

# LONDON BOROUGH OF CROYDON

<b>REPORT:</b>	<b>EXECUTIVE MAYOR DECISION</b>	
<b>DATE OF DECISION</b>	<b>17<sup>th</sup> November 2025</b>	
<b>REPORT TITLE:</b>	<b>Review of the Borough’s Community Infrastructure Levy (CIL) Charging Schedule - Approval to proceed to examination</b>	
<b>CORPORATE DIRECTOR / DIRECTOR:</b>	<b>Nazeya Hussain, Corporate Director of Sustainable Communities, Regeneration &amp; Economic Recovery Mark Baigent, Interim Director of Planning &amp; Sustainable Regeneration</b>	
<b>LEAD OFFICER:</b>	<b>Julia Dawe, Plan Making Team Leader Steve Dennington, Head of Spatial Planning Growth Zone and Regeneration Email: <a href="mailto:Julia.dawe@croydon.gov.uk">Julia.dawe@croydon.gov.uk</a> <a href="mailto:Steve.Dennington@croydon.gov.uk">Steve.Dennington@croydon.gov.uk</a></b>	
<b>LEAD MEMBER:</b>	<b>Cllr Jeet Bains, Cabinet Member for Planning &amp; Regeneration</b>	
<b>KEY DECISION?</b>	<b>Yes</b>  <b>2525EM</b>	Decision incurs expenditure, or makes savings, of more than £1,000,000 or such smaller sum which the decision-taker considers is significant having regard to the Council’s budget for the service or function to which the decision relates and  Decision significantly impacts on communities living or working in an area comprising two or more Wards.
<b>CONTAINS EXEMPT INFORMATION?</b>	<b>No</b>	
<b>WARDS AFFECTED:</b>	<b>All</b>	

## 1 SUMMARY OF REPORT

- 1.1. This report follows on from the [11 March 2025](#) decision made under delegated authority by the Corporate Director of Sustainable Communities, Regeneration & Economic Recovery (SCRER), where it was agreed that the Council’s Community Infrastructure Levy (CIL) Draft Charging Schedule and supporting evidence could proceed to statutory consultation. This report aims to provide an overview of the statutory consultation outcomes including highlighting the key issues raised and the Council’s response.
- 1.2. Following consultation with the Executive Mayor and Cabinet Member for Planning and Regeneration, this report has been prepared and seeks agreement to:
- proceed to the next stage of the process and submit the CIL Draft Charging Schedule and supporting documents for independent examination.
- 1.3. The Council introduced the CIL charging schedule in 2013. It is a charge which can be levied by local authorities on development in their area and is a tool for local authorities to help fund the infrastructure provision needed to support development. The Council commissioned BNP Paribas Real Estate (BNPPRE) to undertake a Viability Study

(Appendix 8.2(a)) to review the charging rates to ensure they are still appropriate given the current market conditions, development viability and the growth planned in the Local Plan partial review. The study confirmed that the requirements for setting rates in a charging schedule as per the CIL Regulations 2010 (as amended) regulation 14 could be achieved, i.e. that the suggested charging rates strike an appropriate balance between the desirability of funding from CIL (in whole or in part) the actual and expected estimated total cost of infrastructure required to support the development of its area, taking into account other actual and expected sources of funding, and the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area. Based on the evidence the Council proposed a revised CIL charging schedule.

