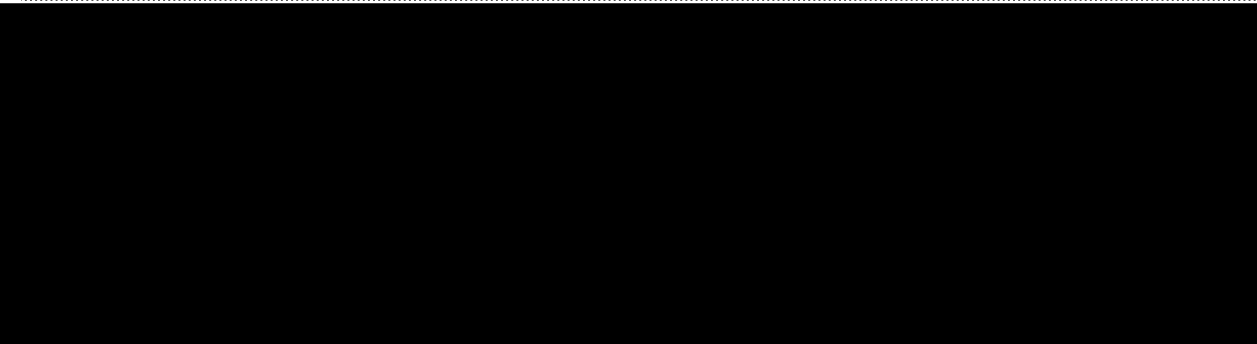




From: Nick Harding [REDACTED]

Sent: 10 October 2017 09:27

To: Delwyn Jones
[REDACTED]

Subject: RE: Land to the East of Tye Lane, Walberton - s.106 agreement [CHH-MAIN.FID3642232]

Delwyn

Thank you for your comments and amendments to the s.106 agreement and for your later email regarding the Community Facilities Contribution. I have made some minor amendments and have incorporated the update to the community facilities contribution.

Regarding the commuted sum of £80,000 per affordable housing unit, please can you explain how this figure is calculated?

The contribution and works requested by Highways England must be provided for in the s.106 agreement. The agreement is drafted so that the covenants are made by the Owner to WSCC and in relation to the contribution, WSCC are to accept this and transfer this to Highways England. Paul, please can you accept that WSCC will accept this? Otherwise this contribution will have paid to ADC.

Paul, please can you let me know when you will be able to respond with WSCC's comments on the deed?

My clients are keen to agree a final form asap and I believe we are almost there.

Kind regards

Nick



Nick Harding
Associate

From: Delwyn Jones [mailto:Delwyn.Jones@arun.gov.uk]

Sent: 05 October 2017 5:20 PM

To: Nick Harding

Michael Eastham

Subject: FW: Land to the East of Tye Lane, Walberton - s.106 agreement [CHH-MAIN.FID3642232]

Nick

I attach a s106 draft deed with comments from the housing officer included.

As to :-

Affordable Housing

POS – subject to a question I asked about any commuted maintenance sum son hand over

Police Contribution

I believe these are agreed subject to the comment about POS

As to Community Facilities Contribution to the Parish Council I still await instructions and will chase

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
Internal: 37737 | External: +44 (0) 1903 737737 | E-mail: Delwyn.Jones@arun.gov.uk

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From: Nick Harding

Sent: 05 October 2017 14:59

To: Delwyn Jones; 'Weeks, Paul'

Cc: Michael Eastham

Subject: RE: Land to the East of Tye Lane, Walberton - s.106 agreement [CHH-MAIN.FID3642232]

Delwyn

Thank you for your email. The attached is the latest draft, with Paul's recent comments and amendments and my amendments following those. Please can you work from this draft.

Can you please let me know whether you expect to be able to provide comments by the end of the week as it would be good to be close to agreement by the weekend?

Paul, please can you let me know when you will be able to respond with your client's comments?

Kind regards

Nick



Nick Harding
Associate

From: Delwyn Jones [<mailto:Delwyn.Jones@arun.gov.uk>]
Sent: 05 October 2017 2:56 PM
To: 'Weeks, Paul'; Nick Harding
Cc: Michael Eastham
Subject: RE: Land to the East of Tye Lane, Walberton - s.106 agreement [CHH-MAIN.FID3642232]

Paul, Nick ,

I am now back from leave and am looking at this.

Please confirm that the attached is the very latest version of the s106 draft deed?

I will then , look at , take instructions, and comment. Due to resource limitations, no colleagues were able to look at this in my absence, but I will come back to you soonest.

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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From: Weeks, Paul [REDACTED]
Sent: 02 October 2017 18:21
To: Nick Harding; Delwyn Jones
Cc: Michael Eastham
Subject: RE: Land to the East of Tye Lane, Walberton - s.106 agreement [CHH-MAIN.FID3642232]

Nick, Delwyn

Please find a further draft attached for your consideration.

The comments and amendments should be self-explanatory but the biggest issue is that the A27 elements are not to be controlled by WSCC as they are strategic network issues.

I have highlighted these in the draft rather than deleted them and have added comments.

Please let me know if you have any questions.

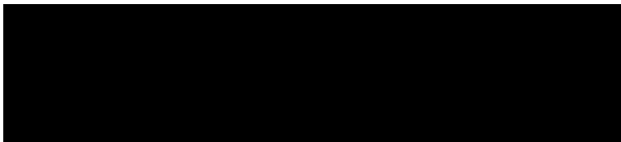
Kind regards

Paul

Paul Weeks

Senior Associate

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From: Nick Harding [REDACTED]

Sent: 02 October 2017 16:29

To: delwyn.jones@arun.gov.uk

Cc: Michael Eastham (Michael.Eastham@arun.gov.uk) <Michael.Eastham@arun.gov.uk>; Weeks, Paul [REDACTED]

Subject: FW: Land to the East of Tye Lane, Walberton - s.106 agreement [CHH-MAIN.FID3642232]

Importance: High

Good afternoon Delwyn

I hope you had a nice break. Can you please let me know when you will be able to receive instructions from your whole team and respond with comments/amendments to the draft agreement? I hope we can agree the final form by the end of this week.

