

TITLE	Adoption of the Community Infrastructure Levy (CIL) Charging Schedule
FOR CONSIDERATION BY	Council on 19 February 2015
WARD	None Specific
DIRECTOR	Heather Thwaites, Director Environment
LEAD MEMBER	John Kaiser, Executive Member for Planning and Highways

OUTCOME / BENEFITS TO THE COMMUNITY

To ensure that the Council can maximise infrastructure delivery to support growth in the Borough.

RECOMMENDATION

That the Executive recommendations to Council below be endorsed:

- 1) That the Examiner's recommendations be accepted by the Council;
- 2) That the Community Infrastructure Levy (CIL) Charging Schedule at Appendix A (incorporating the Examiner's recommended modifications) is adopted to come into effect for all planning applications approved on or after 6th April 2015.
- 3) That the 'Regulation 123' List of Infrastructure Projects for which CIL may be used at Appendix B is approved for publication;
- 4) That the Instalment Policy at Appendix C is approved for publication;
- 5) That the use of agreements (or other mechanism) to secure CIL in relation to mitigation measures required in order to make the development acceptable and to ensure that the Council complies with the Conservation of Habitats and Species Regulations 2010 (in relation to the requirements of the Birds and Habitats Directive) be agreed;
- 6) That the Strategic Director of Environment, in consultation with the Executive Member for Strategic Planning and Highways, is authorised to agree minor amendments to the Charging Schedule and supporting documents prior to publication to assist the clarity of the documents.

SUMMARY OF REPORT

Part 11 of the Planning Act 2008 provided for the introduction of the Community Infrastructure Levy (CIL), the detail of which is set out in the Community Infrastructure Regulations 2010 (with subsequent amendments). In the future, CIL will be a key funding source for infrastructure required to support development in the Borough. It is effectively a mandatory charge on most development, calculated on the change in net

additional floorspace (in square metres). The charge is non-negotiable in most circumstances. The CIL Regulations and CLG Guidance aim to 'scale back' the scope of Section 106 obligations to mitigating the specific impacts of a development.

The adoption of the CIL Charging Schedule will ensure that the Council can continue to secure funding for infrastructure to support development once greater limitations are placed on the use of planning obligations. Wokingham Borough Council has prepared a CIL Charging Schedule that takes into account the viability of development in the area and the infrastructure needed to support development. The Charging Schedule has been found sound by an independent Examiner (subject to some minor modifications) following two rounds of public consultation and an examination in public.

The report recommends that the CIL Charging Schedule is adopted and sets out a timetable for the Council to begin charging CIL. The report also seeks approval for a list of infrastructure projects which it is proposed will be fully or partly funded through CIL (the 'Regulation 123' List) and an instalments policy for publication.

Background

Part 11 of the Planning Act 2008 provided for the introduction of the Community Infrastructure Levy (CIL), the detail of which is set out in the Community Infrastructure Regulations 2010 (with subsequent amendments). CIL is intended to be used for general infrastructure contributions, whilst Section 106 obligations will continue for site-specific mitigation and other non-infrastructure planning obligations. CIL is effectively a mandatory charge on development, calculated on the change in net additional floorspace (in square metres), which local authorities can introduce. The charge is non-negotiable in most circumstances. It applies to development of 100 square metres or more of gross internal floorspace or the creation of one or more dwellings.

The CIL Regulations and CLG Guidance aim to 'scale back' the scope of Section 106 obligations to mitigating the specific impacts of a development. From April 2010, it has been unlawful for a planning obligation to be taken into account, as a reason for approval in granting planning permission for development, where it does not meet the tests of being 'necessary' to make development acceptable, 'directly related' to the development and 'fair and reasonably related' in scale and kind to the development. The Regulations also make it unlawful for a planning obligation to be taken into account, as a reason for approval, where obligations have been secured in respect of the same infrastructure project or type on more than four occasions since 6 April 2010. This is effectively a "pooling restriction" and any further obligations would be unlawful. This restriction will come into effect from the date of adoption of CIL or 6th April 2015, whichever is the sooner. This report proposes that the Council adopts CIL on the operative date to prevent it being affected by the 'pooling restriction'.

In order to begin charging CIL, the Council must adopt a Charging Schedule, which sets out what developers will need to pay in £ per square metre of new buildings. The Council consulted on a Preliminary Draft Charging Schedule between April and May 2013 and a Draft Charging Schedule between January and March 2014. Following the consultation on the Draft Charging Schedule, the Council submitted its Charging Schedule and supporting documents for independent examination by an Examiner. The examination was held on 19th and 20th September 2014. The Examiner concluded that subject to some modifications, the CIL Draft Charging Schedule provided an appropriate basis for the collection of the levy in the area.

Analysis of Issues

Timely delivery of high quality infrastructure is key to the delivery of the Council's vision to be "A great place to live, an even better place to do business".

In setting its CIL rates, the Council was required by the CIL Regulations to aim to strike what appears to it (based on appropriate evidence that is available to it) an appropriate balance between:

- The desirability of funding from CIL (in whole or in part) the actual and expected total cost of infrastructure to support the development of the area; and
- The potential effects (taken as a whole) of the imposition of CIL upon the economic viability of development across a charging authority's area.

This was tested through the independent examination held in September 2014. The Examiner concluded that, subject to some modifications, the Council had demonstrated that it had sufficient evidence to support the schedule and that the levy rates would be set at levels that will not put the overall development of the area, as set out in its Core Strategy, at risk. He also recognised that CIL will play a significant and positive role in securing funds for the delivery of strategic infrastructure required to support planned growth in the borough.

In summary, the modifications were:

- That the CIL charge for 'Residential Institutions and Extra Care Housing' is reduced from £100 to £60 per square metre (psm) outside of the Strategic Development Locations (SDLs).
- That 'Sheltered Housing' is defined as a development type and subject to a £150 psm CIL charge in all locations outside of the four defined Strategic Development Locations.
- That there is no CIL charge for retail development in the Arborfield Strategic Development Location.

The Council is able to decide whether or not to adopt the Charging Schedule, subject to the examiner's required modifications (included in the Charging Schedule at Appendix A). The Council is not able to make any further changes to the detail of the Charging Schedule unless it wishes to undertake further consultation and another examination.

