

**30 January 2014**

**Agenda Item: 6**

**REPORT OF THE CORPORATE DIRECTOR FOR POLICY, PLANNING AND  
CORPORATE SERVICES**

**PLANNING OBLIGATIONS STRATEGY CONSULTATION – COMMENTS  
RECEIVED AND PROPOSED RESPONSES**

**Purpose of the Report**

1. To inform Committee of the comments received to the Planning Obligations Strategy targeted consultation and seek Committee approval for responses to those comments received.

**Information and Advice**

2. The Planning Obligations Strategy is intended to provide guidance regarding the indicative criteria, development thresholds and the types and levels of planning contributions that the County Council will seek towards the provision of its services should the need arise as a result of proposed development. It also enables developers and landowners to be aware of the potential costs at the earliest stage of the planning process.
3. Environment and Sustainability Committee on 10 October 2013 approved the draft review of the Planning Obligations Strategy and the targeted consultation between 16 October and 13 November 2013.
4. 41 comments have been received from a total of 5 different organisations including 3 from local district/borough councils and 2 from the private sector. Following consideration of the comments changes will be necessary to the strategy arising from the representations. A schedule of the comments received and the Council's proposed responses is attached in Appendix 1.

**Summary of Key Responses to Representations and Main Changes**

5. There were a number of comments received requesting clarity on some statements within the draft Strategy and also suggesting additional factual information be included. These have been mainly accepted.
6. The responses received from the private sector were mainly surrounding the status of the strategy, viability issues and the County Council's responsibilities.

These comments are not accepted as the strategy makes it clear that it has no statutory status, is intended to provide Local Planning Authorities and developers with an idea of any potential costs that may be relevant to a proposed development at an early stage in the planning process and that viability is tested on a site by site basis.

### **Next Steps**

7. The draft strategy will be updated in light of the agreed responses. Other minor amendments will be made to incorporate:
  - Information regarding local flood risk; and
  - Information regarding public health.
8. The updated strategy will be considered at the County Council's Policy Committee for adoption.

### **Other Options Considered**

9. The only other option would be to not consider the responses to the recent consultation and ultimately not to update the current strategy. The current strategy is significantly out of date and does not reflect current national guidance.

### **Reason for Recommendation**

10. To gain approval for the responses set out in Appendix 1 to be published and distributed to the relevant organisations.
11. To ensure that the County Council sets out an up to date position in respect of its requirements to mitigate the potential impacts that new developments may have on its infrastructure and services.

### **Statutory and Policy Implications**

12. 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**

13. There are no direct financial implications however the County Council does receive monies from planning obligations towards the cost of providing additional services and infrastructure when required.

### **Implications for Sustainability and the Environment**

14. There are no direct implications for Sustainability and the Environment

## **RECOMMENDATION**

- 1) That Committee approve the responses to the consultation and proposed revisions to the Planning Obligations Strategy as set out in Appendix 1.
- 2) That subject to any further amendments suggested by Committee, the Environment and Sustainability Committee recommends the adoption of the revised strategy to Policy Committee.

**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 (SHB.12.12.13)**

15. Committee have power to decide the Recommendation.

### **Financial Comments (SEM 17/12/13)**

16. Committee have power to decide the Recommendation.

### **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.

Revised Draft Planning Obligations Strategy 2013.

