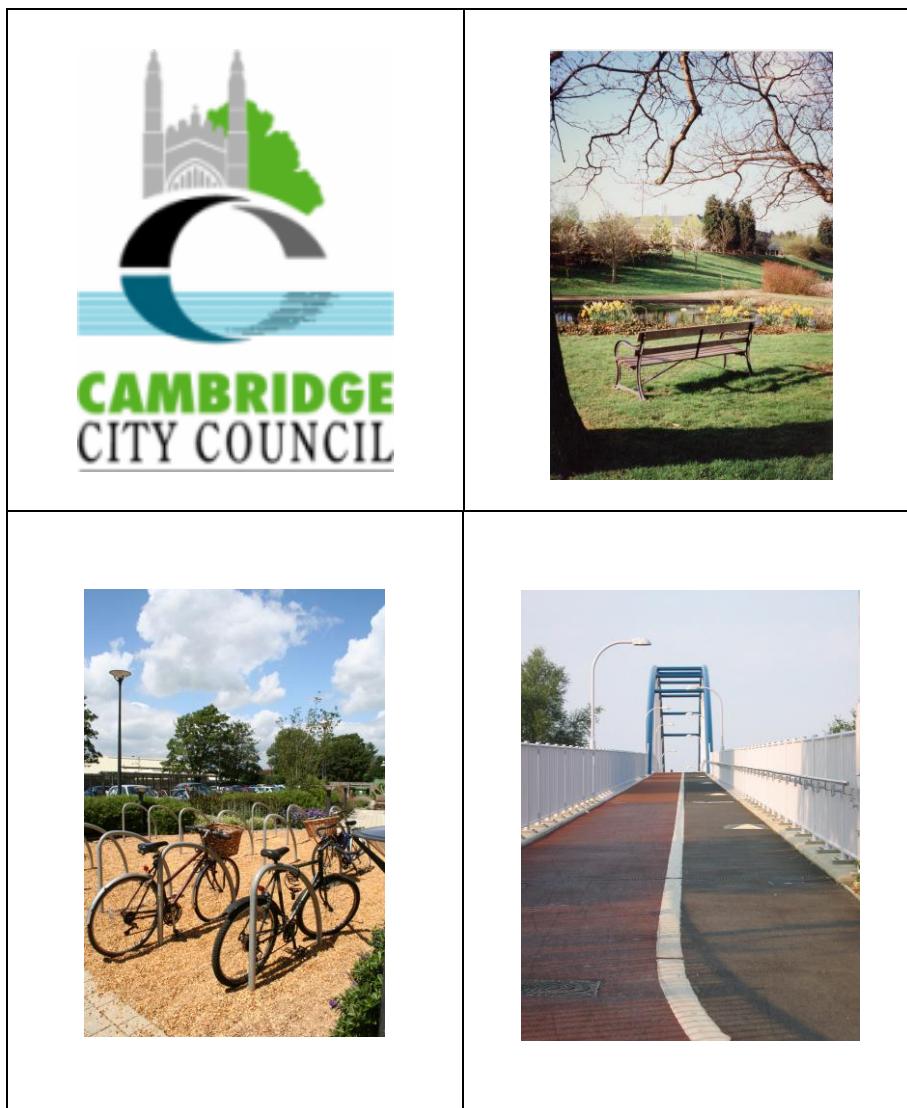


Cambridge Community Infrastructure Levy



Draft CIL Charging Schedule and Supporting Information – Consultation Document **Draft Version**

October 2013

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1. INTRODUCTION

1.1 BACKGROUND

1.1.1 This consultation sets out Cambridge City Council's progress to date with the introduction of a Community Infrastructure Levy (CIL) and produces the Cambridge Draft Charging Schedule for consultation.

1.1.2 The CIL regulations 2010¹ (as amended) and statutory guidance², give guidance to councils implementing the levy. Before a CIL Charging Schedule is adopted it must go through two formal rounds of consultation followed by an independent examination.

1.1.3 The first formal round of consultation, the Preliminary Draft Charging Schedule (PDCS), took place between 18th March 2013 and 29th April 2013. A total of 70 representations were received from 22 respondents. A complete list of respondents, the full consultation responses and a detailed assessment of the responses can be found in the background documents in the CIL pages of the Council's website. These representations have provided the basis for the development of the Council's Draft Charging Schedule, which is now the subject of a second formal round of consultation.

1.1.4 The Draft Charging Schedule is set out in Chapter Four. The rest of the document provides background to the Charging Schedule, drawing on supporting evidence, and deals with a number of issues related to the governance and implementation of the levy.

1.1.5 In order to respond to the comments on the Preliminary Draft Charging Schedule and to reflect updated evidence the Council is now publishing:

- This Cambridge Draft CIL Charging Schedule;
- A Statement of Consultation;
- A Regulation 16 Statement of Representations Procedures
- A statement on how Section 106 policies will be varied after the introduction of CIL;
- A Draft Regulation 123 list; and,
- A Draft Instalments Policy.

1.1.6 Cambridge City Council has set a timetable to adopt CIL by early 2015. Table 1 below outlines the key stages and timetable for adoption of CIL:

¹ The Community Infrastructure Regulations 2010, Statutory Instruments 2010 No. 948, <http://www.legislation.gov.uk/ukxi/2010/948/contents/made>

² DCLG, CIL Guidance, April 2013

Table 1: CIL Timetable

Stage	Date
CIL Preliminary Draft Charging Schedule Consultation	18 th March 2013 – 29 th April 2013
Environment Scrutiny to publish Draft Charging Schedule	8 th October 2013
CIL Draft Charging Schedule Consultation	28 th October to 9 th December
Submission of Draft Charging Schedule to Planning Inspectorate for Examination in Public	March 2014 (same time as Local Plan)
CIL Examination	March – September 2014 (Same time as Local Plan)
Inspectors Report	October 2014
Adoption (subject to Inspectors Report)	Late 2014
Commencement of CIL	1 st April 2015

1.1.7 Details on how to comment on this consultation can be found in Chapter 6.

2. CONTEXT

2.1 WHAT IS CIL?

- 2.1.1. The Community Infrastructure Levy is a charge that local authorities can levy on all new development in their area to fund infrastructure improvements. It was first introduced in April 2010 and is now a major plank of the localism agenda whereby statutory provisions provide for an end to tariff based approaches to planning obligations (Section 106 Agreements), such as that currently operated by the Council, by April 2014. The CIL Regulations have been amended three times, in 2011³, 2012⁴ and 2013⁵, and further regulation will be forthcoming in late 2013 based on a CIL reforms consultation held between April 15th and May 28th 2013⁶.
- 2.1.2. The CIL will be run in parallel with, and partly replace, the existing process of planning obligations known as 'Section 106' agreements. Planning obligations will continue to be used alongside CIL to provide on-site infrastructure requirements and affordable housing. CIL breaks the link between developer funding and the development site. CIL funds once collected will be spent on an approved list of infrastructure to support development in the area.
- 2.1.3. Funds raised through the CIL will be used to help pay for a wide range of community infrastructure required to support the needs of sustainable development. The CIL will not fund 100% of the costs of the infrastructure requirements and will therefore only ever be one element in a range of potential funding sources that need to be used to ensure that community infrastructure is effectively delivered.

2.2 WHAT DEVELOPMENT IS LIABLE FOR CIL?

- 2.2.1 CIL is chargeable on new build floorspace only. Liability to pay CIL arises when, on completion of the development, the gross internal area of new build is 100 square metres or above. The development of any new dwelling, even if it is less than 100 square metres, is also liable to pay CIL. The levy is chargeable on the basis of a calculation related to pounds (£) per square metre (sq m) on net additional floorspace. Existing floorspace that has been in legal use within a period of six months prior to planning permission being granted is not liable for CIL.
- 2.2.2 CIL will not be charged on changes of use that do not involve new additional floorspace or on structures which people do not normally go into (or do so only intermittently for the

³ The Community Infrastructure Levy (Amendment) Regulations 2011, SI 2011 No. 987, <http://www.legislation.gov.uk/uksi/2011/987/contents/made>

⁴ The Community Infrastructure Levy (Amendment) Regulations 2012, SI 2012 No.2975, <http://www.legislation.gov.uk/uksi/2012/2975/contents/made>

⁵ The Community Infrastructure Levy (Amendment) Regulations 2013, SI 2013 No.982, <http://www.legislation.gov.uk/uksi/2013/982/contents/made>

⁶ DCLG, Consultation on Community Infrastructure Levy Further Reforms, April 2013, <https://www.gov.uk/government/consultations/community-infrastructure-levy-further-reforms>

purpose of inspecting or maintaining fixed plant or machinery). Affordable housing development and the majority of development by charities is exempt from the charge.

2.2.3 The Draft Charging Schedule (Chapter 4) sets out details of the types of development on which it is proposed to introduce a levy. In summary, it is proposed to place a CIL charge on residential development, retail development and student housing development in the Cambridge City Council area.

2.3 WHAT ARE THE BENEFITS OF SETTING A CIL?

2.3.1 Most development has some form of impact on the infrastructure needs of an area and, as such, it is fair that the development contributes towards the cost of those needs. Those needs could be environmental, social and/or economic in nature. The proceeds of CIL will be spent on local infrastructure required to support the development of the area. The key benefits of a CIL are:

- Local communities will benefit from improved services as the money raised can be spent on a wide range of infrastructure;
- Developers and landowners will be able to determine more transparently, and at an early stage, the level of contributions they are required to make towards infrastructure provision;
- CIL will reduce the need for protracted planning obligations negotiations; and,
- The CIL Regulations provide for an end to tariff based approaches to planning obligations (Section 106 Agreements), such as that currently operated by the Council by April 2014 (The latest government consultation on amendments to the CIL Regulations suggest moving that date to April 2015). If the Council did not introduce CIL there would be a significant loss of funding for infrastructure.

