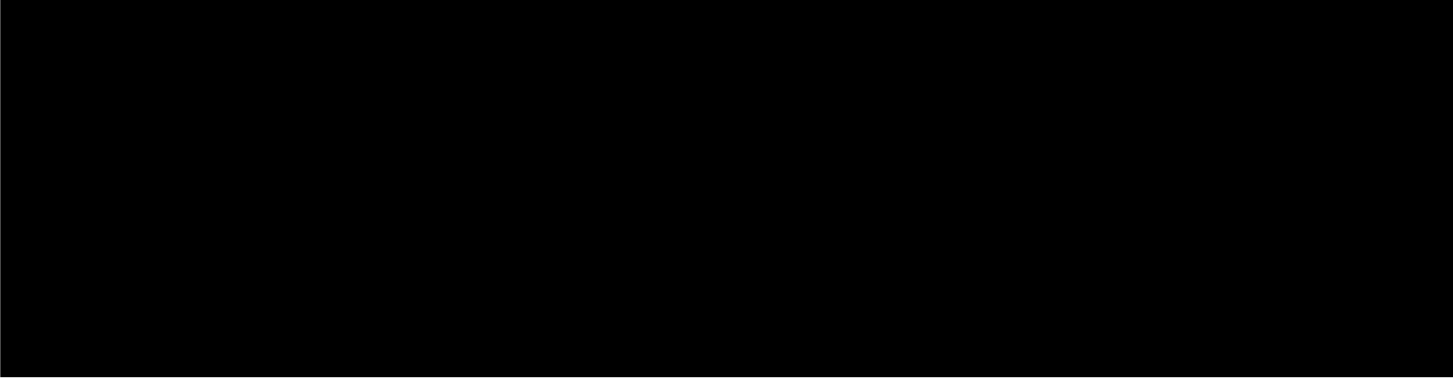






From: Sue Howell
Sent: 09 October 2017 12:42
To: Michael Eastham
Cc: Delwyn Jones; Joe Russell-Wells
Subject: RE: Draft Section 106 Agreement - outline planning application WA/44/17/OUT - Land East of Tye Lane, Walberton

Hi Michael/Delwyn

This is something which planning/legal put forward, but I can assist in giving you the figures in which to work this out based on the total area of Open Space being proposed.

These are the figures assuming that this is "to transfer to ADC with a commuted maintenance sum in the amount of £....." where the Open Space is to be transferred to Arun to maintain rather than a management company.

Differing rates apply based on size of POS

P.O.S Calculated for up to 1,000m² / 0.1 ha of POS =£18.81 m²

P.O.S Calculated from 1,000 – 10,000m² / 0.1 ha-1.0 ha of POS =£13.51 m²

P.O.S Calculated more than 10,000 m² / 1 ha of POS =£8.98 m²

An example of how this applies I have shown below (NB this is not for this site) This also shows where the figures for Play area maintenance and Offsite play also come in.

- Open space maintenance post-handover if it is to come under the LPA to maintain (would require confirmation of the total area coming forward and taking this figure assuming that on this site that it is less than 10,000Ha then you would multiply this figure by £13.51/m2 which is for 16 years therefore (area of POS x £13.51 = total for POS maintenance)
- Play area maintenance per play area provided on site = £750/play area/annum x 16 years (confirmation of play area being provided on site?)
- Off-site play area contribution where play (LEAP) not being provided on site? The offsite contribution therefore would be £1600 (which is the index linked from October 2000) this we would allocate to local offsite improvement

I trust that the above will be of use to you.

Regards

Sue

Sue Howell | Leisure and Landscape Officer, Greenspace, Engineering and Emergency Planning, Arun District Council | Location: Bognor Regis Town Hall, Clarence Road, Bognor Regis, West Sussex, PO21 1LD
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From: Michael Eastham
Sent: 06 October 2017 13:52
To: Sue Howell
Cc: Delwyn Jones
Subject: FW: Draft Section 106 Agreement - outline planning application WA/44/17/OUT - Land East of Tye Lane, Walberton

Hi Sue,

Please advise me of the amount of the POS sum for the Draft Section 106 Agreement - outline planning application WA/44/17/OUT - Land East of Tye Lane, Walberton.

