

Community Infrastructure Levy: Charging Schedule

Contents

1 Introduction to the Community Infrastructure Levy	3
2 CIL and its relationship with S106	4
3 Discretionary Relief	4
4 Evidence Base	5
5 Charging Schedule	8
Appendix A: Differential Rate Map	9
Appendix B: Instalment Policy	10
Appendix C: Appendix C: Residential Differential Rate Maps	11

Community Infrastructure Levy: Charging Schedule

1 Introduction to the Community Infrastructure Levy

1.1 This Community Infrastructure Levy (CIL) Charging Schedule has been adopted by West Berkshire District Council at a meeting of Full Council in March 2014. As a Unitary Authority, the Council is both a Charging Authority and a Collecting Authority.

1.2 The Charging Schedule⁽¹⁾ is issued, approved and published in accordance with Part 11 of the Planning Act 2008⁽²⁾ (as amended by Part 6 of the Localism Act 2011), and the Community Infrastructure Levy Regulations 2010⁽³⁾ (as amended by the CIL (Amendment) Regulations 2011⁽⁴⁾, the CIL (Amendment) Regulations 2012⁽⁵⁾, the CIL (Amendment) Regulations 2013⁽⁶⁾, and the CIL (Amendment) Regulations 2014⁽⁷⁾) (“the Regulations”).

1.3 The Charging Schedule takes effect from 1st April 2015.

What is CIL?

1.4 The Community Infrastructure Levy (commonly known as CIL) is a tool intended to secure contributions from developers towards improvements and enhancements to infrastructure required as a result of development. It is intended to supplement other funds to provide new infrastructure in the District - it is not intended to provide the full costs associated with all the infrastructure required.

1.5 The purpose of the levy is to give developers more certainty about costs and to give councils and local communities more flexibility about how infrastructure is funded. The money raised through the levy can be used to fund a range of projects including towards:

- roads and other transport facilities;
- flood defences;
- schools and other educational facilities;
- medical facilities;
- sporting and recreational facilities; and
- open spaces.

How is it calculated and what development is liable?

1.6 CIL will be levied at a rate per m² (based on Gross Internal Floorspace) on new development of more than 100m² of floorspace (net) or when a new dwelling is created (even if it is less than 100m²). Please see the table at paragraph 5.1 for the rates applicable for different types of development.

1.7 There will be no CIL charge for Change of Use applications unless additional floorspace is created and no charge for the subdivision of existing dwellings. In addition CIL is not payable on:

- Structures into which people do not normally go;
- Structures which are not buildings;
- All Affordable Housing (including the element of a mixed development which is provided as affordable housing);

1 West Berkshire District Council's CIL web page: www.westberks.gov.uk/cil

2 Planning Act 2008: http://www.legislation.gov.uk/ukpga/2008/29/pdfs/ukpga_20080029_en.pdf

3 Community Infrastructure Levy Regulations 2010: http://www.legislation.gov.uk/uksi/2010/948/pdfs/uksi_20100948_en.pdf

4 CIL (Amendment) Regulations 2011: http://www.legislation.gov.uk/uksi/2011/987/pdfs/uksi_20110987_en.pdf

5 CIL (Amendment) Regulations 2012: http://www.legislation.gov.uk/uksi/2012/2975/pdfs/uksi_20122975_en.pdf

6 CIL (Amendment) Regulations 2013: http://www.legislation.gov.uk/uksi/2013/982/pdfs/uksi_20130982_en.pdf

7 CIL (Amendment) Regulations 2014: <http://www.legislation.gov.uk/uksi/2014/????>

Community Infrastructure Levy: Charging Schedule

- Temporary buildings;
- Self-build housing;
- Residential annexes and extensions;
- Development for charitable purposes; and
- Applications for development where no buildings are proposed (e.g. mineral extraction sites).

When is it payable?

1.8 As set out in Regulations, CIL is payable within 60 days of commencement of development, although the Regulations allow for an instalment policy to be adopted alongside CIL if the authority wishes. West Berkshire Council's instalment policy is attached as Appendix B to this document.

1.9 The responsibility to pay the levy lies with the owner of the land, unless liability is assumed as set out in Regulations 31 to 39 (as amended), and the amount payable will be calculated in accordance with Regulation 40 (as amended).

2 CIL and its relationship with S106

2.1 With the introduction of a CIL charge, the use of S106 obligations is restricted to site specific impacts, for instance enabling works such as site access, or the provision of facilities and infrastructure directly required as a result of large scale developments, and the provision of affordable housing.

2.2 This position is reflected in our Developer Contributions SPD which has been updated during 2014 and adopted at a meeting of Full Council in December 2014.

2.3 The Council has prepared a Regulation 123 list, setting out the infrastructure intended to be funded from the levy.

3 Discretionary Relief

3.1 West Berkshire Council does not intend to adopt an Exceptional Circumstances policy.

Community Infrastructure Levy: Charging Schedule

4 Evidence Base

4.1 In setting its CIL rates (in accordance with Regulation 14(1) of the Community Infrastructure Regulations 2010), West Berkshire District Council has aimed to strike what appears to the Council to be an appropriate balance between:

- the desirability of funding from CIL (in whole or part) the infrastructure required to support the development of its area; and
- the potential effects of the imposition of CIL on the economic viability of its area.

4.2 In order to set appropriate rates the Council has had regard to:

- The adopted West Berkshire Local Plan Core Strategy (June 2012)⁽⁸⁾.
- The refreshed Infrastructure Delivery Plan (IDP) (March 2013)⁽⁹⁾, which details the infrastructure required to support development in the period of the West Berkshire Local Plan Core Strategy (2006 - 2026).
- The West Berkshire CIL Viability Study (January 2013)⁽¹⁰⁾ prepared for the Council by Dixon Searle LLP.

4.3 These documents are available to download from the Council's website as supporting information used to guide the rates of CIL.

West Berkshire Local Plan Core Strategy

4.4 The Core Strategy was adopted by the Council in July 2012. This document forms part of the West Berkshire District Local Plan. It sets out the long term vision for the District to 2026 and translates this into spatial planning terms, setting out proposals for where development will go and how this development will be built.

