

Draft Instalments Policy

*****Please note that the last instalment for 301+ dwellings or 301,000m² of NRD has been amended since the publication of the Draft CIL Charging Schedule*****

In accordance with Regulation 69 of the Community Infrastructure Levy Regulations 2010 (as amended), Maldon District 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.

As permitted under Regulation 9 (4) of the Community Infrastructure Regulations 2010 (as amended), where outline planning permission which permits development to be implemented in phases has been granted, each phase of the development as agreed by Maldon District Council is a separate chargeable development and the instalment policy will, therefore, apply to each separate chargeable development and associated separate liable amount chargeable.

This policy will **not apply** if any one or more of the following applies:

- a) A commencement notice has not been submitted prior to commencement of the chargeable development, as required by Regulation 67 of the Community Infrastructure Regulations 2010 (as amended);
- b) On the intended date of commencement
 - i. Nobody has assumed liability to pay CIL in respect of the chargeable development;
 - ii. A commencement notice has been received by Maldon District Council in respect of the chargeable development; and
 - iii. Maldon District Council has not determined a deemed commencement date for the chargeable development and, therefore, payment is required in full, as required by Regulation 71 of the Community Infrastructure Regulations 2010 (as amended);
- c) A person has failed to notify Maldon District 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)
- d) 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)

This policy relates to both residential development and non-residential development (NRD). 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).

Instalments should be paid to the Council as outlined in the table below:

Number of dwellings ¹ or per 1000m2 non-residential development ² (NRD)	Number of Instalments	Total Timescale for Instalments	Payment Amounts	Payment Periods
Where instalment policy is not applicable	1	60 days	100%	60 days from commencement.
1 dwelling or 1,000m2 of NRD	2	270 days (9 months)	10%	60 days from commencement.
			90%	270 days from commencement.
2 to 5 dwellings or 2,000-5,000m2 of NRD	3	365 days (1 year)	10%	60 days from commencement.
			45%	270 days from commencement.
			45%	365 days from commencement.
6 to 25 dwellings or 6,000-25,000m2 of NRD	3	548 days (18 months)	10%	60 days from commencement.
			45%	365 days from commencement.
			45%	548 days from commencement.
26 to 50 dwellings or 26,000-50,000m2 of NRD	4	730 days (2 years)	10%	60 days from commencement.
			30%	365 days from commencement.
			30%	548 days from commencement.
			30%	730 days from commencement.
51 to 100 dwellings or 51,000-100,000m2 of NRD	5	1095 days (3 years)	10%	60 days from commencement.
			21%	365 days from commencement.
			23%	548 days from commencement.
			23%	730 days from commencement.
101 to 200 dwellings or 101,000-200,000m2 of NRD	6	1460 days (4 years)	10%	60 days from commencement.
			18%	365 days from commencement.
			18%	548 days from commencement.
			18%	730 days from commencement.
			18%	1095 days from commencement.
201 to 300 dwellings or 201,000 to 300,000m2 of NRD	7	1825 days (5 years)	10%	60 days from commencement.
			15%	365 days from commencement.
			15%	548 days from commencement.
			15%	730 days from commencement.
			15%	1095 days from commencement.
			15%	1460 days from commencement.
301+ dwellings or 301,000m2 and over of NRD	8	2190 days (5 years)	10%	60 days from commencement.
			13%	365 days from commencement.
			13%	548 days from commencement.
			13%	730 days from commencement.
			13%	1095 days from commencement.
			13%	1460 days from commencement.
			13%	1825 days from commencement.
			12%	2190 days from commencement.

Notes:

1. The number of dwellings refers to the residential and private retirement homes / nursing homes development types listed in the proposed CIL rates
2. Non-residential development (NRD) refers to the all other development, supermarkets, retail warehouses, and hotels development types listed in the proposed CIL rates.

In all cases the full balance is payable on occupation/opening of the development if this is earlier than the due instalment dates set out above.