

 Finance and Audit Scrutiny Committee: 2 September 2015		Agenda Item No. 8
Title	The Monitoring of Section 106 Contributions	
For further information about this report please contact	Gary Fisher	
Wards of the District directly affected	All Wards	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No	
Date and meeting when issue was last considered and relevant minute number	30 June 2015: Minute No. 19	
Background Papers		

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	No
Included within the Forward Plan? (If yes include reference number)	Yes
Equality Impact Assessment Undertaken	N/A

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	22/8/15	
Head of Service	22/8/15	
CMT	22/8/15	
Section 151 Officer	22/8/15	
Monitoring Officer	22/8/15	
Finance	22/8/15	
Portfolio Holder(s)	22/8/15	
Consultation & Community Engagement		
N/A		
Final Decision?		Yes
Suggested next steps (if not final decision please set out below)		

1. **Summary**

- 1.1 This purpose of this report is to advise Members of the progress that has been made in the development of a section 106 monitoring database.

2. **Recommendation**

- 2.1 That the Committee note the contents of the report.

3. **Reasons for the Recommendation**

- 3.1 As Members will be aware, in order to ensure that the requirements and financial contributions identified in legal agreements which have been completed in connection with specific grants of planning permission are undertaken, Officers have developed a detailed monitoring spread sheet.
- 3.2 That spread sheet comprises of an individual entry for each requirement or contribution in order that it's undertaking or payment can be tracked, and in the case of financial contributions to ensure that the funding is spent on the project for which it was required within an appropriate timescale.
- 3.3 In order to ensure transparency within this process, the spread sheet is published on the District Council's website and this has been the case since May 2015 although it is continuing to be updated and improved.
- 3.4 Since that time your Officers have, and are continuing to liaise with colleagues and partners including colleagues at Warwickshire County Council, the Police and the South Warwickshire NHS Foundation Trust in updating the spread sheet and significant progress has been made.
- 3.5 The spread sheet was most recently updated on the District Council's website on Monday 24 August and a further updated version will be shared with members at your meeting.
- 3.6 In particular, the key benefits of the development of this spread sheet include:-
- Transparency in the identification and handling of the contributions and other undertakings that are required in relation to specific developments.
 - Clarity in the identification of trigger points to ensure that contributions and undertakings are received/implemented at the appropriate stage of the development.
 - The ability to ensure that contributions are spent for the purposes identified within the section 106 agreement within the required timescale and that there is no risk of contributions remaining unspent and therefore at risk of being clawed back.
 - To enable service areas and other partners to plan their budgets particularly linked to capital projects arising from or related to specific developments.
 - To enable town and parish Councils to identify the availability of potential funding.
 - To enable members of the public to track the implementation of section 106 agreements in relation to developments that are of interest to them.
- 3.7 The spread sheet can be found on the District Council's website here: [Section 106 agreements - Warwick District Council](#)

4. Policy Framework

- 4.1 **Fit for the Future** – The delivery of section 106 contributions and requirements including, for example the infrastructure necessary to support major development schemes across the District will ensure that such infrastructure comes forward in the right manner and at the right time to support that development and will therefore contribute to the vision of making Warwick District a great place to live, work and visit as set out in the Sustainable Community Strategy and be consistent with the Fit for the Future programme.

5. Budgetary Framework

- 5.1 This monitoring work is being undertaken within existing budgetary frameworks and is also supported by financial contributions towards the cost of monitoring specific types of development which are identified within appropriate section 106 agreements.

6. Risks

- 6.1 In view of the nature and scale of the development proposals that are to be delivered across the District within the emerging Local Plan period, it is the absence of a robust and detailed monitoring regime, such as that which is being developed, that has been identified as the key risk.
- 6.2 Without such a regime, the risk of essential requirements and contributions not being provided, or of contributions that have been received remaining unspent and liable for repayment is increased.

7. Alternative Option(s) considered

- 7.1 For the reasons identified in paragraph 6.1 and 6.2 above, the option of not proceeding with an appropriate monitoring regime has been discounted.