

Gedling Borough Council Draft Community Infrastructure Levy Charging Schedule

Published for consultation on xxxx 2013

The Borough of Gedling is a charging authority for the purposes of Part 11 of the Planning Act 2008 and may therefore charge the Community Infrastructure Levy (CIL) in respect of development in the Borough of Gedling. The Council is also the collecting authority for its administrative area.

Statutory Compliance

The draft Charging Schedule has been prepared in accordance with the Community Infrastructure Levy Regulations 2010, Part 11 of the Planning Act 2008 and statutory guidance in 'Community Infrastructure Levy: Guidance' (CLG, 2012).

In accordance with Regulation 14, in setting the CIL rate the Council has aimed to strike what it considers to be an appropriate balance between

- the desirability of funding from CIL (in whole or part) the actual and expected estimated total cost of infrastructure required to support the development of its area, taking into account other actual and expected sources of funding; and
- the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area.

The Council's timetable for producing an adopted CIL Charging Schedule is:

Consultation on draft Charging Schedule ends	Nov 2013
Submission of draft Charging Schedule for Examination	Spring 2014
Examination of draft Charging Schedule	Late summer 2014
Adoption of Charging Schedule	Late 2014

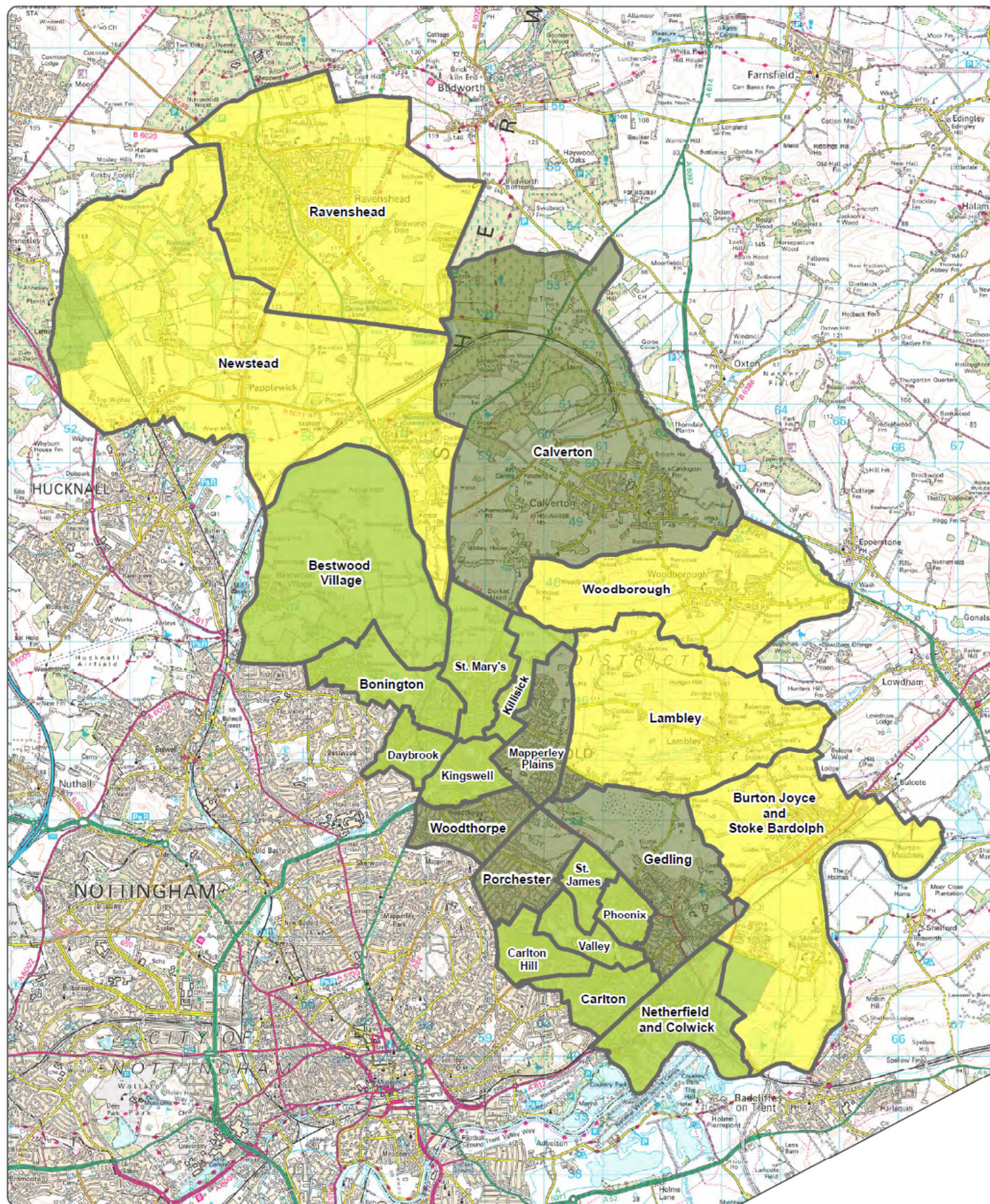
CIL Rate

The rate at which CIL will be charged shall be:

Development Type			
Residential	Zone 1	Zone 2	Zone 3
	£0/m ²	£45/m ²	£70/m ²
Commercial	Urban Zone	Rural Zone	
Retail A1, A2, A3, A4, A5	£60/m ²	£0/m ²	
All other uses	£0/m ²	£0/m ²	

