



Harborough District Council

Section 106 Fund Guidance Notes

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1. Introduction

These Guidance Notes have been developed to provide applicants with an understanding of what Section 106 is, how it can be utilised, what the district council's process is for the allocation of S106 funds and how we can provide support to applicants in the completion of an application.

2. Background to S106 Funding

Under Section 106 of the Town and County Planning Act 1990, contributions can be sought from developers towards costs of providing community and social infrastructure for fill the gap of need which has arisen as a result of a new development taking place.

The level of funding contributions is negotiated between developers and the district council planning department during the planning application process.

Developer contributions are usually paid to Harborough District Council when the development work begins, or when certain trigger points are met. This money is then allocated to projects in parishes through a grant process.

3. How will your application be assessed?

The district council is the accountable body for the spending of S106. There are usually two grant windows per year. In exceptional circumstances, it is sometime possible to have an extraordinary meeting if an urgent decision is required.

Contributions may be transferred directly to the parish council or an organisation if the terms of the Section 106 agreement allow for this, i.e., the contribution is for a particular project only. The payment will be subject to an agreement and may be paid in tranches.

If a parish council or organisation is responsible for the only allotment or cemetery in the parish, contributions can be transferred directly without the need to complete an application. The payment will be subject to an indemnity agreement and may be paid in tranches.

If there are competing bids for allotment or cemeteries funding, applications will be presented at the cabinet sub-committee for members to allocate funds.

Contributions that cannot be transferred directly to the parish council or an organisation, will still need to be applied for by completing an application form.

Applications over £25,000 or those competing for contributions will be checked for compliance and presented at the next Cabinet Sub Committee for Grants meeting. Please follow this link to keep up to date with committee meeting dates: <https://www.harborough.gov.uk/section106>.

Applications below £25,000 will be checked for compliance and approved by a Service Manager with a Cabinet Member. These applications will not be presented at a committee meeting.

All successful applicants will be asked to sign a terms and conditions document.

The Council requests that three quotes are provided to ensure value for money. **Parish councils** are required to provide three quotes only for projects £25,000 and above. This is due to financial regulations and responsibilities that a parish council is bound by, which requires that reasonable, practicable and best available terms are obtained. A parish council has an obligation to obtain value for money at all times. Harborough District Council reserves the right to call in any projects that have been given Section 106 funding and undertake an audit to ensure the appropriate use of public funds and proper procedures have been followed.

4. Important Information for Applicants

1. **Contact** the Parish Liaison and Community Facilities Officer to discuss your proposed project and to confirm the availability of funding prior to commencing an application. Email grants@harborough.gov.uk.
2. **Download** the application form from <https://www.harborough.gov.uk/section106> to ensure you have the latest version or request a paper copy by contacting grants@harborough.gov.uk
3. **Inform** your ward councillor/s about the project. Visit <https://cmis.harborough.gov.uk/cmis5/Councillors.aspx> for contact details of your ward councillors.
4. **Ensure** that you utilise these guidance notes to support you throughout the completion of an application.
5. **Ensure** you read and complete all questions within the application form fully and where required, submit copies of project plans, proof of planning permission and confirmation of land ownership with your application form. **Please Note:** S106 funding can only be utilised on capital projects and not towards the on-going revenue costs of a project.

5. The Application Process Timescale

The information you provide will allow the council to assess whether your project meets the necessary S106 criteria.

Applications above £25,000 or those competing for funds, will be scheduled for an appropriate committee date and processed within approximately 10 – 12 weeks. Applications below £25,000 will be processed faster.

If there are delays with the applicant 'accepting the terms of funding' or 'meeting the funding conditions,' the council cannot guarantee that funding will be released within the target timeframe.

6. Eligibility

Funding can only be awarded to projects located in the Harborough District and in line with the Section 106 Agreement. Please check the Harborough District Council Website to check if funds are available in your area: [Section106funding](#).

Projects must fall within one of the following 'Types of Provisions' categories:

Open Space	Type of Provision	Description	Primary Purpose
	Parks and Gardens	This includes parks in towns, formal parks and country parks	These do not cost money to use, are close to a bus route and are well looked after. They are for community events such as fetes and shows
	Natural and Semi natural Greenspaces, including urban and rural woodland and Country Parks	These are publicly accessible woodland, woodlands in town, scrub, grasslands, wetlands, ponds, lakes and running water and wastelands	They are mainly for wildlife and are places where animals and plants live and can grow without being damaged
	Amenity Green Space	Most often found near houses, they include informal green spaces and village greens	These are areas where people can play games with friends, close to their homes or work. These spaces also help to make housing and other areas more attractive
	Outdoor sports facilities	Grass pitches or artificial pitches either publicly or privately owned used for sport and play. Includes school playing fields	Used for playing outdoor sports such as rugby, football, cricket, tennis, bowls, athletics or countryside and water sports
	Provision for children and young people	This is an area for young people to play and meet up with friends	These areas would usually include play areas which have play equipment, like slides and swings. They would also include ballcourts for 5 a side football,

