

**OVERVIEW & SCRUTINY COMMITTEE – ADOPTION OF ESTATES
SCHEDULE OF RECOMMENDATIONS & PROGRESS AT APRIL 2014**

Recommendation	Executive Cabinet Response	PROGRESS AT APRIL 2014
<p>(1) 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.</p> <p>Representations will be made to Lancashire County Council.</p>	<p>LCC Response: Road and adoption discussions already commence at the earliest possible stages of the planning process with due consideration given to the following issues:</p> <ul style="list-style-type: none"> • Construction Management Plans are considered on a site-by-site basis with input from planning officers, to establish and condition the use of matters including agreed access routes, working times and control of nuisances such as noise/dust/mud. • Phased implementation of larger developments is already an integral part of the Section 38 agreements to encourage the developer to plan his construction/sales profiling in consultation with Council officers. • Targeted advice is provided to residential developers throughout the development process about the need for adoptable highway layouts and construction methods and how these might be achieved. Adoption will not always be possible, for example where the developer chooses not to meet adoptable standards, or where the development relies on some basic features outside the limits of what will be safe to use or practical to maintain (for example substandard road widths or turning facilities).

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<p>(2) 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.</p>	<p>LCC Response: The County Council is willing to work with Chorley Borough Council Planning Officers to explore in more detail the prospect of using the Department for Transport-approved draft conditions, requiring that highway adoption and management matters are secured at the earliest possible stage of the planning process.</p> <p>Progress at April 2104:</p> <ul style="list-style-type: none"> • The Planning Service has modified the standard condition suggested by the Department of Transport (DoT) and this is being applied to new proposals. • The Head of Planning Services (Jennifer Moore) has been invited to the DoT working group, and agreement has also been reached that LCC (Rachael Crompton) will also attend. The next meeting is expected in early April 2014. • The group advises ministers on adoption related issues. Progress will be routinely reported to Executive Cabinet Member for Planning and LDF, and an update provided to the O&S Committee in due course.

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<p>(3) 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>LCC Response: The County Council's Section 38 caseload is already under review as part of our ongoing commitment to continuous improvement. As soon as the Chorley Borough information is available it will be issued to Chorley Borough Council Officers. LCC anticipate that the first tranche of information will be available by the middle of November 2013.</p> <p>Progress at April 2014: Section 38 Information was received from LCC, and a further update was also received in Jan 2014.</p> <p>Members should note that as part of the Transactional Services Review, a new post (Development Implementation Co-ordinator) has been created within the Planning Service to co-ordinate matters in relation to the implementation of the Community Infrastructure Levy and Planning Obligations, and this role will lead on co-ordinating matters pertaining to adoption, and in delivering this recommendation. The role is expected to be filled by end June 2014. An IDOX module is available for the recording of agreements and specific obligations, and the post holder will manage the recording and reporting of this information.</p>

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<p>(4) 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>LCC Response: The County Council already has a flexible approach to setting bonds as part of the Section 38 processes. They are established on a site-by-site basis, using a formula that accurately reflects the current costs of road construction and the scale of the highway areas to be offered for adoption on each site. Elements of the bonds are released before full completion of the roads subject to satisfactory completion of the necessary works at each stage of bond release. Our approach is frequently benchmarked against other highway authorities around the country; at the current time it is significantly more flexible than many and it compares favourably on comparisons of cost to the developers.</p>
<p>(5) 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>Progress at April 2014: Letter issued April 2014. Any response will be reported to a future committee.</p>
<p>(6) 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>LCC Response: The County Council has recently completed a review of its resources and operational practices relating to the highways aspects of new development, including adoption procedures. This has resulted in updated procedures being established across the County.</p>

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<p>(7) 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>LCC Response: The County Council endorses the need for and benefits of improved communications. We shall provide relevant and timely information on progress with developments to Chorley Borough Council in parallel with our communications to other interested people and organisations.</p> <p>Progress at April 2014: The new post of Development Implementation Co-ordinator will co-ordinate matters in relation to the implementation of the Community Infrastructure Levy and Planning Obligations, and co-ordinate matters pertaining to adoption, and in delivering this recommendation. The role is expected to be filled by end June 2014. The post holder will provide regular progress reports on adoption matters. .</p>
<p>(8) 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>LCC Response: There are no arrangements in place for the County Council to charge fees for pre application highways and transport related advice. All the potential implications of introducing such a charge would need to be considered before forming a view on whether this would an appropriate change to make to our service. It is therefore not possible to respond on this point at the present time.</p>

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<p>(9) 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>Progress at April 2014: A project has been identified by the People & Places Directorate to undertake this review, with project scoping and initial start expected by end June 2014. (Project Owner is Simon Forster). The project depends to a limited extent upon progress with recording outstanding planning obligations pertaining to open space, as part of the new role of Development Implementation Co-ordinator.</p>
<p>(10) 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>LCC Response: The County Council already provides map-based information on highway adoptions through the Map Zone facility, available to Chorley Council Members and officers on a confidential basis. We welcome suggestions for optimising the use of this information.</p> <p>Chorley Council Officer Response: There are 3 ‘map based systems’ currently available on the Council website:</p> <ul style="list-style-type: none"> • My Chorley - https://myaccount.chorley.gov.uk/MyChorley.aspx • My Map – http://chorley.gov.uk/mymap • My Ward - http://mapping.chorley.gov.uk/myward/ <p>The Council receives a dataset of road adoptions from LCC, which is the same as they publish on MapZone), and this is published on the My Ward site: http://mapping.chorley.gov.uk/myward/</p> <p>ICT are considering if and how map based system for use by the public can be best delivered and will project plan accordingly (Project Owner – Asim Khan)</p>

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<p>(11) 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>	<p>LCC Response: Following completion of our internal review (6 above) we are in the process of updating our website-based frequently-asked questions (FAQs) on the County Council's web site. I regret that I cannot indicate timescales for this process because of the need to fit into a wider corporate project, but I can assure you that the work is being completed as quickly as possible.</p> <p>Progress at April 2014: Officers have commenced a small project to prepare a list of FAQs, expected to be completed by end June 2014.</p>
<p>(12) 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.</p>	<p>Agreed.</p>	<p>Progress at April 2014: The new post of Development Implementation Co-ordinator will co-ordinate matters in relation to the implementation of the Community Infrastructure Levy and Planning Obligations, and co-ordinate matters pertaining to adoption, and in delivering this recommendation. The role is expected to be filled by end June 2014. The post holder will consider how best to introduce and operate such a pilot, and progress will be reported to the committee and the Executive Member for Planning & LDF in due course. Project start is expected in July 2014.</p>

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<p>(13) 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.</p>	<p>Agreed. Representations will be made to the Law Society and the Council for Licensed Conveyancers.</p>	<p>Progress at April 2014: Letter issued April 2014.</p>
<p>(14) 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.</p>	<p>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.</p>	<p>Progress at April 2014: A letter has drafted and is due to be issued in April 2014. The letter also seeks to introduce the new role of Development Implementation Co-ordinator.</p>