

West Berkshire CIL Guidance: CIL Enforcement Surcharges

If the CIL process is not followed correctly the following surcharges/interest will be applied:

Failure to assume liability

Surcharge of £50 on each person liable to pay CIL for failure to assume liability (Regulation 80)

Apportionment of Liability

Surcharge of £500 for each material interest where liability has to be apportioned (Regulation 81)

Failure to submit a notice of chargeable development

Surcharge equal to 20% or £2,500 of the chargeable amount, whichever is the lower amount, for failure to submit a Notice of Chargeable Development (Regulation 82)

Failure to submit a commencement notice

Surcharge equal to 20% or £2,500 of the chargeable amount, whichever is the lower amount, for failure to submit a Commencement Notice (Regulation 83)

Disqualifying events

Surcharge equal to 20% or £2,500 of the chargeable amount, whichever is the lower amount, for failure to notify of a disqualifying event (Regulation 84)

Late payment

Surcharge equal to 5% or £200, whichever is the greater amount, on the outstanding liability for late payment after the end of 30 days after the liability is due, further increasing after outstanding after six months and after 12 months under Regulation 85

Failure to comply with an information request

Surcharge equal to 20% or £1,000 of the relevant amount, whichever is the lower amount, for failure to comply with an Information Notice under Regulation 86

Late payment interest

Late payment interest at a rate of 2.5% on the relevant amount above Bank of England Base Rate due from the date payment was due under Regulation 87

If a surcharge is imposed you may have certain rights to appeal under [Regulation 117](#), [Regulation 118](#) and [Regulation 119](#). Surcharge and enforcement appeals are dealt with by the Planning Inspectorate and further information is contained within their [guidance](#).