

## Travel Plan Template of obligations for s106 Agreements

### 1 Definitions

Action Plan	A timetable and specification for new initiatives to improve travel options for all those travelling to and from the Development and forming part of the [Approved] Travel Plan and [which is to include/includes] but not necessarily be limited to the measures listed in the table at paragraph [3.7] of this Schedule
Approved Travel Plan	The travel plan for the Development [which is approved by the County Council through the issue of a statement of travel plan approval/ <i>which has been approved by the County Council on [insert date]</i> ]
Automatic Traffic Counters	Permanently installed equipment at entrances or locations agreed with the County Council for the monitoring of vehicle flows/persons movements
Automatic Reminder System	System on iOnTRAVEL reminding the relevant persons of their commitments and the actions to be carried out.
[Approved Safeguard Measures Scheme] <sup>1</sup>	The scheme submitted to and approved by the Council in accordance with paragraph [6.1] of this Schedule
[Bond]	A bond or bond substantially in the form set out in appendix 1 to this schedule securing the Travel Plan Bond Figure and guaranteeing payment to the County Council of such sum not exceeding the Travel Bond Figure as may be necessary to implement the Action Plan and the measures in the table at paragraph [3.7] below
Cycle Parking	Dedicated fixtures and fixed covering structures for the storage of a number of cycles for each dwelling/unit to a specification and in locations [as detailed in the Approved Travel Plan]/ [submitted to and approved by the County Council's Travel Plan Coordinator in accordance [with the table at paragraph [3.7 below]
County Council Travel Plan Coordinator	Officer employed by the County Council to advise on the preparation, approval, review of and monitoring of travel plans
Electric Vehicle Charging Point	A live outdoor electrical plug socket proximal to areas of car parking within the curtilage of a Dwelling <sup>2</sup> to provide for the charging of electrically-powered vehicles, provided in accordance with the table at paragraph [3.7]below
Entering of Survey Data	The submission by the Owner/Developer of Modal Share Data in accordance with the Monitoring Strategy and using iOnTRAVEL
[First Occupation]	[First occupation of the development, not including for marketing]
Final Occupation	First occupation of the dwelling which represents 80% of all Dwellings permitted by the Permission <sup>3</sup>
iOnTRAVEL	The County Council's online travel plan submission and monitoring system to record the ongoing operation the travel plan and accessed at <a href="http://www.iOnTRAVEL.co.uk">www.iOnTRAVEL.co.uk</a>

<sup>1</sup> Need definition if the safeguard measures are not agreed as part of the travel plan

<sup>2</sup> It is assumed that the term "Dwelling" will be defined in the main body of the agreement

<sup>3</sup> The term "Permission" should be defined in the main body of the agreement

[iOnTRAVEL Requirements] <sup>4</sup>	The requirements the Travel Planning Guidance concerning the uploading of data onto iOnTRAVEL, including registering the Development and uploading the Site Synopsis, Action Plan and Targets and Outcomes
Manual for Travel Plans	The County Council's comprehensive guide to developing a Travel Plan for any site as dated December 2008 or as subsequently updated and supported by materials available at <a href="http://www.movingsomersetforward.co.uk">www.movingsomersetforward.co.uk</a>
Modal Share Data	Data collected in accordance with the Monitoring Strategy within each of the [first five years] following First Occupation to be provided to the County Council for approval in accordance with paragraph [7.4] of this Schedule which shall record in each year [the percentage of the total number of trips made to the Site/Property/Land by all modes of travel that are made by persons [residing at/working at/occupying] the Site/Land/Property in accordance with the Monitoring Strategy] <sup>5</sup>
Monitoring Period	Means [The period from first occupation of the development until 5 years following the 80% occupation of the development ] <sup>6</sup>
Monitoring Strategy	A methodology and strategy for collecting travel and related data to and from the Site/Land/Property for the Monitoring Period and which is included in the Approved Travel Plan
Motorcycle Parking	Dedicated fixtures and fixed covering structures for the storage of a number of motorcycles for each [dwelling/unit] to a specification and provided in locations [as detailed in the Approved Travel Plan]/ [submitted to and approved by the County Council Travel Plan Coordinator in accordance with the table at paragraph [3.7] of this Schedule].
Organisational Framework	The ownership and management structure and identification of responsibility for implementing the Approved Travel Plan and complying with the Monitoring Strategy
Pedestrian and Cycle Route Signage	Signage in and around the Development giving information about directions distances routes and accesses from the Development to local destinations to be provided in accordance with the table at paragraph [3.7]
Personalised Travel Planning	A personalised travel planning advice service consisting of individualised face-to-face marketing or using other direct means to influence travel behaviour to be provided in accordance with the provisions in the Approved Travel Plan and the table at paragraph [3.7] below.
[Principal] Modal Share Targets <sup>7</sup>	[Percentages of the total number of trips to the Development to be carried out by car and car based means over the course of a year and across a number of years set as a target in the Approved Travel Plan] <sup>8</sup>

