



If you have any questions about this decision please contact Democratic Services on 01903 221006 or email democratic.services@adur-worthing.gov.uk

Record of Decision: W/REG/008/20-21 Section 106 (s106) Monitoring Fee
Decision taken by: Worthing Executive Member for Regeneration
Declaration of Disclosable Pecuniary Interests: I hereby confirm that I do not have any disclosable pecuniary interest in this item.
Decision: The Worthing Borough Council Executive Member for Regeneration approves the introduction of a section 106 monitoring fee in all future section 106 agreements and that the Adur & Worthing Council's s106 Monitoring Fee document be published on the Council's webpage.
Key Decision: Yes
Reason For Decision: <i>As set out in para 1.2 of the report of the 20.6.2020 - Worthing Borough Council enters into S106 agreements to mitigate the impact of development on infrastructure such as affordable housing. In addition, for larger schemes in the Borough S106 agreement can be used to mitigate flood and water management, open space, and transport impacts. This may take the form of a financial contribution towards infrastructure improvements or as non-financial obligations to be undertaken by the site developer or their subcontractors. All agreements require monitoring to ensure compliance with site specific mitigation requirements and to ensure that financial obligations are fully met. The s106 sets out when a payment or infrastructure improvement has to be made and is often called the trigger point/date.</i> It is my view that these agreements need robust monitoring to ensure that they are delivered and that any payments to WBC are received in a timely fashion. It is my view that this cost should be borne by the developer and not the local tax payer.
Alternative Options Considered: 1 - to do nothing / no change - not acceptable 2 - to accept recommendation, but reduce the charge - not acceptable 3 - to accept recommendation, but increase the charge - not deemed appropriate at this time, but costs will be monitored and where appropriate adjustments considered

Other Matters Considered:			
Legal Advice and Issues	x	Financial Advice and Issues	x
Sustainability Issues	x	Equality Issues	x
Community Safety Issues	x	Human Rights Issues	x
Reputation	x	Risk Assessment	x
Health & Safety Issues	x		
<p>Consultation: This report was circulated to Councillors, and published on the Council's website on 12 January 2021. The following consultation responses were noted by the decision maker: None received</p>			
<p>Background Papers:</p> <ul style="list-style-type: none"> • Agenda Document for Worthing Planning Committee, 24/06/2020 (Agenda Item 8) • Appendix - Adur & Worthing Councils s106 Monitoring Fee • CIL Regulations 2010 (as amended) 			
<p>Contact Officer: David Attmore Community Infrastructure Officer david.attmore@adur-worthing.gov.uk</p>			
<p>Call-in: The call-in deadline for this decision will be 5:00pm on 28 January 2021</p>			



Signed:

Date: 21 January 2021

Name: WBC Executive Member for Regeneration - Councillor Kevin Jenkins

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