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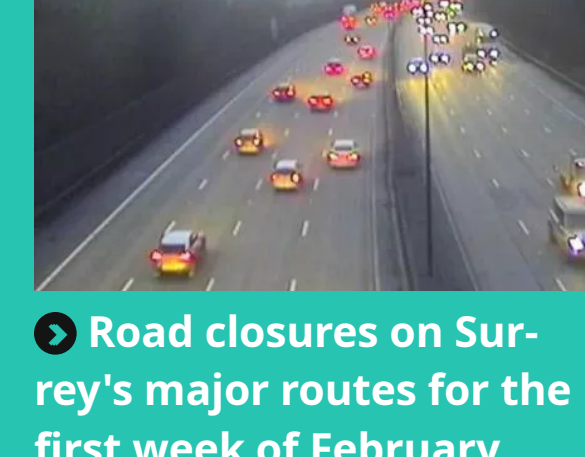
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Steve said there is still a "long way to go"

NEWS By Emily Dalton Local Democracy Reporter

05:00, 4 FEB 2025

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Steve Dally said there is still "a long way to go" before people get justice. (Image: Steve Dally)

A couple who were charged £70,000 by a Surrey council for a bill they should have been exempt from have finally won the right to appeal. Steve and Caroline Dally were hit with the hefty fee for a home extension and given no opportunity to argue their case.

The couple were granted planning permission by Waverley Borough Council to demolish and replace an existing extension at their home in Godalming which was exempt from Community Infrastructure Levy (CIL), a charge aimed at getting developers to contribute towards essential infrastructure.

However, after seeking permission to make some minor amendments (for which consent was granted) they suddenly and unexpectedly faced the £70,000 CIL charge, with no appeal. While self-builders and home extensions are exempt from CIL payments, in Waverley applicants must first complete the necessary paperwork for this.

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But with residents being unaware they need to apply for an exemption, or due to paperwork errors, some people have unexpectedly had to face extortionate CIL charges and terrifying enforcement action.

Steve said: "They pursue you relentlessly to get the money out of you. There's no compassion, there's no understanding."

He explained the council told him he had 60 days to pay the £70,000 or his home was at risk of being repossessed and he would go to prison. As this was the start of the Covid lockdown in 2020, he feared the worst.

The 65-year-old grandfather-of-four has been forced to increase the mortgage on his home by £400 per month, pending full repayment when he turns 70. He may have no choice but to sell the home he has worked his entire life for, just to settle this debt.

He added: "It's traumatic. You lose sleep and end up crying your eyes out- what can you do about it?"

The paperwork and administrative processes of CIL means people could accidentally face charges between £40,000- £235,000 and have no right for their case to be reconsidered.

A 'watershed moment'

Fighting the council since 2020, Mr Dally had approached councillors and the local MP and the Ombudsman to change the CIL charge against him and his wife. But none of them could ultimately remove the fee, until now.

Last week Waverley council agreed to ensure the public have the right to appeal the CIL charges. Mr Dally described it as a "watershed" moment as it was the "first time that someone was prepared to stand up and fight for you".

Speaking out for the victims, Councillor Lauren Atkins (Conservative) said the "life-changing unintentional impacts of CIL have resulted in debt, depression and years of feeling unheard and being unanswered." She called for the council to collaborate and seize the "opportunity to see justice for those wronged".

Householders previously subject to CIL liability can now request a discretionary review by Waverley Borough Council within a window from 1 June 2025 to 31st May 2026. The council agreed to have a discretionary review of CIL payments for Householder applications and will consider refunds of CIL previously collected.

Cautiously hopeful, Mr Dally said the change did not guarantee victims were going to get their money back. "It's a long way to go yet," he said, arguing it depends on how "compassionate" the reviewer will be of people's cases.

He added: "There will be a lot of people in Surrey that will be impacted by the same and will not know which way to turn."

Speaking to the Local Democracy Reporting Service (LDRS), Mr Dally reeled off other people who had fallen foul of the CIL charge on their residential properties. He said one man was charged £200k and a wife looking after her husband with dementia was fined £40k.

Cllr Jane Austin (Conservative) said: "We see the unintended consequence of this aspect of legislation has caused great financial and emotional distress to people who have unwittingly broken rules they didn't know existed."

She acknowledged Waverley council is, going forward, trying to ensure householders are made aware of CIL and its exemption paperwork. Cllr Austin added: "But we need to right this wrong for those who have already had to make these huge payments."

Leader of the council, Cllr Paul Follows, said work is already being done to investigate the CIL issues but welcomed the cross-party collaboration. The CIL levies will be reviewed as part of the council's Local Plan process, according to Cllr Follows.

"I hope the poor folk who are being pestered by Waverley to pay these charges will be left alone until we have resolved this," said Cllr Michael Goodridge. He raised concern that he has been told there has been looking at the issue for a while, but it could take a lot more time in the Local Plan.

The Liberal Democrat council leader also added the CIL regulations was something his party had inherited from the previous administration. Members also broadly agreed more education of the CIL process was needed, both for councillors and the public.



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