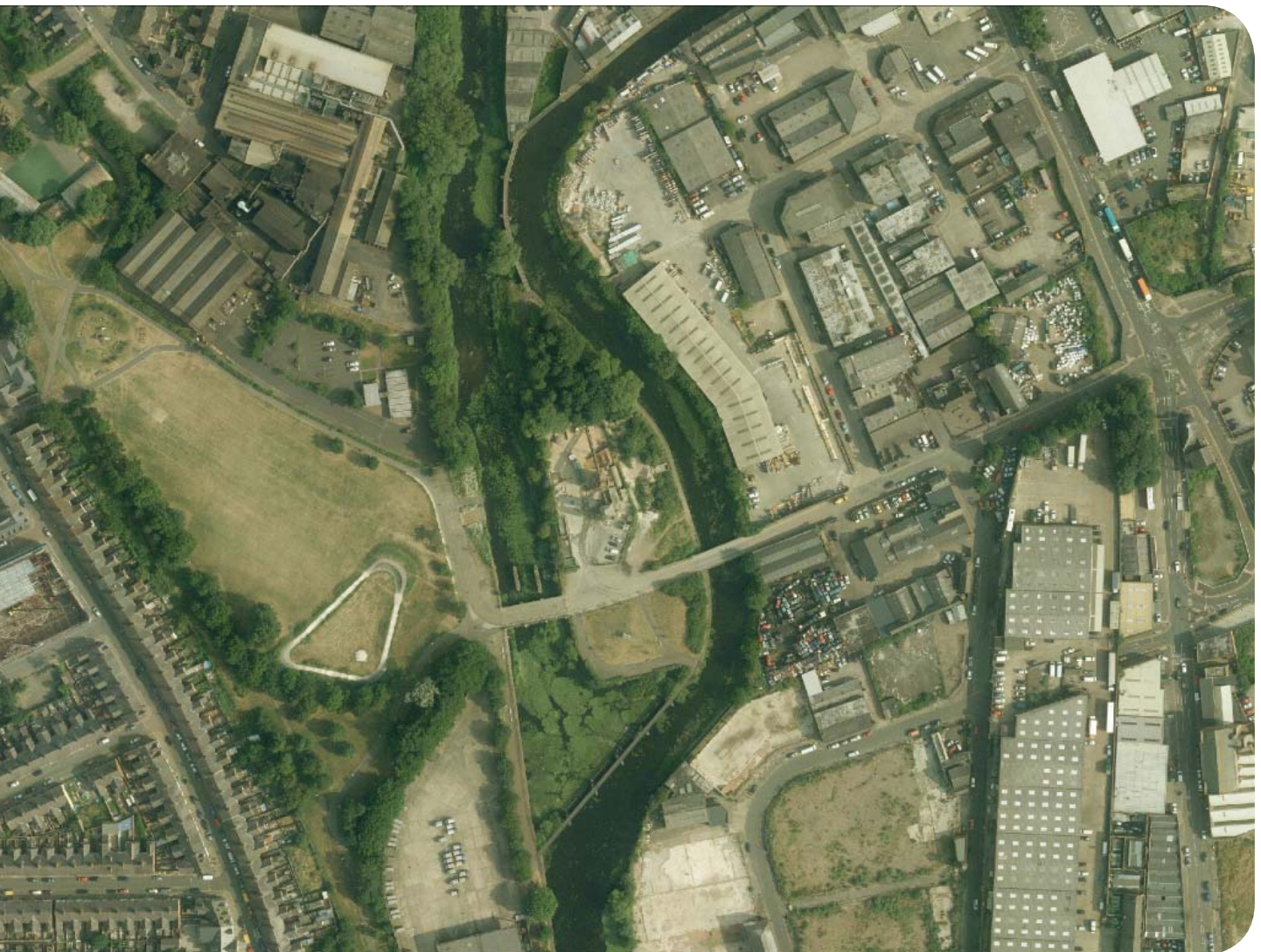


# Community Infrastructure Levy Draft Regulation 123 List

Draft Schedule consultation  
February 2015





# Community Infrastructure Levy

## Draft Regulation 123 List

- Regulation 123 of the Community Infrastructure Levy (CIL) provides for the Council to publish a list of infrastructure that will be, or may be, wholly or partly funded by CIL.
- The Draft Regulation 123 List (R123) has been prepared in support of the Council's Draft Charging Schedule that will be subject to public consultation and examination before it is finalised. The contents of the list may change.
- CIL Regulation 123 restricts the use of S106 Planning Obligations for infrastructure that will be funded in whole or in part by CIL. This is to ensure that there is no duplication or double charging towards the same infrastructure project. In order to ensure that individual developments are not charged for the same infrastructure items through both S106 Agreements and CIL, a S106 contribution cannot then be made towards an infrastructure item that is on the list.
- The inclusion of a project or type of infrastructure on the Regulation 123 List does not constitute a commitment on behalf of the City Council to fund either in whole or in part, the listed project or type of infrastructure through CIL. The R123 List does not identify priorities for spending within it. Projects on the R123 will be reviewed and selected for funding in the light of CIL receipts.
- In accordance with the CIL Regulations, the Council will work with local communities on the 'neighbourhood portion' of CIL receipts. This is currently set at 15% of CIL receipts within the relevant area where a neighbourhood plan is not in place. Where a neighbourhood plan has been made the neighbourhood portion is 25% of levy revenues arising from development in that area.
- The Council will seek to review the list regularly as part of the monitoring of CIL spending, and in line with Government guidance will undertake appropriate local consultation when reviewing the list.

