PAS
planning advisory service

Local Government Association

Implementing the reforms on developer contributions CIL & Section 106

Autumn 2019 Event Series

www.local.gov.uk/pas

Housekeeping

- Fire
- Phones
- Toilets
- Finish at 16:30
- Slides and workbooks will be made available

planning advisory service

Introductions

- Who are the Planning Advisory Service?

"PAS exists to support local planning authorities in providing effective and efficient planning services, to drive improvement in those services and to support the implementation of changes in the planning system"

- Funded by the Ministry of Housing Communities and Local Government (MHCLG)

- Part of the Local Government Association (LGA)

Joining us today

- Colleagues from MHCLG
- Stephen Barker – PAS
- Rachael Ferry-Jones – PAS

Purpose of today

- To understand the reforms and what has changed;
- To have a go at implementing them in practice (CIL calculations);
- To discuss and determine key actions for your authority;
- To have a deeper dive in to the role of good infrastructure planning and why it is critical to the success of delivering sustainable development and the efficient use of CIL and S106;
- To be interactive; and
- For you to ask questions

Agenda

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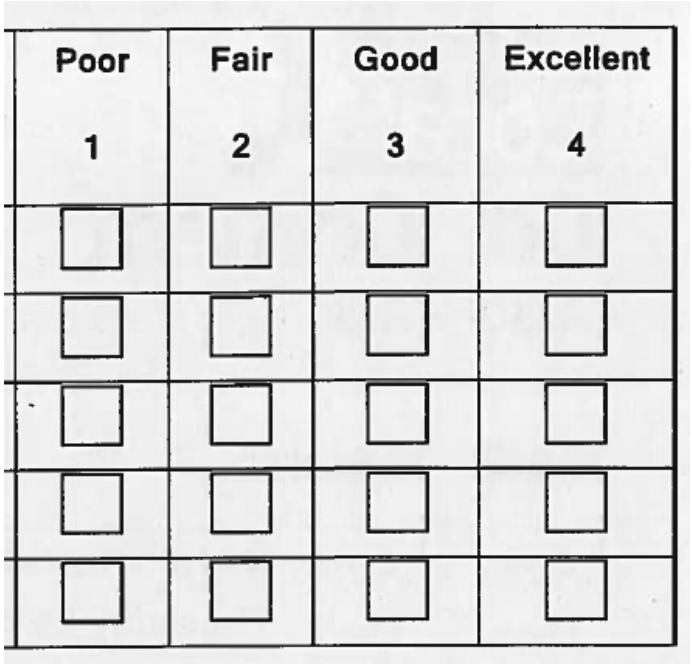
Workshop: Implementing the reforms on developer contributions

Event 5: London 17th October 2019

Venue: ETC Venues Monument, 8 Eastcheap, London EC3M 1AE

Time	Details
9:30	Registration
	Welcome and introduction to the day
	Session 1: Overview of the reforms to developer contributions
	Session 2 Part 2: Calculating CIL liabilities under the amendment regulations – The basics
	Coffee break
	Session 3: The role of Infrastructure Funding Statements
12:45	Lunch
	Session 4 Part 1: CIL and Section 106 Policy Approach – Choosing the right tool
	Session 4 Part 2: CIL and Section 106 Policy Approach – Choosing the right tool
	Session 5: Effective monitoring of allocation and spend
	Coffee break
	(Optional) Session 2 Part 2: Calculating CIL liabilities under the amendment regulations - S73 permissions and phased permissions
	Session 6: Wrap up/PAS support
16:30	Close

Tell us what you think



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- Today is not really free.
- We need to know what you think
- We read all of them
- We use your ideas to change what we do and how we do it.
- Your feedback form helps us to show Government that this is money well spent

Who is charging CIL?

156 Charging Authorities

(47% of potential CA's)

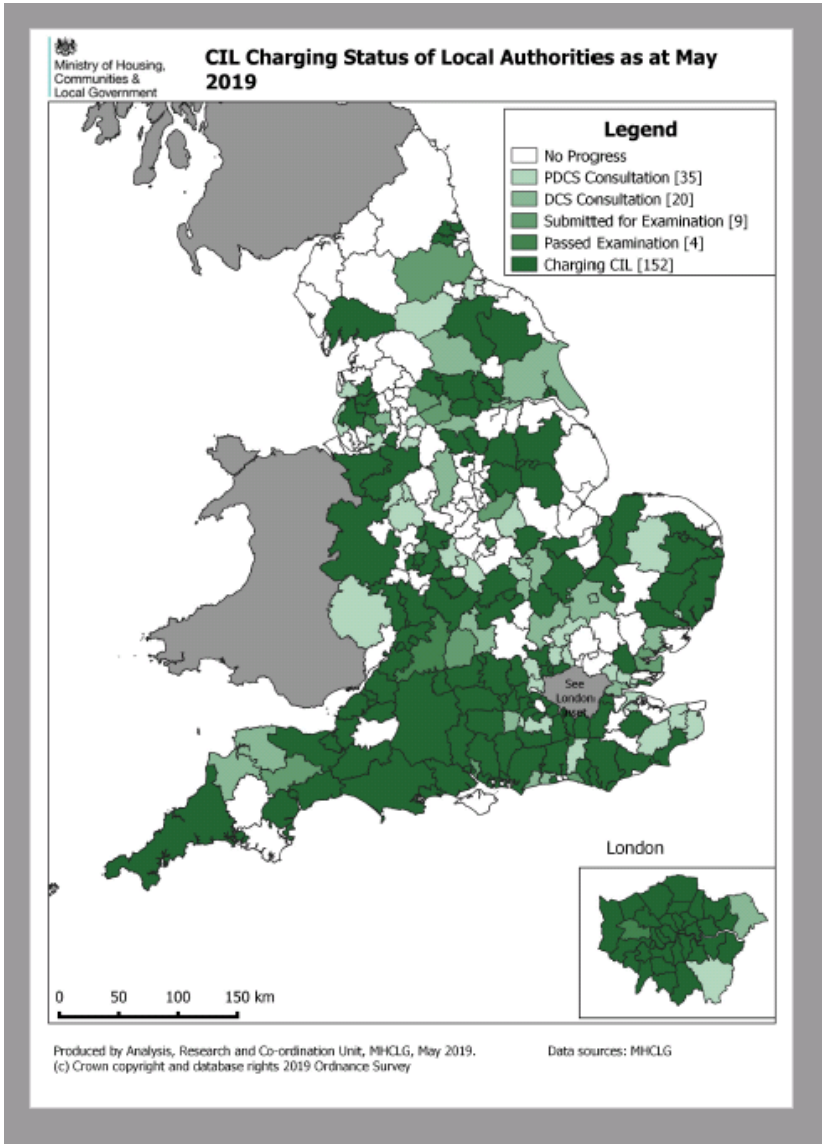


Table introductions

- We are a small(ish) group please introduce yourself to your table
- What is your role at your local authority?
- What is your relationship with CIL and S106?
- What is the one thing that you want out of today?

Why your roles are important to the delivery of infrastructure that supports development …..

Infrastructure planning - the glue in the delivery framework

Infrastructure Funding Statement

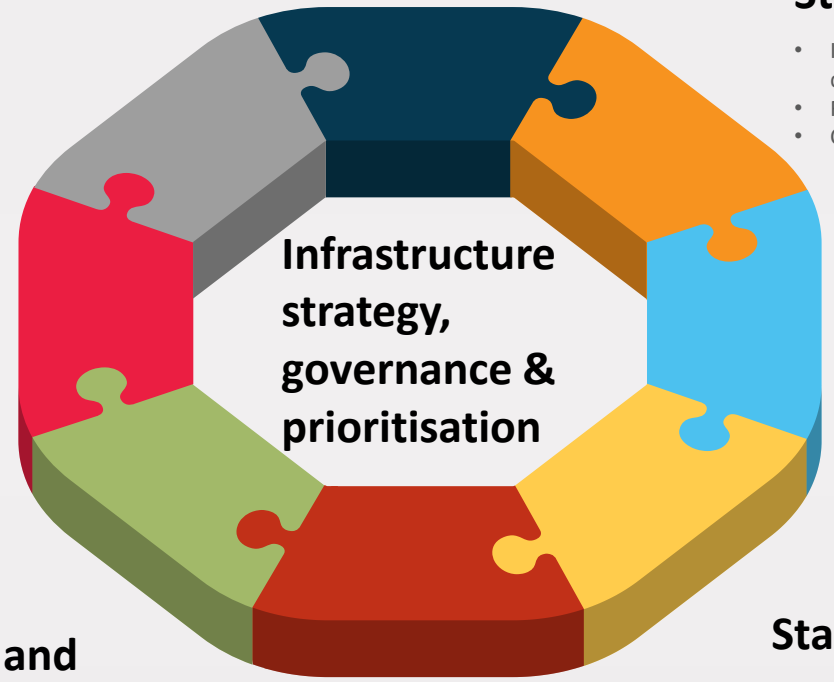
- Transparency over receipts and projected spend of CIL and S106.
- Wider use of tool for engagement with key stakeholders and promotion of delivery
- Opportunity to cover delivery of infrastructure beyond S106 and CIL

Corporate strategy

- Develop an infrastructure business plan that is updated annually;
- Reflects corporate priorities (beyond CIL &S106)
- Focuses on delivery

Strategic Planning

- Informs strategic infrastructure priorities and discussions with neighbours.
- Reflects wider growth and development aspirations.
- Collaborative working across administrative boundaries



Delivery, monitoring and review

- Clear governance and business plan process enables delivery of prioritised infrastructure to support development.
- Enables wider conversations on funding and match funding.
- Review of delivery and monitoring of policies and obligations ensures requirements are deliverable or triggers a need for review.

Local Plan

- Infrastructure requirements and priorities help determine local plan policies (S106 & CIL).
- Tested for soundness and viability against development aspirations.
- Stakeholder engagement in development of policies.
- Set framework for negotiations on development.

Housing delivery and HDT / HDTAP

- Commitment to delivery of infrastructure priorities informs site allocations and HDT / HDTAP and enables development to come forward.

Statement of common gound

- Informs discussions with key stakeholders and evidence of collaboration for statement of common ground and duty to cooperate.
- Provides focus for delivery.

Effective and efficient decision making

- Transparency over priorities through strategy, business planning and local plan policies makes expectations clear.
- Reduces pressure on use of viability assessments where requirements are clear

Five principles of good infrastructure planning

Research published by the RTPI on 26th September 2019

1. Shared vision of place
2. Identification of infrastructure priorities
3. Effective and early engagement
4. Capacity, Knowledge and resources
5. Continuous learning

https://www.rtpi.org.uk/integratedinfrastructure

Session 1

Overview of the reforms to developer contributions and Q&A

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Ministry of Housing,
Communities &
Local Government

Overview of the reforms to developer contributions through the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019

Planning Directorate

Ministry of Housing, Communities & Local Government

Background

- Report by the CIL review team (February 2017)
- '*Supporting housing delivery through developer contributions'* (March 2018)
- Government response (October 2018)
- '*Reforming developer contributions: technical consultation on draft regulations*' (December) 2018
- Government response (June 2019)
- Regulations laid (June 2019)
- Commenced (1September 2019)

Ministry of Housing, Communities & Local Government

Policy proposals/draft regulations

Reducing complexity and increasing certainty

- Ensuring that consultation is proportionate
- Removing the restriction which prevents local authorities using more than five section 106 obligations to fund a single infrastructure project ('the pooling restriction')
- A more proportionate approach to administering exemptions
- Extending abatement provisions to phased planning permissions secured before the introduction of the Community Infrastructure Levy ('balancing')
- Applying indexation where a planning permission is amended

Improving transparency and increasing accountability

- Removing regulation 123 restrictions and introducing Infrastructure Funding Statements
- Monitoring fees

Other technical clarifications

Ministry of Housing, Communities & Local Government

Regulation 3. Charging schedules: consultation etc.

Aim to make consultation on charging schedules more proportionate

- removes the requirement to consult on the preliminary draft charging schedule;
- leaves it to charging authorities to decide whether they wish to exceed the minimum consultation requirement and the details of how they wish to consult;
- removes the minimum period for the local authority to seek representations;
- removes the requirement to advertise in a local newspaper at various stages during the preparation and withdrawal of a charging schedule

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Regulation 4. Charging schedules: procedure in relation to a charging schedule ceasing to have effect

A new regulation 28A is inserted which changes the procedure for stopping CIL – requiring an explanation of the revenue that has been received, the effects of stopping the Levy and the measures proposed to cover any shortfall.

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Regulation 5. Chargeable development and chargeable amount

- The main effect is to introduce a new Schedule 1 which contains all the calculations for determining the chargeable amount.
- Calculations currently in regulation 40 (Calculation of chargeable amount); regulation 50 (Social housing relief: qualifying amount) and regulation 128A (Transitional provision: section 73 of TCPA 1990 applications) are moved to the new schedule
- Schedule also introduces new calculations for dealing with increases and decreases in liability and transitional cases
- Regulation 128A (Transitional provision: section 73 of TCPA 1990 applications) is deleted and replaced together with additional provisions by Part 4 to Schedule 1 (Pre-CIL permissions 'amended' when CIL is in effect).

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Regulation 6. Reliefs: commencement notices and other amendments relating to applications for relief

Exemption is not lost following failure to submit commencement notice for:

(a) residential annexes;
(b) self-build housing;
(c) charitable relief; or
(d) social housing relief

Regulation 83 (Surcharge for failure to submit a commencement notice) – is amended to provide a mandatory penalty instead - whichever is lower of a surcharge of 20% of the chargeable amount, or £2,500.

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Regulation 7. Section 73 permissions: carry over of relief and instalments

Regulation 6 amends the exemptions and reliefs so that a developer can in these circumstances still apply for the exemption or relief after a section 73 permission has been granted and the development has commenced. Regulation 7 goes further. It amends the 2010 Regulations so that where a chargeable development has been granted in relation to:

- an exemption for residential annexes or extensions;
- an exemption for self-build housing;
- charitable relief;
- or social housing relief,

and the development is commenced and subsequently amended through a section 73 permission in such a way as not to change the amount of liability for the Levy, the original application for exemption or relief is treated as if it had been made in relation to the section 73 permission – i.e. in these circumstances there is no need for the developer to apply for the relief or exemptions as it is automatically applied to the new permission.

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Regulation 8. Enforcement by taking control of goods

Regulation 8 replaces references to distress in the 2010 Regulations with reference to the new procedure for taking control of goods set out in Schedule 12 to the Tribunals, Courts and Enforcement Act 2007

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Regulation 9. Annual infrastructure funding statements and CIL rate summary

- Introduces new Part 10A (Reporting and monitoring on CIL and planning obligations)
  - Regulation 121A (Annual infrastructure funding statements) requires any charging authority which issues a liability notice during the reporting year to publish an annual Infrastructure Funding Statement. The first annual Infrastructure Funding Statement must be published by **31 December 2020**
  - Regulation 121B (Reporting by parish councils) – unchanged
  - Regulation 121C (Annual CIL rate summary) is a new provision which requires a charging authority to publish an annual CIL rate summary which includes each of the rates, taken from the charging schedule.

  A new digital data format and tools will support authorities with the implementation of this regulation (https://digital-land.github.io/guidance/developer-contributions/).

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Regulation 10. Fees for monitoring planning obligations

Regulation 122 (Limitation on use of planning obligations) has been amended to make clear that subject to certain conditions a local planning authority is allowed to include a monitoring fee in agreements under section 106.

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Regulation 11. Removal of pooling restrictions

Regulation 123 (Further limitations on use of planning obligations) has been deleted so there is no limit as to the number of planning obligations that could be used to fund a single infrastructure project.

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SCHEDULE 1- Calculations

1. Standard cases – regulation 40
2. Outline permissions where first permits date is after new charging schedule
3. Amended permissions (s73) – ex regulation 9 comparison
4. Section 73 permissions which increase liability
5. section 73 permissions which reduce liability
6. Social housing relief: calculating qualifying amount (ex regulation 50)
7. Pre-CIL permissions ‘amended’ when CIL is in effect (ex regulation 128A)
8. Pre-CIL phased permissions ‘amended’ when CIL is in effect (phase credits)
9. Pre-CIL permissions ‘amended’ when CIL in effect: appeal in relation to notional relief

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Schedule 2 - infrastructure funding statements

- the infrastructure list,
- the CIL report, and
- the section 106 report

Session 2: Part 1

Calculating CIL liabilities under the amendment regulations

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Calculating the chargeable amount

Aim of the session

- To understand how the chargeable amount is calculated in different circumstances; including examples of:
  - Calculation in standard cases
    - ‘Greenfield’ residential (i.e. no retention or demolition of existing buildings)
    - ‘Greenfield’ mixed use
    - Demolition and retention of existing buildings
    - Phased development (and use of value Ex)
  - Section 73 amendments
    - Increases and decreases in internal area
    - Mixed use and change in area and redistribution in uses
    - Taking account of social housing
  - Calculation in transitional cases (pre-CIL permissions amended through section 73 post introduction of CIL (in-CIL)
    - Increase in internal area
    - Phase credits

Standard cases

(Schedule 1, Part 1)

1. The chargeable amount is an amount equal to the aggregate of the amounts of CIL chargeable at each of the relevant rates.

2. The relevant rates are the rates, taken from the relevant charging schedules, at which CIL is chargeable in respect of the chargeable development.

Excerpt from (a fictitious) CIL Charging Schedule (Introduced in 2015)	
Development type	CIL Rate (£ per square metre)
Residential	£150
Retail	£100
Office	£50
All other uses	£0

3. At its most basic, the amount of CIL chargeable at a given relevant rate (R) is:

$$Rate(R) \times Net\ Area(A)$$

4. However to take account of inflation, the amount of CIL chargeable at a given relevant rate (R) must be calculated by applying the following formula—

$$\frac{R \times A \times I_P}{I_C}$$

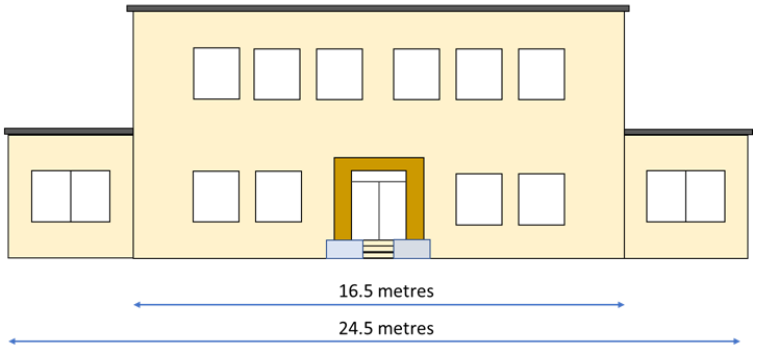
Where:

- A = the deemed net area chargeable at rate R;
- I_P = the index figure for the calendar year in which planning permission was granted; and
- I_c = the index figure for the calendar year in which the charging schedule containing rate R took effect.