2.4 WHAT CAN CIL BE SPENT ON?

2.4.1 CIL will pay for infrastructure to support new development. Infrastructure could be physical (e.g. roads); it could be green (e.g. open spaces) or it could be social (e.g. schools, community buildings). It can be used to pay for strategic infrastructure serving a wide area, such as guided busway improvements, or it could be localised infrastructure to help reduce the impact of new development on the road network. The levy can be spent on 'the provision, improvement, replacement, operation or maintenance of infrastructure'.

2.4.2 In addition to new infrastructure, CIL receipts can also be used to expand and enhance existing infrastructure or for the on-going maintenance or operational costs of providing infrastructure. These costs must be directly related to the additional demands arising from new development. The up-front and continuing costs of preparing and implementing a CIL can also be drawn from CIL receipts subject to annual percentage ceilings.

2.4.3 A capped 15% proportion of CIL revenue will need to be spent on locally determined infrastructure in areas where development takes place. This will rise to 25% for those areas

with an adopted neighbourhood plan⁷ or neighbourhood development order (including a Community Right to Build Order) in place. It is anticipated that the Council's approach to devolution of Section 106 through Area Committees will provide a template for managing these Neighbourhood Funds.

- 2.4.4 The neighbourhood funding element can be spent on a wider range of things than general levy funds. It can be spent on supporting the development of the area by funding:
- a. the provision, improvement, replacement, operation or maintenance of infrastructure; or,
 - b. anything else that is concerned with addressing the demands that development places on an area.
- 2.4.5 The Council can retain up to 5% of revenue received to meet its costs in administering the levy.
- 2.4.6 CIL breaks the link between the development and the development site. Unlike contributions received via Section 106 Planning Obligations, CIL funds, once collected, will go into a central pot. The CIL will not generate sufficient funds to pay for the entire infrastructure needs across the authority area and the Council will need to set out its intentions for how revenue raised from the levy will be spent, by means of a prioritised list of infrastructure. This list is known as a 'Regulation 123 List'. The Council is publishing a Draft Regulation 123 list as part of this consultation. Further detail on this can be found in Chapter 4 of this document. The Draft Regulation 123 list is attached at Appendix A.
- 2.4.7 The governance and prioritisation of future CIL spend is the responsibility of the Charging Authority (Cambridge City Council). However, in practice (and in line with statutory guidance) the prioritisation of projects will need to be undertaken in partnership with other infrastructure providers including Cambridgeshire County Council and South Cambridgeshire District Council. During the CIL consultations and adoption process, the Council will consider further what governance arrangements need to be put in place to guide this process.

⁷ In line with the powers inserted by the Localism Act 2011 into the Town and Country Planning Act 1990

3. CONSULTATION TO DATE

3.2 INFORMAL CONSULTATION AND ENGAGEMENT

3.1.1 A wide range of stakeholders were consulted throughout the evidence gathering process. The Infrastructure Delivery Study (and update) and the CIL Viability Assessment contain further details on the informal consultation that has taken place with key stakeholders.

Stakeholder Meeting

3.1.2 Together with South Cambridgeshire District Council a Joint Stakeholder Consultation Meeting was held which had input from the development industry, the County Council, the University of Cambridge and Colleges and other key stakeholders on December 8th 2012. The purpose of this consultation meeting was to provide stakeholders with an opportunity to inform the CIL Viability Assessment.

3.3 PRELIMINARY DRAFT CHARGING SCHEDULE (PDCS) CONSULTATION (March – April 2013)

3.3.1 A broad range of comments and issues were raised in the representations received on the PDCS. The detailed representations and the Councils response to the specific points raised are included in the PDCS consultation document. In addition further clarification is provided in the remainder of this report to the matters raised.

3.3.2 In general the comments concentrated on specific themes including:

- Funding/infrastructure;
- Spend;
- Process;
- CIL rates;
- Viability; and,
- The assumptions used in the viability study.

3.3.3 A summary of comments received and detailed responses to those comments can be found in the Preliminary Draft Charging Schedule Statement of Consultation. The Statement of Consultation is available alongside the consultation documents.

3.4 STATEMENT OF REREPRESENTATIONS PROCEDURE

3.4.1 Regulation 16 of the CIL Regulations 2010 (as amended) requires that the Council publish a Statement of Representations Procedure alongside the Draft Charging Schedule. A copy of the Statement of Representations is attached at Appendix B.

4. EVIDENCE BASE

4.1 JUSTIFICATION FOR A CAMBRIDGE CIL

4.1.1 Local authorities need to ensure that the CIL rate does not put at serious risk the overall development of their area. The CIL Regulations are clear that in setting rates, the charging authority must aim to strike an appropriate balance between:

- a. The desirability of funding from CIL (in whole or part) the actual and expected estimated total cost of infrastructure required to support the development of its area, taking into account other actual and expected sources of funding; and
- b. The potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area.

4.1.2 The Charging Schedule has to be informed by an appropriate evidence base. In order to adopt a sound Charging Schedule the Council either must or is recommended to:

- Have an up to date Local Plan for the area
- Identify a local infrastructure funding gap
- Demonstrate the proposed CIL rates will not unduly affect the viability of planned development across the city
- Clarify how planning obligations policies will be varied after the introduction of CIL; and,
- Produce a list of infrastructure types/projects (known as a Regulation 123 list) it intends to fund in whole or in part through CIL and review more generally the Council's wider existing policies for collecting developer contributions

4.2 AN UP TO DATE DEVELOPMENT PLAN

4.2.1 Statutory guidance sets out that councils must have an up to date development strategy for the area in which they propose to charge.⁸ As set out in the National Planning Policy Framework for England, where practical levy charges should be worked up and tested alongside the Local Plan.⁹

4.2.2 In Cambridge the CIL charging schedule is being worked up and tested alongside the emerging Cambridge Local Plan 2014. The Council intends to submit the Draft CIL Charging Schedule for Examination in Public at the same time as the Submission Version Cambridge Local Plan. The Council's CIL proposals are consistent with and will support the implementation of the emerging Local Plan.

4.3 AN INFRASTRUCTURE FUNDING GAP

4.3.1 The CIL Regulations 2010 (as amended) require that any levy's rates should be based on evidence of the infrastructure needed. The charging authority must consider what additional infrastructure is needed in its area to support development and what other

⁸ Para 4, Community Infrastructure Levy Guidance, December 2012

⁹ Para 175, National Planning Policy Framework for England

funding sources are available. The focus should be on providing evidence of an aggregate funding gap that demonstrates the need to levy the CIL.

- 4.3.2 Statutory CIL guidance also states that information relating to the infrastructure needs of a Charging Authority should, wherever possible, be drawn directly from the infrastructure planning that underpins the Charging Authority's development plan.
- 4.3.3 The Council has developed the infrastructure evidence supporting the emerging Cambridge Local Plan 2014 and the Draft Cambridge Charging Schedule (DCS) simultaneously. The infrastructure evidence supporting the Draft Charging Schedule has been drawn directly from the evidence underpinning the emerging Local Plan.

Infrastructure Delivery Study (IDS) 2012

- 4.3.4 In March 2010 the Council, in collaboration with South Cambridgeshire District Council, commissioned Peter Brett Associates to produce the Cambridge and South Cambridgeshire Infrastructure Delivery Study (IDS).
- 4.3.5 The IDS considers what additional infrastructure is needed in the Cambridge City and South Cambridgeshire areas to support development and what other funding sources are available (for example, core Government funding for infrastructure, which will continue following the introduction of a levy, anticipated planning obligations and anticipated necessary highway improvement schemes funded by anyone other than the charging authority) based on appropriate available evidence.
- 4.3.6 In September 2012 the IDS was endorsed by the Council as an evidence base document for the Cambridge Local Plan Review and the Cambridge CIL. It was agreed as a 'live' document that can be updated over time to reflect changing circumstances such as changes in the planned level of housing and employment provision.
- 4.3.7 The objectives of the IDS and subsequent update (see below) were to establish the existing capacity of infrastructure provision in Cambridge and South Cambridgeshire, and identify what infrastructure would be required in order to serve proposed growth.
- 4.3.8 The IDS looks at the following infrastructure categories:
- Physical – Transport, energy, water and drainage, waste, and telecommunications;
 - Social – Education, health care, leisure and recreation, community and social, and emergency services; and,
 - Green – Green space
- 4.3.9 This document and subsequent update will form a key part of the evidence base at both the Local Plan and CIL examinations.

Infrastructure Delivery Study Update 2013

- 4.3.10 Since the consultation on the Preliminary Draft Charging Schedule the IDS has been updated to reflect the, now agreed, planned levels of provision emerging through the Cambridge City Council and South Cambridgeshire District Council Local Plan Reviews’.

CIL Eligible Infrastructure

- 4.3.11 The updated IDS includes summary tables related to CIL eligible infrastructure. CIL eligible infrastructure is comprised of any infrastructure project that relates to a proposed development, an existing infrastructure deficiency or an aspirational infrastructure project. Infrastructure requirements related to existing planning permissions or projects that have any Section 106 allocated to them are not included in this list. The CIL Eligible Infrastructure Schedule provides evidence of the aggregate funding gap required to levy a CIL charge. It also provides a starting point for future prioritisation of CIL funding.

Infrastructure Delivery Study - Key Findings

Cambridge City (excluding fringe sites)

- 4.3.12 The cost of infrastructure requirements for CIL Eligible Infrastructure in Cambridge (excluding fringe sites) identified in the study is approximately £161.5million. The aggregate funding gap associated with CIL eligible infrastructure in Cambridge (excluding fringe sites) to 2031 is £161.5million.

Fringe Sites (Both Local Authorities)

- 4.3.13 The cost of infrastructure requirements for CIL Eligible Infrastructure on fringe sites is £121.3million. The aggregate funding gap associated with CIL eligible infrastructure on fringe sites to 2031 is £121.3million.

