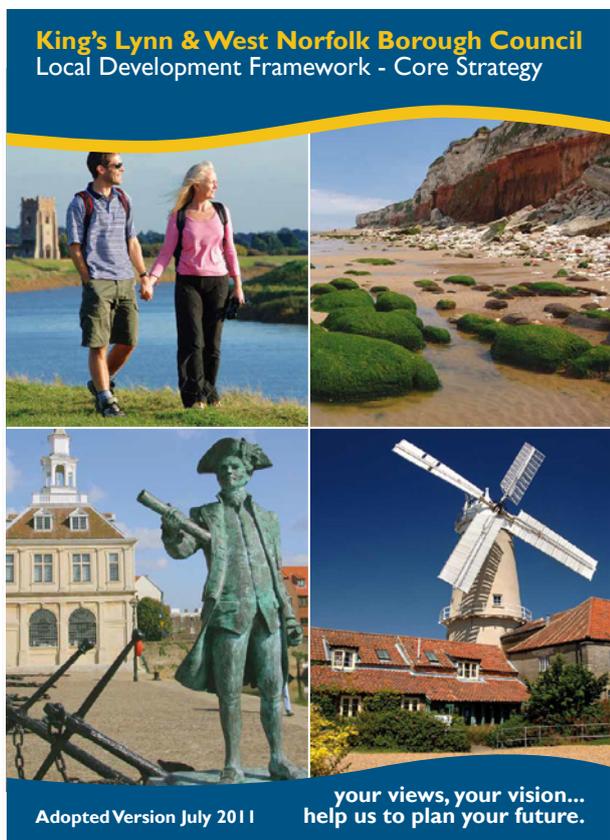
The relevant policy framework for the site is set by:

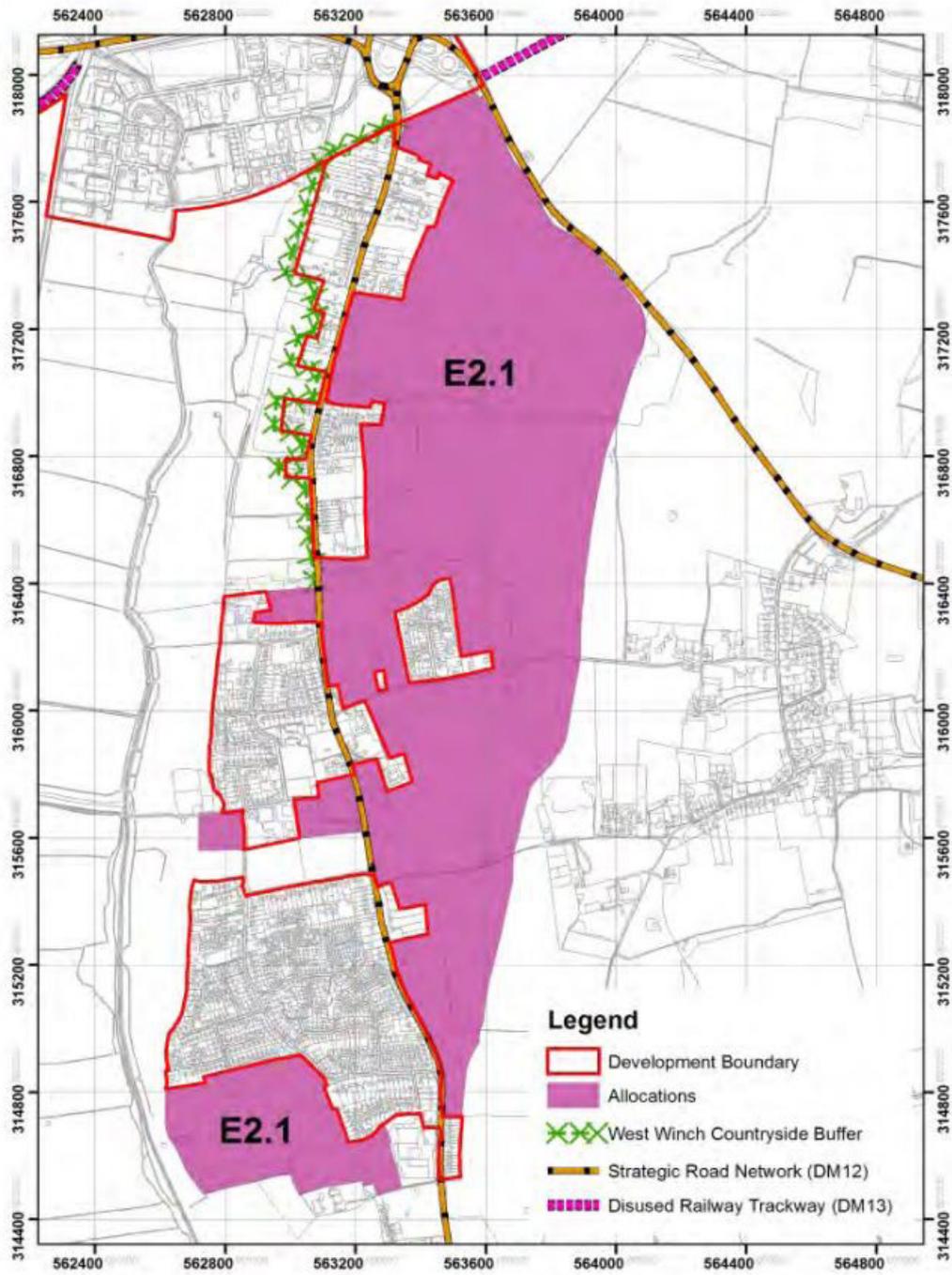
- King’s Lynn & West Norfolk Core Strategy (2011)
- King’s Lynn & West Norfolk Site Allocations and Development Management Policies (2016)
- King’s Lynn & West Norfolk Local Plan review
- North Runcton & West Winch Neighbourhood Plan (2018)
- Norfolk Core Strategy and Minerals and Waste Development Management Policies (2011)

