

APPENDIX 2 DISCRETIONARY CIL RELIEFS



Planning Act 2008 (as amended)

Community Infrastructure Levy Regulations 2010 (as amended)

WESTMINSTER CITY COUNCIL COMMUNITY INFRASTRUCTURE LEVY (CIL)

DISCRETIONARY SOCIAL HOUSING RELIEF

Adopted [Month] 2016 and effective from 1 May 2016

Westminster City Council gives notice that it is making discretionary social housing relief available in its area (the City of Westminster) under Regulations 49A and B of the Community Infrastructure Regulations 2010 (as amended).

The Council will begin accepting claims for relief from 1 May 2016

Discretionary Social Housing Relief relates to a chargeable development that includes one or more 'qualifying dwellings' under Regulation 49A. In order for a dwelling to be a 'qualifying' dwelling for these purposes, a number of conditions (specified in the CIL Regulations) 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, 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 that

- 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 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.



Please note that this statement relates to Westminster City Council's CIL and does not apply to the Mayor of London's CIL.

Claiming Relief

The Council's ability to grant relief from CIL is limited by the CIL Regulations, you are advised to consult the Regulations to check whether your development is eligible before submitting a claim.

Claims for Relief should be made on "Form 2: Claiming Exemption or Relief" available on the Planning Portal and should be submitted together with the "Form 1: Assumption of Liability". Claims can only be made by the person who has assumed liability to pay CIL, who must be an owner of the relevant land.

Completed forms should be sent by email to: CIL@westminster.gov.uk . All claims must be made before commencement of the chargeable development. They will lapse if the development to which they relate are commenced before the Council has notified the claimant of the result.

Further information on CIL is available on the Council's website at:
www.westminster.gov.uk/cil



Planning Act 2008 (as amended)

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WESTMINSTER CITY COUNCIL COMMUNITY INFRASTRUCTURE LEVY (CIL)

DISCRETIONARY CHARITABLE RELIEF: INVESTMENT ACTIVITIES

Adopted [Month] 2016 and effective from 1 May 2016

Westminster City Council gives notice that it is making discretionary charitable relief available in its area (the City of Westminster) under Regulations 44 and 45 of the Community Infrastructure Regulations 2010 (as amended).

The Council will begin accepting claims for relief from 1 May 2016

Subject to the requirements of the Regulations, the Council offers discretionary charitable relief at the rate of 100% of the amount of CIL due.

Please note that this statement relates to Westminster City Council's CIL and does not apply to the Mayor of London's CIL.

Claiming Relief

The Council's ability to grant relief from CIL is limited by the CIL Regulations. You are advised to consult the Regulations to check whether your development is eligible before submitting a claim.

Claims for Relief should be made on "Form 2: Claiming Exemption or Relief" available on the Planning Portal and should be submitted together with the "Form 1: Assumption of Liability". Claims should be received by the City Council before commencement of the chargeable development. They will lapse if the development to which they relate are commenced before the Council has notified the claimant of the result.

Completed forms should be sent by email to: CIL@westminster.gov.uk

Further information on CIL is available on the Council's website at:
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WESTMINSTER CITY COUNCIL COMMUNITY INFRASTRUCTURE LEVY (CIL)

EXCEPTIONAL CIRCUMSTANCES RELIEF

Adopted [Month] 2016 and effective from 1 May 2016

Westminster City Council gives notice that it is making exceptional circumstances relief available in its area (the City of Westminster) under Regulation 55 and 56 of the Community Infrastructure Regulations 2010 (as amended).

The Council will begin accepting claims for relief from 1 May 2016

Relief may only be granted if it appears to the Council that there are exceptional circumstances which justify doing so and it is expedient to do so.

The council can only grant relief if it considers that to require payment of the CIL would have an unacceptable impact on the economic viability of the development and it is satisfied that to grant relief would not constitute a State aid which is required to be notified to and approved by the European Commission.

Please note that this statement relates to Westminster City Council's CIL and does not apply to the Mayor of London's CIL.

Claiming Relief

The Council's ability to grant relief from CIL is limited by the CIL Regulations, you are advised to consult the Regulations to check whether your development is eligible before submitting a claim.

Claims for Relief should be made on "Form 2: Claiming Exemption or Relief" available on the Planning Portal and should be submitted together with the "Form 1: Assumption of Liability". Claims should be received by the City Council before commencement of the chargeable development. They will lapse if the development to which they relate are commenced before the Council has notified the claimant of the result.

A claim for exceptional circumstances relief must be accompanied by an assessment by an independent person of the economic viability of the chargeable development and an



explanation of why payment of the chargeable amount would have an unacceptable impact on the economic viability of that development.

Completed forms and supporting evidence should be sent by email to:
CIL@westminster.gov.uk

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www.westminster.gov.uk/cil

