Community Infrastructure Levy

Draft Instalment, Phasing and CIL-in-kind Policies

May 2018
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Draft Community Infrastructure Levy (CIL) Instalment Policy

In accordance with Regulation 69B of the Community Infrastructure Levy Regulations 2010 (as amended), Waverley Borough Council will allow the payment of CIL liabilities by instalments as outlined below.

<table>
<thead>
<tr>
<th>Amount of CIL Liability</th>
<th>Number of Instalment Payments</th>
<th>Amount or proportion of CIL payable in any instalment/ time at which payments are due</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than £100,000</td>
<td>No instalments</td>
<td>Total amount payable within 90 days of commencement of development.</td>
</tr>
<tr>
<td>Equal to or greater than £100,000 and less than £500,000</td>
<td>Two</td>
<td>The greater of £100,000 or 50% of the value of the total payable amount within 90 days of commencement of development. Balance payable within 360 days of commencement of development.</td>
</tr>
<tr>
<td>Equal to or greater than £501,000 and less than £2,000,000</td>
<td>Three</td>
<td>25% of the value of the total amount payable within 90 days of commencement of development Additional 25% of the value of the total amount payable within 360 days of commencement of development Balance payable within 540 days of commencement of development.</td>
</tr>
<tr>
<td>Equal to or greater than £2,000,001</td>
<td>Four</td>
<td>25% of the value of the total amount payable within 90 days of commencement of development Additional 25% of the value of the total amount payable within 360 days of commencement of development Additional 25% of the value of the total amount payable within 540 days of commencement of development Balance payable within 720 days of commencement of development.</td>
</tr>
</tbody>
</table>

In exceptional circumstances, the council may consider bespoke instalments arrangements where it is considered expedient to do so.
Draft Phasing and CIL-in-Kind Policies

Where outline planning permission permits development to be implemented in phases, each phase of the development, as agreed by Waverley Borough Council, will be treated as a separate chargeable development.

In accordance with Regulation 73 of the CIL Regulations, the Council may support the payment of part of a CIL liability in the form of one or more land payments. This will be subject to the following conditions:

- The Council must be satisfied that the land to be transferred would be appropriate for the provision of necessary infrastructure to support growth in the Borough. It is entirely at the Council’s discretion as to whether to accept a land transfer in lieu of CIL.
- Transfers of land as payment in kind in lieu of CIL will only take place in exceptional circumstances and is in addition to any transfer of land which may be required via section 106 agreements.
- The chargeable development must not have commenced before a written agreement with the Council to pay part of the CIL amount in land has been made. This agreement must state the value of the land to be transferred. The person transferring the land to the charging authority as payment must have assumed liability to pay CIL and completed the relevant CIL forms.
- The land to be transferred must be valued by a suitably qualified and experienced independent person as agreed with the Council. The valuation must represent a fair market price for the land on the day that it is valued and reflect the relevant purposes for which the land will be utilised.
- The land, subject to the transfer, must be free from any interest in land and encumbrance to the land, buildings or structures.
- The land, subject to the transfer, must be fit for a relevant purpose being the provision of necessary infrastructure to support growth in the Borough.
- The Council may transfer the land, at no cost, to a third party for the provision of infrastructure.