



Department for
Communities and
Local Government

Community Infrastructure Levy Review Panel

Questionnaire



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Overview

Introduction

The Community Infrastructure Levy (“CIL”) was introduced in April 2010. It sought to provide a faster, fairer, more certain and transparent means of collecting developer contributions to infrastructure than individually-negotiated Section 106 planning obligations. The Government confirmed in November 2015 that Liz Peace would lead and chair an independent group conducting a review of the Community Infrastructure Levy.

The group will assess the extent to which CIL does or can provide an effective mechanism for funding infrastructure, and to recommend changes that would improve its operation in support of the Government’s wider housing and growth objectives. For the review group’s Terms of Reference, please see <https://www.gov.uk/government/consultations/community-infrastructure-levy-review-questionnaire>.

This document is the CIL review’s request for written submissions to inform their work.

How can you contribute?

This request for written submissions will be open from **19 November**. **We would appreciate receiving responses by 24 December but will continue to accept them up until 15 January.**

The review is very keen to hear from a wide range of people. Local authorities and communities groups are important, as are developers, surveyors, lawyers and consultants involved in the CIL process.

If possible, please complete your responses to the questions contained in this document electronically via the online form at <https://www.surveymonkey.com/r/9356DYV>

The review would also welcome any other relevant information to be emailed to Cilreview@communities.gsi.gov.uk with “CIL review” in the subject line. Where electronic submission is not feasible, we welcome written evidence to CIL Review Group, c/o Department of Communities and Local Government, 3rd Floor – SE Quadrant, Fry Building, 2 Marsham Street, London SW1P 4DF.

If you believe information contained in your response is particularly sensitive, please make this clear and we will endeavour to handle the information accordingly. However, responses may be disclosable under the Freedom of Information Act. If you have any queries about this process please contact Cilreview@communities.gsi.gov.uk

What happens next?

The Review's expected timetable is as follows:

- Written responses to the Questionnaire (**November 2015 to 15 January 2016**)
- Oral evidence sessions and meetings (**January and February 2016**)
- Preparation of report to Ministers (**March and April 2016**)

Written Submissions

The Panel would find it most helpful if those wishing to respond could provide answers to the questionnaire which follows. It is not necessary to answer every question but where you are responding, **please provide as much evidence as possible to support your reply and where answering “yes” or “no” please amplify where possible providing practical suggestions around how any concerns could be addressed.**

Please provide the following general background:

- a. Brief description of your interest and involvement in CIL.
- b. If a local authority, the precise stage you have reached in the CIL process.
- c. If a developer/consultant, some indication of the number of different CIL processes you have been involved in, in relation to both:
 1. the setting of CIL rates, and
 2. payment of CIL for specific developments including details of the land use and the scale and type of development.

On Infrastructure:

- i. To what extent is CIL contributing, or will it contribute, to infrastructure to support development and is that infrastructure being delivered?
- ii. Has the role of the Planning Authority changed with the introduction of CIL and if so where has this worked most effectively?
- iii. How are large items of essential infrastructure critical for key sites or growth locations being secured in the CIL and s.106 system?
- iv. What role are CIL and s.106 playing alongside other sources of infrastructure funding and could changes to CIL (e.g. the ability to borrow against it or in kind contributions) allow it to be more effective?
- v. What has been the impact of pooling restrictions? Is there a difference between authorities which have adopted CIL and authorities which have not adopted CIL?
- vi. What impact do exemptions and reliefs have on delivering infrastructure?
- vii. How are local authorities who have not adopted CIL making provision for infrastructure and how effective are these approaches?

On Viability

- viii. Has a lack of viability resulted in a failure to develop a CIL?

- ix. Have viability concerns resulted in a low CIL level and has this had an adverse impact on the delivery of infrastructure to support development?
- x. Are there appropriate tools available for establishing viability? Would standardisation using just one methodology be helpful or feasible?
- xi. Do you have specific examples where non-viability on account of CIL has prevented development?
- xii. Is CIL impacting on affordable housing provision?
- xiii. In setting a CIL Charging Schedule has the development community played their part and been properly consulted on issues of local viability?

On Charge-setting:

- xiv. Is the EIP process suitably robust?
- xv. Should there be a requirement to review charging schedules at set times, if so when and why?
- xvi. Should partial reviews (eg. types of use or location) be possible?

On CIL Regulations and Guidance:

- xvii. Are the CIL regulations and guidance easy to use and understand?
- xviii. Are there improvements that could be made to the arrangements for collecting and spending CIL?

On Neighbourhood issues:

- xix. How have the requirements for the Neighbourhood proportion of CIL been implemented?
- xx. Is this encouraging communities' to support development?

Finally, on the overall system

- xxi. Has the introduction of CIL made the system for securing developer contributions and delivering infrastructure simpler, fairer, more predictable, transparent and efficient?
- xxii. Is the relationship between CIL and s.106 fit for purpose and how is this working in practice?
- xxiii. Is there a better way of funding the infrastructure needed to support development?