4.5 The Core Strategy sets out top level spatial policies on the four areas which make up the District, it sets out a settlement hierarchy and broad housing numbers for each of the spatial areas. It also provides core policies to guide development, including policies on retail, employment, affordable housing, flooding, infrastructure and the historic environment. The Core Strategy identifies two strategic site allocations, one at Newbury Racecourse and one at Sandford Park, to help deliver the Districts housing requirement of 10,500 net additional dwellings over the plan period.

4.6 The Core Strategy provides an overall framework for the more detailed policies and site specific proposals to be contained in other documents of the Local Plan.

Infrastructure Delivery Plan

4.7 The latest update to the Infrastructure Delivery Plan (IDP) took place in February and March 2013. The refresh involved contacting all service units, infrastructure providers, and all Parish and Town Councils. The IDP shows a gross funding requirement in excess of £257 million. Funding already earmarked, or expected to be available totals £93.8 million, leaving a shortfall in funding of £163.5 million. The following table shows the additional housing requirement across West Berkshire's four spatial areas and an estimate of CIL receipts based on delivery in line with the housing requirement at the proposed CIL rates. It shows that CIL receipts will contribute towards the funding requirement, but there will be a substantial shortfall.

8 West Berkshire Core Strategy DPD: <http://www.westberks.gov.uk/index.aspx?articleid=4021>

9 West Berkshire Infrastructure Delivery Plan: <http://www.westberks.gov.uk/dcs>

10 West Berkshire CIL Viability Study: <http://www.westberks.gov.uk/dcs>

Community Infrastructure Levy: Charging Schedule

4.8 Funding Gap Analysis

	A	B	C	D	E	F	G
Spatial Area	Additional Housing Requirement 2014 – 2026 ⁽¹⁾	CIL Rate per m ²	Estimate of Minimum Floorspace created ⁽³⁾ (M ²)	Estimate of Maximum Floorspace created ⁽⁴⁾ (M ²)	Minimum Anticipated CIL Receipt (B x C)	Maximum Anticipated CIL Receipt (B x D)	Net Funding requirement from IDP
Newbury / Thatcham ⁽²⁾	2,200	£75	99,000	275,000	£7.425m	£20.625m	
Eastern Urban Area	690	£75	31,050	86,250	£2,329m	£6.469m	
East Kennet Valley	260	£125	11,700	32,500	£1.462m	£4.062m	
North Wessex Downs AONB	670	£125	30,150	83,750	£3.769m	£10.469m	
TOTALS	3,820		171,900m²	477,500m²	£14.985m	£41.625m	£163.5m

Notes to Table:

1. Additional Housing requirement taken from Infrastructure Delivery Plan Table 2.1 'Anticipated additional housing requirement 2014-2026'
2. Housing Requirement includes 1,000 planned for Sandleford Strategic Site within the plan period
3. Minimum floorspace based on dwelling size of 1bed private flat, taken from DSP viability study Figure 4: Residential Unit Sizes
4. Maximum floorspace based on dwelling size of 4bed private house, taken from DSP viability study Figure 4: Residential Unit Sizes

4.9 Calculation of Shortfall

Net Funding Requirement from Infrastructure Delivery Plan	£163.5 million (Column G)
Shortfall based on Minimum CIL Receipt	£148.5 million (Column G minus Column E)
Shortfall based on Maximum CIL Receipt	£121.9 million (Column G minus Column F)

Community Infrastructure Levy: Charging Schedule

4.10 Given that the likely scale of development in terms of unit size cannot be accurately predicted, the above calculation shows a significant shortfall even if the largest homes are delivered over the plan period.

Viability Study

4.11 The West Berkshire CIL Viability Study was prepared in January 2013 by Dixon Searle LLP. The study investigated the potential scope for CIL charging in West Berkshire. This was done by considering the economic viability of residential and commercial / non-residential scenarios within West Berkshire; taking into account the range of normal costs and obligations associated with development, as would be borne by development schemes alongside the CIL charge. It provided the Council with advice as to the likely viability of seeking developer contributions towards infrastructure provision through the CIL. This included the consideration of viability and the potential charging rate or rates appropriate in the local context as part of a suitable and achievable overall package of planning obligations. The viability study ensures that the rate set is not at the limits of site viability and that delivery of development is not threatened.

Further Supporting Information

4.12 In addition to the documents referred to above, further documents are available from the Council's website as supporting information, all of which can be found at www.westberks.gov.uk/cil

Community Infrastructure Levy: Charging Schedule

5 Charging Schedule

5.1 Based on the findings and outcomes of the West Berkshire CIL Viability Study the following rates of CIL are charged:

		Newbury & Thatcham, and Eastern Urban Area	Area of Outstanding Natural Beauty, and East Kennet Valley
Type of Development	Use Class	CIL Rate per sq.m	CIL Rate per sq.m
Residential (See Notes 1 and 2 below)	C3 & C4	£75	£125
Retail	A1 to A5	£125	£125
Business Development - Offices	B1a to B1c	£0	£0
Business Development - Industrial	B2	£0	£0
Business Development - Warehousing	B8	£0	£0
Hotels	C1	£0	£0
Residential Institutions	C2 & C2a	£0	£0
Community and all Other Uses	-	£0	£0

