

Meeting Cabinet
Portfolio Area Environment, Transport and Planning
Date 10 June 2026



STEVENAGE BOROUGH REVISED COMMUNITY INFRASTRUCTURE LEVY: ADOPTION

KEY DECISION

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1 PURPOSE

- 1.1 To provide Members with an update on the progress of the Stevenage Borough Revised Community Infrastructure Levy, now it has progressed through Examination in Public stage.
- 1.2 To inform Members of the Inspector's Report and to report any further changes recommended by the Inspector.
- 1.3 To consider the adoption of the Stevenage Borough Revised Community Infrastructure Levy.

2 RECOMMENDATIONS

That Cabinet:

- 2.1 Notes the contents of the Inspector's Report (Appendix A), following the Examination in Public Hearing Session and agrees to adopt the Stevenage Borough Revised Community Infrastructure Levy Charging Schedule (Appendix B).
- 2.2 Recommends to Council that the Stevenage Borough Revised Community Infrastructure Levy Charging Schedule (Appendix B) be adopted.
- 2.3 Notes the feedback from the Planning & Development Committee on the content of this Cabinet Report.

3 BACKGROUND

Community Infrastructure Levy

- 3.1 The Community Infrastructure Levy (CIL) is a planning charge introduced by the Planning Act 2008, as a tool for local authorities to help deliver infrastructure to support the development of their area. It allows local authorities to raise funds from developers undertaking new building projects. The money can be used to fund a wide range of infrastructure, such as transport schemes, schools, community facilities, parks and leisure facilities, which are needed as a result of development taking place.
- 3.2 CIL is a non-negotiable tariff on most forms of new development. It is expressed in pounds per square metre (£/m²) and is levied on the net additional floorspace created by most new development
- 3.3 CIL is fairer, faster, and more certain and transparent than the system of planning obligations (S106), which causes delay as a result of lengthy negotiations and is subject to viability.
- 3.4 S106 is still used for site specific mitigation, particularly for the larger schemes i.e. where a whole school is required as part of a specific development or where road / cycleway improvements are required within or in close proximity to the development.
- 3.5 Unlike contributions made via S106 Agreements, CIL receipts are not earmarked for particular infrastructure related to the development from which they are raised. Instead, CIL monies are pooled into a fund which can be used for any infrastructure needed to support the development of the borough, or for strategic infrastructure needs elsewhere.

Stevenage Community Infrastructure Levy

- 3.6 The Council adopted a Community Infrastructure Levy (CIL) Charging Schedule at Full Council on 29 January 2020. CIL was implemented from 1 April 2020.
- 3.7 Details of the current CIL charges for different types and locations of development in Stevenage can be found in the adopted CIL Charging Schedule [BD1].
- 3.8 The Council is now 6 years on from the initial adoption of CIL. Having reviewed the latest Viability Assessment [BD2] and Addendum [BD3] which covers the period 2017 to 2024 and takes into account policy changes in the Local Plan Partial Update, it is considered that now is a prudent time to review the existing CIL levy rates.

Figure 1. Existing Stevenage Borough Community Infrastructure Levy Rates.

Development Type	CIL rate (per square metre)	
	Zone 1: Stevenage Central, Stevenage West urban extension and North of Stevenage Extension	Zone 2: Everywhere else
Residential		
Market Housing	£40/m ²	£100/m ²
Sheltered housing ⁽¹⁾	£100/m ²	
Extracare housing ⁽²⁾	£40/m ²	
Retail development	£60/m ²	
All other development ⁽³⁾	£0/m ²	

- 3.9 In accordance with the Community Infrastructure Levy Regulations 2010, consultation on a Preliminary Draft Charging Schedule was held from 14 October to 24 November 2024 [BD4]. This was followed by consultation on a Draft Charging Schedule, from 22 January to 18 February 2025 [BD5].
- 3.10 Following public consultations in 2024 and 2025, the finalised Draft Charging Schedule was submitted to the Secretary of State on 15 August 2025 [BD6].
- 3.11 A CIL Charging Schedule Examination is an independent public assessment to ensure a local authority's proposed development tax is legally compliant and economically viable. The appointed examiner tests the schedule against two primary criteria: legal and procedural compliance, and economic viability.
- 3.12 An independently appointed Planning Inspector will assess whether the CIL Schedule complies with Section 212 of the Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (as amended) (the CIL regulations), with particular regard to:
- Regulation 14 – which sets out how a charging authority must determine the CIL rates in its charging schedule;
 - Regulation 16 – which governs the formal publication requirements before a draft charging schedule can proceed to examination; and
 - Regulation 34 – applies where CIL liability must be divided between different material interests in the relevant land.
- 3.13 The Revised CIL Charging Schedule proposes to include a new charge for industrial development in line with evidence presented in the Viability Assessment 2024 (and 2025 Addendum. Even with a new proposed charge for industrial development, the Council's estimated CIL income (based on the CIL rates we are proposing) will not reach the level required to fund all of the infrastructure we need.
- 3.14 Whilst it is important that the rates proposed follow the evidence and that rates set must not threaten the ability to develop viably the sites and scale of development

