

# South Oxfordshire and Vale of White Horse District Councils

## Community Infrastructure Levy (CIL) FAQs for applicants and developers

**July 2017**

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## 1 About CIL

### 1.1 When will CIL come into effect?

CIL has been implemented from 1 April 2016 in South Oxfordshire. The date for implementation in Vale is to be confirmed.

### 1.2 What is CIL and who will collect it?

CIL is a charge on new development that will be collected by the District Council to provide additional funding to help pay for the cost of infrastructure arising from new development such as highways, leisure facilities and schools. CIL is charged per square metre of additional floorspace of new development and is non-negotiable.

### 1.3 What are the CIL rates for development?

The CIL Charging Schedule sets out the rates of CIL that will be charged, and is available on our websites. CIL rates will be index-linked annually. There is relief from CIL for affordable, self-build and charitable housing.

### 1.4 What type of development is CIL liable?

Development will potentially be liable for CIL if it:

- contains at least 100 square metres of extra floor space (new build)
- is less than 100 square metres but results in the creation of a new dwelling
- involves change of use to residential where floorspace has not been in use for six months of the previous three years
- includes development permitted by a 'general consent' (e.g. permitted development) commenced on or after CIL is implemented

### 1.5 Development will potentially not be liable for CIL, or not be charged if it:

- is for a use which has a zero or nil charge (£0/sq m) set out in the CIL Charging Schedule;
- involves only conversion or change of use with no additional floorspace
- involves Mezzanine floors inserted into an existing building, unless they form part of a wider development (eg external alterations, changes of use etc)
- involves the subdivision of a dwelling which has been in lawful use
- is for a building into which people do not normally go, or go only intermittently for the purpose of inspecting or maintaining fixed plant or machinery

### 1.6 If the chargeable amount is less than £50 CIL will not be charged.

### 1.7 Is Permitted Development (under the General Permitted Development Order) CIL liable?

Yes, if the development meets the basic criteria for CIL liable developments as set out above. It is the applicant's responsibility to serve a Notice of Chargeable Development Form before the commencement of the development.

