

PLANNING COMMITTEE MEETING 21 JULY 2022

S106 Update Spend by Dates & Appendix

INTRODUCTION AND BACKGROUND

The report sets out the position in June on all section 106 legal agreement monies with the expiry date for spending of May 2023. The appendix follows RAG (red/amber/green) status order of expiry dates.

The report is generated from the Councils Exacom electronic monitoring system. The information is shared with stakeholders and regular meetings are held in order to ensure that stakeholders use the s106 monies available to provide the specific infrastructure set out in the relevant s106 legal agreement.

S106 agreements accompany planning permissions and there are 3 legal tests :

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development

Therefore, s106 monies should be for a specific project which is set out in the legal agreement. Therefore, there is often little flexibility (unlike the Community Infrastructure Levy)

As mentioned above, there are regular meetings with stakeholders and once schemes have been agreed in principle, the relevant organisation needs to complete a pro forma to confirm details of the specification and timeline etc so there is a clear audit of what are public monies tied to specific planning permissions via s106 legal agreements.

In this report, 6 S106 contributions have been approved and transferred to the relevant bodies towards the process of delivering projects.

This report makes the following recommendations to the Committee: That the report be noted.