### **Electoral Division(s) and Member(s) Affected**

All



# **Planning Obligations Strategy**

## **Consultation Responses**

**December 2013**

Name	Paragraph	Comments	Change Required ?	Response
Gedling Borough Council	1.1	Include definition of 'infrastructure' from CIL regulations.	Y	Accepted: A definition of infrastructure will be included within the introduction as follows: <i>“Infrastructure is defined as: (a) roads and other transport facilities; (b) flood defences; (c) schools and other educational facilities; (d) medical facilities; (e) sporting and recreational facilities; (f) open spaces; and (g) affordable housing”</i>
Gedling Borough Council	1.4	Identify how details of the changes will be publicised.	Y	Accepted: A further to sentence will be included as follows: <i>“These revisions will be set out on the County Council's website”</i>
Gedling Borough Council	7.7	Include further information as to how the 'claw-back' clause is expected to work.	Y	Accepted: A further sentence will be included in paragraph 7.7 as follows: <i>“The methods for this will differ on a case by case basis however, for most cases, the developer will be expected to provide financial information for the particular development to the local authorities and will be liable for all costs incurred by the Councils in assessing any viability report or development account.”</i>
Gedling Borough Council	8.2	Unclear as to who will be recharged for the legal work undertaken by the	Y	Accepted: The County Council will seek to charge the relevant developer for the

Name	Paragraph	Comments	Change Required ?	Response
		County Council.		legal costs incurred and as such the sentence will be amended to read: "...will recharge <i>the developer</i> its legal costs..."
<b>Gedling Borough Council</b>	8.4	It would be useful to provide developers more certainty over what is considered a 'strategic housing site' and what any higher charge may be.	Y	Accepted: A footnote will be included to clarify a 'strategic housing site'. This will be: "A major strategic housing site is defined as a site which is likely to yield in excess of 500 dwellings"
<b>Gedling Borough Council</b>	Appendices	The new National Planning Practice Guidance will need to be referred to in the final version.	Y	Accepted: A further paragraph will be included within Section 5 (Planning Policy Context) which highlights the emerging National Planning Practice Guidance.
<b>Gedling Borough Council</b>	Archaeology Provision	It would be useful to provide a map of where the sensitive areas are or identify where this can be accessed.	Y	Accepted: Reference to the County Council's Historic Environment Record (HER) will be made and details on where this can be accessed will be incorporated.
<b>Gedling Borough Council</b>	Education Provision	The Gedling Borough Council Regulation 123 list is current being consulted on. This includes secondary education provision associated with Top Wighay Farm.	N	Information noted.
<b>Gedling Borough Council</b>	Education Provision	It is noted that on development solely for flats/apartments, that 1 bedroom flats are exempted from the education provision contribution as children will not occupy 1 bedroom flats. This suggests that	N	The County Council discount 1 bedroom units in developments that are solely apartment dwellings due to the high density and the understanding that these units are usually less attractive to families. However, children do live in apartments,

Name	Paragraph	Comments	Change Required ?	Response
		<p>where there is a mix of houses and flats/apartments that 1 bedroom flats will be required to contribute to the education provision. It is considered to be consistent to exclude 1 bedroom flats from the education contribution on all developments.</p>		<p>including, where the necessity arises, in 1 bed units.</p> <p>The formula for calculating the additional 21 primary/16 secondary pupils arising from new developments is based on mixed developments of 100 dwellings. This includes all types of dwellings, 1 bedroom dwellings , bungalows, flats etc.</p> <p>The County Council do not discount 1 bed homes on mixed developments. If 1 bed dwellings are removed from the calculation it would increase the number of pupils from the remaining dwellings resulting in a higher pupil ratio per remaining dwelling thus cancelling out any discounting from 1 bed units.</p>
<b>Gedling Borough Council</b>	Library Provision	<p>It would be useful if the size of existing libraries and their catchments could be identified to allow an assessment of where there is a capacity issue.</p>	N	<p>The County Council do not feel that identifying the current sizes of existing libraries, their catchments and capacities within the Strategy is appropriate as this information could change over time.</p>
<b>Gedling Borough Council</b>	Library Provision	<p>It is noted that the IDP prepared for the Aligned Core Strategy only identifies a need for library provision in association with the RAF Newton site in Rushcliffe.</p>	N	<p>Information noted.</p>

