



## Community Infrastructure Levy (CIL) LIABILITY NOTICE

Our Ref: LN00000300

**\*\* FOR INFORMATION ONLY \*\***

Direct Line: (023) 9244 6545

Ask For: Louise Weaver

Email: [cil@havant.gov.uk](mailto:cil@havant.gov.uk)

07 June 2017

Chris Rees  
Savills  
2 Charlotte Place  
Southampton  
SO14 0TB

Dear Sir/Madam

**Description of Chargeable  
Development**

Development of 288 residential units comprising 9 x one bedroom, 110 x two bedroom, 124 x three bedroom and 45 x four bedroom, retention of existing farmhouse, new access road from Eagle Avenue, internal access roads, associated car parking, open space and landscaping and including works to trees under TPO 1931 (Approved 5 May 2015). Request to discharge condition 26 and partially discharge condition 5 (3.1.17). Request to Discharge Condition No.s 2, 3, 6 and 8 (21.02.17). Request to partially discharge condition 19 (28.2.17).

**Address**

Woodcroft Farm Development Site, Woodcroft Lane, Waterlooville

**Planning Permission**

APP/13/00804 Phase 2

**CIL Liability**

You have received this notice in accordance with regulation 65 of the Community Infrastructure Levy Regulations 2010 (as amended) as you have an interest in the relevant land.

This notifies you that the liable party listed overleaf will be liable to pay **£442,050.71** of Community Infrastructure Levy to Havant Borough Council as CIL collecting authority on commencement of development of planning permission APP/13/00804 Phase 2. This charge is levied under HBCs CIL Charging Schedule, and S211 of the Planning Act 2008.

**HBC**

| Description                          | Chargeable Area | Rate/sq m | Index | Area Charge | Relief | Total       |
|--------------------------------------|-----------------|-----------|-------|-------------|--------|-------------|
| Residential Rest of Borough - £80.00 | 4873.00 sqm     | £80.00    | 1.134 | £442,050.71 | £0.00  | £442,050.71 |

CIL Total for this charging authority

|                         |             |
|-------------------------|-------------|
| Total Liability for HBC | £442,050.71 |
|-------------------------|-------------|

**Total CIL Liability**

|                    |
|--------------------|
| <b>£442,050.71</b> |
|--------------------|

Area Totals (sqm)

|                   |          |
|-------------------|----------|
| Total Development | 4,873.00 |
| Demolitions*      | 0.00     |
| Existing Use*     | 0.00     |
| Chargeable Area   | 4,873.00 |

\* Demolished floorspace and existing floorspace are only included above if eligible for deduction from the chargeable area.

### How we calculated this figure

We calculated this figure using the formula below as set out in regulation 40 of the CIL Regulations 2010 (as amended):

$$\text{The CIL Total Area Charge} = \text{Chargeable Area (A)} \times \text{Rate (R)} \times \text{Index (I)}$$

The Chargeable Area is the gross internal area of the total development less the floorspace of any existing buildings which are eligible deduction.

**To be eligible for deduction, the existing buildings must be situated on the relevant land on the day planning permission first permits the chargeable development and be 'In Use'.**

A building is defined as being '**In Use**' if part of the building has been in continuous use for a period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development.

The charge will be index linked based on the following formula:

$I_p/I_c$  where  $I_p$  is the index figure for the year in which planning permission was granted and  $I_c$  is the index figure for the year the charging schedule took effect (2012), using the national All-in tender price index published by the Building Cost Information Service (BCIS).

### New liability notices may be issued

Any change in the details contained in this notice which affect the calculation of the chargeable amount will lead to the Council issuing a new liability notice. Changes requiring a new calculation of the chargeable amount may arise from:

- A change to the liable party
- Granting of a Community Infrastructure Levy relief
- Any existing buildings deducted from the CIL-liable floorspace are subsequently found not to have qualified as being 'In Use' (defined above) for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development

**Please note it is your responsibility to notify us if:**

- There is a change in the liable party. In this case, please complete Form 3: Withdrawal of Assumption of Liability Form and or Form 4: Transfer of Assumed Liability Form
- The liable party's contact details change
- There are any changes in the floorspace details involved in the chargeable development. In this case, please submit a new Planning Application Additional Information Requirement Form

### **Are you eligible for relief from CIL?**

Relief is not offered.

