
DRAFT STATUTORY INSTRUMENTS

2010 No.

The Community Infrastructure Levy Regulations 2010

PART 10

APPEALS

Interpretation of Part 10

112.—(1) In this Part—

“appointed person” means—

- (a) in the case of an appeal under regulation 114, 115 or 116—
 - (i) a valuation officer appointed under section 61 of the Local Government Finance Act 1988(1), or
 - (ii) a district valuer within the meaning of section 622 of the Housing Act 1985(2),
- (b) in the case of an appeal under regulation 117 or 118, the Secretary of State or a person appointed by the Secretary of State, or
- (c) in the case of an appeal under regulation 119, a person appointed by the Secretary of State;

“representations period” means—

- (a) in the case of an appeal under regulation 114, 116, 117, 118 or 119, 14 days beginning with the date of the acknowledgment of receipt under regulation 120(3),
- (b) in the case of an appeal under regulation 115, such period as the appointed person may determine but not less than 14 days beginning with the date of the acknowledgment of receipt under regulation 120(3);

“review start date” means the date on which a collecting authority receives a request for review under regulation 113; and

“relevant development” means the chargeable development which is the subject of the review or appeal (as the case may be).

(2) For the purposes of this Part a person is an interested person if—

- (a) in the case of a request for review under regulation 113 or an appeal under regulation 114, the person is—
 - (i) the person who has assumed liability to pay CIL in respect of the chargeable development, or
 - (ii) the relevant person within the meaning of regulation 65(12);
- (b) in the case of an appeal under regulation 116, the person is—
 - (i) the person who claimed the charitable relief, or

(1) 1988 c. 41; section 61 was amended by paragraph 69 of Schedule 13 to the Local Government Finance Act 1992 (c. 14).

(2) 1985 c. 68; the definition of “district valuer” in section 622 was substituted by S.I. 1990/434.

- (ii) the person who has assumed liability to pay CIL in respect of the chargeable development to which the charitable relief relates.
- (3) For the purposes of this Part a person is an interested party if—
- (a) in the case of an appeal under regulation 114 or 116, the person is—
 - (i) the charging authority,
 - (ii) the collecting authority (if it is not the charging authority), or
 - (iii) an interested person (other than the appellant);
 - (b) in the case of an appeal under regulation 115, the person is—
 - (i) a person mentioned in paragraph (2)(a), or
 - (ii) an owner of the relevant land (other than the appellant);
 - (c) in the case of an appeal under regulation 117, the person is—
 - (i) the charging authority,
 - (ii) the collecting authority (if it is not the charging authority),
 - (iii) the person who is liable for the unpaid amount, or
 - (iv) a person known to the collecting authority as an owner of the relevant land;
 - (d) in the case of an appeal under regulation 118, the person is—
 - (i) a person on whom a demand notice was served in respect of the relevant development,
 - (ii) the charging authority, or
 - (iii) the collecting authority (if it is not the charging authority);
 - (e) in the case of an appeal under regulation 119, the person is—
 - (i) the charging authority,
 - (ii) the collecting authority (if it is not the charging authority),
 - (iii) the person who is liable to pay the unpaid amount,
 - (iv) any person known to the collecting authority as an owner of the relevant land,
 - (v) any person known to the collecting authority as an occupier of the relevant land, or
 - (vi) any other person who the collecting authority considers may be materially affected by a CIL stop notice.