

Access Selby

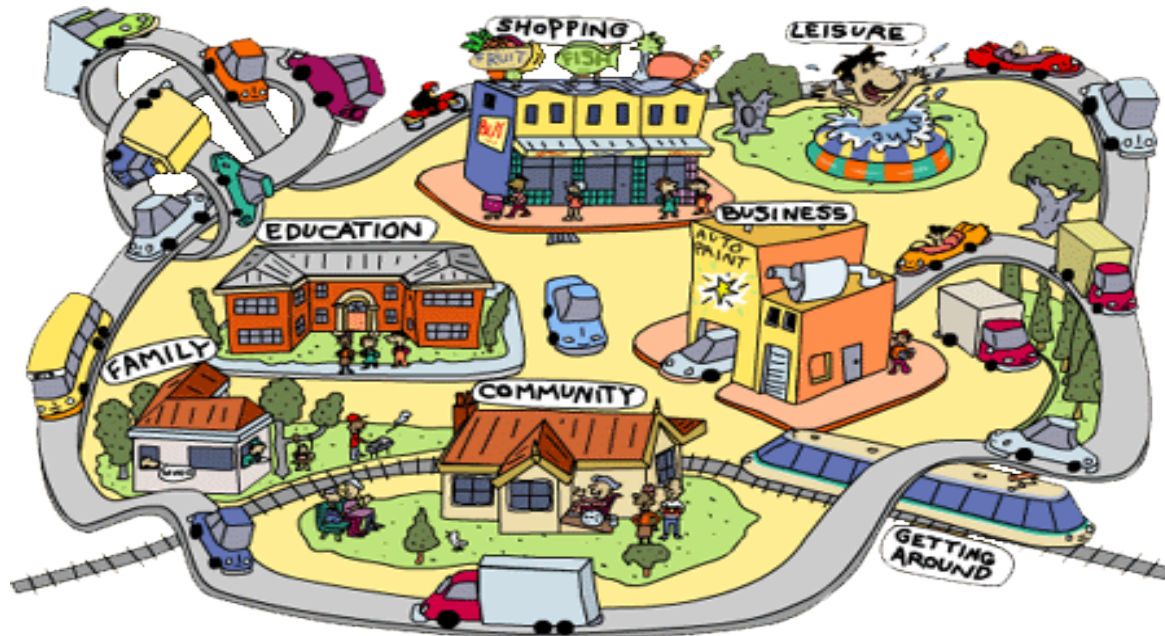
A new approach to public service

SELBY

DISTRICT COUNCIL

Moving forward with purpose

Access Selby Community Infrastructure Levy (CIL)



Introductions

- Carol Baker
CIL and S106 co-ordinator
- Sophie King
Planning Officer and CIL Officer
- Tom Ridley
Policy Officer
- Gillian Marshall
Solicitor to the Council



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Developer Contributions?

- Section 106 agreements and CIL are 'Developer Contribution'
- What are Developer Contributions?