### **When will this CIL amount be due for payment?**

If the payment procedure is followed correctly, this CIL amount will be payable in the following manner:

4 instalments: 25% of the levy 60 days from commencement; 25% of the levy 180 days from commencement; 25% of the levy 240 days from commencement; 25% of the levy 360 days from commencement.. The council's CIL Instalments Policy can be viewed online:

[www.havant.gov.uk/sites/default/files/documents/Adopted%20instalments%20policy.pdf](http://www.havant.gov.uk/sites/default/files/documents/Adopted%20instalments%20policy.pdf)

**You must notify Havant Borough Council of the date on which you intend to commence development by submitting a valid Form 6: Commencement Notice (this is not the same as a commencement notice submitted to Building Control).**

Payment of the CIL chargeable amount will be due in full on the day that development commences. If a valid Form 6: Commencement Notice has not been submitted before development commences, payment of the CIL amount will be due in full on the day that the collecting authority believes the development to have commenced. Interest and surcharges may also be applied.

### **Consequences of non payment**

If you fail to follow the payment procedure described above, the collecting authority will impose surcharges on this liability. Persistent failure to pay CIL liabilities due may result in the collecting authority imposing surcharges, serving a CIL stop notice prohibiting further development on the site and/or taking action to recover the debt due. Please see the document published by the Department for Communities and Local Government on the [Consequences of failing to following the CIL Payment procedure](#) for further information.

### **The amount of CIL liability in this notice is a local land charge**

This CIL liability has been registered as a local land charge against the land affected by the planning permission in this notice. This charge will be cancelled on full payment of this liability.

### **Do you think we have made a mistake in our calculations?**

You can ask us to review our calculation. If you are unhappy with the calculation following this review, you can appeal to the Valuation Office Agency. Please see the Planning Portal note on the Appeals Procedure for further information.

### **Recipients of this Liability Notice**

Other recipients of this notice include the following (where relevant):

- Those jointly liable to pay CIL or those who have jointly assumed liability to pay CIL
- Each person known to the authority as an owner of the relevant land

- The person who has applied for planning permission or submitted a notice of chargeable development, where this is different to those above

| Name and address of all recipient(s) of this notice                   | Category of recipient |
|-----------------------------------------------------------------------|-----------------------|
| Derwent Developments Ltd<br>C/O Agent                                 | Liable Party          |
| Chris Rees<br>Savills<br>2 Charlotte Place<br>Southampton<br>SO14 0TB | Interested Party      |

Please note, the agent acting on behalf of the applicant may also receive a copy of the Liability Notice.

### Next Steps

One of the development parties must notify the Council of the intended commencement date of the chargeable development by submitting Form 6: Commencement Notice to the Council no later than the day before the day on which the chargeable development is to be commenced. A copy must also be served on each person known as an owner of the relevant land.

Please email the completed Form 6: Commencement Notice to: [cil@havant.gov.uk](mailto:cil@havant.gov.uk)

Alternatively, you can post the form to: Planning Services, Havant Borough Council, Public Service Plaza, Civic Centre Road, Havant PO9 2AX.

On receipt of the Form 6: Commencement Notice the Council will issue a Demand Notice to the liable person(s) setting out the total CIL chargeable amount payable on commencement of the development and precise details of payment arrangements.

Further information and all CIL forms are available on the Planning Portal website at [www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil) and the Havant Borough Council Website at [www.havant.gov.uk/planning-policy-design/community-infrastructure-levy](http://www.havant.gov.uk/planning-policy-design/community-infrastructure-levy)

If you are unable to obtain a particular form please contact a member of our CIL Team who will arrange for a copy to be dispatched. If you have any queries regarding CIL please contact us at

[cil@havant.gov.uk](mailto:cil@havant.gov.uk) or a member of our CIL Team on (023) 92446545

Yours faithfully

*Planning Services*

Our Ref: APP/13/00804 Phase 2