

| Report of | Meeting | Date |
|---|---------------------------|------------------|
| Director of Business Development and Growth (Introduced by the Executive Member for Economic Development and Public Service Reform) | Executive Member Decision | 18 December 2018 |

UPDATE OF REGULATION 123 LIST COMMUNITY INFRASTRUCTURE LEVY (DECEMBER 2018)

PURPOSE OF REPORT

1. To inform any updates of the Community Infrastructure Levy Regulation 123 List following appropriate stakeholder consultation

RECOMMENDATION(S)

2. To approve the revised changes to the Regulation 123 List as shown at Appendix 1.

EXECUTIVE SUMMARY OF REPORT

3. To approve the revisions to the Regulation 123 list

| | | |
|--|-----|-----------|
| Confidential report Please bold as appropriate | Yes | No |
|--|-----|-----------|

| | | |
|--|-----|-----------|
| Key Decision? Please bold as appropriate | Yes | No |
|--|-----|-----------|

| | | |
|---|---|---|
| Reason Please bold as appropriate | 1, a change in service provision that impacts upon the service revenue budget by £100,000 or more | 2, a contract worth £100,000 or more |
| | 3, a new or unprogrammed capital scheme of £100,000 or more | 4, Significant impact in environmental, social or physical terms in two or more wards |

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

4. To reflect changes to the Regulation 123 List following 4 weeks consultation

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

5. None

CORPORATE PRIORITIES

6. This report relates to the following Strategic Objectives:

| | | | |
|--|---|---|---|
| Involving residents in improving their local area and equality of access for all | x | A strong local economy | |
| Clean, safe and healthy homes and communities | | An ambitious council that does more to meet the needs of residents and the local area | x |

BACKGROUND

7. The Community Infrastructure Levy is used to contribute to the infrastructure requirements identified in the list prepared under Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended). The CIL Regulations define infrastructure as the meaning given in section 216(2) of the Planning Act 2008, (as amended by Regulation 63). The list supplied by the Act includes, but is not exclusive to:

- a. Roads and other transport facilities
- b. Flood defences
- c. Schools and other educational facilities
- d. Medical facilities
- e. Sporting and recreational facilities
- f. Open spaces

8. Chorley’s Regulation 123 List specifies the infrastructure projects to be funded in part by CIL in Chorley. An 8 week consultation until 1 October 2018 was held with appropriate stakeholders asking for expression of interests for inclusion on the Regulation 123 List. The revised Regulation 123 List was approved by Executive Cabinet on 15 November June 2017 and a further 4 week consultation has been held with appropriate stakeholders. Any further changes to the Regulation 123 List are being delegated to an Executive Member Decision, the subject of this report.

AMENDMENTS TO THE REGULATIONS 123 LIST

9. Lancashire County Council (Director of Property Services) has submitted a detailed response during the further 4 week consultation. Officers will respond to LCC’s response separately. In respect of the Regulation 123 List LCC has:

- Confirmed that the amendments to the Primary education schemes to the revised Regulation 123 List are reflective of their comments (Executive Cabinet report 15.11.18);
- The changes proposed towards the Secondary education scheme to reflect the accurate scheme costings do not appear to have been included in the new draft. *Chorley Officers did look at the costing but did not reflect the new costing (£2,529,420) in the Reg 123 List because the school scheme has been developed (and should automatically be removed from the Reg 123 List) and this would be considered during any CIL allocation request. The Government proposes to delete the Regulation 123 List so the Council will have to evaluate/transfer schemes to the proposed Infrastructure Funding Statement when government legislation is amended in March 2019.*

10. Your Officers propose 4 amendments to the Regulation 123 List:

- 1. Amend the working of the Alker Lane project to the following (amendments underlined):

- Highways and infrastructure (the provision of access to and within the site), car parking provision and flood mitigation works to support the delivery of the consented uses at Alker lane, Euxton.

The access road into and through the site will be a continuation of the Strawberry Fields spine road and will include lighting and landscaping. The highway access through the site will also require the formation of a bridge over a culvert running through the site. Drainage and flooding mitigation has yet to be fully assessed and costed. With regards timing the current plan would be to install the road and associated infrastructure including the culvert engineering works and flood mitigation between October and December 2019.

