



**Cumbria County Council**

**Travel Plans and the Planning Process in Cumbria:  
Guidance for Developers**

**September 2012**

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## **Chapter 1 - Introduction**

### **What is a travel plan?**

A travel plan is a long-term management strategy for an occupier or a site that seeks to deliver sustainable transport objectives through specific actions. This strategy is set out in a document – the travel plan – that is regularly reviewed to assess its effectiveness in delivering the intended results, or amended to attempt to resolve any failure to meet the targets set.

### **Why are travel plans needed?**

Traffic from new developments can have a detrimental effect on the local transport infrastructure, resulting in problems such as congestion, delay and deteriorating air quality. Traffic, as the fastest growing source of UK CO<sub>2</sub> emissions, also contributes to wider environmental problems.

Within Cumbria, the existing transport infrastructure in many areas is under mounting pressure as a result of increased levels of development, physical factors such as limited capacity for all modes of travel, and general traffic growth. Additional development on this constrained transport network could further aggravate capacity problems if measures are not taken to make better use of existing infrastructure, introduce extra capacity, and/or increase service provision. In addition, the existing infrastructure may not be of a sufficient quality or may not be currently available to deliver sustainable solutions.

Travel plans for a wide range of developments, including commercial and residential, have a part to play in encouraging the effective use of current transport networks. Travel plans have been used successfully for many years, some prepared on voluntary basis and others secured through planning obligations, and have proved to be an important tool for promoting sustainable travel choices such as walking, cycling and public transport. By helping to reduce single occupant car use, Travel Plans can encourage effective use of current transport networks, help support sustainable economic growth, encourage healthy lifestyles, promote social inclusion, manage travel demand and assist in reducing the impacts of climate change.

### **Purpose of this guidance**

Cumbria County Council, as Highway and Transport Authority, is keen to see Travel Plans used effectively and will be working towards this goal in partnership with Cumbria's Local Planning Authorities.

Travel plans form a fundamental part of the development management process. It is therefore a requirement that where development proposals meet threshold levels (see Appendix C), or where a travel plan is specifically requested, a travel plan is produced to accompany the developer's planning application.

Cumbria County Council is seeking to secure these travel plans via planning obligations through the planning process (Section 106 of the Town and Country Planning Act 1990) to guarantee the provision of sustainable travel options that will result in social, economic and environmental benefits. This will apply both to new developments and extensions of existing sites, whatever their use.

This guidance has been produced to assist:

- **Developers and their Consultants** to understand when a travel plan will be required and the expected content of the travel plan.
- **Local Planning Authority Officers** in their consideration of development proposals supported by a travel plan.
- **Highway Development Management Officers** to determine the scope and type of travel plan required.
- **Travel Plan Officers** to assess and approve travel plans, and to establish a clear basis for monitoring progress.

## **Chapter 2 - Planning Policy**

Justification for seeking the provision of Travel Plans through Section 106 of the Town and Country Planning Act 1990 is clearly established in planning policy nationally, regionally and locally. However, any requirement for a developer to enter into a Section 106 planning obligation should also meet the criteria set out in the National Planning Policy Framework (Department for Communities and Local Government, March 2012). This supersedes Circular 05/2005 on Planning Obligations (Office of the Deputy Prime Minister, 2005), but retains the tests which state that a planning obligation must be:

1. Necessary to make the proposed development acceptable in planning terms;
2. Directly related to the proposed development; and
3. Fairly and reasonably related in scale and kind to the proposed development;

These requirements were given statutory weight by Regulation 122 in the Community Infrastructure Levy Regulations 2010 (SI2010/948)

### **National Planning Policy**

#### **National Planning Policy Framework (Communities and Local Government, 2012)**

Paragraph 30: Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. In preparing Local Plans, local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport.

Paragraph 32 [relating to Transport Assessments]: All developments that generate a significant amount of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- The opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- Safe and sustainable access to the site can be achieved for all people; and
- Improvements can be undertaken within the transport network that cost-effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Paragraph 34: Plans and decisions should ensure developments that generate significant movements are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. However, this needs to take account of policies set out elsewhere in [National Planning Policy Framework], particularly in rural areas.

Paragraph 35: Plans should protect and exploit opportunities for the use of sustainable transport modes for the development of goods or people. Therefore, developments should be located and designed where practical to:

- Accommodate the efficient delivery of goods and supplies;
- Give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;
- Create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;
- Incorporate facilities for charging plug-in and other ultra-low emission vehicles; and
- Consider the needs of people with disabilities by all modes of transport.

Paragraph 36: A key tool to facilitate this will be a Travel Plan. All developments which generate significant amounts of movement should be required to provide a Travel Plan.

**Good Practice Guidelines: Delivering Travel Plans through the Planning Process (Communities and Local Government / Department for Transport, 2009)**

This document sets out the need to integrate sustainable travel and transport when planning new developments and stresses that travel plans are an important tool for delivering sustainable access to new development, whatever the use. The guidelines support the development of a range of travel plans, including plans for the workplace, schools, residential developments and leisure / visitor developments.

The guidelines also sets out the importance of developing outcome targets for Travel Plans, as well as establishing effective monitoring and review processes and planning obligations that set out the action to be taken if travel plan measures are not put in place or targets are not met as agreed.

## **Regional Planning Policy**

### **North West of England Plan, Regional Spatial Strategy to 2021 (Government Office for the North West, 2008)**

Policy DP5 – Manage Travel Demand; Reduce the Need to Travel, and Increase Accessibility: A shift to more sustainable modes of transport for both people and freight should be secured, an integrated approach to managing travel demand should be encouraged, and road safety improved. This policy seeks to reduce the need to travel and to assist people to meet their needs locally, whilst at the same time ensuring that all new development is genuinely accessible by public transport, walking and cycling.