- 1.4.** The proposed CIL Draft Charging Schedule, Viability Study (BNPPRE, 2024) and other supporting documents were published for statutory consultation between 30 April and 11 June 2025. 25 representations were received from various consultee groups. The consultation sought representations as to whether the proposed CIL Draft Charging Schedule is supported — 7 representations expressed support and 18 representations expressed objection to the proposed charging rates. The following sections of this report, as well as the detailed Statement of Consultation provided at Appendix 8.2 (f) includes further information on the results from other targeted questions and the overall consultation outcomes.
- 1.5.** Following an assessment of the issues raised and advice received from BNPPRE, Council officers have recommended that the CIL Draft Charging Schedule should be submitted for independent examination.
- 1.6.** As seen in the Statement of Consultation at Appendix 8.2 (f), it is also recommended the alternative CIL legislative measures such as Exceptional Circumstances Relief, and Infrastructure in Kind should be made available where justified to support the deliverability of the Local Plan Partial Review and its spatial strategy, especially the regeneration of the Croydon Opportunity Area. Furthermore, the Council will consider bespoke Reinvestment Agreements to provide flexibility and help mitigate some of the CIL liability burden for the large-scale and complex development schemes in the borough in light of the economic conditions at that time and directly linked to the planning stage of the scheme. These alternative mechanisms are not strictly subject to the examination of the Draft Charging Schedule, however, will be presented and discussed with the inspector during the examination for their consideration if required. The decision to make the Exceptional Circumstances Relief and Infrastructure in Kind available in the borough of Croydon could be delegated to the Head of Spatial Planning, Growth Zone & Regeneration in accordance with the Sustainable Communities, Regeneration and Economic Recovery Scheme of Delegation - Planning Authorisations.
- 1.7.** The indicative examination timetable is approximately 14 weeks from the date of submission which will likely include a public hearing. Following the receipt of the examiner's report, the recommendations, along with the final CIL Draft Charging Schedule (if it is not rejected in the examination process) will be reported to a full Council meeting seeking a resolution for its approval and implementation in accordance with s213 of the Planning Act 2008.
- 1.8.** CIL revenue currently supports the delivery of the Mayor's Business Plan 2022-26, Croydon Local Plan and CIL revenue contributes towards the Council's Capital Programme. Based on a high-level analysis which compared the current CIL rates

(2025 index) with the proposed CIL rates, for the extant planning applications liable for CIL in the pipeline over 2019-2023, the new CIL could generate approximately £6m (+38%) additional revenue per year. It is important to stress this income will take three years to possibly achieve as all schemes become liable post adoption, is a snapshot and subject to the market and development commencing.

## 2 RECOMMENDATIONS

For the reasons set out in the report (and its appendices), the **Executive Mayor Jason Perry**, is recommended:

2.1 To approve:

- a) The submission of the CIL Draft Charging Schedule (Appendix 8.1) and supporting documents (Appendix 8.2 (a-g)) for independent examination in accordance with Regulation 19 of the Community Infrastructure Levy Regulations 2010 (as amended).

## 3 REASONS FOR RECOMMENDATIONS

3.1 It is a statutory requirement for the charging authority (the Council) to submit the Draft Charging Schedule, relevant evidence and supporting information to an independent Examiner for examination as set out in the CIL Regulations 2010 (as amended).

3.2 Further to 3.1, it is considered that:

- a) the Council has complied with the legislative requirements set out in the Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (as amended);
- b) the Draft Charging Schedule is supported by background documents containing appropriate available evidence;
- c) the Council has undertaken an appropriate level of consultation;
- d) the proposed charging rates are informed by, and consistent with, the evidence on viability across the borough of Croydon; and
- e) the proposed charging rates would not undermine the deliverability of the adopted Croydon Local Plan 2018 and its partial review.

3.3 Reasons for recommendations are further explained in the proceeding sections of this report.

## 4 BACKGROUND AND DETAILS

### Context for the Review

4.1 The Council adopted its current CIL Charging Schedule in April 2013, relying upon supporting evidence prepared in 2011. This was the first CIL Charging Schedule to be introduced in the Borough following the introduction of legislation for CIL in 2010. The 2013 adopted rates are subject to an annual index-linked increase and consequently the rates have risen, but at the rate of inflation and for those uses and areas that are already charged.

4.2 Most new developments which create net additional floorspace of 100m<sup>2</sup> or more, or create a new dwelling (with the 100m<sup>2</sup> threshold not applying in this case), are liable

for CIL. There are some exemptions or reliefs from paying CIL, which is set out in government policy, including social housing developments.

**4.3** The CIL regulations enable local authorities to set differential rates for development in different areas for different types of development. Croydon's adopted Charging Schedule sets different rates for developments within the Croydon Metropolitan Centre (CMC) and the rest of the borough outside the CMC.

