



Lewes District Council CIL Instalments Policy 2017

This instalment policy comes into effect on **16th January 2017** and replaces the previous instalments policy that came into effect on 5th August 2016.

Lewes District Council will allow the payment of CIL by instalments as set out below:

- **Where the chargeable amount is less than £50,000 full payment is required within 60 days of commencement**
- **Where the chargeable amount is £50,000 or greater the instalments are as follows:**
 - **First instalment representing 25% of the chargeable amount is payable within 60 days of commencement**
 - **Second instalment representing 50% of the chargeable amount is payable within 240 days of commencement**
 - **Third instalment representing 25% of the chargeable amount is payable within 360 days of commencement.**
- **In wholly exceptional circumstances relating to hardship, the council may agree bespoke payment arrangements where it is considered expedient to do so.**

The instalments relate to the amount payable (the chargeable amount) as indicated on the Demand Notice. The commencement date will be the Commencement Notice date as advised by the developer under CIL Regulation 67.

Where outline planning permission permits development to be implemented in phases, or where phasing is clearly identified within the planning application each phase of the development, as agreed by Lewes District Council, can be treated as a separate chargeable development. The approved instalment policy will, therefore, apply to each separate phase of the development and its associated separate chargeable amount.

Circumstances where the Instalment Policy will not apply

In accordance with the CIL Regulations 2010 (as amended 2011) this Lewes District Council CIL instalment policy will **not apply** in the following circumstances:

- a) Where a Commencement Notice has not been submitted prior to commencement of the chargeable development,
- b) Where nobody has assumed liability to pay CIL for the chargeable development on the intended day of commencement;
- c) An instalment payment has not been made in full within 30 days of the due date for the instalment payment
- d) A person has failed to notify Lewes District Council of a disqualifying event within 14 days of a disqualifying event occurring. (Disqualifying events relate to when CIL relief has previously been granted and circumstances subsequently change).

Where the instalment policy does not apply, **the chargeable amount must be paid in full within 60 days** of the notified or deemed commencement date of the chargeable development or the date of the disqualifying event, whichever is the earliest. Surcharges may also apply for failure to submit Assumption of Liability Forms or Commencement Notices.

CIL Infrastructure Payments Policy

For the provision of on-site children's play space

Regulation 73A (as amended 2014) of the CIL Regulations allows a Charging Authority to make infrastructure payments available in its area and to accept one or more infrastructure payments in satisfaction of the whole or part of the CIL due in respect of a chargeable development.

Where CIL is paid by way of an infrastructure payment the amount of CIL paid is an amount equal to the value of the infrastructure provided. An agreement to provide the infrastructure must be entered into before the chargeable development is commenced. Such an agreement must be in accordance with the provisions in Regulation 73A (as amended 2014) of the CIL Regulations.

Regulation 73B (as amended 2014) enables a Charging Authority that wishes to allow infrastructure payments in its area to stipulate the specific infrastructure projects or types, which it will consider accepting the provision of as infrastructure payments.

This document complies with the requirements of Regulation 73B in specifying that:

- i) The Council hereby gives notice that it is willing to accept infrastructure payments for on-site children's outdoor playing space;

- ii) We will accept such infrastructure payments from the day that CIL comes into force, which is 1st December 2015.
- iii) This policy statement sets out the specific infrastructure projects that we will consider accepting infrastructure payments in satisfaction of the whole or part of the CIL due in respect of a chargeable development.

Qualifying Infrastructure Projects:

Strategic and other sizeable Sites¹ - Children's outdoor equipped and informal playing space at the following standard²:

0.7 ha per 1000 population for children's play, of which about 0.25 ha will comprise equipped areas and 0.55 ha will be of a more casual or informal nature.

Playing space must be safe and accessible. To help ensure this is the case, the provision of these spaces must be considered as an integral part of the design, layout and maintenance of a residential scheme.

¹ Strategic as allocated in the Lewes District Council Core Strategy Local Plan Part 1; Sizeable as determined by the relevant policy in the Core Strategy Local Plan Part 2

² The standards used by the Council are based upon those currently recommended by the Fields in Trust Planning and Design for Outdoor Sport and Play (2008)