

## 106 Recommendations

Number	Recommendation:
RA1.	<b>Set up a corporate working group to consider the Lancashire Policy Paper and decide whether and how the Individual Methodologies within it are to be applied in Rossendale and, in general terms, what priorities are to be applied.</b>
RA2.	<b>Develop and adopt specific interim policies for those priority issues which are within the Council's remit, especially affordable housing and public open space, based on current housing needs assessments and open space standards.</b>
RA3	<b>Revise the Local Development Scheme to include a Supplementary Planning Document on Planning Obligations.</b>
RA4.	<b>Identify and collect the evidence required to justify claimed impact of development and to support up to date methodologies for the calculation of appropriate contributions for priority issues within the Council's remit.</b>
RA5.	<p><b>Develop, Local Development Framework policy and a Supplementary Planning Document on Planning Obligations which is selectively based on the Lancashire Policy Paper and includes:</b></p> <ul style="list-style-type: none"> <li>• <b>A comprehensive and justified list of all infrastructure and services for which contributions may be sought, taking into account the desirability of using planning conditions instead where possible.</b></li> <li>• <b>General priorities for the request of such contributions, recognising that these may vary in specific circumstances.</b></li> <li>• <b>Justified and explained thresholds for when contributions will be sought.</b></li> <li>• <b>Formulae and standard charges and the assumptions and evidence used to determine them.</b></li> <li>• <b>Relevant cost indices to cover increases in cost over time</b></li> <li>• <b>Circumstances where unilateral undertakings and Grampian conditions requiring a subsequent section 106 agreement will be used.</b></li> <li>• <b>Standard heads of terms, clauses and definitions.</b></li> <li>• <b>Clear, step-by-step guidance for developers on procedure.</b></li> <li>• <b>Provision for any unspent contributions to be returned if the infrastructure is not brought forward and whether or not it will attract an interest payment.</b></li> </ul>

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Number	Recommendation:
RA6	Establish a Development Team (either actual or virtual) which will consider and agree the priorities to be applied for a particular major planning applications, including immediate impacts which might not be covered by policy and local improvement projects.
RA7	Establish a policy and procedure which requires developers claiming that proposed contributions would make a scheme unviable to produce a site viability appraisal and to pay for the costs of an external specialist to carry out an independent review of the appraisal, for consideration by the Development Team.
RB1	Identify the lead officer for planning obligations and all link officers both within and outside the council who need to be involved in decisions on policy, procedures and individual applications.
RB2	Establish a working party, involving these link officers as appropriate, to carry out a process mapping exercise of current procedures and identify process improvements.
RB3	Set out proposed processes and procedures in a Code of Practice which can be attached as an appendix to the SPD and which includes an indicative timetable and milestones for completion of a section 106 agreement, including pre-application discussions.
RB4	Link this to improved project management systems for the handling of major planning applications and to the preparation of guidance for applicants for major development.
RB5	Carry out a skills audit and identify how any gaps in skills (whether qualitative or quantitative) are to be filled, i.e. in-house or by third parties. Also consider potential for joint working arrangements with adjoining local authorities.
RB6	Provide training and mentoring for staff and Development Control Committee members in the role and handling of planning obligations to cover: <ul style="list-style-type: none"> <li>• technical and legal knowledge;</li> <li>• negotiation skills ;</li> <li>• aspirations and quality;</li> <li>• office management.</li> </ul>
RB7	Establish a service level agreement, protocol and/ or outsourcing contract with a legal service supplier to support the process.

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Number	Recommendation:
RB8	Introduce database of precedent 106 agreements.
RC1	Make the Code of Practice and the Supplementary Planning Document on Planning Obligations available on the council's web-site, as well as in hard copy at the planning offices and in libraries.
RC2	Incorporate key elements of them into a guide for applicants for major development.
RC3	Encourage applicants of very large or controversial schemes to involve the public prior to a planning application being made.
RC4	Produce summary leaflets for general public consumption setting out planning obligations policy and procedures, together with how applications for major development are handled.
RC5	<p>Provide information in a standard format in a committee report and/or on the web-site which sets out on a quarterly or half-yearly basis:</p> <ul style="list-style-type: none"> <li>• number and broad content of planning agreements;</li> <li>• projects supported by planning obligations in different service areas;</li> <li>• value of facilities secured through planning obligations;</li> <li>• amount of money outstanding or committed to projects.</li> </ul>
RC6	Review and improve customer care, complaints and access to information systems as part of a wider corporate reform.
RD1	Evaluate the options for establishing a monitoring role, e.g. including it in the job description of the Section 106 agreement lead officer or establishing it as part of a lower tier post within planning, finance or legal sections.
RD2	Carry out an urgent review of filing and information systems in relation to planning obligations and implement improvements
RD3	Set up a small time-limited working group to design and agree an Excel/ Access based monitoring system

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<b>Number</b>	<b>Recommendation:</b>
RD4	Review the financial systems to ensure they conform with best practice
RD5	Establish regular or half-yearly, monitoring reports to Committee, to be available on the web-site
RD6	Establish an inter-departmental group (planning, legal, finance, housing and leisure) which meets regularly to monitor progress on implementation and expenditure, to take action to ensure funds are spent before expiry date and to review standard charges and documents annually
RD7	Set up a regular agents' forum (if not already in place) and ensure it considers planning obligations policy and practice on an annual basis.