



# **ADUR DISTRICT COUNCIL**

## **Infrastructure Funding Statement (IFS)**

**2019 - 2020**



**ADUR DISTRICT  
COUNCIL**

**[THIS PAGE HAS BEEN LEFT INTENTIONALLY BLANK]**

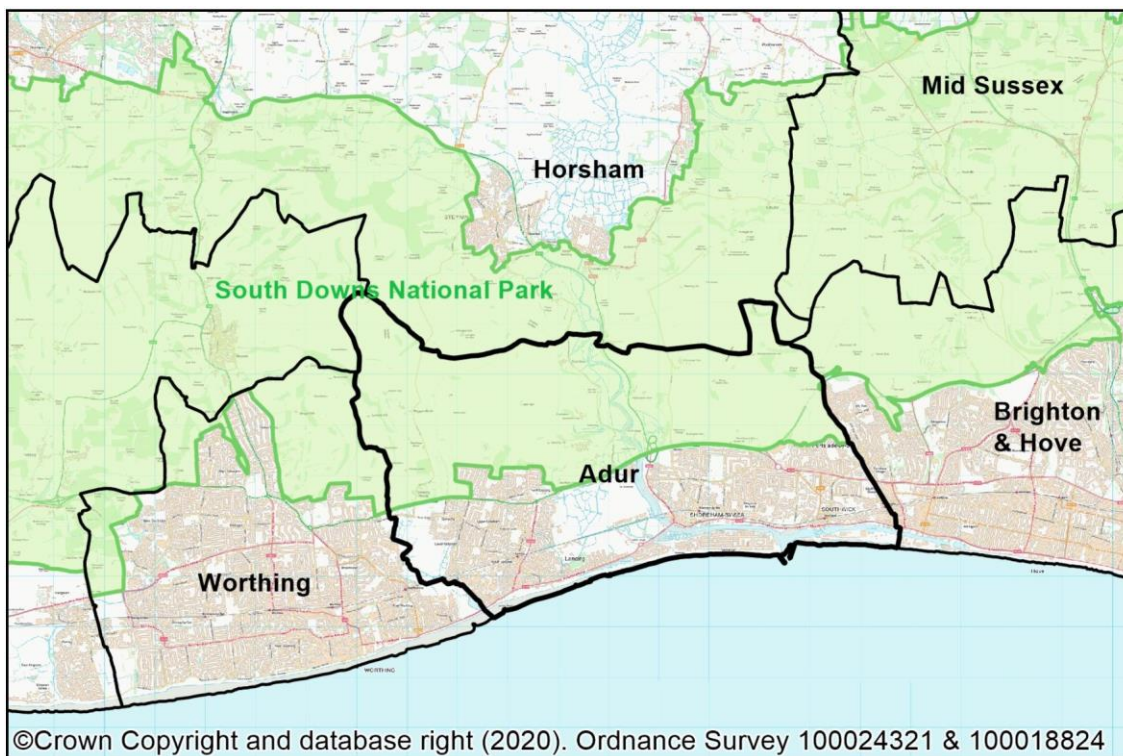
<b>Introduction</b>	<b>p.1</b>
<b>Community Infrastructure Levy</b>	<b>p.2</b>
<b>Section 106 Planning Obligations</b>	<b>p.3</b>
<b>Section 278 Highways Agreements</b>	<b>p.3</b>
<b>Section 106 report</b>	<b>p.4</b>
<b>Monetary contributions agreed</b>	<b>p.5</b>
<b>Case Study - New Monks Farm Development</b>	<b>p.7</b>
<b>Non-monetary contributions agreed</b>	<b>p.8</b>
<b>S106 received</b>	<b>p.10</b>
<b>S106 allocated and unspent</b>	<b>p.11</b>
<b>S106 spent</b>	<b>p.12</b>
<b>S106 retained</b>	<b>p.15</b>
<b>S106 funded projects - Case Studies</b>	<b>p.15</b>
<b>Affordable Housing - Albion Street Development</b>	<b>p.16</b>
<b>Transport and Travel – Widewater Bridge</b>	<b>p.16</b>

**[THIS PAGE HAS BEEN LEFT INTENTIONALLY BLANK]**

## Introduction

The Infrastructure Funding Statement (IFS) is an annual report typically published in December, which provides a summary of all financial and non-financial developer contributions relating to section 106 Legal Agreements (s106) within Adur District<sup>1</sup> for a given monitoring year. This is the first infrastructure funding statement, which must be published by 31st December 2020. Subsequent statements must be published at least annually thereafter. This report reflects the monitoring year from 1st April 2019 to 31st March 2020.

