

**Folkestone and Hythe District
Council**

**Community Infrastructure Levy (CIL):
Charging Schedule**

June 2016

Folkestone

Hythe & Romney Marsh
Shepway District Council



1) Background

This Charging Schedule sets out the Community Infrastructure Levy (CIL) charges that apply in Folkestone and Hythe District Council's administrative area.

CIL is a non negotiable standard rate that developers will need to pay on different types of development in different parts of the District, as set out by the Charging Schedule. Funds collected through CIL must be spent on the Infrastructure (types or projects) identified by the Council's Regulation 123 list, which is published alongside the Charging Schedule.

Following two rounds of public consultation, the CIL Charging Schedule was submitted for independent examination during August 2015, with the Inspector's report of 3rd March 2016, concluding that it provides an appropriate basis for the collection of the levy in the District.

The Charging Authority

The Charging Authority is Folkestone and Hythe District Council.

Date of Approval

This Charging Schedule has been considered and approved by the Council at its meeting of the 20th July 2016.

Date of Effect

The date for the Charging Schedule to come into effect is 1st August 2016

Statutory Compliance

This CIL Charging Schedule has been prepared and published in accordance with the Community Infrastructure Regulations 2010 (as amended) and Part 11 of the Planning Act 2008.

2) CIL Rates and Charging Zones

The following tables and location maps at appendices 1 to 4, detail the CIL rates and zones for Folkestone and Hythe District Council's administrative area:

Table 1: Residential Developments (C3 & C4 uses, including sheltered accommodation)	
Zone (as per maps at appendices 1 & 2)	CIL rate /£ per sq m
A	£0
B	£50
C	£100
D	£125

Table 2: Retail Developments		
Zone	Development (A1 to A5 uses)	CIL rate / £ per sq m
Folkestone Town Centre Area (appendix 3)	All convenience and comparison retail and other development akin to retail	£0
Rest of district	Supermarkets, superstores, and retail warehousing (net retail selling space of over 280 sq m) (a & b)	£100
Rest of district	Other large scale development akin to retail (net retail selling space of over 280 sq m) (c)	£100
Rest of district	Other retail development and developments akin to retail (net retail selling space up to 280 sq m)	£0
Notes <i>a) Superstores/supermarkets are shopping destinations in their own right where weekly food shopping needs are met and which can also include non-food floorspace as part of the overall mix of the unit.</i> <i>b) Retail warehouses are large stores specialising in the sale of household goods (such as carpets, furniture and electrical goods), DIY items and other ranges of goods, catering for mainly car-borne customers.</i> <i>c) Includes sui generis uses akin to retail including petrol filling stations; selling and/or displaying motor vehicles; and retail warehouse clubs.</i>		

Table 3: Strategic & Key Development Sites		
Core Strategy Local Plan policies (appendix 4)	Development (A, B, C & D uses)	CIL Rate / £ per sq m
SS6	Folkestone Harbour & Seafront	£0
SS7	Shorncliffe Garrison	£0
CSD8	New Romney Masterplan	£0
CSD9	Sellindge	£0
Note: The Council considers that the above strategic & key development sites are more appropriately addressed by s106, given their scale and stage in the planning process.		

Table 4: All Other Developments not Addressed by Tables 1, 2 & 3 (B, C1, C2 & D uses)	
Other	CIL Rate – per sq m
All other developments (district wide)	£0

3) Calculating CIL Payments on Liable Developments

CIL is charged according to the rates stated in a Local Authority's Charging Schedule on the:

- The net additional gross internal floorspace of all new residential units, regardless of their size; and
- The erection of, or extensions to, other buildings creating over 100 sq m net new additional gross internal floorspace.

Folkestone and Hythe District Council will calculate the amount of CIL payable ('the chargeable amount') in accordance with Regulation 40 of the CIL Regulations, 2010 (as amended).

Index Linking CIL Rates to Inflation

In accordance with part 5 of the CIL Regulations 2010 (as amended), CIL rates are subject to indexing using the Royal Institute of Chartered Surveyors (RICS) Building Costs Information Service (BCIS) BCIS all in tender prices index. This will be applied on each anniversary of the introduction of CIL. Notification of this annual indexing will be published on the Council's website.

Exemptions from CIL

The CIL Regulations 2010 (as amended) set out the exemptions for paying CIL and stipulate that the types of development listed as follows will not be liable for CIL:

- Minor development of less than 100 sq. m. net additional gross internal floorspace, unless it results in the creation of new additional dwelling(s);
- Full relief is applied on all those parts of chargeable development that are to be used as social/affordable housing (Criteria set out in Regulation 49/49A);
- All forms of residential development including annexes and extensions which are built by 'self builders';
- A registered charity landowner will receive full relief from their portion of the liability where the chargeable development will be used wholly or mainly for charitable purposes (Regulation 43-48);
- The conversion of or works to a building in lawful use that affects only the interior of the building;
- Mezzanine floors of less than 200 sq m inserted into an existing building, unless they form part of a wider planning permission which seeks to provide other works;
- Development of buildings and structures into which people do not normally go into or enter under limited circumstances (for example an electricity sub-station or wind turbine) (Regulation 5(2));
- Vacant buildings brought back into the same use (Regulation 40) – buildings must have been in use for six continuous months out of the last three years for the levy to apply only to the net additional floorspace;

- Development granted planning permission before the date that CIL is formally adopted and built out before the expiry of the planning consent;
- When the resulting CIL is calculated as £50 or less, then a CIL payment will not be charged by the Council.

CIL Payment by Instalments

Payment of CIL is due from the date of commencement of the liable development. The default position set by the CIL Regulations is that the whole amount must be paid within 60 days of commencement, unless a discretionary instalments policy is offered. Folkestone and Hythe District Council will operate an instalments policy, the terms of which are published alongside the adopted Charging Schedule.

CIL Payments in Kind Policy

The CIL Regulations provide a local authority with the discretion to accept land, buildings or infrastructure payments, as all or part of a CIL payment due in respect of a liable development. This will be subject to negotiation with the Council and the value of the payment in kind will be determined by the District Valuer (at the cost of the developer). Folkestone and Hythe District Council will operate a discretionary payments in kind policy, the terms of which are published alongside the adopted Charging Schedule.

