

Regulation 123 List – October 2014

Regulation 123 of the Community Infrastructure Levy Regulations provides for charging authorities to set out a list of those projects or types of infrastructure that it intends to fund through the levy.

When a charging authority introduces the Community Infrastructure Levy (CIL), section 106 requirements should be scaled back to those matters that are directly related to a specific site, and are not set out in a regulation 123 list.

For transparency, the Council will publish guidance on how S106 and CIL will operate together so that it is clear how double dipping will be avoided. It will look to incorporate this into its Local Plan at the first opportunity.

The Council's regulation 123 list includes a number of generic items. To avoid double dipping Section 106 will only be sought for site-specific items where this is necessary to make the development acceptable in planning terms for example:

- Affordable housing
- Local labour and local supplier contracts
- New bus connections or services and cycle/pedestrian routes and connections through the development
- Local junction / highways improvements and access into the site
- On-site greenspace and public realm improvements
- On-site drainage and flooding solutions
- On site sustainable energy requirements

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.

Regulation 59 of the Community Infrastructure Levy (Amendment) Regulations 2013 requires the Council to pass 15% of its CIL receipts to the local area capped at £100 per dwelling (plus index linking). Since there are no parish or community Councils in Barking and Dagenham then the Council retains this element of the CIL receipts. However the Council is required to engage with the local community to agree how this money should be spent. The regulations make clear that the funds must be used to support the development of areas within the local authority by funding the provision, improvement, replacement, operation or maintenance of infrastructure or anything else that is concerned with addressing the demands that development places on an area.

THE COMMUNITY INFRASTRUCTURE LEVY REGULATIONS 2010 (AS AMENDED)

This list draws on information in the Council's Infrastructure Plan which sets out the infrastructure needed to deliver the growth set out in the Local Plan up to 2025

CIL will be spent on one or more of the following strategic (non-site specific) infrastructure

- **Education facilities**
- **Transport improvements**
- **Environmental improvements including hard and soft landscaping, green grid and blue ribbon**
- **Sport, leisure, parks and open spaces**
- **Health facilities**
- **Business support facilities**
- **Community safety projects**
- **Community facilities**
- **Flood defences**