

CARLISLE CITY COUNCIL

Report to:- Carlisle City Council

Date of Meeting:- 11 September 2007

Agenda Item No:-

Public

Title:- SECTION 106 AGREEMENTS AND PUBLIC OPEN SPACE

Report of:- DIRECTOR OF COMMUNITY SERVICES

Report reference:- CS 70/07

Summary:-

At its meeting on 28 August the Executive considered report CS 52/07 which set out proposals to update section 106 planning agreements in respect of public open space and play areas. A copy of the report is appended.

Recommendation:-

The Executive recommends to the City Council:-

1. That the methods of calculating developers Section 106 contributions in relation to Public Open Space (POS) set out in Report CS 52/07 should be adopted as standard procedure;
2. That the procedure for adoption of public open space by the Council as set out in Report CS 52/07 should also become the standard procedure;
3. That the threshold of 40 housing units before any contributions are required should be abolished and that every development should be eligible to contribute towards Open Spaces. The 40 unit threshold would be retained for the specific provision of on-site play areas, but would be kept under review;
4. That the maintenance period for calculating commuted sums, currently set at 10 years, should remain in place for the time being, but should be kept under review;
5. That funds received from developers should be held in individual, identifiable accounts to provide full accountability to the contributor.

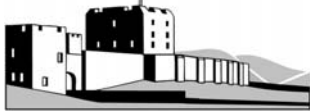
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M Battersby

Director of Community Services

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: CS 52/07



REPORT TO EXECUTIVE

PORTFOLIO AREA: Environment & Infrastructure

Date of Meeting: 28th August 2007

Public

Key Decision: Yes

Recorded in Forward Plan:

No

Outside Policy Framework

Title: Section 106 Agreements in relation to public open space (POS) and play areas (revised draft)

Report of: Directors of Community Services/Development Services

Report reference: CS 52/07

Summary:

The revised report incorporates the comments of Members and officers, received via Executive, Overview & Scrutiny and Development Control committees. A complementary report by Planning Services includes a range of Section 106 obligations, and the two reports have been assimilated to produce a corporate approach.

This report brings forward the public open space elements of Section 106 policy, as the two Directors are of the view that the Council should adopt this without delay. Other elements of Section 106 (highways, infrastructure) require further consultation with external agencies and will come back to Executive at a future date.

Recommendations:

1. That the methods of calculating developers' Section 106 contributions in relation to public open space (POS) set out in this document should be adopted as standard procedure.
2. That the procedure for adoption of POS by the Council as set out should also become the standard procedure.
3. That the threshold of 40 housing units before any contributions are required should be abolished and that every development should be eligible to contribute towards open spaces, irrespective of the housing type. The 40 unit threshold will be retained for the specific provision of on-site play areas, but will be kept under review.
4. That the maintenance period for calculating commuted sums, currently set at 10 years, should remain in place for the time being but should be kept under review.
5. That funds received from developers should be held in individual, identifiable accounts to provide full accountability to the contributor.

Contact Officer: Phil Gray

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Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: None

1. BACKGROUND INFORMATION AND OPTIONS

New development often creates a need for additional or improved community services and facilities, without which there could be a detrimental effect on local living conditions and the quality of the environment. Planning obligations are the mechanism by which measures are secured to enhance the quality of both the development and the wider environment.

The Council can seek works and contributions for a range of infrastructure and this report concentrates on:

- recreational facilities provision (including formal and informal play space, sports provision, and public open space enhancements)
- maintenance payments (relating to obligations for the provision of recreational facilities)

The process can be complex and, particularly in the light of the timetables for determining planning applications, it is recognised that there is a need to put in place a more formal, consistent and transparent system for calculating and negotiating such requirements. The content of this report will eventually be included in a Guidance Note to provide clarity for developers, Council members and local residents on the approach to be adopted.

2. POLICY CONTEXT

a) National Policy Context

The legislative framework for planning obligations is set out in Section 106 of the Town & Country Planning Act 1990, as amended by Section 12 of the 1991 Planning and Compensation Act.

Planning Policy Guidance 17 (PPG17), 'Planning for Open space, Sport and Recreation' places the emphasis on local authorities to set their own standards for provision of public open space and the different categories that apply. It also requires local authorities to produce clear guidance for developers who may be required to contribute to open space provision and the associated revenue costs.

