



Appeal Decision

by Ken McEntee

a person appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 6 August 2026

Appeal ref: APP/A1910/L/25/3368120

- The appeal is made under Regulation 117(1)(b) of the Community Infrastructure Levy Regulations 2010 (as amended).
- The appeal is brought by [REDACTED] against a surcharge imposed by Dacorum Borough Council.
- The relevant planning permission to which the surcharge relates is [REDACTED].
- Planning permission was granted on 15 July 2021.
- The description of the permission is "[REDACTED]".
- A Liability Notice was issued on 27 July 2021.
- A revised Liability Notice was issued on 28 September 2021.
- A Demand Notice was issued on 6 June 2024.
- A revised Demand Notice was issued on 26 February 2025.
- A revised Demand Notice was issued on 3 April 2025.
- A revised Demand Notice was issued on 28 May 2025.
- The alleged breach to which the surcharge relates is the failure to pay a CIL charge instalment within 30 days of the due date.
- The outstanding late payment surcharge is £[REDACTED].

Summary of decision: The appeal is dismissed and the surcharge is upheld.

Reasons for the decision

1. The appeal is made under Regulation 117(1)(b), which is that the Council failed to serve a Liability Notice (LN) in respect of the development to which the surcharge relates. However, the Council have produced documentary evidence to demonstrate that the original LN was e-mailed to the appellants' agent, [REDACTED], on 27 July 2021. Miss [REDACTED] responded by informing the Council of a new address for the appellants than that given on the LN, and of a new e-mail address for correspondence, namely, [REDACTED]. However, an Assumption of Liability Notice of 28 September 2021 stated an e-mail address of [REDACTED]. The Council therefore submitted a revised LN on the same date to that address. The appellants do not contend that this e-mail was not received. While I note the appellants do contend that they did not receive other correspondence, such as that of 28 February 2025, either by e-mail or post, that it is not a matter for me to consider. All that is before me to determine in an appeal made under Regulation 117(1)(b) is whether a LN has been served. On

the evidence before me, I am satisfied that it has. The LN also made clear when the CIL payments were due.

2. The appellants refer to an agreement with the Council of 3 September 2024, for all correspondence to be sent to [REDACTED]. However, this was some three years after the LN had been served.
3. Therefore, on the evidence before me, I can only conclude that the Council did not fail to serve a LN in respect of the development to which the surcharge relates. The appeal fails accordingly.
4. If the appellants are not happy with the Council's conduct in this matter or their adopted procedures, they may wish to make a complaint through the Council's established complaints process in the context of local government accountability.

Formal decision

5. For the reasons given above, the appeal is dismissed and the late payment surcharge of £[REDACTED] is upheld.

K McEntee