

MINUTES OF THE JOINT SCRUTINY COMMITTEE MEETING HELD AT THE
COUNCIL OFFICES, MID SUFFOLK DISTRICT COUNCIL, NEEDHAM MARKET
ON WEDNESDAY 5 FEBRUARY 2014 AT 5.30 PM

PRESENT:

BABERGH

MID SUFFOLK

B D Hurren
F R Lawrenson
J A B Long
M Newman
Mrs A M Norman

Mrs R J Eburne (Chairman)
J E Matthissen
D J Osborne
M R Redbond
Mrs J C Storey
C M W Tilbury

1 SUBSTITUTES AND APOLOGIES

Apologies for absence were received from Councillors Mrs J Antill, Mrs E B Gibson-Harries, Mrs S Powell and D L Wood.

2 DECLARATION OF INTERESTS

None declared.

3 MINUTES

RESOLVED

That the Minutes of the meeting held on [4 December 2013](#) be confirmed and signed as a correct record subject to the following amendments:

Item 1: Additional Item of Business – the minute needs to reflect detail of the item considered (i.e. the rationale for adding an additional item due to the fact that it had been missed off published agenda due to an officer error).

Item 8: Corporate Compliments, Comments and Complaints – amend the Resolution to read:

- **That the update on Compliments, Comments and Complaints as summarised in [Appendix A to Paper JSC/19/13](#) be noted, and the actions identified above be followed up**

4 PETITIONS

None received.

5 QUESTIONS FROM MEMBERS

None received.

6 SECTION 106/COMMUNITY INFRASTRUCTURE LEVY (CIL) ARRANGEMENTS

The Head of Corporate Organisation introduced a report ([Paper JSC/01/14](#)) which reviewed the Councils' current arrangements for the management and monitoring of S106 agreements and an update on the introduction of the Community Infrastructure Levy (CIL).

Ian Reekie, Corporate Manager – Business Improvement (Place), Esther Thornton, Corporate manager (Legal) and Neil McManus, Suffolk County Council Development Contributions Manager attended the meeting to answer Members' questions.

Members raised the following questions and comments:

- As there was often a significant time delay from receipt of S106 monies from the developer and spend, the monies which were deposited in a bank account accrued interest. Who received the interest paid?

The interest is collected and added to the funding pot held for the S106 project.

- If a developer did not pay the S106 monies in a timely fashion this interest would be lost.

Under S106 Obligations a developer was required to pay index linked interest on late payments

- If monies were unused within the specified time limit they should be repaid to the developer. Who monitored this and was the Council obliged to contact the developer and advise them the funds were unused?

The repayment period was determined by the wording of the S106 Agreement. The timescale for use in complicated agreements was usually 20 years and it was the responsibility of the developer to reclaim the money Officers also monitor the agreements and the dates within them, at SCC a central data system was used to monitor the agreements.

- It was suggested that a common IT system for both Councils and SCC would enable more efficient monitoring
- How did Members and the public know that the monies collected by SCC for highways, education etc were being used for the purposes collected?

Large projects e.g. new schools were usually publicised in the press. However, more transparency was probably needed regarding smaller projects.

Members felt that the use of funds was often too restrictive preventing villages from accessing them for schemes which would benefit the local community. It was also felt that it would be helpful if Babergh and Mid Suffolk used the same criteria for use of monies as Babergh was subject to additional constraints. It was further suggested that as monies should be used to mitigate the effect of the development on the locality that prior to an agreement being drawn up the parish should be consulted on what was needed to achieve this.

Members proposed that a review of the policy on use of S106 monies should be undertaken by the planned Strategic Policy Development task and finish group.

RESOLVED

- (1) That having reviewed the current practice and arrangements for the management and monitoring of the S106 function for each Council and no further action was identified.**
- (2) That a timetable be provided for the development of the CIL framework.**
- (3) That the ‘Strategic Planning Policy Development’ task and finish group be provided with a list of issues for consideration in the further development of the strategic policy frameworks for each Council.**
- (4) That the relevant Suffolk County Council (SCC) officer be requested to report to SCC Councillor Locality Meetings annually on developer contribution spend in Babergh and Mid Suffolk areas.**

7 SCOPING OF SCRUTINY REVIEW ON LOCALISM AND EMBEDDING OF THE LOCALISM ACT

The Head of Corporate Organisation introduced a report ([Paper JSC/02/14](#)) which provided information to enable Members to establish the scope of a Scrutiny Review on Localism and the embedding of the Localism Act.

A question was raised as to impact of the neighbourhood planning elements of the Act, Members questioned whether currently there was enough community involvement and whether the District Councils needed to do more to encourage this.

Members felt that the review had been thoroughly scoped but suggested that as the focus must be on communities it would be helpful to invite a number of parish council chairmen to attend to hear their views on the impact of the Act on their communities.

RESOLVED

That the Joint Committee agrees the proposed scope of the review and to undertake the review.

8 FOLLOW UP OF JOINT SCRUTINY ITEMS

The Head of Corporate Organisation presented a report ([Paper JSC/03/14](#)) informing Members of action or progress made on previous recommendations.

Further updates were provided on the following:

- Review of Partnership Accountability – Work had begun on reviewing appointments to outside bodies and ensuring that partnership working tied in with the Strategic Priorities. Appointments were however generally made for the term of office

- Planning Policy Update – a report was to be presented to the February Executive and Strategy Committees requesting that the Terms of Reference and membership of the Group to be agreed

RESOLVED

That further monitoring of progress is required in the areas marked as on-going in Appendix A of the report.

The business of the meeting was concluded at 7.00 p.m.

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Chairman

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