Discretionary Relief from CIL

The CIL Regulations allow a Charging Authority to permit discretionary relief from CIL, in the form of discretionary charitable relief, and discretionary exceptional circumstances relief. At this stage however, Folkestone and Hythe District Council does not intend to offer any discretionary relief from CIL.

4) Monitoring and Review

Collection and spending of CIL funds will be reported regularly through the Annual Monitoring Report (AMR) process. Unless economic or other circumstances change significantly in the intervening period, the Council does not anticipate a review of CIL for 3 years after the date of adoption. The Council's monitoring and review framework will also consist of:

- Reporting of the level of housing market activity and development in the Council's AMR.
- Tracking of funding coming forward to meet infrastructure from CIL and other sources.
- A continuation of existing section 106 monitoring systems.

Appendices 1 to 4: CIL Charging Zones

Appendix 1A: Residential Zone – including Lydd

Appendix 1B1: Residential Zone – Romney Marsh, including New Romney

Appendix 1B2: Residential Zone – Hawkinge

Appendix 1C: Residential Zone – including Hythe

Appendix 1D: Residential Zone – North Downs

Appendix 2: Folkestone Residential Zones

Appendix 3: Folkestone Town Centre Retail & Commercial Area

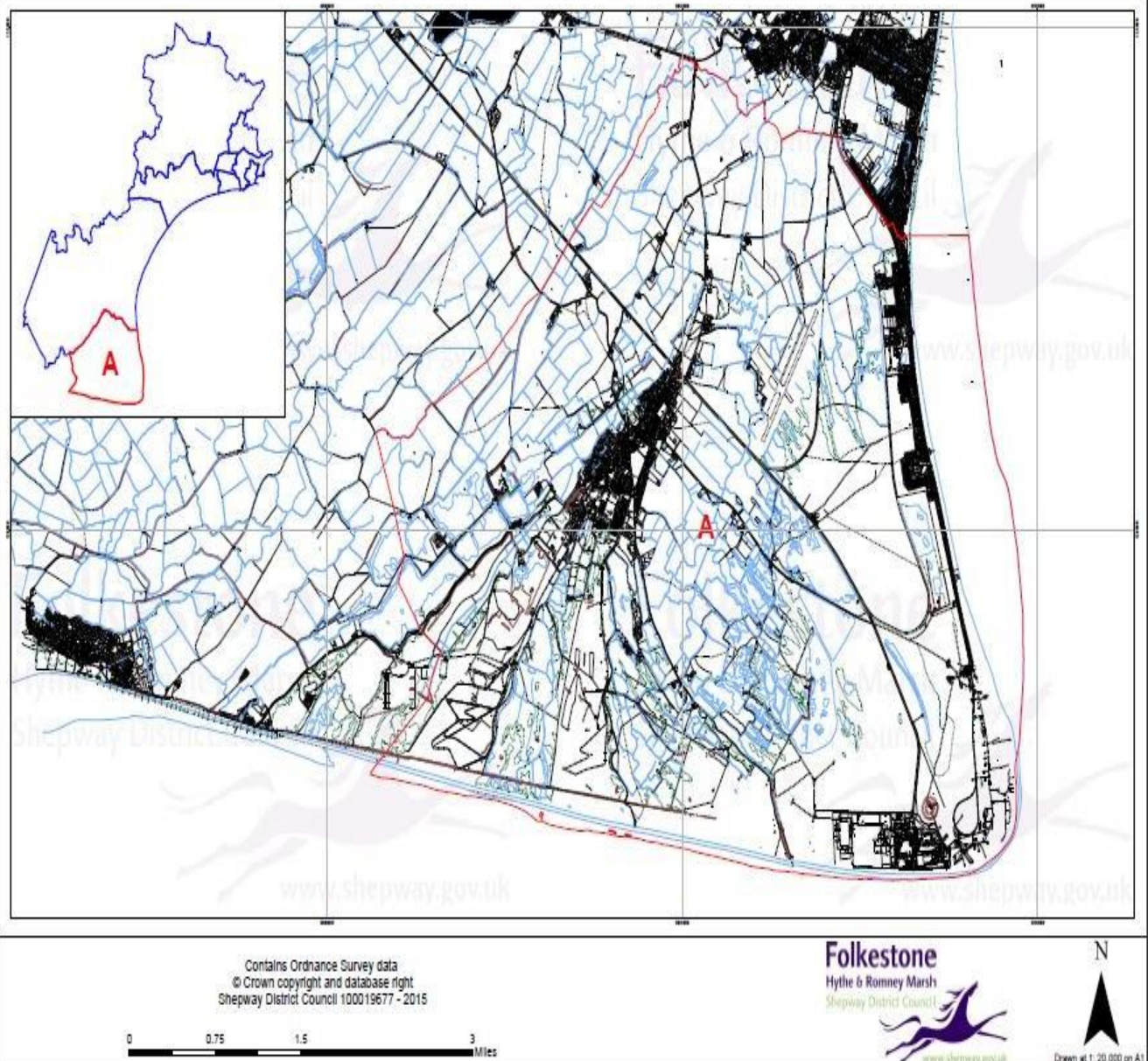
Appendix 4: Core Strategy Local Plan Strategic & Key Development Sites

- Folkestone Harbour & Seafront (Core Strategy Local Plan Policy SS6)
- Shorncliffe Garrison (Core Strategy Local Plan Policy SS7)
- New Romney Masterplan Sites (Core Strategy Local Plan Policy CSD8)
- Sellindge (Core Strategy Local Plan Policy CSD9)

