Guidelines for Transport Assessments and Travel Plans

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CONTENTS

1.0 TRANSPORT ASSESSMENTS

2.0 HIGHWAY RESPONSIBILITIES

3.0 TRAVEL PLANS
   3.1 Aims and Objectives of a Travel Plan
   3.2 Which Developments require a Travel Plan?
   3.3 Producing an Acceptable Travel Plan
   3.4 Scope of Travel Plan
   3.5 Hard Measures
   3.6 Soft Measures
   3.7 Types of Travel Plan
   3.8 Travel Plans Secured By Planning Condition
   3.9 Travel Plans Secured By Planning Obligation (i.e. a S106)
   3.10 Content of a Travel Plan Framework or Travel Plan

4.0 ESTABLISHING TARGETS
   4.1 Establishing Baseline

5.0 REGULATION OF TRAVEL PLANS

6.0 MONITORING AND REVIEW
   6.1 Roles of Local Planning Authority, the County Council, and Developer
   6.2 Travel Plan Co-ordinator
   6.3 Monitoring Report
   6.4 Monitoring Timescale
   6.5 Enforcement of Travel Plans

7.0 TRAVEL PLANS FOR EDUCATIONAL ESTABLISHMENTS
   7.1 Methodology
   7.2 Targets
   7.3 Monitoring

8.0 FINANCIAL ARRANGEMENTS
APPENDIX A - Legal Agreement Advice

APPENDIX B - Draft Section 106 Agreement/Schedules
    - for Travel Plan Frameworks
    - for Travel Plans

APPENDIX C - Unilateral Undertaking for Monitoring Fees associated with Travel Plans secured by Planning Condition

APPENDIX D - Validation Form for Applications involving Transport Assessments
1.0 TRANSPORT ASSESSMENTS

1.1 The County Council has an obligation to assess the transportation impact of all development proposals in order that they may satisfactorily be assimilated into the transport network.

1.2 The County Council’s methodology for undertaking the assessment must be in keeping with national planning philosophy and policy. Insofar as new developments are concerned this is clearly set out in the Government’s Guidance on Transport Assessment produced by the Department for Transport and the Department of Communities and Local Government in March 2007. This national guidance shall be used as a basis for the preparation of transport assessments supporting development proposals in Staffordshire.

1.3 Far too often developers fail to submit a Transport Assessment (TA) or Transport Statement (TS) with their planning applications. In some other cases, a TA or TS is submitted but regrettably in advance of agreeing the scope and content of the assessment with the Highway Authority. This inevitably results in delays in the processing of Planning Applications as key criteria that form the basis of the assessment has not been agreed with the highway authority.

1.4 Developers are encouraged to agree Scoping Studies prior to carrying out an assessment. The Scoping Study is a precursor to the assessment as it enables the developer and or their agent to agree the fundamental criteria that needs to be agreed to ensure that the scope and content of the assessment, if required, is acceptable. If the Scoping Study is not undertaken and agreed with the County Council there is a high risk that the assessment will not be acceptable resulting in abortive work.

1.5 The Local Planning Authorities have produced ‘Validation Criteria’ for planning applications. These advise that when an assessment is required the application will not be registered unless:

   a) the assessment is submitted with the Planning Application and
   b) the assessment has first been submitted to, and considered by, the highway authority.

1.6 Where an assessment is considered to be necessary these should be submitted and considered by Staffordshire County Council prior to the registration of the Planning Application. When Planning Applications require an assessment the applicant will be required to submit a ‘Transport
Assessment Validation Form’ (see Appendix D) signed by the applicant and a representative of the Highway Authority indicating that:

a) A TA or TS is required and that the TA or TS accompanying the Planning Application including its conclusions have been agreed with Staffordshire County Council;
b) A TA or TS is required and that the TA or TS accompanying the Planning Application including its conclusions have been discussed but both the Applicant and Staffordshire County Council are in dispute;
c) A TA or TS is not required.

1.7 The Guidance on Transport Assessment published in March 2007 by Department for Transport and the Department of Communities and Local Government sets out the indicative thresholds that determine whether a TA or TS is required. It should also be noted, however, that in some areas of Staffordshire the County Council have urban area transport strategies whereby smaller thresholds of development would trigger the need for an assessment to determine the level of contribution.

1.8 It is difficult to be too prescriptive on the scope and content of a TA or TS, as each will relate to unique circumstances prevailing in the vicinity of the development site. Developers are therefore urged to submit a Scoping Report to the Highway Authority prior to the submission of the assessment.
2.0 HIGHWAY RESPONSIBILITIES

2.1 The existing highway network in Staffordshire comprises:

- Motorways
- Trunk Roads
- Primary Routes
- Strategic Routes
- Local Roads
- Vehicular Tracks
- Non-Vehicular Highways, Footpaths, Bridleways etc.

2.2 Motorways and trunk roads are the responsibility of the Highways Agency whereas all other routes are the responsibility of the County Council.
3.0 TRAVEL PLANS

3.01 The Office of the Deputy Prime Minister (ODPM) produced Best Practice Guidance on ‘Using the Planning Process to Secure Travel Plans in July 2002. This local guidance amplifies the national guidance and sets out Staffordshire County Council’s advice on developing a Travel Plan (TP) which will be secured either by a planning condition or by means of a Section 106 Agreement.

3.1 Aims and Objectives of a Travel Plan

3.1.1 A Travel Plan is a strategy to minimise the number of single car occupancy motor vehicles visiting a development, thereby reducing congestion and mitigating the impact of travel on the environment. A main objective is therefore to achieve a modal change from the car to more sustainable forms of transport.

3.1.2 A Travel Plan should deliver sustainable transport objectives which seek to:

- manage the demand for travel to a site,
- improve the availability and choice of travel mode to a site,
- reduce the need to travel (to and from the site),
- reduce the number of vehicles attending the site, particularly single occupancy vehicles,
- reduce the costs associated with on-site parking provision and congestion,
- provide the absolute minimum possible car parking spaces on site,
- improve the safety and security of people who travel to the site,
- promote the increased use of cycling, walking and public transport and therefore healthier living,
- promote integration between different transport modes,
- promote co-ordination between developments on larger sites,
- make positive changes to attitudes in relation to the use of alternative transport modes,
provide clear information to employees, customers and visitors on the alternative modes of transport to and from the site,

- improve accessibility for non-car users and the disabled,
- promote the development of a transport system which enhances the environment and supports a sustainable economy.

### 3.2 Which Developments require a Travel Plan?

#### 3.2.1 The Government wants to help raise awareness of the impacts of travel decisions and promote the widespread use of travel plans. PPG13 suggests that Travel Plans should be submitted alongside planning applications which are likely to have significant transport implications.

#### 3.2.2 The indicative thresholds contained within Appendix B of the Guidance on Transport Assessment (GTA) published March 2007 by the DfT and DCLG will largely be used to determine whether and what type of Travel Plan will be required.

#### 3.2.3 Developments falling into column headed TA/TP (Appendix B) will require a Travel Plan to be submitted with the applications alongside the TA. The Travel Plan will be secured by a Section 106 Agreement.

#### 3.2.4 Those developments falling in column headed TS (Appendix B) are likely to require a Minimalist Travel Plan secured by Grampian Condition.

#### 3.2.5 The thresholds contained within the tables in Appendix B are for guidance purposes and should not be read as absolutes.

#### 3.2.6 Early pre-application discussions between a developer and the County Council are strongly recommended to discuss the type of travel plan.