**4.4** The adopted CIL Charging Schedule in full can be found at the following link on the Council's website:

[Community-Infrastructure-Levy-charging schedule.pdf \(croydon.gov.uk\)](#)

**4.5** The indexed increased figure for 2025 is £204.89, which is up from the original adopted 2013 figure of £120. This can be found at the following link on the Council's website:

[Community Infrastructure Levy 2025 Charging Rate](#)

**4.6** The adopted CIL Charging Schedule 2013 did not apply a residential rate in the CMC as it was found not to be viable in the 2011 evidence study. Also, a rate for commercial uses was applied as it was not viable outside the CMC for the same reason. CIL Charging Schedules can specify rates for different types of development by name or use class. However, it should be noted that the CIL charging schedule is outdated in relation to use classes as per the Town and Country Planning (Use Classes) (Amendment) (England) 2020, further justifying the need for a review.

## CIL Review Outputs

**4.7** In 2023, the Council commissioned viability consultants BNPPRE to undertake a review of the Council's adopted 2013 CIL Charging Schedule and make recommendations to revise the charging rates (if needed) based on the development viability assessment. The high-level project stages are provided in figure 1 below.



**Figure 1. CIL Charging Schedule Review project stages.**

**4.8** The Viability Study (BNPPRE, 2024) identified that since CIL was introduced, there has been no demonstrable adverse impact on the supply of housing land or upon the viability of developments coming forward across the Borough. It was also observed that there has been increases in sales values which have outstripped increases in costs, resulting in improvements in viability and enhanced capacity for absorbing CIL requirements. The comprehensive testing of alternative CIL rates indicated that relatively significant changes could be accommodated without adversely impacting on viability and to a sufficient degree, impact on land supply. Refer to Appendix 8.2(a) for further details.

**4.9** The Viability Study (BNPPRE, 2024) and the recommended Draft Charging Schedule are underpinned by the principle that the proposed rates strike an appropriate balance between the desirability of funding infrastructure from the levy and the potential impact (taken as a whole) upon the economic viability of development across the area. The

types of development that would incur a change to the current CIL charging rates as per the proposed Draft Charging Schedule (as exhibited), is shown in Table 1.

**Table 1. Key changes to the adopted CIL charging rates**

Location	Development type	Adopted rate per m2 in April 2013	Indexed rate per m2 for 2025	Proposed rate per m2 2025
<b>Croydon Metropolitan Centre (CMC)</b>	Residential (C3) schemes of 10 or more units	Nil	Nil	£225
	Residential (C3) schemes of 9 or fewer units	Nil	Nil	£300
	Student housing	Nil	Nil	£225
	Care homes	Nil	Nil	£204.89
<b>Rest of the Borough</b>	Residential (C3) schemes of 10 or more units	£120	£204.89	£225
	Residential (C3) schemes of 9 or fewer units	£120	£204.89	£300
	Student housing	Nil	Nil	£225
	Industrial warehousing	Nil	Nil	£50
	Business (class E (g) (i) and (ii))	Nil	Nil	£50
	Care homes	Nil	Nil	£204.89

**4.10** Further background regarding the Draft Charging Schedule supporting evidence base including the BNPPRE recommendations and conclusions are set out in the [11 March 2025 CIL Consultation delegated report](#).

## Consultation

**4.11** In August 2023, the Council in collaboration with BNPPRE, undertook early engagement with the development industry to review the methodology, seeking costing data to incorporate into the viability assessment. Though not required, to be transparent and actively engage on the charging schedule review process, the CIL review outputs were also presented to the September 2024 Developer's Forum. Internal consultation was also carried out throughout the project programme, including several briefings with the Mayor and the Executive Team at key milestones.