The CIL charge applies to development of: -

- a) 100 square metres or more of gross internal floor space (net); or
- b) the creation of one or more dwellings

The CIL rates contained in the Charging Schedule (including the Examiner's modifications) are set out below:

Development Type	Charging Zone	£ per square metre
Residential Development (excluding Sheltered Housing, Extra Care Housing and Residential Institutions)	South of M4 SDL	£300
	South Wokingham SDL	£320
	North Wokingham SDL	£340
	Arborfield SDL	£365
	Rest of Borough	£365

Sheltered Housing	South of M4 SDL, South Wokingham SDL, North Wokingham SDL and Arborfield SDL	£365
	Rest of Borough	£150
Residential Institutions and Extra Care Housing	South of M4 SDL, South Wokingham SDL, North Wokingham SDL and Arborfield SDL	£100
	Rest of Borough	£60
Retail	Existing town/small town/district centres	£0
	Arborfield SDL	£0
	Rest of Borough	£50
All Other Development Types	Borough-Wide	£0

Each development type is clearly defined in the Charging Schedule (Appendix A).

CIL must be applied to developments approved after the charge comes into effect – submitting a planning application before the implementation date, for example, is not sufficient. It is recommended that the Council begins charging CIL on 6th April 2015. This will coincide with the introduction of Section 106 pooling restrictions contained in the CIL Regulations, which take effect on the same date.

The Council will have a legal obligation to monitor the following, once CIL is implemented:

- the money collected in the financial year;
- the total amount of money spent in the financial year;
- a summary of
 - what CIL has been spent on;
 - how much money has been spent on each scheme;
 - how much money has been spent to repay funds previously secured to forward fund infrastructure, including on interest payments; and
 - how much money has been spent on administrative costs;
- the money passed to town and parish councils; and
- the money that remains unspent at the end of the financial year.

Under the CIL Regulations, town and parish councils will receive 15% of the CIL collected from development in their area (capped at £100 per existing Council Tax dwelling per annum) if they do not have a Neighbourhood Plan and 25% of the CIL collected from their area (uncapped) if they do have a Neighbourhood Plan. This money must be spent on supporting the development of an area. Town and parish councils will also have a legal obligation to monitor the CIL funds received and their expenditure,

amongst other things.

Qualifying development is liable to pay CIL only if it is permitted after the Charging Schedule is in effect. The proposed Instalments Policy (Appendix C) means that the first payment of CIL becomes liable 60 days after commencement with the remaining instalments to be paid within 120 days or 360 days of commencement (depending on total liability). As such, it is unlikely that significant CIL funds will be received until at least the end of 2015/16. Work is progressing with the implementation of CIL with an officer CIL implementation project team already established. This Group will develop governance arrangements to determine how the spending of CIL should be prioritised.

Draft Regulation 123 List

The 'Regulation 123 List' is an indicative list of the infrastructure projects to which the Council intends to apply CIL. It is important because Section 106 obligations in relation to any item on the list cannot be a reason for approval at the planning stage once CIL is adopted. Consideration has been given to the scale of infrastructure proposed and whether it is appropriate to use CIL funding or seek contributions via S106 agreements. The general principle is that where a project is likely to require contributions from a large number of developments (such as a new school or major highway improvement), it should be funded by CIL. A 'Regulation 123 List' has been prepared (Appendix B), based on the identified infrastructure requirements arising from planned development in the Borough. The list will be subject to periodic review.

Suitable Alternative Natural Greenspace (SANG)

In order for the Borough Council to meet its legal duties under the Habitats Regulations, avoidance measures for the Thames Basin Heaths SPA must be covered in full either by Section 106 agreements or CIL. As the pooling restriction would apply for small developments, any CIL charging schedule must set a tariff which will realise full funding for avoidance measures in the form of Suitable Alternative Natural Greenspace (SANG) to comply with these Regulations. New residential development in Wokingham Borough can avoid impact to the Thames Basin Heaths SPA by making a financial contribution towards the provision of SANG or by development sites providing their own SANG.

Under the CIL regime, the four Strategic Development Location (SDL) sites will still be expected to directly provide on-site SANG secured through planning conditions and obligations, as appropriate. An allowance for this was made in the SDL viability modelling. For non-SDL development, it is intended that the provision of SANG in perpetuity will be funded through the CIL levy and applied to the strategic SANG at Rooks Nest Woods.

All new dwellings that are likely to affect the Thames Basin Heaths SPA (either within 5km or between 5-7km of the SPA) will also need to make payment towards Strategic Access Management & Monitoring (SAMM) and this will continue to be secured through a Section 106 agreement after the introduction of CIL (as it is not deemed to be CIL infrastructure under the Planning Act 2008). Therefore, the Council plans to insert a clause within this Section 106 agreement to the effect that the Council would normally covenant with the landowner to apply a specific amount of the CIL received from the development to relevant SANG provision. This CIL top slice for SANG would include the affordable housing element of each individual development (even though affordable housing does not itself generate CIL receipts, since it benefits from CIL relief). Natural

England has confirmed that this approach would be acceptable.

Instalments Policy

The CIL Regulations include provisions for the charging authority to operate an instalments policy to allow staged payments of CIL. This is a means of ensuring that the cashflow impacts of CIL (which would otherwise be payable in full for each phase of development within 60 days of a start on site) are minimised. The Council sought views on this as part of its consultation.

In line with other charging authorities' policies, it is proposed to allow payment by instalments with longer periods being allowed where larger amounts of CIL are payable. The proposed instalments policy is attached at Appendix C to this report.

Exceptional Relief

The CIL Regulations provide that Charging Authorities have the option to offer a process for giving relief from CIL in exceptional circumstances and where a specific scheme would be unviable if it were required to pay the levy. The guidance and regulations make it clear that this would only apply in very exceptional circumstances and where an s106 agreement was also in place and the value of this exceeds the cost of the CIL charge. In addition, any such exceptional relief must not constitute a notifiable state aid.