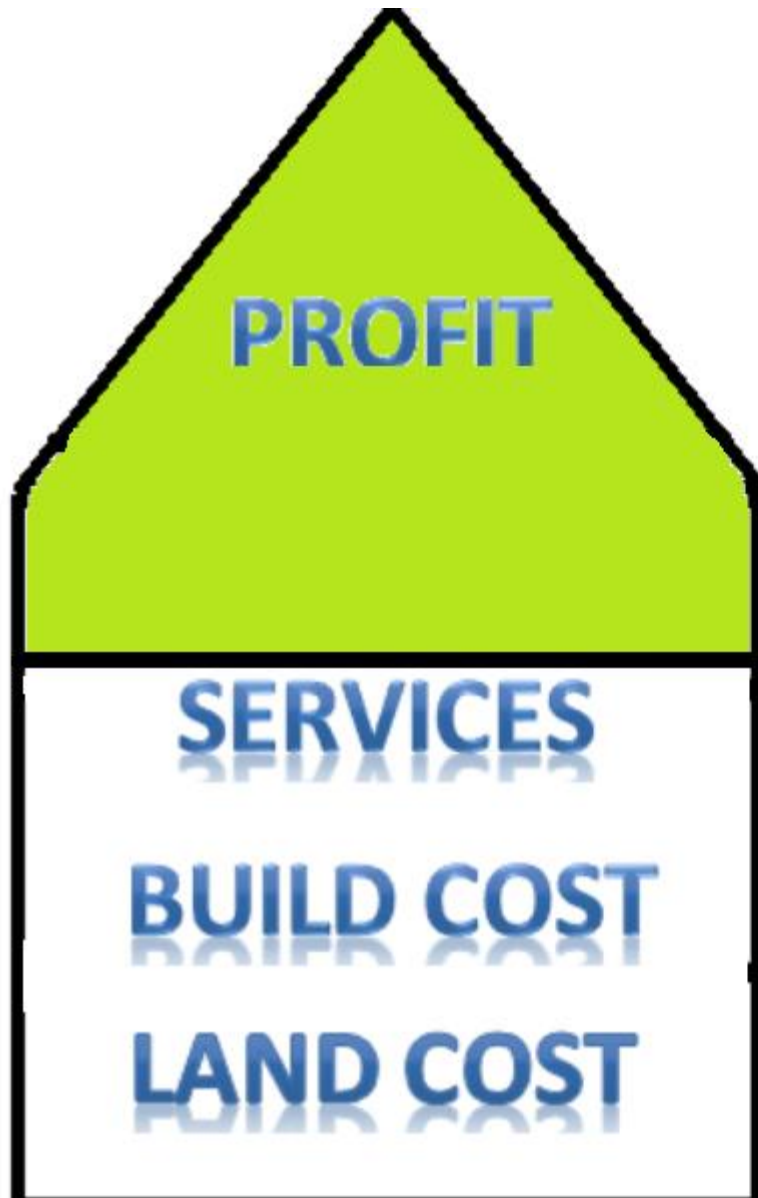
Section 106

- Section 106 introduced in the early 1990's.
- Legal agreement required to get planning permission
- Agreed between the developer and the council
- Negotiable

Section 106

Why change a working
format?

2006?



SALES PRICE

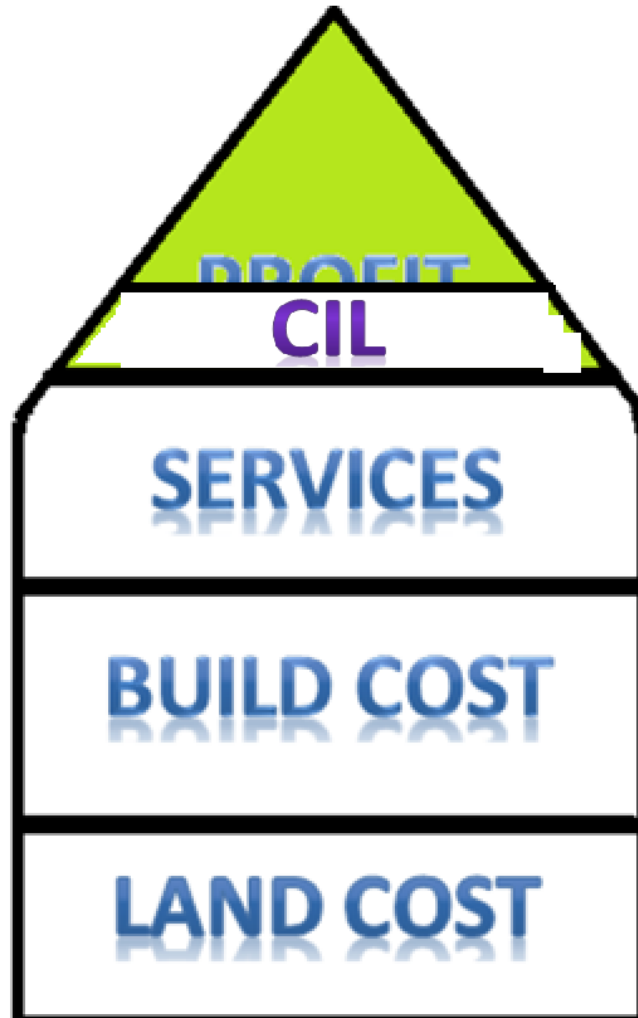
What was wrong with S106?

