

INFRASTRUCTURE OVERVIEW & SCRUTINY PANEL

TUESDAY, 16TH JUNE, 2020

At 6.15 pm

in the

VIRTUAL MEETING - ONLINE ACCESS, YOUTUBE

SUPPLEMENTARY AGENDA

PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
7.	<u>CIL REVIEW - PROGRESS UPDATE REPORT</u> To receive training as part of the Community Infrastructure Levy review.	1 - 22

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Community Infrastructure Levy

Briefing for Infrastructure O&S Panel

What is CIL?

Introduced to simplify system of developer contributions

Provide greater certainty for developers and councils

Support delivery of strategic infrastructure

Has been amended almost every year since regulations started



Who pays CIL?

Development over 100 sq m

Exemptions and relief for:

- Existing floor area
- Self build homes and extensions
- Affordable housing
- Charitable exemptions



Relationship with S106

Originally intended to replace S106

Substantially reduced scope of S106

Regulations formalised tests for S106

- Necessary to make development acceptable in planning terms
- Directly related to the development
- Fairly and reasonably related in scale and kind

Removal of 'pooling restrictions' has increased flexibility



How is CIL introduced?

Requires consultation and public examination

Charging authority produces evidence to support charges

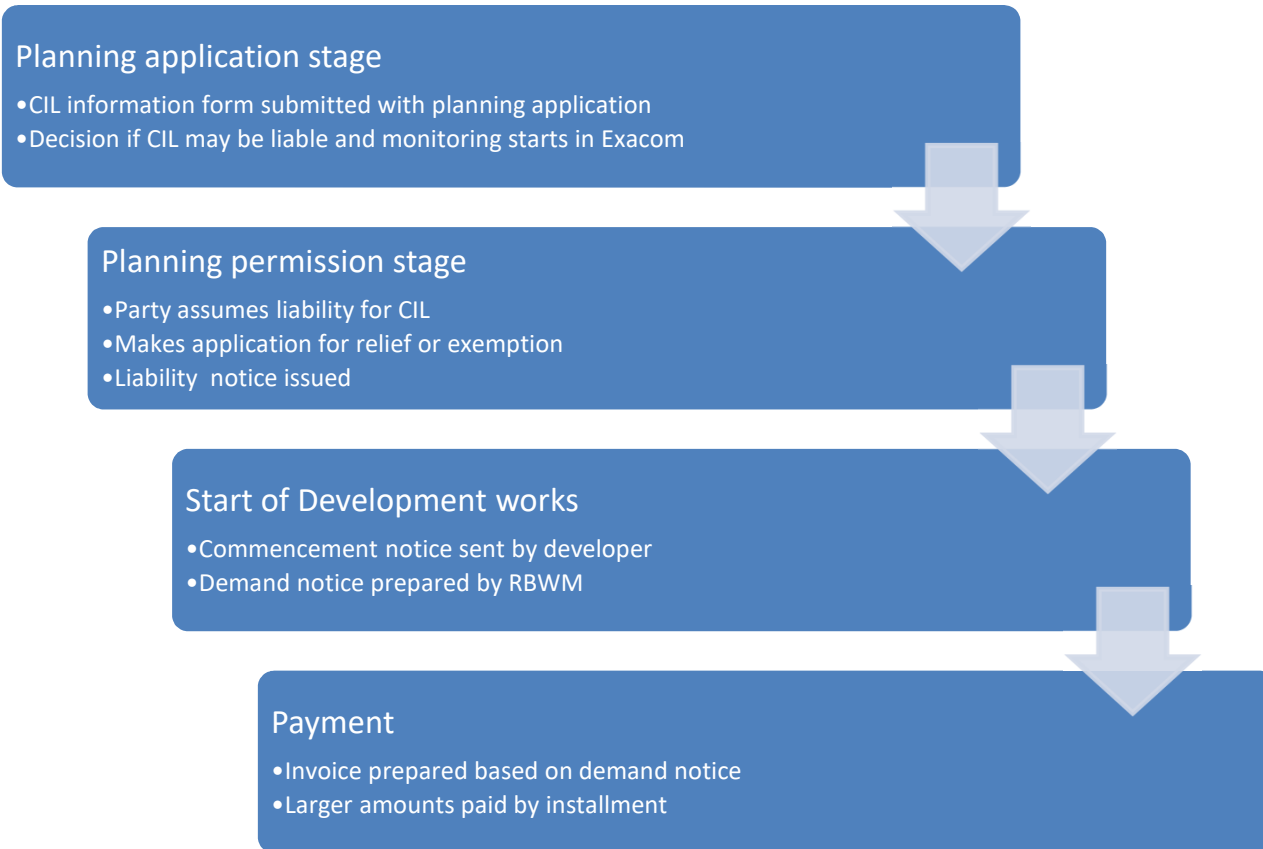
Includes consideration of viability of development

Normally considered alongside a Local Plan



CIL Process

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CIL Forms (1)

Additional information requirement form

This form sets out the floor areas of the development including any demolition to be used in the calculation of the CIL and should be submitted with the planning application.

