

# Community Infrastructure Levy

## DRAFT Regulation 123 List

### **Regulation 123 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended), requires Cornwall Council to set out a list of those infrastructure projects, or types of infrastructure, that it may fund, in whole or in part, through the Community Infrastructure Levy.**

CIL Regulation 123 restricts the use of planning obligations to ensure that CIL is not used to fund infrastructure items for which S106 or S278 (apart from where this is drawn up by Highways England) has been, or will be, secured. Cornwall Council will not seek to secure planning obligations for any infrastructure projects identified on the Regulation 123 List. Whilst the CIL will make an important contribution towards financing infrastructure, it will by no means provide all the necessary funding, and additional sources of funding will be needed. More information on how planning obligations and CIL work alongside each other will be given in a Planning Obligations Position Statement.

Cornwall Council has produced Infrastructure Needs Assessment Schedules for each of its nineteen Community Network Areas. The schedules set out the infrastructure needs within each network area, and prioritise the needs as Critical, Necessary or Desirable. The infrastructure needs will be regularly reviewed, and used to inform the Regulation 123 List and future reviews of it.

In considering infrastructure to include on the Regulation 123 List, in line with the CIL Regulations, Cornwall Council has focused potential CIL spend on provision of new infrastructure, not on remedying pre-existing deficiencies in infrastructure, unless those deficiencies will be made more severe by new development. However, the Levy can be used to increase capacity of existing infrastructure, or to repair failing existing infrastructure, if that is necessary to support development.

The Regulation 123 list sets out the projects that Cornwall Council may contribute CIL funding to. Inclusion in the list does not guarantee a project will receive CIL funding, and the list does not imply any order of preference for funding.



Infrastructure that may be partly, or wholly, funded by CIL	Exclusions (funded by S106 or S278 payments or alternative measures)
<b>Education</b>	
<p>New Primary School buildings in:</p> <ul style="list-style-type: none"> <li>• Bodmin</li> <li>• Tuckingmill</li> <li>• Wadebridge</li> </ul> <p>Expansion of Primary School buildings at:</p> <ul style="list-style-type: none"> <li>• Langarth</li> <li>• Newquay</li> <li>• Saltash</li> <li>• West Carclaze</li> </ul> <p>Amalgamation of infant and primary school:</p> <ul style="list-style-type: none"> <li>• Bude</li> </ul>	<p>Improvements or provision of education facilities related to a specific development site.</p> <p>Land for new Primary School buildings in:</p> <ul style="list-style-type: none"> <li>• Bodmin</li> <li>• Tuckingmill</li> <li>• Wadebridge</li> </ul>
<b>Emergency Services</b>	
<p>Joint Fire and/or Police and/or Ambulance service facilities in:</p> <ul style="list-style-type: none"> <li>• Liskeard</li> <li>• Looe</li> <li>• St Ives</li> <li>• Wadebridge</li> </ul>	
<b>Flood risk management</b>	
<ul style="list-style-type: none"> <li>• Off-site flood risk management works</li> </ul>	<p>Flood defence or drainage works required to make a specific development acceptable in planning terms and to prevent increased flood risk outside the site.</p>
<b>Open Space and Public Realm</b>	
<ul style="list-style-type: none"> <li>• Provision of outdoor sports open space for community sports use (type 3 &amp; 8 as set out in the Open Space Strategy for Cornwall) – other than for developments over 500 dwellings where on-site provision is considered more appropriate.</li> <li>• Provision of outdoor open space for teenagers – equipped (type 5 as set out in the Open Space Strategy for Cornwall) – other than for developments over 100 dwellings, where on-site provision is considered more appropriate if distance to nearest alternative exceeds accessibility standard.</li> <li>• Provision of cemeteries and burial grounds.</li> <li>• Green infrastructure: <ul style="list-style-type: none"> <li>• Town wide walking and cycle networks</li> <li>• Biodiversity projects outside the scope of open space and flood defence work, and in line with Environmental Growth Strategy.</li> </ul> </li> </ul>	<p>Improvements or provision of open space or public realm related to a specific development site.</p> <p>Provision of all other open space types as set out in the Open Space Strategy for Cornwall.</p> <p>Walking and cycle links at Launceston, Saltash, St Austell and Wadebridge.</p>
<b>Transport</b>	
<p>Cubert crossroads scheme.</p>	<p>Improvements or provision of highways or highways access works related to a specific development site.</p> <p>Infrastructure to support provision of bus services.</p> <p>Walking and cycle links at Launceston, Saltash, St Austell and Wadebridge.</p>
<b>Waste</b>	
<ul style="list-style-type: none"> <li>• Implementation of Controlled Waste Regulations</li> </ul>	<p>On or off-site private waste and recycling facilities required as the result of a specific development and required to make it acceptable in planning terms</p>