


# Bristol City Council

## Community Infrastructure Levy

## Draft Charging Schedule

**Published on 2 March 2012**

# Community Infrastructure Levy (CIL) Draft Charging Schedule (March 2012)

## The Charging Authority

This CIL Draft Charging Schedule has been published by the City Council of Bristol (known as Bristol City Council). The Council will be both a Charging Authority and a Collecting Authority.

## Statutory Compliance

The Draft Charging Schedule has been approved for publication at a meeting of the Council's Cabinet on 23 February 2012. It is published in accordance with Part 11 of the Planning Act 2008 (as amended by Part 6 of the Localism Act 2011), and the Community Infrastructure Levy Regulations 2010 (as amended by the Community Infrastructure Levy (Amendment) Regulations 2011).

In setting its CIL rates in accordance with Regulation 14(1) of the Community Infrastructure Levy Regulations 2010, Bristol City Council has aimed to strike what appears to the Council to be 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 Bristol, 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 Bristol.

## Justification for introducing CIL

Currently (February 2012), the Council has identified an Infrastructure Funding Gap of **£276,052,000**.

The Preliminary Draft Charging Schedule sets out the calculations relating to anticipated CIL receipts for the period 1 January 2013 to 31 March 2018. It was originally anticipated that CIL receipts would be approximately £14,000,000 during this period. However, amendments to the charges made following the Preliminary Draft Charging Schedule consultation have resulted in this figure being reduced by approximately £500,000. It is now anticipated that CIL receipts for the period 1 January 2013 to 31 March 2018 will be approximately **£13,500,000**.

## Scope of CIL

The following development types will be liable for CIL:

- Development comprising 100m$^2$ or more of new build floorspace
- Development of less than 100m$^2$ of new build floorspace that results in the creation of one or more dwellings
- The conversion of a building that is no longer in lawful use

## Mandatory Exemptions and Relief from CIL

The CIL regulations provide for certain types of development to be exempt or eligible for relief from CIL, as set out below:

Development exempt from CIL

- The conversion of any building previously used as a dwelling house to two or more dwellings
- Development of less than 100m$^2$ of new build floorspace, provided that it does not result in the creation of a new dwelling
- The conversion of a building in lawful use, or the creation of additional floor-space within the existing structure of a building in lawful use
- Development of buildings and structures into which people do not normally go (eg, pylons, wind turbines, electricity sub stations)

Development entitled to Mandatory Relief from CIL

- Development by registered charities for the delivery of their charitable purposes, as set out in Regulation 43 of the Community Infrastructure Levy Regulations 2010
- Those parts of a development which are to be used as social housing, as set out in Regulation 49 of the Community Infrastructure Levy Regulations 2010

Where planning permission is granted for a new development that involves the extension or demolition of a building in lawful use, the level of CIL payable will be calculated based on the net increase in floorspace. This means that the existing floorspace contained in the building to be extended or demolished will be deducted from the total floorspace of the new development, when calculating the CIL liability.

The definition of lawful use is contained in Regulation 40(10) of the Community Infrastructure Levy Regulations 2010, which states the following:

*"For the purposes of this regulation a building is in 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"*

## Discretionary Relief

Bristol City Council does not propose to offer discretionary relief from CIL.

## CIL Rates

A Citywide Viability Study, undertaken by BNP Paribas, informs the CIL rates proposed by the Council. The proposed CIL rates are set out below.

| BRISTOL CITY COUNCIL CIL CHARGING SCHEDULE | |
|---|---|
| **Development Type** | **CIL Rate/m$^2$** |
| Residential (Class C3) Inner Zone | £70 |
| Residential (Class C3) Outer Zone | £50 |
| Commercial (Classes B1, B2 and B8) | £0 |
| Hotels | £70 |
| Retail | £120 |
| Student Accommodation | £100 |
| Residential and Non-residential Institutions (Classes C2, C2A, D1) and development by the emergency services for operational purposes | £0 |
| Other chargeable development | £50 |

The Residential Inner and Outer Zones are shown on the following Ordnance Survey map extract.