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<b>Gedling Borough Council</b>	Natural Environment	It would be useful to be explicit about the Biodiversity Offsetting project and how this would work as part of the Obligations Strategy.	N	The County Council has been selected as one of the six pilot areas nationally to trial biodiversity offsetting. As this is still a pilot project, the County Council feel that an inclusion at the stage would be inappropriate.
<b>Gedling Borough Council</b>	Natural Environment	It would be useful to provide a map of where sensitive areas are or identify where this information could be accessed.	Y	Accepted: Reference to where this information can be obtained will be incorporated.
<b>Gedling Borough Council</b>	Transport	It is noted that the integrated transport measures can be pooled. CIL Regulations will in future limit the number of contributions that can be pooled.	N	Information noted.
<b>Gedling Borough Council</b>	Transport	It would also be useful to include a table as has been done for other matters where contributions are sought although it is acknowledged that the level of detail will be limited given the site specific nature of transport contributions.	N	All developments will result in the generation of movement and each of these will be individual in nature and depend on the capacity of the existing transport network, as such one approach which meets most requirements cannot be identified.
<b>Gedling Borough Council</b>	Waste Management	Given the small number of HWRCs there may be issues related to the future restrictions on pooling S106 agreements.	N	Information noted.
<b>Home Builders Federation</b>	General	As Nottinghamshire County Council are not responsible for local plan	N	The County Council works closely with the relevant determining planning

Name	Paragraph	Comments	Change Required ?	Response
		<p>making or the determination of submitted residential planning applications nor a CIL charging authority, the County Council is dependent on the LPAs within Nottinghamshire negotiating on their behalf for developer contributions towards the infrastructure and services. At a time when the economy is only just beginning to recover from recession, this places increasing strain on LPAs to distribute the limited financial resources available between local requirements such as affordable housing and County Council infrastructure and services. Under this juxtaposition of responsibilities, it is the LPAs rather than the County Council to determine the developer contributions sought.</p>		<p>authority through negotiations at a District/Borough level.</p> <p>The strategy makes clear in Section 2 that it has no statutory status and sets out a statement of Council policy which provides developers with potential costs that may be relevant for proposed developments at an early stage. The Strategy provides a guide to Local Planning Authorities and Developers to commence discussions on a site by site basis for the services and infrastructure that the County Council provides.</p> <p>The National planning Policy Framework is explicit in terms of 'Sustainable' development which includes ensuring that sufficient infrastructure i.e. school places, highway infrastructure etc. are in place.</p>
<p><b>Home Builders Federation</b></p>	<p>General</p>	<p>It should also be noted that the NPPF requires LPAs to set out policies and standards in adopted Plans and it is inappropriate to seek to introduce increased costs in a Supplementary Planning Document (SPD). Paragraph 153 of the NPPF</p>	<p>N</p>	<p>The Planning Obligations Strategy is not a Supplementary Planning Document and as stated in the previous response (above) the strategy makes clear that it has no statutory status.</p> <p>The County Council works closely with</p>

Name	Paragraph	Comments	Change Required ?	Response
		<p>specifically states “SPDs should not be used to add unnecessarily to the financial burdens on development”. Paragraphs 173 and 174 of the NPPF require that such policies and standards are viability tested. This viability testing also applies to CIL charging schedules. The Nottinghamshire County Council Planning Obligations Strategy cannot bypass this process of viability testing. Therefore the costs proposed in the Strategy must be incorporated into the Local Plans or CIL 123 Lists of the LPAs in Nottinghamshire.</p>		<p>District/Borough Councils within Nottinghamshire to aid the preparation of Infrastructure Delivery Plans which support Local Plan preparation and are fully tested for their viability.</p> <p>The Strategy provides a context to enable negotiations on a site by site basis and as such the County Council, where it requires contributions to be made, would expect to be party to any discussions/ negotiations at an early stage of the process. The Strategy recognises current viability issues associated with some developments and allows for this eventuality in Section 7 of the document.</p>
<b>Alliance Planning</b>	General	<p>The National Planning Policy Framework and the legal framework in respect of the Community Infrastructure Levy (CIL) do not make provision for an Obligation Strategy. The 'viability testing for a local plan - advice for planning practitioners' published by the Local Housing Delivery Group (2012) also reinforces the matter of viability in both national policy and CIL. Policies seeking a financial</p>	N	<p>The strategy makes clear in Section 2 that it has no statutory status and sets out a statement of Council policy which provides developers with potential costs that may be relevant for proposed developments at an early stage. The Strategy provides a guide to Local Planning Authorities and Developers to commence discussions on a site by site basis for the services and infrastructure that the County Council provides.</p>