Policy RT2 – Managing Travel Demand: The Regional Planning Body, local authorities, and other highway and transport authorities should develop a coordinated approach to managing travel demand. They should seek to reduce private car use through the introduction of ‘smarter choices’ and other incentives to change travel behaviour which should be developed alongside public transport, cycling and pedestrian network and service improvements.

Paragraph 8.6: ‘Smarter choices’, including company, school and personal travel plans, safer routes to school, travel awareness campaigns such as TravelWise, car pooling, car sharing schemes, car clubs and park and ride schemes, the availability of real time information and integrated ticketing and the increasingly popularity of home working can contribute towards changing travel behaviour.

NB: The Regional Spatial Strategy will be abolished once the Localism Bill is enacted; the expected timescale for this is towards the end of 2011. In the meantime, the Regional Spatial Strategy is still a material consideration.

## **Local Planning Policy**

### **Cumbria and Lake District Joint Structure Plan (2001 – 2016) saved policies**

#### Policy T30: Transport Assessments

Transport assessments will be required for development proposals in accord with national guidance. (Threshold levels are provided within the Department for Transport’s ‘Guidance on Transport Assessment’, 2007.)

### Policy T31: Travel Plans

Travel plans will be required for proposals for:

- 1) Retail and indoor leisure facilities in excess of 1,000 sq. m gross floorspace;
- 2) Office, employment, education and health services development in excess of 2500 sq. m gross floorspace;
- 3) New and expanded school facilities;
- 4) Development that would otherwise generate local traffic problems as identified through a transport assessment or an evaluation of a proposal.

Full threshold levels for Travel Plans are included as Appendix C and are referred to in the Communities and Local Government / Department for Transport's 'Good Practice Guidelines: Delivering Travel Plans through the Planning Process' (2009).

### **Cumbria Local Transport Plan (2006 – 2011)**

#### Local Transport Plan Policy WS1 - Travel Plans:

The Council will pursue a programme that will produce Travel Plans for major employers and appropriate groups of employers. It will also encourage plans to be produced by the major visitor attractions.

#### Local Transport Plan Policy WS2 - Travel Plan Coordination:

The development of Work Travel Plans will be coordinated, enabling consistency and encouraging sustainability. Each travel plan will be required to include:-

- A monitoring plan to assess modal shift
- An action plan to increase the number of people walking, cycling and using public transport or car sharing
- Review mechanisms to highlight continuing and sustainable improvement and how information and best practice can be assessed and to ensure the plan is regularly updated.

#### Local Transport Plan Policy WS3 - Travel Plan Monitoring:

The Council require travel plans to be implemented and monitored through S106 agreements through the Development Control process for all new developments that meet the criteria for travel plan preparation.

#### Local Transport Plan Policy WS5 - Travel Plan Review:

The Council will ensure that Travel Plans and their modal shift targets are sustained through a requirement for a regular review of each plan.

Local Transport Plan Policy LD4 – Transport Assessments and Travel Plans:  
Transport Assessments will be required for development in accordance with national guidance. (Threshold levels are provided within the Department for Transport's 'Guidance on Transport Assessment', 2007.)

Travel plans will be required for proposals for:

- 1) Retail and indoor leisure facilities in excess of 1,000m<sup>2</sup>;
- 2) Industrial development in excess of 5,000m<sup>2</sup> and warehousing/distribution developments in excess of 10,000m<sup>2</sup>;
- 3) Office, employment, education and health services development in excess of 2,500m<sup>2</sup>;
- 4) New and expanded school facilities;
- 5) Development that would otherwise generate local traffic problems as identified through a transport assessment or an evaluation of a proposal.

Full threshold levels for Travel Plans are included as Appendix C and are referred to in the Communities and Local Government / Department for Transport's 'Good Practice Guidelines: Delivering Travel Plans through the Planning Process' (2009).

### Chapter 3 - What type of Travel Plan is required?

Travel plans should be scoped and developed through pre-application discussions with relevant officers from the Local Highway Authority, Cumbria County Council. This will help to ensure that the travel plan accompanying the planning application is satisfactory. A template travel plan and advice is available to download from the County Council website. Links to Cumbria's website plus other useful sources of information can be found in Appendix F.

However, because each site and development has different characteristics, and varies in complexity it is often not possible to produce a standard travel plan for each application. Individual travel plans will be unique, reflecting the distinctive nature of the development. In addition to this, factors such as the size, location or end use of the development will determine what type of travel plan is appropriate.

#### **Travel Plan Categories**

There are broadly five different categories of travel plan, and these are summarised in the table below:

<b>Area-wide travel plan</b> for a defined geographic area
<ul style="list-style-type: none"><li>• Useful in, for example, rural areas or very complex large developments in existing developed areas.</li><li>• Can ensure that new and existing development produces effective and integrated accessibility outcomes.</li></ul>
<b>Framework travel plan</b>
<ul style="list-style-type: none"><li>• For large mixed-use developments with multiple occupants or mixed uses.</li><li>• Overall outcomes, targets and indicators are joint and administered centrally.</li><li>• Sets the parameters for the individual uses/elements that should prepare their own subsidiary travel plans which are in line with the framework travel plan.</li></ul>
<b>Interim travel plan</b>
<ul style="list-style-type: none"><li>• Produced if it is not possible to identify all the outcomes or measures and/or where the uses and end users are unclear.</li><li>• Covers all main elements and fixes a time-frame for completion of the full travel plan.</li></ul>
<b>Full travel plan</b>
<ul style="list-style-type: none"><li>• Produced when end user(s) or end use(s) are known.</li><li>• Important to ensure continued implementation when passed on through occupiers.</li></ul>
<b>Travel plan statement</b>
<ul style="list-style-type: none"><li>• For small applications, when a full travel plan is not justified, a travel plan statement can be used to deal with any issues that arise from the transport statement.</li></ul>

[Source: Good Practice Guidelines: Delivering Travel Plans through the planning process (summary report) DfT, 2009]

## **Chapter 4 – What should a travel plan contain?**

As previously stated, a travel plan is a long-term management strategy for an occupier of a site that seeks to deliver sustainable transport objectives through positive action. This management strategy is set out in a document that is regularly reviewed.