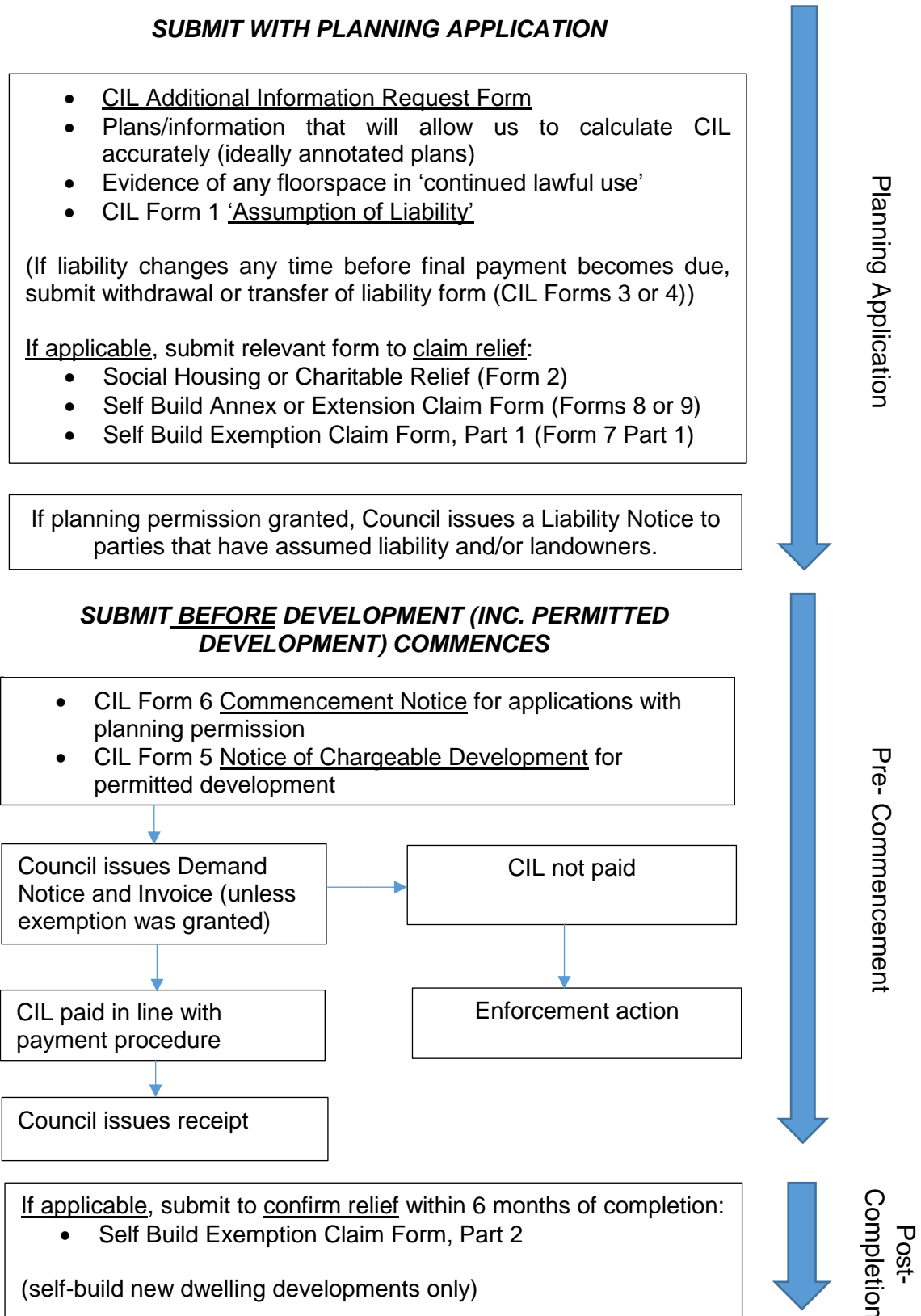
### 1.8 Will CIL replace Section 106 agreements?

S106 will be scaled back with the introduction of CIL, but S106 agreements will continue to fund affordable housing and essential site specific infrastructure. S106 will also be used to deliver all infrastructure needed to support development which is zero-rated for CIL.

### 1.9 Our Planning Obligations SPDs provides more information on how CIL and S106 will work together to deliver infrastructure.

## 2 CIL Process for Applicants/Developers

2.1 CIL involves a number of stages, which are legal processes that must be complied with in order to administer CIL effectively. If the stages are not complied with, for example you fail to assume liability or submit a Commencement Notice, you may be subject to financial penalties as required by the CIL Regulations.



### 3 CIL Calculations

#### 3.1 What is included as CIL chargeable floorspace?

CIL is charged on the 'gross internal area' of the development for which planning permission is granted. This includes:

- all new floor space within the external walls of the building
  - circulation and service space such as corridors, storage, toilets, lift etc
  - loft space that is used as rooms, with stairs or a permanent ladder
  - accessible storage areas
  - enclosed attached or detached outbuildings e.g. garages
- Generally, any structure with three or more walls and a roof is considered to be 'internal' floor space and therefore chargeable. Detailed information on how 'gross internal area' is calculated is provided in Appendix 1.

3.2 CIL is chargeable on the existing floor space of a building if a change of use is proposed.

#### 3.3 Is CIL chargeable for subdividing a house into two or more homes?

No, unless additional new build floorspace is provided as part of the scheme in which case the additional floorspace may be liable.

#### 3.4 Is CIL chargeable on a barn conversion?

Potentially, but a change of use from a barn to a residential use should not result in CIL liability as long as the barns are permanent usable buildings in lawful use. To be usable such buildings should be weathertight with four complete wall, floor and a roof. The definition of lawful use includes a requirement to be 'in use' for a continuous six month out of the three years prior to planning permission first permitting development, the onus of proof being on the applicant.

