

**Overview and Scrutiny Environmental Well-Being) Panel
12th July 2011**

**MONITORING OF SECTION 106 AGREEMENTS
(PLANNING OBLIGATIONS)
(Report by Head of People, Performance and Partnerships)**

1. INTRODUCTION

1.1 The purpose of this report is to provide the Panel with information on the receipt and expenditure of S106 monies. The report also provides an overview of future benefits from developments that have commenced but where trigger points for collection of the monies have yet to be reached, and future potential benefits from developments which have not yet commenced. The latter two sections allow for forward planning and the integration of potential benefits with other service plans.

1.2 As requested by the Section 106 Advisory Group, a copy of this report has been made available to all Members of the Council.

2. BACKGROUND INFORMATION

2.1 The report has three appendices: Appendix A: Section 106 Account (covering the period 23rd March 2011 to 21st June 2011), Appendix B: Future benefits by location (development commenced, but not yet sufficiently advanced to trigger payments) and Appendix C: Future potential benefits by location (development not commenced).

2.2 **Appendix A** comprises 5 tables:

- **Table 1. Allocated schemes**

These are developments where monies have been received and there is a specific scheme identified.

- **Table 2. Maintenance**

These are developments where monies have been received and are ring-fenced for future maintenance of play equipment and open space. Monies will be spent in accordance with approved maintenance schedules.

- **Table 3. Pending allocation**

These are developments where monies have been received for a general purpose but where a specific scheme has yet to be identified.

- **Table 4. Money spent in the last quarter**

This table shows the actual spend or transfer of monies in the last quarter.

- **Table 5. Non-monetary benefits received**

This details non-cash benefits recorded in the last quarter.

3. DEFERRAL OF PAYMENTS

The following action has been taken on applications for deferrals (the Council's preferred option in the current economic climate) reported on 10 January 2010.

3.1. ID256: An invoice raised in respect of interest for the period 01.10.10 - 31.03.11 in the sum of £1813.84 has now been paid.

3.2. ID 203: The developer Campbell Buchanan requested a payment plan over a 6 month period to help with cash flow. The following proposal was put forward and agreed with the developers.

1. The amount shall be payable by 6 monthly instalments, comprising a first instalment payable on 15 June 2011 of £2600 and the remaining 5 instalments of £2570 on the 1 July and the 1st of each month thereafter;
2. Interest shall be charged on the amount outstanding in accordance with the terms of the Section 106 for late payments and a separate invoice will be raised at the time of the final instalment;
3. If any instalment is not made on time, the whole of the outstanding debt shall become immediately due and payable;

4. RECOMMENDATION

- 4.1. The Panel is invited to review and comment on the contents of the monitoring report.

Note: Members of the Group are invited to submit any detailed requests for further information on schemes prior to the meeting, so that a response can be prepared.

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