This long-term management strategy involves developing a practical approach to manage access to and from a development site by encouraging the use of sustainable methods of transport, with a particular emphasis on reducing the number of single occupancy car trips to and from the development site.

A successful travel plan will give anyone travelling to or from a site a choice of travel options and encourage them to use the more sustainable ones.

Effective travel plans will include measures to restrain and manage parking on the site. The travel plan will include a set of agreed targets for the percentage of journeys to the site by car driver alone and details of action to be taken if the travel plan fails to achieve its aims and objectives.

A travel plan is a living document and should be an ongoing process requiring regular monitoring, reviewing and adjustment to ensure that it is achieving its aims and meeting set targets.

### **Essential elements**

A Travel Plan should contain the following essential elements:

- Introduction (description of location, size and type of development)
- Ownership / senior support (available budget; staff time; appointment of and support for a travel plan coordinator)
- Roles and responsibilities (travel plan coordinator as point of contact; working group may be relevant in larger organisations, or a tenants' group for a residential travel plan; overall accountability for the travel plan)
- Site assessment (facilities available; access to public transport; pedestrian access; cycle infrastructure and facilities; vehicle access; car parking availability; company policy eg mileage rates; barriers to non-car use)
- Travel survey / baseline data (to understand how staff / residents travel to and from home and work; needed to be able to identify options to be able to encourage a switch to alternatives modes of transport. Looking at broader transport issues may be relevant for some organisations, e.g. business travel, visitor travel, fleet vehicle arrangements)
- Aims and objectives (aims and objectives are needed for direction and focus)
- Targets for modal shift (targets/indicators to be measurable to assess whether objectives have been achieved)

- Proposed measures to encourage sustainable transport (identify package of measures including incentives eg discounted season tickets, cycle purchase schemes, car sharing scheme, showers/changing facilities for cyclists; and disincentives eg car parking restrictions – a comprehensive list is provided in Appendix D)
- Promotion and marketing (vital to success)
- Details of monitoring and review (to assess change, whether targets are being met; decide what to check, who is responsible, frequency, timescale, methods, reporting of results, reviewing of Travel Plan if initiatives are not working; this may include a review of targets)

Where the eventual occupiers of the site are not known the travel plan should outline explicitly how the travel plan will be developed for the individual sections of the site. It will be necessary for the responsibility for the travel plan to be passed on to eventual occupiers of the site or onto a management company; this also applies to residential developments.

The Travel Plan should contain signatures indicating support from Senior Managers of the Development Company and all known future occupiers must also be included. There should be firm evidence of commitment to ongoing promotion of the Travel Plan and the measures supporting it.

The Travel Plan should contain objectives setting out in broad terms what the plan is seeking to achieve. It is important to relate the eventual targets back to the objectives. The objectives could for example identify all (or some) of the following as appropriate:

- To reduce the impact and frequency of car travel especially single occupancy vehicle use;
- To reduce the impact of the development on the local road network;
- To enable all staff / residents of the development to have informed choice about their travel options;
- To improve the health and well being of the staff / residents of the development;
- To ensure the transport arrangements of the development have the minimum environmental impact;
- To ensure the development is accessible to the widest possible range of people and services.

### **Walking**

Pedestrians should be considered at the site design stage to ensure safe walking routes onto and around the site are available. The desire lines for walking should be taken into account. If appropriate for the nature of the development, facilities such as lockers and showers should be provided.

Developers should ensure that all footpaths (and cycle paths) are mapped and signposted and that maps are widely distributed. Maps should also be provided illustrating routes to other places / facilities outside the development and not just within its confines.

A travel plan should assess pedestrian links to a development site. This may identify a need for existing links to be improved.

### **Cycling**

Cyclists should be considered when the site is designed so that safe routes onto and around the site are provided. Cycle parking and facilities for cyclists should be provided wherever appropriate.

A travel plan should assess cycle links to a development site. This may identify the need for links to be improved.

### **Public Transport**

All relevant bus and train timetables should be made available to occupants, or visitors of the site. It may also be appropriate to negotiate subsidised or discounted fares with public transport providers.

Larger travel plans may necessitate the developer to subsidise improved public transport links to a proposed development site. This would pump prime a bus service and help ensure the long term viability of a service.

### **Car Share**

Where car sharing is promoted consideration should be given to providing priority car parking spaces for those who car share.

A suggested list of measures to encourage sustainable transport can found in Appendix D.

## Chapter 5 - Travel Plans and the Planning Process

### Introduction

Developers will be expected to submit a relevant travel plan to the Local Planning Authority to support a planning application. See Chapter 3 for the type of travel plan required and Appendix C for indicative thresholds.

Ideally, the developer should liaise with the county council's travel plan coordinator at the pre-application stage to discuss the content and scope of the travel plan.

