



rhondda cynon taf
community infrastructure levy
ardoll seilwaith cymunedol

Draft Charging Schedule

June 2013





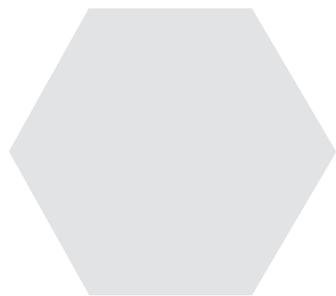
Contents

1. The Charging Authority	3	6. Exemptions from CIL	12
2. Statutory Compliance	4	7. Monitoring and Review	13
3. Provision of Infrastructure in Rhonda Cynon Taf	5	8. Further Guidance	14
4. CIL Rates in Rhondda Cynon Taf	6	Appendix A – RCT CIL Evidence Base	15
5. CIL Instalments Policy	10		



1. The Charging Authority

- 1.1 Rhondda Cynon Taf CBC is the charging authority for the purpose of the Rhondda Cynon Taf Community Infrastructure Levy. The geographical area excludes that part of Rhondda Cynon Taf within the boundary of the Brecon Beacons National Park. The responsibility for setting and collecting CIL in this area will rest with the National Park Authority.





2. *Statutory Compliance*

- 2.1 The Draft Charging Schedule has been approved for publication at a meeting of the Cabinet on 20th May 2013. It is published in accordance with Part 11 of the Planning Act 2008 (as amended) and the Community Infrastructure Levy Regulations 2010 (as amended).
- 2.2 In setting its Community Infrastructure Levy (CIL) rates in accordance with Regulation 14(1) of the Community Infrastructure Levy Regulations, the Council has aimed to strike an appropriate balance between:
- The desirability of funding from CIL (in whole or part) the estimated total cost of infrastructure required to support the development of Rhondda Cynon Taf, taking into account other actual and expected sources of funding; and
 - The potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across Rhondda Cynon Taf



3. *Provision Of Infrastructure In Rhondda Cynon Taf*

- 3.1 The CIL Regulations require that the Council demonstrate that a gap exists in the funding of infrastructure projects required to support future development in Rhondda Cynon Taf.
- 3.2 The revised Infrastructure Assessment Background Paper provides detailed information in respect of the cost of new infrastructure projects in Rhondda Cynon Taf. The assessment identifies an estimated shortfall in the funding for infrastructure £253m. CIL funding is not intended to fill the funding gap in its entirety but is one of a number of possible funding sources.
- 3.3 In accordance with the requirements of Regulation 123 of the CIL Regulations the Council has made available for public inspection a draft list of infrastructure to be funded by CIL revenues.
- 3.4 In addition to the provision of infrastructure to meet the needs of the County Borough, The Regulations requires that 15% of CIL revenue per annum, raised in a community or town council area, is passed to that organisation to be spent on community infrastructure projects. In those parts of the County Borough where there are no community or town council the money will be spent by the Council on County Borough infrastructure projects.

* where a building has been in lawful use for at least six months in the 12 months prior to the development being permitted and does not create any new build floorspace



4. CIL Rates In Rhondda Cynon Taf

- 4.1 The following development types will be liable for CIL;
- Development comprising 100m² or more of new build floorspace
 - New build floorspace that results in the creation of one or more dwellings (including dwellings less than 100m²), and
 - The conversion of a building that is no longer in lawful use which results in a new dwelling.
- 4.2 The Economic Viability Study, undertaken for the Council by the District Valuer, indicates that a charge can be levied against residential (C3), Retail (A1 and A3) and Primary Health Care (D1) development in Rhondda Cynon Taf.
- 4.3 The CIL rate for **Residential Development (C3)** will be charged at different rates across the County Borough. Map 1 shows the Residential Charging Zones.

- 4.4 The CIL rate for **Retail (A1), Retail (A3) and Primary Healthcare Development (D1)** will be charged at a single rate across the County Borough. Map 2 shows the charging zone for Retail (A1), Retail (A3) and Primary Healthcare Development (D1). In accordance with the findings of the Economic Viability Study, CIL will not be charged against any other use that falls within the D1 Non-Residential Use Class.

- 4.5 The proposed CIL rates are set out below.

TABLE 1 – COMMUNITY INFRASTRUCTURE LEVY RATES	
Residential DevelopmentRate	per m ² *
Residential Zone 1	£0
Residential Zone 2	£40
Residential Zone 3	£100
Commercial Development	CIL Rate per m ² *
Retail (A1)	£100
Retail (A3)	£25
Primary Healthcare Development (D1)	£60

* Chargeable amount based on measurement to Gross Internal Area (GIA), as per RICS

