

Instruction Form for S106 Agreements/Deed of Variations/Supplemental Agreements etc

This form should include the necessary Authority details/signature and will act as a heads of terms.

Once the S106 has been signed off/executed: This instruction will act as a Completion Statement and will be circulated to all relevant officers, along with a copy of the completed S106.

INSTRUCTION AND AUTHORITY

Planning Application Ref: AL/32/19/OUT	Today's date: 16/4/19	Date of the Decision Notice, or Date that the Decision is to be considered if in the future (insert 'not known' if no date yet): Not known but hopefully June/July	Planning Officer: Dan Vick
What Type of Agreement is it?: Please tick <u>one</u> of the following: • S106 Agreement, or			
Who is responsible for this decision?			
(see notes opposite: <u>only complete this box and sign here if this is an OFFICER Decision</u>) x _____ (signature of Officer with the power): Print Name: xxxxxxxxx Constitution Issue 8: Part 4 Section 3 Paragraph 3.1.1.		<u>You need to tell Legal Services who is making the Decision on this S106.</u> (NB Pagham Agreements – The authority will not be known at validation stage so please note accordingly – Legal Officer to check later) • If this is an OFFICER Decision, sign and print your name in the box opposite ↩ , or • If this is a Development Control Decision that has already been made you will need to provide: Date of Development Control Meeting: 27/06/19 Minute Number: 60 • If this is for Development Control to make the Decision <u>in the future</u>, please provide the date of the future meeting or insert 'to be advised' if the date has not been set Date of Future Development Control Meeting: June or July 2019	
Full name(s) of Freeholders/Leaseholders: (ideally the developer will have completed a recent land registry search which should be attached as well)		Names: • See previous s106 on AL/115/17/OUT	
• Check! Please attach a plan with the site <u>outlined in red</u> and complete a brief description of the development: • Check! Any land registry searches that have been provided by the Applicant/Agent should be sent with the plan and draft agreement.			

HEADS OF TERMS

Planning Officer to set out the Heads of Terms below:

Financial obligation(s) summary or change	Trigger Point	Amount	Due to (ADC, WSCC, NHS, other)	Destination/ project	5% or £15,000 for related projects	Spend by restriction
Education Primary	Prior to commencement of the Development	Formula based	WSCC	Contributions shall be spent on additional facilities at Aldingbourne CofE Primary School.	Ten (10) years of the date of receipt of final instalment of the Contribution	Education Primary
Education Secondary	Prior to commencement of the Development	Formula based	WSCC	Contributions generated by this proposal shall be spent on fixtures, fittings and equipment for phase 2 of the new secondary school serving Arun.	Ten (10) years of the date of receipt of final instalment of the Contribution	Education Secondary
Education Sixth Form	Prior to commencement of the Development	Formula based	WSCC	The contributions generated by this proposal shall be spent on a restructure of the sixth form to cater for the additional student population at St Philip Howard Catholic High School Sixth Form.	Ten (10) years of the date of receipt of final instalment of the Contribution	Education Sixth Form
Libraries	Prior to commencement of the Development	Formula based	WSCC	Contributions shall be spent on expansion of the facilities at Bognor Regis	Ten (10) years of the date of receipt of final instalment	Libraries

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				Library.	of the Contribution	
Fire & Rescue	Prior to commencement of the Development	Formula based	WSCC	Contribution to be used towards to be used towards supply and installation of additional fire safety equipment to vulnerable persons homes in West Sussex Fire Rescue Services Southern Area serving Aldingbourne.	Ten (10) years of the date of receipt of final instalment of the Contribution	Fire & Rescue
WSCC Highways	Prior to commencement of the Development	£9,043 per dwelling	WSCC	Contribution towards the A29 realignment.	Ten (10) years of the date of receipt of final instalment of the Contribution	WSCC Highways
WSCC Highways – Travel Plan	Submit three months prior to occupation	£150 per dwelling towards bus travel, cycle purchase etc	WSCC	Residents on occupation	Ten (10) years of the date of receipt of final instalment of the Contribution	WSCC Highways – Travel Plan
NHS	To be paid to ADC upon commencement of the development	£54,557	ADC	Financial contribution towards for "The Croft GP surgery" for the infrastructure needs of managing "on the day demand".	Ten (10) years of the date of receipt of final instalment of the Contribution	NHS
MUGA Contribution	To be paid to ADC on first occupation of the 1st Dwelling	£200:00 per dwelling	ADC	Contribution (£200.00 per dwelling)	Ten (10) years of the date of	MUGA Contribution

