

**REPORT TO THE COMMUNITIES SCRUTINY PANEL  
MEETING ON 26<sup>TH</sup> SEPTEMBER 2019**

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**Status:** For Discussion  
**Title:** S106 Planning Obligations (NHS)  
**Originators:** Tom Day, Interim Head of Communities  
**Where from:** Scrutiny Communities Panel 26<sup>th</sup> September 2018  
**Where to next:** N/A

Objective: To provide the Communities Scrutiny Panel with information on how the East Leicestershire & Rutland Clinical Commissioning Group is utilising Section 106 funding to manage impact of growth in patient population resulting from housing developments.

1. Outcome sought from Panel

1.1 Overview and scrutiny of the East Leicestershire & Rutland Clinical Commissioning Group with regards to the delivery of s106 planning obligations for health.

2 Background

2.1 The East Leicestershire and Rutland Clinical Commissioning Group (ELRCCG) through its delegated responsibility of Commissioning General Medical Services has an obligation to consider and feed into local developments that potentially may have an impact on how GP Practices deliver care to their local population.

2.2 On 27<sup>th</sup> September 2018 the Communities Scrutiny Panel received a report on S106 planning obligations for health. This report gave an overview of s106 planning obligations for health and highlighted the importance of the ELRCCG engaging with Harborough District Council to ensure health infrastructure needs are taken into account in the planning process. The report covered;

- the amount received by the NHS from individual schemes;
- the mechanism by which the money is collected;
- how and when these amounts are spent; and
- reporting mechanisms.

2.3 Following discussion the Communities Panel

- (i) NOTED the situation regarding S106 Planning obligations; and

(ii) RESOLVED that representatives from Clinical Commissioning Groups responsible for the Council's area be invited to the meeting of the Panel in September 2019.

2.4 A further report has been submitted by ELRCCG setting out how they are utilising Section 106 funding to manage impact of growth in patient population resulting from housing developments. This is attached at appendix A and includes

- The Process of securing s106 planning obligations
- The Risks of s106 funding
- Large scale projects
- Number and Status of s106 applications submitted on behalf of ELRCCG GP practices
- Other small projects
- Future Planning
- Next Steps

2.5 The report will be presented by Khatija Hajat, Primary Care Contracts & Provider Performance Manager,

### 3 Points for discussion

3.1 The attached report from ELRCCG at Appendix A.

### 4 Equality Impact Assessment Implications/Outcomes (attach completed EIA)

4.1 None directly arising from this report. S106 obligations are necessary to make development acceptable in planning terms. This assists in the achievement of sustainable development which helps to achieve social, economic and environmental well-being. S106 obligations often provide for a wide range of infrastructure which benefit the following:

- local residents,
- potentially vulnerable, groups
- senior citizens,
- children, those caring for others and
- people with disabilities.

### 5 Impact on Communities

5.1 Effective management, monitoring and delivery of planning obligations is essential if the impacts of new development on communities are to be mitigated, through the provision of new community infrastructure.

### 6 Legal Issues

6.1 Under s106 of the Town and County Planning Act 1990 contributions can be sought from developers towards the costs of providing community and social infrastructure,

the need for which has arisen as a result of new development taking place. This funding is commonly known as “s106”.

## 7 Resource Issues

7.1 None relating to HDC arising from this report. But to note that Staffing resources need to be maintained at an appropriate level within the ELRCCG Team in order to enable them to be able to retain a suitable oversight of the funding bids and to respond to the planning consultations promptly and effectively.

## 8 Community Safety Implications

8.1 None directly arising from this report.

## 9 Carbon Management Implications

9.1 None directly arising from this report.

## 10 Risk Management Implications

10.1 To ensure that funding collected on behalf of the ELRCCG are drawn down and spent by the ELRCCG in accordance with the relevant S106 legal Agreement and within the stipulated spend by dates set out in that agreement.

## 11 Consultation

11.1 No consultation required.

## 12 Background Papers

12.1 None

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**Previous report(s): *Section 106 Planning Obligations – NHS s106 Obligations, Communities Scrutiny Panel, 27<sup>th</sup> September 2018.***

**Information Issued Under Sensitive Issue Procedure:**

**Appendices:**

**A. Report to Scrutiny from The East Leicestershire and Rutland Clinical Commissioning Group**