

Draft Revised Planning Obligations Supplementary Planning Document

Consultation Statement 2021

Draft Revised Planning Obligations Supplementary Planning Statement

Consultation Statement

The council undertook a seven-week public consultation on the Revised Draft Planning Obligations Supplementary Planning Document (SPD) between 9 December and 27 January 2021.

Consultation

The council promoted consultation by:

- Sending an email/letter to the Planning Policy consultation database, this includes statutory bodies, ward councillors, key stakeholders and residents who have requested to be informed of policy documents. This email/letter provided a link to the document and details of how to make comments.
- Publishing the Revised Draft Planning Obligations SPD on the council's planning policy website.

Summary of Consultation Responses

Overall a total of 30 responses have been received on the Draft Revised Planning Obligations SPD this includes representations from individuals and the following stakeholders:

- Bellway
- Taylor Wimpey
- Banks Group
- Persimmon Homes
- Charles Church
- Highways England
- Northumberland County Council
- Environment Bank
- Save Newcastle Wildlife
- NHS Property Services
- Homes England
- Sport England
- Natural England
- Historic England

Reference	Summary of Comments	Council Response
Individual	Green Infrastructure (GI) must be enshrined in the SPD and secure additional funding for the creation of a GI committee to oversee strategic decisions and delivery of GI assets. Planning obligations should also seek the creation and long-term management of pocket parks, community growing spaces, rain gardens, green roofs, forest gardens, tiny forests, as well as recognition of the importance of gardens with the GI network.	<p>Green Infrastructure (GI) as defined in the Local Plan, includes, but is not limited to, wildlife sites, parks and gardens, areas of countryside, woodland and street trees, allotments and agricultural land, outdoor sports provision, local green spaces, footpaths, cycle and bridleways, areas of historic values, floodplains, ponds, lakes and watercourses. GI is addressed through policies in the Core Strategy and Urban Core Plan (CSUCP, Policy CS18) and more detailed policies in the Development and Allocations Plan (DAP) which will be further supplemented by a detailed SPD guidance on Landscape, Trees and Biodiversity.</p> <p>Delivery of GI will be secured through policies in the DAP which require development to provide open space, community growing spaces, rain gardens, green roofs and tree planting as part of the landscaping and sustainable drainage schemes. The Council is also currently preparing a Green Infrastructure and Open Space Strategy.</p>
	'Trees, Landscaping and Development SPD' was due in 2019, yet there is no reference to this in the draft planning obligations document	An SPD on Landscape, Trees and Biodiversity is being prepared alongside the Planning Obligations SPD. It can be referenced with in Planning Obligations SPD.
	All new development should be required to contribute towards targets in the Tree Strategy and funding should be allocated to devise a citywide planting plan	Tree planting will be included on sites as part of the landscape schemes, and where development requires trees to be removed replacement will be sought. The Tree Strategy is a wider plan and funding for tree planting is secured outside of new development schemes. The SPD has been amended to include tree mitigation obligations.
	The latest Infrastructure Funding Statement (IFS) shows that tree planting was only	The IFS is an annual statement which is produced at a set time and only reports on information currently available at that time. In addition, it

Reference	Summary of Comments	Council Response
	<p>allocated £17,500 in 2019/20. The plans for 2021 show that neither Community Infrastructure Levy (CIL) nor S106 money will be spent on tree planting, yet the Council is struggling to fund further tree planting. It is therefore imperative that contributions are sought for delivery of tree planting and that these monies are spent on increasing tree cover, with the right trees in the right places.</p>	<p>reports on what has been secured through planning obligations as mitigation for planning permissions. Therefore, it's not 'allocating' its reporting on what has been secured. The neighbourhood portion of the CIL receipt can be used for tree planting and its envisaged that this will take place in future years. The SPD will be seeking tree provision through planning obligations.</p>
	<p>Planning obligations should be sought to ensure plantable spaces areas are planted up</p>	<p>Spaces on a site are planted up as part of the landscape plans for a new development. Planning conditions are attached to a planning approval to secure planting and maintenance. Plantable spaces can form part of the master planning or landscape layout / strategy of a site.</p>
	<p>I would expect the SPD to reference how the Council will seek to conserve and enhance species and habitats in the Biodiversity Action Plan and to ensure the long-term evaluation, management and monitoring of wildlife and biodiversity through planning obligations. Planning obligations for similar initiatives to Greening Wingrove should be sought.</p>	<p>The emerging SPD guidance on Landscape, Trees and Biodiversity will include this detail. Greening Wingrove is a community lead project not linked to the planning process.</p>
	<p>Environmental Net Gain should be part of all new development and it would be encouraging to see reference to this in the draft SPD to better understand biodiversity on a citywide scale, a baseline survey of biodiversity units should be established</p>	<p>Biodiversity Net Gain has been referenced within the planning obligations SPD and contributions can be required.</p>

Reference	Summary of Comments	Council Response
	CIL payments could be used to deliver a natural capital assessment of the city and a nature recovery action plan, including requirements for new nature reserves and wildlife sites.	Cabinet has approved the use of the Neighbourhood Portion, where not in a Parish Council area, for the provision of improvements to open space, trees and ecology.
	Much more must be done to embed the protection and enhancement of biodiversity and habitats	The National Planning Policy Framework (NPPF) sets the principles requiring the protection and enhancement of biodiversity and habitats. The DAP contains detailed policies that require protection and enhancement of biodiversity and habitats. The emerging SPD guidance on Landscape, Trees and Biodiversity SPD will include further detail.
	Contributions should be sought for the installation of new waste and recycling bins	Waste and recycling bins are secured on all new developments through payment for service by occupants.
	With S106 money and CIL receipts, the Council could establish weekly food waste collections to feed into an anaerobic digestion scheme, which could be run collaboratively with neighbouring authorities, as well as to secure a new recycling contract	The Council adopted a Waste Strategy in 2019, setting out the Council's vision, ambitions and desired outcome for waste arising in and collection by the city. This includes working with public health and partners to change behaviour and includes introducing separate collection of food waste, where practicable from 2024/25.
	Use S106 and CIL to establish zero waste and plastic-free shops	It is not appropriate to secure this service through planning obligation payments.
	Council should use planning obligations to secure high standards for design and construction, such as the Passivhaus standard, and the incorporation of renewable energy solutions in new housing by default	Core Strategy Policy CS16 requires development to function effectively in a changing climate and address impact on climate change. This policy requires developments to provide good levels of sustainability and to optimise the use of local renewable or low carbon energy. In some instances, this may require renewable energy to be secured

Reference	Summary of Comments	Council Response
		though a section 106 agreement. This requirement is set out in Chapter 16 of the SPD.
	Contributions should also be sought towards public transport, electric vehicle points, clean bus technology, walking and cycling infrastructure, reducing congestion and Clean Air Zones, as well as retrofitting existing housing stock and promoting energy efficiency	EV charging requirements are secured through both the CSUCP Policy CS13 and the DAP. Updated developer guidance on EV charging is at an advanced stage. The Council already secures contributions towards public transport where it can be evidenced through an application that increased or extended services are required as a direct result of development. On the sites allocated in the Core Strategy circa £10m has been secured for improvements and extensions to public transport. Walking and cycling infrastructure is usually secured through S38 or S278 agreements. Clean bus technology is outside of the jurisdiction of the Council, and the responsibility of the private bus operators. Chapter 16 of the SPD identifies the ability to secure on and off-site air quality mitigation measures to comply with Policies CS14 and DM24 and which will contribute towards Clean Air Zones.
	Contributions should be sought to protect and enhance existing Green Belt, as well as to establish new areas of Green Belt. This could also feed into new nature recovery networks and the creation of 'wild belt' land.	The SPD includes in Chapters 13 and 16 the ability to secure planning obligations to improve public access to land, routes and buildings required to secure public benefits arising from a development and facilitate the multi-functional benefits of green infrastructure networks in accordance with Policy DM27. These benefits will include land within the Green Belt.
	Suggests insufficient resource to carry out effective monitoring; An increase in the monitoring fee would allow the Council to recruit more monitoring officers and ensure the timely and effective delivery of planning obligations	Monitoring fees are secured as part of the section 106 agreement and at a level which is in line with the complexity of their respective obligations. The City Council will be publishing revised monitoring fees in due course to ensure active monitoring of obligations continues.
Individual	The document should set out how developers will be required to:	Tree planting targets set out in the Council's Tree Strategy will be achieved not just through planning applications. Where applicable tree

Reference	Summary of Comments	Council Response
	Enhance green infrastructure by meeting targets in the Tree Strategy and Green Infrastructure Delivery Plan	planting will be secured on individual planning applications and these will be assessed on a case by case basis. Guidance will be included in the Landscape, Trees and Biodiversity SPD and this will be used as part of the DM process when assessing planning applications. Tree planting outside of this will be secured through other funding and projects that the Landscape Team are progressing. The SPD has also been updated to include detail regarding tree mitigation.
	Deliver wildlife-friendly development in line with net gain requirements	This will be set out in the emerging SPD guidance on Landscape, Trees and Biodiversity.
	Deliver more parks, wildlife sites and nature reserves and contribute to local nature recovery networks	Obligations are based on impacts – The Council regularly secures contributions for impacts on locally designated sites. The Council currently does not have local nature recovery networks defined as we are waiting for new national legislation associated with the Environment Bill to provide additional detail on Local Nature Recovery Strategies. The Council has commissioned a Green Infrastructure and Open Space Strategy to consider future green infrastructure and open space requirements.
	Deliver positive outcomes for species and habitats in the Biodiversity Action Plan	Mitigation for protected species is usually secured through condition and the provision of habitats, not obligations and will be covered in the Trees, Landscape and Biodiversity SPD. The aim of the NPPF and Local Plan policy is to provide sustainable and positive outcomes for biodiversity. Policies in the DAP include designating wildlife sites to protect them from adverse development and criteria in the DAP policies requires the protection and enhancement of biodiversity, habitats and protected species. This aligns to the aims of the Biodiversity Action Plan.

