

COUNCIL

28 JANUARY 2021

AMENDMENT 1 TO MOTION 2

Proposed by: Councillor Caro Wild

Seconded by: Councillor Keith Jones

The additions are shown in red italic and the deletions have been stricken through.

This Council notes:

- 1) There are new, large housing developments in Cardiff either recently constructed, under construction or ready to start. *These form part of the city's required Local Development Plan (LDP) to build 40,000 homes in the period 2006-2026. At least 6,500 of these being affordable homes.*
- ~~2) Many of these have planning a permission with section 106 planning agreements for a range of amenities, possibly including community facilities such as schools, surgeries, halls, shops other community buildings or transportation enhancements.~~
- 2) The Master-planning principle used in the LDP means that all these sites require significant S106 payments from the developers to pay for a range of amenities, possibly including community facilities such as schools, surgeries, halls, shops other community buildings or transportation enhancements. These agreements are legally binding and already over a quarter of a billion pounds of investment has been secured for the current LDP strategic sites.*
- 3) The planning obligations on these sites often include a trigger point, or an occupancy deadline, for the commencement or completion of the obligation, such as a school.

~~This Council also notes that there have been instances when community facilities on new Cardiff developments have not been commenced or completed at the agreed trigger point. This impacts on services available to new residents, increases the pressure on existing services offsite and may slow the formation of social links within the new community. It can also have the possibility of restricting the delivery of public services by this council, as well as impacting on the delivery of the LDP and affecting other existing adjoining communities and infrastructure.~~

This Council notes that some triggers can be straightforward, others can be more complicated, involving separate consenting processes to secure the best facilities in

the public interest. It recognises that major infrastructure delivery can be complex and is linked to multiple external factors, and requires a number of bodies and service areas to work together in a focused and flexible way.

This council also notes that developers are bound by legally binding agreements with regard their obligations, and that adding an additional layer of enforcement could be counter-productive as flexibility and collaboration is replaced by a more rigid approach.

This Council calls on:

- 1) Developers to ensure that they *continue to* comply with conditions and section 106 obligations within planning permissions for large new developments.
- ~~2) The Cabinet to bring forward a report outlining how the Council's planning enforcement regime will be strengthened regarding the construction of provisions covered by section 106 obligations, especially community facilities, on new developments. This should include how this will be achieved in the context of both the current Local Development Plan and any replacement plan.~~
- 2) *The Cabinet to bring forward a report outlining progress regarding the construction of provisions covered by section 106 obligations, especially community facilities, on new developments. This should include how this will be achieved in the context of both the current Local Development Plan and any replacement plan.*

The substantive motion, as amended would read:

This Council notes:

- 1) There are new, large housing developments in Cardiff either recently constructed, under construction or ready to start. These form part of the city's required Local Development Plan (LDP) to build 40,000 homes in the period 2006-2026. At least 6,500 of these being affordable homes.
- 2) The Master-planning principle used in the LDP means that all these sites require significant S106 payments from the developers to pay for a range of amenities, possibly including community facilities such as schools, surgeries, halls, shops other community buildings or transportation enhancements. These agreements are legally binding and already over a quarter of a billion pounds of investment has been secured for the current LDP strategic sites.
- 3) The planning obligations on these sites often include a trigger point, or an occupancy deadline, for the commencement or completion of the obligation, such as a school.

This Council notes that some triggers can be straightforward, others can be more complicated, involving separate consenting processes to secure the best facilities in the public interest. It recognises that major infrastructure delivery can be complex and is linked to multiple external factors, and requires a number of bodies and service areas to work together in a focused and flexible way.

This council also notes that developers are bound by legally binding agreements with regard their obligations, and that adding an additional layer of enforcement could be

counter-productive as flexibility and collaboration is replaced by a more rigid approach.

This Council calls on:

- 1) Developers to continue to comply with conditions and section 106 obligations within planning permissions for large new developments.
- 2) The Cabinet to bring forward a report outlining progress regarding the construction of provisions covered by section 106 obligations, especially community facilities, on new developments. This should include how this will be achieved in the context of both the current Local Development Plan and any replacement plan.