

CABINET RESPONSE TO THE REPORT BY THE ENVIRONMENTAL SCRUTINY COMMITTEE ENTITLED MANAGEMENT OF SECTION 106 FUNDING FOR THE DEVELOPMENT OF COMMUNITY PROJECTS

1. Cabinet agree to the principles of the process as set out in the Environmental Scrutiny Committee's recommendation.
2. In order to implement the recommendation, Officers will need to work up full details of the new process outlining how it can be established and thereafter maintained. It is therefore recommended that Officers report back to Cabinet in early 2018 with these details and aim to initiate the process in Spring 2018.
3. The Environmental Scrutiny Committee's recommendation sets out the basis of a new process primarily based on the need to more effectively capture community-derived projects. Whilst this represents a very useful starting point, it is considered that the process could also address the points listed below. In this way, the opportunity can be taken to establish the most effective way forward and provide a readily manageable and robust system which takes account of all relevant factors in relation to the transparent operation of the Section 106 process:
 - Recognition that the scope for S106 spend is governed by statutory 'tests' and that existing policy as set out in the LDP and supporting Supplementary Planning Guidance (SPG) will play a key role in allocating S106 spend. The process will need to explain that the scope for S106 spend will be established through the assessment of planning applications including the consideration of input from Local Members, Community Councils and other consultation responses. This will help inform the scope for spend on community projects, if applicable, on any given proposal;
 - Ensuring that the process is effectively co-ordinated by Officers, is capable of regular review/updating and does not become unwieldy and/or over-resource intensive;
 - Officers provide a range of material to help fully explain the process and how Local Members, Community Councils and other parties can effectively engage. This may include a new webpage together with guidance documents relating to the S106 process in general and also to the 'Project List' more specifically;
 - Providing further guidance on eligible projects including both strategic and local projects along with how the 'Project List' will be used to help inform S106 negotiations ; and
 - Providing an update on the relationship of S106 and Community Infrastructure Levy (CIL) noting that CIL is not yet adopted pending the considerations of the Welsh Government with regard to CIL once the function is devolved to Wales in 2018;