

## Appendix B

Brief Summary of Changes to CIL Regulations with effect from 1<sup>st</sup> September 2019

The main changes to the CIL Regulations are;

- The removal of the requirement to consult on a preliminary charging schedule which reduces the stages for consultation to one. This will make it faster and simpler to introduce or amend CIL, but charging authorities will need to be clear about how the response to consultations have been taken into account. Charging authorities are required to invite representations from consultation bodies, including adjoining planning authorities, County Councils and neighbourhood forums.
- Planning authorities are required to consult before ceasing to charge CIL
- Currently the number of planning obligations (s106) that can be used to fund a single infrastructure project is limited to five. The new regulations allow greater flexibility over the use of CIL and s106 planning obligations, with the restrictions on pooling removed. This means that both CIL and s106 will be able to be used to provide for the same item of infrastructure.
- There are detailed technical changes to how CIL is calculated on amended consents. One of these changes ensures that where planning permission is altered, and a new CIL liability is created, the most recent CIL rate is only charged on the altered area.
- Developments which are otherwise exempt from CIL, which include residential extensions and self-build housing will not lose that exemption when failing to notify an authority when a development has commenced. The penalty for developers failing to submit a commencement notice is reduced to 20% of the charge or £2500, whichever is lower.
- The current Regulation 123 lists will be replaced by Infrastructure Funding Statements (IFS). Collaborative working between County Councils and charging authorities will be especially important in relation to the preparation of the IFS, as County Councils are responsible for the delivery of key strategic infrastructure. The IFS should identify infrastructure needs, the potential cost and anticipated developer contributions. Parish Councils who have received CIL funding will also have to produce an IFS stating how they have used CIL. The IFS should identify the choices made by the authority in relation to how the contributions have been used.