

# Community Infrastructure Levy (CIL) - 'in a nutshell'



This is a quick reference guide to the Community Infrastructure Levy that has applied to planning permissions in the Stroud District since April 2017.

Please visit our CIL web pages for more detailed information and to download all the CIL Forms you will need [www.stroud.gov.uk/CIL](http://www.stroud.gov.uk/CIL)

It is important that you consider any potential CIL payments when assessing the viability of in your scheme. The legislation is rather prescriptive so even if you don't think you are liable for CIL, you may still have to follow the required processes and complete CIL forms.

The CIL Team are happy to help with any queries you may have. Email us at [cil@stroud.gov.uk](mailto:cil@stroud.gov.uk) or call (01453) 754836. You are welcome to visit us in person at Stroud District Council offices, Ebley Mill by prior appointment.



## What is CIL?

CIL is a planning charge introduced by the Government (Planning Act 2008). It helps to pay towards large scale infrastructure that developments rely on, such as roads and schools. A smaller 'neighbourhood portion' of CIL goes to the relevant Town or Parish Council to support local projects.

## Types of development liable for CIL

The levy applies to most new buildings, conversions and extensions. Some supermarket and retail warehouses may also be CIL liable. Failure to follow the prescribed CIL process could mean that you lose the right to apply for CIL exemption, and penalties or full costs would then apply.

Exemptions; Your permission will be CIL liable until you have had your exemption application approved. You will still need to complete the required forms.

We can consider applications for: 1) 'self-builders' where you intend to live in that property 2) vacant buildings brought back into the same use 3) older persons housing, affordable housing or charitable developments.

Some planning permissions will not be CIL liable. These include non-residential buildings or structures people do not normally go into, and extensions of less than 100m<sup>2</sup>.

## The CIL process; what you need to do

**There are a number of forms you must complete in order to stay within the terms of CIL legislation.** The regulations give SDC no discretion to vary any penalties that must be applied if you do not provide the correct forms at the required times.

- **‘Additional Information Form’ (Form 1)** - This must be submitted with your planning application; it is a validation requirement.
- **‘Assumption of Liability Form’ (Form 2) – Important!** This form is also a validation requirement. Include any exemption claim forms at this stage if you can, even if you do not plan to commence works on site for a while.

If land ownership changes you can later transfer or withdraw this liability, but the regulations demand that the calculated CIL liability must be registered as a Local Land Charge as soon as possible after permission, so it can be identified in searches.

**SDC will issue you with a formal Liability Notice** stating what your CIL charge will be. If applicable it will confirm any approved exemptions.

- **‘Commencement Notice’ (Form 6) – Important!** You / the liable party must send this to us BEFORE any works take place on site, even if your application has been granted exemption. **Failure to send Form 6 would be seen as a disqualifying event, and may result in the loss of any instalment schedule and payment could be demanded in full.**

**SDC will issue the liable party with a Demand Notice** once in receipt of your Form 6 (this will show a nil amount for exempt sites). This provides a payment schedule for the development which is in line with the approved Instalment Policy.

## CIL charging rates and calculations

The base rate of CIL that was adopted by Council is subject to indexation, so each year the charge per m<sup>2</sup> will alter accordingly and will be updated on our website.

For all developments, the first 10% is payable 60 days from commencement and further instalments will depend on the total amount payable. **Late payments may result in surcharges being applied. Continued non-payment may result in formal debt recovery proceedings.**

**Contact us:** The CIL Team are pleased to help with pre-app advice, the completion of forms, payment questions and any other CIL queries you may have. Whilst we are bound by the constraints of the CIL legislation, we pride ourselves on offering an honest and transparent approach to processes and good customer service. Our contact details are at the front of this page.