



Planning Act 2008

2008 CHAPTER 29

PART 11

COMMUNITY INFRASTRUCTURE LEVY

219 Compensation

- (1) CIL regulations may require a charging authority or other public authority to pay compensation in respect of loss or damage suffered as a result of enforcement action.
- (2) In this section, “enforcement action” means action taken under regulations under section 218, including—
 - (a) the suspension or cancellation of a decision relating to planning permission, and
 - (b) the prohibition of development pending assumption of liability for CIL or pending payment of CIL.
- (3) The regulations shall not require payment of compensation—
 - (a) to a person who has failed to satisfy a liability to pay CIL, or
 - (b) in other circumstances specified by the regulations.
- (4) Regulations under this section may make provision about—
 - (a) the time and manner in which a claim for compensation is to be made, and
 - (b) the sums, or the method of determining the sums, payable by way of compensation.
- (5) CIL regulations may permit or require a charging authority to apply CIL (either generally or subject to limits set by or determined in accordance with the regulations) for expenditure incurred under this section.
- (6) A dispute about compensation may be referred to and determined by the [^{F1}Upper Tribunal].

Status: Point in time view as at 08/09/2022.

Changes to legislation: Planning Act 2008, Section 219 is up to date with all changes known to be in force on or before 18 June 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)

- (7) In relation to the determination of any such question, the provisions of [F2section] 4 of the Land Compensation Act 1961 (c. 33) apply subject to any necessary modifications and to the provisions of CIL regulations.

Textual Amendments

- F1** Words in s. 219(6) substituted (1.6.2009) by [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 1, **Sch. 1 para. 296(a)** (with Sch. 5)
- F2** Word in s. 219(7) substituted (1.6.2009) by [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 1, **Sch. 1 para. 296(b)** (with Sch. 5)

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