### 3.3 Producing an Acceptable Travel Plan

#### Working up a Travel Plan to submit with the application

#### 3.3.1 Creating an acceptable Travel Plan can take time, even where the work is combined with the preparation of a related Transport Assessment. Also, the content of the Travel Plan may require features in the final layout of the site or design of buildings that need to be incorporated in the plans to be submitted with the application. Furthermore, developing an effective Travel Plan may require consultation with other parties, for example, local transport providers. Early consultation over the scope of the plan could therefore save the Developer potential delay and costs.
The diagram below maps a desirable sequence and indicates the early point at which it should be clear that a Travel Plan would, or would not, be required.

**Process for working up an application**

1. **DEVELOPER TO APPROACH LPA & LHA TO SEEK AGREEMENT IN PRINCIPLE TO DEVELOPMENT**
   - DEVELOPMENT LIKELY TO BE ACCEPTABLE SUBJECT TO DETAILS TO BE WORKED UP AND AGREED
   - DEVELOPMENT LIKELY TO BE UNACCEPTABLE HIGHWAY AUTHORITY LIKELY TO RECOMMEND REFUSAL IF PURSUED

2. **AGREE SCOPING STUDY AND CONSIDER:**
   - WHAT TYPE OF TRANSPORT ASSESSMENT IS REQUIRED
   - WHETHER A TRAVEL PLAN (TP) IS REQUIRED
   - WHAT TYPE OF TP IS REQUIRED
   - HOW THE TP IS TO BE SECURED THRO’ PLANNING PROCESS

3. **WHEN TRAVEL PLAN FRAMEWORK OR OUTCOMES/MEASURES TYPE PLAN OR RESIDENTIAL TRAVEL PLANS ARE REQUIRED ENSURE:**
   - TP REFLECTS FINDINGS OF TRANSPORT ASSESSMENT
   - TP IS SECURED THRO’ S106

4. **WHEN MINIMALIST TRAVEL PLAN IS REQUIRED:**
   - SECURE BY GRAMPIAN CONDITION
   - SECURE MONITORING FEE THRO’ a UNILATERAL UNDERTAKING

5. **SUBMIT TRANSPORT ASSESSMENT AND TRAVEL PLAN + ANY NECESSITATED LAYOUT DETAILS + DRAFT S106 TO LPA/FOR PRE-APPLICATION DISCUSSION/AGREEMENT**

   **AGREEMENT IN PRINCIPLE?**
   - NO
   - YES

7. **HIGHWAY AUTHORITY LIKELY TO RECOMMEND REFUSAL IF PURSUED**

8. **SUBMIT PLANNING APPLICATION**
3.4 Scope of Travel Plan

3.4.1 The form and content of the TP will relate to:

- the findings/outcomes of the TA;
- the type and size of development;
- the mixture of land uses;
- the location of the site in relation to surrounding services and facilities;
- the accessibility of the site to sustainable modes of transport;
- existing patterns of travel;
- existing highway capacity and or safety considerations.

3.4.2 Where a TP is deemed to be a requirement of the planning process the TP will generally comprise of:

- specified aims and objectives;
- hard measures;
- soft measures;
- Travel Plan Co-ordinator;
- Targets;
- details of monitoring arrangements;
- remedial measures.

3.4.3 Aims and objectives should be influenced by the outcome of the Transport Assessment. They should be specified in the TP to provide a basis for the strategy required to best achieve the aims and objectives. The strategy may comprise of both hard and soft measures, monitoring and sanctions. It will also inform decisions to be made over the most appropriate form of regulatory control (i.e. planning conditions or S106 Obligation).

3.5 Hard Measures

3.5.1 These include the physical off-site and on-site infrastructure works required to provide safe and convenient sustainable transport links.

3.5.2 Typical off-site measures that could be secured either by Grampian condition or as a capital contribution secured in a S106 will include:

- foot/cycle paths to link the external network of foot/cycle paths;
- dedicated bus services;
- diverted bus services;
- works transport;
- junction improvements;
- highway infrastructure;
3.5.3 All developments should be considered in the context of the Local Transport Plan (LTP) local area strategies. This will ensure a co-ordination between proposals emerging from land use proposals and those proposals for public transport, cycling and walking proposals in the LTP.

3.5.4 Traffic management measures should also be considered as a means of deterring traffic from particular routes, an aid to reduce vehicle speeds and to encourage travel by more sustainable modes and could include:

- vertical/horizontal speed controlling devices;
- the provision of safe crossing points for cyclists and pedestrians;
- bus lay-bys or stops;
- cycleways and cycle paths;
- footpaths/footways;
- turning points for buses;
- funding for Traffic Regulation Orders.

3.6 Soft Measures

3.6.1 These comprise of a number of different measures that serve to encourage a modal shift from single car occupancy journeys to more sustainable forms of travel.

3.6.2 This element of the TP will only be effective if the plan has been properly considered, is realistic in what it attempts to achieve and has the commitment and support of both the management and employees of the company.

3.6.3 Although the strategy selected will depend on a range of factors it will typically include a variety of measures relating to:

- encouraging cycling,
- encouraging walking,
- encouraging use of public transport,
- encouraging car sharing,
- a car parking strategy to minimise car use,
- other measures.
3.7 Types of Travel Plan

3.7.1 There are different forms of Travel Plan. The form of the Travel Plan will largely be determined by the type of development, its location and accessibility to sustainable modes of travel. Indeed, the outcome of the TA will also affect the measures and outcomes to be achieved. Much also depends on the end user and whether these are known or not. Generally, Travel Plans fall into the following categories:

3.8 Travel Plans Secured By Planning Condition

3.8.1 These are known as Minimalist Travel Plan and are for small-scale developments where the end user is known and where the transport implications are not substantial but nevertheless important to control. The emphasis for Minimalist Plans is on encouraging and promoting travel by sustainable modes for a period of about 5 years. Minimalist Plans are usually secured by way of a Grampian planning condition. They will generally not involve modal split targets or remedies.

3.9 Travel Plans Secured By Planning Obligation (i.e. a S106)

3.9.1 Travel Plan Framework: these are used where Outline Planning consent is being sought and where the end-users are unknown. They provide a framework for individual Travel Plans.

3.9.2 Measures/Outcomes Travel Plan: these involve more of a commitment to a travel plan and contain a range of measures or actions to be provided within an agreed timetable.

3.9.3 In order to provide more comfort that the modal split/shift targets within the Travel Plan would be achieved the Travel Plan needs to include remedies if the targets are not met. Where Travel Plans include modal split/shift targets and/or outcome targets with remedies and there is a high degree of confidence that this will succeed in reducing car usage then it is reasonable to make an allowance for this in the trip rate used in the TA.

3.9.4 Physical or hard measures can be secured by way of a Grampian condition that will require a separate legal agreement with the County Council. Other measures within the Travel Plan which can include, for example, car parking management; the phasing of works; the establishment of a Travel Plan Co-
ordinator; survey and monitoring arrangements including monitoring fees are better dealt with by way of a S106 Obligation.

3.9.5 These TPs are most effective where reviews/monitoring are linked with agreed targets/outcomes and where failure to meet these are to be remedied. Remedies are also controlled by a S106 Obligation relating to further specified measures or actions that may prove to be more effective.

3.9.6 Residential Travel Plan: focus on journeys originating from home to multiple and changing destinations. They should include targets based on trip rates with remedial measures. See DfT “Making Residential Travel Plans Work: Good Practice Guidelines for New Development” for more information.

3.10 Content of a Travel Plan Framework or Travel Plan

3.10.1 A TPF or TP is a package of measures and or agreed outcomes aimed at reducing reliance on the private motor vehicle. It is a process rather than a policy document. Indeed, the completion of the document itself is only the start of the process. A successful TP involves a process of implementation that thrives on continuous monitoring (e.g. surveys), review and continual refinement over time. It does therefore require a high level of debate about transport problems, options and future action, as well as a demonstration of high level management commitment.

