

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

**COMMUNITY INFRASTRUCTURE LEVY, ENGLAND
AND WALES**

The Community Infrastructure Levy Regulations 2010

WARNING NOTICE

SERVED BY: **Havant Borough Council ("the Council")**

To: **Mr Sean Conaghan
BHI Building Services Limited
224 Havant Road
Drayton
Portsmouth
PO6 1PA**

1. **THIS NOTICE** is issued by the Council, in exercise of their power in Regulation 89 of the 2010 Regulations, because they consider that it is expedient that the activity specified in this notice may have to cease after 28 days of the serving of this notice unless the cleared payment described in paragraph 3 below has been received by the Council. The Council hereby give warning that a CIL Stop Notice will be served on or after the 11 October 2019 in exercise of their power in Regulation 90 of the 2010 Regulations on the land described below. Important additional information is given in the Annex to this notice.

2. THE LAND TO WHICH THE NOTICE RELATES

23 Sherfield Avenue, Havant, PO9 5HT, shown edged red on the attached plan.

3. ACTIVITY TO WHICH THIS NOTICE RELATES

Erection of 1No. 2 bed end of terrace house with access from Sherfield Avenue (approved 19.05.16). Request to discharge conditions No/s 3, 4, 7 and 8 (30.08.17 - not proceeded with). Request to discharge conditions No/s 3, 4, 7 and 8 (13.12.18).

4. WHAT YOU ARE REQUIRED TO DO

Pay the outstanding sum of £9,385.74 immediately

5. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 13 September 2019

Dated: 13 September 2019

Yours sincerely

[Simon Jenkins](#)

Head of Planning

Our Ref: APP/16/00176

Please ask to speak to the Community
Infrastructure Officer, Louise Weaver (023 92
446545) if you get in contact with us/email
cil@havant.gov.uk

ANNEX

YOUR RIGHTS OF APPEAL IF A STOP NOTICE IS SERVED IN RELATION TO THE LAND DESCRIBED IN PARAGRAPH 2 OF THE ATTACHED WARNING NOTICE.

You may appeal to the Planning Inspectorate against the issue of a Community Infrastructure Levy (CIL) stop notice (Regulation 119) where:

- The collecting authority did not serve a warning notice before imposing the CIL stop notice; or
- The development for which the CIL stop notice was imposed has not commenced.

Appeals against CIL stop notices must be made within 60 days of the date the notice takes effect.

Offence

93.-

1. A person commits an offence if the person contravenes a CIL, stop notice
 - a. which has been served on that person; or
 - b. a copy of which has been displayed in accordance with regulation 90(6)
2. Contravention of a CIL stop notice includes causing or permitting the contravention of the notice.
3. An offence under this regulation may be charged by reference to a day or a longer period of time.
4. A person may be convicted of more than one such offence in relation to the same CIL stop notice by reference to different days or periods of time.
5. It is a defence for a person charged with an offence under this regulation to prove that
 - a. the CIL stop notice was not served on the person; and
 - b. the person did not know, and could not reasonably have been expected to know, of its existence.
6. A person convicted of an offence under this regulation is liable
 - a. on summary conviction, to a fine not exceeding £20,000; or
 - b. on conviction on indictment, to a fine.
7. In determining the amount of the fine the court must have regard in particular to any financial benefit which has accrued or has appeared to accrue to the person convicted in consequence of the offence.

Appendix: Red Line Plan – CIL Warning Stop Notice (APP/16/00176: 23 Sherfield Avenue)