There will be some basic information that will be required within the travel plan before the development or site is occupied:

- Targets for reducing private vehicle use;
- Proposed monitoring arrangements and timescales to ensure the plan is regularly reviewed and updated;
- Timescales for reviewing the travel plan;
- Responsibility for management of the travel plan in the near future and long term;
- Accountability for the travel plan.

### What should be covered within a S106 Agreement?

The County Council will expect Travel Plans to be secured via a S106 Agreement. The S106 will typically consist of the following:

Includes the travel plan within the agreement as a holistic document (See Appendix B)	✓
Sets out a timetable for the preparation, submission for approval, implementation, monitoring and review of all stages of the travel plan	✓
Sets out the triggers and payment schedule for all financial obligations, both capital and revenue	✓
Ties in third parties where appropriate (they can be signatories)	✓
Clarifies the involvement of the local authority	✓
Sets out targets for the performance of the travel plan and what will happen if the targets are not met, including any other measures or sanctions for improvement	✓
Sets out the timescale and arrangements for the developer's monitoring and review programme and criteria, showing who is responsible for funding, undertaking and reporting	✓
Specifies who will take any action to revise the travel plan following the review(s)	✓

Where appropriate, sets out mechanisms for enforcement	✓
Includes a financial contribution to guarantee the success of the travel plan (where appropriate)	✓
Includes an administration fee payable to the County Council	✓

More information concerning targets, the travel plan contribution and administration fee are set out below.

### **Setting Targets**

It is important that a target for reducing the amount of single occupancy private vehicle use or the number of trips generated by a development is established and agreed prior to the occupation of the site or development.

The target will be based on reducing the number of trips to and from the development. Evidence shows that a robust travel plan can readily reduce trips to a development by around 15-20%, and in some cases by over 50%<sup>1</sup>. There is also evidence to suggest that 'origin' travel plans, such as those for residential developments, can play an important role in cutting urban peak-hour traffic by 21% and off-peak traffic by 13%. Nationally, traffic volumes could fall by 11%<sup>2</sup>. However, it has to be recognised that Cumbria has particular qualities (such as geography, rurality, population levels) that would make such targets challenging in some areas of the county. In recognition of these qualities, and to ensure consistency, it is considered that a 10% target (for reducing single occupancy private vehicle trips / number of peak hour trips generated by a development) across the county is reasonable.

There are a number of approaches for establishing a baseline against which the progress of the travel plan target can be measured:

- Where the future occupants of a site or development are already known, a travel survey can be carried out.
- TRICS trip data supplied within the accompanying transport assessment can be used.
- Travel to Work Census Data for the Ward in which the development sits can be used.

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<sup>1</sup> Source: 'Making travel plans work: lessons from UK case studies' (DfT, 2002) in 'The Essential Guide to Travel Planning' (DfT, 2008)

<sup>2</sup> Source: 'Making Smarter Choices Work' (DfT, 2005) in 'Making Residential Travel Plans Work' (DfT, 2007)

## **Travel Plan Contribution**

A guaranteed travel plan contribution will be required from a developer as part of a S106 Agreement where the development exceeds the thresholds where a travel plan is required (indicative thresholds can be found in Appendix C). A contribution will also be required where a development is expected to have a significant impact on the local highway network. The contribution will be linked to agreed travel plan targets for reducing single occupant car use or for reducing the number of trips generated by a development.

The contribution is used to ensure that the developer is committed to meeting the targets as achieving them helps to mitigate the need for costly infrastructure improvements to be provided. The contribution will be secured via a S106 Agreement, and will be returnable to the developer in full after a specified period of time (normally five years) if the travel plan is successful in achieving its targets. If targets are partially met, the contribution will be returned proportionally.

The guaranteed contribution is needed to ensure that if identified targets are not met by an agreed date then the County Council, in conjunction with the Local Planning Authority, can use the contribution to take remedial action to improve sustainable transport in the area of the development and encourage modal shift.

Three elements are taken into account when calculating the amount of contribution required. These are:

- The appropriate annual bus ticket for the area in which the development sits;
- The target for reducing single occupant private vehicle use or number of trips; and
- The number of years covered by the travel plan period (typically 5 years).

The contribution is calculated by multiplying the current cost of the appropriate annual bus ticket by the proposed reduction target and the number of years covered by the travel plan monitoring period (typically 5 years). An additional fee is then added to cover the County Council's costs in delivering any subsequent scheme if the contribution is to be retained and used to implement measures to support the travel plan objectives. This fee would cover administration and managerial costs such as the feasibility study, outline design and detailed design costs associated with identifying, designing and implementing a scheme. The fee rate is the greater of 5% or £1,000. A worked example is provided in Appendix E.

Alternatively, if it is not possible to agree a contribution (for instance if the number of expected trips is unclear and targets set are based on percentages) a clause should be included within any subsequent Section 106 Agreement requiring the developer to pay a contribution to the local highway authority should the targets not be achieved at the end of each year for 5 years (or until 12 months after the occupation of the final unit if longer). This

contribution would be calculated in the same way as outlined previously, once trip levels are known.

### **Travel Plan Coordinator Administration Fee**

A Travel Plan is a “living document” that needs to be updated, amended, approved and monitored throughout the life of the development. There are administration cost implications for the County Council relating to elements such as reviewing the implementation and management of the travel plan, providing advice on its monitoring or future review, travelling to and attending meetings with the development’s travel plan coordinator, reviewing marketing material, reviewing survey results. In order for this work to be undertaken by the County Council’s Travel Plan Coordinator, a financial contribution will be required from the developer towards staff costs incurred by the County Council and this should be included as part of a Section 106 Agreement.