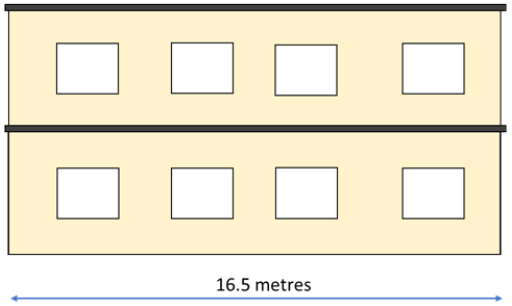
CIL Index Figures			
Calendar year	Index figure for calendar year	Inflationary multiplier (i.e. Ip/Ic)	Effect of inflationary multiplier on rate (e.g. retail): (R x Ip/Ic)
2015 (Ic)	255	1	£100
2016	275	1.08	£108
2017	286	1.12	£112
2018	313	1.23	£123
2019	318	1.25	£125

Example 1 – ‘greenfield’ residential development (granted planning permission in 2017)

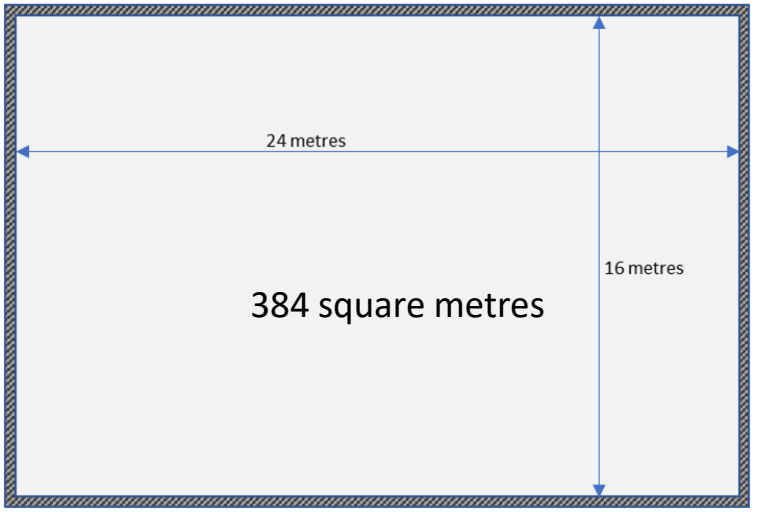
Front elevation



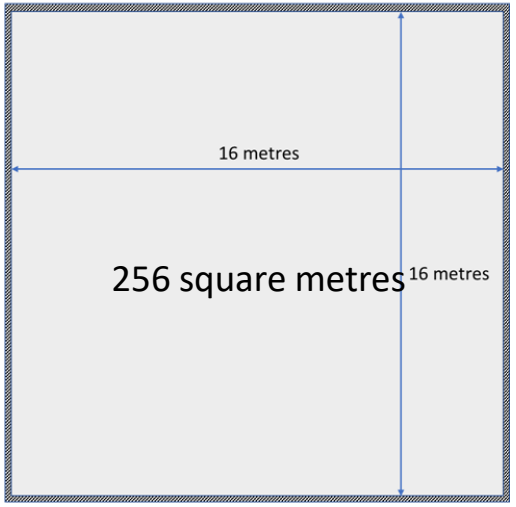
Side elevation



Ground floor – internal area



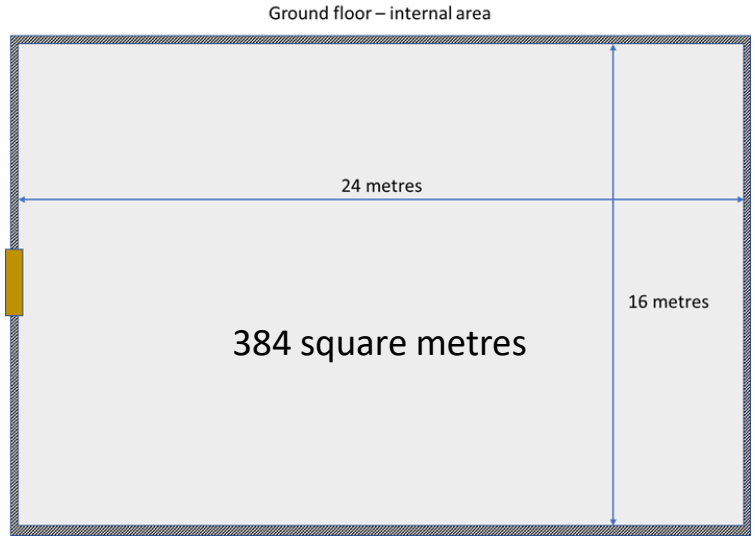
First floor – internal area

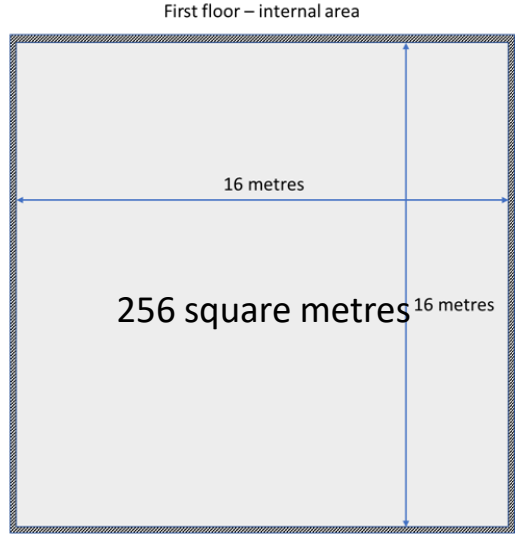


Example 1 – ‘greenfield’ residential development

Variable		Value
Rate (Residential)	R	£150 per square metre
Net Area (at rate R)	A	384 + 256 = 640 square metres
Index for year planning permission was granted (2017)	I_p	286
Index for year charging schedule was adopted (2015)	I_c	255

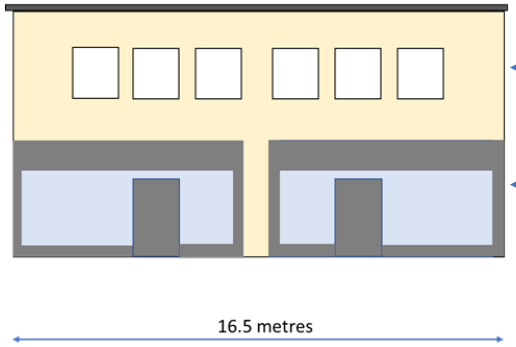
$$\frac{R \times A \times Ip}{Ic} = \frac{150 \times 640 \times 286}{255} = \textbf{£107,670.60}$$



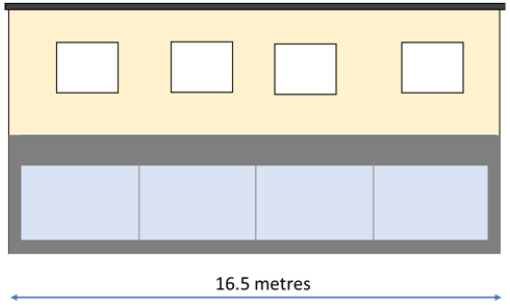


Example 2 – ‘greenfield’ mixed development

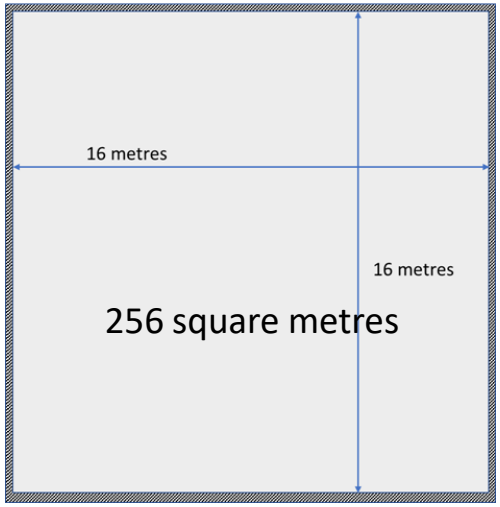
Front elevation



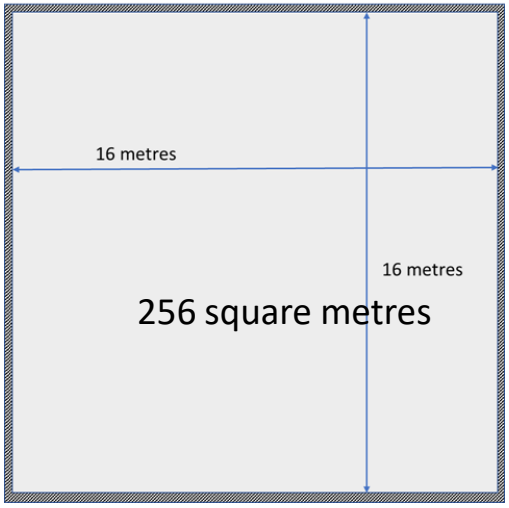
Side elevation



Ground floor (Retail) – internal area



First floor (Residential) – internal area



Example 2 – ‘greenfield’ mixed development

Variable (Retail)		Value
Rate (Retail)	R	£100 per square metre
Net Area (at rate R)	A	256 square metres
Index for year planning permission was granted (2017)	I_p	286
Index for year charging schedule was adopted (2015)	I_c	255

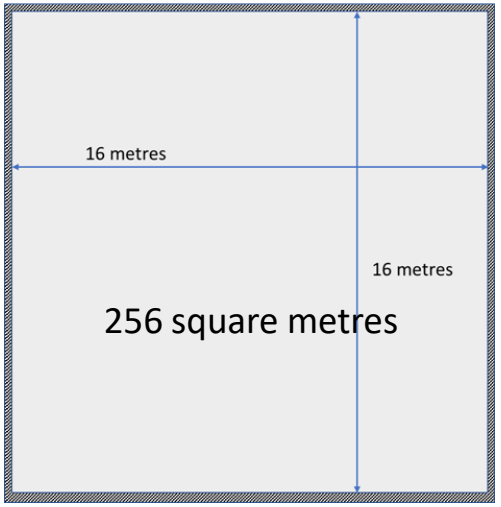
$$\frac{R \times A \times Ip}{Ic} = \frac{100 \times 256 \times 286}{255} = \textbf{£}28{,}712.16$$

Variable (Residential)		Value
Rate (Residential)	R	£150 per square metre
Net Area (at rate R)	A	256 square metres
Index for year planning permission was granted (2017)	I_p	286
Index for year charging schedule was adopted (2015)	I_c	255

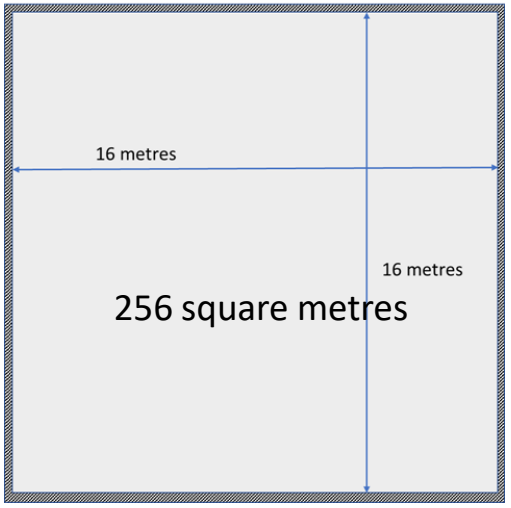
$$\frac{R \times A \times Ip}{Ic} = \frac{150 \times 256 \times 286}{255} = £43{,}068.24$$

Total chargeable amount = £28,712.16 + £43,068.24 = **£71,780.40**

Ground floor (Retail) – internal area



First floor (Residential) – internal area



Understanding the ‘deemed net area (A)’

(How to deal with existing floorspace)

Certain buildings which are situated on the land with planning permission on the day that planning permission first permits development and are to be retained or demolished can be taken into account to reduce the internal area subject to a CIL liability.

The following slides explain which buildings can be used to offset CIL liability and those that can't.

Retained buildings (K_R)

(i) Retained parts of in-use buildings.

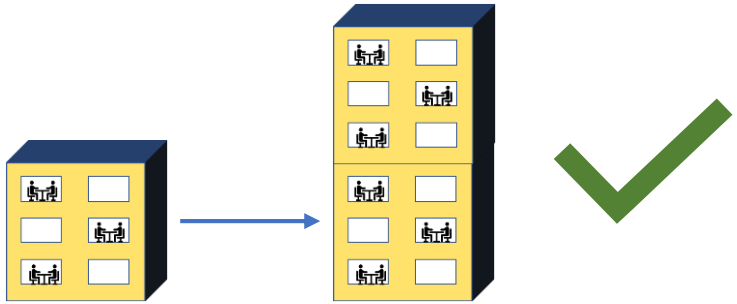
'Retained parts'

"part of a building which will be—
(i) on the land with planning permission on completion of the chargeable development;
(ii) part of the chargeable development on completion, and
(iii) chargeable at rate R".

'In-use building':
"a building which—
(i) is a relevant building (i.e. a building on the land with planning permission), and
(ii) contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development";

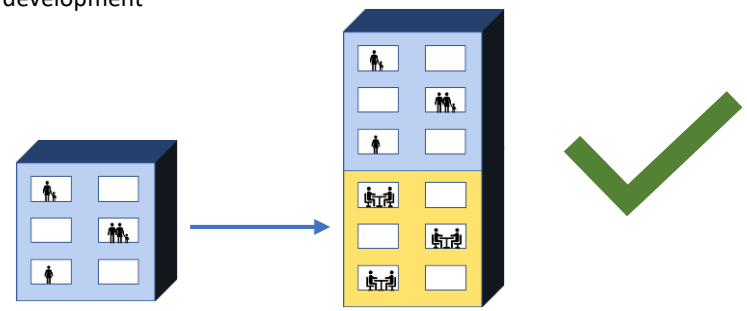
(ii) Retained parts of not in-use buildings.

Retained parts where the intended use following completion of the chargeable development is a use that is able to be carried on lawfully and permanently without further planning permission in that part on the day before planning permission first permits the chargeable development;



In-use office space to be retained as office space in new development

Area of retained building can be used to reduce the chargeable area of office space in new development



In-use residential development to be retained but converted to office development as part of new mixed use
development

Area of retained building can be used to reduce the net chargeable area of office space in new development (i.e. not residential – even though the new development contains residential development).

Certain buildings which are situated on the land with planning permission on the day that planning permission first permits development and are to be retained or demolished can be taken into account to reduce the internal area subject to a CIL liability.

Retained buildings (K_R)

(i) Retained parts of in-use buildings.

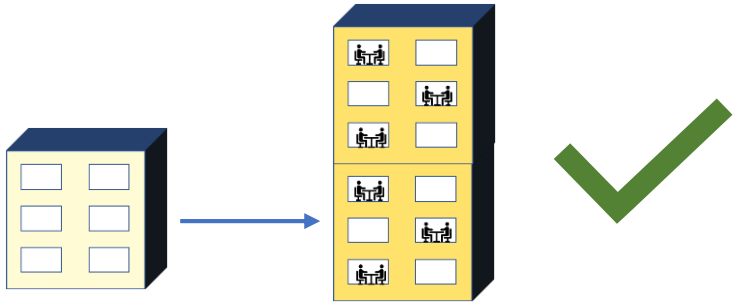
'Retained parts'

"part of a building which will be—
(i) on the land with planning permission on completion of the chargeable development;
(ii) part of the chargeable development on completion, and
(iii) chargeable at rate R".

'In-use building':
"a building which—
(i) is a relevant building (i.e. a building on the land with planning permission), and
(ii) contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development";

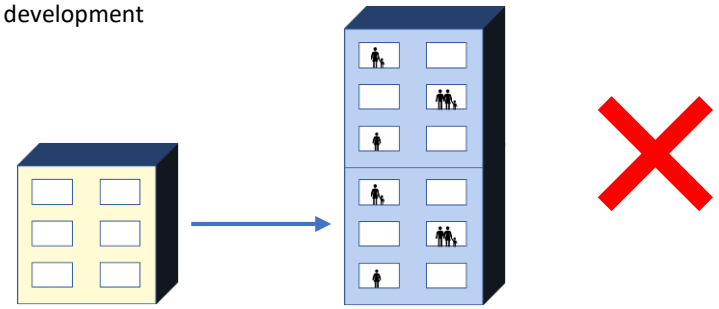
(ii) Retained parts of not in-use buildings.

Retained parts where the intended use following completion of the chargeable development is a use that is able to be carried on lawfully and permanently without further planning permission in that part on the day before planning permission first permits the chargeable development;



Parts of a not in-use building which can lawfully be used as office space without further planning permission to be retained as office space in new development

Area of retained building to be used as office space can be used to reduce the chargeable area of office space in new development



Parts of a not in-use building which can lawfully be used as office space without further planning permission to be retained but used as residential development.

Area of retained building cannot be used to reduce the net chargeable area of residential development.

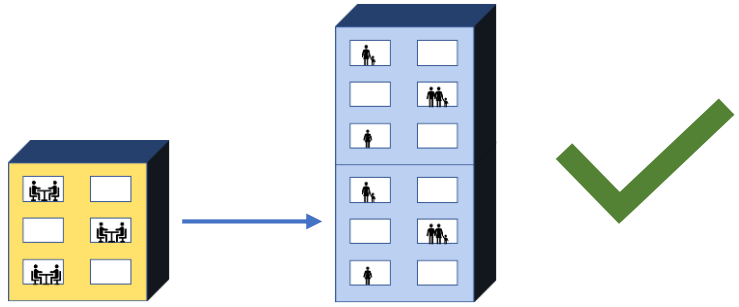
Certain buildings which are situated on the land with planning permission on the day that planning permission first permits development and are to be retained or demolished can be taken into account to reduce the internal area subject to a CIL liability.

The following slides explain which buildings can be used to offset CIL liability and those that can't.

Buildings to be demolished (E)

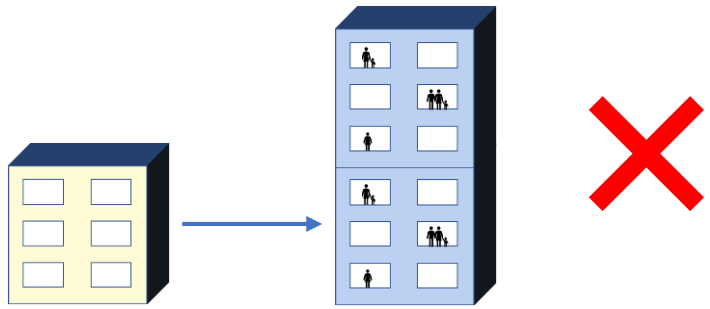
The gross internal areas of parts of in-use buildings that are to be demolished before completion of the chargeable development;

'In-use building':
"a building which—
(i) is a relevant building (i.e. a building on the land with planning permission), and
(ii) contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development";



In-use office space (or any other lawful use) to be demolished

Area of in-use building to be demolished can be used to reduce the chargeable area of the new development



Not in-use building to be demolished.

Area of existing not in-use building cannot be used to reduce the net chargeable area of residential development.

The calculation to determine the value of A ('deemed net area) uses the following formula—

$$G_R - K_R - \left(\frac{G_R \times E}{G}\right)$$

where—

G = the gross internal area of the chargeable development;

G_R = the gross internal area of the part of the chargeable development chargeable at rate R;

K_R = the aggregate of the gross internal areas of the following—

(i) retained parts of in-use buildings; and

(ii) for other relevant buildings, retained parts where the intended use following completion of the chargeable development is a use that is able to be carried on lawfully and permanently without further planning permission in that part on the day before planning permission first permits the chargeable development;

E = the aggregate of the following—

(i) the gross internal areas of parts of in-use buildings that are to be demolished before completion of the chargeable development; and

(ii) for the second and subsequent phases of a phased planning permission, the value E_x (as determined under sub-paragraph (7)), unless E_x is negative.

Key points to be aware of:

- Where the chargeable development includes more than one development type with different rates (R) (for example, residential and retail development) the deemed net area of each type of development should be calculated separately.

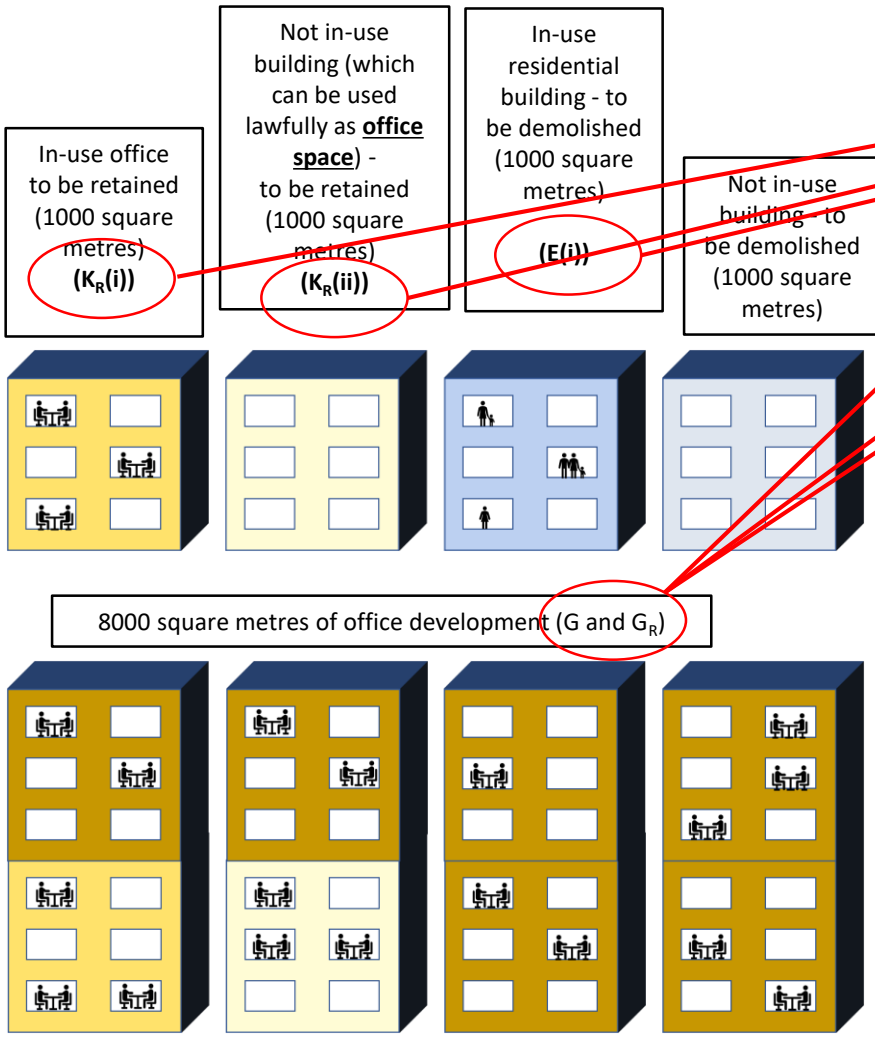
- When determining the gross internal area of retained parts of in-use buildings, the key consideration is the use to which the retained area is to be put – not what it is in the existing development. For example, if an in-use office is to be retained and converted into residential space, that area can be used to reduce the net area of residential development.

