

## NOTE FOR APPLICANTS/AGENTS/DEVELOPERS

The Community Infrastructure Levy (CIL) Regulations 2010 sets out a statutory process for the collection of CIL. This note summarises the CIL procedure and explains which CIL forms you need to submit and when. You are advised to carefully note those forms which apply to your development, which must be submitted at the appropriate time. Further information can be found on the planning portal website [www.planningportal.co.uk/cil](http://www.planningportal.co.uk/cil) and our webpage [www.southoxon.gov.uk/cil](http://www.southoxon.gov.uk/cil)

Please do not hesitate to contact us on 01235 422600 or [planning.policy@southoxon.gov.uk](mailto:planning.policy@southoxon.gov.uk) if you have further questions.

CIL Form	When should it be submitted
<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<sup>1</sup> detail of all existing buildings<sup>2</sup> (that are to be demolished or re-used) and all proposed buildings. This information then 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 first formally assume liability to do so by submitting CIL Form 1.</p>	<p>Prior to commencement. Ideally together with the planning application. Must be submitted in conjunction with a Claim form 2, 7, 8 or 9 (whichever one is applicable)</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> <p>i. a map clearly identifying the location of the affordable dwellings and ii. a accommodation schedule including the floorspace by dwelling (including garages and</p>	<p>Together with the planning application (or shortly after planning permission). Claim must be granted by the council before development commences.</p>

<sup>1</sup>The gross internal floorspace includes internal walls and partitions, chimney breasts, stairwells, lift-wells, atria and entrance halls, internal open-sided balconies, corridors, mezzanine floor areas, service areas (WCs, showers, changing rooms), lift rooms, plant rooms etc. It excludes things like open balconies, open fire escapes, greenhouses, garden stores and fuel stores.

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

communal areas). Annex B of CIL Form 2 needs to be completed. As the floorspace figures can change during the course of the planning application we advise submitting CIL Form 2 when the application is at its final stage. Also social housing will need to be secured through a S106 legal agreement.	
<b>Form 3 – Withdrawal of Assumption of Liability</b>  A party who has assumed liability to pay CIL but wishes to withdraw their assumed liability must submit CIL Form 3 to the Council	Prior to commencement of development
<b>Form 4 – Transfer of Assumed Liability</b>  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	No later than the day on which the final payment of CIL is due in respect of the chargeable development
<b>Form 5 – Notice of Chargeable Development</b>  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 (i.e. permitted development)	Prior to commencement of development
<b>Form 6 – Commencement Notice</b>  CIL Form 6 is required to notify the Council that a chargeable development is about to be commenced. Submission of CIL Form 6 is therefore 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.	Prior to commencement of development <sup>3</sup>
<b>Form 7 - Self Build Exemption Claim Form: Part 1</b>  CIL Form 7 Part 1 is effectively 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 first has to formally submit a claim form and assume liability to pay CIL.	Together with the planning application (or shortly after planning permission). Claim must be granted by the council before development commences.

<sup>3</sup> **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. We must also receive this form even if you have been given an exemption/relief. This is because there is a clawback period of three years for self-build relief and of seven years for social housing relief. This means that when the dwelling is sold within the clawback period you will be liable to pay CIL.

<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>4</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). Claim must be granted by the council before development commences.</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). Claim must be granted by the council before development commences.</p>

**All CIL Forms (except Form 0) need to be dated and signed by the liable person or claimant.**

## Supporting information to speed up the validation process:

### Annotated drawings

It would be helpful and speed up the validation process of your planning application if you showed through annotated drawings how you have calculated the floorspace.

### Floorspace schedule

For large schemes please submit an excel table including the following information:

Plot number	House type	Tenure (market/social)	Floorspace GIA	Garage	Communal floorspace

<sup>4</sup> A compliance certificate, Title deeds, Council Tax certificate.

Utility bill, bank statement or local electoral roll registration.

One of the following:

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