Further guidance is contained in PPS1 (Delivering Sustainable Development), and detailed advice into the use of planning obligations is set out in Office of the Deputy Prime Minister (ODPM) Circular 05/2005 (Planning Obligations). Circular 05/2005 sets out the following tests that must be satisfied in order for obligations to be required:

- the obligation must be necessary to make the proposed development acceptable in planning terms;

- the obligation must be relevant to planning;
- the obligation must be directly related to the proposed development;
- the obligation must be fairly and reasonably related in scale and kind to the proposed development;
- the obligation must be reasonable in all other respects.

Circular 05/2005 advises that Local Planning Authorities should include high level planning obligations policies in their Local Development Frameworks, with the detail being set out in a Supplementary Planning Document.

PPS1 requires Planning Authorities to ensure that social inclusion, economic development, environmental protection and the prudent use of resources are at the forefront of policy making and implementation.

a. Local Policy Context

The justification for requiring obligations in respect of Recreational Facilities is set out in policies L8 and L9 of the Carlisle District Local Plan, and, policies LC2 and LC4 of the Local Plan 2001-2016.

Policy LC2 makes provision for the protection of Primary Leisure Areas and sets standards for recreational open space provision of a range of types of open space.

- 3.6ha of land per 1,000 population of informal and formal grassed, wooded or landscaped land, and small amenity areas of public open space;
- 1.86ha of playing pitches per 1,000 population;
- all dwellings should be within 3km of an open space of at least 20ha which provides general facilities for recreational activity within a landscaped setting
- all dwellings should be within 1km of an open space between 5 and 20 ha which provides general facilities for recreation provision within a landscaped setting
- all dwellings should be within 400 metres of an open space of between 2 and 10ha which caters for informal recreational needs
- all dwellings should be within 200 metres of a small formal or informal open space between 0.2 and 2 ha that is suitable for informal use and has high amenity value.

Where a shortfall of provision exists per ward, new development may be required to contribute to an increase in provision, either on or off site.

Development of new family housing is required under Policy LC4 of the Local Plan to make provision for children's play and recreation areas.

Policy IM1 of the Local Plan 2001-2016 (Redeposit Draft) makes the general provision for planning obligations:

“ The Council will consider the use of planning obligations (S106 agreements) in order to provide for local or community needs relevant to the proposed development as set out in other policies of this Plan. Planning obligations will cover a number of issues such as affordable housing, recreational space, art, transport/traffic improvements, community facilities, archaeology, amenity space/landscaping, and crime and disorder measures.”

The City Council’s activities are guided by the objectives and priorities set out in the Corporate Plan that focuses on key challenges such as the promotion of sustainable development, social inclusion and the renewal of the City’s deprived neighbourhoods.

Other internal documents that have a bearing on this issue are the Play Policy & Strategy (draft) and the Green Spaces Strategy (in preparation).

3) CITY COUNCIL APPROACH

a) Thresholds

Previous policies have sought to establish a threshold of 40 residential units, below which there was no obligation on developers to contribute to provision or maintenance of POS. This report seeks to abolish that threshold, so that contributions may be sought on all residential developments irrespective of number of units or housing type. However, the 40 unit threshold is included in the Local Plan (Redeposit Draft) currently undergoing its Public Inquiry with specific reference to play and sports provision. It is suggested, therefore, that this threshold remains in force for those specific purposes only, and is reviewed at the *next* Local Plan revision.

b) The location of provision through Obligations

Wherever possible, provision should be made on-site for facilities required through a planning obligation. However, there will be cases where this is neither practicable, appropriate or within the existing Local Plan policy context. In these instances, the Council will require financial contributions towards providing, or contributing towards the provision of, these facilities at an appropriate alternative location.

The City Council will consider the issue of whether facilities are to be provided on or off-site, on a case-by-case basis. Where off-site provision is preferred, linkage with the development site will continue to be a criterion in deciding the location of the provision.

c) Priorities

Obligations will be negotiated on a site-by-site basis and the priority given to the

differing types of obligation will be at the discretion of the Local Planning Authority. The justification behind the priorities given will be the result of a balanced judgement, arrived at by taking into consideration a range of policy issues, site characteristics, government guidance and comments received during the development process.

d) Drafting of Agreements

Planning Agreements will be drafted by the City Council's Legal Services Team, or by solicitors acting on the City Council's behalf. Developers will be required to pay the Council's costs in drafting the agreement and drawing up the specifications of the POS requirement.

e) Financial Contributions

All financial contributions contained in planning agreements will be index linked (using a suitable industry standard) to the date of the Committee, or delegated authority approval.