**4.12** On 11 March 2025, the Corporate Director of SCRER agreed to publish the CIL Draft Charging Schedule and other supporting documents for statutory consultation. The consultation was open for feedback from 30 April to 11 June 2025, 11:59pm and although invited public representations from the following consultees were directly contacted in accordance with the [Statement of Community Involvement](#):

- Residents
- Developers
- Adjoining local authorities
- Statutory bodies
- Resident Associations

- Businesses
- Community interest groups

**4.13** The following documents were published on Council's [Get Involved consultation webpage](#) for statutory consultation:

- Croydon CIL Draft Charging Schedule 2025
- CIL Viability Review Report (BNPPRE) 2024,
- Croydon Infrastructure Delivery Plan 2025,
- Croydon Infrastructure Funding Gap Statement 2025
- Statement of Representations Procedure 2025

**4.14** Consultation documents including copies of the representation form were made available for inspection at all of Council's library branches and the Croydon Urban Room in the Whitgift Centre (until its temporary closure). Representations were required to be provided in writing which could be submitted either by email, online survey or via post.

**4.15** The statutory consultation received 25 representations to the CIL Draft Charging Schedule, including 15 responses via email and 10 submitted by the online survey. The number of representations against the relevant stakeholder types is as follows:

- Statutory bodies: 6
- Members of the public: 8
- Developers: 8
- Resident associations: 1
- Community Interest group: 1
- Non-statutory government body: 1

**4.16** The consultation sought feedback as to whether the proposed CIL Draft Charging Schedule is supported as well as several other targeted questions aligned with legislative requirements. Overall, 7 representations expressed support, and 18 representations expressed objection to the proposed charging rates which can be seen in Table 2 below. Further details are provided at Appendix 8.2(f) Statement of Consultation and Appendix 8.2(e) Copies of representations made on the CIL Draft Charging Schedule.

**Table 2. High-level statutory consultation outcomes**

Stakeholder Type	Representor	Support (Y/N)	Request to be heard (Y/N)
Interest group	Wandle Valley Forum	N	N
Member of the public	N/A	N	N
Public body	Natural England	Y	N
Public body	National Highways	Y	N
Public body	Historic England	Y	N
Developer	Prologis UK	N	N
Developer	DP9 on behalf of Croydon Developments Ltd	N	N
Public body	National Rail	Y	N

Developer	Planning Issues UK on behalf of Churchill Living and McCarthy Stone	N	N
Developer	DP9 on behalf of SKM Croydon Limited and KS Croydon Limited (Norfolk House)	N	N
Public body	Transport for London	Y	N
Developer	Quod on behalf of URW	N	Y
Public body	NHS London HUDU	Y	N
Member of the public	N/A	N	N
Developer	Chartwell Land & New Homes Limited	N	Y
Member of the public	N/A	N	N
Member of the public	N/A	N	Y
Member of the public	N/A	N	N
Member of the public	N/A	Y	N
Member of the public	N/A	N	N
Developer	Southern Housing	N	Y
Residents Association	East Coulsdon	N	Y
Developer	Quod on behalf of IKEA	N	Y
Public body	Sports England	N	Y

## Emerging issues and the Council's response

**4.17** A summary of key issues against the corresponding consultee group and the Council's response (informed by BNPPRE advice) is provided in Table 3. A breakdown of main issues raised and corresponding responses for each representation is provided in the Appendix 8.2(f) Statement of Consultation.

**Table 3. Summary of key issues and the Council's response**

Consultee Group	Key Issues	Response
<b>Public Bodies</b>	Generally, supported the proposed charges but wanted to make sure that key infrastructure provision is captured in Council's Infrastructure Delivery Plan (IDP). It was also suggested that impact of CIL on sports facilities was not considered in the viability assessment.	The Council will continue to liaise with relevant public bodies in future iterations of the IDP to ensure that listed infrastructure provision and programmes remain appropriate. It is noted that there are no proposed changes to any rate that impacts sports or related facilities. No changes are required.

