

## Community Infrastructure Levy (CIL)

### Form 11: Exceptional Circumstances Relief Claim Form

This form should be used to claim exceptional circumstances relief prior to the commencement of development

**Please note:** This version of the form should only be used for submissions relating to planning applications in England. There is a legacy version of the form for use in Wales: [Download the legacy version of this form](#)

#### **Please note the following in regard to your claim for relief from the levy**

Any relief must be granted by the Collecting Authority prior to the commencement of your development, otherwise the full levy charge will be payable. A Commencement (of development) Notice should also be received by the Collecting Authority prior to the commencement of the development otherwise a surcharge equal to 20% of the notional chargeable amount or £2,500, whichever is the lower amount, may otherwise be applied.

Where liability for the levy is shared, this form should be completed by each party wishing to seek exemption or relief from the levy.

Please complete the form using block capitals and black ink and send to the Collecting Authority.

See [Planning Practice Guidance for CIL](#) for guidance on CIL generally, including claiming exemption or relief.

#### **Privacy Notice**

This form is provided by Planning Portal and based on the requirements provided by Government for the sole purpose of submitting information to a Local Authority in accordance with the 'The Community Infrastructure Levy Regulations 2010 (as amended).

Please be aware that once you have downloaded this form, Planning Portal will have no access to the form or the data you enter into it (unless you choose to upload it to any Planning Portal online service in agreement with the relevant terms and conditions). Any subsequent user of this form is solely at your discretion, including the choice to complete and submit it to a Local Authority in agreement with the declaration section.

Upon receipt of this form and any subsequent information, it is the responsibility of the Local Authority to inform you of its obligations in regards to the processing of this information. Please refer to its website for further information on any legal, regulatory and commercial requirements relating to information security and data protection of the information you have provided.

### Section A: Claiming Exceptional Circumstances Relief - General Information

#### **Details of Development**

Planning Permission / Notice of Chargeable Development Reference:

23/02166/FUL

Site address:

BMW (UK) MANUFACTURING LTD GARSINGTON ROAD OXFORD OXFORDSHIRE OX4 6NL

Description of development:

DEMOLITION OF BUILDINGS 30.5 AND 31.5, EXTENSION OF INTEGRATED LOGISTICS CENTRE (BUILDING 80.0) AND BODY-IN-WHITE/ LOGISTICS BUILDING (BUILDING 31.0/31.3), PROVISION OF NEW LORRY PARKING AREA, EXPANSION OF EXTERNAL WASTE STORAGE AREA, REALIGNMENT OF INTERNAL ROAD AND INSTALLATION OF ASSOCIATED LANDSCAPING, DELIVERY DECKS, CANOPIES, SHUTTER DOORS, WINDOWS, PLANT AND EQUIPMENT AND ALL OTHER ASSOCIATED WORKS.

**Claimant Name and Address**Title:  First name: Last name: Company (optional): Position: Company registration no: (where applicable) Unit:  House number:  House suffix: House name: Address 1: Address 2: Address 3: Town: County: Country: Postcode: 

Telephone number

Country code:  National number:  Extension number:   Email address (optional): **Agent Name and Address**Title:  First name: Last name: Company (optional): Unit:  House number:  House suffix: House name: Address 1: Address 2: Address 3: Town: County: Country: Postcode: 

Telephone number

Country code:  National number:  Extension number:   Email address (optional):

## Section B: Exceptional circumstances relief

### Charging Authority Details

Before completing this form, please check your Charging Authority has decided to accept claims for exceptional circumstances relief in its area

Please state charging authority for chargeable development:

OXFORD CITY COUNCIL

### Supporting Information for Exceptional Circumstances Relief

Please provide a summary of why you wish to be considered for exceptional circumstances relief and how you meet the terms of the Charging Authority's exceptional circumstances policy (maximum 500 words):

PLEASE SEE ATTACHED SUPPORTING STATEMENT

Please note that no s.106 obligation has yet been entered into; the resolution to grant planning permission for the chargeable development was made on 12/12/23 subject to completion of a s.106 obligation. This application is therefore made in advance of the completion of the s.106 obligation and the grant of the permission pursuant to the planning application referred to in Section A. That part of the "Declaration" below that refers to:

"A planning obligation under section 106 of the TCPA 1990 has been entered into in respect of the planning permission referred to at Section A: General Information"

cannot therefore be given at this time, but it is anticipated that the required s.106 obligation will be entered into shortly by way of a unilateral undertaking. The details of the required obligation are set out in the Supporting Statement. The part of the Declaration referred to above should therefore be considered to be deleted in the Declaration below at the date that this application is made.

