

Crawley Community Infrastructure Levy:

Discretionary Social Housing Relief
Policy

July 2016



Crawley Borough Council Community Infrastructure Levy (CIL) Discretionary Social Housing Relief Policy

Regulation 49A Discretionary Social Housing Relief Policy

Crawley Borough Council hereby gives notice that discretionary social housing relief from the Community Infrastructure Levy (CIL) is available within Crawley Borough in accordance with Regulation 49A of the Community Infrastructure Levy Regulations 2010 (as amended).

Crawley Borough Council as the CIL collecting authority for the borough will begin accepting claims for discretionary social housing relief from 17 August 2016.

In accordance with CIL Regulation 49A, dwellings must meet all of the following criteria in order to qualify for discretionary social housing relief:

- If sold, the dwelling must be sold for no more than 80% of its market value, as required by CIL Regulation 49A(2)(a);
- The liability to pay CIL in relation to the dwelling must remain with the person granted discretionary housing relief, as required by CIL Regulation 49A(2)(c);
- The dwelling should be sold in accordance with the council's own published policy on discretionary social housing relief, as set out below.

Policy Statement on Discretionary Social Housing Relief

Subject to compliance with CIL Regulations 49A(2)(a) and 49A(2)(c), dwellings meeting the following criteria are eligible for discretionary social housing relief, where these are accepted as affordable housing in a Section 106 agreement or unilateral undertaking attached to the relevant planning permission:

- i) Dwellings which fall outside of the scope of CIL Regulation 49, but which otherwise fall within the definition of affordable housing set out in Annex 2 of the National Planning Policy Framework (NPPF), including:
 - Shared equity homes
 - Homes sold at a discounted market rate of 20% or more
- ii) Dwellings which are let at a discounted market rent not exceeding Local Housing Allowance rates

Procedure

In order to qualify, claims for discretionary social housing relief must be made by submitting a completed CIL 'Claiming Exemption or Relief' form to Crawley Borough Council, with appropriate supporting evidence as specified on the form. Relief will only apply where claims are granted by the council prior to the commencement of the chargeable development.

Claims for discretionary social housing relief must also comply with the procedure for claiming Social Housing Relief set out in CIL Regulation 51. 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)
- A commencement notice must be submitted to the council prior to the commencement of the chargeable development

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.