**Figure 1: Map of Adur District**



Throughout the IFS there will be references to the following definitions:

- **Agreed** – Contributions that have been agreed within a signed legal document. These contributions have not been collected/ delivered and if the planning applications are not implemented they will never be received
- **Secured** – Contributions which have been ‘triggered’ in accordance with the signed legal agreement
- **Received** – Contributions received, either non-monetary or monetary, by Adur District Council (ADC)

<sup>1</sup> Excluding the area covered by the South Downs National Park – that area is covered by the SDNP Infrastructure Funding Statement

- **Transferred** – Contributions that have been received by ADC and transferred to another agency (e.g. West Sussex County Council)
- **Allocated** – Contributions that have been received by ADC and committed to specific infrastructure projects
- **Spent/ Delivered** – Monetary or non-monetary contributions that have been spent on specific infrastructure projects, or used to deliver infrastructure projects
- **The monitoring year 2019/20 (the last monitoring year)** - unless stated otherwise, this refers to the period 01/04/2019 – 31/03/2020

The government recently published a White Paper which includes plans to replace the current developer contributions (s106 and CIL) with a new ‘infrastructure levy’, which would be the means by which developers would contribute towards the cost of the additional infrastructure needs to the local area caused by the development. Until such a time that it is in place, the Council has an obligation to report on planning obligations for the last monitoring year.

## Community Infrastructure Levy

The Community Infrastructure Levy (CIL) is a fixed, tariff-based planning charge, which allows Local Planning Authorities (LPAs) to require developers to pay a levy on liable development (per square metre). CIL is designed to recognise the costs to LPAs in providing infrastructure to support the cumulative impact on infrastructure from development. It is a mechanism to secure financial contributions from developers on certain liable developments and CIL monies can be used to fund the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of the area.

LPAs can determine whether or not to introduce the levy and the rates used for different development types, informed by viability of development in the area. CIL Rates must be set out via a published charging schedule. Adur District Council (ADC) does not currently have a CIL Charging Schedule in place. As such, developer contributions are sought solely via section 106 planning obligations. Therefore, there is no need, at the current moment in time, to produce an Infrastructure List (a statement of the infrastructure projects which the charging authority intends may be wholly or partly funded by CIL) or a CIL report (on matters specific to CIL in relation to the previous financial year) as part of the IFS.

Should the situation regarding CIL in Adur change, information will be uploaded to the Council’s website, at:

[www.adur-worthing.gov.uk/planning-policy/adur/adur-infrastructure/#cil](http://www.adur-worthing.gov.uk/planning-policy/adur/adur-infrastructure/#cil)

## Section 106 Planning Obligations

Planning obligations under section 106 of the Town and Country Planning Act 1990 (as amended) are commonly known as section 106 (s106) agreements. S106 contributions can either be provided on-site, for example through the provision of affordable housing, or off-site in the form of financial payments. Obligations can only be sought where they are directly related to the development, fairly and reasonably related in scale and kind to the development, and necessary to make the development acceptable in planning terms, in accordance with Regulation 122 of the CIL Regulations (as amended). S106 agreements should be focused on addressing the specific mitigation required by a new development, whereas CIL has been developed to address the broader impacts of development. For a number of reasons developers do not implement all planning permissions and therefore if a planning permission is not implemented, the associated section 106 agreement will not be implemented.

