



# **Community Infrastructure Levy Draft Charging Schedule**

**January 2014**

# Community Infrastructure Levy - Draft Charging Schedule

## The Charging Authority

The Charging Authority is Dacorum Borough Council

## Date of Approval

This Charging Schedule was approved by the Council on (date to be inserted following examination and Council approval)

## Date of Effect

This Charging Schedule will come into effect on the 1<sup>st</sup> January 2015

## CIL Rates

The rate at which CIL is charged shall be:

Development Type	CIL rate (per square metre)			
	Zone 1: Berkhamsted and surrounding area	Zone 2: Elsewhere	Zone 3: Hemel Hempstead and Markyate	Zone 4: Identified Sites
Residential	£250	£150	£100	£0
Retirement Housing	£125	£0		
Convenience based supermarkets and superstores and retail warehousing (net retailing space of over 280 square metres)	£150			
Other	£0			
Retirement housing is housing which is purpose built or converted for sale to elderly people with a package of estate management services and which consists of grouped, self-contained accommodation with communal facilities amounting to less than 10% of the gross floor area. These premises often have emergency alarm systems and/or wardens. These properties would not however be subject to significant levels of residential care (C2) as would be expected in care homes or extra care premises.				

## The Charging Areas

The Charging Areas are set out in the Community Infrastructure Levy Charging Area Map in Annex 1 of this schedule

