

Community Infrastructure Levy – Discretionary Social Housing Relief Notice & Policy

This policy is effective from 13th August 2021 until cancelled or replaced. Please note that this policy does NOT apply to the Mayoral Community Infrastructure Levy.

In accordance with Regulations 49A and 49B of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended), Redbridge Council (Council) hereby gives notice that Discretionary Social Housing Relief is available in the London Borough of Redbridge.

Discretionary Social Housing Relief relates to a chargeable development that includes one or more 'qualifying dwellings' under Regulation 49A. For a dwelling to be a 'qualifying' dwelling for these purposes, a number of conditions (specified in the CIL Regulations 2010 (as amended)) must be satisfied. These include the requirement that the dwelling must be sold for no more than 80% of its open market value at the time of sale.

For the purposes of regulation 49B (1)(a)(iii) of the CIL Regulations 2010 (as amended), intending claimants for this relief should note the Council's policy for the sale of dwellings to be eligible for discretionary social housing relief is:

- i. The person/company claiming discretionary social housing relief (the claimant) should be responsible for the marketing and sale of the relevant dwellings or, to the extent that they will not be directly responsible themselves, for putting in place arrangements for marketing and sale in accordance with paragraphs (ii) and (iii) below.
- ii. The claimant should agree with the Council at least nine months prior to practical completion a marketing strategy for the units and during the marketing supply monitoring information to the Council for approval of potential purchasers, where these purchasers are eligible for affordable housing, identified by the Council in accordance with the marketing strategy agreed with the Council.
- iii. For an initial 3 month period or any timeframe agreed by the Council that properties should be exclusively be marketed to local residents and/or those working in the Borough and/or any other priority groups that are eligible for affordable housing identified by the Council in accordance with the marketing strategy agreed with the Council. This marketing should not commence any earlier than 6 months prior to practical completion of the units, subject to the developer/agent informing the Council of the proposed date of the start of the marketing period and the Council's agreement.

Notes to Claimants / Potential Claimants:

- 1) Where a proposed development includes housing of the type for which discretionary social housing relief is claimed, the Council will require the entry into a planning obligation in the form of a section 106 agreement in terms that are acceptable to the Council.
- 2) A claimant wishing to apply for social housing relief must submit the Council a completed Form 10: Claiming charitable and social housing relief, with the

sufficient evidence(s) in accordance with the CIL Regulations 2010 (as amended) to prove the development is eligible for the claim. Please be advised to consult CIL Regulations 2010 (as amended) to check whether your development is eligible before submitting a claim.

- 3) Claims for discretionary social housing relief must also comply with the procedure for claiming Social Housing Relief set out in Regulation 51 of the CIL Regulations 2010 (as amended). This includes the following requirements:
 - The person claiming relief must be an owner of the site of the chargeable development who has assumed CIL liability (and retains liability until commencement of the chargeable development) and
 - A commencement notice must be submitted to the council prior to the commencement of the chargeable development
- 4) Relief will only apply where claims are granted by the council prior to the commencement of the chargeable development.
- 5) Where a dwelling granted social housing relief from CIL (including discretionary social housing relief) ceases to meet the criteria for social housing relief within the seven-year clawback period this will be a 'disqualifying event', and CIL will become liable.