

OVERVIEW AND SCRUTINY COMMITTEE
WSCC S106 Funds held by Horsham District Council Task and Finish Group
4 FEBRUARY 2019

Present: Councillors: Paul Clarke, Leonard Crosbie, Lynn Lambert,
Mike Morgan and Brian O'Connell

Also Present: Councillor Nigel Jupp

1 **CONFIRMATION OF CHAIRMAN**

Councillor Brian O'Connell was confirmed as Chairman of the Task and Finish Group.

2 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of interest from Members of the Group. Councillor Nigel Jupp, who was in attendance, had declared a personal interest because he is also a West Sussex County Councillor.

3 **ANNOUNCEMENTS**

There were no announcements.

4 **TO AGREE TERMS OF REFERENCE FOR THE REVIEW**

Members noted the proposed Terms of Reference and agreed that the main objectives of the Group were to:

- Establish what S106 funds are held by HDC on behalf of WSCC, with a breakdown of the allocation of these funds, ie highway infrastructure, education, fire service, libraries;
- Consider a breakdown of the allocation of funds by Ward and Parish;
- Examine how HDC monitor what funds are held and when they are spent with a view to identifying improvements to HDC's current procedures;
- Examine the current Policy and Processes between the District and County Councils with a view of identifying potential improvements;
- Identify funds which are time sensitive; and
- Recommend a best practice to ensure Parishes take a proactive role in monitoring available funds and in applying for them from WSCC.

5 **TO SCOPE THE REVIEW**

The Planning Obligations Officer outlined the current arrangements between WSSC and HDC regarding S106 monies held by HDC on behalf of the County Council, which were based on a Policy and Processes protocol agreed in April 2016. This protocol would be circulated to the Group after the meeting.

The Head of Development reminded Members that a majority of the funds were historic because the introduction of CIL (Community Infrastructure Levy) in October 2017 had changed the way infrastructure contributions are calculated and allocated. The Head of Development advised that CIL governance was currently being reviewed and a report would be considered by Council near the beginning of the new Council Year.

With regards to time sensitive S106 funds allocated to WSSC, the Head of Development stated that under the protocol WSSC were responsible for monitoring expiry dates of funds. The Chairman considered that HDC should have a role in ensuring WSSC were monitoring this effectively, but recognised the responsibility ultimately rests with WSSC to allocate and spend the funds. The Chairman asked that the Planning Obligations Officer request an updated list from WSSC's Strategic Planning Officer. If that wasn't forthcoming, the Group would examine the most up to date list supplied to HDC in August 2018.

With regards to the list of potential S106 funds that resulted from unimplemented developments granted before the introduction of CIL, Members were advised that it was hard to predict these sums because the developments wouldn't necessarily be built.

The Chairman asked that information on CIL monies collected to date, and their allocation to different Parishes, also be provided. It was noted that these sums were currently small as CIL had only been introduced in 2017.

Members were concerned that Parishes were either unaware of the funds allocated to WSSC or did not know the best procedure for requesting them. The Group agreed that establishing a best practice for Parishes to follow for identifying and applying for S106 funds from WSSC was a key focus of the Task & Finish Group.

The Chairman suggested that the second meeting should start with an officer presentation to establish:

- what WSSC funds are held, with a breakdown of the allocation of these funds;
- a breakdown of the unspent funds held at January 2019 by Ward and Parish (to include the unparished area of Horsham);

- the most up to date information available from WSSC on expiry dates of funds;
- CIL monies collected to date by Parish.

The Group agreed that after the presentation the focus of the meeting would be to discuss the current Policy and Processes protocol. Scrutiny of this document would be central to establishing the recommendations of the Task & Finish Group.

The purpose of the third meeting of the Group would be to work on drafting the report and recommendations for consideration by the Overview & Scrutiny Committee on 25 March.

6 **TO AGREE THE DATE OF THE NEXT TWO MEETING**

The Group agreed the next meeting would be on Monday 18 February at 5.00pm.

The meeting closed at 6.35 pm having commenced at 5.30 pm

CHAIRMAN