

Pathway
S106 Agreement Implementation Pathway

What	Action	Responsible Officer	Lead Officer	Key Target Date or Expected Completion Date	Completed Date	Progress
Formalise roles and responsibilities of all parties	To include roles and responsibilities of all parties in the s106 (SPD) Planning Obligation Guidance.	Director Planning	Development Manager & S106 Monitoring Officer	29/03/2022	29/03/2022	s106 (SPD) Planning Obligation Guidance document is first at draft. Draft document sets out the roles and responsibilities. Consultation not yet programmed.
Scoping work to prepare to update s106 planning obligation guidance for consultation	Scoping completed	Director Planning	Development Manager & S106 Monitoring Officer		31/12/2021	Completed
Update S106 planning obligation guidance based on Law, NPPF, emerging Local Plan and Neighbourhood Plans	Utilise PAS assistance (Rachel Perry Jones)	Director Planning	Development Manager & S106 Monitoring Officer	09/03/2022	29/03/2022	Completed
Publish Infrastructure Funding Statement on website for 2020/21		Director Planning	Development Manager & S106 Monitoring Officer	31/12/2021	31/12/2021	Completed
Publish Infrastructure Funding Statement on website for 2019/20		Director Planning	Development Manager & S106 Monitoring Officer	31/12/2020 - this is the legal requirement for publication.	Completion date is dependent on delivery of the Exacom database.	Resource not available to focus on this task currently. Work to bring forward the Exacom database has been prioritised over this and will provide the information (once in operation) at a touch of a button.
Protocols with relevant parties setting out the s106 process, procedures, entitlements and obligations	To incorporate protocols in the s106 (SPD) Planning Obligation Guidance.	Director Planning	Development Manager & S106 Monitoring Officer	29/03/2022	29/03/2022	Completed. Cabinet have agreed guidance on 29/03/2022.

LPA to fulfill the role of mediator (negotiator) between competing claims on grounds of proportionality and affordability	Specific roles and responsibilities will be set out in the S106 Planning Obligation Guidance including the legal tests: Necessary to make the development acceptable in planning terms Directly related to the development Fairly and reasonably related in scale and kind to the development;	Director Planning	Development Manager	29/03/2022	29/03/2022	Completed. Cabinet have agreed guidance on 29/03/2022.
S106 to be a standard part of PPAs	Recruit a PPA Project Officer to ensure that s106 are picked up on every PPA.	Director Planning	Development Manager		04/01/2022	Completed
Negotiated Heads of Terms to be agreed in principle before applications are reported to planning committee for decision making.		Director Planning	Development Manager	ongoing	ongoing	Complete
Consider alternatives recommendations should there be a failure to enter into s106 on the part of the applicant.	To adjust the wording of the recommendation in the committee report to ensure there is an end date should an applicant fail to enter into a s106.	Director Planning	Development Manager	13/04/2022	13/04/2022	Final template in use since 13/04/2022. Pilot committee report template currently in use. Planning Committee Working Group agreed a template on 02/03/2022 this will be in use from the 13/04/2022.
Case officers to submit intermediate instructions on s106 agreements to solicitors early in the life of the application and full instructions in accordance within agreed timeframes.	Work with Legal to prepare a process / form and ensure team are informed and talked through the process.	Director Planning	Development Manager	31/03/2022	31/03/2022	Complete. Legal have prepared a form which needs to be completed by a case officer when they are aware there is a requirement for a s106. DM Manager to confirm.
Project to record s106 agreements and obligations on Exacom	Prepare and submit Growth Bid	Director Planning	Interim Transformational lead		01/01/2022	Growth Bid approved
	Secure services of specialist organisation to populate Exacom - Obligations Office	Director Planning	Development Manager & S106 Monitoring Officer	11/03/2022	11/03/2022	Quotes have been received. Time slots in new financial year to be booked - issue order number.

	Work to commence populating Exacom	Director Planning	Development Manager & S106 Monitoring Officer	29/07/2022 - delayed 31/10/2022		Commencement date is the 20/06/2022 for data entry and upload. (This is programmed to take 5 weeks) Date has been delayed due to the supplier issue - completion date due 31/10/2022
	Draft and agree templates for use in Exacom.	Development Manager	S106 Monitoring & Enforcement Officer	31/08/2022		Templates have been amended to include correct UDC information and will be tested once the database has been populated.
	Populate with finance data	Director Planning	Development Manager & S106 Monitoring Officer			
	To start using Exacom in the Live system.	Director Planning	Development Manager & S106 Monitoring Officer	30/09/2022		S106 Officer currently working on project delivery with Exacom.
Launch the S106 Public Portal on the UDC website	Growth bid	Director Planning	Interim Transformational Lead		01/01/2022	Growth Bid approved
	Secure the purchase of the portal	Director Planning	Development Manager & S106 Monitoring Officer	11/03/2022		Complete. Quotes have been received. Time slots in new financial year to be booked - issue order number.
	Go live with the Public Interface	Director Planning	S106 Monitoring & Enforcement Officer	31/10/2022		This will be possible once the database has been populated and all areas tested.
	To agree a detailed master timetable and actions.	Development Manager	S106 Monitoring & Enforcement Officer	31/01/2022	ongoing	Draft master timetable has been prepared. This is an ongoing action between the Development Manager and s106 Monitoring Officer. to send a monthly update to Director etc

<p>Identify appropriate corporate governance for the management of s106 contributions with the purpose of supporting and underpinning Infrastructure delivery.</p>	<p>The Planning Advisory Service (PAS) to review existing governance arrangements and make recommendations.</p>	<p>Director Planning</p>	<p>Development Manager & S106 Monitoring Officer</p>	<p>26/04/2022 - 31/05/2022 - expected timeframe for feedback from PAS.</p>	<p>31/05/2022</p>	<p>Kick off workshop took place 26/04/2022 with officers on the working group. PAS response expected within 2 weeks. Next step is to convene a workshop including officers and elected representatives. Feedback received 31 May 2022</p>
<p>Implement appropriate corporate governance for the management of s106 contributions with the purpose of supporting and underpinning Infrastructure delivery.</p>	<p>To implement the recommendations from the Planning Advisory Service (PAS) following completion of the workshops.</p>	<p>Director Planning</p>	<p>Development Manager</p>	<p>31/12/2022</p>		<p>Commencement is dependent on progressing the governance work with PAS. Implementation will take place as soon as governance arrangements agreed. The report has been received and the next steps are to produce an action plan and commence work on implementation.</p>