The West Winch Growth Area Strategic Policy in the Site Allocations and Development Management Policies and in the Local Plan review set out the key strategic outcomes for the area. The full text of the relevant policy documents are available on the Council’s website:

www.west-norfolk.gov.uk/homepage/19/planning_policy_and_local_plan

National planning policy and guidance should also be taken into consideration in the preparation of development proposals.





Inset E2 West Winch

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Ordnance Survey 100024314



06 INFRASTRUCTURE DELIVERY PLAN

To ensure that West Winch Growth Area is successfully provided with the requisite physical, social and community infrastructure, we expect that all applications will provide a co-ordinated programme of works linked to the delivery of a specific number of houses.

The Infrastructure Delivery Plan (IDP) for the South East King's Lynn Strategic Growth Area (SEKLSGA) was adopted in November 2018 and sets out the key strategic infrastructure that is required to support the housing and identifies where and at what time that infrastructure is required. The IDP essentially acts as a high-level reference and guide, setting out the agreed principles, processes and delivery mechanisms that will be updated as and when planning applications are progressed.



The IDP can be viewed in full at:

www.west-norfolk.gov.uk/info/20000/planning_and_development/906/progress_to_date

The IDP will be translated into a legal S.106 Framework Agreement between the Borough Council and landowners and developers to formalise the provision of infrastructure.

The infrastructure requirements consist of the following:

Transport

- Housing Access Road Roundabouts
- Dualling on A47 east of Hardwick
- Traffic calming West Winch
- Local Road & Streets
- Sustainable Transport including, Bus Strategy, Cycle & Shared use pathways

Education

- New primary school & nursery provision x2 West Winch Primary school extension
- High School capacity increase
- Sixth Form capacity increase

Utilities

- Electricity/Gas connection & capacity increases Telecommunications
- Mains Water Distribution
- Sewage & Drainage

Community

- Community Centre(s)
- Sports Centre
- Health Centre
- 3no. shops
- Multi use games area
- Library contributions

Green Infrastructure

- Outdoor sports facilities
- Play areas
- Green Space & Corridors
- Habitat creation
- Allotments

