

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: A/23/15/OUT	Today's date: 4/6/18	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): Approved at Committee May 2018 – delegated for officers to finalise S106 and conditions	Planning Officer: Claire Potts
What Type of Agreement is it?: Please tick one of the following: • S106 Agreement, or • Pagham Harbour Agreement, or • Unilateral Undertaking, or • Deed of Variation, or • Supplemental Agreement, or • Other			
Who is responsible for this decision?			
(see notes opposite: <u>only complete this box and sign here if this is an OFFICER Decision</u>) _____ (signature of Officer with the power) Print Name 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: xx/xx/xx Minute Number: xxxxxxxx, or If this is for Development Control to make the Decision in the <u>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: 3 October 2018
Full name(s) of Freeholders/Leaseholders: (ideally the developer will have completed a recent land registry search which should be attached as well)	Names: - COMMERCIAL PROPERTIES PROJECTS LIMITED - X - X - X - x
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
Town Centre (Littlehampton) Manager	½ on commencement Second half – 1 year after commencement	£99,444	ADC	for the purpose of funding the employment of a Town Centre [Littlehampton] Manager to promote the		

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	not to occupy or cause or allow to be occupied any part of the Development before the Town Centre [Littlehampton] Manager and related Projects Contribution shall have been paid			vitality and attractiveness as a shopping venue of the town and also to fund projects aimed at those purposes carried out or organised or promoted by the Town Centre Manager		
Town Centre [Littlehampton] Marketing Promotion and Events and related Projects Contribution	½ on commencement Second half – 1 year after commencement	£40,000	ADC	for the purpose of funding the marketing and promotion and advertising of the town as a vital and attractive shopping venue		
Town Centre [Littlehampton] Environmental Improvements Contribution	½ on commencement Second half – 1 year after commencement	£75,000	ADC	for the purpose of funding the provision of street furniture and pathways improvements public art and capital projects aimed at marketing and promoting of the town as a vital and attractive shopping venue		
COVTEC Railway Crossing Contribution	½ on commencement Second half – 1 year after commencement	£12,500	ADC (to then pay Network Rail)	for the purpose of funding the cost of the suggested COVTEC early warning system and/or alternative works to the railway crossing.		
Public transport contribution	First payment prior to occupation of the retail unit and annually thereafter for 5 years.	£75,000.00 (£15,000.00 per annum for a five year	ADC (to then pay Rustington Parish Council)	towards –the No. 12 Bus Route (currently on a trial period) bringing passengers into the Village of Rustington to shop, travelling from		

		period)		Littlehampton, along the seafront to Rustington Village Centre, then on to the Manor Road Retail Park to include the new Marks and Spencer Store.		

NON-FINANCIAL Obligation Summary	Trigger Point	Due To (ADC, WSCC, Other)	Department/Officer to Confirm Compliance
Not to Commence the Development, without first erecting on the Land in the vicinity of Brook Lane suitable warning signage which discourages pedestrian access over private land which lies to the south-west of the Land	Prior to commencement		

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):
N/A as Unilateral Undertaking	19 th September, 2018
Statement completed by: (Legal Officer) Jeremy Cook , Barrister for Arun District Council	

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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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