Charging Zone Maps

Gedling CIL - Residential Charging Zones



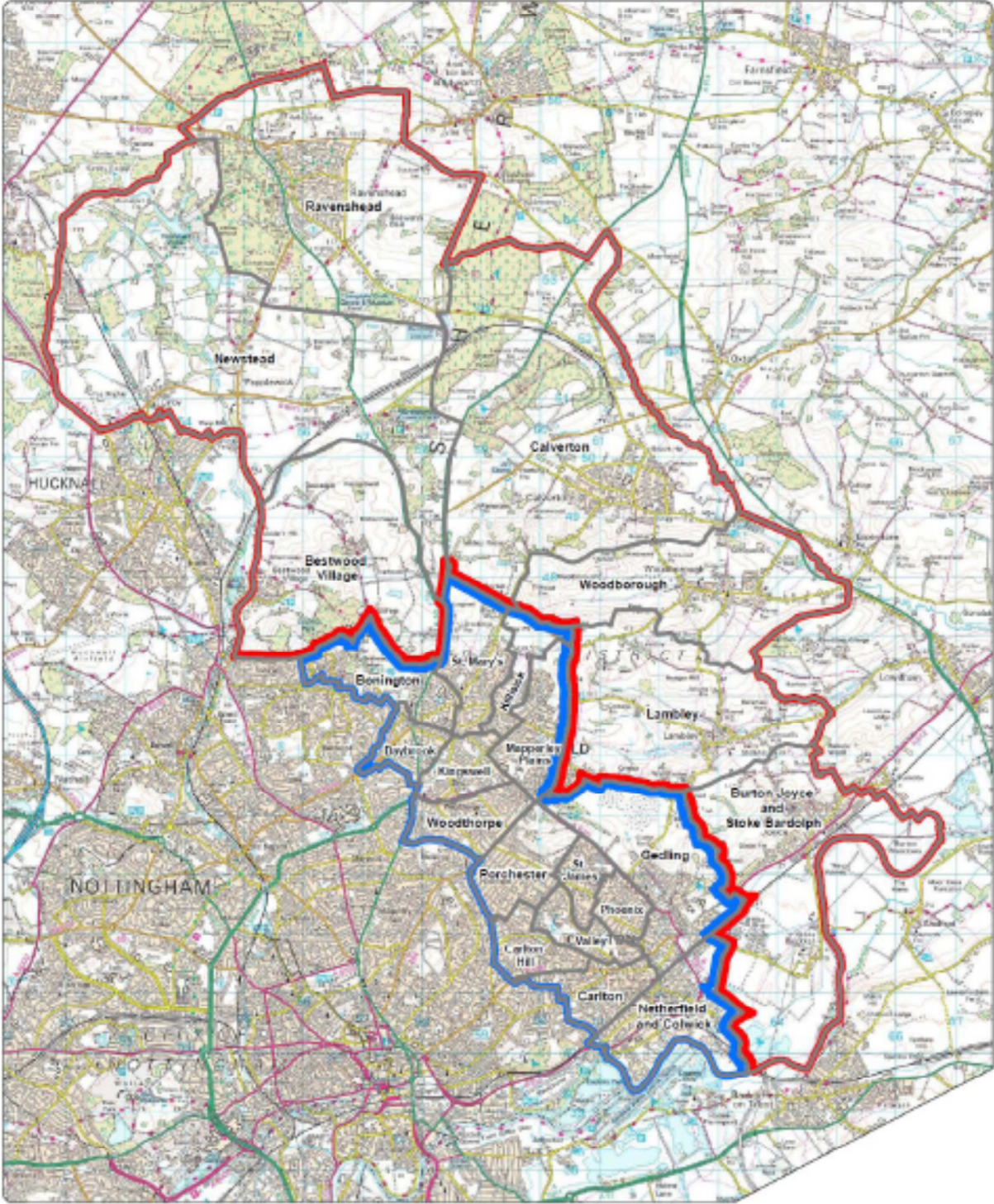
Key

-  Wards
-  Zone 1
-  Zone 2
-  Zone 3

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Gedling CIL Commercial Charging Zones



Key

- Wards
- Urban
- Rural

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Supporting Evidence Base

The initial rationale for the introducing CIL was set out in the Council's Preliminary Draft Charging Schedule which was published for consultation in September 2012. The PDCS was supported by a number of evidence base documents. These documents have been revised or supplemented following consultation and the publication of amended guidance in Dec 2012.

A link to all supporting documents is provided below:

<http://xxxxx>

Liability to pay CIL

Liability to pay CIL occurs on the grant of the related planning permission that first permits the proposed development, such as the grant of full planning, change of use or approval of the last reserved matter on the grant of outline planning.

CIL payment

GBC will issue a liability notice following the grant of the planning permission for the chargeable development. The notice will be sent to the applicant, the owner and any party who has assumed liability for the CIL.

The Regulations state that CIL becomes payable upon the commencement of development (defined by reference to section 56(4) of the TCPA 1990 and includes works of demolition and construction and preparatory works such as digging foundations and installing services). It is possible for the Council to collect staged payments provided it has an adopted policy (instalments policy) for doing so, which has been published for at least 28 days prior to use on the Council's website. GBC has proposed an instalment policy which was set out in the Preliminary Charging Schedule and is included in the supporting evidence base.

Calculating the Charge

GBC will calculate the amount of CIL payable ("chargeable amount") in respect of a chargeable development in accordance with regulation 40 of the Community Infrastructure Levy Regulations 2010, as amended in 2011 and 2012.

Under Regulation 40, the CIL rate will be index linked with the Royal Institute of Chartered Surveyors "All In Tender Price Index". The current All In Tender Price Index is (to be set out at time of adoption).

Existing Floorspace on a Development Site

