

above site". However, Regulation 67(1) explains that Notice must be submitted in writing on a form published by the Secretary of State (or a form to substantially the same effect), which was fully explained in the Liability Notice of 5 April 2017, and must identify the Liability Notice and state the intended date of commencement. Unfortunately, the hand-written letter does not meet any of the criteria for it to be considered as a valid Commencement Notice. [REDACTED]

[REDACTED] I have no option but to determine the appeal on its facts. With that in mind, I conclude that the alleged breaches occurred as a matter of fact. The appeal on this ground fails accordingly.

The appeal under Regulation 117(1)(b)²

3. Although the appellant has appealed that she did not receive a Liability Notice, it appears from her agent's supporting arguments that the appeal relates to the revised Liability Notice of 23 June 2017, as opposed to the original notice issued on 5 April 2017. He states that after a self-build exemption application had been submitted on 22 June 2017 "**NO** further correspondence was received from the LPA". However, he does not state that neither he or the appellant received the original Liability Notice of which the Council have provided a screenshot to indicate its issue with the planning permission on 5 April 2017 and sent to the agent's e-mail address at [REDACTED]. While the screenshot is not proof of service in itself, as there is no contradictory evidence before me, I have no reason to believe that the Liability Notice was not served on 5 April 2017. The appeal under this ground fails accordingly.

The appeal under Regulation 118³

4. The deemed commencement date stated in the Demand Notice is 2 April 2018, which was derived from building control records. The appellant's agent disagrees with this date, but he has not provided an alternative date and simply refers to the letter of 24 June 2017, which states that works will be commencing soon. Conversely, he also refers to a notice submitted by approved private building Inspectors, [REDACTED], stating that work was due to commence on site in early August 2018. Neither of these documents state a specific date for commencement of the development. Therefore, on the evidence available, I have no reason to believe that the Council has issued a Demand Notice with an incorrectly determined deemed commencement date. The appeal on this ground fails accordingly.
5. It appears clear that the appellant is not happy with the way the Council has conducted this matter. If she has concerns about the Council's conduct or their adopted procedures, she may wish to make a complaint through the Council's established complaints process in the context of local government accountability

Formal decision

6. For these reasons, the appeal on all grounds made is dismissed and the surcharges of [REDACTED] are upheld.

K McEntee

² The Collecting Authority failed to serve a Liability Notice in respect of the development to which the surcharges relate

³ The Collecting Authority has issued a Demand Notice with an incorrectly determined deemed commencement date