



**Royal Borough of Kingston upon Thames
Community Infrastructure Levy
Instalment Policy
June 2015**

Kingston Council as Charging Authority for its area will permit the payment of CIL liability by instalment in accordance with its published Instalment Policy as set out in the following table. This Instalment Policy is published in accordance with Regulation 69B of the Community Infrastructure Levy Regulations 2010 (as amended).

CIL Instalment Policy

Kingston Council proposes to introduce a CIL Instalment Policy, which would be offered in all cases where the total CIL liability is greater than £100,000.

The Council will allow payment of CIL by Instalments according to the total amount of liability as follows:

| Amount of CIL Liability | Number of instalments | Payment Periods and Amounts |
|---|------------------------------|--|
| Any amount less than £100,000 | No instalments | Total amount payable within 60 days of commencement of development |
| Amounts equal to or more than £100,000 but less than £250,000 | Two instalments | £100,000 payable within 60 days of commencement of development. Balance payable within 120 days of commencement of development |
| Amounts equal to or more than £250,000 but less than £500,000 | Three instalments | £100,000 payable within 60 days of commencement of development. Balance payable in a further two equal instalments within 120 and 180 days of commencement of development |
| Amounts equal to or more than £500,000 | Four instalments | £250,000 payable within 60 days of commencement of development |

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| | | Balance payable in a further three instalments of equal amount within 180, 360 and 540 days of commencement of development |
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Failure to comply with the instalment policy at any stage will result in the total unpaid balance becoming payable immediately.

CIL charges will be calculated in accordance with Regulation 40 of the Community Infrastructure Levy Regulations 2010 (as amended). CIL charges will be index linked to the Building Cost Information Service (BCIS) All-in Tender Price Index.

Note: the amount of liability is the amount shown on the liability notice and may include components for the Royal Borough of Kingston upon Thames and the Mayor of London, which is covered by the Mayor of London's instalment policy.

CIL Instalment Policy Advice

The requirements set out in Regulation 70 of the CIL Regulations must be complied with if the persons liable for paying CIL wish to do so by instalment, in accordance with this published Instalment Policy.

This Instalment Policy only applies where:

1. The Council has received a CIL Assumption of Liability form prior to commencement of the chargeable development (Regulation 70(1) (a)), and
2. The Council has received a CIL Commencement Notice prior to commencement of the chargeable development (Regulation 70(1) (b)) and the Council does not challenge the date of commencement specified.

If the above requirements are not met, the CIL liability is payable in full at the end of the period of 60 days beginning with the intended commencement date of the chargeable development.

Where the above requirements have been met, instalment payments must be made in accordance with this Instalment Policy. Where an instalment payment is not received in full on or before the day on which it is due, the unpaid balance of the CIL liability becomes payable in full immediately (Regulation 70(8)(a)).

To summarise, in order to be eligible to pay a CIL liability by instalment, all the relevant forms must be submitted to the Council prior to the commencement of the chargeable development, and all payments must be made in accordance with this CIL Instalment Policy and Regulatory requirements.

Surcharges

Any failure to comply with the requirements of the CIL Regulations 2010 (as amended) in any respect could result in Surcharges being applied e.g.

- If nobody has assumed liability to pay CIL prior to the commencement of the chargeable development;
- There has been a failure to submit a Commencement Notice prior to commencement;

- There has been a failure to submit a Notice of Chargeable Development prior to commencement.

Please note this list of circumstances under which surcharges may become payable provides examples only and is not exhaustive.