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Assumption of Liability

This form is used to assume liability for the payment of CIL. It also needs to be completed to support a claim for relief or exemption, including self-build exemption



CIL Forms (3)

Withdrawal of assumption of liability

This form is used when you have assumed liability to pay CIL but will no longer be the party making the payment.

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Transfer of assumed liability

This form is used to transfer the responsibility for payment CIL between parties. It should be used if the person who assumed liability using Form 1 will no longer be payment CIL, but has agreed with another party that they will be paying.



CIL Forms (4)

Notice of Chargeable development

This form is used to give the Council as the charging authority notice of work that may be liable for CIL being carried out under General Consent / Permitted Development rights.



CIL Forms (5)

Commencement Notice

This form is used to give the Council notice that a development with a CIL liability is starting on site. This needs to be submitted even if an exemption from CIL is granted. Failure to submit prior to commencement can lead to a loss of exemptions and the ability to pay by installments. You must receive an acknowledgement from the Council that the commencement notice has been received before you commence.



CIL Forms (6)

Self build exemption claim part 1 and 2

Part 1 is used to make a claim for self building exemption when you are constructing a new dwelling and it is to be your primary residence on completion for at least three years. This exemption must be applied for prior to commencing on site and you must assume liability for paying CIL.

Part 2 should be used when self build exemption has been granted for a new dwelling. It should be submitted within six months of completion accompanied by the supporting evidence set out in the form.

CIL Forms (7)

Self build residential annex exemption claim

This form should be used to claim for self build exemption when the work being carried out is the creation of a residential annex, to be used as ancillary accommodation to the main dwelling.

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Self residential extension exemption claim

This form should be used to claim for self build exemption when the work being carried out is a domestic extension which has a gross internal floor area of more than 100 square metres



