
DRAFT STATUTORY INSTRUMENTS

2010 No.

The Community Infrastructure Levy Regulations 2010

PART 3

CHARGING SCHEDULES

Recovery of costs incurred by the Secretary of State

30.—(1) The Secretary of State may require a charging authority whose draft charging schedule is the subject of an examination to pay the whole or any part of the costs incurred by the Secretary of State in relation to that examination.

(2) The costs that may be recovered by the Secretary of State under this regulation include, in particular—

- (a) costs attributable to the remuneration, fees and expenses of an independent person; and
- (b) administrative costs and overheads incurred by the Secretary of State in relation to the examination.

(3) Where two or more draft charging schedules are examined at the same examination, any costs recovered by the Secretary of State in relation to that examination must be recovered from each of the charging authorities whose draft charging schedules are the subject of the examination.

(4) Where a joint examination is carried out in accordance with regulation 22(2) or (3), the costs incurred by the Secretary of State in relation to the examination of a charging schedule at that examination may be recovered by the Secretary of State in accordance with this regulation to the extent that those costs are not recoverable under—

- (a) section 303A(1A) of TCPA 1990(1) (responsibility of local planning authorities for costs of holding certain inquiries); or
- (b) section 338(9) of the Greater London Authority Act 1999.

(5) The costs incurred by the Secretary of State in relation to an examination which does not take place may be recovered by the Secretary of State from the charging authorities from which they would have been recoverable had the examination taken place.

(6) The Secretary of State may cause the amount of any costs recoverable in accordance with this regulation to be certified; and any amount so certified and required to be paid by a charging authority is recoverable from that authority as a civil debt.

(1) Section 303A was inserted by section 1(1) of the Town and Country Planning (Costs of Inquiries etc) Act 1995 (c. 49) and amended by paragraph 11 of Schedule 6 to the Planning and Compulsory Purchase Act 2004.