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BOROUGH COUNCIL

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04 March 2016

COMMUNITY INFRASTRUCTURE LEVY REGULATIONS (2010)
REGULATION 65 LIABILITY NOTICE

THIS IS NOT A DEMAND FOR PAYMENT

Dear Sir/Madam

Proposal:	Conversion of Eastleigh House from single C3 dwellinghouse to B1 offices and two C3 dwellinghouse along with the erection of a two storey extension to provide a further single C3 dwellinghouse, plus the construction of a courtyard development of 10 terraced houses, including landscaping, parking and turning areas.
Location:	Eastleigh House, Bartons Road, Havant, PO9 5NA
Planning Application/Liability Notice Ref (if applicable)	APP/15/01103 / LN1

It is important that you read this letter in full as it sets out the options for paying the Community Infrastructure Levy. It also requires you to submit certain details within 14 days of the receipt of this letter or before you submit a commencement notice.

This notifies you that you will be liable to pay an amount of Community Infrastructure Levy to Havant Borough Council on commencement of the above chargeable development. This charge has been levied under the Havant Borough Council CIL Charging Schedule and s211 of the Planning Act 2008. We have calculated this figure from the following information where "GIA" stands for "gross internal floor area":

Description of Class	GIA New	GIA Existing	GIA Net Increase	CIL Liability
Dwelling houses	1210	260	950	£91,267.86

New liability notices may be issued

The above CIL liability has been calculated based on the rates contained in the adopted Charging Schedule. Any change in the details used to produce this notice prior to the payment of the CIL liability for this chargeable development (including calculation of the CIL liability, amount of relief granted, change in the All-in Tender Price Index or future alterations in the adopted Havant Borough Charging Schedule) will lead to the Collecting Authority issuing a new Liability Notice.

The time when planning permission first permits development

CIL Regulation 8 confirms that planning permission first permits development on the day that planning permission is granted for a CIL liable development subject to the following provisions:

- (a) In the case of a grant of outline planning permission, planning permission first permits development on the day of the final approval of the last reserved matter associated with the permission.
- (b) But where the outline planning permission permits development to be implemented in phases, planning permission first permits a phase of the development on the day of the final approval of the last reserved matter associated with that phase.
- (c) In the case of a grant of planning permission which is not an outline planning permission and is subject to a condition requiring further approval to be obtained before development can commence, planning permission first permits development on the day final approval is given.

For information purposes Havant Borough Council may issue a Liability Notice following the grant of planning permission for a chargeable development but before the time when planning permission first permits a development. Once Havant Borough Council issues a subsequent Liability Notice after the day on which planning permission first permits development, any earlier Liability Notice issued by Havant Borough Council in respect of the same chargeable development will cease to have effect.

Are you eligible for relief from CIL?

If you are a charity or intend to use the development for social housing, you may be eligible for a reduction (partial or entire) in this CIL liability. Please see the document published by the Department for Communities and Local Government, 'Information to assist collecting authorities in making arrangements for the collection and enforcement of the Community Infrastructure Levy' for more information.

If you wish to apply for this relief it should be submitted prior to the commencement of development and on the **CIL FORM 3** 'Claiming Exemption or Relief'.

Details of amount of relief granted (if applicable)

enter amount of relief granted

When will this CIL amount be due for payment?

The council's payment procedure requires the applicant/developer to notify the CIL Collecting Authority (Havant Borough Council) before development commences of:

- (a) Who will pay the amount, by assuming liability using **CIL FORM 1** 'Assumption of Liability'
- (b) The date on which you intend to commence development, by submitting a valid CIL Form 6 'Commencement Notice'

PLEASE NOTE: WE WILL NOT BE ABLE TO ACCEPT PAYMENT PRIOR TO SUBMISSION OF CIL FORM 1 AND CIL FORM 6 EXCEPT WHERE THE CHARGEABLE DEVELOPMENT IS DEEMED TO HAVE COMMENCED

Precise details of your payment arrangements and options will be contained in the Demand Notice that will be sent to the person liable to pay CIL following submission of a valid Commencement Notice. If this payment procedure is not followed, payment of the CIL amount will be due in full on the day that development commences. If a valid 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.

It is your responsibility to ensure that all the pre-commencement conditions attached to your planning permission are discharged before you submit a commencement notice and/or commence development.

Payment by Instalments or in kind

The CIL payment does not become payable until a Demand Notice has been issued.

If this payment procedure is followed correctly, this CIL amount will be payable in accordance with the Havant Borough Council CIL Instalment Policy which can be viewed on the council's CIL webpage www.havant.gov.uk/planning-policy-design/community-infrastructure-levy Please note that this instalment policy may alter but changes will be updated on the website. Nothing in the Havant Borough Council CIL Instalment Policy prevents payments being made at an earlier time.

Payment in kind

Some, or the entire amount, may also be paid by transferring land to the CIL charging authority or another beneficiary agreed with the Charging Authority. See the note "Paying CIL in the Form of Land" which can be found on the council's website www.havant.gov.uk/planning-policy-design/community-infrastructure-levy for more information.

If you wish to make your CIL payments in instalments or make a payment in kind, it is important that you let your planning application case officer know your intentions within **14 days** of the receipt of this letter or **before you submit a commencement notice**.

Consequences of non-payment

If you fail to follow the payment procedure described above, the council may impose surcharges on this liability. Persistent failure to pay CIL liabilities due may result in the council 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, 'Consequences of failing to following the CIL Payment procedure' for more 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.

The local land charge for the amount of any relief granted as set out in this notice will be cancelled seven years after commencement of development, or where a disqualifying event has occurred, or on full payment of the amounts due.

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

You can ask us to review them by writing to us at the address on the front of this notice. If you are unhappy with the calculation following this review, you can appeal to the Valuation Office Agency. They can be contacted by telephone on 03000 501 501 or via email: asksvt@voa.gsi.gov.uk

Further Information

Full details on the council's CIL process including the payment procedure, consequences of not paying CIL in accordance with the payment procedure and withdrawal/transfer of liability to pay CIL can be found on the Havant Borough Council website www.havant.gov.uk/planning-policy-design/community-infrastructure-levy **We can supply this information in an alternative format or translate it for you. A member of staff will also be happy to discuss this with you. Please call 02392 446015.**

Yours faithfully

Andrew Biltcliffe

Andrew Biltcliffe
Head of Planning
Our Ref: APP/15/01103