

Guidance Notes

Introduction

Borough Council of King's Lynn and West Norfolk (BCKLWN) is obligated, under the CIL Regulations 2010 (as amended), to produce a Regulation 123 list (R123 list).

This list sets out the infrastructure projects that may benefit from CIL funding. The distribution of CIL funding is a matter for the Council to decide; the Regulations only prohibit expenditure of CIL funds on infrastructure projects that are not included on the R123 list as follows:

Provision of transport related infrastructure (roads and public transport)
Provision of library facilities
Provision of additional pre-school places at existing establishments
Provision of primary school places at existing schools
Provision of secondary, sixth form and further education places
Provision of health facilities
Provision of leisure and community facilities
Provision of 'off site' open space and public realm
Strategic green infrastructure (excluding suitable alternative natural

A project being included on the R123 List does not signify a guarantee of CIL funding. Whether a project receives CIL funding will depend on the Council's priorities at the time of the application for funding being made, and the amount of CIL funding available. The Borough Council will ensure timely release of funds when invoices are received for satisfactorily completed works.

If you require any guidance or assistance in applying for CIL funding, please contact cil@west-norfolk.gov.uk or telephone 015532 616443.

What CIL can and cannot fund

CIL Regulations state that funds must be spent on 'infrastructure necessary to support growth'.

The Planning Act 2008 provides a wide definition of infrastructure which can be funded by the levy, including (but not exclusively) transport, flood defences, schools, hospitals, other health care, social care, play areas, parks and green spaces, cultural and sports facilities, district heating schemes, police stations and other community safety facilities.

CIL can only be spent on capital projects, although associated revenue spending to maintain those capital items is also permissible.

It can be used to increase the capacity of existing infrastructure or to repair failing infrastructure if that is necessary to support development

CIL cannot be used to fund solutions to existing problems i.e. traffic calming/management or on repairs to existing infrastructure in an area that hasn't experienced housing growth.

Application process

After establishing that a project meets all the pre-application criteria, a stakeholder should submit a completed CIL Funding Application Form to the CIL Officer at BCKLWN.

Once the application has been received, it will be scored against a set criteria and passed to the CIL Spending Panel. The Panel will discuss and assess the application against the criteria. If the project meets the stated criteria and the Panel recommends approval, CIL funding will be released.

If an application is unsuccessful, the applicant will be advised why and, if appropriate, whether they should consider re-applying at a different time.

Scoring criteria

A copy of the scoring criteria and details of sources of evidence and potential match funding can be found on the BCKLWN website. Applicants are advised to consider this information before completing the Expression of Interest form.

In order to be eligible for CIL funding a project must satisfy the criteria below:

- Be necessary to support local growth
- The total cost of the project must be between £xxxx - xxxx
- Match funding and a financial contribution from the organisation submitting application must have been secured
- The project must be deliverable within 1-5 years
- If the project is highways or education related, the application must be accompanied by a letter of support from the relevant CCC department.

Eligible projects will be scored on their ability to meet the criteria set out below; extra weighting will be given to the scores awarded for good fit with the Councils infrastructure priorities.

Proposed project fit with BCKLWN Local Plan and Council Corporate Plan

The above documents set out the Council's infrastructure priorities, based on proposed housing growth across the district and in consultation with local communities:

- Does the project contribute to the delivery of the Boroughs Council's Corporate Plan?
- Does the project deliver specific objectives and policies of the BCKLWN Local Plan?
- Does the project deliver specific objectives and policies of the Norfolk Local Transport Plan (if applicable)?
- Does the project deliver specific priorities of the Norfolk Health & Wellbeing Strategy

Deliverability and funding of proposed project

Proposed projects will be considered with regard to the following criteria:

- The ability of the applicant to deliver the expected benefits on time and within budget.
- Level for financial commitment from the applicant organisation.
- The level of match funding that the project has been secured.

Prioritisation of proposed projects based level of local growth and evidence of need

The money collected from CIL can only be used to fund infrastructure projects in the area that are needed as a result of development:

- Is this project necessary to support local growth?
- Has the applicant provided evidence of need?
- Has the application provided evidence of stakeholder support (where applicable)?
- Does the project offer wider as well as local benefits?
- Does the project contribute towards the delivery of infrastructure by a provider (including the County Council) where it can be satisfactorily demonstrated that the infrastructure would not otherwise be delivered; i.e. that all other possible funding sources are insufficient?

Bids are unlikely to be successful unless it can be reasonably demonstrated that there are no other funding mechanisms or streams available that could deliver the project being proposed.