



# WORTHING BOROUGH COUNCIL

## Infrastructure Funding Statement (IFS)

2020 – 2021

November 2021



WORTHING BOROUGH  
COUNCIL

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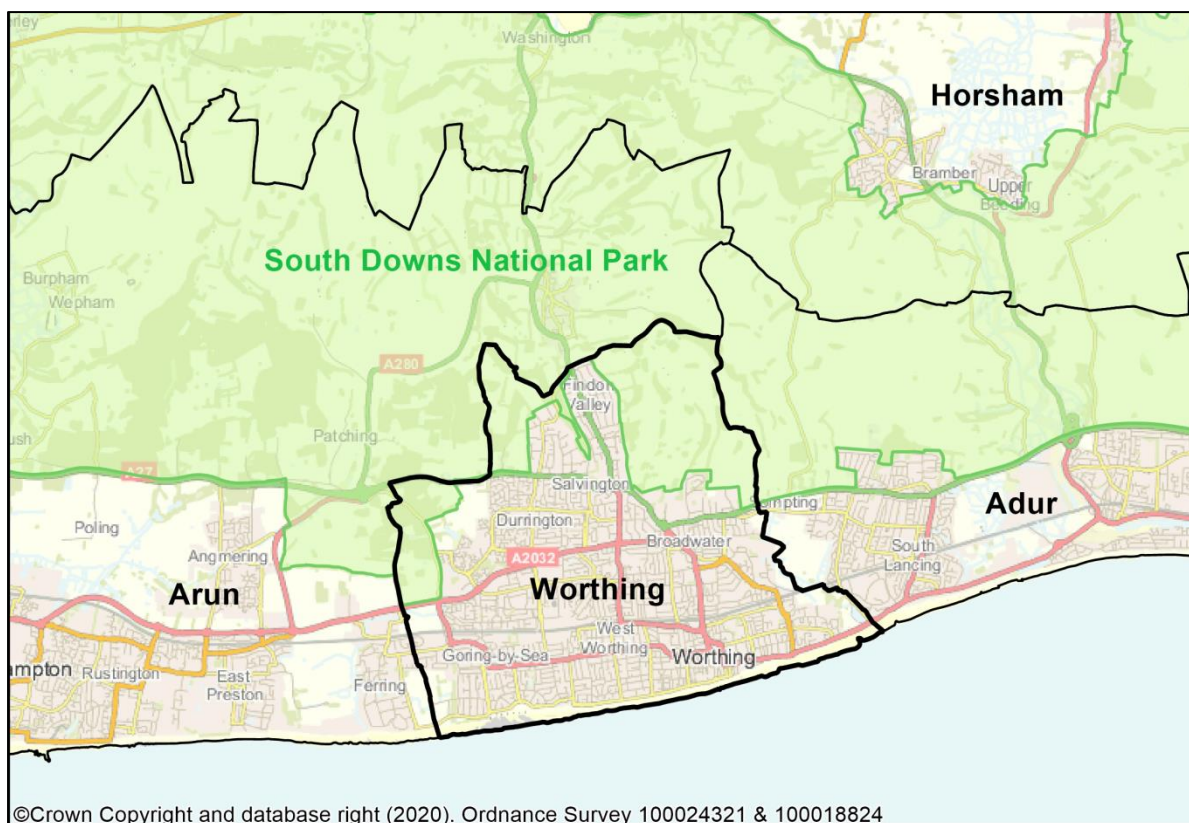
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# Introduction

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) and the Community Infrastructure Levy (CIL) within Worthing Borough<sup>1</sup> for a given monitoring year. The first infrastructure funding statement had to be published by 31st December 2020, with subsequent statements published at least annually thereafter. This annual report reflects the monitoring year from 1st April 2020 to 31st March 2021.

Following a brief overview of developer contributions, the first section of the IFS includes a statement of infrastructure projects that Worthing Borough Council intends to be, or may be, wholly or partly funded by CIL. The statement then provides further details on CIL and then s106 planning obligations for the monitoring year.

Figure 1: Map of Worthing Borough



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

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 or 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/collected** – Contributions received, either non-monetary or monetary, by Worthing Borough Council (WBC)
- **Transferred** – Contributions received that have been received by WBC and transferred to another agency (e.g. West Sussex County Council)
- **Allocated** – Contributions that have been received by WBC and committed to specific 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 2020/21 (the last monitoring year)** - this refers to the period 01/04/2020 – 31/03/2021
- **CIL Regulations** – this refers to the Community Infrastructure Levy Regulations 2010 (as amended)

The government published a White Paper in August 2020 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 and CIL 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 in providing infrastructure to support the cumulative impact on infrastructure from development. It is a mechanism to secure financial contributions from developers on certain viable 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. Worthing Borough Council (WBC) has been charging CIL on liable new development, detailed in the WBC CIL Charging Schedule, which have been granted planning permission from the 1st October 2015.

