

S106 Instruction Form, Authorisation and Completion Statement – August 2017

Planning Application Ref: Outline planning permission AL/61/13 (APP/C3810/A/14/2217385)	Today's date: 21/08/2017
Type of Agreement: Please select one of the following: Deed of Variation	
Who is responsible for making this decision?	
(see notes opposite: only sign here if this is an Officer Decision) (signature of officer with the power) Print Name: _____ Constitution Part 4, Section _????_ Paragraph: _????_ (Section 2 = Directors and Section 3 = Group Heads)	Is this is an Officer Decision, or Development Control Decision? • If Officer Decision: (complete and sign box opposite) or • If Development Control Decision – already determined: • Type in Date and Minute number here. or • If Development Control Decision yet to be determined: If this has not gone to Development Control yet, please complete below: • <u>To be advised</u>
Full name(s) of Freeholders/Leaseholders: (if the developer has completed a recent land registry search attach this to the instruction)	
Please attach a plan with the site outlined in red and complete a brief description of the development: Demolition of existing glasshouses, bungalow, stables and outbuildings and a residential development of up to 268 dwellings including 30% affordable housing (including 60 senior living units) with associated access, public open space and landscaping	

Instruction for Planning S106 Agreement/Deed of Variation/Supplemental Agreement

This instruction also gives authority and acts as a heads of terms & a completion statement



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This table sets out the Heads of Terms:

In the case of complex strategic developments this table may initially be only partially completed upon instruction to legal. A fully completed version will be sent before completion of deed.

FINANCIAL Obligation or Change to existing obligation	Due to (ADC, WSCC, NHS, other)	Amount Due (or formula)	Trigger Point	Project	Spending restriction
The definition of "Affordable Housing Units" shall be deleted and replaced with the following: "Affordable Housing Units" means eighty (80) of the Dwelling Units to be provided as Affordable Housing in accordance with the terms of this Agreement comprising 60 Dwelling Units for senior living (Affordable Rent and Intermediate Housing) and 20 Dwelling Units for Intermediate Housing.					
The definition of "Local Strategic Statement" shall be deleted.					
The definition of "Strategic Highways Infrastructure Contribution" shall be deleted.					
The definition of "WSCC Contributions" shall be deleted and replaced with the following: means the Controlled Crossing Contribution, the Cycle Link Contribution, the Fire and Rescue Contribution, the Library Contribution, the Primary Education Contribution and the Public Transport Contribution.					
Clause 6 of the Section 106 Agreement shall be deleted and replaced with the following: The Owners covenant with WSCC to comply with the provisions of Schedules 7 (WSCC Contributions), 8 (Highway Works), 9 (Community Bus Service), 10 (Travel					

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Plan) and 11 (Fire Hydrants)					
Schedule 6 of the Section 106 Agreement shall be deleted and replaced with "Not Used".					
The parties agree that except as varied by this Deed of Variation, the Section 106 Agreement shall remain in full force and effect and not be brought to an end pursuant to any clause in the Section 106 Agreement.					
Nothing in this Deed of Variation affects ADC's or WSCC's powers in respect of any antecedent breach or omission in relation to the Section 106 Agreement.					
Right click above to insert extra rows					

NON-FINANCIAL Obligation Summary	Due To (ADC, WSCC, Other)	Trigger Point	Department/Officer to Confirm Compliance
Right click above to insert extra rows			

To be completed by Legal Services Officer when the Agreement has been registered/finalised:	
Date of Agreement: 30 th April 2018 (Original 20/11/2014)	Seal Register Number: 160/2018
Legal Case Management System Reference: 6387	Statement completed by: Jeremy Cook (Barrister for Arun District Council)

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Please distribute completed statement to: Sue Dudley (Deed Store), Ros Bentley (s106 Monitoring Officer), Nicola Spencer (TSU), Claire Rowlands (Finance) and landcharges@arun.gov.uk