

Wiltshire Council

Environment Select Committee

4 September 2018

S106 Money: Developer Contributions

Purpose

1. To respond to the request from members of the Environment Select Committee at the meeting on 1 May 2018 to the following questions:
 - a) whether any S106 money was returned to developers in the last 3 years; and
 - b) whether the Council holds any Section 106 money listed as 'time expired' and has any plans for such funds

Response

2. The Council has returned £52,968 of money collected from Section 106 agreements to developers relating to seven applications. In each of these occasions, the money was refunded solely due to a change in circumstances. On three occasions, contributions towards public open space totalling £4,991.95 were refunded, where the respective planning permissions lapsed and the development was not implemented. On two occasions, contributions totalling £8,533.01 towards public open space were refunded, when the Government changed the rules in November 2014 and lifted the threshold for developer contributions to a minimum of ten dwellings. Finally, on two occasions, contributions totalling £39,443.04 relating to commuted sums for the provision of affordable housing were refunded, again due to the Government lifting the threshold.
3. In relation to the second question, officers are not aware of the Council holding any Section 106 money listed as 'time expired'. In relation to monies held for highway schemes, for example, each has a defined use connected to the development site that the money was provided for and it remains the Council's intention to use these contributions for their respective designated purpose.

Cllr Toby Sturgis – Cabinet Member for Spatial Planning, Development Management and Property

Tim Martiensen – Director for Economic Development and Planning

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