

## Saltash Section 106 Funding Deployment Panel

### Terms of Reference and Procedural Note

#### 1. Purpose of Panel:

1.1 To advise Cornwall Council (*which as the planning authority is the accountable body for s106 monies*) as to how the Quora Town Enhancement Contribution (*Carkeel Gateway*) should be used towards town centre regeneration and enhancement in Saltash.

1.2 To monitor the use of the Town Enhancement Contributions and provide progress reports to Cornwall Council and Saltash Town Council.

1.3 To advise Cornwall Council as to how any future S106 agreements relating to new development should be structured in terms of town centre regeneration and enhancement in Saltash.

#### 2. Respect of the S106 Covenants

2. The Panel shall only make recommendations on the deployment of the S106 monies that accord with the terms of the relevant covenants in those documents i.e. 'towards town centre enhancements and regeneration'.

#### 3. Membership:

3.1 The Panel shall comprise the following representatives:

- Cornwall Council: The three Cornwall Council Members representing the Electoral Divisions of Saltash
- Saltash Town Council: Three named representatives
- Saltash Community Interest Company: Two named representatives
- Saltash Chamber of Commerce: Two named representatives
- *Reserves from the named body will be allowed when any named representative has a conflict of interest.*

#### 4. Chairperson:

There will be a Chairman and Deputy Chairman of the group, to be reviewed, and either reappointed or changed, annually. The Chairman and Vice Chairman should represent different groups out of i) Cornwall Council ii) Saltash Town Council iii) Saltash Gateway CIC iv) Saltash Chamber of Commerce.

#### 5. Officers:

5.1 Appropriate officers of Cornwall Council and Saltash Town Council will attend to observe and advise the Panel. These may include any or all of the following or their nominees:

- Town Clerk
- CC Community Link Officer
- CC Planning and Sustainable Development
- Other officers as invited in connection with specific items.

#### 6. Frequency of Meetings:

6.1 The Panel will aim to meet quarterly according to a schedule to be agreed, or when required, to ensure the effective discharge of the responsibilities of the Panel.

## 7. Method of Operation:

7.1 At each meeting the Panel will agree on how it will advise Cornwall Council as to how the enhancement contribution should be deployed, in accordance with voting arrangements detailed below and the decisions made by Cornwall and Saltash Town Council will be made having regard to such advice.

7.1.1 In reaching its decision as to its advice, the Panel will have regard to the Codicil for Consideration of Proposals for Funding, attached to this Terms of Reference and Procedural Note.

7.2 The decision on expenditure can be made by the Service Director for Planning and Sustainable Development under the powers already delegated in the Cornwall Council Constitution. In so doing the Strategic Director for Economic Growth & Development will have regard to the advice provided by the Panel, probity issues, and the overall Cornwall Council policy framework, and the covenants made in the relevant S106 agreements.

## 8. Voting Arrangements:

8.1 Each Panel member will have one vote.

8.2 Projects will be approved where there is a majority vote. When the vote is split equally, the decision will be deferred by one meeting, for discussion, where a final decision must be made. The chair will have the casting vote.

*8.2.1 Members will vote on a project if the project scores 50% or above on the scoring assessment (codicil for consideration of proposals for funding is included in appendix 1).*

## 9. Quorum:

*9.1 For the meeting to be quorate, at least one member from each organisation represented must be present.*

*9.2 For the vote to be quorate, at least 3 of the membership groups must vote.*

## 10. Conduct and Interests:

10.1 Panel Members will follow the Code of Conduct for Members as set out in the Cornwall Council Constitution.

*10.2 Panel Members must advise if there are any interests to declare.*

*10.3 Members who have led on the project will not be able to vote.*

*10.4 Representatives from the applicant body will not be able to vote*

## 11. Press and Public:

11.1 When the Panel is to discuss information that is considered (by a simple majority of the Panel) to be of a confidential nature or where Cornwall Council would treat the information as being exempt from the public domain because it:

- is information that relates to an individual.
- is information which is likely to reveal the identity of an individual.
- is information relating to the financial or business affairs of any particular person or body (including Cornwall Council);
- or is information in respect of which any claim to legal professional privilege could be maintained in legal proceedings

and it is not in the public interest to allow the information to be discussed in the public domain, the press and public will be required to leave the room before the matter is discussed.

## **12. Agendas and Minutes**

12.1 Agenda items relating to recommendations on expenditure must be notified to the Community Link Officer at least 6 working days in advance of the meeting.

12.2 Agendas will normally be issued to members of the Panel and supporting officers no less than 5 working days before a meeting.

12.3 Minutes will be normally issued to members of the Panel and supporting officers no more than 10 working days after a meeting.

12.4. Any Other Business items must not include items relating to recommendations on expenditure.

## **13. Review**

13.1 A special review of the Terms of Reference may be agreed at any time if a future S106 agreement should be concluded in connection with a new development that includes funds to be deployed through the Panel.

13.2 Following such a special review the Terms of Reference may be amended in scope to include the Covenants of any such additional S106 agreements.

13.3 In any event, the Terms of Reference shall be reviewed annually and if necessary amended in the light of experience.

13.4 Such amendments as may be proposed following a normal or special review will be subject to the voting arrangements as set out in section 8 above.

## APPENDIX 1

### Saltash s106 funding deployment panel

#### Codicil for consideration of proposals for funding

1. The group considers that a guideline target for division of funds is:

Quora 106 (£258,000)	Town Centre Regen 100%
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2. The strength of 'Town Centre Regeneration projects' shall be considered with particular regard to value for money as regards:

LEVEL	CONSIDERATION
<Primary>	a. Impact on footfall in the town centre
<Secondary>	b. Impact on average length of stay in town centre c. Impact of quality of visitor experience to town centre d. Impact on average visitor spend in town centre
<Tertiary>	e. Other material considerations

3. The panel is primarily interested in **strategic level projects**: groups seeking small-scale funding are advised to consider other funding routes such as Saltash Town Council's community chest.
4. Applicants will be expected to demonstrate an appropriate approach to best value. Track record of the group may be considered and accounts may be requested.
5. Conditions may be imposed on successful funding applications, including a time limit on actually using the money and conditions to ensure community access to projects of community benefit.