

community infrastructure levy  
july 2015

southend on sea borough council  
local development framework





## CIL Instalment Policy

Southend Borough Council as Charging Authority for its area will permit the payment of CIL liability by instalment in accordance with Regulation 69B of the Community Infrastructure Levy Regulations 2010 (as amended).

This Instalment Policy will take effect from the date the Southend-on-Sea Borough Council Charging Schedule comes into effect.

Level of CIL payable	Number of instalments	Proposed instalment policy
Less than £25,000	No instalments	Full payment within 60 days of commencement <sup>1</sup> of development
£25,000 - £74,999	3	10% of payment within 60 days of commencement 40% of payment within 180 days of commencement 50% of payment within 270 days of commencement, or remaining balance to be paid upon first occupation of the development should this date fall within 270 days
£75,000 or more	3	10% of payment within 60 days of commencement 40% of payment within 360 days of commencement 50% of payment within 540 days of commencement, or remaining balance to be paid upon first occupation of the development should this date fall within 540 days
<p>Notes:</p> <ol style="list-style-type: none"> <li>As permitted under Regulation 9(4) of the Community Infrastructure Levy Regulations 2010 (as amended), where outline permission has been granted which permits development to be implemented in phases, each phase of the development as permitted by Southend Borough Council is a separate chargeable development, and the Instalment Policy will therefore apply to each chargeable development and the associated separate chargeable amount.</li> <li>Nothing in this Instalment Policy prevents the person with assumed liability to pay CIL, to pay the outstanding CIL (in whole or in part) in advance of the instalment period set out in this policy.</li> </ol>		

The requirements set out in Regulation 70 of the CIL Regulations must be complied with if the persons liable for paying CIL wish to do so by instalment, in accordance with the published Instalment Policy. The Instalment Policy will only apply where:

<sup>1</sup> The commencement date is defined in CIL Regulation 7 and will as advised by the developer in their Regulation 67 Commencement Notice

1. The Council has received a CIL Assumption of Liability form prior to the commencement of the chargeable development (Regulation 70(1)(a)), and
2. The Council has received a CIL Commencement Notice prior to commencement of the chargeable development (Regulation 70(1)(b)) and the Council does not challenge the date of commencement specified.

If the above requirements are not met, the CIL liability is payable in full at the end of the period of 60 days beginning with the intended commencement date of the chargeable development.

Where the above requirements have been met, instalment payments must be made in accordance with the published Instalment Policy. Where an instalment is not received in full on or before the day on which it is due, the unpaid balance of the CIL liability becomes payable in full immediately (Regulation 70(8)(a)).

To summarise, in order to be eligible to pay a CIL liability by instalment, all the relevant forms must be submitted to the Council prior to the commencement of the chargeable development, and all the payments must be made in accordance with the published CIL Instalment Policy and Regulatory requirements.