- Negotiable
- Payable on Completion targets
- Not payable on less than 10 dwellings
- Not seen as fair
- Slowed down the planning process

Change to CIL

- Non-negotiable – set by the LPA – quicker
- Developers know the CIL amounts prior to application submission
- Fair – all sites regardless of size contribute
- Government wanted to move to funding ‘Strategic Infrastructure’
- Based on Economic Viability Evidence
- Payable on time limits

How are the CIL rates calculated?



Change to CIL

- 2008 Recession
- 2010 Coalition Government
- CIL and Section 106

What is CIL

- CIL is an obligatory charge on new buildings and extensions according to their floorspace
- It is liable on the granting of planning permission and paid once work commences
- The Council must apply CIL funds for the provision , improvement, replacement or maintenance of infrastructure to support the development of its area
- CIL is registered as a local land charge on the development until it has been paid in full

Why have we got CIL

- The Government amended the existing S106 tariff system in April 2015, which means that -
 - Councils can only agree S106 agreements that are required to make an application acceptable in planning terms which would have led to a substantial reduction in infrastructure funding if we had not adopted CIL.
- The majority of requirements are set nationally. - The Council has little discretion as to what it could charge, what is exempt, payment and enforcement actions

- Selby District Council charges are set in our Charging Schedule. This means that there are no circumstances for any individual variation of these charges.
- The Community Infrastructure Levy Regulations 2010 (as amended) is the legislation used



Payments



- Payments are non-negotiable and will default to the landowner if liability is not claimed
- The developer or landowner will normally be liable to pay CIL, however anyone may take on the liability to pay and CIL can be apportioned to more than one party
- There are a wide range of enforcement powers to ensure payment is made, with penalties such as surcharges with formal enforcement powers which can ultimately include court proceedings with custodial sentences.

What type of development pays CIL

- New dwellings
- Any residential development (such as extensions) which are over 100 square metre gross internal area (GIA) are liable for the levy charge.
- There are non-residential tariffs which are applicable on supermarket and retail warehouse developments.
- However, some development may be exempt from the charge because the development could attract relief and exemption from the levy.

Relief and Exemptions

- The CIL regulations allows for a number of exemptions and relief to the CIL charges including....
 - Some change of uses, conversions or subdivisions of buildings. These usually are where no increase in existing floorspace results
 - Buildings in which people enter intermittently, such as plant rooms
 - Development by charities for charitable purposes

Self Build exemption

- This exemption is applied to anyone who's development is being built as their own home – the property has to be occupied as their own property and has to remain their principal residence for a minimum of 3 yrs. after the works have been completed.
- Self build extension and annexes could also be eligible for exemption as long as they meet criteria set out in the Regulations.