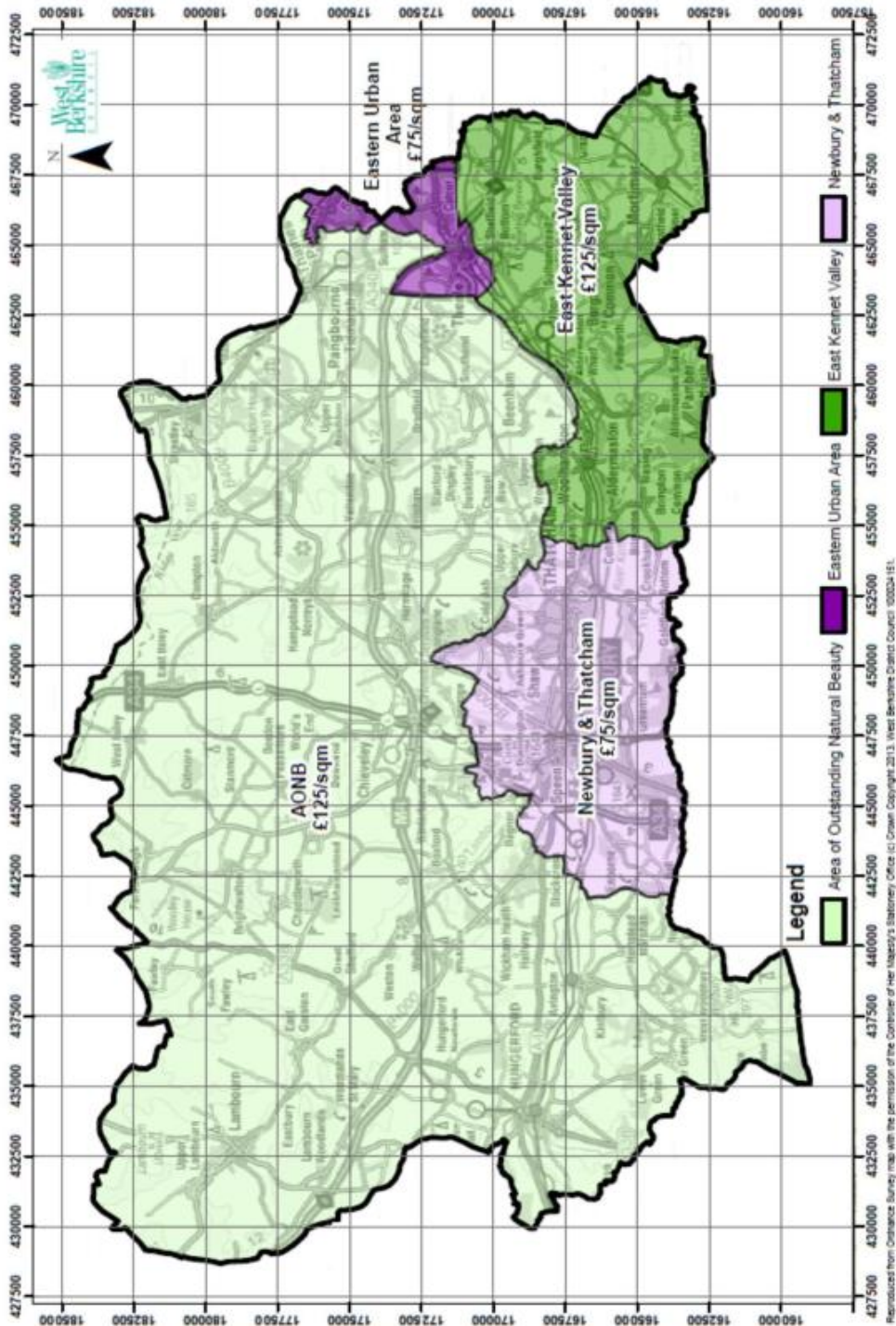
5.2 Notes:

(1) Please see Differential Rate Map at Appendix A. The differential rate map is available on the Council's mapping system. This allows the service units and public to view which rate is chargeable for a particular site.

(2) Detailed Differential Rate Maps for Residential development are available as supporting information at Appendix C.

Community Infrastructure Levy: Charging Schedule

Appendix A: Differential Rate Map



Community Infrastructure Levy: Charging Schedule

Appendix B: Instalment Policy

Level of CIL Payable	Instalment Policy
Where the chargeable amount is less than £15,000	No instalments - the full amount is payable within 60 days of commencement
£15,000 or greater but less than £100,000	50% within 60 days of commencement, and 50% within 180 days of commencement
£100,000 or greater but less than £200,000	35% within 60 days of commencement, 35% within 180 days of commencement, and 30% within 270 days of commencement
£200,000 or greater but less than £1,000,000	25% within 60 days of commencement, 25% within 180 days of commencement, 25% within 270 days of commencement, and 25% within 360 days of commencement
£1,000,000 or greater	25% within 180 days of commencement, 25% within 360 days of commencement, 25% within 540 days of commencement, and 25% within 720 days of commencement

Notes:

B.1 The commencement date is the date given on the commencement notice as advised by the liable party under Regulation 67. The failure to provide such notification in accordance with the Regulations results in the removal of the use of the instalments policy. Full payment would then become due within 60 days of commencement, including payment of the surcharge as detailed in Part 9 of the Regulations.

B.2 This instalment plan is subject to change at any time in accordance with Regulation 69B of the CIL (Amendment) Regulations 2011.

Community Infrastructure Levy: Charging Schedule

Appendix C: Appendix C: Residential Differential Rate Maps

C.1 The following maps show every parish where there are two different residential charging zones:

Map 1 - Beenham Parish

Map 2 -Bucklebury Parish

Map 3 -Cold Ash Parish

Map 4 - Englefield Parish

Map 5 - Hamstead Marshall Parish

Map 6 - Purley-on-Thames Parish

Map 7 - Shaw cum Donnington Parish

Map 8 - Speen Parish

Map 9 - Theale Parish

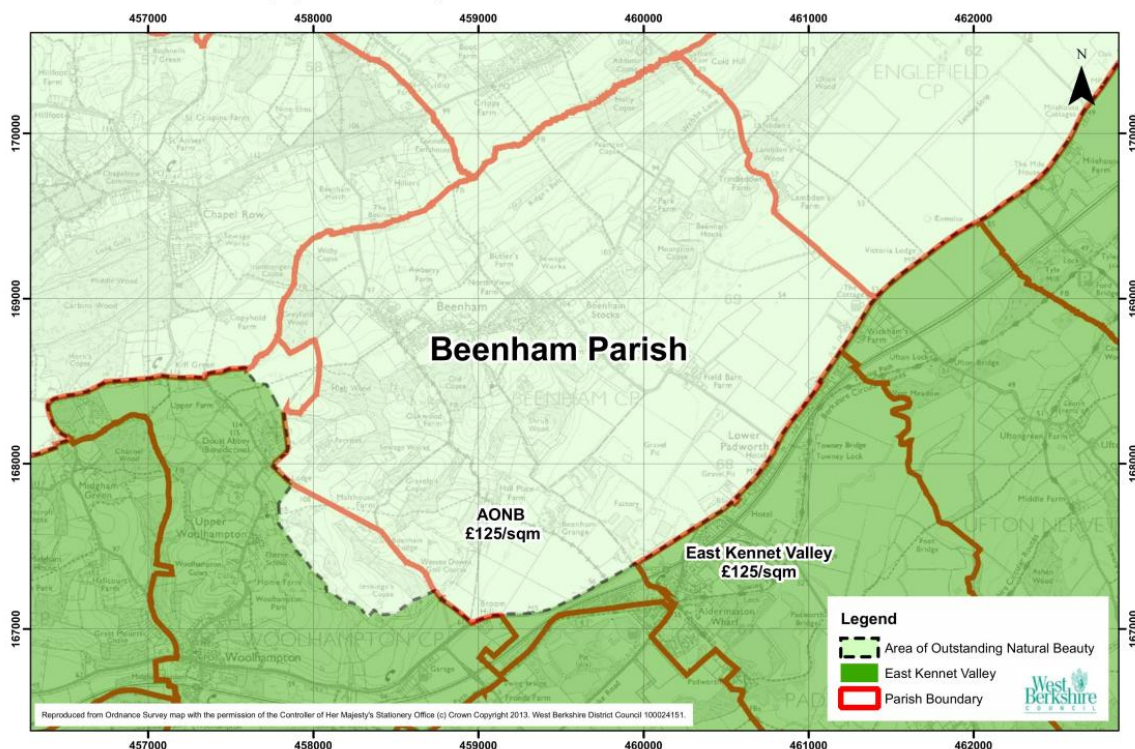
Map 10 - Tilehurst Parish

Map 11 - Woolhampton Parish

C.2 Please note these maps are available via our website as larger scale pdf documents, which will enable you to view in more detail by using the zoom function.

C.3 Map 1

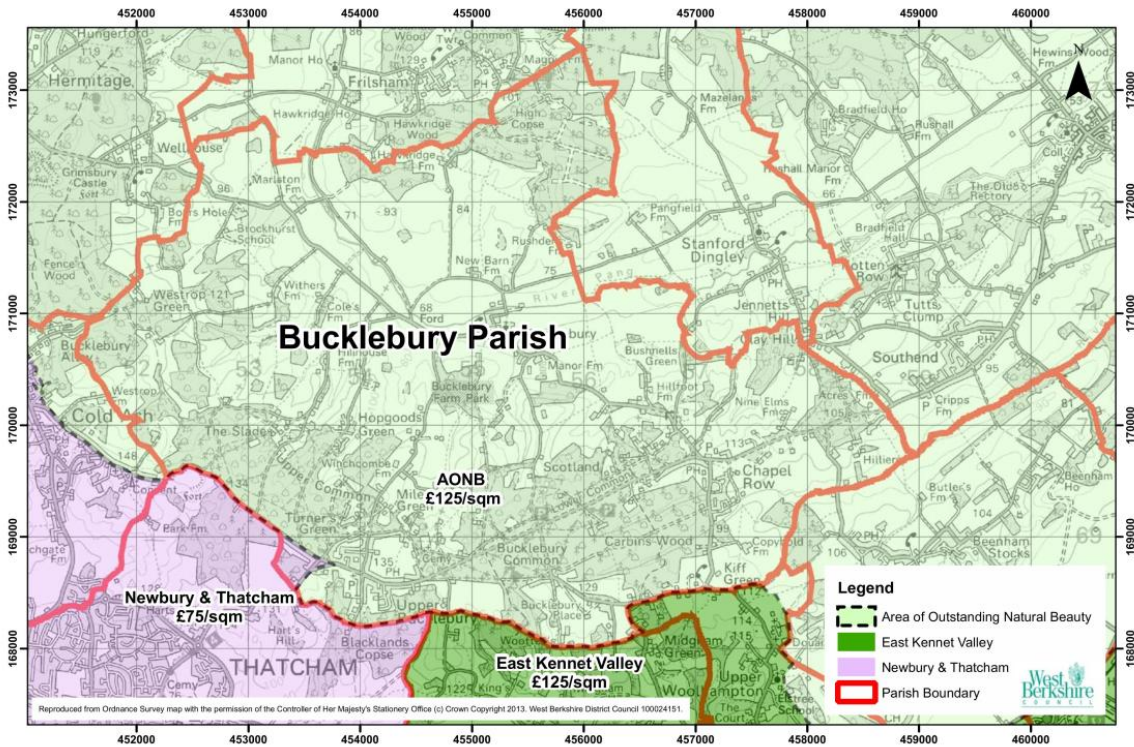
Differential Rate Map (Residential) - Beenham Parish