RBWM CIL

Introduced in September 2016

Focused mainly on residential development

Three zones

- Maidenhead Town Centre
- Maidenhead Urban Area
- Rest of the borough



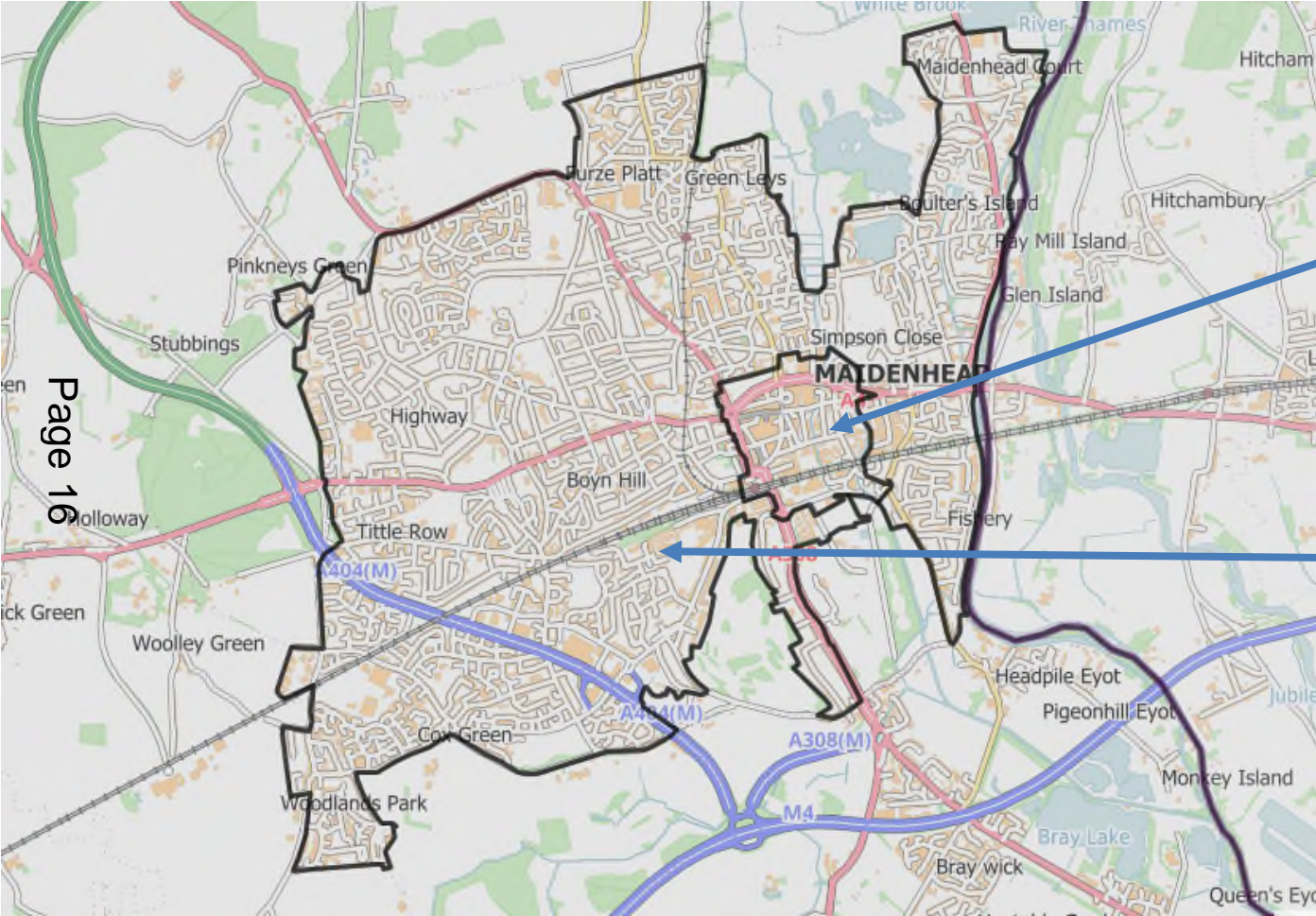
Charging schedule

Development type	Zone	Charge (per m ²)
Residential	Maidenhead Town Centre	£0
	Maidenhead urban area	£100
	Rest of the borough	£240
Retail	Borough-wide retail warehouses	£150
	Borough-wide other retail	£0
Office	Borough wide	£0

Figures shown are for 2016 and charges are indexed to current year



Charging zones



Town Centre

Urban area



Instalment policy

Amount due	Instalments	Schedule
Less than £50,000	1	100% within 60 days
£50,000-£150,000	2	25% within 60 days 75% within 120 days
£150,000-£500,000	3	25% within 60 days 25% within 120 days 50% within 180 days
£500,000-£1,000,000	4	25% within 60 days 25% within 180 days 25% within 240 days 25% within 360 days
More than £1,000,000	5	25% within 90 days 25% within 240 days 25% within 450 days 25% within 720 days

Allocation of CIL (1)

CIL payments are split between three pots.

Up to **5%** can be set aside to cover **administration costs**

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A **Neighbourhood portion** of **15%** (or **25%** where there is an adopted Neighbourhood Plan) which is transferred to the Parish Council and must be spent locally.

The remaining **70-80%** is held by RBWM for borough-wide priorities.

Allocation of CIL (2)

The levy can be used to fund a wide range of infrastructure, including transport, flood defences, schools, hospitals, and other health and social care facilities.

This definition allows the levy to be used to fund a very broad range of facilities such as play areas, open spaces, parks and green spaces, cultural and sports facilities, healthcare facilities, academies and free schools, district heating schemes and police stations and other community safety facilities.



Allocation of CIL (3)

The neighbourhood portion of the levy can be spent on a wider range of things than the rest of the levy, provided that it meets the requirement to ‘support the development of the area’

The wider definition means that the neighbourhood portion can be spent on things other than infrastructure provided it is concerned with addressing the demands that development places on the parish’s area.



Allocation of CIL (4)

Estimated of income at £2million- £3million per year which is used to support the council's capital programme.

Cabinet agreed the principles of how CIL funding would be allocated. Funding will be allocated based on the following principles

- Enable delivery of the IDP
- Delivery of Council's Strategic Objectives or Policies
- Ability to leverage other funding
- Offer local benefits and have local support
- Have a clear delivery and ongoing maintenance plan



Any questions?

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www.rbwm.gov.uk



Royal Borough
of Windsor &
Maidenhead

