

Stratford-on-Avon Town and Parish Council workshop and training Community Infrastructure Levy

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Introduction

- Stratford-on-Avon CIL
- Provide an overview on how CIL will operate
- Opportunity to ask questions

Training Outline

- 1. CIL charges
 - What is CIL
 - CIL rates
- 2. How CIL operates in terms of Town and Parish Councils
 - Rules
 - How it works
- 3. Spending
 - What can it be spent on
 - Neighbourhood proportion
 - Responsibilities and priorities

1: What is CIL

- Standard charge that the Council is charging developers/land owners
- Relates to size and type of development
- Range of charges, varied by use and location
- Charged at a rate per square metre
- Intended to provide more certainty about contributions
- To help pay for infrastructure needed to support new development
- BUT not to remedy existing deficiencies unless the new scheme will make it worse

1: CIL Charging Schedule

- Adopted December 2017
- Implemented this month (1st February 2018)

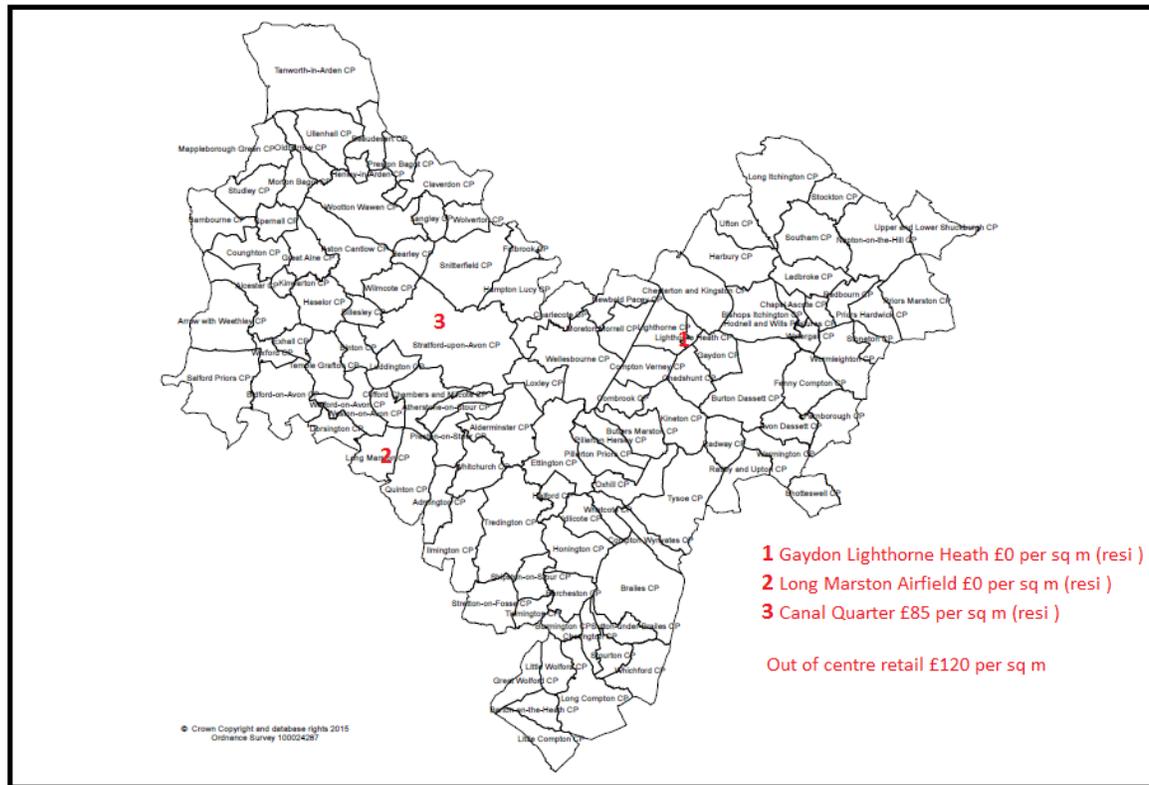
1: CIL Charging Schedule

Residential development	CIL £ per SQM
Gaydon/Lighthorne Heath	£0
Long Marston Airfield	£0
Canal Quarter	£85
Small sites 1-10 units	£75
Other sites 11 plus	£150
Extra care	£ as above prevailing rate
Retirement	£0

Retail development (A1-A5)	CIL £ per SQM
In centre	£0
Out of centre	£120
Within Gaydon/Lighthorne Heath and Long Marston	£10
Other development	
All other forms of liable floorspace	£0

- Indexed Linked

1: CIL Charging Schedule – PARISH MAP



Stratford-on-Avon District Council Parishes

2: How CIL Operates

- When does it apply?
 - To all development that involves ‘buildings that people normally go into’
 - Development greater than 100 sqm gross internal floorspace
 - A single dwelling (even under 100 sqm) (but not subdivisions of a dwelling house)
 - Includes permitted development
 - Now set – it is non negotiable – neither the council or developer can pick and choose which developments to charge
 - Exceptions....

