Exmouth Town Council
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S106 & CIL WORKING PARTY

Purpose:

1. To work with EDDC's (the charging authority) S106 and community engagement officers to identify and prioritise play, sport and open space projects which meet the criteria for funding via its S106 receipts.

2. To identify and prioritise infrastructure projects which can be funded via the Town Council's meaningful proportion of CIL receipts, in accordance with Regulation 59A or 59B of 'The Community Infrastructure Levy Regulations 2010 (as amended)'.

   The working party does not have delegated authority for expenditure of CIL receipts and all recommendations must be ratified by Full Council.

Membership: The Working Party will be made up of no less than six Exmouth Town Councillors (Exmouth Town Council Chairman + one member from each ward).

Quorum: Three members

Power:
Town and Country Planning Act 1990, s106
Community Infrastructure Levy Regulations 2010 (as amended)

Delegated Authority: No

1. Terms

1.1. The Council's Standing Orders apply to all meetings of the Working Party.

1.2. The Working Party shall be appointed on an annual basis at the Annual Meeting of the Town Council.

1.3. The first order of business of the first meeting of the Working Party after its annual appointment will be to elect a Chairman.

1.4. The Chairman and Vice Chairman of the Council shall be Ex-officio, non-voting members of the Working Party.

1.5. The Working Party will meet four times a year. Additional meetings will be arranged as required.

1.6. Meetings shall not be open to the public unless the Committee feels it appropriate to include the press and public for specific items.

1.7. Where appropriate, members of the Working Party will receive an agenda and supporting papers in accordance with the Council's Standing Orders.

1.8. Notice of meetings and minutes will be published in accordance with the Council's Standing Orders.

1.9. Members of the Working Party must be familiar with Exmouth's Town Council's current Climate Plan. The Climate Plan should be referenced as part of any decision-making process.

2. Responsibilities

2.1. To work with EDDC's S106 and community engagement officers to identify and prioritise play, sport and open space projects which meet the criteria for funding via S106 contributions.

2.1.1. (Children and young people must be given an opportunity to vote on play and sport projects which are funded via S106 contributions and EDDC's community engagement officer will facilitate any associated consultation.)

2.2. To monitor progress on the delivery of the Neighbourhood Plan Action Point CFA5 in relation to S106 funding, making recommendations to Full Council in respect of the timely delivery of the Action Plan as appropriate.

2.3. To receive bi-annual *reports* for *CIL income* and expenditure.

2.4. To compile a list of the infrastructure projects which the community sees as priorities for delivery and would like to see provided with CIL funds.

2.4.1. There is an assumption that priorities will be informed by the adopted Neighbourhood Plan and that the community will be consulted on any proposals.

2.4.2. Project ideas must take into account the amounts of money involved, potential match funding, timescales and delivery and the CIL Neighbourhood Portion must be spent on "the provision, improvement, replacement, operation or maintenance of infrastructure; or anything else that is concerned with addressing the demands that development places on an area."

2.5. To work closely with the charging authority (EDDC) to determine which infrastructure spending priorities meet the criteria for funding from the Town Council's meaningful proportion of CIL receipts.

2.6. To subsequently recommend to Full Council that identified projects are funded from the Town Council's meaningful proportion of CIL receipts.

2.7. To approve an annual CIL report for each financial year (the 12 months ending 31 March), detailing:

a. CIL receipts
b. CIL expenditure
c. a summary of items on which CIL has been spent
d. the amount spent on each item
e. the amount of any CIL repaid following a repayment notice
f. the amount of CIL retained at the end of the financial year
g. the amount of CIL from previous years retained at the end of the year

The report must comply with accounting and audit procedures as set out in Governance and Accountability for Smaller Authorities in England, NALC (March 2019).

Adopted by Exmouth Town Council on 13th May 2024.

Reaffirmed 18th May 2026
Review date: May 2027