

Maidstone Borough Council

Maidstone House,
King Street ME15 6JQ

 maidstone.gov.uk

 [maidstonebc](https://twitter.com/maidstonebc)

 [maidstoneboroughcouncil](https://www.facebook.com/maidstoneboroughcouncil)

Dr Rycharde Hawkes
9 St Ronans Avenue
Bristol
BS6 6EP

13 November 2020

COMMUNITY INFRASTRUCTURE LEVY (CIL)

LIABILITY NOTICE

Regulation 65, Community Infrastructure Levy Regulations (2010), as amended

For other recipients, see end of notice

PLANNING APPLICATION:	20/502018/FULL
SITE ADDRESS:	Four Oaks Farm, Four Oaks Road, Headcorn, Ashford, Kent, TN27 9PB,
DEVELOPMENT DESCRIPTION:	Demolition of existing barns and erection of five dwellings, with associated parking, amenity space and landscaping.
LIABILITY NOTICE REF:	LN00000404

PLEASE READ THIS NOTICE CAREFULLY AND KEEP IT FOR YOUR RECORDS AS THIS MAY AFFECT YOUR PROPERTY.

FAILURE TO FOLLOW THE CORRECT PROCEDURE AS OUTLINED IN THIS NOTICE MAY RESULT IN HIGHER CHARGES AND /OR THE LOSS OF THE ABILITY TO PAY CIL IN INSTALMENTS.

The personal information contained within this document reflects the duty of the council in meeting its legal obligations in complying with the requirements of the Community Infrastructure Levy Regulations 2010 (as amended). This document will be made a matter of public record published under the relevant MBC planning reference number. Personal information such as signatures and email/telephone contact details

(other than of planning agents) will be redacted prior to publication in order to comply with the Data Protection Act 1998

CIL Liability

This notifies you that you will be liable to pay **£24,391.28** of Community Infrastructure Levy to Maidstone Borough Council as CIL collecting authority on commencement of development of planning permission 20/502018/FULL. This charge is levied under Maidstones CIL Charging Schedule, and S211 of the Planning Act 2008. Further details on the CIL payment procedure can be found in the attached notes.

Maidstone

Description	Chargeable Area	Rate/sqm	Index	Area Charge	Relief	Total
Residential (Outside UB) - 99.00	239.00 sqm	£99.00	1.031	£24,391.28	£0.00	£24,391.28

CIL Total for this charging authority

Total Liability for Maidstone	£24,391.28
-------------------------------	------------

Total CIL Liability

£24,391.28

Area Totals (sqm)

Total Development	1,011.00
Demolitions*	772.00
Existing Use*	0.00
Chargeable Area (Maidstone)	239.00

* 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 for 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 (2018), 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 for example; if you intend to sell/dispose of the chargeable development land before commencement. In this case, please complete a Withdrawal of Assumption of Liability form and or a Transfer of Assumed Liability form. Your liability to pay the CIL charge will not terminate on disposal of the land unless the correct CIL process has been followed.
- 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.

WARNING- Following the granting of any Relief, a Commencement (of development) Notice must be received by the Collecting Authority prior to the date of commencement of the development, otherwise a surcharge equal to 20% of the notional chargeable amount or £2,500, whichever is the lower amount, will be applied.

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:

1 instalments: 100% of the levy 60 days from commencement.

WARNING -You must notify Maidstone Borough Council of the date on which you intend to commence development by submitting a valid [Commencement Notice](#).

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 otherwise a surcharge equal to 20% of the notional chargeable amount or £2,500, whichever is the lower amount, will be applied.

Some or the entire CIL chargeable amount may also be paid by transferring land to the CIL charging authority or another beneficiary agreed with the charging authority. Please see the Planning Portal note on [Paying CIL in the Form of Land](#) for further information.

Consequences of non payment

If you fail to follow the payment procedure described above, the collecting authority may 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](#) and Maidstone Council's website for further information and the procedure for requesting a review in Maidstone <https://www.maidstone.gov.uk/home/primary-services/planning-and-building/primary-areas/community-infrastructure-levy>. PLEASE NOTE: The CIL Regulations state you may only ask for one review.

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
Dr Rycharde Hawkes 9 St Ronans Avenue Bristol BS6 6EP	Liable Party
Mrs Lisa Alexander Lydon House Ulcombe Road Headcorn Kent TN27 9PR	Liable 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 a 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 Commencement Notice to: CIL@Maidstone.gov.uk

Alternatively, you can post the Commencement Notice to: CIL Team, Strategic Planning, Maidstone Borough Council, Maidstone House, King Street, Maidstone, ME15 6JQ

On receipt of the 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

Further information and all CIL forms are available on the Planning Portal website at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Maidstone Borough Council website at www.maidstone.gov.uk/community-infrastructure-levy

For further information or if you have any questions regarding CIL please contact us at CIL@maidstone.gov.uk

Yours faithfully

CIL Team

Strategic Planning

Maidstone Borough Council, King Street, Maidstone, Kent ME15 6JQ

www.maidstone.gov.uk