3.5 Any additional new build floorspace proposed as part of the application, extending the barns or to provide new build garages for example would be charged CIL.

#### 3.6 How is CIL calculated?

The calculation involves multiplying the CIL charging rate by the additional (new build) floor space, and factoring in an Inflation index figure.

$$CIL\ Charge = Net\ additional\ new\ build\ floor\ space\ (A) \times CIL\ Rate\ (R) \times Inflation\ index\ (I)$$

Where:

*A = the net area of floor space chargeable in square metres after deducting any existing floor space and any demolitions, where appropriate.*

*R = the levy rate as set in the Charging Schedule*

*I = All-in tender price index of construction costs in the year planning permission was granted, divided by the All-in tender price index for the year the Charging Schedule took effect.*

3.7 Existing floor space that has been in continuous lawful use can be deducted from the floorspace on which CIL is charged. The onus is on the applicant to demonstrate this usage.

3.8 If the building is demolished before planning permission for redevelopment is granted, the previous floor space cannot be taken into account for the purpose of calculating the CIL charge.

#### 3.9 How is the CIL Inflation index calculated?

CIL payments are index linked from the year that CIL was introduced to the year that planning permissions are granted, to allow for changes in building costs over time. We use the national All-in Tender Price Index published by the Build Cost Information Service (BCIS).

**3.10 There are buildings on the application site that will be demolished as part of the development proposals. Will this reduce my CIL liability?**

Deductions in respect of demolition of buildings before completion of the chargeable development will only apply where:

- there is an existing building that has been in ‘*continuous lawful use*’ for at least six months of the three years prior to ‘planning permission first permitting the development’
- the building is a permanent building into which people normally go
- the building is not demolished before prior to planning application approval

The onus of proof is on the applicant.

3.11 The table below sets out when ‘planning permission first permits the development’ for the purposes of the CIL regulations:

<b>Application Type</b>	<b>Phasing</b>	<b>Conditions</b>	<b>Date that “planning permission first permits the development”</b>
Full Planning Application	No phasing	N/A	Date of Decision Notice approving the permission
Full Planning Application	Phased	No pre-commencement conditions	Date of Decision Notice approving the permission
Full Planning Application	Phased	With pre-commencement conditions	Date of approval of final pre-commencement condition for that phase
Outline Planning Application	No phasing	N/A	Date of Decision Notice approving the last Reserved Matter
Outline Planning Application	Phased	No pre-commencement conditions	Date of Decision Notice approving the Reserved Matters for that phase
Outline Planning Application	Phased	With pre-commencement conditions	Date of approval of final pre-commencement condition for that phase
Permitted development	N/A	N/A	Date of Notification of Commencement to the District Council OR Date that the District Council serves the Notice of Chargeable Development.

**3.12 What evidence do I need to supply to show building on my site have been in ‘continued lawful use’?**

Information that could be submitted to demonstrate ‘continued lawful use’ can include the combination of the following:

- Copies of leases
- Electricity/gas bills for the 6 month period
- Business rate/council tax bills and payments. Note: The Local Planning Authority does not have access to this information as it is data protected
- Where an informal arrangement exists, redacted bank statements to show rent/rates have been paid
- Confirmation from a letting agent/solicitor advising of the period of occupancy

3.13 If it is not evident from the information supplied we will not consider the existing floor space as deductible.

## 4 Relief and Exemptions

### 4.1 What reliefs and exemptions are available?

Relief and exemptions can be obtained for:

- social / affordable housing
- charitable developments<sup>1</sup>
- self build - whole houses
- self build - residential extensions / annexes

4.2 Relief and exemptions are *not automatic*, and you must apply for them *before development commences*.

### 4.3 How do I apply for relief?

The claim for relief must be made on the appropriate form (available on our website) by a land owner who has assumed liability to pay CIL (using CIL Form 1: 'Assumption of Liability'). *You must make your claim before commencing development or we will be unable to accept your claim and a Demand Notice for the full CIL Liability will be issued.* Appendix 2 provides a list of CIL forms and further explanation on which one to use.

