



New Close Developments Limited
3 New Close
London
SW19 2SX

08 March 2023
Your Liability Ref: LN00001979

Future Merton
London Borough of Merton
Merton Civic Centre
London Road
Morden SM4 5DX

t. 020 8545 3197
e. Cl.Levy@merton.gov.uk
i. www.merton.gov.uk/CIL

Community Infrastructure Levy (CIL) LIABILITY NOTICE

Regulation 65, Community Infrastructure Levy Regulations (2010), as amended. For other recipients, see end of notice.

PLANNING APPLICATION: 22/P2863
SITE ADDRESS: 3 New Close, Colliers Wood, SW19 2SX
DEVELOPMENT DESCRIPTION: ERECTION OF A PART SINGLE STOREY/PART TWO STOREY REAR EXTENSION, TWO-STOREY SIDE EXTENSION, REAR DORMER ROOF EXTENSION, AND CONVERSION OF HOUSE INTO 5 X SELF CONTAINED UNITS WITH ASSOCIATED REFUSE/CYCLE STORAGE, OUTSIDE AMENITY SPACE AND 4 OFF-STREET PARKING SPACES

CIL Liability

This notifies you of the chargeable amount of Community Infrastructure Levy (CIL) to The London Borough of Merton as CIL collecting authority on commencement of development on the planning permission described below. This charge has been levied under the Mayor of London's CIL and/or the Merton CIL charging schedule and s.211 of the Planning Act 2008. Further details on payment procedure can be found overleaf.

Table 1: Details of the area charges

Mayoral

Description	Chargeable Area	Rate/sqm	Index	Area Charge	Relief	Total
April 2019 MCIL2 - 60	280.67 sqm	£60.00	1.057	£17,792.47	£0.00	£17,792.47

CIL Total for this charging authority

Total Liability for Mayoral	£17,792.47
-----------------------------	------------

Merton CIL

Description	Chargeable Area	Rate/sqm	Index	Area Charge	Relief	Total
Residential Zone 2 - 115	280.67 sqm	£115.00	1.485	£47,942.90	£0.00	£47,942.90

CIL Total for this charging authority

Total Liability for Merton CIL	£47,942.90
--------------------------------	------------

Total CIL Liability

£65,735.37

Area Breakdown

Rate	Index	Chargeable Area	Existing Use
(Mayoral) April 2019 MCIL2 - 60.00	1.057	280.67	73.23
(Merton CIL) Residential Zone 2 - 115.00	1.485	280.67	73.23

Area Totals (sqm)

Total Development	353.90
Demolitions*	0.00
Existing Use*	73.23
Chargeable Area (Mayoral)	280.67
Chargeable Area (Merton CIL)	280.67

* Floorspace to be demolished and existing floorspace (to be retained) are only included above if eligible for deduction from the chargeable area.

How we calculated these figures

$$\text{The CIL Total Area Charge} = \text{Chargeable Area (A)} \times \text{Rate (R)} \times \text{Index (I)}$$

The Chargeable Area is the gross internal area of the total development less the floorspace of any existing buildings which are eligible 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 (2012), using the national All-in tender price index published by the Building Cost Information Service (BCIS).

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 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, using the RICS Community Infrastructure Levy (CIL) Index.

RELIEFS AND EXEMPTIONS

Relief is not offered.

Very important for current/intended claimants of exemptions or relief from CIL:

You must not start any work on the development to which this notice relates until we have made a decision on your relief or exemption claim. If you ignore this advice you will not be granted the relief/exemption and will have to pay the CIL liability *IN FULL*.

For more information on reliefs and exemptions that are available and requirements for parties granted a relief or exemption, please see the following guidance published by the Department for Communities and Local Government at the following web link:

<https://www.gov.uk/guidance/community-infrastructure-levy#relief-and-exemptions>

What is the CIL payment procedure?

If the payment procedure is followed correctly, this CIL amount will be payable under the installment policy. See the following link to the installment policy:

<https://www.merton.gov.uk/planning-and-buildings/planning/community-infrastructure-levy> (see "CIL in Merton" guide)

For liabilities that comprise of Mayor of London CIL only, i.e. liabilities that don't include a London Borough of Merton CIL liability then the Mayor's instalment policy will apply. Here is a link to the Mayor's instalment policy:

https://www.london.gov.uk/sites/default/files/mcil_instalments_policy.pdf

The payment procedure is to **notify us** as the CIL collecting authority for both Merton and Mayoral CIL liabilities before development commences (we need to have received notification - at the very latest - the day before your stated commencement date) of:

- a) Who will pay the amount, by assuming liability using CIL Form 2 "Assumption of Liability"
- b) The date on which you intend to commence development, by submitting a valid commencement notice using CIL Form 6 "Commencement Notice".

The Assumption of Liability Notice form, the Commencement Notice form and other forms (including a form for claiming a relief or exemption) can be found on the planning portal website at the following web address:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil#Downloadtheforms>

Please contact us if you are unsure of how you are supposed to fill out the forms. If you do not fill out your forms correctly you may incur penalties and for exemptions and reliefs your claims will be unsuccessful. Signatures are

usually required on declarations, however there are instances where we will accept declarations without signatures emailed directly to us from company directors, secretaries or trustees listed on Companies House or Charity Commission directories for liable companies/organisations where email addresses can be authenticated. Claimants, signatories and assumers of liability must match exactly.

Precise details of your payment arrangements and options will be contained in the demand notice that will be sent following submission of a valid commencement notice.

If this procedure is **not** followed, payment of the CIL amount will be due in full on the day that development commences. 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 and financial penalties will be applied.

PENALTIES: failure to follow procedure and failure to pay

There are various penalties and consequences of failing to follow the payment procedure described above. Failure to pay CIL liabilities due will result in the accrual of late payment interest and is likely to result in the collecting authority imposing further surcharges, serving a CIL stop notice prohibiting further development on the site and/or taking action to recover the debt due.

For more information please see government guidance on [collecting the levy](#)

<https://www.gov.uk/guidance/community-infrastructure-levy#collecting-the-levy>

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 unless social housing or charitable relief has been granted in which case the local land charge will be cancelled seven years after commencement of development, or where a disqualifying event has occurred, on full payment of the amounts due.

New liability notices may be issued

Any change in the details contained in this notice (including calculation of the chargeable amount or amount of relief granted) will lead to the collecting authority issuing a new liability notice.

Do you think we have made a mistake in our calculations?

You can ask us to review them. If you are unhappy with the calculation following this review, you can appeal to the Valuation Office Agency. For more information please see government guidance on the [appeals procedure](#)

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
New Close Developments Limited 3 New Close London SW19 2SX	Liable Party

Please note, the agent acting on behalf of the applicant may also receive a copy of the Liability Notice.

Yours sincerely

CIL Collection Authority - Merton Council

LINKS TO IMPORTANT INFORMATION RELATING TO CIL NOTICES

- [appeals procedure](http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/relief/#appeals)
(<http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/relief/#appeals>)
- [consequences of failing to follow the CIL payment procedure](https://www.gov.uk/guidance/community-infrastructure-levy#collecting-the-levy)
(<https://www.gov.uk/guidance/community-infrastructure-levy#collecting-the-levy>)
- [paying CIL in the form of land](https://www.gov.uk/guidance/community-infrastructure-levy#collecting-the-levy)
(<https://www.gov.uk/guidance/community-infrastructure-levy#collecting-the-levy>)
- [state aid](#)
- (<http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/relief/state-aid/>)