2: How CIL Operates

- Exemptions
 - Self and custom build
 - Social housing
 - Charitable developments that are used wholly, or mainly for charitable purposes
 - Developments by charities which are held as an investments for charitable purposes
 - Exceptional circumstances

2: How CIL operates

EXERCISE 1

- Which of these developments attracts a CIL charge?
- What is the CIL charge per square metre?
- Which are exempt?



2: How does CIL operate – The relationship with the planning application process

PLANNING PORTAL

This form should be saved to your device and then completed using the free Adobe Reader software or full Adobe Acrobat software. Many internet browsers and other software can be used to view PDF format files, but we cannot guarantee their compatibility or functionality in regard to these forms. We advise that Mac users do not use Preview to complete this form because of functionality issues.

Community Infrastructure Levy (CIL) - Determining whether a Development may be CIL Liable
Planning Application Additional Information Requirement form

Following the introduction of the Community Infrastructure Levy (CIL) all applicants for full planning permission, including householder applications and residential applications, are required to provide the following information to the Planning Authority. The questions are provided to help you complete the form.

Please complete the form for the Charging Authority. See [Planning Practice](#) for more information.

1. Application Details
Applicant or Agent Name:
Planning Portal Reference (if applicable):
Site Address:

Application submitted, accompanied by CIL Calculation Forms

7. Existing Buildings considered for retention

c) Does your proposal include the retention, or conversion, of existing buildings which usually go or only go into intermittently for granted planning permission for a temporary period?

1	Brief description of existing building (as per description) to be retained or demolished	(i) Existing gross internal floorspace (square metres)	(ii) Gross internal floorspace to be lost by change of use or demolition (square metres)	(iii) Total gross internal floorspace proposed (including change of use, basements, and ancillary buildings) (square metres)	(iv) Net additional gross internal floorspace following development (square metres) (iv) = (iii) - (ii)
1					
2					
3					
4					

Total floorspace into which people do not normally go, only go intermittently to inspect or maintain plant or machinery, or which was granted temporary planning permission

d) If your development involves the conversion of an existing building, will you be creating a new mezzanine floor within the existing building?
Yes No

e) If Yes, how much of the gross internal floorspace proposed will be created by the mezzanine floor (sq ms)?

Use	Mezzanine floorspace (sq ms)

Planning Officer checks floorspace and appropriate CIL rate

6. Proposed New Floorspace

a) Does your application involve new residential floorspace (including new dwellings, extensions, conversions/changes of use, garages, basements or any other buildings ancillary to residential use)?
N.B. conversion of a single dwelling house into two or more separate dwellings (without extending them) is NOT liable for CIL. If this is the sole purpose of your development proposal, answer 'no' to Question 2b and go straight to the declaration at Question 8.
Yes No

If yes, please complete the table in section 6c) below, providing the requested information, including the floorspace relating to new dwellings, extensions, conversions, garages or any other buildings ancillary to residential use.

b) Does your application involve new non-residential floorspace?
Yes No

If yes, please complete the table in section 6c) below, using the information provided for Question 18 on your planning application form.

c) Proposed floorspace:

Development type	(i) Existing gross internal floorspace (square metres)	(ii) Gross internal floorspace to be lost by change of use or demolition (square metres)	(iii) Total gross internal floorspace proposed (including change of use, basements, and ancillary buildings) (square metres)	(iv) Net additional gross internal floorspace following development (square metres) (iv) = (iii) - (ii)

CIL Liability Notice sent to applicant following the grant of permission

2: How does CIL operate

- How is the levy paid
 - Usually cash contribution but can be payment in kind – infrastructure and/or land
 - Due within 60 days of commencement of the development (i.e once the spade in the ground you have to pay) – unless installments accepted
 - District Council has introduced installments for larger developments