identified in the Local Plan. The Viability Assessment 2024 and 2025 evidence demonstrates that an increase in CIL rates is viable in principle.

- 3.15 Initial calculations show that from the Council's strategic sites delivery, the CIL income will bring in c. £14 million over the next 5 years, with c. £17 million to 2031 and c. £20 million to 2035. The funding gap identified as of October 2025 was £222m.
- 3.16 Cabinet has previously committed funding to the Sports and Leisure Hub redevelopment. In January 2026, £225,000 of CIL monies was committed to fund other neighbourhood schemes in the borough.
- 3.17 Looking ahead, more details on how the Council proposes to allocate future CIL funds and a spending protocol to guide future CIL spending decisions will be forthcoming. This will ensure that they align with Council priorities, as expressed in the Infrastructure Delivery Plan.

4 REASONS FOR RECOMMENDED COURSE OF ACTION AND OTHER OPTIONS

4.1 Following submission of the Draft Charging Schedule to the Secretary of State on 15 August 2025, an independent Planning Inspector was appointed to examine the Charging Schedule.

4.2 The proposed levy rates, as submitted [BD6] to the Secretary of State, were as follows:

Figure 2. Proposed Revised Stevenage Borough Community Infrastructure Levy Rates.

Development Type	CIL Rate	
	Zone 1: Stevenage Central	Zone 2: Everywhere else
Residential		
Market Housing	£50 per m2	£120 per m2
Sheltered Housing	£120 per m2	
Extracare Housing	£50 per m2	
Retail Development	£75 per m2	
Industrial Development	£40 per m2	
All other Development	£0 per m2	

Examination in Public Hearing Session

4.3 The Stevenage Borough Revised Community Infrastructure Levy Charging Schedule Examination in Public Hearing Session was held on 18 March 2026 and conducted by an independent Planning Inspector (PINS). Further details regarding the Examination in Public can be viewed at the dedicated Examination website: <https://www.hwa.uk.com/projects/stevenage-revised-cil-examination/>

4.4 The Inspector duly scrutinised the Revised CIL Charging Schedule, to assess whether the CIL Schedule complies with Section 212 of the Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (as amended) (the CIL regulations), with particular regard to:

- Regulation 14 – which sets out how a charging authority must determine the CIL rates in its charging schedule;
- Regulation 16 – which governs the formal publication requirements before a draft charging schedule can proceed to examination; and
- Regulation 34 – applies where CIL liability must be divided between different material interests in the relevant land.

4.5 A series of “Matters, Issues and Questions” (MIQs) were addressed in turn by the Inspector, in order to scrutinise our submitted Revised CIL Charging Schedule to assess the CIL against the CIL Regulations. The MIQs addressed were as follows:

- *MIQ1: Scope, legal and procedural requirements*
- *MIQ2: Infrastructure Evidence*
- *MIQ3: Viability Evidence*
- *MIQ4: Charging Rates and Evidence*
- *MIQ5: Modifications*

- 4.6 The Hearing Session invited those who had objections or significant representations to appear at the Hearing. No invitations to attend were received and the Hearing Session was duly conducted between the Inspector and officers from the Council, with officers from Hertfordshire County Council in attendance as observers.
- 4.7 Prior to the Hearing Session, the Council prepared a statement that responded to each of the MIQs posed [BD7].
- 4.8 At the Hearing Session, apart from some matters of clarification relating to the Council's MIQ responses, no major concerns were raised regarding the Draft Charging Schedule and the Inspector was broadly satisfied with the Council's Statement responding to his MIQs.