Reference	Summary of Comments	Council Response
	Contribute towards meetings targets for greenhouse gas emissions, as set out in the Net Zero Newcastle: 2030 Action Plan	CSUCP CS16 sets sustainability criteria to assess planning applications. The council will be preparing sustainability guidance to align to the Council's Net Zero Action Plan and current government guidance.
	Consult with local communities in relation to what improvements should be secured through planning obligations	As part of the planning application process both local Ward Members as well as local residents are consulted. Opportunity is there to provide suggestions.
Stakeholder	The Revised SPD should include clearer guidance on how the planning services monitoring and management fee is calculated	Development Management are currently updating their monitoring costs associated with different types of obligations. These will be published online in due course.
	Travel Plans: The monitoring cost per year should be defined.	Development Management are currently updating their monitoring costs associated with different types of obligations. These will be published online in due course.
	Wider Site Impact Contributions (Cumulative Impacts): The Revised SPD could be clearer and confirm that developers can pay a proportional financial contribution towards wider works	Development Management are currently updating their monitoring costs associated with different types of obligations. These will be published online in due course.
	The Highways and Transport section could be more aspirational	Comment noted. The section has been revised to reference local plan policies and council ambitions towards more sustainable modes of transport.
	If a new education infrastructure project is already fully-funded by a local authority due to basic need then it is not necessary for developer contributions to also be sought	Developer contributions sought will be proportionate to the projected pupil yield from the development. This may be combined with other funding sources to deliver additional school capacity, but this does not negate the need a development's impact to be mitigated. This is

Reference	Summary of Comments	Council Response
		supported in paragraph 5 of the DfE guidance ‘Securing Developer Contributions for Education’.
	There is no definition given to what the council considers to be “appropriate” school capacity; nor at Para 15.14 is any definition given to what the council considers to be “suitable” school capacity	It is not considered appropriate or helpful to rigidly define this. The planning authority will work closely with the Council’s education service to establish appropriate and suitable capacity in relation to development proposals.
	The onus should lie with the Council to establish that additional school capacity is required	Wording has been added to clarify that a needs assessment would only be sought from a developer where there is disagreement with the Council’s assessment of need, capacity, and required mitigation.
	The Council needs to take into consideration any S106 education contributions that have been received, or will be received as a result of other known developments in the relevant surrounding area	Contributions sought are proportionate to the projected pupil yield from the development. This may be combined with other contributions and funding to deliver additional education capacity.
	Nurse & primary schools - There is no detail within the draft SPD setting out the process that the Council will use to establish whether developer contributions are necessary	The process of identifying the projected pupil yield from a development is made clear in the SPD. The Council’s specific proposals to address growth in demand for school places is set out in the Local Education Plan 2018, which is part of the DAP evidence base. The Council’s SLR capital program reflects these requirements.
	The Council should revisit the CIL evidence base, the priority for spending the CIL and regularly publish this information so it is transparent	The Council meets twice yearly through its CIL Board to discuss proposed spend. Reports are published annually through both the IFS and Planning Committee updates which are publicly available.
	Review of Pupil Yields - we query whether the data used by the Council is sufficiently “up-to-	It is considered that the pupil yield model used by the Council is up to date.

Reference	Summary of Comments	Council Response
	date” to be relied upon. Additional clarity requested.	
	Land required for the construction of a new school or expansion and associated open spaces, should also be gifted to the local authority: should only be gifted in its entirety if a development requires a complete, new school to be built.	If there are not opportunities to expand the capacity of existing schools to meet increased demand for school places then land needs to be provided by the developer, otherwise the impact of the development cannot be mitigated. The DfE’s guidance ‘Securing Developer Contributions for Education, stresses in paragraph 5 that “Given that basic need allocations do not explicitly factor in funding for land acquisition, it is particularly important that education land required within larger development sites is provided at no cost to the local authority wherever possible”.
	“The contribution sought will be for the Scorecard’s ‘new schools’ cost” - This statement conflicts with the data in the current DfE scorecard for the Newcastle upon Tyne area. Can the Council provide local school expansion Data	<p>The contribution is based on national averages in the DfE scorecard. This methodology is specified in paragraph 15 of the DfE ‘Securing Developer Contributions for Education’ guidance. The national average has been adjusted using the regional location factor and inflation set out in the most recent school scorecard and using the recommended BCIS data. This has been calculated as follows –</p> <p>Mainstream new build school contribution per pupil –</p> <p>National average - £20,508 Location factor 1/1.03 = 0.97087 £20,508 divided by 0.97108738 = £21,123.32 Inflation for Q2 2021 = 329/335 = 0.98209 £21,123.24 x 0.98209 = £20,745</p> <p>Mainstream school extension contribution per pupil -</p> <p>National average - £17,268 Location factor 1/1.03 = 0.97087</p>

Reference	Summary of Comments	Council Response
		<p>£17,268 divided by 0.97108738 = £17,786.11 Inflation for Q2 2021 = 329/335 = 0.98209 £17,786.11 x 0.98209 = £17,467</p> <p>Costs are consistent with recently delivered school builds in the city.</p>
	<p>Please could the Council confirm the basis of the £940 FFE per pupil figure, and also provide reference from current DfE guidance which sets out that such FFE costs can be sought from developers</p>	<p>This is based on a recently delivered school at Newcastle Great Park. The footnote on p7 of the DfE guidance states that “Construction costs include ICT and furniture and equipment required for the delivery of the school”. This additional contribution seeks to provide for this.</p>
	<p>Is the Council able to confirm what the BCIS location factor for the Newcastle upon Tyne area is and that this has been applied.</p>	<p>The national average has been adjusted using the regional location factor and inflation set out in the most recent school scorecard and using the recommended BCIS data. This has been calculated as follows –</p> <p>Mainstream new build school contribution per pupil –</p> <p>National average - £20,508 Location factor 1/1.03 = 0.97087 £20,508 divided by 0.97108738 = £21,123.32 Inflation for Q2 2021 = 329/335 = 0.98209 £21,123.24 x 0.98209 = £20,745</p> <p>Mainstream school extension contribution per pupil -</p> <p>National average - £17,268 Location factor 1/1.03 = 0.97087 £17,268 divided by 0.97108738 = £17,786.11 Inflation for Q2 2021 = 329/335 = 0.98209 £17,786.11 x 0.98209 = £17,467</p>

Reference	Summary of Comments	Council Response
	Ecology; Clearer guidance should be provided in relation to the calculation of costs for management and maintenance of ecological measures	This is challenging due to mitigation/compensation being highly specific. Further guidance relating to the cost of biodiversity credits relating to Biodiversity Net Gain is likely to be provided through the Environment Bill.
	Sustainable Urban Drainage Schemes; The monitoring fee and time period should be defined.	The LLFA have published monitoring fees for the maintenance and management of SuDS within the local authority's area. These are available direct from them. The SPD has been amended to include reference to this.
	The Revised SPD document could be more usefully formatted to aid reader reference with more regular paragraph numbering and signposting to related Council guidance documents. We note that there appear to be errors in the sequence of paragraph numbers	Comments noted. While other documents are referenced, we do not usually include hyperlinks in case web pages change and links are lost.
Individual	<p>The document should set out how developers will be required to:</p> <p>Enhance green infrastructure by meeting targets in the Tree Strategy and Green Infrastructure Delivery Plan</p>	Tree planting targets set out in the Council's Tree Strategy will be achieved not just through planning applications. Where applicable tree planting will be secured on individual planning applications and these will be assessed on a case by case basis. Guidance will be included in the Landscape, Trees and Biodiversity SPD and this will be used as part of the DM process when assessing planning applications. Tree planting outside of this will be secured through other funding and projects that the Landscape Team are progressing. The SPD has also been updated to include detail regarding tree mitigation.
	Deliver wildlife-friendly development in line with net gain requirements	This will be set out in the SPD guidance on Landscape, Trees and Biodiversity.

Reference	Summary of Comments	Council Response
	Deliver more parks, wildlife sites and nature reserves and contribute to local nature recovery networks	Obligations are based on impacts – The Council regularly secures contributions for impacts on locally designated sites. The Council currently does not have local nature recovery networks defined as we are waiting for new national legislation associated with the Environment Bill to provide additional detail on Local Nature Recovery Strategies. The Council has commissioned a Green Infrastructure and Open Space Strategy to consider future green infrastructure and open space requirements.
	Deliver positive outcomes for species and habitats in the Biodiversity Action Plan	Mitigation for protected species is usually secured through condition and the provision of habitats, not obligations and will be referenced in the Landscape, Trees and Biodiversity SPD.
	Contribute towards meetings targets for greenhouse gas emissions, as set out in the Net Zero Newcastle: 2030 Action Plan	CSUCP Policy CS16 sets sustainability criteria to assess planning applications. The council will be preparing guidance to align to the Council's Net Zero Action Plan and current government guidance.
	Consult with local communities in relation to what improvements should be secured through planning obligations	As part of the planning application process both local Ward Members, as well as local residents, are consulted. Opportunity is there to provide suggestions. Obligation can only be secured if they meet the 3 tests.
Stakeholder	In a number of locations in the SPD the paragraph references appear to be out of sync or inconsistent.	Noted and corrected.
	Some of the items listed in Section 16 the provisions of paragraph 16.2 located at the very end of the SPD appear contradictory to Section 4 – clarity requested on this and in 4.1	Wording of paragraph 16.2 has been reviewed and edited to provide clarity on for obligations.

