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STATUTORY INSTRUMENTS

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**2010 No. 948**

The Community Infrastructure Levy Regulations 2010

PART 10

APPEALS

**Surcharge: appeal**

**117.**—(1) A person who is aggrieved at a decision of a collecting authority to impose a surcharge may appeal to the appointed person on any of the following grounds—

- (a) that the claimed breach which led to the imposition of the surcharge did not occur;
- (b) that the collecting authority did not serve a liability notice in respect of the chargeable development to which the surcharge relates; or
- (c) that the surcharge has been calculated incorrectly.

(2) Where the imposition of a surcharge is subject to an appeal under this regulation, no amount is payable in respect of that surcharge while the appeal is outstanding.

(3) An appeal under this regulation must be made before the end of the period of 28 days beginning with the day on which the surcharge is imposed.

(4) Where an appeal under this regulation is allowed the appointed person may quash or recalculate the surcharge which is the subject of the appeal.