A Charging Authority wishing to offer exceptional circumstances relief in its area must first give notice publicly of its intention to have an exceptional circumstances policy. Given the very limited scope in the application of the relief, the practical issues involved in assessing the claims and the fact that it militates against the efficiency, clarity and certainty of operation that are the main benefits of CIL, the Council does not propose to introduce an exceptional circumstances policy at this stage.

Alternative Options

It is considered that there are limited genuine alternative options to adopting the CIL Charging Schedule. Although CIL is not a statutory requirement, authorities without a charging schedule from April 2015 will generally not be able to take into account as a reason for approval pooled contributions towards new strategic infrastructure. There is no option to amend the Charging Schedule (except for the correction of errors or procedural information) without undertaking further research, consultation and another examination.

Consultation and Engagement

Development of the Charging Schedule has included two formal stages of consultation in 2013 and 2014 and an examination in public.

Risk Management

Should the Council choose not to adopt CIL, there will be a substantial risk to the certainty and efficiency of delivery of strategic infrastructure, due to the pooling restriction. The project has a detailed risk assessment (available on request).

Sustainability and Strategic Environmental Assessment

The Council has, through consultation with English Heritage, Natural England and the Environment Agency, agreed that a Strategic Environmental Assessment of the CIL Charging Schedule was not required.

Equalities

An Equality Impact Assessment has been prepared (available on request). The conclusion is that CIL will not have an adverse impact on any particular social group. By making communities more sustainable, CIL will facilitate economic growth and liveability and so create opportunity for all.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces severe financial challenges over the coming years as a result of the austerity measures implemented by the Government and subsequent reductions to public sector funding. It is estimated that Wokingham Borough Council will be required to make budget reductions in excess of £20m over the next three years and all Executive decisions should be made in this context.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	£3,000	Yes	Revenue
Next Financial Year (Year 2)	£0	Yes	Not Applicable
Following Financial Year (Year 3)	£0	Yes	Not Applicable

Other financial information relevant to the Recommendation/Decision

Money raised through CIL is fundamental to the implementation of the Council's capital programme to provide infrastructure associated with the SDLs.

The table above sets out the specific project costs associated with adopting CIL. Most of the project costs have already been incurred through evidence gathering and the independent examination. However, the Council is still required to publish notices on the adoption of CIL in local newspapers.

The Council may use up to 5% of the CIL revenue in any year to fund the administration costs of the Levy after the first three years of operation of the charging schedule. In the first three years, the total amount of CIL that may be applied to administrative expenses incurred during those three years, and any expenses incurred before the charging schedule was published, is limited to 5% cent of CIL collected over the period of years one to three.

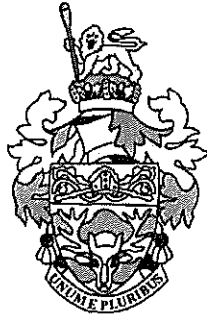
Cross-Council Implications

The Project has been overseen by a cross-service project team as CIL will impact on the future delivery of key infrastructure affecting a range of services areas, including highways and education.

List of Background Papers

Examiner's Report on the Draft Wokingham Borough Council Community Infrastructure Levy (CIL) Charging Schedule – available to download at:
<http://www.wokingham.gov.uk/planning/developers/cil/>

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**WOKINGHAM
BOROUGH COUNCIL**

**Wokingham Borough Council
Community Infrastructure Levy (CIL)**

Charging Schedule

Effective from [to be completed]

CHARGING SCHEDULE

1. Introduction

- 1.1 Wokingham Borough Council is a Charging Authority for the purposes of Part 11 of the Planning Act 2008 and may therefore charge the Community Infrastructure Levy (CIL) in respect of development in its administrative area. The Council is both the CIL Charging Authority (CA) and Collecting Authority for its administrative area.
- 1.2 The Council intends to charge the Community Infrastructure Levy in its area at the rates (expressed as pounds per square metre) shown in Table 1 below. This Charging Schedule has been issued, approved and published in accordance with the requirements of Part 11 of the Planning Act 2008 (as amended) and the Community Infrastructure Levy Regulations 2010 (as amended).
- 1.3 This Charging Schedule was approved by the Council on *(date to be inserted following approval)*.
- 1.4 This Charging Schedule comes into effect on *(date to be inserted following approval)*.

2. CIL Liability

- 2.1. The Council will calculate the amount of CIL payable in respect of a chargeable development in accordance with Regulation 40 of the Community Infrastructure Levy Regulations 2010 (as amended).

3. CIL Charging Rates

- 3.1. CIL is levied in £s (pounds sterling) per square metre on net additional increase in floor space for qualifying development in accordance with the provisions of the Community Infrastructure Levy Regulations 2010 (as amended). The CIL rates charged by Wokingham Borough Council are set out in the Table 1 below:

Table 1: CIL Rates		
Development Type	Charging Zone	£ per square metre
Residential Development (excluding Sheltered Housing, Extra Care Housing and Residential Institutions)	South of M4 SDL	£300
	South Wokingham SDL	£320
	North Wokingham SDL	£340
	Arborfield SDL	£365
	Rest of Borough	£365
Sheltered Housing	South of M4 SDL, South Wokingham SDL, North Wokingham SDL and Arborfield SDL	£365
	Rest of Borough	£150
Residential Institutions and Extra Care Housing	South of M4 SDL, South Wokingham SDL, North Wokingham SDL and Arborfield SDL	£100
	Rest of Borough	£60
Retail	Existing town/small town/district centres	£0
	Arborfield SDL	£0
	Rest of Borough	£50
All Other Development Types	Borough-Wide	£0

- 3.2. For the purposes of assessing liability for CIL, the Council defines “Sheltered Housing” as “self-contained accommodation for older people, people with disabilities and/or other vulnerable groups which include some shared/communal facilities and where a degree of support is offered”.
- 3.3. For the purposes of assessing liability for CIL, the Council defines “Extra Care Housing” as “purpose built accommodation in which varying amounts of care and

support can be offered and where some services and facilities are shared (including a minimum of 30% of GIA provided as communal facilities).” This is based on the definition contained in the Extra Care Housing Toolkit published by the Care Services Improvement Partnership, but expanded to include further detail on communal floor areas.