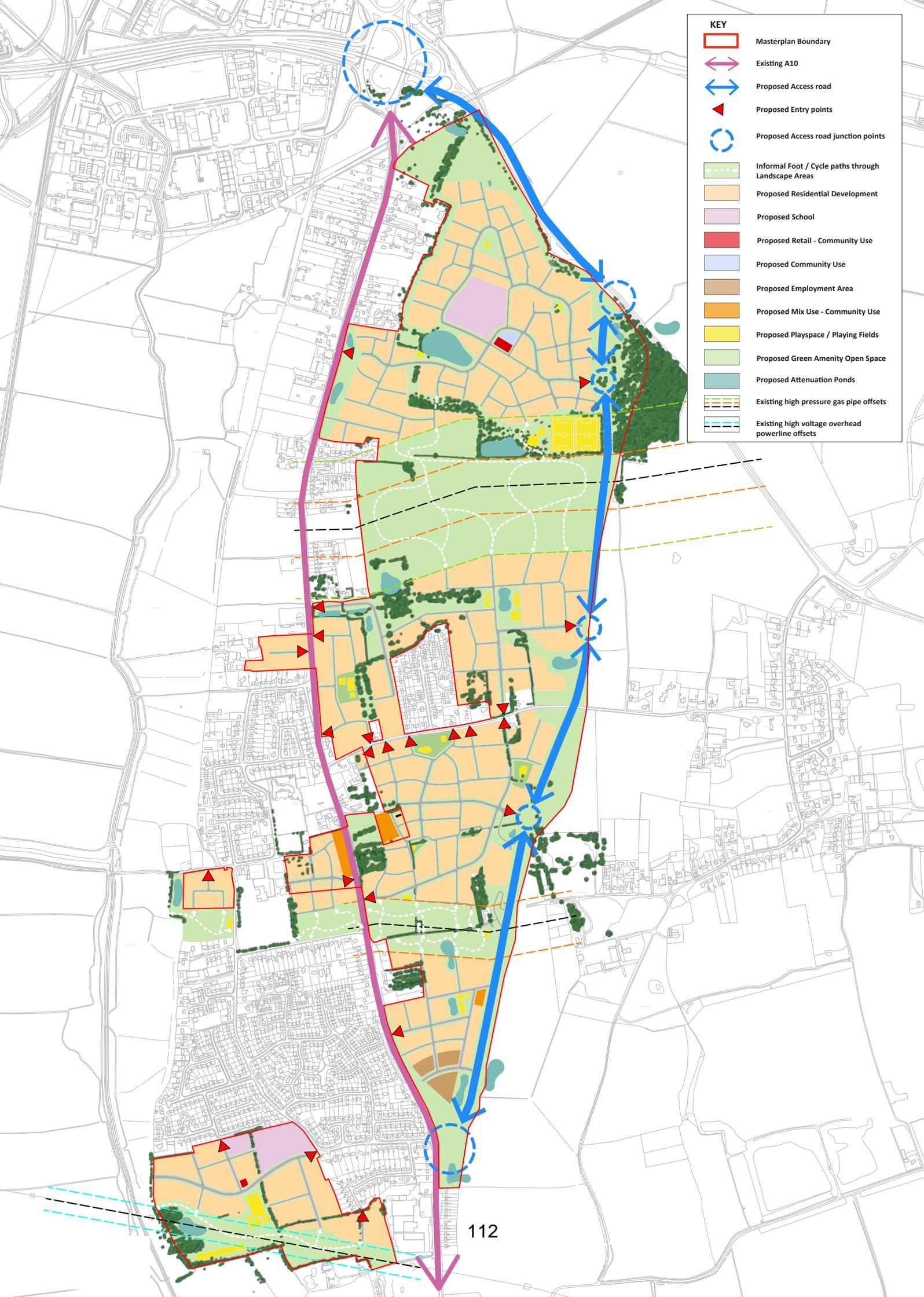


07 THE FRAMEWORK MASTERPLAN

The Framework Masterplan provides a template against which the Council will assess all individual planning applications.

The Growth Area boundaries define where development is considered suitable. In identifying these boundaries consideration was paid to maintaining a degree of separation between the village of North Runcton and the new neighbourhoods, and good integration with the existing development and facilities in West Winch.





KEY	
	Masterplan Boundary
	Existing A10
	Proposed Access road
	Proposed Entry points
	Proposed Access road junction points
	Informal Foot / Cycle paths through Landscape Areas
	Proposed Residential Development
	Proposed School
	Proposed Retail - Community Use
	Proposed Community Use
	Proposed Employment Area
	Proposed Mix Use - Community Use
	Proposed Playspace / Playing Fields
	Proposed Green Amenity Open Space
	Proposed Attenuation Ponds
	Existing high pressure gas pipe offsets
	Existing high voltage overhead powerline offsets

08 DESIGN + DEVELOPMENT EXPECTATIONS

Neighbourhood Centres

Within the Growth Area three local neighbourhood centres are planned, each giving a focus to a neighbourhood area. One would be a new centre in the northern section; the two remaining centres will be delivered through enhancements to existing centres of West Winch.

The intention of the three centred approach is to create a sustainable layout that would enable residents (both new and existing) to walk or cycle to the local amenities to satisfy their daily needs and facilitating the development of neighbourhood identity.

New shops and related uses on a small scale should be located in these neighbourhood centres and will help ensure that the new neighbourhoods are successful and sustainable and enhance the facilities available to the residents of the nearby existing villages of West Winch and North Runcton.

Housing Mix and Type

The Borough Council seeks mixed communities and expects to see a range of housing types, styles and tenures across the Growth Area and most individual developments within it. These will be expected to respond to the Borough Council's current Housing Market Assessments and policies on affordable housing at the time of planning applications being made.

Design and Density

The scale, form, character, design and mix of development densities should reflect the local character and proximity to the growth area centres and take into account the local topography, setting and natural assets of the site.

Development should consider the effect of the site slopes on the heights of buildings; the relationship between heights of proposed and existing buildings; and the visual impact of buildings when viewed from streets and properties.

The hedgerows and mature trees, combined with the surrounding countryside and topography create the natural features around the growth area. The development should make the most of these assets to create a sense of place by reflecting and where possible incorporating them into the development.

