

Committee: FULL COUNCIL

Date: 16 May 2023

Title: S106 Funding

Purpose of Report

For Members to receive an update on S106 funding for projects.

Recommendation:

Members to note the report.

Background:

1. When new developments take place across England the developers are required to pay both S106 contributions and/ or a Community Infrastructure Levy (CIL). Attached to this report is a document that was sent out to all councils in 2017 when CIL was first introduced. (**Appendix 13A**).
2. Also attached is the text on the Somerset Council website that details the [S106 funding](#). (**Appendix 13B**). As Members will see, this document contains links to some of the previous District Council's S106 information. Unfortunately, information for the old South Somerset District Council does not appear available with regards to the S106 agreements that have been signed by the authority and developers.
3. At the meeting of the Resources Committee on the 6 September 2022 a resolution was passed under delegated authority to the committee:

R22-023

Refurbishment of Playparks and Recreation Ground Fitness Trail

*Members **RESOLVED** unanimously to delegate authority to officers in consultation with the Chair and Vice Chair of the open Spaces Committee to proceed with gaining support for the allocation of S106 and CIL funding from SSDC at the earliest opportunity and to initiate the projects as soon as possible.*

Report:

4. As a result of the resolution passed in September, the Recreation Manager along with the admin team have worked to find out what equipment the community would like for the various projects. Quotes were then obtained and this information was used to apply for the S106 funds which we were led to believe would be available and which had been notified to Members.

5. These funds were as follows:

S106 Funding	Capital	Commuted	Total
Changing Rooms	£ 127,382	£ 10,247	£ 137,629.0
Community Hall	£ 76,860.0	£ -	£ 76,860.0
Equipped Play	£ 100,308	£ 63,319	£ 163,627.0
3G AGP	£ 8,161.0	£ -	£ 8,161.0
Sports Hall	£ 38,458.0	£ -	£ 38,458.0
Sports Pitches	£ 37,009.0	£ 26,408	£ 63,417.0
Youth Facilities	£ 13,858.0	£ 5,123	£ 18,981.0
	£ 402,036	£ 105,097	

6. As Members are aware there have been concerns raised not just by Members of the Town Council and the officer team here in Ilminster, but on a wider scale about the quality and quantity of information that was being supplied to councils in the area in respect of the S106 grants and agreements.
7. We have now been notified that the application for the Winterhay play park has been agreed and that there are insufficient funds available for the other projects. It should be noted that there is often a delay in identifying the funds that are available and the collection of the payments from the developer. Not surprisingly, developers will try to delay payments if they can.
8. As part of the investigation that has been carried out into what funds are available, the attached spreadsheet has been provided to officers and Members of Somerset Council. **(Appendix 13C).**
9. Some of the information would appear to be misleading in the sheet. There are two figures identified, £55,676 and £96,389 as being for the recreation ground. In fact, this was funding used to pay for the Greenfylde play park further along Canal Way.
10. In the last two weeks, officers were contacted by Persimmon Homes with regards the application for the 400 houses along Canal Way. This information has been provided to Members and it has been agreed with Persimmon that if Members are agreeable that a Full Council Meeting will take place at the end of June to allow them to explain changes to the initial Outline Plans that have been put in place.
11. During the course of the discussion, officers became aware that the allocation for a significant amount of the S106 money had already been allocated to projects. In total there may be £1,266,375 available of which £638,400 has already been earmarked for two projects. **Appendix 13D.**
12. There are concerns that much of the information that has been used to decide the S106 funding is in fact out of date and should be reconsidered. An example of this is funding that has been identified for the playpark at the Recreation Ground which has now been completed.

13. At a meeting with the Localities Officers, the Town Clerk made it clear that more accurate information on the S106 funding was required and in a more timely fashion. This was agreed and that steps are in place for a centralised database to be introduced. It should be noted that this information had already been notified to Members in a Clerk's Update earlier this year.
14. Concerns were also raised that there needed to be greater involvement of the various town and parish councils in the allocation of the S106 funds as there was a clear risk to the reputation of this and other councils that unfair distribution of significant funding was taking place.
15. In the report on the Community Consultation, that will shortly be provided to Members, there is a clear requirement from the community not just to support the cricket and football facilities in the town but there is a clear wish for a wider range of sports and activities to be supported.
16. Members are being asked to confirm that they wish officers to continue to look into how S106 is to be allocated for the Persimmon Homes development at Canal Way and other potential sites in Ilminster.

Mark Tredwin
Town Clerk
May 2023