<sup>4</sup> This definition only necessary where travel plan not approved prior to completion of agreement so provisions in section 2 apply.

<sup>5</sup> This may change according to the requirements of the monitoring strategy or the needs of the development in question

<sup>6</sup> This could change depending on the development

<sup>7</sup> See TVS 8 Travel Planning Guidance

<sup>8</sup> Definition will need tweaking according to specific needs of site

Promotional Activity	A day-long on-street event, fair or other occasion continuously manned by the Site Travel Plan Coordinator to effectively promote the Approved Travel Plan and the alternative modes of travel contained within it and advertised through [the distribution of a flyer to all [dwellings]/the posting of a notice on the Travel Information Noticeboard(s)] not less than three weeks in advance and which is to take place between the hours of not later than 8am start time and not earlier than 6pm end time [at the weekend], to be provided in accordance with the table at paragraph [3.7] below
Residential Travel Voucher Scheme	A voucher system allowing householders to be reimbursed financially against their expenditure in the furtherance of smarter travel choices to a maximum value of: 1 bedroom dwellings - £100 per dwelling 2 bedroom dwellings - £150 per dwelling 3 bedroom dwellings - £200 per dwelling 4 or 4 or more bedroom dwellings - £250 per dwelling and offered to the occupants first occupying each and every Dwelling and where occupation of the Dwelling changes during the Monitoring Period notification is to be given to the new occupants of the Dwelling on a maximum of a further two occasions and whereby the occupants who take up the voucher are repaid by the Developer/Owner who match funds expenditure incurred by the occupier of the relevant Dwelling in adopting sustainable travel patterns in up to the maximum value of the Travel Voucher and to be administered in line with Appendix 2 of the County Council's Travel Plan Guidance and the Approved Travel Plan
Safeguard Measures	Measures to be undertaken to address any failure to achieve the [Principal] Modal Share Targets and [listed in the Approved Travel Plan] [or where the measures are not agreed as part of the travel plan: which have been identified by the County Council in accordance with Approved Safeguard Measures Scheme]
Safeguard Sum	The sum of [insert figure calculated in accordance with appendix 12 of the Travel Planning Guidance]
Site Audit Report	Information about all existing travel opportunities to and from and within the Land/Property/Site for all modes of travel
Site Synopsis	Background information about the Development which refers to the location, planning history and phasing of the Development; timings for the delivery of the Development, the size of the Development, travel movements
Site-Specific Travel Information Leaflet	A leaflet directed at and distributed to [residents/occupiers] and, which is available on demand from the Site Travel Plan Coordinator, on the Travel Website and Travel Information Noticeboards displaying in an engaging form travel options and information for all modes of travel and produced (designed and printed) to a professional standard in accordance with the template downloadable from the County Council's website <a href="http://www.movingsomersetfowards.co.uk">www.movingsomersetfowards.co.uk</a> and which has been approved by the County Council Travel Plan Coordinator in accordance with the provisions of the table at paragraph [3.7] below.
Site Travel Plan Coordinator	A nominated human resource with certification of training from ACT Travelwise or another organisation approved by the County Council to assist with the management of the implementation and operation of the Approved Travel Plan, coordination between developers and occupiers, and liaison between the Owners and the County Council forming part of the Organisational Framework and in accordance with the provisions of the Approved Travel Plan and in accordance with the table at paragraph [3.7] below.

