

# Community Infrastructure Levy: Gosport Draft Charging Schedule

## Statement on Issues and Questions

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Question 10: *Should the Draft Charging Schedule provide details of the phasing of CIL payments?*

Date: 23<sup>rd</sup> February 2015

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**GOSPORT**  
Borough Council

## 1. Introduction

- 1.1 The Borough Council is publishing a suite of CIL documents which will consist of the following: The Draft Charging Schedule, the Regulation 123 list, the discretionary relief in exceptional circumstances protocol, the payment in kind protocol and the phasing protocol.

## 2. Gosport Borough Council Approach

- 2.1 The Council has published the Draft Charging Schedule and the Regulation 123 list. The remaining documents will be published following the adoption of the CIL. They will then be updated as circumstances dictate.
- 2.2 The approach for the publication of CIL documents in the Borough was considered at the Council's Economic Development Board on the 17<sup>th</sup> of September 2014 (Document CIL 20) The Board agreed the approach set out in the draft charging schedule (Agenda item 6): *'Once the Charging Schedule is adopted the Council will produced a number of protocols outlining the various procedures involved in collecting CIL. These will include details of exemptions (social housing, self-build homes and charities), payment by instalments and payments in kind.'* (Draft Charging Schedule para 12.1) (Document CIL 1)
- 2.3 This approach is intended to ensure that each of the documents can be updated separately allowing the Borough Council to respond quickly to changing circumstances. This will help to ensure the Borough has in place the best and most up to date approach to charging CIL. The documents will receive Member approval prior to being adopted, and will be published in accordance with the CIL regulations.
- 2.4 The National Planning Practice Guidance (NPPG) (LP/B1/2) sets out the conditions a charging authority must meet in order to allow payment by instalments: *'An instalment policy can assist the viability and delivery of development by taking account of financial restrictions. Few if any developments generate value until they are complete either in whole or in phases. Willingness to allow an instalments policy can be a material consideration in assessing the viability of proposed levy rates. The authority has freedom to decide the number of payments, the amount and the time due. The authority may revise or withdraw the policy when appropriate.'*
- 2.5 The NPPG also make further specific provision where an application has phases of development: *'Where the planning authority is willing to accept it, a planning application can be subdivided into 'phases' for the purposes of the*

*levy. This is expected to be especially useful for large scale, locally planned development, which is an essential element of increasing housing supply.'*

- 2.6 The Council will set out its approach to phased payments in a protocol. This protocol will set out the threshold for the amount of CIL a development would have to pay for an instalment approach to be considered, the number of instalments which would have to be paid, and the timescales for payment. The protocol will also set out if the approach to instalments would be set consistently across all CIL payments or if varying approaches would be used at different thresholds. The protocol will also provide further detail to add to national guidance on the approach to payment on phased developments.
- 2.7 The approach to phased payment will be set to best meet the circumstances at a point in time; however the approach may need to change over the plan period. Factors such as changing financial and market conditions or changes to policy direction could potentially necessitate changes to the protocol.

### **3. Conclusion**

- 3.1 The Council has decided that it would be beneficial to deal with phased payment in a protocol separate to the draft charging schedule. This will provide flexibility in dealing with changing circumstances, and policy approaches.