

INSTRUCTION TO LEGAL SERVICES ON A NEW SECTION 106 AGREEMENT

(This instruction form is for **New S106 Agreements/Unilateral Undertakings or Deeds of Variation** only - if your instruction is a query and relates to an existing S106 Agreement please complete the General Instruction form)

Instructing Officer:	David Easton
Instructing Service:	Planning
Instructing Service Cost Centre:	D20
<u>Critical Date</u> by which the Application needs to be determined by: 21st June 2017	

IMPORTANT

Your matter cannot be progressed without the essential information requested below. Failure to complete this Instruction Form in full and supply all documentation required may result in a delay in carrying out the legal work or outsourcing it. If you change your requirements of the action to be taken, then please inform Legal Services immediately and provide fresh instruction with the relevant authority for your new requirements.

Before you complete the table below, please ensure that the following documentation accompanies this Instruction Form:

- Copy of the relevant Authority - This will be in the form of a Council, Cabinet or Committee Resolution or ICM Decision or Delegated Authority Form. Please see Annex 1 for a blank Delegated Authority Form. If you are unsure who can make the decision in the matter you are dealing with, please see Annex 2
- A plan showing the application site **edged red**, the scale and a north arrow. The land should be clearly identifiable from the plan.

Questions/Instructions:	Please provide answers below:
1 Is this a S106 Agreement, Unilateral Undertaking or a Deed of Variation?	s.106 Agreement
2 When is the Agreement to be completed by?	21 st June 2017
3 Planning Application No:	A/44/17/OUT
4 Applicant(s) Name(s):	Store Property Investments Ltd
5 Agent's Name:	Dalton Warner Davis LLP
6 Postal Description of the land including post code :	Land west of Brook Lane and South of A259 Angmering BN16 3JL
7 Description of the development applied for:	Outline application (with all matters reserved) for demolition of existing buildings on site and the erection of a mixed use development comprising up to 90No. residential units and a care home (Use Class C2 and C3) & ancillary facilities, including railway crossing, together with associated access, car parking & landscaping
8 Full name and address of the Owner(s) of the land:	Store Property Investments Limited Farr House, 4 New park Road, Chichester, West

Questions/Instructions:	Please provide answers below:
	Sussex, PO19 7XA Carol Cripps Brookenbee Cottage, Brook Lane, Rustington, West Sussex, BN16 3JL Commercial Development Projects Limited co. reg. 00993768 Marshall House, Huddersfield Road, Elland, HX5 9BW Herbert Krall Brookenbee Cottage, Brook Lane, Rustington, West Sussex, BN16 3JL Network Rail Infrastructure Limited co. reg. 02904587 1 Eversholt Street, London, NW1 2DN West Sussex County Council County Hall, Chichester, West Sussex, PO19 1RQ Ownership of parts of Brook Lane and Penfold Lane not known
9 Full name and address of Party(ies) to the Agreement: E.g. Mortgagee, Occupier, Developer, County Council etc	Store Property Investments Limited Farr House, 4 New Park Road, Chichester, West Sussex, PO19 7XA Company Registration number 00549704 Arun District Council Arun Civic Centre, Maltravers Road, Littlehampton, West Sussex, BN17 5LF West Sussex County Council County Hall, Chichester, West Sussex, PO19 1RQ Carol Cripps Brookenbee Cottage, Brook Lane, Rustington, West Sussex, BN16 3JL Herbert Krall Brookenbee Cottage, Brook Lane, Rustington, West Sussex, BN16 3JL Mortgagee to land owned by Herbert Krall Coventry Building Society

Questions/Instructions:	Please provide answers below:
10 Specify the obligations enforceable by the District Council: Consider: Is the development or use of the land is to be restricted? If yes, specify how. Are any operations or activities to be carried out in, on under or over the land? If yes provide full details. Is the land to be used in a specified way? If yes, provide full details. Is a contribution to be paid? If yes, what for? When is the sum payable? Is the contribution index linked? If yes, specify which indexation is to apply.	There will be a number of obligations enforceable by the District Council including affordable housing provisions and obligations relating to footbridge over the railway. Terms of the Agreement are under discussion
11 Specify the obligations enforceable by the County Council: Consider: Is the development or use of the land is to be restricted? If yes, specify how. Are any operations or activities to be carried out in, on under or over the land? If yes provide full details. Is the land to be used in a specified way? If yes, provide full details. Is a contribution to be paid? If yes, what for? When is the sum payable? Is the contribution index linked? If yes, specify which indexation is to apply.	There will be a number of obligations enforceable by the County Council including financial contributions. Terms of the Agreement are under discussion
12 Owner's solicitor details (name, address, telephone number, email)	Irwin Mitchell LLP Belmont House Station Way Crawley RH10 1JA 

Questions/Instructions:	Please provide answers below:
13 Developer's solicitor details (name, address, telephone number, email)	
14 Any other party's solicitor details (name, address, telephone number, email) [please specify which party the solicitor's details are for] [Other parties may include: the County Council, Occupier, Mortgagee]	

Please send this completed instruction form to: legal.services@arun.gov.uk

COMPLETION REPORT

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

Seal Register Number: Not applicable as Unilateral Undertaking under S 106 T&CPA 1990	Date of Agreement (or <u>original deed/agreement</u> if this is a variation/supplemental): 25 th January 2018
Legal Ref: 6196	Statement completed by: Jeremy Cook

NB: This Unilateral Undertaking relates to a Planning Appeal