

**Shepway District Council
Community Infrastructure Levy (CIL)**

**Regulation 123 List
(June 2016)**

Regulation 123 of the CIL Regulations (as amended), requires a Council to identify types of infrastructure and projects that it intends will be, or may be, wholly or partly funded through CIL. A draft R123 list also has to be provided as part of the consultation and Examination in Public on a Council's Draft CIL Charging Schedule.

The CIL Regulations require that from 6th April 2015, S106 planning obligations will be limited to on-site or off site mitigation measures, and site specific requirements to make development acceptable. In accordance with the CIL Regulations, this will also be subject to no more than five S106 obligations being pooled to fund a single infrastructure project.

The inclusion of a project or type of infrastructure on the R123 list does not signify a commitment by the Council to fund (either in whole or part) the listed project or type of infrastructure. Nor does the list order imply any preference or priority.

The Council will work with Parish and Town Councils and local communities, to agree local priorities for spend. The proportion of CIL receipts due to Parish and Town Councils can be used to support infrastructure items related to the R123 list, but there is no requirement for Parish and Town Councils to do this.

The Council will also work with the County Council, neighbouring Local Authorities, and other infrastructure providers and funders to ensure CIL income is used in the most effective manner to benefit the District's communities.

Project funding proposals will be screened to ensure they are compliant with the CIL Regulations emphasis on the avoidance of double funding via CIL and S106 contributions.

The Council will produce an annual monitoring report on the use of collected CIL income.

After CIL comes into effect in Shepway District, the following types of infrastructure will be considered for support through CIL receipts:

Infrastructure Types or Projects that maybe wholly, or partly funded by CIL	Project Exclusions (to be secured through S106 or alternative measures, including S278s)
Transport, walking and cycling improvements	On or off site transport and junction infrastructure required specifically to serve a new development.
Green infrastructure, open space and bio-diversity improvements	On or off site infrastructure required specifically to serve a new development, or mitigate the impacts of new development.
Education, learning and skills facilities	On or off site primary and secondary school facilities required specifically to serve a new development.
Business infrastructure improvements	To be considered on a case by case basis
Health and social care facilities	On or off site health care facilities required specifically to serve a new development.
Community facilities including library services, youth facilities, and community facilities.	On or off site community facilities required specifically to serve a new development.
Leisure, play space, and sports facilities	On or off site leisure, play space and sports provision required specifically to serve a new development.
Public realm improvements	To be considered on a case by case basis
Cultural and heritage facilities	To be considered on a case by case basis
Flood defence and drainage infrastructure	On or off site flood defence and drainage infrastructure required specifically to serve a new development.
Community safety	To be considered on a case by case basis

Notes

Project exclusions will apply to all on or off site infrastructure projects required specifically to serve Core Strategy Local Plan strategic and key sites developments at:

- Folkestone Harbour and Seafront
- Shorncliffe Garrison
- Sellindge
- New Romney broad locations
- Nickolls Quarry