2: How does CIL operate

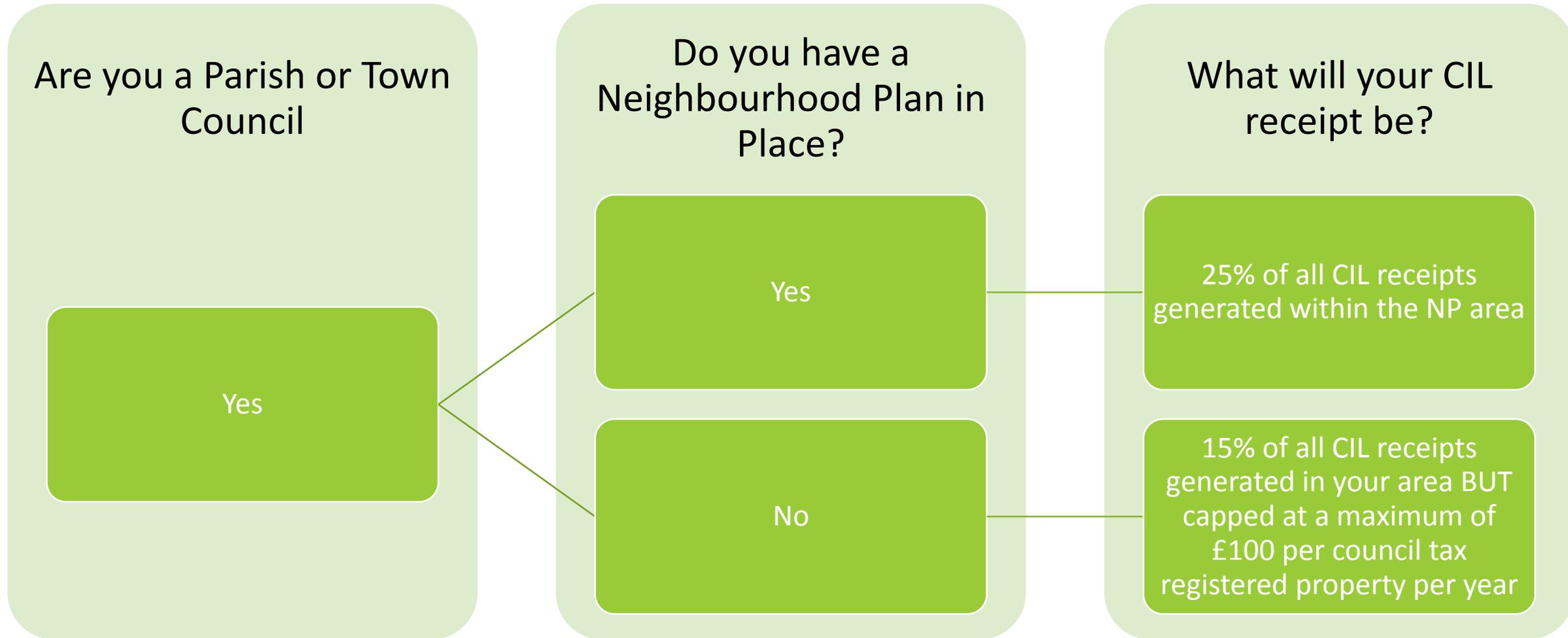
- Relationship with S106
 - Non financial clauses will remain (e.g. construction or servicing management plans)
 - Affordable housing still secured through S106
 - Other financial contributions scaled back to minor site specific work – apart from the new settlements at Gaydon/Lighthorne Heath and Long Marston
 - Generally infrastructure which does not address the direct impacts of developments such as school places or health facilities will transfer over to CIL

3: Spending

- The CIL 'pot'
 - Controlled and distributed by the District Council
 - But:
 - Exemptions
 - Administration – up to 5% of the CIL receipt
 - Neighbourhood proportion – varies

3: Spending

- The Neighbourhood proportion – incentive to have a Plan in place



3: Spending

EXERCISE 2

- Q1 - What is the total amount of CIL liable?
- Q2 - If there is a neighbourhood plan how much would that Parish or Town Council receive from this development?
- Q3 - If there is no Neighbourhood Plan what is the maximum amount of CIL that a Town or Parish Council could receive?
- Q4 - If there is no NP in place and a Town or Parish Council with 100 registered council tax properties had already received £10,000 from CIL this year, what amount of CIL could the Town or Parish Council receive?