Social Housing Exemption

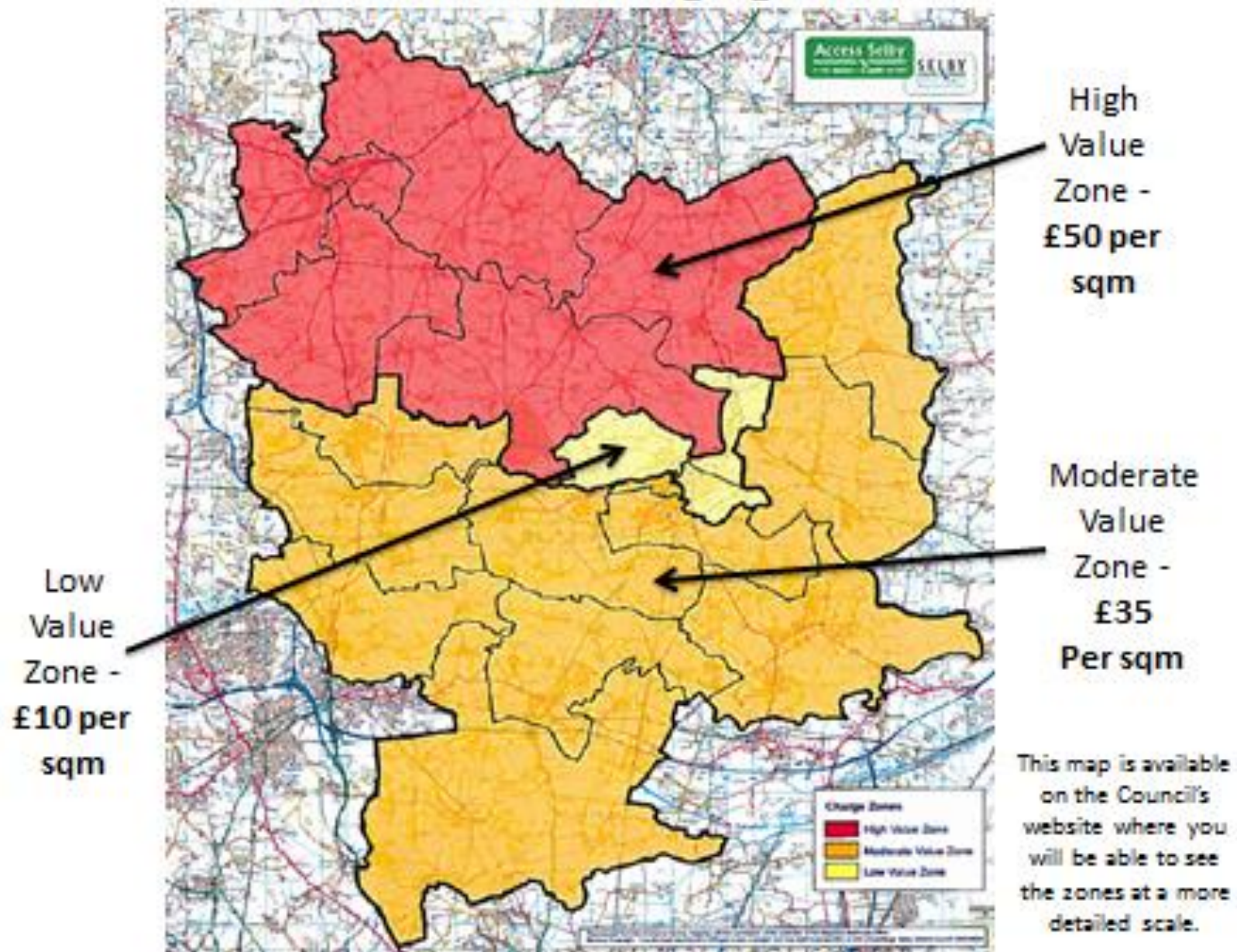
- This is usually referred to as Affordable Housing
- Development which incorporates social housing are entitled to mandatory relief from CIL for the social housing element of the development.
- Affordable Housing contribution would still remain as a contribution in a S106 agreement.

How is it calculated ?

- The amount a development is liable to pay is calculated in accordance to regulation 40 of the CIL Regulations 2010 (as amended)
- The rate is set out in our Charging schedule and will be based on Gross Internal Areas (GIA) and not on the footprint of the development.

Once adopted CIL is indexed linked to BCIS 'All in tender price' Index.

