

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

This instruction also provides the necessary authority and acts as a heads of terms

CHECKLIST:

- Authority/Decision Maker details (or if not known at instruction stage)
- 2 Plans – Location and Site Plan – area outlined in red
- Names of all parties to the S106
- Heads of Terms to be included in the S106

Planning Application Ref: xx/xx/xx	Today's date: xx/xx/xx	Current Deadline Date: 30/06/2017	Planning Officer: Lucy Harding (Dave Easton)
Type of Agreement: Please select <u>one</u> of the following: *S106 Agreement, Pagham Harbour Agreement, Unilateral Undertaking, Deed of Variation, Supplemental Agreement, Other			
Who is responsible for this decision? Officer or Members? (NB <u>Pagham Agreements</u> – The authority will not be known at validation stage so please note Legal Officer to check later)			
PLANNING OFFICER – Complete BOX A or COMMITTEE – Complete BOX B			
<u>BOX A</u> – The Decision is delegated to a Planning Officer to agree the terms and finalise the S106 on behalf of the Council: (signature of Officer with the power): Print Name: xxxxxxxxxxxx Constitution Issue 8: Part 4 Section 3 Paragraph 3.1.1.		<u>BOX B</u> – The Decision has been, or is to be made by Members at a Committee Meeting: - If this is a Development Control Committee Decision that has already been made, provide: Date of Development Control Meeting: xx/xx/xx Minute Number: xxxxxxxx - If this is for Development Control Committee to make the Decision at a future meeting, please provide the date of the meeting or insert 'to be advised' if the date has not been set Date of Future Development Control Meeting: xx/xx/xx or To Be Advised If this a Pagham Harbour Contributions Agreement – Advise Legal Services here that the delegated authority is not known at validation stage. xxxxxxxx	
List Full Names of all parties to the S106		1. Arun D C 2. West Sussex C C 3. Mildren Homes(Isle of Wight) Limited 4. Crayfern Homes Ltd 5. MSP Capital Ltd	
Please attach the following plans, with the site <u>outlined in red</u> : - a location plan, and - a site plan			

HEADS OF TERMS – Planning Officer to complete

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

NON-FINANCIAL Obligation Summary	Trigger Point	Due To (ADC, WSCC, Other)	Department/Officer to Confirm Compliance
Variation of Definiton of “ Affordable Housing Units” (paragraph 2.11) to “means thirteen(13) Dwelling Units to be provided as Affordable Housng in accordance with the terms of this Agreement comprising no (zero) Affordable Rented Homes and 13 (thirteen) Intermediate Homes, of which 2 (two) are to be provided in the form of bungalow.	N/A	ADC	

COMPLETION REPORT

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

Seal Register Number: 204/218	Date of Agreement (or <u>original deed/agreement</u> if this is a variation/supplemental):
	Original: 1 Maarch 2016. This DoV: 13 July 2018
Legal Ref: CMS 6195	Statement completed by: Jeremy Cook

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

PL10 – Planning Instruction/Authority/Heads of Terms/Completion Statement combined form.