Regards,

Michael

From: Delwyn Jones
Sent: 06 October 2017 12:55
To: Michael Eastham
Subject: RE: Draft Section 106 Agreement - outline planning application WA/44/17/OUT - Land East of Tye Lane, Walberton

Michael

Thanks for your email dated 6 October

Please advise of the amount of the POS sum you are advised of by Landscapes [suitably indexed up to 2017] and I will insert it in the clause below and the " definitions clause "

I think the developers envisage the transfer to a management company ---but including this will cover the possibility of a transfer to ADC and the payment of any maintenance sums

D

Delwyn Jones | Planning Solicitor and Deputy Monitoring Officer , Legal Services, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF DX 57406 Littlehampton
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1. ON SITE PROVISION OF PUBLIC OPEN SPACE

The Owner covenants with ADC

- 1.1 to provide and lay out the Public Open Space to be approved by ADC as part of the Reserved Matters Application.
- 1.2 to ensure that the Public Open Space is accessible to the public.
- 1.3 to complete the works of provision and laying out in accordance with Clause 6.1 and to make the Public Open Space available for use by the public by no later than the first Occupation of the first Dwelling forming part of the Development to be Occupied.
- 1.4 within two months of the completion of the works referred to in Clause 6.3 to transfer the Public Open Space to a management company set up for the purpose of managing and maintaining the Public Open Space ("the Management Company") or to transfer to ADC with a commuted maintenance sum in the amount of £
- 1.5 to manage and maintain the Public Open Space in perpetuity

From: Michael Eastham

Sent: 06 October 2017 11:01

To: Delwyn Jones

Subject: RE: Draft Section 106 Agreement - outline planning application WA/44/17/OUT - Land East of Tye Lane, Walberton

Hi Delwyn,

Please include a clause in the Section 106 Agreement including a POS commuted sum for maintenance.

Thanks,

Michael

From: Delwyn Jones
Sent: 06 October 2017 10:52
To: Michael Eastham
Subject: RE: Draft Section 106 Agreement - outline planning application WA/44/17/OUT - Land East of Tye Lane, Walberton

Michael

Thanks for your email dated 6 October 2017

Try Sue Howell in Landscapes, who, I believe comes up with the commuted sum figure for POS payable on handover for maintenance.

Also check with David Innes or Juan or Dan - because some/if not most other S106 deed/POS clauses included a POS commuted sum for maintenance - which prompts me to ask for it on this occasion - even if they reply its not needed - it would be good to "tick that box".

Thanks

D

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From: Michael Eastham
Sent: 06 October 2017 10:40
To: Delwyn Jones
Subject: RE: Draft Section 106 Agreement - outline planning application WA/44/17/OUT - Land East of Tye Lane, Walberton

Hi Delwyn

I honestly don't know who actually comes up with the commuted sum figure for POS payable on handover for maintenance!

Is it me?

Michael

From: Delwyn Jones
Sent: 05 October 2017 17:26
To: Michael Eastham

Cc: Sadie Tooley; Sue Howell; Robin Wickham; Joe Russell-Wells

Subject: RE: Developer contributions for the Draft Section 106 Agreement - outline planning application WA/44/17/OUT
- Land East of Tye Lane, Walberton

Michael

Thanks for your email dated 5 October 2017.

I sent the figures to the developers to agree and insert.

As to POS --is there a commuted sum payable on handover for maintenance ?-- I haven't seen one mentioned but please advise for fullness.

D

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From: Michael Eastham

Sent: 05 October 2017 15:55

To: Delwyn Jones

Cc: Sadie Tooley; Sue Howell; Robin Wickham; Joe Russell-Wells

Subject: RE: Developer contributions for the Draft Section 106 Agreement - outline planning application WA/44/17/OUT
- Land East of Tye Lane, Walberton

Hi Delwyn,

Will the following financial figures help?