3.10.2 There is no standard format or content for Travel Plans. Each should be specific to the circumstances and issues arising at that site. However, the following list will enable a plan to be fully understood by the parties involved:

i) Basic background

- The address and a location plan of the site at 1:2500 scale;

- Relevant reference numbers (e.g. Planning Application the plan relates to). If the Plan is produced as a result of a condition in a planning consent or clause in a planning agreement, then the full wording of these should be set out;

- Who has prepared the plan and their contact details;

- Description of the proposed development proposed, including particularly the anticipated max number of employees and/or daily visitors to the site when development is complete;
• The results of a Travel Survey where possible (or a prediction from a Transport Assessment). The prediction should also anticipate the future growth of activity possible at the site for at least [5] years ahead and beyond;

• The results of a site and surrounding Travel Facilities Audit (this should also be available if a thorough Transport Assessment has been carried out);

ii) **Scope of the plan - Identifying:**

• The issues thrown up by a comparison of the travel survey/prediction and the travel audit;

• The elements of the organisation’s travel activity that the plan is to address;

• The people affected by the plan and organisations to be involved in delivering crucial initiatives, together with results of initial consultations with these;

iii) **Broad objectives, desired outcomes and specific targets**

• Broadly what the plan is trying to achieve (e.g. reduction in single occupancy car use, an increase in public transport use, etc);

• This should be followed with more specific targets, thresholds and measurable outputs/outcomes related to the issues identified above;

iv) **Proposed Actions**

• Details of all the proposed specific initiatives and installations to achieve each of the stated objectives and targets. This will include all of the hard and soft measures both on-site and off-site;

• A timetable of relevant milestones and deadlines;

v) **Targets**

• Need to be specific and measurable (see ‘Establishing Targets’).

vi) **Arrangements to implement, monitor and sustain or review the plan**
The organisational arrangements, responsibilities and resources that will be committed to achieve the targets, monitor progress and review the Plan over time;

This section should also specify the person or post in the organisation that will act as ‘Travel Plan Co-ordinator’ (TPC). The TPC needs to be of sufficient seniority to be able to influence staff travel behaviour and be able to report directly to senior management on the Travel Plan;

The liaison arrangement and frequency to agree with stakeholders and authorities any new targets and actions required to achieve continuing benefits if circumstances change;

vii) Remedial measures

- Fall back measures that might be invoked if agreed targets and outcomes are not achieved;
- Need to be specific to the site and land use and sufficiently robust.
- Should have triggers as to how and when they will be implemented.

viii) Arrangements to communicate the plan to stakeholders

- A communications strategy that identifies how progress and achievements of the Travel Plan will be communicated to all concerned and how feedback will be handled;

ix) Further requirements for travel plans for some kinds of development

- For manufacturing, warehousing and retail developments, the plan should cover the movements of goods and servicing vehicles as well as staff and visitor movements;
- For education/retail/leisure/sports developments the authority will expect to see the travel needs of the students/shoppers/patrons/fans covered by the plan, not just those of employed staff. The authority will also want to see measures included to prevent employee/student or commuter cars occupying parking provided for visitors/customers/fans or displacement to surrounding streets;
• Travel Plans for concert/conference facilities and sports stadia should particularly encourage shared travel to major events and include clear measure to prevent traffic or parking congestion in surrounding streets;

• In developments proposed to be phased over several years, including housing developments, the authority will expect the developer to introduce sustainable travel support measures from the occupation of the first unit to beyond the occupation of the last;

• Wherever an existing organisation is moving to a new location and is taking existing staff and regular visitors, the Travel Plan should identify extra journey lengths that any of these will incur and propose sustainable ways to minimise these, as well as addressing the travel needs of the new site. If members of staff are to be paid an allowance for extra costs of travelling to work to the new site, the Plan should show what sustainable alternatives have been offered (for example, shared transport from the previous site).
4.0 ESTABLISHING TARGETS

4.0.1 Best practice in the area of TPs requires that clear targets should be set. Targets can only be set in relation to local circumstances. They should be challenging but realistic, and will depend on existing patterns of travel behaviour, local geography, local transport infrastructure, local public transport and the availability of parking on and in the near vicinity of the site.

4.0.2 Because of the importance of achieving measurable outputs it is crucial to establish agreed baselines from the outset from which progress towards the Plan’s targets can be measured.

4.0.3 When an Occupier is unknown (or is known but is relocating to a totally new site), the setting of specific baselines and modal shift targets will have to be based on predictions in any Transport Assessment. It is often argued that a baseline survey should only be undertaken some months after opening, when the new travel behaviour has settled down. However, the disadvantage is that the new travel behaviour will have become partly established by then so the best opportunity to secure travel behaviour change to more sustainable modes will have been missed.

4.0.4 For new or developments with an unknown end user, targets will need to reflect the contextual aspects of the development and:

- the level of parking to be provided;
- typical travel generation for that land use;
- the location of the development;
- proximity to associated services and facilities;
- public transport availability to the development.

4.0.5 In the event that the targets for a TP prove to be inappropriate, there will be scope to set new targets following the first annual monitoring report.

4.0.6 When an Occupier is known and the development is an extension on its current site or adjacent land, the setting of targets should be possible based on surveys and pro-rata projections of travel patterns of existing users.

4.0.7 Every target should be SMART - specific, measurable, achievable, realistic and time-related. They can be

i. “aim” targets e.g. ‘increase percentage using non-car modes by (date)’ or
ii. “action” targets e.g. ‘appoint a Travel Plan Co-ordinator’, or ‘provide scheme of interest free loans for public transport season tickets by (date)’.

4.0.8 The local authorities will be looking particularly for targets written in terms of:

i. “outputs”. For example:

- ‘x’ no. cycle stands to be provided by (date);
- the maximum level of parking to be provided;
- the level of car sharing
- the provision of travel information to staff

ii. “outcomes”. For example:

- ‘the proportion of journey-to-work arrivals in single occupancy cars will be kept below x%’;
- the number of vehicles entering the site;
- the modal share of those visiting the site;
- avoidance of on-street parking on surrounding roads.

4.0.9 In every case it is important for practical and cost reasons to use indicators that are easily measurable as well as appropriate.

4.0.10 The Travel Plan shall take into account the specific aspects of a particular site and include where appropriate targets as described above. The Travel Plan shall then set out:

- a strategy for achieving the targets, and
- a methodology for monitoring progress towards achieving the targets. This should involve annual meetings to be held with the local planning authority and highway authority to review progress in the previous year and setting interim targets, for each the following year, for modal split changes for each of the following individual transport modes: walking, cycling, and public transport.

4.1 Establishing Baseline

4.1.1 In cases where existing development sites are being extended, current travel patterns can be surveyed to provide baseline data. The survey should be tailored to the site in question and should gather the following as a minimum:

- Current regular travel mode
- Alternative modes used and frequency
- Distance and time of commute
- Reasons for choice of mode
- Measures that may encourage modal shift

For expansion of existing developments this should be undertaken at the earliest opportunity although where completely new development is involved this should be carried out six months after the opening of the development. The assessment of the results of this survey would lead on to the choice of the measures likely to be the most effective.

4.1.2 To assist in establishing the baseline, it may be possible, where appropriate, to use data from TPs that have already been subjected to surveys or traffic counts for monitoring purposes.
5.0 REGULATION OF TRAVEL PLANS

5.1 A TP should have “sticks” as well as “carrots” to bring about a desirable target level of more sustainable modes of transport. The implementation, monitoring and enforcement of measures and or outcomes within TPs are an essential, if not the most essential, part of the process. Without effective implementation of measures and or outcomes within TPs, including regular monitoring which could lead to enforcement they run the danger of proving to be a paper exercise which serve only to pay lip service to sustainable transport objectives.

