

**Reference number: 16/501263**

Following advice from the council legal department the clawback clause will not be included in the s106 due to the increased costs of negotiating this kind of provision and the risk that this draft housing allocation site H1 (68) would be significantly delayed or prevented if this clause is included. Delete the final Head under paragraph 11.0 of the committee report which states:

- *'Inclusion of a clawback requiring a further viability review to take account of any future increase in land value and/or reduction in decontamination costs of the site, which could result in a higher affordable housing contribution'.*

**The recommendation remains unchanged.**