- Similarly, if some parts of an existing in-use building are to be used as office space, and other parts of the same building are to be used for residential development, the area of those parts that are to be used as office space can be used to reduce the net area of office space, and those parts set to be residential development can be used to reduce the net area of residential development.

- The demolition of in-use buildings is treated differently, as the gross internal area of such buildings is apportioned across the different rate types in the new development. So that if 60% of the new development is to be used as residential space, 60% of the gross internal area of the in-use buildings is used to reduce the net area of residential space. The remaining 40% is apportioned across the other rate types in the new development.

-

Example 3 – retained buildings and demolition



Deemed net area (A) chargeable at rate (R):

$$= G_R - K_R - \left(\frac{G_R \times E}{G}\right)$$

$$= 8000 - (1000 + 1000) - \left(\frac{8000 \times 1000}{8000}\right)$$

$$= 8000 - 2000 - 1000 =$$ **5,000 square metres**

Variable		Value
Rate (Office)	R	£50 per square metre
Net Area (at rate R)	A	5000 square metres
Index for year planning permission was granted (2017)	I_p	286
Index for year charging schedule was adopted (2015)	I_c	255

Chargeable amount = $\frac{R \times A \times Ip}{Ic}$

$$= \frac{50 \times 5000 \times 286}{255}$$

= **£280,392.20**

Example 4 – mixed use with retained buildings and demolition - permitted in 2017

1. Office development

Deemed net area (A) chargeable at rate (R):

$$= G_R - K_R - \left(\frac{G_R \times E}{G}\right)$$

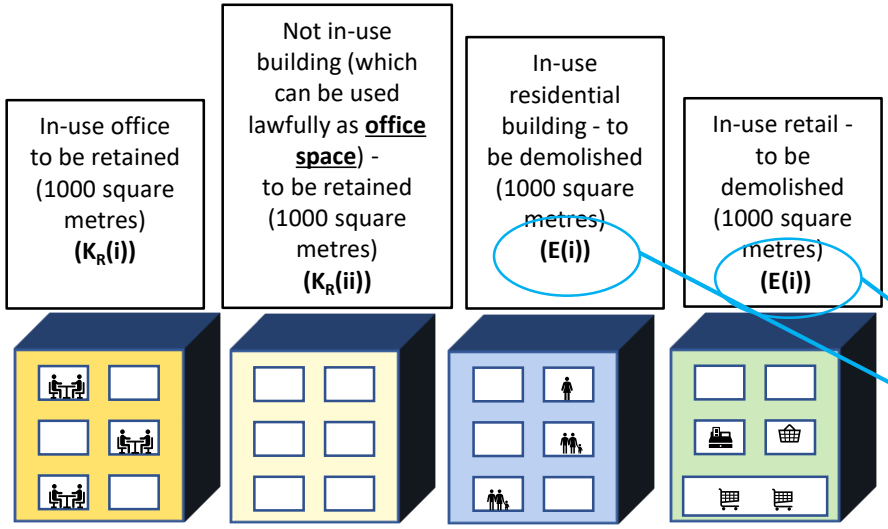
$$= 4000 - (1000 + 1000) - \left(\frac{4000 \times 2000}{8000}\right)$$

$$= 4000 - 2000 - 1000 = \textbf{1,000 square metres}$$

Chargeable amount (office) = $\frac{R \times A \times Ip}{Ic}$

$$= \frac{50 \times 1000 \times 286}{255} = \textbf{£56,078.43}$$

Example 4 – mixed use with retained buildings and demolition - permitted in 2017



4000 square metres of office development (G_R office)
4000 square metres of residential development (G_R residential)

(G)

1. Office development

Deemed net area (A) chargeable at rate (R):

$= G_R - K_R - \left(\frac{G_R \times E}{G}\right)$

$= 4000 - (1000 + 1000) - \left(\frac{4000 \times 2000}{8000}\right)$

$= 4000 - 2000 - 1000 =$ **1,000 square metres**

Chargeable amount (office) = $\frac{R \times A \times Ip}{Ic}$

$= \frac{50 \times 1000 \times 286}{255} =$ **£56,078.43**

2. Residential development

Deemed net area (A) chargeable at rate (R):

$= G_R - K_R - \left(\frac{G_R \times E}{G}\right)$

$= 4000 - 0 - \left(\frac{4000 \times 2000}{8000}\right)$

$= 4000 - 0 - 1000 =$ **3,000 square metres**

Chargeable amount (residential) = $\frac{R \times A \times Ip}{Ic}$

$= \frac{150 \times 3000 \times 286}{255} =$ **£504,705.88**

Total chargeable amount = £56,078.43 + £504,705.88 = **£560,784.31**

Coffee Break

planning advisory service

Session 3:

The role of Infrastructure Funding Statements (IFS)

planning advisory service

What is an IFS?

An IFS is “a document” produced by a “contribution receiving authority” which includes:

A. A statement of infrastructure that “*will, or may be, wholly of partly funded by CIL”;*

B. A “CIL report” on the receipts, allocations and expenditure of CIL; and

C. A “section 106 report” ” on the receipts, allocations and expenditure of S106

(See CIL regulations – Regulation 121A and Schedule 2)

Why are you required to produce an IFS?

- Improve transparency and increase accountability
- Simplify requests for FOI’s
- Improve stakeholder visibility and understanding
- Promote infrastructure delivered by your authority
- Use it throughout the planning system to help inform and evidence e.g. SOCG, HDTAP, Local Plan review

How should you develop an IFS?

- Detailed requirements set out in legislation and guidance
- Already reporting on CIL **NEW** requirements for s106
- Optional whether to report on S278 Highways
- Recommend monitor in line with government's data format
- Explicitly allowed to charge for monitoring to help with this

How should you develop an IFS?

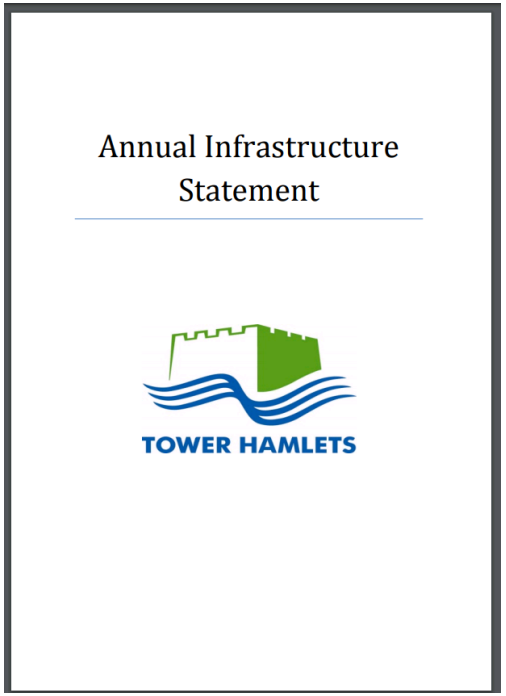
Guidance also recommends:

- Reporting on the delivery of the infrastructure (so beyond spend) – PROMOTION
- Reporting on estimated future income
- Future spending priorities on infrastructure **AND** affordable housing linked to local plan (So CIL and S106)
- IFS should inform review of local plans

When do you need to produce an IFS?

- First IFS due by 31st December 2020
- Covers reporting year for 2019/2020 (so now!)
- Future IFS due by 31st December each year

But why wait?



Where should you publish the IFS?

- Each annual IFS should be published on the receiving authorities website
- Make it easy to find and circulate links to key stakeholders
- Include a summary of the IFS and a link to it in your Annual Monitoring Statement

Ministry of Housing,
Communities &
Local Government

Developer Contributions Data

Publish your developer contributions data

Developer contributions beta

Digital Land - MHCLG

Ministry of Housing,
Communities &
Local Government

“Make data easier to find, use and trust”

Ministry of Housing, Communities & Local Government

Publish your developer contributions data

The Community Infrastructure Levy (CIL) regulations and National Planning Policy Framework (NPPF) require all local planning authorities to publish their developer contributions data on a regular basis and in an agreed format.

Alongside the updated CIL guidance, we also published guidance on publishing your developer contributions data:

https://www.gov.uk/guidance/publish-your-developer-contributions-data

Developer contributions data has a wide range of current and potential uses, including:

- planning land and housing development
- creating new digital services
- giving community members insight into local development and how they can influence it

For data to be useful it must be easy to find, use, understand and trust.
The guidance gives a high-level overview of the data format and the publication process.

Publishing your developer contributions data in this format will help you fill out your infrastructure funding statement, but does not replace that requirement.

Ministry of Housing, Communities & Local Government

Publish your developer contributions data

The Digital Land team at MHCLG are working to automate the process of producing an infrastructure funding statement, using the data published in accordance with the guidance.

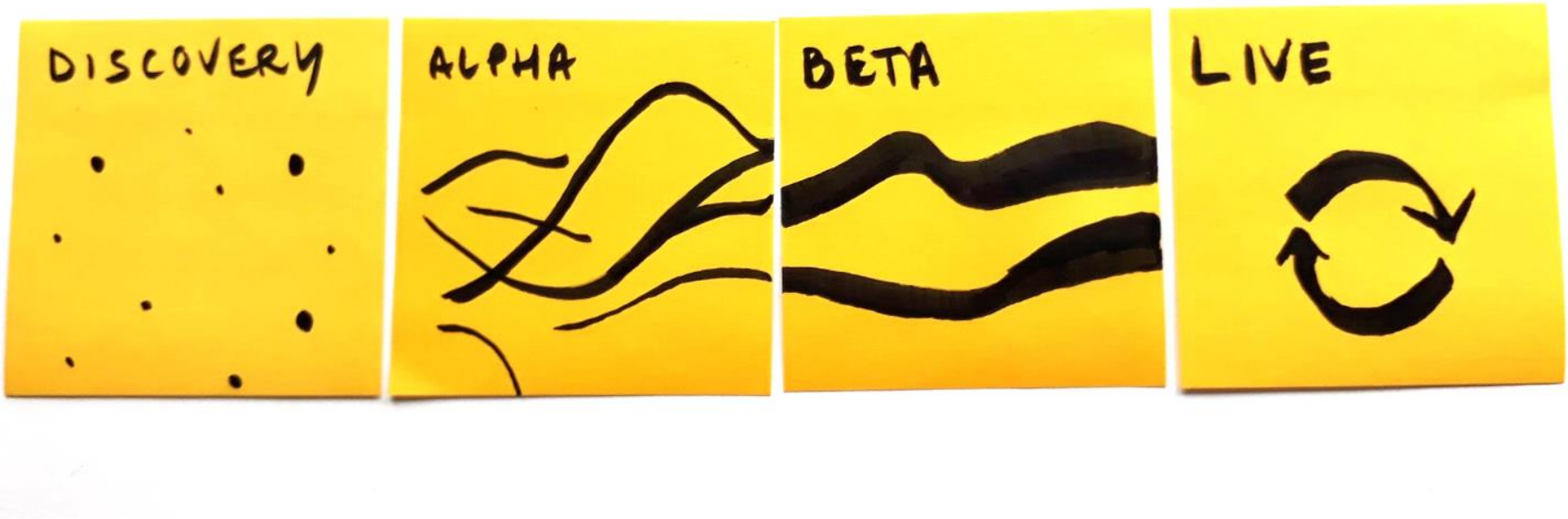
They will update the Digital Land website with progress on this.

For future updates, please refer to the project pages:

- Developer Contributions data: https://digital-land.github.io/project/developer-contributions/
- Infrastructure Funding Statement: https://digital-land.github.io/project/infrastructure-funding-statement/

Ministry of Housing,
Communities &
Local Government

Developer Contributions Beta



Ministry of Housing, Communities & Local Government

Overview of the private beta

To build on the research and design work for the developer contributions data standard and publishing process, we will run a private beta phase with a number of local planning authorities.

The private beta will allow us to work with local planning authorities to:

- further test and iterate our guidance and tools;
- publish your data
- support the design and build of the dashboard and infrastructure funding statement;
- generate case studies for other authorities to learn from

Ministry of Housing, Communities & Local Government

What the private beta will involve

Activities

- Initial phone call to scope your needs
- Visit / day session to generate the developer contributions data
- Workshop to design Infrastructure Funding Statement
- Draft Infrastructure Funding Statement

What we ask from you

- 3 days from the teams that manage, report and publish developer contributions
- Work with you to extract and access your developer contributions data
  Access to your draft Infrastructure Funding Statement for future design iteration and best practice work
- Permission to share learning from the process publicly

Ministry of Housing, Communities & Local Government

Outcomes and Outputs

Outcomes

- Each authority is able to create the three .csv files
- each authority is able to use and understand the publishing tools
- each authority is able to publish the files on their website
- each authority is confident that they can maintain the data on their own
- other authorities feel assured that they'll be able to follow the private beta and publish their own data

Outputs

- each participating LPA has published their data on their website

Exercise: Working with your stakeholders

Discuss as a table:

1. Who do you think the audience(s) for an IFS should be / is?

2. What information are they likely to want and why?

3. What are your current challenges with presenting this information?

4. What steps do you need to take to be ready to produce an IFS?

5. How do you think an IFS will help?

Lunch Break

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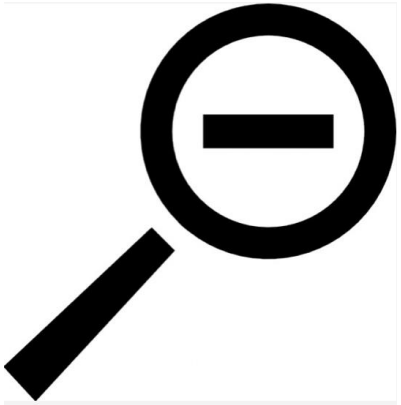
Session 4: Part 1

CIL and Section 106 Policy Approach

Choosing the right tool



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Navigating the changes

- CIL Amendment Regulations 2019
- CIL or S106 (or both) – a choice
- So where do you start
- The CIL advantage
- But a role for S106

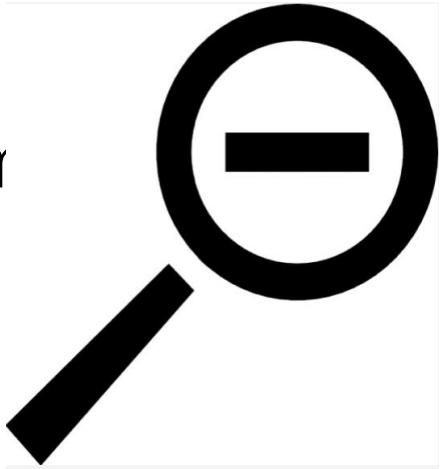

DANGER
MINES

Legal territory

- So back to S106?
- The legal tests stand
- In context of case law – limiting the use of S106 where the link is trivial
- No return to tariff based S106 SPDS - updated PPG (and case law)

But the practical implications overshadow this

- CIL is non-negotiable providing greater certainty for developers
- But also predictability on likely levels of receipts.
- A mechanism to capture contributions from the smaller scales of development – and their cumulative impact over time
- Avoids potentially unfair infrastructure burden on the largest of schemes.



CIL flexibility

- S106 restricted to project
- Time limited
- Can make spend challenging especially context of changing delivery models of infrastructure providers – and consequently project priorities. These may have changed by the time funding is received.

Design the right approach – selecting the right tool for your authority

- Nature of infrastructure need (strategic and site)
- Prioritising infrastructure requirements (corporately)
- Pattern and scale of development
- Location
- Viability in consideration of priorities

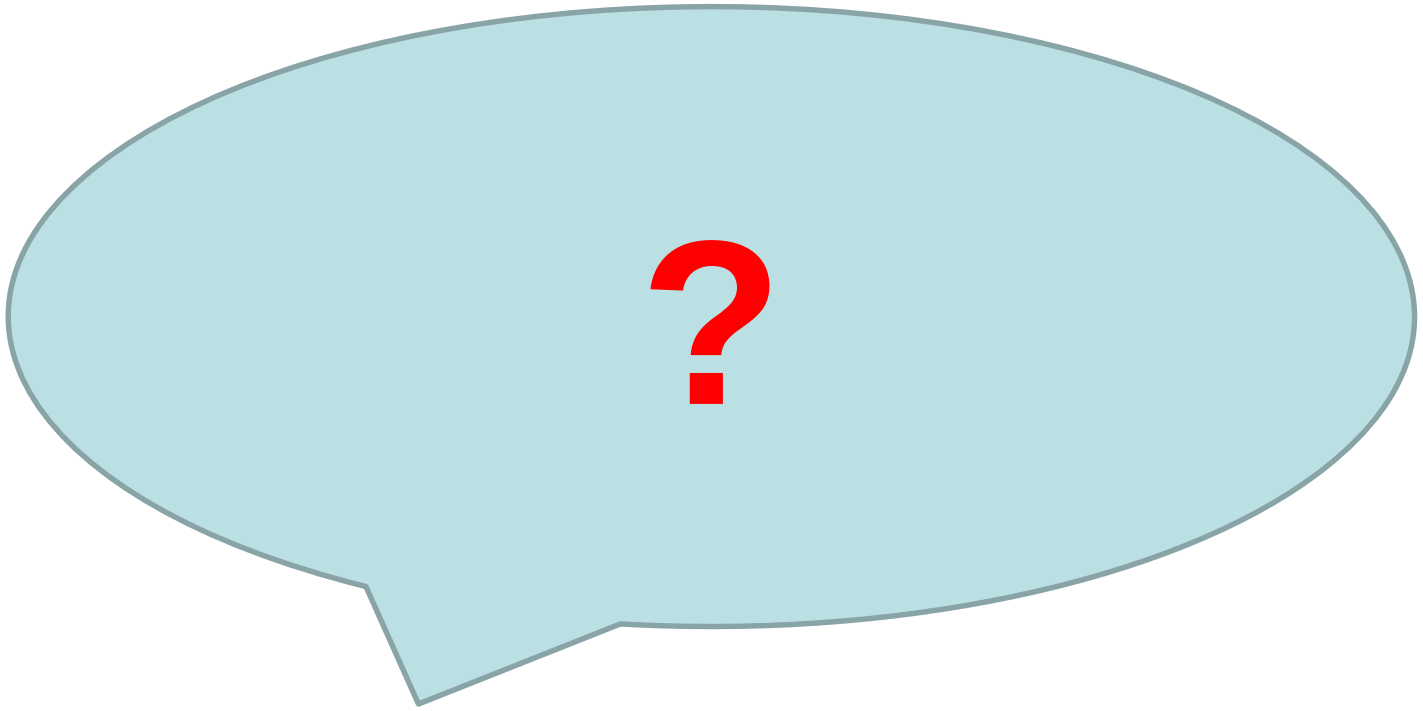
What if we are not a CIL charging authority?

- The rules and tests for use of S106 to fund infrastructure are the same
- Still require a process of prioritising infrastructure requirements and setting them out in the local plan
- Remember the flexibilities of CIL

What if we are not currently reviewing our plan?

- Current SPDs can continue to be used but any updates or changes should be taken through the Local Plan process NOT SPD
- Need for an update can be a legitimate factor to trigger a local plan review (See PAS Toolkit)
- Tested principle is that requirements should not undermine delivery of the local plan
- But also – transparency for decision makers, developers and infrastructure providers of what is required.

Questions and discussion



Session 4: Part 2

CIL and Section 106 Policy Approach

Choosing the right tool

planning advisory service

Exercise: Right tools and Red Herrings

A new development

- 800 residential units;
- 2,000 sqm office space including flexible workspace for start ups;
- 1,000 sqm retail unit;
- Loss of local open space;
- Need for access road;
- New cross authority strategic transport scheme.

(worksheet on your table with development details)

Exercise: Right tools and Red Herrings

Firstly as a group (not worrying about whether S106 / CIL) what developer contributions might be required?

Write each on on a post it note

Exercise 1: Right tools and Red Herrings

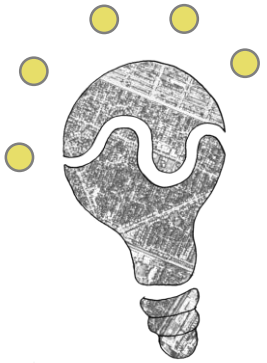
For each contribution identified:

- Identify whether it should be
  - S106
  - CIL
  - Or both
- Discuss your reasons why as a group capture this on the flip paper on your table showing these categories
- Capture your recommendations on how this should be included in the local plan.