5.2 The Office of the Deputy Prime Minister has produced a Best Practice Guide entitled ‘Using the Planning Process to Secure Travel Plans’. The County Council has drawn heavily on this national guidance to provide this more succinct and local guidance. To this end, the following regulatory controls will be used when securing Travel Plans:

- **Minimalist Travel Plans**: these will relate to smaller developments and will be secured by a planning condition. The condition will involve, although will not state, affiliation to Staffordshire County Councils TravelWise Scheme for which there will be a charge for monitoring and providing support which shall be secured by a Unilateral Undertaking (see Appendix C). The suggested condition is as follows:

  "No part of the development permitted by this consent shall be occupied until a Travel Plan has been submitted to and approved in writing by the local planning authority. The Travel Plan shall set out proposals (including a timetable) to promote travel by sustainable modes which are acceptable to the local planning authority. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the local planning authority. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually on each anniversary of the date of the planning consent to the local planning authority for approval for a period of five years from first occupation of the development permitted by this consent."

- **Measures/Outcome Travel Plans**: these will be secured by a S106 Agreement and will relate to cases where targets need to be monitored and managed. The Agreement might relate to Travel Plans for developments where the end-user is known and where the intention is to agree the content of the Plan prior to engrossment of the S106 Agreement. The Agreement might also relate to developments, where
there are a number of end user(s), some of which may be unknown, and where a Travel Plan Framework is required to provide a context for individual Travel Plans (see Appendix D). This form of control will give elected representatives, officers and the company itself a greater sense of purpose and confidence in what has been agreed. Indeed, the use of a Section 106 Agreement has many benefits, as follows:

- Promotes the application of high standards.
- Ensures transparency.
- Ensures consistency between developments.
- “Focuses the mind” of all those involved.
- Gives the organisation a strong argument in detailed negotiations with staff concerning difficult issues such as car parking charges.
- Helps to ensure that TPs do not work to the disadvantage of one area compared to another or are more restrictive on one applicant than the other.

5.3 The use of a S106 Agreement will heighten the importance of clearly set targets and it will formalise the role of the County Council in working in partnership with the organisation concerned. It brings into the public domain the detailed workings of the negotiations that form part of the planning application – this is more democratic than the informal negotiation process and underlines the seriousness of the County Council in conjunction with the local planning authority in achieving sustainable development objectives. A TP will be enforceable under the umbrella of a Section 106 Agreement, and will therefore hold more weight with the occupier and local authority.
6.0 MONITORING AND REVIEW

6.1 Roles of Local Planning Authority, the County Council, and Developer

6.1.1 In the interests of securing effective Travel Plans, the roles of the County Council, the local planning authority and the developer need to be clarified and clearly understood. The rationale for the respective roles is as follows:

- **Local Planning Authority:** The local planning authority (LPA) is responsible for determining the planning application. In this context the LPA is responsible for discharging the planning conditions/obligations.

- **County Council:** The two elements of a Transport Assessment (i.e. the Transport Assessment and the Travel Plan) are intrinsically linked. It is for this reason that the County Council should be responsible for determining with the developer the most appropriate measures and or outcomes that form part of the Travel Plan and be responsible for future monitoring of the Plan. The County Council’s role is to provide advice to the LPA and the developer on all future reviews of the Travel Plan.

- **Developer/Occupier(s):** Where aims and or targets are set out in a TP it is the responsibility of the developer to provide a Travel Plan Co-ordinator (TPC). A TPC could be from within the Company and be responsible for promoting and implementing the measures associated with the plan, and ensure that all survey work required for monitoring is completed at the appropriate time. It should be noted that the appointment of a TPC need not be a new appointment but may be a matter of extending the job profile of an existing employee (this will depend on the scale of the development).

- The occupier will be required, at their own expense, to report the progress in implementing the plan and results of surveys of the changes in movements and travel choice behaviour of travellers to the site. The workings of the Travel Plan should be reviewed at least annually [and more frequently in critical areas]. The organisation will be required to submit via its Travel Plan Co-ordinator, a written report to the County Council within an agreed period after each monitoring date.

- Additionally, on any specific target date mentioned in the approved Travel Plan, the organisation should supply to the authority some evidence of achievement (or else reasons for the variance and proposed corrective action). Any revision to the Travel Plan required as a result of monitoring
should be done in agreement with the authority involved and clearly recorded as an agreed amendment.

6.2 Travel Plan Co-ordinator

6.2.1 The TPC will be responsible for ensuring that monitoring is undertaken, and carried out at times, that are representative of the typical day-to-day travel characteristics of the site. The TPC needs to be of sufficient seniority to influence staff travel behaviour and be able to report directly to senior management on the Travel Plan. The role of the TPC will include some or all of the following:

- To promote and encourage the use of modes other than the car, including publicity.

- Ensure that relevant information is provided to all intended users of the Travel Plan and that information is clearly displayed on the notice boards/IT and is kept up-to-date.

- Arrange and record surveys of car park usage at intervals set out in the Travel Plan.

- Arrange and record the level of on-street parking arising as a consequence of the development.

- Survey and record the level of usage of cycle stands at intervals set out in the Travel Plan to establish potential need for additional facilities.

- Monitor demand for any additional bus facilities, including company bus facilities.

- Maintain records of car sharing arrangements.

- Seek regular feedback from local bus operators to establish levels of demand for bus services and any potential for improved services.

- Arrange for a travel survey to be undertaken of all staff on the site, identifying both travel needs and current travel modes at least annually.

- Liaise with public transport operators and offices of the planning and highway authorities and arrange regular meetings with all interested parties.

- Organise workshops and induction seminars to provide information for
existing and new staff.

- Update computer software.

6.3 Monitoring Report

6.3.1 The operation of a TP should be assessed in terms of the effect the implemented measures have had on the achievement of targets. To this end, a Monitoring Report should be submitted to the County Council and Local Planning Authority on at least an annual basis to quantify and illustrate to what extent the agreed ‘outputs’ and ‘outcomes’ in the Travel Plan have been achieved. Once submitted, the local authority will provide written comments on the report, which may lead to modifications to the original measures.

6.3.2 The monitoring report will include the results of a full staff travel survey of which a minimum response rate of 50% is required or the report will be deemed to be unrepresentative of the site.

6.3.3 Any additional means of measuring targets as specified within the Travel Plan need to be included in the report to the agreed standard.

6.3.4 To assist and save time with compiling survey data Staffordshire County Council have an on-line questionnaire/survey tool for Travel Plan Co-ordinators to use. Please contact the TravelWise section at the County for details. The report will also include evidence of work undertaken on the TP e.g. minutes of meetings, HR policy documents, copies of promotional literature etc.

6.4 Monitoring Timescale

6.4.1 The monitoring of any Travel Plan secured by S106 is not for a limited period of time. It is intended to be an on-going activity which aims for continual improvement. Monitoring may be considered necessary on an annual basis for the first five years or at least until the County Council is assured that the Plans aims and objectives are being achieved. Thereafter, more casual monitoring on a two or three yearly basis may be considered appropriate.

6.4.2 Support and advice will be available from Staffordshire County Council throughout the process.
6.5 Enforcement of Travel Plans

6.5.1 In the interests of securing integrity of the Travel Plan it is essential that the agreed ‘outputs’ and ‘outcomes’ of the TP are monitored. The TP should include where appropriate remedies that could be employed at a later stage if an annual review of the performance of a TP revealed that the TP is failing to achieve agreed outcomes or outputs. The remedies could take a number of forms, for example:

- Improved public transport;
- Provision of funds towards implementing on-street parking controls in the surrounding area, traffic managements schemes or road improvements. This may take the form of a returnable bond;
- Amended on-site parking strategy, including the introduction of workplace parking charges;
- Restrictions on occupation of part of the development until a specified element of the TP has been implemented;
- Works transport;
- Highway infrastructure improvements.

