

# YOUR PLANNING SERVICE

For planning  
permissions  
granted after 1<sup>st</sup>  
September  
2019



## Community Infrastructure

## Levy



## Frequently Asked Questions



EAST CAMBRIDGESHIRE  
DISTRICT COUNCIL

## What is the Community Infrastructure Levy?

The Community Infrastructure Levy is a planning charge, introduced by the Government through the Planning Act 2008, to provide a fair and transparent means for ensuring that development contributes to the cost of the infrastructure it will rely upon (i.e. transport, schools, hospitals, parks, etc). The Levy applies to most new buildings and charges are based on the size and type of development. More information is available on the [CIL Pages](#) of the Council's website.

## What are the CIL charges?

The Council's charging schedule came into effect on 1st February 2013 and sets out East Cambridgeshire District Council's CIL Charging and Levy rates for different types and locations of development.

At a glance the CIL rates for East Cambridgeshire District Council are as follows (rates are per square metre)

Development type	CIL rate	Plus indexation
Residential Zone A – Littleport and Soham (C3)	£40	£58.68
Residential Zone B – Ely (C3)	£70	£102.69
Residential Zone C- Rest of the district (C3)	£90	£132.03
Retail development (A1/A2/A3/A4/A5) and sui generis uses akin to retail	£120	£176.04
All other uses (unless stated otherwise)	£0	£0

Further details of the charges and the Council's full charging schedule are available on the [CIL charges](#) section of our website.

## Is my development liable for CIL?

Below is an example of the types of development that will be CIL liable:

- All development of 100m<sup>2</sup> or more of new build including residential extensions;

- All development regardless of size which creates a new dwelling;
- The conversion of a building which is no longer in lawful use.

You can find more information on which types of development are liable at:

<https://www.gov.uk/guidance/community-infrastructure-levy>

## **I am submitting a planning application; how can I find out more about what I need to do with CIL?**

The District Council has prepared some [detailed guidance notes for applicants](#) to help guide them through submission of planning applications and the related CIL documentation. Applicants are strongly advised to read this guidance and seek further advice from CIL team if required.

## **ADMINISTRATION PROCESS**

### **Provide CIL information**

You will need to submit **CIL Questions (Form 1)** with your planning application. The information supplied on this form will allow the Council to determine whether or not CIL is payable and, if necessary calculate a provisional amount.

You will also need to submit an **Assumption of Liability (Form 2)** if you know at this point who will be paying the CIL charge; we strongly encourage you to provide this information as early as possible.

### **How to submit the forms?**

You can download all of the necessary forms from the [CIL forms](#) section of the Council's website. You can submit the completed forms via e-mail to [cil@eastcamb.gov.uk](mailto:cil@eastcamb.gov.uk) or paper copies can be posted to the address at the end of this leaflet.

Guidance on how to complete the forms can also be found on the [CIL Guidance](#) section of the Council's

website. Or you can contact the CIL team for advice on 01353 665555

## **My planning application has been approved... what happens next?**

If you have not already submitted the **Assumption of Liability (Form 2)**, it is important that you inform the Council who will be responsible for paying the CIL for the approved development as soon as possible.

If we have not received this information prior to consent being granted, the Council will send out a request for an **Assumption of Liability (Form 2)** immediately after the decision notice has been issued. Following an acknowledgment from ourselves of assumed liability we will then require any forms for requesting relief from the Levy including self build relief request forms (Form 7). Please submit these as soon as possible post decision for the Council to determine whether an exemption is possible.

## **When is CIL payable?**

CIL is payable upon commencement of the development. The liable party is required to submit a **Commencement Notice (Form 6)** to the Council, to notify them of works starting on site.

Once the **Commencement Notice** has been received, the Council will issue a **Demand Notice**. This will detail who is liable for payment, confirm the amount payable as well as any reliefs or surcharges and it will also specify the dates on which the payments are due.

## **Can I pay in instalments?**

Yes, the Council is able to accept payment of CIL charges in instalments on payments over £30,000. More information is available in the Council's [Instalment Policy](#). Please note charges for less than £30,000 will be payable in full within 60 days from commencement date.

## Are there any exemptions for CIL?

The following development may be eligible for relief from CIL:

- Charitable development;
- Social Housing development;
- Self-build development;
- Residential annex or extensions.

You can find more information on claiming CIL relief in the [Guidance Notes](#) from our CIL web pages.

### How do I apply for an exemption?

If you consider that your development, or part of it, is eligible for relief from CIL you will need to formally apply for the relief by submitting one of the forms below:

**Form 10: Social/affordable housing relief**

**Form 7: Self build relief**

**Form 8 and 9: Residential extensions and annexes.**

You will still be required to submit an **Assumption of Liability (Form 2)** prior to applying for relief.

### I've started work. Can I apply for an exemption?

No, exemptions **must** be applied for and granted before works start on site. If a commencement notice is not submitted on a CIL case which has received an exemption then a surcharge of £2,500 or 20% of the chargeable amount; whichever is lower, will be applied as a proportionate penalty.

### Can more than one plot on a development apply for an exemption?

Yes, but in order for this to be possible, you will need to show clearly when you apply for planning permission that the development will be 'phased'. This will require a plan clearly identifying the proposed phasing of the

development. The planning officer determining the application will then put a 'phasing' condition on the decision notice.

When submitting any correspondence in regards to CIL in this instance, it would be useful to clearly list the separate plots as identified on the approved phasing plan.

### **What happens if I sell the land to which CIL applies?**

CIL is registered as a Local Land Charge on the property or land and will appear on any Local Land Charges Search results.

If you sell the land prior to development commencing on site, you will need to apply to transfer the liability for CIL to the new landowner. You can do this by submitting a **Transfer of Assumed Liability (Form 4)**.

Please note there are disqualifying events attached as caveats to any exemption which is granted for the Levy. If the Council gains knowledge of any such disqualifying events they can, in accordance with regulations, clawback any levy which would have been payable and impose surcharges. More information on disqualifying events is available from the Guidance notes Section of the [Community Infrastructure Levy pages](#) of the Council's website.

*If you require this document in different formats (e.g. Braille, large print, audiotape/CD or other languages please contact the Council's main reception or email [translate@eastcambs.gov.uk](mailto:translate@eastcambs.gov.uk)*

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