

Maidstone Borough Council - Overview & Scrutiny Scoping Paper

Proposer Name	Cllr Claudine Russell
Proposed Topic (What?)	S106 and CIL
Description and Reason for Review (Why?)	The current S106 and CIL regime is not delivering the required infrastructure for our communities. S106 is a retrospective money collection tool and CIL promised big things but doesn't seem to have delivered for our residents.
Link to: Council's Strategic Plan National/Regional priorities Executive Priorities	<p>This links into the strategic plan and corporate priorities of embracing growth and enabling infrastructure and a thriving place. National priorities continue to be to build a quantum of housing and so it is imperative that these regimes work well for Maidstone Borough.</p> <p>The executive have listed "a resilient borough", "spatial strategy and infrastructure" and "community resilience" as key focus areas so it aligns with these and complements their aims.</p>
Desired Outcome(s) (Outcome)	The review should achieve improvement and recommendations to improve the system by which infrastructure is achieved for our communities that achieves appropriate mitigation for development.
Approach (How, When and Who)	<p><i>Lines of Enquiry to include:</i></p> <ul style="list-style-type: none"> - <i>Suitability of the CIL bidding process to achieve high level infrastructure, e.g. education and highways improvement;</i> - <i>Legal framework around Section 106 in conjunction with CIL to achieve high level strategic infrastructure; and</i> - <i>Use of Section 106 agreements and the current Section 106 funds to achieve high level strategic infrastructure.</i> <p>Research Desk based research into historic S106 legal agreements. Desk based research into the CIL process and infrastructure bids. Examine information from other authorities to find good practice and benchmarking exercise against other authorities arrangements. Potential site visits. <i>Case studies.</i></p> <p>Sources of Information Required</p>

	<p>Previous council reports. S106 Legal Agreements. CIL Bidding Process information. Interviews.</p> <p>Possible Participants Director of Regeneration and Place. Head of Development Management. CIL&S106 Team Leader. Cabinet Member for Planning Policy and Management. Cabinet Member for Community Cohesion and Safety.</p> <p>Written and verbal evidence.</p> <p>Written evidence from other Local Authorities.</p>
<p>Review Timescale (When)</p>	<p>Suggested timeline 6 months.</p> <p>The review should take place at a combination of formal committee meetings and working groups.</p> <p>The Work Programme Impact will be: Heavy</p>
<p>Link to CfPS effective scrutiny principles</p>	<p>The CfPS effective scrutiny principles would be met through conducting the review:</p> <ul style="list-style-type: none"> • Provides a constructive 'critical friend' challenge • Amplifies public voices and concerns • Is Independently led by Councillors • Drives Improvement in Public Services
<p>Officer Support</p>	<p>To include:</p> <p>DSO Officer Policy Officer Relevant HoS/Senior Officer</p>