2. Amend the wording of the Clayton-le-Woods project to the following:

- Highways and infrastructure (the provision of access to and within the site) to support the delivery of the ~~employment allocation~~ consented uses at Clayton-Le- Woods including improvements along Wigan Lane (A49) / Leyland Way / Lancaster Lane (B5256) from junction 28, M6.

The change reflects the mix of uses on this site and the Council's aspiration to see a primary school on part of this site.

3. Amend the wording of Local Community Health Hub, Friday Street, Chorley to delete the reference to Friday Street, as the scheme is now not proposed at this site. Work is underway to find a site and provide for a Community Health Hub in Chorley.

- Local Community Health Hub, Chorley

4. Add to the Regulation 123 List:

- Chorley Railway Station disabled access lifts

The scheme will provide access to the southbound platform via the introduction of lifts either to the existing subway or by providing an additional bridge. The costs from the feasibility study range from £2.1m to £2.7m although construction costs are only around 45% of budget with the remainder being project management and risk costs. Whilst the lifts are primarily assisting disabled users it also facilitates prams and people with luggage; improving accessibility for all users.

11. Appendix 1 attached shows the updated Regulation 123 List December 2018.

IMPLICATIONS OF REPORT

12. This report has implications in the following areas and the relevant Directors' comments are included:

| | | | |
|--|---|--|--|
| Finance | x | Customer Services | |
| Human Resources | | Equality and Diversity | |
| Legal | x | Integrated Impact Assessment required? | |
| No significant implications in this area | | Policy and Communications | |

COMMENTS OF THE STATUTORY FINANCE OFFICER

13. This report does not have any direct impact on the Councils revenue or capital budgets. Once agreed in February 2019 Executive Cabinet, any CIL funding allocated to Council schemes will be included in the Council's capital programme.

COMMENTS OF THE MONITORING OFFICER

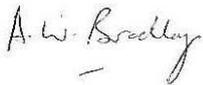
14. The procedure followed is compliant with the requirements of the legislation.

MARK LESTER
DIRECTOR OF BUSINESS DEVELOPMENT AND GROWTH

| Background Papers | | |
|---|------------------|---|
| Document | Date | File |
| Update of Community Infrastructure Levy Regulation 123 List | 15 November 2018 | https://democracy.chorley.gov.uk/documents/s91536/Update%20of%20Community%20Infrastructure%20Levy%20Regulation%20123%20List.pdf |

| Report Author | Ext | Date |
|----------------------|------------|------------------|
| Alison Marland | 5281 | 17 December 2018 |

Following careful consideration and assessment of the contents of this report, I approve the recommendation(s) contained in Paragraph 2 of the report in accordance with my delegated power to make executive decisions.



_____ Dated 20/12/18 _____

Councillor Alistair Bradley
Executive Member for Economic Development
and Public Service Reform



**CHORLEY COUNCIL COMMUNITY
INFRASTRUCTURE LEVY
Regulation 123 List**

Adopted September 2013

The Regulation 123 List was updated December 2018

Central Lancashire Community Infrastructure Levy

Introduction

The purpose of the list is to demonstrate the broad range and type of infrastructure that it is likely the Council will seek to spend CIL funds upon. This is a 'living' document and will be the subject of on-going update and monitoring.

Regulation 123 List

The Community Infrastructure Regulations 2010 (as amended) restrict the use of planning obligations where there have been 5 or more obligations in respect of a specific infrastructure project or type of infrastructure entered into on or after 6 April 2010.

The Regulations (paragraph 123) 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 purpose of this Regulation 123 List is to ensure clarity on what CIL might be spent on and there is no duplication ('double dipping') between CIL and S106 agreements in funding the same infrastructure projects.

A CIL charging authority is expected to publish a list of infrastructure that it intends will benefit from CIL on its website. The Council can review this list at least once a year as part of its monitoring of CIL collection and expenditure.

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. Nor does the order of the table imply any order of preference or weighting of one project as opposed to another.

Payment of CIL does not replace 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 Highways 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. A S278 agreement can be entered into to boost CIL funding towards these schemes.

Background

The Regulation 123 List (adopted September 2013) was derived taking into account the background supporting documents that were prepared in association with the Central Lancashire Strategy (adopted July 2012), which sets out the infrastructure needed to deliver the development set out in the Strategy up to 2026 and the Lancashire County Council adopted LTP3 Strategy and Implementation Plan 2011-2021 which sets out the strategic objectives for transport and travel.