Financial planning obligations contained in an s106 agreement tend to include details on the specific purpose the money can be spent on. A timeframe for the spend of s106 funds is often set in the agreement, meaning that the LPA will have to pay back any unspent financial contributions at the end of the timeframe. County Council contributions, for the provision of services such as education, highways, fire and libraries will be collected by West Sussex County Council (WSCC). Contributions relating to WSCC will not be reported on in the ADC IFS, but can be found in the IFS produced by WSCC;

[www.westsussex.gov.uk/roads-and-travel/information-for-developers/section-106-planning-obligations/](http://www.westsussex.gov.uk/roads-and-travel/information-for-developers/section-106-planning-obligations/)

## Section 278 Highways Agreements

Additional legal agreements that can fund infrastructure are section 278 Agreements (s278). These are legally binding agreements made under the Highways Act 1990 between Local Highway Authorities and Developers. S278 agreements are required to secure alterations or improvements to the highway. The works may include minor highway realignments, roundabouts, traffic signals, passing bays etc. Contributions towards mitigation on the Strategic Road Network by individuals or groups of developments are dealt with via section 278 of the Highways Act 1980, not via CIL or s106. Information on section 278 highways agreements can be found on the West Sussex County Council (WSCC) webpage;

[www.westsussex.gov.uk/roads-and-travel/information-for-developers/road-agreements/](http://www.westsussex.gov.uk/roads-and-travel/information-for-developers/road-agreements/)

It has been agreed that West Sussex County Council will report on the section 278 agreements entered into in Adur.



## Section 106 report

The following information is presented in order to comply with the CIL Regulations (as amended in 2019) on the reporting of section 106 Agreements (s106) for the monitoring year 2019/20. It sets out how much s106 has been collected, where it has been allocated to and how it has been spent. It includes both monetary and non-monetary contributions. **Please note that education, libraries, fire and some transport contributions are paid to and are spent by West Sussex County Council (WSSC) and are therefore not included in this report. This information can be found at:**

[www.westsussex.gov.uk/roads-and-travel/information-for-developers/section-106-planning-obligations/](http://www.westsussex.gov.uk/roads-and-travel/information-for-developers/section-106-planning-obligations/)

**Table 1: Overview of section 106 contributions agreed, received and spent in 2019/20**

Description	Amount	Further Information
Total amount of money which may be provided under any planning obligations which were entered into during 2019/20 <sup>2</sup>	£3,627,399.31	Details are set out in the 'Monetary contributions agreed' section below. The monies are not a guaranteed income source and should therefore not be relied upon for forecasting purposes as the payment is contingent upon relevant triggers set out in the section 106 agreement.
The total number of affordable housing units agreed under any planning obligations which were entered into during 2019/20	180 affordable housing units	These will be secured and delivered at agreed points before, during or after the completion of the relevant developments.
Total amount of money under any planning obligations which was received during 2019/20 <sup>3</sup>	£42,673.06	Details are set out in the 'S106 received' section below.
Total amount of money under any planning obligations which was received before 2019/20 which has	£208,620.12	Of the 'unallocated funds', over £120,000 are required to be used to deliver open space and leisure projects - but is waiting to be formally 'allocated' for spending or passed on to an infrastructure

<sup>2</sup> Schedule 2, Paragraph 3(a)

<sup>3</sup> Schedule 2, Paragraph 3(b)



not been allocated <sup>4</sup>		provider.
Total amount of money under any planning obligations which was allocated, but not spent, in 2019/20 <sup>5</sup>	£144,961.76	Details are set out in the 'S106 allocated and unspent' section below.
Total amount of money (received under any planning obligations) which was spent by the authority in 2019/20 <sup>6</sup>	£327,160.81	This includes transferring it to another body to spend (e.g. West Sussex County Council)
Total amount of money received (under any planning obligations) during any monitoring year which was retained at the end of 2019/20	£602,968.26	Of this amount, £384,328.14 has been 'allocated' to infrastructure projects.

