

Key Decision Details

Decision Name REVIEW OF S106 AGREEMENTS

Date of Decision 12 March 2009

Decision maker Cabinet

Describe the Decision taken

Agreed that a guidance note be prepared and drawn to the attention of Members to illustrate how they can comment on applications and the potential heads of terms for Section 106 Agreements by reference to the weekly planning list notification;

Requested that clear guidance be given to town and parish councils on how to comment on the potential content of agreements for development in their areas as part of the normal consultation arrangements and speaking at Development Management Panel meetings;

Requested that Parish Councils be advised of the introduction of a marker on the planning weekly list and reminded to review these on a regular basis with a view to making comments on the potential heads of terms of Section 106 Agreements in their areas;

Agreed that copies of the quarterly report prepared by the People, Performance and Partnership Division detailing income and expenditure from Section 106 money be provided to all Members and suggested changes to the content of the report implemented at the earliest opportunity;

Agreed to expand the remit and terms of reference of the Section 106 Advisory Group to include monitoring of agreements and that meetings be convened on a more regular basis with dates reserved in the Council's calendar one week prior to each Development Management Panel;

Agreed that copies of the monitoring report be submitted to the Section 106 Advisory Group on a quarterly

basis and also to the Development Management Panel with any comments from the Advisory Group;

Award responsibility for ensuring the effectiveness of processes for securing payments and the expenditure of receipts under Section 106 Agreements to the Executive Councillor for Finance and the Environment with individual Executive Councillors remaining accountable for the delivery of benefits and projects relevant to their portfolios; and

Invited the S106 Working Group to consider the likely effects of the introduction of the Community Infrastructure Levy and make recommendations on processes to implement the system.

What were the reasons for taking the Decision? In response to the review undertaken by the Section 106 Working Group

What alternative options were considered and rejected? None

Conflict of interest and dispensation None

Is the decision a Key Decision? Yes

Was the decision included in the Forward Plan No

Was the decision subject to the urgency proceedings? No

notes and agendas of meetings

City of Bradford Metropolitan District Council - scrutiny of S106 agreements

List the background papers to any report considered by the Decision Taker Section 106 obligations - task group Stoke on Trent

Section 106 agreements - Cardiff

Questions/answers and a presentation by the Head of Planning Services

Person Making this report Mrs Helen Taylor

**Date upon which the
Decision will come into
force, subject to no
call-in** 20 March 2009

**Accompanying
Documents** S106 WG Report