

Community Infrastructure Levy

Draft Regulation 123 List

July 2014



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. The **draft** Regulation 123 list is intended to support the Draft Charging Schedule. It will be published in its final form after the Examination, prior to commencing charging CIL by Test Valley Borough Council.
3. The Council currently intends to adopt CIL in 2015, and therefore it is anticipated that the final Regulation 123 list will take effect from that date.
4. The Council operates an Infrastructure and Developer Contributions SPD seeking contributions through S106 obligations. On this basis, the Regulation 123 list contains generic types of infrastructure that may be funded using CIL receipts, subject to exclusions for specific on-site infrastructure, or for direct mitigation measures required as a direct result of any large scale development, specifically of the strategic development allocations known as Whitenap, Hoe Lane, Park Farm (Stoneham), George Yard/Black Swan Yard, Picket Piece and Picket Twenty extension land. In accordance with Regulation 123 of the CIL Regulations 2010 (as amended), developer contributions to the projects listed in Table 1 will not be sought through planning obligations.
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 revised Local Plan and (c) changes to the CIL Regulations.
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 years after adoption, given that contributions are not payable until commencement of development. On this basis, it is likely that CIL receipts will be retained for future allocation and implementation.
8. In accordance with CIL Regulation 59A, the 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). This will be passed onto the Parish and Town Councils on a regular basis in accordance with the Regulations. If any Parish within Test Valley adopts a Neighbourhood Development Plan, this percentage will be increased to 25%.

9. The Council has chosen to publish this Draft Regulation 123 List for comments alongside the Draft Charging Schedule. Comments received, although not part of the formal consultation on the Draft Charging Schedule, would inform future revisions of the Regulation 123 List.

Table 1

Infrastructure type or project		Exclusions
Roads and other transport facilities		
Highways Improvements	<p>Highway and road network improvements as identified in Test Valley Access Plans, Romsey Town Access Plan, Andover Town Access Plan and Test Valley Transport Statement</p> <p>Also:</p> <ul style="list-style-type: none"> Improvements to access from A34/A30 on slip road A303 West at Bullington Cross 	<p>Excluding provision of infrastructure which are directly related to an individual site to be provided either on site or in the vicinity of the site to avoid/mitigate the impacts arising from development as identified by a Transport Assessment.</p> <p>This also excludes infrastructure listed in the relevant policies in the Revised Local Plan in relation to the Strategic Allocations of Whitenap (COM3), Hoe Lane (COM4), Park Farm (COM4), Picket Piece (COM6) and Picket Twenty (COM6A).</p>

Infrastructure type or project		Exclusions
Public Transport	Upgrade and improvements to Romsey Bus Station and Romsey Railway Station	<p>Excluding provision of infrastructure and facilities which are directly related to an individual site to be provided either on site or in the vicinity of the site to avoid/mitigate the impacts arising from development.</p> <p>This also excludes infrastructure listed in the relevant policies in the Revised Local Plan in relation to the Strategic Allocations of Whitenap (COM3), Hoe Lane (COM4), Park Farm (COM4), Picket Piece (COM6) and Picket Twenty (COM6A).</p>
Cycle schemes and pedestrian links	Footway and cycleway improvements as identified in Andover Town Access Plan (July 2012), Romsey Town Access Plan (April 2011), Test Valley Access Plan (July 2012) and Cycle Strategy and Network (March 2009)	<p>Excluding site-specific links to cycle ways and pedestrian Rights of Way network, for example a short length of cyclepath to link a site to a local or national route or a new bus stop within the vicinity of a new development to make it accessible</p> <p>This also excludes infrastructure listed in the relevant policies in the Revised Local Plan in relation to the Strategic Allocations of Whitenap (COM3), Hoe Lane (COM4), Park Farm (COM4), Picket Piece (COM6) and Picket Twenty (COM6A).</p>

Infrastructure type or project		Exclusions
Schools and other educational facilities		
Further and higher education	Andover College	
Community Learning and resources	Andover Discovery Centre	
Medical Facilities		
Health centres and doctor's surgeries		Excludes health facilities provided on individual sites and strategic allocations ¹ to serve the needs of the site and mitigate the impacts arising from development.
Sporting and recreational facilities		
Outdoor sports facilities and sports pitches	Provision, replacement and enhancement of existing sports facilities and sports pitches	Excludes on-site sports facilities and sports pitches provided on individual sites and strategic allocations ¹ to serve the needs of the site and mitigate the impacts arising from development
Sports centres	Provision, replacement and enhancement of existing sports centres including swimming pools	Excludes on-site sports facilities and sports pitches provided on individual sites and strategic allocations ¹ to serve the needs of the site and mitigate the impacts arising from development

Infrastructure type or project		Exclusions
Community facilities	Provision of community facilities in areas of deficiency and enhancement of existing facilities	Excluding on-site provision of localised community facilities on individual sites and strategic allocations ¹ to serve the needs of the site and mitigate the impacts arising from development. Also excludes improvement, refurbishment or replacement of Crosfield Hall in Romsey
Open Spaces		
Open space	Provision and enhancement of existing open spaces including parks and public gardens, informal recreation areas, provision for children and teenagers and allotments	Excluding provision of open space infrastructure and facilities which are directly related to an individual site to be provided either on site or in the vicinity of the site to avoid/mitigate the impacts arising from development in accordance with the policy requirements of LHW1 of the revised Local Plan and in the interests of securing sustainable high quality development
Green infrastructure, and waterways enhancement	Provision and enhancement of the Green Infrastructure Network identified in the Green Infrastructure Strategy. Forest Park (Policy LHW3)	Excluding provision of green infrastructure and facilities which are directly related to an individual site to be provided either on site or in the vicinity of the site to avoid/mitigate the impacts arising from development of the site
Flood defences		
Flood defences and flood prevention measures		

1. Strategic allocations: refers to allocated residential development site in revised Local Plan January 2014 (Whitenap, Hoe Lane, Park Farm, George Yard/Black Swan Yard, Picket Piece and Picket Twenty extension land).

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