Reference	Summary of Comments	Council Response
	We would recommend that the Council amend paragraph 6.1 - it is considered more appropriate that applicants have the ability to choose to appoint their own legal advisors to draft planning obligations	Paragraph 6.1 states that obligations are “normally” drafted by the Council. It does not prevent applicants supplying draft agreement.
	Payments should not be held for extended periods. Wording could be amended to be clear that any unspent contributions will be returned along with any interest	This already forms part of all our planning obligations where a monetary contribution is secured. Clawback provision is discussed and negotiated when s106 agreements are drawn up.
	Request that the Council takes a pragmatic approach to the application of index linking	The Council needs to ensure that correctly indexed contributions are available. It can be many years from when planning permission is granted and commenced until trigger points are met.
	We would welcome the Council providing indications of the potential scope of costs involved with standard monitoring activities, based on the evidence of historic monitoring requirements	Development Management are currently updating their monitoring costs associated with different types of obligations. These will be published online in due course.
	Provide transparency of the obligation process and enable applicants to understand and identify when and where monies have been spent	Development Management publish Planning Committee reports every 6 months which report on performance and expenditure of section 106 contributions. These provide an update on where monies have been spent and on what projects. As part of section 106 agreements there is a requirement to use contributions in line with what they have been secured for. In addition, we publish an annual Infrastructure Funding Statement which identifies current and future spend.
	Request that the Council makes reference in the SPD to exemptions to uploading information to the website and including	Guidance on the publication of viability reports and publication as part of Planning Committee reports is published on the Council website and aligns with national guidance on the subject.

Reference	Summary of Comments	Council Response
	information in reports to the Planning Committee under the provisions of the PPG.	
	Care needs to be had to the proposed approach to overage clauses referred to at paragraph 10.6. The wording refers to these being included where there is a viability case	Paragraph 10.6 sets out the approach to the use of overage clauses within agreements, to allow future financial contributions to comply with local plan policies, where the viability of the development may change in the future. This is considered a pragmatic approach to ensure sustainable forms of development are secured without preventing development from coming forward.
	It is important that the assumptions that the Council will use for considering viability assessment work is up to date and robustly evidenced, regularly reviewed and updated	The viability assumptions are comprehensively updated periodically to support local plan and CIL rate setting and are indexed. Values are published annually in the Authority Monitoring Reports. CIL charges are indexed to reflect changes in the market and appraisals submitted with planning applications will use the latest indexations for relevant assumptions.
	Recommend that Table 2 of the SPD is amended to either remove the need for affordable housing schemes to be required to provide 15% under a planning obligation or that greater flexibility is introduced by other means	The suggested amendment is an operational point for discussion at development management stage rather than a matter of interpretation of policy that seeks to ensure relevant schemes provide the minimum affordable housing requirements.
	Flexibility is needed in how affordable housing is provided on sites. Having more defined clusters of affordable dwellings can assist with the transfer and management of affordable homes.	The Council will seek to apply good practice in housing layouts wherever possible including seeking tenure blind affordable dwellings delivered to the same standards to meet local needs within balanced communities.

Reference	Summary of Comments	Council Response
	It is critical for the delivery and retention of affordable dwellings that the product being provided will be attractive to Registered Providers	The guidance in the SPD regarding treatment of off-site contributions is intended to provide a level of clarity of how the Council will assess such proposals however, there can be flexibility in application where site specific circumstances would indicate an alternative approach would be appropriate. Changes to the text have been made based on these comments in relation to the type of affordable product and recognition of site-specific circumstances.
	The Council could indicate how a 'reasonable transfer value' will be defined	
	Does not specify what proportion of affordable homes would be expected to be delivered by the completion of the first third of the overall site. Greater clarity on expectations on proportions to be delivered could be included	
	Request that paragraph 11.8 is amended to add the following text at the end; 'unless site specific circumstances can be demonstrated to justify an alternative delivery programme.'	
	Paragraph 12.3 sub section 1 - Council could confirm what period constitutes 'long-term' and whether it considers shared private drives on residential developments to fall within this category	The term 'long-term' refers to the period in which there is no reasonable prospect of the road and/or footway being adopted by the Local Highway Authority and maintained at the public expense. If infrastructure has not been constructed to adoptable standards or the applicant has chosen the highway infrastructure to remain private, 'long-term' would mean in perpetuity.
	Council could confirm whether it will continue to seek commuted sums through this s38/s278 or proposes to start doing this through s.106	The Council will continue to assess on a case by basis whereby it may be s278/s38 or s106 or both. As S38 and S278 are sections of The Highways Act and actioned by the Local Highway Authority, commuted sums relating to adoptions or off-site Highway works would likely remain as part of S38 and S278 agreements.

Reference	Summary of Comments	Council Response
	Request that the Council provides further information on its estimated costs for Travel Plan work based on recent experience and evidence	We are currently revising the monitoring fees and this will be an accompanying document.
	Council could provide examples of the circumstances in which it may seek a contribution towards employment and skills training	Contributions in lieu of a TEMP submission would be discussed at pre-application and planning application with colleagues in Economic Development.
	Paragraph 15.14 wording and the section indicates that there is therefore no minimum dwelling threshold for when a contribution would be required, contrary to the overarching principles set out in paragraph 4.1	4.1 is clear that contributions will normally not be sought for developments over 10 dwellings. This would not apply however if additional dwellings are being added to major developments.
	Paragraph 5.16: caution against the use of the word 'gifted' as this implies it is given for free	It is expected that the land is transferred to the Council at no cost to the authority, as per DfE guidance. Therefore, it is considered that 'gifted' is an appropriate terminology.
	Paragraph 5.18 - would be grateful if the Council could confirm the evidence for this average cost and what the proportion of 'project management' costs as a component of this are	This is based on a recently delivered school at Great Park.
	Paragraph 5.14 - Further clarity on the assessment of need would be appreciated	Wording has been added to 15.8 to clarify that a needs assessment would only be sought from a developer where there is disagreement with the Council's assessment of need, capacity, and required mitigation.

Reference	Summary of Comments	Council Response
	Section 16 is generic and lacks sufficient detail on expected requirements	Chapter 16 covers other site-specific measures where it may be appropriate to secure the measures under a planning obligation and which meet the tests set out in the NPPF. The examples given provide cases where site specific measures are necessary to ensure the development would be development plan compliant, and it is not possible to secure such measures through a planning condition. The list is not exhaustive but identifies a range of cases where obligations could be necessary. Individual cases will be identified as part of pre-application discussions on a case-by-case basis or through site masterplans and local development framework documents.
	Monitoring costs required in relation to Sustainable Drainage Systems (SuDS) should be considered to be proportionate to the extent of the SuDS	LLFA have approved monitoring costs which are separate to DM monitoring costs. These are available from the LLFA.
	Provisions for air quality mitigation include a new reference to potential offsite mitigation measures but it is not clear what these might be and how they could be delivered off-site outside the control of a developer	Off-site air mitigation measures will be required where the development would impact upon air quality in the surrounding area. The measures could include tree planting, travel planning and other measures to improve air quality. Further guidance on air quality improvement measure is provided in the Council's Air Quality Management Area Action Plans.
	Public art - care is needed with regards to seeking obligations for provision in the context of whether it is necessary as part of schemes to make an application acceptable in planning terms in the context of wider competing planning obligation burdens	Public Art is required to be provided to major developments on key sites and opportunity areas in the Urban Core under CSUCP Policy UC17. Elsewhere CSUCP Policy CS15 requires development to respond positively to opportunities to introduce public art. The nature and scope of public art will often form part of the overall planning balance to achieve sustainable development with a high-quality design.

Reference	Summary of Comments	Council Response
Individual	5.1 indicates NCC can take financial contributions/works to mitigate a development. This implies developments can be used as cash cows for authorities to carry out projects far removed from the development site.	As part of securing planning obligations three tests must be met which ensures the obligation is secured to mitigate the impact of the development.
	It is stated (13.2) that open space will be protected and enhanced yet 13.5 contradicts this as “off-site contributions” will be acceptable mitigation.	New development will be required to provide open space, and sports and recreational buildings as appropriate either on-site, or where this is not feasible, off-site. The text at 13.2 and 13.5 makes this point clear. The DAP sets out a series of criteria to help with this assessment.
	Too much emphasis on off-site contributions or works	The Planning Obligations SPD is to assist with off-site provision if on-site cannot be achieved in accordance with Local Plan policies.
	Missed an opportunity to impose robust measures to protect and enhance wildlife corridors and habitats. It is at loggerheads with para 56 of the NPPF.	Wildlife enhancement corridors (WEC) and sites of special habitat value are designated in the Local Plan. Planning applications are assessed against DAP Policy DM29 which sets detailed criteria for the protection and enhancement of WEC and habitats.
	Nothing that would suggest any tree/open space protection has been afforded and certainly no evidence of on-site mitigation	Planning applications are determined in accordance with policies set out in the Council’s Local Plan unless there are overriding material considerations. The protection of trees and open space is set out in the Council’s Local Plan and in particular DAP policies DM28 and DM30. The SPD has been amended to include tree mitigation specifications.
Stakeholder	Biodiversity net gain (BNG) is being mandated and will have significant implications for the draft planning obligations SPD	The parliamentary debate on this is has now been put back and the Bill is unlikely to pass until the autumn and there will be a two-year transition period before the requirement for 10% net gain will become mandatory although the Council are looking to require it through the Landscape, Trees and Biodiversity SPD.

