

Karen Parsons

From: Claire Potts
Sent: 07 December 2017 11:47
To: Karen Parsons
Cc: Nicola Spencer
Subject: FW: Deed of Variation North Littlehampton - Toddington Nurseries (CC805.818) [EFILE-Legal02.586237.2112761]
Attachments: D of V Toddington Lane - WSCC amends 05.12.17.docx

Please upload the agreed EoT for LU/182/15/PL

Claire

Claire Potts BSc MSc MRTPI | Strategic Development Team Leader, Directorate of Place, Arun District Council | First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

Internal: 37698 | External: +44 (0) 1903 737698 E-mail: claire.potts@arun.gov.uk

Visit Arun's web site at www.arun.gov.uk



Save the environment - think before you print.

From: Graham, Laura [REDACTED]
Sent: 07 December 2017 10:17
To: Claire Potts
Subject: FW: Deed of Variation North Littlehampton - Toddington Nurseries (CC805.818) [EFILE-Legal02.586237.2112761]

Hello Claire

As discussed WSCC's comments as received yesterday. I will review these later this afternoon and provide a response which I will copy you into.

In terms of an extension of time I am happy to agree to 20th December 2017 and then consider further if the agreement still hasn't been signed by that point.

Kind Regards
Laura

Laura Graham
Head of Planning

Land & Technical Department

Persimmon Homes Thames Valley
Persimmon House
Knoll Road
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Surrey
GU15 3TQ



From: Graham Wrigglesworth [REDACTED]
Sent: 06 December 2017 15:20
To: Graham, Laura
Subject: FW: Deed of Variation North Littlehampton - Toddington Nurseries (CC805.818) [EFILE-Legal02.586237.2112761]

Laura,

I am forwarding on the response from WSCC on our latest draft which, they say, has taken in to account the delivery programme which we have supplied.

From a quick glance through, they have brought back a number of our proposed triggers and also reserved their position on some issues by reference to seeing the relevant plans.

Would the best way forward be for you to mark up your comments on the draft alongside the WSCC amendments. Alternatively or in addition, would contact with the WSCC highway officers be appropriate?

Thanks

Graham

Graham Wrigglesworth
Director



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From: Laura Floodgate [REDACTED]
Sent: Wednesday 06 December 2017 15:03
To: Graham Wrigglesworth
Cc: Delwyn Jones
Subject: FW: Deed of Variation North Littlehampton - Toddington Nurseries (CC805.818)

Dear Graham and Delwyn

Further to my email of 14 November, I have now met with my client to discuss the Schedule 10 changes following receipt of a delivery programme from Laura Graham by email on 29 November. My client has now considered this so as to inform the WSCC response on the proposed Schedule 10 changes.

I therefore attach the D of V amended with WSCC's requirements and await hearing from you in reply as soon as possible.

Regards,

Please note that I work part time and my working days are Monday to Wednesday 8am to 4pm.



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From: Laura Floodgate
Sent: 14 November 2017 16:27
To: 'Graham Wrigglesworth'; 'Delwyn.Jones@arun.gov.uk'
Cc: 'Peter Herbert'; 'Graham, Laura [REDACTED]'; Tim Townsend
Subject: RE: Deed of Variation North Littlehampton - Toddington Nurseries (CC805.818)

Dear Graham

Further to my email of 30 October in which I reported I was seeking instructions on the proposed Schedule 10 changes, I understand a further version of the proposed Schedule 10 changes has been circulated by Laura Graham (6 November) and comments on that have been requested today.

I have met with my clients and it will come as no surprise that WSCC are unable to meaningfully comment on the proposed Schedule 10 changes without further information, which I note has been requested previously. WSCC's agreement to any change to the occupation triggers is contingent on WSCC seeing an up-to-date build profile which allows sufficient time to complete the work involved in submitting and agreeing the various highway designs and the subsequent completion of the highway agreements. WSCC have previously advised this will likely take 9 months.

WSCC have already indicated that the technical breach of the S.106 is being tolerated under present circumstances but that we will not tolerate a failure to observe the triggers originally proposed in the D of V. While I am sure your client appreciates the importance of adherence to the terms agreed, I think it worth stressing bearing in mind it appears that matters are no further forward in terms of submission of the technical S.278/38 proposals for the southern bypass and bridge. It had been understood that the REM for the southern bypass and bridge and the submission of the technical proposals could run in parallel, which has clearly not happened.