## CIL Instalment Policy

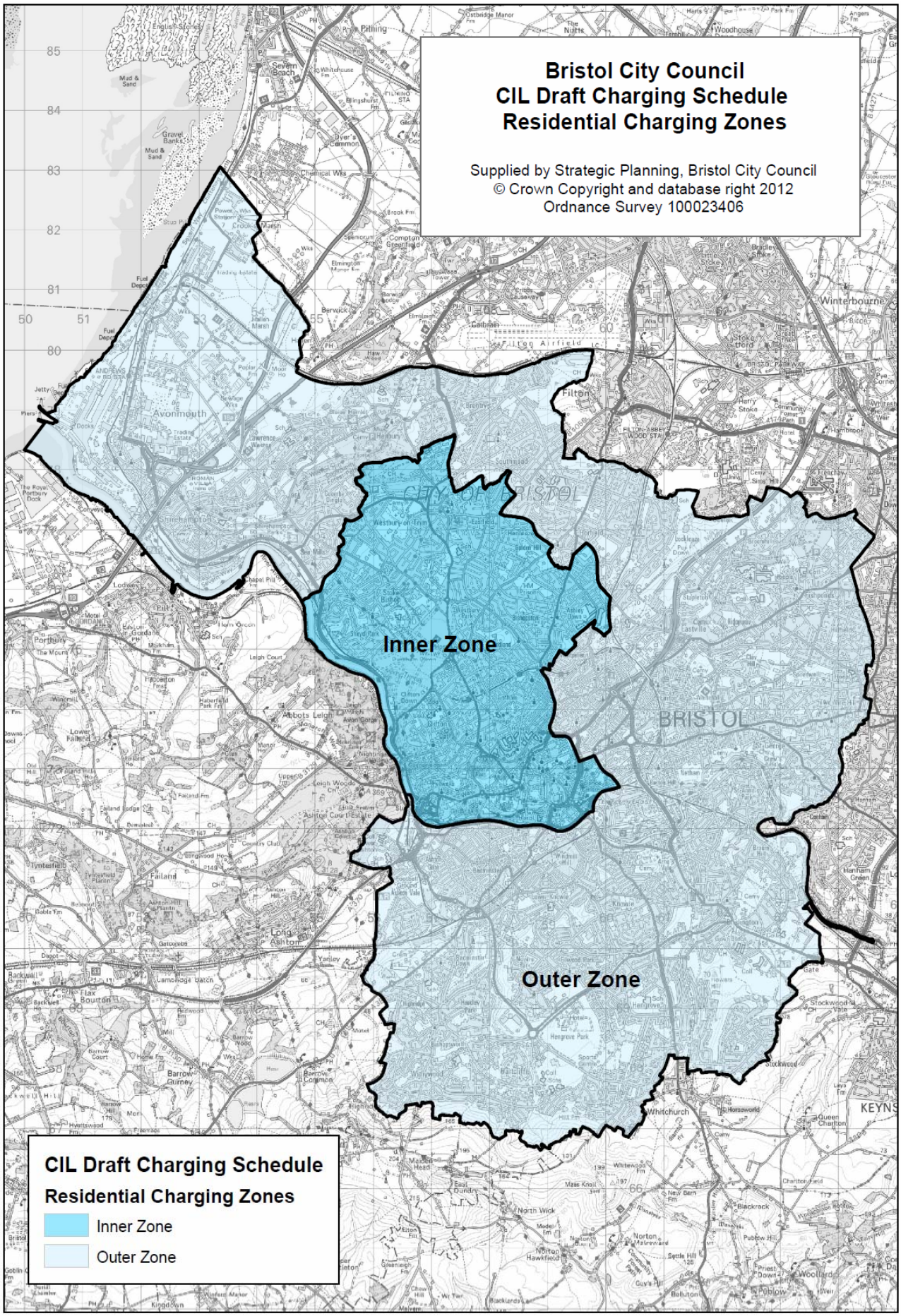
Bristol City Council proposes to introduce a CIL Instalment Policy, which would be offered in all cases where the total CIL liability is greater than £35,000.

In such cases CIL payments would be accepted by instalment as follows:
Instalment 1 - 20% of CIL liability payable no later than 60 days after the date on which the development commences.
Instalment 2 - 20% of CIL liability payable on the date that is six calendar months after the date on which the development commences
Instalment 3 - 30% of CIL liability payable on the date that is one year after the date on which the development commences
Instalment 4 - 30% of CIL liability payable on the date that is 18 months after the date on which the development commences

Failure to comply with the instalment policy at any stage will result in the total unpaid balance becoming payable immediately.

CIL liabilities of less than £35,000 will be payable in full no later than 60 days after the development commencement date.

CIL charges will be calculated in accordance with Regulation 40 of the Community Infrastructure Levy Regulations 2010 as amended by Regulation 7 of the Community Infrastructure Levy (Amendment) Regulations 2011. As set out in the above regulations, CIL charges will be index linked to the Building Cost Information Service (BCIS) All-in Tender Price Index.


Bristol City Council
CIL Draft Charging Schedule
Residential Charging Zones
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Ordnance Survey 100023406
Inner Zone
Outer Zone
BRISTOL
CIL Draft Charging Schedule
Residential Charging Zones
Inner Zone
Outer Zone

## Supporting Information and Evidence Base.

The documents listed below support this CIL Draft Charging Schedule. They are all available on the Council's Website, and can also be viewed at the Council House and Bristol Central Library.

Bristol Core Strategy – Adopted June 2011
Policy BCS11 of the Core Strategy specifically sets out the Council's intention to introduce CIL.

Bristol Core Strategy (Infrastructure Delivery Programme) – March 2010 (updated February 2012)
The Infrastructure Delivery Programme (IDP) was produced to support the Core Strategy. It includes a schedule of infrastructure projects required to support the growth set out in the Core Strategy. This identifies known funding sources and the anticipated timescale for the delivery of the infrastructure. The schedule is updated on an annual basis to take account of changing circumstances.

Community Infrastructure Levy Funding Gap Background Paper
This paper takes a number of projects identified in the IDP, and assesses the known and anticipated funding level in more detail, in order to demonstrate an infrastructure funding gap.

Community Infrastructure Levy Preliminary Draft Charging Schedule
This was consulted on from 28 November 2011 to 20 January 2012. The responses received resulted in a number of changes to the Council's proposed CIL charges.

Bristol Community Infrastructure Levy Viability Study (BNP Paribas) – February 2012
The study assesses whether differing development types remain viable when all Core Strategy policy considerations are taken into account and when CIL is applied at various levels. It identifies maximum affordable CIL levels and suggests levels at which CIL could be charged that would not make otherwise viable development, unviable.

Statement of Representations Procedure
This document is required by Regulation 16 of the Community Infrastructure Levy Regulations (2010). It sets out how and when representations on the Draft Charging Schedule must be made, confirms that persons making representations may request to appear at the examination, and allows for persons to be kept informed of the progress of the implementation of CIL.

Report to Bristol City Council Cabinet – 23 February 2012
The report that sought, and gained, approved for the publication of the CIL Draft Charging Schedule.

Draft Regulation 123 List
This is the draft list of infrastructure that the Council currently intends to spend its CIL receipts on.