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		<p>contribution need to be compliant with the CIL Regulations and to have been properly tested through examination and robustly assessed for viability in conjunction with all other costs imposed by policy. This exercise is clearly absent and the resultant document can have no material weight attached.</p>		<p>The County Council works closely with District/Borough Councils within Nottinghamshire to aid the preparation of Infrastructure Delivery Plans which support Local Plan preparation and are fully tested for their viability.</p> <p>The Strategy provides a context to enable negotiations on a site by site basis and as such the County Council, where it requires contributions to be made, would expect to be party to any discussions/ negotiations at an early stage of the process. The Strategy recognises current viability issues associated with some developments and allows for this eventuality in Section 7 of the document.</p>
<p><b>Alliance Planning</b></p>	<p>General</p>	<p>The strategy sets out the context of financial contributions proposed to be collected from developers under Section 106 Agreements and CIL. It is noted that at para 6.5 of the strategy that the County Council is referred to as the 'collecting authority' in receiving CIL monies charged by a local authority in order to fund strategic infrastructure and services. Under the provisions of the</p>	<p>N</p>	<p>The Strategy, in paragraph 6.5, states that the County Council <u>can be</u> a collecting authority. The strategy does not distinguish between District and County planning applications.</p> <p>The Planning Obligations Strategy is not a Supplementary Planning Document and as stated in the previous response (above) the strategy makes clear that it has no statutory status.</p>

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		CIL Regulations 2010, the statutory definition of a 'collecting authority' is explicit and as such the County Council would only be a collecting authority in respect of County applications. Also, The document is contrary to the provisions of paragraph 153 of the NPPF.		
<b>Alliance Planning</b>	General	Paragraphs 173 & 174 of the NPPF require that policies and standards are viability tested. We note the absence of any viability testing of the proposed financial contributions set out in Appendix 1-8 of the strategy documents. The strategy does therefore not comply with the provision of the NPPF and the document does not carry the status which the County seek to place on it. It has no proper role in the current Local Development Framework Structure.	N	<p>As stated above, the Strategy provides a context to enable negotiations on a site by site basis and as such the County Council, where it requires contributions to be made, would expect to be party to any discussions/ negotiations at an early stage of the process. The Strategy recognises current viability issues associated with some developments and allows for this eventuality in Section 7 of the document.</p> <p>The County Council works closely with District/Borough Councils within Nottinghamshire to aid the preparation of Infrastructure Delivery Plans which support Local Plan preparation and are fully tested for their viability.</p>
<b>Mansfield District Council</b>	Viability	Where viability is considered a contentious issue and an	N	The Strategy provides a context to enable negotiations and as such the County

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		<p>independent assessment is required, where contributions are sought by the County Council, will they share the cost of assessment if it has to be undertaken by the District Valuer on the instruction of the District Councils? Where viability is proven as an issue, how would the County Council expect the contribution received to be divided between the competing identified needs?</p>		<p>Council, where it requires contributions to be made, would expect to be party to any discussions/ negotiations at an early stage of the process.</p>
<p><b>Mansfield District Council</b></p>	<p>Implementation Monitoring &amp; Legal Charges</p>	<p>Where a none specific charge is made, it would be good practice for a schedule of charges to be published to give developers an idea of what he might expect. A fixed fee would be easier for developers to understand when working out their costs and this should be considered. Confirm in the document that it is the developer who will pay NCC legal costs. Where the admin charges exceed the £300 as it is a major complex development, again to give certainty of costs to the developer it may be advantageous to set out the formula for calculating these costs unless it</p>	<p>Y</p>	<p>Partially accepted: The County Council will seek to charge the relevant developer for the legal costs incurred and as such the sentence will be amended to read: "...will recharge <i>the developer</i> its legal costs incurred in agreeing planning obligations <i>for its services</i>, these..."</p> <p>As legal costs incurred are individual in nature the County Council do not feel that it would be appropriate to set examples out in this Strategy.</p>