Reference	Summary of Comments	Council Response
	Critical to delivery of the Habitat Bank will be the use of planning obligations to secure offsite biodiversity offset schemes	Noted.
	The forthcoming Environment Bill should also be highlighted in paragraph 2.4.	Not required at this stage.
	The working draft of the NCC Landscape, Trees and Biodiversity SPD should be cross-referenced in this paragraph	The Landscape, Trees and Biodiversity SPD is now referenced in the Planning Obligations SPD.
	Offsite biodiversity offset schemes in pursuit of BNG are compensatory/enhancement proposals to make a development acceptable in planning terms. It does not itself constitute 'infrastructure' for the purposes of the Community Infrastructure Levy and so cannot contribute towards a wider CIL	The acceptability of offsite schemes as compensatory habitats will be included in the emerging SPD Guidance on Landscape, Trees and Biodiversity SPD.
	The mandate for BNG in the Environment Bill will itself apply to a development threshold and NCC should ensure alignment.	This SPD is only applicable to major applications therefore a development threshold does not need to be specified. The Environment Bill currently will require net gain on all developments, but there may be further debate on this due to potential impacts on the viability of smaller schemes.
	The term 'contribution' should not be used regarding BNG as each BNG project will need to demonstrate independently how they deliver the requisite biodiversity value.	Noted.
	NCC must seek to secure a financial sum through planning obligations to monitor and	The parliamentary debate on this is has now been put back and the Bill is unlikely to pass until the autumn and there will be a two-year

Reference	Summary of Comments	Council Response
	enforce on-site BNG delivery, over the mandated 30-year period.	<p>transition period before the requirement for 10% net gain will become mandatory although the Council are looking to require it through the Landscape, Trees and Biodiversity SPD.</p> <p>With regards to monitoring and enforcement, it may be required but at this stage the Council does not know what level of monitoring will be required therefore it is difficult to quantify what will be required in relation to contributions. More detail is expected and there will be a two-year transition period within which to consider an appropriate mechanism for this following the ratification of the bill and any contributions that may be required.</p>
	Section 16 - statement falls short of the principles of the Environment Bill. Additional detail regarding the use of planning obligations for BNG as outlined above should also be included in this section.	<p>There is a requirement for BNG within DAP Policy DM29. The Reference is included in the SPD as follows which references BNG. <i>Management, maintenance and monitoring of ecological measures where mitigation and enhancement is required to local habitats and ecology, or the provision of alternative habitats to compensate for any loss of habitats or ecological value and provide measureable net gains in biodiversity secured as part of a development.</i></p>
Individual	The document does not detail requirements to secure long-term benefits for biodiversity, green infrastructure and climate change targets	<p>These elements are currently addressed through the detail submitted and approved as part of a planning application, for example through the Ecological Assessment and the Sustainability Statement and Landscaping/Open Space Plans. Specific details can form part of a S106 or can be subject to conditions.</p>
	<p>The document should set out how developers will be required to:</p> <p>Enhance green infrastructure by meeting targets in the Tree Strategy and Green Infrastructure Delivery Plan</p>	<p>Tree planting targets set out in the Council's Tree Strategy will be achieved not just through planning applications. Where applicable tree planting will be secured on individual planning applications and these will be assessed on a case by case basis. Guidance will be included in the Landscape, Trees and Biodiversity SPD and this will be used as part of the Development Management process when assessing</p>

Reference	Summary of Comments	Council Response
		planning applications. Tree planting outside of this will be secured through other funding and projects that the Landscape Team are progressing. The SPD has been amended to include a section on tree mitigations obligations.
	Deliver wildlife-friendly development in line with net gain requirements	This will be set out in the Landscape, Trees and Biodiversity SPD.
	Deliver more parks, wildlife sites and nature reserves and contribute to local nature recovery networks	Obligations are based on impacts – The Council regularly secures contributions for impacts on locally designated sites. The Council currently does not have local nature recovery networks defined as we are waiting for new national legislation associated with the Environment Bill to provide additional detail on Local Nature Recovery Strategies. The Council has commissioned a Green Infrastructure and Open Space Strategy to consider future green infrastructure and open space requirements.
	Deliver positive outcomes for species and habitats in the Biodiversity Action Plan	Mitigation for protected species is usually secured through condition and the provision of habitats, not obligations and will be covered in the Landscape, Trees and Biodiversity SPD. The aim of the NPPF and Local Plan policy is to provide sustainable and positive outcomes for biodiversity. Policies in the DAP include designating wildlife sites to protect them from adverse development and criteria in the DAP policies requires the protection and enhancement of biodiversity, habitats and protected species. This aligns to the aims of the Biodiversity Action Plan.
	Contribute towards meetings targets for greenhouse gas emissions, as set out in the Net Zero Newcastle: 2030 Action Plan	CSUCP CS16 sets sustainability criteria to assess planning applications. The council will be preparing sustainability guidance to align to the Council's Net Zero Action Plan and current government guidance.

Reference	Summary of Comments	Council Response
	Consult with local communities in relation to what improvements should be secured through planning obligations	As part of the planning application process both local Ward Members as well as local residents are consulted. Opportunity is there to provide suggestions.
Individual	The map shows a wide corridor from west of Callerton, heading east across the A696, over Woosington and continuing east to the north of Newcastle Great Park. Current extensive new build housing developments take great chunks from this green belt. The new build sites do not appear to include any attempt at on site mitigation. Can the council demonstrate its use in the current circumstances to mitigate the impact of the building developments as far as Green Belt Open Space is concerned.	These sites are all allocated in the Core Strategy and Urban Core Plan (2015) for the development of housing. The land was removed from the green belt as part of the local plan examination and adoption process. In considering the removal of Green Belt Policy from these sites the inspector considered the impact on the openness of the Green Belt and considered it to be appropriate.
Stakeholder	No further comment regarding the draft revised SPD	Noted.
Stakeholder	No comments	Noted.
Stakeholder	It would be helpful if the separate guidance on how viability calculations are to be made was signposted from the planning policy website	Viability guidance is on the Council Website and signposting to the associated viability guidance page will be included in the SPD page.
	In order to provide timelier advice, we would suggest that the Council requests reports as soon after validation as possible	The need for viability appraisals to support an application will normally be raised at pre-application stage. The need for s106 heads of terms is a validation requirement. The Council is reviewing its validation checklist at present, where the need for viability appraisals to be provided at application validation will be proposed.

Reference	Summary of Comments	Council Response
	Highways and Transport section would benefit from setting out the formulae (ready reckoner) as to how contributions will be assessed or evaluated for new developments and if CIL	Noted. Due to changes in the regulations following the implementation of CIL, the Council does not have a contributions model set out in the Planning Obligations SPD instead policies referenced in the SPD will guide discussions on contributions on a case by case basis.
	Suggest that greater clarity is provided at 15.8 (Current Position and Future Need)	Wording has been added to 15.8 to clarify that a needs assessment would only be sought from a developer where there is disagreement with the Council's assessment of need, capacity, and required mitigation.
	Suggests rewording of 15.16	The wording is considered appropriate and does not need to repeat the DfE guidance.
	Land cost (land to accommodate new schools and/or expansion on allocated housing sites) should be factored into the wider financial contributions model	It is expected the land to provide a new school to mitigate for the impact of a development, when this school would otherwise not be required, should be transferred to the Council at no additional cost to the authority, as per DfE guidance. The financial contribution sought to help deliver the school on this land is proportionate as it is based on the projected pupil yield from the development. Not additional wording is required.
	15.17 (Cost Per Pupil Place in Newcastle) - recommends that further consideration is given to this	<p>The contribution is based on national averages in the Local Authority School Places Scorecards . This methodology is specified in paragraph 15 of the DfE 'Securing Developer Contributions for Education' guidance. The national average has been adjusted using the regional location factor and inflation set out in the most recent school scorecard and using the recommended BCIS data. This has been calculated as follows –</p> <p>Mainstream new build school contribution per pupil –</p>

Reference	Summary of Comments	Council Response
		<p>National average - £20,508 Location factor 1/1.03 = 0.97087 £20,508 divided by 0.97108738 = £21,123.32 Inflation for Q2 2021 = 329/335 = 0.98209 £21,123.24 x 0.98209 = £20,745</p> <p>Mainstream school extension contribution per pupil -</p> <p>National average - £17,268 Location factor 1/1.03 = 0.97087 £17,268 divided by 0.97108738 = £17,786.11 Inflation for Q2 2021 = 329/335 = 0.98209 £17,786.11 x 0.98209 = £17,467</p>
	<p>Monitoring Fees (Section 9.0): Homes England wishes to flag to the Council the potential for challenge on this matter</p>	<p>Noted. National planning regulations do allow for monitoring fees to be secured.</p>
	<p>Other site-specific measures should be carefully considered to ensure they comply with the NPPF and PPG and have been subject to independent examination and developers can be made aware of the sums they can be expected to pay</p>	<p>All policy and site-specific mitigation costs are identified for clarity and transparency purposes and are checked to ensure costs are reasonable. Policy costs have been tested through local plan examinations with an allowance made for other miscellaneous s.106 costs. This is because site mitigation costs can vary depending on the nature of planning applications submitted.</p>
<p>Individual</p>	<p>The document should set out specifics about developers' requirements to: Consult with local communities in relation to what improvements should be secured through planning obligations</p>	<p>Planning applications are subject to neighbour and ward member consultation. Local representation can be undertaken at these stages.</p>