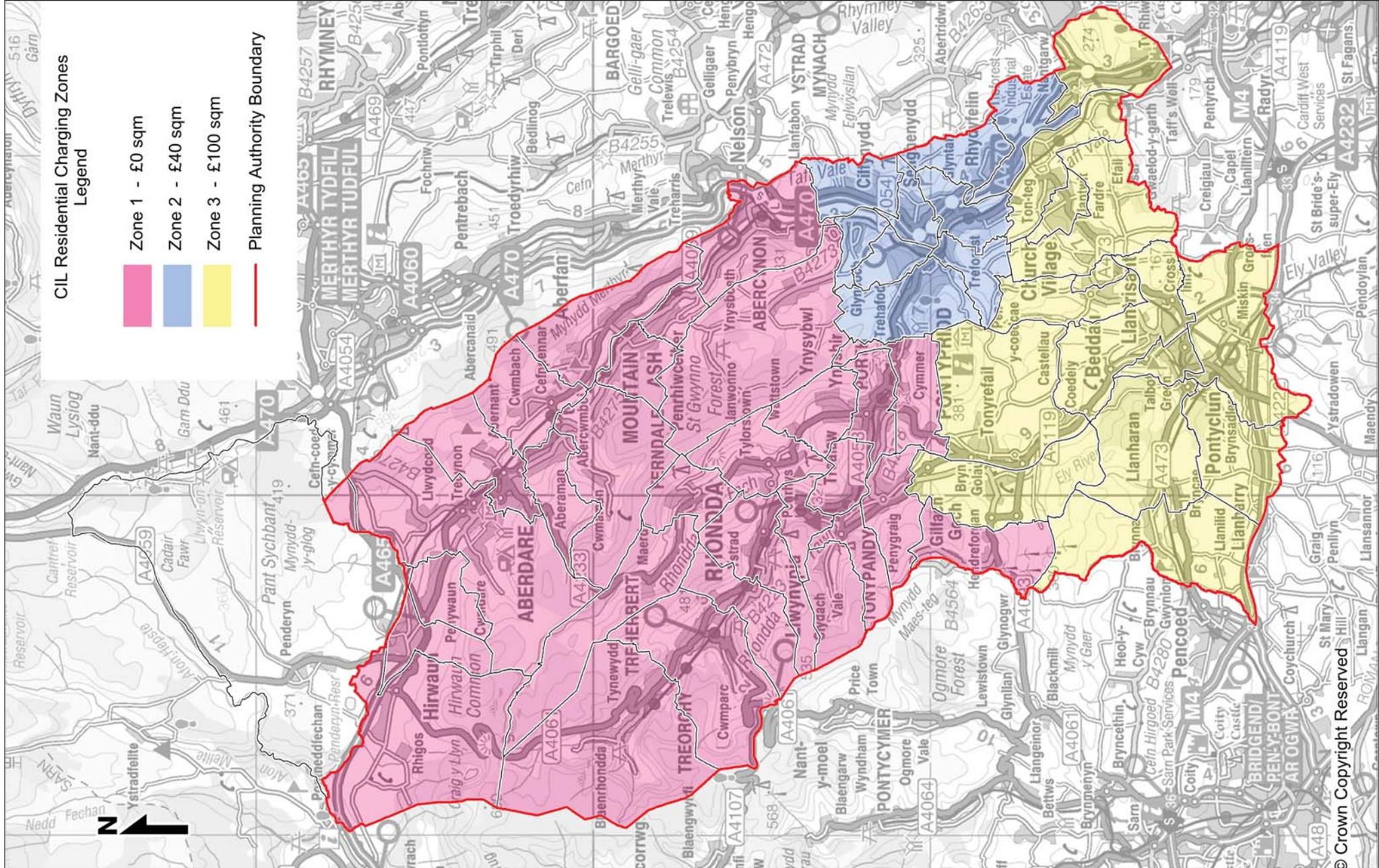


Calculating CIL

- 4.6 The chargeable amount will be calculated at the time planning permission is first granted.
- 4.7 CIL will be charged on the net additional gross internal floor area of a development. Where buildings are demolished, the total of the demolished floor space will be off-set against the floor space of the new buildings, providing the buildings were in lawful use prior to demolition.
- 4.8 A building is considered to be in lawful use if a part of that building has been in use for a continuous period of at least six months within the period of 12 months ending on the day planning permission first permits the chargeable development.
- 4.9 Where there is more than one use class in a development, the chargeable development in each use class is calculated separately and then added together to provide the total chargeable amount.
- 4.10 Where an outline planning permission permits development to be implemented in phases, each phase of the development is a separate chargeable development. In the case of outline planning applications where the floorspace of the development is not specified, the amount will be calculated at the submission of reserved matters.
- 4.11 CIL charges will be index linked to the Building Cost Information Service (BCIS) All-in Tender Price Index.



Map 1- Residential Charging Zones





5. *CIL Instalments Policy*

5.1 The Council intends to introduce an Instalment Policy, which would be offered in all cases where the total CIL liability is greater than £25,000. In such cases CIL payments would be accepted in line with the requirements outlined in Table 2.

