

# Crawley Community Infrastructure Levy:

Instalments Policy

July 2016



## Crawley Borough Council Community Infrastructure Levy (CIL) Instalments Policy

The CIL charge for liable developments will be calculated at the time planning permission is granted and payment is due upon commencement of development.

Regulation 69B of the Community Infrastructure Levy Regulations 2010 (as amended) allows charging authorities to introduce an instalments policy. In setting an instalments policy the authority has the freedom to define the number of payments, the amount and time due.

This instalments policy detailed below will apply to all development on which CIL is liable and will come into effect on 17 August 2016.

The instalments permitted in relation to any given chargeable development will be linked to the total amount payable (chargeable amount) as recorded on the Demand Notice. The relevant threshold amounts, instalments and payment periods are as shown in the following table.

<b>Amount of CIL Liability</b>	<b>No. of Instalments</b>	<b>Payment Period</b>
Up to £150,000	1	<ul style="list-style-type: none"> <li>• 100% payable within 60 days of the commencement date</li> </ul>
£150,000 to £300,000	2	<ul style="list-style-type: none"> <li>• First Instalment of £150,000 payable within 60 days of the commencement date</li> <li>• Second Instalment of Remaining balance payable within 120 days of commencement date</li> </ul>
Over £300,000	3	<ul style="list-style-type: none"> <li>• First Instalment of £150,000 payable within 60 days of the commencement date</li> <li>• Second Instalment of 50% of remaining balance payable within 120 days of commencement date.</li> <li>• Third Instalment of 50% of remaining balance payable within 180 days of commencement date.</li> </ul>

The Instalments Policy only applies in cases where the persons liable for paying CIL have complied with **all** the relevant regulations and requirements.

Regulation 70 of the Community infrastructure Levy Regulations 2010 (as amended) sets out the requirements that must be complied with in order to benefit from the CIL Instalment Policy.

The CIL Instalments Policy will only apply in the following circumstances:

- 1) Where the Council has received a CIL Assumption of Liability form prior to the commencement of the chargeable development (Regulation 70 (1) (a)), and
- 2) Where the Council has received a CIL Commencement Notice prior to the commencement of the chargeable development (Regulation 70 (1) (b))

If either of the above requirements are not complied with, the total CIL liability will become payable within 60 days of the commencement of the chargeable development. In addition, surcharges may apply due to the CIL Assumption of Liability Form and/or the CIL Commencement Notice not being submitted to the Council prior to the commencement of the chargeable development.

Once the development has commenced, all CIL payments must be made in accordance with the CIL Instalments Policy. Where a payment is not received in full on or before the day on which it is due, the total CIL liability becomes payable in full immediately (Regulation 70 (8) (a))

This policy **will not** apply if any one or more of the following applies:

- a) A commencement notice has not been submitted prior to the commencement of the chargeable development, as required by Regulation 67 of the Community Infrastructure Regulations 2010 (as amended)
- b) On the intended date of commencement
  - i) Nobody has assumed liability to pay CIL in respect of the chargeable development,
  - ii) A commencement notice has been received by Crawley Borough Council in respect of the chargeable development and
  - iii) Crawley Borough Council has not determined a deemed commencement date for the chargeable development, and therefore payment is required in full, as required by Regulation 71 of the Community Infrastructure Regulations 2010 (as amended)
- c) A person has failed to notify Crawley Borough Council of a disqualifying event before the end of 14 days beginning with the day on which the disqualifying event occurs, as per the Community Infrastructure Regulations 2010 (as amended)
- d) An instalments payment has not been made in full on or before the day on which the instalment payment was due, as per the Community Infrastructure Regulations 2010 (as amended)

Where the instalments policy is not applicable, the amount must be paid in full at the end of the period of 60 days beginning with the notified or deemed commencement date of the chargeable development or the date of the disqualifying event, whichever is the earliest, unless specified otherwise within the Community Infrastructure Levy Regulations 2010 (as amended).

**Nothing in this Policy prevents a person with assumed liability to pay CIL from paying any outstanding CIL in whole or in part in advance of the instalment periods set out in this policy.**