Reference	Summary of Comments	Council Response
	Deliver more wildlife sites and nature reserves	The delivery of wildlife sites and nature reserves is not related to this SPD. These sites have been assessed and designated in the local plan. DAP Policy DM29 is a detailed policy which planning applications will be assessed against.
	Deliver positive outcomes for species and habitats in the NCC Biodiversity Action Plan	Positive outcomes for species and habitats should be delivered through mitigation hierarchy. DAP Policy DM29 requires this and further detail can be included in the Landscape, Trees and Biodiversity SPD.
	Deliver improvements to existing wildlife corridors	Wildlife enhancement corridors (WEC) are designated in the Local Plan. Planning applications are assessed against DAP Policy DM29 which sets detailed criteria for the protection and enhancement of WEC and habitats. Improvements will be secured bases on a case by case assessment of the development and ecological reports.
	Deliver more parks across Newcastle and environs	The Council has commissioned a Green Infrastructure and Open Space Strategy to consider future green infrastructure and open space requirements.
	Deliver wildlife friendly development in line with net gain requirements	Wildlife friendly development is considered as part of the mitigation hierarchy and will be referenced in the Landscape, Trees and Biodiversity SPD.
	Enhance green infrastructure by meeting targets in the Tree Strategy and Green Infrastructure Delivery Plan	Tree planting targets set out in the Council's Tree Strategy will be achieved not just through planning applications. Where applicable tree planting will be secured on individual planning applications and these will be assessed on a case by case basis. Guidance will be included in the Landscape, Trees and Biodiversity SPD and this will be used as part of the DM process when assessing planning applications. Tree planting outside of this will be secured through other funding and projects that the Landscape Team are progressing.

Reference	Summary of Comments	Council Response
	Demonstrate how they are placing value on nature	This is something that will be considered as better delivered through a net gain assessment and outlined in the Landscape, Trees and Biodiversity SPD.
Individual	<p>The document should set out how developers will be required to:</p> <p>Enhance green infrastructure by meeting targets in the Tree Strategy and Green Infrastructure Delivery Plan</p>	Tree planting targets set out in the Council's Tree Strategy will be achieved not just through planning applications. Where applicable tree planting will be secured on individual planning applications and these will be assessed on a case by case basis. Guidance will be included in the Landscape, Trees and Biodiversity SPD and this will be used as part of the DM process when assessing planning applications. Tree planting outside of this will be secured through other funding and projects that the Landscape Team are progressing. The SPD has been amended to include tree mitigation obligations.
	Deliver wildlife-friendly development in line with net gain requirements	This will be set out in the Landscape, Trees and Biodiversity SPD.
	Deliver more parks, wildlife sites and nature reserves and contribute to local nature recovery networks	Obligations are based on impacts – The Council regularly secures contributions for impacts on locally designated sites. The Council currently does not have local nature recovery networks defined as we are waiting for new national legislation associated with the Environment Bill to provide additional detail on Local Nature Recovery Strategies. The Council has commissioned a Green Infrastructure and Open Space Strategy to consider future green infrastructure and open space requirements.
	Deliver positive outcomes for species and habitats in the Biodiversity Action Plan	Mitigation for protected species is usually secured through condition and the provision of habitats, not obligations and is covered in the Landscape, Trees and Biodiversity SPD.

Reference	Summary of Comments	Council Response
	Contribute towards meetings targets for greenhouse gas emissions, as set out in the Net Zero Newcastle: 2030 Action Plan	CSUCP CS16 sets sustainability criteria to assess planning applications. The council will be preparing sustainability guidance to align to the Council's Net Zero Action Plan and current government guidance.
	Consult with local communities in relation to what improvements should be secured through planning obligations	Planning applications are subject to neighbour and ward member consultation. Local representation can be undertaken at these stages.
Individual	<p>The document should set out how developers will be required to:</p> <p>Enhance green infrastructure by meeting targets in the Tree Strategy and Green Infrastructure Delivery Plan</p>	Tree planting targets set out in the Council's Tree Strategy will be achieved not just through planning applications. Where applicable tree planting will be secured on individual planning applications and these will be assessed on a case by case basis. Guidance will be included in the Landscape, Trees and Biodiversity SPD and this will be used as part of the DM process when assessing planning applications. Tree planting outside of this will be secured through other funding and projects that the Landscape Team are progressing. The SPD has been amended to include reference to tree mitigation obligations.
	Deliver wildlife-friendly development in line with net gain requirements	This will be set out in the Landscape, Trees and Biodiversity SPD.
	Deliver more parks, wildlife sites and nature reserves and contribute to local nature recovery networks	Obligations are based on impacts – The Council regularly secures contributions for impacts on locally designated sites. The Council currently does not have local nature recovery networks defined as we are waiting for new national legislation associated with the Environment Bill to provide additional detail on Local Nature Recovery Strategies. The Council has commissioned a Green Infrastructure and Open Space Strategy to consider future green infrastructure and open space requirements.

Reference	Summary of Comments	Council Response
	Deliver positive outcomes for species and habitats in the Biodiversity Action Plan	Mitigation for protected species is usually secured through condition and the provision of habitats, not obligations and is covered in the Landscape, Trees and Biodiversity SPD.
	Contribute towards meetings targets for greenhouse gas emissions, as set out in the Net Zero Newcastle: 2030 Action Plan	CSUCP CS16 sets sustainability criteria to assess planning applications. The council will be preparing sustainability guidance to align to the Council's Net Zero Action Plan and current government guidance.
	Consult with local communities in relation to what improvements should be secured through planning obligations	Planning applications are subject to neighbour and ward member consultation. Local representation can be undertaken at these stages.
Individual	<p>The document should set out how developers will be required to:</p> <p>Enhance green infrastructure by meeting targets in the Tree Strategy and Green Infrastructure Delivery Plan</p>	Tree planting targets set out in the Council's Tree Strategy will be achieved not just through planning applications. Where applicable tree planting will be secured on individual planning applications and these will be assessed on a case by case basis. Guidance will be included in the Landscape, Trees and Biodiversity SPD and this will be used as part of the DM process when assessing planning applications. Tree planting outside of this will be secured through other funding and projects that the Landscape Team are progressing. The SPD has been amended to include tree mitigation obligations.
	Deliver wildlife-friendly development in line with net gain requirements	This will be set out in the Landscape, Trees and Biodiversity SPD.
	Deliver more parks, wildlife sites and nature reserves and contribute to local nature recovery networks	Obligations are based on impacts – The Council regularly secures contributions for impacts on locally designated sites. The Council currently does not have local nature recovery networks defined as we are waiting for new national legislation associated with the Environment Bill to provide additional detail on Local Nature Recovery Strategies. The Council has commissioned a Green Infrastructure and Open

Reference	Summary of Comments	Council Response
		Space Strategy to consider future green infrastructure and open space requirements.
	Deliver positive outcomes for species and habitats in the Biodiversity Action Plan	Mitigation for protected species is usually secured through condition and the provision of habitats, not obligations and is covered in the Landscape, Trees and Biodiversity SPD.
	Contribute towards meetings targets for greenhouse gas emissions, as set out in the Net Zero Newcastle: 2030 Action Plan	CSUCP CS16 sets sustainability criteria to assess planning applications. The council will be preparing sustainability guidance to align to the Council's Net Zero Action Plan and current government guidance.
	Consult with local communities in relation to what improvements should be secured through planning obligations	Planning applications are subject to neighbour and ward member consultation. Local representation can be undertaken at these stages.
Stakeholder	No comments	Noted.
Stakeholder	S106 for healthcare guidance would better support the health care needs of Newcastle if health was included as a detailed section, rather than included within the 'Other Site-Specific Measures' section	Additional wording added to 16.1 to clarify the broad approach to seeking contributions for primary healthcare provision in consultation with Newcastle Gateshead CCG. It is not considered that a standalone section is required.
Individual	The document should set out how developers will be required to: Enhance green infrastructure by meeting targets in the Tree Strategy and Green Infrastructure Delivery Plan	Tree planting targets set out in the Council's Tree Strategy will be achieved not just through planning applications. Where applicable tree planting will be secured on individual planning applications and these will be assessed on a case by case basis. Guidance will be included in the Landscape, Trees and Biodiversity SPD and this will be used as part of the DM process when assessing planning applications. Tree planting outside of this will be secured through other funding and

Reference	Summary of Comments	Council Response
		projects that the Landscape Team are progressing. The SPD had been amended to include reference to tree mitigation obligations.
	Deliver wildlife-friendly development in line with net gain requirements	This will be set out in the Landscape, Trees and Biodiversity SPD.
	Deliver more parks, wildlife sites and nature reserves and contribute to local nature recovery networks	Obligations are based on impacts – The Council regularly secures contributions for impacts on locally designated sites. The Council currently does not have local nature recovery networks defined as we are waiting for new national legislation associated with the Environment Bill to provide additional detail on Local Nature Recovery Strategies. The Council has commissioned a Green Infrastructure and Open Space Strategy to consider future green infrastructure and open space requirements.
	Deliver positive outcomes for species and habitats in the Biodiversity Action Plan	Mitigation for protected species is usually secured through condition and the provision of habitats, not obligations and is covered in the Trees, Landscape and Biodiversity SPD.
	Contribute towards meetings targets for greenhouse gas emissions, as set out in the Net Zero Newcastle: 2030 Action Plan	CSUCP CS16 sets sustainability criteria to assess planning applications. The council will be preparing sustainability guidance to align to the Council's Net Zero Action Plan and current government guidance.
	Consult with local communities in relation to what improvements should be secured through planning obligations	Planning applications are subject to neighbour and ward member consultation. Local representation can be undertaken at these stages.
Stakeholder	The SPD would benefit from including reference to cross boundary agreements and reference joint working between authorities. There should perhaps be an agreed trigger	The Council consult neighbouring authorities on major applications with potential for cross boundary impacts. If mitigation is required within an adjacent authority then a planning obligation would include provision the relevant matters to be secured with the neighbouring authority. The