£6,000 (i.e. one fifth of total figure) towards overall figure of £30,000 to refurbish the Sports Pavilion

£14,000 (i.e. one fifth of total figure) towards overall figure of £70,000 towards upgrading the Village Hall

£12,400 (i.e. one fifth of total figure) towards overall figure of £62,000 to resurface the village car park

Thanks,

Michael

From: Delwyn Jones

Sent: 05 October 2017 15:29

To: Michael Eastham

Cc: Sadie Tooley; Sue Howell; Robin Wickham; Joe Russell-Wells

Subject: RE: Developer contributions for the Draft Section 106 Agreement - outline planning application WA/44/17/OUT
- Land East of Tye Lane, Walberton

Michael

Thanks for your email dated 26 September

Please can you provide express specific amounts not fractions ? -[because maths were never my forte!] but also, the developers will I am sure want either specific amounts or readily ascertainable amounts based on formulae. I will insert specific amounts /formulae when I hear from you.

D

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From: Michael Eastham

Sent: 26 September 2017 16:05

To: Delwyn Jones

Cc: Sadie Tooley; Sue Howell; Robin Wickham; Joe Russell-Wells

Subject: FW: Developer contributions for the Draft Section 106 Agreement - outline planning application WA/44/17/OUT - Land East of Tye Lane, Walberton

Hi Delwyn,

Section 106 Agreement - outline planning application WA/44/17/OUT - Land East of Tye Lane, Walberton

Would it make sense, in terms of the pooling of contributions, if we requested that developer contributions from the outline planning application WA/44/17/OUT - Land East of Tye Lane, Walberton contributed the following amounts in the Section 106 Agreement?

One fifth of the estimated **£30,000** to refurbish the Sports Pavilion

One fifth of the estimated **£70,000** towards upgrading the Village Hall

One fifth of the estimated **£62,000** to resurface the village car park

One fifth of the overall cost of a new (upgraded) MUGA, (including and excluding tennis courts).

These figures should be CIL compliant.

I look forward to receiving your response.

Thanks,

Michael

From: Michael Eastham

Sent: 26 September 2017 15:44

To: Delwyn Jones

Subject: FW: Developer contributions for the Draft Section 106 Agreement - outline planning application WA/44/17/OUT - Land East of Tye Lane, Walberton

Hi Delwyn,

Please see the response from Sadie Tooley below regarding estimating contributions to deliver Walberton Parish Council's schemes.

Kind regards

Michael

From: Sadie Tooley
Sent: 26 September 2017 15:34
To: Michael Eastham
Cc: Robin Wickham; Sue Howell; Joe Russell-Wells
Subject: RE: Developer contributions for the Draft Section 106 Agreement - outline planning application WA/44/17/OUT - Land East of Tye Lane, Walberton

Hi Michael,

Having spoken to Robin I have to say that we are not in a position to advise how much money another organisation should be requesting. The figures that we request for built sports facilities are based on Sport England calculations, we don't know how Walberton Parish Council has put together their figures for the projects they have listed or how they would determine what amount can be requested for the number of dwellings within any given development. We would suggest that Walberton PC needs to provide you with the information you are requesting.

Kind regards
Sadie

From: Michael Eastham
Sent: 25 September 2017 14:39
To: Sadie Tooley
Subject: RE: Developer contributions for the Draft Section 106 Agreement - outline planning application WA/44/17/OUT - Land East of Tye Lane, Walberton

Hi Sadie,

We have made a request of the developer to contribute £77,743 for sports hall provision AND we are requesting a financial contribution towards the schemes requested by Walberton Parish Council. Not all of Walberton PC's schemes will receive developer contributions from the outline planning application (WA/44/17/OUT) as they are not CIL compliant; but we are attempting to estimate proportional contributions that the developer could make towards the upgrading or the refurbishment of the Sports Pavilion and towards upgrading the Village Hall.