6.5.2 Enforcement by the local planning authority will only be necessary if agreed ‘outputs’ and ‘outcomes’ are failing to be achieved or implemented and there is no evidence through annual monitoring reports that remedies are being employed to help achieve those outputs and outcomes.
7.0 TRAVEL PLANS FOR EDUCATIONAL ESTABLISHMENTS

7.0.1 For schools please contact Staffordshire County Council Road Safety and Sustainable Travel Unit for guidance 01785 276513.

7.0.2 Specific reference should also be made to the DETR document ‘School Travel – Strategies and Plans’, published in June 1999, which provides guidance on developing a School Travel Plan (STP) including surveys, monitoring, evaluation and other practical measures.

7.0.3 Where STPs are to be submitted alongside planning applications and perhaps in conjunction with a Transport Assessment, PPG 13 states that they should relate to targets in the Local Transport Plan, and should set out the arrangements for monitoring the progress of the plan, as well as the arrangements for enforcement, in the event that agreed objectives are not met.

7.1 Methodology

7.1.1 Although the nature of an individual school travel plan will vary with the location and character of the school, the methodology adopted should follow a uniform delivery system. The document, ‘School Travel - Strategies and Plans’, outlines the methodology which should include as a minimum requirement:

- local transport policy objectives;
- consultation with children, parents, school staff, governors and the wider community;
- description of the future development proposals for the school;
- a description of the school and summary of its transport and road safety problems;
- proposed measures with targets;
- programme for implementation;
- proposals for monitoring and review of the plan, which should be time specific.
7.1.2 All STPs will aim to:

- reduce accidents and danger outside the school and on the journey to school;
- reduce traffic congestion outside the school;
- encourage sustainable travel modes to school;
- reduce the number of car trips made to school;
- improve children’s health and fitness through walking and cycling;
- equip children with better road and danger awareness;
- provide a focus for classwork within the national curriculum;
- make the area around the school safer and more enjoyable for everyone.

7.1.3 The STP shall be prepared preferably in conjunction with a Working Group or Travel Plan Co-ordinator (TPC) to be organised by the school. The Working Group or TPC will ideally be set up at the outset to develop and agree the STP although in some circumstances it may only be possible to set up such arrangements when the TP has been prepared. In any event, the working Group or TPC will be responsible for the TPs implementation and for producing annual monitoring reports (see Monitoring and review). If a Working group is formed members of this group should ideally include:

- teachers/pupils (essential),
- Governor/parent (desirable),
- Travel Plan officer of the County Council who will provide support to the Working Group and or TPC and provide assistance and attend annual monitoring reviews.

7.1.4 The STP will generally form a component part of the Transport Assessment and will therefore need to be consistent in their proposed outcomes.

7.1.5 In some cases, it might be acceptable for the Travel Plan to be prepared following the grant of planning consent. It should be noted, however, that the hard measures required to support the STP would need to be identified.
through the Transport Assessment process. This will enable such measures to be secured by a Grampian planning condition.

7.1.6 The potential measures arising from a new school development could include:

- walking measures;
- cycling measures;
- car sharing measures;
- road safety training and education;
- Public Transport issues;
- highway and traffic engineering measures;
- curriculum work;
- school management issues;
- parent involvement;
- consideration of mechanisms to reduce the impact of business, visitor and delivery travel;
- publicity.

7.1.7 At most schools it is likely that a wide range of measures will be needed to put the plan into practice. Many of the measures will be free standing, whilst others will be linked to traffic engineering, new school facilities or additional road safety training. Evidence suggests that the most effective school travel plans involve a mixture of measures involving both pupils and parents.

7.2 Targets

7.2.1 Although the principles behind company and school travel plans are the same (to reduce the amount of vehicle travel to and from the site), it is important to remember that schools have less control over parents driving to school than an employer would over its employees. Therefore, when setting targets it is important that they be challenging, realistic and attainable. Modal shift targets should be based on the travel survey results and should be school specific. In addition, consideration should also be given to soft targets which they should attain as part of the Travel Plan. These should include:
• pedestrian training;
• cyclist training;
• curriculum work;
• Walking Bus;
• promotion of car sharing;
• parental encouragement via school handbook.

7.2.2 Targets will be mutually agreed following discussions with the school and the planning authority.

7.2.3 STAG recommend that we should aim to return by 2010 to the levels of walking, cycling and bus use in the mid 1980’s. Nationally this was 80% walking, cycling and bus use for primary level (63% now) and 90% for secondary school pupils (79% now). In the mid 1980’s 6% of secondary pupils cycled to school, compared to 2% now. These figures should be considered in conjunction with individual travel data results when target setting.

7.2.4 When setting targets it is important to take into account the prevailing highway network circumstances around the school as it is important to remember the relationship between modal shift and casualty reduction.

7.3 Monitoring

7.3.1 The STP should also include details of the monitoring arrangements and a monitoring time-scale. For some school developments for example where the existing development is being extended, current travel patterns can be surveyed to provide baseline data. For expansion of existing developments this should be undertaken at the earliest opportunity. Where completely new development is involved it might be possible to set indicative modal shift aims or targets. Once development is established, however, a survey of travel patterns should be undertaken preferably within 3-6 months. The assessment of the results of this survey would lead on to the choice of the measures likely to be the most effective which shall be incorporated within the first review of the STP.

7.3.2 Section 8 ‘Monitoring and Review’ should be referred to for details of the role of the Travel Plan Co-ordinator and enforcement of the SCT where appropriate.
8.0 FINANCIAL ARRANGEMENTS

8.1 The following financial issues should be considered for inclusion in the Section 106 Agreement for the development:

- In some cases, a financial commitment to achieve the ‘specified aims and objectives’ may need to be calculated based on the targets etc. with the sum secured by a bond that could be called upon, if necessary, to enable the targets to be achieved.

- In some cases where the realisation of targets is crucial to avoid adverse impact on the highway network a bond might be required based on the capital cost of an improvement to the network that can be called upon in the event that the Travel Plan fails to achieve the set targets within an agreed period of time.

- The cost of carrying out both initial and monitoring surveys of staff travel patterns are to be met by the developer.

- A sum of money to fund the County Council’s on-going monitoring of the performance of the Travel Plan, support, advice and attendance of annual reviews shall be paid direct to the County Council prior to commencement of development. The size of the sum will be relative to the development and the envisaged input of the County Council throughout the life of the Travel Plan.
APPENDIX A

Policy in Respect of Securing Mitigating Works Associated with Private Development
**SECTION 106 PLANNING OBLIGATIONS**

Under the Town and Country Planning Act 1990, Planning Obligations may be sought when planning conditions are inappropriate to ensure and enhance the quality of development and to enable proposals that might otherwise have been refused to go ahead in a sustainable manner. They should also meet the following tests, as set out in Circular 05/2005 on Planning Obligations:

- Necessary
- Relevant to Planning
- Directly related to the proposed development
- Fairly and reasonably related in scale and kind to the proposed development
- Reasonable in all other respects

**WHAT ARE PLANNING OBLIGATIONS?**

Planning Obligations are obligations relating to a person’s land which bind the land and whoever owns it. They are made by deed under Section 106 of the Town and Country Planning Act 1990.

Planning obligations may be used to:

a) restrict the development or use of the land in a specified way  
b) require specified operations or activities to be carried out on the land  
c) require the land to be used in any specified way  
d) require a sum or sums to be paid to the authority on a specified date or dates periodically

In the context of highway and transport matters, S106 agreements tend to be used for:

- Requiring sums to be paid for the provision of offsite transport infrastructure;  
- Travel Plans involving modal split or shift targets, the monitoring of targets, bus subsidies and remedies.

