

APPENDIX 3

CITY OF LINCOLN COUNCIL
COMMUNITY INFRASTRUCTURE LEVY
CIL INFRASTRUCTURE LIST “REGULATION 123 LIST”

It is intended that the Council will spend and distribute CIL revenue on the following items:

Lincoln Eastern Bypass
Secondary Education and School-based post-16 Education

CITY OF LINCOLN COUNCIL
COMMUNITY INFRASTRUCTURE LEVY
PAYING CIL IN THE FORM OF LAND

In certain circumstances the **City of Lincoln Council** may support the payment of some or all of a CIL requirement in the form of land. This will depend upon six conditions:

1. The CIL liability is greater than required under the relevant regulations (currently £50,000);
2. **City of Lincoln Council** must agree to the transfer and has the right to withhold such agreement;
3. Either:
 - a) **City of Lincoln Council** must have the intention of using the land to help provide infrastructure to support the development of its area; or,
 - b) **City of Lincoln Council** must be satisfied that any third party that will receive a land transfer will use land for a specific purpose that will help provide infrastructure to support the development of its area.
4. The person transferring the land to **City of Lincoln Council** as payment must have assumed liability to pay CIL beforehand;
5. The land to be transferred must have been valued by a suitably qualified and experienced independent person to be agreed with **City of Lincoln Council**. The valuation must represent the fair market price for the land on the day it is valued;
6. Development on the site must not have commenced before a written agreement with **City of Lincoln Council** to pay some or the entire CIL amount in land has been made. This agreement must state the value of the land being transferred.

City of Lincoln Council will accept a land transfer at its discretion. The authority will consider agreements within the context of relevant development plan documents, supplementary planning documents and corporate strategies.

Prior to commencement of development on the site in question, a CIL liable party should discuss possible land transfer with **City of Lincoln Council**.

It should be noted that the agreement to pay in land may not form part of a planning obligation entered into under Section 106 of the Town and Country Planning Act 1990.

The land transfer agreement may allow the transfer of land in instalments, subject to the payment proportions and due dates set out in the relevant demand notice.

Any outstanding CIL amount (after a transfer of land) should be paid in line with the payment due dates contained in the relevant demand notice.

CITY OF LINCOLN COUNCIL
COMMUNITY INFRASTRUCTURE LEVY
INSTALMENTS POLICY

Regulation 70 of the Community Infrastructure Levy Regulations 2010 sets a default of full payment of the levy within 60 days of the commencement of development. The Regulations also enable a charging authority to set an Instalment Policy that allows payments to be spread over longer periods. The City of Lincoln Council consider it reasonable that payment instalments are scheduled in proportion to the scale of CIL liability for proposed developments.

In accordance with regulation 69b of the CIL Amendment Regulations, **CITY OF LINCOLN COUNCIL** will apply the following Instalment Policy to all development on which CIL is liable.

The Instalments Policy will come into effect on [INSERT DATE], from which time the Community Infrastructure Levy will be payable by instalments as follows:

Where the chargeable amount is less than £50,000

- Full payment will be required within 60 days of the commencement date or further period as set out by Regulation 70.

Where the chargeable amount is £50,000 - £300,000

- First instalment representing 25% of the chargeable amount will be required within 60 days of the commencement date; and
- The second instalment representing 75% of the chargeable amount will be required within 365 days of the commencement date.

Where the chargeable amount is above £300,000

- First instalment representing 25% of the chargeable amount will be required within 60 days of the commencement date;
- Second instalment representing 25% of the chargeable amount will be required within 365 days of the commencement date;
- Third instalment representing 25% of the chargeable amount will be required within 730 days of the commencement date; and
- The fourth and final instalment representing 25% of the chargeable amount will be required within 1095 days of the commencement date.