



Planning Act 2008

2008 CHAPTER 29

PART 11

COMMUNITY INFRASTRUCTURE LEVY

213 Charging schedule: approval

- [^{F1}(1) A charging authority may approve a charging schedule only if—
- (a) the examiner makes recommendations under section 212A(4) or (5), and
 - (b) the charging authority has had regard to those recommendations and the examiner's reasons for them.
- (1A) Accordingly, a charging authority may not approve a charging schedule if, under section 212A(2), the examiner recommends rejection.
- (1B) If the examiner makes recommendations under section 212A(4), the charging authority may approve the charging schedule only if it does so with modifications that are sufficient and necessary to remedy the non-compliance specified under section 212A(4)(a) (although those modifications need not be the ones recommended under section 212A(4)(b)).
- (1C) If a charging authority approves a charging schedule, it may do so with all or none, or some one or more, of the modifications (if any) recommended under section 212A(6) or (7).
- (1D) The modifications with which a charging schedule may be approved include only—
- (a) modifications required by subsection (1B), and
 - (b) modifications allowed by subsection (1C).]

(2) A charging authority (other than the Mayor of London) must approve a charging schedule—

 - (a) at a meeting of the authority, and
 - (b) by a majority of votes of members present.

(3) The Mayor of London must approve a charging schedule personally.

Status: Point in time view as at 31/01/2024.

Changes to legislation: Planning Act 2008, Section 213 is up to date with all changes known to be in force on or before 19 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

[^{F2}(3A) Subsection (3B) applies if—

- (a) the examiner makes recommendations under section 212A(4), and
- (b) the charging schedule is approved by the charging authority.

(3B) The charging authority must publish a report setting out how the charging schedule as approved remedies the non-compliance specified under section 212A(4)(a).

(3C) CIL regulations may make provision about the form or contents of a report under subsection (3B).]

(4) CIL regulations may make provision for the correction of errors in a charging schedule after approval.

[^{F3}(5) In this section “ examiner ” means examiner under section 212.]

[^{F4}(6) For exceptions to this section see section 211(11).]

Textual Amendments

- F1** S. 213(1)-(1D) substituted for s. 213(1) (16.11.2011) by [Localism Act 2011 \(c. 20\)](#), **ss. 114(5)**, 240(6) (with [ss. 114\(8\)](#), 144)
- F2** S. 213(3A)-(3C) inserted (16.11.2011) by [Localism Act 2011 \(c. 20\)](#), **ss. 114(6)**, 240(6) (with [ss. 114\(8\)](#), 144)
- F3** S. 213(5) inserted (16.11.2011) by [Localism Act 2011 \(c. 20\)](#), **ss. 114(7)**, 240(6) (with [ss. 114\(8\)](#), 144)
- F4** S. 213(6) inserted (31.1.2024 for specified purposes) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), **ss. 107(6)**, 255(3)(b) (with s. 247); S.I. 2024/92, reg. 2(e)

Status:

Point in time view as at 31/01/2024.

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