

Community Infrastructure Levy

Draft Regulation 123 document Infrastructure Projects List

April 2013

The Community Infrastructure Levy Regulations 2010 (as amended) restrict the use of planning obligations where there have been five or more obligations in respect of a specific infrastructure project or type of infrastructure entered into on or after 6 April 2010. The regulations provide for a charging authority to set out a list of projects or types of infrastructure that the levy is intended to fund, and this is referred to as the 'regulation 123 list'.

The table below details the infrastructure projects that Bolton Council intends to be funded or part funded by monies raised through the Community Infrastructure Levy, and is drawn from the information detailed in the Infrastructure Schedule 2013.

Payment of CIL does not remove the need for S278 agreements, as S278s are not planning obligations. A S278 Agreement (under Section 278 of the Highways Act 1980) is made between a developer and a Highway Authority to enable works to be carried out on the public highway to facilitate development. The need to enter into a S278 usually arises as a result of a planning application and will be a condition of the planning consent. Examples of works delivered through a S278 agreement include construction of a new access junction, improvement of an existing junction or safety related works. Authorities can use monies from both sources to fund improvements to the highway network.

Infrastructure projects to be part-funded by CIL
Borough wide expansion of primary schools to provide additional intake places; <i>Apart from the need generated and fulfilled as part of the Horwich Loco Works development.</i>
Borough wide expansion of secondary schools to provide additional intake places.
Transport projects <i>Apart from those projects required to deliver Core Strategy policy P5.1 that increase accessibility to development sites via sustainable modes of transport and will be of direct benefit to users of that development, and take the form of:</i> <ul style="list-style-type: none"> • <i>introducing new or improving existing footpaths pedestrian crossings</i> • <i>introducing new or improved cycle routes</i> • <i>enhancing the public transport network</i>
Health and wellbeing facilities
Public realm improvements
Public art; <i>Apart from those projects delivered directly on development sites greater than 1 hectare / 2500m²</i>
Community and cultural facilities
Strategic green infrastructure improvement projects
Strategic watercourses, flood risk and drainage projects
Open space: improvements to publicly accessible areas, including equipped play areas and allotments; <i>Apart from those mitigation works required to deliver Core Strategy policy CG1.4 - See note 1.</i>

Note 1

Policy CG1.4 states that the council will:

“Allow some development on informal green spaces in the urban area, provided that it allows for the improvement of remaining green spaces and helps to meet the strategic objectives for housing.”

The improvement measures are expected to be delivered through s106 agreements or the use of planning conditions, rather than through CIL, as they are site specific in nature and necessary to make development acceptable in planning terms. Policy CG1.4 applies equally to informal green spaces all sizes; the emerging allocations plan identifies some sites that are currently sites of informal recreational open space over 0.4 hectares which are expected to be developed in line with this policy, these are listed below:

- 10SC Rushlake Drive
- 11SC Eskrick Street
- 21SC Gilnow Gardens
- 27SC Land between Mancroft Avenue and Vernham Walk
- 56SC Hollycroft Avenue, Breightmet
- 61SC Milnthorpe Road 2, Breightmet
- 83SC Holcombe Close, Kearsley
- 86SC Suffolk Close, Kearsley
- 92SC Highfield Road
- 93SC Dean Close
- 94SC Blindsill Road, Farnworth
- 62SC Deepdale Road 2, Breightmet
- 66SC Waggon Road, Breightmet
- 68SC BNU NORTH, Wasdale Ave
- 75SC Radcliffe Road 6, Breightmet
- 77SC Park Road 2, Kearsley
- 78SC Victory Road, Kearsley
- 117SC Swallowfield Hotel with Brazley Centre
- 121SC Berne Avenue
- 122SC Crown Lane
- 125SC Manchester Road
- 133SC Singleton Avenue
- 130SC Devonshire Road