Session 5:

Effective monitoring of allocation and spend

Sara Dilmamode, CItiesmode



CITIESMODE

PAS
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Monitoring S106 and CIL Spend

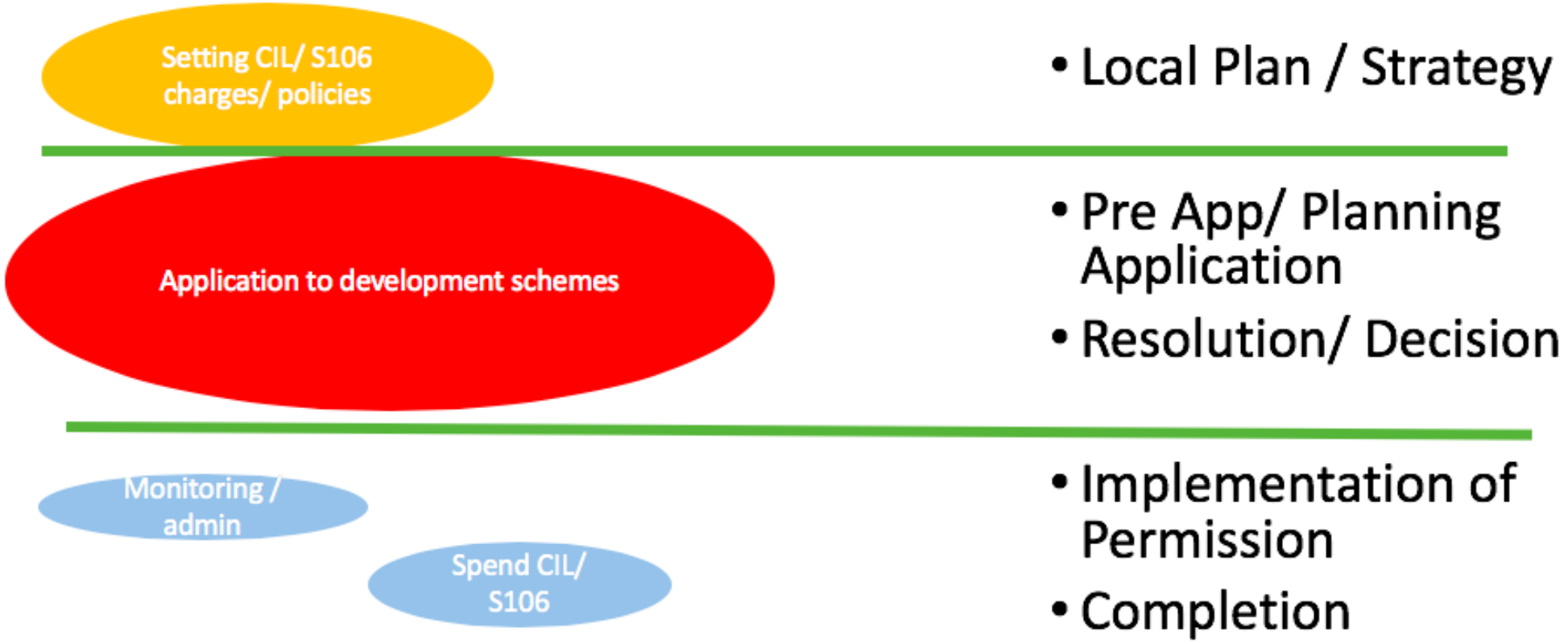
1) The problem(s) and challenges

2) A framework for developing solutions – with monitoring at its core

Caveat: Elements of this presentation groups CIL and S106 together. But different limitations on spend:

- CIL: infrastructure to support development with 15% (capped) rising to 25% ring fenced for local spend where there is a neighbourhood plan in place
- Section 106 : limits on spend defined in agreement

CIL/ S106 System Elements …..'Stages'



The CIL & S106 Spend Problem

PLANNINGRESOURCE
Independent intelligence for planning professionals

How much Community Infrastructure Levy money have councils actually spent?

18 August 2017 by John Geoghegan

A *Planning* investigation reveals that councils have collected tens of millions of pounds in Community Infrastructure Levy receipts, but only a small proportion has so far been spent on infrastructure. John Geoghegan reports.

The Ark Putney Academy, Wandsworth

HUFFPOST UK

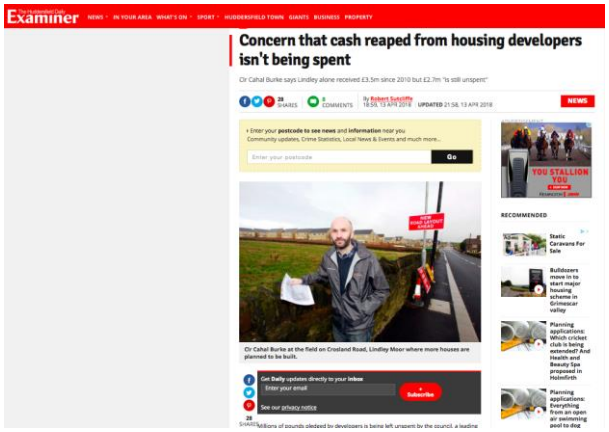
NEWS POLITICS ENTERTAINMENT LIFESTYLE TECH PARENTS VIDEO MORE

POLITICS

REVEALED: Councils Have Failed To Spend £375m Earmarked To Ease The Housing Crisis

The council responsible for Grenfell is sitting on £21million.

By Owen Bennett, Peter Hibberd



Examiner

Concern that cash reaped from housing developers isn't being spent

The CIL & S106 Spend Problem

Legal Consequences

Unspent CIL & S106: Reasons (and excuses)

Not every authority has lots of unspent CIL and S106

Where it does there are often good reasons for 'unspent sums':

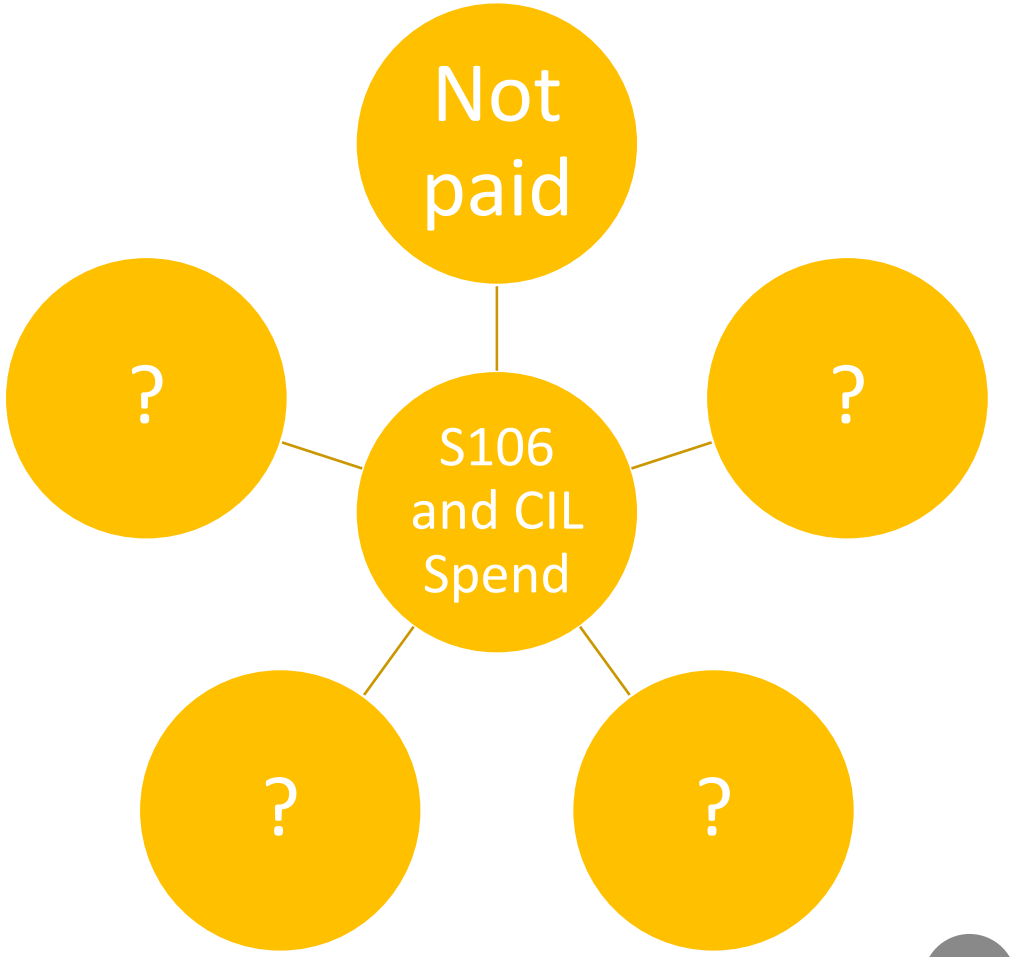
- *Accruing or 'saving up' funds for big ticket items of infrastructure*
- *Getting the necessary approvals in places for capital projects*

Sometimes the changing delivery context impacts the ability to spend:

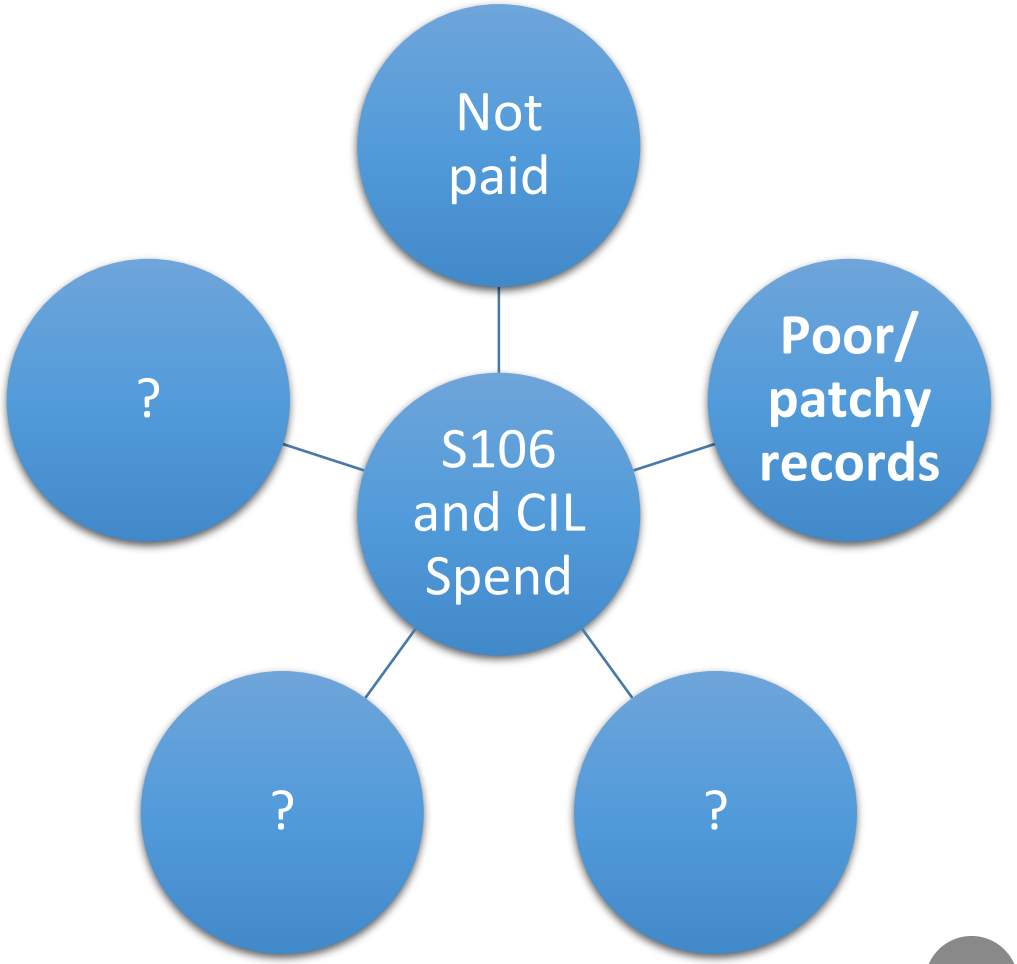
- *Changes to programmes which the sums secured (Section 106) were due to fund*

But in some instances: Slow or stalled spend.

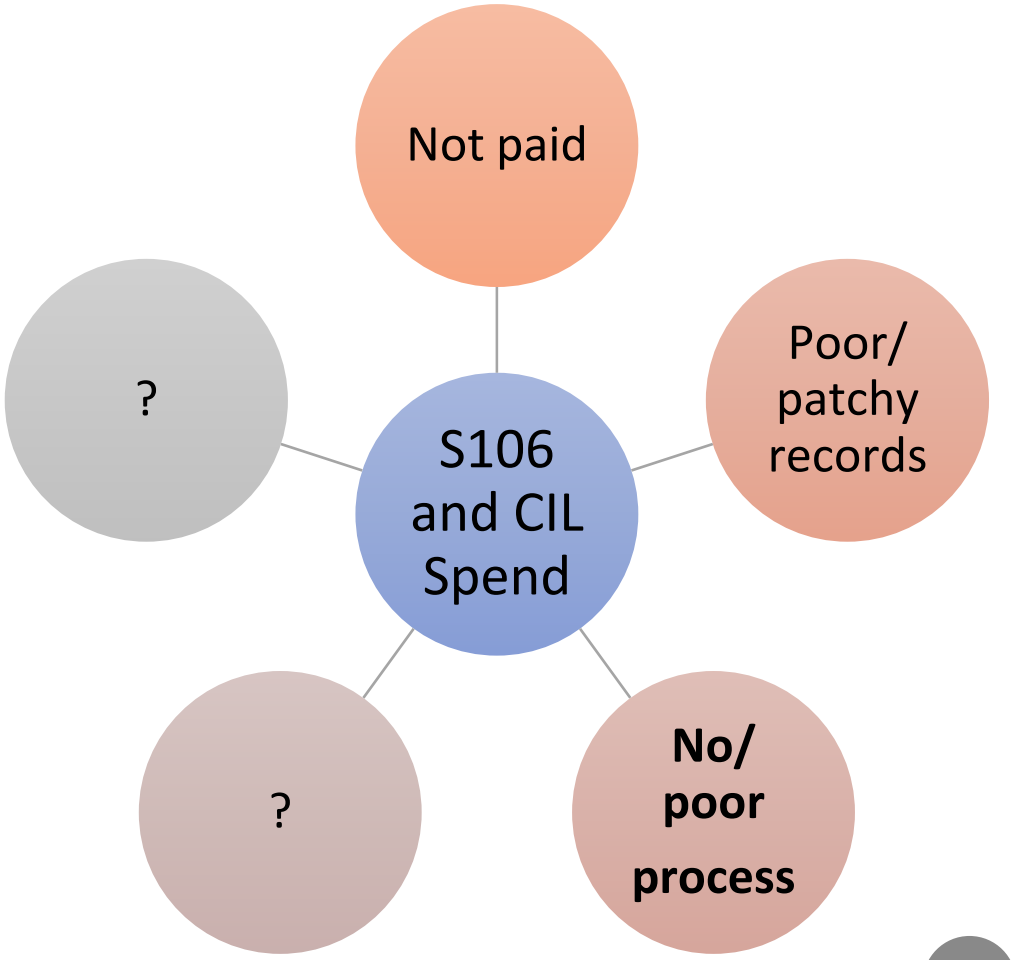
Payments due have not been collected due to a lack of active monitoring



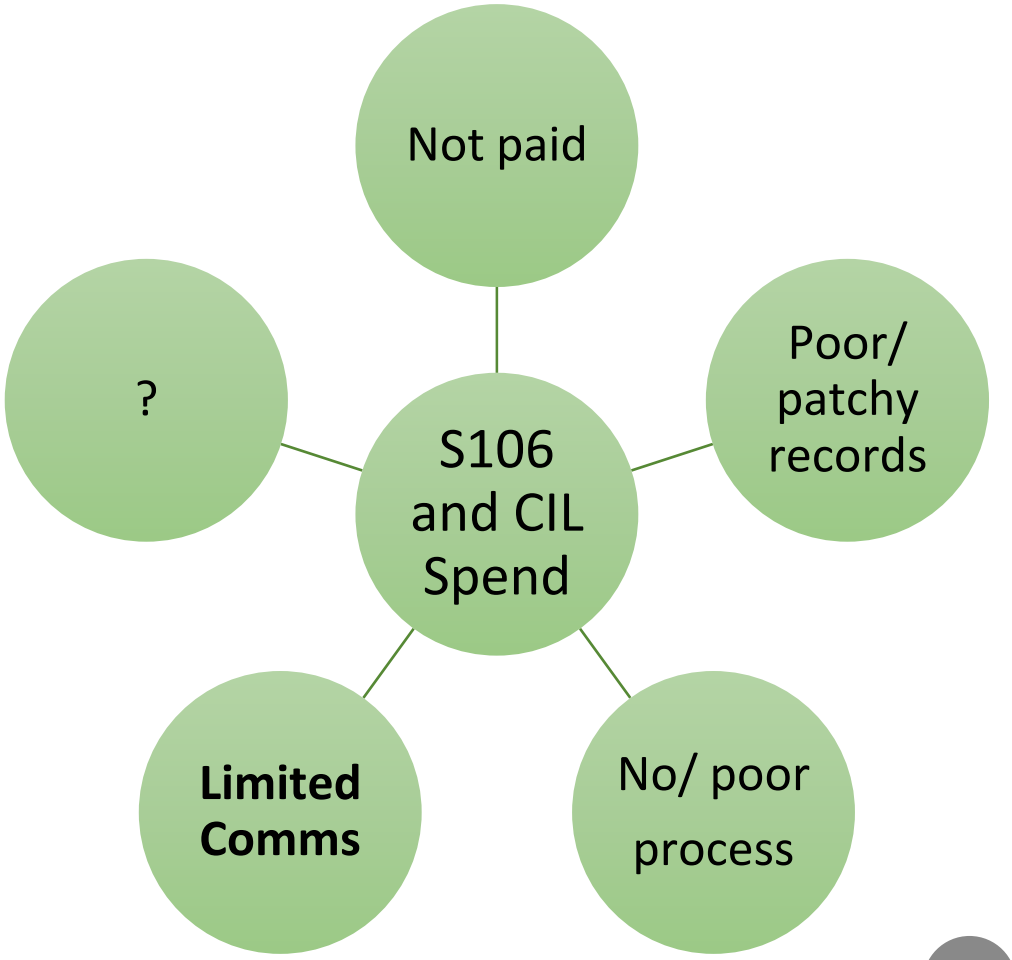
Incomplete records of current sums available to spend and historic expenditure



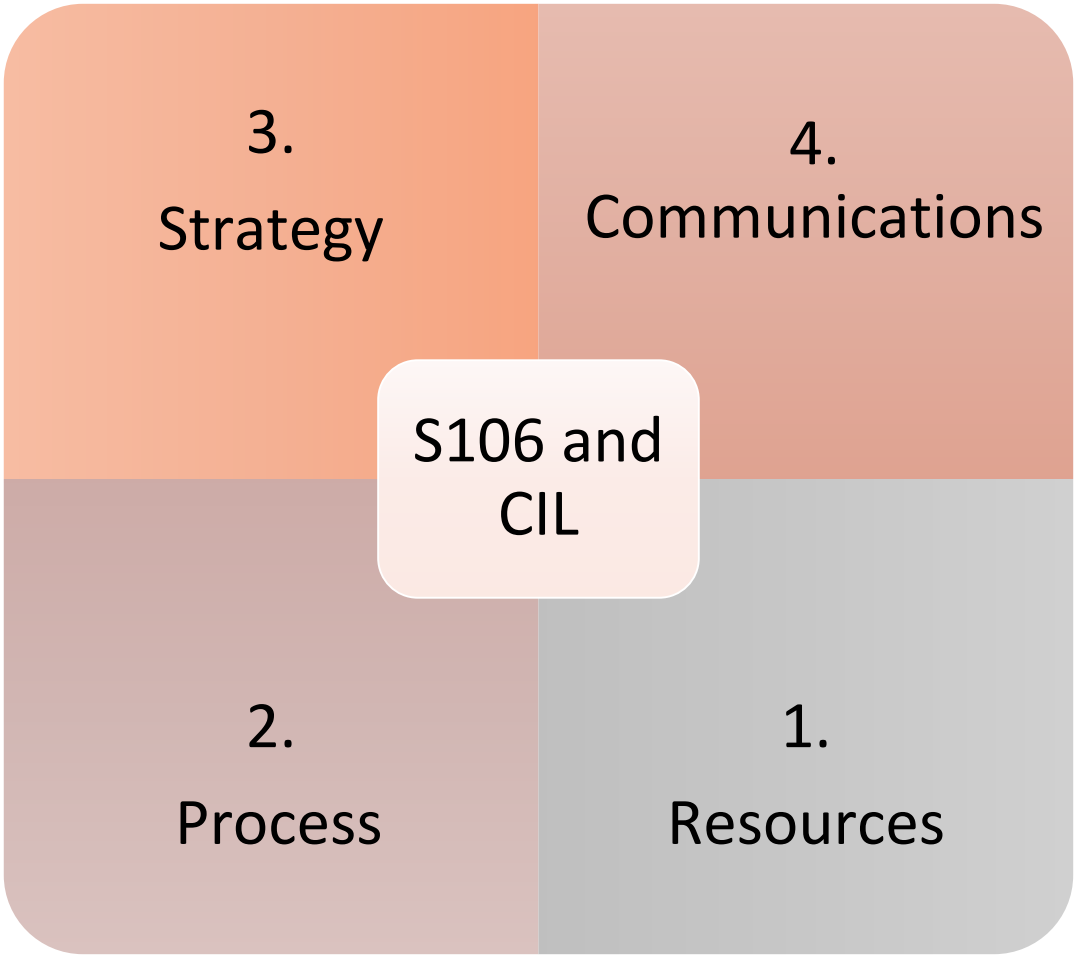
Lack of internal process / poorly communicated mechanisms for allocating funding



Comms gap: Limited promotion of what money is actually spent on/ delivered



No ***overall*** corporate strategy for how CIL will be spent



Framework for understanding and managing CIL and S106

Recruitment / Staffing challenges

Single member of staff holding all of the “know how”

Difficult to recruit to CIL / S106 monitoring posts

Low retention when you have recruited

The most important resource…

Recruitment: Methodical and numerate person with customer service experience/ aptitude. Look for an interest in planning – (but not necessarily a planner!)