4.4 As soon as possible after receiving the claim, we will assess it and notify you of our decision, reasons and the amount of relief they qualify for. *Do not commence development before you have received a response to your claim* or it may become invalid.

4.5 The amount of relief is shown in the Liability Notice – if need be we will issue a revised Liability Notice.

### 4.6 What evidence will I need to provide if I am claiming self-build relief for a new property?

Within six months of *completion* of your self-build, you will need to provide the following evidence, and submit it along with CIL Form 7: 'Self Build Exemption Claim Form: Part 2':

1. A compliance certificate, Title deeds or Council Tax certificate
2. A utility bill, bank statement or local electoral roll registration
3. One of the following:
  - a. An approved claim from HM Revenue and Customs under VAT431 NB: VAT refunds for DIY housebuilders
  - b. Proof or a specialist Self Build or Custom Build Warranty
  - c. Proof of an approved Self Build or Custom Build Mortgage from a bank or building society

Please ensure that you can meet these requirements before the initial claim for self-build exemption is made

### 4.7 Are there any circumstances where I might be asked to repay the relief?

Yes – if relief is granted and a reduced CIL paid, but circumstances change within a set period of time, the relief will be disqualified and the outstanding CIL must be paid.

Type of relief	Clawback Period
Social / affordable housing	7 years
Charitable purposes	7 years
Self-build	3 years

<sup>1</sup> Where the chargeable development will be used wholly, or mainly, for charitable purposes.

## 5 Making a CIL Payment

### 5.1 How much will I have to pay?

Eligible developments that receive planning permission from the date of CIL implementation will be charged in accordance with the rates set out in the CIL Charging Schedule. The amount payable is calculated when planning permission is granted, and set out in the Liability Notice which we will send you.

### 5.2 When does payment become due?

Payment is due on commencement of development and is payable within 60 days or in accordance with our instalment policy. Before you commence the development you must send us CIL Form 6: 'Commencement Notice'.

5.3 We will send you a Demand Notice, and a separate invoice including details of how to make a payment.

### 5.4 What constitutes commencement?

Commencement is any work carried out, including: erecting a building, demolition, digging a trench, laying underground pipes or mains, any operation to construct a road, or any change in the use of land that is classed as material development.

### 5.5 Can I pay in instalments?

Yes - we offer an Instalment Policy that allows payments to be spread over longer periods. We will automatically apply the Instalment Policy where applicable.

5.6 Please note that this Instalment Policy will not be available if CIL Form 1: 'Assumption of Liability' and CIL Form 6: 'Commencement Notice' are not provided before the relevant development commences, or if payments are not made on time.

### 5.7 Who is liable to pay?

Landowners are ultimately liable to pay CIL, but anyone involved in a development may take on the liability to pay. In order to benefit from payment in instalments, someone must assume liability using CIL Form 1: 'Assumption of Liability' prior to commencement.

5.8 Where no one has assumed liability to pay the levy, the liability will automatically default to the landowners and payment becomes due as soon as development commences. Liability to pay the levy can also default to the landowners where we have been unable to recover the levy from the party that assumed liability for the levy, despite making all reasonable efforts.

## 6 Appealing against a CIL Charge

### 6.1 I think the CIL for my development has been calculated incorrectly, what can I do?

If you think that the CIL charge for your development has been calculated incorrectly, you can apply to us and ask us to review how your CIL was calculated.

### 6.2 In what other circumstances can I appeal against CIL?

Once a Charging Schedule is adopted, the rate of the levy is non-negotiable and we are not required to justify its application on a case-by-case basis. Appeals under the CIL Regulations are overwhelmingly about matters of fact (e.g. did the Council make a mistake in calculating the liability? Did the development actually commence on such and such a date?).