Strategic Infrastructure (Both Local Authorities)

- 4.3.14 CIL eligible strategic infrastructure requirements to support both local authorities amount to £209million. The aggregate funding gap associated with CIL eligible strategic infrastructure in Cambridge to 2031 is £95.5million.

Prioritisation

- 4.3.15 In practice financial resources will rarely meet all the identified needs for infrastructure at any given time and there will inevitably be a requirement to phase and prioritise projects across an area. The IDS and subsequent updates should be a key document in informing the prioritisation process.
- 4.3.16 The role of the IDS is not to provide absolute assurances as to how the Council intends to spend CIL, but to illustrate that the intended CIL targets are justifiable given local infrastructure need and based on appropriate available evidence. It is not a formal investment programme and does not entail commitment by the Council or other statutory providers.
- 4.3.17 Further detail can be found in the [IDS 2012](#) and [IDS Update 2013](#), which should be read in conjunction with the Draft Charging Schedule.

Projected CIL Income and Residual Infrastructure Funding Gap

4.3.18 It is difficult to accurately forecast CIL receipts due to the complicated nature of levying the new charge and how often landowners will pursue CIL exemptions. Revenues will depend on the volume, rate of build and type of development undertaken.

4.3.19 CIL can only be charged on additional floorspace. This reduces the potential CIL for collection, particularly in an area like Cambridge City where much of the development will take place on brownfield land.

4.3.20 The largest generator of CIL is likely to be residential development. The Draft Cambridge Local Plan 2014 housing trajectory has been used to estimate potential CIL revenue from residential development to 2031. Projected housing numbers are summarised in the table below:

Table 2: CIL Eligible dwellings

Source	Dwelling Numbers
Potential allocation sites (2015 – 2031)	3018
Windfall (small sites) (2016 – 2031)	1,850
Total	4,868

4.3.21 To further refine the potential number of dwellings liable to pay CIL it has been necessary to make a number of assumptions. The assumptions used are as follows:

- A Net floorspace reduction of 27%¹⁰ (based on historic conversions, changes of use, rebuilds and demolitions);
- A discount of 40% affordable housing for affordable housing on sites over 15 dwellings;
- Discount of 15% affordable housing on sites less than 15 dwellings¹¹;
- An average floorspace per dwelling of 85 square metres (consistent with a large two bedroom or small three bedroom house)
- A residential CIL rate of £125/square metre

4.3.22 The Draft Cambridge Local Plan 2014 housing trajectory projects that **4,868** dwellings could come forward in the plan period to 2031 that are potentially liable for the CIL.

¹⁰ Completion figures for the past 5 years (1 April 2007 to 31st March 2012) show that 27% of completions comprised conversions, changes of use or demolition/rebuilds.

¹¹ Draft Local Plan Policy is for provision of a minimum of 10% affordable housing on sites between 2-9 dwellings and 25% on sites between 10 and 14 dwellings. An average of 17.5% has been applied to the small sites and this has been discounted by 2.5% to take account of single dwellings which will not provide for affordable housing

Table 3: Dwellings potentially liable to pay CIL

Potentially CIL liable dwellings (Draft Cambridge Local Plan 2014 housing trajectory)	4,868
Net floorspace deduction based on brownfield land development – 27%	1,314
Discount of 40% affordable housing on site over 15 dwellings (Potential allocation sites = 3018/100*40)	1,207
Discount of 15% on smaller sites (Windfall = 1850/100*155)	278
Number of dwellings potentially liable to pay CIL	2,069

4.3.23 Based on the assumptions outlined above it is estimated that for the period April 2015 – April 2031 the CIL revenue for residential development will amount to:

Table 4: Residential income from CIL

Total CIL liable floorspace	CIL Rate	Residential CIL Income April 2015 – April 2031
2069 dwellings * 85 sq.m = 175,865 sq.m	£125 per sq.m	£21,983,125

4.3.24 The aggregate funding gap for Cambridge City and Fringe sites has been outlined above. To summarise, the aggregate funding gap for Cambridge City (excluding fringe sites) is £161.5m, for fringe sites it is £121.3m and for strategic infrastructure it is £95m. The potential income from residential development from CIL is £21.9m to 2031. There is a significant residual funding gap which justifies the introduction of CIL.

4.3.25 CIL funds will be raised from development types other than residential for which it is not possible to provide a reliable estimate. Nevertheless it is safe to assert that CIL raised by those other development types will not bridge the gap identified in this paper.

4.4 VIABILITY EVIDENCE BASE

4.4.1 The requirement to demonstrate that the proposed CIL rates will not unduly affect the viability of planned development across the city has been taken into account in a suite of viability documents produced on behalf of the Council. These are the Cambridge City Council Local Plan – [Community Infrastructure Levy Viability Assessment](#); the Cambridge City Council Local Plan - [SHLAA and Potential Site Allocations High Level Viability Assessment](#) ; the Cambridge City Council Local Plan – [Student Housing Affordable Housing Study](#); and the Cambridge City Council Local Plan – [Small Sites Affordable Housing Viability Study](#). These documents are available alongside and should be read in conjunction with the consultation document.

Local Plan – Community Infrastructure Levy Viability Assessment

4.4.2 The CIL Regulations require that consideration is given to ‘the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area’.

The NPPF states that where CIL is to be introduced, the development and consideration of the rate should be undertaken as part of the same exercise of viability testing as the Local Plan wherever possible.¹²

- 4.4.3 This is the approach that has been taken by the Council. Viability consultants Dixon Searle LLP were commissioned to undertake viability modeling work on planned development across Cambridge. Their work has also examined the viability of the Strategic Housing Land Availability Assessment (SHLAA) and emerging Local Plan policies.
- 4.4.4 The consultants used a residual land value appraisal approach to assess the financial capacity of a range of residential and non-residential development scenarios in Cambridge to pay a CIL charge. The methodology they used follows a standard development appraisal, using assumptions (worked up in consultation with the development industry) on land values, build costs, sales values and planning policy considerations (40% affordable housing, high quality design standards). The methodology has been through successful CIL examinations with other authorities. Further detail is provided in the viability assessment.
- 4.4.5 The consultants have found that it is viable at the current time to levy a CIL charge on new residential development, retail development and student accommodation development. When setting the proposed rates the Council has borne in mind the viability advice and also some overriding messages from the Government and CIL front-runners. These messages are as follows:
- Keep it simple – Increasing the complexity of the charge makes CIL calculation and collection increasingly difficult;
 - The CIL charge is mandatory, if it makes development unviable then development may not go ahead. Therefore authorities should carefully consider where they set the CIL charge to avoid making desired development unviable; and,
 - Bear in mind the type of development that is likely to come forward in the next three to five years, the standard time frame of a charging schedule before it is reassessed.
- 4.4.6 The CIL Regulations allow for different rates to apply for different zones in which development would be situated or by reference to intended use of development. It is not proposed to differentiate charging rates by zones in Cambridge but there is some differentiation by use.
- 4.4.7 **Residential development** - The headline finding is that suitable overall parameters for charging CIL in the city were found to be between £100/sq.m to £150/sq.m. Within those parameters the consultants have suggested that there are two possible approaches to charging a CIL on residential development:
- A single city wide residential rate;

¹² NPPF, para 175

- Differential residential charging rates based on three zones. A lower value zone (north east and east of the city), a medium value zone (northwest and south west) and a higher value zone (Market and Newnham)

4.4.8 The Council proposed to have a single city wide residential charging rate of £125/sq.m. This decision was taken bearing in mind that a differential charging approach across a small city like Cambridge could get quite complicated, unwieldy and difficult to administer; that there is not much planned growth in the higher value area and so a higher charge in that area would be of little value; and, taking the emerging development strategy into account

4.4.9 **Retail** - Parameters for retail charging are recommended in the range of £0/sq.m to £125/sq.m so that a rate or rates within that range could be selected/aligned to the balance of supply. At £0/sq.m to £75/sq metre a charging rate would be responsive to city centre comparison retail and out of centre smaller convenience stores. At the upper end of these parameters, £125/sq.m, retail warehousing, supermarkets, and new city centre convenience shop development have the potential to remain viable. Further detail is contained in the Viability Assessment.

4.4.10 The Council proposes a single approach based on a retail rate set at the relatively low level of £75/sq.m. The type of retail development that is most relevant to plan delivery, city centre comparison retail, informs this rate.

4.4.11 **Student accommodation** – The consultants recommend consideration of a student housing CIL charging rate of not more than £125/sq.m. A rate of £125/sq.m is supported by the Council.

4.4.12 **Other uses:** The viability assessment concludes that, in the current depressed market conditions, many commercial uses would not be viable if a CIL charge was applied to them at this time.

4.4.13 Detailed comments were made during the Preliminary Draft Charging Schedule consultation in relation to the viability testing and assumptions used, including professional fees; finance costs; build costs; Section 106 and fees. Comments were also raised in relation to the proposed rates. A summary of these comments and detailed responses on behalf of the Council can be found in the Preliminary Draft Charging Schedule Statement of Consultation which should be read alongside this document.

SHLAA and Potential Site Allocations High Level Viability Assessment 2013

4.4.14 Dixon Searle LLP were commissioned by Cambridge City Council to carry out a high level viability assessment on a range of sites within the Council's Strategic Housing Land Availability Assessment and a number of potential allocations sites in addition. All sites were appraised using proposed Draft Cambridge Local Plan 2014 policy standards as well as assuming a CIL residential rate of £125 per square metre.

4.4.15 This study found that, 'on the whole good levels of sales values are available to support development viability, so that schemes can proceed and frequently still bear planning obligations at significant levels as promoted by existing and proposed policies. This appears to be borne through the relatively high level of development interest and activity in the city, particularly compared with that seen in many other areas recently'¹³.

Student Accommodation – Affordable Housing Financial Contributions Viability Study

4.4.16 This study was undertaken to investigate the potential to introduce an affordable housing contribution for new student accommodation development in Cambridge City. It did this by testing the financial viability of a number of potential student accommodation development sites across the city.