Scenario:

A development of 10 units in a village with no affordable housing. Each unit is 100 sqm.

A1 – Total CIL liable: $100 \text{ (sqm)} \times 10 = 1,000 \text{ sqm}$
 $1,000 \text{ (sqm)} \times \text{£}75 = \text{£}75,000$
£75,000

A2 – P/TC receipt with NP: $\text{£}75,000 \times 25\% = \text{£}18,750$
£18,750

A3 – P/TC receipt with no NP: $\text{£}75,000 \times 15\% = \text{£}11,250$
£11,250

A4 – P/TC receipt with no NP: Already exceeded cap (100 x P/TC received £10,000 $\text{£}100 = \text{£}10,000$)
£0

3: Spending

- What can the District ‘pot’ be spent on?
 - Must be spent on infrastructure needed to support the development of the area
 - Cannot be used to fund affordable housing
 - Should relate to the spending priorities identified in your ‘123’ list
 - 123 list is a regulatory requirement – sets out a list of projects or types of infrastructure that SDC will use CIL to wholly or partly fund
 - Items on the 123 list can’t be funded through S106 as well
 - 123 list can be reviewed at any time

3: Spending

- What can the Neighbourhood 'pot' be spent on?
 - Wider range than SDC
 - Regulations (59C) states neighbourhood proportion is to ***'support the development of the local council's area'*** by funding:
 - ***The provision, improvement, replacement, operation or maintenance of infrastructure: or***
 - ***Anything else that is concerned with addressing the demands that development places on an area***

3: Spending

- **EXERCISE 3**

- Which of these items could a Town or Parish Council spend its CIL receipts on?

1. A new village hall
2. Repair and improve an existing village hall
3. Affordable housing
4. New or improved play areas
5. Holiday for Town and Parish councillors'
6. Preparation of a Neighbourhood Plan
7. Cycleway
8. New or improved park
9. Air quality monitor

**All of them apart
from the holiday!**

3: Spending

- How to decide how to spend the money
 - **What are the Infrastructure Needs?**
 - Will it address extra demand on infrastructure and services?
 - CIL not a replacement for every day expenditure – if misspent can be claimed back
 - Would a Town or Parish Infrastructure Plan help?
 - **What are our responsibilities?**
 - Do you understand the wider strategic projects and the impact these have on local projects?
 - Knowing about the ‘big stuff’ may help inform what your priorities are
 - What are ongoing costs, can you afford them?

3: Spending

- How to decide how to spend the money
 - **How can we engage with the local community to determine their infrastructure needs?**
 - Capacity of existing local groups and residents to engage in the process
 - Inclusivity - will all members of community be able to contribute? Communication key.
 - **How can CIL funds be maximised?**
 - Temptation to spend quickly on short term quick win projects BUT
 - Think about the long terms housing growth and resulting infrastructure needs
 - It may take a while to accumulate funds but potential to fund larger projects
 - Potential to match fund or contribute to district provided infrastructure to speed up or ensure provision

3: Spending

- EXERCISE 4

- Q1 Based on what you have heard so far think of five things you would like to use the CIL receipts
- Q2 What would be the order of priority for that list and why?
- Q3 Do you have any ideas about how much each of the 'things' would cost? Would you anticipate your CIL receipt funding all or part of it?
- Q4 Do you think you will receive enough CIL receipt to fund your top 2 priorities within the next five years

3: Spending

- With the money comes some rules...
 - Town and Parish Councils must have proper financial arrangements in place in accordance with public accounts and audit legislation
 - You don't have to receive the money but you do have to notify the council that don't want the money
 - CIL money must be spent within 5 years or run risk of District Council seeking to recover funds
 - You have to (publicly) publish the amount of money received and spent within your area, including a summary of the projects that it has funded
 - Town and Parish Councils will receive CIL generated in their area twice a year:
 - For the period 1st April to 30th September – payment by 28th October
 - For the period 1st October to 31st March - payment by 28th April

And finally....

- CIL is now operating
- There will be some initial confusion, especially for residents and local builders who may not be as familiar with CIL as the nationals
- This is not the answer to shortfalls in infrastructure provision, but it will help
- There is a lot for you to think about but officers will be on hand to help
- Not likely to see wholesale changes from the government but there maybe some tweaking
- Any final questions?