



Mr N Bone and
Mrs C Bone
22 Latchmore Gardens
Waterlooville
PO8 8XR

Our Ref: APP/13/00657
Direct Line: (023) 02392 446509
Ask For: Mr S Cantwell
Email: planning.development@havant.gov.uk
19 May 2014

**COMMUNITY INFRASTRUCTURE LEVY REGULATIONS (2010)
REGULATION 65 DEMAND NOTICE**

Dear Sir/Madam

Demand Notice Ref	DN1 Bones
Date of Intended or Deemed Commencement	24 February 2014
Liability Notice Ref	APP/13/00657/LN/1
Location:	108 Lovedean Lane, Waterlooville, PO8 9SN
Proposal:	Demolition of existing 3 bed house. Construction of 1No. 4 bed detached chalet bungalow and 1No. 3 bed detached chalet bungalow and detached double garage, utilising existing vehicular access from Lovedean Lane.

Reason for issuing Demand Notice:

A valid Commencement Notice has been received from Mr N Bone and Mrs C Bone in respect of the rear plot.

The outstanding amount of CIL payable, including surcharges, that this Demand Notice relates to (in pounds and pence):

Amount Due: **NIL 100% exemption**

When will this amount be due for payment?

I refer to your letter of the 16 April 2014, together with the Self Build Exemption Claim Form: Part 1 and Community Infrastructure Levy (CIL) Form 1: Assumption of Liability.

The exemption for self-build housing is contained within Section 54A with the relevant procedure in Section 54B of The Community Infrastructure Levy (Amendment) Regulations 2014. This specifies a number of requirements that a claimant must meet to qualify for an exemption of CIL contribution, the relevant parts are set out below:

The claim must be made by a person who-

- (i) intends to build, or commission the building of, a new dwelling, and intends to occupy the dwelling as their sole or main residence for the duration of the clawback period (in relation to exemption for self-build housing, the period of three years beginning with the date of the compliance certificate relating to the relevant dwelling), and
- (ii) has assumed liability to pay CIL in respect of the new dwelling, whether or not they have also assumed liability to pay CIL in respect of other development;
- (b) be received by the collecting authority before commencement of the chargeable development;
- (c) be submitted to the collecting authority in writing on a form published by the Secretary of State (or a form substantially to the same effect);
- (d) include the particulars specified or referred to in the form; and
- (e) where more than one person has assumed liability to pay CIL in respect of the chargeable development, clearly identify the part of the development that the claim relates to.

In terms of the above requirements I note that you as the claimants must comply with points (i) and (ii) above and you have ticked the relevant boxes on the Self Build Exemption Claim Form: Part 1 to state that you will meet (i). In relation to (ii).

The requirements of Section 54C of The Community Infrastructure Levy (Amendment) Regulations 2014 also require that within 6 months of the date of the compliance certificate (under Building Regulations) for the development you submit a form to the Local Planning Authority confirming that the development is self build housing (Self Build Exemption Claim Form: part 2). The relevant form is on the Planning Portal.

TOTAL AMOUNT DUE IF IN BREACH OF ABOVE

Amount	Payment due date
£12,252.80	Immediate if in breach

Method and receipt of payment

- Where payment is in the form of money, Havant Borough Council will issue a receipt for this payment.

Note 1: Possible consequences of failing to follow the CIL payment procedure

Late or non-payment

Late payment interest

Failure to pay CIL on time will result in the imposition of late payment interest by the CIL Collecting Authority at 2.5 percentage points above the Bank of England base rate.

Late payment surcharge

Continued failure to pay CIL may result in the CIL Collecting Authority imposing one or more late payment surcharge. Such surcharges will be imposed in the following manner:

- Five per cent of the outstanding amount where payment is still overdue after 30 days, subject to a £200 minimum
- Five per cent of the outstanding amount where payment is still overdue after six months, subject to a £200 minimum
- Five per cent of the outstanding amount where payment is still overdue after 12 months, subject to a £200 minimum.

The CIL stop notice

Sometimes collecting authorities may believe that interest and late payment surcharges will be ineffective in securing payment of the overdue CIL. In such circumstances, collecting authorities may decide to serve a CIL stop notice on the development in question. A CIL stop notice prohibits development from continuing until payment is made. Continuing to develop in the presence of such a notice is a criminal offence, punishable by potentially unlimited fines.

Before serving a CIL stop notice however, a Collecting Authority will first issue a warning to the person liable to pay the amount, the land's owners, occupiers and all those who the Collecting Authority will be affected by the notice. It will also post a warning on the site itself. This warning will state that continued non-payment may result in a CIL stop notice being issued. It will also set out the amount overdue and the number of days after which a CIL stop notice may be served if payment continues not to be made. If payment is not made by the end of this period, a Collecting Authority may serve a stop notice which will prohibit development with immediate effect immediately until payment of the outstanding amount is made.

Distrain on goods (asset seizure)

When you fail to pay CIL a Collecting Authority may seek a court's consent to seize and sell your assets to recover the money due. These assets may include any land you hold. The Collecting Authority must send you notice of its intention to do so beforehand.

Committal to prison

If you continue to evade paying CIL, the Collecting Authority can ask a magistrates' court to commit you to prison for no more than three months. To do this, the Collecting Authority must be able to demonstrate to the court that it has been unable to recover the CIL amount due by seizing and selling your assets and land.

Yours faithfully

A handwritten signature in black ink, appearing to read 'C. D. Murray'.

Mr Chris Murray
Service Manager (Planning Development)
Our Ref: APP/13/00657