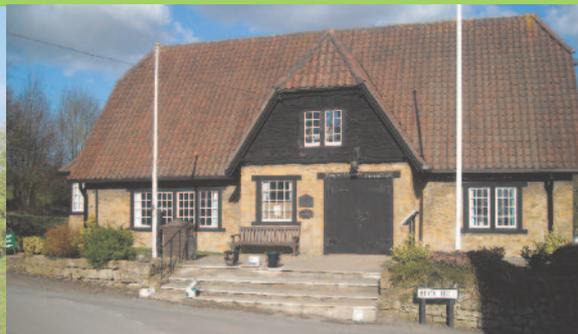


Community Infrastructure Levy

fact sheet for
applicants



On 22nd January 2018, West Lindsey District Council introduced CIL. This leaflet provides a summary of key information for applicants relating to the CIL process.

Charging Zones in West Lindsey

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How is CIL calculated

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Collection of CIL

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Enforcement

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EXEMPTIONS AND RELIEF

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Seven steps to CIL success

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What is CIL?

Community Infrastructure Levy is a levy that local authorities can charge on new developments in their area. The money raised from CIL is used to support development by funding infrastructure. The principle of CIL is that all development should contribute a little to infrastructure. West Lindsey District Council charge CIL on developments which create new residential dwellings and convenience retail units. The monies collected are then split between the local community in which the development has occurred and infrastructure items. Infrastructure Funding Statements (IFS) which report on all CIL and s106 contributions collected by the Local Authority will be published on the Website on or before 31st December for the preceding year.

Key Points

- It is the applicants responsibility to ensure that the CIL process and timeline is complied with in full, this includes the submission of prescribed forms relevant to the development.
- All claims for relief or exemption must be submitted, assessed and agreed by WLDC prior to commencement of development
- Failure to submit all relevant forms prior to the commencement of development will result in the CIL charge being payable in full immediately.
- Where liability for the CIL charge has not been assumed, the CIL charge will revert back to the land owner.
- Where the local authority is required to calculate and apportion the CIL charge surcharges will be applied in line with our Penalties and Surcharges guidance.

For further information on CIL, including frequently asked questions, please refer to our website www.west-lindsey.gov.uk/CIL

Tariffs in West Lindsey

West Lindsey’s Charging Schedule applies a charge to two types of development only, these are residential development and convenience retail.

WEST LINDSEY DISTRICT COUNCIL CIL SCHEDULE RESIDENTIAL CHARGING ZONES

		Charge Per Square Metre (houses)	Charge Per Square Metre (apartments)
Zone 1	Lincoln Strategy Area (LSA)	£25	£0
Zone 2	Non Lincoln Strategy Area	£15	£0
Zone 3	NE Quadrant Sustainable Urban Extension	£20	£0
Zone 4	Gainsborough West (shown green on charging schedule map)	£0	£0

WEST LINDSEY DISTRICT COUNCIL CIL CHARGING SCHEDULE COMMERCIAL CHARGING ZONES (applicable to whole district)

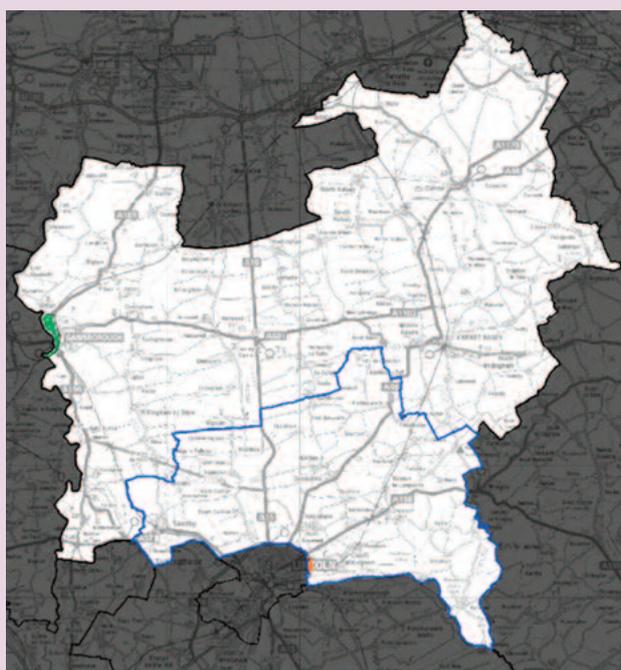
Convenience Retail	£40
All other uses*	£0

* Convenience retail is designed as everyday items including food, drink and non-durable household goods.

* ‘All other uses’ and the £0 rate included comparison retail and retail warehousing.

For more detailed CIL charging zone maps and boundary details please visit our interactive mapping system at www.west-lindsey.gov.uk/CIL

- Zone 1 The Lincoln Strategy
- Zone 2 The Non-Lincoln Strategy
- Zone 3 NE Quadrant Sustainable Urban Extension
- Zone 4 West Gainsborough



How is CIL calculated?

$$\frac{R \times A \times Ip}{Ic}$$

R = Relevant CIL Rate

A = Chargeable Area

IP = Index figure for year of permission

Ic = Index figure for year Charging Schedule took effect (2018)

**If your development is a single use development, your CIL liability will be calculated using the above formula. If you have a mixed-use development the formula will be applied for each use and the results added up to get your total CIL liability.