Please note that the exception is when ‘Minimalist’ type Travel Plans are required in association with small scale developments where the emphasis is on encouraging and promotion of alternative forms of travel and where there are generally no modal split targets or remedies. Such Travel Plans can be secured by Grampian Planning Condition. Minimalist Travel Plans do, however, require a small monitoring fee that can be secured by way of a Unilateral Undertaking (see Appendix C) to avoid a S106 Planning Agreement.
An obligation can be entered into either through negotiation between the developer and the local planning authority (in which case it is a ‘Planning Agreement’) or by means of an offer of a specific undertaking from a developer (in which case it is a ‘Unilateral Undertaking’). Either way, the planning obligation is a legally binding agreement to undertake works or to meet costs in connection with a development to enable the development to proceed.

Planning Agreements are most commonly required as there is often the need for a set of actions to be agreed by both parties e.g. the developer agrees to provide a set sum of money and the local planning authority agrees to spend it in a particular way. Whilst it is generally preferable to use agreements rather than unilateral undertakings it may be appropriate to use a unilateral undertaking where there is a single straightforward issue to be determined. Insofar as highway/transport matters are concerned unilateral undertakings are most appropriately used in the following two circumstances:

**The monitoring fee associated with Minimalist Travel Plans**

These are for small-scale developments where the end user is known and where the transport implications are not substantial but nevertheless important to control. They will generally not involve modal split targets or remedies. The emphasis for Minimalist Plans is on encouraging and promoting travel by sustainable modes for a period of about 5 years. During this 5 year period the County Council provide a dual role in that they provide support and advice to the developer on the content of the Travel Plan and an auditing role on behalf of the local planning authority in respect of the annual review of the Travel Plan. Minimalist Plans are usually secured by way of a Grampian planning condition, as follows:

"No part of the development permitted by this consent shall be occupied until a Travel Plan has been submitted to and approved in writing by the local planning authority. The Travel Plan shall set out proposals (including a timetable) to promote travel by sustainable modes which are acceptable to the local planning authority. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the local planning authority. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually on each anniversary of the date of the planning consent to the local planning authority for approval for a period of five years from first occupation of the development permitted by this consent."

**ALTERNATIVES TO A S106 AGREEMENT**

A planning obligation should only be used in compliance with the tests set out in the introduction above AND where it is clear that the matter cannot be dealt with through the use of a condition attached to the planning permission. In a limited range of appropriate circumstances it is possible to use ‘Grampian’ conditions to ensure that an action takes place prior to the development commencing. Grampian conditions are a negative restriction on the planning permission, restricting its implementation, in whole or in part, until some event has occurred. This event can involve land outside of the applications ownership, providing there are reasonable prospects of the action in question being performed within the time-limit imposed by the permission. One commonly used example of a Grampian
Condition is where specified highway works are required at the request of the Highway Authority e.g.

‘No development shall commence, until the following highway works:

- (add as appropriate)

have been constructed in accordance with the approved drawings (reference *****)’

Even if the works are outside of the site, as long as they are within the highway boundary and the highway authority are in agreement then the above style of condition can be utilised. A Grampian Condition can also apply to actions on other land within the applicants’ ownership and any other land where the prospect of implementation is reasonable.

**SECTION 111 AND SECTION 278 AGREEMENTS**

It may be necessary for the applicant to enter into a further legal agreement with the Highway Authority to ensure that off-site highway work is carried out to the appropriate standard. Off-site works are secured either by:

- A S278 Agreement under The Highways act 1980, or
- A S111 Agreement under the Local Government Act 1972.

A S111 Agreement allows the developer to be the ‘Employer’ in the works contract and for many of the minor works to be secured in conjunction with private development this is acceptable to the County Council. For more major works, however, the County Council require more control over the works contract and would wish to be the ‘Employer’. Such works are secured under S278 of the Highways Act 1980. A S278 Agreement will be used in the following cases:

(a) Roundabout junctions.

(b) Traffic Signal junctions.

(c) Signal controlled pedestrian crossings.

(d) Other significant junction works.

(e) Any works affecting the Strategic Highway Network which are estimated to cost greater than £25,000.

(f) Works involving any structures which will ultimately be adopted by the Highway Authority (i.e. bridges, retaining walls, culverts etc.)

(g) Works affecting other highways not on the Strategic Network which are estimated to cost greater than £50,000.
Note: The ‘estimated costs’ referred to shall be the total cost of the works, including alterations to Statutory Undertakers equipment, but shall exclude all fees for design checks and site supervision.

Section 278 and Section 111 Agreements are normally drafted once planning approval has been granted and usually accompany negative style planning conditions imposed on the planning consent. The legal framework is prepared by the Central Services Department of the County Council.

These Agreements require an ‘in-principle’ design and a Road Safety Audit may need to be carried out prior to the completion of the Agreement. The latter is often required prior to resolution to grant consent to demonstrate that a safe scheme can be delivered within the Application site and limits of the public highway. In addition, a schedule of works and an estimate of the total cost of the works is required prior to the signing of the Agreement.

The following details are required for full technical approval and should be submitted well in advance of the commencement of works:-

- Existing ground, drainage and pavement surveys including details of investigations;
- Setting out details;
- Services plan showing existing and proposed works;
- Drainage calculations, easement details and drainage proposals;
- Longitudinal sections on all channel and centre lines, indicating both existing and proposed ground levels;
- Cross sections at appropriate intervals indicating the relationship of existing and proposed levels;
- Pavement design calculations;
- Structural details;
- A plan indicating areas of different pavement types, e.g. areas of overlay, reconstruction, new construction, footway etc;
- Construction details, including typical cross sections showing carriageway and footway construction;
- Kerbing and edging details;
- Traffic signs and road markings;
- Details of traffic signal/pelican crossing modifications;
- Road lighting and power supply to traffic signs;
- Standard detail drawings.

Generally, for S278/111 Agreement works, the design shall be prepared in accordance with the Design Manual for Roads and Bridges and the Contract Documentation in accordance with the Manual of Contract Documents for Highway Works.

In the case of Section 278 Agreements the County Council takes the view that, under its interpretation of the Act, the County Council would be the Employer to the Contract and will therefore be responsible for letting the Contract and supervising the works on site.

Where the County Council is not responsible for preparing the tender documents the developer must ensure that the documents have been approved by the County Council before tenders are invited.

**GENERAL MATTERS**

The developer must nominate an agent through whom all correspondence and communications with the County Council can be addressed.

Before any work is commenced, the following requirements must be met:-

- Detailed drawings, specifications and programme of works must be submitted to, and approved in writing by, the County Council. The timing of the submission of detailed drawings, as previously stated, will depend on the nature of the Agreement.

- A list of contractors and/or sub-contractors intended to be approached to carry out the Highway Works must be submitted to and approved in writing by the County Council. The County Council will only approve suitably experienced contractors/sub-contractors to carry out work on the highway and would normally expect contactors to be registered with Constructionline as a highway works’ contractor. Alternatively, contractors will be required to submit ‘financial’ and ‘technical’ references for approval by the County Council. The Developer must allow sufficient time for the matter to be assessed and Developers should note that the County Council’s decision on this matter at the end of the process will be final.

- A copy of the approved Health and Safety Plan must be submitted to the County Council.

All works are to be carried out in accordance with all applicable Health and Safety requirements and legislation including those of the Construction (Design and Management) Regulations 1994. A copy of the Health and Safety Plan (as prepared by the Planning Supervisor appointed under those Regulations) shall be submitted to the County Council prior to the commencement of the highway works. Upon completion of the highway works the Health and Safety File shall be delivered to the County Council.
The normal forms of contract are 5th Edition of the ICE Conditions of Contract, or the New Engineering Contract (NEC) also referred to as the Engineering and Construction Contract (ECC).