Regulation 40 provides that the total floorspace of any existing buildings on a development site should be subtracted from the floorspace of the chargeable development, where the existing buildings have been in use for at least six months within the period of 12 months ending on the day planning permission first permits the chargeable development.

Exemptions and Reliefs

The following forms of development are exempt from paying CIL:

- buildings into which people do not normally go, or go only intermittently for the purpose of inspecting or maintaining fixed plant or machinery (Regulation 6); and
- developments of under 100 sq m that do not result in the creation of 1 or more additional dwellings (Regulation 42);
- development by a charity where the development will be used wholly or mainly for charitable purposes (Regulation 43).

The following types of development are able to apply for relief from paying CIL:

- social housing (Regulations 48, 49, 50, 51, 52, 53, 54).

In addition, the Council has the option to offer discretionary relief for:

- development by a charity where the profits of the development will be used for charitable purposes (Regulations. 44, 45, 46, 47, 48); and exceptional circumstances (Regulations 55, 56, 57, 58).

The Council's policy on whether discretionary relief is offered will be set out in a separate policy document, in accordance with the relevant regulations.

Statement of the Representations Procedure

This document was published on xx xxxx 2013. Comments should be made before 5pm on xx xxxx 2013. Comments should be submitted on line via the Council's consultation web-portal:

<http://gedling.limehouse.co.uk/portal>;

or in writing to:

Planning Policy
Gedling Borough Council
Civic Centre
Arnot Hill Park
Arnold
Nottingham
NG5 6LU

Tel 0115 019 3757

Email planningpolicy@gedling.gov.uk

Representations on the Draft Charging Schedule will be made available to the person appointed to examine the soundness of the Charging Schedule during an independent examination. Persons making representations may request the right to be heard by an examiner. Persons making representation may also be accompanied by a request to be notified at a specified address of:

- The draft charging schedule being submitted to the examiner;
- The publication of the recommendations of the examiner and the reasons for those recommendations;
- The approval of the charging schedule by the charging authority.