### 6.3 How do I submit an appeal?

All appeals must be made using the forms that are published by the Secretary of State available on the Planning Portal. You can submit an appeal based on any of the following grounds:

- An appeal of the calculation of the chargeable amount (following a review).
- If an owner of a material interest in land disagrees with an authority who has apportioned liability to pay the charge, then that person may appeal. The appeal must be made within 28 days.
- A relevant person can appeal any of the surcharges covered set out above. It can be appealed on the basis that it was calculated incorrectly, that a liability notice was not served or if the breach simply did not occur. The appeal must be made within 28 days.
- A relevant person can appeal a deemed commencement date if that person considers that the date has been determined incorrectly. An appeal must be made within 28 days.
- A relevant person can appeal against a stop notice. They can do so if a warning notice was not issued or the development has not yet commenced. An appeal must be made within 60 days.
- A person aggrieved by the levy of, or an attempt to levy, distress can appeal to the Magistrates Court. The Court must consider the case and can order the authority to pay compensation

## 7 Enforcement of CIL

### 7.1 What happens if I fail to submit Form 6: 'Commencement Notice' before I commence my development?

Failure to submit a valid Commencement Notice before development commences may result in imposing a surcharge of 20% of the CIL amount due, up to a maximum of £2,500. In addition payments will not be permitted to be made in line with the Instalment policy. Payment will be due in full on the day that the council believes the development to have commenced.

### 7.2 What happens CIL is not paid?

Failure to pay CIL on time will result in the imposition of late payment interest at 2.5% above the Bank of England base rate.

### 7.3 Continued failure to pay CIL may result in additional late payment surcharges:

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

### 7.4 If CIL remains unpaid the council may take any or all of the following actions, in order to recover the debt, as based on the CIL Regulations:

- Removal of the right to pay by instalments
- Impose surcharges and late payment interest
- Issue a CIL Stop Notice
- Seek authorisation from the courts to seize and sell assets to recover the CIL due
- Seek committal to prison

### 7.5 What surcharges and late payment interest might be applied?

### 7.6 When will the Council issue a Stop notice, and what does this mean?

A Stop notice will prohibit development with immediate effect, until payment of the outstanding amount is made.



7.7 Before serving a CIL Stop notice, we will first issue a warning to the person liable to pay the amount, the land's owners, occupiers and all those who we consider will be affected by the notice. We 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.

**7.8 What other methods will we take to try and recover the CIL funds due?**

We 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. We will send you notice of our intention to do so beforehand.

**7.9 Could I really be sent to prison if I don't pay CIL?**

Yes! Where a liable party continues to evade paying CIL, we can ask a magistrates' court to commit the relevant person(s) to prison for no more than three months. To do this, we must be able to demonstrate to the court that we have been unable to recover the CIL amount due by seizing and selling your assets and land.

## **8 Common Scenarios in the transition to CIL**

**8.1 Will a development be liable to pay CIL if there was a resolution to grant planning permission (e.g. subject to a S106 agreement or pending planning appeal) before CIL comes into effect, but the formal grant of planning permission is made on or after CIL comes into effect?**

Yes. This is because any resolution to grant planning permission by the Committee does not formally grant planning permission as a decision notice cannot be issued until, for example, a S106 agreement has been signed. S106 planning obligations cannot be entered into for any infrastructure which is on the council's Regulation 123 list. Consequently if a S106 agreement for an item on that list is not concluded before CIL comes into effect then CIL will take over. Obligations for affordable housing and other infrastructure projects not covered by the CIL list will continue to be secured through Section 106, alongside the CIL requirements. See draft Section 106 Planning Obligations SPD for SODC for further details on the interaction between planning obligations and CIL (will be out for public consultation very soon).