Kind regards,

Michael

From: Sadie Tooley
Sent: 25 September 2017 14:23
To: Michael Eastham
Cc: Sue Howell; Joe Russell-Wells; Robin Wickham
Subject: FW: Developer contributions for the Draft Section 106 Agreement - outline planning application WA/44/17/OUT - Land East of Tye Lane, Walberton

Hi Michael,

Please can you confirm if the money that we have requested for Arun Leisure Centre, sports halls/health & fitness - £77,743 is going forward and the email below relates to additional money that would be requested for Walberton PC?

Kind regards
Sadie

From: Sue Howell
Sent: 25 September 2017 09:00
To: Joe Russell-Wells
Cc: Michael Eastham; Sadie Tooley
Subject: FW: Developer contributions fro the Draft Section 106 Agreement - outline planning application WA/44/17/OUT - Land East of Tye Lane, Walberton

Hi Joe

Ever more detail is being requested for contributions form planning. The two questions directed to me below I am not able to answer and am not sure come under Greenspace brief – resurfacing carparks?

Please could you advise on these.

Thanks

Sue

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From: Michael Eastham
Sent: 22 September 2017 08:10
To: Sadie Tooley; Sue Howell
Cc: Delwyn Jones
Subject: Developer contributions fro the Draft Section 106 Agreement - outline planning application WA/44/17/OUT - Land East of Tye Lane, Walberton

Hi Sadie and Sue,

Delwyn Jones has asked me to contact you regarding costings for sports and leisure developments in Section 106 Agreements.

Walberton Parish Council has proposed a number of schemes that they would like developer contributions to deliver through the S106 Agreement that is being drawn up following the Development Control Committee meeting on Wednesday 20th September 2017 when it was resolved to grant outline planning permission (WA/44/17/OUT) for 175 new homes on Land East of Tye Lane, Walberton, subject to a s106 Agreement.

Walberton Parish Council's list includes the following costings regarding developer contributions:

- Estimate for rebuild of Sports Pavilion = **£227,000** (OR refurbishment cost of **£30,000**)
- Upgrade existing village hall = **£70,000**
- Land adjacent to the Playing Field for the MUGA and tennis courts plus approximately **£50,000**

- **£62,000** includes consultants design advice for re-surfacing village car park
- Twitten section of FP333 only at **£20,000**
- Allotments = **£16,000**.

In relation to the requested community infrastructure, it is consider that the request for the full £227,000 towards the upgrading of the Sports Pavilion or £30,000 for refurbishment and £70,000 towards upgrading the Village Hall would be unreasonable. A proportional contribution towards either the upgrading or refurbishment works would be more appropriate, to be combined with other future contributions.

SADIE: From your knowledge and experience of sports and leisure development, what do you think would be a proportional contribution that we could request from the applicant towards either the upgrading or refurbishment works?

In relation to open space, the contribution of £50,000 towards upgrading the MUGA would be combined with an earlier contribution from WA/22/15/OUT which contributed £80,433 towards a MUGA within the parish of Walberton. This would enable the provision of a larger facility. However, it is not considered that there is evidence that there is a need for tennis courts arising from the development. Therefore, a reduced contribution towards the MUGA would be CIL compliant, excluding the tennis courts.

SUE: from your knowledge of MUGAs what reduced contribution towards the MUGA (would be CIL compliant and) could we expect the applicant to contribute?

In relation to resurfacing the village car park at a cost of £62,000, a proportional contribution could be appropriate, but the full amount would not be CIL compliant.

SUE: What do you think would be a proportional contribution towards the resurfacing of the village car park?

The contribution of £20,000 towards the resurfacing of the footpath 333 along the Twitten by the playing field to the Street is considered to be directly related to the development as this route would be used by new residents to access the facilities in the village.

The contribution of £16,000 towards existing privately owned allotments is considered to be unnecessary and unreasonable as the developer is proposing community allotments within the outline application site.

I look forward to receiving your reply.

Thanks,

Michael Eastham