4.4.17 This study appraises a number of sites (9) on the basis that the site could accommodate either residential development or student accommodation. All the appraisals included an assumed CIL rate of £125 per square metre for both residential and student accommodation. The study found that while it might not be viable to have both a CIL charge and an affordable housing financial contribution towards student accommodation one or the other would be viable. This provides further evidence of the viability of both a residential and student accommodation CIL charge of £125 per square metre in the Cambridge City Council area.

Small Sites Affordable Housing Viability Study

4.4.18 The Small Sites Affordable Housing Viability Study was completed in 2013 to inform the development of the Council's affordable housing policy. It considered the lowering of thresholds for affordable housing.

4.4.19 The Council has subsequently decided to pursue a lower affordable housing threshold in the emerging Cambridge Local Plan 2014. This study provides evidence that a residential CIL charge of £125 per square metre is viable alongside the reduced affordable housing threshold.

4.5 THE RELATIONSHIP BETWEEN CIL AND SECTION 106

4.5.1 Although CIL replaces some elements of Planning Obligations, they will still have an important on-going site-specific role. Planning Obligations will still be used for site-specific infrastructure or mitigation required to make a development acceptable in planning terms. This could include the provision of affordable housing, open space, access roads, habitat protection etc. In addition, on very large developments, this could also extend to strategic infrastructure such as new schools, primary healthcare, strategic highway and transportation improvements as they are needed as part of the development. The principle is that all eligible developments must pay a CIL as well as, any site specific requirement to be secured through Section 106 Agreements.

¹³ Para 2.1, SHLAA and Potential Site Allocations High Level Viability Assessment 2013, Dixon Searle LLP

- 4.5.2 Added to this, CIL Guidance advises that, for transparency, charging authorities should have set out at CIL Examination how their Section 106 policies have been varied¹⁴ and the Council's Proposed Submission Local Plan 2014 Policy 85 – Infrastructure delivery, planning obligations and the Community Infrastructure Levy states that the introduction of CIL will be accompanied by a review of the Council's guidance on planning obligations.
- 4.5.3 Furthermore, one of the key issues raised during the Preliminary Draft Charging Schedule consultation was the relationship between CIL and Section 106 contributions and the potential issues of 'Double Counting' of Section 106 contributions and CIL, which is not permitted by law.
- 4.5.4 It has therefore been necessary to commence a parallel review of the Council's procedures for Section 106 Planning Obligations, and in particular a review of its Planning Obligations Strategy Supplementary Planning Document (SPD) 2010, is required. A revised draft SPD will be published alongside the Submission Version CIL Charging Schedule.
- 4.5.5 The table at Appendix A sets out how CIL might work alongside Section 106 once CIL is adopted. This table sets out the broad areas of infrastructure which, first, will continue to be matters which the developer will be responsible for delivering and, second, which items could benefit from CIL funding. This table will form the basis for a revised planning obligations strategy SPD. The CIL/Section 106 interaction table does not form part of the Charging Schedule consultation but the Council will take into account any comments received on the table when drafting the Council's revised Planning Obligations Strategy SPD.

4.6 DRAFT REGULATION 123 LIST

- 4.6.1 Although the current regulations do not require it until after the CIL charge comes into place, latest CIL guidance¹⁵ encourages the Council to 'set out at Examination a draft list of the projects and types of infrastructure that are to be funded in whole or part by the levy'. This list is known as the Regulation 123 list (the title being taken from the Regulation number which requires the publication of such a list). It should also be noted that draft CIL Regulations suggest that a draft version of the Regulation 123 list will need to be published alongside the consultation on the Charging Schedule.
- 4.6.2 The need, in the eyes of the development industry, to consult on a Draft Regulation 123 list as soon as possible to ensure the view of landowners and developer are taken on board was one of the key issues raised during the consultation on the PDCS.
- 4.6.3 It is therefore considered appropriate to publish a draft Regulation 123 list alongside the Draft Charging Schedule, whether or not it is strictly required at this point in the consultation.

¹⁴ Para 87, CIL Guidance, April 2013, DCLG

¹⁵ Para 15, CIL Guidance 2013

- 4.6.4 It must be stressed that comments on the Draft Regulation 123 list will not form part of the Charging Schedule consultation, unless the Regulations are amended which require us to do so. However, either way, the Council will take into account any comments received on the Draft Regulation 123 before the examination of the Draft Charging Schedule.
- 4.6.5 The table at Appendix A, which sets out how current Section 106 policies will be varied, has heavily influenced the Draft Regulation 123 list. This is for the simple reason that, if something is on the Regulation 123 list, a Section 106 Planning Obligation for said item is, by default, not lawful. The Draft Regulation 123 list is attached at Appendix B. It has been formulated via a review of practice elsewhere, a review of infrastructure needs identified in the IDS and in consultation with colleagues at Cambridgeshire County Council.
- 4.6.6 Following CIL adoption, this draft list will form the basis of the Council's 'Regulation 123 List' of CIL funded projects for which Section 106 planning obligations cannot be sought. This list has to be published and any revisions to it would be subject to appropriate consultation. This requirement to publish a Regulation 123 List is specifically designed to prevent 'double charging' of developers.
- 4.6.7 The Cambridge Draft Regulation 123 is not a comprehensive detailed list of specific infrastructure projects. Indeed experience nationally shows that in general Regulation 123 lists are not so specific. Instead, a common approach is one whereby the Regulation 123 list identifies both broad areas of infrastructure (and as such, anything which falls under that broad area would be able to be funded by CIL, but not by Section 106) and some selected specific infrastructure items (such as a named specific highway improvement or specific named new school, which again would mean that developer contributions for these specific items could not be sought from Section 106 Planning Obligations).
- 4.6.8 The starting point for the prioritisation of projects, or broad areas of infrastructure, to go on the Draft Regulation 123 list is the IDS. The subsequent decision as to which infrastructure projects receive CIL funding from the finalised Regulation 123 List will ultimately lie with the City Council. However, input from the County Council and other key stakeholders will be essential on all these matters. As such, sound governance arrangements around maintaining the Regulation 123 list, the prioritisation of CIL spend and the policy mechanism around developer contributions in general are essential. The Council is committed to working with key stakeholders to ensure appropriate governance arrangements are in place for the administration of CIL once it is adopted.

5. COMMUNITY INFRASTRUCTURE LEVY DRAFT CHARGING SCHEDULE

Cambridge City Council Community Infrastructure Levy Draft Charging Schedule

The Cambridge City Council Draft Charging Schedule is set out in the table below and has been prepared in accordance with the Town and Country Planning Act 2008 and the Community Infrastructure Regulations 2010 (as amended).

The Charging Authority

Cambridge City Council, as the Planning Authority, is the Charging Authority (CA).

Schedule of Rates

Cambridge City Council is proposing to charge CIL in respect of development for the following rates:

Use	Charge £/sq.m
Residential (C3; C4 including sheltered accommodation)	£125
Retail (A1 – A5 and sui generic uses akin to retail*)	£75
Student Accommodation	£125
All other development including B, C1, C2 and D class uses	£0

* sui generis akin to retail includes petrol filling stations; shops selling and/or displaying motor vehicles; retail warehouse clubs.

HOW WILL THE CHARGABLE AMOUNT BE CALCULATED?

CIL charges will be calculated in accordance with CIL Regulation 40 (as amended). The chargeable amount will be equal to the aggregate of the amounts of CIL chargeable at each of the relevant rates as set out in this Charging Schedule.

The chargeable amount will be index linked using the Royal Institution of Chartered Surveyors' All-in Tender Price Index figures for the year in which the planning permission is granted and the year in which this charging schedule took effect.

Date of Approval

This charging schedule was approved on xx/xx/xxxx (to be inserted in final Draft Charging Schedule)

Date of Effect

This Charging Schedule will take effect on xx/xx/xxxx (to be inserted in final Draft Charging Schedule – likely to be 01/04/2015)

6. IMPLEMENTING THE COMMUNITY INFRASTRUCTURE LEVY

6.1 HOW WILL CIL BE COLLECTED?

6.1.1 The Council will issue a notice of liability as soon as practicable on or after the day on which a planning permission first permits development, stating the chargeable amount in relation to the development. The responsibility to pay the levy runs with the ownership of land on which the liable development will be situated and is a local land charge. Payment of the levy is due from the date the chargeable development commences. A commencement notice must be submitted to the Council no later than the day before the day on which the chargeable development is to be commenced. It is the intention of the Council to prepare and make available to appropriate documentation and templates on its website prior to implementing the CIL.

6.2 PAYMENT BY INSTALMENT

6.2.1 Regulation 70(7) of the CIL Regulations (as amended) sets a default of full payment of the Levy within 60 days of commencement of development. The CIL Regulations also enable a charging authority to set an Instalment Policy that allows payments to be spread over longer periods. The Council has concluded that it is reasonable to spread payment instalments according to the scale of development that is proposed.

6.2.2 The Council can change its Instalment Policy at any time as long as the previous Instalment Policy has been in effect for more than 28 days.

6.2.3 Regulation 69B states that an instalment policy must contain:

- the date on which it takes effect;
- the number of instalment payments;
- the amount or proportion of CIL payable in any instalment;
- the time (to be calculated from the date the development is commenced) that the first instalment payment is due, and the time that any subsequent payments are due; and
- the minimum amount of CIL below which CIL may not be paid by instalment

6.2.4 A Draft CIL Instalment Policy has been set at Appendix D to enable interested parties to consider its implications on development finance and delivery. Whilst comments are invited alongside the Draft Charging Schedule, it should be noted that the Draft Instalment Policy will not itself be subject to Public Examination. The Council will consider responses when finalising the Cambridge CIL Instalments Policy.

6.3 PAYMENT IN KIND

6.3.1 The Regulations provide the potential for a charging authority to accept payments in kind for CIL, in the form of a transfer of land to be used for infrastructure provision (as set out in Regulations 73 and 74). The value of the land needs to be equal to the amount of the CIL that would have been paid – with the land value being assessed by an independent valuer.