The network of streets and open spaces will play a key role in determining how the new development works and how it relates to the surrounding areas. The development should incorporate a network of streets and spaces that link to and through the area, providing a choice of direct, safe and attractive connections and encouraging walking and cycling. There could be a street hierarchy comprising, for example, a primary street and residential streets. The development and pattern of routes must also be 'legible' – easy to understand and navigate.

Active frontages should be incorporated in the new development by orienting buildings so that the main entrances and principal windows face the street (or streets) and open spaces. This helps to improve the sense of security of public and communal areas (sometimes known as Secured by Design principles), maximises the proportion of activity that takes place in the public realm and makes it easier for people to find their way around.

Climate Change

There is an opportunity to create a new distinct but integrated development and to apply best practice to make efficient use of resources and meet energy efficiency and low-carbon targets.

The development should seek to meet high standards of sustainable construction and design in terms of energy efficiency, water resources, recycled and reclaimed materials and renewable or low-carbon energy.

Where practicable, streets and buildings should be orientated to get maximum benefit from sunlight. To make the most of sunlight (and shade), the layout,

design and orientation of streets and buildings should take into account the slope of the site and the solar path. The development should maximise the use of south-facing elevations.

Sustainable Urban Drainage Systems (SUDS)

The development should incorporate SUDS to reduce any increases in surface water drainage.

Public and private areas of hard-standing should be permeable wherever possible. SUDS may be combined with a system to help regulate water flows from roofs to the drainage system and grey water recycling.

Installation of green roofs, where soil and plant material are attached to create a living surface, can also reduce water run-off as well as providing insulation and creating a habitat for wildlife.

Attenuation basins and ponds will need to be distributed across the site and sensitively integrated to maximise on the position of topography, existing waterways and ditches.

The details of these will be dealt with in future detail design and the evolution of the Framework Masterplan, as well as any subsequent planning applications for parcels of land that may come forward in the future.

Heritage

Whilst there are no designated heritage assets within the growth site, there are a number of listed buildings nearby including the Grade I listed Church of All Saints in North Runcton and Grade II* listed Church of St Mary in West Winch. the Old Windmill, The Gables and The Old Dairy Farmhouse listed at Grade II.

Development proposals will need to be accompanied by a detailed Heritage Impact Assessment that follows best practice procedure produced by Historic England and meet the requirements of planning policy contained in the National Planning Policy Framework.

Biodiversity

The development should make the most of opportunities to create or improve habitats. Retention of hedgerows and mature trees, use of native species in landscaping, installation of bird and bat boxes and design of lighting schemes can all encourage habitat creation and enhancement.

Requirements for Biodiversity Net Gain (BNG) will come into effect in 2023. Any development of the Framework Masterplan or any future planning applications will need to address the requirements to mitigate and enhance the biodiversity of the site.

Green Infrastructure

The Framework Masterplan indicates that there will be significant areas of Open Space which are expected to be connected to one another by a network of green corridors. Together, this substantial area of Green Infrastructure provides for a range of formal and informal activities as well as providing pedestrian and cycle connections.

Development will also be expected to contribute towards enhanced biodiversity with parts of the Green Infrastructure being identified for uses/activities; these will need to be maintained at an appropriate level to meet these objectives.

09 CONNECTIVITY + TRANSPORT

Connectivity

Connectivity is vital to achieving accessibility, integration for new residents and businesses and can contribute to a healthy community.

The Growth Area should be well connected with surrounding communities by walking, cycling and public transport. The whole area should be better linked to local centres, places of work, education, the town centre and the countryside linking into King’s Lynn Active Travel Network, as defined by the King’s Lynn Local Cycling Infrastructure Plan. Which can be found here: shorturl.at/abo45

The layout of the new development should contribute by creating new frontages and public open spaces that link the new neighbourhoods and their immediate surroundings.

Better Bus Service

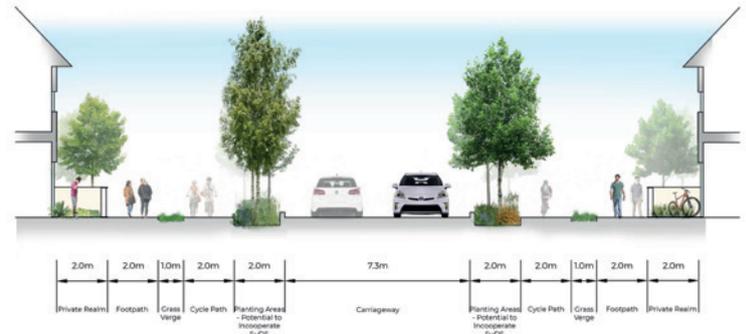
The need to improve the existing bus connectivity was identified in responses to earlier consultations. Development layouts should allow for a revised or new bus service connecting the growth area to King’s Lynn. Further work is required to establish how the increased housing numbers can help deliver an improved service. The developers should provide subsidies for the new service.