Name	Paragraph	Comments	Change Required ?	Response
		<p>is set by a % of the required contributions. The District Councils also charge monitoring/ admin fees and the document should be clear in that only NCC contributions are covered by these fees and District fees are additional.</p>		
<p><b>Mansfield District Council</b></p>	<p>Education Provision</p>	<p>The point in time that the assessment is made will need to be clearly set out. I understand the current strategy bases the need on the date of commencement of the development, which currently causes issues and will create difficulties of monitoring for yourselves. For example, if you have more that one site in the same school catchment area that commence development within a day or so of each other, who will have to pay the contribution? Where it is demonstrated that there is capacity in the local school for some children and there remains such during the processing of a number of applications in the catchment area? How will it be justified to developers that they will be required to make a contribution? It is</p>	<p>Y</p>	<p>Partially accepted: A further paragraph will be included which explains at what point the requirement is calculated i.e. during the planning application process and subsequently the costs will be index linked.</p> <p>Once a development receives planning approval then this is taken into account when calculating capacities within the local schools, therefore, if another planning application is received in the same catchment area then the cumulative impacts (including previously agreed requirements) will be considered.</p>

Name	Paragraph	Comments	Change Required ?	Response
		considered that these issues need to be given full consideration and a defensible position as to how it will be considered set out in the strategy.		
<b>Mansfield District Council</b>	Education Provision	Developers have used data published on the Dept of Education EDUBASE website to contest contributions, having examined this and confirmed that it is not a true reflection of the position, it is considered the data needs to be regularly updated to reduce the number of challenges. It is appreciated that this might be outside the LEA control but the appropriate body should be lobbied to ensure this happens. Alternatively you may want to discount the use of this source in your document explaining that up to date data can only be provide by yourselves.	Y	Accepted: A further paragraph will be included which directs developers to the County Council to ensure that the most up-to-date information is utilised.
<b>Mansfield District Council</b>	Education Provision	The County Council should produce/publish a school development strategy taking into account the District Council's housing projection and development sites/ commitments, to support any	N	It is considered that this is not appropriate to be incorporated within this Strategy. The County Council works closely with District/Borough Councils within Nottinghamshire to aid the preparation of Infrastructure Delivery Plans which

Name	Paragraph	Comments	Change Required ?	Response
		contribution requests and help developers understand what development will have to contribute towards.		support Local Plan preparation.
<b>Mansfield District Council</b>	Education Provision	In the 7th para. of education provision, reference is made to “suitable alternative provision” what does this mean?	Y	Accepted: The final part of the sentence is misleading and such it is proposed that it will be deleted, with the paragraph reading as follows: “will raise objections to the development.”
<b>Mansfield District Council</b>	Library Provision	The LPA have concern that this requirement would not be seen as being key or necessary to allowing a development to proceed and feel it would be potentially draw resources from more critical area such as Education and affordable houses. It is also considered that it would be difficult to produce evidence to justify the need for library for individual developments.	N	Comments noted.
<b>Mansfield District Council</b>	Natural Environment	There is a lack of clarity in relation to the natural environment approach and I believe that whilst we may well work in partnership with NCC and others to bring forward such schemes, the prime responsible body is the District Council not the County.	N	The County Council acknowledges the responsibilities of the District/Borough Council on this matter, however, feel that it is appropriate that the natural environment is incorporated into the Strategy to highlight the importance of this matter.