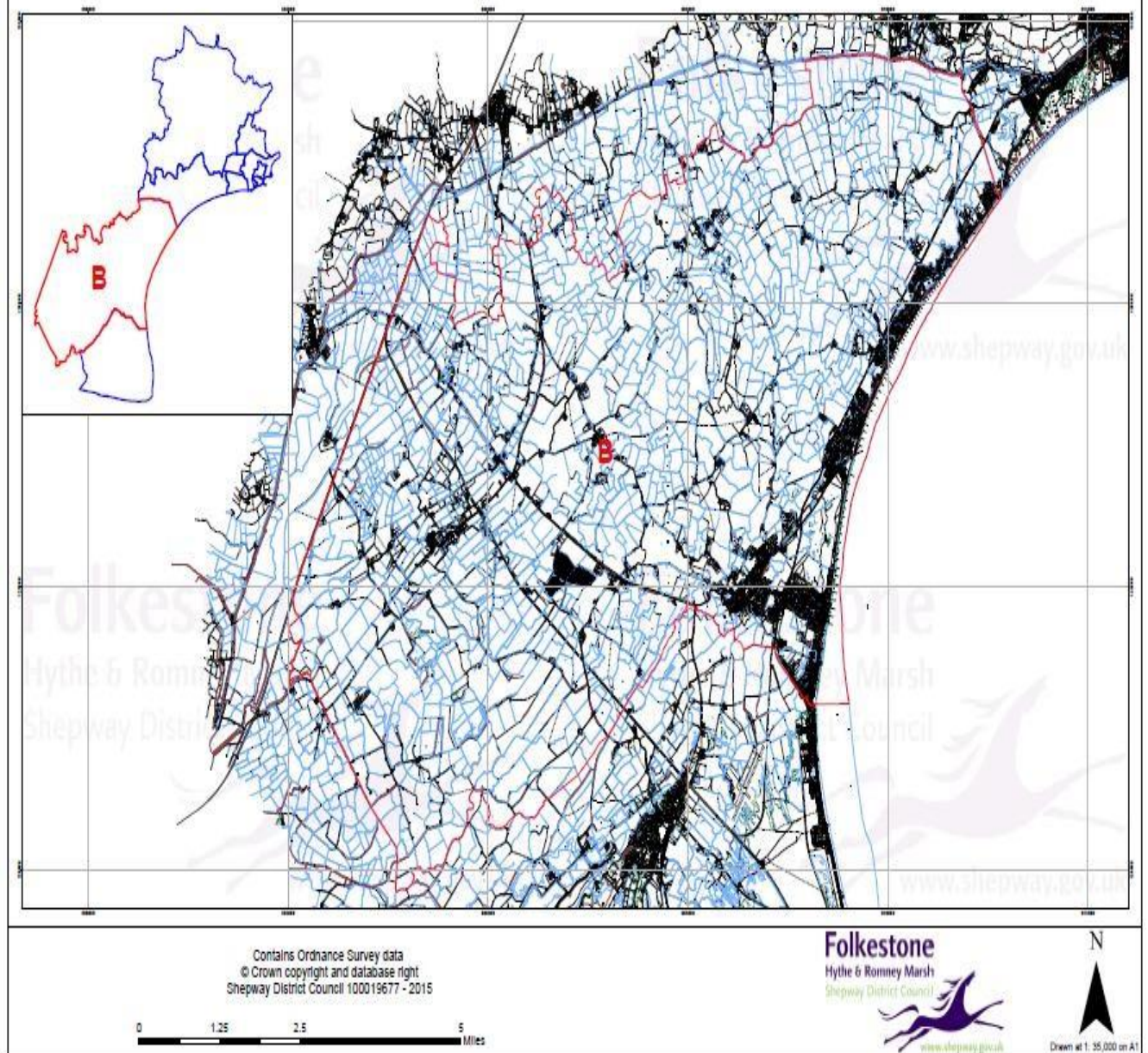
Larger scale appendices 1 to 4 charging zone maps are available on the Council's website at:

<https://www.folkestone-hythe.gov.uk/planning/community-infrastructure-levy>

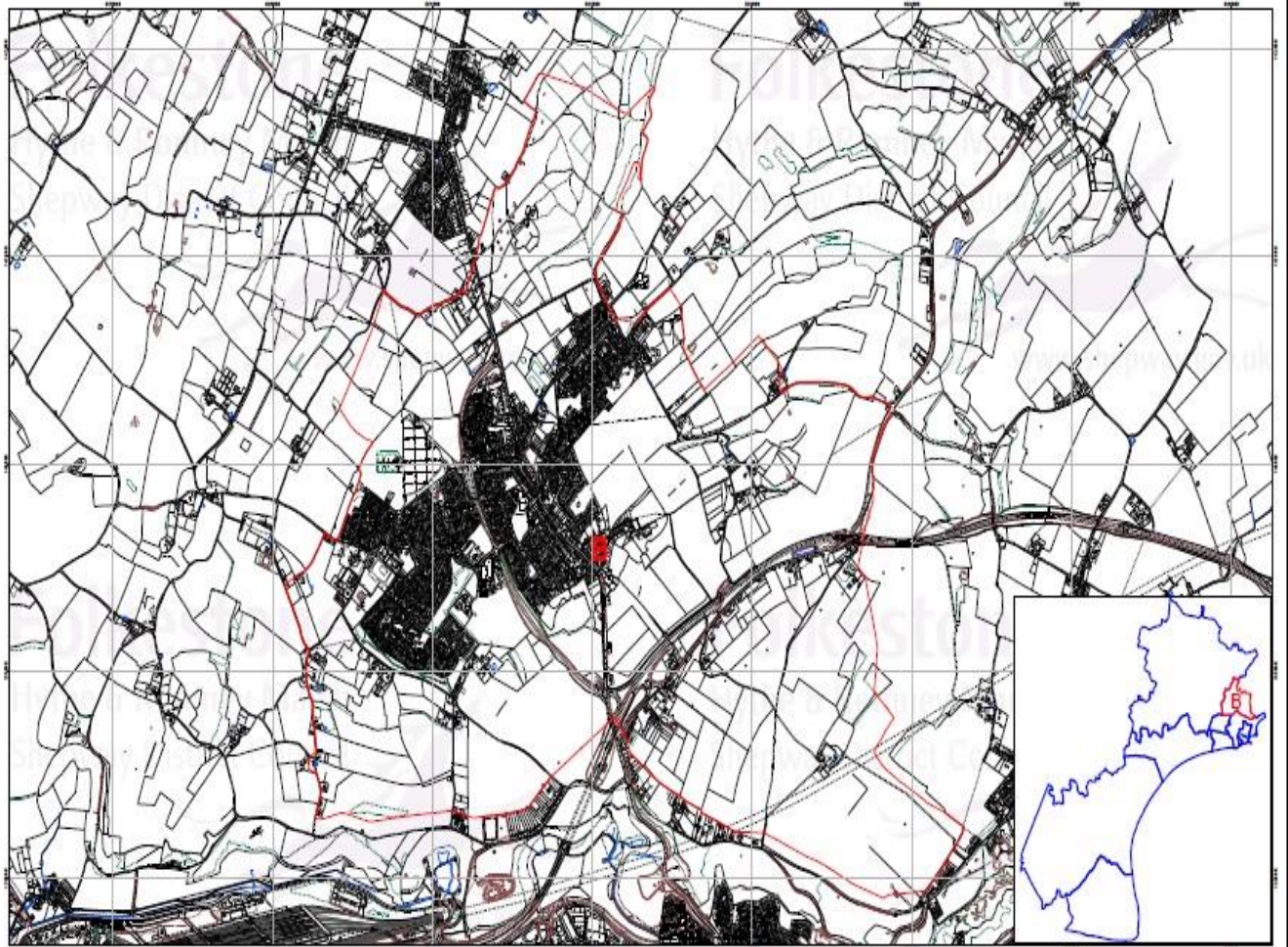
Appendix 1A: Zone A CIL charging zones for residential developments.