Community Infrastructure Levy: Charging Schedule

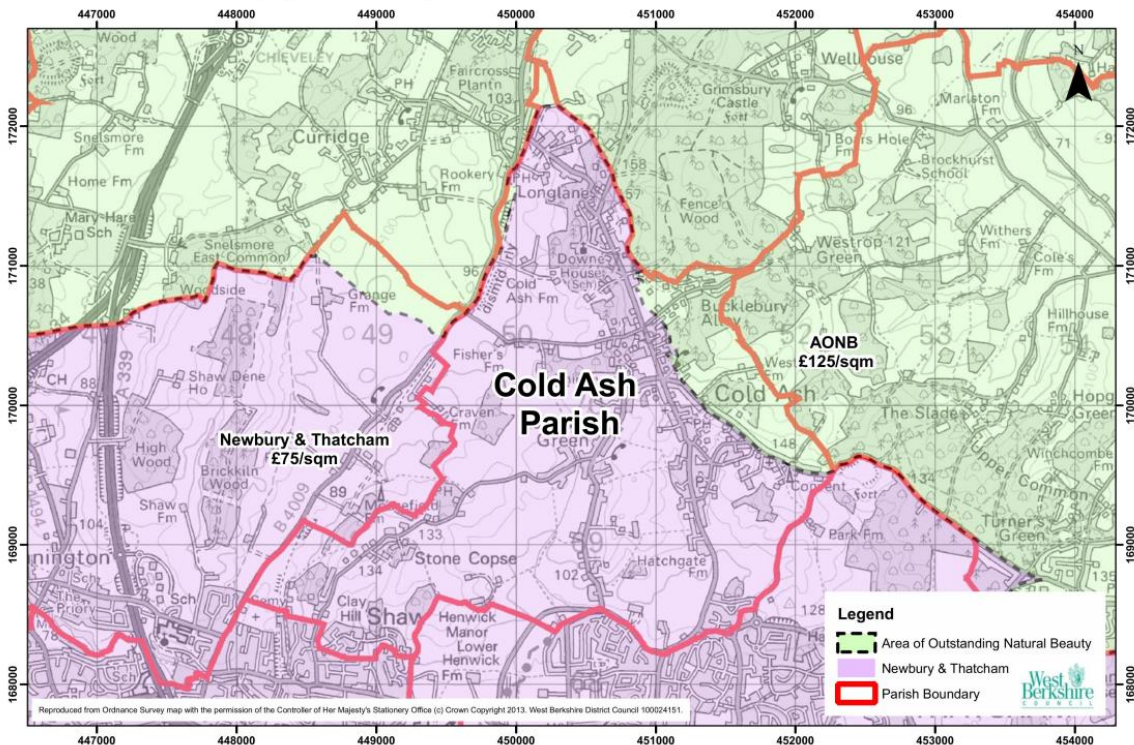
C.4 Map 2

Differential Rate Map (Residential) - Bucklebury Parish



C.5 Map 3

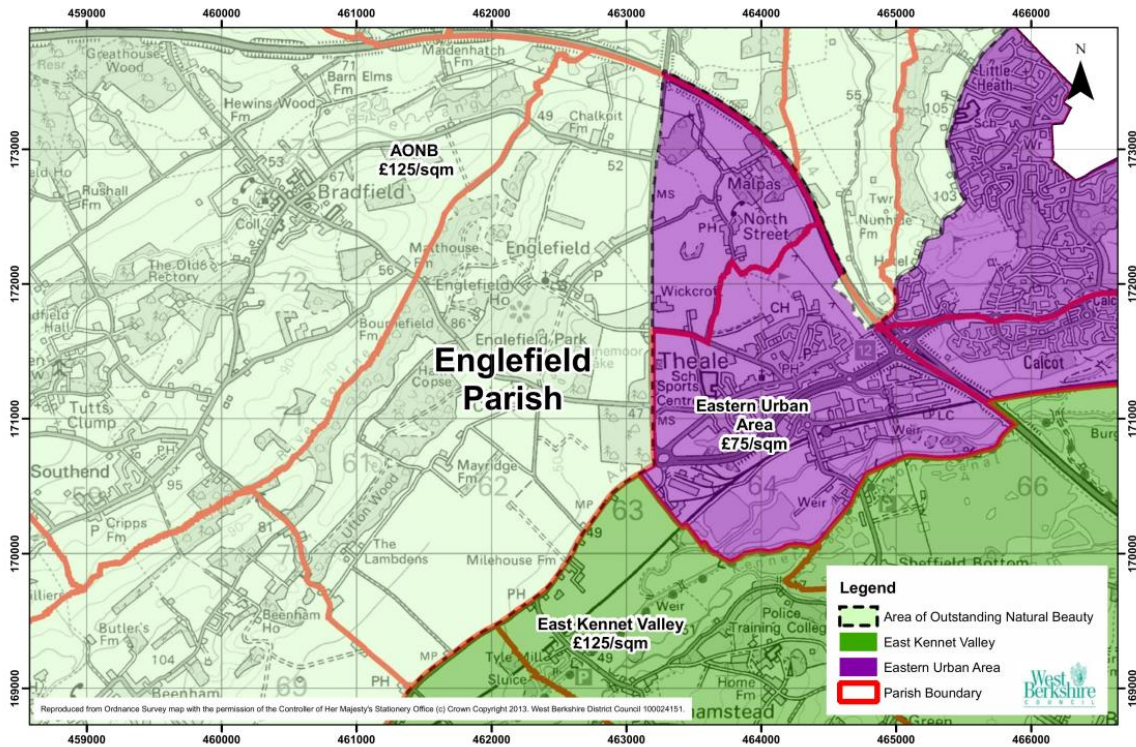
Differential Rate Map (Residential) - Cold Ash Parish