Name	Paragraph	Comments	Change Required ?	Response
<b>Mansfield District Council</b>	Transport	Measures to support sustainable transport are welcomed, but each site needs to be considered on its own merits with full justification and details, and again the District Council would wish to see appropriate strategies to support requests for transport contributions. To do otherwise would be seen as being contrary to the statutory test of being “directly related to the development” para. 5.2 of the document.	N	<p>All developments will result in the generation of movements and each of these will be individual in nature and depend on the capacity of the existing transport network.</p> <p>The Local Transport Plan for Nottinghamshire , prepared by the County Council, addresses this issue in more detail and sets out specific projects/ requirements.</p>
<b>Mansfield District Council</b>	Waste Management	It is considered that the Waste Management requirement maybe difficult to justify as very little is explained at Appendix 7. Essentially more than 10 dwellings may or may not require an unknown contribution although then it says that there will be no Threshold?	Y	Accepted: It is proposed to remove the last row of the table.
<b>Mansfield District Council</b>	General	The districts will require the County to clearly set out what any contributions requested will be used for and how they have been calculated in respect of the development to which they relate.	N	Paragraph 1.3 of the draft strategy is clear that the County Council ‘will provide a detailed justification/explanation of any contributions it seeks’.

Name	Paragraph	Comments	Change Required ?	Response
		<p>This is an area LPA's are often challenged on by developers who can require full details so they can check these requirements meet all the tests. It would be useful to clarify that this will be the case in the final document to give confidence to developers only necessary contributions are being sought and can be justified.</p>		
<b>Mansfield District Council</b>	General	<p>In light of the County Councils role in respect of Health issues and new drainage responsibilities should there be elements included to improve/provide additional facilities in these areas.</p>	Y	<p>Accepted: Issues relating to both Health and flood risk/drainage will be incorporated into the document.</p>
<b>Newark &amp; Sherwood District Council</b>	Section 5	<p>Section 5 of the document sets out the planning policy context for the strategy and includes reference to the 3 tests for seeking contributions which are set out within National Planning Policy. These are also contained with Regulation 122 of the CIL Regulations therefore, for clarity and completeness, it is suggested that a cross reference to this regulation be included.</p>	Y	<p>Accepted: A reference to the CIL Regulations will also be included for clarity.</p>
<b>Newark &amp; Sherwood District Council</b>	Section 6	<p>Section 6 of the document provides information about the Community</p>	Y	<p>Accepted: Paragraph 6.4 will be amended as follows:</p>

Name	Paragraph	Comments	Change Required ?	Response
		<p>Infrastructure Levy (CIL) and its relationship with Section 106 agreements. It is acknowledged that paragraph 6.4 makes reference to the Government's aims to limit the pooling of S106 agreements. However there does not appear to be any recognition of the principal problem for planning obligations going forward - namely the 5 obligation restriction from 2015 (the amendment which is expected to be included in the forthcoming CIL Amendment Regulations) or when a local CIL Charging Schedule comes into effect and how the drafting of infrastructure specific obligations will need to be addressed to overcome this. To address this, amendments to paragraph 6.4 are put forward for consideration.</p>		<p>“... in general. The Government aims to limit the pooling of Section 106 contributions to no more than 5 obligations for individual items or projects of infrastructure, with the aim that CIL should fulfil this role, leaving Section 106 monies for more local and site specific measures. To ensure compliance with these limitations the County Council will seek to ensure that requests for obligations are as project specific as possible. Where CILs are in place, requests ...”</p>
<p><b>Newark &amp; Sherwood District Council</b></p>	<p>Paragraph 7.7</p>	<p>Paragraph 7.7 refers to “clawback”; the District Council seeks clarification on this matter to confirm if this relates to the issue of Contingent Deferred Obligations as set out in the District Council’s draft Developer Contributions and Planning</p>	<p>Y</p>	<p>Partially accepted: The County Council will seek to be party, in any legal agreement, to ‘overage’ where its full requirements have not been met. However, the additional text suggested will be included at the end of the paragraph to provide clarity for differing circumstances as follows:</p>

