



## **Notice of a meeting of Council**

**Monday, 15 October 2018**

**2.30 pm**

**Council Chamber, Municipal Offices**

<b>Membership</b>	
<b>Councillors:</b>	Bernard Fisher (Chair), Roger Whyborn (Vice-Chair), Victoria Atherstone, Matt Babbage, Paul Baker, Garth Barnes, Dilys Barrell, Angie Boyes, Nigel Britter, Jonny Brownsteen, Flo Clucas, Chris Coleman, Mike Collins, Stephen Cooke, Iain Dobie, Wendy Flynn, Tim Harman, Steve Harvey, Rowena Hay, Alex Hegenbarth, Karl Hobley, Sandra Holliday, Martin Horwood, Peter Jeffries, Steve Jordan, Chris Mason, Paul McCloskey, Andrew McKinlay, Tony Oliver, Dennis Parsons, John Payne, Louis Savage, Diggory Seacome, Malcolm Stennett, Jo Stafford, Klara Sudbury, Simon Wheeler, Max Wilkinson, Suzanne Williams and David Willingham

## **Agenda**

<b>9.</b>	<b>COMMUNITY INFRASTRUCTURE LEVY (CIL) FORMAL ADOPTION OF CHARGING SCHEDULE AND SUPPORTING POLICIES, APPROVAL OF REGULATION 123 LIST FOR PUBLICATION AND SETTING A COMMENCEMENT DATE FOR CHARGING</b>	(Pages 3 - 8)
	AMENDMENTS	

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**Pat Pratley**  
**Chief Executive**

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## COUNCIL- 15 OCTOBER 2018

### **AGENDA ITEM 9 -COMMUNITY INFRASTRUCTURE LEVY (CIL) FORMAL ADOPTION OF CHARGING SCHEDULE AND SUPPORTING POLICIES, APPROVAL OF REGULATION 123 LIST FOR PUBLICATION AND SETTING A COMMENCEMENT DATE FOR CHARGING**

For clarity given proposed modifications and links to appendices, the recommendations to the Council are therefore now as follows:

- 1. Adopt the Cheltenham Borough Council Community Infrastructure Levy Charging Schedule modified in line with the recommendations of the Independent Examiner, as set out in the Modified Appendix A 'Charging Schedule' and 'Policy Maps' at Appendix B.**
- 2. Adopt the following supporting policies:**
  - a. Payment by Instalments (Regulation 69b), as set out in the Modified Appendix D 'Payment by Instalments' Policy**
  - b. 'Request for Review and Appeals' Policy (Part 10), as set out at Appendix E**
- 3. Approve the Regulation 123 List for Cheltenham Borough Council for publication, as set out at Appendix F**
- 4. Set a commencement date for charging of 1 January 2019, in line with Joint Core Strategy (JCS) partner authorities**

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## **COUNCIL-15 OCTOBER**

### **AGENDA ITEM 9 – COMMUNITY INFRASTRUCTURE LEVY (CIL) FORMAL ADOPTION OF CHARGING SCHEDULE AND SUPPORTING POLICIES, APPROVAL OF REGULATION 123 LIST FOR PUBLICATION AND SETTING A COMMENCEMENT DATE FOR CHARGING**

#### **SUPPLEMENTARY STATEMENT TO APPENDIX A EXPLAINING AMENDMENTS**

##### **PROPOSED AMENDMENT :**

Replacement of Appendix A 'Charging Schedule with the Modified Charging Schedule attached. In the Modified Charging Schedule:

- a. **Affordable Housing requirements have been removed from the table of charges at Table 1.1.**
- b. **The '11 dwellings and over' charging category for Generic Sites within Table 1.1 has been changed to 'between 11 and 449 dwellings'.**
- c. **An additional paragraph (5.4) has been added making reference to the policy maps.**

##### **REASONS**

Affordable housing requirements were included in consultation versions of the document but should not have been included in the final version.

The description of the '11 dwellings and over' in the Generic sites charging category has been corrected in line with the Examiner's recommendations to reflect the additional category for 450 dwellings and over.

Policy maps, identifying the location of the Joint Core Strategies' Strategic Allocations, are included in the Council Report as Appendix B but will need to become an appendix of the Charging Schedule on adoption to satisfy regulatory requirements.

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## **COUNCIL-15 OCTOBER**

### **AGENDA ITEM 9 – COMMUNITY INFRASTRUCTURE LEVY (CIL) FORMAL ADOPTION OF CHARGING SCHEDULE AND SUPPORTING POLICIES, APPROVAL OF REGULATION 123 LIST FOR PUBLICATION AND SETTING A COMMENCEMENT DATE FOR CHARGING**

#### **SUPPLEMENTARY STATEMENT TO APPENDIX D EXPLAINING AMENDMENTS**

##### **PROPOSED AMENDMENT**

Replacement of Appendix D 'Payment by Instalments' policy with Reviewed Payment by Instalments Policy as below, replacing Table 1; schedule of instalments.

- a. **For CIL liability of £100,000 or less - 100% will now be due in one Instalment in 18 months from commencement of development**, rather than 50% within 60 days of commencement of development and 50% within 6 months of commencement of development.
- b. **For CIL Liability between £100,001 and £1,000,000 - 10% will now be due within 60 days of commencement of development and two further instalments of 45% will be due at 6 and 12 months from commencement of development**, rather than 33% within 60 days, 6 months and 12 months of commencement of development.
- c. **For CIL liability of £1,000,000 and above - 10% will now be due within 60 days of commencement of development and three further instalments of 30% will be due at 6, 12 and 24 months from commencement of development**, rather than 25% within 60 days, 6 months, 12 months and 24 months from commencement of development.

##### **REASONS**

Proposed in recognition of concern regarding developer cash-flow.

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