

Community Infrastructure Levy Guidance Notes

Introduction

Borough Council of King's Lynn and West Norfolk's (BCKLWN) Community Infrastructure Levy (CIL) was adopted by Full Council on 19 January 2017 and will come into effect for planning permissions granted from 15 February 2017.

The CIL Monitoring and Compliance Officer for BCKLWN is Amanda Driver phone: 01553 616443 email: CIL@west-norfolk.gov.uk.

What is the CIL?

CIL is:

- a planning charge, introduced by the Planning Act 2008 as a tool for local authorities in England and Wales to help deliver infrastructure to support the development of their area
- money raised from CIL can be used to support and manage the impacts of development by funding infrastructure that the Council and local communities want, for example: new road schemes, open space improvements or schools
- charges have been set by BCKLWN and are based on the location and type of development in the Borough
- levied in £ per square metre on net additional increase in floorspace for qualifying development in accordance with the CIL Regulations 2010 (as amended).

CIL *is not*:

- an additional charge on development. It effectively alters the previous approach to collecting infrastructure contributions from planning approvals using Section 106 (S106) agreements.
- payments are not subject to VAT.

When is a development liable for CIL?

Development will be liable to pay CIL if it is:

- of a type for which a rate has been set in the Charging Schedule. There are areas of the borough that are CIL liable but have a 0 rated charge.
- a building into which people normally go, and if upon completion of the development the increase in floorspace will be more than 100 square metres
- creating 1 or more new dwellings, even where the floorspace is less than 100 square metres
- involves the change of use of a building that has been unused for a period of time, it may be liable.

If a relief/exemption is granted, the Council will record details of the relief on the Land Changes Register. If a disqualifying event occurs within set periods, for example if a self build house is sold or let within 3 years, CIL will be due. After this period the relief/exemption will be removed from the Land Charge Register.

Where a relief has been granted and a disqualifying event occurs, the Council must be informed in writing, giving 14 days advance notice. Failure to do so will incur a penalty surcharge.

If the permission is not built, the CIL charge will be removed from the Land Charges Register once the planning permission has expired.

If CIL is not paid, a range of enforcement actions can be taken. These can be found on the CIL webpages.

The most important thing to remember, is to ensure that you notify us prior to commencing work on site otherwise you will lose any exemptions or reliefs and you may also receive a surcharge of up to £2,500.

Further details can be found on our webpages at: www.west-norfolk.gov.uk/CIL

CIL Process Summary Flowchart

