

## **Charnwood Borough Council – A Protocol for Community Involvement in Infrastructure Planning**

### **1. Introduction**

1.1 The objective of this protocol is to enhance the role of the community and its representatives in identifying needs and priorities for infrastructure.

1.2 To achieve this objective the Council will:

- Redesign our corporate approach to ensure that ward members maximise their representative role in informing and influencing decisions.
- Strengthen the role of parish councils by enhancing our consultative processes with the local community.
- Coordinate activity across the Borough Council so that different service areas work seamlessly together.
- Provide a 'one-stop shop' page on the website where information about community infrastructure can be obtained.

1.3 This protocol will guide the Council's future work on community infrastructure funding. It will be supported by further documents which will provide more detailed guidance to secure its implementation.

### **2. What we mean by Community Infrastructure**

2.1 This protocol focuses on the types of infrastructure and community facilities which the Borough Council is responsible for planning, providing or managing. These include village halls, green spaces, play spaces, recreational facilities and sports pitches as well as public art, allotments and cemeteries<sup>1</sup>.

2.2 It does not cover those types of infrastructure such as schools, health centres or libraries that are the responsibility of other statutory authorities such as the County Council and therefore subject to alternative arrangements. Where issues arise about these forms of infrastructure we will ensure that the appropriate authority is informed, and if it is helpful, facilitate direct contact between the parish/town Council or community group and the statutory authority.

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<sup>1</sup> Certain types of infrastructure may also be provided directly by the developer by way of planning conditions attached to the grant of planning permission

### **3. How we fund Community Infrastructure**

- 3.1 Funding for community infrastructure may come from a variety of sources including grant funding from organisations such as the Heritage Lottery Fund and Sport England, charitable foundations and Council mainstream budgets. However, a significant source of infrastructure funding in recent years has been contributions from developers secured by legal documents called Section 106 Agreements<sup>2</sup>. These agreements are sometimes required to enable planning permission to be granted for a development proposal that would otherwise be unsatisfactory. They require developers to help manage the impacts of new development either through the provision of new infrastructure and community facilities, or to pay for necessary facilities to be provided.
- 3.2 In cases where Section 106 Agreements apply, we will generally expect infrastructure and services to be provided on the site where development takes place, however, there may be instances where the developer's payment of a sum of money towards the provision or enhancement of infrastructure or community facilities off site may be appropriate as long as it serves the development and meets current planning regulations. We will therefore expect developers to have regard to the fullest impact of their proposals on all affected communities and put in place appropriate mitigation measures.

### **4. How we will work with our Communities**

- 4.1 Our approach will centre on three distinct but interrelated activities:
- A process of continuous engagement and ongoing liaison to understand, evaluate and update, community needs and priorities;
  - Structured liaison meetings with parish/town councils at least once a year to facilitate the sharing of experience and encourage best practice across all areas; and.
  - Sharing of information about development proposals for all pre-application proposals which are in the public domain so that focussed discussions can identify specific infrastructure and community impacts.
- 4.2 In determining priorities and planning for new and improved community infrastructure, the Council will continue to have regard to its own corporate strategies and policies such as the Open Spaces Strategy, which includes an action plan for the future delivery of open space to meet identified deficiencies as well as guidance which supports the

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<sup>2</sup> Section 106 of the Town and Country Planning Act, 1990

future delivery of facilities. Consideration will also be given to the fit with the land use planning policy of the local plan.

- 4.3 Involving the community more closely in the process will help identify issues early on; help community representatives to lead on community issues, and increase the possibility of securing agreement on the package of community infrastructure required to support new development.
- 4.4 Developers will also benefit by understanding what types of community provision may be necessary to mitigate impacts and can shape their plans accordingly.

## **5. Our Commitment to You**

- 5.1 The Council will strengthen its work with communities to ensure that it achieves, and maintains, an up to date awareness of parish/town council's infrastructure needs while also ensuring that arrangements are in place for the non-parished area of Loughborough. This will be informed by building on existing relationships but also by establishing new ways of working, where they may be required.
- 5.2 At the pre application stage developers can choose to maintain confidentiality, but we will encourage maximum disclosure so that ward councillors and parish/town councils are aware of what is being proposed, how it might affect their area, and how they can have a say in influencing and shaping the development so that it may benefit local people.
- 5.3 Developers will be encouraged to ensure that development proposals reflect and enhance individual character and distinctiveness and help create a sense of place. The community and their representatives can play a major part in influencing this process prior to development proposals being firmed up by identifying important local assets and opportunities for enhancement to influence the look and feel of community infrastructure.

## **6. Before a Planning Application is made**

- 6.1 The Council will ensure earlier and more effective engagement to inform the decision making process. For major development<sup>3</sup> the Council will expect to have face to face discussions with the developer prior to the formal submission of a planning application. This will involve all relevant Council service areas working together in shaping development proposals as well in their subsequent implementation.

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<sup>3</sup> Major development includes developments of 10 or more dwellings and large buildings of more than 1,000 square metres.

6.2 We will encourage developers to take advantage of our pre application service because of the benefits it can bring to improving the quality of development proposals and in helping to achieve sustainable development outcomes. For further information see the Pre Application Advice Guidance Note.

6.3 We will also expect the developer to undertake meaningful consultation with the local community so that their views are understood and can be taken into account in finalising the planning application for submission to the Council.

## **7. What we will do when a Planning Application is submitted**

7.1 The Council will invite views on the submitted planning application and all comments will be taken into account in preparing the Plans Committee report and the infrastructure and facilities requested will be clearly set out in the report.

## **8. After a Decision is made**

8.1 We will work with local communities to ensure that the benefits of Section 106 Agreements are realised as soon as they are due, and that money is then spent appropriately, promptly and effectively.

8.2 A dedicated web site will be established for Section 106 Agreements and copies of all completed Section 106 Agreements will be available on the planning file accessible on the Planning Explorer<sup>4</sup> web site. In addition an annual report of the money received by the Council and how it is spent will be prepared for consideration by the Performance Scrutiny Panel and published.

## **9. Looking ahead**

9.1 Monitoring of completed S106 Agreements will be prioritised and ward councillors and parish/town councils will be encouraged to submit their views on the effectiveness of infrastructure projects to see if any lessons can be learnt for the future.

9.2 We will regularly review this Protocol to ensure that its provisions are effective. We will also monitor the experience of other authorities in Leicestershire and elsewhere and strive to apply examples of best practice.

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<sup>4</sup> <http://portal.charnwood.gov.uk/Northgate/PlanningExplorerAA/Home.aspx>