

## Gateshead Council

### Gateshead CIL - Instalments Policy (November 2016)

**(This policy takes effect on 01/01/2017)**

#### Instalment policy

In accordance with Regulation 69B of the Community Infrastructure Levy Regulations 2010 (as amended), Gateshead Council (the charging authority) will allow the payment of CIL by instalments as set out in the table below:

<b>Chargeable Amount</b>	<b>Number of Instalments</b>	<b>Payment Due</b>
Less than £10,000	0	Required in full within <b>60 days</b> of the commencement date.
From £10,000 to £49,999	2	Two equal instalments <b>60 and 540 days</b> after the commencement date.
£50,000 or more	3	Three instalments of 33%, 33% and 34% on <b>60, 540 and 720 days</b> after the commencement date.

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#### ***CIL Instalment Policy Guidance Notes***

CIL becomes payable when development commences. The Regulations define this as “the earliest date on which any material operation begins to be carried out” and confirm that ‘material operation’ has the same meaning as in section 56(4) of the Town and Country Planning Act 1990 (time when development begun).

In some circumstances the Council will accept a land payment in satisfaction of the whole or part of CIL due. These will be negotiated on a case by case basis with the planning officer dealing with the case.

Where a planning application is subdivided into ‘phases’ for the purposes of the levy each phase will be treated as a separate chargeable development and therefore liable for payment in line with this instalment policy. The principle of phased delivery must be apparent from the planning permission. The Council will work positively with developers to allow such developments to be delivered in phases.

The CIL instalment policy will apply in the following circumstances:

1. Where the Council has received the CIL [Assumption of Liability form](#) prior to commencement of the development.
2. Where the Council has received a CIL [Commencement Notice](#) prior to commencement of the development

If either of the above requirements are not complied with, the total CIL will become payable in full on the intended commencement date.

Once the development has commenced the CIL payments must be made in accordance with this instalment policy. Where there is a breach in payments, the total CIL liability will become payable in full immediately.

### **Enforcement**

If the correct payments are not received at the right time, the council has the power to issue a range of surcharges, stop notices and if necessary to recover funds through legal action. The enforcement tools available to the Council are set out in regulations 80-107 of the CIL Regulations 2010,(as amended) and can be viewed using the following link:

<http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/collecting-the-levy/>