## Monetary contributions agreed

In the monitoring year 2019/20:

- 379 planning applications were permitted, of which 5 were major applications
- Two applications contained signed section 106 agreements
- This is a decrease from the three section 106 agreements signed in 2018/19

---

<sup>4</sup> Schedule 2, Paragraph 3(c)

<sup>5</sup> Schedule 2, Paragraph 3(e)

<sup>6</sup> Schedule 2, Paragraph 3(f)

**Table 2: Details of monetary contributions included in section 106 agreements entered into by ADC in 2019/20<sup>7</sup>**

Planning Ref	Site Address	Date of s106	Contribution	Purpose of contribution
AWDM/0961/17	Land East Of Shadwells Road, At Mash Barn Estate, Mash Barn Lane, Lancing	04/02/2020	Up to £648,000.00 <sup>8</sup>	Off-site Affordable Housing
			Up to £1,607,040.00 <sup>9</sup>	Off-site Affordable Housing
			Up to £663,000.00 <sup>10</sup>	Air Quality Measures
			£500,000.00	Improvements to healthcare facilities in the parish of Lancing
			£100,000.00	Improvements to the local equipped area of play on Shadwells Road, Lancing
			£109,359.31	Improvements to the Sussex Police Service

More details on the planning obligations contained in Table 2 can be found in the ‘Case Study - New Monks Farm Development’ section below.

<sup>7</sup> Some transport contributions are sent directly to West Sussex County Council, so would not be reported as received by ADC in future years

<sup>8</sup> Conditional contribution - dependent on the outcome of viability assessment(s) to be completed

<sup>9</sup> Conditional contribution - in lieu of the on-site provision of Affordable Housing (being unable to conclude a binding contract with the Registered Provider)

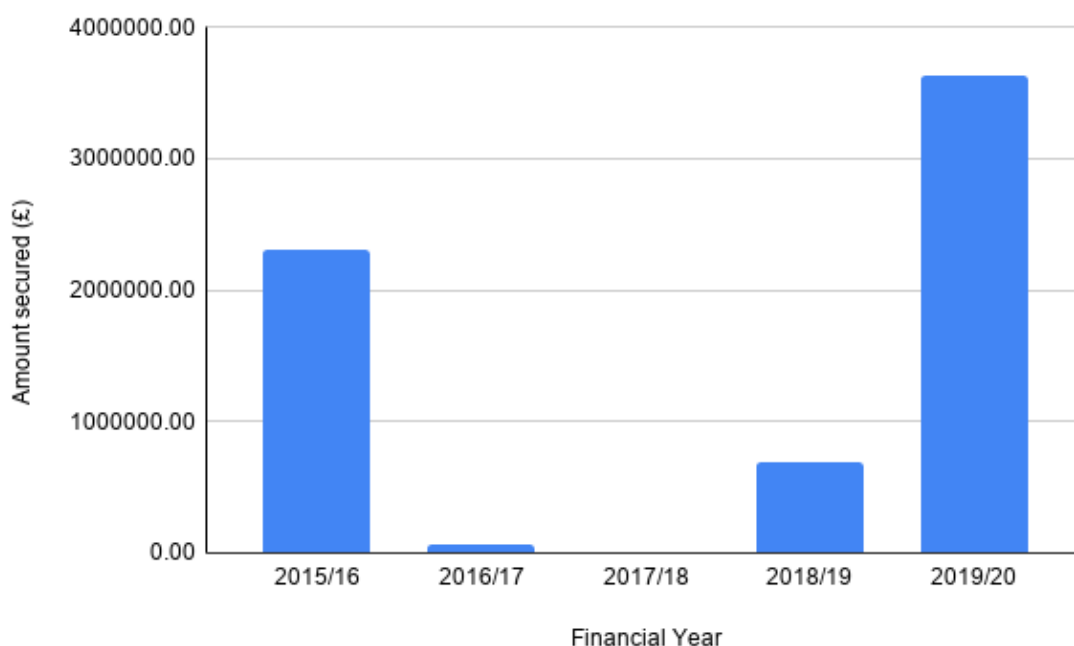
<sup>10</sup> Conditional contribution – if any or all of the Air Quality Measures have not been implemented within the development

During this monitoring year:

- A total of up to £3,627,399.31 was secured through s106 agreements by ADC
- The majority (62%) of these contributions relate to Affordable Housing

The graph below indicates the amount of money secured through s106 agreements by ADC in previous years<sup>11</sup>.