Reference	Summary of Comments	Council Response
	between authorities when a facility that provides for a new development in Newcastle is over the boundary in Northumberland or any other adjacent authority.	trigger for cross-boundary consultation is on a case-by-case basis dependent upon the impact upon neighbouring authority area.
Stakeholder	Section 4 should be made clearer and thresholds should be specific to each obligation	Each obligation has a threshold section where obligations will be sought.
	Section 5 s106 items can only be requested where development requires direct mitigation – documents needs to state this	Noted. The SPD lists the three tests which must be met in securing planning obligations.
	Section 9 monitoring charges costs need to be incorporated into document	Monitoring charges are currently being revised and will form a separate document to be read in conjunction with the SPD.
	Section 10 – disagree with introduction of any overage clause for dev contributions.	<p>It is considered that these types of clauses are considered necessary as a way of ensuring that if developments become viable we can receive some mitigating funding. Overage clause should be used on all types of applications and not just outline consents as permissions last for 3 years and developments can take many years to complete. A lot can happen in those years from when the viability assessment was done till when an overage clause kicks in. Even if it's a legal enquiry it still needs to be secured through a s106 obligation.</p> <p>Developments are expected to meet policy requirements. If for reasons of demonstrable lack of viability this cannot be achieved based on the available data at the time of determination then it is reasonable that overage clauses are added to a consent to ensure that if for example, projected sales values are subsequently overachieved that policy costs that would otherwise have been delivered can be retrospectively provided for wider community benefit.</p>

Reference	Summary of Comments	Council Response
	<p>Paragraph 10.7 states...“but will not normally be accepted at a level higher than the relevant average assumptions” It is Persimmon Homes’ opinion that including this text could prevent a development coming forward if an abnormal cost is greater than average and there is no evidenced reason why the higher than average figure will not be accepted.</p>	<p>PPG advises that benchmark land value should be derived at a value that reflects the implications of abnormal costs. Some changes have been made to the SPD for clarity on this point.</p>
	<p>Increase in affordable housing provision not justified – not flexible</p>	<p>NPPF requires 10% of schemes to be affordable home ownership products, and as such the total requirement is less than the CSUCP requirement of 15% affordable homes (Policy CS11). Compliance with the national policy requirement affects the type of affordable housing product and the specific exceptions. The only increase in requirement is for schemes of 10-14 units where an affordable unit is now required in compliance with the NPPF trigger threshold of 10 units or more.</p>
	<p>Paragraph 11.8 does not provide sufficient flexibility to allow affordable housing to be dealt with on a ‘site by site basis’</p>	<p>The paragraph has been amended to refer to site specific circumstances that could justify an alternative approach.</p>
	<p>Monitoring fee for travel plan not justified, no evidence</p>	<p>Monitoring fees will be published separately.</p>
	<p>It is not clear whether new developments in areas where there is existing oversupply of certain types of open space, will be required to provide the same level of open space as developments which are in areas of deficient levels 1’s</p>	<p>The policy approach to open spaces is set out in DAP Policy DM30 and its supporting text.</p>

Reference	Summary of Comments	Council Response
	Section 13 – evidence needed for costings	DAP open space policy was viability tested at examination of the Local Plan.
	S14 TEMPS – needs clarity	There is separate TEMP guidance on our website. This is currently being updated and will be published separately.
	S15 education provision – should only be triggered from major development. There is nothing in the document to say that these figures have been viability tested.	In compliance with NPPF and PPG viability testing of policy costs are undertaken during the local plan and CIL rate setting examination procedures (see section 10.00). Thus, for major residential schemes, education costs maybe sought. The Council keeps the costs under review and follows the up to date PPG guidance on securing education contributions.
	Overall lack of evidence supporting figure and calculations	Noted. The SPD is based on evidence and all effort has been made to make obligations as transparent as possible.
Individual	<p>The document should set out how developers will be required to:</p> <p>Enhance green infrastructure by meeting targets in the Tree Strategy and Green Infrastructure Delivery Plan</p>	Tree planting targets set out in the Council’s Tree Strategy will be achieved not just through planning applications. Where applicable tree planting will be secured on individual planning applications and these will be assessed on a case by case basis. Guidance will be included in the Landscape, Trees and Biodiversity SPD and this will be used as part of the DM process when assessing planning applications. Tree planting outside of this will be secured through other funding and projects that the Landscape Team are progressing. The SPD has been amended to include reference to tree mitigation obligations.
	Deliver wildlife-friendly development in line with net gain requirements	This will be set out in the Landscape, Trees and Biodiversity SPD.
	Deliver more parks, wildlife sites and nature reserves and contribute to local nature recovery networks	Obligations are based on impacts – The Council regularly secures contributions for impacts on locally designated sites. The Council currently does not have local nature recovery networks defined as we

Reference	Summary of Comments	Council Response
		are waiting for new national legislation associated with the Environment Bill to provide additional detail on Local Nature Recovery Strategies. The Council has commissioned a Green Infrastructure and Open Space Strategy to consider future green infrastructure and open space requirements.
	Deliver positive outcomes for species and habitats in the Biodiversity Action Plan	Mitigation for protected species is usually secured through condition and the provision of habitats, not obligations and is covered in the Landscape, Trees and Biodiversity SPD.
	Contribute towards meetings targets for greenhouse gas emissions, as set out in the Net Zero Newcastle: 2030 Action Plan	CSUCP CS16 sets sustainability criteria to assess planning applications. The council will be preparing sustainability guidance to align to the Council's Net Zero Action Plan and current government guidance.
	Consult with local communities in relation to what improvements should be secured through planning obligations	Planning applications are subject to neighbour and ward member consultation. Local representation can be undertaken at these stages.
Stakeholder	Would like to see greater emphasis on planning obligations to secure delivery and long-term management of green infrastructure, wildlife-friendly development, trees and landscaping and conserving important species and habitats.	Chapter 16 of the SPD sets out that planning obligations are required to secure the long-term management and maintenance of areas of open space, trees and landscaping as part of a development, both to protect public access to the space and its multifunction and visual amenity value as part of local green infrastructure to comply with DAP Policies DM27 and DM28.
	Planning obligations should also seek the creation and long-term management of pocket parks, community growing spaces, rain gardens, green roofs, forest gardens, tiny forests, as well as recognition of the importance of gardens within the GI network.	Policies in the Development and Allocations Plan (DAP) require development to provide open spaces, community growing spaces, and rain gardens, green roofs, tree planting are required as part of the landscaping and sustainable drainage schemes.

Reference	Summary of Comments	Council Response
	<p>All new development should be required to contribute towards targets in the Tree Strategy and funding should be allocated to devise a citywide planting plan.</p>	<p>Tree planting will be included on sites as part of the landscape schemes, and where development requires trees to be removed these will be replaced. The Tree Strategy is a wider plan and funding for tree planting is secured outside of new development schemes. Going forward as part of Biodiversity Net Gain additional tree planting could be secured from new development. The SPD has been amended to include reference to tree mitigation obligations.</p>
	<p>The latest Infrastructure Funding Statement (IFS) shows that tree planting was only allocated £17,500 in 2019/20. The plans for 2021 show that neither Community Infrastructure Levy (CIL) nor S106 money will be spent on tree planting, yet the Council is struggling to fund further tree planting. It is therefore imperative that contributions are sought for delivery of tree planting and that these monies are spent on increasing tree cover, with the right trees in the right places.</p>	<p>The IFS is an annual statement which is produced at a set time and only reports on information currently available at that time. In addition, it reports on what has been secured through planning obligations as mitigation for planning permissions. Therefore, it's not 'allocating' its reporting on what has been secured. The neighbourhood portion of the CIL receipt can be used for tree planting and its envisaged that this will take place in future years. The SPD will be seeking tree provision through planning obligations.</p>
	<p>Given the loss of habitat associated with exponential growth in development - one of the main drivers of biodiversity loss - we would expect the SPD to reference how the Council will seek to conserve and enhance species and habitats in the BAP and to ensure the long-term evaluation, management and monitoring of wildlife and biodiversity through planning obligations. Planning obligations for similar initiatives to Greening Wingrove should be sought.</p>	<p>It is considered appropriate that the emerging Landscape, Trees and Biodiversity SPD will include this detail. Greening Wingrove is a community lead project not linked to the planning process.</p>

