

**To:** Cabinet

**Date:** 18 June 2025

**Report of:** Director of Planning and Regulation

**Title of Report:** Community Infrastructure Levy – to recommend to Council the approval of amended Charging Schedule

Summary and recommendations	
<b>Decision being taken:</b>	To recommend to Council the approval of the Partial Review of the Community Infrastructure Levy Charging Schedule
<b>Key decision:</b>	Yes. Forward plan available on 1 <sup>st</sup> May when I'll add the required link
<b>Cabinet Member:</b>	Councillor Alex Hollingsworth Cabinet Member for Planning
<b>Corporate Priority:</b>	Enable an Inclusive Economy Deliver More Affordable Housing Support Thriving Communities Pursue a Zero Carbon Oxford
<b>Policy Framework:</b>	The Community Infrastructure Levy (CIL) is a charge on new developments which helps to fund infrastructure, as is set out in CIL Regulations 2010 (as amended). <sup>1</sup> The CIL Charging Schedule sets out a standard tariff on development in Oxford City.

<b>Recommendation(s):</b> That Cabinet resolves to <b>recommend to Council that they:</b>
<ol style="list-style-type: none"> <li><b>1. Adopt the CIL Charging Schedule in line with the recommendation of the independent examiner as set out in Appendix 1; and</b></li> <li><b>2. Approve the date on which the amended tariffs will come into effect.</b></li> <li><b>3. Delegate authority to the Director of Planning and Regulatory to make any necessary further minor changes to the documents or any minor change to the implementation date for the new CIL rates.</b></li> </ol>

Appendix No.	Appendix Title	Exempt from Publication
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<b>Appendix 1</b>	The CIL Charging Schedule as amended	No
<b>Appendix 2</b>	Inspectors Report	No

## Introduction and background

1. The CIL Charging Schedule sets out a tariff in the form of a standard charge on new development to help the funding of infrastructure in Oxford. The City Council has been charging CIL on qualifying developments since 2013. The rates charged have risen with inflation but not been reviewed since the first Charging Schedule was published.
2. A Partial Review of the CIL Charging Schedule has been underway since 2023 and involved public consultation and an examination by an independent examiner. In the Charging Schedule submitted for examination, the City Council proposed amending the rate chargeable on Office and Research and Development uses from £33.74/m<sup>2</sup> to £168.74/m<sup>2</sup> (£172.28 m<sup>2</sup> under current indexation). All other rates for all other uses would be unaffected by the review.
3. The Examiners' Report was received on 30<sup>th</sup> April 2025. The report found that the proposed rate would not threaten delivery of Office and Research & Development business in Oxford and concludes that the draft Oxford City Council Community Infrastructure Levy Charging Schedule provides an appropriate basis for the collection of the levy in the area. The purpose of this report therefore is to request that Cabinet recommend to Full Council that they approve the amended CIL Charging Schedule for use in calculating the planning charge on new development to help the funding of infrastructure.

## Findings of the independent examiner

4. The City Council asked Intelligent Plans and Examinations (IPE) to examine the Partial Review of the Charging Schedule who appointed Mr Keith Holland BA (Hons) DipTP MRTPI ARCIS to the examination. The examination hearing was held on the 31<sup>st</sup> March 2025. Those who had responded to the consultation had the opportunity to appear at the examination in person or to rely on their written representations. Seven parties requested to be heard in person and the examination was concluded in one session.
5. The Council received the Examiner's final report on 30<sup>th</sup> April 2025. In his conclusions the Examiner states: *"I consider the viability assessment to be robust and conclude that the rate proposed would not threaten delivery of office/R&D development in Oxford. The proposed rates are justified, therefore. I conclude that the partial review of the draft Oxford City Community Infrastructure Levy Charging Schedule, satisfies the drafting requirements and I therefore recommend that the draft Charging Schedule be approved."*
6. This positive report means that the Council can now move to approving the Charging Schedule and start collecting CIL monies at the amended rates. Table 1

below sets out the CIL rates as amended, and (for comparison purposes) as existing. The highlighted row is the only change.

