

Community Infrastructure Levy Regulation 123 List



This Regulation 123 List excludes infrastructure where it is necessary to ensure planning proposals are acceptable in planning terms, i.e., it meets the legal tests; necessary; related; and reasonable. This indicates that S106 is the appropriate funding mechanism. This does not preclude on site provision of infrastructure as part of the planning application.

Infrastructure that may be partly, or wholly, funded by CIL

- Local speed management and safety projects
- Community buildings & social facilities
- Economic regeneration
- Local flood risk management

For the avoidance of doubt, exceptions from the Regulation 123 List for which provision will be made by S106s/S278s/on-site provision, include any item of infrastructure (or the improvement, replacement, operation or maintenance of any infrastructure) that is specifically required to make a development acceptable, subject to the 'S106 tests' and the pooling restrictions.

The list below provides an outline of the matters which will continue to be addressed through S106 or S278 Agreements, this list is not exhaustive.

- Affordable housing
- Employment and skills agreements, e.g., local employment or apprentice contracts
- Site specific matters needed to make the development acceptable in planning terms, including:
 - New bus connections or services and cycle/pedestrian routes and connections if directly required by the development
 - Local junction/highways improvements and access into the site
 - Travel plans and monitoring fee/co-ordinator posts
 - Primary school buildings/extensions as a direct result of large sites or contributions from groups of sites identified in the Site Allocations Plan
 - On-site greenspace as required by Policies of the Local Plan – Strategic Policies (which include requirements for a financial contribution in lieu of on-site provision in certain circumstances)
 - Public realm improvements on-site, and off-site where this is required as a direct result of an adjacent development
 - On-site drainage and flooding solutions

The Council will review this list at least once a year, as part of monitoring of CIL collection and spend, and any changes will be justified and subject to appropriate local consultation.

The Regulation 123 List does not identify priorities for spending within it, or any apportionment of the CIL funds across Cornwall, and does not signify a commitment from the Council to fund the projects listed through the CIL.