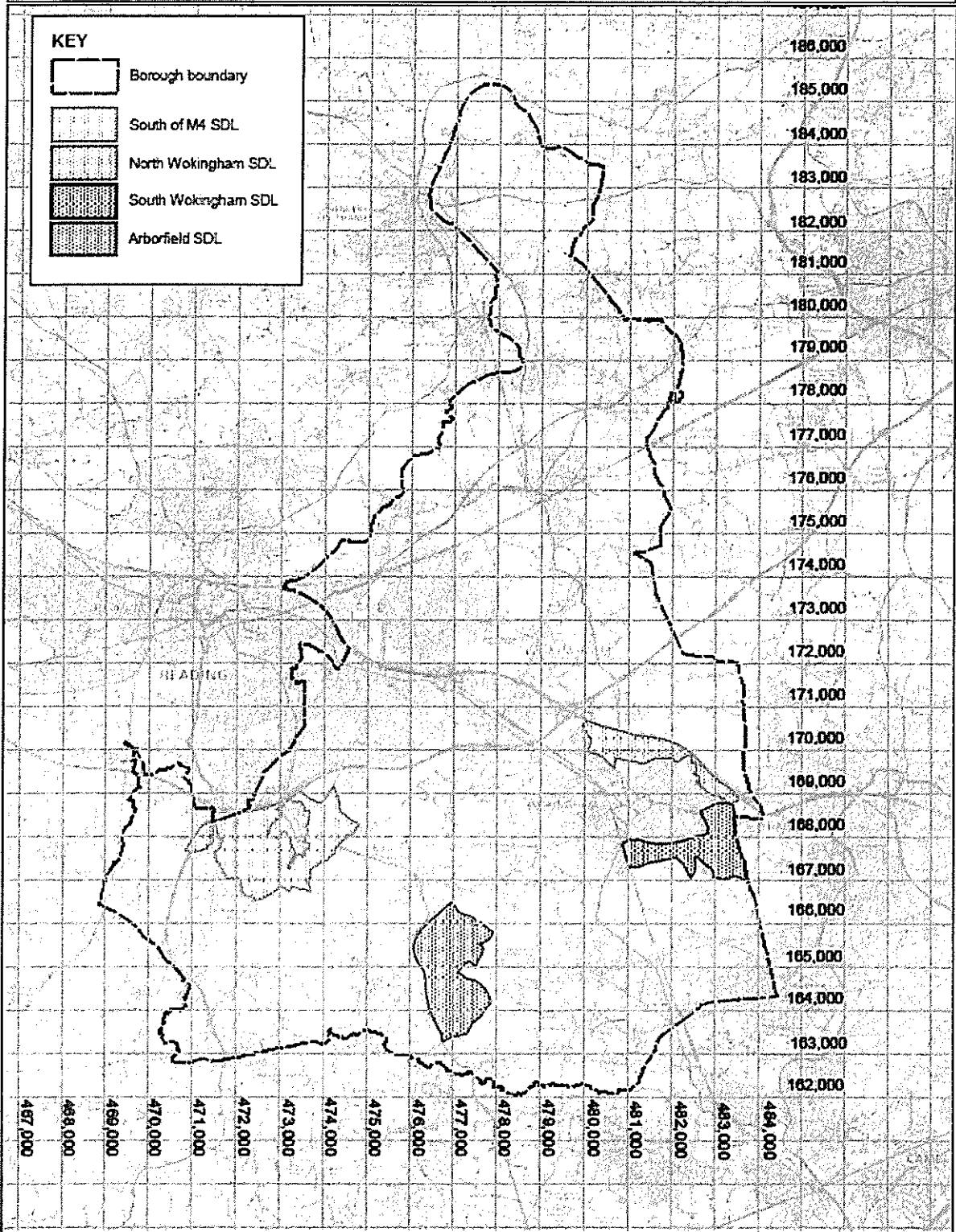
- 3.4. The Borough Boundary and Strategic Development Locations (SDLs) (Figure 1) as well as the Existing town/small town/district centres (Figures 2 and 2a - 2f) are shown on the Ordnance Survey Map extracts contained at the end of this Charging Schedule.

4. Calculation of the CIL charge

- 4.1. CIL charges will be calculated in accordance with Regulation 40 of the Community Infrastructure Levy Regulations 2010 as amended by Regulation 7 of the Community Infrastructure Levy (Amendment) Regulations 2011 and Regulation 6 of the Community Infrastructure Levy (Amendment) Regulations 2012 (or any subsequent amendments to these Regulations as may apply from time to time whilst this Charging Schedule is in effect).