Resilience (system): Document the monitoring process – systems first.

Retention: Create a sense of ‘team’ around that officer.

Systems

Recording + reminders: Enables clear records and easy recall

Reporting functionality: Reporting is easy to do and bespoke reports can be created.

Robust platform: You wont loose your data – and ideally it will integrate with other software

Don’t underestimate set up data cleansing resources!

A strategy and governance process for *how* you will spend CIL/S106 and what's on the shopping list

Based on likely level of receipts

Mitigating development impacts

Unlocking development potential

Good governance (underpinned by effective monitoring)

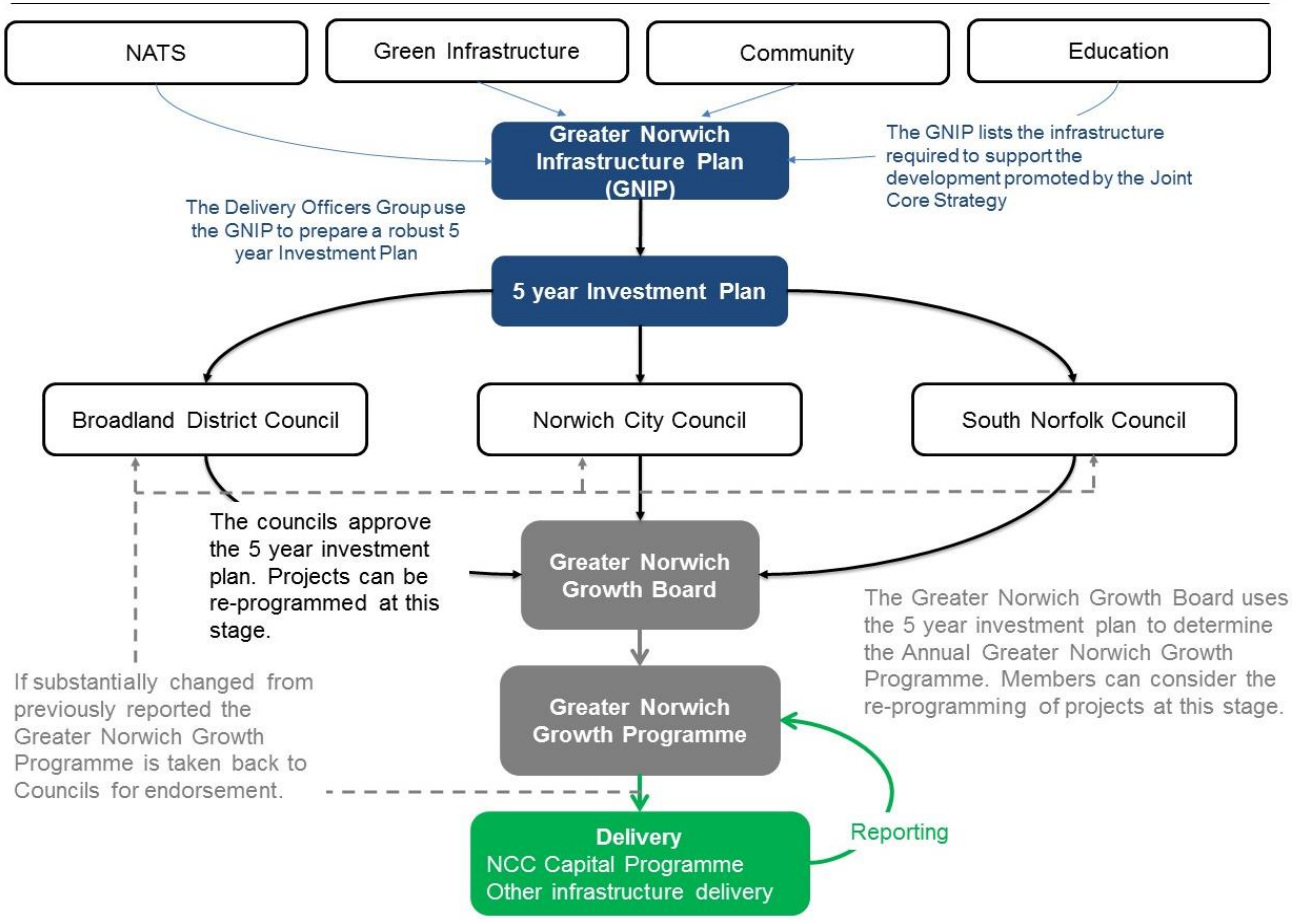
Greater Norwich

- Formalised governance structure
- Collaboration across authority areas – pooling CIL receipts
- 1 and 5 year planning cycles
- Clear allocation for education
- Unlocking other sources of funding

Chichester

- Formalised governance structure
- Annual cycle of allocations – via clear committee structure
- Regular programme of engagement with infrastructure providers
- Not just CIL – all infrastructure streams

Two Councils - One Team



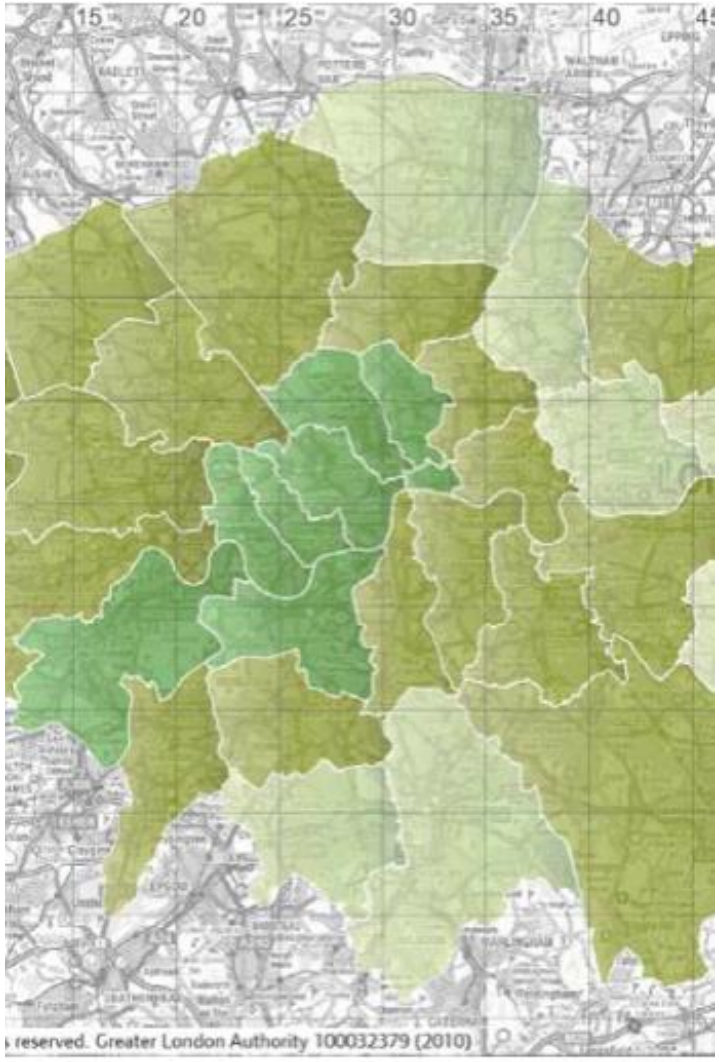
Broadland District Council
Community at heart

South Norfolk COUNCIL

Governance needs to be twinned with strategy

LPAs have chosen to spend CIL on:

- Single /limited number of big infrastructure projects
- Growth area(s)
- On an infrastructure type
- Dispersed investment in maintenance / smaller scale improvements linked to development across an authority areas



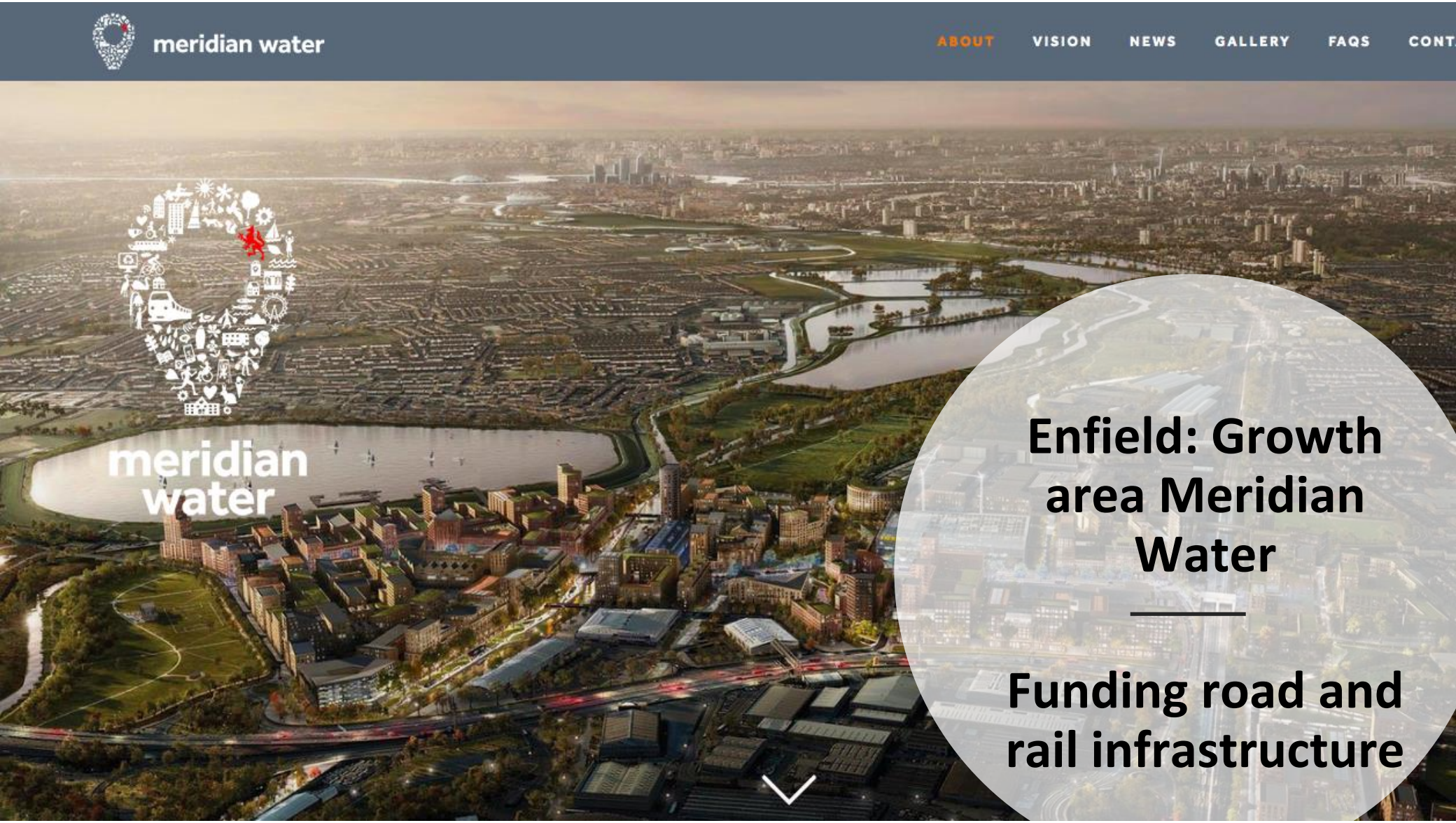
Zone	London boroughs	(£ per sq. m.)
1	Camden, City of London, City of Westminster, Hammersmith and Fulham, Islington, Kensington and Chelsea, Richmond-upon-Thames, Wandsworth	£50
2	Barnet, Brent, Bromley, Ealing, Greenwich, Hackney, Haringey, Harrow, Hillingdon, Hounslow, Kingston upon Thames, Lambeth, Lewisham, Merton, Redbridge, Southwark, Tower Hamlets	£35
3	Barking and Dagenham, Bexley, Croydon, Enfield, Havering, Newham, Sutton, Waltham Forest	£20

Mayor of London's CIL – now updated

Mayor of London's CIL

By 2017/18 already collected £490,461,451

CIL Annual Return Overview							
Borough	Total 12-13	Total 13-14	Total 14-15	Total 15-16	Total 16-17	Total 17-18	CumulativeTotal
Tower Hamlets	225,372	3,675,034	4,756,495	14,706,088	16,431,167	10,328,372	**50,122,528**
Westminster	2,066,374	4,391,886	7,329,079	6,976,939	12,841,367	16,234,265	**49,839,909**
City	1,012,252	4,511,614	1,627,033	4,821,314	16,155,428	2,001,893	**30,129,534**
Southwark	78,107	2,175,645	6,886,455	6,356,703	8,070,043	4,078,669	**27,645,622**
H & F	142,820	2,087,838	4,303,835	8,713,249	8,841,070	2,644,550	**26,733,361**
Wandsworth	333,888	2,001,862	5,732,401	7,659,201	6,150,221	4,724,880	**26,602,452**
Lambeth	801,201	4,218,376	4,395,274	4,501,947	9,370,815	1,422,167	**24,709,780**
Greenwich	295,653	2,704,875	1,273,114	6,795,687	4,327,654	5,401,131	**20,798,113**
Brent	35,213	1,620,246	3,129,950	4,073,861	2,169,126	7,831,987	**18,860,383**
Hackney	19,690	1,239,002	3,691,268	6,188,610	4,237,877	3,460,740	**18,837,186**
Camden	191,431	3,335,287	3,385,225	3,928,139	3,755,808	2,749,057	**17,344,948**


meridian water
ABOUT
VISION
NEWS
GALLERY
FAQS
CONT
meridian
water
Enfield: Growth area Meridian Water
Funding road and rail infrastructure

Some authorities have adopted approaches using their IDP as the starting point

West Lancs: Selects projects from a long list of IDP projects then uses fairly generic questions to proritise

Westminster: divided up the CIL pot based on % value of projects in the IDP. Then used identify through a bid process using fairly generic criteria (not IDP – although moving to this)

An IDP is not a strategy – but it could be

Don’t conflate a spend strategy with having an IDP

IDPs have evolved into a long and not necessarily deliverable list.

But an IDP which was meaningful and realistic about projects could form the basis of this strategy

If it was genuinely a delivery document – then everyone would be interested in it.

Consider the process for allocating Neighbourhood CIL outside of Parish Council/ Community Council areas

Royal Borough of Kensington and Chelsea

APPROACH TO BOROUGH AND NEIGHBOURHOOD CIL

DATE: June 2016

Making the area feel safer

Improving parks, commons and riverside walks

Repairing roads and pavements

Better facilities for cyclists

New and improved green spaces

Supporting local people into jobs and training opportunities

What are the priorities identified by residents of Wandsworth Borough?

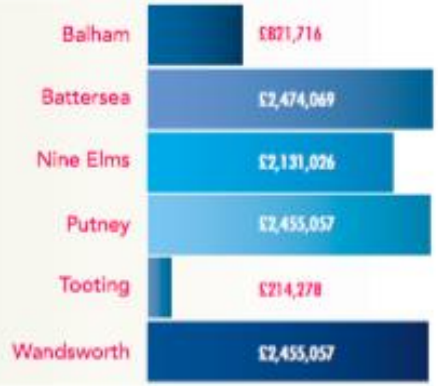
In early 2014, we consulted Wandsworth residents on how the fund should be spent over the next few years.

Over 500 individuals and organisations responded to the consultation.

Through this public consultation, residents identified the following priorities for the WLF:

Overview 2015 - 2018

Total amount of neighbourhood CIL collected up until December 2017



Total Strategic Borough CIL collect as of March 2018

£70,211,220

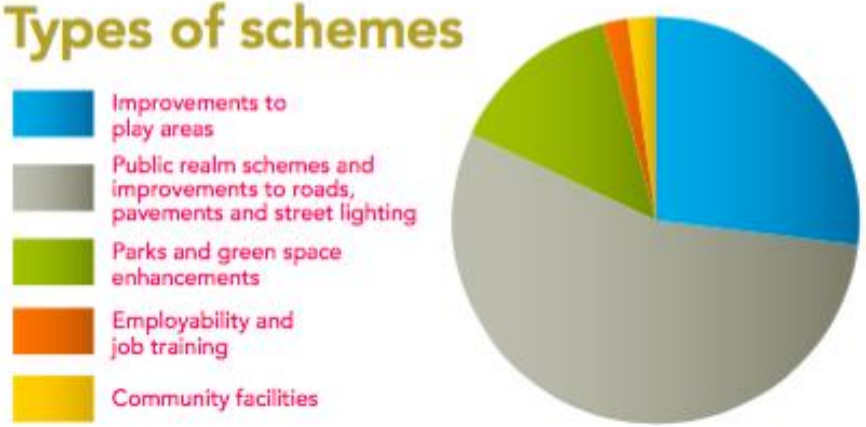
Total Neighbourhood CIL collected up to 30th December 2017

£10,531,683

Total amount committed towards projects as of March 2018

c £7,200,000

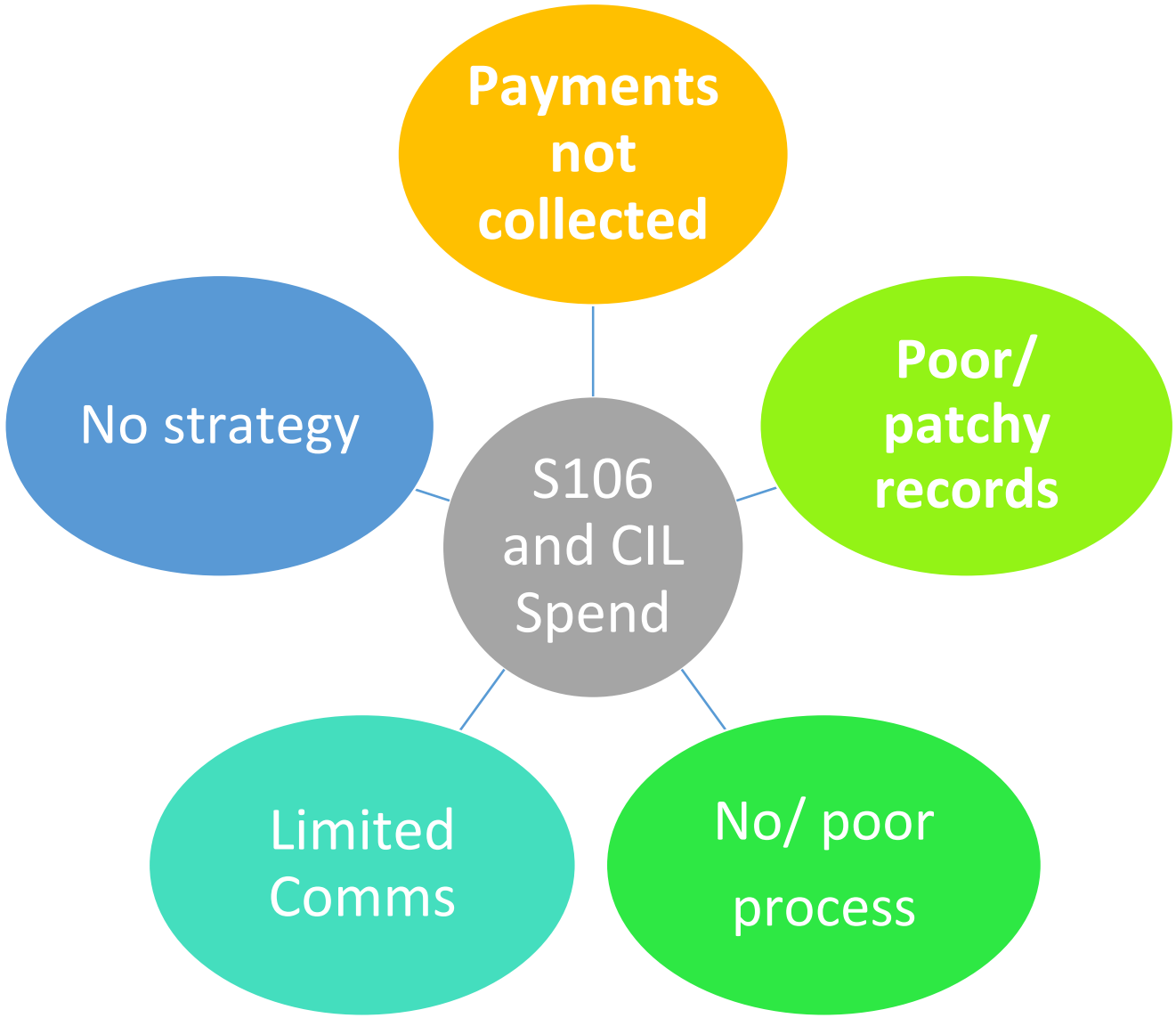
Types of schemes



The strategy has monitoring implications: CIL/S106 process

- *Who defines which projects are funded? Is it via bids?*
- *How are external agencies involved e.g. developers/ infrastructure providers?*
- *When is funding allocated? Is it a set meeting/ times of the year?*
- *Is there a form and where it is sent?*
- *How is it approved and signed off?*
- *How is this processed managed and recorded?*
- AUDIT