<b>Developers</b>	Argued that the Viability Study (BNPPRE, 2024) is inadequate and does not meet the requirements of the National Planning Policy Framework (NPPF) and planning guidance. Mostly concerned that some costs have been unaccounted for which would result in unviable development schemes, impacting key sites in Croydon. There was lack of consideration of multi-storey industrial development and their unique characteristics.	<p>The Council considers that the Viability Study (BNPPRE, 2024) is robust and has been carried out in compliance with relevant legislation, NPPF and planning guidance.</p> <p>The Council is willing to activate alternative CIL mechanisms such as Exceptional Circumstances Relief, In-Kind Payments and additionally consider bespoke Reinvestment Agreements which could mitigate the CIL liability impacts for large scale developments.</p> <p>The Council is currently in discussions with Prologis regarding concerns relating to the CIL industrial and warehousing rate proposed for the Rest of Borough zone. Additionally, consideration of viability impacts to modern multi-storey industrial development building typologies that include service, ramp and access areas within the Gross Internal Area (GIA). These issues will be matters for the Examiner through the examination process.</p>
<b>Members of the public</b>	Mostly opposed at the idea of additional taxes charged to the individual. Some comments were raised that the increased rates could stifle the redevelopment of the Croydon Town Centre.	CIL is a form of developer contribution towards provision of community infrastructure that is required to support growth. It is paid by developers, not individuals. The Council has struck an appropriate balance between the desirability of raising funds for infrastructure and the viability of development. No changes are required.
<b>Community interest group</b>	Requested the Council to make provision for pooling funds with other authorities in relation to investment in the Wandle and associated green space.	Expenditure of CIL is not a matter that the Examiner has any power to direct. No changes are required.

**4.18** Upon review of the submissions, it was determined that there are no major issues warranting the need to undertake a formal Statement of Modification consultation process and that the proposal CIL Draft Charging Schedule and supporting evidence that was published for statutory consultation could be submitted for examination.

**4.19** As noted in Table 3, the Council has considered the representations relating to industrial floorspace, in particular from Prologis, a key developer of new industrial floorspace in Croydon and the rest of the capital. In addition, the Council has considered the approach adopted by other charging authorities which have recently introduced CIL rates on industrial floorspace. Ealing and Old Oak Common Development Corporation have both recently introduced CIL rates on industrial developments of £35 to £40 per square metre (excluding access ramps for multi-storey industrial development). Introducing a rate of £35 per square metre for industrial and warehousing development in the Rest of Borough Zone would also be considered consistent with the Viability Study (BNPPRE, 2024), which indicated that different

forms of industrial development have significant varying capacity to absorb a CIL charge (in addition to Mayoral CIL which already applies to industrial schemes).

- 4.20** Issues outlined in paragraph 4.19 will be matters for consideration through the examination process.
- 4.21** Several developers raised concerns that the Viability Study (BNPPRE, 2024) did not adequately consider site-specific costs for large scale residential sites in the Croydon Metropolitan Centre. The Council maintains that the Viability Study has been prepared in compliance with the relevant legislation, National Planning Policy Framework and planning guidance. Furthermore, that the proposed Draft Charging Schedule has struck a balance between the desirability of raising funds for infrastructure and the impact on the viability of development across the area as a whole.
- 4.22** Notwithstanding, the Council is supportive of CIL legislative measures such as Exceptional Circumstances Relief and Infrastructure in Kind in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) regulation 56 and 73 respectively at the appropriate time, scheme and when justified. These alternative options provide flexibility and can be fairly applied across the borough. There is also support to further investigate the Bespoke Infrastructure Reinvestment Agreement approach being tested at the London Borough of Tower Hamlets and the London Borough of Barnet as an alternative mechanism which could allocate CIL money to directly reinvest back into a scheme. These mechanisms sit outside of the CIL charging schedule review process and are not subject to the examination of the Draft Charging Schedule. However, it has been put forward as a suggested approach in the Statement of Consultation (Appendix 8.2 (f)) to support the implementation of the revised charging schedule and address some of the development viability challenges expressed in the representations.