The cost to a developer for this input from the County Council’s Travel Plan Coordinator will be a contribution of £6,600 to cover the 5 year period of the travel plan. A breakdown of charges is provided in Appendix A.

The County Council would also be able to take on the site travel plan coordinator role for individual sites or for an area travel plan should the developer not wish to appoint an independent travel plan coordinator to carry out this function. The County Council would require a fee towards staffing costs for the travel plan coordinator. This would be calculated for individual developments by negotiation based upon their size and the likely time requirements of the role.

## Chapter 6 - Monitoring Travel Plan Performance

Targets must be related to the Travel Plan objectives and follow the SMART (Specific, Measurable, Achievable, Realistic and Time bound) principle in order to allow effective monitoring of performance over time. The table below identifies as an example how progress could be monitored on an annual basis. Monitoring regularly will give the development's travel plan coordinator a good indication of those actions that are working well to encourage modal shift, and those that are failing to deliver their expected outcomes. This gives the travel plan coordinator the chance to review the travel plan and introduce new actions.

Mode	Baseline (ie from survey / Census data / TRICS)	Measuring progress	5 year target	Actual				
				2012	2013	2014	2015	2016
Walking	19%	Count / survey number of employees walking	22%					
Cycling	6%	Count / survey Number of cyclists, cycles parked on site	9%					
		Take up of cycle loans / discounts						
Public Transport	7%	Take up of discounted ticketing	11%					
		Survey number of staff using public transport						
Car	68%	Membership of car sharing scheme	58%					
		Count number of cars parked on site						
		Count / survey number of staff car sharing						

Monitoring is the responsibility of the developer or subsequent occupier or management company. Monitoring methods should be agreed with the County Council and confirmation will be sought that monitoring has been carried out to an acceptable standard.

Monitoring could alternatively be undertaken by the County Council. If this is required, a contribution would need to be negotiated and secured via a Section 106 contribution to fund the work.

## **Appendix A - Travel Plan Administration Fee**

Cumbria County Council's administration fee of £6,600 is based upon the following average annual costs in relation to staff time multiplied by 5 to cover the first five years of a Travel Plan. A financial contribution will be secured from developers in addition to any contribution to guarantee targets required as part of the S106 Agreement. All administration fee contributions will be indexed linked from the time that the legal agreement is signed until the date upon which the Travel Plan measures are implemented.

### **Breakdown of Fee:**

Officer review time 15 hours (average)	£510
Officer time for attendance at meetings 12 hours (average)	£410
Travel to meetings 3 per year	£205
Marketing material (review and advice - officer time)	<u>£195</u>
Sub-total: costs per year	<u>£1,320</u>
<b>Over five years</b>	<b>£6,600</b>

## **Appendix B – Paragraphs to include within a S106 Agreement**

### **STANDARD S106 SCHEDULE TO BE USED IN CASES WHERE A TRAVEL PLAN IS TO BE ANNEXED TO S106**

#### **SCHEDULE ( )**

#### **TRAVEL PLAN**

(for annexing to/inclusion within the Agreement as appropriate)

#### **1. DEFINITIONS**

- 1.1. **“Act”** means Town and Country Planning Act 1990 (as amended).
- 1.2. **“Annual Performance Report”** means the annual report to be prepared by the Owner and approved by the County Council in accordance with the provisions of the Travel Plan.
- 1.3. **“Application”** shall mean the planning application with reference number [NUMBER] being an application for planning permission for [DESCRIPTION].
- 1.4. **“Commencement of Development”** means the date on which any material operation (as defined in Section 56(4) of the Act) forming part of the Development begins to be carried out other than (for the purposes of this Agreement and for not other purpose) operations consisting of site clearance, demolition work, archaeological investigations, investigations for the purpose of assessing ground conditions, remedial work in respect of any contamination or other adverse ground conditions, diversion and laying of services, erection of any temporary means of enclosure, the temporary display of site notices or advertisements and “Commence Development” shall be construed accordingly.
- 1.5. **“Development”** means development of the Site in accordance with the Application
- 1.6. **“Site”** means the land against which this Agreement may be enforced as shown edged [COLOUR] on Plan [NUM].
- 1.7. **“Travel Plan”** shall mean the framework travel plan forming part of the Application appended to this Agreement.
- 1.8. **“Travel Plan Administration Fee”** means the sum of [£6,600 (Index Linked; the fee may change from time-to-time)] to be paid to the County Council for the ongoing review of and support for the Travel Plan through contact with the development’s Travel Plan Co-ordinator.

- 1.9. **“Travel Plan Co-ordinator”** shall have the same meaning as in the Travel Plan.
- 1.10. **“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 .
- 1.11. **“Travel Plan Contribution”** [IF APPROPRIATE] shall mean a contribution of [£SUM] payable by the Owner to the County Council for use in accordance with the [DESCRIBE LOCATION OF COUNTY COUNCIL’S COVENANTS], calculated as follows:
- Travel Plan Contribution = (A x B) x C
- Where:
- A = Cost of [a megarider gold bus pass ticket];
  - B = the target reduction in single occupancy vehicle travel ([NUM] representing a [NUM]% reduction in the anticipated [NUM][Staff/residents] of the site from completion of development; and
  - C = the number of years over which the Travel Plan is intended to operated ([NUM] years).