Infrastructure projects to be funded in part by the CIL

CHORLEY INFRASTRUCTURE DELIVERY SCHEDULE

| PROJECT | TIMING | FUNDING DEFICIT £M |
|--|--------|--------------------|
| Transport | | |
| New Coppull Railway Station | - | 8 |
| Mini interchange: Clayton Green Asda | - | 0.2 |
| Chorley Railway Station car parking –Friday Street (110 spaces) | = | 0.8 |
| Car park on Southport Road, Chorley (100 spaces to support Astley Park) | - | - |
| Car park to facilitate event parking for Astley Park and Westway on Westway, Euxton. | - | - |
| Highways and infrastructure (the provision of access to and within the site) to support the delivery of the consented uses at Clayton- Le-Woods including improvements along Wigan Lane (A49) / Leyland Way / Lancaster Lane (B5256) from junction 28, M6. | - | - |
| Highways and infrastructure (the provision of access to and within the Council's land site) to support the delivery of the allocated uses at Cowling Farm, Chorley. | - | - |
| Highways and infrastructure (the provision of access to and within the site), car parking provision and flood mitigation works to support the delivery of the consented uses at Alker Lane, Euxton Lane, Chorley | - | - |
| Chorley Railway Station disabled access lifts | - | |
| Cycle Schemes | | |
| Clayton-le-Woods | = | 0.2 |
| Clayton Brook and Whittle-le-Woods to Chorley A6 | = | 0.5 |
| Canal towpath, Botany to Blackburn | - | 0.5 |
| Chorley to Abbey Village –old railway | = | 1 |
| Cycle Schemes near Wheelton on the A676 | = | 0.125 |
| Chorley North-East-Harpers Lane, Railway -Rd-Park Rd | = | 0.3 |
| Cycle Link, Croston to Ulnes Walton to Leyland | = | 0.15 |
| Euxton-Wigan Rd and School Lane | - | 1.5 |
| Buckshaw-Chancery Lane-Cuerden Valley Park-Southport Road | - | 0.6 |
| Chorley East –Eaves Lane, Lyons Lane, Yarrow Gate to Carr Lane/Myles Standish Way | = | 0.25 |
| Improvements to Cycle Links - Adlington | = | 0.34 |
| Chorley South to Coppull | - | 0.4 |
| Eccleston to Chorley via Back Lane | - | 0.15 |
| Footpath Schemes | | |
| Open up Footpath FP42 (Between Bagganley | - | - |

| PROJECT | TIMING | FUNDING DEFICIT £M |
|--|--------|--------------------|
| Lane and Froome Street) and improve the Footpath FT45 and FT15 that link to the Leeds and Liverpool Canal and Healey Nab. | | |
| | | |
| Health | | |
| Local Community Health Hub, Chorley | - | - |
| Clayton-le-Woods GP Surgery | | |
| | | |
| Sport and Recreational Facilities | | |
| New or Refurbished Leisure Centre, Chorley | - | - |
| Education | | |
| | - | |
| Adlington half form entry primary places # | | 2 |
| Clayton-le-Woods/Clayton Brook/Green and Whittle-Le-Woods # | - | 5.5 |
| 1 and a half form entry primary places | - | |
| Ecclestone and Rural half form entry primary places # | - | 2 |
| | - | |
| Chorley Town -139 primary school places show the need for over half a form of entry # | - | 2 |
| Coppull - 8 primary school places which will be delivered through the expansion of an existing local primary school # | - | 126,026 |
| Euxton – 36 primary school places # | - | 567,119 |
| Holy Cross - secondary school provision expansion of 1 form entry | - | 2,185,363 |
| Green Infrastructure | | |
| Extension to Adlington Cemetery | - | - |
| | | |
| Historic | | |
| Improvements to the physical access of the building to include new staircase, DDA toilets and facilities, Astley Hall and Park | - | - |
| | - | - |

Key

A feasibility assessment is required by Lancashire County Council to identify the school.

PAN CENTRAL LANCASHIRE

| PROJECT | TIMING | FUNDING DEFICIT £M |
|---|---------------|-------------------------------|
| Transport | | |
| Bus Rapid Transport Routes: Chorley to Preston B6258 Preston East – City Centre Preston - Lostock Hall – Leyland Cottam – Preston Cuerden – Preston via A6 | - | |
| HOV/Bus Lanes on A582 corridor serving Park & Ride sites | - | 55.2 |