## **Next Steps**

- 4.23** The Draft Charging Schedule and supporting documents would be submitted to an Examiner for independent examination and would be published on Council's website along with a Statement of Fact that the documents are available for public inspection. Those who made representations to the statutory consultation will also be notified that the Draft Charging Schedule has been submitted for examination. An indicative timetable of 14 weeks for the examination process which will likely include a public hearing given 7 representations indicated that they would like to exercise their right to be heard at a public hearing.
- 4.24** Following the completion of the examination process, the Examiner will submit their recommendations and corresponding reasons in a report to the Council. The Council is then required to publish the report as soon as practicable on the website and make it available for public inspection. In accordance with the Planning Act 2008 (Act) s213, the Council can subsequently approve a charging schedule if the Examiner has recommended that the CIL Draft Charging Schedule be approved (or approved subject to modifications). As per the Act, approval of a charging schedule must be at a meeting of the authority (Council meeting) where a majority of votes of members present.
- 4.25** As noted in paragraph 4.22 the Council is willing to make the Exceptional Circumstances Relief and Infrastructure in Kind CIL mechanisms available should it be justified at the appropriate stage in the planning process. The process to make these mechanisms available is independent of the charging schedule review process and

could be activated at a time considered appropriate by the Council through delegated authorisation from the Head of Spatial Planning, Growth Zone & Regeneration in accordance with the Sustainable Communities, Regeneration and Economic Recovery Scheme of Delegation - Planning Authorisations.

## 5 ALTERNATIVE OPTIONS CONSIDERED

- 5.1 Proceed to examination based on the Draft Charging Schedule and supporting evidence documents published for statutory consultation:** BNPPRE have advised that there are no major issues arising from the consultation that would require the Council to significantly modify the proposed Draft Charging Schedule prior to examination, other than the issues listed in paragraph 4.19 which can be dealt with through the examination. This is the preferred option.
- 5.2 Revisit the project after the partially reviewed Local Plan is adopted and reassess viability to reflect the market conditions at time of recommencement:** It is noted that the Croydon Local Plan partial review examination is currently underway. The inspector could recommend modifications to the plan that could have an implication on the CIL charging schedule. The Viability Study considered the draft policies in the Local Plan partial review, however any change arising from the examination would not have a significant impact to the outcomes of the overall viability assessment. Therefore, the examination of the Local Plan partial review and CIL Draft Charging Schedule can proceed in parallel to each other. Any delays to the CIL Charging Schedule examination would have a significant impact on CIL income and pose a risk to the delivery of infrastructure needed across the borough to support new developments, which is not supported. Additionally, any extended delays could require further viability assessment resulting in additional costs, time and resources for the Council.
- 5.3 Recommend that large scale residential development sites in the CMC be nil rated in the CIL Draft Charging Schedule:** Although the CIL rate in the Croydon Metropolitan Centre (CMC) is currently nil, the Viability Study (BNPPRE, 2024) confirmed that this area has also seen the steepest increase in residential values in the Borough which has consequently narrowed the historic differences in viability across the Borough. Bringing the CMC into line with the rest of the Borough would raise significant additional income for the Council to support the infrastructure need from the growth planned in the Croydon Opportunity Area. Adopting a nil rating for specific sites is an inflexible approach that does not allow for changing development market conditions over time. Additionally, this would set a precedent for other development sites in the borough, undermining the integrity of the CIL funding mechanism and overarching objectives of the charging schedule review.
- 5.4** In conclusion, the option outlined in paragraph 5.1 is most preferred. This would impact on future capital expenditure at a time when the Council is seeking to reduce costs and increase revenue generation where possible.

## 6 CONTRIBUTION TO EXECUTIVE MAYOR'S BUSINESS PLAN

- 6.1** CIL revenue currently supports the delivery of the Mayor's Business Plan. This includes the regeneration of Croydon's town and district centres by improving the public realm and reducing carbon emissions by facilitating walking and cycling. The CIL Charging Schedule

is most closely aligned to Outcome 4 of the Mayor's Business Plan which states: **"Croydon is a cleaner, safer and healthier place, a borough we are proud to call home."** Any review of CIL would continue to support the Business Plan.

