



## Wiltshire Community Infrastructure Levy

# Regulation 123 List

May 2015

## Wiltshire Council

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<b>Types of infrastructure that may be funded, in whole or in part, by CIL</b>	
<b>Education facilities</b>	The provision, improvement, replacement, operation or maintenance of new and existing public education facilities (excluding sites, which will be secured through s106), except where the requirement can be attributed to five or fewer developments.
<b>Sustainable Transport</b>	The provision, improvement, replacement, operation or maintenance of new and existing roads, highways, traffic management, public transportation, cycling and pedestrian routes and other transport facilities, except where the requirement can be attributed to five or fewer developments.
<b>Open space/ green infrastructure</b>	The provision, improvement, replacement, operation or maintenance of new and existing open space, including rights of way, biodiversity measures and meeting the requirements of the Habitat Directive, except where the requirement can be attributed to five or fewer developments.
<b>Flood mitigation measures</b>	The provision, improvement, replacement, operation or maintenance of new and existing flood mitigation measures, except where the requirement can be attributed to five or fewer developments.
<b>Community and cultural facilities</b>	The provision, improvement, replacement, operation or maintenance of new and existing community and cultural facilities such as leisure centres and libraries, except where the requirement can be attributed to five or fewer developments.
<b>Emergency services</b>	The provision, improvement, replacement, operation or maintenance of new and existing emergency services facilities, except where the requirement can be attributed to five or fewer developments.
<b>Health facilities</b>	The provision, improvement, replacement, operation or maintenance of new and existing primary health care facilities, except where the requirement can be attributed to five or fewer developments.
<b>Historic environment and public realm infrastructure</b>	The provision, improvement, replacement, operation or maintenance of new and existing historic and public realm infrastructure, except where the requirement can be attributed to five or fewer developments.
<b>Cross boundary infrastructure</b>	The provision, improvement, replacement, operation or maintenance of new and existing cross boundary infrastructure where it supports development in Wiltshire, except where the requirement can be attributed to five or fewer developments.

**Table 1 - Infrastructure that may be funded through the Community Infrastructure Levy**

*Table 1* above sets out the types of infrastructure that the council intends will be, or may be, wholly or part funded by CIL. The inclusion of an infrastructure type on the list does not signify a commitment from the council to fund (either in whole or part) the listed project or type of infrastructure. The order of the list does not imply any preference or priority.

Wiltshire Council may seek planning obligations through section 106 agreements for specific infrastructure projects or types of infrastructure included within this list but **only where the**

**requirement is created by five or fewer developments.** This pooling limit is backdated to include all planning obligations entered into since 6 April 2010. Any such site-specific infrastructure requirements will be subject to the three statutory tests set out under Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended).

Appendix A sets out in more detail how the List will be applied drawing on examples from the council's Infrastructure Delivery Plan.

## Appendix A: Examples of how the Council will apply the R123 List and Planning Obligations in practice

Infrastructure type	Specific requirement	Site/ location	Delivery mechanism	
			S106	CIL
<b>Affordable housing</b>	See Wiltshire Core Strategy (Core Policies 43, 44, 45 and 46), Planning Obligations SPD (draft March 2015) and Affordable Housing SPD (TBC)		✓	X
<b>Education facilities</b>	2 x 2FE primary schools	Ashton Park Urban Extension/ Trowbridge	✓	X
	2FE Primary School	Churchfields & Engine Shed / South Wiltshire	✓	X
	2FE Primary School	Fuggleston Red / South Wiltshire	✓	X
	1FE Primary School	Hampton Park / South Wiltshire	✓	X
	2FE Primary School	Longhenge / South Wiltshire	✓	X
	1FE Primary School	UKLF, Wilton / South Wiltshire	✓	X
	1FE Primary School	Kings Gate / Amesbury	✓	X
	Secondary school expansion	Kings Gate / Amesbury	✓	X
	Secondary school site	Ashton Park Urban Extension/ Trowbridge	✓	X
	Nursery, primary, special and secondary schools (including sites), where the requirement can be attributed to five or fewer developments		✓	X
	Other cumulative impact of development upon nursery, primary, special and secondary school provision (excluding sites, which will be secured through s106)		X	✓

Infrastructure type	Specific requirement	Site/ location	Delivery mechanism	
			S106	CIL
<b>Sustainable transport</b>	Site-specific transport/ highways mitigation and sustainable transport improvements (e.g. site-specific highway works, including localised safety improvements, reinstatement of highways etc. and site-specific works to amenity land, access roads etc.)		✓	X
	Strategic, county-wide sustainable transport improvements, except where the requirement can be attributed to five or fewer developments		X	✓
<b>Open space/ green infrastructure</b>	Site-specific open space/ green infrastructure, including parks, children's play space, green areas, outdoor sports and playing fields, where the requirement can be attributed to five or fewer developments		✓	X
	Strategic open space/ green infrastructure, including parks, children's play space, green areas, outdoor sports and playing fields		X	✓
	Site-specific ecological impacts of development, where the requirement can be attributed to five or fewer developments		✓	X
	Strategic habitat protection and nature conservation		X	✓
<b>Flood mitigation measures</b>	SUDS, exceptional drainage or flood risk management measures		✓	X
<b>Community and cultural facilities</b>	Site-specific requirements for community and cultural facilities, where the requirement can be attributed to five or fewer developments		✓	X

Infrastructure type	Specific requirement	Site/ location	Delivery mechanism	
			S106	CIL
	Strategic provision of community and cultural facilities, such as multi-use community facilities, leisure centres and libraries and cultural facilities, except where the requirement can be attributed to five or fewer developments		X	✓
	Waste and recycling containers		✓	X
<b>Emergency services</b>	Fire stations, ambulance stations/ standby points and police stations		X	✓
	Fire hydrants (if not secured through planning conditions)		✓	X
<b>Health facilities</b>	Primary Health Facility	Ashton Park Urban Extension/Trowbridge	✓	X
	Primary Health Facility	Churchfields & Engine Shed / South Wiltshire	✓	X
	Primary health facilities, where the requirement can be attributed to five or fewer developments		✓	X
	Other cumulative impact of development upon the provision of health facilities		X	✓
<b>Cross boundary infrastructure</b>	Strategic cross-boundary infrastructure, except for site-specific projects where the need can be attributed to five or fewer developments		X	✓
	Site-specific, cross-boundary infrastructure, where the need can be attributed to five or fewer developments		✓	X

Infrastructure type	Specific requirement	Site/ location	Delivery mechanism	
			S106	CIL
<b>Historic environment and public realm infrastructure</b>	Site-specific public realm infrastructure, where the requirement can be attributed to five or fewer developments		✓	X
	Strategic public realm infrastructure, e.g. streetscene and built environment, community safety measures, heritage asset improvements, visitor management issues and public art, except where the requirement can be attributed to five or fewer developments		X	✓
<b>Other</b>	Employment and skills training, where the requirement can be attributed to five or fewer developments (e.g. job brokerage, construction phase skills training, end user skills training, apprenticeships and work placements, local enterprise supply chain and training commuted sum improvements)		✓	X





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