

Update on Section 106 Schemes

Executive Portfolio Holder:	Tony Lock, Protecting Core Services
Ward Member(s)	Name of Councillor(s)
Strategic Director:	Kirsty Larkins, Service Delivery
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Purpose of the Report

1. The purpose of this report is to give an update on the Section 106 (s106) schemes across South Somerset and update Members regarding the new system for monitoring s106.

Forward Plan

2. This report appeared on the District Executive Forward Plan with an anticipated Committee date of 5th January 2023.

Public Interest

3. Appendix A sets out the money we have received and allocated in relation to Section 106 (s106) agreements. The report also explains how the public will be able to view up-to-date information through the Councils website.

Recommendation

4. That Members agree to:-
 - a. Note the contents of the report, and the excellent work done by officers to move towards the new computer system in preparation for the Unitary Council.

Background

5. Section 106 of the Town and Country Planning Act 1990 allows a local planning authority, to enter into a legally binding agreement or planning obligation with a landowner as part of granting planning permission. The obligation is termed a section 106 agreement.
6. These agreements are a way of delivering or addressing matters that are necessary to make a development acceptable in planning terms. They can be used to support the provision of services and infrastructure, such as highways, recreational facilities, education, health, and affordable housing.



South Somerset District Council

7. Following Audit Recommendations for a complete and accurate record of all S106 agreements, a team has been working on improving record keeping and reporting capabilities through the implementation of a new system called Exacom.

Section 106 Data

8. Appendix A sets out by area, the s106 contributions we have received between January 2010 and November 2022, along with the monies we have allocated/spent. Members will see from the information we have received c£11.9M in s106 contributions and allocate/spent c£6.9M. The Localities Team will remain focused on ensuring remaining balances are spent on the agreed obligations, continuing as we move into the new Somerset authority.

Next Steps

9. Over the last few months, a team have been cleansing and collating data from several sources to bring all the s106 information together in one place. This work is now nearly complete. There has been a slight delay whilst the team worked with the other districts to bring all the data together ready for the Somerset Authority in April 2023. The data on the Exacom system will be show information from the year 2000, until present day.
10. Appendix B shows an example of the types of reports and information we will be able to obtain from Exacom. These reports will be run monthly from March and uploaded to the Council's (SSDC and then Somerset Council) website giving much greater transparency about the money we receive from developers and how the money is spent.
11. As demonstrated by the example, we will be able to provide much greater detail of the planning obligation(s) when the trigger points occur and the status of the projects. The system provides a big step forward in the way we share this information, and will mark a huge improvement.
12. In addition to the information provided in appendix A and B we are due to release our latest annual Infrastructure Funding Statement (IFS), covering the period April 1st 2021 to March 31st 2022. This is required by Government and provides a summary of receipts and spending of developer contributions under S106 Agreements and the Community Infrastructure Levy (CIL). The IFS will be available to view by 31 December on our [website](#) under South Somerset District Council CIL Reports and Infrastructure Funding Statements (IFS).

Financial Implications

13. No financial implications, the report is for information only

Legal implications (if any) and details of Statutory Powers

14. There are no legal implications.

Risk Matrix

15. No risks as the report is for information only.

Council Plan Implications

16. Section 106 funding supports all the Council's Values listed in the Council Plan 2020 – 2024 at this link: [Council Plan | South Somerset District Council](#)

Carbon Emissions and Climate Change Implications

17. No implications, as the report is for information only.

Equality and Diversity Implications

<i>An Equality Impact Relevance Check Form has been completed in respect of the Proposal?</i>	Yes
<i>The Impact Relevance Check indicated that a full EIA was required?</i>	No
<i>If an EIA was not required please attach the Impact Relevance Check Form as an Appendix to this report and provide a brief summary of its findings in the comments box below.</i>	
<i>If an EIA was required please attach the completed EIA form as an Appendix to this report and provide a brief summary of the result of your Equality Impact Assessment in the comment box below.</i>	
Additional Comments	

Privacy Impact Assessment

18. No assessment required as no personal data will be shared.

Background Papers

None