- 6.2** In addition, the potential additional revenue generation following the CIL examination would contribute towards the Council's Financial Recovery Plan, as per paragraph 8.1.4 below.

## **7 IMPLICATIONS**

### **7.1 FINANCIAL IMPLICATIONS**

- 7.1.1 The review of the CIL Charging Schedule was funded from the Borough CIL Administration income in accordance with the CIL regulations. Local authorities are permitted to use up to 5% of collected CIL funds in order to administer the CIL workstream.
- 7.1.2 **Revenue and Capital consequences of report recommendation**  
There are no adverse cost implications of approving the CIL Draft Charging Schedule and supporting documents, for independent examination.
- 7.1.3 CIL revenue contributes towards the available funds for the Council's Capital Programme. The Capital Programme and Capital Strategy 2023-2029 includes predicted CIL income. It sets out the contribution from the Borough CIL income stream financing the capital programme. It is always cost effective for the Council to utilise non-debt financing to fund the capital spend.
- 7.1.4 Progressing the review of the CIL Charging Schedule to the next stage of the process, and if approved through the examination, will increase income generated for the Council.
- 7.1.5 Comments approved by Greta Abeineran, Finance Manager for Sustainable Communities, Regeneration and Economic Recovery on behalf of Director of Finance and Deputy s151 Officer on 10/10/2025.

## 7.2 LEGAL IMPLICATIONS

- 7.2.1 The Community Infrastructure Levy Regulations 2010 as amended by The Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 and the Planning Act 2008 set out the requirements for the submission and approval of a Draft Charging Schedule.
- 7.2.2 Before being examined, a Draft Charging Schedule must be formally published along with appropriate available evidence on infrastructure costs, other funding sources and viability. This was satisfied as part of the statutory consultation held earlier this year.
- 7.2.3 In accordance with the CIL Regulations 2010 (2012 and 2019 amendments). The following must be submitted to the examiner:
- (a) the Draft Charging Schedule
  - (b) a statement setting out—
    - (i) if representations were made, the number of representations made and a summary of the main issues raised by the representations, and a summary of how the representations received were taken into account, or
    - (ii) that no such representations were made;
  - (c) copies of any representations;
  - (d) where the charging authority modified the Draft Charging Schedule, a statement of modifications; and
  - (e) copies of the relevant evidence.
- 7.2.4 Noting that the statutory consultation of the Draft Charging Schedule received 25 representations and that it is advised that a statement of modification process is not required prior to submission, then on the basis of the Draft Charging Schedule and supporting evidence documents provided in Appendix 8.1 and 8.2 (a-h), the above regulation requirements are met.
- 7.2.5 Pursuant to Para 3.1 of Part 3 of the Constitution, the decision to take CIL to Examination is an Executive function. On this basis, the present decision is an Executive decision. However, paragraph 19 of the Mayor's Scheme of Delegation states that Corporate Directors may exercise any executive function of the Council falling within their directorate and not reserved for a Member decision provided that the Mayor is consulted as appropriate, having regard to the significance and profile of the decision, any (and if so the nature of the) political and community sensitivities associated with the decision and the reasonable expectations of the Executive Mayor.
- 7.2.6 The decision to take CIL to examination comprises a key step towards the final adoption of the new CIL charging schedule and therefore comprises a 'Key Decision'. A Key Decision is an executive decision, which is likely to —
- (a) result in the Council incurring expenditure, or making savings, of more than £1,000,000 or such smaller sum which the decision-taker considers is significant having regard to the Council's budget for the service or function to which the decision relates; or

(b) be significant in terms of its effects on communities living or working in an area comprising two or more Wards in the Borough.

7.2.7 Comments approved by Siddhartha Jha, Planning Lawyer on behalf of Stephen Lawrence-Orumwense the Director of Legal Services and Monitoring Officer on 20/02/25.

### 7.3 EQUALITIES IMPLICATIONS

7.3.1 In taking this decision, the Council has had due regard to its duties under **Section 149 of the Equality Act 2010**, which requires public authorities to have due regard to the need to (a) eliminate discrimination, harassment, and victimisation, (b) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not, and (c) foster good relations between such persons.