Financial contributions will normally be expected to be paid upon commencement of development (as defined in Section 56 of the 1990 Town and Country Planning Act). However, in exceptional circumstances the payment can be made at various stages during the development process, for example, upon first occupation.

Trigger dates for the payment of financial contributions will be included in the Planning Agreement, as will any time periods by which the contribution is to be spent.

Following receipt by the City Council, financial contributions will be held in individually identifiable accounts, with each contribution being allocated a unique finance code. Contributions remaining unspent at the end of a time period specified in the Planning Agreement will be returned to the payee along with any interest accrued.

f) Monitoring of Obligations

Monitoring of obligations will be undertaken by the City Council's Green Spaces manager to ensure all obligations entered into are complied with on the part of both the developer and the Council.

Planning Agreement Monitoring Reports will be presented to the Development Control Committee on a biannual basis and will detail information relating to agreements entered into, financial contributions received and the completion of schemes funded from financial contributions.

The Council is currently preparing an "Audit of Open Space" that will comply with the requirements of PPG17, by assessing the quantity and quality of open space provision throughout the City and setting a local standard. This strategy

will enable obligations required for recreational facilities to be directed to the provision of improvements at identified locations both in the vicinity of the development and to strategic recreational facilities throughout the City.

4. STANDARD OBLIGATIONS

Under Policy LC4 the trigger for Recreational Facilities obligations will apply to all residential developments if there is a deficiency of play space in the locality judged against the Audit of Open Space. On sites containing 40 or more dwellings the following standards of play space provision will need to be met:

- outdoor playgrounds - 150 square metres per hectare developed
- informal play space – 270 square metres per hectare developed

In addition, on sites of 5 hectares or over, 0.1 hectares of sports ground provision per hectare developed will be required.

For all other residential developments (except alterations to existing dwellings), irrespective of size or type, there will be an obligation in respect of provision and/or maintenance of public open space. The Council will seek, wherever possible, on-site provision of public open space as part of new residential developments. However, there will be situations where this is not possible, and therefore contributions to off-site provision will be sought.

Financial contributions secured for the provision of public open space may be spent on parks and gardens; active sports space; equipped children's play areas; and informal or landscaped open space.

5. CALCULATING THE LEVELS OF OBLIGATION

Where on or off-site provision is required the following formula will be applied, based on the current provision of open space across the city:

Public open space: 3.6ha/1000pop. = 0.0036ha per person (36 sq. m)

Of which:	Amenity open space	25 sq. m
	Formal sports pitches	9 sq. m
	Equipped play area	<u>2 sq. m</u>
TOTAL		36 sq. m

Standard costs to be used in calculating public open space contributions (based on 2007 prices, £ per square metre)

	Provision	Maintenance (p/a)
Amenity open space	2.50	0.46
Formal sports pitches	7.00	0.325
Equipped play area	200	4.60

(Costs will be adjusted annually using the Landscape Institute index)

For all public open space, equipped play areas and formal sports pitches forming part of any s106 agreement, a 10-year maintenance payment, payable upon adoption of the facility, will be required. The level of this payment will vary upon the nature of the facility, and it will include legitimate costs incurred in maintaining each site.

Appendix 1 shows an example calculation for a notional development of 100 units. Appendix 2 shows the calculation per person and per housing unit (below the 40-unit threshold for dedicated play space).

ARRANGEMENTS

In the case of on-site provision the usual requirement will be for the developer to implement the scheme, which would then be transferred to the Council in an adoptable condition. Alternatively, the developer may prefer to make a financial contribution for the City Council to carry out the implementation. The arrangements will consist of three stages:

- Development is not to commence until the developer has submitted to, and received written approval of, a plan showing the layout of the recreational facility/open space, from the local planning authority.
- The developer will implement the approved recreational facility/open space, and upon substantial completion will arrange a joint site inspection with the City Council's Green Spaces manager. Once the Green Spaces manager has confirmed that the scheme is acceptable a Certificate of Practical Completion will be issued and a 12 month maintenance period will commence.
- At the end of the 12 month maintenance period a further joint site inspection will be undertaken. Subject to any defects being satisfactorily remedied a Certificate of Adoption will be issued. Upon the issue of this Certificate the recreational facility/open space will be transferred to the Council and a commuted maintenance payment will become payable. The commuted maintenance payment will cover a period of 10 years from the date of the Certificate of Adoption being issued. The commuted sum will be calculated according to the standard maintenance rates applicable on completion of the Planning Agreement. The commuted sum will include an inflationary index to cover the 10-year period of the agreement.