**Figure 2: Total value of section 106 financial contributions included in agreements entered into by ADC in each monitoring year**



## Case Study - New Monks Farm Development

The monetary contributions contained in the s106 agreement for AWDM/0961/17 relate to the application for 600 houses and an IKEA on the land between Shoreham and Lancing which borders the A27 and Shoreham Airport. The application was granted in February 2020 upon the signing of the s106 agreement. This was a hybrid application, with the first part being full permission, and the rest outline permission. Therefore, there will be a further application(s) in due course, and potentially new s106 agreements. Plans also include the provision of a new roundabout on the A27, a country park, land for a school and a community hub. It will also see the relocation and expansion of the Withy Patch Gypsy and Traveller site.

The s106 agreement includes the provision of 180 affordable housing units to be provided on site. 60% are to be affordable rent units, with 40% intermediate housing. Should the developer be unable

<sup>11</sup> Note that some of the contributions may appear in multiple years where agreements have been varied under a Deed of Variation in subsequent years

to conclude a binding contract with a registered provider (RP), they will be required to make an offsite affordable housing contribution (180 dwellings would require min payment of £1,607,040). A further financial affordable housing contribution towards off site affordable housing is to be paid in the event of a financial surplus.

Further contributions are to be made to West Sussex County Council (WSSCC), including a contribution of £3,618,650 to education provision. The developer will transfer part of the site for the county council to build the school. As part of the agreement, the developer will also pay a £60,928 library contribution and £5,801 towards the fire service.

**Figure 3: Artists impressions of the New Monks Farm development - site plan**



### **Non-monetary contributions agreed**

The table below sets out the non-financial contributions which have been included in s106 agreements entered into by ADC during 2019/20<sup>12</sup>. These will be secured and delivered at agreed points before, during or after the completion of the relevant developments.

<sup>12</sup> Schedule 2, Paragraph 3(d)(i) - (ii)

**Table 3: Details of non-financial contributions included in section 106 agreements entered into by ADC during 2019/20**

Planning Ref	Site Address	Date of S106	Contribution	Details
AWDM/1093/17	Shoreham Airport, Cecil Pashley Way, Shoreham	20/12/2019	Drainage Management Plan	Written plan for the ongoing management and maintenance of the surface water drainage infrastructure both on and in association with the New Monks Farm Development on the Drainage Land
AWDM/0961/17	Land East Of Shadwells Road, At Mash Barn Estate, Mash Barn Lane, Lancing	04/02/2020	180 Affordable Dwellings	60% Affordable Rent, 40% Intermediate Housing. Provided as part of the Development
			Air Quality Plan	Measures set out in the Emissions Mitigation Options List
			Community Hub	Floorspace within a building of no less than 250 sqm
			Country Park	Provided on part of the Development Site
			Drainage Management Plan	Written plan for the ongoing management and maintenance of the drainage infrastructure associated with the Development

			Employment Plan	Employment and Training Plan relating to the construction of the development
			Local Equipped Area of Play	Provided on part of the Development Site

Other site or development specific requirements, including net proceeds of sale, occupancy restrictions, provision of street furniture, schedule of specific works, highways and general estate management matters are not listed within the table above.

