



# **SOLIHULL MBC**

## **COMMUNITY INFRASTRUCTURE LEVY (CIL)**

### **PROPOSED INSTALMENTS POLICY**

October 2015

## **Proposed Community Infrastructure Levy (CIL) Instalments Policy**

This document sets out Solihull Council's proposed Instalments Policy should the CIL Charging Schedule be adopted.

The Instalments Policy is being prepared in accordance with [Regulation 69B of the CIL Regulations 2010 \(as amended\)](#).

An instalment policy can assist the viability and delivery of development by taking account of financial restrictions and cash-flow throughout the phases of development. The Council has discretion to decide the number of payments, the amount and the time(s) due. The Council may revise or withdraw the policy when appropriate.

**Table 1. Proposed Instalments for payment of CIL**

<b>Total CIL Liability (or for each phase of development if applicable)</b>	<b>No. of Instalments</b>	<b>Payment periods from commencement of development</b>
< £20,000	1	100% payable with 60 days
£20,000 to £40,000	2	<ul style="list-style-type: none"><li>• 50% payable within 60 days</li><li>• 50% payable within 120 days</li></ul>
£40,000 to £100,000	3	<ul style="list-style-type: none"><li>• 30% payable within 60 days</li><li>• 35% payable within 120 days</li><li>• 35% payable within 180 days (or upon completion of development if earlier)</li></ul>
>£100,000 to £250,000	4	<ul style="list-style-type: none"><li>• 25% payable within 90 days</li><li>• 25% payable within 180 days</li><li>• 25% payable within 270 days</li><li>• 25% payable within 360 days (or upon completion of development if earlier)</li></ul>
> £250,000	4	<ul style="list-style-type: none"><li>• 25% payable within 120 days</li><li>• 25% payable within 240 days</li><li>• 25% payable within 360 days</li><li>• 25% payable within 480 days (or upon completion of development if earlier)</li></ul>

The Instalments Policy only applies in cases where the persons liable for paying CIL have complied with all the relevant regulations. Regulation 70 of the CIL Regulations 2010 (as amended) sets out the following requirements.

The CIL Instalments Policy will only apply in the following circumstances:

1. Where the Council has received a CIL Assumption of Liability form prior to commencement of the chargeable development (Regulation 70(1) (a)), and;
2. Where the Council has received a CIL Commencement Notice prior to commencement of the chargeable development (Regulation 70(1) (b)).

If either of the above requirements are not complied with, then the total CIL liability will become payable within 60 days of the commencement of the chargeable development.

Once development has commenced, all CIL payments must be made in accordance with the CIL Instalments Policy. Where a payment is not received in full on or before the day on which it is due, the total CIL liability becomes payable in full immediately (Regulation 70 (8)(a)). Furthermore, when payment for CIL liability is not received, surcharges and interest will be imposed onto payments as part of the enforcement powers detailed in Regulations 80-88 of the CIL Regulations 2010 (as amended).

The Instalments Policy will be subject to monitoring and review to ensure that it is fit for purpose and does not unduly affect viability and delivery of liable development.

N.B. For outline applications which permit development to be implemented in phases, each phase of the development, as agreed by Solihull Council, is a separate chargeable development. In such cases, the instalments policy will apply to each separate chargeable development.