Community Infrastructure Levy: Charging Schedule

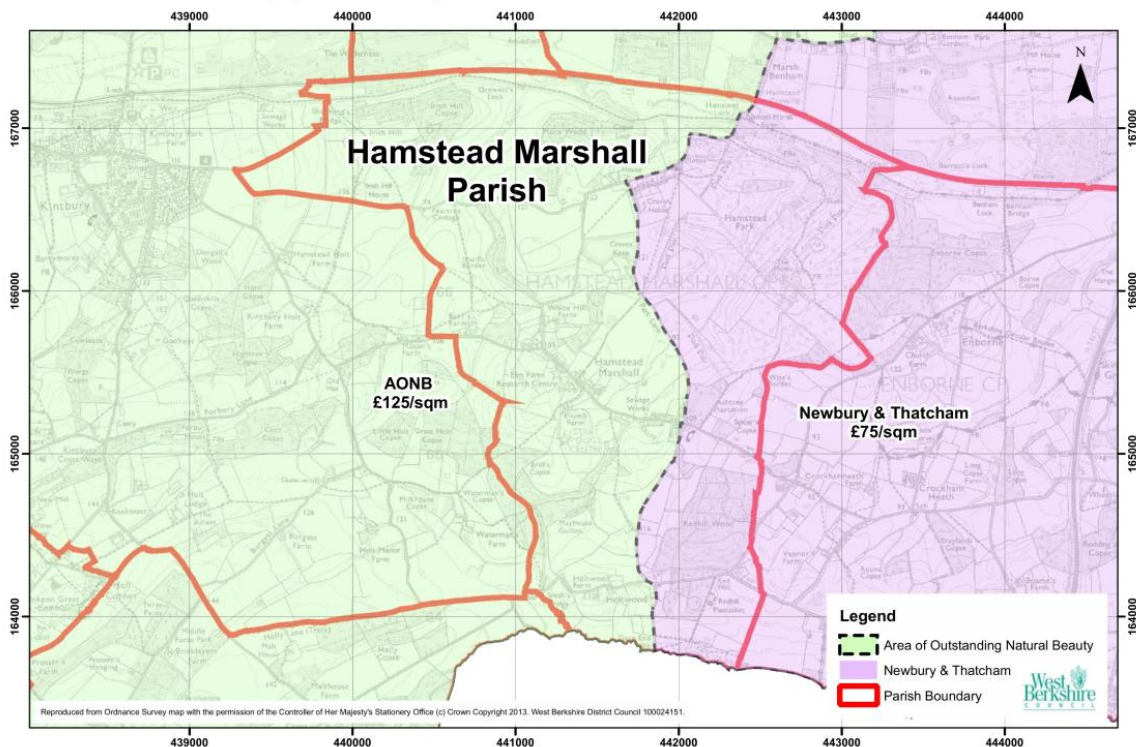
C.6 Map 4

Differential Rate Map (Residential) - Englefield Parish



C.7 Map 5

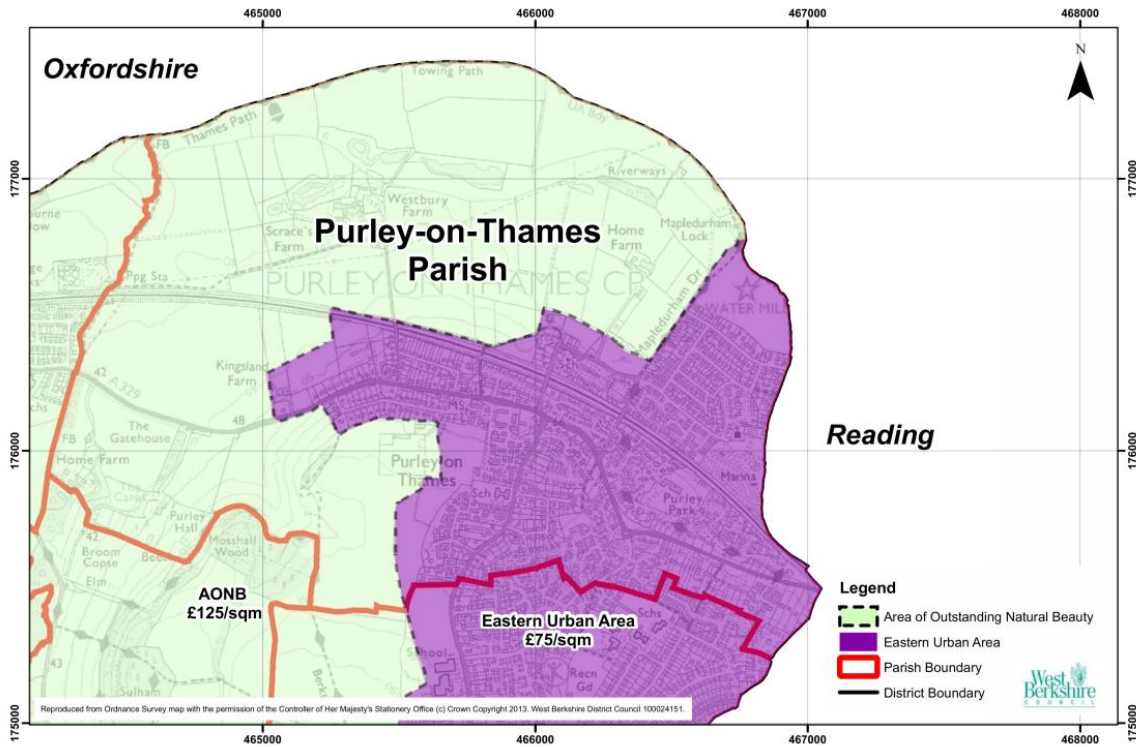
Differential Rate Map (Residential) - Hamstead Marshall Parish



