



Hertsmere Borough Council
COMMUNITY INFRASTRUCTURE LEVY (CIL)

INSTALMENT POLICY

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| Date Agreed by the Executive: | 2018 |
| Date Published on the Council's Web-site: | 2018 |
| Date on Which Instalment Policy Takes Effect | 1 January 2019 |

Payment of CIL

- 1.1 The Community Infrastructure Levy Regulations 2010 (as amended) ('the CIL Regulations') set a default position in that a liable person must pay the Community Infrastructure Levy ('CIL') in full 'at the end of the period of 60 days beginning with the intended date of commencement of chargeable development'; that is to say within 60 days of the intended date of commencement given in the commencement notice.

Payment by Instalments

- 1.2 The CIL Regulations also enable the Council as the Charging Authority to issue an Instalment Policy that allows CIL to be paid by instalments provided a number of specified requirements are adhered to. This Policy, as described in Table 1 below, sets out the Council's arrangements for allowing CIL to be paid by instalments.

Effective Date

- 1.3 This Policy, having been approved by the Executive and published on the Council's web-site, will take effect on 1 January 2019 and will only apply to amounts of CIL payable as a result of the service of a commencement notice on or after 1 January 2019.

Request to Pay by Instalments

- 1.4 Payment in full within 60 days will remain the default position. Therefore, in order to take advantage of the option to pay by instalments, the liable person or their agent will have to make a **written request** to the Council pay by instalments - and that request **must** be made **at the same time** as the commencement notice is served on the Council. If this is not strictly adhered to, the option to pay by instalments will be lost.

Late Payment of an Instalment

- 1.5 Where an instalment payment is not received by the due date the right to pay by instalments is lost and the full unpaid balance will become due and payable immediately together with late payment interest and all applicable surcharges.
- 1.6 In the event that that chargeable development is completed earlier than the date of the final instalment date then, the final instalment will become due and payable immediately together with late payment interest and all applicable surcharges.
- 1.7 In addition to late payment interest and surcharges, continued failure to pay an amount of CIL by the due date is likely to result in enforcement action which may include the service of a CIL Stop Notice as well as an application to the court for a Liability Order.

TABLE 1

| CIL PAYMENT INSTALMENT POLICY | |
|---|--|
| Effective on and from 1 January 2019 | |
| CIL charge | Instalments |
| Up to and including £15,000 | <p>May not be paid by instalments</p> <p>Accordingly, payment in full will be required at the end of the period of 60 days beginning with the date of commencement of the chargeable development (as stated in the commencement notice).</p> |
| £15,001 up to and including £25,000 | <p>Payment in full at the end of the period of 90 days beginning with the date of commencement of the chargeable development (as stated in the commencement notice)</p> |
| £25,001 up to and including £50,000 | <p>Payment by two equal instalments:</p> <p>50% at the end of the period of 90 days beginning with the date of commencement of the chargeable development (as stated in the commencement notice)</p> <p>50% at the end of the period of 180 days beginning with the date of commencement of the chargeable development (as stated in the commencement notice)</p> |
| £50,001 up to and including £150,000 | <p>Payment by three instalments:</p> <p>40% at the end of the period of 90 days beginning with the date of commencement of the chargeable development (as stated in the commencement notice)</p> <p>30% at the end of the period of 180 days beginning with the date of commencement of the chargeable development (as stated in the commencement notice)</p> <p>30% at the end of the period of 270 days beginning with the date of commencement of the chargeable development (as stated in the commencement notice)</p> |
| Greater than £150,000 | <p>Payment by four equal instalments:</p> <p>25% at the end of the period of 90 days beginning with the date of commencement of the chargeable development (as stated in the commencement</p> |

notice)

25% at the end of the period of 180 days beginning with date of commencement of the chargeable development (as stated in the commencement notice)

25% at the end of the period of 270 days beginning with the date of commencement of the chargeable development (as stated in the commencement notice)

25% at the end of the period of 360 days beginning with the date of commencement of the chargeable development (as stated in the commencement notice)