
DRAFT STATUTORY INSTRUMENTS

2010 No.

The Community Infrastructure Levy Regulations 2010

PART 8

ADMINISTRATION

Liability notice

65.—(1) The collecting authority must issue a liability notice as soon as practicable after the day on which a planning permission first permits development.

(2) A liability notice must—

- (a) be issued on a form published by the Secretary of State (or a form to substantially the same effect);
- (b) include a description of the chargeable development;
- (c) state the date on which it was issued;
- (d) state the chargeable amount;
- (e) state the amount of any charitable relief or relief for exceptional circumstances granted in respect of the chargeable development;
- (f) where social housing relief has been granted in respect of the chargeable development, state—
 - (i) the particulars of each person benefiting from the relief, and
 - (ii) for each of those persons, the amount of relief from which the person benefits; and
- (g) contain the other information specified in the form.

(3) The collecting authority must serve the liability notice on—

- (a) the relevant person;
- (b) if a person has assumed liability to pay CIL in respect of the chargeable development, that person; and
- (c) each person known to the authority as an owner of the relevant land.

(4) The collecting authority must issue a revised liability notice in respect of a chargeable development if the chargeable amount or any of the particulars mentioned in paragraph (2)(e) or (f) change (whether on appeal or otherwise).

(5) A collecting authority may at any time issue a revised liability notice in respect of a chargeable development.

(6) A liability notice issued in accordance with paragraph (4) or (5) must be served in accordance with paragraph (3).

(7) A collecting authority may withdraw a liability notice issued by it by giving notice to that effect in writing to the persons on whom it was served.

(8) Where a collecting authority issues a liability notice any earlier liability notice issued by it in respect of the same chargeable development ceases to have effect.

(9) A liability notice issued in respect of a chargeable development ceases to have effect if liability to CIL would no longer arise in respect of that chargeable development.

(10) Subject to paragraph (11), a liability notice issued in respect of a chargeable development ceases to have effect once all outstanding amounts due in respect of that chargeable development have been paid to the collecting authority.

(11) A liability notice issued in respect of a chargeable development ceases to have effect at the end of the clawback period if—

- (a) charitable or social housing relief has been granted in respect of that chargeable development; and
- (b) no disqualifying event occurs before the end of the clawback period.

(12) In this regulation “relevant person” means—

- (a) in the case of a general consent, the person who has submitted a notice of chargeable development;
- (b) in the case of planning permission granted subject to a condition requiring that further approval is obtained before commencing development, the person who has applied for that approval;
- (c) in all other cases, the person who applied for planning permission.