Given the need to keep the CIL charging schedule up-to-date and to reflect changing market conditions, Worthing Borough Council undertook a review of the CIL charging schedule. The CIL Review undertaken by our consultants considered there to be justification to revise the current approach to CIL in the borough. The recommendations of the review suggest a possible revised CIL draft charging schedule (DCS). Worthing Borough Council consulted on the revised CIL draft charging schedule between Tuesday 30th June and Tuesday 25th August 2020. The Council submitted the revised draft charging schedule for examination on October 2020. The Examination was held 'virtually' on Thursday 28th January 2021. Worthing Borough Council received the Inspector's Report in May 2021 which recommended approval of the revised CIL charging schedule. It was approved by the Council in July 2021 and it was implemented on 1st August 2021.

More information on the examination can be found on the [Worthing CIL Examination 2020 webpage](#).

The CIL Regulations state that CIL receipts may be allocated in the following proportions:

- 80% for the strategic infrastructure needs of the Borough
- 15% for Neighbourhood funding
- 5% for the cost of administering CIL

More information on the community infrastructure levy is available on the [Council's website](#).

## 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 lapses, 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. Contributions relating to WSCC will not be reported on in this IFS, but can be found in the [WSCC Infrastructure Funding Statement \(IFS\)](#).

## 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](#).

It has been agreed that West Sussex County Council will report on the section 278 agreements entered into in Worthing in the [WSCC Infrastructure Funding Statement \(IFS\)](#).



# The infrastructure list

## Infrastructure needs of the Borough

The infrastructure needs of the Borough are outlined in the Infrastructure Delivery Plan (IDP). The latest version of which is available on the [Council's website](#).

Whilst there are a large number of infrastructure needs within Worthing to support growth, in the main, these are not strategic in nature. It is also known that developer contributions, whilst helping to fund the infrastructure needs of Worthing, will not be able to cover all the costs and therefore certain infrastructure projects will have to be prioritised. Additional funding for infrastructure projects will be needed from additional sources.

## Anticipated funding from CIL

The figures set out in the receipts trajectory table below are based on a number of assumptions (set out below). It represents a running total that assumes 'no spend'. The table is included as an appendix in the Infrastructure Investment Plan (IIP) and will be updated and revised in future iterations of the IIP, particularly once money has been allocated to priority projects. These projections are based on a number of assumptions.

**Table 1: Anticipated CIL receipts trajectory (Feb 2021)**

| Monitoring Year | Total CIL receipts | Strategic Pot (70%) | Neighbourhood Pot (15%) | 'Other Services' Pot (10%) | Admin Pot (5%) |
|-----------------|--------------------|---------------------|-------------------------|----------------------------|----------------|
| Carried f/wd    | £1,125,000         | £790,000            | £169,000                | £113,000                   | £33,000        |
| 2020/21         | £1,505,000         | £1,056,000          | £226,000                | £151,000                   | £52,000        |
| 2021/22         | £3,511,000         | £2,460,200          | £526,900                | £351,600                   | £152,300       |
| 2022/23         | £7,937,000         | £5,558,400          | £1,190,800              | £794,200                   | £373,600       |
| 2023/24         | £11,475,000        | £8,035,000          | £1,721,500              | £1,148,000                 | £550,500       |
| 2024/25         | £12,812,000        | £8,970,900          | £1,922,050              | £1,281,700                 | £617,350       |
| 2025/26         | £14,655,000        | £10,261,000         | £2,198,500              | £1,466,000                 | £709,500       |

|         |             |             |            |            |          |
|---------|-------------|-------------|------------|------------|----------|
| 2026/27 | £15,482,000 | £10,839,900 | £2,322,550 | £1,548,700 | £750,850 |
| 2027/28 | £15,707,000 | £10,997,400 | £2,356,300 | £1,571,200 | £762,100 |
| 2028/29 | £15,932,000 | £11,154,900 | £2,390,050 | £1,593,700 | £773,350 |

## How the authority will use CIL contributions

Worthing Borough Council has produced an [Infrastructure Investment Plan \(IIP\)](#) which will focus on which projects should be prioritised to receive funding from the Community Infrastructure Levy (CIL). The IIP prioritises infrastructure via a three year rolling programme, which is updated each year to reflect the most up-to-date housing trajectory and infrastructure requirements across the plan area.

The 'strategic pot' (80% of all CIL funds collected) forms the main focus of the IIP. For clarity, Worthing Borough Council has agreed to 'top slice' this proportion, so that 70% of all CIL money received is spent on Worthing Borough Council and West Sussex County Council projects. The remaining receipts (10% of total CIL money collected) is allocated to 'other service providers' (such as NHS partners, Police, Ambulance Trust) once that part of the 'pot' has reached £100,000.

The greatest single priority of both WBC and WSCC is responding to the impacts of climate change whilst at the same time managing and supporting growth. Informed by this overarching objective, for the 3-year period 2020-2023, two main 'themes' have been identified to be the focus for infrastructure funding from the CIL strategic pot (70% of total CIL), these are 'A Healthy Town Centre' and 'Managing Strategic Growth'.

