

2nd April 2015**Agenda Item: 5****REPORT OF THE CORPORATE DIRECTOR FOR POLICY, PLANNING AND
CORPORATE SERVICES****DEVELOPER CONTRIBUTIONS PRACTITIONER POST****Purpose of the Report**

1. To approve the establishment of a new Developer Contributions Practitioner Post to work to ensure that the County Council receives its full and proper contributions to mitigate the impacts of new developments across the County.

Information and Advice

2. When new developments take place they frequently impact on the local infrastructure, these impacts must be mitigated to make the developments acceptable in both planning terms and to society as well. Planning obligations, sometimes known as developer contributions, can be used to mitigate these impacts and thereby enabling development schemes to go ahead that might otherwise be deemed unacceptable.
3. The County Council's Planning Obligations Strategy sets out the County Council's standard requirements, enabling developers to take into account the potential costs of a proposed development at the earliest stage. The strategy does not have any statutory status but if development proposals do not comply with the requirements set out then it could be used as a reason for refusal of planning permission by Local Authorities. The County Council's Planning Obligations Strategy was last updated in 2014 and approved by Policy Committee on 2 April 2014.
4. The strategy sets out standard requirements the County Council may seek from new developments, to mitigate the impact that these developments may bring upon the services which it provides. These standards apply to the following services:
 - Archaeology;
 - Education;
 - Libraries;
 - Minerals;
 - Natural Environment;
 - Transport;
 - Waste.
5. The County Council provides detailed justification/explanation of any contributions it seeks and often enters into detailed negotiations with District/Borough Councils and

developers to ensure the requirements are met. This work is undertaken and co-ordinated by the Planning Policy team in addition to their other activities. The work is supported by 0.2FTE of a Band 4 post.

6. The provision of this service was previously undertaken by 1.5 FTE posts and, reflecting the down turn in the economy, this was reduced in 2013 to 0.2 FTE. The economy and in particular the number of housing related planning applications, has seen a significant upturn over the last year and the current staffing arrangements mean that it is becoming increasingly difficult to cope with the coordination, negotiation and monitoring necessary to provide a meaningful service. This is particularly the case as most developers are citing viability as the reason to look to reduce the S106 contributions required to make the development 'sustainable'. This involves a significant amount of the Planning Policy team's time in coordination and negotiation.
7. As a comparison, both Leicestershire and Derbyshire each have 1 FTE officer dedicated to the coordination of developer contributions and other associated work.
8. If the new post was not created then the potential risks would be that some District/Borough planning applications which would impact on County Services could be missed and as such the potential to request and obtain developer contributions towards council services would be lost.

Other Options Considered

9. For the Council not to approve the creation of the post which could lead to an under provision in County Council planning obligation requirements which would then lead to a need for the additional services to be funded by the County Council to ensure that statutory requirements are met.

Reason/s for Recommendation/s

10. To ensure that the County Council receives appropriate developer contributions to mitigate the impacts that new developments have in its services.

Statutory and Policy Implications

11. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

12. The Developer Contributions Practitioner post has been evaluated at HAY BAND B (£29,558 per annum plus on costs). The post would be funded through the Planning Policy staffing costs budget.

RECOMMENDATION/S

- 1) That Committee approve the establishment of the Developer Contributions Practitioner Post.

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Jayne Francis-Ward

Corporate Director, Policy, Planning and Corporate Services

For any enquiries about this report please contact: Lisa Bell, Team Manager – Planning Policy, Tel: 0115 9774547.

Constitutional Comments (SLB 02/02/2015)

14. Environment and Sustainability Committee is the appropriate body to consider the content of this report. In accordance with the Council's Employment Procedure Rules reports proposing changes to staffing structures should include HR comments and the recognised trade unions should be consulted.

Financial Comments (SES 25/02/15)

15. The financial implications are set out in the report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division(s) and Member(s) Affected

All