## 2. LEGAL BASIS

- 2.1. This Agreement is made pursuant to Section 106 of the Act, Section 111 of the Local Government Act 1972 and Section 2 of the Local Government Act 2000 and all other enabling powers.
- 2.2. The covenants, restrictions and requirements imposed upon the Owner under this Agreement create planning obligations and run with the land pursuant to Section 106 of the Act and are enforceable by [The Council as local planning authority and] The County Council as Highways Authority against the Owner and their successor(s) in title.
- 2.3. Nothing in this Agreement restricts or is intended to restrict the proper exercise at any time by [the Council or] County Council of any of their statutory powers, functions or discretions.

### **3. PLANNING OBLIGATIONS**

3.1 The Owner covenants with the [Council and the] County Council:

- (i) To pay to the County Council:
  - a. the Travel Plan Contribution no later than [the Commencement of Development] and to notify the Council that such payment has been made within 14 days of such payment.
  - b. the Travel Plan Administration Fee by no later than [the Commencement of Development].
- (ii) Not to Commence 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 and to notify the County Council of such nomination and provide contact details no later than [5 days] thereafter.
- (iii) To implement the Travel Plan in accordance with the proposals, the targets, measures and programme of implementation set out within it.
- (iv) Submit a copy of any modified Travel Plans (following Annual Performance Report or otherwise) to the Council for approval.
- (v) To implement any modifications to the Travel Plan arising from the Annual Performance Report approved by the County Council or otherwise agreed with the County Council from time-to-time.
- (vi) Meet with the County Council on request and within three weeks of the request being made.

### **4 THE COUNTY COUNCIL'S OBLIGATIONS**

- 4.1 To provide support and advice to the Travel Plan Co-ordinator in implementing the Travel Plan.
- 4.2 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.
- 4.3 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.
- 4.4 The County Council covenants with the Owner:

- (i) To use reasonable endeavours to respond to the Owner's Annual Performance Reports within three weeks of receipt with either written approval, or, in the event of the Annual Performance Report being unacceptable to the County Council, provide reasons why revised proposals and/or remedies will need to be submitted in writing for approval by the County Council, in accordance with the reporting requirements set out in the Travel Plan.
- (ii) To use the Travel Plan Contribution to implement measures in the area affected by the development to mitigate the impact of the Owner's failure to meet the target(s) for reduction in single occupancy vehicular travel set out in [section [NUM]] of the Travel Plan (as amended from time-to-time in accordance with the Annual Performance Report or otherwise as agreed by the County Council).
- (iii) In the event that the target(s) for reduction in single occupancy vehicular travel set out in the Travel Plan are not reached by the expiry of 5 years from the [TRIGGER EVENT e.g. First Occupation/Store Opening Date/Completion of Development etc.], to use the Travel Plan Contribution to make good any shortfall in the target reduction PROVIDED THAT the County Council may only be entitled to retain and use at the end of this period a sum equivalent to [APPROPRIATE RETENTION CALCULATION e.g. 1% of the Travel Plan Contribution for every 0.1% shortfall in the reduction of single occupancy vehicular travel from the said target(s)].

[NB: The following illustrates how the above calculation would work in practice, based on a 10% Travel Plan target. Each 0.1% shortfall in the Travel Plan target relates to 1% of the Travel Plan Contribution. So for example, say the Travel Plan target was to reduce single occupancy vehicular travel by 10%, but the actual reduction achieved is 9.2%. This would mean that the shortfall in relation to the Travel Plan target is 0.8% (ie 10% - 9.2% = 0.8%). In this scenario, Cumbria County Council would retain 8% of the Travel Plan Contribution.]

- (iv) To use the Travel Plan Administration Fee towards the costs incurred by the County Council in respect of ongoing review of the Travel Plan through contact with the Travel Plan Co-ordinator or otherwise as provided for in the Travel Plan or this Agreement.
- (v) To repay to the Owner such amount of the Travel Plan Contribution as has not been expended by the later of 10 years of [TRIGGER EVENT e.g. First Occupation/Store Opening Date/Completion of Development etc.] or receipt of the Travel Plan Contribution by the County Council or that the County Council is otherwise authorised to retain in accordance with the provisions of clause [4.4(iii) above] together with interest at the Public Works Loan Board New Maturity 1 Year Rate for the period from the date of receipt of such payment by the Owner to the date of refund by the County Council.

## **Appendix C – Indicative Thresholds For Travel Plans**

The thresholds for Travel Plans in Cumbria set out below are taken from the Department for Transport's 'Good Practice Guidelines: Delivering Travel Plans through the Planning Process' (2009). This list of threshold levels is intended to be indicative only. Other developments that raise sustainability concerns in terms of transport may also be requested to produce a travel plan. The final decision concerning whether a travel plan is required or not will be at the discretion of the Highway Authority and be judged on an application by application basis.

<b>Indicative Threshold Levels for Travel Plans</b>			
<b>Land Use Type</b>	<b>Land Use Description</b>	<b>Travel Plan Statement Required</b>	<b>Threshold Above which a TP will be Required</b>
A1 Food retail	Retail sale of food goods to the public- food superstores, supermarkets, convenience food stores	>250<800 sq. m	> 800 sq. m GFA
A1 Non-food retail	Retail sale of non-food goods to the public; but includes sandwich bars – sandwiches or other cold food purchased and consumed off the premises, internet cafés	>800<1500 sq. m	> 1500sq. m GFA
A2 Financial and Professional Services	Financial services – banks, building societies and bureaux de change, professional services(other than health and medical services) – estate agents and employment agencies, other services 0 betting shops.	>1000<2500 sq. m	>2500 sq. m GFA
A3 Restaurants and cafés	Restaurants and cafés – use for the sale of food for the consumption on the premises, excludes internet cafés.	>300<2500 sq. m	>2500 sq. m GFA
A4 Drinking Establishments	Use as a public house, wine-bar or other drinking establishment	>300<600 sq. m	>600 sq. m
A5 Hot food takeaway	Use for the sale of hot food for the consumption on or off the premises	>250<500 sq. m	>500 sq. m

