

Audit Committee – 24th March 2011

8. Audit Review - Section 106 Planning Obligations and Commuted Sums Update

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Purpose of the Report

To provide a general update on the monitoring of financial and non-financial Planning Obligations.

Recommendations

That members note the report and endorse the actions taken in respect of the monitoring of Section 106 Planning Obligations.

Background

The Committee will remember that an audit review was undertaken at the invitation of management to review the process for managing S106 agreements and ensure that the processes in operation at South Somerset District Council are operating in a sound, robust and controlled manner.

Audit Committee was last updated on progress at their October 2010 meeting, where members indicated that they were content with the actions taken to date with regard to ensuring that an effective and robust system was in place for the monitoring of S106 Planning Obligations, but requested the S106 Monitoring Officer to submit a further update report to the February Committee.

Progress Made

The Section 106 Monitoring Officer attended each of the Area Committees in December and January, introducing himself and giving an overview of his role as well as producing a report detailing the S106 legal agreements that have been signed in the last three years for each area. Good positive feedback from these meetings has been noted and requested changes to the layout and format of future reports in place to be submitted on a six monthly basis. This will enable Area Committees to track S106's in their area, and will increase greatly the transparency of the process.

Progress of monitoring historical agreements is ongoing and an important element of this is the enforcement of planning obligations that have reached their relevant trigger points. This has resulted in the receipt of £320k with several larger payments currently being pursued.

Since being in post the Section 106 Monitoring Officer has fostered good working relationships with internal officers, services and elected members with the mutual interest of monitoring and managing S106 agreements.

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Populating of the database with historic agreements is ongoing and it is likely that the majority of this work will be finished by the autumn.

The 'profile' of Section 106 agreements has been raised significantly by the appointment of the Section 106 Officer and an increased awareness has resulted in significant demands upon his time. This is considered to be a positive outcome as it is important for members and the wider community to have a greater understanding of planning obligations. As part of the 'planning' training for councillors in May it will be necessary to have some time dedicated to this particular subject.

Financial Implications

None.

Background Papers: *Audit Committee reports for January and July 2009 and February, July and October 2010.*
