



**EASTSUFFOLK**  
C O U N C I L

**INITIAL DRAFT**

**East Suffolk Community Infrastructure Levy (CIL)  
Instalment Policy**

**Consultation draft March 2021**

The East Suffolk CIL Instalment Policy sets out the arrangements for the collection of Community Infrastructure Levy (CIL) in accordance with Regulation 69B of the CIL Regulations 2010 (as amended)

# 1. Introduction

- 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 Instalments Policy, offering developers more flexible payment arrangements.
- 1.2 The Council currently has two CIL Instalment Policies, one for the [former Waveney area](#) and one for the [former Suffolk Coastal area](#). With the preparation of the single CIL Charging Schedule for East Suffolk, it is sensible to also prepare a new (single) Instalment Policy for the district.
- 1.3 This Initial Draft Instalment Policy is being consulted on from 12<sup>th</sup> March-26<sup>th</sup> April 2021, and comments received will be taken into account in the preparation of the Draft Instalment Policy, which will be consulted on publicly in summer 2021 (alongside the draft CIL Charging Schedule).
- 1.4 If it is agreed to be submitted for examination alongside the draft Charging Schedule, and the examination is successful, the (new) CIL Instalment Policy will come into effect no earlier than a day after it is published on the Council's website, which is anticipated to be in 2022.
- 1.5 **Please therefore submit any comments on this Initial Draft CIL Instalment Policy by 5pm on 26<sup>th</sup> April 2021.**

## 2. Application of the Instalment Policy

- 2.1 Regulation 70 of the Community Infrastructure Levy Regulations 2010 (as amended) sets out the requirements that must be complied with in order to benefit from the CIL Instalment Policy.
- 2.2 The CIL Instalment policy will apply in the following circumstances:
  1. Where the Council has received the CIL form – **Assumption of Liability** prior to commencement of the development (Regulation 70(1)(a)); and
  2. Where the Council has received the CIL form – **Commencement Notice** prior to commencement of the development (Regulation 70(1)(b)).
- 2.3 Where a phased planning permission is granted, Regulation 9(4) states that each phase of development is treated as a separate chargeable development. Each separate phase is liable for its own CIL contribution and payments can be made in line with this CIL Instalment Policy, where an Assumption of Liability and Commencement Notice have been submitted for that phase, prior to commencement of that phase.

2.4 Once the development has commenced in compliance with Regs 70(1)(a) – Assumption of Liability – and 70(1)(b) – Commencement Notice – the CIL payments must be made in accordance with this CIL Instalment Policy. Where any instalment payment does not clear the Council’s bank account by the due date, the total CIL liability (either for that specific phase, or for the whole development, as appropriate) will become payable in full immediately (Regulation 70(8)) and interest will be applied in relation to Regulation 87.

### 3. Instalment Policy

| CIL Liability                          | Number of instalments | Payment periods and amounts  |
|--|-----------------------|--|
| Any amount equal or less than £10,000  | 2                     | <ul style="list-style-type: none"> <li>• 50% of the chargeable amount<sup>1</sup> within 90 days (3 months) of the commencement date<sup>2</sup></li> <li>• the remaining 50% of the chargeable amount within 180 (6 months) days of the commencement date</li> </ul>  |
| Amounts between £10,001 to £50,000     | 3                     | <ul style="list-style-type: none"> <li>• 34% of the chargeable amount within 90 days (3 months) of the commencement date</li> <li>• 33% of the chargeable amount within 270 days (9 months) of the commencement date</li> <li>• 33% of the chargeable amount within 360 days (12 months) of the commencement date</li> </ul> |
| Amounts between £50,001 to £100,000    | 4                     | Equal instalments of 25% of the chargeable amount within <ul style="list-style-type: none"> <li>• 90 days (3 months)</li> <li>• 180 days (6 months)</li> <li>• 270 days (9 months)</li> <li>• 360 days (12 months)</li> </ul> of the commencement date   |
| Amounts between £100,001 to £1,000,000 | 4                     | Equal instalments of 25% of the chargeable amount within <ul style="list-style-type: none"> <li>• 90 days (3 months)</li> <li>• 270 days (9 months)</li> <li>• 360 days (12 months)</li> <li>• 540 days (18 months)</li> </ul> of the commencement date  |
| Amounts over                           | 5                     | Equal instalments of 20% of the chargeable amount within   |

|            |  |  |
|------------|--|--|
| £1,000,000 |  | <ul style="list-style-type: none"><li>• 90 days (3 months)</li><li>• 270 days (9 months)</li><li>• 360 days (12 months)</li><li>• 540 days (18 months)</li><li>• 730 days (24 months)</li></ul> of the commencement date |
|------------|--|--|

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<sup>1</sup> This is the amount as set out in the liability notice

<sup>2</sup> The commencement date is the commencement notice date as advised by the developer under CIL Regulation 67