Inspector's Report

- 4.9 At the end of the Hearing Session, the Inspector advised that he would be preparing a legally binding Report which would recommend adoption of the Revised CIL Charging Schedule.
- 4.10 Following the receipt of the Inspector's Report, Cabinet is requested to recommend to Council that it adopt the CIL Charging Schedule with effect from 22 July 2026.
- 4.11 The Inspector's Report provides assessment of the Charging Schedule in respect of Section 212 of the Planning Act 2008. It considers whether the schedule is compliant in legal terms and whether it is economically viable as well as reasonable, realistic and consistent with national guidance.
- 4.12 The Council has received the Inspector's Final Report into the Revised CIL Charging Schedule on 27 May 2026.
- 4.13 The Inspector's Report (Appendix A) concludes that the Revised Community Infrastructure Charging Schedule can be considered sound and is recommended for adoption.
- 4.14 The Inspector noted that in setting the CIL charging rate, the Council has had regard to detailed evidence on infrastructure planning and the economic viability evidence of the development market in its viability assessment. The Council has been realistic in achieving a reasonable level of income to address an acknowledged gap in infrastructure funding, while ensuring that a range of development remains viable across the authority area.
- 4.15 The Inspector noted that the requirements of the 2008 Planning Act and 2010 CIL Regulations (as amended) had been complied with, including the statutory processes and public consultation, financial appraisal, and consistency with the development plan and the charging schedule is consistent with national policy and guidance.
- 4.16 The Inspector concluded that the CIL Charging Schedule has satisfied the requirements of Section 212 of the 2008 Act and meets the criteria for viability in the 2010 Regulations (as amended), recommending that the Charging Schedule be approved.
- 4.17 Upon receipt of the Inspector's Report, the Council can either adopt the Stevenage Borough Revised Community Infrastructure Levy Charging Schedule, with the recommendations proposed, or it must withdraw the Schedule completely.
- 4.18 The final draft version of the Stevenage Borough Revised Community Infrastructure Levy Charging Schedule, incorporating the any

recommendations by the Inspector, as well as any minor modifications, is attached to this report at Appendix B.

- 4.19 If approved by Cabinet, the Revised Community Infrastructure Levy Charging Schedule will be adopted on 22 July 2026 following the meeting of Full Council.
- 4.20 The Council will seek to revisit CIL charging rates, in accordance with development of a new Local Plan which will plan beyond the current plan period of 2031.

CONSULTATION

- 4.21 Planning & Development Committee Chair and Vice Chair were briefed in advance of the Cabinet meeting. The views of the Planning & Development Committee Members are of significant value in shaping the future direction the Local Plan takes, as future Committee decisions will be based on revised and new Local Plan policies. Any comments will be reported back orally at the Cabinet meeting.
- 4.22 Planning & Development Committee Members have been briefed on CIL and the process as it has developed since the first CIL was developed in 2018–19.

5 IMPLICATIONS

Financial Implications

- 5.1 The costs of implementing CIL are met from 5% CIL income available for administration purposes, a further 15% for local initiatives.
- 5.2 The General Fund Capital Strategy 2025/26 to 2029/30 [BD8] highlights that to date, a significant portion of Strategic CIL has been committed to the Sports and Leisure Hub and, where applicable, the Public Sector Hub.
- 5.3 Officers will continue to work closely with Members to prioritise and progress future investments and expect to provide further update on spending in a subsequent General Fund Report.
- 5.4 Financial implications for the Council as landowner are examined further under 'Other Corporate Implications', paragraphs 5.15 to 5.17.
- 5.5 Following the adoption and publication of the CIL Charging Schedule on 22 July 2026, officers will review the CIL Instalments Policy [BD9] in accordance with best practice.

Legal Implications

- 5.6 The preparation of Community Infrastructure Levy is given effect by the 2008 Planning Act.
- 5.7 Detailed statutory requirements for the preparation of CIL, including consultation requirements, are set out in The Community Infrastructure Levy Regulations 2010 (as amended 2019).

Risk Implications

- 5.8 As an additional cost to developers, CIL has the potential to make individual development schemes financially unviable which could impact the delivery of housing and associated necessary infrastructure across the Borough. However, the risks are minimised by proposing CIL rates that align with the viability evidence used to inform the Local Plan and subsequent updates.
- 5.9 The Inspector confirmed that the proposed CIL rates are set at an appropriate level that does not put the viability of schemes at risk.