Reference	Summary of Comments	Council Response
	<p>We would also like to see greater emphasis on securing contributions to help meet climate change targets and targets relating to waste and recycling.</p>	<p>Core Strategy Policy CS16 requires development to function effectively in a changing climate and address impact on climate change. This policy requires developments to provide good levels of sustainability and to optimise the use of local renewable or low carbon energy. In some instances, this may require renewable energy to be secured through a section 106 agreement. This requirement is set out in Chapter 16 of the SPD.</p>
	<p>With S106 money and CIL receipts, the Council could establish weekly food waste collections to feed into an anaerobic digestion scheme, which could be run collaboratively with neighbouring authorities, as well as to secure a new recycling contract</p>	<p>The Council adopted a Waste Strategy in 2019, setting out the Council's vision, ambitions and desired outcome for waste arising in and collection by the city. This includes working with public health and partners to change behaviour and includes introducing separate collection of food waste, where practicable from 2024/25.</p>
	<p>Use S106 and CIL to establish zero waste and plastic-free shops</p>	<p>It is not appropriate to secure this service through planning obligation payments.</p>
	<p>The draft planning obligations SPD should provide more clarity on how the Council will seek obligations to meet the aims set out in the CSUCP and the 'Net Zero Newcastle: 2030 Action Plan'. The action plan sets out that the Council will ensure full adherence to climate change requirements when granting planning permission. It would be encouraging to see how the Council will use planning obligations to secure high standards for design and construction and the incorporation of renewable energy solutions.</p>	<p>CSUCP Policy CS16 sets detailed sustainability criteria to assess planning applications. The council will be preparing sustainability guidance to align to the Council's Net Zero Action Plan and current government guidance.</p>

Reference	Summary of Comments	Council Response
	<p>Contributions should also be sought towards public transport, electric vehicle points, clean bus technology, walking and cycling infrastructure, reducing congestion and Clean Air Zones, as well as retrofitting existing housing stock and promoting energy efficiency. The Council should seek contributions for all of these when permitting new development, as well as exploring ways in which it can generate renewable energy for community use.</p>	<p>EV charging requirements are secured through both the Core Strategy Policy CS13 and the DAP. Updated developer guidance on EV charging is at an advanced stage. The Council already secures contributions towards public transport where it can be evidenced through an application that increased or extended services are required as a direct result of development. On the sites allocated in the Core Strategy circa £10m has been secured to improve and extend public transport. Walking and cycling infrastructure is usually secured through S38 or S278 agreements. Clean bus technology is outside of the jurisdiction of the Council, and the responsibility of the private bus operators. Chapter 16 of the SPD identifies the ability to secure on and off-site air quality mitigation measures to comply with Policies CS14 and DM24 and which will contribute towards Clean Air Zones.</p>
	<p>Planning obligations should require additional green space to reduce recreational pressures and the impacts of domestic pets on areas managed for nature conservation. Contributions should also be sought for dog waste bins and the collection of these, as the Council currently lacks funds to install and maintain such facilities.</p>	<p>The DAP seeks the provision of new open spaces to meet the needs of the local community which can be used for different forms of recreation including dog walking. Contributions for dog waste bins would not comply with the regulations.</p>
	<p>Contributions should be sought to protect and enhance existing Green Belt, as well as to establish new areas of Green Belt around the city</p>	<p>The SPD includes in Chapters 13 and 16 where it sets out the ability to secure planning obligations to improve public access to land, routes and buildings required to secure public benefits arising from a development and facilitate the multi-functional benefits of green infrastructure networks in accordance with DAP Policy DM27. These benefits will include land within the Green Belt.</p>
	<p>An increase in the monitoring fee would allow the Council to recruit more monitoring officers</p>	<p>The council already secures monitoring fees at a level which is in line with the complexity of their respective obligations. The City Council will</p>

Reference	Summary of Comments	Council Response
		be publishing revised monitoring fees in due course to ensure active monitoring of obligations continues.
Individual	<p>The document should set out how developers will be required to:</p> <p>Enhance green infrastructure by meeting targets in the Tree Strategy and Green Infrastructure Delivery Plan</p>	<p>Tree planting targets set out in the Council’s Tree Strategy will be achieved not just through planning applications. Where applicable tree planting will be secured on individual planning applications and these will be assessed on a case by case basis. Guidance will be included in the Landscape, Trees and Biodiversity SPD and this will be used as part of the DM process when assessing planning applications. Tree planting outside of this will be secured through other funding and projects that the Landscape Team are progressing. The SPD has been amended to include tree mitigation obligations.</p>
	Deliver wildlife-friendly development in line with net gain requirements	This will be set out in the Landscape, Trees and Biodiversity SPD.
	Deliver more parks, wildlife sites and nature reserves and contribute to local nature recovery networks	<p>Obligations are based on impacts – The Council regularly secures contributions for impacts on locally designated sites. The Council currently does not have local nature recovery networks defined as we are waiting for new national legislation associated with the Environment Bill to provide additional detail on Local Nature Recovery Strategies. The Council has commissioned a Green Infrastructure and Open Space Strategy to consider future green infrastructure and open space requirements.</p>
	Deliver positive outcomes for species and habitats in the Biodiversity Action Plan	Mitigation for protected species is usually secured through condition and the provision of habitats, not obligations and is covered in the Landscape, Trees and Biodiversity SPD.
	Contribute towards meetings targets for greenhouse gas emissions, as set out in the Net Zero Newcastle: 2030 Action Plan	CSUCP CS16 sets sustainability criteria to assess planning applications. The council will be updating the current sustainability

Reference	Summary of Comments	Council Response
		guidance to align to the Council's Net Zero Action Plan and current government guidance.
	Consult with local communities in relation to what improvements should be secured through planning obligations	Planning applications are subject to neighbour and ward member consultation. Local representation can be undertaken at these stages.
Individual	<p>The document should set out how developers will be required to:</p> <p>Enhance green infrastructure by meeting targets in the Tree Strategy and Green Infrastructure Delivery Plan</p>	Tree planting targets set out in the Council's Tree Strategy will be achieved not just through planning applications. Where applicable tree planting will be secured on individual planning applications and these will be assessed on a case by case basis. Guidance will be included in the Landscape, Trees and Biodiversity SPD and this will be used as part of the DM process when assessing planning applications. Tree planting outside of this will be secured through other funding and projects that the Landscape Team are progressing. The SPD has been amended to include tree mitigation obligations.
	Deliver wildlife-friendly development in line with net gain requirements	This will be set out in the Landscape, Trees and Biodiversity SPD.
	Deliver more parks, wildlife sites and nature reserves and contribute to local nature recovery networks	Obligations are based on impacts – The Council regularly secures contributions for impacts on locally designated sites. The Council currently does not have local nature recovery networks defined as we are waiting for new national legislation associated with the Environment Bill to provide additional detail on Local Nature Recovery Strategies. The Council has commissioned a Green Infrastructure and Open Space Strategy to consider future green infrastructure and open space requirements.
	Deliver positive outcomes for species and habitats in the Biodiversity Action Plan	Mitigation for protected species is usually secured through condition and the provision of habitats, not obligations and is covered in the Landscape, Trees and Biodiversity SPD.

Reference	Summary of Comments	Council Response
	Contribute towards meetings targets for greenhouse gas emissions, as set out in the Net Zero Newcastle: 2030 Action Plan	CSUCP Policy CS16 sets sustainability criteria to assess planning applications. The council will be preparing sustainability guidance to align to the Council's Net Zero Action Plan and current government guidance.
	Consult with local communities in relation to what improvements should be secured through planning obligations	Planning applications are subject to neighbour and ward member consultation. Local representation can be undertaken at these stages.
Stakeholder	Suggest that the SPD links to Sport England's Playing Pitch Calculator	Noted. Wording revised.
Individual	The document should set out how developers will be required to: Enhance green infrastructure by meeting targets in the Tree Strategy and Green Infrastructure Delivery Plan	Tree planting targets set out in the Council's Tree Strategy will be achieved not just through planning applications. Where applicable tree planting will be secured on individual planning applications and these will be assessed on a case by case basis. Guidance will be included in the Landscape, Trees and Biodiversity SPD and this will be used as part of the DM process when assessing planning applications. Tree planting outside of this will be secured through other funding and projects that the Landscape Team are progressing. The SPD has been amended to include tree mitigation obligations.
	Deliver wildlife-friendly development in line with net gain requirements	This will be set out in the Landscape, Trees and Biodiversity SPD.
	Deliver more parks, wildlife sites and nature reserves and contribute to local nature recovery networks	Obligations are based on impacts – The Council regularly secures contributions for impacts on locally designated sites. The Council currently does not have local nature recovery networks defined as we are waiting for new national legislation associated with the Environment Bill to provide additional detail on Local Nature Recovery Strategies. The Council has commissioned a Green Infrastructure and Open

Reference	Summary of Comments	Council Response
		Space Strategy to consider future green infrastructure and open space requirements.
	Deliver positive outcomes for species and habitats in the Biodiversity Action Plan	Mitigation for protected species is usually secured through condition and the provision of habitats, not obligations and is covered in the Landscape, Trees and Biodiversity SPD.
	Contribute towards meetings targets for greenhouse gas emissions, as set out in the Net Zero Newcastle: 2030 Action Plan	CSUCP CS16 sets sustainability criteria to assess planning applications. The council will be preparing sustainability guidance to align to the Council's Net Zero Action Plan and current government guidance.
	Consult with local communities in relation to what improvements should be secured through planning obligations	Planning applications are subject to neighbour and ward member consultation. Local representation can be undertaken at these stages.
Stakeholder	The need to revise contributions could result in both an increase and a decrease in the form and scale of development and this could mean the obligations on the developer legitimately decrease or disappear altogether as a result of revisions	Planning Obligations are negotiable and its noted that monetary contributions may be either increased, decreased or removed following discussions between the Planning Authority and the applicant.
	Upfront guidance on timescales for obligations to be spent and / or returned should be set out in this SPD	Monetary obligations within s106 agreements always have clawback provisions attached and these form part of the discussions during pre-app and application stages.
	Monitoring fees should be quantified, potentially into tiers of complexity / scale of applications if that is necessary.	We are currently in the process of updating our monitoring charges. This will be separate stand-alone document.

