

Report of	Meeting	Date
Director of People and Places (Introduced by the Executive Member for LDF and Planning)	Executive Cabinet	24 October 2013

EXECUTIVE'S RESPONSE TO THE OVERVIEW AND SCRUTINY TASK GROUP INQUIRY INTO THE ADOPTIONS OF ESTATES

PURPOSE OF REPORT

- To respond to the report of the Overview and Scrutiny task group report that examined the Adoption of Estates.

RECOMMENDATION(S)

- That the responses in Section 8 be approved.

EXECUTIVE SUMMARY OF REPORT

- An Overview and Scrutiny task group looked at the adoption of estates their final report was presented to Executive Cabinet on 20 June 2013 this report is Executive Cabinet's response to the 14 recommendations contained within the report.

Confidential report Please bold as appropriate	Yes	No
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Key Decision? Please bold as appropriate	Yes	No
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REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

- If the recommendations are approved they provide a response to the Overview and Scrutiny task group and also, when implemented, will result in an improvement to the way estates are adopted in the future.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- Not to respond.

CORPORATE PRIORITIES

- This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all	X	A strong local economy	
Clean, safe and healthy communities	X	An ambitious council that does more to meet the needs of residents and the local area	X

BACKGROUND

7. A copy of the Overview and Scrutiny task groups report is attached as an Appendix to this report.

RECOMMENDATIONS AND EXECUTIVE CABINET RESPONSE

8.

Recommendation	Executive Cabinet Response
<p>(a) That the Executive Cabinet asks Lancashire County Council to consider building on existing work with local planning authorities to put in place arrangements to ensure the consideration of road and highways adoption issues commences at the planning application stage of the planning process, including:</p> <ul style="list-style-type: none">• Designing developments to provide separate access routes for residential and construction traffic• Phased implementation of larger development• Laying out and constructing roads to adoptable standards	<p>Agreed. Representations will be made to Lancashire County Council.</p>
<p>(b) That the Executive Cabinet be asked to approve the use of a draft set of national planning conditions seeking pre-commencement on adoption matters, drawn up by the Department of Transport to be trialled by our planning service.</p>	<p>Agreed. The draft planning conditions will be considered and modified for use as appropriate for use by the Planning Service.</p>
<p>(c) That the Executive Cabinet be requested to commission a study of the existing adoptions 'caseload' in the Borough, to provide a full picture of all completed and partially completed agreements, including Section 38's and 106's.</p>	<p>Agreed.</p>
<p>(d) That the Executive Cabinet request Lancashire County Council to consider adopting a more flexible approach to the setting of bonds with developers, that are required before a Section 38 Agreement is made to enable the level of bond to be set on a site-by-site basis that reflects the actual cost of completing the road concerned to the required state of adoption.</p>	<p>Agreed. Representations will be made to Lancashire County Council.</p>

<p>(e) That the Executive Cabinet agrees to make representations to the National House-Building Council (NHBC) urging it to encourage developers to recognise potential benefits to them of the introduction of a mandatory requirement relating to Section 38 Agreements.</p>	<p>Agreed. Representations will be made to the NHBC.</p>
<p>(f) That Lancashire County Council review their operational practices and resources to ensure a more timely response for developers to secure adoption.</p>	<p>Agreed. Representations will be made to Lancashire County Council.</p>
<p>(g) That both Chorley and Lancashire County Council consider developing a more co-ordinated approach to the process of adoption and that regular reports on the current status of adoptions across the borough be reported to the Neighbourhood Meetings of the Council.</p>	<p>Agreed. This will be introduced and representations will be made to Lancashire County Council, and other partners, to gain their cooperation to the process.</p>
<p>(h) That Lancashire County Council considers the introduction of a pre- application service with associated costs that would not only generate additional income and focus service delivery but would also benefit the early identification of estates for adoption.</p>	<p>Agreed. Representation will be made to Lancashire County Council.</p>
<p>(i) That a review be undertaken on a risk based approach for the adoption of open spaces.</p>	<p>Agreed. This will also include the option to require developers to front load the provision of play and open spaces.</p>
<p>(j) That the Executive Cabinet considers putting into place arrangements for the development of a map based system to be accessed on or via the Council's website to show information about the status of the roads in the borough for use by the community. For example, an area specifically relating to "would you like to live in Chorley" be developed that could potentially be linked to the County's website. Individual roads would be tagged according to status and actively used by Contact Chorley for the provision of information to residents.</p>	<p>Agreed, in principle. This project requires further scoping and the timescales and resources required to be identified prior to a final decision being made.</p>
<p>(k) That a list of Frequently Asked Questions (FAQ's) about the adoption of estates be published on the Council's website.</p>	<p>Agreed.</p>

(l) That Chorley Council considers a pilot for the introduction of Development and or Site Exit meetings with developers, to identify new sites coming on stream.	Agreed.
(m) That the Executive Cabinet agrees to make representations to the Law Society and the Council for Licensed Conveyancers urging them to consider whether conveyancers provide clients with sufficient information about the estate adoptions process and how they will be affected by the status of roads serving a property.	Agreed. Representations will be made to the Law Society and the Council for Licensed Conveyancers.
(n) That developers be encouraged to nominate a dedicated officer that would work proactively with officers of both borough and county Councils on the adoption processes and be asked to consider reviewing their complaints procedures to improve relations with residents on their developments.	Agreed. Representations will be made to developers of existing estates. Consideration will be given to how this can be strengthened, beyond a request to cooperate with future developments.

9. As per the Council's existing practise, six monthly progress reports will go to Overview and Scrutiny Committee.

IMPLICATIONS OF REPORT

10. This report has implications in the following areas and the relevant Directors' comments are included:

Finance	X	Customer Services	
Human Resources		Equality and Diversity	
Legal	X	Integrated Impact Assessment required?	
No significant implications in this area		Policy and Communications	

COMMENTS OF THE STATUTORY FINANCE OFFICER

11. The recommendations, if agreed and implemented, will allow the delivery of adopted open spaces and road systems in a timely manner, and help to ensure that any capital programme expenditure can be more effectively managed.

COMMENTS OF THE MONITORING OFFICER

12. The recommendations, if agreed and implemented, will also assist in a more effective management of s106 agreements and the reduction of avoidable contact on conveyancing matters concerning adoption.

JAMIE CARSON
DIRECTOR OF PEOPLE AND PLACES

Background Papers

Document	Date	File	Place of Inspection
Overview and Scrutiny Task Group - Adoption of Estates final report	20 June 2013	Web	http://democracy.chorley.gov.uk/mgIssueHistoryHome.aspx?IId=30140

Report Author	Ext	Date	Doc ID
Jamie Carson	5815	1 October 2013	