Planning and Policy Implications

- 5.10 The Revised CIL has been prepared in accordance with the Council's adopted Stevenage Borough Local Plan (2019) and soon to be adopted Local Plan Partial Update (2026) and supported by robust and up to date viability evidence.
- 5.11 The Council will seek to revisit CIL charging rates, in accordance with development of a new Local Plan which will plan beyond the current plan period of 2031.

Environmental Implications

- 5.12 CIL has a positive impact on the environment, as monies can be used towards improving, maintaining and providing new environmental infrastructure.

Staffing and Accommodation Implications

- 5.13 The Planning Policy Team currently includes one full-time professional employee, specialising in planning contributions including CIL.
- 5.14 As CIL contributions and income increase in time, the Council has begun to start to spend and allocate CIL. This is very likely to require further resources to manage the function for the Council.

Other Corporate Implications

- 5.15 CIL will continue to be payable for all qualifying development; therefore, it has the potential to impact on council-owned land, in terms of being a consideration in sales negotiations and in being levied when developing the Council's own schemes. This includes smaller residential sites (10 or less dwellings), which were previously exempt from making developer contributions (S106). This is an additional cost and has the potential to depress land values for the council's small sites. This is the same for larger sites, and there is a risk that developers will try to use this additional expense to negotiate down land values.
- 5.16 However, the viability evidence undertaken to inform the CIL charging rates, shows that the levy being proposed will be viable for both small and large-scale development. This considers land values at an appropriate market rate.
- 5.17 Officers report to Cabinet on CIL Governance. This informs Members of the amounts of Community Infrastructure Levy (CIL) secured and projected.

BACKGROUND DOCUMENTS

- BD1 Stevenage Borough Community Infrastructure Levy (January 2020) <https://www.stevenage.gov.uk/documents/planning-policy/community-infrastructure-levy-cil/cil-21042020/cil-charging-schedule.pdf>
- BD2 Stevenage Borough Council Local Plan & CIL Review Viability Assessment, Main Report (October 2024) <https://www.hwa.uk.com/site/wp-content/uploads/2025/09/cilsd3-whole-plan-viability-assessment-2024.pdf>
- BD3 Stevenage Borough Council Local Plan & CIL Review Viability Assessment, Main Report Addendum (November 2025) https://www.hwa.uk.com/site/wp-content/uploads/2025/09/251121-Stevenage-WPV-Affordable-Housing-Policy-Addendum-Report_Stevenage-Borough-Council_v1_Redacted.pdf
- BD4 Stevenage Borough Preliminary Draft CIL Charging Schedule 2024 (October 2024) <https://www.hwa.uk.com/site/wp-content/uploads/2025/09/cilsd4-preliminary-draft-charging-schedule-2024.pdf>
- BD5 Stevenage Borough Draft CIL Charging Schedule (January 2025) <https://www.hwa.uk.com/site/wp-content/uploads/2025/09/SBC-Draft-Charging-Schedule-DCS-January-2025.pdf>
- BD6 Stevenage Borough CIL Charging Schedule: Submission to Secretary of State (August 2025) <https://www.hwa.uk.com/site/wp-content/uploads/2025/07/CIL1-Draft-Charging-Schedule-DCS-2025-for-Submission.pdf>
- BD7 Stevenage Borough Revised Community Infrastructure Levy Examination in Public Matters, Issues and Questions: Council Response (March 2026) <https://www.hwa.uk.com/site/wp-content/uploads/2025/09/MIQ-response-FINAL.pdf>
- BD8 Meeting of the Stevenage Borough Council Cabinet: Item 5: The General Fund Capital Strategy 2025/26 to 2029/30 (11 February 2026) <https://democracy.stevenage.gov.uk/documents/s42545/5%20General%20Fund%20Capital%20Strategy%202025-26%20to%202029-30.pdf>
- BD9 CIL Instalments Policy <https://www.stevenage.gov.uk/documents/planning-policy/community-infrastructure-levy-cil/cil-21042020/cil-instalment-policy.pdf>

APPENDICES

- A Inspector's Report on the Examination of the Stevenage Revised Community Infrastructure Levy Charging Schedule, Submission Draft August 2025 (May 2026)
- B Stevenage Borough Revised Community Infrastructure Levy Charging Schedule (May 2026)