COMMUNITY INFRASTRUCTURE LEVY

Figure 1 Strategic Development Locations



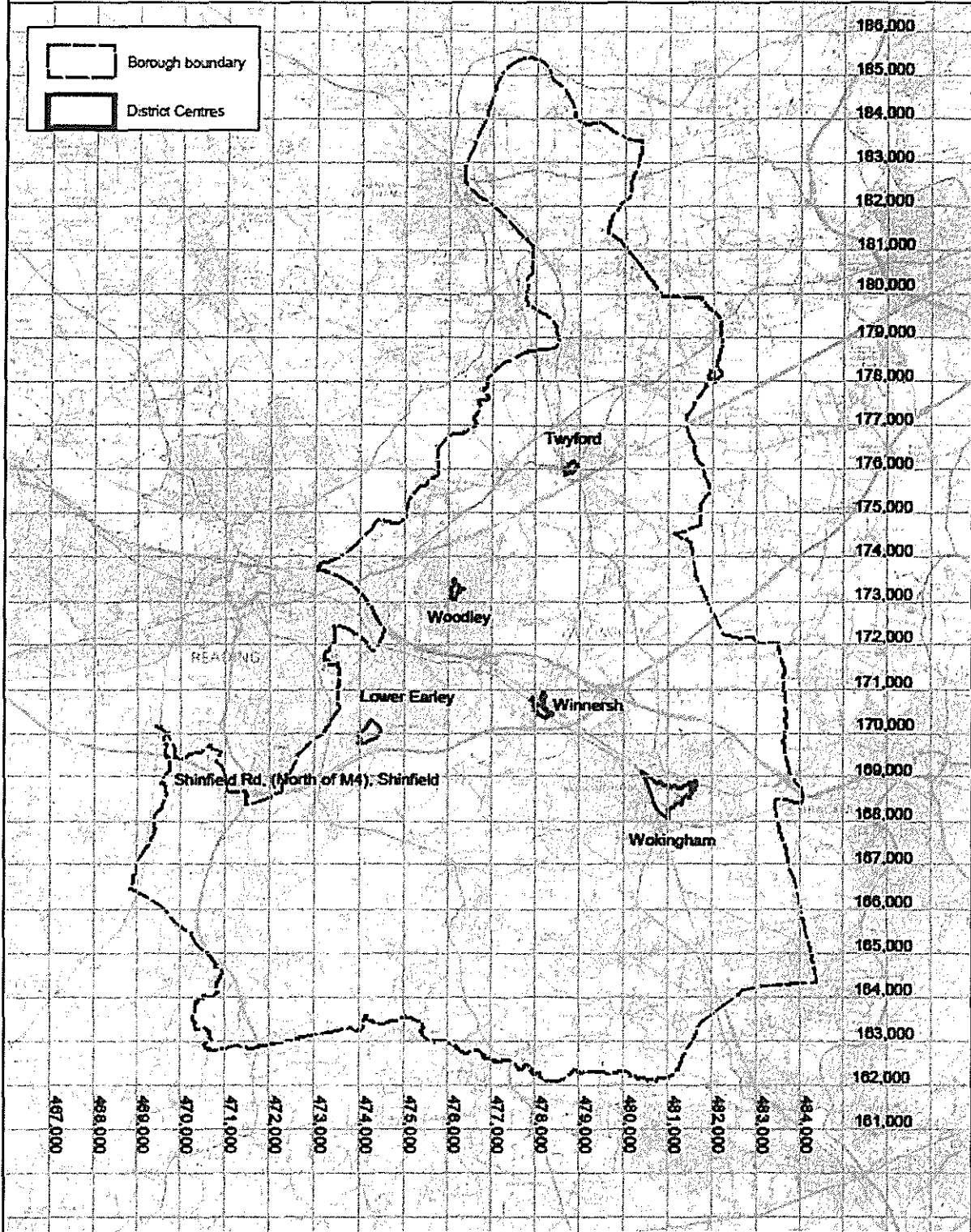
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COMMUNITY INFRASTRUCTURE LEVY
Figure 2 Existing town/small town/district centres



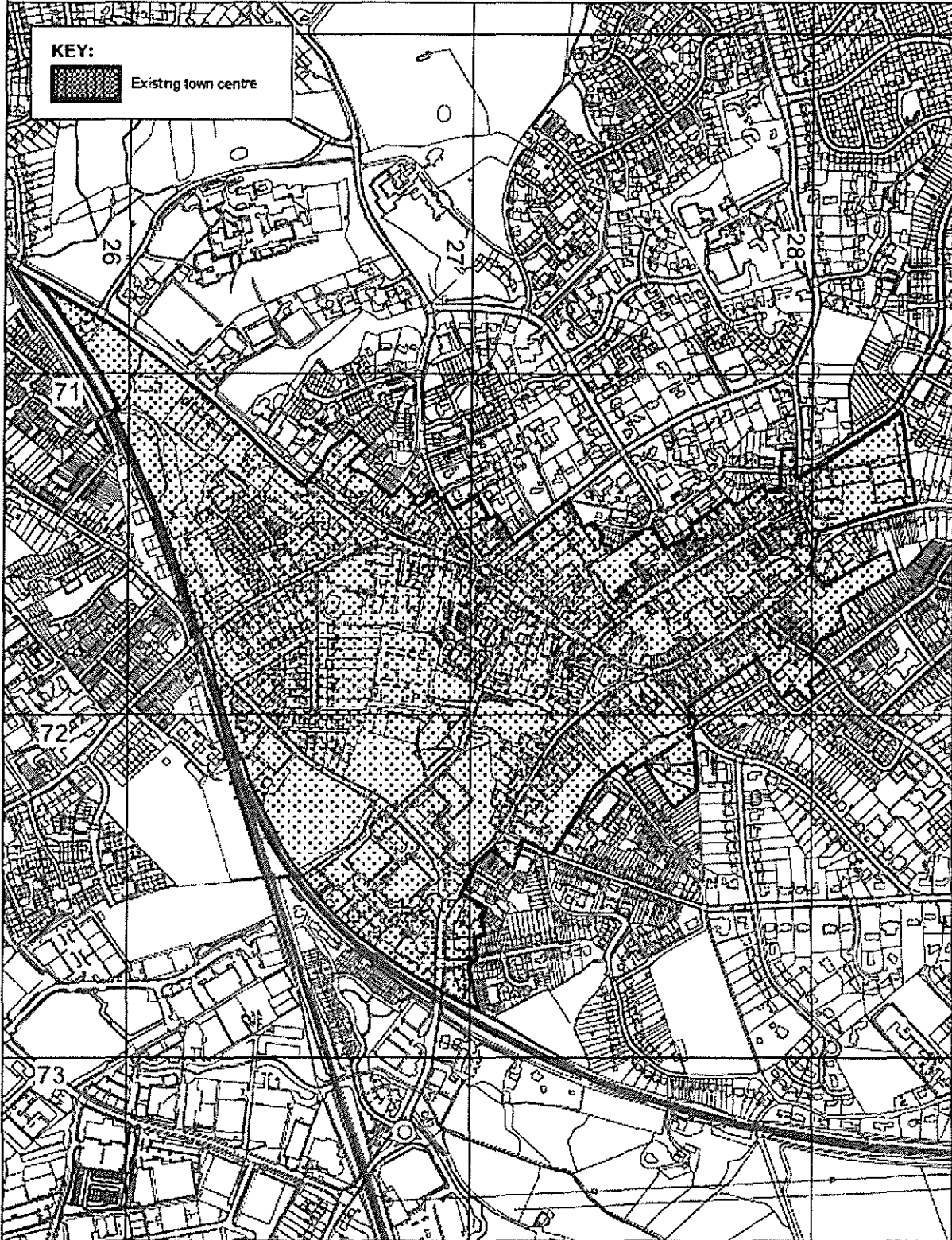
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COMMUNITY INFRASTRUCTURE LEVY

