



## **Appendix 2**

**Watford Borough Council**

**Community Infrastructure Levy**

**Supporting policy document:**

**Regulation 123 List**

**Instalment policy**

**Watford Borough Council**

**Community Infrastructure Levy**

**Regulation 123 List**

## **Regulation 123 list**

**This Regulation 123 list will be valid upon adoption of the CIL charging schedule.**

Regulation 123 of the Community Infrastructure Regulations 2010 (as amended) restricts the use of planning obligations for infrastructure that will be funded in whole or in part by the Community Infrastructure Levy (CIL), to ensure no duplication between the two types of developer contributions, CIL and S.106. A CIL charging authority is expected to publish a list of infrastructure that will benefit from CIL on its website.

The list below sets out those infrastructure projects that Watford Borough Council (as charging authority) currently intends will be, or may be, wholly or partly funded by CIL. The inclusion of a project or type of infrastructure in this list does not signify a commitment from the Council to fund (in whole or in part) all of the projects listed through CIL, nor does it imply any order of preference for spend. The Council will review this list at least once a year, as part of its monitoring of CIL collection and expenditure.

In accordance with Regulation 123, developer contributions to the infrastructure types or projects that are listed below will be secured through CIL, not through planning obligations and S106 agreements.

As the Watford CIL Charging Schedule will not become effective before it is adopted in 2015, and as CIL is not payable until after development commences, it is recognised that there will be limited CIL receipts available for spending in the first year of operation (2015/16).

### **Types of infrastructure to be funded in whole or in part by CIL**

- Highways & Transport Improvements
- School Places (primary and secondary schools, excluding those associated with SPA2 Watford Junction, SPA3 Health Campus and at SPA6 Western Gateway)
- Youth facilities
- Childcare excluding those associated with SPA2 Watford Junction, SPA3 Health Campus and at SPA6 Western Gateway).
- Nursery Spaces excluding those associated with SPA2 Watford Junction, SPA3 Health Campus and at SPA6 Western Gateway).
- Children's play facilities
- Adult care services
- Health Centres
- Provision of new community facilities and improvements to existing facilities
- Libraries
- Sports Facilities as identified in the WBC Sports Facilities Strategy and Playing Pitches Strategy
- Flood Defences
- Green Infrastructure, including tree planting
- Open Space provision, excluding onsite provision of local open space for developments of over 10 dwellings in line with policies of the Local Plan
- Minerals and waste
- Waste management.

Where the need for specific infrastructure provision is identified by being excluded from the above list. Or arises directly from five or fewer developments, Section 106 arrangements will continue to be applied in order to provide the infrastructure required to make the development acceptable in planning terms. Where this is required, a Section 106 agreement will be drawn up directly with the developer, and this is likely to include:

- Affordable housing
- On-site open space and children's play facilities

- At SPA2 Watford Junction:
  - New station interchange building and access bridge
  - Improvements to the existing station including accommodating the CRL and Abbey Line improvements
  - Social facilities such as GP and adult care services
  - Primary school provision (either onsite or in the vicinity of the site)
  - Police Station facility in the vicinity.
  
- At SPA3 Watford Health Campus:
  - New road access arrangements to alleviate congestion on Vicarage Road
  - Traffic signalling improvements to Junction 5 of the M1 motorway
  - A primary school in the vicinity of the site
  
- At SPA6 Western Gateway:
  - A primary school
  - Onsite community facilities
  
- Other on-site infrastructure not included in the above

**Watford Borough Council**

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**Instalment Policy**

The CIL Regulations set a default position that full payment of CIL must be made within 60 days of the commencement of development. The Regulations enable a Charging Authority to set an instalment policy that allows phased payments over longer periods.

In response to comments at the previous Preliminary Draft Charging Schedule consultation, the council's proposal for a draft instalment policy is set out below.

Comments are invited alongside the Draft Charging Schedule and these will be considered when finalising Watford's CIL Instalment Policy. However, the Instalment Policy itself will not be subject to Public Examination.

### **Watford Draft CIL Instalment Policy**

Where an instalment payment is not received by the date it is due then the full unpaid balance must be paid in full immediately.

<b>1. Where the chargeable amount is <u>less than £35,000</u></b>
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Full payment due within 60 days of the commencement of development.
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<b>2. Where the chargeable amount is <u>greater than £35,000 but less than £100,000</u></b>
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Instalment 1 – 25% of payment due within 60 days of commencement date.
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Instalment 2 – remainder of payment due within 120 days of commencement date.
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<b>3. Where the chargeable amount is <u>greater than £100,000</u></b>
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Instalment 1 – 25% of payment due within 60 days of commencement date.
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Instalment 2 – 50% of payment due within 120 days of commencement date.
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Instalment 3 – remainder of payment due within 360 days of commencement date.
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