

West Oxfordshire District Council
Draft CIL Regulation 123 List

February 2015

Introduction

1. The Community Infrastructure Levy (CIL) is a charge that may be levied on most forms of development to help fund the infrastructure that is needed to support the future growth of an area. CIL is charged on a pound (£) per m² basis and is intended to complement the current system of Section 106 planning obligations which is being scaled-back.
2. Once introduced by the Council, CIL will be the main mechanism for collecting 'tariff' style developer contributions for example contributions towards leisure, school places, libraries etc. Section 106 planning obligations will continue to be used for affordable housing as well as site-specific measures that are needed to enable a development to come forward (e.g. a new road junction or school).
3. Regulation 123 of the CIL regulations (as amended) requires the CIL charging authority (i.e. West Oxfordshire District Council) to publish a list of infrastructure that may be wholly or partly funded by CIL.
4. The purpose of the 123 list is to provide clarity in relation to which infrastructure projects/types the Council intends to spend CIL revenue on and to avoid the possibility of 'double-charging' a landowner/developer twice for the same piece of infrastructure.
5. The Council's draft 123 list is set out in the table overleaf. The first column provides a summary of the type of infrastructure that the Council intends to fund in whole or in part through CIL. The basis of this list is the Council's Infrastructure Delivery Plan (available separately) which identifies a range of different projects and types of infrastructure needed to support the quantum and distribution of growth set out in the Council's pre-submission draft Local Plan (2015).
6. The second column (exclusions) relates to site-specific infrastructure requirements that will be provided or funded by a developer through a planning obligation such as a Section 106 legal agreement. In accordance with CIL regulation 122, the use of planning obligations will be restricted to projects that are:
 - Necessary to make the development acceptable in planning terms
 - Directly related to the development
 - Fairly and reasonably related in scale and kind to the development.
7. This could include for example the provision of a new school on a large housing site. It will also include affordable housing which is not covered by CIL.

8. The Regulation 123 list is not definitive and is not listed in order of preference. Rather it is a list of infrastructure that CIL could be used to fund, subject to the Council's priorities and the level of CIL funding available. It is not a commitment from the Council that the infrastructure listed will be funded either in whole or part.
9. This list will take effect upon the implementation of the Council's CIL Charging Schedule and will be reviewed and updated regularly as part of the Council's monitoring of CIL collection and spend.

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<u>Infrastructure type/ project (CIL)</u>	<u>Exclusions (S106 or alternative measures)</u>
<p>Transport and Highways</p> <p>Road network</p> <p>Bus network</p> <p>Cycle and walking infrastructure</p> <p>Improvements to the rail network</p> <p>Other transport initiatives, to include:</p> <ul style="list-style-type: none"> ▪ Safety measures ▪ Parking improvements ▪ Community transport schemes 	<p>Transport and highway improvements which are directly related to a development.</p>
<p>Education</p> <p>Nursery schools</p> <p>Primary and Secondary education</p> <p>Further and Higher education</p> <p>Special Schools</p>	<p>Provision of education facilities which are directly related to a development.</p>
<p>Health Care</p> <p>Health centres</p> <p>Doctor surgeries</p>	<p>Provision of health care facilities which are directly related to a development.</p>
<p>Social Infrastructure</p> <p>Culture and Heritage, to include:</p> <ul style="list-style-type: none"> ▪ Museums ▪ Libraries ▪ Art centres <p>Social and Community, to include:</p> <ul style="list-style-type: none"> ▪ Children’s centres ▪ Older persons’ day care ▪ Community centres/ village halls ▪ Supported accommodation 	<p>Provision of social facilities which are directly related to a development.</p>

<p>Sports and Recreation</p> <p>Amenity and open space, including play areas</p> <p>Indoor sports facilities</p> <p>Outdoor sports facilities including playing pitches</p> <p>Sports centres</p>	<p>Provision of sports and recreation facilities which are directly related to a development.</p>
<p>Green Infrastructure</p> <p>Natural green space and green corridors including rivers</p> <p>Parks and gardens</p> <p>Allotments</p> <p>Cemeteries</p>	<p>Provision of green infrastructure which is directly related to a development.</p>
<p>Public Services</p> <p>Emergency services</p> <p>Community safety</p> <p>Waste management including disposal and recycling</p>	<p>Provision of public service facilities which are directly related to a development.</p>
<p>Environmental</p> <p>Flooding and drainage</p> <p>Pollution reduction measures and other environmental measures.</p>	<p>Flooding/ drainage and environmental measures which are directly related to a development.</p>