

CIL a headache? Government responds to the CIL Consultation

06 June 2019

It's finally here! The Government has published its long-awaited response to the Developer Contributions Consultation which it issued in December last year. The Consultation Paper proposed a number of changes to the Community Infrastructure Levy (CIL) and Section 106 planning agreement regime.

So what does it say?

Well, Section 106 monitoring fees are definitely coming; the Section 106 pooling restriction is definitely going; and the CIL indexation index is staying the same. Some very welcome and important "*tidying up*" of the CIL Regs is also taking place to correct the position in relation to planning permissions that have been amended. The proposals that have been taken forward are aimed at making the £6m-a-year developer contribution system less complex, fairer and more transparent. We set them out in more detail here.

Will it make a difference?

Yes, it should do. The changes are well intended and a lot of time and effort has been spent engaging with the public, charging authorities, lawyers, consultants and importantly, those who actually pay CIL. They make some significant improvements, but as history has shown, amending such complicated legislation usually leads to some unintended consequences. Only time (and a raft of different scenarios) will tell as to whether that is the case here. The draft Regulations will now make their way through the usual Parliamentary process, and "*will be debated once parliamentary time allows*" before coming into effect as new law. We doubt that there will be any significant changes as a result of the Parliamentary debates, but we will be sure to comment if there are. Stay tuned...

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