

All Party Member and Officer Working Group on 'Developer Contributions'

WG6 Terms of Reference for Developer Contributions Group

Format

Managing 'Developer Contributions' will take the form of an on-going officer group that will be scheduled to meet on a regular basis. Papers are to be circulated 2 working days before each meeting, with confirmation that the meeting is to proceed. Alternatively to convening 'real time' meetings, electronic 'virtual' conferences are to be made available through 'GroupWise' or other IT mechanisms .

Membership

It is proposed that the Membership will include:

- Officers from Development Control, Urban Design, Regeneration, and Development Plans
- One representative from each of the departments/service areas that may attract developer contributions (eg, Housing, Parks and Green Spaces, Community Services, Highways and Transport, Education)
- One representative from each of the support service departments (ie, Legal, Property).
- Additional advisors/advocates of specific developments (eg, LRC officers, LCC Finance and IT, possibly developers' representatives, officers from other local authorities where similar issues have been addressed) to be invited if appropriate, and with the prior agreement of the Chair or Service Directors

The Developer Contributions Group will be chaired by a Planning Officer and initially serviced by officers from the Regeneration and Culture Department.

Objectives

The strategic objective for the Developer Contributions Group is to implement the policy of "optimising Developer Contributions and their distribution, tied into the overall priorities of the Council", in a timely fashion.

The key objective is to provide "unified advice" from officers for Councillors and for external people seeking Council advice, during the pre-application stage, while the application is being progressed, and if/when a Section 106 Agreement is secured.

The Officer Group considering contributions may comprise of officers different from those who will be monitoring receipts or otherwise managing contributions (ie, post-decision monitoring).

This Group will provide the forum for receiving regular monitoring reports on contributions that should have been received, and the delivery of outcomes.

The Group will act as a forum to discuss and comment on emerging Central Government Policy on developer contributions.

APPENDIX 5

Overall Aims

It is proposed that the overall aims for the on-going Officer Group should be:

- To undertake a co-ordination role for Planning, prior to an Application Report being written, and thus provide the basis for 'unified officer advice' on Planning Obligations.
- To implement existing Council policies and procedures for dealing with developer contributions as adopted in the Local Plan.
- To provide technical support from a range of professional backgrounds on 'developer contributions' issues
- To provide a 'clearing house' for emerging/new planning applications on whether developer contributions can be sought
- To provide a regular project-management approach to existing and up-coming planning permissions that have 'developer contribution' compliance elements
- To provide support, advice and 'early warning' on handling negotiations to maximize benefit to Leicester communities from developer investments in the City
- To reconcile LCC departmental differences on policy implementation on specific developments so that a 'unified voice' can be presented during negotiations; and where department differences do not appear to be reconcilable, refer on the issue to the appropriate Service Director (Planning++).
- To provide other support/project management services as needed, to achieve a 'one voice for Leicester' position, on Section 106/'developer contributions'.
- To consider opportunities for Service areas to improve their joint work arrangements for 'pooling' contributions

Working Approach

In order to provide a co-ordination role for Planning, prior to a Development Control Committee Report being written, with 'unified officer advice', the Group will work within the process agreed in the Flowcharts, and follow Member-agreed guidelines as set out in "THE RULES". Inappropriate lobbying of Members would undermine the Group's credibility and is thus contrary to the notion of 'unified officer advice' being given.

Major developments are defined as 10 or more dwellings, or outline for .5 ha/1k sq m floor space, or 1 ha site.

Minutes of agreements and discussion are required for this group's meetings.

Confidentiality of issues relating to Planning Obligations is paramount, as information disclosed here will not be in the public spheres. Thus agendas and papers are to be marked as 'confidential'