Paul, please can you send me the comments of your client? Please give me a call if you'd like to discuss.

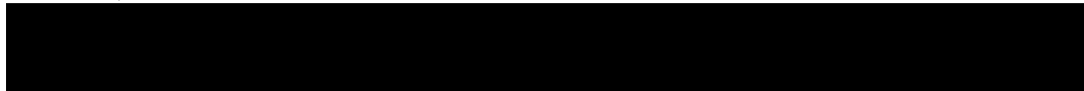
Kind regards

Nick



Nick Harding

Associate



From: Michael Eastham [<mailto:Michael.Eastham@arun.gov.uk>]
Sent: 27 September 2017 5:14 PM
To: Nick Harding; Delwyn Jones
Cc: 'Ellie White'
Subject: FW: Land to the East of Tye Lane, Walberton - s.106 agreement [CHH-MAIN.FID3642232]

Nick / Delwyn,

Please see the email below and the attachment from the ADC Housing Manager regarding the wording on Affordable Housing in the draft Section 106 Agreement.

Kind regards,

Michael Eastham

From: Andy Elder
Sent: 27 September 2017 17:06
To: Michael Eastham
Subject: RE: Land to the East of Tye Lane, Walberton - s.106 agreement [CHH-MAIN.FID3642232]

Michael,

Some initial observations on this draft S106 Agreement with respect to the affordable housing matters;

- Proposed affordable housing definitions is OK;
- Please remove the line at 6.1.3 this is not required;
- At para 6.6 I would suggest greater flexibility is needed to revise the tenure split if necessary. To potentially provide a greater level of certainty I would suggest we include a prescriptive line to define that the commuted sum, payable in lieu of on-site affordable housing, at £80k per foregone affordable housing unit.
- Please use the attached revised schedule 3 for details of the Council's preferred registered partners;

I hope this information is helpful for you.

Kind regards,

Andy

Andy Elder | , Housing Strategy and Enabling Manager
Services Directorate, Arun District Council | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton,
BN17 5LF
Internal: 37714 | External: +44 (0) 1903 737714 Mobile 07872415895 | E-mail: andy.elder@arun.gov.uk

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From: Michael Eastham
Sent: 26 September 2017 08:56
To: Andy Elder
Subject: FW: Land to the East of Tye Lane, Walberton - s.106 agreement [CHH-MAIN.FID3642232]

Hi Andy,

Please find attached the latest version of the draft Section 106 Agreement for WA/44/17/OUT - Land to the East of Tye Lane, Walberton.

I look forward to receiving your comments on affordable housing provision.

Thanks,

Michael

From: Nick Harding [REDACTED]
Sent: 25 September 2017 16:57
To: Delwyn Jones
Cc: Michael Eastham; [REDACTED]
Subject: RE: Land to the East of Tye Lane, Walberton - s.106 agreement [CHH-MAIN.FID3642232]

Delwyn

Thank you for your email. Please can you confirm that someone in your legal team will be able to provide comments if your client provides instructions this week?

Can you also please confirm that the s.106 agreement you are reviewing is the attached (which I have just renamed to reflect the date of the amendments and avoid confusion) as opposed to the one attached to your last email?

Paul, please can you confirm when you will be able to provide the comments of your client?

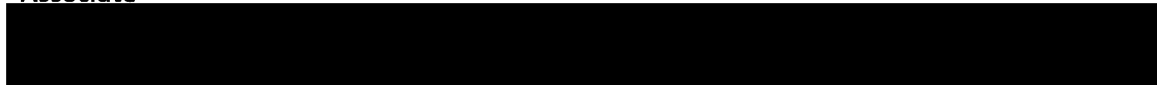
As the resolution to grant has now been issued my client is keen to agree the s.106 agreement as soon as possible so the permission can be granted as soon as the Secretary of State gives his decision that it can be.

Kind regards

Nick



Nick Harding
Associate



From: Delwyn Jones [<mailto:Delwyn.Jones@arun.gov.uk>]
Sent: 25 September 2017 3:34 PM
To: Nick Harding
Cc: Michael Eastham; [REDACTED]
Subject: FW: Land to the East of Tye Lane, Walberton - s.106 agreement [CHH-MAIN.FID3642232]

Nick

Thanks for your email dated Friday 22 September

I haven't been able to look at this before my leave – 26 September – 2 October but will look at it on my return

This slight deferral may be advantageous because I still await WSCC comments and also some ADC and parish council comments and I am advised that the NHS may still be seeking a contribution[!] but whose details have yet to be provided. So on my return I hope all these can be examined in one whole

Thanks

D

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From: Nick Harding [REDACTED]
Sent: 22 September 2017 12:59
To: Delwyn Jones; [REDACTED]
Cc: Michael Eastham
Subject: Land to the East of Tye Lane, Walberton - s.106 agreement [CHH-MAIN.FID3642232]

Dear Delwyn and Paul

Please find attached my amendments to the draft s.106 agreement. I note that there are still outstanding confirmation on several comments. Please can you confirm these as soon as possible. Can you also please provide the information regarding the affordable housing cascade as I do not believe I have this or can you confirm that we can amend the draft to provide greater flexibility as is suggested in Cripps' previous comment?

Kind regards

Nick



Nick Harding
Associate



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