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				towards the delivery of a multi-use games area at Aldingbourne Community Sports Centre or such other site as may be agreed by ADC. Exact wording to be confirmed.	receipt of final instalment of the Contribution	
Play Area Provision	Prior to commencement of development	Submit Play Area Scheme	ADC			
	First Occupation of 1st Dwelling	Obtain written approval to Scheme from Council	ADC			
	First Occupation of 9th Dwelling	Play Area to have been provided and laid out	ADC			
	First Occupation of 9th Dwelling	Elect to transfer to Man Co or Council	ADC			
	Not more than 28 days after practical completion of Open Space (including Play Areas)	Supply management proposals to Council	ADC			
	Prior to first occupation of final dwelling	Pay the Open Space and Play Area Maintenance Payment	ADC	£13.51 per m2		
Public Open Space	Prior to commencement of development	Submit Open Space Scheme	ADC			
	First Occupation of 1st Dwelling	Obtain written approval to Scheme from Council	ADC			

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	First Occupation of 9th Dwelling	Shall have provided and laid out open space	ADC			
	First Occupation of 9th Dwelling	Elect whether to transfer to Man. Co or Council	ADC			
	Not more than 28 days after practical completion of Open Space (including Play Areas)	Supply management proposals to Council	ADC			
	Prior to first occupation of final dwelling	Pay the Open Space and Play Area Maintenance Payment	ADC	£13.51 per m2		
Affordable Housing		14 x rented and 4 x intermediate homes. a minimum of 9 of the affordable dwellings be designed to m4(2) and that an additional 1 affordable dwelling be designed to m4(3).	ADC	On Site		

NON-FINANCIAL Obligation Summary	Trigger Point	Due To (ADC, WSCC, Other)	Department/Officer to Confirm Compliance	
Footpaths and Cycleways: improvements in the form of a widened footway on the west side of the road between the main site access up-to the start of the car park serving the Prince of Wales Public House. On the east side of the road a new footway running from the junction with Willows Caravan Park running south to connect to Lee's Yard.	Prior to Commencement of Development to submit specifications for Cycle Parking Scheme		WSCC	
	Prior to Occupation of 1st Dwelling – Obtain approval of Scheme			
	Prior to Occupation of 10th Dwelling – complete Scheme			

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Opportunities to cross the road in the form of pedestrian ramps with tactile paving. Cycle ramps at shop to north of railway line/junction of Hook Lane			
Bus infrastructure: Bus shelters and real-time passenger information displays or bus stop poles with real time passenger information.	Undertake Stage 2 and Stage 3 Audit of Footway Works and Bus Waiting Facilities	WSCC	
	Not to Commence Development until Footway Works and Bus Waiting Facilities Scheme approved BY WSCC		
	Obtain all requisite consents including S278/238 Agreements		
	After consents obtained – complete works		
	Not to allow First Occupation of any Dwelling with consent of WSCC re Footway and Bus Shelter Works		

COMPLETION REPORT

To be completed by Legal Services when the Agreement has been registered and finalised, then circulated to interested parties:

Seal Register Number:	Date of Agreement (or <u>original deed/agreement</u> if this is a variation/supplemental):
236/2019	20th September 2019
Statement completed by: (Legal Officer) Jeremy Cook, Barrister	

Please distribute completed statement to: The Planning Officer, Sue Dudley (Deed Store), Ros Bentley (S106 Monitoring Officer), Nicola Spencer (Planning) and landcharges@arun.gov.uk

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