

West Berkshire Council Community Infrastructure Levy

Regulation 123 List

1. Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended) restricts the use of planning obligations for infrastructure that will be funded in whole or in part by the Community Infrastructure Levy ("CIL"), to ensure no duplication between the two types of developer contributions.
2. West Berkshire Council's Regulation 123 list is a supporting document for the Charging Schedule being adopted on 4th March 2014, and will take effect on the same date that the Charging Schedule will take effect.
3. Prior to adoption of a CIL, this Council has operated a Developer Contributions SPG and a Developer Contributions SPD seeking contributions on a formulaic basis, making use of standard S106 agreement and obligations. The Developer Contributions SPD has been revised in order that it applies only to specific on site infrastructure or direct mitigation measures required as a result of large scale development. The revised Developer Contributions SPD also takes effect on the same date as the CIL Charging Schedule being adopted on 4th March 2014.
4. The Regulation 123 list contains generic types of infrastructure that may be funded using CIL receipts, with the exception of specific on-site infrastructure or direct mitigation measures required as a direct result of any large scale development, and specifically of the strategic development site known as Sandford Park, in South Newbury.
5. Future updates of the list will take place on an annual basis, and will have regard to (a) updates to the Infrastructure Delivery Plan, (b) the progress of the Council's Site Allocations and Delivery DPD ("the DPD") and (c) changes to the CIL Regulations. In particular, the completion of the DPD will provide information to infrastructure providers regarding site specific infrastructure requirements, and will result in an additional update to this list.
6. The inclusion of a project or type of infrastructure in this list does not signify a commitment from the Council to fund (either in whole or in part) the listed project or type of infrastructure through CIL. The order of the list does not imply any preference or priority.
7. It is anticipated that CIL receipts will be limited in the first year after the Charging Schedule takes effect, given that (a) contributions are not payable until commencement and (b) an instalment policy has been adopted. On this basis it is unlikely that CIL receipts will be spent, they will therefore be banked for future allocation and spend.
8. In accordance with CIL Regulation 59A, this Council will pass 15% of relevant CIL receipts to the Parish or Town Council for that area, capped at £100 per dwelling (plus index linking). If any Parish or Town Council within West Berkshire adopts a neighbourhood development plan, this percentage will be increased to 25%. This will be passed onto the Parish and Town Councils on a 6 monthly basis in accordance with Regulations.

<u>Project or Type of Infrastructure to be funded from CIL Receipts</u>	<u>Exclusions – to be sought through S106 agreements, or alternative statutory provisions</u>
	The delivery of on-site facilities or infrastructure required directly as a result of any large scale development
	The delivery of facilities or infrastructure required off-site but required solely as a result of any large scale development
	The delivery of enabling works such as site access for a development
Highways and Transport, including:	
<ul style="list-style-type: none"> • Bus network 	<ul style="list-style-type: none"> • Bus infrastructure improvements in the vicinity of the Sandleford site (RTPI, Kassel kerbs, shelters etc) • Improved / new service linking Sandleford and Newbury Town Centre • Bus access from Sandleford to Andover Road through Warren Road
<ul style="list-style-type: none"> • Cycling and walking infrastructure 	<ul style="list-style-type: none"> • Improved pedestrian / cycle crossing links at Monks Lane, Newtown Road and Andover Road
<ul style="list-style-type: none"> • Rail network • Road network 	<ul style="list-style-type: none"> • Accesses from the Sandleford development onto adjacent roads • Junction Improvements along the A339 in Newbury at Pinchington Lane • Junction Improvements at Monks Lane / Newtown Road • Junction Improvements at Monks Lane / A343 Andover Road (including pedestrian and cycle improvements) • Junction Improvements at A34 / A343 south
<ul style="list-style-type: none"> • Other public transport 	<ul style="list-style-type: none"> • Car Club at Sandleford Park
Education, including:	
<ul style="list-style-type: none"> • Nursery Schools • Primary and Secondary Education 	<ul style="list-style-type: none"> • Increase in Early Years Provision to meet the requirements of the Sandleford development • Additional Primary Provision to meet the requirements of the Sandleford development • Extensive alterations to Secondary catchment school (Park House School) to meet the requirements of the Sandleford development
<ul style="list-style-type: none"> • Further and Higher Education 	
Health, including:	
<ul style="list-style-type: none"> • Health centres /Doctors Surgeries • Mental Healthcare 	<ul style="list-style-type: none"> • Extension to current premises at Falkland Practice

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Social Infrastructure, including:	
• Culture and Heritage	
• Social and Community Facilities	
• Sports Centres	
• Supported Accommodation	
Green Infrastructure, including:	
• Allotments and community gardens	
• Amenity greenspace including play areas	• Provision of open space and play facilities for the Sandford development
• Biodiversity	
• Cemeteries and Churchyards	
• Green corridors	
• Outdoor sports facilities	
• Parks and Gardens	
• River and canal corridors	
Public Services, including:	
• Emergency Services	
• Libraries	
• Waste Management and Disposal	
Utility Services	<ul style="list-style-type: none"> • (Electric) Offsite 11kv infrastructure in the form of 1 or 2 cable circuits from the St John's Primary Substation to Sandford site • (Water) Upgrade to waste water infrastructure
Flood Defences	