

SCRUTINY ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF PLANNING	INTERNAL AFFAIRS SCRUTINITY COMMITTEE	17 APRIL 2024	6
UPDATE ON SECTION 106 MONIES CURRENTLY HELD BY FYLDE COUNCIL			

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

PURPOSE OF THIS REPORT

To ensure elected members aware of the Section 106 Monies currently held by Fylde Council, along with the purposes for which they have been secured.

SOURCE OF REFERRAL

On 25 May 2023, Executive Committee requested that an updated list of monies currently held by Fylde Council be presented at their next meeting. It was subsequently considered that it would be more appropriate to report this information via the Internal Affairs Scrutiny Committee. An initial report was presented to the IASC on the 5th September 2023.

FURTHER INFORMATION

Appendices with full details of funds held by the council are attached

SUGGESTED RECOMMENDATIONS

That members note the contents of the report and that further updates are provided every 6 months.

REPORT

1. This report provides an update on the current position for Section 106 monies currently held with Fylde Council as requested by the Executive Committee on the 25th May 2023 and the internal Affairs Scrutiny Committee on the 5th September 2023.

BACKGROUND

2. Under section 106 (s106) of the Town and Country Planning Act 1990 a Local Planning Authority (LPA) can seek obligations, both physically on-site and also contributions for off-site works, when it is considered that a development will have negative impacts that cannot be addressed through conditions in the planning permission.

3. Obligations can only be sought where they are directly related to the development, fairly and reasonably related in scale and kind to the development, and necessary to make the development acceptable in planning terms.

MONIES CURRENTLY HELD

4. Details in the attached appendices include:
 - a. S106 Summary of balances to the 29th February 2024, including detailing the balance brought forward 1st April 2023, contributions received, expenditure to date, approved commitments.
 - b. Approved Planned Schemes details planned schemes to the 29th February 2024 including the scheme name, budget holder, application reference the contribution was paid on, payment export and budget detail, with a scheme/budget holder comment.
 - c. S106 Agreement Expiry further informs of the application and site location, current balance on that payment, commitments, the agreement expiry date and the status of the work. The expiry dates have also been colour coded to reference how close the spend is to the expiry date.
5. The report is intended to make members aware of the funds held by Fylde Council and to ensure that a suitable scheme is identified and the funds spent ahead of any repayment deadline. Each year the council also publishes an Infrastructure Funding Statement which sets out how Sn 106 funds have been spent to date which is available at [Infrastructure-Funding-Statement-2022-23.pdf \(fylde.gov.uk\)](https://www.fylde.gov.uk/infrastructure-funding-statement-2022-23.pdf)
6. Section 106 monies can only be used for the purposes for which they were secured as set out in each Sn 106 agreement. Members should be aware that the details shown in the report are only a general summary of the purposes the funds have been provided.
7. As a further update the council has recently procured the ‘Legal Agreements’ module that forms part of the MasterGov system which provides the back-office support for the Planning, Planning Enforcement, Building Regulations and Land Charges work of the council. The PAS Peer Review identified that the council should make better use of this technology to support its work and this module will assist with the s106 monitoring and the preparation of future reports of this nature. At present the module is in the setup and data capture stage but, once fully implemented, functionality will be greatly enhanced over the current system and it will be possible to prepare reports on moneys owing and available to spend for a range of topics and geographical areas. This will assist officers, members, and parish and town councils as well as improving the efficiency of responding to the regular Freedom of Information queries that are received on this subject. Should the module provide as effective as is envisaged, it is likely that a web-connector element will then be purchased to allow this information to be available online at all times.

BACKGROUND PAPERS REVELANT TO THIS ITEM		
Name of document	Date	Where available for inspection
106 Monitoring to 29.02.2024	March 2024	Fylde Council Planning Office
LEAD AUTHOR	CONTACT DETAILS	DATE
Karen Hodgkiss	Email karenh@fylde.gov.uk & Tel 01253 658515	20 March 2024

Attached documents

Appendix 1 – Section 106 Agreements Monitoring of Approved/ Planned Schemes as at 29/02/24