**8.2 Will a development be liable to pay CIL if there was an outline planning permission before CIL is in effect, but the approval of reserved matters/ phases is made on or after CIL is effective?**

No. But if the outline planning permission is granted on or after CIL comes into effect, followed by the approval of reserved matters/phases at a later date, the approval of reserved matters/phases does trigger a new liability to pay CIL.

8.3 If an outline application includes phasing of development, each phase is treated as a separate development for the purpose of paying CIL. The CIL liability for each phase is calculated at reserved matters stage for that phase.

**8.4 Will a development be liable to pay CIL if there was a full planning permission before CIL comes into effect, but the approval of pre commencement conditions is made on or after CIL is effective?**

No, the approval of pre commencement conditions does not trigger a liability to pay CIL.

**8.5 Will a development be liable to pay CIL if there was a refusal of planning permission before CIL came into effect, but an approval of planning permission on appeal is made on or after CIL comes into effect?**

Yes.

**8.6 Will a development be liable to pay CIL if there was a planning permission before CIL comes into effect, but an approval of a S73 application to vary or remove conditions of that planning permission is made on or after CIL is in effect?**

Yes, the approval of a S73 application to vary or remove conditions does trigger a liability to pay CIL because it results in a new planning permission. However the CIL (Amendment) Regulations 2012(2010?) confirms that although a new CIL liability is triggered, the new additional chargeable amount is equal only to the net increase in the chargeable amount arising from the original planning permission, so as to avoid double counting of liability.

**8.7 Will a development be liable to pay CIL if there was a planning permission before the CIL came into effect, but a different planning permission is granted on the same site when CIL is in effect?**

Yes. Whilst a planning permission granted prior to CIL coming into effect it can be implemented in its current form without incurring CIL, if a fresh application is submitted then any residential development it comprises, granted planning permission when CIL is in effect, would be liable for CIL even if it was within the application site of the development that had been granted planning permission previously. Residential floorspace previously granted planning permission (and not implemented and lived in?) cannot be set against CIL liability on the new development. The exception to this is S73 applications mentioned about where there is only a minor amendment to the original scheme.

## **9 Further information**

9.1 Further general information on CIL can be found on our websites at [www.whitehorsedc.gov.uk/cil](http://www.whitehorsedc.gov.uk/cil) (Vale) or [www.southoxon.gov.uk/cil](http://www.southoxon.gov.uk/cil) (South).

9.2 If you have further questions related to CIL, please contact customer service team on 01235 422600 or [planning@whitehorsedc.gov.uk](mailto:planning@whitehorsedc.gov.uk) or [planning@southandvale.gov.uk](mailto:planning@southandvale.gov.uk)

## Appendix 1: Further Details and Examples of CIL Calculations

### Calculation of the CIL chargeable area

Floorspace within the chargeable development is measured as gross internal floorspace (GIA) in square metres. This could include:

- Areas occupied by internal walls and partitions
- Columns, piers, chimney breasts, stairwells, liftwells, other internal projections, vertical ducts, and the like
- Atria and entrance halls, with clear height above, measured at base level only
- Internal open sided balconies, walkways, and the like
- Structural, raked or stepped floors are property to be treated as a level floor measured horizontally
- Horizontal floors, with permanent access, below structural, raked or stepped floors
- Corridors of a permanent essential nature (e.g. fire corridors, smoke lobbies)
- Mezzanine floor areas with permanent access (subject to exclusion)
- Lift rooms, plant rooms, fuel stores, tank rooms which are housed in a covered structure of a permanent nature, whether or not above the main roof level
- Service accommodation such as toilets, toilet lobbies, bathrooms, showers, changing rooms, cleaner's rooms, and the like
- Voids over stairwells and lift shafts on upper floors
- Loading bays
- Areas with a headroom of 1.5m and higher that is easily accessible (i.e. from a fixed staircase) and usable as habitable living accommodation
- Pavement vaults
- Garages and other ancillary buildings
- Conservatories

When measuring the GIA the following is excluded:

- Perimeter wall thicknesses and external projections
- External open sided balconies, covered ways and fire escapes
- Canopies
- Voids over or under structural, raked or stepped floors
- Greenhouses, garden stores, fuel stores, and the like in residential
- Areas with a headroom of less than 1.5m, except under stairways, that is not easily accessible and usable as a room

Guidance on measuring GIA is available in the RICS Code of Measuring Practice.