Appendix 1 B1: Zone B CIL charging zones for residential developments. (Romney Marsh)



Appendix 1 B2: Zone B CIL charging zones for residential developments. (Hawkinge)



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0 0.5 1 2 Miles

Folkestone

Hythe & Romney Marsh

Shepway District Council



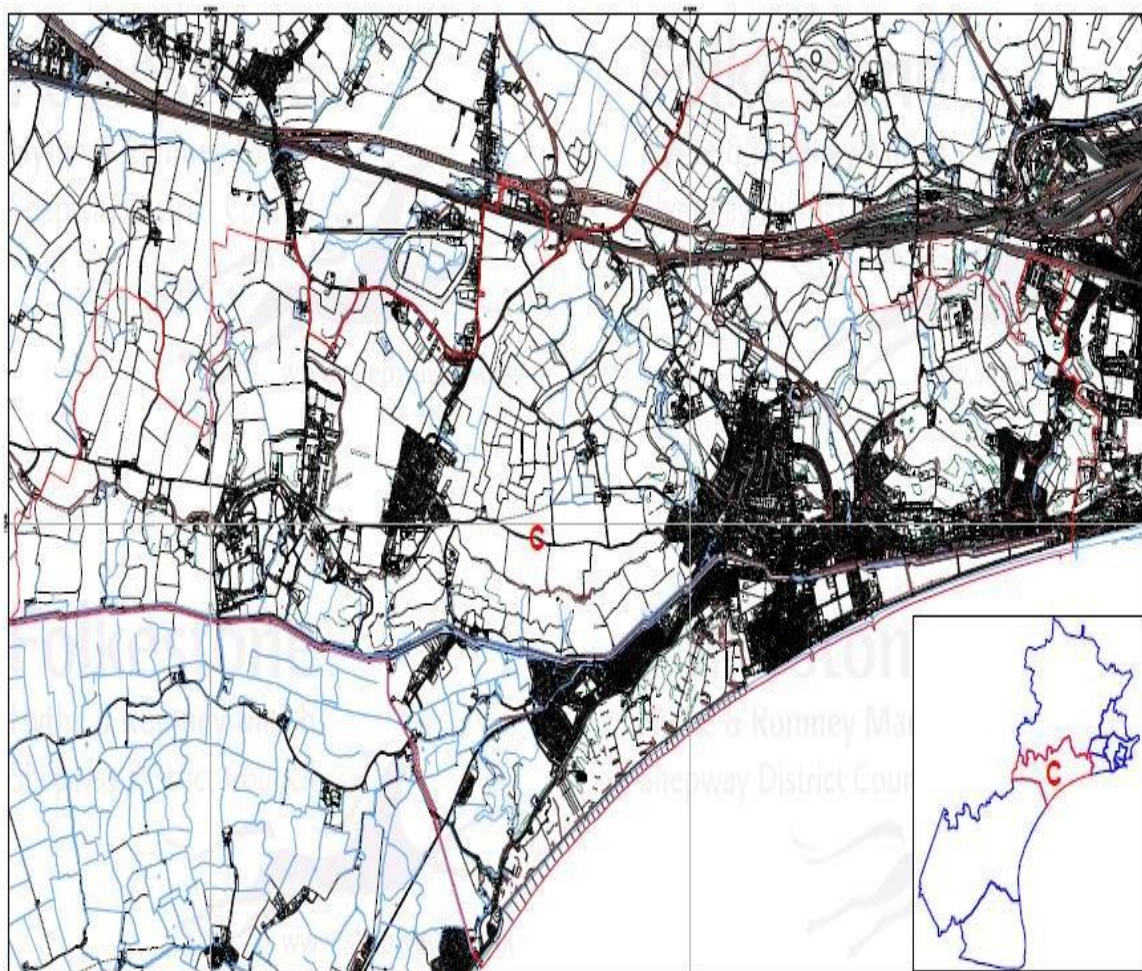
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Appendix 1C: Zone C CIL charging zones for residential developments.



