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STATUTORY INSTRUMENTS

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**2010 No. 948**

The Community Infrastructure Levy Regulations 2010

PART 9

ENFORCEMENT

CHAPTER 3

RECOVERY OF CIL

**Magistrates' courts**

**102.**—(1) A magistrates' court must not under this Chapter hear a summons, entertain an application for a warrant or hold an inquiry as to means on such an application except when composed of at least two justices.

(2) Paragraph (1) is subject to any enactment authorising a District Judge (Magistrates' Courts) or other person to act alone.

(3) References to a justice of the peace in regulations [97\(2\)](#) and [99\(2\)](#) must be construed subject to rule 2 of the Justices' Clerks Rules 2005(1) (which authorises certain matters authorised to be done by a justice of the peace to be done by a justices' clerk).

(4) In any proceedings under regulations [97](#), [99](#) or [100](#), a statement contained in a document constituting or forming part of a record compiled by the applicant authority is admissible as evidence of any fact stated in it of which direct oral evidence would be admissible.

(5) In paragraph (4) "statement" includes any representation of fact, whether made in words or otherwise; and the reference to an application under regulation [100](#) includes a reference to an application made in the circumstances mentioned in regulation [101\(3\)](#).