It is in lieu of CIL, and is in addition to any transfer of land which may be required via Section 106 Agreements. It is the City Council's prerogative to agree to a transfer.

6.4 MANDATORY RELIEF FROM CIL

6.4.1 The CIL regulations offer mandatory exemptions and discretionary relief from CIL for certain types of development

6.4.2 The CIL Regulations offer mandatory relief for the following types of development:

- Where the overall chargeable amount of a scheme is less than £50 (Regulation 40);
- Development of less than 100sqm provided that it does not result in the creation of a new dwelling (Regulation 42);
- The conversion of any building previously used as a dwelling house to two or more dwellings;
- The conversion of, or works to, a building in lawful use that affects only the interior of the building;
- Those parts of a development that are to be used as affordable housing (Regulation 49);
- Development by registered charities for the delivery of their charitable purposes (Regulation 43); and,
- Structures or buildings that people do not normally go into, or go into only intermittently for maintenance (e.g. sports pitches, sub-stations or wind turbines)(Regulation 6).

6.5 DISCRETIONARY RELIEF FROM CIL

6.5.1 The regulations allow charging authority's to permit discretionary relief from CIL (e.g. where a reduced or nil payment may be accepted). These cases are likely to be rare but could include the following:

- Development by charities for investment activities (as defined by Regulation 44);
- Development by charities where relief would normally constitute State Aid (as defined in Regulation 45); and,
- Where the City Council considers there are exceptional circumstances to justify relief (as defined in Regulation 55).

Discretionary Charitable Relief

6.5.2 It is not the intention of the Council to offer this type of relief at present. At this stage the need for a discretionary relief in addition to mandatory relief is not considered justifiable and moreover, would impose an additional level of complexity in the administration and management of the CIL charge. A policy of this kind could be introduced at any stage though and this is something the Council will keep under review as the CIL system beds in.

Exceptional Circumstances Relief

6.5.3 Regulation 55 of the CIL Regulations permits a charging authority to grant relief from liability to pay CIL in 'exceptional circumstances'. This may only happen if a planning obligation of greater value than the chargeable amount has been entered into in respect of the planning permission that permits the chargeable development and the charging

authority considers that payment of the levy would have an unacceptable impact on the economic viability of development. In such cases a developer would be expected to demonstrate this (as set out in Regulation 57) via an 'open book' approach with an agreed independent valuer (paid for by the developer). Relief can also only be granted if it does not constitute 'notifiable state aid' (as defined in European Law).

6.5.4 It is not the intention of the Council to offer this type of relief at present. The circumstances in which a policy of this nature would be likely to be used would be extremely rare given that the CIL rate is set based on viability evidence, moreover it would impose an additional level of complexity in the administration and management of the CIL charge. A policy to this kind could be introduced at any stage though and this position can be kept under review.

6.6 MONITORING

6.6.1 One of the issues that came up through the PDCS consultation was in relation to the need for a clear defined review mechanism.

6.6.2 As required by Regulation 62, the City Council will publish an Annual CIL Report (for the financial year), which shows:

- The amount of CIL collected;
- The amount of CIL that has been spent;
- Information on how CIL funds have been spent (i.e. which infrastructure projects, and how much has been used to cover administrative costs); and,
- The amount of CIL retained at the end of the reporting year.

6.6.3 This report will also indicate whether, over the coming year, a review of any element of the Cambridge CIL is likely.

7. HOW TO COMMENT ON THIS DOCUMENT

7.1 YOUR VIEWS

7.1.1 Once you have looked through the Draft Charging Schedule, please send us your comments. There are a number of ways in which you can do this

- Using **the Council's online consultation system** - This is the Council's preferred means of receiving representations because it is the fastest and most accurate method and it will help us to manage your representations quickly and efficiently. Separate instructions on how to use the electronic system are provided on the Council's website and officers in the planning policy team are always available to help if you have any queries. Please go to the following link:
<https://www.cambridge.gov.uk/community-infrastructure-levy>;
- By email at policysurveys@cambridge.gov.uk using the electronic response form on the Council's websites; or,
- Using **a response form** - If you do not have access to a computer, a paper form can be completed and sent to the Council. Copies of the response form are available from the Planning Policy team.
- Please be aware that your comments will be published on the Council's website together with your name.

7.1.2 Your views are important to us, and we recognise that the planning system is not always easy to understand and find your way around. We want to make sure that as many people as possible have an opportunity to have their say as the new CIL is prepared. You can contact us using one of the following methods:

- You can phone us on 01223 457000 (ask to speak to someone in the Planning Policy team); or,
- You can email us at policysurveys@cambridge.gov.uk.

7.1.3 A Regulation 16 Statement of Representations Procedures is attached at Appendix C.

7.2 FURTHER INFORMATION

- Cambridge and South Cambridgeshire Infrastructure Delivery Study, Peter Brett Associates on behalf of Cambridge City Council, September 2012,
<http://www.cambridge.gov.uk/democracy/ieListDocuments.aspx?Cid=184&Mid=686&Ver=4>
- Cambridge and South Cambridgeshire Infrastructure Delivery Study Update 2013
<https://www.cambridge.gov.uk/sites/www.cambridge.gov.uk/files/documents/Infrastructure%20Delivery%20StudyUpdate%20%28Final%20Report%20Amended%20with%20Appendices%29.pdf>
- Draft Cambridge City Council Local Plan Review – Viability, Community Infrastructure Levy Viability Assessment, Dixon Searle LLP on behalf of Cambridge City Council
<https://www.cambridge.gov.uk/public/ldf/CIL/Appendix%20%20-%20CIL%20Viability%20Assessment%20FINAL%20DRAFT.pdf>

- Cambridge City Council Local Plan - SHLAA and Potential Site Allocations High Level Viability Assessment
<https://www.cambridge.gov.uk/sites/www.cambridge.gov.uk/files/documents/SHLAA%20High%20Level%20Viability%20Assessment%202013.pdf>
- Cambridge City Council Local Plan – Student Housing Affordable Housing Study
<https://www.cambridge.gov.uk/sites/www.cambridge.gov.uk/files/documents/Cambridge%20CC%20-%20StudentAccommodation%20AH%20Viability%20-%20Final%20Report%20-%20Combined.pdf>
- Cambridge City Council Local Plan – Small Sites Affordable Housing Viability Study
<https://www.cambridge.gov.uk/sites/www.cambridge.gov.uk/files/documents/Cambridge%20City%20Council%20-%20SmallSites%20Affordable%20Housing%20Viability%20Incl%20Appendices.pdf>
- CIL frequently asked questions, December 2012, Planning Advisory Service
<http://www.pas.gov.uk/pas/core/page.do?pageId=1242969>
- Community Infrastructure Levy Guidance, April 2013, DCLG
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/197687/Community_Infrastructure_Levy_2013.pdf
- Community Infrastructure Levy – Collection and Enforcement, Information Document, October 2011, DCLG
<https://www.gov.uk/government/publications/community-infrastructure-levy-collection-and-enforcement-guidance>
- Community Infrastructure Levy Relief – Information Document, May 2011, DCLG
<https://www.gov.uk/government/publications/community-infrastructure-levy-relief-guidance>
- The Community Infrastructure Levy Regulations 2010,
<http://www.legislation.gov.uk/ukdsi/2010/9780111492390/contents>
- The Community Infrastructure Levy (Amendment) Regulations 2011,
<http://www.legislation.gov.uk/uksi/2011/987/contents/made>
- The Community Infrastructure Levy (Amendment) Regulations 2012,
<http://www.legislation.gov.uk/ukdsi/2012/9780111529270>
- The Community Infrastructure Levy (Amendment) Regulations 2013
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/193363/uksi_20130982_en.pdf

APPENDIX A – The Interaction between Section 106 and CIL following the adoption of a CIL charging schedule

Upon the adoption of a CIL, or by 6th April 2014, whichever is the sooner, the use of planning obligations will be scaled back (it should be noted that a current Government consultation proposes that the date of 6th April 2014 be extended to April 2015). Once the CIL is in place the pooling of Section 106 Agreement contributions will be limited to five Planning Obligations only to fund a single piece or type of infrastructure. CIL receipts will be used to help fund, in whole or part, infrastructure needed to support or mitigate the impact of new development over an area, whereas Section 106 planning obligations will remain, mainly for on-site mitigation, including the provision of affordable housing.

Statutory CIL guidance¹⁶, issued by the Department for Communities and Local Government in December 2012, states (paragraph 87):

“When a charging authority introduces the Community Infrastructure Levy, Section 106 requirements should be scaled back to those matters that are directly related to a specific site, and are not set out in a Regulation 123 list. For transparency, charging authorities should have set out at examination how their Section 106 policies will be varied, and the extent to which they have met their Section 106 targets.”

Exactly what infrastructure will receive CIL funding will be dependent on an agreed CIL related Regulation 123 list. The Council is required to publish its intentions for how revenue raised from CIL will be spent through the publication of this list. However, just because an item or type of infrastructure goes on the infrastructure list, it does not mean it will definitely happen or benefit from CIL funds. It does mean that the said project will not receive any funds from a Section 106.

The Regulation 123 list does not have to be a comprehensive detailed list of specific infrastructure projects. Indeed experience nationally shows that they are not. Instead, a common approach is one whereby the Regulation 123 list identifies both broad areas of infrastructure (and as such, anything which falls under that broad area would be able to be funded by CIL, but not by Section 106) and some selected specific infrastructure items (such as a named specific highway improvement or specific named new school, which again would mean that developer contributions for these specific items could not be sought from Section 106 Planning Obligations).