Figure 2(a) - Defined Wokingham Town Centre



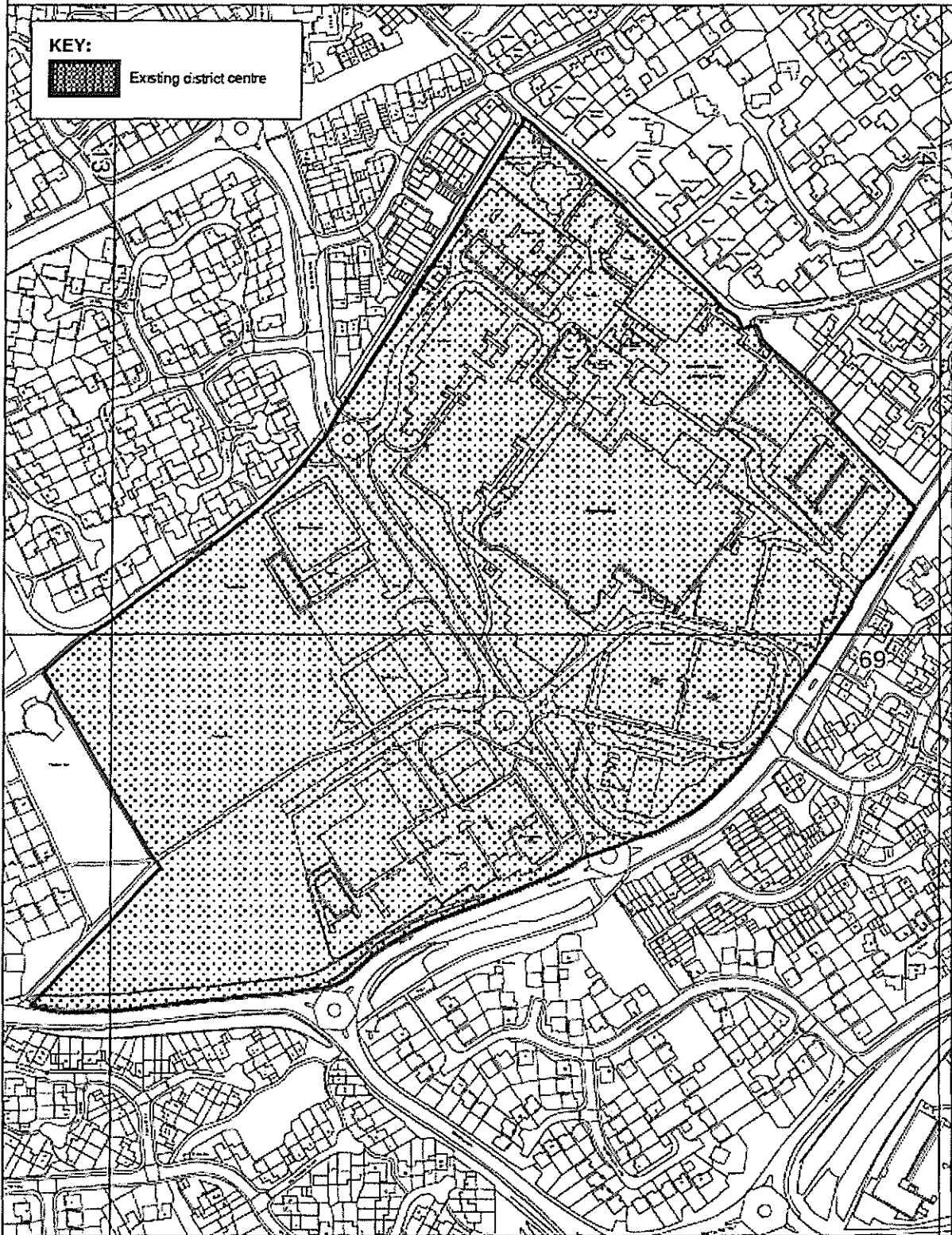
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COMMUNITY INFRASTRUCTURE LEVY
Figure 2(b) - Defined Lower Earley District Centre



KEY:



Existing district centre



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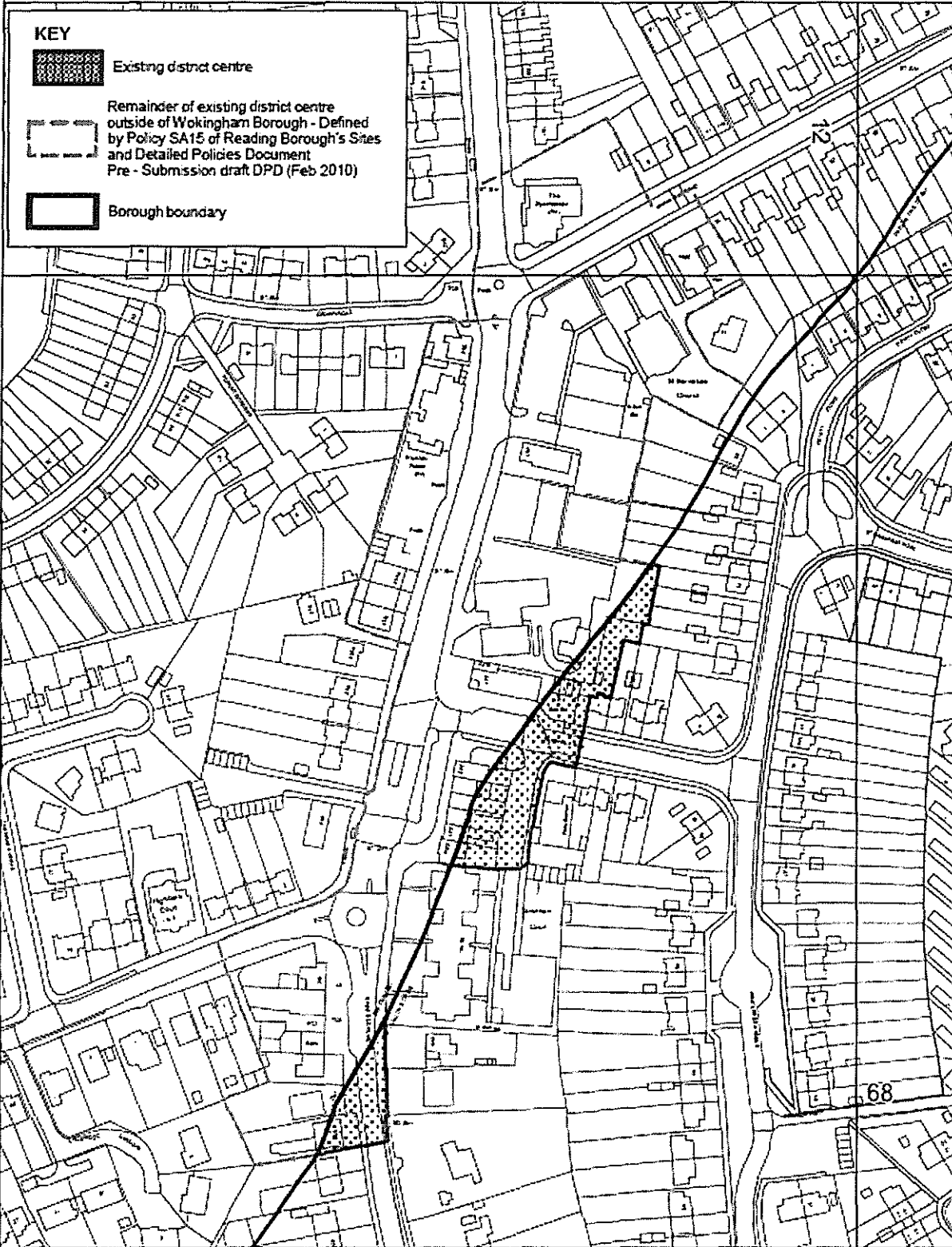
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COMMUNITY INFRASTRUCTURE LEVY