How is the levy collected?

The CIL charge is due from the date of commencement of chargeable development. It is the applicants responsibility to ensure that the Council is notified of the proposed commencement date by submitting a Commencement Notice. On receipt of the Commencement Notice the Council will issue a Demand Notice on all parties who have assumed liability for the CIL charge. Payment will be required within 60 days of the Commencement Date provided in the Commencement Notice. Amounts over £50,000 may be made in line with our instalments Policy. All Demand Notices will be registered with Local Land Charges.

How will the payment of the levy be enforced?

The levy charges are intended to be easily understood and straightforward to comply with. Most of those liable to pay the levy are expected to pay their liabilities without problem or delay. However, where there are problems in collecting the levy, charging authorities will have the means to penalise late payment. In cases of persistent non-compliance the regulations also enable collecting authorities to consider more direct action such as the issuing of a CIL Stop Notice or applying to the courts for seizure of assets to pay the outstanding monies or for custodial sentences.

Exemptions and relief

Depending on the circumstances of the development, the following types of relief may be available:

- charitable relief
- social housing relief
- self build exemption (for a whole house)
- self build exemption (for a residential annexe or extension)

It is important that if you think you are eligible for relief or exemption from CIL that you submit a formal claim on the appropriate form and ensure that this claim has been accepted before commencing development. Relief cannot be granted after development has commenced.

Seven steps to CIL Success

To help you understand whether your development maybe CIL liable, please see the CIL charging schedule on page 2.

<p>STAGE ONE Submitting your application</p>	<p>All planning applications which include CIL liable development must must complete Form 1: CIL Planning Application Additional Information Form and Form 2: Assumption of liability notice. You must also ensure you include existing and proposed floor plans.If you do not need planning permission for your development (including Permitted Development) you should complete the Form 5: Notice of Chargeable Development before you start work. You will also need to include the CIL PlanningApplicationAdditional Information Form and Form 1:Assumption of Liability Notice, with form 5.</p>
<p>STAGE TWO Determining applications</p>	<p>During the application process WLDC will review the information provided by you and decide whether the development is CIL liable. If your development is CIL liable then once planning permission has been granted, WLDC will issue the landowner(s), or the person who has assumed liability, with a Liability Notice stating the chargeable amount. If planning permission is granted after an appeal, the Liability Notice will be issued as soon as possible after the appeal decision. This will be registered on the Local Land Charges register.</p>
<p>STAGE THREE Applications for exemption</p>	<p>If you think you are eligible to apply for exemption and/or relief from the CIL Charge then you must complete and submit one of the following forms. Exemption and/or relief can be claimed at any point between submission of the application and commencement of development. You cannot claim for relief after commencement of works. Form 7: Self Build Exemption Claim Form Part 1 Form 8: Self Build Residential Annex Exemption Claim Form Form 9: Self Build Residential Extension Exemption Claim Form Form 10: Charitable Social Housing Relief Within six months of the date of the Building Regulations Compliance Certificate relating to the development the Form 7: Self Build Exemption Claim Form Part 2 must be submitted to WLDC.</p>
<p>STAGE FOUR Assuming liability prior to commencement</p>	<p>Prior to commencement, the Form 2: Assumption of Liability Notice must be submitted so that we know who will be paying the CIL. This form can be submitted at any point between submission of the application and commencement of development. If the liability for paying CIL changes after the Assumption of Liability Notice has been submitted, you should complete either a Form 3: Withdrawal of Assumption of Liability or a Form 4: Transfer of Assumed Liability. This should be submitted before commencement or where liability changes during development prior to final payment of CIL being due.</p>
<p>STAGE FIVE Commencing work</p>	<p>After submitting the Assumption of Liability Notice, but before you start work, you must complete and submit the Form 6: Commencement Notice. Failure to submit a Commencement Notice at least 1 day prior to starting work, will: - Forfeit the right to pay CIL in instalments (where applicable) - Forfeit the right to claim exemption/relief - Result in a penalty surcharge Work cannot commence until WLDC has acknowledged receipt of the Commencement Notice.</p>
<p>STAGE SIX Paying CIL</p>	<p>Once the Commencement Notice has been received WLDC will issue a Demand Notice to whoever has assumed liability to pay CIL. It will set out the amount and the date that the CIL will need to be paid. If no-one has assumed liability to pay CIL before the Demand Notice is issued, the liability will default to the landowner(s) and surcharges will be applied. The Demand notice will be registered as a Local Land Charge.</p>
<p>STAGE SEVEN Monitoring</p>	<p>At the end of the clawback period, providing no Disqualifying Event has occurred, the Land Charge will be removed from the property. Claw-back periods are as follows: - For residential annexes and self-build housing is 3 years beginning with the date of the compliance certificate relating to the annex or dwelling. - For Social Housing and residential extensions - 7 years beginning with the date on which the dwelling is first let</p> <p>A Disqualifying Event could be any of the following (this list is not exhaustive): - Use of the main dwelling for any purpose other than as a single dwelling - The Letting of the residential annex - The sale of the main dwelling or the residential annex unless they are sold at the same time to the same person</p> <p>If a disqualifying event occurs the relevant person will be liable to pay the CIL charge in full.</p>