

Instruction Form for S106 Agreements/Deed of Variations/Supplemental Agreements etc
This form should include the necessary Authority details/signature and will act as a heads of terms.

Once the S106 has been signed off/executed: This instruction will act as a Completion Statement and will be circulated to all relevant officers, along with a copy of the completed S106.

INSTRUCTION AND AUTHORITY

Planning Application Ref: Y/83/19/OUT Please note that this application is a resubmission of Y/62/18/OUT for which there is an open legal case allocated to Kirstin Kyle with ref 7255.	Today's date: 12/11/19	Date of the Decision Notice, or Date that the Decision is to be considered if in the future (insert 'not known' if no date yet): Ctte on 08/01/19	Planning Officer: Simon Davis
What Type of Agreement is it?: Please tick <u>one</u> of the following: • S106 Agreement			
Who is responsible for this decision?			
(see notes opposite: <u>only complete this box and sign here if this is an OFFICER Decision</u>) (signature of Officer with the power): Print Name: Constitution Issue 8: Part 4 Section 3 Paragraph 3.1.1.		<u>You need to tell Legal Services who is making the Decision on this S106.</u> (NB Pagham Agreements – The authority will not be known at validation stage so please note accordingly – Legal Officer to check later) • If this is an OFFICER Decision, sign and print your name in the box opposite , or • If this is a Development Control Decision that has already been made you will need to provide: Date of Development Control Meeting: xx/xx/xx Minute Number: xxxxxxxx, or • If this is for Development Control to make the Decision <u>in the future</u>, please provide the date of the future meeting or insert 'to be advised' if the date has not been set Date of Future Development Control Meeting: Intention to take this to Committee on 08/01/19	
Full name(s) of Freeholders/Leaseholders: (ideally the developer will have completed a recent land registry search which should be attached as well)		See Application Form attached	
Location Plan and Application Form attached			

HEADS OF TERMS

Planning Officer to set out the Heads of Terms below:

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
Healthcare contribution	Prior to occupation of 10 th market housing unit	£41,957 Index Linked	NHS	For the needs of managing "on the day demand" at The Croft (preferred option) or alternative site (linked to where patients register/receive services) Likely used to assist with the creation of a new integrated community hub facility at the Croft Medical Centre on Barnham Road in Eastergate	n/a	n/a
Primary Education Contribution	Prior to occupation of 10 th market housing unit	Formula - see WSCC Response for full text	WSCC	Internal alterations and reconfiguration to accommodate additional pupils and increase classroom provision at Yapton C of E Primary School (or its successor)	n/a	n/a
Secondary Education Contribution	Prior to occupation of 10 th market housing unit	Formula - see WSCC Response for full text	WSCC	On phase 1 of the new secondary school serving Arun.	n/a	n/a
6th Form Education Contribution	Prior to occupation of 10 th market housing unit	Formula - see WSCC Response for full text	WSCC	Additional facilities at St Phillip Howard Catholic High School Sixth Form;	n/a	n/a
Libraries Contribution	On or before commencement	Formula – see WSCC Response for full text	WSCC	On additional stock at Arundel Library;	n/a	n/a
Fire & Rescue	On or before commencement	Formula - see WSCC Response for full text	WSCC	Towards new anti-ventilation and UHP (ultra-high pressure) equipment which allows the fire service to control access and smoke penetration within the Southern area serving the parish of Yapton	n/a	n/a
Cycleway Contribution	Prior to occupation of the	TBC	WSCC Highways	Contribution towards the proposed Yapton	n/a	n/a

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	first dwelling unit	(Highways yet to confirm)		to Banham Cycleway NB suggest using wording from S106 attached to Y/92/17/OUT.		
Public Open Space/ (only if to be passed to ADC for adoption, otherwise then a management plan to be submitted)	Within 2 months of completion of POS	£13.51 per m2	ADC (Sue Howell)	n/a	n/a	n/a
LAP/LEAP Maintenance Contribution (only if to be passed to ADC for adoption, otherwise then a management plan to be submitted)	Within 2 months of completion of LEAP/LAP	£1500 per annum x 16 years	ADC (Sue Howell)	n/a	n/a	n/a

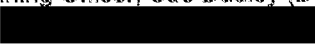
NON-FINANCIAL Obligation Summary	Trigger Point	Due To (ADC, WSCC, Other)	Department/Officer to Confirm Compliance
Affordable Housing - 30% (10) affordable homes on-site. Arjan de Jong to advise on mix	Not to occupy or cause to allow to occupy more than 50% of the market housing units in the development until the affordable housing is provided on the land	ADC	Arjan de Jong
Provision of POS area and a LAP & LEAP within it	Completed no later than occupation of 25th market housing unit	ADC	Sue Howell
Where the developer intends to keep some of the estate roads private we will require provisions in any s106 agreement to ensure that they are properly built, never offered for adoption and that a certificate from a suitably qualified professional is provided confirming their construction standard.	n/a	WSCC	?

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COMPLETION REPORT

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

Seal Register Number:	Date of Agreement (or <u>original deed/agreement</u> if this is a variation/supplemental):
11012020	26/03/2020
Statement completed by: (Legal Officer)	
	

Please distribute completed statement to: The Planning Officer, Sue Dudley (Deed Store), Ros Bentley (S106 Monitoring Officer), Nicola Spencer (Planning) and 

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