Monitoring permeates all aspects of CIL Systems


Payments not collected
No strategy
Poor/ patchy records
S106 and CIL Spend
Limited Comms
No/ poor process


Pro-active monitoring
Clear governance & spend strategy
S106 and CIL Spend
Good records
Comms programme - possibly linked to IFS
Clear process (documented)

Infrastructure planning - the glue in the delivery framework

Infrastructure Funding Statement

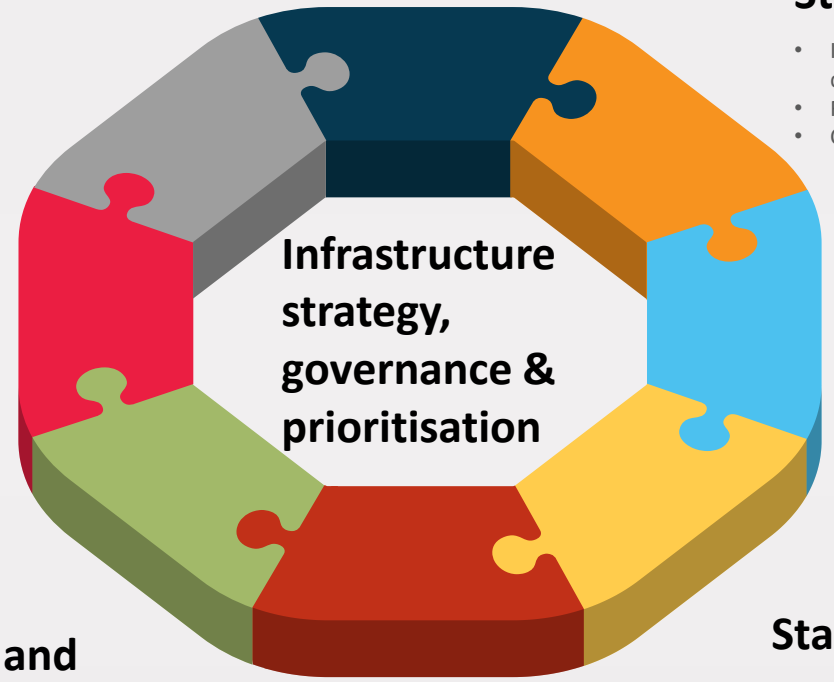
- Transparency over receipts and projected spend of CIL and S106.
- Wider use of tool for engagement with key stakeholders and promotion of delivery
- Opportunity to cover delivery of infrastructure beyond S106 and CIL

Corporate strategy

- Develop an infrastructure business plan that is updated annually;
- Reflects corporate priorities (beyond CIL &S106)
- Focuses on delivery

Strategic Planning

- Informs strategic infrastructure priorities and discussions with neighbours.
- Reflects wider growth and development aspirations.
- Collaborative working across administrative boundaries



Delivery, monitoring and review

- Clear governance and business plan process enables delivery of prioritised infrastructure to support development.
- Enables wider conversations on funding and match funding.
- Review of delivery and monitoring of policies and obligations ensures requirements are deliverable or triggers a need for review.

Local Plan

- Infrastructure requirements and priorities help determine local plan policies (S106 & CIL).
- Tested for soundness and viability against development aspirations.
- Stakeholder engagement in development of policies.
- Set framework for negotiations on development.

Housing delivery and HDT / HDTAP

- Commitment to delivery of infrastructure priorities informs site allocations and HDT / HDTAP and enables development to come forward.

Statement of common gound

- Informs discussions with key stakeholders and evidence of collaboration for statement of common ground and duty to cooperate.
- Provides focus for delivery.

Effective and efficient decision making

- Transparency over priorities through strategy, business planning and local plan policies makes expectations clear.
- Reduces pressure on use of viability assessments where requirements are clear

Exercise: Responding to the 5 principles of good infrastructure planning?

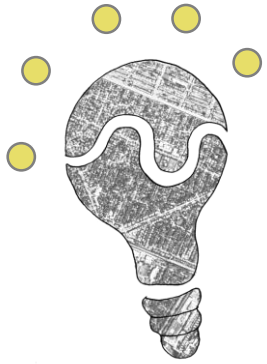
- Consider the following principles of good infrastructure planning:

1. Shared vision of place
2. Identification of infrastructure priorities
3. Effective and early engagement
4. Capacity, Knowledge and resources
5. Continuous learning

- From what we have discussed today what priority actions do you think your authorities need to undertake to address each of these principles?

- Share best practice with your table if you are already doing it.

- Can you turn this in to a briefing note for your Chief Planner?



Any questions?

CITIESMODE

Coffee Break

planning advisory service

Session 2: Part 2

Calculating CIL liabilities under the amendment regulations

planning advisory service

Section 73 permissions

(Schedule 1, Part 2)

Chargeable amount – amended planning permissions

- The 2019 Regulations amended the way that the chargeable amount for development which is granted planning permission when a charging schedule is in effect and is then amended through a section 73 permission is calculated.
- The changes mean that where there is an increase in the internal area, the additional area is charged at the latest rate including indexation, while the existing internal area continues to be charged at the rates or rates that applied when they were permitted.
- Where there is a reduction in the internal area, the reduction in liability is based on the rate and index for inflation for the year in which the original permission was granted.
- Where there is no change is liability, the chargeable amount is the amount shown in the most recent liability notice in relation to the planning permission being amended.

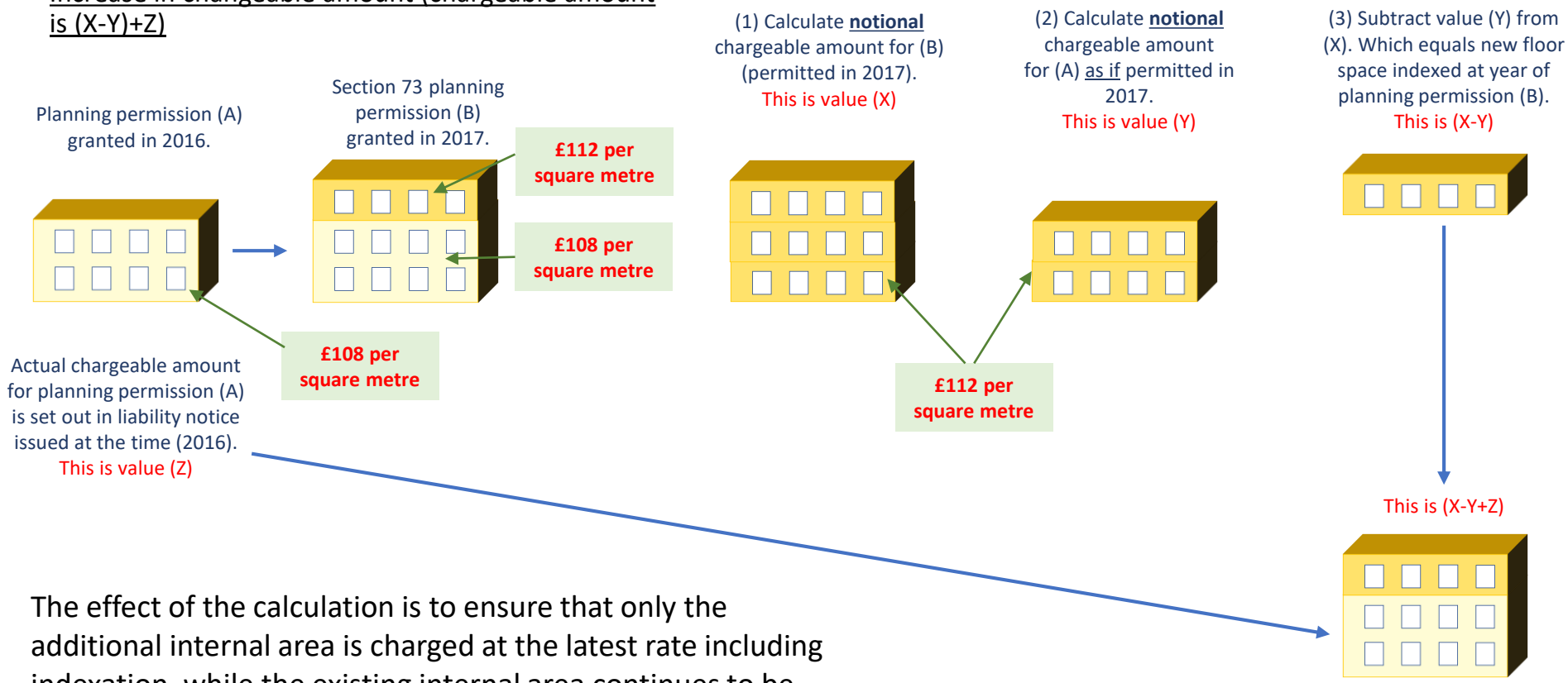
Chargeable amount – amended planning permissions

Part 2 to Schedule 1 of the CIL Regulations makes provision for calculating the chargeable amount where a planning permission is amended through section 73 of the TCPA 1990.

- The first step to calculate the chargeable amount for the amended permission (as set out in paragraph 3 of the schedule) is to determine whether there has been a change in the notional amount between the earlier planning permission (A) and the amended planning permission (B).
- Where the notional amount for (B) is the same as the notional amount for (A), the chargeable amount is the chargeable amount shown in the most recent liability notice issued in relation to (A).
- Where the notional amount for (B) is larger than the notional amount for (A), the procedure in paragraph 4 of schedule 1 applies; and where the notional amount for (B) is smaller than the notional amount for (A), paragraph 5 of the schedule applies.

Principle behind section 73 calculations

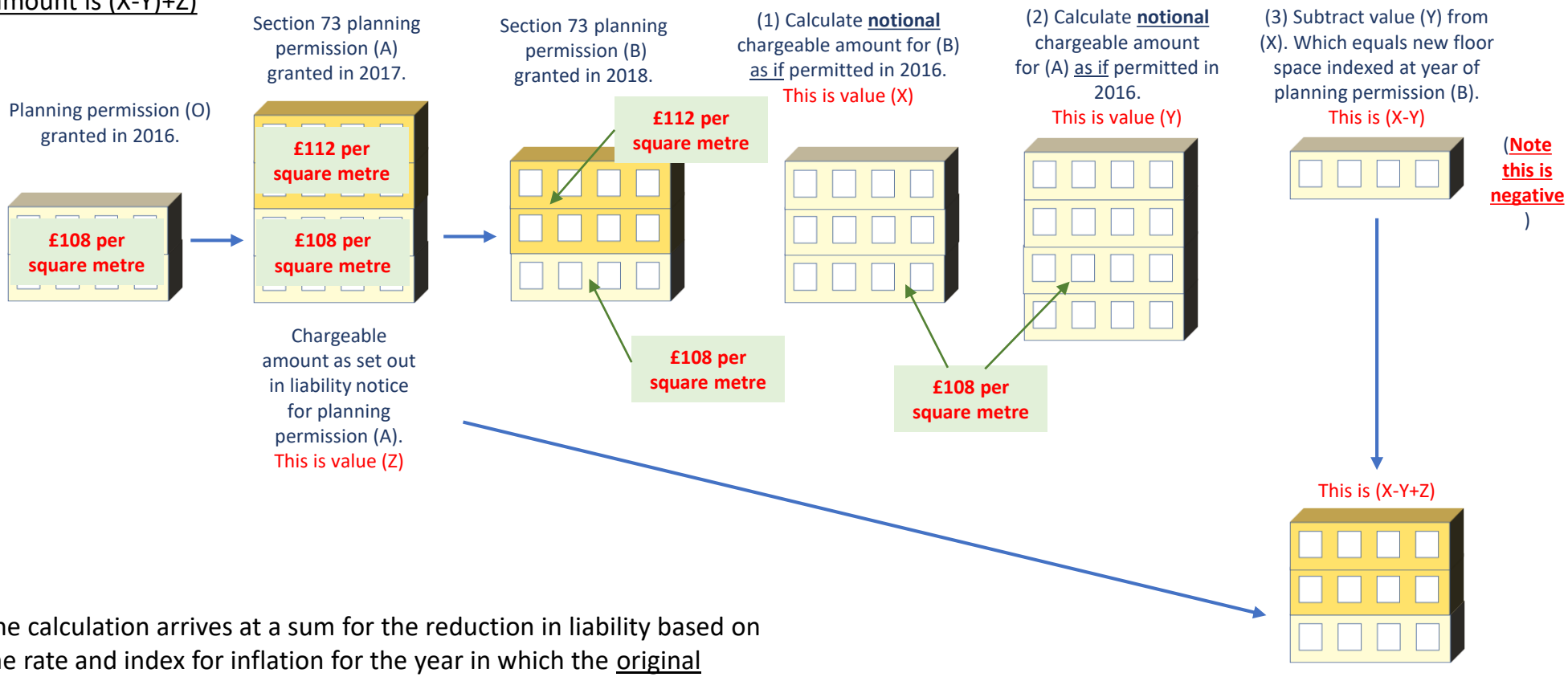
<u>Increase in changeable amount (chargeable amount is (X-Y)+Z)</u>



The effect of the calculation is to ensure that only the additional internal area is charged at the latest rate including indexation, while the existing internal area continues to be charged at the rates or rates that applied when they were permitted.

Principle behind section 73 calculations

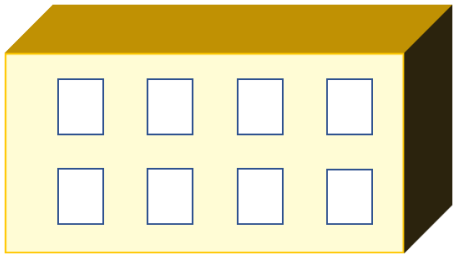
Decrease in changeable amount (chargeable amount is (X-Y)+Z)



The calculation arrives at a sum for the reduction in liability based on the rate and index for inflation for the year in which the original permission was granted.

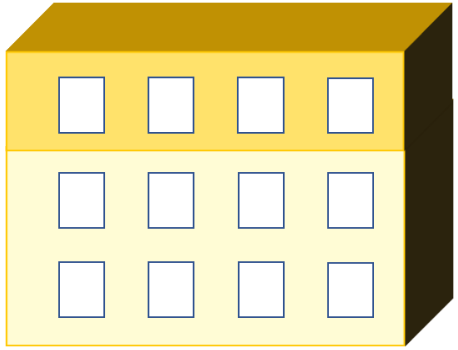
Example 5. A planning permission for a residential development is amended to increase the internal area

600 square metres of residential development permitted in 2017.



Original permission (A)		
Residential rate (£ per square metre)	(R_R)	£150
Gross internal area of residential development (square metres)	(A_{R1})	600
Index for year planning permission (A) was granted (2017)	(I_{p1})	286
Index for year charging schedule was adopted (2015)	(I_c)	255

Permission amended in 2019 to provide 900 square metres of residential development



Amended permission (B)		
Residential rate (£ per square metre)	(R_R)	£150
Gross internal area of residential development (square metres)	(A_{R2})	900
Index for year planning permission (B) was granted	(I_{p2})	318
Index for year charging schedule was adopted	(I_c)	255

Step 1

To determine whether the notional amount has changed, and if so, whether it has increased or decreased.

The notional chargeable amount for **planning permission (A)** is calculated using the formula in paragraph 1 of the schedule:

$$\frac{R_R \times A_{R1} \times I_{p1}}{Ic} = \frac{150 \times 600 \times 286}{255} = \textbf{£ 100,941.18}$$

The notional chargeable amount for **planning permission (B)** is calculated using the formula in paragraph 1 but as if planning permission (B) was granted on the same day as planning permission (A) – using the index figure (Ip) and rate (R) in the charging schedule that applied to planning permission (A) – (i.e. Ip is 286 and not 318). In this example, the charging schedule is the same, so the rate is unchanged. The outcome is:

$$\frac{R_R \times A_{R2} \times I_{p1}}{Ic} = \frac{150 \times 900 \times 286}{255} = \textbf{£151,411.76}$$

The notional amount for (B) is therefore larger than for (A), so paragraph 4 applies.

Step 2

The amount of CIL payable is:

$$(X - Y) + Z$$

Where:

X = the chargeable amount for the development for which (B) was granted calculated in accordance with paragraph 1;

Y = the chargeable amount for the development for which (A) was granted calculated in accordance with paragraph 1, but as if (A) first permits development on the same day as (B) - so the index figure Ip for (A) to be used is the index figure for the calendar year in which (B) was granted;

Z = the chargeable amount for (A) as shown in the most recent CIL notice issued in relation to (A).

Using the previous figures :

$$X = \frac{R_R \times A_{R2} \times I_{p2}}{Ic} = \frac{150 \times 900 \times 318}{255} = £168,352.94$$

$$Y = \frac{R_R \times A_{R1} \times I_{p2}}{Ic} = \frac{150 \times 600 \times 318}{255} = £112,235.29$$

The value of Z should be taken from the latest liability notice issued for planning permission (A). Where planning permission (B) is not the first section 73 amendment, the value of Z might include the accumulated liabilities from a number of earlier permissions. As the figure is recorded on the latest liability notice, it does not need to be recalculated.

However, for the purposes of this example it would be:

$$Z = \frac{R_R \times A_{R1} \times I_{p1}}{Ic} = \frac{150 \times 600 \times 286}{255} = = £100,941.18$$

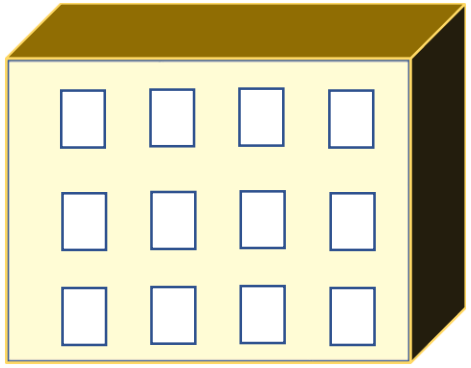
Bringing this altogether gives the chargeable amount for (B) of:

$$£168,352.94 - £112,235.29 + £100,941.18 = £157,058.83$$

The effect of the calculation is to ensure that only the additional internal area is charged at the latest rate including indexation, while the existing internal area continues to be charged at the rates or rates that applied when they were permitted.

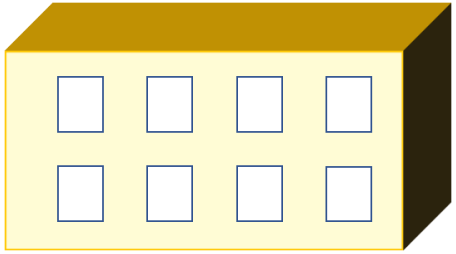
Example 6. A planning permission for a residential development is amended to decrease the internal area

900 square metres of residential development permitted in 2017.



