

CHESHIRE EAST COUNCIL

REPORT TO: Corporate Scrutiny Committee

Date of Meeting: 16th April 2013
Report of: S106 Monitoring Officer
Subject/Title: Section 106 Agreements

1.0 Report Summary

1.1 The purpose of this report is to update Members further to the last presentation to the Sustainable Communities Scrutiny Committee on the 13th September 2012. The report updates Members on the general breakdown of S106 monies currently held by the Council in terms of income and expenditure and provides a list of agreements completed.

2.0 Decision Requested

2.1 That the Corporate Scrutiny Committee notes the report

3.0 Wards Affected

3.1 All

4.0 Local Ward Members

4.1 All

5.0 Background and Introduction

5.1 Last year the Sustainable Communities Scrutiny Committee gave its feedback to a report on improvements to the S106 deposit spreadsheet, improvements for liaising with councillors and a project plan for progressing & programming spend of the S106 monies currently held.

6.0 S106 monies currently held by Cheshire East Borough Council

6.1 Presented at Appendix 1 is a spreadsheet relating to the level of resource currently available.

6.2 The spreadsheet can be easily filtered to provide specific information. For example the spreadsheet can be filtered by ward so that members and interested parties can assess what monies are held for a particular area. This makes the spreadsheet more manageable to interpret. The spreadsheet is circulated to all

budget holders and finance teams on a quarterly basis. It is disseminated to officers within the respective teams so that they are aware of the monies available for spend and project managers are appointed where appropriate by the S106 Monitoring Officer to ensure the funds are spent against agreed priorities, in line with the requirements of the S106 agreement and with ward member involvement.

- 6.3 In summary, the Council currently holds a total of £5,811,664.50 in the S106 account, £3,704,577.06 of the total figure is identified as non-time limited funds and £2,107,087.43 is identified as funds time limited for expenditure. This equates to £5, 209,572.08 in capital and £602,092.42 in revenue.
- 6.4 In terms of time limited funds the Council are currently holding £100,686.48 which is due to be paid back to the respective developers this year (2013) if unspent. Members will note that lines 17, 20, 59, 136a, 202 and 211 which are the individual pots of money under this time constraint are allocated to spend within the relevant time frames.

7.0 Income and expenditure for year 2012/13

- 7.1 From April 2012 - March 2013 the Council has received S106 income of £1,422,462.00, during the same period £331,908.00 of expenditure has occurred.
- 7.2 Presented at Appendix 2 is information supplied by the Parks Management Officers which highlights examples of projects delivered. The document shows the past 12 months of project delivery that totals £812,000 S106 funding and £408,000 external funding to match S106
- 7.3 It should be noted that the figure for expenditure may be significantly more as many services wait until year end for drawdown's from the deposit account, so the information at Para 7.1 will need to be updated verbally at Committee if the information is available.
- 7.4 With the introduction of CIL in 2014 this process will be significantly improved as charging authorities must report how much revenue from the levy they have received in the last financial year and how much revenue was unspent at the end of the financial year. The Council must also report total expenditure from the levy in the preceding financial year, with summary details of what infrastructure the levy funded and how much of the levy was 'spent' on each item of infrastructure.

8.0 S106 Agreements completed

- 8.1 Presented at Appendix 3 is a list of agreements completed.

- 8.2 This equates to 56 S106 agreements or unilateral undertakings from January 2012 to December 2012.
- 8.3 14 S106 agreements or unilateral undertakings have been completed in the first 3 months of this year.
- 8.4 The value of those agreements completed which attract S106 money is detailed in Appendix 1 under the heading 'Agreements received from legal but income not yet received/accounted for on Balance Sheet'. This illustrates monies which have not yet been triggered, so development may have not commenced or occupation may not have occurred and enables members to see the value of the agreements on an individual basis.

The background papers including the individual S106 Agreements relating to this report can be inspected by contacting the report writer:

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