
STATUTORY INSTRUMENTS

2010 No. 948

The Community Infrastructure Levy Regulations 2010

PART 6

EXEMPTIONS AND RELIEF

Social housing relief: procedure

51.—(1) A person wishing to benefit from social housing relief must submit a claim in accordance with this regulation.

(2) The claimant must—

- (a) assume liability to pay CIL in respect of the chargeable development for which relief is claimed; and
- (b) be an owner of the relevant land.

(3) The claim must—

- (a) be submitted to the collecting authority in writing on a form published by the Secretary of State (or a form to substantially the same effect);
- (b) [^{F1}subject to paragraph (4A),] be received by the collecting authority before commencement of the chargeable development;
- (c) include the particulars specified or referred to in the form; and
- (d) be accompanied by—
 - (i) a relief assessment, and
 - (ii) evidence that the chargeable development qualifies for social housing relief (by reference to the conditions mentioned in regulation 49^[F2], the criteria mentioned in regulation 49A(2) or regulation 49C).

(4) [^{F3}Subject to paragraph (4A), a claim] for social housing relief will lapse where the chargeable development to which the claim relates is commenced before the collecting authority has notified the claimant of its decision on the claim.

[^{F4}(4A) Paragraphs (3)(b) and (4) do not apply where the provision of qualifying dwellings or qualifying communal development in respect of a chargeable development changes after the commencement of that development.]

(5) As soon as practicable after receiving a valid claim for social housing relief, the collecting authority must notify the claimant in writing of—

- (a) its decision on the claim and the reasons for the decision; and
- [^{F5}(b) if relief is granted, the qualifying amount,

and provide an explanation of the requirements of regulation 67(1).]

(6) If social housing relief is granted in respect of the chargeable development the claimant is deemed to benefit from an amount of relief equal to the qualifying amount.

(7) A chargeable development ceases to be eligible for social housing relief if, before that chargeable development is commenced—

- [^{F6}(a) a commencement notice is not submitted to the collecting authority;]
- (b) the claimant’s assumption of liability is withdrawn or otherwise ceases to have effect; or
- (c) the claimant transfers liability to another person in accordance with regulation 32.

(8) In this regulation “relief assessment” means an assessment of the extent to which the chargeable development is eligible for social housing relief which—

- (a) identifies the qualifying dwellings and the gross internal area of those dwellings; ^{F7}...
- [^{F8}(aa) identifies the qualifying communal development (if any) and the gross internal area of that development; and]
- (b) includes a calculation of the qualifying amount.

[^{F9}(9) Paragraph (10) applies where a charging authority issues a statement (in accordance with regulation 49B(3)(a)) giving notice that discretionary social housing relief will no longer be available in its area.

(10) Any claim for discretionary social housing relief received by the collecting authority on or before the day mentioned in regulation 49B(3)(a) in respect of a chargeable development situated in the charging authority’s area must be considered by the collecting authority.]

Textual Amendments

- F1** Words in [reg. 51\(3\)\(b\)](#) inserted (24.2.2014) by [The Community Infrastructure Levy \(Amendment\) Regulations 2014 \(S.I. 2014/385\)](#), [regs. 1, 7\(7\)\(a\)\(i\)](#)
- F2** Words in [reg. 51\(3\)\(d\)\(ii\)](#) inserted (24.2.2014) by [The Community Infrastructure Levy \(Amendment\) Regulations 2014 \(S.I. 2014/385\)](#), [regs. 1, 7\(7\)\(a\)\(ii\)](#)
- F3** Words in [reg. 51\(4\)](#) substituted (24.2.2014) by [The Community Infrastructure Levy \(Amendment\) Regulations 2014 \(S.I. 2014/385\)](#), [regs. 1, 7\(7\)\(b\)](#)
- F4** [Reg. 51\(4A\)](#) inserted (24.2.2014) by [The Community Infrastructure Levy \(Amendment\) Regulations 2014 \(S.I. 2014/385\)](#), [regs. 1, 7\(7\)\(c\)](#)
- F5** [Reg. 51\(5\)\(b\)](#) and the words "and provide an explanation of the requirements of regulation 67(1)." substituted for [reg. 51\(5\)\(b\) \(E.\)](#) (1.9.2019) by [The Community Infrastructure Levy \(Amendment\) \(England\) \(No. 2\) Regulations 2019 \(S.I. 2019/1103\)](#), [regs. 1, 6\(4\)\(a\)](#) (with [regs. 1\(4\), 13](#))
- F6** [Reg. 51\(7\)\(a\)](#) omitted (E.) (1.9.2019) by virtue of [The Community Infrastructure Levy \(Amendment\) \(England\) \(No. 2\) Regulations 2019 \(S.I. 2019/1103\)](#), [regs. 1, 6\(4\)\(b\)](#) (with [regs. 1\(4\), 13](#))
- F7** Word in [reg. 51\(8\)\(a\)](#) omitted (24.2.2014) by virtue of [The Community Infrastructure Levy \(Amendment\) Regulations 2014 \(S.I. 2014/385\)](#), [regs. 1, 7\(7\)\(d\)\(i\)](#)
- F8** [Reg. 51\(8\)\(aa\)](#) inserted (24.2.2014) by [The Community Infrastructure Levy \(Amendment\) Regulations 2014 \(S.I. 2014/385\)](#), [regs. 1, 7\(7\)\(d\)\(ii\)](#)
- F9** [Reg. 51\(9\)\(10\)](#) inserted (24.2.2014) by [The Community Infrastructure Levy \(Amendment\) Regulations 2014 \(S.I. 2014/385\)](#), [regs. 1, 7\(7\)\(e\)](#)

Commencement Information

- I1** [Reg. 51](#) in force at 6.4.2010, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Community Infrastructure Levy Regulations 2010, Section 51.