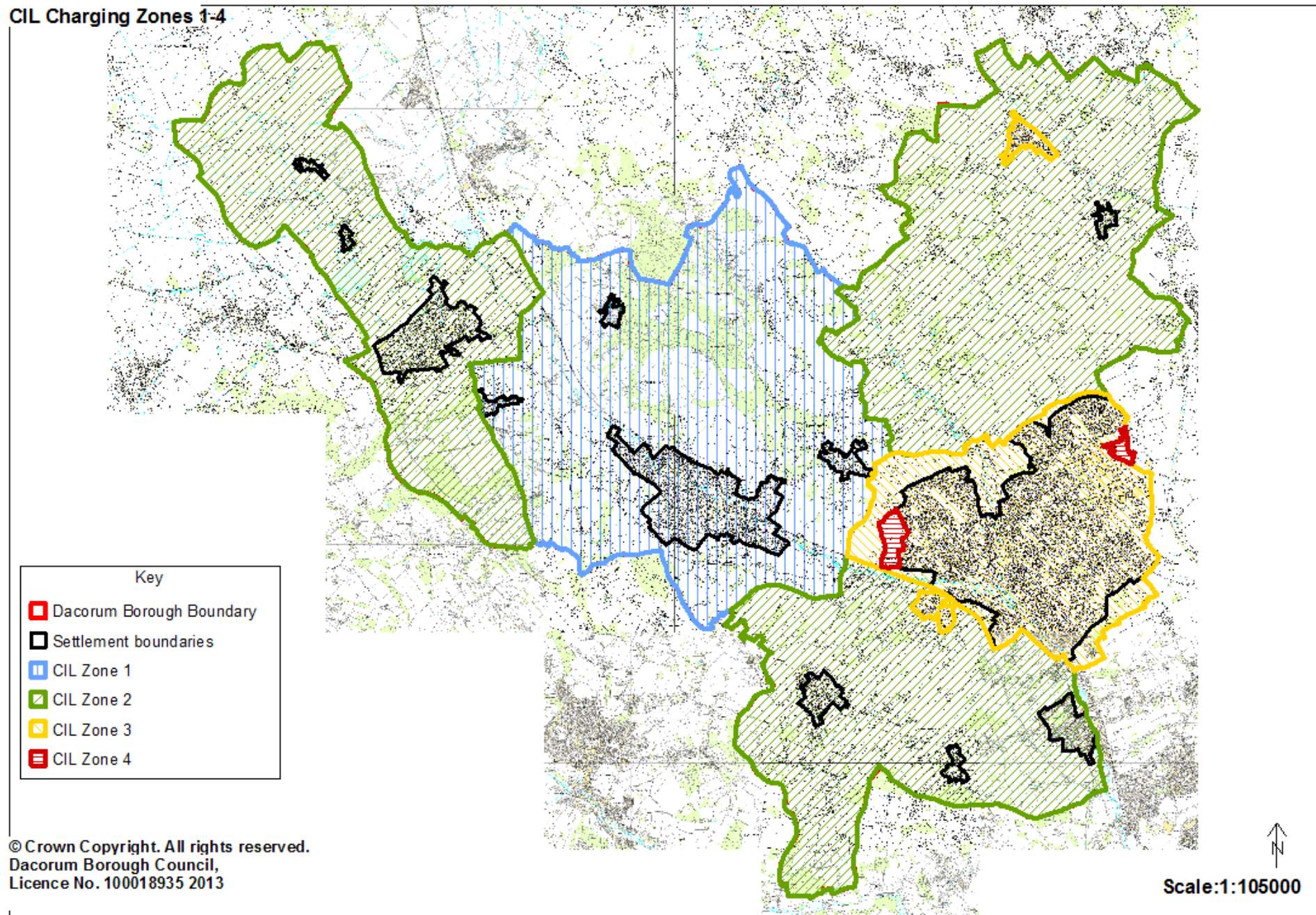
## Calculating the Chargeable Amount

The Council will calculate the amount of CIL payable ("chargeable amount") in respect of a chargeable development in accordance with Regulation 40 of the Community Infrastructure Levy Regulations 2010 (as amended). This calculation is set out in Annex 2 of this Schedule.

