

**RECORD OF EXERCISE OF DELEGATED AUTHORITY BY OFFICER PURSUANT TO
REGULATION 13 OF THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS)
(MEETINGS AND ACCESS TO INFORMATION) (ENGLAND) REGULATIONS 2012 &
THE OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS 2014**

<u>SUBJECT OF DECISION</u> Award of contract for a S106 monitoring system, to support with the administration and monitoring of S106 agreements.	
<u>DECISION REFERENCE</u> DO/20/2026 (LH)	<u>SOURCE OF AUTHORITY AND REFERENCE</u> (i.e. Committee/ Constitution/Minute No. etc. Cabinet 25th February 2026 CB93 General Fund Revenue Budget 2026/27 Full Council 25th February 2026 CL70 Recommendations from Cabinet and Other Committees vi) General Fund Revenue Budget 2026/27 Cabinet 27th May 2026 CB05 Section 106 Monitoring System – Budget Variation Full Council 1st July 2026 CL22 i) Section 106 Monitoring System – Budget Variation. 3D OFFICER DELEGATIONS - Part A - General Delegations 3D.2 Financial Resources a) Incur normal expenditure up to the limit of provision within the budgets under his/her control, subject to compliance with contract orders, financial standing orders, financial regulations and financial instructions. b) Invite and accept tenders or quotations for contracts, subject to contract standing orders, financial standing orders, financial regulations and financial instructions.
<u>DATE OF DECISION</u> 08/07/2026	<u>DECISION MAKER (Name and Job Title)</u> Louise Hryniw (Assistant Director for Planning) 

RECORD OF THE DECISION

a) The issue

Decision on whether to award contract to Exacom Systems Ltd for the provision of a S106 monitoring software to Nuneaton and Bedworth Borough Council. This will provide the Council with better tools to monitor S106 agreements and ensure that all agreements are fully enforced and monies spent within set timelines to avoid developer clawback.

b) The Decision

To award the contract to Exacom Systems Ltd for the provision of a S106 monitoring software, following a procurement process undertaken in accordance with the Contract Procedure Rules via G-Cloud 14 administered by the Government Commercial Agency.

REASON FOR THE DECISION

Provision of the software will allow for Nuneaton and Bedworth Borough Council to more effectively track and monitor S106 agreements, ensuring that all contributions are received and spent in a timely manner, maximising the benefit of agreements to local communities.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED IN MAKING THE DECISION

The alternative option would be to continue without a system for monitoring S106 agreements and utilising manual tracing via a spreadsheet. This is the current tracking method and has created several issues, with data corrupting and difficulties keeping information coordinated between service areas, leading to a large amount of time being spent simply recording information as opposed to more productive monitoring activities.

WARD RELEVANCE

Not directly however the system will cover planning applications for all Wards in the Borough of Nuneaton and Bedworth.

FINANCIAL AND BUDGET IMPLICATIONS

Cost for the system is within the allocated budget.

CONSULTATION UNDERTAKEN WITH MEMBERS/OFFICERS

Consultation with officers has been undertaken via the Council's business case approval workflow and with the project team within Planning working on the project. The Portfolio Holder has been consulted by the Assistant Director for Planning.

ANY CONFLICT OF INTEREST DECLARED BY ANY MEMBER CONSULTED

None.

<u>IN RESPECT OF ANY DECLARED CONFLICT BY A CABINET MEMBER, ANY DISPENSATION GIVEN BY THE HEAD OF PAID SERVICE</u> (Note if the decision is a non-executive decision, no dispensation can be given). N/A
<u>EQUALITIES IMPLICATIONS (including any Equality Impact Assessment)</u> None.
<u>HUMAN RESOURCES IMPLICATIONS</u> None.
<u>FINANCIAL IMPLICATIONS</u> Cost associated with the provision of the system is within the approved budget for the Planning service as approved in the General Fund Revenue Budget 2026/27 and via Budget Variation approved at Cabinet and Full Council 1st July 2026. Please see Source of Authority Reference for minute references.
<u>HEALTH EQUALITIES IMPLICATIONS</u> None.
<u>SECTION 17 CRIME & DISORDER IMPLICATIONS</u> None.
<u>RISK MANAGEMENT IMPLICATIONS</u> The provision of a S106 monitoring system will reduce the risk to the Council of losing income via developer clawback where S106 contributions are not used within the agreed timeframes. This will both reduce the financial risk to the Council and reduce the risk of investment not being delivered locally. Sensitive data will be shared with the Supplier as part of the service being provided, covering personal details relating to S106 agreements. As part of the procurement process the supplier has confirmed that they have relevant data security arrangements in place to ensure this data is secure, including Cyber Essentials certification.
<u>SME (SMALL/MEDIUM ENTERPRISES) & LOCAL ECONOMY IMPLICATIONS</u> Exacom Systems Ltd are a UK based SME.
<u>ENVIRONMENTAL IMPLICATIONS</u> None.
<u>LEGAL IMPLICATIONS</u>

None, other than to note that the procurement has been undertaken in accordance with the Council's Contract Standing Orders via the G-Cloud 14 Government Commercial Agency framework agreement. A contractual agreement for the service will be signed between the supplier (Exacom Systems Ltd) and the Council.

ANY OTHER COMMENTS

None.

**PLEASE RETURN TO THE MONITORING OFFICER AS SOON AS A DECISION IS
MADE OR AS REASONABLY PRACTICABLE THEREAFTER**