

NAME OF COMMITTEE	Council
DATE	17 April 2012
REPORT TITLE	Section 106 Community Facilities Fund Applications
REPORT OF	Countryside & Community Projects Officer Member Services Manager
WARDS AFFECTED	All

Summary of report:

There is currently a delegated approval limit on the applications for s106 Community Facilities Funding, before approval of Strategies and Resources Committee is needed. This report seeks to increase that limit.

Financial implications:

The report seeks approval for amending the process for the release of s106 monies, therefore there is no direct financial implication to the Council.

RECOMMENDATIONS:

Members support increasing the delegated approval limit for applications to the Section 106 Community Facilities Grant to £15,000, without the need for Committee approval.

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1. BACKGROUND

1.1 In November 2010, a report was taken to Strategies and Resources Committee, seeking approval of a process which proposed a grant based scheme to administer Section 106 contributions that have previously been negotiated for 'Community Facilities', and which indicated a more strategic approach to dealing with the contributions in the longer term (minute *S&R 33 refers).

1.2 The proposal was approved, and the following resolution was made:

“A Corporate Director, in consultation with the Chairman and Vice-Chairman of the Strategies & Resources Committee together with the Ward Member(s) and with the support of the relevant Town or Parish Council, be authorised to approve applications of up to £5,000.”

1.3 At the Strategies and Resources Committee meeting held on 13 March 2012, the Vice Chairman proposed that the limit before which Committee approval was needed, be increased from £5,000 to £15,000 (minute *S&R 49 refers).

1.4 Members agreed that this matter should be the subject of a discussion at full Council.

2. ISSUES FOR CONSIDERATION

2.1 Members are being asked to consider whether they agree to the limit for Section 106 Community Facilities Fund applications being raised to £15,000, before Committee approval is required. All other elements of the scheme will remain the same, although the authority would be delegated to the Head of Assets (rather than a Corporate Director), in consultation with the Chairman and Vice-Chairman of the Resources Committee, together with the Ward Member(s) and with the support of the relevant Town or Parish Council.

3. LEGAL IMPLICATIONS

3.1 The necessary powers are given under the Local Government Act 2000 and the well-being powers under Section 2, which gives the Council power to promote economic, social or environmental well-being of its area.

4. FINANCIAL IMPLICATIONS

4.1 There are no financial implications directly arising from this report.

5. RISK MANAGEMENT

5.1 The risk management implications are:

Opportunities	Benefits
- Simplify and streamline the process for groups applying for S106 Community Facilities funding.	- A quicker and more straightforward application process from the perspective of the applicant – smaller applications can be considered on a rolling basis without being delayed by the Committee timetable. - A time saving for Members and officers by removing a layer of reporting and consideration for smaller applications.
Issues/Obstacles/Threats	Control measures/mitigation
- Subjecting applications to an appropriate level of scrutiny from Members.	- More complicated or controversial applications can be brought to Resources Committee if required. - Support of the local Town/Parish Council and the local Borough

	<p>Council Ward Member are still required, therefore vital local scrutiny will still be required.</p> <ul style="list-style-type: none"> - The officer will be required to submit a summary report to the Chairman and Vice-Chairman of Resources Committee and the Head of Assets, and the applications will still be scrutinised against the same Fund guidelines.
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6. OTHER CONSIDERATIONS

Corporate priorities engaged:	Community Life
Statutory powers:	Local Government Act 2000
Considerations of equality and human rights:	Facilities, services or products that are accessible to all forms a consideration within the Sustainability Checklist, and would be considered if relevant to an application.
Biodiversity considerations:	Biodiversity forms a consideration on the Sustainability Checklist and would be considered if relevant to an application.
Sustainability considerations:	Applicants must address the Sustainability Checklist, and show how the project will contribute to the Council vision for sustainability.
Crime and disorder implications:	None relevant, however implications of a particular project would be considered on a project by project basis.
Background papers:	N/a
Appendices attached:	N/a