			skateboard areas and teenage shelters for meeting with friends
	Allotments, community gardens	Areas for people who wish to grow their own fruit and vegetables. This sort of open space may also include farms in towns	Opportunities for people who want to grow their own fruit and vegetables and allow them to grow in a healthy and sustainable way
	Cemeteries, closed Churchyards and other burial grounds	Cemeteries and other places where people have been buried	Places where people can go to think about people who have died
	Civic Spaces	This means places like the Market Square in Market Harborough and Lutterworth. It could also include other areas with hard surfaces for people to walk on like St Marys Place in Market Harborough	These spaces are mainly used for outdoor markets, fun events for the community like Harborough by the Sea. They also allow people to shop easily in the towns
	Green Corridors or Greenways	These include towpaths and walkways alongside canals and riverbanks, cycleways, public footpaths and railway lines that are not used anymore	These sorts of open spaces are mostly used for walking, cycling or horse riding. They could be used for fun, or for getting to work or to the shops. Because these greenways are left with trees and bushes, they can also be used by wildlife

Community Facilities	Community Facility Buildings	A building occupied by community use such as a village hall, community centre or a multi-purpose sports and sport and leisure centre	This can be for educational, health, recreational or other essential services for the community it serves
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7. Projects We Cannot Fund

Revenue funding towards on-going running costs is not available. Examples of projects we cannot support are:

- General running costs such as utility bills and maintenance
- Items or projects which only benefit an individual
- Activities promoting political or religious beliefs
- Projects which are essentially to maintain and upkeep a facility or an organisation rather than to improve or expand facilities or services offered

Please also note that:

- Section 26 of the Counter-Terrorism and Security Act 2015 places a duty on Local Authorities to have due regard to the need to prevent people from being drawn into terrorism. In complying with the duty we must ensure that publicly-owned venues and resources do not provide a platform for extremists and are not used to disseminate extremist views.

Section 1 – About Your Group or Organisation	
1.1 Name of organisation	Provide full name please.
1.2 Address of organisation	What is the full address of where your organisation is located, including postcode?
Section 2 – Eligibility Criteria	
2.1 Is your organisation	Tick relevant box i.e., Parish Council.
2.2 Previous requests for S106 funding	You must submit a completion report for any previous S106 grant award. This is included in the terms and conditions of your S106 allocation. To request a completion report template, contact grants@harborough.gov.uk .
2.3 Please answer the following questions around access and charging	Please ensure that your facility has wider usage beyond just members or limited groups.
	The community should have access to the facility or site at a low to no cost. If you do charge for the facility, explain why and think about how you might be able to accommodate some groups for free or at a reduced rate i.e., schools.
2.4 Strategic significance	Please include the name of a plan or strategy your project has been identified in i.e., the Built Facilities Strategy or the Playing Pitch Strategy.
	If your project is not covered by a strategy, you will need to provide evidence that the project is required to accommodate the expanding community. This could be a social media questionnaire, minutes of public meeting or a community consultation. Please contact grants@harborough.gov.uk or further advice and information.
	Your project must provide something additional to the area to qualify for s106 funding. We have provided 3 headings that might help you explain how your project brings this additionality. <ol style="list-style-type: none"> 1. Increase quantity or capacity. To increase capacity, a typical project may be about purchasing land or to provide additional changing rooms at a sports venue to enable the development of additional teams. 2. Increase diversity. Contributions can be used for example, to diversify a community facility i.e., build an extension to create storage

	<p>space which will enable more groups to use the facility.</p> <p>3. Enhance accessibility. A typical project to enhance accessibility could be to provide better disability access or improve paths and access in a cemetery or an allotment site.</p>
Section 3 About your project	
3.1 What funding are you applying for?	<p>In some circumstances, a parish council or an organisation may be able to have a contribution paid directly over to them. This is possible if it is the only project identified in the Section 106 Agreement and therefore no other projects can apply. In this case, you will not be required to complete an application form, but the payment will be subject to terms and conditions. Please contact us to discuss further: grants@harborough.gov.uk</p> <p>If an application form is required, funding requests require three quotes per each part of the project or evidence of a tendering process. If you are a parish council, three quotes are only necessary for projects £25,000 and above.</p> <p>Projects £50,000 and over require three quotes or evidence of a tender process and in addition, a business proposal or plan is required.</p> <p>The Council reserves right to a declaration on quotes or to call in and undertake an audit of any projects to ensure value for money and proper process has been followed. This will be included within the terms and conditions of any grant award.</p>
3.2 What is the address of the project	Please include the site address of your project. This helps us confirm what s106 funding is available.
3.3 In which parish is your project	Please state which parish your project is in e.g. Fleckney.
3.4 Describe your project	Provide details of your project, what do you want to achieve and why?
3.5 If you are not a town or parish council, have you consulted with the relevant town or parish council for the area where	Discuss your project with your parish council. They will need a copy of your application form. Please ask your parish council for written approval of your project.