South Oxfordshire and Vale of the White Horse District Councils

**Examples of how the chargeable area would be calculated**

<b>Current site</b>	<b>Proposed development</b>	<b>CIL liable</b>	<b>Chargeable area</b>
Cleared building site	90 sq m new residential dwelling	Yes	90 sq m
Single dwelling – in use	Single dwelling with a 25 sq m extension	No	Not liable as under 100 sq m new build and does not create a new dwelling
Single dwelling – in use	Single dwelling (currently 100 sq m) with a 125 sq m extension	Yes	125 sq m
Cleared building site	2,000 sq m residential, including 40% affordable housing (800 sq m)	Yes	1,200 sq m NB: the social housing relief (800 sq m) must be applied for and meet certain criteria to be granted
Single dwelling – in use but to be demolished	125 sq m new development 90 sq m original dwelling demolished	Yes	35 sq m NB: not exempt as development comprises of one or more dwellings but charge reduced due to original building to be demolished being in use
Single dwelling – not in use and to be demolished	125 sq m new development 90 sq m original dwelling demolished	Yes	125 sq m NB: not exempt as development comprises of one or more dwellings and no reduction in charge as original building not in use
Single dwelling – not in use but to be retained	35 sq m new development 90 sq m original retained	No	Not liable as project involves bringing a vacant dwelling back into use, does not create a new dwelling
Shop unit – not in use	90 sq m conversion /change of use of unit to residential	Yes	90 sq m NB: building has not been in use and creation of new dwelling
Shop unit – in use	90 sq m conversion /change of use of unit to residential	Yes	0 sq m so no charge NB: No exemption even though under 100 sq m as creating new dwelling. However, as the unit has been in use, the floorspace is deductible and so there is no charge in this scenario.
4,000 sq m offices – in use	4,000 sq m conversion of offices to flats	No	Not liable as existing floorspace converted and has been in use
3,500 sq m business development in use but to be demolished	15,000 sq m new residential 5,000 sq m new business 3,500 sq m original business use demolished	Yes	12,375 sqm residential 4,125 sqm business but as zero rate no charge N.B the demolished amount is apportioned across the whole development e.g. $\frac{3}{4}$ development residential, $\frac{1}{4}$ business; therefore, of the 3,500 sq m demolished floorspace, 2,625 sq m is deducted from residential floorspace and 875 sq m from business

