

Appendix 1 to agenda item 10

Section 106 Follow-Up Review - Tangmere

1. Background

- 1.1. The Chief Executive requested Internal Audit to investigate why a response was not made for two Section 106 applications for Leisure and Tourism which included Sports and Leisure in Tangmere. A report was presented to the Corporate Governance & Audit Committee in November 2012, with four recommendations.
- 1.2. Members requested that a follow-up review is undertaken to ascertain the progress that has been made with the implementation of the recommendations.
- 1.3. Recommendations made in November 2012 included;
 - That the contact list contained in the (Supplementary Planning Guidance (SPG) is updated to reflect the appropriate person responsible for submitting Section 106 contributions.
 - That the co-ordinators are no longer used and consultee letters are sent directly to the individual responsible for the various categories within the service to avoid confusion and to ensure that everyone has been consulted. A copy of this should be sent to the relevant Director.
 - The Development Management have an alert system to identify when a response has not been received. This should be done in person, or over the phone. A record should be made of when this has been followed up.
 - That a response is required by the service departments even if that response states a contribution is not required.

2. Findings

- 2.1. Planning applications were selected for the period 1.11.12 to 30.4.13 which attracted Section 106 contributions and a test was undertaken to check that the consultees had responded to Development Management within the allotted timescale.
- 2.2. From tests undertaken the contact list has been updated to reflect changes plus new staff who have responsibility to respond with a request for a Section 106 contribution. The updated list ensures that the consultation letters are sent to the individual concerned rather than through a co-ordinator, however, the current software system does not enable this to be enforced as it does not allow more than one e-mail contact per consultee team to be held at any one time.

- 2.3. From the sample selected, letters were sent to the consultees and a response was received within the timescale, however, the date of the response was not shown on the consultee schedule as being returned. The Administration Manager pointed out that although the consultee letters are sent using the Uniform system the replies are logged on the IDOX document management system only.
- 2.4. Development Management are looking to purchase a piece of software that will allow the consultee reply to be logged on the consultee schedule automatically, thereby providing an up to date picture of what consultee letters are outstanding. However, it is unlikely that this software will be able to generate an automated reminder letter; confirmation will be sought on this point with the software company, in the meantime the onus will be on the individual Planning Officer to manually chase the consultee if a response has not been received.
- 2.5. From testing undertaken and from discussions held, the departmental responses are being received even if a contribution is not required.

3. Conclusion

- 3.1. Whilst some progress has been made with regard to the tightening of controls for consultee responses, it is not possible to implement all of the recommendations in full. Development Management are looking to purchase software that will improve the Consultation process and this includes consultee replies populating the consultee schedule. This function will support the Planning Officers when manually checking for consultee replies.