

**Report of the Portfolio Holder for Economic Development and Asset Management****INFRASTRUCTURE FUNDING STATEMENT 2020-2021 AND SECTION 106 MONITORING****1. Purpose of Report**

To note the annual Infrastructure Funding Statement (IFS) and provide an overview on the procedure for monitoring section 106 (S106) agreements.

**2. Recommendation**

**Cabinet is asked to NOTE the Infrastructure Funding Statement (IFS) and Section 106 monitoring process, within the appendix.**

**3. Detail**

The IFS provides information on the monetary (and non-monetary) contributions sought and received from developers for the provision of infrastructure to support development in Broxtowe, and the subsequent use of those contributions by Broxtowe Borough Council. The report covers the financial year 1 April 2020 – 31 March 2021, see the appendix. Councils are required to publish an IFS annually.

Further information in respect of S106 monies available and not allocated for projects is being prepared and will be available in due course.

Details of a step by step process for monitoring S106 agreements has been provided in the appendix, to provide an overview of how monetary and non-monetary contributions are monitored over time.

**4. Financial Implications**

The comments of the Head of Finance Services were as follows:

The annual Infrastructure Funding Statement provides information on the contributions sought and received from developers and their subsequent use of these contributions by the Council. Section 106 contributions are monitored by the Planning and Finance Services teams. The financial details relating to Section 106 contributions covering the financial year 2020/21 are included in the appendix to this report.

**5. Legal Implications**

The comments from the Head of Legal Services were as follows:

The Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 require an annual report (The Infrastructure Funding Statement (IFS)) to be published on the Council's website by December 31st each year, to provide a summary of the

financial and non-financial developer contributions relating to Section 106 Legal Agreements (S106) and the Community Infrastructure Levy (CIL) within Broxtowe Borough Council for each financial year. There are potential legal implications if the Council does not fulfil its obligations in respect of Section 106 legal agreements. The preparation of the IFS on an annual basis provides much greater transparency in relation to S106 funds including those which have been received, spent, allocated and not yet allocated or spent.

6. Human Resources Implications

The comments from the Human Resources Manager were as follows:  
Not applicable.

7. Union Comments

The Union comments were as follows:  
not applicable.

8. Data Protection Compliance Implications

Not applicable.

9. Equality Impact Assessment

Not applicable.

10. Background Papers

Nil.