### **S106 received**

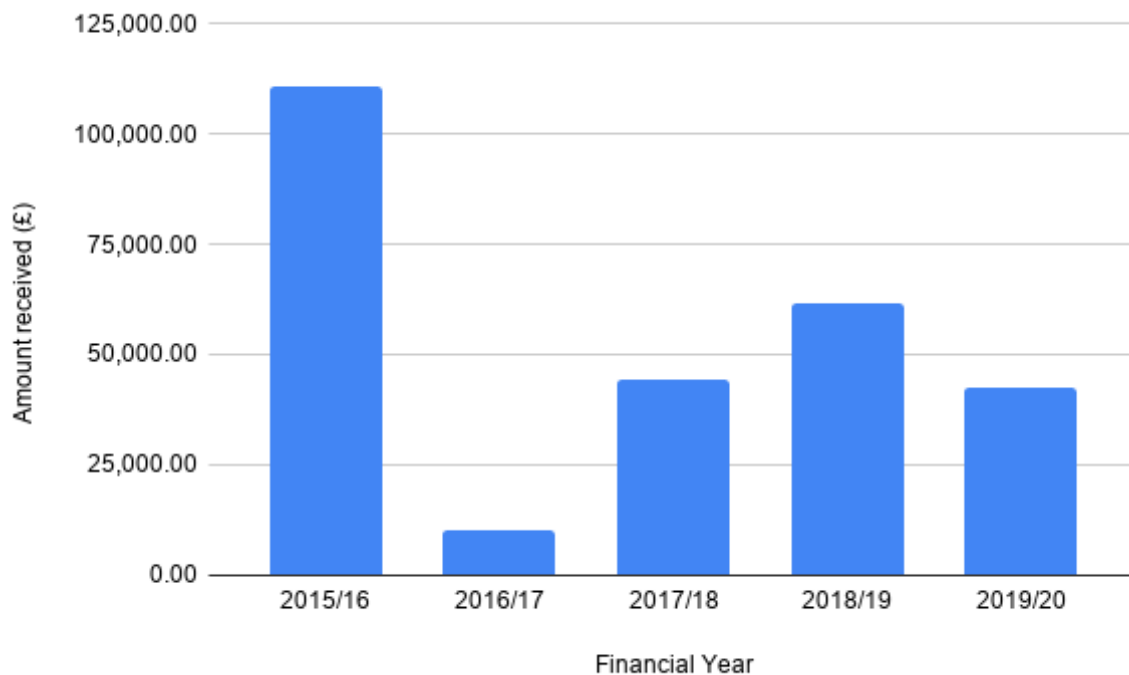
The Council received a total of £42,673.06 in s106 contributions during 2019/20, which came from one development. 77% of the contributions received relate to the provision of off-site affordable housing in Adur.

**Table 4: Section 106 financial contributions received by ADC during 2019/20**

<b>Planning Ref</b>	<b>Site Address</b>	<b>Amount of s106 received</b>	<b>Category of expenditure</b>
AWDM/0969/17	The Luxor Centre, Station Parade, South Street, Lancing	£10,020.00	Transport and Travel
		£32,653.06	Affordable Housing

The amount of s106 contributions received by ADC vary each year according to the number of agreements signed and how many obligations have reached a trigger point for payment.

**Figure 4: Total value of section 106 financial contributions received by ADC in each monitoring year**



### **S106 allocated and unspent**

The total amount of money (received under any planning obligations) which was allocated but not spent during 2019/20 for funding infrastructure was £144,961.76<sup>13</sup>. All of the s106 funds allocated in 2019/20 relate to transport improvements. A summary of the infrastructure projects and amount of money allocated to it are set out in the table below<sup>14</sup>. The 's106 funded projects - Case Studies' section below includes more information on some of the projects which have been allocated or received s106 funds.

<sup>13</sup> Schedule 2, Paragraph 3(e)

<sup>14</sup> Schedule 2, Paragraph 3(g)



**Table 5: Summary of infrastructure projects allocated section 106 funds during 2019/20<sup>15</sup>**

<b>Scheme Allocated to</b>	<b>Amount Allocated</b>	<b>Further Information</b>
Widewater Bridge Accessibility Improvements	£103,772.76	Further details can be found in the 'S106 funded projects - Case Studies' section below.
Cycle route connecting businesses and schools in East Worthing - NCN2 link	£21,689.00	Improvements to a section of the NCN2 route through the District are being developed under the Sustainable Transport Package (STP) work by WSCC.
Shoreham High Street Access Improvements	£19,500.00	

## **S106 spent**

The total amount of money (received under any planning obligations) which was spent by ADC (including transferring it to another body to spend) in 2019/20 was £327,160.81. These funds were spent from obligations secured across several financial years. A summary of the infrastructure on which money has been spent is set out in the table below<sup>16</sup>. The 's106 funded projects - Case Studies' section below includes more information on some of the projects which have been allocated or received s106 funds.

