



**REPORT of
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

to
**PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE
26 NOVEMBER 2020**

**SECTION 106 UPDATE REPORT AND THE FIRST MALDON DISTRICT
COUNCIL INFRASTRUCTURE FUNDING STATEMENT**

1. PURPOSE OF THE REPORT

- 1.1 This report provides an update to Members on progress with S106 service delivery, as indicated at the June meeting of The Performance and Governance and Audit Committee. A draft Infrastructure Funding Statement (IFS) is attached for Members consideration as **APPENDIX 1**.

2. RECOMMENDATIONS

- (i) Members note the content of this report, the format and layout of the Draft Infrastructure Statement (IFS)
- (ii) Members accept the need for further preparation work on the content of the IFS and agree that the final version be signed of and submitted by the Director of Strategy, Performance and Governance, in consultation with the Chairman of Performance, Governance and Audit Committee.

3. SUMMARY OF KEY ISSUES

- 3.1 The Section 106 Officer has largely completed the process of reconciling and simplifying the Council's record of Agreements and clauses. This process coupled with the delayed site visits, now completed, has identified where developers have needed to take actions or make payments in order to meet their commitments.
- 3.2 The Draft Infrastructure Funding Statement in **APPENDIX 1** is indicative of the final document whose table must be populated with information in the run up to publication.
- 3.3 Members should confirm the route for sign-off of the Infrastructure Funding Statement.
- 3.4 The government's guidance suggests "The infrastructure funding statement must set out the amount of levy or planning obligation expenditure where funds have been allocated. Allocated means a decision has been made by the local authority to commit funds to a particular item of infrastructure or project." It also recommends that "authorities report on the delivery and provision of infrastructure, where they are able

to do so. This will give communities a better understanding of how developer contributions have been used to deliver infrastructure in their area.”

4. CONCLUSION

- 4.1 The reintroduction of the Infrastructure Implementation Group for officers has provided the opportunity for closer collaboration on the monitoring process. This will be reflected in an improved presence for S106 information on the Council’s web pages. This additional transparency will be of benefit to Developers, the local community, our partner agencies and members.
- 4.2 Preparation of the Council’s first IFS is an important stepping stone in this process and its confirmation and publication will represent the start of a more transparent and easily accessed approach to the governance of S106. Dates will shortly be provided for the New Year 2021 to engage Members in a Webinar to take them through these processes more closely.

5. IMPACT ON STRATEGIC THEMES

- 5.1 S106 projects contribute to the delivery of all of the Councils Strategic Themes, through funding of projects to mitigate the impact of development.

6. IMPLICATIONS

- (i) **Impact on Customers** – None
- (ii) **Impact on Equalities** – None
- (iii) **Impact on Risk** – None
- (iv) **Impact on Resources (financial)** – S106 is essential to resourcing the Infrastructure Delivery Plan
- (v) **Impact on Resources (human)** – None
- (vi) **Impact on the Environment** – None
- (vii) **Impact on Strengthening Communities** - None

Background Papers: None

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