Smarter Travel Information Pack	A folder or pack of travel leaflets including the Site Specific Travel Information Leaflet and other printed promotional and travel information directed at and distributed to [residents/occupiers] highlighting the Residential Travel Voucher Scheme and containing travel options and (designed and printed) to a professional standard in accordance with the Manual for Travel Plans [and Approved Travel Plan]/ [and approved by the County Council Travel Plan Coordinator in accordance with the provisions of table at paragraph [3.7] below].
Smarter Travel Policy Dossier	A folder or document contain business travel policies including the following information submitted to and approved by the County Council Travel Plan Coordinator in accordance with the provisions of the table at paragraph [3.7] below: Business travel hierarchy, favouring smarter travel choices; Flexible working policies; Sustainable meeting venues hierarchy; Bad driving reporting systems; Employment of a travel plan coordinator; Travel plan induction process (providing information about car clubs, car hire, cycling, walking, buses, trains, taxis, lift sharing, flexible/smarter working, home delivery, booking travel and accommodation for business travel etc.); Smarter site-specific travel information on company website; Corporate bicycle loan for work trips; Discounted cycle purchasing; On-site cycle repair sessions; Corporate car loan for work trips; Reimbursement rates for all modes of travel.
Statement of Travel Plan Compliance	A notice from the County Council's Travel Plan Coordinator to confirm the completion of the implementation of the Approved Travel Plan and to approve a new Travel Plan for the Development issued at the County Council's discretion at the end of the Monitoring Period
Targets and Outcomes	[Principal] Modal Share Targets and reported survey data as recorded on iOnTRAVEL
[Table of Measures] <sup>9</sup>	A short schedule of measures aimed at particular land-uses with the Development and forming part of the Action Plan
Travel Information Noticeboards	Noticeboards to provide up-to-date travel information for all modes of travel to a minimum dimension of 1.5m x 1.5m and to be designed and in accordance with the template downloadable from the County Council's website <a href="http://www.movingsomersetforwards.co.uk">www.movingsomersetforwards.co.uk</a> and placed in locations [as set out in the Approved Travel Plan/ approved by the County Council Travel Plan Coordinator in accordance with the provisions of the table at paragraph [3.7] below].
Travel Newsletter	Bi-annual travel newsletter outlining local sustainable travel options in and around the Development including recent changes to transport provision, produced by the Site Travel Plan Coordinator and distributed to [residents/occupiers/employees] by [delivering to Dwellings/uploading onto the Travel Website] in accordance with the table at paragraph [3.7] below.
Travel Plan	A document which has been prepared in accordance with the Travel Planning Guidance and Manual for Travel Plans to reduce or otherwise minimise sole occupancy car journeys to and from the Development by encouraging the use of other modes of travel and unless agreed otherwise by the County Council containing a Site Audit Report, Monitoring Strategy, Action Plan [and Safeguard Measures], and [Principal] Modal Share Targets