¹⁶ Community Infrastructure Levy Guidance, DCLG, April 2013

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/36743/Community_Infrastructure_Levy_guidance_Final.pdf

There is a tricky judgement to be taken as to what goes on the Regulation 123 list. First, it needs to be comprehensive enough so that it is demonstrable that there is sufficient infrastructure needed with a 'funding gap' to justify the imposition of a CIL. Second, it needs to be not so comprehensive (or broad) as to list (or cover) every single piece of infrastructure that is needed, because in such circumstances this would mean the Council would not be able to negotiate any Section 106 funding even when it would otherwise be perfectly sensible or reasonable to do so. As a reminder, Section 106 Planning Obligations will still be used for site-specific infrastructure or mitigation required to make development acceptable in planning terms. The principle is that all eligible developments must pay a CIL as well as any site-specific requirement to be secured through Section 106 Agreements.

It is therefore necessary for the Council to revise its Planning Obligations Strategy SPD to make clear, for developers as well as the public, how CIL and Section 106 will interact with each other once CIL is adopted. Further to this, it will be important to make it clear to developers at Draft Charging Schedule consultation stage in November 2013 how CIL will work alongside Section 106 once CIL has been introduced. There have been concerns raised about double charging in the feedback received to the Preliminary Draft Charging Schedule consultation and the CIL Guidance sets out the requirement to demonstrate how Section 106 policies will be varied at CIL examination.

The following presents a high level view of how planning obligations might work alongside CIL in Cambridge once CIL is adopted. It is anticipated that this table will form the basis for both the Revised Planning Obligations Strategy and the Draft Regulation 123 list. We welcome any thoughts/proposals you may have in relation to this draft approach.

The following also presents an overview of how the Council has secured its Section 106 targets over recent years.

Table 1 - Proposed Mechanisms for the delivery of infrastructure in the future

	Current Planning Obligations Strategy - All infrastructure delivered via developer funding is delivered through Section 106 Agreements, S278 of the Highways Act or Planning Conditions.	Infrastructure provision via Section 106 or CIL		Notes
		Infrastructure and other items to be delivered through Section 106 Agreements, S278 ¹⁷ of the Highways Act or Planning Conditions	CIL	
Transport	<p>Works directly related to the development site - Development specific transport works are currently provided on site by the developer through planning conditions and planning obligations (S106 + S.278).</p> <p>Strategic Transport Infrastructure – Contributions are currently required from all developments within the areas defined in the Area Corridor Transport Plans which generate in excess of 50 additional</p>	<p>Works directly related to the development site – Individual developments may cause a site-specific impact which should be directly addressed through the development itself, or where that cannot be achieved the Council will use S278 agreements or S106 Planning Obligations.</p>	<p>Strategic Transport Infrastructure – CIL funds could be used to address the cumulative impacts of development on the sustainable transport network. Transport improvements to support growth, including measures to promote walking, cycling, prioritise public transport and highways traffic calming and capacity improvements</p>	<p>Once CIL is adopted local authorities will not be able to pool more than 5 planning obligations to fund a single piece or type of infrastructure. This would make it difficult to continue to fund Strategic Transport Infrastructure through pooled contributions.. CIL will provide the most appropriate mechanism for delivery of developer funded strategic transport infrastructure in the future.</p>

¹⁷ Section 278 agreements under the Highways Act are legally binding agreements between the Local Highway Authority and the developer to ensure delivery of necessary highway works. Currently, the limitations on planning obligations in regulation 123 do not apply to section 278 agreements.

	Current Planning Obligations Strategy - All infrastructure delivered via developer funding is delivered through Section 106 Agreements, S278 of the Highways Act or Planning Conditions.	Infrastructure provision via Section 106 or CIL		Notes
		Infrastructure and other items to be delivered through Section 106 Agreements, S278 ¹⁷ of the Highways Act or Planning Conditions	CIL	
	person trips to and from the site on a daily basis. Each Area Transport Plan includes a list of schemes to which contributions for strategic transport are allocated.		where appropriate, could be funded through CIL.	
Education	<p>Works directly related to the development site – If a development is large enough to necessitate the provision of an education facility on site then it is provided by the developer via a Section 106 planning obligation.</p> <p>Off site – Applications for residential development are assessed by the County Council in terms of their impact on the capacity of the primary schools, secondary schools and pre-school facilities in the area.</p>	Education Infrastructure – This will no longer be provided via planning obligations.	Education Infrastructure - Provision of new schools or expansion of existing schools including early years, primary or secondary could be funded via the CIL	Restrictions on pooling planning obligations once CIL is introduced would make it difficult to continue to fund Education Infrastructure through pooled contributions. The proposed Local Plan 2014 does not contain any new proposed development sites large enough to necessitate the provision of a primary or secondary school on site. CIL will be the most appropriate mechanism for the provision of new/improvements to schools in the future. (Schools have been secured on site through Section 106 on major sites in the

	Current Planning Obligations Strategy - All infrastructure delivered via developer funding is delivered through Section 106 Agreements, S278 of the Highways Act or Planning Conditions.	Infrastructure provision via Section 106 or CIL		Notes
		Infrastructure and other items to be delivered through Section 106 Agreements, S278 ¹⁷ of the Highways Act or Planning Conditions	CIL	
	<p>Where it is considered that there is insufficient capacity a contribution is required towards the creation of additional school places. The current contributions required are:</p> <p>Pre-school: £810/dwelling unit Primary: £1350/dwelling unit Secondary: £1520/dwelling unit</p>			Cambridge Fringe. These sites have planning permission and will not be impacted by the CIL)
Waste	<p>Financial contributions are currently required from all residential developments</p> <p>Household waste and recycling facilities – Financial contributions are required in respect of all residential developments</p> <p>Mini Recycling Centres – developments of 1,000 or more residential units are expected to</p>	<p>Household waste and recycling facilities – Financial contributions for the provision of household waste and recycling receptacles generated directly by the needs of the development.</p> <p>Mini Recycling Centres – developments of 1,000 or more residential units are expected to incorporate new underground 7 unit mini recycling centres. Developments of between 200 –</p>	Large scale household and waste recycling facilities could be funded through CIL	<p>Household waste and recycling facilities and mini recycling facilities are directly related to the site and necessary to make a development acceptable in planning terms. These could continue to be funded through planning obligations.</p> <p>Household waste and major waste recycling facilities are strategic infrastructure and CIL will be a more appropriate funding</p>

	Current Planning Obligations Strategy - All infrastructure delivered via developer funding is delivered through Section 106 Agreements, S278 of the Highways Act or Planning Conditions.	Infrastructure provision via Section 106 or CIL		Notes
		Infrastructure and other items to be delivered through Section 106 Agreements, S278 ¹⁷ of the Highways Act or Planning Conditions	CIL	
	incorporate new underground 7 unit mini recycling centres. Developments of between 200 – 1000 residential units are assessed on a site by site basis. Major recycling centres	1000 residential units are assessed on a site by site basis.		mechanism.
Libraries and lifelong learning facilities	A financial contribution is sought from developments of 4 or more dwellings. The level of contribution is assessed by the County Council	Will no longer be provided under Section 106	Libraries and lifelong learning facilities requirements as a result of new development could be provided through CIL	Restrictions on pooling planning obligations would make it very difficult to continue to fund libraries and lifelong learning facilities through planning obligations. The Draft Local Plan 2014 does not contain any new proposed development sites large enough to necessitate the provision of a library on site. CIL will be the most appropriate mechanism for the provision of new/improvements to libraries in the future to respond to increased

	Current Planning Obligations Strategy - All infrastructure delivered via developer funding is delivered through Section 106 Agreements, S278 of the Highways Act or Planning Conditions.	Infrastructure provision via Section 106 or CIL		Notes
		Infrastructure and other items to be delivered through Section 106 Agreements, S278 ¹⁷ of the Highways Act or Planning Conditions	CIL	
				demand from a larger population. Library provision has been secured on site through Section 106 on major sites in the Cambridge Fringe. These sites have planning permission and will not be impacted by the CIL).
Open Space – Outdoor Sports Facilities	<p>Onsite: Are currently provided on site at a standard of 1.2 hectares per 1000 people.</p> <p>Offsite: Where it is not possible or practical to provide outdoor sports facilities onsite the standards are met in the form of commuted payments towards the provision of new open space or improvements to existing open space in these categories.</p>	<p>Onsite: Outdoor sports facilities will be provided on site at a standard as set out in the Cambridge Local Plan</p> <p>Offsite: Where it is not possible or practical to provide outdoor sports facilities onsite the standards will be met in the form of commuted payments towards the provision of new open space or improvements to existing open space in these categories (Subject to the 5 planning obligation rule)</p>	Outdoor sports facilities will not be provided through CIL	Appendix I of the Draft Local Plan 2014 states that outdoor sports facilities will be provided onsite or via a financial contribution and not via CIL. In most cases it will not be practical for residential development to meet the standards for outdoor sports facilities on site and so standards will have to be met in the form of commuted payments. It may be appropriate to introduce a threshold (e.g. developments of 200 dwellings or more) above which commuted payment would

	Current Planning Obligations Strategy - All infrastructure delivered via developer funding is delivered through Section 106 Agreements, S278 of the Highways Act or Planning Conditions.	Infrastructure provision via Section 106 or CIL		Notes
		Infrastructure and other items to be delivered through Section 106 Agreements, S278 ¹⁷ of the Highways Act or Planning Conditions	CIL	
				be sought in light of restrictions on pooling of planning obligations.
Open Space – Informal Open Space	<p>Onsite: Provided on site at a standard of 1.8 hectares per 1000 people.</p> <p>Even if it is not possible to meet the standard, for example it is not practical to provide some forms of informal open space, such as urban parks, and larger areas of natural greenspace onsite as part of developments, informal playspace should be provided on developments of more than 25 units and informal activity areas on developments of more than 10 units</p> <p>Offsite: Where it is not possible or practical to provide informal open space onsite the standards are met in the form of</p>	<p>Onsite: Informal Open Space will be provided on site at a standard as set out in the Cambridge Local Plan</p> <p>Offsite: Where it is not possible or practical to provide informal open space onsite the standards will be met in the form of commuted payments towards the provision of new open space or improvements to existing open space in these categories. (Subject to the 5 planning obligation rule)</p>	Informal Open Space will not be provided through CIL	See above – Informal Open Space raises the same issues in terms of the 5 planning obligation rule. Introducing a threshold above which contributions would be sought might be the most practical approach.