TABLE 2: Instalments Policy		
Amount of CIL Liability	No of Instalments	Payment Periods and Amounts
Any amount less than £25,000	2	<ul style="list-style-type: none"> ▪ 50% within 90 days of the commencement date. ▪ 50% within 180 days of the commencement date.
Amounts between £25,001 and £50,000	2	<ul style="list-style-type: none"> ▪ 50% within 90 days of the commencement date. ▪ 50% within 180 days of the commencement date.
Amounts between £50,001 and £100,000	3	<ul style="list-style-type: none"> ▪ 30% within 90 days of the commencement date. ▪ 30% within 180 days of the commencement date. ▪ 40% within 270 days of the commencement date.
Amounts between £100,001 and £200,000	4	<ul style="list-style-type: none"> ▪ 25% upon commencement date. ▪ 25% within 180 days of the commencement date. ▪ 25% within 270 days of the commencement date. ▪ 25% within 360 days of the commencement date.
Any amount between £200,001 and £1,000,000	5	<ul style="list-style-type: none"> ▪ 20% upon commencement date. ▪ 20% within 180 days of the commencement date. ▪ 20% within 360 days of the commencement date. ▪ 20% within 540 days of the commencement date. ▪ 20% within 720 days of the commencement date.
Any amount in excess of £1,000,001	5	<ul style="list-style-type: none"> ▪ 20% upon commencement date. ▪ 20% within 360 days of the commencement date. ▪ 20% within 720 days of the commencement date. ▪ 20% within 1080 days of the commencement date. ▪ 20% within 1460 days of the commencement date.



- 5.2 CIL will become payable from the date that a chargeable development is commenced. The definition of commencement is the same as used in planning legislation, unless planning permission has been granted after commencement.
- 5.3 Where planning permission is granted retrospectively for development that has already been carried out, the commencement date for the purposes of CIL will be the day on which planning permission is granted.
- 5.4 Failure to comply with the instalments policy at any stage will result in the total unpaid balance becoming payable immediately.



6. Exemptions from CIL

Mandatory Exemptions

- 6.1 The CIL Regulations set out in detail where exemptions will apply and the procedures for seeking relief. In considering whether to offer relief and applications seeking relief, the Council will accord fully with the statutory requirements.
- 6.2 Affordable housing and development by charitable institutions for charitable purposes are exempt from CIL.

Discretionary Relief

- 6.3 The Council does not propose to offer discretionary relief.



7. Monitoring and Review

Reporting

- 7.1 The Council will publish an Annual CIL Report (for the financial year), which details:
- How much CIL monies have been collected.
 - Information on how CIL monies have been spent (including specific infrastructure projects and how much has been used to cover administrative costs), and
 - The amount of CIL retained at the end of the reporting year.

Review

- 7.2 The Council recognises the importance of monitoring the rates at which CIL is charged and the impact the charge has on the residential, retail and healthcare sector in Rhondda Cynon Taf. However, unless economic or development delivery conditions change significantly in the intervening period, it is not considered necessary to review the CIL Charging Schedule until 2017



8. *Further Guidance*

- 8.1 The Council will issue a series of draft guidance notes that explain in more detail the application and management of the CIL process in Rhondda Cynon Taf.
- 8.2 In the meantime should you wish to discuss any aspect of the CIL process please contact a member of the Spatial Development Team.



Appendix A – RCT CIL Evidence Base

The following documents support the Draft Charging Schedule. They are all available on the Council's Website and can be viewed at the One for All Centre, Sardis House Pontypridd.

Rhondda Cynon Taf Local Development Plan 2006-2012

Provides the development framework for the County Borough until 2021.

Study into the Economic Viability of Charging Community Infrastructure Levy in Caerphilly, Merthyr Tydfil and Rhondda Cynon Taf County Borough Councils (District Valuer Services, July 2012)

Sets the key viability recommendations upon which this Preliminary Draft Charging Schedule is based.

Rhondda Cynon Taf LDP Infrastructure Assessment Background Paper (Revised 2013)

The LDP sets out the infrastructure required to support the delivery of the LDP, the costs of the identified infrastructure and the funding gap.

Rhondda Cynon Taf Draft Infrastructure List (May 2013)

The List itemises the infrastructure Council considers it is likely to apply Community Infrastructure Levy.

Rhondda Cynon Taf Community Infrastructure Levy: Preliminary Draft Charging Schedule (2012)

The Schedule outlines the Council's initial proposals for the application of CIL in the County Borough. The Schedule was subject to public consultation between 4th December 2012 and 14th January 2013.

Rhondda Cynon Taf Community Infrastructure Levy Preliminary Draft Charging Schedule – Report of Comments and Responses (2013)

The Report provides a record of the consultation undertaken in respect of the Preliminary Draft Charging Schedule, a summary of the representations received and the Council's responses to representations.

Statement of Representations Procedure (2013)

The document outlines the process for making representations to the Draft Charging Schedule.

Additional information in relation to the CIL Regulations and Guidance and LDP Evidence Base can be viewed on the Council's website.



rhondda cynon taf
community infrastructure levy
ardoll seilwaith cymunedol

Spatial Development Team
Regeneration & Planning
Rhondda Cynon Taf CBC
Sardis House
Sardis Road
Pontypridd
CF37 1DU

ldp@rctcbc.gov.uk

01443 494735