7.3.2 The submission of the Community Infrastructure Levy (CIL) Draft Charging Schedule for independent examination is a statutory procedural step and does not create direct equality impacts. However, changes to charging rates may have indirect implications for housing supply, affordability, and access to community infrastructure, which could in turn affect disabled residents, racially minoritised communities, low-income families, and older people.

7.3.3 To ensure compliance with the Public Sector Equality Duty, the Council will:

- Undertake further equality screening of rate changes to assess differential impacts on protected groups through the next stages of the CIL Charging Schedule Review.
- Consider flexibility measures—such as Exceptional Circumstances Relief, Infrastructure in Kind, and Reinvestment Agreements—transparently and equitably to safeguard inclusive and accessible development; and
- Monitor equality impacts and prepare a refreshed Equality Impact Assessment prior to the adoption of the revised Charging Schedule.

7.3.4 Subject to these mitigations and ongoing monitoring, the proposal is considered capable of compliance with the Public Sector Equality Duty and consistent with the Council's anti-racism and inclusion commitments.

7.3.5 Comments approved by Philip Conteh, Senior Equalities Officer on behalf of Caroline Bruce Head of Strategy and Policy on 13/10/2025.

## 8 APPENDICES

8.1 London Borough of Croydon: Draft Charging Schedule – April 2025

8.2 London Borough of Croydon CIL Regulations 2010, Regulation 19 supporting documents for independent examination:

- a) CIL Viability Study (BNPPRE) – March 2024
- b) Croydon Infrastructure Delivery Plan – 2025
- c) Croydon Infrastructure Funding Gap Statement – April 2025
- d) Statement of Representations Procedure – April 2025

- e) Copies of representations made on the Regulation 16 Statutory Consultation of the CIL Draft Charging Schedule – November 2025
- f) Statement of Consultation – November 2025
- g) Statement of Compliance – November 2025

## 9 BACKGROUND DOCUMENTS

Decision 11 March 2025 - Review of the Borough's Community Infrastructure Levy (CIL) Charging Schedule - Approval of statutory consultation stage following completion of review findings

[Decision Details 11 March 2025 \(croydon.gov.uk\)](#)

The Council's Get Involved consultation webpage – CIL Charging Schedule Review  
<https://www.getinvolved.croydon.gov.uk/community-infrastructure-levy-cil-charging-schedule-review>

Cabinet Report March 2024

[Cabinet Update Report March 2024 14.3.24.pdf \(croydon.gov.uk\)](#)

Capital Programme and Capital Strategy 2023-2029

[Appendix H - Capital Programme and Capital Strategy 2023-29.pdf \(croydon.gov.uk\)](#)

Community Infrastructure Levy relevant documents including the Charging Schedule (2013) and 2025 index rate increase

[Community Infrastructure Levy \(CIL\) and Section 106 | Croydon Council](#)

Croydon Local Plan 2018

[Local plan 2018 | Croydon Council](#)

Croydon Local Plan Review Regulation 19 consultation 2024

[Regulation 19 consultation | Croydon Council](#)

Infrastructure Delivery Plan

[Infrastructure delivery plan | Croydon Council](#)

Infrastructure Funding Statement

[Annual Infrastructure Funding Statement 2023-24](#)

London Borough of Croydon: Local Plan Viability Assessment 2024

[Viability | Croydon Council](#)

Mayor's Business Plan 2022-2026

[Mayor's Business plan 2022 - 2026 \(croydon.gov.uk\)](#)

Planning Practice Guidance – Community Infrastructure Levy

<https://www.gov.uk/guidance/community-infrastructure-levy>

Statement of Community Involvement (adopted 2024)

[Statement of Community Involvement | Croydon Council](#)

The Community Infrastructure Levy Regulations 2010

<https://www.legislation.gov.uk/ukxi/2010/948/regulation/16/made>

The Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019  
<https://www.legislation.gov.uk/ukxi/2019/1103/regulation/3/made>