## **ANNEX 1 – MAPS**

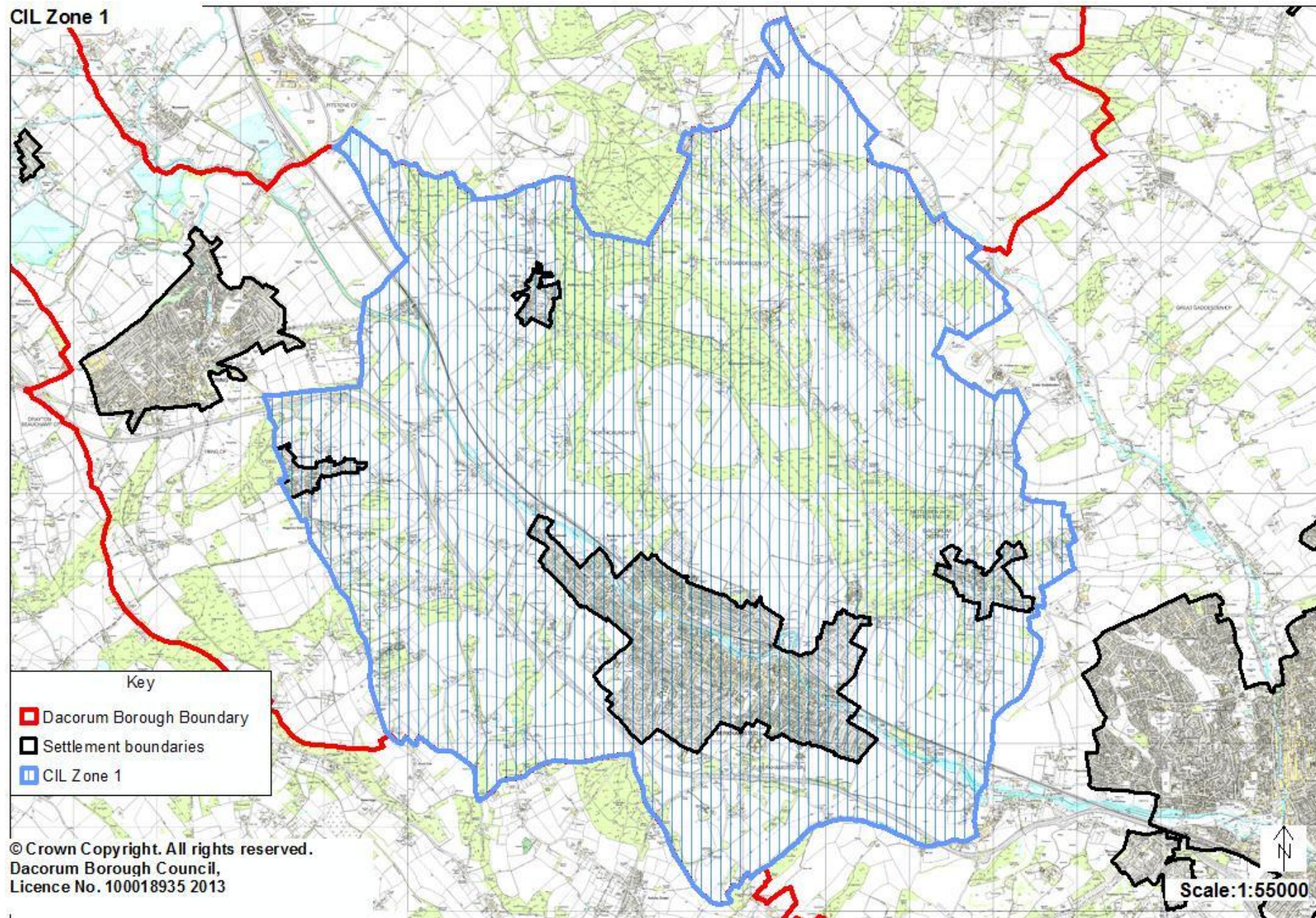
# All Zones

## CIL Charging Zones 1-4





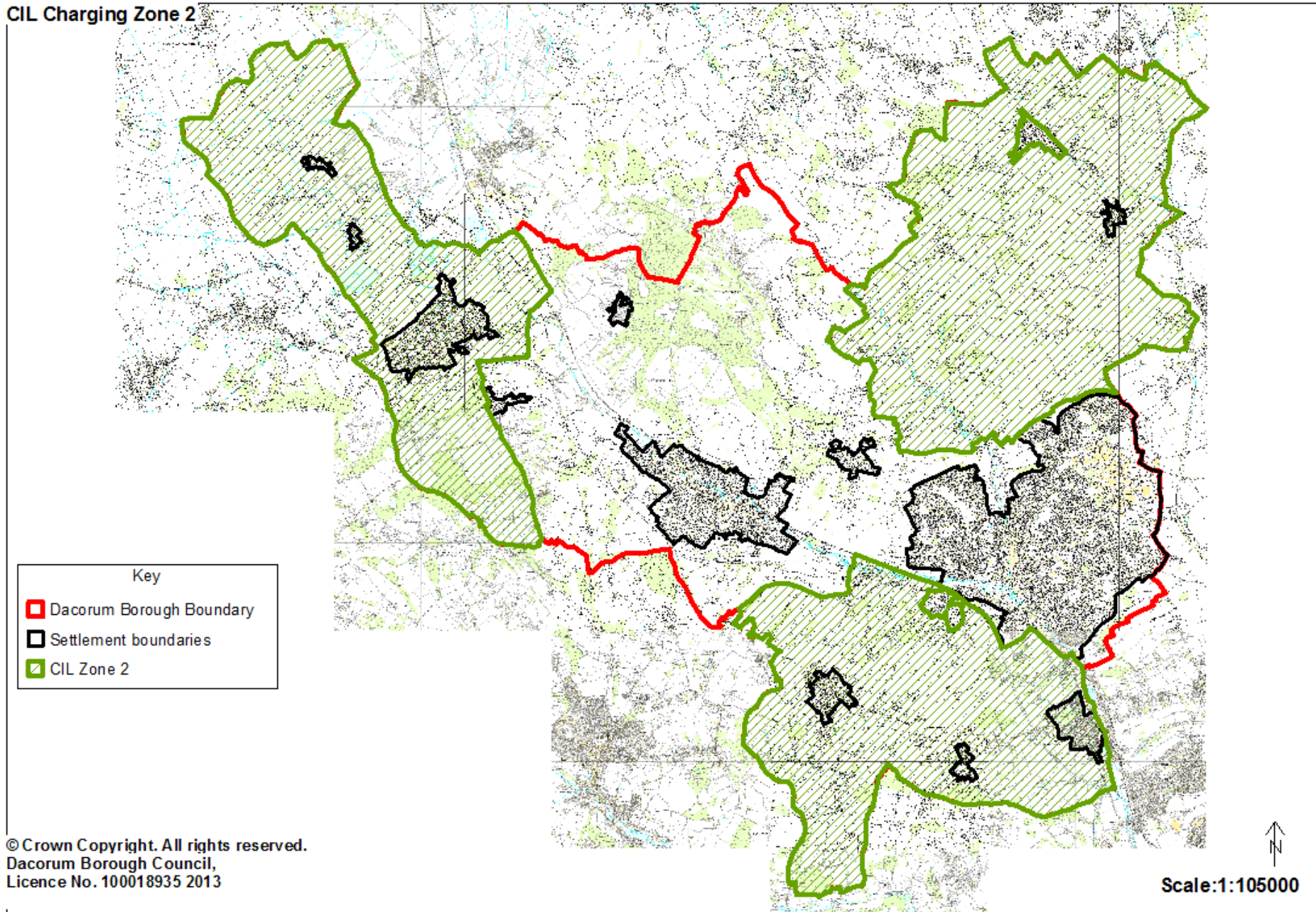
# Zone 1: Berkhamsted and surrounding area