Figure 2(c) - Defined Shinfield Road District Centre, Shinfield North



KEY



Existing district centre



Remainder of existing district centre
outside of Wokingham Borough - Defined
by Policy SA15 of Reading Borough's Sites
and Detailed Policies Document
Pre - Submission draft DPD (Feb 2010)



Borough boundary



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Scale 1:1800 at A4

COMMUNITY INFRASTRUCTURE LEVY
Figure 2(e) - Existing Winnersh Village Centre



KEY:
Existing village centre

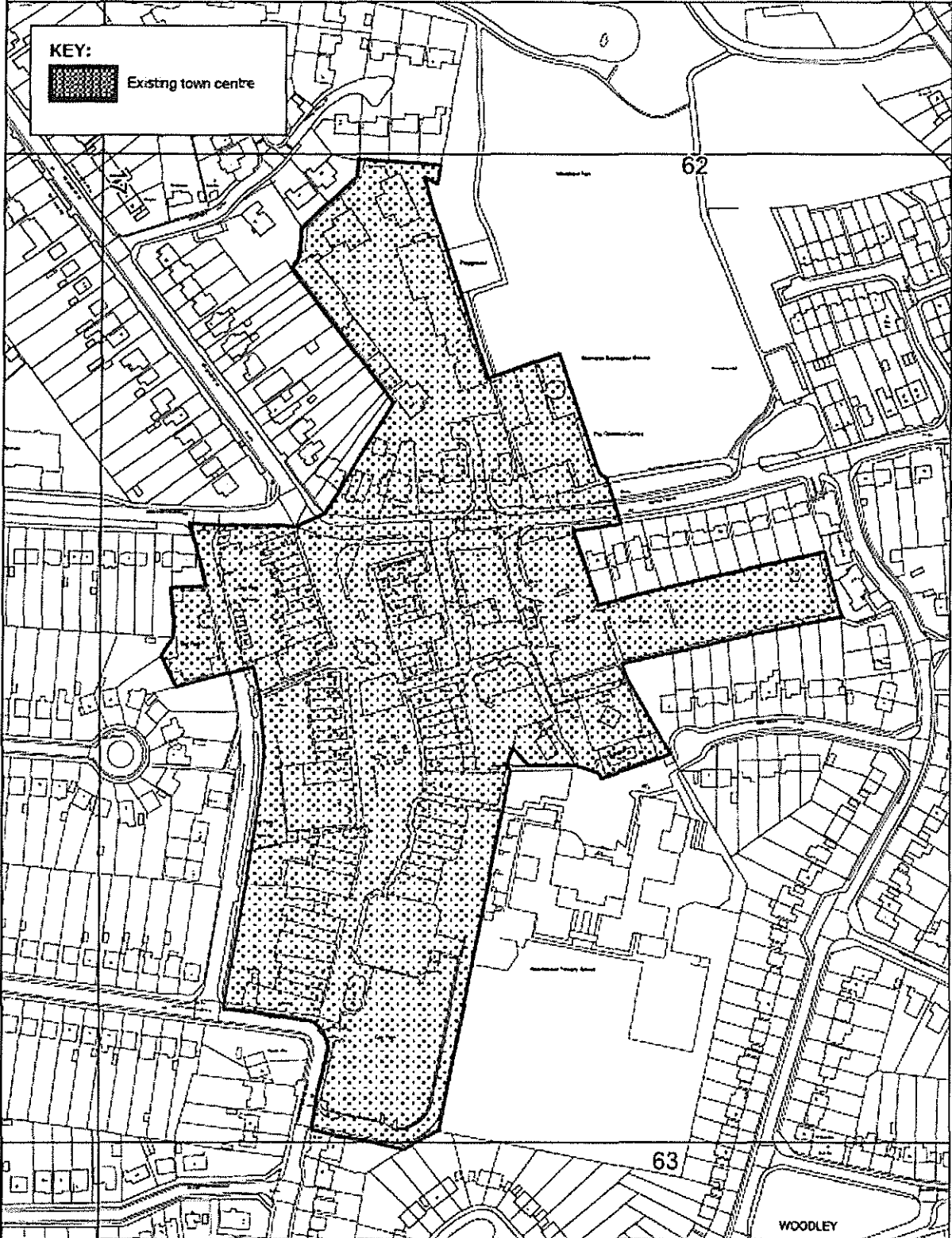


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Scale 1:3,250 at A4

COMMUNITY INFRASTRUCTURE LVEY

Figure 2(f) - Defined Woodley Town Centre

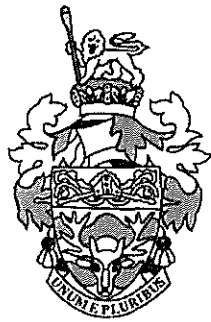


KEY:
Existing town centre



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**WOKINGHAM
BOROUGH COUNCIL**

Community Infrastructure Levy (CIL) Regulation 123 List

Infrastructure to be delivered partly or wholly by CIL

February 2015

Wokingham Borough Council Community Infrastructure Levy (CIL)

Regulation 123 List

Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended) (CIL) prevents the local planning authority from taking into account as a reason for granting planning permission certain planning obligations for infrastructure that will be funded in whole or part by CIL.

