

# COMMUNITY INFRASTRUCTURE LEVY (CIL)

## Introduction

CIL has been introduced by the government to try and make the present regime of S106 obligations more transparent and ensure all relevant development makes an equal contribution to new infrastructure required to support that development. This document and the associated guidance notes are intended to help you through this new process where it applies.

## CIL

The Community Infrastructure Levy (CIL) is a non negotiable levy that allows local planning authorities to raise funds from developers and individuals who are undertaking building projects in their area. It is a way of making sure that developments contribute towards new infrastructure such as schools, transport initiatives and leisure facilities needed to support growth in the greater Norwich area.

Section 106 agreements and planning conditions will continue to be used but in a much reduced and restricted form.

## When does CIL come into effect?

CIL was implemented on 15<sup>th</sup> July 2013. It will apply to any planning decision that qualify from and including that date.

## Is my planning proposal liable for CIL?

This will be determined by the Council on receipt of the CIL form – [The additional questions document](#). This form will need to be returned with your planning application. Most developments will be liable to pay CIL including:

- All development of 100 square metres or more of new build.
- All development regardless of size that results in the creation of a new dwelling.
- Agricultural buildings and storage warehouses that people enter into.
- Conversion of a building that is no longer in lawful use.

There are some types of development that are exempt from CIL. These include social houses managed by housing associations or local councils; development by charities for charitable purposes; self-build dwellings; extensions or annex

Development in the area administered by the Broads Authority will not apply unless the authority adopts its own charging schedule.

Please read [Guidance note1](#) for more detail - Is my development liable for CIL?

## **My application has received planning consent and is liable for CIL, what do I need to do now?**

1. When the Council grants planning consent we will issue a Liability Notice along with the decision notice. This will say how much CIL is payable.
2. **Before you commence your development you must return.**
  - a. CIL form - Assumption of Liability notice. This form confirms who is responsible for paying the CIL charge relating to the development. If it is not returned then the charge will default to the registered land owner and additional costs may be applied.
  - b. CIL form - Commencement notice. This form lets the Council know when your development is going to commence and will form the basis of the dates that your CIL payments become due. This form must be returned no later than one day before development is to be commenced. If this form is not returned a penalty will be added and full payment will be due immediately.
  - c. CIL form – Claiming exemption or relief. If you are claiming relief from payment then you must also return this form prior to the commencement of the development. (See Guidance Notes 3,4,5 and 6)
3. On receipt of the commencement notice the council will issue a Demand Notice. This will set out how much and by when the CIL payment must be paid.
4. On receipt of the CIL payment the Council will issue a receipt.

Please read [Guidance note 2](#) for more detail – The CIL process

### **How much will I have to pay?**

CIL will be charged in accordance with the rates set out in the Council's charging schedule.

The amount payable is calculated when planning permission is granted and will be inflated by reference to the All In Tender Price Index (as published by the Building Cost Information Service) using the index figure published for November in the year preceding the year that planning permission is granted.

In some cases it may be more appropriate to transfer land to the Council as part or full payment in kind. Please read [Guidance note 9](#) Land transfers for more information

### **What will my CIL payment be spent on?**

The majority of the CIL collected will be spent on infrastructure required to support growth in the greater Norwich area which includes Broadland, Norwich and South Norfolk. All infrastructure spending will be determined through a plan which is published separately and known as the Local Infrastructure Plan & Programme.

A list of funds collected and spend will be published annually on the Council's web site.

## Exemptions, relief, land transfer and instalment policies

Social Housing:	<a href="#">Guidance note 3</a>	CIL Form - <a href="#">claiming exemption from relief</a>
Charitable development:	<a href="#">Guidance note 4</a>	CIL Form - <a href="#">claiming exemption from relief</a>
Self Build Dwelling	<a href="#">Guidance note 5</a>	CIL Form – <a href="#">claiming exemption from relief</a>
Self Build Annex or Extension	<a href="#">Guidance note 6</a>	CIL Form – <a href="#">claiming exemption from relief</a>
Instalment policy:	<a href="#">Guidance note 8</a>	
Land transfers	<a href="#">Guidance note 9</a>	

## Permitted development

In some cases permitted development (that is development that does not require planning permission) may be large enough to be CIL Liable. In these cases the developer must serve a CIL Form - [Notice of Chargeable development](#) on the Council before the development is commenced. The CIL charge is then calculated and applied as though planning permission had been granted.

## What happens if I do not pay the charge?

CIL payment is mandatory and non-negotiable. If you do not pay on time then;

- You will be subject to a penalty without further notice.
- Any agreement to pay by instalment will cease immediately.
- You could be subject to a stop notice, surcharges, fines and / or a prison term.

Please read [Guidance note 10](#) for further information

## Appeals

You can appeal against the Council's decision in relation to your CIL liability. Please see [Guidance note 11](#) for further details.