

[^{F1}SCHEDULE 1

Calculation of chargeable amount etc

Textual Amendments

- F1** Sch. 1 inserted (E.) (1.9.2019) by The Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 (S.I. 2019/1103), reg. 1, Sch. 1 (with regs. 1(3), 13)

PART 3

Calculation of social housing relief

Social housing relief: calculating qualifying amount

6.—(1) The qualifying amount, for the purpose of regulation 50, is an amount equal to the aggregate of the qualifying amounts at each of the relevant rates.

(2) The relevant rates are the rates, taken from the relevant charging schedules, at which, but for social housing relief, CIL would be chargeable in respect of the part of the chargeable development which will comprise—

- (a) qualifying dwellings; or
- (b) qualifying communal development.

(3) The qualifying amount at a given relevant rate (R) must be calculated by applying the following formula—

$$\frac{R \times A \times I_p}{I_c}$$

where—

A = the deemed net area chargeable at rate R ;

I_p and I_c have the same meaning as in paragraph 1.

(4) Paragraphs 1(6) to (9) apply for the purpose of calculating A with the following modifications—

- (a) for G_R substitute Q_R , and
- (b) for K_R substitute K_{Q_R} ,

where—

Q_R = the gross internal area of the part of the chargeable development which will comprise the qualifying dwellings or qualifying communal development, and in respect of which, but for social housing relief, CIL would be chargeable at rate R ; and

K_{Q_R} = the aggregate of the gross internal areas of the following—

- (i) relevant retained parts of the in-use buildings; and
- (ii) for other relevant buildings, relevant retained parts where the intended use following completion of the chargeable development is a use that is able to be carried on lawfully and permanently without further planning permission in that part on the day before planning permission first permits the chargeable development.

(5) In this paragraph—

Changes to legislation: *There are currently no known outstanding effects for the The Community Infrastructure Levy Regulations 2010, Paragraph 6. (See end of Document for details)*

- (a) a reference to part of a chargeable development which will comprise qualifying dwellings includes a reference to part of a chargeable development which comprises qualifying dwellings;
- (b) “relevant retained part” means part of a building which will be—
 - (i) on the relevant land on completion of the chargeable development (excluding new build),
 - (ii) part of the chargeable development on completion, and
 - (iii) chargeable at rate R but for social housing relief;
- (c) “building”, “in-use building”, “new build”, “relevant building” and “relevant charging schedules” have the same meaning as in paragraph 1.]

Changes to legislation:

There are currently no known outstanding effects for the The Community Infrastructure Levy Regulations 2010, Paragraph 6.