I trust that the build programme will be provided to WSCC urgently and progress made with submission of the S.278/38 such that my client is able to meaningfully progress with agreement of terms in relation to Schedule 10.

In the meantime, I do have instructions in relation to paragraph 2 of Part 3 of the proposed D of V. The change to the trigger is not agreed. The trigger must remain as the date one month after the date upon which a contract for the construction of the Northern Section of the Lyminster By-pass is let by the County Council.

I await hearing from you.

Regards,

Laura Floodgate | Solicitor | West Sussex County Council

Please note that I work part time and my working days are Monday to Wednesday 8am to 4pm.



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From: Laura Floodgate
Sent: 30 October 2017 10:12
To: Graham Wigglesworth; Delwyn.Jones@arun.gov.uk
Cc: 'Peter Herbert'; Graham, Laura ([REDACTED]); Tim Townsend
Subject: RE: Deed of Variation North Littlehampton - Toddington Nurseries (CC805.818) [EFILE-Legal02.586237.2112761]

Graham and Delwyn

Thank you for your email. I am seeking instructions and will revert as soon as I am able.

Regards,

Laura Floodgate | Solicitor | West Sussex County Council

Please note that I work part time and my working days are Monday to Wednesday 8am to 4pm.

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*The Legal Services of Brighton and Hove City Council, East Sussex County Council,
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From: Graham Wigglesworth [REDACTED]
Sent: 27 October 2017 12:51
To: Laura Floodgate; Delwyn.Jones@arun.gov.uk
Cc: 'Peter Herbert'; Graham, Laura ([REDACTED]); Tim Townsend
Subject: RE: Deed of Variation North Littlehampton - Toddington Nurseries (CC805.818) [EFILE-Legal02.586237.2112761]

Laura and Delwyn,

With the passage of time and having regard to the current occupations, my client has revisited the highway triggers to bring them up to date and to match these to the likely progression of development and infrastructure on the site.

Rather than continue with the now very complicated marked up drafts, we have produced a revised draft with an accompanying summary showing the previous and now proposed triggers for the highway works. I hope that this will be easier to review.

The other triggers in relation to the open space elements have remained the same but, I have added relevant definitions where necessary.

I am also attaching the current highway and other plans referred to in the draft.

I look forward to hearing from you when you have had a chance to take instructions.

Kind regards

Graham

Graham Wrigglesworth
Director



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gowlingwlg.com



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From: Laura Floodgate [REDACTED]
Sent: Wednesday 18 October 2017 13:36
To: Graham Wrigglesworth
Subject: FW: Deed of Variation North Littlehampton - Toddington Nurseries (CC805.818)

Graham

Further to my email last week, I have now received further comments from my highways client in relation to the new Schedule 10. Please note I have also had chance to review the Deed and have made some comments. I need to obtain instructions in relation to Para 1 and 6 of The Schedule but cannot do so without sight of the relevant plan showing the Additional School Site and the School Site now coloured purple. I look forward to receiving this plan in due course.

In the meantime, you will note my comment in reply to Comment L22 at Para 9 of The Annex in relation to indexation. It is not agreed that the definition of indexation is cited as RPI for County Contributions. All In Tender Price Index published by BCIS of RICS is quoted in relation to County contributions. I have amended the addition.

On receipt of the relevant plans then I will take further instructions/approval of the Deed and at the present time I reserve the right to make any further changes to the Deed as necessary.

I await hearing.

Regards,

Laura Floodgate | Solicitor | West Sussex County Council

Please note that I work part time and my working days are Monday to Wednesday 8am to 4pm.



[REDACTED]
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From: Laura Floodgate
Sent: 09 October 2017 13:56
To: Graham Wigglesworth [REDACTED]
Cc: Tim Townsend
Subject: RE: Deed of Variation North Littlehampton - Toddington Nurseries (CC805.818)

Graham

I have been passed your email as I have been allocated this matter following Barry's retirement.

