

**MINUTES OF CABINET MEETING HELD 24 NOVEMBER 2008**

**PRESENT**

Councillor Peach - Leader of the Council, Councillor Collins, Councillor M Dalton, Councillor Goldspink, Councillor Lamb, Councillor Lee, Councillor Murphy and Councillor Sanders.

**1. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Fitzgerald and Scott.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**3. MINUTES**

The minutes of the meeting held on 15 September 2008 were agreed as an accurate record and signed by the Leader.

**4. ITEM FROM SCRUTINY PANELS**

**4.1 S106 Planning Obligations Implementation Scheme**

Cabinet received an update on the progress of the S106 Obligations Implementation Scheme in light of the withdrawal of the report that was originally submitted to the Planning and Environmental Protection Committee meeting on the 28 July 2008. The report had been substantially redrafted and widely consulted on with the development industry.

The S106 Scheme had been devised as a corporate framework which was intended to be acceptable to landowners and developers and meet the needs of service departments and the council's partners in its growth strategy. The current and proposed arrangements were integral to providing funding to the Corporate Plan, Sustainable Community Strategy and Local Area Agreement (LAA) priorities and outcomes. The document helped to deliver Local Plan Policy IMP1 and was consistent with the emerging policy CS11 of the draft Core Strategy.

The scheme sought to provide: -

- a costed social and physical infrastructure programme which had to be funded for the growth strategy to succeed, and to which new development needed to make a proportionate contribution
- the principle that all significant developments including minor residential but not house extensions made a contribution to infrastructure growth because of their impact on the use of social and physical infrastructure like schools and public transport
- on-site infrastructure and contributions to neighbourhood and city-wide provision, on a phased basis in some cases and by negotiation on larger sites
- standard contribution figures for a range of different developments which would be used to assess the S106 Obligation. This included a range of softer community, social and environmental projects which would not necessarily have attracted a contribution under the current Scheme
- a requirement that contributions were paid on all housing – including affordable
- pooled arrangements for taking funds from a series of relevant developments and banking them over a period, adding other funding until the project was fully funded and could commence implementation
- scenarios showing the impact on new development, and a separate report which assesses this. The report's conclusion was that the new scheme's impact would vary case by case, but that it enhanced transparency and consistency for developers

- the scheme would be carefully monitored and reviewed at least annually and modified to ensure it met its objectives. Its infrastructure costs and contributions would be indexed
- the scheme would collect contributions for PCC and partner services
- there would be a charge on development towards the costs of running the S106 activity which would be administered within the Planning Service and be accounted for to the Planning and Environmental Protection Committee
- there had been extensive consultation with developers and other parties who had contributed to the development of the scheme

Details of questions raised during the meeting are attached at Annexe 1 to these minutes.

**CABINET RESOLVED TO:**

Approve the contents of the report and recommend to Council:

- (i) That the s106 Planning Obligations Implementation Scheme be approved, for phased introduction after the December meeting of Council.
- (ii) That there be further work carried out to give the Implementation Scheme status as a Supplementary Planning Document.
- (iii) That for applications both approved between 1<sup>st</sup> January 2009 and 31<sup>st</sup> December 2009, and substantially completed before 31<sup>st</sup> December 2010 there will be:
  - A discount of 30% on s106 financial contributions
  - A reduction of 'expected' Affordable Housing level from 35% down to 25%
- (iv) That meetings are convened for the members of each Neighbourhood Investment Area, to ensure that Members are fully involved in discussing, identifying and confirming required infrastructure for each area, and the means of provision, including s106 Planning Obligations.

**REASONS**

The Planning Obligations Implementation Scheme will be markedly clearer, faster and fairer than at present and with a reduced risk of misunderstanding, delay and complaint. It will provide a clear 'stepping stone' to the finalisation of a Supplementary Planning Document following the approval of its Core Strategy.

The council needs robustly to test the proposals and then approve them subject to review in April to ensure a scheme is in place as soon as practical.

**ALTERNATIVE OPTIONS**

GVA Grimleys, consultants advising the PCC have considered a range of S106 schemes but recommend this one.

The Council could choose not to operate a scheme, but this approach is unsatisfactory for the reasons highlighted at paragraph 4.2 of the report.

*Meeting closed at 7.05 pm.*

*Chair.....*

*Date.....*