6. CONSULTATION

This report has been written after extensive work across several Council departments at officer level. It has been jointly drafted by officers from Planning

Services and Green Spaces teams, but with input from Property Services, Legal Services and Financial Services at the preparatory stage.

Members of Infrastructure Overview and Scrutiny considered an earlier draft at their meeting of 19 April 2007. Their comments have been included in this revised report, including support for the abolition of the 40-unit threshold for developer contributions and the idea that all housing types should be invited to make contributions.

The Development Control Committee considered the earlier draft at their meeting of 27 April 2007. Again, their substantial comments have been incorporated into this revision, including the suggestion that there should be inter-departmental working, abolition of the 40-unit threshold and a common fund for Section 106 contributions. The Committee also suggested that the 10-year maintenance requirement for commuted payments should be extended to 15 years. Executive may wish to consider this suggestion; however, the 10-year rule is included in the Draft Local Plan currently undergoing its Public Inquiry and it has not been formally challenged. It may be advisable to consider this change at the time of the *next* Local Plan revision.

7. RECOMMENDATIONS

1. That the methods of calculating developers' Section 106 contributions in relation to public open space (POS) set out in this document should be adopted as standard procedure.
2. That the procedure for adoption of POS by the Council as set out should also become the standard procedure.
3. That the threshold of 40 housing units before any contributions are required should be abolished and that every development should be eligible to contribute towards open spaces, irrespective of the housing type. The 40 unit threshold will be retained for the specific provision of on-site play areas, but will be kept under review.
4. That the maintenance period for calculating commuted sums, currently set at 10 years, should remain in place for the time being but should be kept under review.
5. That funds received from developers should be held in individual, identifiable accounts to provide full accountability to the contributor.

8. REASONS FOR RECOMMENDATIONS

These recommendations will allow the City Council to maintain its high level of public open space, sports and play provision by ensuring that the level of commuted payments from developers is sufficient to cover the costs, and improve the Council's performance in managing the s106 implementation process.

The recommended procedures will also create a more equitable system of contributions, where every new residential unit is contributing to the provision and maintenance of public open space, rather than this requirement only being placed on larger-scale developments. Every citizen places a demand on open space, and the costs of providing and maintaining it should be shared equally.

The proposed changes will assist the City Council to deliver its corporate priority of making Carlisle 'Cleaner, Greener and Safer' by making more effective use of developer contributions; providing additional facilities for green space, sport and play; and securing sufficient funds for better management of public open spaces.

9. IMPLICATIONS

- Staffing/Resources – There are no immediate implications from this report, and in the medium term there may be benefits to the Council in terms of additional revenue streams from developer contributions.
- Financial – The Director of Corporate Services has been consulted in the preparation of this report and concurs with its recommendations. There is very specific accounting guidance produced by CIPFA on S106 agreements which must be adhered to. This guidance sets out how the Council must account for any contributions received from developers irrespective of whether these are revenue or capital contributions. As regards the indexing of developers contributions, this must be informed by the Medium Term Planning process with regard to inflation projections. Any on-going Council liability arising from these agreements must also be identified and be built into the MTFP
- Legal – Officers have been consulted in preparation of this report
- Corporate - the first draft of this report has been considered and approved by SMT
- Risk Assessment – see separate risk register
- Equality Issues – All facilities resulting from s 106 agreements will be accessible for the whole community
- Environmental – Additional green spaces and environmental improvements will result from the adoption of measures recommended, and additional resources will be available for maintenance of public open space
- Crime and Disorder – Provision of appropriate facilities will benefit young people and provide a focus for sport and recreational activity

- Impact on Customers – Improved service due to increased resources

APPENDIX 1 – Example calculation

For a development of 100 housing units, (3 bedrooms, average occupancy 3 persons) on a site of 3.0ha, the public open space (POS), play and sports pitch requirement would be 100 units x 3 persons = 300 additional population from the development.

The standard set out in Policy LC2 of the Local Plan is to provide 3.6ha of POS per 1000 population.