Community Infrastructure Levy: Charging Schedule

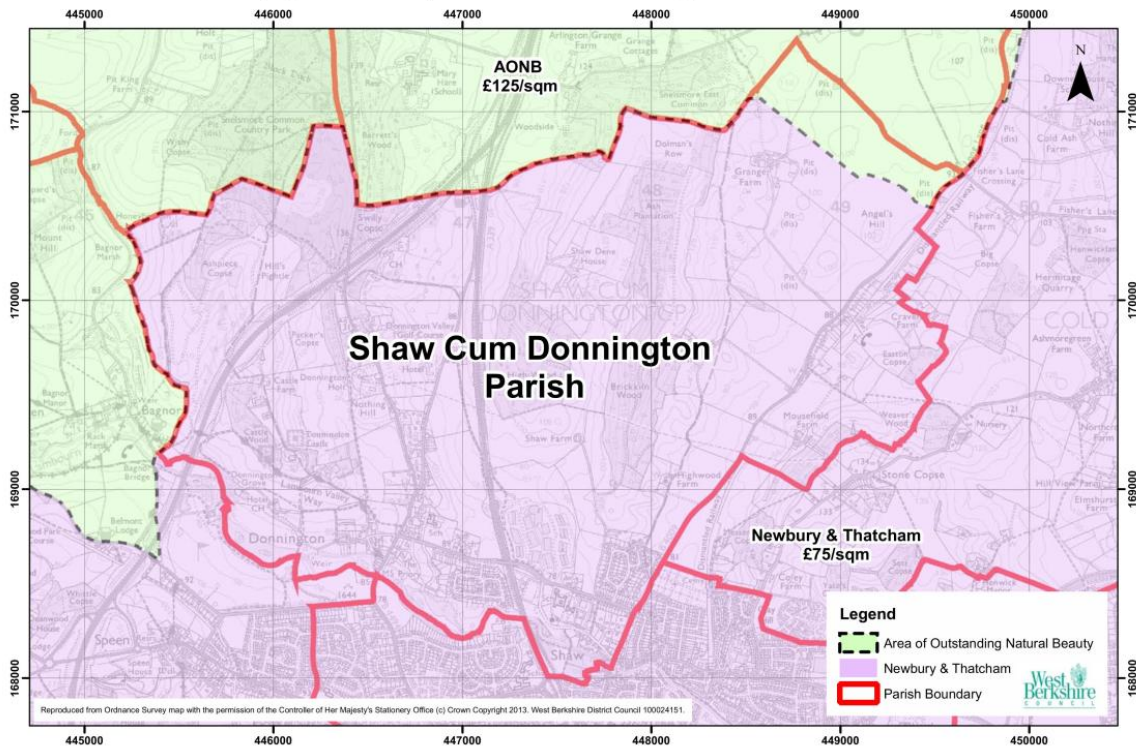
C.8 Map 6

Differential Rate Map (Residential) - Purley-on-Thames Parish



C.9 Map 7

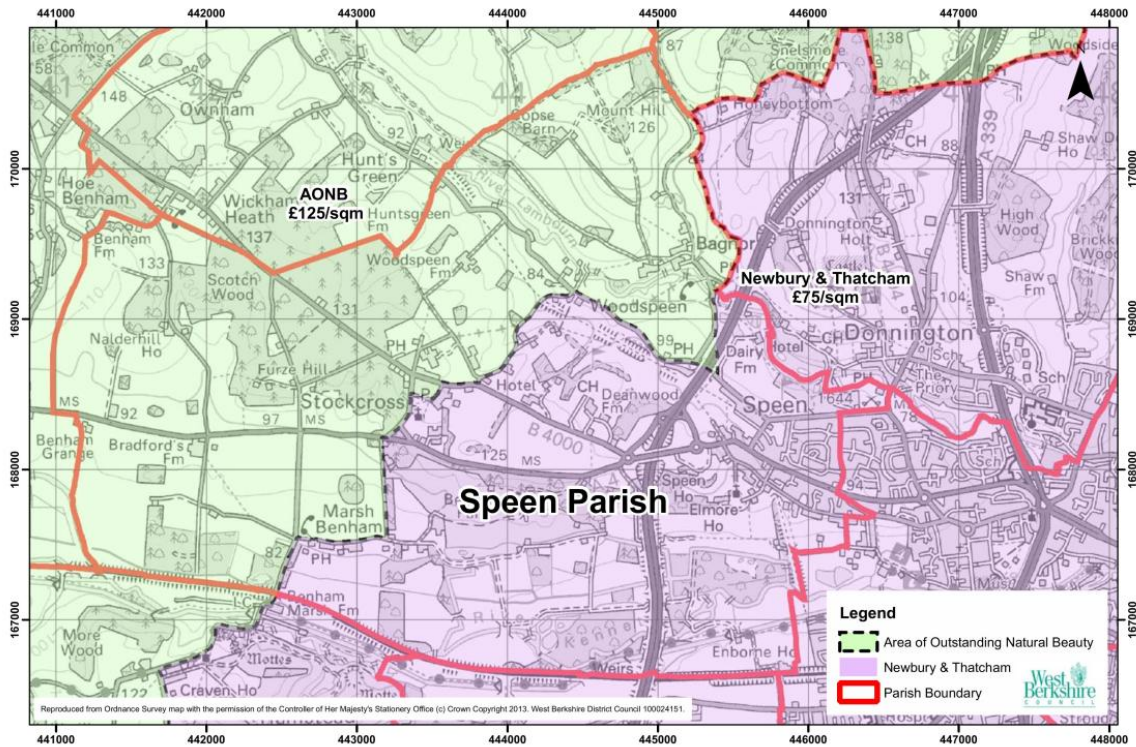
Differential Rate Map (Residential) - Shaw Cum Donnington Parish