Pedestrian + Cycling Access

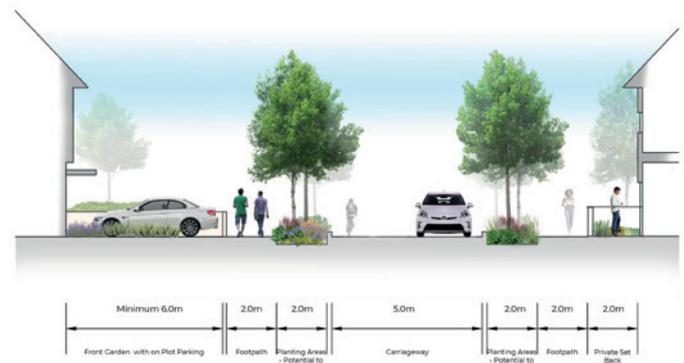
To improve integration and permeability and to promote maximum usage, a network of safe and easy-to-use pedestrian and cycle routes along desire lines should connect the new homes with facilities in the new neighbourhoods and link the new development to existing facilities in West Winch and King’s Lynn.

There is potential to enhance and develop linear green corridors or links through the sites, making connections within the new development and with neighbouring communities and the open countryside.

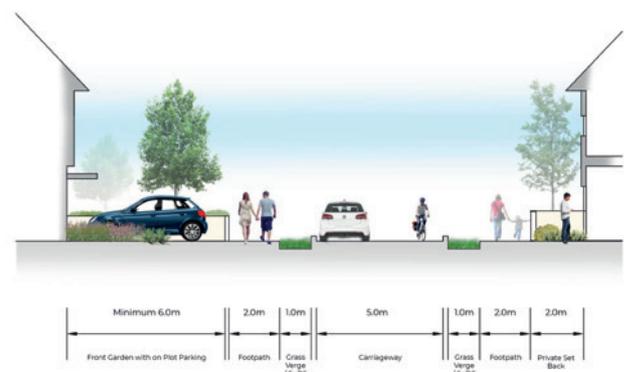
As well as allowing movement, the green links also offer opportunities for recreation and amenity space; ecological enhancement; Sustainable Drainage; and the creation of a transition from the built environment to open countryside.