Developers are reminded that it is their responsibility to ensure that any contractors or subcontractors take out and maintain insurance in respect of public liability risks for a minimum sum of five million pounds for any one incident.

Developers are advised that, insofar as Section 278 Agreements are concerned, the County Council generally make the arrangements regarding any Statutory Undertakers works/diversions. Developers must therefore request the County Council to serve any requisite notices on the Statutory Undertakers under the New Roads and Streetworks Act 1991. This request must be in writing and made AT LEAST 16 WEEKS PRIOR to the proposed date of commencement of the Highway Works. In situations where a Section 111 Agreement is used and where the Developer is seeking to retain control of the timing of the works the Developer shall be responsible for serving notice on the undertakers.

Developers are further advised to contact the Statutory Undertakers at an early stage as there can be delays in programming works and ordering equipment.

It is important that developers are aware that when an Agreement or the development involves further legal Orders (e.g. Pelican Crossing, road closure, footpath closure/diversion, waiting restrictions, one-way streets, controlled parking schemes etc.) the process involved can often be lengthy. Consequently, the necessary Orders should be sought at the very earliest opportunity as these are usually needed before the County Council can sign the Agreement. The Director of Development Services will usually progress such matters on request although the developer must bear all costs for such work. If Orders need to be processed in advance of the signing of the Agreement an Abortive Cost Agreement will be required.

In the case of Section 111 Agreements where the Agreement includes non-highway land to be used for the construction of the Highway Works, then (if required by the County Council) this land shall be dedicated to the public highway upon final completion of the Highway Works. A plan will be required indicating by way of yellow shading the area of land to be dedicated as highway. In the case of Section 278 Agreements any land required to form part of the public highway upon completion of the highway improvement works must be conveyed to the Highway Authority before the County Council can let the contract.

A plan shall be submitted with all Agreements indicating the boundary of the development site (excluding the existing public highway) edged in red.

Where applicable, the Developer will be expected to pay the costs of insulating buildings arising from the duty of the County Council to do so under S.20 Land Compensation Act 1973, and any Regulations made there-under, in connection with the carrying out of the highway works.

Developers will be required to indemnify the County Council against any claims made under Part 1 of the Land Compensation Act 1973, including all the costs incurred by the County Council in dealing with such claims.

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Provision shall be made within S111/S278 Agreements to secure commuted maintenance payments in respect of the future maintenance of traffic signals, retaining walls and other structures, bus shelters, landscaping, unconventional materials, block paving etc, where appropriate.

In the case of a Section 278 Agreement, the Developer is required to pay the total of the estimated costs (i.e. works and fees) on or before the signing of the Agreement. Actual costs are calculated following completion of the highway works and any additional costs incurred by the County Council are then recovered from the Developer. Where the actual costs are less than the estimated costs a reimbursement will be made to the Developer.

For Section 111 Agreements, the Developer will be required to provide a Bond or cash deposit based on the County Council’s estimate of the highway works.

FEES

The costs of the technical preparation of the Section 111/278 Agreement are payable to the Director of Development Services upon the signing of the Agreement. A fee is also payable to Central Services for the legal preparation and implementation of the Agreement.

A further fee is payable to the Director of Development Services upon signing of the Section 111/278 Agreement. This fee covers the costs incurred in checking and approving the drawings, Safety Audits, the specification and the programme of works together with the supervision and inspection of the Highway Works. With respect to Section 111 works, the term “supervision” relates to that supervision required to maintain the Highway Authority’s interests and does not include any contractual supervision of contractors or sub-contractors.

The estimated cost of the County Council’s fees is paid on signing of the Agreement. For Section 278 Agreements the County Council’s actual costs are calculated following completion of the highway works and any additional costs incurred by the County Council are then recovered from the Developer. Where the actual costs are less than the estimated costs a reimbursement will be made to the Developer.

In the case of Section 106 Agreements, prepared by the local planning authorities, which involve highway/transport related matters the County Council will wish to recover the costs associated with their legal and technical input.

ABORTIVE COSTS UNDERTAKING

Before any work associated with the legal Agreement can be progressed, Developers are required to provide a written undertaking to reimburse any costs incurred by the County Council should the Agreement not be signed.
APPENDIX B

1. Section 106 Schedules where:

- Travel Plan is to be annexed to the S106;
- Travel Plan Framework is to be annexed to the S106;
STANDARD S106 SCHEDULE TO BE USED

IN CASES

WHERE A TRAVEL PLAN IS TO BE ANNEXED TO S106

NOTE: This is to be used when a Travel Plan has been agreed and needs to be secured as a S106 agreement. For instance, where the end user is known and where the Travel Plan includes agreed targets, outcomes, measures, remedies and monitoring arrangements.
1. DEFINITIONS

1.1 “Travel Plan” shall mean the Travel Plan appended to this Agreement.

1.2 “Travel Plan Sum” means the sum of £[ ] Index Linked to be paid for the Monitoring and Review of the Travel Plan.

1.3 “Annual Performance Report” shall mean the annual reports to be submitted indicating how the Travel Plan has been performing and if appropriate the proposals and remedies to improve performance of the Travel Plan to meet the agreed objectives and targets described in the Travel Plan.

2. PLANNING OBLIGATIONS

2.1 The Owner covenants with the Council and the County with the intent that these are planning obligations for the purposes of Section 106 of the Act:

(i) Not to commence any part of the Development until the Travel Plan Sum has been paid to the County and further, to notify the Council that such payment has been made within 14 days of such payment.

(ii) Not to commence any part of the Development until a suitably qualified travel plan co-ordinator with the responsibilities and duties set out in the Travel Plan has been appointed in accordance with the Travel Plan.
(iii) To implement the Travel Plan in accordance with the proposals, the targets, measures and programme of implementation set out within it.

(iv) Ensure that the Travel Plan Co-ordinator is identified to the County Council immediately following their nomination and that any changes in this nomination or responsibilities are notified to the County Council.

(v) Produce and submit to the County Council an Annual Performance Report, (which shall include, as appropriate, the remedies required as set out in the Travel Plan) for approval in writing in respect of all, or each part of, the Development in accordance with the Travel Plan. In the event that the Annual Performance Report is submitted, which does not in the opinion of the County Council achieve the objectives and or targets of the Travel Plan, to submit revised proposals and or remedies in accordance with the Travel Plan to the County Council for its approval in writing. This process shall be repeated as often as necessary until such revised proposals and or remedies to the Travel Plan are approved in writing by the County Council.

(vi) Implement the Travel Plan and any modifications arising from the Annual Performance Report approved by the County Council.

(vii) Submit a copy of any modified Travel Plans (following Annual Performance Report or otherwise), approved by the County Council, to the Council.

(viii) Meet with the County Council on request and within three weeks of the request being made.
3 THE COUNTY’S OBLIGATIONS

3.1 To undertake with the travel plan co-ordinator the on-going monitoring and review of the Travel Plan in accordance with the requirements therein

3.2 To provide support and advice to the travel plan co-ordinator in implementing the Travel Plan

3.3 To use the Travel Plan Sum solely in connection with the Travel Plan.

3.4 To respond to the Owner’s Annual Performance Reports within three weeks of receipt with either written approval, or in the event that the Annual Performance Report being unacceptable to the County Council the reasons (which shall be reasonable) to explain to the Owner why revised proposals and or remedies will need to be submitted for approval in writing by the County Council for the approval of the Annual Performance Reports in accordance with the Travel Plan.

3.5 Advise the Council of instances where the Owner has not complied with the Travel Plan (following Annual Performance Reports or otherwise) in order for the Council to consider whether enforcement proceedings are necessary.