Reference	Summary of Comments	Council Response
	Updated viability evidence - make this clear and include any relevant evidence	Viability assumptions are of key importance to appraisals and the Council undertakes periodic consultation with developers. Stakeholder inputs are helpful in helping to test robustness of the assumptions.
	Viability evidence needs to be kept up to date and why all costs must be taken into account	The assumptions that fluctuate, such as costs and values, are indexed linked with other assumptions reviewed on a pragmatic basis. Updates to Guidance Note for Developers on Viability Appraisal in Newcastle upon Tyne and the AMR made available on the Council's website.
	Would therefore welcome the opportunity to discuss abnormal costs for its current schemes with the Council	
	Taylor Wimpey would like to be part of viability assumptions consultations	In compliance with the PPG, it will be assumed that the implications of abnormal costs, policy compliance and site-specific infrastructure will have been taken into account at site valuation. This follows the principle that the community should not be put at a disadvantage where land is transacted at a site value that does not take of the necessary costs of development.
	Registered providers should be part of the conversation in identifying the residential mix for affordable dwellings.	The SPD identifies that there will be exemptions in the application of the tenure mix requirements having regard to the local and citywide evidence of housing need.
	There is no explanation, evidence or justification for affordable housing payment / delivery profile requirement	The guidance in the draft SPD regarding treatment of off-site contributions intended to provide some level of clarity however, there can be flexibility in application where site specific circumstances would indicate an alternative approach would be appropriate.
	Would request that evidence justifying cumulative infrastructure provision (transport) is kept up to date	The review of strategic viability and deliverability reports published by the council takes into account any changes in circumstances regarding the need for infrastructure and related funding.

Reference	Summary of Comments	Council Response
	<p>There is no reference in the transportation chapter to the CIL in Newcastle, which does identify a number of items of transportation infrastructure which will be, or may be, wholly or partially funded by the CIL. Greater clarity is required here because of the overlap between some of these matters and those within the Draft SPD.</p>	<p>There would be no overlap between CIL and collection of monies through other mechanisms for Transport. Contributions would not be sort through S106 for any Transport scheme already identified on the CIL123 list.</p>
	<p>It is not clear what the statement “<i>to be combined with Amenity Green Space</i>” means in this context in Table 4 and greater clarity should be provided</p>	<p>In accordance with DAP Policy DM30 regarding the creation of new open spaces; natural green space should be combined with amenity green space. Additional wording has been added to Table 4 to clarify this. The DAP open space policy was viability tested at examination of the local plan.</p>
	<p>Language used in paragraph 13.13 does not provide sufficient clarify</p>	<p>Open space requirements will be assessed on a case by case basis depending on the nature and location of the application, this is set out in Policy DM30 of the DAP. The SPD identifies off-site sport and recreation contribution figures to give the industry certainty on likely costs to be required to meet open space and sports provision when not available on a development site. The average household size for Newcastle upon Tyne of 2.3 persons is assumed based on the latest ONS data. The figures published will need to be index-linked to ensure costs align with inflation over the life span of the SPD.</p>
	<p>SPD should make reference to high quality temps schemes ran by applicants as adequate replacement for Council ran or endorsed schemes</p>	<p>Planning applications will be looked at on a case by case basis. TEMP provision can be discussed at pre application and application stage with colleagues in Economic Development.</p>

Reference	Summary of Comments	Council Response
	Education provision - There are several instances in this chapter which provide ambiguity around what will be collected by the CIL and what will be collected by S106	Text added to 15.9 to provide clarity. Secondary provision is to be met by CIL and the DfE. New primary school provision to meet the needs of housing sites allocated in the Core Strategy, as detailed in 15.9, will be primarily funded by S106 contributions. S106 contributions may also be sought from residential development in the Outer West of the city when the development will create additional demand for primary school places at new schools and/or extended schools being delivered to support the Core Strategy housing sites.
	Other site-specific measures - as this is an open list it doesn't provide the development industry with certainty about what will be required and in what circumstances	Chapter 16 covers other site-specific measures where it may be appropriate to secure the measures under a planning obligation and which meet the tests set out in the NPPF. The examples given provide cases where site specific measures are necessary to ensure the development would be development plan compliant, and it is not possible to secure such measures through a planning condition. The list is not exhaustive but identifies a range of cases where obligations could be necessary. Individual cases will be identified as part of pre-application discussions on a case-by-case basis or through site masterplans and local development framework documents.
	In terms of health care provision, what is the Council's expectations in terms of contributions towards facilities, and what capacity and infrastructure requirements are identified across the city?	Wording added to 16.1. Contributions to provide additional capacity to mitigate for the additional patient demand for primary health care services will be based on consultation with the CCG at the time of application.
	The Deliverability and Viability Report (August 2018) makes a S106 assumption of £4,000 per unit for non-urban sites (£2,000 for urban sites) which on the basis of the comprehensive list above is likely to be significantly greater. All this points to greater	The Deliverability and Viability Report (August 2018) justifies the assumed average s106 costs in chapter 7 of the report post adoption of CIL charging schedule and considers the assumption remains robust.

Reference	Summary of Comments	Council Response
	flexibility in terms of variable costs such as abnormals.	
	Taylor Wimpey would like to reiterate its offer of further engagement with the Council on the matters raised in these representations before this SPD is adopted.	The Council has met with Taylor Wimpey to discuss the responses. The Consultation Statement and the 'Publication' Draft of the Planning Obligations SPD will be made available for comment prior to adoption.
Individual	The document should set out how developers will be required to: Enhance green infrastructure by meeting targets in the Tree Strategy and Green Infrastructure Delivery Plan	Tree planting targets set out in the Council's Tree Strategy will be achieved not just through planning applications. Where applicable tree planting will be secured on individual planning applications and these will be assessed on a case by case basis. Guidance will be included in the Landscape, Trees and Biodiversity SPD and this will be used as part of the DM process when assessing planning applications. Tree planting outside of this will be secured through other funding and projects that the Landscape Team are progressing. The SPD has been amended to include tree mitigation obligations.
	Deliver wildlife-friendly development in line with net gain requirements	This will be set out in the Landscape, Trees and Biodiversity SPD.
	Deliver more parks, wildlife sites and nature reserves and contribute to local nature recovery networks	Obligations are based on impacts – The Council regularly secures contributions for impacts on locally designated sites. The Council currently does not have local nature recovery networks defined as we are waiting for new national legislation associated with the Environment Bill to provide additional detail on Local Nature Recovery Strategies. The Council has commissioned a Green Infrastructure and Open Space Strategy to consider future green infrastructure and open space requirements.

Reference	Summary of Comments	Council Response
	Deliver positive outcomes for species and habitats in the Biodiversity Action Plan	Mitigation for protected species is usually secured through condition and the provision of habitats, not obligations and is covered in the Landscape, Trees and Biodiversity SPD.
	Contribute towards meetings targets for greenhouse gas emissions, as set out in the Net Zero Newcastle: 2030 Action Plan	CSUCP CS16 sets sustainability criteria to assess planning applications. The council will be preparing sustainability guidance to align to the Council's Net Zero Action Plan and current government guidance.
	Consult with local communities in relation to what improvements should be secured through planning obligations	Planning applications are subject to neighbour and ward member consultation. Local representation can be undertaken at these stages.

Consultation Summary

Overall a total of 30 responses have been received on the Draft Revised Planning Obligations SPD.

Draft Consultation was carried out from 9 December until 27 January 2021. 30 responses were received from individuals, organisations, and statutory consultees. A summary of the main comments raised include:

- Securing delivery of green infrastructure needs to be stronger
- Greater reference to conserve and enhance biodiversity, habitats, and delivery of environmental net gains
- Use of contributions to reduce waste, contribute to climate change mitigation and Newcastle's net zero target
- Ensure effective monitoring
- Liaise with local residents on use of planning obligations
- Clearer guidance on monitoring costs and use of future costs
- Lack of a transport model
- Greater clarity in education section and education costs
- Legal issues and wording
- Clarity of wording in numerous sections
- Viability assessment work should be up to date and regularly reviewed
- Greater clarity on affordable housing delivery and costs

Conclusions following Consultation

The comments made have been considered and where possible have resulted in changes to the Planning Obligations SPD, including:

- Adding a charge for school extensions in line with DfE guidance. This is based on the national average in the School Place Scorecards. It is considered that this change is acceptable in terms of funding in that most sites yet to come forward will contribute toward new build schools
- Clarifying when an education needs assessment would be required from the developer
- Defining when a S106 would be required
- Additions to the section on healthcare
- Clarity of wording in numerous sections
- Additional references to local plan policies

- Cross reference the reader to the Council's 'Guidance Note for Developers on Viability Appraisal in Newcastle upon Tyne' that is also available on the Council's website
- Clarifying the national planning practice guidance on assessment of abnormal site costs
- Adding a reference regarding the emerging First Homes legislation that introduces national changes to the affordable housing products to be provided through planning consents
- Amendments to clarify the nature and location of new affordable housing provision in major housing schemes
- Additional clarity to the use of the off-site contributions formula and phasing of payments.

Taking the comments received into consideration, a 'Publication' draft of the Planning Obligations SPD has been prepared and will be available to view alongside the Consultation Statement for 4 weeks, before taking a final version to Cabinet for adoption.