Therefore the total requirement for POS is $3.6\text{ha}/1000 \times 300 = 1.08\text{ha}$ public open space

Policy LC2 also aims to provide 1.86ha of playing pitches per 1000 people, therefore the calculation is: $1.86\text{ha}/1000 \times 300 = 0.56\text{ha}$ playing pitches*

Policy LC4 requires that housing development of over 40 units will be required to include:

Outdoor playgrounds	-	150 sq.m. per hectare developed
Informal playspace	-	270 sq.m. per hectare developed

Our example development on a 3 hectare site would therefore require:

$150 \times 3 = 450\text{sq.m.}$ play area*

$270 \times 3 = 810\text{sq.m.}$ informal play space*

* These areas can be included within the 'total requirement' figure

Approximate costs:

Play area (450sq.m.) provision	90,000
Maintenance (10 yrs @ 2,070 x 3% p.a. inflation)	23,805
Playing pitches (0.56ha @ £70,000/ha) purchase	39,200
Maintenance (10 yrs @ 3,250 x .56 x 3% p.a. inflation)	20,930
Informal play space/POS (0.52ha @ £25,000/ha) purchase	13,000
Maintenance (10 yrs @ 4,600 x 0.52 x 3% p.a. inflation)	<u>27,600</u>
TOTAL COMMUTED SUM REQUIRED	214,535

Appendix 2

a) Calculation per person

The following calculation is based on the standard provision of 3.6ha/1000popn., which equates to 36 square metres per person.

The calculation assumes that this 36 sq.m. is broken down as:

Amenity Open Space	25 sq.m.
Sports pitches	9 sq.m.
Equipped play areas	<u>2 sq.m.</u>
TOTAL	36 sq.m.

	£
Amenity Open Space	
25 x 2.50 provision	62.50
25 x 0.46 x 10yrs x 3% maintenance	132.25
Sports pitches	
9 x 7.00 provision	63.00
9 x 0.325 x 10yrs x 3% maintenance	33.60
Equipped play areas	
2 x 200 provision	400.00
2 x 4.6 x 10 x 3% maintenance	<u>105.80</u>
TOTAL	797.15

b) Calculation per housing unit (in a development of less than 40 units)

In calculating the financial obligation per housing unit, the assumption is that the number of occupants of the unit is equal to the number of bedrooms, up to a maximum of 6.

Therefore:

	£
1 bedroom x 797.15 per person =	797.15
2 bedroom x 797.15 per person =	1,594.30
3 bedroom x 797.15 per person =	2,391.45
4 bedroom x 797.15 per person =	3,188.60

5 bedroom x 797.15 per person = 3,985.75

6 bedroom x 797.15 per person = 4,782

**EXCERPT FROM THE MINUTES OF THE
INFRASTRUCTURE OVERVIEW AND SCRUTINY COMMITTEE**

HELD ON 19 APRIL 2007

**IOS.35/07 SECTION 106 AGREEMENTS IN RELATION TO PUBLIC OPEN SPACE
AND PLAY AREAS**

The Executive had, on 19 March 2007, considered a report of the Director of Community Services (CS.16/07) setting out new Policy and Procedures to be adopted by the City Council in order to improve performance in securing community benefits (public open spaces, sports and play facilities) as a result of development. The report included new schedules of costs for the calculation of commuted sums to be required from developers in relation to public open space and associated facilities.

The Executive had referred the report to this Committee and the Development Control Committee for consultation (Minute Excerpt EX.064/07 refers).

The Parks and Countryside Officer (Mr Gray) presented the report, outlining the proposed new arrangements for ensuring community benefits from developments. He proposed that those would involve a four phase process, with a lead Officer identified at each phase as follows:

Phase 1 – The Planning Process – Head of Planning and Housing Services

Phase 2 – The Transfer Phase – Head of Property Services

Phase 3 – The Implementation Phase – Head of Legal Services

Phase 4 – The Maintenance Phase – Head of Environmental Services

Proposals for addressing the long-term impact on Council's budgets, once the 10-year maintenance period with the developer had expired and details of the options open to the Council were provided.

A more comprehensive report prepared by the Principal Development Control Officer entitled "Guidance Note: Use of Planning Obligations" would be considered by the Development Control Committee on 27 April 2007.

Discussion arose, during which Members raised the following questions and observations:

- (a) In response to questions regarding provision for maintenance costs associated with play equipment, etc, Mr Gray stressed the need to index for inflation and to ensure that the period for contributions was reasonable. He had also discussed with the Chief Accountant the possibility of establishing a Public Open Space Fund which was ring fenced into which such contributions could be placed, but agreement had not been reached.

The Chief Accountant (Miss Taylor) stressed the need for a clear audit trail and compliance with CIPFA guidance.