	Current Planning Obligations Strategy - All infrastructure delivered via developer funding is delivered through Section 106 Agreements, S278 of the Highways Act or Planning Conditions.	Infrastructure provision via Section 106 or CIL		Notes
		Infrastructure and other items to be delivered through Section 106 Agreements, S278 ¹⁷ of the Highways Act or Planning Conditions	CIL	
	commuted payments towards the provision of new open space or improvements to existing open space in these categories.			
Open Space – Provision for Children and Teenagers	Onsite: Equipped children’s play areas and outdoor youth provision for children and teenagers are provided at a standard of 0.3 hectares per 1000 people. They are provided onsite as part of housing developments of more than 25 units, local play areas are provided as part of larger housing developments comprising more than 100 units, neighbourhood play areas as part of the developments within the urban extension and youth provision as part of the larger	Onsite: Provision for children and teenagers will be provided onsite as part of housing developments of more than 25 units, local play areas will be provided as part of larger housing developments comprising more than 100 units, neighbourhood play areas as part of the developments within the urban extension and youth provision as part of the larger housing developments Offsite: Where it is not possible or practical to provide open space for children and teenagers onsite the	Provision for Children and Teenagers will not be provided through CIL	Appendix I of the Draft Local Plan 2014 states that Open Space provision for children and teenagers will be onsite or via a financial contribution and not via CIL. Pooling of financial contributions will be restricted to 5 obligations per project.

	Current Planning Obligations Strategy - All infrastructure delivered via developer funding is delivered through Section 106 Agreements, S278 of the Highways Act or Planning Conditions.	Infrastructure provision via Section 106 or CIL		Notes
		Infrastructure and other items to be delivered through Section 106 Agreements, S278 ¹⁷ of the Highways Act or Planning Conditions	CIL	
	<p>housing developments</p> <p>Offsite: Where it is not possible or practical to provide open space for children and teenagers onsite the standards are met in the form of commuted payments towards the provision of new open space or improvements to existing open space in these categories.</p>	<p>standards will be met in the form of commuted payments towards the provision of new open space or improvements to existing open space in this category. (Subject to the 5 planning obligation rule)</p>		
Open Space - Allotments	<p>Onsite: Onsite as part of developments within the urban extensions at a standard of 0.4 hectares per 1,000 people</p> <p>Offsite: Through a commuted sum but only in exceptional circumstances.</p>	<p>Onsite: These should be provided on site in the built up area of the city and in urban extensions at a standard as set out in the Cambridge Local Plan</p> <p>Offsite: Where it is not possible or practical to provide allotments onsite the standards will be met in the form of commuted payments towards the provision of new</p>	<p>Allotments will not be funded through CIL</p>	<p>Appendix I of the Draft Local Plan 2014 states that Allotment provision will be onsite or via a financial contribution and not via CIL. For the most part it will not be practical to deliver allotments on site in the built up area of the city. Financial contributions will be restricted to 5 obligations per project. The introduction of a threshold above which financial</p>

	Current Planning Obligations Strategy - All infrastructure delivered via developer funding is delivered through Section 106 Agreements, S278 of the Highways Act or Planning Conditions.	Infrastructure provision via Section 106 or CIL		Notes
		Infrastructure and other items to be delivered through Section 106 Agreements, S278 ¹⁷ of the Highways Act or Planning Conditions	CIL	
		allotments or improvements to existing allotments in these categories. (Subject to the 5 planning obligation rule)		contributions would be sought in lieu of on-site provision may be the most practical approach.
Open Space – Indoor Sports Facilities (formal provision such as sports halls and swimming pools)	<p>Onsite: Provided on site if possible. Standards are 1 Sports hall per 13,000 people and 1 swimming pool per 50,000 people.</p> <p>Offsite: The standards are generally met in the form of commuted payments towards the provision of new or improvements to existing indoor sports facilities.</p>	Planning obligations will not be used to secure indoor sports facilities	Funding of indoor sports facilities could be provided through CIL (Leisure sports are predominantly indoor and include sports stadia, ice rinks, sports halls, boxing centres, health and fitness centres etc.)	In most cases it would not be possible or practical for developments to meet the standards for indoor sports provision on site. Restrictions on pooling planning obligations would make it very difficult to fund an indoor sports facility via Section 106. CIL, after its introduction, would be the most appropriate mechanism.
Community Facilities (e.g. Community	On site – For residential developments of 100 units or more on site community facilities can be required.	Community facilities will not normally be provided via planning obligations. The exception would be where a development involved the	Community facilities could be provided via the CIL.	Given the pooling restrictions on planning obligations after the adoptions of CIL it would not be practical to continue to provide

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		Infrastructure and other items to be delivered through Section 106 Agreements, S278 ¹⁷ of the Highways Act or Planning Conditions	CIL	
rooms, community centres, public halls, public toilets etc. the list is not exhaustive)	Off site – Where it has been agreed that on site provision of community facilities is not practical/feasible and for most residential developments comprising less than 100 dwellings financial contributions are sought (other than primary healthcare). (£1,256 per 1 or 2 bed dwelling, £1882 per 3 bed)	loss of a community facility and an alternative needs to be provided, either on site or in another location.		community facilities via planning obligations.
Public Art	All major developments of 10 or more dwellings, or a site area of 0.5ha or more, or other 1000sq.m or more dedicate 1% of the construction costs of capital projects to public art. In the case of very large developments the contribution is negotiated on a case by case basis.	Where on site public art is required it should be considered as part of the design process and incorporated into the submitted planning application.	Off-site provision of public art could be funded via CIL	Given the restrictions on pooling more than five planning obligations CIL could be a more appropriate mechanism for funding off site public art in the future.
Public Realm and community	Currently secured through planning obligations and	Public realm provision/improvements which are	Off-site public realm improvements could be	

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		Infrastructure and other items to be delivered through Section 106 Agreements, S278 ¹⁷ of the Highways Act or Planning Conditions	CIL	
safety improvements	negotiated on a site by site basis depending on the individual circumstances	on site or directly related to the development site would be secured via planning condition to reinforce the normal design/development policy requirements.	funded via CIL	
Biodiversity (nature conservation, species protection and habitat protection)	Currently secured through planning obligations and negotiated on a site by site basis depending on the individual circumstances	On site habitat creation or enhancement; relocation of protected species to a suitable alternative site would be secure through planning condition to reinforce the normal design/development policy requirements.	New habitats could be funded via CIL	
Carbon Reduction Measures (Code for sustainable homes, BREEAM, water	Currently secured via condition or obligation	Where not already required through other legislation such as Building Regulations, the Council will continue to secure carbon reduction measures via condition or planning application to reinforce the normal design/development policy	CIL will not be used to pay for carbon reduction measures	

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		Infrastructure and other items to be delivered through Section 106 Agreements, S278 ¹⁷ of the Highways Act or Planning Conditions	CIL	
requirements)		requirements.		
Affordable Housing	Currently provided through Section 106 planning obligations. The Council seeks 40% or more affordable housing on developments of 15 dwellings or more	Will continue to be provided through Section 106 planning obligations in line with Cambridge Local Plan Policy	CIL will not be used to pay for affordable housing	Restrictions on pooling planning obligations do not apply to affordable housing
SUDS	Currently provided on site or directly related to site	To be provided on site or directly related to site secured via condition or planning application to reinforce the normal design/development policy requirements.		
Flood Protection	On site measures which an FRA identifies as a requirement	On site measures which an FRA identifies as a requirement secured via condition or planning obligation to reinforce the normal development policy requirements.		
Other Infrastructure	Additional planning obligations can be sought to remedy site specific deficiencies or other	Site specific issues will be addressed through the use of planning conditions/obligations	Strategic infrastructure could be delivered via CIL	

	Current Planning Obligations Strategy - All infrastructure delivered via developer funding is delivered through Section 106 Agreements, S278 of the Highways Act or Planning Conditions.	Infrastructure provision via Section 106 or CIL		Notes
		Infrastructure and other items to be delivered through Section 106 Agreements, S278 ¹⁷ of the Highways Act or Planning Conditions	CIL	
	compensatory measures required depending on the individual circumstances and constraints of the development site			

Delivery of Section 106 targets

The tables below provide information on the level of developer funding agreed through S.106 planning obligations in Cambridge towards the provision of infrastructure in recent years. The first table relates to residential permissions of less than 300 dwellings only. The second table is a summary of S.106 Agreed on a number of large scale (greater than 300 dwellings) planning permissions in recent years. These tables provides further evidence that it is viable to collect planning obligations in Cambridge. It also provides evidence that the S.106 assumptions used in the Cambridge City Council Community Infrastructure Levy Viability Assessment are accurate. The information has been extracted from the Councils S.106 monitoring database. It should also be stated that the Council has consistently delivered 40% affordable housing on sites over 15 dwellings alongside S.106 requirements.