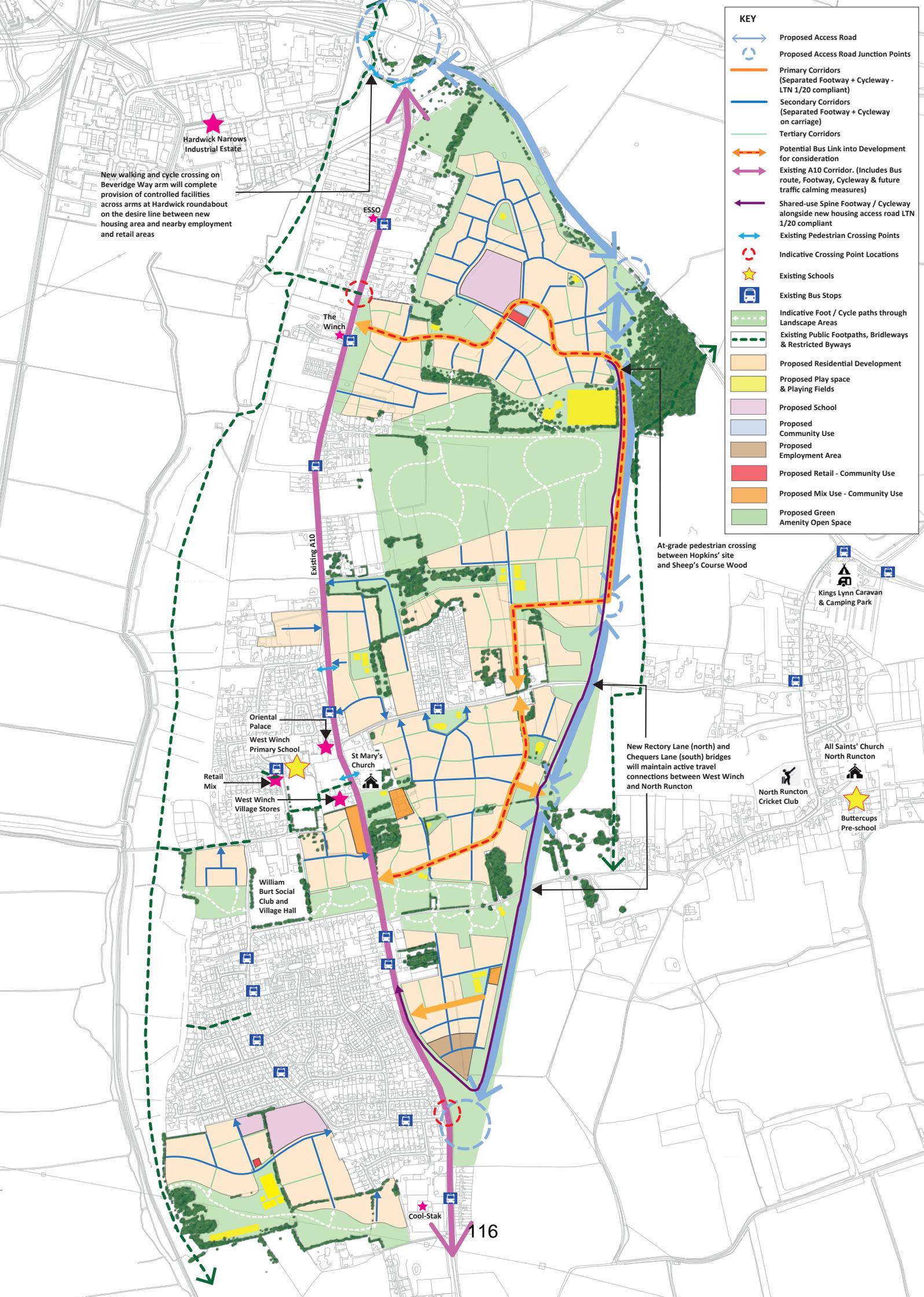
Indicative Primary Corridor



Indicative Secondary Corridor



Indicative Tertiary Corridor



KEY

- Proposed Access Road
- Proposed Access Road Junction Points
- Primary Corridors (Separated Footway + Cycleway - LTN 1/20 compliant)
- Secondary Corridors (Separated Footway + Cycleway on carriage)
- Tertiary Corridors
- Potential Bus Link into Development for consideration
- Existing A10 Corridor. (Includes Bus route, Footway, Cycleway & future traffic calming measures)
- Shared-Use Spine Footway / Cycleway alongside new housing access road LTN 1/20 compliant
- Existing Pedestrian Crossing Points
- Indicative Crossing Point Locations
- Existing Schools
- Existing Bus Stops
- Indicative Foot / Cycle paths through Landscape Areas
- Existing Public Footpaths, Bridleways & Restricted Byways
- Proposed Residential Development
- Proposed Play space & Playing Fields
- Proposed School
- Proposed Community Use
- Proposed Employment Area
- Proposed Retail - Community Use
- Proposed Mix Use - Community Use
- Proposed Green Amenity Open Space

New walking and cycle crossing on Beveridge Way arm will complete provision of controlled facilities across arms at Hardwick roundabout on the desire line between new housing area and nearby employment and retail areas

Hardwick Narrows Industrial Estate

ESSO

The Winch

Existing A10

Oriental Palace

West Winch Primary School

Retail Mix

West Winch Village Stores

William Burt Social Club and Village Hall

St Mary's Church

Cool-Stak

A16

At-grade pedestrian crossing between Hopkins' site and Sheep's Course Wood

New Rectory Lane (north) and Chequers Lane (south) bridges will maintain active travel connections between West Winch and North Runcton

Kings Lynn Caravan & Camping Park

All Saints' Church North Runcton

North Runcton Cricket Club

Buttercups Pre-school

10 WEST WINCH HOUSING ACCESS ROAD

West Winch Housing Access Road (WWHAR)

Provision of a new housing access road scheme is planned for West Winch. This will serve the growth area which will see up to 4,000 new homes built, and make sure traffic from the new development has a minimal impact on the existing A10 as it passes through the village. The West Winch Housing Access Road will also address existing traffic problems on the A10 by providing an alternative route around the village that conforms to Major Road Network standards.

The West Winch Housing Access Road (WWHAR) scheme will be designated as the new A10 and comprises the following essential elements:

- A housing access road to the east of West Winch connecting the A47 with the existing A10
- Intermediate junctions to the development
- Sustainable transport measures (public transport, walking and cycling)
- Modifications to the Hardwick Interchange to accommodate additional housing traffic and the rerouted A10
- Dualling of the existing A47 between Hardwick Interchange roundabout and the housing access road
- A new signalised roundabout on the A47.

The Borough Council of King's Lynn and West Norfolk and Norfolk County Council are working in partnership on this project with Norfolk County Council leading on delivering the transport infrastructure and the Borough Council of King's Lynn and West Norfolk leading on enabling the housing element.

The Framework Masterplan sets the basic outline for the housing access road element of the overall West Winch Housing Access Road scheme.

Norfolk County Council have submitted a bid to the Major Roads Network fund, administered by the Department for Transport. In March 2021 last year a Strategic Outline Business Case was submitted to the Department for Transport (DFT). Dialogue between NCC and DFT is ongoing.