Land Use Type	Land Use Description	Threshold where Travel Plan may be required	Threshold Above which a TP will be Required
B1 Business	(a) Offices other than in use within Class A2 (financial and professional services) (b) Research and development – laboratories, studios (c) Light industry	>1500<2500 sq. m	>2500 sq. m GFA
B2 General Industrial	General industry(other than classified as in B1),The former ‘special industrial’ use classes, B3 – B7, are now all encompassed in the B2 use class	>2500<4000 sq. m	>4000 sq. m GFA
B8 Storage or Distribution	Storage or distribution centres – wholesale warehouses, distribution centres and repositories	>3000 <5000 sq. m	>5000 sq. m GFA
C1 Hotels	Hotels, boarding houses and guest houses, development falls within this class if ‘no significant element of care is provided	>75<100 bedrooms	>100 bedrooms
C2 Residential institutions – hospitals, nursing homes	Used for the provision of residential accommodation and care to people in need of care	>30<50 beds	>50 beds
C2 Residential institutions – residential education	Boarding schools and training centres	>50<150 students	> 150 Students
C2 Residential institutions – institutional hostels	Homeless shelters accommodation for people with learning difficulties and people on probation	>250<400 residents	>400 residents
C3 Dwelling houses	Dwellings for individuals, families or not more than six people living together as a single household. Not more than six people living together includes – students or young people sharing a dwelling and small group homes for disabled or handicapped people living together in the community	>50<80 units	>80 units

Land Use Type	Land Use Description	Threshold where Travel Plan may be required	Threshold Above which a TP will be Required
D1 Non-residential institutions	Medical and health services-clinics and health centres, crèches, day nurseries, day centres and consulting rooms (not attached to the consultant's or doctor's house), museums, public libraries, art galleries, exhibition halls, non-residential education and training centres, places of worship, religious instruction and church halls	>500<1000 sq. m	> 1000 sq. m GFA
D2 Assembly and leisure	Cinemas, dance and concert halls, sports halls, swimming baths, skating rinks, gymnasiums, bingo halls and casinos. Other indoor and outdoor sports and leisure uses not involving motorised vehicles or firearms.	>500<1500 sq. m	>1500 sq. m GFA
Others	For example: Stadium, retail warehouse, clubs, amusement arcades, launderettes, petrol filling stations, taxi businesses, car/vehicle hire businesses and the selling and displaying of motor vehicles, nightclubs, theatres, hostels, builders yards, garden centres, Pos, travel and ticket agencies, hairdressers, funeral directors, hires shops, dry cleaners.	To be determined on case by case basis by Cumbria County Council	

Other material considerations with regards to whether a travel plan would be required include:

- Levels of proposed car parking;
- Numbers of staff or residents;
- Conformity with the local development plan;
- The location of any proposed development; and
- Whether the development is likely to increase conflict among motorised users and non-motorised users, particular vulnerable road users such as children, disabled and elderly people.

## **Appendix D – List of Example Travel Plan Measures**

### **Walking**

- Provide maps of walking routes within and around the development (2km is considered to be an acceptable walking distance)
- Open up short cuts for pedestrian access across a site
- Provide showers and changing rooms
- Provide lockers for keeping a change of clothes
- Provide drying room/facilities
- Improve footpath connections to site e.g. lighting and surfacing improvements

### **Cycling**

- Provide maps showing cycle routes to / from the development (5km is considered to be an acceptable cycling distance)
- Provide showers and changing rooms
- Provide lockers for keeping a change of clothes
- Provide drying room / facilities
- Provide sufficient covered, well lit cycle parking to meet needs
- Ensure cycle parking is clearly visible or well signed
- Provide pool bikes
- Provide cycle mileage allowance
- Provide insurance cover for those cycling on work business
- Provide interest free loans for sustainable transport purchases e.g. bikes and their accessories
- Use cycle couriers for local deliveries
- Provide incentives for cyclists use e.g. a cycle repair tool kit, discount at cycle shops, free fluorescent safety equipment, free wet weather clothing (the latter ideas could be branded)
- Allow occasional casual dress
- Establish a Bike Users Group
- Develop a bike buddy scheme
- Organise a cyclists' breakfast
- Provide access to adult cyclist training
- Organise lunchtime, weekend or after work cycle rides
- Support the Government 'Cycle for Work' initiative
- Hold regular 'Dr Bike' maintenance sessions
- Improve cycle connections to the site

### **Public Transport**

- Provide relevant bus and train timetables on websites / noticeboards
- Post public transport information on the website as part of the visitor directions to the site
- Encourage public transport use for business travel
- Subsidise public transport passes
- Provide a company bus that links with existing public transport services e.g. a shuttle bus between work and railway station

- Provide an interest free loan for sustainable transport purchases e.g. season bus pass or Park and Ride tickets
- Subsidise improvements to public transport connections to a site

### **Car Sharing**

- Set up a car share database for the site
- Allocate priority parking spaces for car sharers
- Provide a guaranteed ride home for car sharers
- Organise postcode coffee clubs for potential sharers to get to know each other
- Have regular incentives for car sharers e.g. free prize draws, car wash events, free MOT

### **Working Practices**

- Allow flexible working regimes e.g. 9 day fortnights, flexible working hours, working day fitted to public transport times
- Allow home working when appropriate
- Provide appropriate technology for home working
- Provide video conferencing facilities
- Encourage phone teleconferencing