<sup>9</sup> To be used when dealing with outline applications

Travel Plan Fee	The sum of [insert figure] which is payable to the County Council in accordance with paragraph [7.2] of this Schedule for its role (in respect of the County Council Travel Plan Coordinator) in advising on the development, reviewing and supervising of the preparation, implementation and operation of the Approved Travel Plan and which has been calculated in accordance with the schedule at [www.movingsomersetforward.co.uk ]
Travel Planning Guidance	[refer to any relevant Supplementary Planning Document adopted by the local planning authority or where no such document has been adopted refer to the Somerset County Council Travel Planning Guidance November 2011 or any document that has been adopted by Somerset County Council to replace it]
[Travel Plan Secured Amount]	[The sum of [£ ] which is to be used to implement the measures in the Action Plan and in the table in paragraph [3.7] of this Schedule) [or such sum as may be agreed following the approval of the County Council of the Table of Measures] <sup>10</sup>
[Travel Plan Deposit Account]	an account established by the Owner/Developer in accordance with the provisions of paragraph [0] below for the deposit of monies for the implementation of the Action Plan and the measures in the table at paragraph [3.7] of this Schedule
Travel Website	A series of internet pages prepared to reflect up-to-date opportunities to, from and within the Development for all modes of travel produced and designed) to a professional standard in accordance with the template downloadable from the website www.movingsomersetforwards.co.uk [and the Approved Travel Plan]/ [the content of which has been approved by the County Council Travel Plan Coordinator in accordance with the provisions of the table at paragraph [3.7] below]

## 2 [Approval of Travel Plan/Table of Measures]<sup>11</sup>

The Owner/Developer covenants with the County Council:

### 2.1 the Owner/Developer shall:

- 2.1.1 Prior to Commencement of Development to submit to the County Council for approval a Travel Plan
- 2.1.2 Not to commence construction of the Development until the County Council has approved the Travel Plan through the issue of a statement of travel plan approval. For the avoidance doubt the County Council will not approve the Travel Plan until the iOnTRAVEL Requirements have been complied with.
- 2.1.3 [Prior to submission of a reserved matters application the Owner/Developer is to submit to the County Council a Table of Measures for approval relating to the [housing/retail/employment] uses of the Development and detailing the specific measures to achieve the objectives of the Approved Travel Plan.]<sup>12</sup>

<sup>10</sup> Use wording in square brackets where dealing with outline application and developer agreed to submit a table of measures for approval

<sup>11</sup> Only use provisions (paras 2.2.1- 2.2.2) where travel plan not been approved prior to completion of s106 Agreement

<sup>12</sup> For use for outline applications

2.1.4 [Not to commence construction on any phase of the Development the subject of a reserved matters application until the County Council has approved the Table of Measures submitted in accordance with paragraph [2.1.3] above. For the avoidance of doubt the County Council will not approve the Table of Measures until the iOnTRAVEL Requirements have been complied with]<sup>13</sup>

### 3 Implementation of the Travel plan

- 3.1 To take all steps and actions to implement the Approved Travel Plan in accordance with the provisions of the Approved Travel Plan and in accordance with the timescales and requirements indicated in column 2 of table below at paragraph [3.7]. Where there is inconsistency between the Approved Travel Plan and the table below the table is to take precedence.
- 3.2 To use best endeavours to achieve the [Principal] Modal Share Targets
- 3.3 To obtain the necessary planning permission or consents for the physical or infrastructure measures identified in the Approved Travel Plan and the table below
- 3.4 Without prejudice to the provisions of the Approved Travel Plan the measures to be implemented by the Owner/Developer in accordance with paragraph 3.1 above and the Approved Travel Plan include the measures at paragraph [3.7] below
- 3.5 Unless stated otherwise in column 2 of the table at paragraph [3.7] below the Owner/Developer agree that the measures to be implemented are to stay in place and be maintained for the lifetime of the Development or until the issue of a Statement of Travel Plan Compliance
- 3.6 Where any approval of the County Council Travel Plan Coordinator is needed before implementation then the Owner/Developer agree that the measures to be implemented will be implemented in accordance with the approval given.
- 3.7 The table referred to at paragraph 3.1 above is as follows:

Travel Plan Measure	Timing Provisions	Evidence of implementation to required standard
<b>Site – Specific Travel Information Leaflet</b>	To be implemented prior to the First Occupation and revised and reproduced on the third anniversary of First Occupation For residential development, leaflet to be available to the sales office at the marketing stage of the Development and 2 copies to be delivered to all Dwellings at First Occupation as a component of the Smarter Travel Information Pack.	To be uploaded on iOnTRAVEL upon production.

