

Agenda Item No. 4(a)

**DERBYSHIRE COUNTY COUNCIL**

**MEETING OF CABINET MEMBER – HIGHWAYS, TRANSPORT AND  
INFRASTRUCTURE**

**31 May 2016**

Report of the Strategic Director – Economy, Transport and Communities

**PROPOSAL TO LEVY CHARGES FOR THE MONITORING OF TRAVEL  
PLANS THROUGH THE PLANNING PROCESS**

(1) **Purpose of Report** To seek Cabinet Member approval to charge for the assessment and review of travel plan monitoring submitted following the grant of planning permission.

(2) **Information and Analysis**

**Background**

**What is a travel plan?**

A travel plan is a long-term management strategy that seeks to mitigate the impact, on the highway network, of single-occupancy car trips through a series of measures that promote alternative modes of travel. These may include, for example, the provision of infrastructure and financial support for walking and cycling initiatives, public transport and car sharing schemes. The performance of a travel plan is measured against specific targets and requires robust monitoring and evaluation. They are an integral part of the current planning system and will be required for most large developments.

As part of the planning consultation process, the district and borough local planning authorities within Derbyshire will normally forward any travel plans submitted in support of planning applications to Derbyshire County Council for comment.

**What is the current situation?**

At present, and as detailed above, travel plans forming part of planning applications are consulted upon by the Local Planning Authorities (LPA's) through Derbyshire County Council's Highways Development Control Team. These travel plans are then passed onto the Sustainable Travel Team for comment and recommendation. If the development and its travel plan are granted planning permission, conditions are normally imposed requiring that the travel plan be monitored by the developer, against specific targets and milestones, with the results submitted in the form of annual reports to the LPA

for approval. There is evidence to suggest, however, that this monitoring ranges from inconsistent, at best, to non-existent, at worst.

By and large, LPA's do not have the necessary expertise or capacity to review travel plan monitoring reports and it has been recognised that the introduction of a travel plan monitoring toolkit, made available to both LPA's and developers, would provide for a more consistent and qualitative approach to the travel planning process. At present, Derbyshire County Council offers developers a service to review travel plan monitoring reports on an individual basis, the costs of which it seeks to recover through Section 106 contributions, in agreement with the developer and the LPA. The toolkit approach could provide for the mechanism to introduce more standardised charging for the monitoring of travel plans, with LPA's and developers being provided with the option of either using the services provided by Derbyshire County Council through utilisation of the toolkit, as detailed in this report, or by approaching other third party providers, such as consultants, to undertake the same process.

### **What is proposed**

With support from the Midland Service Improvement Group (MSIG), Derbyshire County Council has been able, along with other MSIG partner authorities, to procure the development of a travel plan monitoring toolkit. This has been developed in partnership with Modeshift (a not for profit national organisation that supports local authorities in the development of travel plans for schools and workplaces). The toolkit, STARSfor, has been built to improve the travel planning process and increase levels of sustainable travel. STARSfor allows users to collect data and information linked to a site, or a collection of sites, and to input this data into the system. This process is more efficient than paper and PDF travel plans currently submitted. Users of the system will save time when putting together a travel plan and they will be able to access their sites information online at any time. It will also provide a more consistent approach to travel planning and allow member local authorities to access travel plan data and, perhaps more significantly, monitor the effectiveness of the travel plan itself. For more information click on the following link: <https://starsfor.org/>

It is therefore proposed that Derbyshire County Council promotes the use of this toolkit to potential users, such as LPA's and developers, as its preferred methodology for the submission of travel plans in Derbyshire, both as part of the planning consultation process and independently. It is also proposed that Derbyshire County Council offer the service of monitoring the travel plan, through the use of the toolkit, for a charge based on the amount of time needed for a Derbyshire County Council officer to undertake this specific task. This charge will, therefore, only cover reasonable costs incurred and will not generate a profit. Other MSIG partner authorities are also proposing a similar approach to Derbyshire in terms of requesting a charge should end-users take

up the option of utilising the toolkit. This will provide for a consistent regional approach to the development and monitoring of travel plans through the planning process, throughout the MSIG geographical area.

It is important to note that the choice to accept this offer will be that of the end user alone and will not be conditional in terms of the planning application. The end user can use other toolkits/methods available on the open market as they see fit.