Table 1 – Section 106 Agreed on residential permission of less than 300 dwellings – 2010 - 2012

	2012				2011				2010			
	Section 106 Agreed 2012	No. of Units	£/unit	Potentially liable for S.106 if CIL had been in place - £/unit ¹⁸	Section 106 Agreed 2011	No. of Units	£/unit	Potentially liable for S.106 if CIL had been in place - £/unit	Section 106 Agreed 2011	No. of Units	£/unit	Potentially liable for S.106 if CIL had been in place - £/unit
Community Facilities	£601,274	477	£1,261	n/a	£248,661	271	£918	n/a	£593,855	650	£914	n/a
Open Space¹⁹	£577,437	477	£1,211	£1,211	£290,601	271	£1,072	£1,072	£605,290	650	£931	£931
Indoor Sports Facilities	£229,678	477	£482	n/a	£150,709	271	£556	n/a	£56,108	650	£86	n/a
Public Realm	£59,120	477	£124	-	£0	271	£0	-	£28,985	650	£45	-
Public Art	£35,000	477	£73	n/a	£0	271	£0	n/a	£105,000	650	£162	n/a
Transport	£84,515	477	£177	-	£0	271	£0	n/a	£1,241,850	650	£1,911	-
Libraries	£32,960	477	£69	n/a	£10,400	271	£38	n/a	£39,202	650	£60	n/a
Education	£306,990	477	£644	n/a	£125,920	271	£465	n/a	£2,061,140	650	£3,171	n/a
Strategic Waste	£6,850	477	£14	n/a	£0	271	£0	n/a	£0	650	£0	n/a
Waste Facilities	£55,200	477	£116	£116	£36,525	271	£135	£135	£31,710	650	£49	£49
Monitoring	£19,500	477	£41	-	£10,950	271	£40	-	£14,850	650	£23	-
Legal	£11,524	477	£24	-	£7,224	271	£27	-	£6,880	650	£11	-
Nature Conservation	£0	477	£0	n/a	£0	271	£0	n/a	£38,432	650	£59	n/a
Miscellaneous	£0	477	£0	-	£0	271	£0	-	£101,992	650	£157	-
Rights of Way	£0	477	£0	n/a	£0	271	£0	n/a	£19,315	650	£30	n/a
Other	£0	477	£0	-	£0	271	£0	-	£202,962	650	£312	-

¹⁸ S.106 planning obligations will be negotiated on a case by case basis

¹⁹ Includes Formal Open Space, Informal Open Space, Playspace for Children and Teenagers, Outdoor Sports Facilities and allotments

	2012				2011				2010			
	Section 106 Agreed 2012	No. of Units	£/unit	Potentially liable for S.106 if CIL had been in place - £/unit ¹⁸	Section 106 Agreed 2011	No. of Units	£/unit	Potentially liable for S.106 if CIL had been in place - £/unit	Section 106 Agreed 2011	No. of Units	£/unit	Potentially liable for S.106 if CIL had been in place - £/unit
Total Agreed	£2,022,095	477	£4,239	£1,326	£880,990	271	£3,251	£1,207	£5,147,571	650	£7,919	£980

Table 2 - An example of Section 106 agreed on larger sites in recent years can be seen below

	Clay Farm (2300 dwellings, 40% affordable housing) – Section 106 Agreed 2010	Trumpington Meadows (1200 dwellings, 40% affordable housing) – Section 106 Agreed 2010
Community Facilities (including libraries and lifelong learning facilities)	£3,605,806	£4,461,599
Open Space (including £245,000 for indoor sports facilities)	£5,468,773	£1,798,863
Transport	£6,080,147	£10,880,714
Education	£18,159,399	£12,884,631
Waste	£824,425	£426,935
Public Art	£805,000	
Other	£106,250	£474,000
Total	£35,049,800	£23,729,023
Per Dwelling	£15,239	£19,744

APPENDIX B

Cambridge City Council

Community Infrastructure Levy Draft Regulation 123 List

(Version to accompany the Community Infrastructure Levy Draft Charging Schedule consultation)

The infrastructure listed below will be eligible to be funded through the Community Infrastructure Levy.

The Draft Regulation 123 list, as set out below, defines which projects and/or types/sections of infrastructure that the Council will fund through CIL revenues. It will take effect upon the implementation of the Council's CIL Charging Schedule.

The list is not definitive, and in no order of priorities, as no formal decisions have yet been taken to confirm how CIL funds will be allocated amongst the listed infrastructure projects. It is a list of infrastructure that CIL could be used to fund, subject to Council priorities and the levels of available CIL funding.

Ultimately, it will be necessary to prioritise both within theme areas (e.g. strategic transport) and also between theme areas (e.g. education or community facilities). Factors such as whether an infrastructure element is essential or even required by legal statute or regulation if a development was to go ahead would be taken into account.

CIL Draft Regulation 123 List - Infrastructure types and/or projects that will, or may, be funded in whole or in part by CIL:

Strategic Transport Infrastructure (excluding development specific mitigation works on, or directly related to, a development site)
Education Infrastructure
Household waste and major waste recycling facilities
Libraries and lifelong learning facilities
Community Facilities
Strategic public realm improvements
Indoor Sports Facilities

APPENDIX C – Regulation 16 Statement of Representations

Cambridge City Council Draft Charging Schedule Consultation Statement of Representations Procedure

Consultation

Cambridge City Council hereby gives notice that it intends to submit a Community Infrastructure Levy Draft Charging Schedule for public examination, under Section 212 of the Planning Act 2008.

In accordance with Regulation 16 of the Community Infrastructure Levy Regulations 2010 (as amended) the Cambridge City Council is inviting representations on its Draft Charging Schedule.

The following documents, and relevant supporting evidence on viability and infrastructure are available for inspection:

- Cambridge City Council Draft Charging Schedule Consultation Document, including the Cambridge City Council Draft Charging Schedule and Draft Regulation 123 list;
- Statement of consultation on the Cambridge City Council CIL Preliminary Draft Charging Schedule

Consultation Period

MONDAY, OCTOBER 28th 2013 – MONDAY, DECEMBER 9th 2013

In accordance with Regulation 17(2)(a), any representations must be made within this period.

Availability of Consultation Documents

The Draft Charging Schedule Consultation Document, which includes the Draft Charging Schedule and supporting documents are available for inspection:

- Online on the Cambridge City Council website:
<https://www.cambridge.gov.uk/community-infrastructure-levy>
- At Cambridge City Council's Customer Service Centre at Mandela House, 4 Regent Street, Cambridge, CB2 1BY from 8am-5.15pm on Mondays, and 9am-5.15pm on Tuesdays, Wednesdays, Thursdays and Fridays.

Submission of Representations

Representations should be made using:

- The online response system available on the City Council website <http://cambridge.jdi-consult.net/ldf/>;

A paper response form is also available. The completed form should be returned;

- by email to policysurveys@cambridge.gov.uk; or,
- by post to CIL Draft Charging Schedule Consultation, Planning Policy Team, Cambridge City Council, PO Box 700, Cambridge, CB1 0JH

Withdrawal of Representations

Any person making representations on the Draft Charging Schedule may withdraw those

representations at any time by giving notice to Cambridge City Council in writing to the address above.

CIL Examination: right to be heard

Any person making representations on the Draft Charging Schedule may request the right to be heard by the Examiner at the Community Infrastructure Levy public examination. Anyone who wishes to be heard must make a request to Cambridge City Council in writing before the end of the consultation period (midnight on 9th December 2013).

Notifications

Any person making representations may request that they be notified at a specified address of any of the following:

- That the Draft Charging Schedule has been submitted to the examiner in accordance with section 212 of the Planning Act 2008;
- The publication of the recommendations of the examiner and the reasons for those recommendations; and,
- The approval of the charging schedule by Cambridge City Council.

Further Information or Enquiries

For further information or enquiries about the Cambridge City Council Community Infrastructure Levy, please contact the Planning Policy Team by email at policysurveys@cambridge.gov.uk or by phone at 01223 457000

Statutory Compliance

This Statement of Representations Procedure has been produced and published in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) and Part 11 of the Planning Act 2008 (as amended).

APPENDIX D – Draft Instalment Policy

Cambridge City Council Community Infrastructure Levy (CIL) Instalment Policy (Draft)

This Instalment Policy will take effect on xx/xx/xxxx

Cambridge City Council as Charging Authority for its area will permit the payment of CIL liability by instalment in accordance with Regulation 69B of the Community Infrastructure Levy Regulations 2010 (as amended).

Level of CIL Payable	Number of Instalments	Potential Instalment Policy
Under £25,000	1	Full amount payable within 60 days of commencement of development
£25,000 or greater but less than £100,000	2	50% payable within 120 day of commencement 50% payable within 240 days of commencement
£100,000 or greater but less than £250,000	3	20% payable within 120 days of commencement 40% payable within 240 day of commencement 40% payable within 360 days of commencement
£250,000 or greater but less than £500,000	4	10% payable within 120 days of commencement 30% payable within 240 days of commencement 40% payable within 540 days of commencement 20% payable within 720 days of commencement
£500,000 or greater	4	10% payable within 120 days of commencement 30% payable within 360 days of commencement 40% payable within 720 days of commencement 20% payable within 900 days of commencement

As permitted under Regulation 9(4) of the Community Infrastructure Levy Regulations 2010 (as amended), where outline permission has been granted which permits development to be implemented in phases, each phase of the development as permitted by Cambridge City Council is a separate chargeable development, and the Instalment Policy will therefore apply to each chargeable development and the associated separate chargeable amount.

CIL Instalment Policy Advice

The requirements set out in Regulation 70 of the CIL Regulations must be complied with if the persons liable for paying CIL wish to do so by instalment, in accordance with this published Instalment Policy.

This Instalment Policy only applies where:

1. The Council has received a CIL Assumption of Liability form prior to the commencement of the chargeable development (Regulation 70(1)(a)), and
2. The Council has received a CIL Commencement Notice prior to commencement of the chargeable development (Regulation 70(1)(b)) and the Council does not challenge the date of commencement specified.

If the above requirements are not met, the CIL liability is payable in full at the end of the period of 60 days beginning with the intended commencement date of the chargeable development.

Where the above requirements have been met, instalment payments must be made in accordance with this Instalment Policy. Where an instalment is not received in full on or before the day on which it is due, the unpaid balance of the CIL liability becomes payable in full immediately (Regulation 70(8)(a)).

To summarise, in order to be eligible to pay a CIL liability by instalment, all the relevant forms must be submitted to the Council prior to the commencement of the chargeable development, and all the payments must be made in accordance with this CIL Instalment Policy and Regulatory requirements.