- (b) Members suggested that it may be helpful if a 'common pot' was set up so that monies could be aggregated to fund significant improvements in particular areas. Greater imagination could be used as to the type of public amenity upon which monies were spent e.g. improvements to community buildings, cycle way maintenance, etc.

Mr Gray replied that such an arrangement would require to be identified to developers and a clear and robust audit trail put in place.

- (c) It would be beneficial if Community Police Officers were involved in planning applications at an early stage to look at issues around crime and disorder to help avoid future problems. There was no consistent approach to open spaces and Members asked that Mr Gray liaise with the Police and Development Control on that aspect.

The Local Plans and Conservation Manager (Mr Hardman) advised that Cumbria Constabulary was consulted but it was also a resource issue. Mr Gray added that discussions took place across the various disciplines in the case of major developments.

- (d) The possibility of local residents coming together to manage facilities in their areas could be explored.

- (e) A Member noted that currently new housing developments of 40 or more units were required to include, pro rata, 150 square metres of outdoor playgrounds and 270 square metres of informal play space per hectare developed. He felt, however, that developments of even single units should make a contribution based, perhaps, on the footprint.

In response, Mr Hardman advised that authorities such as Tynedale Council required a contribution per house on every new development. There were, however, tests which had to be applied to larger developments. It would be important to achieve the correct balance through a transparent process.

- (f) Mr Gray undertook to amend recommendation 10.4 to delete the words “except elderly people’s housing”.

RESOLVED – That the observations of the Committee, as detailed at points (a) to (f) above, be conveyed to the Executive.

**EXCERPT FROM THE MINUTES OF THE
DEVELOPMENT CONTROL COMMITTEE**

HELD ON 27 APRIL 2007

**DC.48/07 SECTION 106 AGREEMENTS IN RELATION TO PUBLIC OPEN SPACE
AND PLAY AREAS**

GUIDANCE NOTE: USE OF PLANNING OBLIGATIONS

The Executive had, on 19 March 2007, considered a report of the Director of Community Services (CS.16/07) setting out new Policy and Procedures to be adopted by the City Council in order to improve performance in securing community benefits (public open spaces, sports and play facilities) as a result of development. The report included new schedules of costs for the calculation of commuted sums to be required from developers in relation to public open space and associated facilities.

The Executive had referred the report to the Infrastructure Overview and Scrutiny Committee and this Committee for consultation (Minute Excerpt EX.064/07 refers).

Also submitted was a report of the Director of Development Services (DS.42/07) providing Members with the opportunity to comment on the preparation and content of a Guidance Note on achieving positive planning through the use of planning obligations.

The Principal Development Control Officer, and the Green Spaces Manager were in attendance and presented their respective reports, outlining the key issues upon which Members' comments were sought.

In considering the reports, Members made the following observations:

1. In response to comments/concerns regarding the process for the submission of reports to the Committee, the Principal Development Control Officer stated that he had submitted report DS.42/07 (prior to its submission to the Executive) with a view to giving the Committee the opportunity to comment on the Guidance Note at an early stage.

Members appreciated the opportunity to put forward their views and thanked the Officers concerned. They did, however, feel that Overview and Scrutiny must also be afforded the opportunity to comment upon report DS.42/07.

2. Members noted that for all public open space, equipped play areas and formal sport

pitches forming part of any Section 106 Agreement, a 10 year maintenance payment, payable upon adoption of the facility, was required. They considered that that maintenance period should be extended to at least fifteen years. It was also important that all divisions within the City Council worked together to secure a corporate approach on the use of planning obligations.

3. The provision of off-site play areas could be advantageous since that would afford children from the whole community to benefit from those facilities.
4. A 'common pot' could be set up so that monies could be aggregated to fund significant improvements in particular areas, including improvements to community buildings, cycle way maintenance, elderly person's accommodation, hostels, etc.
5. Members noted that currently the Council's policy was to seek Section 106 contributions only from those housing developments above a threshold of forty units, and that development in the rural area would rarely meet that criteria. They were concerned to ensure that rural communities could also benefit from the use of planning obligations and endorsed the suggested abolishment of that threshold, commenting that contributions should be sought in respect of all developments irrespective of their size.
6. A Member felt that it was important that developments should not be occupied until the required highway infrastructure works had been implemented by the developer.

RESOLVED – That the observations of the Development Control Committee, as detailed above, be conveyed to the Executive.