**Table 1: CIL rates: existing and as amended**

<b>Development Type*</b>	<b>Jan 2024 rates per m<sup>2</sup></b>	<b>Amended rates per m<sup>2</sup> following review</b>
E Shops	£168.74	£168.74
E Financial and professional services	£168.74	£168.74
E Restaurants and cafés	£168.74	£168.74
Sui Generis Drinking establishments	£168.74	£168.74
Sui Generis Hot food takeaways	£168.74	£168.74
<b>E Office and Research &amp; Development Business</b>	<b>£33.74</b>	<b>£168.74</b>
B2 General industrial	£33.74	£33.74
B8 Storage or distribution	£33.74	£33.74
C1 Hotels	£33.74	£33.74
C2 and C2A Residential institutions and secure residential institutions	£33.74	£33.74
C3 Dwelling houses**	£168.74	£168.74
C4 Houses in multiple occupation (HMO)	£168.74	£168.74
Student accommodation	£168.74	£168.74
F1 Non-residential institutions	£33.74	£33.74
Sui Generis Assembly and leisure	£33.74	£33.74
All development types unless stated otherwise in this table	£33.74	£33.74

- Following the receipt of the Examiner's report the Regulations require that the Charging Schedule be formally approved by a resolution of Full Council. This report seeks a Cabinet recommendation for that approval. The final Charging Schedule is attached at Appendix 1. The existing adopted Charging Schedule has been updated with the amended rate for Office and R&D uses. Factual updates to reflect the adoption of the document are shown as tracked changes. A clean version with the amendments accepted will be published as the final document.

### **Bringing the new levy rates into effect**

- The Regulations require that a date be approved by Council for the bringing into effect of the amended levy. The date recommended to Council for bring the levy into effect is Friday 15<sup>th</sup> August 2025. To be clear, any planning approvals granted after this date (defined by the issuing of a decision notice) will be subject to the amended CIL charge, irrespective of when that application was submitted.

### **Alternative Options Considered**

9. The only alternatives to the recommendations outlined above are:
- a. To decide not to bring the amended rates into force and retain the existing rates – this would result in a significant overall reduction in the potential CIL receipts and the consequential loss of funding options for infrastructure projects within Oxford. Office and R&D development would continue to pay a much lower rate than other development types.
  - b. To delay bringing the new levy rates into force – this would have similar but time limited impacts as point a above. There has already been a significant period of time for potential developers to anticipate this change. The proposed new rates were first published for consultation in November 2023 and again, for the statement of modifications in Feb/March 2025. The examiner's also states: "The Charging Schedule complies with the Act and the Regulations, including in respect of the statutory processes and public consultation".

However, based on the Examiner's report, *"the evidence which has been used to inform the Charging Schedule is robust, proportionate and appropriate"* and "adoption of the rates are justified". We therefore recommend proceeding with his recommendation to adopt the new rates.

### **Financial implications**

10. The rates at which the CIL tariff is set will determine the amount of income received by the Council from new development to be spent on infrastructure, which includes expenditure on the Council's Capital Programme. The evidence base for the Charging Schedule demonstrated that there is likely to be a continued supply of prime E(g) Office and Laboratory floorspace within the Local Plan period, increasing rates where this is viable will help fund the required infrastructure needs associated with development. Based on evidence submitted to the CIL examination library on the Infrastructure Funding Gap, this rate could result in income of >£30m for infrastructure in the city.

**11.** A discretionary relief policy for CIL remains in place for cases where developers can demonstrate that their proposed development is unviable to the Council

### **Legal issues**

**12.** The Independent Examiner has found that the City Council has complied with the statutory requirements of the Act and CIL Regulations (as amended). There are no other legal issues arising from this report.

### **Level of risk**

Risks around the potential impact of the new rates have been considered by the Independent Examiner who found the raise in the charge for R&D would not threaten the delivery of this type of development in Oxford. The receipt of the Examiner's Report has also dealt with any procedural risk around the process of drafting of the Charging Schedule.

### **Equalities impact**

**13.** There are no equalities impacts arising from this report.

## Carbon and Environmental Considerations

There are no direct carbon or environmental considerations arising from this report.

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