

IMPORTANT-THIS COMMUNICATION AFFECTS YOUR PROPERTY

**COMMUNITY INFRASTRUCTURE LEVY, ENGLAND
AND WALES**

The Community Infrastructure Levy Regulations 2010

STOP NOTICE

SERVED BY: **Arun District Council ("the Council")**

To: **Mr K Smith
Principal Estates (Southern) Ltd
Smithy Cottage,
22 Bell Davies Road
Fareham
Hampshire**

1. **THIS NOTICE** is issued by the Council, in exercise of its power in Regulation 90 of the 2010 Regulations, because it considers that it is expedient that the activity specified in this notice should cease until the cleared payment described in paragraph 3 below has been received by the Council. The Council now prohibits the carrying out of the activity specified in this notice. Important additional information is given in the Annex to this notice.

2. THE LAND TO WHICH THE NOTICE RELATES

Land at Wren Cottage, Horsemere Green Lane, Climping, West Sussex, BN17 5QZ, shown edged red on the attached plan.

3. REASONS FOR ISSUING THIS NOTICE

The Council issued a warning notice to you on 8 December 2021 but the chargeable amount of £27,107.58 remains unpaid. This sum is now due in full immediately.

4. ACTIVITY TO WHICH THIS NOTICE RELATES

Subdivision of the plot and construction of 3 detached bungalows with associated parking, access and landscaping (resubmission of CM/17/21/PL). This application is in CIL Zone 3 and is CIL Liable as new dwellings and is a Departure from the Development Plan.

5. WHAT YOU ARE REQUIRED TO DO

You are required to cease all operational development including house building, road construction and cease the sale of any unsold properties and their occupation, until this outstanding CIL amount has been paid.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 17 January 2023 when all the activity specified in this notice shall cease.

7. CONSEQUENCES OF CONTRAVENTING

The requirements of this notice, including causing or permitting the contravention of this notice, is an offence under Regulation 93 of the 2010 Regulations. Failing to comply with the notice will put you at risk of immediate prosecution for which the maximum penalty is an unlimited fine.

Please contact the Council's CIL officer for further information (Email cil@arun.gov.uk; Tel: 01903 737500 x 37448)

Dated: 17 January 2023

Signed: J Grieves
On behalf of the Council

ANNEX

THIS NOTICE TAKES EFFECT ON THE DATE SPECIFIED IN PARAGRAPH 6.

You may appeal to the Planning Inspectorate against the issue of a Community Infrastructure Levy (CIL) stop notice (Regulation 119) where:

- The collecting authority did not serve a warning notice before imposing the CIL stop notice; or
- The development for which the CIL stop notice was imposed has not commenced.

Appeals against CIL stop notices must be made within 60 days of the date the notice takes effect.

Offence

93.-

1. A person commits an offence if the person contravenes a CIL, stop notice
 - a. which has been served on that person; or
 - b. a copy of which has been displayed in accordance with regulation 90(6)
2. Contravention of a CIL stop notice includes causing or permitting the contravention of the notice.
3. An offence under this regulation may be charged by reference to a day or a longer period of time.
4. A person may be convicted of more than one such offence in relation to the same CIL stop notice by reference to different days or periods of time.
5. It is a defence for a person charged with an offence under this regulation to prove that
 - a. the CIL stop notice was not served on the person; and
 - b. the person did not know, and could not reasonably have been expected to know, of its existence.
6. A person convicted of an offence under this regulation is liable
 - a. on summary conviction, to a fine not exceeding £20,000; or
 - b. on conviction on indictment, to a fine.
7. In determining the amount of the fine the court must have regard in particular to any financial benefit which has accrued or has appeared to accrue to the person convicted in consequence of the offence.