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Folkestone

Hythe & Romney Marsh

Shepway District Council



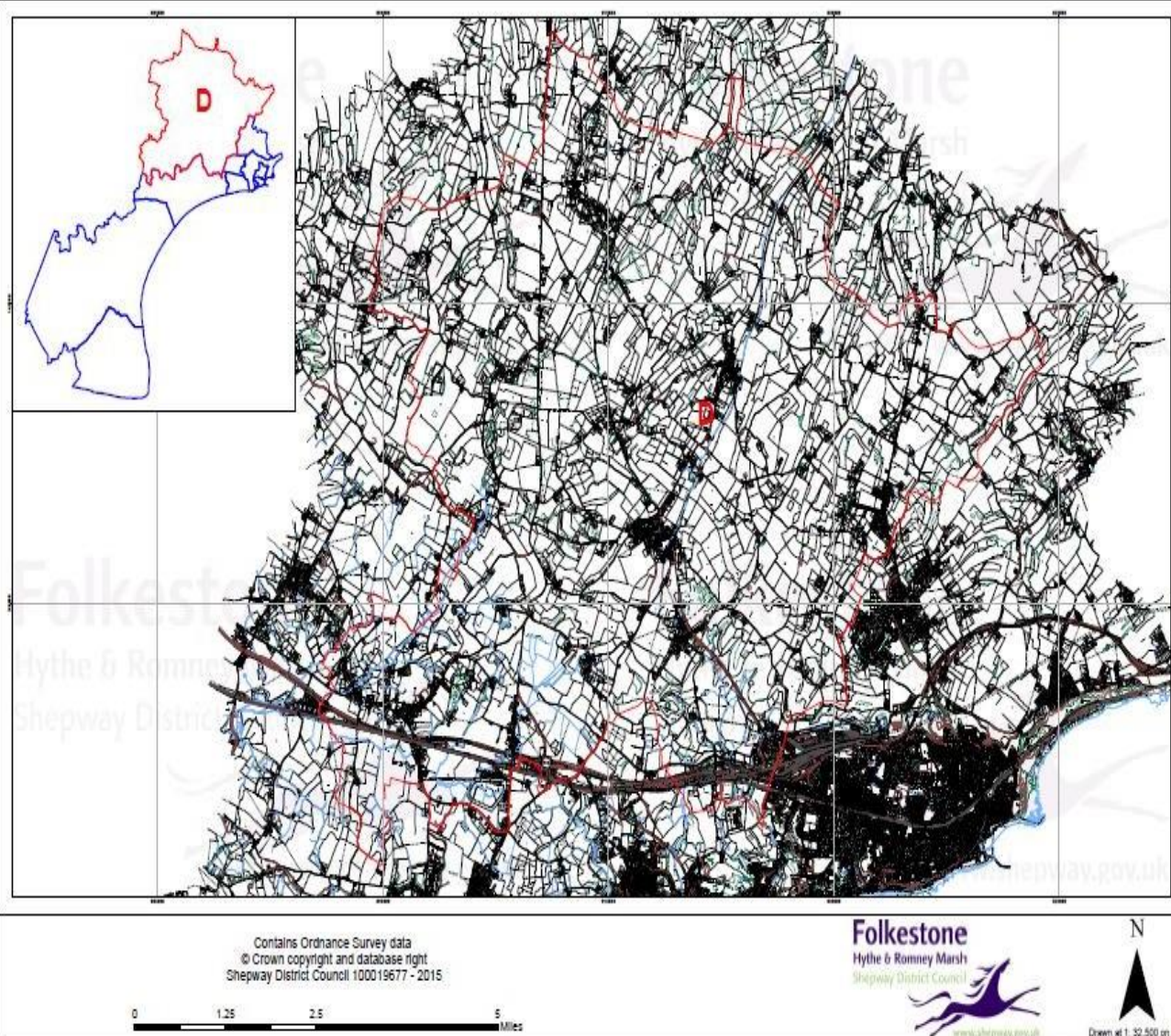
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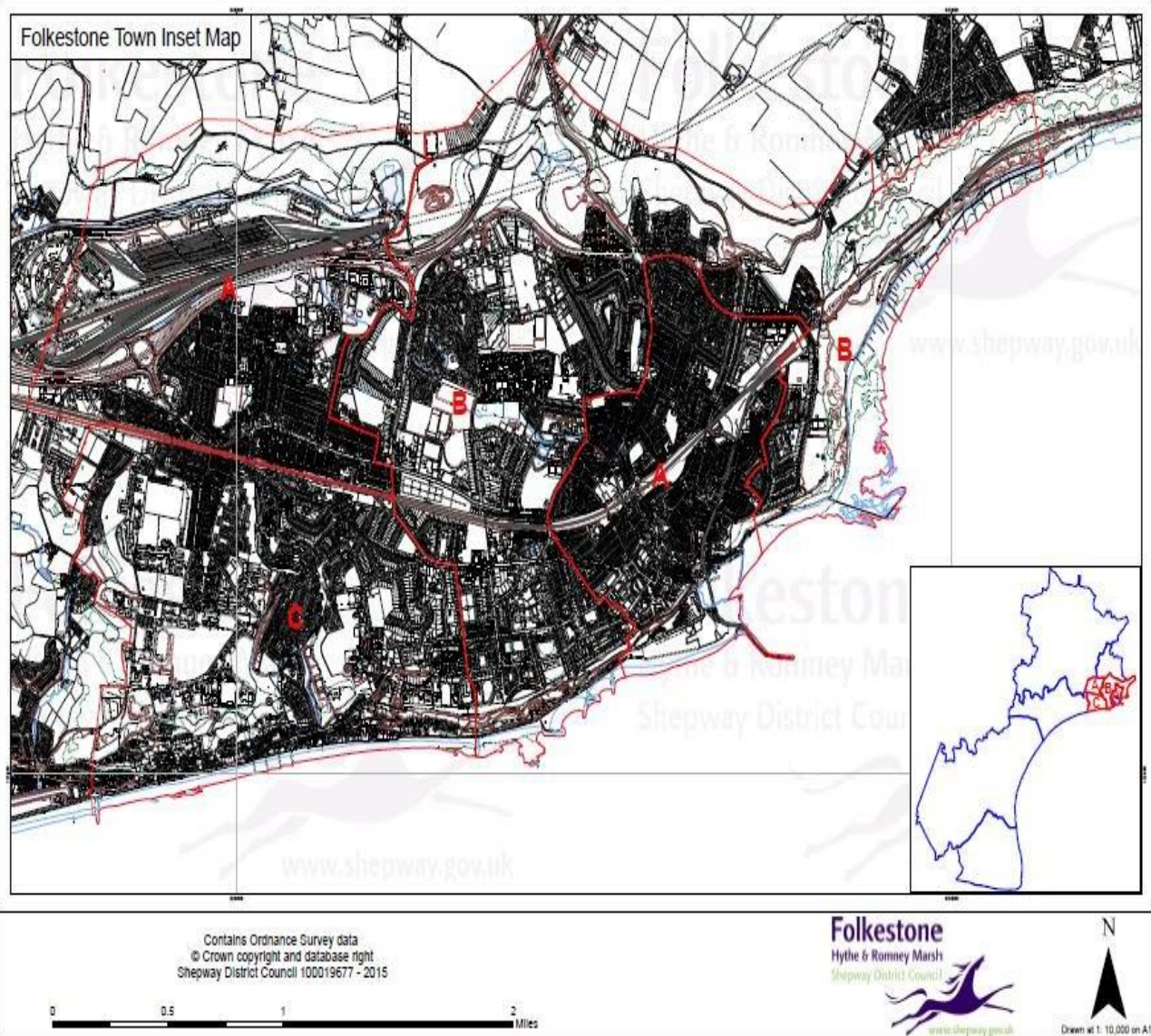