**Table 6: Expenditure of section 106 funds by ADC during 2019/20, by category on infrastructure type**

<b>Category</b>	<b>Amount Spent</b>
Affordable Housing	£32,653.06
Open Space and Leisure	£291,753.75

<sup>15</sup> Please note that some of these projects are joint ADC/WSCC projects and therefore may also be recorded in the WSCC IFS

<sup>16</sup> Schedule 2, Paragraph 3(h)(i)

Transport and Travel	£2,754.00
----------------------	-----------

**Table 7: Summary of infrastructure projects receiving ADC section 106 funds during 2019/20<sup>17</sup>**

Planning Ref	Address	Category	Scheme	Amount Spent
SU/56/03	Sussex Wharf, Harbour Way, Shoreham-By-Sea	Open Space and Leisure	Maintenance of the public open space at Sussex Wharf	£2,853.75
AWDM/0205/12	Land South West Of New Monks Farm, Mash Barn Lane, Lancing	Open Space and Leisure	Wadurs Swimming Pool (Shoreham) - expansion of changing facilities	£100,000.00
		Open Space and Leisure	Southwick Leisure Centre - Refurbishment of tennis courts	£143,900.00
		Open Space and Leisure	Globe School swimming pool cover	£45,000.00
AWDM/0186/14	Colepen, East Street, Lancing	Transport and Travel	Cycle Improvement Measures	£2,754.00
AWDM/0969/17	The Luxor Centre, Station Parade, South Street, Lancing	Affordable Housing	Albion Street Affordable Housing Development	£32,653.06

<sup>17</sup> Please note that some of these infrastructure projects are delivered by WSCC – therefore the funds may also appear in their IFS

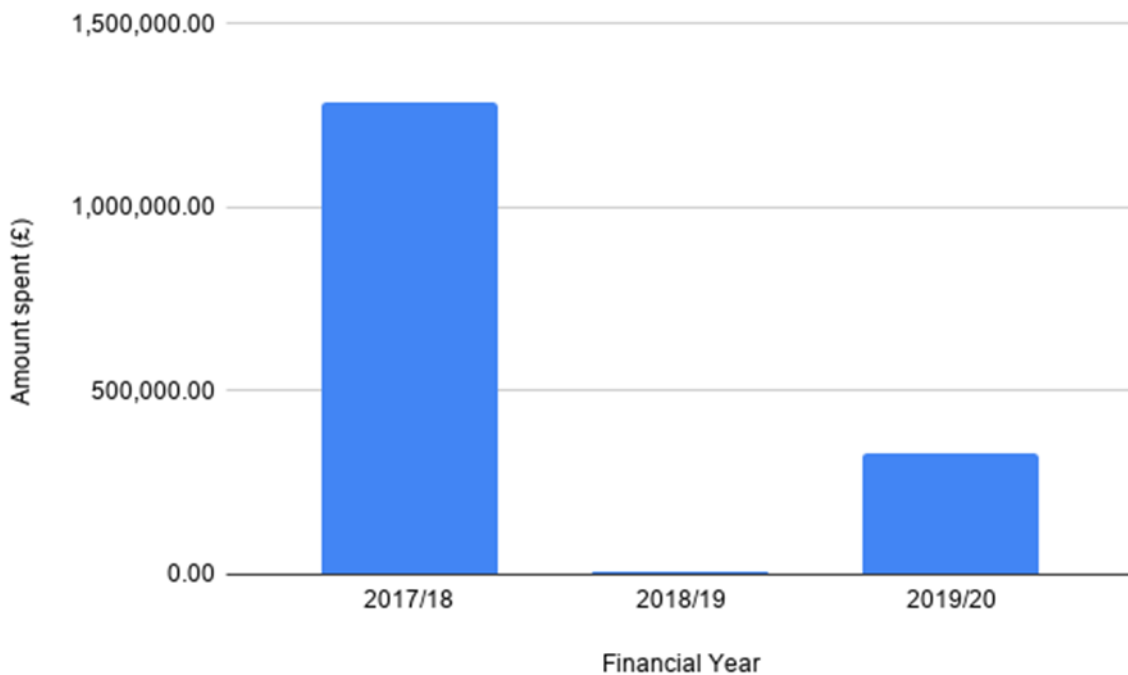
<b>Total</b>	<b>£327,160.81</b>
--------------	--------------------