	Infrastructure that could be funded, or part funded, through CIL
<b>Transportation</b>	<p data-bbox="432 255 948 286"><b>Transport Corridor Improvement works</b></p> <ul data-bbox="440 331 1249 622" style="list-style-type: none"> <li>• A50 Groby Road.</li> <li>• A6 Loughborough Road.</li> <li>• A 5199 Welford Road.</li> <li>• B5366 Saffron Lane.</li> <li>• A5460 Narborough Road.</li> <li>• A47 Uppingham Road.</li> <li>• A 607 Melton Road /Belgrave Road/Belgrave Gate (Public realm improvements only).</li> </ul> <p data-bbox="432 703 1249 734"><b>City Centre Sustainable Transport Linkages and Improvements</b></p> <p data-bbox="432 779 1374 846">Linkages within Leicester city centre and with adjacent areas to support residential/employment growth and improve connectivity to transport hubs.</p> <ul data-bbox="440 891 1023 1361" style="list-style-type: none"> <li>• Church Gate/Haymarket.</li> <li>• Charles Street.</li> <li>• Belgrave Gate.</li> <li>• Gravel Street/Mansfield Street/Abbey Street.</li> <li>• Abbey Park Links.</li> <li>• Rutland Street.</li> <li>• Belvoir Street.</li> <li>• New Walk Extension/ Pocklingtons Walk.</li> <li>• Horsefair Street.</li> <li>• King Street.</li> <li>• Town Hall Square.</li> <li>• Bishop Street/Bowling Green Street.</li> <li>• Cultural Quarter.</li> </ul> <p data-bbox="432 1451 802 1482"><b>Strategic Regeneration Area</b></p> <ul data-bbox="440 1527 1313 1594" style="list-style-type: none"> <li>• Vehicular/Pedestrian/Cycleway access to Waterside Area.</li> <li>• Grand Union Canal Footbridge/Cycleway Access at Abbey Meadows.</li> </ul> <p data-bbox="432 1675 528 1706"><b>Cycling</b></p> <ul data-bbox="440 1751 1361 1818" style="list-style-type: none"> <li>• Strategic &amp; Local Cycling infrastructure including provision of dedicated cycle and shared access routes.</li> </ul> <p data-bbox="432 1899 611 1930"><b>Traffic signals</b></p> <ul data-bbox="440 1975 1358 2007" style="list-style-type: none"> <li>• Expansion of the Split Cycle Offset Optimisation System (Scoot ) system.</li> </ul>

	<b>Infrastructure that could be funded, or part funded, through CIL</b>
<b>Education</b>	<ul style="list-style-type: none"> <li>• Provision of additional school spaces from 2016 - 2026 –additional classrooms and extensions to existing schools.</li> <li>• Abbey Meadows and Waterside Areas primary schools.</li> </ul>
<b>Green infrastructure</b>	<p><b>Strategic Green Infrastructure</b></p> <ul style="list-style-type: none"> <li>• Improvements to River Soar Corridor.</li> <li>• Improvements to tributaries of River Soar.</li> <li>• Improvements to Green Infrastructure related to regeneration areas.</li> </ul>
<b>Parks and Open Space (non site specific)</b>	<ul style="list-style-type: none"> <li>• Parks.</li> <li>• Neighbourhood Equipped Areas of Play.</li> <li>• Outdoor Sports Space.</li> <li>• Allotments.</li> <li>• Informal and Natural Green Space.</li> </ul>
<b>Police Infrastructure</b>	<ul style="list-style-type: none"> <li>• Growth in the Strategic Regeneration Area – Expansion at Mansfield House.</li> </ul>

## Continuing Role of S106 Agreements

Planning obligations will still be required in accordance with Regulations 122 and 123 of the Community Infrastructure Levy Regulations 2010 (as amended).

Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) stipulates the following:

“A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development”.

The Council will continue to secure development specific infrastructure where it meets the tests set out at Regulation 122 and does not appear on the Council’s Regulation 123 List.

After April 2015 the restrictions on the pooling of planning obligations will come into force. Despite these restrictions, there will be an important role for planning obligations in mitigating the site specific impacts of development to make the development acceptable in planning terms and in providing affordable housing.

In general site specific mitigation measures such as for example highways works providing a safe and acceptable means of access to a public highway, sustainable energy and flooding requirements, on site public realm and open space, roads providing access to a development, will be secured through S106 obligations or planning conditions.