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IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

**COMMUNITY INFRASTRUCTURE LEVY, ENGLAND
AND WALES**

The Community Infrastructure Levy Regulations 2010

STOP NOTICE

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

To: **ESDEM Developments Ltd
Esdem Developments LTD
129 Lewes Road
Brighton
East Sussex
BN2 3LG**

1. **THIS NOTICE** is issued by the Council, in exercise of their power in Regulation 90 of the 2010 Regulations, because they consider 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 prohibit 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**

Caxton House, 143 South Coast Road, Peacehaven, East Sussex, shown edged red on the attached plan.

3. **REASONS FOR ISSUING THIS NOTICE**

The Council issued a warning notice to you on 23rd February 2023 but the chargeable amount of £12,505.98 remains unpaid. This sum is now due in full immediately.

4. **ACTIVITY TO WHICH THIS NOTICE RELATES**

Change of use from office to five self-contained apartments, with stepped front extension, off-road parking and associated hard/soft landscaping under reference LW/17/1068

5. **WHAT YOU ARE REQUIRED TO DO**

Please arrange to make immediate payment of the outstanding CIL Liability .

All work on the land must stop, and will remain in place until your CIL Liability has been paid. Not complying with a CIL Stop Notice is a criminal offence. Allowing others to continue to work on site after the service of a CIL Stop Notice is also a criminal offence.

Strategic Policy
Tel: 01273 471600
DX No. 3118 Lewes-1
CIL@lewes.gov.uk

We may prosecute you for these offences, with conviction resulting in a criminal record and a fine. If work on the development does not cease after service of a CIL Stop Notice, we may also apply to the courts for an injunction to compel work on the land to stop. Breaching an injunction may lead to a fine or even imprisonment. If your CIL charge remains outstanding we may apply to the courts for an order requiring you to pay.

Method and receipt of payment

Payment is accepted by BACS to Account Name: Lewes District Council, Account number 10298260, Sort Code 30-80-12. Please note that payment by Credit Card is not accepted. If you wish to send a remittance advice, or if you have a payment query, please email CIL@lewes.gov.uk. Lewes District Council will issue a receipt for each payment received to the person making the payment. If you wish a copy of the receipt to be sent to another party, please let us know by emailing CIL@lewes.gov.uk.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 11 March 2023 when all the activity specified in this notice shall cease.

Dated: 08 March 2023

Signed:



Leigh Palmer

Head of Planning for Lewes and Eastbourne
Councils

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

Regulation 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.

Injunctions

Regulation 94.—

1. A collecting authority may apply to the court for an injunction if it considers it necessary or expedient for any actual or apprehended breach of a CIL stop notice to be restrained by injunction.

2. On an application under this regulation the court may grant such an injunction as the court thinks fit for the purpose of restraining the breach.

3. In this regulation “the court” means the High Court or a county court.