3.6 Submit a copy of any revisions to the measures and or remedies contained within the Travel Plan (following Annual Performance Report or otherwise), approved by the County Council, to the Council.
STANDARD S106 SCHEDULE TO BE USED

IN CASES

WHERE A TRAVEL PLAN FRAMEWORK IS TO BE ANNEXED TO S106

NOTE: This is to be used when a Travel Plan Framework has been agreed and needs to be secured as a S106 agreement. For instance, where the end user is unknown and where the Travel Plan Framework includes agreed targets, outcomes, measures, remedies and monitoring arrangements. These are commonly associated with Outline Planning Applications.
1. DEFINITIONS

1.1 “Travel Plan Framework” shall mean the Travel Plan Framework appended to this Agreement.

1.2 “Travel Plan” shall mean Travel Plans to be approved in writing by the County pursuant to the Travel Plan Framework.

1.3 “Travel Plan Sum” means the sum of £ ( ). Index Linked to be paid for the Monitoring and Review of the Travel Plan.

1.4 “Annual Performance Report” shall mean the annual reports to be submitted indicating how the Travel Plan has been performing and if appropriate the proposals and remedies to improve performance of the Travel Plan to meet the agreed the objectives and targets described in the Travel Plan.

2. PLANNING OBLIGATIONS

2.1 The Owner covenants with the Council and the County with the intent that these are planning obligations for the purposes of Section 106 of the Act:

(i) Not to commence any part of the Development until the Travel Plan Sum has been paid to the County and further, to notify the Council that such payment has been made within 14 days of such payment.
(ii) Not to commence any part of the Development until appointing and funding a suitably qualified Travel Plan Co-ordinator(s) with the responsibilities and duties set out in the Travel Plan Framework.

(iii) Not to commence any part of the Development until submitting and obtaining the approval of the County Council in writing to a Travel Plan in relation to that part of the Development in accordance with the Travel Plan Framework.

(iv) In the event that the County Council declines to approve any Travel Plan, to submit a revised Travel Plan to the County Council within a further period of one month from receipt by the Owner of the County Council’s notification of the Travel Plan not being acceptable and the revised Travel Plan shall address the County Council’s reasons for refusal. This process shall be repeated as often as necessary until the Travel Plan is approved in writing by the County Council.

(v) To implement each Travel Plan approved by the County Council in accordance with the programme of implementation set out in each plan.

(vi) Ensure that the Travel Plan Co-ordinator is identified to the County Council immediately following their nomination and that any changes in this nomination or responsibilities are notified to the County Council.
(vii) Produce and submit to the County Council an Annual Performance Report, (which shall include, as appropriate, the remedies required as set out in the Travel Plan Framework) for approval in writing in respect of all, or each part of, the Development in accordance with the Travel Plan Framework. In the event that the Annual Performance Report is submitted, which does not in the opinion of the County Council achieve the objectives and or targets of the Travel Plan Framework to submit proposals and or remedies in accordance with the Travel Plan Framework to the County Council for its approval in writing. This process shall be repeated as often as necessary until such revised proposals and or remedies to the Travel Plan are approved by the County Council.

(viii) Implement the Travel Plan and any modifications arising from the Annual Performance Report approved in writing by the County Council.

(ix) Submit a copy of any modified Travel Plans (following Annual Performance Report or otherwise), approved by the County Council, to the Council.

(x) Meet with the County Council on request and within three weeks of the request being made.

3 THE COUNTY OBLIGATIONS

3.1 To undertake with the Travel Plan Co-ordinator the on-going monitoring and review of any Travel Plan in accordance with the requirements therein.

3.2 To provide support and advice to the Travel Plan Co-ordinator in implementing the Travel Plans

3.3 To respond to the Owner’s Travel Plans for all or each part of the Development and associated Annual Performance Reports within three weeks of receipt with either recommendations for approval, or in the event that the Travel Plan and Annual Performance Report being unacceptable to the County Council the reasons (which
shall be reasonable) to explain to the Owner why revised proposals and or remedies will need to be submitted for approval in writing by the County Council in accordance with the Travel Plan Framework.

3.4 Advise the Council of instances where the Owner has not complied with the Travel Plan or modified Travel Plan (following Annual Performance Reports or otherwise) in order for the Council to consider whether enforcement proceedings are necessary.

3.5 To use the Travel Plan Sum solely in connection with the Travel Plan Framework and the Travel Plans.

3.6 Submit a copy of any modified Travel Plan (following Annual Performance Report or otherwise), approved by the County Council, to the Council.
APPENDIX C

UNILATERAL UNDERTAKING FOR

MONITORING FEE

ASSOCIATED WITH

TRAVEL PLAN

SECURED BY PLANNING CONDITION
STANDARD UNILATERAL UNDERTAKING TO BE USED

IN CASES

WHERE A MONITORING FEE IS TO BE USED IN ASSOCIATION

WITH A MINIMALIST TRAVEL PLAN

NOTE: This is to be used when a monitoring fee is required in association with a Planning Condition requiring the developer to produce a Minimalist Travel Plan.
SCHEDULE

MINIMALIST TRAVEL PLAN MONITORING SUM

(for annexing to Undertaking)

1. DEFINITIONS

1.1 “Travel Plan” shall mean the Travel Plan that will be secured by Grampian condition.

1.2 “Travel Plan Sum” means the sum of £[ ] Index Linked to be paid for the Monitoring and Review of the Travel Plan.

2. PLANNING OBLIGATIONS

2.1 The Owner covenants and undertakes with the Council and the County with the intent that these are planning obligations for the purposes of Section 106 of the Act:

(i) Not to commence any part of the Development until the Travel Plan Sum has been paid to the County and further, to notify the Council that such payment has been made within 14 days of such payment.
APPENDIX D

VALIDATION FORM FOR APPLICATIONS INVOLVING TRANSPORT ASSESSMENTS
Validation Criterion

in Respect of

Planning Applications involving

Transport Assessments or Transport Statements

TO BE COMPLETED BY APPLICANT AND SIGNED BY THE
APPLICANT AND THE HIGHWAY AUTHORITY
TRANSPORT ASSESSMENT/STATEMENT VALIDATION FORM FOR:

Development:.................................................................................................................................

Date..............

1. Does the proposed development require a Transport Assessment or Statement.
   [ ] YES  [ ] NO

NOTE: IF ANSWER TO Q1 is ‘NO’ PLEASE PROCEED TO BOTTOM OF PAGE SIGN AND SECURE SIGNATURE OF COUNTY COUNCIL

2. If the answer to Q1 is ‘Yes’ has the assessment been submitted in support of the Planning Application.
   [ ] YES  [ ] NO

3. If the answer to Q2 is ‘Yes’ please confirm that the assessment has been audited by the Highway Authority.
   [ ] YES  [ ] NO

NOTE: IF EITHER OF THE ANSWERS TO Q2 and Q3 ARE ‘NO’ PLEASE DO NOT SUBMIT PLANNING APPLICATION AS THE LOCAL PLANNING AUTHORITY WILL NOT REGISTER THE APPLICATION.

4. If the answer to Q3 is ‘Yes’ please advise whether the highway authority are in agreement with the proposed conclusions in the assessment.
   [ ] YES  [ ] NO

NOTE: IF ANSWER TO Q4 is ‘YES’ PLEASE PROCEED TO BOTTOM OF PAGE SIGN AND SECURE SIGNATURE OF COUNTY COUNCIL

5. If the answer to Q4 is ‘No’ please attach a letter explaining the areas of dispute so that consideration can be given to validating the Planning Application.

NOTE: IF ANSWER TO Q4 is ‘NO’ AND THE LOCAL PLANNING AUTHORITY REGISTER THE APPLICATION AS VALID PLEASE NOTE THAT THE APPLICATION WILL BE DETERMINED ON THIS BASIS.

Applicants Signature

Development Control Engineer’s Signature on behalf of Staffordshire County Council
For more information please contact:

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