


Record of Cabinet portfolio holder decision

Local Government Act 2000 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Decision made by	Cabinet Member for Planning: Cllr Roger Cox
Key decision?	NO
Date of decision (same as date form signed)	9 December 2016
Name and job title of officer requesting the decision	Adrian Duffield Head of Planning
Officer contact details	Tel: 07801 203553 Email: adrian.duffield@southandvale.gov.uk
Decision	To recommend the publication of the Council's Draft Developer Contributions Supplementary Planning Document (SPD) for consultation 15 December 2016 to 26 January 2017. The SPD will set out the Council's approach to securing contributions from developers for on-site infrastructure, principally through the Section 106 (S106) mechanism, and provides additional guidance to facilitate the implementation of Core Policy 7: Providing Supporting Infrastructure and Services set out in the Local Plan 2031 Part 1.
Reasons for decision	To ensure that any comments submitted to consultation on the SPD are available to assist and inform the Examination Hearing into the Council's Proposed CIL Charging Schedule. This will allow the Council, subject to the findings of an Independent Planning Inspector, to adopt its CIL Charging Schedule.
Alternative options rejected	The delivery of strategic infrastructure is essential to facilitate the delivery of sustainable development. Publishing clear guidance to assist the securing of developer contributions and delivery infrastructure is considered essential. The alternative option of not publishing clear guidance is not considered to be appropriate.
Legal implications	The SPD has been prepared in accordance with relevant legislation including the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012.

Financial implications	The failure to collect developer contributions could prevent the delivery of sustainable development by not providing clear guidance to secure financial contributions from developers to contribute towards the funding of strategic non-site specific infrastructure.			
Other implications	None			
Background papers considered	Cabinet Member Briefing Paper (Appendix 1)			
Declarations/conflict of interest? Declaration of other councillor/officer consulted by the Cabinet member?	None			
List consultees		Name	Outcome	Date
	Ward councillors	N/A	N/A	N/A
	Legal	Ian Price	Accepted	08/12/2016
	Finance	Paul Sheppard	Accepted	08/12/2016
	Human resources	N/A	N/A	N/A
	Sustainability	N/A	N/A	N/A
	Diversity and equality	Cheryl Reeves	An equality impact check has been carried out. This has highlighted any negative equality implications.	08/12/2016
	Communications	Patsy Cusworth	Accepted	08/12/2016
	Strategic Management Board	David Hill	Accepted	08/12/2016
Confidential decision? If so, under which exempt category?	No			
Call-in waived by Scrutiny Committee chairman?	N/A - The document is draft for consultation and will be available for Scrutiny to consider during the consultation period. Any comments from Scrutiny Committee can inform any revisions to the document alongside consideration of consultation responses.			
Has this been discussed by Cabinet members?	Yes			
Cabinet portfolio holder's signature To confirm the decision as set	Signature 			

out in this notice.	Date <u>9th December 2016</u>
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ONCE SIGNED, THIS FORM MUST BE HANDED TO DEMOCRATIC SERVICES IMMEDIATELY.

For Democratic Services office use only		
Form received	Date: <u>9-12-16</u>	Time: <u>16:20</u>
Date published to all councillors	Date: <u>9-12-16</u>	
Call-in deadline	Date: <u>—</u>	Time: <u>—</u>

Guidance notes

1. This form must be completed by the lead officer who becomes the contact officer. The lead officer is responsible for ensuring that the necessary internal consultees have signed it off. The lead officer must then seek the Cabinet portfolio holder's agreement and signature.
2. Once satisfied with the decision, the Cabinet portfolio holder must sign and date the form and return it to the lead officer who should send it to Democratic Services immediately to allow the call-in period to commence. Tel. 01235 540306 or extension 7306.
Email: democratic.services@southandvale.gov.uk
3. Democratic Services will then publish the decision to the website (unless it is confidential) and send it to all councillors to commence the call-in period (five clear working days). The decision cannot be implemented until the call-in period expires. The call-in procedure can be found in the council's constitution, part 4, under the Scrutiny Committee procedure rules.
4. Before implementing the decision, the lead officer is responsible for checking with Democratic Services that the decision has not been called in.
5. If the decision has been called in, Democratic Services will notify the lead officer and decision-maker. This call-in puts the decision on hold.
6. Democratic Services will liaise with the Scrutiny Committee chairman over the date of the call-in debate. The Cabinet portfolio holder will be requested to attend the Scrutiny Committee meeting to answer the committee's questions.
7. The Scrutiny Committee may:
 - refer the decision back to the Cabinet portfolio holder for reconsideration or
 - refer the matter to Council with an alternative set of proposals (where the final decision rests with full Council) or
 - accept the Cabinet portfolio holder's decision, in which case it can be implemented immediately.