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STATUTORY INSTRUMENTS

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**2010 No. 948**

**The Community Infrastructure Levy Regulations 2010**

**PART 9**

**ENFORCEMENT**

**CHAPTER 1**

**SURCHARGES AND INTEREST**

**Surcharge for failure to submit a commencement notice**

**83.**—(1) Where a chargeable development (D) is commenced before the collecting authority has received a valid commencement notice in respect of D, the collecting authority may impose a surcharge equal to 20 per cent of the chargeable amount payable in respect of D or £2500, whichever is the lower amount.

(2) Where a person has assumed liability to pay CIL in respect of D, the collecting authority must notify in writing each person known to it as an owner of the relevant land of the imposition of the surcharge.

(3) Where the collecting authority is required to apportion liability between each material interest in the relevant land in respect of D—

- (a) the surcharge must be apportioned on the same basis; and
- (b) the owner of a material interest must pay the part of the surcharge apportioned to that interest.

(4) In all other cases the surcharge is payable by the person liable to pay CIL in respect of D.