

Guidance Notes for Section 106 Application of Monies Form Completion

1.0 Background Information

1.1 Where does the funding come from?

Under Section 106 (S106) of the Town and County Planning Act (as amended), contributions are used as a mechanism to make a development acceptable in planning terms. Contributions can be sought from developers to focus on the mitigation of the impact of the development.

Developer contributions are usually paid to the Council when the development has met certain trigger points (e.g. after 1st occupation and 50% occupation). All of the funding that is available is related to specific clauses within specific S106 agreements from new developments across South Derbyshire.

1.2 The Grant Process

All applications are checked to ensure that they are compliant with the Community Infrastructure Levy Regulations. Compliant applications are approved by the Head of Planning and Strategic Housing for the release of the funding.

Successful applicants will be informed within 21 working days.

We expect to release the money to successful applicants in arrears, upon proof of expenditure having been provided. Exceptional circumstances will be considered for providing the money up front, prior to the works being undertaken.

1.3 Who can apply?

- Parish Councils or constituted Parish meeting
- Any constituted community / voluntary group based within South Derbyshire and more specifically, within the Parish/ Ward with which the S106 money is associated
- Registered Charities

Parish Councils should be sent a copy of any application being submitted to the Council.

1.4 Who can we not fund?

- Organisations which aim to distribute a profit
- Individuals
- Organisations seeking funding for the promotion of religious or political beliefs. However, places of worship are eligible where funding is for adaption or improvement for community use.
- Retrospective funding i.e. projects undertaken prior to the Council's receipt of the monies.



1.5 Types of projects Section 106 Money can support

S106 money must be spent in accordance with the terms of the S106 agreement and by the deadline within the agreement (if applicable).

The funding is available for **CAPITAL PROJECTS ONLY** and may include set up costs (e.g. design work).

Each individual S106 agreement is negotiated to provide funding associated with one, two or all of the following three areas:

1. Built Facilities
2. Outdoor Sports
3. Off Site Open Space

Evidence of why the project is needed as mitigation for the approved scheme is to be provided when asking for a contribution.

1.6 What we cannot fund

Revenue towards on-going running costs is not available. Examples of projects we cannot support are:

- General running costs such as utility bills and maintenance
- Items or projects which only benefit an individual
- Activities promoting political or religious beliefs
- Projects which are essentially to maintain and/or upkeep a facility or an organisation rather than to improve or expand facilities or services offered.

1.7 How much can you apply for?

The upper limit of what can be applied for is what is available for spending from the specific S106 agreement.

1.8 Monitoring

Evidence must be forwarded to the Council upon completion of the project; you must provide information on:

- Which groups of people and how many benefited from your project
- How will the success be celebrated
- Whether there will be any publicity associated with your project
- Offer feedback on the process

2.0 Guidance Notes for Completing the Application Form

2.1 Organisation Details (Section 1.0)

S106 funding can only be given to organisations physically located within the District or whose sites are located and operating in South Derbyshire, benefiting South Derbyshire residents. In providing your organisation's details, please set out in full all relevant information about yourselves as an organisation.



The contact details should be someone from your organisation who can discuss the application if there are any queries. He / She will normally be the person responsible for how any grant would be used.

2.2 Project Proposal (Section 2.0)

Tell us how you plan to spend the funding. Provide information on the location and the plans that you have for the capital project. Be specific on what you will do and how you will do it. Present the information that shows why this project is needed as mitigation for the related approved scheme (planning application) and how it will increase the use of the facility.

Are there others involved with the delivery of this project? If so, give evidence of partnership working that is taking place. If applicable, please include planning or lease information and land ownership details.

2.3 Project Funding (Section 3.0)

Give details on the whole cost of the project and how much of this is envisaged to be funded through S106 funding. Provide the relevant clauses of the S106 agreements that you wish to claim the money from.

If your organisation is registered for VAT please submit your VAT number.

If you are registered for VAT please note that only the net cost (i.e. before VAT) will be eligible for a S106 claim. We require three quotes to be provided for each part of your project to ensure best value for the S106 money.

Provide details of what funding has already been secured:

- Other successful grant applications
- Money which has been committed by your own organisation to your project.

Provide information on any other funding that is still to be determined. Please list who you are applying to, detailing when you submitted, or intend to submit your application, together with the date by which you should be informed of the decision.

Please state the name of any funder applied to, the date of the decision and any reasons for refusal. If there is a shortfall in funding, what steps will you take to overcome this e.g. fundraising.

Please indicate which is the preferred supplier for the work that is to be carried out.

2.4 Community Link (Section 4.0)

Transfer of S106 money can only take place if the project is delivered in accordance with the S106 agreement. Typically, this is a specific named project within the area close to the development.

In this section please say if the Parish Council have been informed of the application and if they are supportive of the application for the S106 funding. If there is a Neighbourhood Development Plan made within the Parish, please provide information on how the project links to the policies within the Neighbourhood Development Plan.



If there are already similar projects or facilities within the Parish or neighbourhood, please identify and explain why these are unable to fulfil the need that this project is looking to support. Has this other project working group / facility been consulted?

2.5 Checklist (Section 5.0)

Please take time to ensure that the application of monies form has been completed fully by completing the checklist; incomplete forms will need to be returned.

2.6 Declaration (Section 6.0)

Please be aware that applications may be subject to release under the Freedom of Information Act 2000. All personal information will be redacted, however if there is any information submitted which you do not wish to be in the public domain, this should be clearly marked as confidential.

2.7 Completed Forms (Section 7.0)

All completed forms must be returned either to S106@southderbyshire.gov.uk or by post to:

Section 106, Planning and Strategic Housing, South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, DE11 0AH

If you have any queries please do not hesitate to contact s106@southderbyshire.gov.uk or phone 01283 595820

Successful applicants will be required to participate in monitoring and project evaluation on acceptance of the S106 funding.

