



## **CABINET – 11TH NOVEMBER 2015**

**SUBJECT: PROPOSED CHANGE TO THE CAERPHILLY COUNTY BOROUGH COUNCIL CIL REGULATION 123 LIST OF INFRASTRUCTURE**

**REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151 OFFICER**

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- 1.1 The attached report was considered by the Regeneration and Environment Scrutiny Committee on 27th October 2015, prior to its presentation to Cabinet and thereafter Council. The report, which presented the findings of the public consultation exercise undertaken in respect of the proposed changes to the Regulation 123 List, sought Members' approval on the publication of the Replacement Regulation 123 List in accordance with the implementation of Community Infrastructure Levy (CIL).
- 1.2 Members were advised that Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended) sets out the requirement for the CIL Charging Authority to publish a list of the infrastructure that can be funded through CIL. It is proposed to make some changes to this list which will enable school provision to be sought on-site in line with the aspirations of the adopted LDP. The proposed changes to the Regulation 123 List (as appended to the report) will have a minimal impact on the viability evidence that was considered by the CIL Examiner in that it will only impact on two specific sites (namely Waterloo Works and Bedwas Colliery).
- 1.3 It was noted that two representations had been received in response to consultation on the Replacement Regulation 123 List, and a summary of these, together with an officer response to each of the points raised, were contained within the report appendices.
- 1.4 Discussion took place regarding the impact of the proposed changes on the use of Section 106 agreements, and Officers also responded to a number of queries in respect of the CIL Charging Schedule.
- 1.5 Following consideration and discussion of the report, the Regeneration and Environment Scrutiny Committee unanimously recommended to Cabinet (and thereafter Council) that for the reasons contained therein:-
  - (i) the findings of the public consultation exercise undertaken in August/September 2015 in respect of the proposed changes to the Regulation 123 List be considered and noted;
  - (ii) the Replacement Regulation 123 List be approved for publication in accordance with the implementation of Community Infrastructure Levy.
- 1.6 Members are asked to consider the recommendations.

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Appendices:

Appendix 1 Report to Regeneration and Environment Scrutiny Committee on 27th October 2015 – Agenda Item 7