**Appendix 2 - CIL Forms explained**

<b>CIL Form</b>	<b>When should it be submitted</b>
<p><b>Form 0 – Determining whether a development may be CIL liable – Planning Application Additional Requirement Form</b></p> <p>This requires the applicant to supply to the Council the relevant floorspace detail of all existing buildings<sup>2</sup> (that are to be demolished or re-used) and all proposed buildings. This information enables the Council to calculate the correct CIL liability for the chargeable development.</p>	<p>With the planning application</p>
<p><b>Form 1 – Assumption of Liability</b></p> <p>The person who will pay CIL must formally assume liability to do so by submitting CIL Form 1.</p>	<p>Ideally together with the planning application. <b>Must be prior to commencement</b> and (if applicable) submitted in conjunction with Claim form 2, 7, 8 or 9</p>
<p><b>Form 2 – Claiming Exemption or Relief</b></p> <p>Relief from CIL via this form is available for development by charities and social housing. For relief to be granted, the person seeking relief first has to formally submit a claim form and assume liability to pay CIL.</p> <p>When claiming social housing relief please supply</p> <ol style="list-style-type: none"> <li>i. a map clearly identifying the location of the affordable dwellings and</li> <li>ii. an accommodation schedule including the floorspace by dwelling (including garages and communal areas).</li> </ol> <p>Annex B of CIL Form 2 needs to be completed. Social housing will also need to be secured through a S106 legal agreement.</p>	<p>Together with the planning application (or shortly after planning permission). <b>Claim must be granted by the council before development commences.</b></p>
<p><b>Form 3 – Withdrawal of Assumption of Liability</b></p> <p>A party who has assumed liability to pay CIL but wishes to withdraw their assumed liability must submit CIL Form 3 to the Council</p>	<p>Prior to commencement of development.</p>
<p><b>Form 4 – Transfer of Assumed Liability</b></p> <p>A party who has assumed liability to pay CIL can transfer that assumed liability to another party through submitting CIL Form 4 to the Council.</p>	<p>No later than the day on which the final payment of CIL is due in respect of the chargeable development.</p>
<p><b>Form 5 – Notice of Chargeable Development</b></p> <p>CIL Form 5 is required to be submitted prior to commencement of development, where a CIL liable development is proposed that ordinarily would not require planning permission (e.g. permitted development).</p>	<p><b>Prior to commencement of development.</b></p>
<p><b>Form 6 – Commencement Notice</b></p>	<p><b>Prior to commencement of development.</b></p>

<sup>2</sup> Please provide the floorplans of the existing building.

<p>CIL Form notifies the Council that a chargeable development is about to be commenced. Submission of CIL Form 6 is the trigger that starts the payment of CIL from the person who has assumed liability to the Council. Failure to follow the correct procedure may see the Council impose surcharges, withdraw the opportunity to pay by instalment, and take enforcement action.</p>	
<p><b>Form 7 - Self Build Exemption Claim Form: Part 1</b></p> <p>CIL Form 7 Part 1 is a declaration by the applicant that they meet the self-build criteria and are aware of the disqualifying events that could see this form of relief revoked. For relief to be granted, the person seeking relief has to formally submit a claim form and assume liability to pay CIL prior to commencing the development.</p>	<p>Together with the planning application (or shortly after planning permission). <b>Claim must be granted by the council before development commences.</b></p>
<p><b>Form 7 - Self Build Exemption Claim Form: Part 2</b></p> <p>CIL Form 7 Part 2 needs to be accompanied by all the necessary evidence<sup>3</sup> that is required to prove that the dwelling meets the definition of 'CIL self-build'. Applicants should make sure that they can meet these requirements before the initial claim for the self-build exemption is made.</p>	<p>Within 6 month of completing the self-build dwelling</p>
<p><b>Form 8 – Self Build Exemption for Annex</b></p> <p>Relief from CIL via this form is available for a residential annex. For relief to be granted, the person seeking relief first has to formally submit a claim form and assume liability to pay CIL.</p>	<p>Together with the planning application (or shortly after planning permission). <b>Claim must be granted by the council before development commences.</b></p>
<p><b>Form 9 – Self Build Exemption for residential extension</b></p> <p>Relief from CIL via this form is available for household extensions (over 100sqm of new floorspace). For relief to be granted, the person seeking relief first has to formally submit a claim form and assume liability to pay CIL.</p>	<p>Together with the planning application (or shortly after planning permission). <b>Claim must be granted by the council before development commences.</b></p>

**All CIL Forms (except Form 0) need to be completed, dated and signed by the liable person/claimant. Forms cannot be signed by an agent on the liable person’s behalf. Please note that we do not accept an electronic signature.**

<sup>3</sup> 1. A compliance certificate, Title deeds, Council Tax certificate.

2. Utility bill, bank statement or local electoral roll registration.

3. One of the following:

- An approved claim from HM Revenue and Customs under VAT431 NB: VAT refunds for DIY housebuilders
- Proof or a specialist Self Build or Custom Build Warranty
- Proof of an approved Self Build or Custom Build Mortgage from a bank or building society