

Welwyn Hatfield CIL Instalments Policy

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- 1.1 The CIL Regulations set a default requiring full payment of the Levy charge within 60 days of the commencement of the chargeable development. However, under Regulation 69B of the Community Infrastructure Levy Regulations 2010 (as amended) it is permissible for a CIL Charging Authority to establish an Instalment Policy, offering developers more flexible payment arrangements.
- 1.2 Following member consideration at Cabinet Planning and Parking Panel and at Cabinet, the following Instalments Policy was approved (see table 2):

| Total CIL Liability | Number of Instalments | Timescale for Instalments | Payment Period and Amounts – all within numbered days of commencement |
|-------------------------------------|-----------------------|---------------------------|---|
| Up to £50,000 | None | 60 days | Full payment within 60 days (2 months) |
| Amounts from £50,000 to £249,999 | 2 | 365 days (12 months) | 50% within 60 days (2 months) 50% within 180 days (6 months) |
| Amounts from £250,000 to £1,000,000 | 4 | 730 days (2 years) | 25% within 60 days (2 months) 25% within 365 days (1 year) 25% within 548 days (18 months) 25% within 730 days (2 years) |
| Any amount greater than £1,000,000 | TBC | Up to 1460 days (4 years) | The first £1,000,000 to be payable as per the instalments for amounts over £250,000 (4 instalments over 730 days). The remaining balance to be paid is open to negotiation on an individual basis reflecting the challenges of delivering large sites. Total CIL liability to be payable in 1460 days (4 years). |

Table 2: Welwyn Hatfield CIL Instalment Policy

- 1.3 Regulation 70 of the Community Infrastructure Levy Regulations 2010 (as amended by the Community Infrastructure Levy (Amendment Regulations 2011) sets out the requirements that must be complied with to benefit from the CIL Instalment Policy.
- 1.4 The CIL Instalment Policy will apply in the following circumstances:
 - 1. Where the Council has received a valid CIL form 2 - Assumption of Liability form prior to commencement of the development (Regulation 70(1)(a); and
 - 2. Where the Council has received a valid CIL form 6 - Commencement Notice prior to commencement of the development (Regulation 70(1) (b)).

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- 1.5** Where a phased planning permission is granted, Regulation 9.4 requires that each phase is treated as a separate chargeable development. Each separate phase is liable for its own CIL contribution and can pay in line with the instalments policy, where valid forms are received prior to commencement.
- 1.6** Once the development has commenced, the CIL payments must be made in accordance with the CIL instalment policy. Where instalments do not clear the Council's bank account by the due date, the total CIL liability will become payable in full immediately.