### **Charging Structure**

As already detailed above, it is proposed the charges levied will be based on the hourly rate of an appropriate Derbyshire County Council officer and will be commensurate with the time taken to undertake the specific task of monitoring the travel plan submitted by LPA's/developers. It is proposed there will be a ceiling on this charge, based on the average time taken to monitor a travel plan, which will vary dependent on the size of development, as illustrated under Appendix 1 attached. This highlights specific banding specifications which will act as both a guide to developers and will re-assure them that charges will be capped. It is proposed the hourly rate be based on that of an officer at Grade 10 level which currently equates to £51.61 per hour. This includes on-costs and the pending pay award, and will be subject to increases based on future pay awards to Council employees. In addition to the hourly rate, it is proposed to levy the cost of travel, should this be required, and this will be based at the standard rate of 45p per mile.

Travel plans are traditionally monitored over a five year period to ensure they have enough time to prove their effectiveness and it is therefore proposed that the process detailed above be consistent with this timeframe.

Officer time incurred through this process will be input into the Council's Profess system to ensure transparency and be open to scrutiny through standard auditing requirements.

Dependent on the success of the proposal to charge through the planning application process, other charging mechanisms could be explored, including offering utilisation of the toolkit to other workplace organisations keen to develop their own travel plans. This could be offered on the basis of charging an annual administration fee allowing access and use of the system. Should this be considered, a further report to the Cabinet Member would be submitted.

(3) **Financial Considerations** The opportunity to generate revenue could provide for a resource which may be used to help offset officer costs for the service provided. Typically, a standard size development (e.g. up to 200 dwellings) could attract approximately £5,000 of monitoring charges over a

five year period. How much revenue is generated will be dependent on the number of end users of the toolkit.

(4) **Legal Considerations** Section 106 of the Town and Country Planning Act 1990 allows a LPA to enter into a legally-binding agreement (“planning obligation”) with a landowner in association with the granting of planning permission. Planning obligations are intended to overcome barriers to granting planning permission, for example, inadequate infrastructure or to address the impact of the development such as increases in traffic. They may restrict the development or use of the land; require specific operations to be carried out in, on, over or under the land; require the land to be used in a specific way; or may require the payment of a sum or of sums either on a specified date or periodically.

Planning obligations must be:

- relevant to planning;
- necessary to make the proposed development acceptable in planning terms;
- directly related to the proposed development;
- fairly and reasonably related in scale and kind to the proposed development; and
- reasonable in all other respects.

Regulation 122 of the Community Infrastructure Levy Regulations 2010 states that planning obligations can only be imposed when they are:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

Some monitoring fees cannot be recovered, for example, where a fee is sought solely to cover the cost of ensuring that financial obligations have been satisfied. However, recent Planning Inspectorate decisions have confirmed that the extra work incurred by the Authority in monitoring and assessing travel plans, auditing the annual reports and liaising with a travel plan coordinator mean that charging a reasonable fee that reflects the costs incurred is justified.

(5) **Human Resources Considerations** It is anticipated that an existing member of the Sustainable Travel Team, at a Grade 10 level, will undertake the duties as detailed within the report.

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, environmental, health, property and transport considerations.

(6) **Key Decision** No.

(7) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in this report? No.

(8) **Background Papers** Held on file within the Economy, Transport and Communities Department. Officer contact details – Richard Lovell, extension 38192.

(9) **OFFICER'S RECOMMENDATIONS** That the Cabinet Member:

9.1 Welcomes the development of a travel plan monitoring toolkit developed in partnership via the Midlands Service Improvement Group.

9.2 Approves that it be offered to developers to meet their travel plan monitoring obligations on a charged for basis.

**Mike Ashworth**  
**Strategic Director – Economy, Transport and Communities**

## Appendix 1

### Travel Plan monitoring fees

Officer salary including on-costs:

Grade 10 – £51.61 per/hour

#### Annual Monitoring Fee Breakdown

##### Charge Band A – up to £ 1,000 per annum (five years = £5,000)

This is for developments with up to 200 dwellings.

To include:

(i) Maximum time allocated to monitor the travel plan and to include site visits, appropriate meetings with developers and consultants. Does not include travel costs.

No. of hours	Days equivalent	Rate	Total
Total 19 hours	Approximately 2.7	£51.61	£980.59

##### Charge Band B – up to £ 3,000 per annum (five years = £15,000)

To include:

(i) Maximum time allocated as above for Band A

No. of hours	Days equivalent	Rate	Sub Total(a)
Total 58 hours	Approximately 8.3	£51.61	£2,993.38

#### Travel Plan Monitoring Fees – Summary Table

Size/nature of proposal	Charge band	Maximum Annual monitoring fee	Total fee (over 5 years)
Single occupier commercial. Single phase of development. Up to 200 dwellings.	A	£ 1,000	£5,000
Larger, multi-occupancy commercial. Multi-phase development, mixed-use. Over 200 dwellings	B	£3,000	£15,000

NB. This is intended as a guideline only. Figures may be subject to change according to the precise nature of a proposal, and negotiation with developer(s).