## Zone 2 - Elsewhere

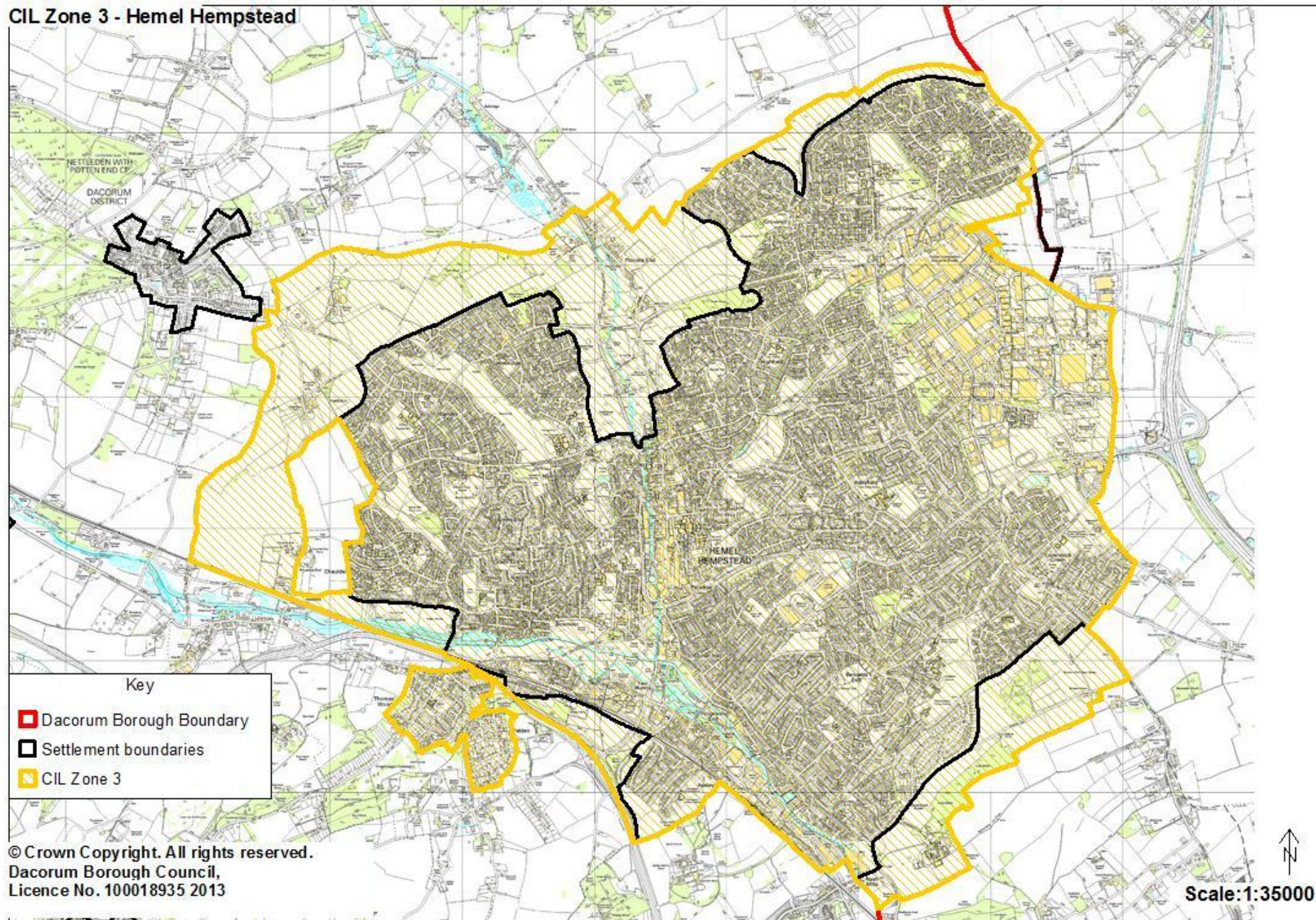
### CIL Charging Zone 2





### Zone 3: Hemel Hempstead

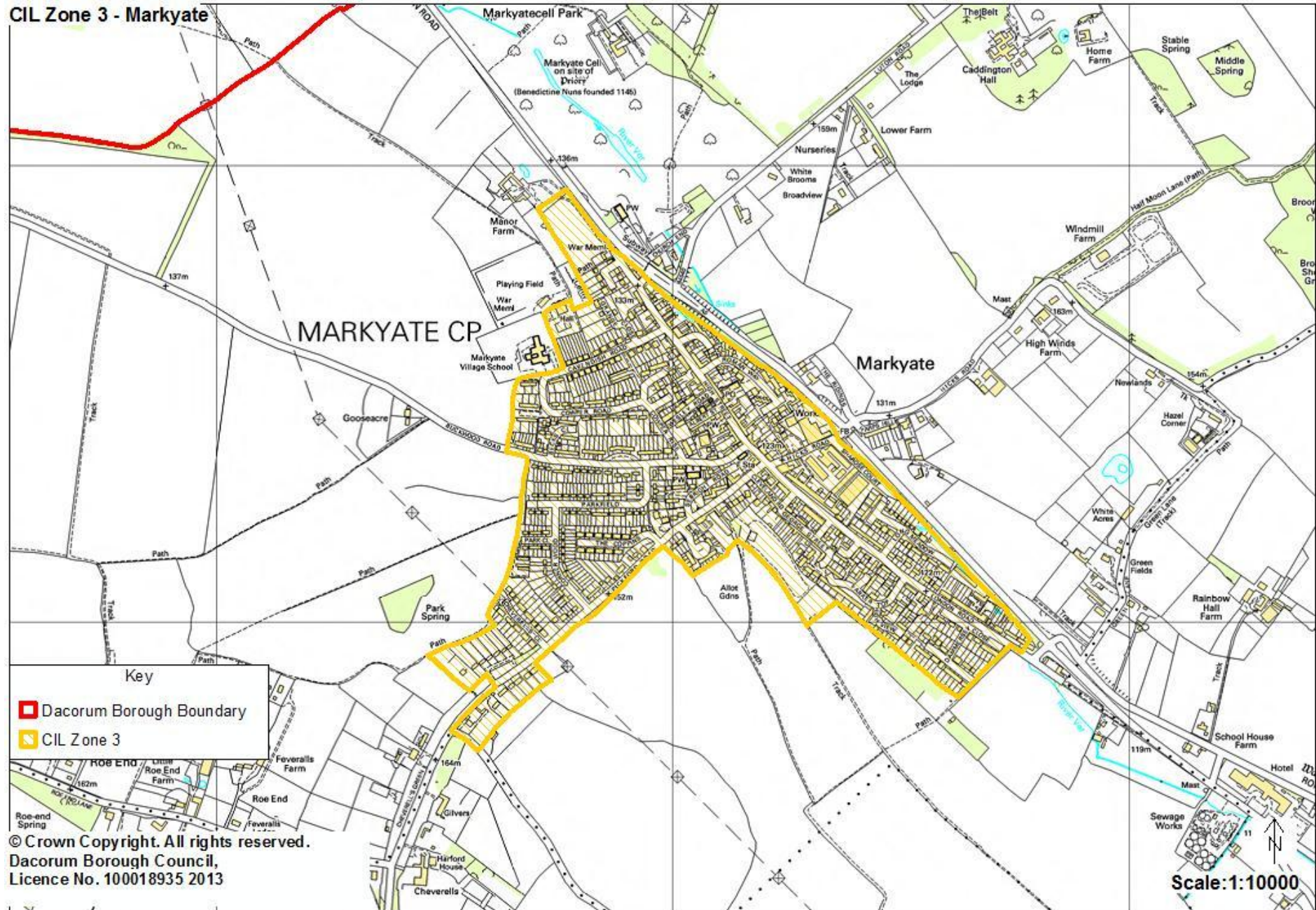
CIL Zone 3 - Hemel Hempstead