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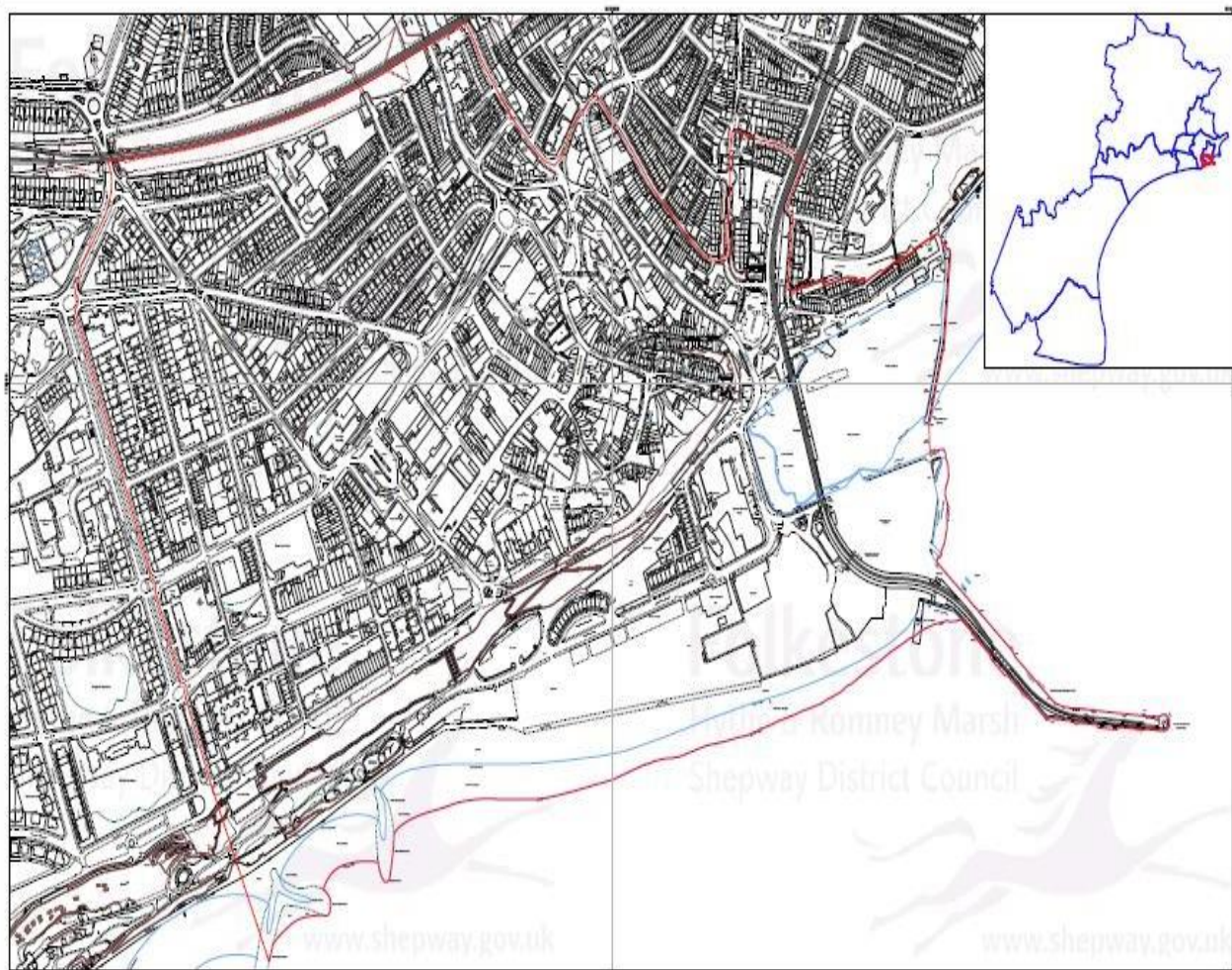
Appendix 1D: Zone D CIL charging zones for residential developments.



Appendix 2A: CIL charging zones for residential developments.



Appendix 3: Folkestone Town Centre Retail & Commercial Area.