the project is to take place?	
3.6 Have you consulted with the relevant Harborough Councillor/s for the area where the project is to take place?	Please contact the ward councillor for the area in which your project is located. Your ward councillor should be informed of your project at an early stage. Information on ward councillors can be found here: https://www.harborough.gov.uk/councillors/ward
3.7 Which specific group is your project aimed at?	Who will your project benefit? This helps us understand the potential impact of your project or what target groups the project is aimed at. Please tick all relevant boxes.
3.8 Where will the community come from that is directly benefiting from your project?	Section 106 funding should benefit and accommodate the residents in the new development and build capacity. How wide will the impact of your project be? Please tick all relevant boxes
3.9 Which type of facility or open space will your project help to improve?	There are nine Open Space Typologies. Community Built Facilities is identified as either a community venue or a sporting facility with three courts or above. Please tick the appropriate box using the typology table as guidance. If you are the only organisation that is likely to be able to spend a s106 typology e.g., your organisation is responsible for the only allotment or cemetery in the parish, then contributions may be able to be transferred directly to you without the need to complete an application. The payment will be subject to an indemnity agreement.
3.10 Please state timescales (provisional start date and completion) see guidance notes re: spend by date	Projects should generally complete within 6 months but can take up to 18 months. Please provide your project timescales in this section.
3.11 What other Matters need to be considered	E.g., Are all required licences in place? Are you awaiting further funding, or do you have any concerns with your specialist contractor? Please

<p>before your project can start?</p>	<p>include any outstanding matters that may delay your project.</p>
<p>3.12 If you can reclaim VAT please provide the ex-VAT amount in table 3.16</p>	<p>If your organisation is registered for VAT, please include your VAT registration number. Please do not include the VAT in your break down costings as you should be able to reclaim this back.</p>
<p>3.13 To ensure value for money, you are required to obtain a number of quotes for your project.</p>	<p>To ensure value for money, you will need to obtain three comparable quotes or follow a tender process. If you are a parish council, evidence of three comparable quotes is only required for projects costing £25,000 and over.</p> <p>The Council reserves the right to a declaration on quotes on any Section 106 project.</p>
<p>3.14 How much funding are you applying for from this grant scheme?</p>	<p>If you are registered for VAT – please do exclude VAT from your project costings.</p> <p>Your project total should amount to the following amounts added up:</p> <p>S106 request amount + funding pending + funding secured:</p> <p>= Total Project Cost</p>
<p>3.15 Is this part of a larger project?</p>	<p>If the project you are applying for funding for is part of a wider project, please provide an outline of the whole project</p>
<p>3.16 Does the project need Planning Permission or any other formal consent and if so, have you applied for and received the necessary permission?</p>	<p>Please submit a copy of any licence or permission that is required for the project to take place.</p>

<p>3.17 Who will be involved in delivering the project? Who is responsible for overseeing the delivery of the project?</p>	<p>Please provide details of who will be responsible for overseeing the project. This would usually be the first contact on the application form.</p>
<p>3.18 Equality and Safeguarding</p> <p>Does your organisation have an Equalities Policy?</p> <p>Does your organisation have a Safeguarding Policy?</p>	<p>Equality and Safeguarding responsibilities are statutory functions for any local authority (including parish councils/meetings) or provider of services or facilities (whether they are paid for or not). As such organisations should already have arrangements in place which outline their commitment to both areas of work.</p> <p>If you require support with producing an Equality or Safeguarding Policy, please contact grants@harborough.gov.uk</p>
<p>Section - 4 Declaration</p>	
<p>4.1 Declaration</p>	<p>Please read through the declaration carefully. You can provide the signatures electronically in print if necessary.</p>
<p>Application checklist:</p>	
<p>Bank statements</p>	<p>Please provide statements for all accounts dated within the last three months.</p> <p>Parish councils are exempt.</p>
<p>Quotes</p>	<p>Please provide evidence of three comparable quotes per each part of the project.</p> <p>Parish councils are only required to evidence three quotes for applications of £25,000 and over only.</p>
<p>Constitution</p>	<p>Please provide your constitution/ Articles of Association or Standing Orders. A constitution template can be downloaded from the internet.</p>

	Parish councils are exempt.
Funding Secured Letters	If you have already secured funding, please provide the letter of confirmation as evidence. We will only release funding when all monies required for the project have been secured.
Planning permission or lease	Please submit a copy of the planning permission or a lease if required for your project.
Business plan/proposal	Further supporting information may be required for applications over £50,000. Please contact grants@harborough.gov.uk