It is proposed that if successful, Norfolk County Council, working with the Borough Council would complete the design of the road and procure the building of the housing access road at the earliest opportunity. The Framework S.106 Agreement will require the payment of contributions to the cost of these works as applications come forward and the sites are built out.

11 DELIVERY

Land Ownership

The Growth Area is made up of seventeen different ownerships, these can be split into two groups:

1. Land promoters/developers

There are 2 land promoters/developers with control over land within the Growth Area, Hopkins Homes and ZAL/Metacre. Hopkins Homes have submitted an outline application for 1100 homes in the northern portion of the growth area. This is currently being considered by the Local Planning Authority

Zal/Metacre control circa 53.4 ha of land in the southern portion of the growth area. An outline application has been submitted for 500 homes on part of this land. It is anticipated that planning applications on the remaining ZAL/Metacre land will come forward over a period of time.

2. Domestic and Agricultural land owners

The remainder of the Growth Area is controlled by numerous individual land owners including both Norfolk County Council and the Borough Council.

In order to facilitate a comprehensive development of the whole site the Borough Council is working with the majority of the remaining landowners to enter into a Collaboration Agreement. The Collaboration Agreement, centres upon an equalised approach to land value which provides a fair and equitable value to landowners which takes account of the infrastructure requirements regardless of what is being developed on the land, e.g. housing units or open space. It is envisaged all the land identified in the Framework Masterplan will be needed to deliver a comprehensive development. Land uses distribution as shown on the Framework Masterplan is indicative and will require comprehensive delivery.

In addition to the Collaboration Agreement, an overarching S106 Legal Agreement, referred to as a Framework Agreement, has been prepared that sets out all the strategic infrastructure identified in the Infrastructure Delivery Plan. Sitting underneath this will be site specific S106 Legal Agreements that will secure the necessary infrastructure on a site by site basis.

Phasing

Work is being undertaken to facilitate early delivery of the West Winch Housing Access Road to enable delivery of the Growth Area. However, it is expected that an element of delivery could come forward during the next 2-5 years prior to completion of the WWHAR, some of which will be prior to the completion of the WWHAR.

The completion of the WWHAR will enable the remainder of the Growth Area to be delivered. It is anticipated that multiple sites within different parts of the Growth Area could be delivered simultaneously by different developers. This could result in delivery of anywhere between 60 to 200 homes a year over a 15-20 year period. This will be determined by market conditions.

Viability

A viability assessment of the Infrastructure Delivery Plan has been undertaken to consider whether the proposed infrastructure is deliverable and viable.

On review, having regard to the timescales assumed, information available at the time, and sensitivity testing around the assumptions applied, the viability assessment concludes that the overall proposed development is potentially capable of being viable while delivering the infrastructure and section 106 costs identified. This has been demonstrated through stress testing the base viability assumptions through sensitivity analysis and also via various scenario tests.

It is recognised that the assessment is a reflection of overall proposed housing delivery for the SEKLGA, and that individual elements of the proposed scheme will need to be considered on a site specific basis. That said the SEKLGA has the best potential to be delivered if it is considered as a whole and in a consistent manner.

12 GOVERNANCE

The Borough of King's Lynn and West Norfolk working in partnership with Norfolk County Council has a key role in enabling the delivery of the West Winch Strategic Growth Area.

Given the significant transport infrastructure that is necessary across the whole area, it's important that we enable the site to be brought to a position where:

- detailed applications for individual developments can be made (which comply with strategic requirements), and
- a mechanism to secure payments for these is in place.

The main enabling role of the Borough Council is to ensure that the necessary collaboration amongst landowners is secured to allow the growth area to come forward.

Overseeing the delivery of the activities connected to the West Winch Strategic Growth Area there is an Officer project board and a project team.

West Winch Growth Area Officer Project Board

The purpose of the Board is to oversee and coordinate the Borough Council's input into the implementation of the West Winch growth area and to ensure there is a clear, robust and transparent project and programme management process in place.

West Winch Project Team

The purpose of this operational project team is to oversee and coordinate the implementation of the West Winch Growth Area including:

- Related option agreements
- Landowner agreements
- Provision of comprehensive and consistent planning advice for planning applications

There are other important stakeholders, including Norfolk County Council, West Winch Growth Area Local Stakeholder Group and West Winch Growth Area Delivery Group.

Norfolk County Council

Norfolk County Council are leading on the delivery of the West Winch Housing Access Road. Supported by the Borough Council, Norfolk County Council, is working through a business case process with the Department for Transport with the ultimate aim of securing approximately £50m Government funding towards the West Winch Housing Access Road. In addition to this £13.5m will be provided in developer contributions towards the costs of the road and traffic calming measures through West Winch village as set out in the IDP.

