COMMUNITY INFRASTRUCTURE LEVY

REGULATION 123 LIST

September 2014

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 or a S278 agreement cannot then be made towards an infrastructure item already on the List.

Sustainable transport schemes: - New Generation Transport (NGT) - Leeds Core Cycle Network - The Public Right of Way network
Leeds 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 or S278 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:
  - 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
  - Metrocards, travel plans and monitoring fee / co-ordinator posts
  - Primary schools/extensions as a direct result of large sites or groups of up to five sites identified in the Site Allocations Plan
  - On-site greenspace as required by Core Strategy Policies G4 and G5 (which include requirements for a financial contribution in lieu of on-site provision in certain circumstances[1]).
  - Public realm improvements on-site, and off-site where this is required as a direct result of an adjacent development.[2]
  - On-site drainage and flooding solutions
  - On site sustainable energy requirements

[1] Clarification added April 2015
[2] Clarification added April 2015