Original permission (A)		
Residential rate (£ per square metre)	(R_R)	£150
Gross internal area of residential development (square metres)	(A_{R1})	900
Index for year planning permission (A) was granted (2017)	(I_{p1})	286
Index for year charging schedule was adopted (2015)	(I_c)	255

Permission amended in 2019 to reduce the internal area to 600 square metres



Amended permission (B)		
Residential rate (£ per square metre)	(R_R)	£150
Gross internal area of residential development (square metres)	(A_{R2})	600
Index for year planning permission (B) was granted (2019)	(I_{p2})	318
Index for year charging schedule was adopted (2015)	(I_c)	255

Step 1

To determine whether the notional amount has changed, and if so, whether it has increased or decreased.

The notional chargeable amount for **planning permission (A)** is calculated using the formula in paragraph 1 of the schedule:

$$\frac{R_R \times A_{R1} \times I_{p1}}{Ic} = \frac{150 \times 900 \times 286}{255} = \textbf{£ 151,411.76}$$

The notional chargeable amount for **planning permission (B)** is calculated using the formula in paragraph 1 but as if planning permission (B) was granted on the same day as planning permission (A) – using the index figure (Ip) and rate (R) in the charging schedule that applied to planning permission (A) – (i.e. Ip is 286 and not 318). In this example, the charging schedule is the same, so the rate is unchanged. The outcome is:

$$\frac{R_R \times A_{R2} \times I_{p1}}{Ic} = \frac{150 \times 600 \times 286}{255} = \textbf{£100,941.18}$$

The notional amount for (B) is therefore smaller than for (A), so paragraph 5 applies.

Step 2

The amount of CIL payable is:

$$(X - Y) + Z$$

Where:

X = the chargeable amount for the development for which (B) was granted calculated in accordance with paragraph 1 - but as if (B) first permits development on the same day as the original planning permission. Note that this could either be the planning permission being amended ((A) – as in this example, or an earlier one (referred to as planning permission (O) in the regulations));

Y = the chargeable amount for the development for which (A) was granted calculated in accordance with paragraph 1 - but as if (A) first permits development on the same day as the original planning permission;

Z = the chargeable amount for (A) as shown in the most recent CIL notice issued in relation to (A).

Therefore:

$$X = \frac{R_R \times A_{R2} \times I_{p1}}{Ic} = \frac{150 \times 600 \times 286}{255} = \textbf{£100,941.18}$$

$$Y = \frac{R_R \times A_{R1} \times I_{p1}}{Ic} = \frac{150 \times 900 \times 286}{255} = \textbf{£151,411.76}$$

The value for Z does not need to be recalculated as it is set out on the most recent liability notice for planning permission (A). However, for the purposes of this example, it is:

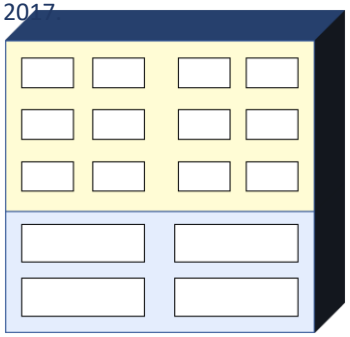
$$Z = \frac{R_R \times A_{R1} \times I_{p1}}{Ic} = \frac{150 \times 900 \times 286}{255} = \textbf{£151,411.76}$$

Bringing this altogether gives the chargeable amount for (B) of:

$$£100{,}941.18 - £151{,}411.76 + £151{,}411.76 = \textbf{£100,941.18}$$

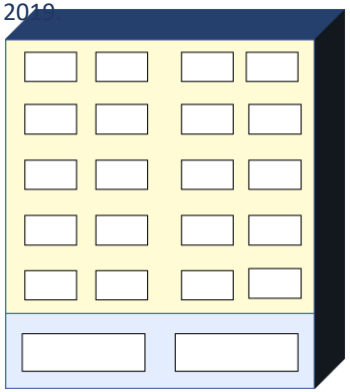
Example 7. A planning permission for residential development and office space is amended to increase the total internal area and redistribute the area of the two development types

1200 square metres of residential development and 800 square metres of office space permitted in 2017.



Original permission (A)		
Residential rate (£ per square metre)	(R_R)	£150
Office rate (£ per square metre)	(R_O)	£50
Gross internal area of residential development (square metres)	(A_{R1})	1200
Gross internal area of office development (square metres)	(A_{O1})	800
Index for year planning permission (A) was granted (2017)	(I_{P1})	286
Index for year charging schedule was adopted (2015)	(I_c)	255

2000 square metres of residential development and 400 square metres of office space permitted in 2019.



Amended permission (B)		
Residential rate (£ per square metre)	(R_R)	£150
Office rate (£ per square metre)	(R_O)	£50
Gross internal area of residential development (square metres)	(A_{R2})	2000
Gross internal area of office development (square metres)	(A_{O2})	400
Index for year planning permission (B) was granted (2019)	(I_{P2})	318
Index for year charging schedule was adopted (2015)	(I_c)	255

Step 1

The first step is to determine whether the notional amount has changed, and if so, whether it has increased or decreased.

The notional chargeable amount for **planning permission (A)** is calculated using the formula in paragraph 1 of the schedule for each rate type:

(1) Residential:

$$\frac{R_R \times A_{R1} \times I_{p1}}{I_c} = \frac{150 \times 1200 \times 286}{255} = £201{,}882.35$$

(2) Office:

$$\frac{R_o \times A_{o1} \times I_{p1}}{I_c} = \frac{50 \times 800 \times 286}{255} = £\,44{,}862.75$$

The notional chargeable amount for planning permission A is the aggregate of the two notional sums:

$$£201{,}882.35 + £44{,}862.75 = £246{,}745.1$$

Step 1 (continued)

The notional chargeable amount for **planning permission (B)** is calculated using the formula in paragraph 1 but as if planning permission (B) was granted on the same day as planning permission (A) – using the index figure (Ip) for planning permission (A) – i.e. 286 (and not 318). The outcome is:

Residential:

$$\frac{R_R \times A_{R2} \times I_{p1}}{I_c} = \frac{150 \times 2000 \times 286}{255} = £336,470.59$$

Office:

$$\frac{R_o \times A_{o2} \times I_{p1}}{I_c} = \frac{50 \times 400 \times 286}{255} = £22,431.37$$

The notional amount for (B) is

$$£336,470.59 + £22,431.37 = £358,901.96$$

The notional amount for (B) is therefore larger than for (A), so paragraph 4 applies.

Step 2

As in step 1, each rate type is calculated separately, and the outcome are added together.

Residential

The amount of CIL payable for the residential component is:

$$(X - Y) + Z$$

Where:

X = the chargeable amount for the development for which (B) was granted calculated in accordance with paragraph 1;

Y = the chargeable amount for the development for which (A) was granted calculated in accordance with paragraph 1 (but as if (A) first permits development on the same day as (B)) - so the index figure Ip for (A) to be used is the index figure for the calendar year in which (B) was granted;

Z = the chargeable amount for (A) as shown in the most recent CIL notice issued in relation to (A).

(1) Residential:

Using the figures above:

$$X = \frac{R_R \times A_{R2} \times I_{p2}}{I_c} = \frac{150 \times 2000 \times 318}{255} = £374{,}117.65$$

$$Y = \frac{R_R \times A_{R1} \times I_{p2}}{I_c} = \frac{150 \times 1200 \times 318}{255} = £224{,}470.59$$

The value of Z should be taken from the latest liability notice issued for planning permission (A). This would have involved the same calculation as for Y except that the index figure Ip relates to the calendar year in which the planning permission was granted. It shouldn't therefore need to be recalculated. However, for the purposes of this example it would be:

$$Z = \frac{R_R \times A_{R1} \times I_{p1}}{I_c} = \frac{150 \times 1200 \times 286}{255} = £201{,}882.35$$

Bringing this altogether gives the chargeable amount for residential development for planning permission (B) of:

$$£374{,}117.65 - £224{,}470.59 + £201{,}882.35 = £351{,}529.41$$

(2) Office:

$$X = \frac{R_o \times A_{o2} \times I_{p2}}{I_c} = \frac{50 \times 400 \times 318}{255} = £24{,}941.18$$

$$Y = \frac{R_o \times A_{o1} \times I_{p2}}{I_c} = \frac{50 \times 800 \times 318}{255} = £49{,}882.35$$

The value of Z should be taken from the latest liability notice issued for planning permission (A). As above it shouldn't need to be recalculated. However, for the purposes of this example it would be:

$$Z = \frac{R_o \times A_{o1} \times I_{p1}}{I_c} = \frac{50 \times 800 \times 286}{255} = £44{,}862.75$$

Bringing this altogether gives the chargeable amount for office development for planning permission (B) of:

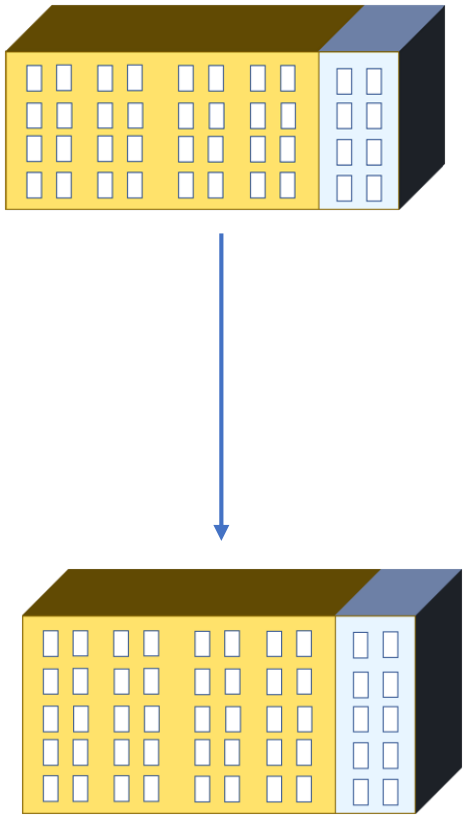
$$£24{,}941.18 - £49{,}882.35 + £44{,}862.75 = £19{,}921.58$$

The new chargeable amount for planning permission (B) is:

Residential chargeable amount + Office chargeable amount =

$$£351{,}529.41 + £19{,}921.58 = £371{,}450.99$$

Example 8. A planning permission for residential development with social housing relief which is amended through section 73.



Original permission (A)		
Residential rate (£ per square metre)	(R_R)	£150
Gross internal area of residential development (square metres)	(A_{R1})	2000
Gross internal area of social housing (square metres)	(A_{Rel1})	200
Index for year planning permission (A) was granted (2017)	(I_{p1})	286
Index for year charging schedule was adopted (2015)	(I_c)	255

Amended permission (B)		
Residential rate (£ per square metre)	(R_R)	£150
Gross internal area of residential development (square metres)	(A_{R2})	2500
Gross internal area of social housing (square metres)	(A_{Rel2})	250
Index for year planning permission (B) was granted (2019)	(I_{p2})	318
Index for year charging schedule was adopted (2015)	(I_c)	255

Step 1

The first step is to determine whether the notional amount has changed, and if so, whether it has increased or decreased. When doing so, the notional chargeable amount for planning permission (B) is calculated as if it had been granted on the same day as planning permissions (A). Any applicable relief should be deducted from the notional amounts as illustrated below.

The notional chargeable amount for **planning permission (A)** is calculated using the formula in paragraph 1 of the schedule:

$$\frac{R_R \times A_{R1} \times I_{p1}}{I_c} = \frac{150 \times 2000 \times 286}{255} = \textbf{£}\ 336{,}470.60$$

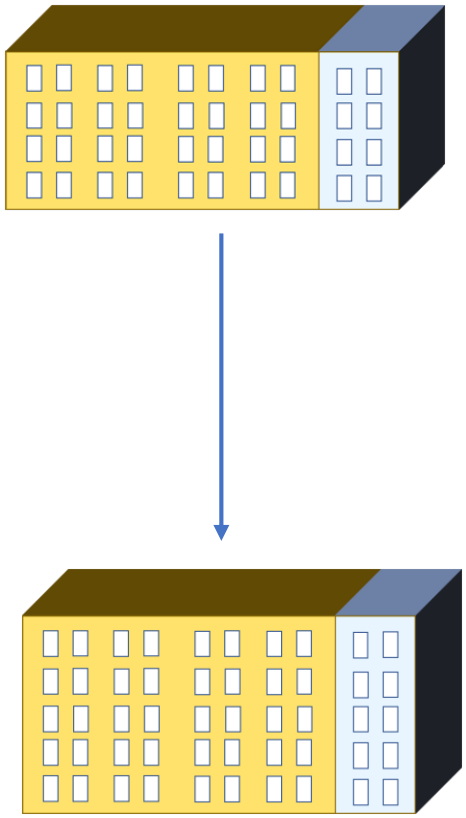
From this is deducted the applicable relief - which in this case is:

$$\frac{R_R \times A_{Rel1} \times I_{p1}}{I_c} = \frac{150 \times 200 \times 286}{255} = \textbf{£}\ 33{,}647.06$$

The notional amount for planning permission (A) is therefore:

$$£336{,}470.60 - £33{,}647.06 = £\mathbf{302{,}823.54}$$

Example 8. A planning permission for residential development with social housing relief which is amended through section 73.



Original permission (A)		
Residential rate (£ per square metre)	(R_R)	£150
Gross internal area of residential development (square metres)	(A_{R1})	2000
Gross internal area of social housing (square metres)	(A_{Rel1})	200
Index for year planning permission (A) was granted (2017)	(I_{p1})	286
Index for year charging schedule was adopted (2015)	(I_c)	255

Amended permission (B)		
Residential rate (£ per square metre)	(R_R)	£150
Gross internal area of residential development (square metres)	(A_{R2})	2500
Gross internal area of social housing (square metres)	(A_{Rel2})	250
Index for year planning permission (B) was granted (2019)	(I_{p2})	318
Index for year charging schedule was adopted (2015)	(I_c)	255

The notional chargeable amount for **planning permission (B)** is calculated using the formula in paragraph 1 but as if planning permission (B) was granted on the same day as planning permission (A) – using the index figure (Ip) for planning permission (A) – i.e. 286 (and not 318). The outcome is:

$$\frac{R_R \times A_{R2} \times I_{p1}}{I_c} = \frac{150 \times 2500 \times 286}{255} = \textbf{£420,588.24}$$

From this is deducted the applicable relief which in this case is:

$$\frac{R_R \times A_{Rel2} \times I_{p1}}{I_c} = \frac{150 \times 250 \times 286}{255} = \textbf{£42,058.82}$$

The notional amount for planning permission (B) is therefore:

$$£420{,}588.24 - £42{,}058.82 = \textbf{£378,529.41}$$

The notional amount for (B) is therefore larger than for (A), so paragraph 4 applies.

Step 2

The amount of CIL payable in respect of the development is the chargeable amount for the development minus the relief amount where—

(a) the chargeable amount for the development is:

$$(X - Y) + Z$$

Where:

X = the chargeable amount for the development for which (B) was granted calculated in accordance with paragraph 1;

Y = the chargeable amount for the development for which (A) was granted calculated in accordance with paragraph 1 (but as if (A) first permits development on the same day as (B)) - so the index figure Ip for (A) to be used is the index figure for the calendar year in which (B) was granted;

Z = the chargeable amount for (A) as shown in the most recent CIL notice issued in relation to (A).

(b) the relief amount is:

$$(Rx - Ry) + Rz$$

Where:

Rx = the amount of any applicable relief in relation to the development for which (B) was granted calculated in accordance with Part 6 of the Regulations;

Ry = the amount of any applicable relief in relation to the development for which (A) was granted under Part 6 of the Regulations (but as if (A) was granted on the same day as (B));

Rz = the amount of any applicable relief in relation to the development for which (A) was granted under Part 6 of the Regulations (and as shown on the most recent liability notice issued in relation to (A)).

Using the figures above, the chargeable amount for the development is:

$$X = \frac{R_R \times A_{R2} \times I_{p2}}{Ic} = \frac{150 \times 2500 \times 318}{255} = \mathbf{£467,647.06}$$

$$Y = \frac{R_R \times A_{R1} \times I_{p2}}{Ic} = \frac{150 \times 2000 \times 318}{255} = \mathbf{£374,117.65}$$

The value of Z should be taken from the latest liability notice issued for planning permission (A). This would have involved the same calculation as for Y except that the index figure Ip relates to the calendar year in which the planning permission was granted. It shouldn't therefore need to be recalculated it is on the latest liability notice. However, for the purposes of this example it would be:

$$Z = \frac{R_R \times A_{R1} \times I_{p1}}{Ic} = \frac{150 \times 2000 \times 286}{255} = \mathbf{£336,470.59}$$

Bringing this altogether gives the chargeable amount for (B) of:

$$£467647.06 - £374,117.65 + £336,470.59 = \mathbf{£430,000}$$

From this is deducted the relief amount which is calculated as below:

$$Rx = \frac{R_R \times A_{Rel2} \times I_{p2}}{Ic} = \frac{150 \times 250 \times 318}{255} = \mathbf{£46,764.71}$$

$$Ry = \frac{R_R \times A_{Rel1} \times I_{p2}}{Ic} = \frac{150 \times 200 \times 318}{255} = \mathbf{£37,411.76}$$

$$Rz = \frac{R_R \times A_{Rel1} \times I_{p1}}{Ic} = \frac{150 \times 200 \times 286}{255} = \mathbf{£33,647.06}$$

The relief amount is therefore:

$$£46,764.71 - £37,411.76 + £33,647.06 = \mathbf{£43,000.00}$$

The net amount payable is therefore:

$$£430,000 - £43,000.00 = \mathbf{£387,000}$$

The liability notice should include both the chargeable amount for (B) and the relief amount. This makes it easier to determine the amount of clawback if there is a disqualifying event within the clawback period. It also makes the calculations easier if there is a subsequent section 73 amendment which changes the chargeable amount.

Transitional cases

(Schedule 1, Part 4)

Pre-CIL permissions ‘amended’ when CIL is in effect

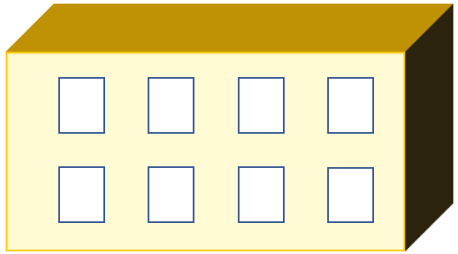
The general principle is that CIL should not be charged on development that is already permitted through a pre-CIL permission, but any additional liability that is created through the in-CIL permission should be subject to the levy.

Part 4 of Schedule 1 contains the calculations for determining the CIL liability in transitional cases. Paragraph 7 largely replaces what was regulation 128A of the 2010 Regulations and is used to determine the liability for a section 73 permission granted after a charging schedule has come into effect, where the original planning permission (either outline or full permission) were granted before a charging schedule was in effect.

The first step is to calculate a notional chargeable amount for the pre-CIL permission, as if the pre-CIL permission was granted on the same day as the later section 73 permission (i.e. using the latest indexation). The same calculation is undertaken for the section 73 permission. The former figure is then deducted from the latter to give the chargeable amount for the development. This means there is no CIL charge on the original pre-CIL development, but there is a CIL charge for any additional liabilities created through the post-CIL section 73 permission.

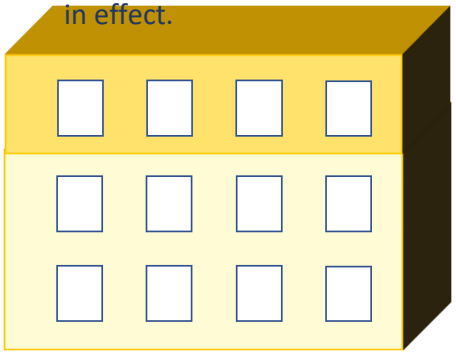
Example 9. Transitional case - planning permission for a residential development is amended to increase the internal area

600 square metres of residential development permitted before charging schedule in effect.



Original permission (A)		
Residential rate (£ per square metre)	(R_R)	N/A
Gross internal area of residential development (square metres)	(A_{R1})	600
Index for year planning permission (A) was granted (2014)	(I_{p1})	N/A
Index for year charging schedule was adopted (2015)	(I_c)	N/A

Section 73 permission increases GIA to 900 square metres after charging schedule in effect.



Amended permission (B)		
Residential rate (£ per square metre)	(R_R)	£150
Gross internal area of residential development (square metres)	(A_{R2})	900
Index for year planning permission (B) was granted (2019)	(I_{p2})	318
Index for year charging schedule was adopted (2015)	(I_c)	255

The amount of CIL payable is:

$$(X - Y)$$

To determine the notional amount for the pre-CIL permission (Y), the equation in paragraph 1 of schedule 1 is used as if the pre-CIL permission was granted on the same day as the in-CIL permission.

