



# Community Infrastructure Levy (CIL) Instalment Policy

1st April 2024

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## **1. Introduction**

- 1.1 The CIL Regulations set a default requiring full payment of the Levy charge within 60 days of the commencement of the chargeable development. However, under Reg 69B of the Community Infrastructure Levy (CIL) 2010 (as amended) it is permissible for a CIL Charging authority to establish an Instalment Policy, offering developers more flexible payment arrangements.
- 1.2 In accordance with Regulation 69B of the Community Infrastructure Levy Regulations 2010 (as amended), Epsom & Ewell Borough Council will automatically allow the payment of CIL by instalments. The instalments permitted will be linked to the amount payable (the chargeable amount) as recorded on the Demand Notice.
- 1.3 The EEBC Instalment Policy will be effective from the 1<sup>st</sup> April 2024 and will supersede the previous EEBC instalment policy 1<sup>st</sup> July 2014 on this date.

## 2. Application of the Instalment Policy

- 2.1 Regulation 70 of the CIL Regulations 2010 (as amended) sets out the requirements that must be complied with to benefit from the CIL Instalment Policy.
- 2.2 The CIL Instalment Policy will apply in the following circumstances.
- (1) Where a person(s) has submitted a valid CIL Form 2, **Assumption of Liability** form prior to the commencement of development Regulation 70 (1)(a),
  - (2) Where the Council has received a valid CIL Form 6, **Commencement Notice** prior to commencement of development Regulation 70 (1)(b), and
  - (3) Where Epsom and Ewell Borough Council has **not** determined a deemed commencement date for the chargeable development Regulation 70 (1)(c) and therefore, payment is required in full, in accordance with Regulation 71 of the CIL Regulations 2010 (as amended)
- 2.3 Where a phased permission is granted, Regulation 9(4) requires that each phase is treated as a separate chargeable development. Each phase of the development as agreed by Epsom & Ewell Borough Council is a separate chargeable development and the instalment policy will, therefore, apply to each separate chargeable development and associated separate liable amount chargeable.
- 2.4 Circumstances where the instalment policy does **not** apply;
- 1) A person has failed to notify Epsom & Ewell Borough Council of a disqualifying event before the end of 14 days beginning with the day on which the disqualifying event occurs, as per the Community Infrastructure Regulations 2010 (as amended)
  - 2) An instalment payment has not been made in full after the end of the period of 30 days beginning with the day on which the instalment payment was due, as per the Community Infrastructure Regulations 2010 (as amended)
- 2.5 Where the instalment policy is not applicable, the amount must be paid in full at the end of the period of 60 days beginning with the notified or deemed commencement date of the chargeable development or the date of the disqualifying event, whichever is the earliest, unless specified otherwise within the Community Infrastructure Levy Regulations 2010 (as amended).

- 2.6 Where the instalment policy does not apply, the chargeable amount is due in full on the notified deemed commencement date of the chargeable development or the date of the disqualifying event, whichever is the earliest. Surcharges may apply for failure to assume liability, and in accordance with Regulation 83, failure to submit a valid Commencement Notice before development commences will result in the Council imposing a surcharge equal to 20% of the chargeable amount due, up to a maximum of £2,500.00.

### 3.Instalment Policy

<b>Epsom &amp; Ewell Borough Council Instalment Policy</b>		
<b>Amount of CIL Liability</b>	<b>Number of Instalment Payments</b>	<b>Amount of proportion of CIL payable in any instalments/time at which payments are due</b>
Amount £25,000 or less	Single Instalment	Total amount payable within 60 days of commencement of development
Amount £25,001 to £100,000	Two Instalments	50% payable within 60 days of commencement date 50% payable within 180 days of commencement date
Amount £100,001 or more	Three Instalments	Three equal instalments at 60, 180 and 270 days after commencement