I will seek instructions on the amendments and revert to you as soon as I am able.

Regards,

Laura Floodgate | Solicitor | West Sussex County Council

Please note that I work part time and my working days are Monday to Wednesday 8am to 4pm.

[REDACTED]
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*The Legal Services of Brighton and Hove City Council, East Sussex County Council,
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From: Becky Moutrey
Sent: 05 October 2017 09:52
To: Laura Floodgate
Subject: FW: Deed of Variation North Littlehampton [EFILE-Legal02.587068.2112761]

Becky Moutrey | Senior Solicitor, Environment | West Sussex County Council

[REDACTED]
Address: County Hall, Chichester, PO19 1RQ. DX 157410 Chichester 8.

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Please note that I work Monday to Thursday 8.30 am to 2.15 pm and Friday 8.30 am to 12.00

From: Graham Wrigglesworth [REDACTED]
Sent: 04 October 2017 17:00
To: Becky Moutrey
Cc: Tim Townsend
Subject: FW: Deed of Variation North Littlehampton [EFILE-Legal02.587068.2112761]

Becky,

I picked up your e-mail address from Barry's leaving e-mail.

As you will see, there is not much change to the highway provisions, as set out in the new Schedule 10, from when Barry reviewed the draft.

Kind regards

Graham

Graham Wrigglesworth
Director



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From: Graham Wrigglesworth
Sent: Wednesday 04 October 2017 16:57
To: 'Graham, Laura'; 'Barry Smith'; 'Michael Eastham'; 'Peter Herbert'; 'Rosie Costan'
Cc: Tim Townsend; Andrew Howick; Elaine Munns; 'Claire.Potts@arun.gov.uk'; 'Neil.Crowther@arun.gov.uk'; 'Heney,

Chris'

Subject: RE: Deed of Variation North Littlehampton [EFILE-Legal02.587068.2112761]

All,

Further to the e-mail exchange below and Laura's e-mail circulating the revised draft for the deed of variation, I am attaching an updated draft.

This accommodates some further tweaks to the definitions to match the latest land use plan and adds reference to the Play and Fitness Routes Plan, which shows the location for the 4 LEAPS.

The draft also now adds provision for the fourth LEAP.

The changes are shown on the marked up version but, the clean version is probably easier to review.

Tim – Barry mentioned that Becky Moutrey would be dealing with the legal review for the County. I do not have her contact details, could you forward this on to her?

Claire – I have somewhat lost touch with who is acting on the legal side for Arun. Could you pass this on and advise me of the contact details?

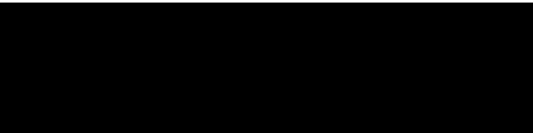
The highway plans are being finalised and, I will send these under separate cover when they become available.

It would be helpful to receive comments on the attached draft as soon as possible with a view to settling this alongside the highway plans.

Kind regards

Graham

Graham Wrigglesworth
Director



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From: Graham, Laura [redacted]
Sent: Tuesday 19 September 2017 12:55
To: 'Barry Smith'; 'Michael Eastham'; 'Peter Herbert'; 'Rosie Costan'
Cc: Graham Wrigglesworth; Tim Townsend; Andrew Howick; Elaine Munns
Subject: RE: Deed of Variation North Littlehampton

Thank you Barry / Becky

We will review your comments and come back with responses / information requested asap.

Kind Regards
Laura

Laura Graham
Head of Planning

Land & Technical Department

Persimmon Homes Thames Valley
Persimmon House
Knoll Road
Camberley
Surrey
GU15 3TQ



From: Barry Smith [REDACTED]
Sent: 19 September [REDACTED]
To: Graham, Laura; 'Michael Eastham'; 'Peter Herbert'; 'Rosie Costan'
Cc: 'Graham Wigglesworth'; Tim Townsend; Andrew Howick; Elaine Munns
Subject: RE: Deed of Variation North Littlehampton

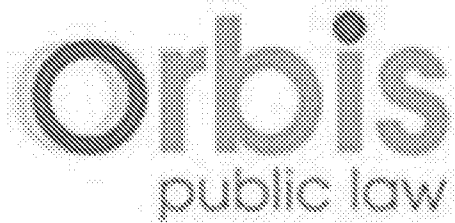
And now the draft!!

