

# FAREHAM

## BOROUGH COUNCIL

2023/24  
Decision No.  
2457

### Record of Decision by Executive

Monday, 3 July 2023

<b>Portfolio</b>	Planning and Development
<b>Subject:</b>	<b>The payment of monitoring fees in association with planning obligations</b>
<b>Report of:</b>	Director of Planning and Regeneration
<b>Corporate Priority:</b>	Dynamic, prudent and progressive Council

#### **Purpose:**

The report sets out a proposal for developers to pay a fee to the Council for monitoring obligations contained within planning obligations (Section 106 legal agreements).

When planning permission is granted, especially for larger developments, they are often subject to a planning obligation. A planning obligation is a legal agreement, typically between the Council and a landowner. Planning obligations secure a wide range of matters which include requiring the payment of financial contributions or requiring the provision of facilities or infrastructure on and/or off-site.

The Council monitors the requirements of all planning obligations to ensure that the obligations contained therein are fulfilled to required timescales. There is an ongoing requirement on the Council to monitor all financial contributions collected, how they are spent and to publish an Annual Statement setting out this information.

The cost of monitoring planning obligations is borne by Fareham Borough Council at the present time. The Government advice is clear that Councils can charge a fee to cover their costs of monitoring planning obligations. Many local authorities in South Hampshire charge a fee to carry out such monitoring.

The report sets out proposals for charging a monitoring fee for planning obligations.

#### **Options Considered:**

As recommendation.

**Decision:**

RESOLVED that the Executive approves the introduction of a monitoring fee of £500 for:

- (a) each type of obligation (i.e. head of term, financial and non-financial); and
- (b) each obligation (i.e. covenant, restriction or requirement) contained within the planning obligation, as set out in paragraphs 14 -16 of the Executive Briefing Paper, with effect from 01 August 2023.

**Reason:**

The proposal will enable the Council to recover its costs of monitoring planning obligations. This approach is consistent with Government guidance

**Confirmed as a true record:**

Councillor SDT Woodward (Executive Leader)

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