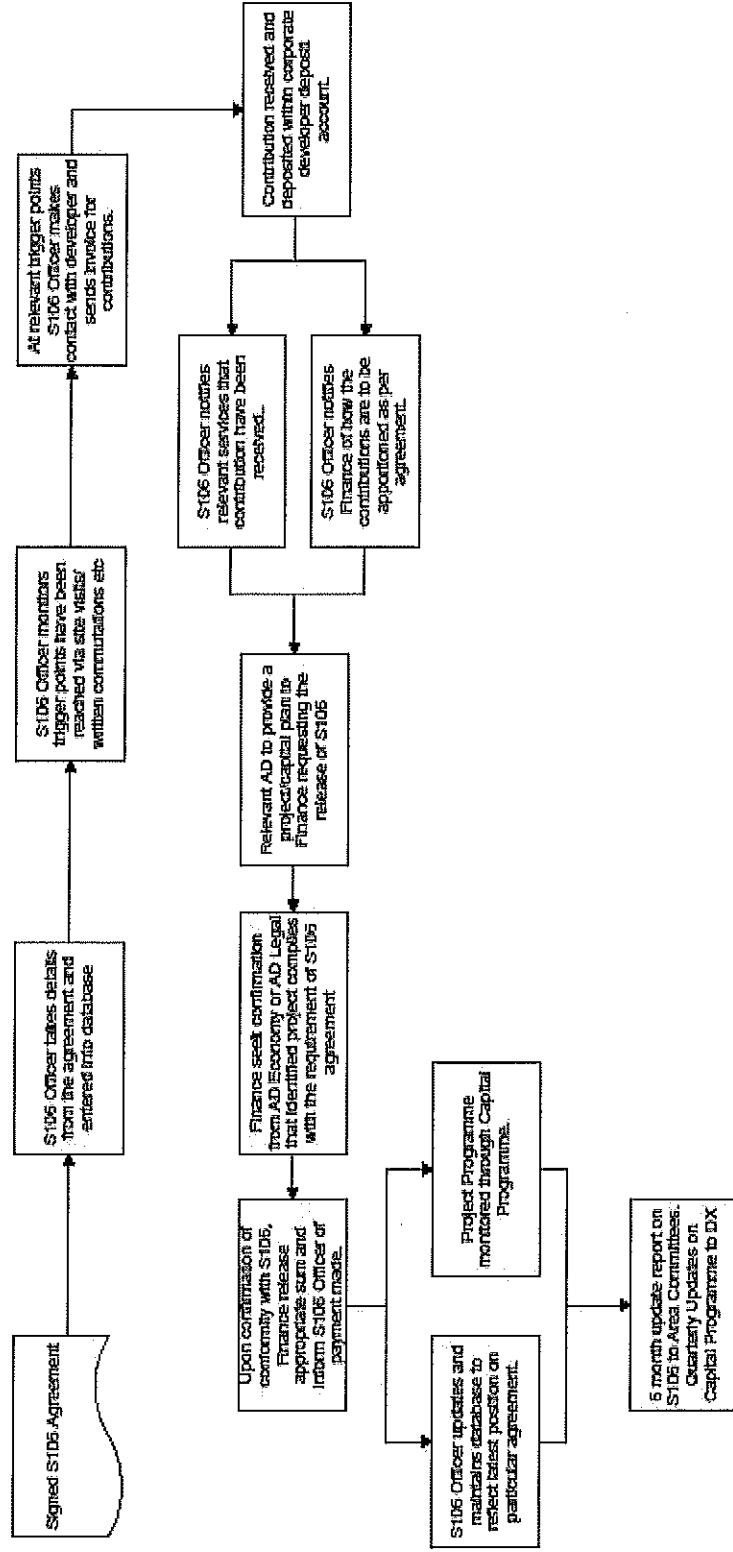


Proposed Process For Monitoring Financial Elements of S106 Agreements Appendix 2



**155. Declarations of Interest (Agenda Item 3)**

There were no declarations of interest.

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**156. Public Question Time (Agenda Item 4)**

There were no questions from members of the public present.

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**157. Chairman's Announcements (Agenda Item 5)**

The Chairman thanked Members and officers for their support and good wishes during his recent illness.

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**158. Section 106 Planning Obligations – Applications to vary or discharge the requirements of a planning obligation (Agenda Item 6)**

The Portfolio Holder for Economic and Organisational Development introduced the report, noting that at the current time, developers could only apply to vary conditions of a Section 106 Planning Agreement (S106) five years after signing the agreement. It was now proposed to allow them to make such a request before the 5 year deadline following the outcome of recent case law. It was also proposed to report the progress of S106 Agreements to the relevant Area Committee on a six monthly basis.

The Portfolio Holder for Health, Housing and Spatial Planning advised that the proposal would only have a short operational period as in April 2014, the Community Infrastructure Levy would partially replace S106 Agreements.

During discussion it was noted that:-

- Both the developer and the District Council must mutually agree any variation to a S106 Agreement.
- Both the relevant Ward Members and Parish Councils should be party to the details of any S106 Agreement in the initial stages to give a local perspective.
- Scrutiny Committee would be reviewing S106 Agreements within the next 6 months.
- Area Committees would add transparency to the review of S106 Agreements

At the conclusion of the debate, Members were content to unanimously agree the recommendations of the report.

**RESOLVED:** That the District Executive:

1. confirmed the recommended process for considering applications to vary Section 106 Agreements;
2. noted the report and endorsed the proposed format of the monitoring pro-forma for Section 106 Planning Obligations (Appendix 1) together with the proposed monitoring process for financial contributions (Appendix 2).

**Reason:** To agree a process for dealing with applications that seek to vary the requirements contained within a completed Section 106 Agreement.

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