# Zone 3: Markyate

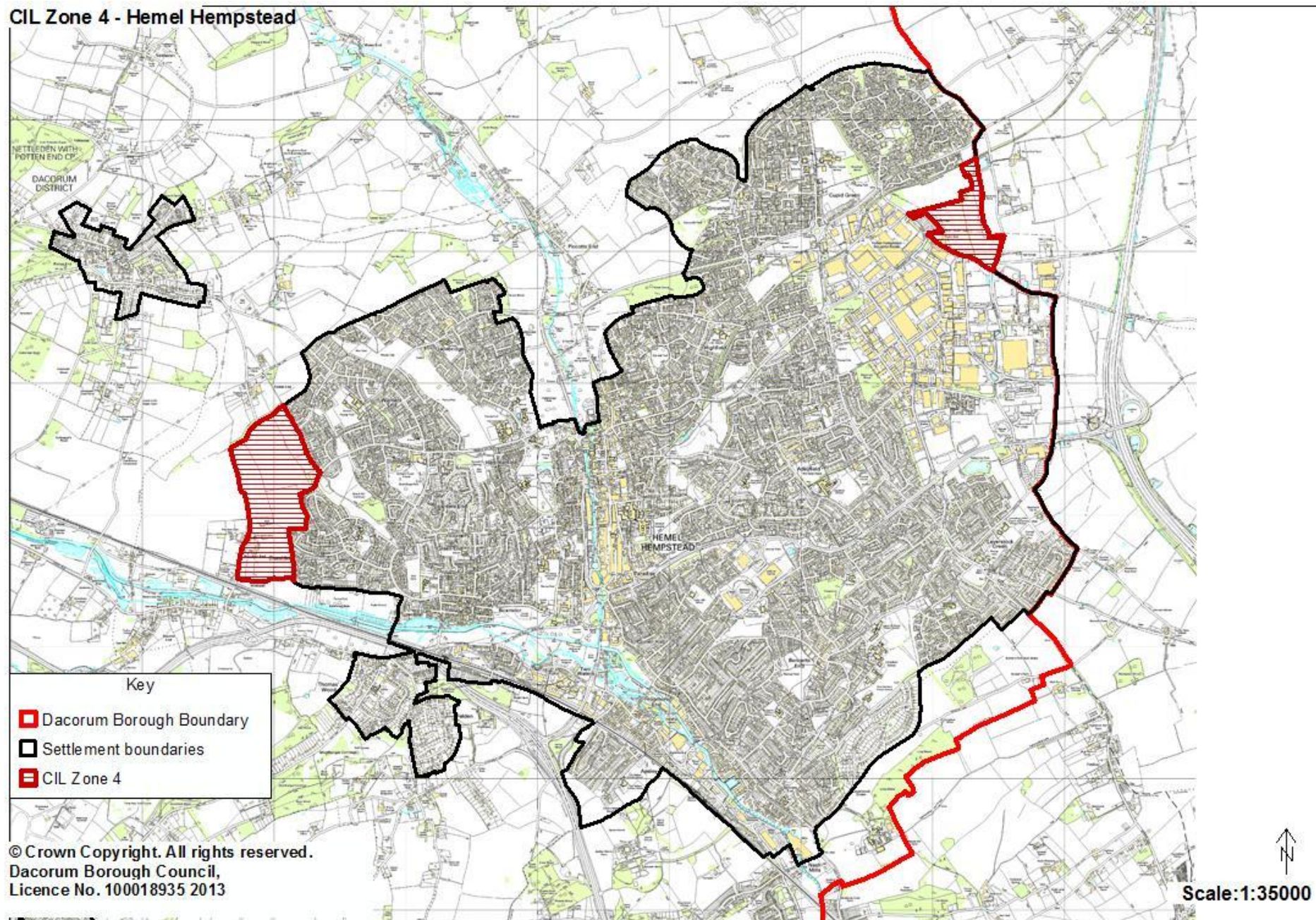
CIL Zone 3 - Markyate





## Zone 4: Identified Sites - Hemel Hempstead

CIL Zone 4 - Hemel Hempstead



## ANNEX 2 – CIL CALCULATION

The CIL charge must be calculated in accordance with Regulation 40 of the Community Infrastructure Regulations 2010 (as amended). This states that<sup>1</sup>:

- 40 - (1) The Collecting Authority must calculate the amount of CIL payable (“chargeable amount”) in respect of a chargeable development in accordance with this regulation.
- (2) The chargeable amount is an amount equal to the aggregate of the amounts of CIL chargeable at each of the relevant rates.
- (3) But where that amount is less than £50 the chargeable amount is deemed to be zero.
- (4) The relevant rates are the rates at which CIL is chargeable in respect of the chargeable development taken from the charging schedule which are in effect –
- (i) at the time planning permission first permits the chargeable development; and
- (ii) in the area in which the chargeable development will be situated.
- (5) The amount of CIL chargeable at a given rate (R) must be calculated by applying the following formula –

$$\frac{R \times A \times I_P}{I_C}$$

Where –

A = the deemed net area chargeable at rate R, calculated in accordance with paragraph (7);

I<sub>P</sub> = the index figure for the year in which planning permission was granted; and

I<sub>C</sub> = the index figure for the year in which the charging schedule containing rate R took effect.

- (6) In this regulation the index figure for a given year is –
- (i) the figure for 1<sup>st</sup> November for the preceding year in the national All-in Tender Price Index published from time to time by the Building Cost Information Service of the Royal Institution of Chartered Surveyors (a); or
- (ii) if the All-in Tender Price Index ceases to be published the figure for 1<sup>st</sup> November for the preceding year in the retail price index.
- (7) The value of A in paragraph (5) must be calculated by applying the following formula –

$$G_R - K_R - \left( \frac{G_R \times E}{G} \right)$$

Where

G = the gross internal area of the chargeable development;

G<sub>R</sub> = the gross internal area of the part of the development chargeable at rate R;

K<sub>R</sub> = the aggregate of the gross internal areas of the following –

- (i) retained parts of in-use buildings, and
- (ii) for other relevant buildings, retained parts where the intended use following completion of the chargeable development is a use that is able to be carried on lawfully and permanently without further planning permission in that part on the day before planning permission first permits the chargeable development.

E = the aggregate of the following –

<sup>1</sup> This text incorporates changes to the wording of Regulation 40 as set out in The Community Infrastructure Levy (Amendments) Regulations 2014. The draft of the Regulations has been laid before the House of Commons in accordance with Section 222(2)(b) of the Planning Act 2008(a) and are expected to come into force by February 2014.



- (i) the gross internal areas of parts of in-use buildings that are to be demolished before completion of the chargeable development, and
- (ii) for the second and subsequent phases of a phased planning permission, the value  $E_x$  (as determined under paragraph (8)), unless  $E_x$  is negative,

(8) The value of  $E_x$  must be calculated by applying the following formula –

$$E_P - (G_P - K_{PR})$$

where –

$E_P$  = the value of E for the previously commenced phase of the planning permission;  
 $G_P$  = the value of G for the previously commenced phase of the planning permission; and  
 $K_{PR}$  = the total of the values of  $K_R$  for the previously commenced phase of the planning permission

(9) Where the collecting authority does not have sufficient information, or information of sufficient quality, to enable it to establish that a relevant building is an in-use building, it may be deemed it not to be an in-use building.

(10) Where a collecting authority does not have sufficient information, or information of sufficient quality, to enable it to establish –

- (i) whether part of a building falls within a description in the definitions of  $K_R$  and E in paragraph (7); or
- (ii) the gross internal area of any part of a building falling within such a description,

it may deem the gross internal area of the building to be zero.

(11) In this regulation –

“building” does not include –

- (i) a building into which people do not normally go;
- (ii) a building into which people go only intermittently for the purposes of maintaining or inspecting machinery; or
- (iii) a building for which planning permission was granted for a limited period

“in-use building” means a building which –

- (i) is a relevant building, and
- (ii) contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development;

“new build” means that part of the chargeable development which will comprise new buildings and enlargements to existing buildings.

“relevant building” means a building which is situated on the relevant land on the day planning permission first permits the chargeable development;

“relevant charging schedules” means the charging schedules which are in effect –

- (i) at the time planning permission first permits the chargeable development, and
- (ii) in the area in which the chargeable development will be situated;

“retained part” means part of a building which will be –

- (i) on the relevant land on completion of the chargeable development (excluding new build)
- (ii) part of the chargeable development on completion, and
- (iii) chargeable at rate R.