

Issued 20 May 2019

1.0 Exceptional Circumstances Relief Notice

- 1.1 In accordance with Regulation 56 of the Community Infrastructure Levy Regulations 2010 (as amended), the London Borough of Redbridge gives notice that exceptional circumstances relief is available in London Borough of Redbridge. The London Borough of Redbridge will accept claims for discretionary exceptional circumstances relief from **20 May 2019**. Discretionary relief for exceptional circumstances must be claimed for and approved prior to the commencement of the chargeable development. This note is not intended to be a definitive interpretation of the legislation or CIL Regulations and applicants are advised to seek professional advice as appropriate.
- 1.2 Anyone wishing to claim relief for exceptional circumstances must follow the procedures set down in Regulation 57 of The Community Infrastructure Levy Regulations 2010 (as amended), and any relief given must be in accordance with the procedures in the Community Infrastructure Regulations 2010. In order to qualify for the relief, all of the following criteria must apply:
- A Section 106 agreement has been entered into in respect of the planning permission which permits the chargeable development; and
- 1.3 The London Borough of Redbridge considers that:
- Requiring payment of the Community Infrastructure Levy charged by the London Borough of Redbridge would have an unacceptable impact on the economic viability of the chargeable development; and,
 - Granting relief would not constitute state aid.
- 1.4 The application must be accompanied by:
- An assessment carried out by an independent person of the cost of complying with the planning obligation mentioned in Regulation 55(3)(b);
 - An assessment carried out by an independent person of the economic viability of the chargeable development;
 - An explanation of why in the opinion of the claimant, payment of the chargeable amount would have an unacceptable impact on the economic viability of that development;
 - Where there is more than one material interest in the land, apportionment assessment; and,
 - A declaration that the claimant has complied with paragraph 6 of Regulation 57.
- 1.5 Subject to the requirements of the Community Infrastructure Levy Regulations 2010 (as amended), the London Borough of Redbridge will decide the amount of any relief to be granted in individual cases.
- 1.6 For further information about making a claim for discretionary relief for exceptional circumstances please see Regulations 55 and 57 of the Community Infrastructure Levy 2010 (as amended).