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0 0.125 0.25 0.5 Miles

Folkestone

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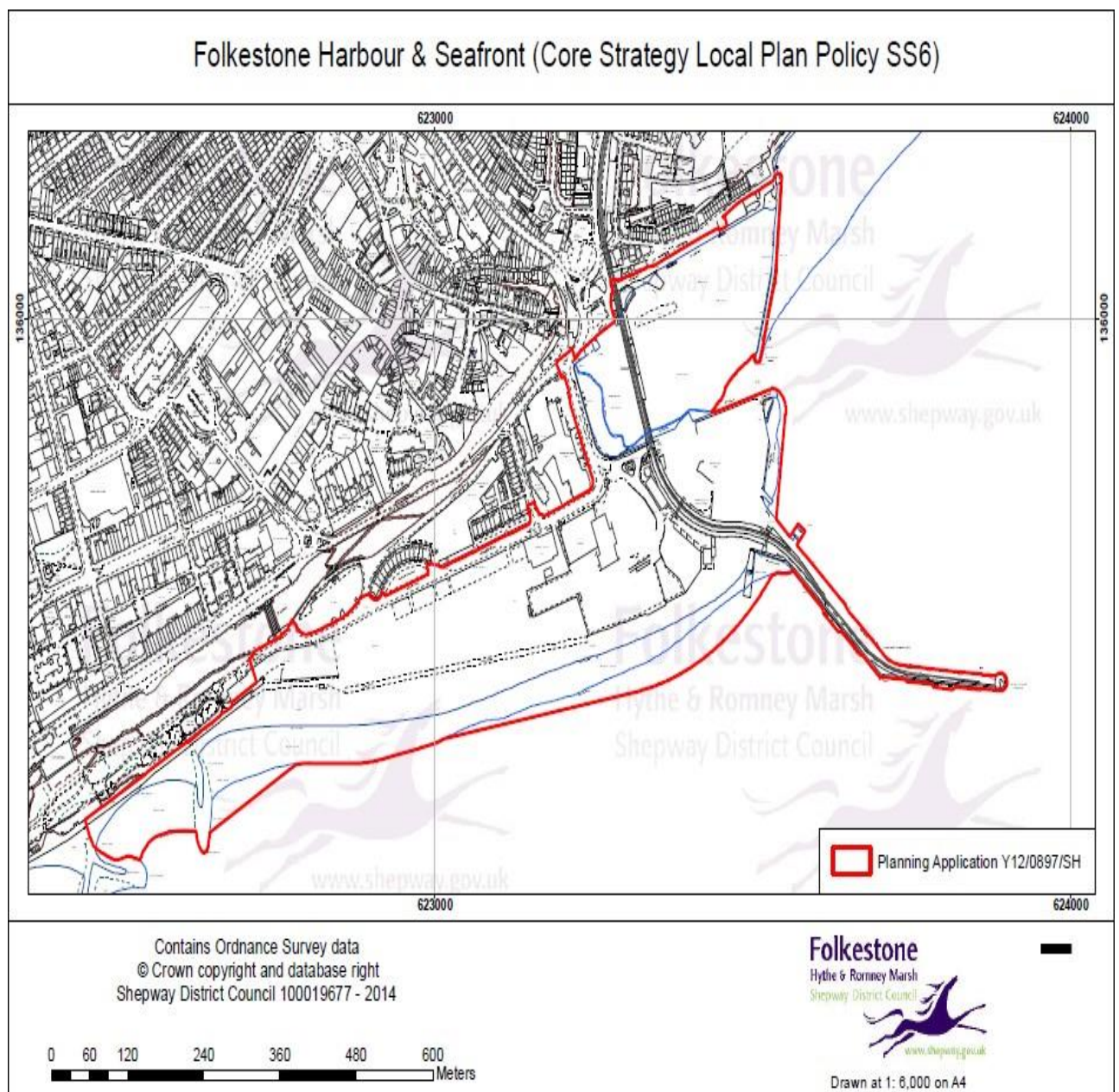
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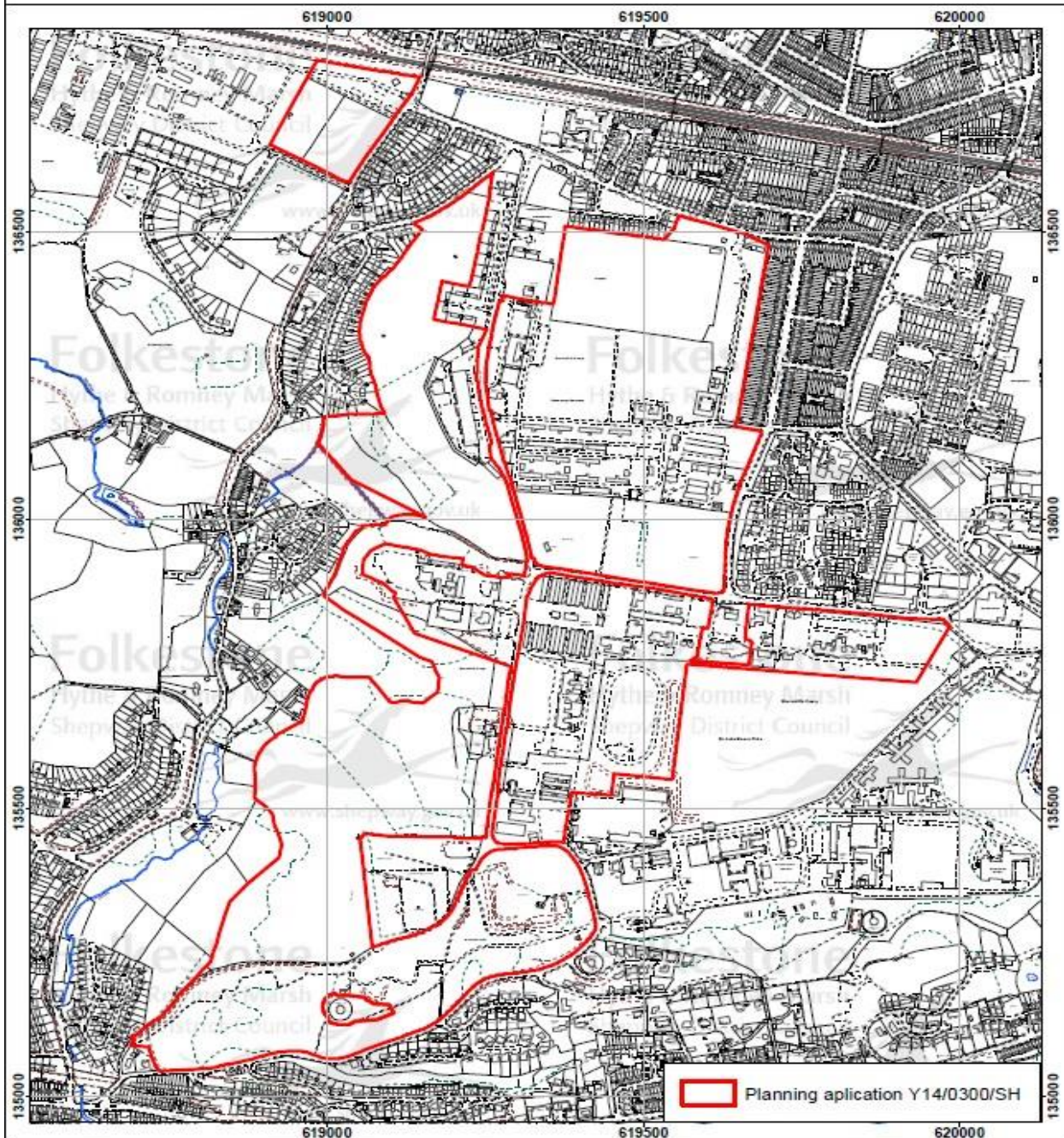


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Appendix 4: Core Strategy Local Plan Strategic & Key Development Sites



Shorncliffe Garrison (Core Strategy Local Plan Policy SS7)