CIL Residential Charging Zones

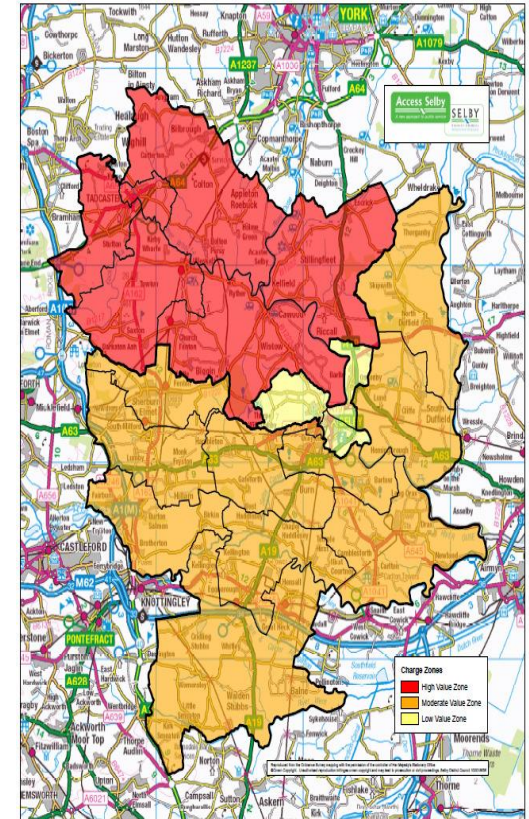


High Zone

The high charging zone consists of the Parishes of

Healaugh
Catterton
Acaster Selby
Barkston Ash
Biggin
Colton
Oxton
Grimston
Stutton with Hazelwood
Lead
Ulleskelf
Towton
Bolton Percy
Appleton Roebuck
Kirby Wharfe with North Milford
Saxton with Scarthingwell
Tadcaster

Ryther cum Ossendyke
Bilborough
Church Fenton
Little Fenton
Newton Kyme cum Toulston
Steeton
Cawood
Wistow
Riccall
Escrick
Kelfield
Stillingfleet



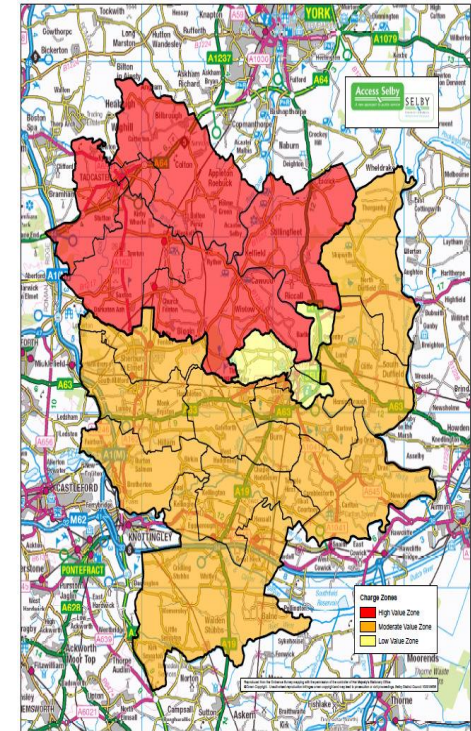
High Zone example

- CIL Charge is £50.00 per sq metre
- Based on the average new dwelling is 88 sqm.
CIL payment would be £4,400.00.
- Parish Council 15% would be £660.00

Moderate Zone

The moderate charging zone consists of the Parishes of

Huddleston with Newthorpe	Fairburn
Sherburn in Elmet	Brotherton
South Milford	Burton Salmon
Hambleton	West Haddlesey
Thorpe Willoughby	Chapel Haddlesey
Brayton	Burn
Barlow	Carlton
Cliffe	Long Drax
North Duffield	Drax
Hemingbrough	Camblesforth
Burn	Newland
Gateforth	Hirst Courtney
Hillam	Beal
Birkin	Cridling Stubbs
Stapleton	Kirk Smeaton
Little Smeaton	Whitley
Womersely	Hensell
Heck	Balne
Whitley	Eggborough
Kellington	Monk Fryston
Skipwith	Thorganby
Walden Stubbs	



