

Appendix 6

Progress on Unspent S106 Funds

Purpose	Not Allocated / Unspent	How many Agreements make up total	Can money from Agreements be pooled	Are there Project Plans Identified	When Money has to be spent	Lead Officer for Organising Spend
Admin & Monitoring	673,294.43	60	Yes	N/A	N/A	PR&E Service
Education Pool	1,138,495.35	12	Yes	Yes	6 by 2016 6 no expiry date	Maggie Shields
Environment (Site Specific)	122,000.00	8	No	Yes	1 by 2012 2 by 2013 1 by 2014 4 no expiry date	PR&E Service
Environment (Site Specific) New River Village	1,000,000.00	1	Yes	No	April 2012	PR&E Service
Street Scene / Highways / Transport (Site Specific)	559,650.08	9	No	Yes	3 by 2015 3 by 2016 3 no expiry date	Danny Gayle
Recreation (Site Specific)	43,500.00	1	No	Yes	1 no expiry date	Martin Hall
Traffic Management Order (Car-Free Developments) (Site Specific)	5,750.00	6	No	Yes	3 by 2015 3 no expiry date	Malcolm Smith
Affordable Housing (West of the Borough Specific)	222,741.77	1	Yes	No	1 by 2016	Nick Powell
Total	3,765,431.63					
minus Admin	673,294.43					
	3,092,137.20					

Implementation of spending S106 contributions

The planning application process will often identify specific impact needs that the S106 must pay for (e.g. yellow lines; specified footway improvements). These funds will then be given to the relevant council services to deliver.

The planning application process will some times identify general improvements (e.g. increase in public open space/improvement in public open space; education improvement; affordable housing contribution). These will also be given to the relevant council service to deliver either through a one off project or as part of an existing programme.

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As each planning application is processed, (sometimes through the pre application process) internal consultation with Council Services, consultation with statutory consultees and neighbourhood consultation will throw up ideas and proposals for S106 headings covered in SPG 10a. Over time this process has led to some services developing improvement and project programmes that can be supported by S106, (e.g. the education pool). Particularly in respect of unspent general improvement funds – the Planning Service will contact the relevant council services and ask them to develop a project.

Key Planning S106 tests are: “Relevant to Planning; Related to the proposed development and Fairly and reasonably related in scale and kind to the proposed development”.

Lead responsibility for negotiation on all S106 lies with the Planning Service. This Service understands the importance of primarily bringing forward good development and ensuring that S106 requests do not make the proposal economically unviable and that they are only negotiated on schemes that are in principle policy compliant. Since the recession began in 2007/08 and the S106 Regulation change in April 2010, the Planning Service has been careful to only focus on negotiations on key impacts/site compliance and community infrastructure and less on general improvement categories such as “environmental improvements” since scheme viability is now critical and meeting the statutory obligation tests are now much more focused.

The Assistant Director (AD) of Planning, Regeneration & Economy has delegated power to allocate S106 funds. The AD and his staff ensure the spend meets government guidance, Haringey SPG Guidance and the terms of the specific legal agreement. Planning staff do not release funds until an appropriate project and cost details are presented by the council services allocated the funding.

Responsibility for developing projects, carrying out any necessary public consultation and securing authorisation to spend rests with the Council Services who spend the S106 funds.

Planning staff are in regular contact with all lead officers (identified in the table above) from other Services with regards to allocating/spending S106 contributions.

What have we agreed for New River Village (NRV)

A report was approved by Cabinet Committee for defined projects which are in accordance with the requirements of the agreement. These funds are committed for **spend by April 2012**. This work had previously been held up until the planning decisions on Coronation Sidings and Clarendon Square were completed (2011) so a more holistic approach could be taken on spend options within an agreed planning context.