

The CIL Process

Stage 1: Submit a CIL Additional Information Form

As the CIL process begins when a planning application is submitted, the first form ([Additional Information - Form 0](#)) needs to be completed and submitted at the same time.

It asks for details of new floorspace to be created by the development, and details of any floorspace to be demolished which can be offset against the new floorspace calculation.

It is in your interest to provide this information, especially where there are existing buildings in use on your site, in order to ensure that the CIL calculations can be completed correctly.

For guidance on how to complete this form please see: [Planning application additional information requirement guidance](#) supplied by the Planning Portal.

Any changes to details supplied on this form (i.e. change of address, phone number etc) need to be submitted before the development is commenced, again using the form above on the Planning Portal.

Please note - Occasionally some development does not require planning approval from the Council, because its classed as permitted development, may still be CIL liable.

If this is the case it is the owners responsibility to inform the Council, using [Notice of Chargeable Development - Form 5](#), before commencement of the works.

Stage 2: Inform the Council who will be responsible for paying CIL for an application

It is important that you inform the Council who is responsible for paying the CIL if permission is granted. The Assumption of Liability ([Form 1](#)) should be sent to the Council immediately after planning approval is issued, if it has not already been received.

Please Note - [Form 1](#) can be submitted alongside the application to speed up the process.

If at any time during the process, you wish to withdraw or transfer liability of the charge (i.e. if you sell the site) then you need to complete and submit to the Council either a [Withdrawal of Assumption of Liability - Form 3](#) or a [Transfer of Assumed Liability - Form 4](#).

Stage 3: Council Issue a Liability Notice

Once liability has been assumed, the Council will issue a Liability Notice to all relevant parties as well as the landowner, if the two are different. If any changes occur after the Liability Notice is issued, the Council will need to be informed with either Form 3 or Form 4 and a revised notice will be sent out that will supersede the previous notice.

Stage 4: Potential to Claim CIL Relief

The Regulations provide for some development to be exempt from CIL in the following circumstances:

- Social housing developments ([Claiming Exemption or Relief - Form 2](#))
- Charitable developments provided by a charity for charitable purposes ([Claiming Exemption or Relief - Form 2](#))
- Self-build developments ([Self Build Exemptions Claim Form 7, Part 1](#))
- Self-build residential annex ([Self Build Residential Annex Exemption - Form 8](#))
- Self-build residential extensions ([Self Build Residential Extensions Exemption – Form 9](#))

Whilst the Regulations also permit local authorities to provide discretionary charitable relief and exceptional circumstances relief the Council does not apply such a relief in the Borough.

The relevant forms for self build homes, annexes or extensions must be applied for and granted prior to commencement.

Upon receipt of a form for exemption, the Council will assess the claim and as soon as reasonably practicable advise the liable person(s) of its decision.

Please note - For self build annexes and self-build housing there is a claw back period of 3 years following completion, if a disqualifying event (listed below) occurs. If a disqualifying event does occur the levy will need to be paid in full.

For annexes a disqualifying event is:

- the use of the main dwelling for any purpose other than as a single dwelling
- the letting of the residential annex
- the sale of the main dwelling or residential annex separately

For self-build housing a disqualifying event is:

- any change to the housing that means it cannot meet the definition of self-build housing (eg no longer using the dwelling as a sole or main residence)
- failure to submit required documentation within 6 months of completion
- the letting out of the dwelling or communal areas
- the sale of the dwelling

- the sale of communal areas

There are no disqualifying events once exemption is granted for a residential extension.

Stage 5: Informing the Council of Commencement

The regulations require the submission of a [Commencement Notice - Form 6](#), to the Council at least one day before the commencement of the development.

The Council will acknowledge receipt of a Commencement Notice.

If a liable person wishes to change the commencement date they may simply submit a revised Commencement Notice to the Council.

Please note - If the correct form is not completed before the development commences the FULL CIL liability will be levied on the development. The Council can NOT process requests for relief retrospectively of commencement.

Please note - If a valid Commencement Notice has not been submitted to the Council prior to development commencing the Council may also issue a surcharge of 20% of the liable amount or £2,500 whichever is the lower amount as well as the full CIL liability.

Any pre-commencement conditions should be discharged prior to commencement, failure to discharge any pre-commencement conditions before the start of development could result in enforcement action.

Stage 6: Demand Notice

Once the Commencement Notice has been received, the Council will issue a Demand Notice. This notice will detail who is liable, for how much, any reliefs or surcharges, and will also specify the dates on which the payments are due, in line with the Council's Installment policy.

Stage 7: Completion

Self-build:

Within 6 months of completion of self-build housing, the liable person must submit a [Self Build Exemption Claim Form 7 Part 2](#), together with appropriate supporting evidence:

- Proof of completion (building control compliance/completion certificate)

- Proof of ownership (title and deeds)
- Proof of occupation of the dwelling (Council tax certificate, and two further proofs of evidence (utility bill, electoral roll, bank statement))

You will also need to provide one of the following:

- An approved claim for a VAT refund for DIY housebuilders
- A self-build warranty
- An approved self-build mortgage

Please note - Failure to submit the appropriate form and evidence within 6 months of completion of the development will result in the withdrawal of the exemption and payment in full of the liable amount.

The CIL Regulations clearly set out the notification procedure so it is important that this process is followed, as surcharges can be applied for failure to notify the council of issues such as liability to CIL and commencement of development. All exemptions must be applied for prior to commencement.