

Audit & Standards Committee

10 March 2016

S106 Processes and Funds

Recommendation

That the Committee considers the report on S.106 processes and funds and notes the progress made.

1.0 Background

- 1.1 The Infrastructure Delivery Team (IDT) within the Communities Group was established to address the challenges that were presented by numerous and in some cases large and historic S106 agreements and balances.
- 1.2 The IDTs core remit is to coordinate, manage and monitor infrastructure needs, including s106 funds.
- 1.3 Each of the District and Borough Councils within the County, plan to adopt the Community Infrastructure Levy (CIL) within the next two years and it is expected that this will then become a major source of new developer income for infrastructure. However, S106 agreements are likely to remain a significant source of new income even after CIL has been adopted across the County.
- 1.4 An Infrastructure Officer Group has been established to steer the work of the IDT, establish a partnership approach as well as to provide a forum for dealing with issues that arise e.g. S.106 pooling

2.0 Progress to Date

- 2.1 An Infrastructure Delivery Manager took up post at the beginning of February 2015 and after financial support from Public Health she has now been joined by two Health Planners.
- 2.2 The Infrastructure Officer Group (Management Board) has been expanded to include membership from Health providers.
- 2.3 There is an agreed and documented process, re the coordinated response to planning applications and subsequent production of S106 agreements.

- 2.4 Strong and effective links have been developed with the Local Planning Authorities. This has seen the Infrastructure Delivery Manager now attending Warwick District Council's Overview and Scrutiny Finance and Audit Committee as well as being involved in the delivery of WDC Member training. Support has also been requested with training for SDC Members with a session planned for April.
- 2.5 Systems are being developed to ensure that service areas are able to produce fully CIL compliant requests and that WCC does not fall foul of pooling restrictions. This has involved extensive support from Legal Services as well as engagement with the District and Borough Councils.
- 2.6 A draft Infrastructure Delivery Plan for the CWLEP area plus Hinckley and Bosworth has been developed and shared with the Shadow Economic Prosperity Board. This document will be reviewed twice per year. However, the current position with Local Plans across the District and Borough Councils means that the draft will be subject to significant change over the next twelve months.
- 2.7 Strong links have been developed with several Health Providers, The Ambulance Trust and the Fire and Rescue Service.

3.0 Moving Forward

- 3.1 Systems are in place to record all S106 income and subsequent expenditure. These will be further developed to enable service areas to estimate when funds will be received from specific developments. An update on funds will be provided at the meeting.
- 3.2 Work will continue with service areas and the Local Planning Authorities (LPAs) to ensure that all requests for funding are robust and fully CIL compliant.
- 3.3 Work will continue with the LPAs to establish a mechanism for determining when CIL or S106 will be the most appropriate form of income collection.
- 3.4 We will continue to support the LPAs with their information collection and evidence base in support of the adoption of their Local Plans.
- 3.5 We will develop a WCC Planning Obligations Guidance Document to help support and provide transparency around requests for financial contributions.

Background papers

None

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