
STATUTORY INSTRUMENTS

2015 No. 836

**The Community Infrastructure Levy
(Amendment) Regulations 2015**

Amendment to Part 6 – exemptions and reliefs

- 4.—(1) In regulation 49 (social housing relief)—
- (a) in paragraph (2) for “four” substitute “five”;
 - (b) after paragraph (7) insert—
 - “(7A) Condition 5 is that—
 - (a) the dwelling is let by a person who is not a local housing authority, a private registered provider of social housing or a registered social landlord (within the meaning of Part 1 of the Housing Act 1996) on one of the following—
 - (i) an assured tenancy (including an assured shorthold tenancy);
 - (ii) an assured agricultural occupancy;
 - (iii) an arrangement that would be an assured tenancy or an assured agricultural occupancy but for paragraph 12(1)(h) of Schedule 1 to the Housing Act 1988(1); and
 - (b) the following criteria are both met—
 - (i) the dwelling is let to a person whose needs are not adequately served by the commercial housing market; and
 - (ii) the rent is no more than 80 per cent of market rent (including service charges); and
 - (c) a planning obligation under section 106 TCPA 1990 designed to ensure compliance with both criteria at sub-paragraph (b) has been entered into in respect of the planning permission which permits the chargeable development.”
 - (c) in paragraph (11) for the definition of “national rent regime” substitute—
 - ““national rent regime” means the rent policy set out in the Social Rent Guidance within the Rent Standard Guidance as published by the Regulator of Social Housing in January 2015.”
- (2) In regulation 53 (withdrawal of social housing relief) after paragraph (4) insert—
- “(4A) Where—
 - (a) the relevant person is liable to pay the withdrawn amount; and
 - (b) the dwelling in respect of which the relevant person is benefitting from social housing relief was (immediately before it ceased to be a qualifying dwelling) a qualifying dwelling which satisfied condition 5 of regulation 49,

(1) 1988 c.50. Paragraph 12(1)(h) of Schedule 1 was amended, in relation to Wales, by, and a new paragraph 12(3) inserted by, section 137(2) of the [Housing \(Wales\) Act 2014](#) (anaw. 7).

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for the purposes of regulation 87 (late payment interest), payment of the withdrawn amount is to be treated as being due on commencement of the chargeable development.”