<sup>13</sup> For use for outline applications

<b>Travel Plan Measure</b>	<b>Timing Provisions</b>	<b>Evidence of implementation to required standard</b>
<b>Site Travel Plan Coordinator</b>	Prior to Commencement of Development	On appointment, and at any time that the designated TPC changes, name and contact details to be supplied to SCC Travel Plan Coordinator and contact details updated on the iOnTRAVEL. Proof that the function is carried out properly will be evidenced by uploading of information on iOnTRAVEL in accordance with the Monitoring Strategy.
<b>Residential Travel Voucher Scheme</b>	<b>As detailed in the definition section of this Schedule</b>	Within 12 months of first Occupation and annually thereafter for the [Monitoring Period] to upload onto iOnTRAVEL details of number of vouchers provided, names and addresses of the occupants receiving vouchers and details of the amount paid to residents under the scheme
<b>Smarter Travel Information Pack</b>	[The content of the pack is to be approved by the County Council Travel Plan Coordinator prior to First Occupation] <sup>14</sup> The pack is to be provided upon the First Occupation and it is to be revised and reproduced on the third anniversary of First Occupation and distributed again to all the Dwellings	Electronic copies or scans of welcome letter and all contents of the pack to be uploaded on iOnTRAVEL within 1 month of First Occupation [and annually thereafter for the Monitoring Period].
<b>Smarter Travel Policy Dossier</b>	Prior to First Occupation	Electronic copy of the dossier and contents of the dossier to be uploaded on iOnTRAVEL within 1 month of First Occupation
<b>Travel Information Noticeboard</b>	[The location of the noticeboard(s) are/is to be approved by the County Council Travel Plan Coordinator prior to Commencement of Development] To be erected prior to First Occupation and maintained continuously for the duration of the Monitoring Period	Photograph of the noticeboard to be uploaded on iOnTRAVEL within 1 month of First Occupation
<b>Promotional Activity</b>	Promotion of at least 3 national events per year over the course of the the Monitoring Period	Evidence of information and activities to be uploaded on iOnTRAVEL in the form of electronic documents of promotional material and photos of participation in

<sup>14</sup> Use wording if the detail for the pack is not included in the travel plan

<b>Travel Plan Measure</b>	<b>Timing Provisions</b>	<b>Evidence of implementation to required standard</b>
		activities, within one month of the promotional activity having taken place.
<b>Travel Newsletters</b>	On the first anniversary of the First Occupation and bi-annually thereafter for the duration of the Monitoring Period	Electronic copy of newsletter to be uploaded on iOnTRAVEL within 1 month of production
<b>Travel Website</b>	[The design and content of the website to be approved by the County Council Travel Plan Coordinator prior to First Occupation] <sup>15</sup> Website to be live and viewable by the public prior to the First Occupation and prior to the first marketing of any part of the Development and to be maintained continuously for the duration of the Monitoring Period	Link to website to be uploaded onto iOnTRAVEL prior to First Occupation
<b>Personalised Travel Planning</b>	To be delivered on the third anniversary of First Occupation	Briefing Note to be uploaded on iOnTRAVEL within 1 month of PTP being completed outlining summary methodology and number of people PTP delivered to
<b>Cycle Parking</b>	[The location [and specification] of the cycle parking is to be approved by the County Council Travel Plan Coordinator prior to Commencement of Development] To be implemented prior to the First Occupation	Photographs of communal cycle parking, visitor cycle parking and staff cycle parking to be uploaded on iOnTRAVEL within 1 month of First Occupation
<b>Motorcycle Parking</b>	[The location [and specification] of the motorcycle parking is to be approved by the County Council Travel Plan Coordinator prior to the Commencement of the Development] To be implemented prior to the First Occupation	Photographs of communal Motorcycle Parking, visitor motorcycle parking and staff cycle parking to be uploaded on iOnTRAVEL within 1 month of First Occupation
<b>Electric Vehicle Charging Points</b>	To be implemented prior to the First Occupation	Photographs of communal charging points, visitor charging points and staff charging points to be uploaded on iOnTRAVEL within 1 month of First Occupation of the relevant phase of the development
<b>Pedestrian and Cycle Route Signage</b>	Prior to First Occupation	Photograph of the signage to be uploaded on iOnTRAVEL within 1 month of First

