

Community Infrastructure Levy: Gosport Draft Charging Schedule

Statement on Issues and Questions

Question 9: *Should the Draft Charging Schedule contain details of when payment in kind would be an acceptable alternative to paying the required charges?*

Date: 23rd January 2015



GOSPORT
Borough Council

Introduction

- 1.1 The Borough Council is publishing a suite of CIL documents which will consist of the following: The draft Charging Schedule, the Regulation 123 list, the discretionary relief in exceptional circumstances protocol, the payment in kind protocol and the phasing protocol.

Gosport Borough Council Approach

- 2.1 The Council has published the draft Charging Schedule and the Regulation 123 list. The remaining documents will be published following the adoption of the CIL. They will then be updated as circumstances dictate.
- 2.2 The approach for the publication of CIL documents in the Borough was considered at the Council's Economic Development Board on the 17th of September 2014 (Document CIL 20) The Board agreed the approach set out in the draft charging schedule (Agenda item 6): *'Once the Charging Schedule is adopted the Council will produced a number of protocols outlining the various procedures involved in collecting CIL. These will include details of exemptions (social housing, self-build homes and charities), payment by instalments and payments in kind.'* (Draft Charging Schedule para 12.1) (Document CIL 1)
- 2.3 The National Planning Policy Guidance (LP/B1/2) sets out the conditions where an in kind land or infrastructure agreement can be entered into: *'Where a charging authority chooses to adopt a policy of accepting infrastructure payments, they must publish a policy document which sets out the conditions in detail. This document should confirm that the authority will accept infrastructure payments and set out the infrastructure projects, or types of infrastructure, they will consider accepting as payment (this list may be the same list provided for the purposes of [Regulation 123](#)).*
- 2.4 The Borough Council will look to publish a protocol setting out the circumstances in which it will consider providing for payment in kind in line with the NPPG and regulations 73 and 74 of the Community Infrastructure Levy Regulations 2010 (as updated).
- 2.5 The payment in kind protocol will set out the Borough Councils intentions regarding the projects for which in kind payment will be accepted and the types of in kind payment such as land or built facilities that will be accepted.
- 2.6 In kind payment will likely be taken for those infrastructure projects identified in the Regulation 123 list, or others of a similar nature. As the Regulation 123 list is updated over time to take account of infrastructure projects completed

and new infrastructure projects arising in the Borough then the in kind payment protocol would also be updated to reflect these changes. It is likely that the Council will update these documents on a more regular basis than the charging schedule.

3. Conclusion

- 3.1 The Council has decided that it would be beneficial to deal with payment in kind in a protocol separate to the draft charging schedule. This will provide flexibility in dealing with changing infrastructure requirements, as set out in the Regulation 123 list.