Name	Paragraph	Comments	Change Required ?	Response
		<p>Obligations SPD at paragraphs 6.19 to 6.20. In any event it is agreed that Contingent Deferred Obligations may be appropriate on larger sites where the economic situation may improve before development takes place. However, this will be undertaken as part of the Councils' negotiations with the developer. As such an amendment is therefore suggested in place of the second sentence of paragraph 7.7.</p>		<p><i>“For larger scale developments where some degree of phasing is likely, it may be that whilst full policy requirements cannot be met at the time when any Viability Assessment is undertaken, positive changes in market circumstances over time may allow additional contributions to be made whilst maintaining the economic viability of development. The County Council will work with Local Authorities in seeking to achieve such Contingent Deferred Obligations, when the County Council’s full request for developer contributions is not accepted.”</i></p>
<p><b>Newark &amp; Sherwood District Council</b></p>	<p>Paragraph 8.3</p>	<p>Para 8.3 refers to the administration and monitoring of S106 agreements. As set out in the District Council’s draft Developer Contributions and Planning Obligations SPD at paragraphs 7.1 to 7.6, the District Council has already indicated that it will be undertaking such monitoring and charging accordingly. There is some concern that if the County Council undertake the same tasks and make similar charges this would lead to duplication and double</p>	<p>Y</p>	<p>Accepted: The following text will be included at the end of the first sentence in paragraph 8.3:</p> <p><i>“...outstanding payments where this is not being undertaken by the relevant District or Borough Council. The charge will be ...”</i></p>

Name	Paragraph	Comments	Change Required ?	Response
		counting. The District Council will share the relevant monitoring information with the County Council and therefore suggest amendments to the paragraph would be appropriate.		
<b>Newark &amp; Sherwood District Council</b>	Appendix 2	Appendix 2 sets out the County Council's proposed approach to education contributions. On page 15 it notes that pupil projections are revised annually on the 1 <sup>st</sup> November. In your response to the Draft Newark & Sherwood Developer Contributions & Planning Obligations SPD you noted ' <i>Pupil projections are revised annually xxxxxxxx (3rd bullet point at bottom of page 18 and 19). This date is changing. I have contacted the Data Management section for a revised date, but have not received a response in time for today's deadline.</i> ' In response to this comment, we have removed the date to say that this is updated annually.	N	Information noted.
<b>Newark &amp; Sherwood District Council</b>	Page 15	'How the costs are calculated and what are they?' refers to cost per school for both primary and	N	The County Council do not consider that it would be appropriate to include a cost per dwelling figure as this could cause

Name	Paragraph	Comments	Change Required ?	Response
		secondary education and notes that the DfE figures can be translated into standard costs per dwelling. It may be of benefit to include the cost per dwelling figure within the document.		confusion in the first instance but also will be dependent on the type of development as not all developments will generate a requirement i.e. 1 bedroom apartments.
<b>Newark &amp; Sherwood District Council</b>	Page 18	It is noted that in the penultimate bullet point on Page 18 it refers £19.150. It is assumed that this should read £19,150.	Y	Accepted: The figure quoted will be amended to £19,150.
<b>Newark &amp; Sherwood District Council</b>	Appendix 6	Appendix 6 sets out the approach that will be taken in respect of contributions towards transport. The 3 <sup>rd</sup> paragraph refers to the pooling of contributions to fund transport improvements. Based on the above comments about the restrictions on pooling of contributions, an amendment is put forward for inclusion at the end of paragraph 3 on page 23	Y	Accepted: The suggested text will be incorporated into the strategy at the end of the third paragraph in Appendix 6 as follows:  <i>'Where such pooling is proposed, the County Council will monitor the signed agreements to ensure that obligations sought are in accordance with the CIL Regulation 123 (limitations on use of planning obligations) and which are set out in paragraph 6.4.'</i>

## APPENDIX A