

REPORT OF CHAIRMAN OF COMMUNITIES AND PLACE COMMITTEE**COUNTY COUNCIL PLANNING OBLIGATIONS STRATEGY - 2018 UPDATE****Purpose of the Report**

1. To adopt the updated version of the Planning Obligations Strategy (attached as Appendix A).

InformationBackground

2. The County Council's Planning Obligations Strategy which was last adopted in April 2014, sets out the approach the County Council will take in seeking planning obligations to mitigate the impacts of new development on Council services when it is consulted on planning applications by District / Borough Councils in Nottinghamshire. The Strategy also aims to help developers understand at the earliest stage what type and level of planning obligations may be necessary so that relevant costs can be factored into development appraisals.
3. Following a period of public consultation on a Draft Update, during which fifteen organisations and individuals provided a number of comments on various aspects of the strategy, the Planning Obligations Strategy has been amended to take account of changes considered necessary. The key changes which have been made following the public consultation are as follows:
 - a. Changes to the "tone" of the document which recognises the need to demonstrate robustly why obligations are necessary and to reflect the fact that the District Council is the deciding authority in the majority of cases;
 - b. Amendments to the section relating to the request for information relating to viability issues to clarify the approach taken;
 - c. Amendments to the section on education arising from further consideration and dialogue with County Council pupil place planning officers;
 - d. Amendments to the section on transport arising from dialogue and comments from the County Council highways and transport officers
4. At its meeting on 19 July 2018, Communities and Place Committee endorsed the Planning Obligations Strategy 2018 Update and resolved that it be considered by Policy Committee for adoption as Council policy.
5. Once adopted, the Strategy will be published on the County Council's website and the District / Borough Councils within Nottinghamshire will be notified accordingly, along with those organisations who submitted a response to the consultation. The Planning

Obligations Practitioner will discuss the Strategy with District/ Borough councils to ensure that the County Council's approach is understood.

6. As it will be published online, the 2018 update will be amended where needed to reflect where new information becomes available in respect of technical data such as building cost information or costs per pupil place.
7. When it is considered that the Strategy itself requires further revision, a report will be made to the Communities and Place Committee to seek approval to consult on proposed changes.

Other Options Considered

8. The other option would be to continue to use the existing Strategy which was adopted in April 2014, rather than adopt an updated version. This is not considered appropriate because the strategy will increasingly not comply with national planning policy which has developed further since the document was produced. Some of the cost information for calculating contributions will be out of date which would lead to insufficient sums being collected to deliver the infrastructure which is required.

Reason/s for Recommendation/s

- 9 To ensure that the County Council continues to be in a strong position to secure the physical and financial contributions for infrastructure which are required to mitigate the impact of development;
- 10 To ensure that the Planning Obligations Strategy remains up to date and appropriately worded to help set out the County Council's approach to planning obligations.

Statutory and Policy Implications

11. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Data Protection and Information Governance

12. Advice has been sought from County Council colleagues to ensure that the Planning Obligations Strategy remains relevant. Along with this approach, the activities proposed in the Planning Obligations Strategy will continue to adhere to all relevant data protection legislation and internal County Council protocols.

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 as required.

Public Sector Equality Duty implications

14. The updated Planning Obligations Strategy sets out the approach that the County Council will use to securing infrastructure to mitigate the impacts of development and which will be accessible to all members of the community in which this infrastructure is located.

RECOMMENDATION

- 1) That the updated version of the Planning Obligations Strategy as attached at appendix A, be adopted as Council policy to replace the Planning Obligations Strategy – April 2014
- 2) That authority be delegated to the Corporate Director of Place to update, where appropriate, the online version of the Strategy to capture any subsequent new technical information (for example, cost information), with any material updates submitted to Policy Committee for approval.

Councillor John Cottee
Chairman of Communities and Place Committee

For any enquiries about this report please contact: Andrew Norton, Developer Contributions Practitioner, 0115 993 9309

Constitutional Comments (SLB 23/08/2018)

Policy Committee is the appropriate body to consider the content of this report

Financial Comments

The financial implications are set out in paragraph 13 of 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.

- None

Electoral Division(s) and Member(s) Affected

- All