### **Car Parking Management**

- Identify priority users of car park e.g. people with disabilities, shift workers, car sharers
- Introduce or increase charges for car parking and use money raised for travel plan initiatives
- Re-allocate car parking spaces for cycle parking
- Reduce number of car parking permits allocated
- Introduce an exclusion zone restricting car parking permits for staff living in close proximity to the site
- Provide sustainable transport allowances for staff who surrender car parking permits
- Review policy on providing parking permits for new staff
- Offer cash incentives for staff willing to give up parking permits
- Remove reserved car park spaces for senior management
- Consider the setting up of Car Clubs for the site. Advice on setting up a carclub can be obtained from [www.carplus.org.uk](http://www.carplus.org.uk)
- Consider the use of pool cars or a hire car agreement to reduce the need for staff to bring their own cars to work.

### **Promotion**

- Undertake personalised travel planning for staff or residents. This would help to tailor travel plan initiatives for individuals.
- Include the Travel Plan in all marketing publicity for the development
- Include sustainable travel details in packs for all new occupiers
- Use existing in-house newsletters to keep staff up to date with progress on the plan
- Prepare your own in-house brochure to promote the plan

- Prepare a sustainable transport display or stand
- Prepare a “how to get here guide” promoting sustainable transport choices tailored to your site
- Organise a bike to work day or event
- Organise a car free day event
- Promote health benefits of regular walking or cycling
- Demonstrate senior management/union support e.g. participating in cycle to work days or relinquishing parking privileges
- Introduce a travel plan working group
- Provide a dedicated travel plan notice board or posters
- Alternate the focus of the travel plan campaigns to prevent them becoming stale
- Create dedicated web pages for the travel plan
- Promote links to Traveline (<http://www.traveline.info/>) to all staff and visitors for personal travel plans
- Promote National Sustainable Transport weeks and / or events

## **Appendix E – Example Calculation for a Travel Plan Contribution**

Where a development is expected to have a significant impact on the local highway network, Cumbria County Council expects the developer to provide a contribution linked to agreed travel plan targets for reducing as appropriate: single occupant car use; the number of trips in the am and pm peak to / from a development. The contribution is used to ensure that the developer is committed to meet targets.

The contribution is secured via a S106 Agreement, and is returnable in full if the single occupant car journey target is met in full. If targets are partly met, the contribution is refunded proportionally. Targets can be based on the number of people or the number of trips.

Any contribution retained as a result of targets not being met is used by the Highway Authority to implement measures to support the travel plan to achieve the targets and encourage modal shift.

The contribution is calculated by using the current cost of an appropriate annual bus pass for the area in which the development sits, multiplied by the proposed reduction target, multiplied by the number of years of the travel plan monitoring period (typically 5 years). A further fee is added to cover the County Council's costs incurred in identifying, developing and implementing any potential measures. This fee will be the greater of 5% of the contribution or £1,000.

$$\text{£contribution} = (\text{£annual bus ticket} \times \text{target} \times 5) + \text{greater of 5\% or £1,000}$$

### **Worked example 1:**

A business development in Penrith expects to employ 120 staff, and has agreed a 10% reduction in staff single occupant car commuting journeys to the site (12 staff). The travel plan monitoring period is 5 years. The appropriate annual bus ticket for the Penrith area is a Cumbria Megarider Gold at a cost of £975\*. Therefore:

$$\begin{aligned} \text{Contribution required} &= (\text{£975} \times 12 \times 5) + 5\% \\ &= \text{£58,500} + \text{£2,925} \\ &= \text{£61,425} \end{aligned}$$

Worked example 2:

A residential development in Kendal is expected to generate 150 trips daily to and from the development in the AM and PM peak hour. The developer has agreed to implement a travel plan to achieve a 10% reduction in the AM and PM peak car trips (15 trips). The travel plan monitoring period is 5 years. The appropriate annual bus ticket for the Kendal area is a Cumbria Megarider Gold at a cost of £975\*. Therefore:

$$\begin{aligned}\text{Contribution required} &= (\text{£}975 \times 15 \times 5) + 5\% \\ &= \text{£}73,125 + \text{£}3,656 \\ &= \text{£}76,781\end{aligned}$$

[\*Stagecoach bus ticket prices, correct at time of writing, March 2011]

## **Appendix F – Further Information on Travel Plan Preparation**

### **Cumbria County Council Support:**

Cumbria County Council will provide support in developing travel plans including pre-application advice. Appropriate contact details, guidance and travel plan templates can be found on the Cumbria County Council website at the following link:

<http://www.cumbriacc.gov.uk/roads-transport/public-transport-road-safety/transport/Travel-Plans/default.asp>

### **National Guidance**

- The Essential Guide to Travel Planning, Department for Transport and National Business Travel Network (2007)  
<http://www.dft.gov.uk/pgr/sustainable/travelplans/work/essentialguide.pdf>
- Good practice Guidance, Delivering Travel Plans Through the Planning Process, Department For Transport (2009)  
<http://www.dft.gov.uk/pgr/sustainable/travelplans/tpp/goodpracticeguide/lines-main.pdf>
- Sustainable travel information links  
<http://www.dft.gov.uk/pgr/sustainable/>
- Department for Transport – Smarter Choices – Changing the way we travel (July 2004)  
<http://www.dft.gov.uk/pgr/sustainable/smarterchoices/ctwwt/>
- Further information can be viewed and downloaded from the Association for Commuter Transport and the Transport Energy websites ACT - <http://www.acttravelwise.org>  
<http://www.energysavingtrust.org.uk/>