<sup>15</sup> Wording can be used where detail not included as part of travel plan



Travel Plan Measure	Timing Provisions	Evidence of implementation to required standard
		Occupation

**4 Securing Implementation<sup>16</sup>**

4.1 Following completion of this Agreement and prior to the Commencement of Development to pay the Safeguard Sum<sup>17</sup> into a separate bank account with a reputable financial institution and to maintain the monies in the account until such time as Owner/Developer needs to use the money to implement the Safeguard Measures/the Approved Safeguard Measures Scheme in accordance with the paragraph [0] of this Schedule or the County Council serves a payment demand on the Owner/Developer in accordance with the provisions of paragraph [8.4] of this Schedule

4.2 [The Owner/Developer agrees that the Travel Plan Secured Amount shall be increased by such amount as the parties acting reasonably agree is necessary to reflect any changes to the Action Plan following the approval by the County Council of the Table of Measures in accordance with paragraph [2.1.3] above]<sup>18</sup>

**4.3 [Option A or B]**

**Option A [where developer/owner happy to put bond in place]**

[To put in place a Bond for the Bond Figure Sum prior to Commencement of Development/or]

**Option B [where the parties can agree an amount representing the cost of implementing the measures in the travel plan prior to completion of the agreement]**

[Prior to the Commencement of the Development to pay the Travel Plan Secured Amount into a Travel Plan Deposit Account with a reputable institution and to provide full details of the account to the County Council prior to Commencement of the Development.]

4.4 To use the monies in the Travel Plan Deposit Account together within an interest earned solely for the purposes of implementing the Action Plan and the provisions of this Schedule and for meeting any demands of the County Council pursuant to paragraph [8.1] of this Schedule

4.5 To ensure that sufficient funds are in the Travel Plan Deposit Account to enable the implementation of the measures in the Action Plan and the table at paragraph [3.7] above until the end of the Monitoring Period

<sup>16</sup> See chapter 5 of the Travel Planning Guidance

<sup>17</sup> See para 5.2 of Travel Planning Guidance “safeguards” will be the preferred mechanism for securing the delivery of the travel plan. Also “Targets must have separate safeguard sums attached to them”

<sup>18</sup> For use for outline applications

## **5 Modal Share Data**

- 5.1 To install [x ] number of Automatic Traffic Counters at entrances to the Development prior to the occupation of any part of the Development and at locations to be agreed with the County Council prior to the Commencement of Development.<sup>19</sup>
- 5.2 [Within four weeks of the first anniversary of First Occupation and every subsequent anniversary thereafter up to and including the [fifth anniversary of First Occupation ] to provide the County Council with the Modal Share Data for approval and carry out Entering of Survey Data for the proceeding year
- 5.3 In the event that the Owner/Developer fails to provide the Modal Share Data for approval the Owner/Developer shall:
- 5.3.1 [within a further 4 weeks of the date that provision of such data fell due submit a scheme for approval by the County Council setting out those Safeguard Measures to be implemented, the timescale for doing so and the cost of implementing such Safeguard Measures]<sup>20</sup> and
- 5.3.2 shall use the Safeguard Sum and implement the Safeguard Measures as set out in the [Approved Safeguard Measures Scheme/the Approved Travel Plan]