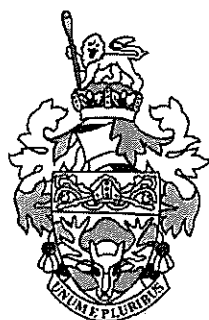
The list does not signify a commitment by the Council to deliver the project, nor does it indicate any priority. The list will be subject to periodic review.

Infrastructure Type or Project	Exclusions*
<p><u>Suitable Alternative Natural Greenspace (SANG)</u></p> <p>Provision and ongoing maintenance in perpetuity of SANG (part of Thames Basin Heaths Special Protection Area (TBHSPA) Avoidance and Mitigation measures) at Rooks Nest Woods</p>	<p>On-site and off-site delivery of SANG (in accordance with the TBHSPA Avoidance and Mitigation Strategy, necessary to meet the requirements of the Habitat Regulations) in connection with the following Strategic Development Location (SDL) sites:</p> <ul style="list-style-type: none"> • North Wokingham SDL • South Wokingham SDL • South of M4 SDL • Arborfield SDL <p>SPA-wide Strategic Access and Management Monitoring (SAMM) (N.B. This item is not considered to fall within the definition of infrastructure and will continue to be secured through legal agreements).</p>
<p><u>Transport</u></p> <p>The following Local Road Network capacity improvements:</p> <ul style="list-style-type: none"> • Improvements along the A329 • Winnersh Relief Road • North Wokingham Distributor Road • Improvements to Coppid Beech Roundabout • South Wokingham Distributor Road (including Road over Rail Bridge) • Replacement railway bridges on the A321 Finchampstead Road • Improvements along A321 • Arborfield Cross Relief Road 	<p>The delivery of enabling works, including site access junctions for a development and roads within an application phase red line.</p> <p>Travel Plans</p> <p>Land for Provision on the SDLs</p>

<ul style="list-style-type: none"> • Nine Mile Ride Extension • Barkham Bridge Improvement • Improvements along the A327 • Shinfield Eastern Relief Road • A329(M) - M4 J10 to Coppid Beech improvement • Corridor Improvements <p>Strategic Road Network improvements outside the Borough.</p> <p>Public Rights of Way and Cycle Network improvements, including:</p> <ul style="list-style-type: none"> • Four footbridges over the Waterloo Line • Greenways Network <p>Public Transport Network improvements, including:</p> <ul style="list-style-type: none"> • Thames Valley Park, Eastern Expressway <p>The following improvements to Parking Provision (including Park and Ride):</p> <ul style="list-style-type: none"> • Park & Ride near the Coppid Beech roundabout • Carnival Pool Car Park Expansion • Thames Valley Park, Park and Ride 	
<p><u>Education</u></p> <p>Nursery Schools</p> <p>Primary and Secondary Education</p> <p>Further and Higher Education</p> <p>Special Educational Needs Provision</p>	<p>Land for Provision on the SDLs</p>
<p><u>Green Infrastructure</u></p> <p>Allotments and Community Gardens</p> <p>Biodiversity Projects</p>	<p>Amenity open space and play areas in connection with the following Strategic Development Location (SDL) sites:</p>

Amenity Open Space and Play Areas Cemeteries and Churchyards Outdoor Sport Facilities Country Parks	<ul style="list-style-type: none"> • North Wokingham SDL • South Wokingham SDL • South of M4 SDL • Arborfield SDL Land for Provision on the SDLs
<u>Community/Social Infrastructure</u> Community Centres/Halls Libraries Indoor Sports Facilities Culture and Heritage	Land for Provision on the SDLs
<u>Public Services</u> Emergency Services facilities and equipment Health centres/GP surgeries	Fire Hydrants

*Exclusions: projects identified in this column are expected to be delivered in kind or by developer contributions, secured through Section 106 agreements.



WOKINGHAM
BOROUGH COUNCIL

Community Infrastructure Levy (CIL) Instalment Policy

February 2015

Community Infrastructure Levy

Instalments Policy

This policy is made in line with regulation 69B of the Community Infrastructure Levy (Amendment) Regulations 2011 and 2012. Wokingham Borough Council will allow the payment of CIL by instalments as outlined in points 1 and 2 below.

1. Where the chargeable amount is less than £250,000 the chargeable amount will be required as per the following two instalments:

1st instalment	2nd instalment
50% within 60 days of commencement	50% within 120 days of commencement

2. Where the chargeable amount is equal or more than £250,000 the chargeable amount will be required as per the following four instalments:

1st instalment	2nd instalment	3rd instalment	4th instalment
25% within 60 days of commencement	25% within 150 days of commencement	25% within 240 days of commencement	25% within 360 days of commencement

Notes:

N1: When the council grants an outline planning permission which permits development to be implemented in phases, each phase of the development is a separate chargeable development and the instalment policy will apply to each separate phase.

N2: In calculating individual charges for the levy, the council will be required by the Regulations to apply an index of inflation to keep the levy responsive to market conditions. The index will be the national All-In Tender Price Index of construction costs published by the Building Cost Information Service of The Royal Institution of Chartered Surveyors.

N3: "Days" should be interpreted as calendar days, as opposed to working days.

N4: Commencement will be taken to be the date advised by the developer in the commencement notice under CIL Regulation 67.