

Community Infrastructure Levy (CIL)

Instalments and
Payment in Kind Policy
February 2020



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Chapter 1: Instalments Policy

- 1.1 This Policy is produced in line with Regulation 69B of the Community Infrastructure Levy (CIL) Regulations (2010) (as amended). Under Regulation 9 of the CIL Regulations, where a site has an outline planning permission with longer term phasing plans, each separate phase of development is treated as a separate "chargeable development" and for clarification, the instalments policy will to each phase.
- 1.2 The Community Infrastructure Levy will be payable as follows:
- 1.3 Where the chargeable amount is **less than £50,000** the chargeable amount will be payable within 60 days of commencement.
- 1.4 Where the chargeable amount is **equal to or greater than £50,000 and less than £250,000** the chargeable amount will be payable over two instalments: 50% within 90 days of commencement and 50% within 180 days of commencement.
- 1.5 Where the chargeable amount is **equal to or greater than £250,000** the chargeable amount will be payable over two instalments: 25% within 90 days of commencement, 75% within 360 days of commencement.
- 1.6 This Instalments Policy will take effect on 1 April 2020.

Chapter 2: Payment in Kind Policy

- 2.1** This Policy is produced in line with Regulations 73, 73A, 73B and 74 of the Community Infrastructure Levy (CIL) Regulations (2010) (as amended).
- 2.2** In accordance with these regulations, the Council may accept one or more land and/or infrastructure payments in satisfaction of the whole or part of the CIL due in respect of a chargeable development.
- 2.3** This will be subject to the strict requirements of the CIL Regulations, including the following conditions:
- 2.4** The Council must be satisfied that the land and/or infrastructure to be paid in lieu of CIL is consistent with the Council's Infrastructure List and would be appropriate for the provision of necessary infrastructure to support the development of the District. It is entirely at the Council's discretion as to whether to accept a land and/or infrastructure payment in lieu of CIL.
- 2.5** Land and/or infrastructure payments in lieu of CIL will only take place in exceptional circumstances and is in addition to any land and/or infrastructure which may be required via section 106 agreements.
- 2.6** The chargeable development must not have commenced before a written agreement with the Council to pay part or all of the CIL amount in land and/or infrastructure has been made.
- 2.7** The person making the land and/or infrastructure payment to the charging authority must have assumed liability to pay CIL and completed the relevant CIL forms.
- 2.8** The Council may transfer the land and/or infrastructure, at no cost, to a third party for the provision of infrastructure.
- 2.9** This Payment in Kind Policy will take effect on 1 April 2020.