## **6 Safeguard Measures**

### **6.1 [Option A or B]**

#### **Option A [where the safeguard measures are listed in the APT]**

[In the event that the [Principal] Modal Share Targets are not achieved in any particular year to use the Safeguards Sum and implement the Safeguard Measures in accordance with the Approved Travel Plan]

#### **Option B [where the safeguard measures are not listed in the APT]**

[In the event that the [Principal] Modal Share Targets are not achieved to:

- 6.1.1 within 4 weeks of the approval by the County Council of the Modal Share Data submit a scheme for approval to the County Council setting out the Safeguard Measures to be implemented and the timescale for implementation and the cost of implementation; and
- 6.1.2 To use the Safeguards Sum and implement the Approved Safeguard Measures Scheme in accordance the provisions of the scheme]

## **7 Monitoring and Reporting obligations<sup>21</sup>**

- 7.1 To pay to the County Council prior to Commencement of Development the Travel Plan Fee<sup>22</sup>

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<sup>19</sup> See TVS 15 of Travel Planning Guidance

<sup>20</sup> Use wording where no safeguard measures have been agreed in the travel plan

<sup>21</sup> See Chapter 6 of the Travel Planning Guidance

- 7.2 Not to commence the Development until the Travel Plan Fee has been paid to the County Council
- 7.3 To implement and comply with the requirements of the Monitoring Strategy.
- 7.4 To use the iOnTRAVEL system throughout the Monitoring Period and to upload evidence of the implementation of measures in accordance with column 3 of the table in paragraph [3.7] of this Schedule, in addition to annual survey results, annual modal share data, and annual target results
- 7.5 Annual surveys are to be undertaken for the duration of the Monitoring Period using the County Council's standard templates available on [www.movingsomersetforward.co.uk](http://www.movingsomersetforward.co.uk).
- 7.6 The Owner/Developer shall seek to achieve a 40% response rate for the annual surveys. If a 40% response rate is not achieved, then the survey must be repeated to seek to ensure additional responses.
- 7.7 The survey results are to be uploaded on iOnTRAVEL website within three months of the surveys being completed.
- 7.8 To convene a meeting of at least annually between the County Council Travel Plan Coordinator and the Site Travel Plan Coordinator to discuss the Approved Travel Plan
- 7.9 To inform the County Council by way of entering such information into iOnTRAVEL of the following dates within 10 days following such dates occurring<sup>23</sup>:
  - 7.9.1 Commencement of the Development
  - 7.9.2 [Commencement of first marketing of any Dwelling on the Development]
  - 7.9.3 [The first Occupation of any Dwelling on the Development]
  - 7.9.4 [The Occupation of the last Dwelling on the Development]
  - 7.9.5 Final Occupation
- 7.10 Prior to the Commencement of the Development to input onto iOnTRAVEL the details of the Organisational Framework
- 7.11 To inform the County Council's Travel Plan Coordinator within 10 days of any changes in the Organisational Framework of the Approved Travel Plan including any change to the Site Travel Plan Coordinator by entering such information into iOnTRAVEL and complying with the registration process set out therein and updating of the Approved Travel Plan
- 7.12 To maintain contact with the County Council via iOnTRAVEL and enter onto iOnTRAVEL at their own cost any information necessary according to the iOnTRAVEL Automatic Reminder System

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<sup>22</sup> See TVS 4 of the Travel Planning Guidance