Moderate Zone example

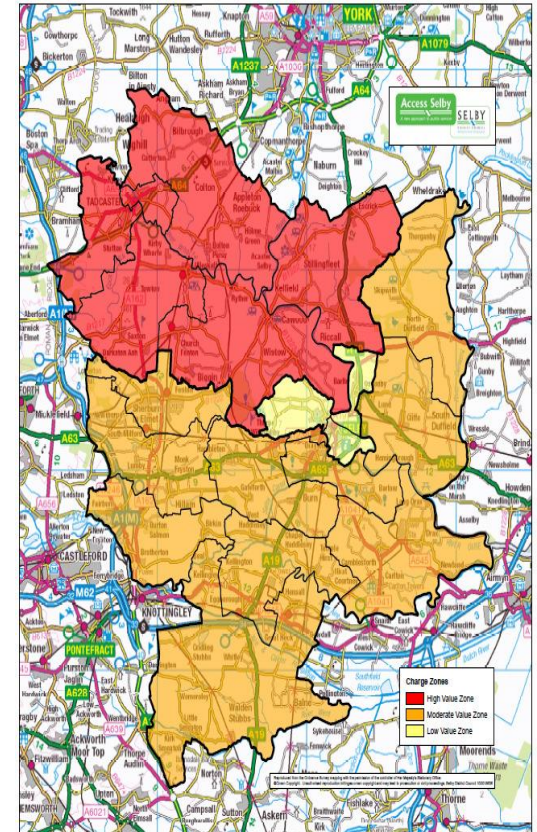
- CIL Charge is £35.00 per sq metre
- Based on the average new dwelling is 88 sqm.
CIL payment would be £3,080.00.
- Parish Council 15% would be £462.00

Low Zone

The low charging zone consists of the
Parishes of

Selby Town

Barlby with Osgodby



Low Zone examples

- CIL Charge is £10.00 per sq metre
- Based on the average new dwelling is 88 sqm.
CIL payment would be £880.00.
- Parish Council 15% would be £132.00

What does this mean to my Parish Council ?

- Parish Council will continue to be provided with contributions from existing S106 agreements, signed before 1st January 2016.
- However, off site Recreational Open Space contributions will no longer be requested in any new agreements.
- Contributions through a S106 agreement can only be requested if there is a specific development related requirement –such as a school or health centre.

- Unlike S106 monies, local fund monies are not as restrictive in terms as their use.
- Parish Councils are accountable for what projects the monies are used for but monies must be spent on
 - The provision, improvement, replacement, operation or maintenance of infrastructure (such as open spaces, village halls, leisure facilities , schools etc.)
 - Anything else that is concerned with addressing the demands that development places on an area

- Parish Councils in which the development has taken place will be allocated a % of the monies collected.
- Unlike S106 funds which are sent to Parish Council on receipt of agreed projects , and on receipt of funds in 2 instalments of 50% - the later % being on completion of the agreed project - Monies due under CIL will be collected from developments on commencement and will be passed onto the Parish Council twice a year – end of March and end of October.
- Every Parish Council will receive a annual statement in April detailing what they have received in the previous financial year

- The District Council is responsible for passing onto Parish Councils a proportion of CIL receipts for use on infrastructure identified as important by the local community.
- If development crosses parish boundaries the amount paid to Parish Councils will be proportioned accordingly.
- All Selby District Parish and Town Councils will receive 15% of CIL receipts in their area twice a year – as detailed within the regulations. This is referred to as the ‘Local Fund’.

Neighbourhood Planning

- The CIL regulation require 15% meaningful proportion is transferred to the local Council
- If the local Council has a Neighbourhood Plan in place this amount rises to 25%
- Is this an incentive to produce a Neighbourhood Plan?

Neighbourhood Planning

- Average cost of simple a NP is £20k
- Average time is 2 years
- NP's are community driven not produced by SDC
- What about the extra CIL money?
- High zone extra £440 = 45 dwellings BE
- Moderate zone extra £380 = 53 dwellings BE
- Low zone extra £88 = 228 dwellings BE
- CIL is not liable on any existing permissions and the extra 10% is not enforceable until the NP is adopted

Other points

- Parish Councils can also pool monies together from several developments in their parish to provide a larger fund pot for projects.
- Any funds not used by Parish Councils within 5 years of receipt will be returned to the District Council and will be incorporated into the general Infrastructure 'pot' for use on district wide infrastructure projects. (the Regulation 123 list).
- Changes to policies/documents will happen – such as the 123 List and charging schedule. These could have an impact on the amounts of funds Parish Council may receive

- So please be aware of our website and announcements through Councils communications.
- The Government have began a review of CIL so there maybe changes on the way – we will keep everyone informed of any impacts which may impact on Parish Councils.