If relevant, please provide a breakdown of all the activities of your organisation, including any goods or services it trades in and what these are:

29100 - MANUFACTURE OF MOTOR VEHICLES

### Application Requirements - Checklist

Please read the following checklist to make sure you have sent all the information in support of your claim. Failure to submit all information will result in your application not being accepted:

An assessment carried out by an independent person of the economic viability of the chargeable development;

An explanation of why, in the opinion of the claimant, payment of the chargeable amount would have an unacceptable impact on the economic viability of that development. This additional explanation should not be included where the summary provides all the necessary information; and

Where there is more than one material interest in the relevant land, an apportionment assessment.

## Declaration

I wish to be considered for discretionary exceptional circumstances relief for my portion of the CIL liability.

I declare that all the below points apply:

- I am an owner of a freehold interest in the relevant land or a leasehold interest in the relevant land of 7 years or more from the date of planning permission first permits the chargeable development; **and**
- A planning obligation under section 106 of the TCPA 1990 has been entered into in respect of the planning permission referred to at Section A: General Information; **and**
- The charging authority has approved my choice of independent person to conduct the assessments required to accompany this claim; **and**
- Copies of this completed form and the accompanying documentation will be sent to any other owners of the relevant land; **and**
- I commit, when submitting this application, to separately informing the collecting authority of the total amount of any subsidy granted to me by any public body in the three years\* prior to submission of this application form, either as State aid (up to 31 December 2020) or as a subsidy under the UK's international or domestic subsidy control commitments from 1 January 2021\*\*; **and**
- I acknowledge that the collecting authority will inform me whether they consider that the amount of any exemption/relief granted to me in respect of this application will (or may) be impacted to account for any subsidies already received over the last three years\*.

\* Three years means over a three-year consecutive fiscal period (the current financial year and the two preceding financial years)

\*\* Information about subsidy control for the purposes of CIL exemption or relief can be found at:

<https://www.gov.uk/guidance/community-infrastructure-levy#subsidy-control>

I understand:

- That my claim for relief will lapse where development commences on this chargeable development prior to the charging authority informing me of its decision.
- The meaning of a "disqualifying event" for CIL exceptional circumstances relief and that where a disqualifying event occurs before or after commencement of development I must inform the collecting authority within 14 days.
- That a Commencement Notice should also be received by the Collecting Authority prior to the commencement of the development otherwise a surcharge equal to 20% of the notional chargeable amount or £2,500, whichever is the lower amount, may otherwise be applied.
- That it is an offence under sections 2 and 3 of the Fraud Act 2006, to commit fraud by false representation, or to fail to disclose information when under a legal duty to do so, and that should this be found to be the case for this declaration or the supporting information, I could face criminal proceedings.

Name - Claimant:

Date (DD/MM/YYYY):

Or name - Agent:

Date (DD/MM/YYYY):

It is an offence for a person to knowingly or recklessly supply information which is false or misleading in a material respect to a charging or collecting authority in response to a requirement under the Community Infrastructure Levy Regulations (2010) as amended (regulation 110, SI 2010/ 948). A person guilty of an offence under this regulation may face unlimited fines, two years imprisonment, or both.

## ANNEX A: APPORTIONMENT ASSESSMENT

Please complete the table below, including the assessment of the percentage of the value of the interest in the relevant land owned by the claimant:

Name of Owner	Type of Interest	Value of Interest (%)
TOTAL VALUE OF ALL MATERIAL INTERESTS (MUST EQUAL 100%):		

This information will be used to calculate the amount of CIL relief that may be granted on this development. The collecting authority may choose to carry out its own assessment for these purposes.

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