

Community Infrastructure Levy – Infrastructure Payments 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 73(A), 73(B) and 74 of the Community Infrastructure Levy Regulations 2010 (as amended), Redbridge Council (Council) may accept up to 80%¹ of a Community Infrastructure Levy (CIL) liability by way of the provision of one or more items of infrastructure by the person liable to pay CIL. This will be subject to the following conditions:

1. The Council must be satisfied that the Infrastructure Payments offered is appropriate to support the delivery of the Local Plan and development(s) in the borough and the proposed arrangement is expedient in the provision of this infrastructure. It is at the Council's discretion whether to accept the proposed infrastructure(s) in lieu of monetary payment of CIL.
2. The chargeable development must not have commenced before a written agreement with the Council to pay up to 80%¹ of the CIL amount as infrastructure has been made. This written agreement must be prepared in accordance with the criteria set out in Regulations 73(A), 73(B) and 74 of the CIL Regulations 2010 (as amended)
3. The liable party providing infrastructure to the Council as payment must have assumed liability to pay CIL and completed the relevant CIL forms.
4. Where CIL is paid by way of an infrastructure the amount of CIL paid is the amount equal to the value of the infrastructure.
5. The infrastructure to be provided must be valued by a suitably qualified and experienced independent person to be agreed with the Council. The valuation of infrastructure provided must reflect the cost of providing the infrastructure on the day the valuation takes place.
6. The Council will require the costs related to the independent valuation to be paid for at the applicant's² expense.
7. The infrastructure to be provided must be fit for a relevant purpose being the infrastructure appropriate to support the delivery of the Local Plan and development in the Borough.
8. Infrastructure Payments must be provided to the same timescales as CIL cash payments, or otherwise on an agreed basis, subject to the provisions in the regulations and any other state aid considerations.

Persons interested in paying CIL in this way and who have not commenced development should discuss the possibility with the Council well before they intend to commence development.

¹ 20% of CIL liability remain payable in cash including 5% for administrative costs and 15% for Neighbourhood CIL.

² Reference to the applicant in this case will be the liable party who will be required to enter into any agreement with the Council in respect of the infrastructure payments.

Any outstanding CIL liable to the chargeable development after the delivery of infrastructure should be paid in money in line with the Regulations and the Council's Charging Schedule.

Notwithstanding the above, this notice and policy does not oblige the Council to accept any offer for payment by way of infrastructure, and the Council therefore reserves the right to collect a CIL liability by way of monetary payment.