
STATUTORY INSTRUMENTS

2019 No. 1103

**The Community Infrastructure Levy
(Amendment) (England) (No. 2) Regulations 2019**

Reliefs: commencement notices and other amendments relating to applications for relief

- 6.—(1) In regulation 41(1) omit the definition of “by local advertisement”.
- (2) In regulation 42B(1)—
- (a) in paragraph (2), in sub-paragraph (a) at the beginning insert “subject to paragraph (3A),”;
 - (b) in paragraph (3) at the beginning insert “Subject to paragraph (3A),”;
 - (c) after paragraph (3) insert—

“(3A) Paragraphs (2)(a) and (3) do not apply where an exemption for residential annexes or extensions has been granted in relation to a chargeable development and the annex or extension changes after the commencement of that development.”;
 - (d) in paragraph (4), after “case may be)” insert “and, in relation to an exemption for residential annexes, provide an explanation of the requirements of regulation 67(1)”;
 - (e) omit paragraph (6).
- (3) In regulation 47—
- (a) in paragraph (2), in sub-paragraph (a) at the beginning insert “subject to paragraph (3A),”;
 - (b) in paragraph (3) at the beginning insert “Subject to paragraph (3A),”;
 - (c) after paragraph (3) insert—

“(3A) Paragraphs (2)(a) and (3) do not apply where charitable relief has been granted in relation to a chargeable development and the development changes after the commencement of that development.”;
 - (d) in paragraph (5), for sub-paragraph (b) substitute—

“(b) where relief is granted, the amount of relief granted,
and provide an explanation of the requirements of regulation 67(1).”;
 - (e) omit paragraph (7).
- (4) In regulation 51—
- (a) in paragraph (5), for sub-paragraph (b) substitute—

“(b) if relief is granted, the qualifying amount,
and provide an explanation of the requirements of regulation 67(1).”;
 - (b) omit sub-paragraph (a) of paragraph (7).
- (5) In regulation 54B(2)—
- (a) in paragraph (2), in sub-paragraph (b) at the beginning insert “subject to paragraph (3A),”;

(1) Regulation 42B was inserted by [S.I. 2014/385](#).

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- (b) in paragraph (3) at the beginning insert “Subject to paragraph (3A),”;
 - (c) after paragraph (3) insert—
 - “(3A) Paragraphs (2)(b) and (3) do not apply where an exemption for self-build housing has been granted in relation to a chargeable development and the provision of self-build housing or self-build communal development changes after the commencement of that development.”;
 - (d) in paragraph (4), after “case may be)” insert “and provide an explanation of the requirements of regulation 67(1)”;
 - (e) omit paragraph (6).
- (6) In regulation 57(7) after “relief granted” insert “and provide an explanation of the requirements of regulation 67(1)”.
- (7) In regulation 58(6) after “and the Mayor)” insert “and provide an explanation of the requirements of regulation 67(1)”.
- (8) In regulation 83—
- (a) at the beginning of paragraph (1) insert “Subject to paragraph (1A),”;
 - (b) after paragraph (1) insert—
 - “(1A) Subject to paragraph (1B), where a relevant development is commenced before the collecting authority has received a valid commencement notice in respect of the development, then instead of any surcharge which may be imposed under paragraph (1) the collecting authority must impose a surcharge equal to 20 per cent of the notional chargeable amount or £2,500, whichever is the lower amount.
 - (1B) A collecting authority is not required to impose a surcharge under paragraph (1A) where it is satisfied that the amount of the surcharge is less than any reasonable administrative costs which it would incur in relation to the surcharge.”;
 - (c) after paragraph (4) insert—
 - “(5) In this regulation—
 - “notional chargeable amount” means the amount of CIL that would have been payable, calculated in accordance with regulation 40 and Schedule 1, in relation to the development, as if the relief had not been granted;
 - “relevant development” means a chargeable development in relation to which a person has been granted—
 - (a) an exemption for residential annexes;
 - (b) an exemption for self-build housing;
 - (c) charitable relief; or
 - (d) social housing relief.”.