Reporting



- Selby District Council are required to produce an annual monitoring report on the operation of the levy over each financial year.
- The report will have to include:-
 - ◆ The amount of CIL monies collected and how much has been spent
 - ◆ How monies have been spent – projects etc.
 - ◆ The amount of CIL funds retained at the end of each financial year
- Parish and Town Council will be required to inform the co-ordination officer how they have used their local funds

- A monitoring form will be sent with the annual statement in April. This will be used to provide details for the Annual Monitoring report.
- The Annual monitoring report will be published and will be reported to the District Council in the June each year- it is therefore important that Parish Councils ensure they provide accurate details in order for the monitoring report be accurate.

For further details on the Community Infrastructure Levy please see

www.selby.gov.uk

or

www.planningportal.gov.uk

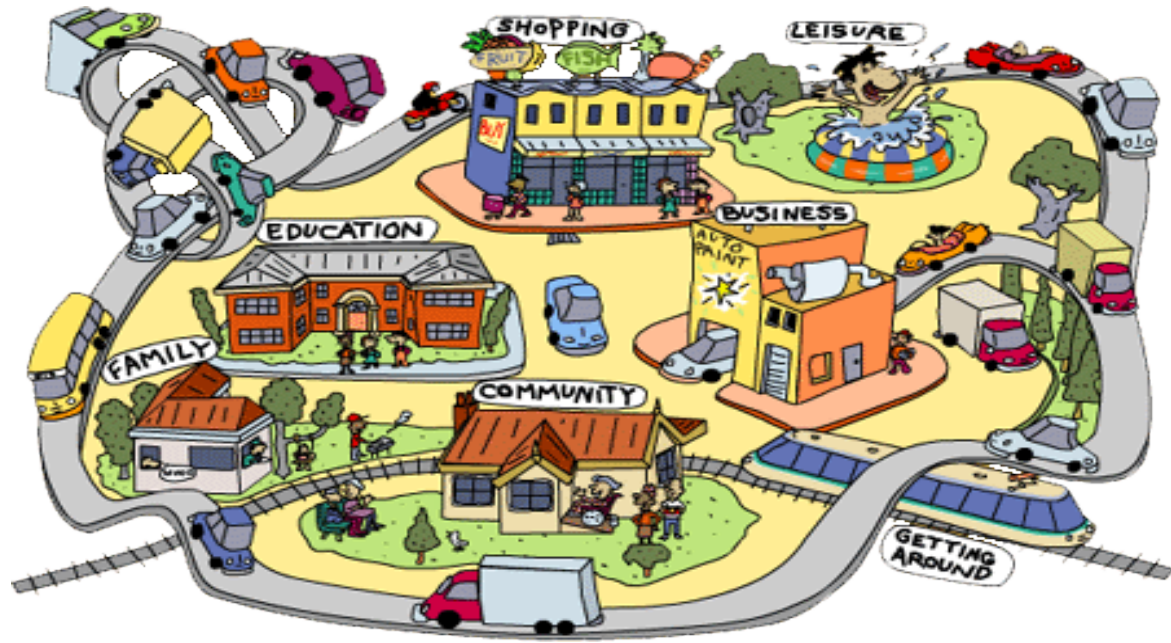
Legislation is the **Community Infrastructure Levy Regulations 2010 (as amended)**

Any CIL queries should be addressed to

cil@selby.gov.uk

Changes to S106 procedures

- Brief outline
- New forms
- Annual statements
- Closer liaison
- Funding partners
- Sharing ideas for projects etc.
- Development of FAQ's



QUESTIONS ?

cil@selby.gov.uk

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