Note that these projects received S106 funds between 1st April 2019 and 31st March 2020, however the exact date is not recorded.

ii) Amount of s106 money (received under planning obligations) which has been spent on repaying money borrowed, including interest <sup>18</sup> .	£0
--	----

iii) Amount of s106 money (received under planning obligations) which has been spent in respect of monitoring <sup>19</sup> .	£0
---	----

**Figure 5: Amount of section 106 contributions spent by ADC in each financial year**



<sup>18</sup> Schedule 2, Paragraph 3(h)

<sup>19</sup> Schedule 2, Paragraph 3(h)

## SI06 retained

The total amount of s106 money received (under any planning obligations) during any monitoring year which was retained at the end of 2019/20 was £602,968.26. Of this, £43,373.38 has been retained for the purposes of longer term maintenance (known as a commuted sum)<sup>20</sup>.

**Table 8: Total value of section 106 financial contributions retained at the end of 2019/20**

<b>Contribution Type</b>	<b>Amount of money retained and unallocated at the end of 2019/20</b>	<b>Amount of money allocated but unspent at the end of 2019/20</b>
Air Quality	£2,356.87	£5,000.00
Open Space and Leisure	£122,796.80	£193,373.38
Other <sup>21</sup>	£61,610.00	£0
Public Art	£10,000.00	£0
Transport and Travel	£21,876.45	£185,954.76
<b>Total</b>	<b>£218,640.12</b>	<b>£384,328.14</b>

Often when section 106 funding is received in smaller amounts, the Council will combine these contributions over time to invest in larger projects which have a greater impact in the community.

## SI06 funded projects - Case Studies

Below are case studies of some of the infrastructure projects which have received or been allocated section 106 funds.

<sup>20</sup> Schedule 2, Paragraph 3(i)

<sup>21</sup> 'To be used for whatever came forward as being most important'

## **Affordable Housing - Albion Street Development**

Adur District Council is progressing with plans for 55 homes in Albion Street, Southwick. Previously, private developers received permission to create 50 homes on the site in November 2018, with 30% of the homes secured as affordable housing. Since the developer pulled out, the Council has received further permission to increase the number of units to 55. When complete, all of these will be available to individuals and families on the housing waiting list.

Section 106 contributions of over £32,000 have been spent on helping to fund the development.

## **Transport and Travel – Widewater Bridge**

West Sussex County Council (WSCC) are progressing with a project to replace the footbridge at Widewater Lagoon, making the coastal nature reserve and Lancing's beach more accessible for people with disabilities.

The new bridge will be made from Fibre Reinforced Polymer (FRP). FRP is lighter than alternative building materials, which means the new bridge can be constructed off-site and a small crane used to lift it into position. Ongoing costs are far cheaper, too, as there is no need for re-painting and the material does not rot.



The project is estimated to cost about £300,000 and will be funded through developer contributions (section 106 funds), with Adur District Council providing £103,000 of the section 106 funds.

More information can be found here;

[www.westsussex.gov.uk/news/new-bridge-will-improve-accessibility-to-lagoon-and-lancing-beach/](http://www.westsussex.gov.uk/news/new-bridge-will-improve-accessibility-to-lagoon-and-lancing-beach/)

**[THIS PAGE HAS BEEN LEFT INTENTIONALLY BLANK]**

**Adur District Council  
Planning Policy  
Portland House  
44, Richmond Road  
Worthing  
West Sussex  
BN11 1HS**



**ADUR DISTRICT  
COUNCIL**