Barry

Barry P Smith | Senior Solicitor | West Sussex County Council



Address: Rm. 202 County Hall, West Street, Chichester, West Sussex. PO19 1RQ
DX: 157410 Chichester 8



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From: Barry Smith
Sent: 19 September 2017 09:21
To: 'Graham, Laura'; 'Michael Eastham'; 'Peter Herbert'; 'Rosie Costan'

Cc: 'Graham Wrigglesworth'; Tim Townsend; Andrew Howick; Elaine Munns
Subject: RE: Deed of Variation North Littlehampton

Laura,

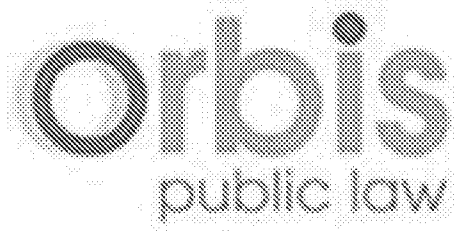
I return the draft with the County's comments.

I will be retiring next week so in future would you all please correspond with Becky Moutrey who will allocated the matter.

Barry

Barry P Smith | Senior Solicitor | West Sussex County Council

Address: Rm. 202 County Hall, West Street, Chichester, West Sussex. PO19 1RQ
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From: Graham, Laura [REDACTED]
Sent: 13 September 2017 15:05
To: 'Michael Eastham'; Barry Smith; 'Peter Herbert'; 'Rosie Costan'
Cc: 'Graham Wrigglesworth'
Subject: RE: Deed of Variation North Littlehampton
Importance: High

Hello All

Could we please have comments on the DoV or confirmation that you are happy with the suggested amends so that the document can be finalised.

Can I ask for this to be provided by the end of this week.

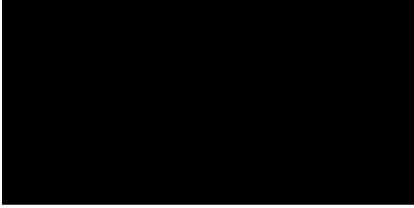
Thanks
Laura

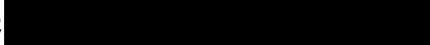
Laura Graham
Head of Planning

Land & Technical Department

Persimmon Homes Thames Valley
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GU15 3TQ



From: Graham, Laura
Sent: 31 August 2017 13:38
To: 'Michael Eastham'; 
Cc: 'Graham Wrigglesworth'; 'Peter Herbert'; 'Rosie Costan'
Subject: RE: Deed of Variation North Littlehampton

Dear Michael / Barry

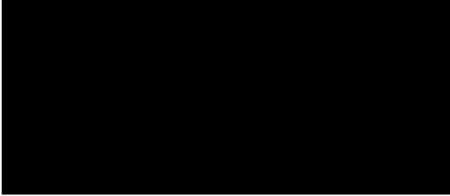
Can you please confirm that the draft DoV that I circulated a couple of weeks ago is being processed? When can we expect comments / confirmation that the document is acceptable?

Thanks
Laura

Laura Graham
Head of Planning

Land & Technical Department

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GU15 3TQ



From: Graham, Laura
Sent: 17 August 2017 12:41
To: 'Michael Eastham'; 'barry.smith@westsussex.gov.uk'; Peter Herbert; 'Rosie Costan'
Cc: 'Graham Wrigglesworth'
Subject: Deed of Variation North Littlehampton
Importance: Low

Dear All

To accompany our currently running s73 application please find attached a draft DoV for review and comment. We have consulted on the amendments sought so I am hoping matters can be progressed swiftly, indeed the document needs to be signed asap so that the s73 application can be signed off by Arun.

I have also attached our working summary table of the changes sought for reference purposes.

Please ensure all legal representatives are appropriately appointed. Also please ensure that comments are made to our solicitor, Graham Wrigglesworth, who is dealing with the matter on our behalf.

Kind Regards
Laura

Laura Graham
Head of Planning

Land & Technical Department

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