

To: Members of the Executive Board

**Legal Services**

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Our Ref: A61/GW  
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9<sup>th</sup> October 2013

Dear Councillor

**EXECUTIVE BOARD – WEDNESDAY, 9<sup>TH</sup> OCTOBER 2013 – UPDATED APPENDIX 2 TO ITEM 17 (THE COMMUNITY INFRASTRUCTURE LEVY: DRAFT CHARGING SCHEDULE)**

At the request of the Executive Member for Neighbourhoods, Planning and Support Services, please find enclosed an updated version of Appendix 2 (Draft Regulation 123 List) of agenda item 17 entitled, 'The Community Infrastructure Levy: Draft Charging Schedule' to be considered at the meeting of Executive Board this afternoon. Pages 309 – 310 of the agenda pack refer.

Specifically, the revision in the appendix is the removal of reference to 'Highways Schemes'.

I should be grateful if you could attach this document to your agenda papers for the meeting.

Yours sincerely

Gerard Watson  
Senior Governance Officer

## **COMMUNITY INFRASTRUCTURE LEVY**

### **DRAFT REGULATION 123 LIST**

#### **DRAFT OCTOBER 2013 (TO SUPPORT DRAFT CHARGING SCHEDULE)**

Regulation 123 provides for the Council to set out a list of those projects or types of infrastructure that it intends will be, or may be, wholly or partly funded through the Community Infrastructure Levy (CIL). In order to ensure that individual developments are not charged for the same infrastructure items through both Section 106 Agreements and the CIL, a S106 contribution cannot then be made towards an infrastructure item already on the List.

This draft Regulation 123 List is provided as part of the consultation on the Draft Charging Schedule.

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|---|
| Public transport schemes: <ul style="list-style-type: none"> <li>- New Generation Transport (NGT)</li> <li>- Leeds Core Cycle Network</li> <li>- The Public Right of Way network</li> </ul>   |
| River Aire Flood Alleviation Scheme (FAS)   |
| Secondary education   |
| Primary education, except for large scale residential development identified in the Site Allocations Plan, which will be expected to provide primary schools either as an integral part of the development or as the result of no more than 5 separate planning obligations |
| Green infrastructure and public greenspace, except for on-site provision required by Core Strategy policies   |
| Community sports facilities   |
| Cemeteries  |
| Public realm improvements, except for on-site provision or where this is required as a direct result of an adjacent development   |
| District heating networks   |
| Public health facilities  |

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 R123 List does not identify priorities for spending within it, or any apportionment of the CIL funds across the District, and does not signify a commitment from the Council to fund the projects listed through the CIL.

The Council will work with local communities and parish/town councils to agree local priorities for spend. The 'meaningful proportion' held by local communities can be spent on the R123 List, but it does not have to be.

### ONGOING USE OF SECTION 106 AGREEMENTS

For clarity, the list below provides an outline of the matters which will continue to be addressed through S106 Agreements.

- 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:
  - o New bus connections or services and cycle/pedestrian routes and connections if directly required by the development
  - o Local junction / highways improvements and access into the site
  - o Metrocards, travel plans and monitoring fee / co-ordinator posts
  - o Primary schools/extensions as a direct result of large sites or groups of up to five sites identified in the Site Allocations Plan
  - o On-site greenspace and public realm improvements where this is required as a direct result of an adjacent development
  - o On-site drainage and flooding solutions
  - o On site sustainable energy requirements