<sup>23</sup> This needs to be amended according to the development

- 7.13 [To inform the County Council as to how the Travel Plan Secured Sum is being used by providing details of expenditure and the amount remaining in the Travel Plan Deposit Account once a year firstly on the date which is three months after First Occupation and subsequently on the anniversary of that date and for the duration of the Monitoring Period]
- 7.14 [Where the Development comprises commercial/retail use the Owner/Developer is to notify the County Council of the name and contact details of the occupiers of the relevant part of the Development and provide details of the lease/tenancies which are granted and ensure that the occupier is aware of the Approved Travel Plan and the travel plan measures to be implemented which are relevant to their use of the Development].
- 7.15 At the end of the Monitoring Period the Owner/Developer agree to submit to the County Council a fresh updated Travel Plan for approval.<sup>24</sup>
- 7.16 Following the issue of a Statement of Travel Plan Compliance the Owner/Developer agrees to implement the provisions of the new Travel Plan in accordance with the provisions of the new Travel Plan and the Owner/Developer agree that the provisions of this Schedule concerning the powers of the County Council in the event of default applies to the implementation of the new Travel Plan.

## **8 Default**

8.1 That if the Owner/Developer fails to implement the measures in the Approved Travel Plan and the table at paragraph [3.7] above in accordance with this Schedule and the Approved Travel Plan and as shown on iOnTRAVEL or brought to the attention of the County Council by any other means and thereafter fails to remedy the said breach within one month of the breach first occurring the Owner/Developer agrees to the County Council:

8.1.1 Carrying out any remedial measures (including carrying out physical works on the Land/Property/Site and taking any action) reasonably required to remedy the said breach

8.1.2 To the Monitoring Period being extended by such time as the County Council's Travel Plan Coordinator considers reasonable in all the circumstances

### **8.2 [Option A or B]**

#### **Option A [where there is no bond]**

[The Owner/Developer agrees to reimburse the County Council its reasonable and proper costs incurred in implementing the remedial measures in pursuance of its rights under paragraph [8.1.1] above [from the Travel Plan Secured Sum or where there is insufficient monies because of a failure to reach agreement in accordance with paragraph [4.2] then directly from the Owner/Developer]<sup>25</sup> within 7 days following receipt of a payment demand from the County Council].

#### **Option B [where there is a bond]**

<sup>24</sup> See TVS16 of Travel Planning Guidance

<sup>25</sup> If no agreement to set up a travel plan deposit account and no sum can be set out then no need to refer to the Travel Plan Secured Amount here

[Where the County Council takes any action in pursuance of its rights at paragraph [8.1.1] above the County Council is able to call in the Bond]

- 8.3 The County Council agrees that prior to carrying out any remedial measures [and or calling in the Bond] it will give the Owner/Developer 14 days notice
- 8.4 If the Owner/Developer fails to carry out the Safeguard Measures/implement the Approved Safeguard Measures Scheme in accordance with the provisions of this Schedule] the County Council can take all steps which are necessary to implement the Safeguard Measures/Approved Safeguard Measures Scheme and where the County Council takes any action the Owner/Developer will reimburse the County Council for its reasonable costs incurred for an amount not exceeding the Safeguards Sum and within 7 days of receiving a payment demand from the County Council
- 8.5 Where the Owner/Developer fails to comply with the Monitoring Strategy or any of the requirements at paragraph [7] of this Schedule and fails to remedy the breach within 14 days of the breach occurring the Owner/Developer agrees that the County Council will be able to do the following:
  - 8.5.1 Exercise its powers at paragraph [8.1] of this Schedule and take remedial action where the failure to comply with the Monitoring Strategy or the requirements at paragraph [7] relates to a failure to implement the measures in the Approved Travel Plan and the table at paragraph [3.7] of this Schedule; and/or
  - 8.5.2 Demand payment of the sum of [that is equivalent to 40% of the Travel Plan Fee for this Development] (“the Monitoring Payment”) to assist the County Council monitor implementation of the Approved Travel Plan over the remainder of the Monitoring Period
- 8.6 Where the County Council exercises its rights under paragraph [8.5.2] the Owner/Developer shall pay to the County the Monitoring Payment within 7 days of receiving a demand for payment and the Developer/Owner agree to allow the County Council access to the Development for the purposes of carrying out any inspections.