Y = the notional chargeable amount for **planning permission (A):**

$$\frac{R_R \times A_{R1} \times I_{p2}}{Ic} = \frac{150 \times 600 \times 318}{255} = \textbf{£ 112,235.29}$$

X = the notional chargeable amount for **planning permission (B)** calculated using the formula in paragraph 1 of schedule 1.

$$\frac{R_R \times A_{R2} \times I_{p2}}{Ic} = \frac{150 \times 900 \times 318}{255} = \textbf{£168,352.94}$$

The chargeable amount for planning permission (B) is therefore:

$$£168{,}352.94 - £112{,}235.29 = \textbf{£56,117.65}$$

Phase credits (Transitional cases only)

(Schedule 1, paragraph 8)

Developments delivered in phases often alter as the development progresses. For example, the use or scale of the development in one phase might be switched with that of another phase through a section 73 permission.

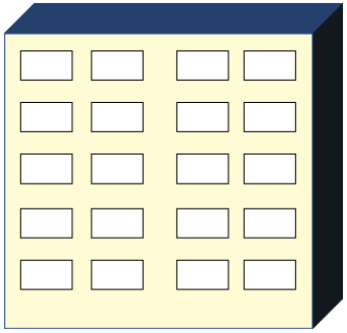
In transitional cases, ‘phased credits’ are used to ensure that levy liabilities fairly reflect the net change in liability across several phases. A phase credit can be created for the phase with the negative liability (termed the ‘donating phase’) and applied to the phase with the actual liability (the ‘receiving phase’). This ‘balances’ any liability overall.

The following example illustrates how phase credits can be created in a pre-CIL phased development and can be applied, if appropriate, to offset the levy liability of other phases of the development resulting from a section 73 planning permission.

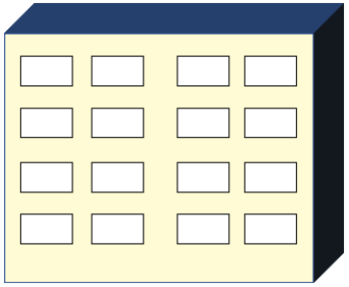
The example involves a residential development divided into 3 phases which was permitted before a charging schedule came into effect. It is subsequently amended through section 73 after a charging schedule has been introduced.

Example 10: Creating and donating a phase credit

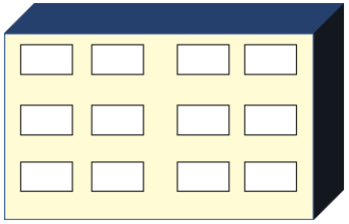
Phase 1 – 1000 square metres of residential development



Phase 2 – 800 square metres of residential development

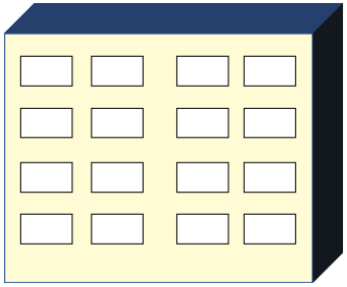


Phase 3 – 600 square metres of residential development

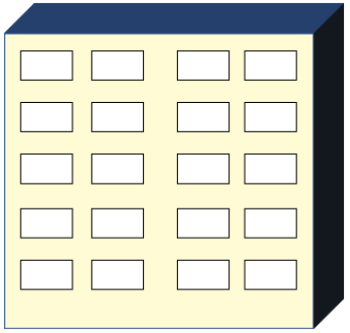


Original planning permission
(GIA = 2400 square metres)

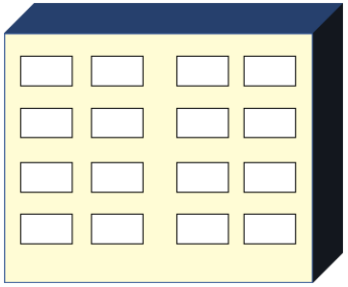
Phase 1 – 800 square metres of residential development



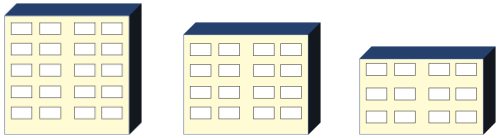
Phase 2 – 1000 square metres of residential development



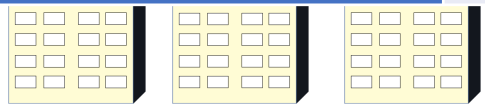
Phase 3 – 800 square metres of residential development



S73 planning permission
(GIA = 2600 square metres)



Pre-CIL planning permission (P)		
Residential rate (£ per square metre	R	N/A
Phase 1 – gross internal area (square metres)	(A_{P1})	1000
Phase 2 – gross internal area (square metres)	(A_{P2})	800
Phase 3 – gross internal area (square metres)	(A_{P3})	600
Index for year planning permission (P) was granted	(I_p)	N/A
Index for year charging schedule was adopted	(I_c)	N/A



In-CIL planning permission (B)		
Residential rate (£ per square metre	(R)	£150
Phase 1 – gross internal area (square metres)	(A_{B1})	800
Phase 2 – gross internal area (square metres)	(A_{B2})	1000
Phase 3 – gross internal area (square metres)	(AB_3)	800
Index for year planning permission (P) was granted (2019)	(I_p)	318
Index for year charging schedule was adopted (2015)	(I_c)	255

Phase 1

$$X = \frac{R \times A_{B1} \times Ip}{Ic} = \frac{150 \times 800 \times 318}{255} = \textbf{£149,647.06}$$

$$Y = \frac{R \times A_{P1} \times Ip}{Ic} = \frac{150 \times 1000 \times 318}{255} =$$

£187,058.82

$$(X - Y) = £149{,}647.06 - £187{,}058.82 = -\mathbf{£37{,}411.76}$$

As the figure is negative, a phase credit is created from this phase ('the donating phase'). All or part of this phase credit can be applied to reduce the amount of CIL in respect of another phase (a 'receiving phase').

Phase 2

$$X = \frac{R \times A_{B2} \times Ip}{Ic} = \frac{150 \times 1000 \times 318}{255} = \textbf{£187,058.82}$$

$$Y = \frac{R \times A_{P2} \times Ip}{Ic} = \frac{150 \times 800 \times 318}{255} = \textbf{£149,647.06}$$

$$(X - Y) = £187{,}058.82 - £149{,}647.06 = \mathbf{£37{,}411.76}$$

The chargeable amount for Phase 2 is therefore £**37,411.76**. However, as there is a phase credit from Phase 1, the phase credit can be applied to Phase 2. In this case, the phase credit is the same as the chargeable amount so the levy liability for phase 2 is zero.

Pre-CIL planning permission (P)		
Residential rate (£ per square metre	R	N/A
Phase 1 – gross internal area (square metres)	(A_{P1})	1000
Phase 2 – gross internal area (square metres)	(A_{P2})	800
Phase 3 – gross internal area (square metres)	(A_{P3})	600
Index for year planning permission (P) was granted	(I_p)	N/A
Index for year charging schedule was adopted	(I_c)	N/A

In-CIL planning permission (B)		
Residential rate (£ per square metre	(R)	£150
Phase 1 – gross internal area (square metres)	(A_{B1})	800
Phase 2 – gross internal area (square metres)	(A_{B2})	1000
Phase 3 – gross internal area (square metres)	(AB_3)	800
Index for year planning permission (P) was granted (2019)	(I_p)	318
Index for year charging schedule was adopted (2015)	(I_c)	255

Phase 3

$$X = \frac{R \times A_{B3} \times Ip}{Ic} = \frac{150 \times 800 \times 318}{255} = \textbf{£149,647.06}$$

$$Y = \frac{R \times A_{P3} \times Ip}{Ic} = \frac{150 \times 600 \times 318}{255} = \textbf{£112,235.29}$$

$$(X - Y) = £149{,}647.06 - £112{,}235.29 = \mathbf{£37{,}411.76}$$

The chargeable amount for Phase 3 is therefore £ $\mathbf{37{,}411.76}$. If there had been any remaining phase credit from Phase 1, that amount could have been applied to Phase 3 to offset some or all of the liability.

Annex

Explaining how the value E_x apportions demolition across phases in standard in-CIL phased developments

(Schedule 1, Part 1)

The following two examples illustrate how the term E_x applies to the second and subsequent phases of a phased planning permission.

$$E_X = EP - (GP - KPR)$$

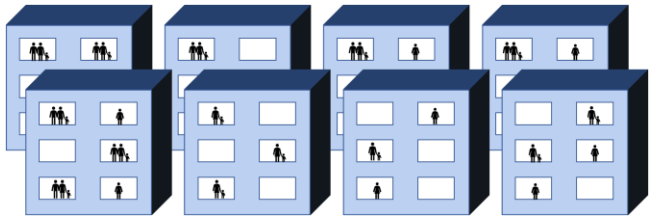
where—

E_P = the value of E for the previously commenced phase;

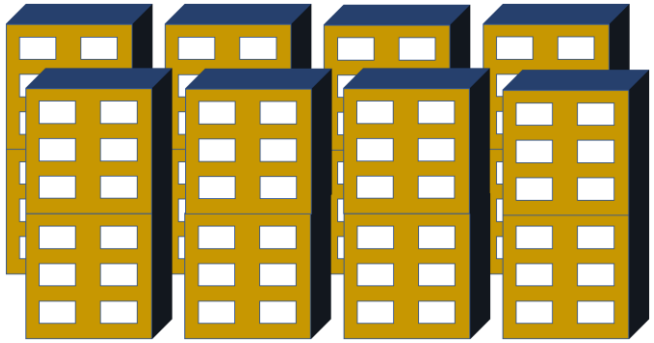
G_P = the value of G for the previously commenced phase; and

K_{PR} = the total of the values of K_R for the previously commenced phase.

Example 11a. Planning permission granted in 2017 to demolish 8,000 square metres of in-use residential development

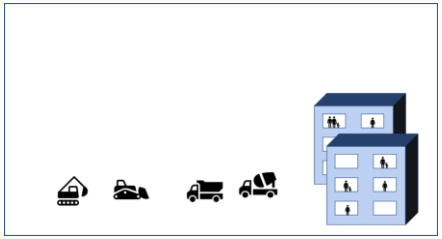


…. and replace with 16,000 square metres of residential development

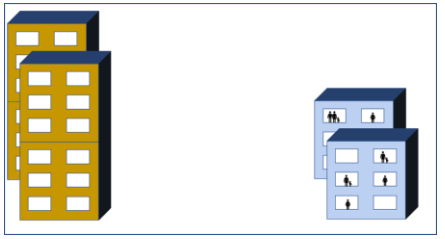


… in three phases

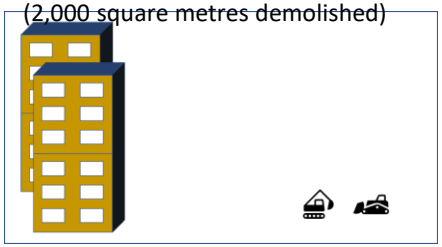
Phase 1 – demolish 6 blocks
(6,000 square metres demolished)



and build 2 blocks
(4,000 square metres built)

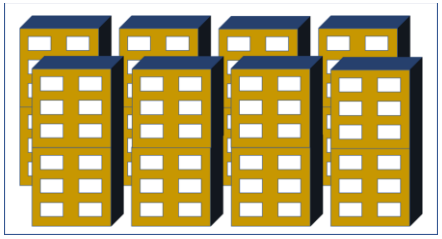


Phase 2 – demolish 2 remaining blocks
(2,000 square metres demolished)



and build 4 blocks
(8,000 square metres built)

Phase 3 – build remaining 2 blocks
(4,000 square metres built)



Example 11a: Planning permission granted in 2017 to demolish 8000 square metres of in-use residential development and replace with 16,000 square metres of residential development. (Each phase is a separate chargeable development)

Phase 1: Demolition of 6,000 square metres of in-use residential development. Construction of 4,000 square metres of residential development.

$$\text{Net } Area\ (A) = G_R - K_R - \left(\frac{G_R \times E}{G}\right)$$

$$= 4000 - 0 - \left(\frac{4000 \times 6000}{4000}\right)$$

$$= 4000 - 0 - 6000$$

$$\therefore Net\ Area = -2000\ square\ metres$$

Chargeable amount = $\frac{R \times A \times Ip}{Ic}$

$$= \frac{150 \times -2000 \times 286}{255}$$

= **-£336,470.60**
(Deemed to be zero)

Phase 2: Demolition of 2,000 square metres of in-use residential development. Construction of 8,000 square metres of residential development.

$$Net\ Area = G_R - K_R - \left(\frac{G_R \times E}{G}\right)$$

$$E = E + E_x$$

where:

$$E_x = E_P - (G_P - K_{PR})$$

= 6000 – (4000 – 0)

= 2000

$$\therefore E = 2000 + 2000 = 4000$$

$$\therefore Net\ Area = 8000 - 0 - \left(\frac{8000 \times 4000}{8000}\right)$$

$$= 8000 - 0 - 4000$$

= 4000 square metres

Chargeable amount = $\frac{R \times A \times Ip}{Ic}$

$$= \frac{150 \times 4000 \times 286}{255}$$

= **£ £672,941.18**

Phase 3: Construction of 4,000 square metres of residential development.

$$Net\ Area = G_R - K_R - \left(\frac{G_R \times E}{G}\right)$$

$$E = E + Ex$$

where:

$$E_x = E_P - (G_P - K_{PR})$$

= 4000 – (8000 – 0)

= - 4000 (deemed to be zero)

$$\therefore E = 0 + 0 = 0$$

$$\therefore Net\ Area = 4000 - 0 - \left(\frac{4000 \times 0}{4000}\right)$$

$$= 4000 - 0 - 0$$

= 4000 square metres

Chargeable amount = $\frac{R \times A \times Ip}{Ic}$

$$= \frac{150 \times 4000 \times 286}{255}$$

= **£672,941.18**

Different phased scenario where more construction than demolition in earlier phases

The following two examples illustrate how the term E_x applies to the second and subsequent phases of a phased planning permission.

$$E_X = EP - (GP - KPR)$$

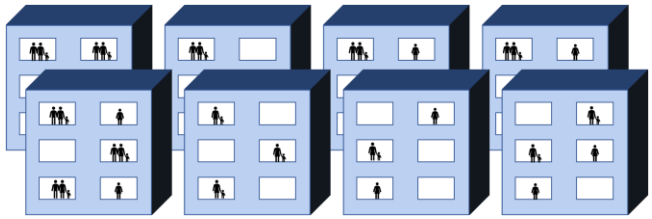
where—

E_P = the value of E for the previously commenced phase;

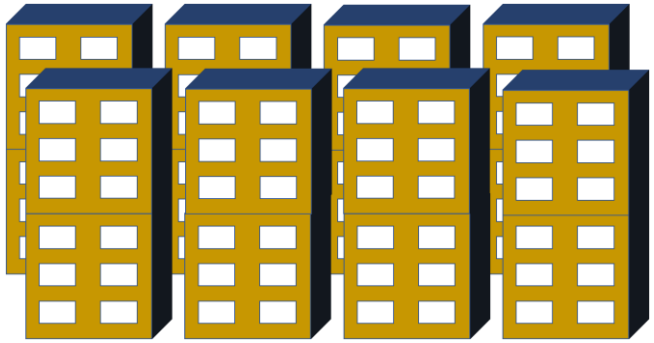
G_P = the value of G for the previously commenced phase; and

K_{PR} = the total of the values of KR for the previously commenced phase.

Example 11b. Planning permission granted in 2017 to demolish 8,000 square metres of in-use residential development

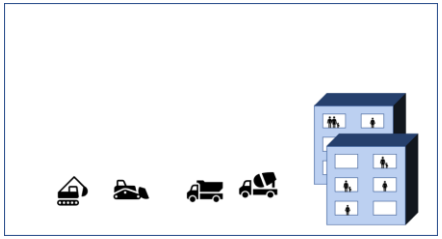


…. and replace with 16,000 square metres of residential development

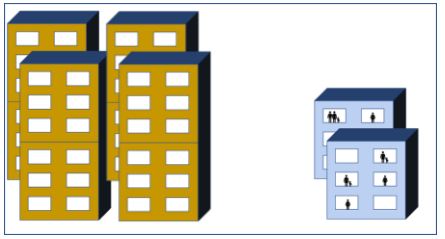


… in three phases

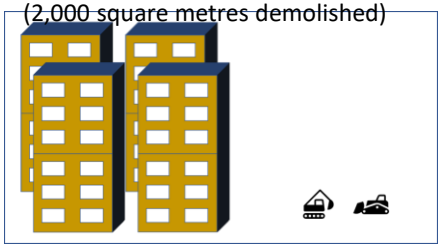
Phase 1 – demolish 6 blocks
(6,000 square metres demolished)



and build 4 blocks
(8,000 square metres built)

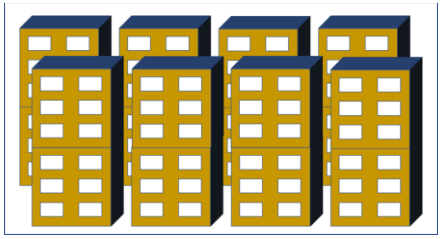


Phase 2 – demolish 2 remaining blocks
(2,000 square metres demolished)



and build 2 blocks
(4,000 square metres built)

Phase 3 – build remaining 2 blocks
(4,000 square metres built)



Example 11b. Planning permission granted in 2017 to demolish 8000 square metres of in-use residential development and replace with 16,000 square metres of residential development

Phase 1: Demolition of 6,000 square metres of in-use residential development. Construction of 8,000 square metres of residential development.

$$\text{Net } Area = G_R - K_R - \left(\frac{G_R \times E}{G}\right)$$

$$= 8000 - 0 - \left(\frac{8000 \times 6000}{8000}\right)$$

$$= 8000 - 0 - 6000$$

$$= 2000 \text{ square metres}$$

$$\text{Chargeable amount} = \frac{R \times A \times Ip}{Ic}$$

$$= \frac{150 \times 2000 \times 286}{255}$$

= **£336,470.60**

Phase 2: Demolition of 2,000 square metres of in-use residential development. Construction of 4,000 square metres of residential development.

$$Net\ Area = G_R - K_R - \left(\frac{G_R \times E}{G}\right)$$

$$E = E + E_x$$

where:

$$E_x = E_P - (G_P - K_{PR})$$

$$= 6000 - (8000 - 0)$$

$$= -2000 \text{ (deemed to be zero)}$$

$$\therefore E = 2000 + 0 = 2000$$

$$\therefore Net\ Area = 4000 - 0 - \left(\frac{4000 \times 2000}{4000}\right)$$

$$= 4000 - 0 - 2000$$

$$= 2000 \text{ square metres}$$

$$\text{Chargeable amount} = \frac{R \times A \times Ip}{Ic}$$

$$= \frac{150 \times 2000 \times 286}{255}$$

= **£336,470.60**

Phase 3: Construction of 4,000 square metres of residential development.

$$Net\ Area = G_R - K_R - \left(\frac{G_R \times E}{G}\right)$$

$$E = E + Ex$$

where:

$$E_x = E_P - (G_P - K_{PR})$$

$$= 2000 - (4000 - 0)$$

$$= -2000 \text{ (deemed to be zero)}$$

$$\therefore E = 0 + 0 = 0$$

$$\therefore Net\ Area = 4000 - 0 - \left(\frac{4000 \times 0}{4000}\right)$$

$$= 4000 - 0 - 0$$

$$= 4000 \text{ square metres}$$

$$\text{Chargeable amount} = \frac{R \times A \times Ip}{Ic}$$

$$= \frac{150 \times 4000 \times 286}{255}$$

= **£672,941.18**

Session 6:

Wrap up and PAS support

planning advisory service

Purpose of today – Did we succeed?

- To understand the reforms and what has changed;
- To have a go at implementing them in practice (CIL calculations);
- To discuss and determine key actions for your authority;
- To have a deeper dive in to the role of good infrastructure planning and why it is critical to the success of delivering sustainable development and the efficient use of CIL and S106;
- To be interactive; and
- For you to ask questions

Next Steps……

- Brief your colleagues, managers and Councillors on the matters that impact your authority.
- Consider your top three priorities for implementation and work out next steps.
- Share what you are doing and learn from others.
- Do you have a local CIL / S106 group? If not would you like help setting one up?

PAS next steps

- Best practice advice on CIL & S106 to be published early 2020
- Advice note on developing model viability brief for tender to be published early 2020
- Subscribe to our bulletin.
- Talk to us. We are friendly. **pas@local.gov.uk**
- Invite us to your local POG / Regional groups
- Let us know if you are doing great things. We will help you promote them.
- Remember the Khub practitioner network, We hang out there too

Closing thoughts

- Become a peer
  - Give something back. See the world. Do good work. Have fun (!)
  - Only if you complete your form properly (including the front bit)
- Use the peer network
  - New in post ? Tricky at the top ?
  - Peer challenge!
  - Simple. Powerful.

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