



**Community  
Infrastructure Levy  
Regulation 123 List  
(November 2015)**

The following list identifies infrastructure projects and types of infrastructure which are eligible to be funded in whole or part through the Community Infrastructure Levy:

Infrastructure type or project	Exclusions
<p>Provision and ongoing maintenance in perpetuity of Suitable Accessible Natural Greenspace (SANGS) (Part of Thames Basin Heaths Special Protection Area Avoidance and Mitigation Measures).</p> <p>This is necessary to meet Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC).</p>	<p>Strategic Access Management and Monitoring (SAMM). These costs associated with the mitigation measures are not deemed to be infrastructure and will be secured via separate legal agreements.</p>
<p>Transport The following borough wide/strategic transport improvements:</p> <ul style="list-style-type: none"> <li>• Public transport infrastructure improvements including: <ul style="list-style-type: none"> <li>• Bus stop accessibility</li> <li>• Bus shelters</li> <li>• Passenger information and electronic ticketing</li> <li>• Speed management measures</li> <li>• Passenger and public security and safety</li> <li>• Bus reliability measures</li> <li>• Passenger access and information improvements to railway stations</li> </ul> </li> <li>• Walton to Halliford Transport Study</li> <li>• Esher Transport Study</li> <li>• Cycle network improvements</li> <li>• Weybridge public realm improvements</li> <li>• Safety infrastructure outside schools</li> <li>• Rights of way improvements</li> <li>• <b>Access improvements to Brooklands Business Park</b></li> <li>• <b>Other transport schemes that contribute to reduction in congestion, improved accessibility, casualty reduction, economic vitality and network resilience.</b></li> </ul>	<p>All other site specific transport and highways improvements as identified in a site specific assessment.</p>

Infrastructure type or project	Exclusions
<p>The following Local Road Network improvements:</p> <ul style="list-style-type: none"> <li>• Burwood Road school safety measures</li> <li>• Long Ditton schools safety measures</li> <li>• Stoke Road speed management measures</li> <li>• Blundell Lane pedestrian/cycle accessibility improvements</li> </ul>	
<p>Education <b><i>The following borough wide education provision:</i></b></p> <ul style="list-style-type: none"> <li>• <b><i>Additional Early Years provision</i></b></li> <li>• <b><i>Additional capacity for SEND (Special Educational Need and Disability) provision in mainstream schools</i></b></li> <li>• <b><i>Provision of additional primary and secondary school capacity within the borough</i></b></li> <li>• <b><i>Additional capacity for Post 16 provision</i></b></li> </ul> <p>This includes specific schemes:</p> <ul style="list-style-type: none"> <li>• Rebuild of Manby Lodge Infant School</li> <li>• Rebuild of Hurst Park Primary School on new site</li> <li>• <b><i>Expansion of Cleves School</i></b></li> <li>• <b><i>Expansion of Ashley C of E School</i></b></li> <li>• <b><i>Expansion of Cranmere Primary School</i></b></li> <li>• <b><i>Expansion of Hinchley Wood Primary</i></b></li> <li>• <b><i>St Lawrence Junior School – additional all weather sports provision</i></b></li> <li>• <b><i>1 FE expansion in Claygate/Esher area</i></b></li> <li>• <b><i>2FE temporary expansions in secondary sector pending permanent 6 FE Free School</i></b></li> </ul>	<p>Improvements or provision of new education facilities which are directly related to a specific development site.</p>
<p><b>Leisure, sport and open space</b></p> <ul style="list-style-type: none"> <li>• Children’s and young people’s play areas</li> <li>• Improvements to playing pitches</li> <li>• Indoor and outdoor sports provision</li> <li>• Improvements to open space</li> </ul>	<p>Provision of new and improvements to existing sport and recreation facilities which are directly related to a specific development site and are required to ensure local plan policy compliance.</p>
<p><b>Community facilities</b></p> <ul style="list-style-type: none"> <li>• Libraries</li> <li>• Built Community Space</li> </ul>	<p>Improvements which are directly related to a specific development site.</p>



Infrastructure type or project	Exclusions
<b>Public services</b> <ul style="list-style-type: none"> <li>• Recycling</li> <li>• <b>Capital expenditure for Emergency services</b></li> </ul>	Improvements which are directly related to a specific development site.
<b>Environmental Improvements</b> <ul style="list-style-type: none"> <li>• Strategic flood risk infrastructure</li> <li>• Pollution abatement infrastructure</li> </ul>	Improvements which are directly related to a specific development site.

Where site-specific exclusions are identified, they will be subject to statutory tests set out under Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended), which stipulates the following:

“A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is –

- a) necessary to make the development acceptable in planning terms
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development”.

**Please note:**

The inclusion of a project or type of infrastructure on the list does not signify a commitment from the Council to fund (either in whole or part) the listed project or type of infrastructure. The order of the list does not imply any preference or priority.

Future updates of this list will take place on a periodic basis and will have regard to:

- updates to the Council’s Infrastructure Delivery Plan
- changes to the CIL regulations