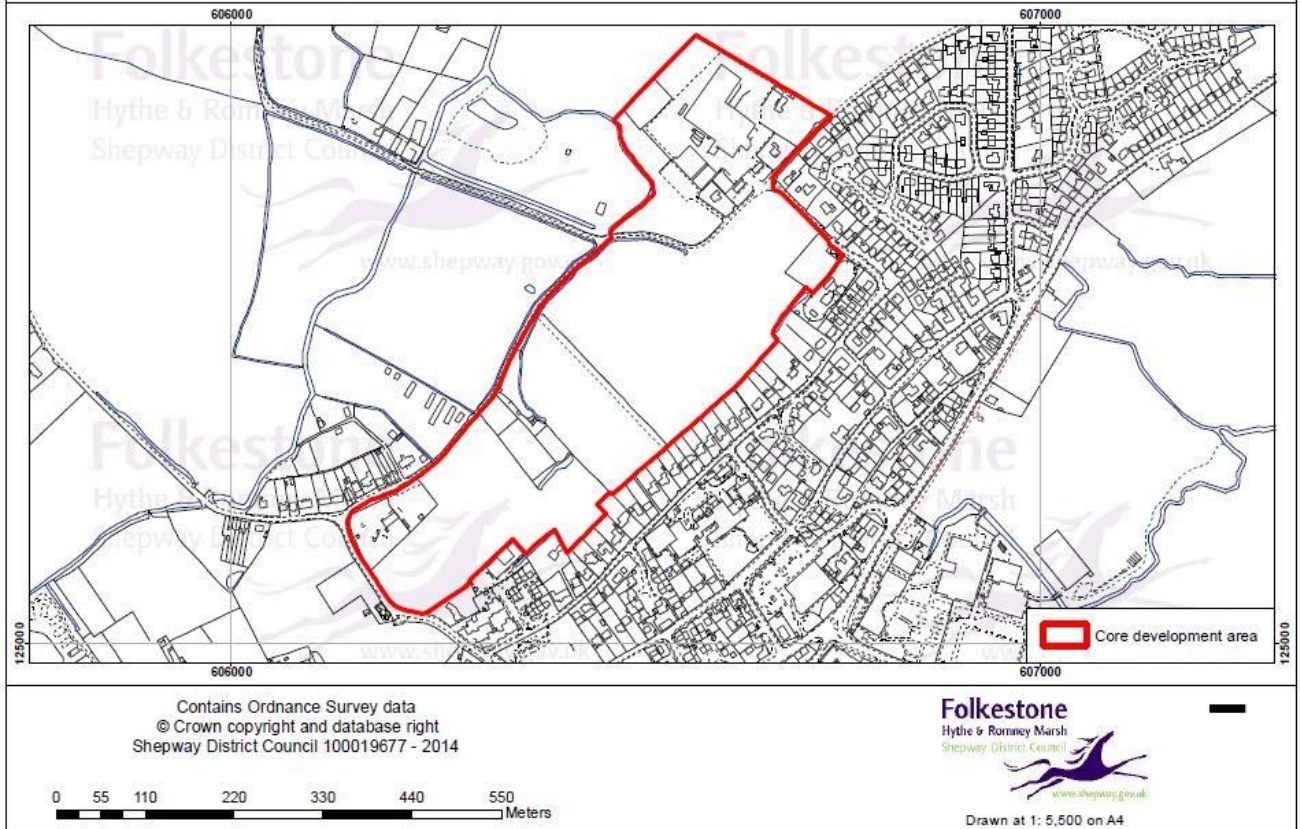
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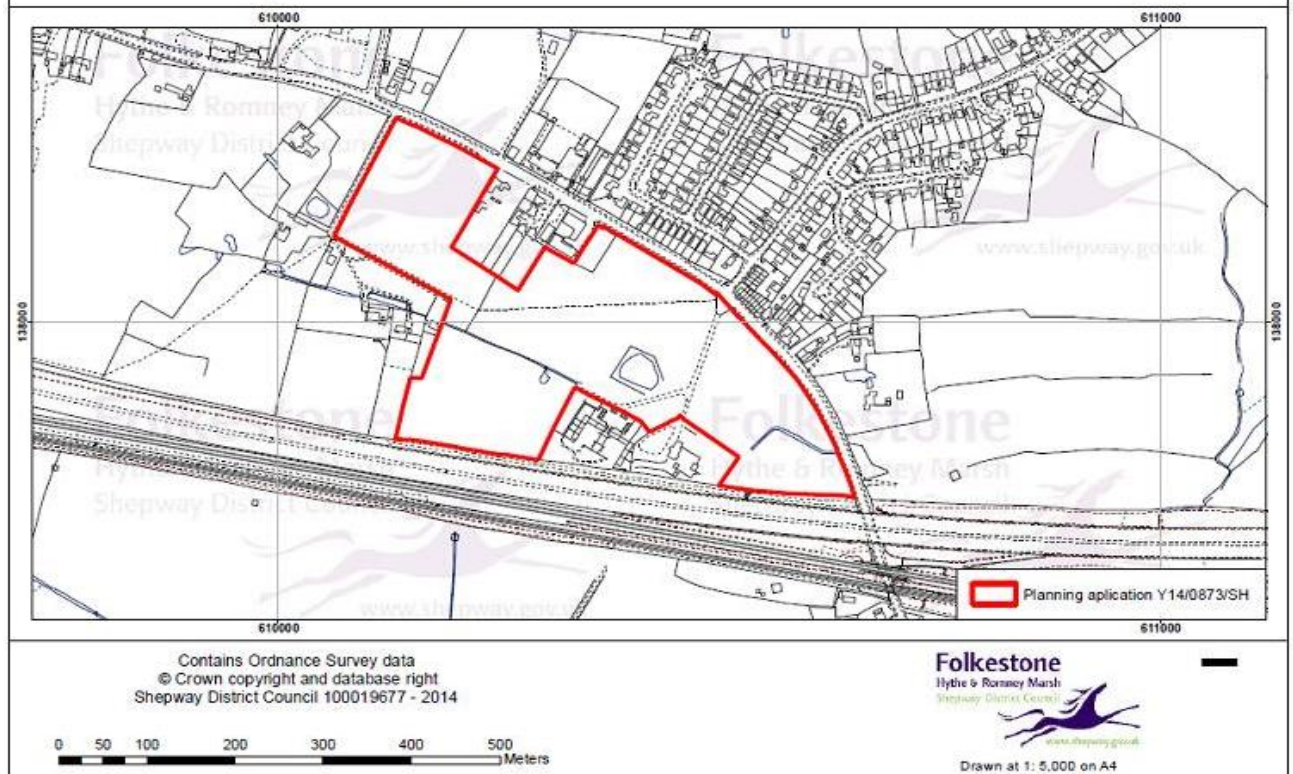


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New Romney Masterplan Sites (Core Strategy Local Plan Policy CSD8)



Sellindge (Core Strategy Local Plan Policy CSD9)



For further information on CIL please contact the Planning Policy Team

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This publication and further information on CIL, including information on the Regulation 123 List, Instalments policy, discretionary Payment in Kind policy, and larger scale charging zone maps, is available on the Council website:

<https://www.folkestone-hythe.gov.uk/planning/community-infrastructure-levy>