Community Infrastructure Levy: Charging Schedule

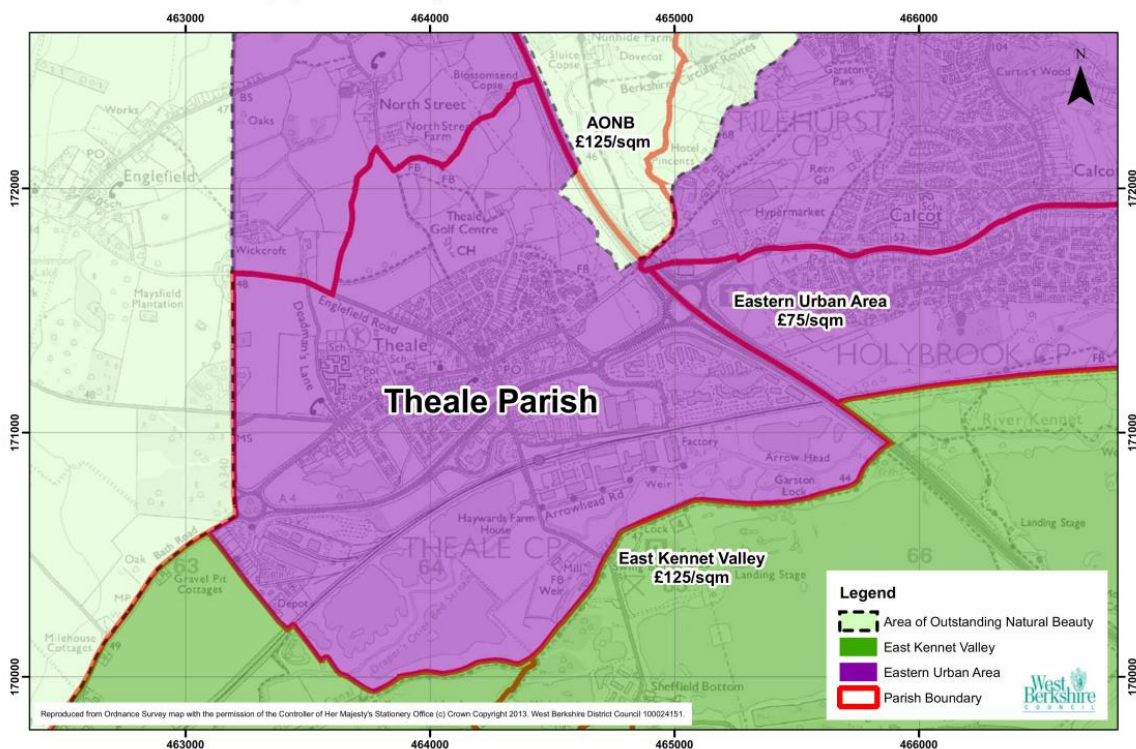
C.10 Map 8

Differential Rate Map (Residential) - Speen Parish



C.11 Map 9

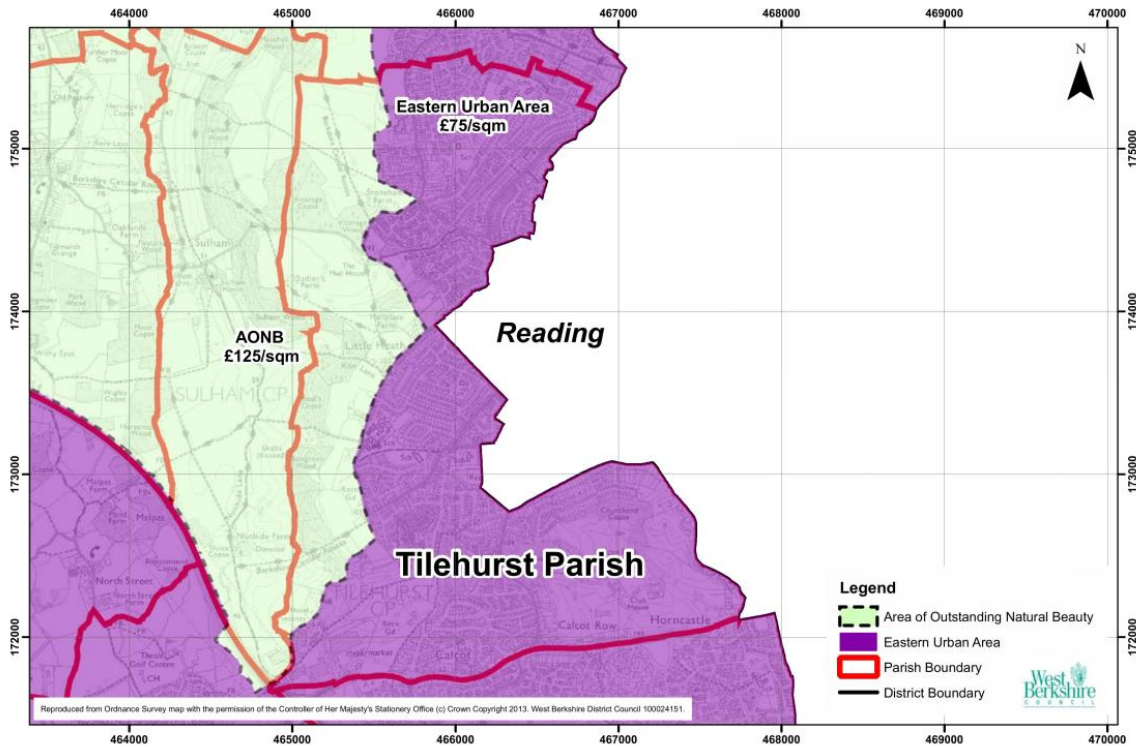
Differential Rate Map (Residential) - Theale Parish



Community Infrastructure Levy: Charging Schedule

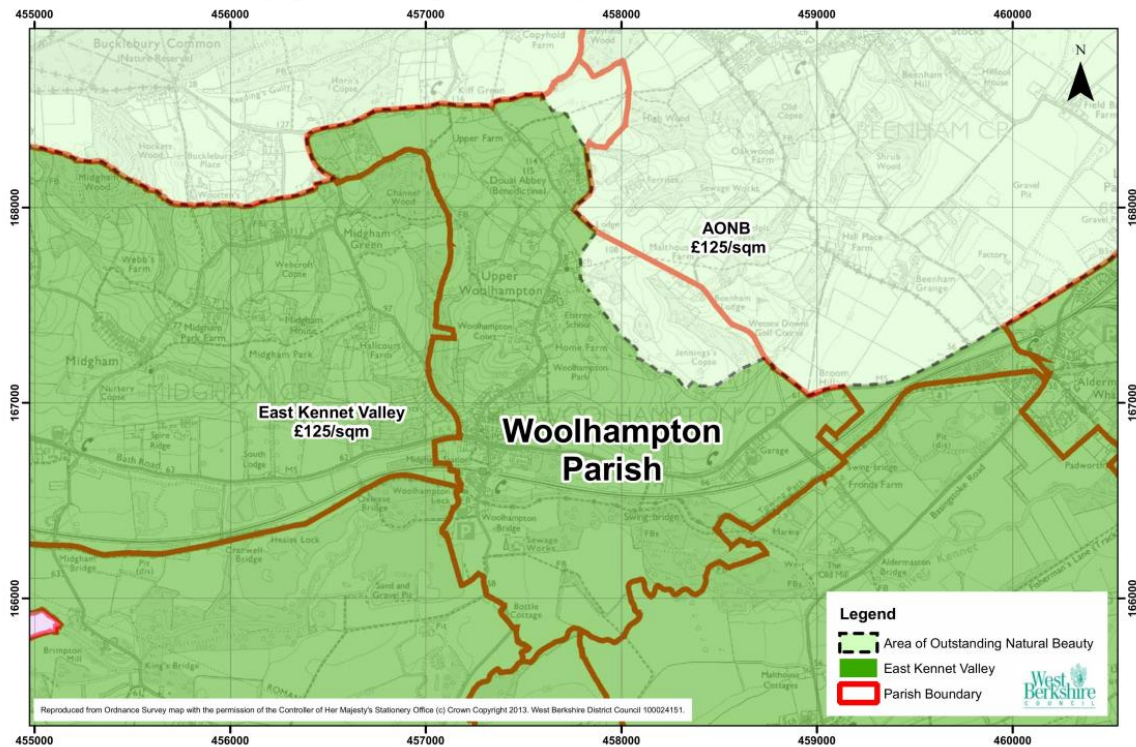
C.12 Map 10

Differential Rate Map (Residential) - Tilehurst Parish



C.13 Map 11

Differential Rate Map (Residential) - Woolhampton Parish



Community Infrastructure Levy: Charging Schedule

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