

Notice Report

Pay Less Notice, Drafted Same Day

Prepared for	Acme Construction Ltd, for the attention of R. Patel, Commercial Manager
Project	Riverside Phase 2, London SE1. Groundworks package
Contract	JCT SBCSub/C 2016 as amended, with Kestrel Groundworks Ltd, executed 12 January 2026
Service	Emergency Notice Desk. Instructed 10.40am, served the same day
Our reference	26-011-R03
Date	19 August 2026
Status	Final, issued with the notice

Worked example. The project, the parties and every figure are illustrative, shown so you can see the format and depth a real instruction receives.

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1. Your instruction

Kestrel's Application 14 claims £86,412. Your assessment supports £61,200, the difference being remeasured excavation quantities and a contra for craneage attendances. Your payment notice window passed unused three weeks ago; your diary held the final date for payment, not the notice deadline, and this morning your QS worked out that the last day for a valid pay less notice is today. You called at 10.40am on 19 August and instructed a same-day draft.

The fee was confirmed by your email at 11.02am. The paperwork below arrived complete by 11.30am, which is what made same-day possible.

2. The deadline, from the contract

	What the contract says	Where
Due date	27 July 2026. Application 14, valid, served 20 July	Payment terms, as amended (amendment 6)
Payment notice	Within five days of the due date, so by 1 August. Not served; the window is gone	Amendment 6.1
Pay less notice	Not later than five days before the final date for payment	Amendment 6.2
Final date for payment	24 August 2026	Amendment 6.3

Under those terms the last day for a valid pay less notice is 19 August 2026, which is today. With no payment notice served, the application is the notified sum: if today passes without a valid pay less notice, £86,412 is payable in full on 24 August, and the £25,212 difference is gone for this cycle whatever the merits. The mechanism complies with the Construction Act, so the contract's own dates govern.

3. The notice, and whether it holds

Limb	Checked against	Result
Timing	Served 19 August; last valid day 19 August	In time
Substance	States £61,200 as the sum considered due and the basis of its calculation: the remeasure of the excavation items against the levels survey of 14 August, and an itemised contra of £4,860 for craneage attendances under the attendances provision	States both
Service	In writing, to Kestrel's registered office and the email address the Sub-Contract Particulars give for notices, signed by your commercial director as the Particulars name	Valid

The notice was drafted from your own assessment figures. The £61,200 is your valuation, on your responsibility; the drafting, the basis statement and the service route are mine. The remeasure schedule and the contra build-up are appended to the notice itself, because a pay less notice that shows its arithmetic survives adjudication far better than a bare number.

Serving instructions, as issued at 3.15pm: send today by email with the schedule attached and simultaneously by first-class post; keep the sent email, the delivery receipt and the postage certificate in the cycle file. Proof of service was confirmed back to me at 4.20pm and is filed.

4. What to fix before the next cycle

Three things let this get to the last day. The payment notice window passed unused, and a served payment notice would have made today unnecessary. The diary held the final date, not the notice deadline; every payment date on your live subcontracts should be re-derived from each contract's amendments and diarised as notice deadlines, which I can do as a fixed piece of work. And the assessment was finished nineteen days after the application landed; on this cycle's dates it needs to complete within ten.

5. Basis of figures

£86,412 is Kestrel's Application 14 as received. £61,200 is your assessment of 18 August (spreadsheet ref ACM-RIV-A14), and £4,860 is your craneage contra from the site allocation sheets of 3 to 14 August. Each figure appears in the notice with its source appended; nothing in the notice is my valuation.

Sign-off

Prepared, checked and issued by:

Jack Butler-Kettle

Quantity Surveying and Construction Claims

Date