West Winch Growth Area Local Stakeholder Group

This includes parish councils, landowner and developer representatives, the Neighbourhood Plan Group, and local ward members. The group is chaired by the portfolio holder for regeneration.

The purpose of the group is to:

- provide a local community perspective in relation to the West Winch Strategic Growth Area, and
- give local stakeholders and landowners opportunities to make meaningful comment and contributions on all aspects of the development, and the delivery of proposals for the growth area.

West Winch Growth Area – Delivery Group

This includes landowner and developer representatives, borough council and county council representatives, and Homes England.

The purpose of the group is to:

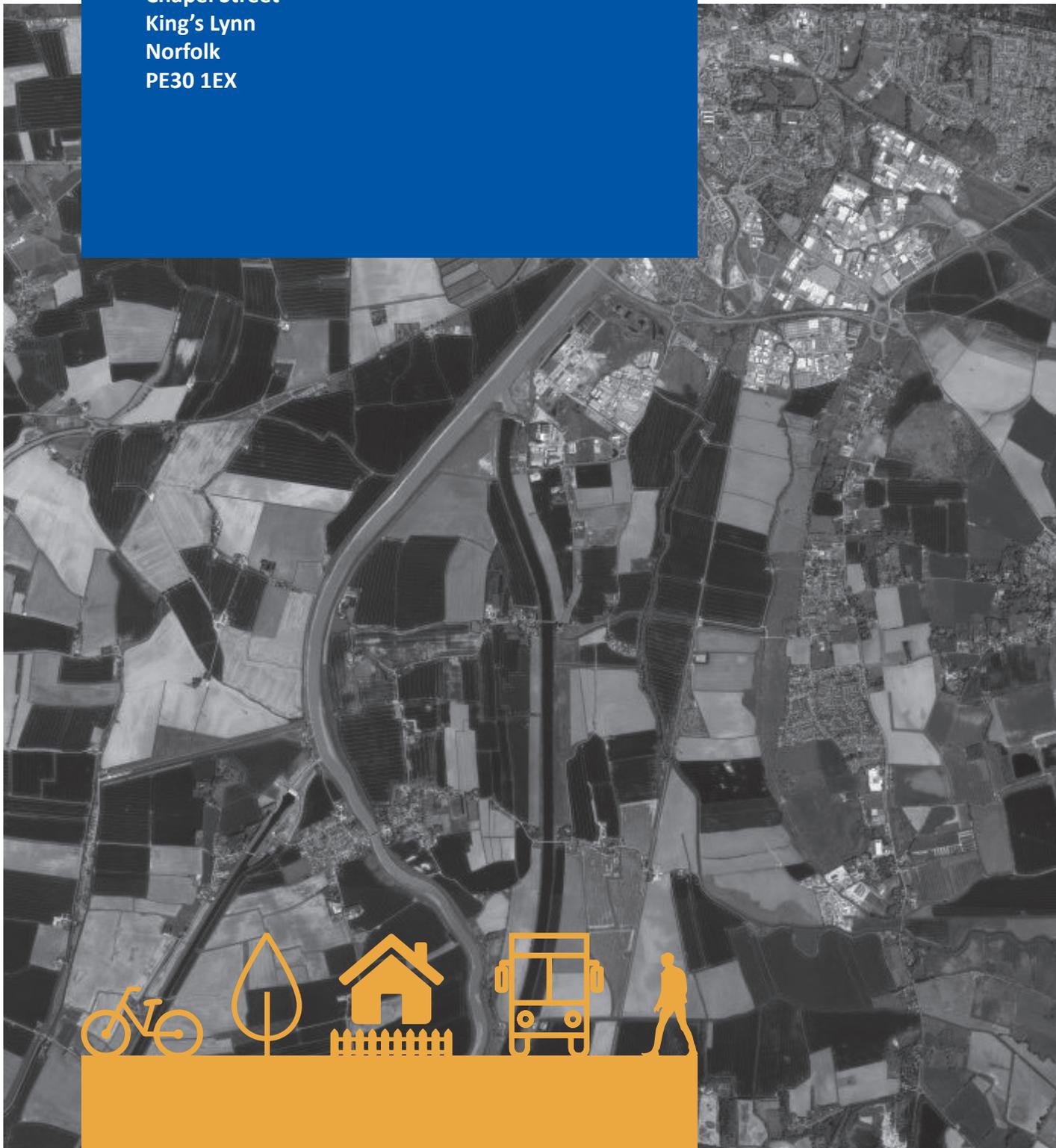
- facilitate the delivery of the West Winch Strategic Growth Area
- coordinate the development and delivery of a comprehensive development of the entire area, and
- consider associated processes for the whole growth area.



Red Line denotes Indicative Site Allocation E2.1 extents

Strategic Housing Team

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