A wide range of infrastructure projects come under the two themes above. However, to achieve the most significant impact it has been agreed by the Joint Officer Member Board (JOMB) that the CIL money collected should be used to fund 'large' infrastructure projects that provide a clear and tangible range of benefits to the town and the people who use it. The projects listed below have been identified as key infrastructure projects to be delivered over the period 2020-2023:

- *Railway Approach to town centre public realm scheme*: The recent approval for the redevelopment of Teville Gate House to provide a new 5 storey office accommodating 800 staff and the current proposals for the redevelopment of Teville Gate for 370 homes, hotel, retail and commercial floorspace provides an opportunity to deliver significant improvements to the public realm from the railway station through Teville Gate (Station Square) and into the town centre.
- *South Street public realm scheme*: The main route into the town centre and seafront finishes in South Street and feasibility work has assessed 3 options for enhancing both

the north and south end of the street to enhance the primary shopping areas and gateway to the pier and seafront.

- *Portland Road public realm scheme:* As well as the main access into the town centre (via Chapel Road/South Street) the public realm strategy has identified Portland Road as a key pedestrian route into the primary retail area of Montague Street and an opportunity to provide a shared surface enhancing pedestrian access and assist businesses in the area. The scheme has significant support from retailers and the Town Centre Initiative.
- *Montague Place public realm scheme:* is an important link between the shopping street of Montague Street, the Seafront of Marine Parade and Liverpool Gardens to the north. The street serves as a point of access for delivery vehicles to the retail area.
- *Delivery of public Wi-Fi to the town centre and seafront:* Worthing is one of 14 areas to join CityFibres Gigabit City programme, a £2.5billion investment plan to bring full-fibre broadband to at least five million homes. The Council in partnership with the County Council has also secured funding to help deliver additional benefits and in particular to create public Wi-Fi to support key town centres and the seafront. Maximising the digital benefits to the public, businesses and residents is part of an integrated approach to promote healthy town centres.
- *Implementation of the Brooklands Masterplan:* Brooklands is an important area of public open space which is identified as a priority area for investment. It is Worthing's largest area of open space and provides an important role in the local community providing a wide range of formal and informal recreational activities. Whilst it is anticipated that private sector investment will deliver the formal recreational facilities proposed for the site, the provision of a large play area would help to pump prime investment into the site and therefore there is a need for a contribution of CIL money.
- *Somerset Lakes flood management:* these issues are an important concern not only to the existing homes that would be affected by flooding, but also the cumulative impact of proposed development in the area. There is need to utilise CIL funds for the necessary initial study into the existing dam at Somerset Lakes.

The table below shows the projects which have been selected to be funded from the 'Strategic pot' of the CIL income over this three year IIP period (2020-2023), by year the project will receive the funding. Each project is given a unique code in the title to ensure consistency with reporting.

**Table 2: Infrastructure projects to be funded from the CIL 'strategic pot' (2020-23)**

|  | <b>2020/2021</b>  | <b>2021/2022</b>  | <b>2022/2023</b>  |
|--|-------------------|-------------------|-------------------|
| 1 <sup>st</sup> April b/fwd  | £790,000          | £993,475          | £397,675          |
| <b>Income</b>  |                   |                   |                   |
| Estimated CIL income   | £266,000          | £1,404,200        | £3,098,200        |
| <b>Funds available</b>   | <b>£1,056,000</b> | <b>£2,397,675</b> | <b>£3,495,875</b> |
| <b>Expenditure</b>   |                   |                   |                   |
| <b>IIP001</b> – Public Realm Enhancements Railway Station to the Town Centre |                   | £1,650,000        | £2,000,000        |
| <b>IP002</b> - Public Wi-Fi for Town Centre(s)/ Seafront                     |                   | £300,000          |                   |
| <b>IIP003</b> – Brooklands Masterplan  | £62,525           |                   |                   |
| <b>IIP004</b> – Somerset Lakes   |                   | £50,000           |                   |
| <b>Total Expenditure</b>   | <b>£62,525</b>    | <b>£2,000,000</b> | <b>£2,000,000</b> |
|  |                   |                   |                   |
| <b>31<sup>st</sup> March c/fwd</b>   | <b>£993,475</b>   | <b>£397,675</b>   | <b>£1,495,875</b> |

*Note - figures for the amount of CIL funding for each project are only estimates at this stage as projects are still being developed and costed. The IIP and progress on the projects would, in any event, be reviewed on an annual basis.*

## Community Infrastructure Levy (CIL) report

The following information is presented in order to comply with the CIL Regulations (as amended 2019) on the reporting of CIL for the monitoring year 2020/21. It sets out how much CIL has been collected, where it has been allocated to and how it has been spent. In the monitoring year 2020/21, 25 CIL demand notices were issued (although some supersede previously issued demand notices). The CIL liability does not become due until a demand notice has been issued upon commencement of the development. Most CIL payments must be made within 60 days of the issue of a demand notice. However, some developments will meet the criteria to pay the CIL charge in instalments, meaning that some of the CIL receipts set out in demand notices in this monitoring year won't appear as received until future versions of the IFS.

**Table 3: Overview of CIL receipts and expenditure in 2020/21**

| Description   | Amount        | Further Information   |
|---|---------------|---|
| The total value of CIL set out in all demand notices issued in 2020/21 <sup>2</sup>   | £1,260,471.31 | This figure does not include any demand notices which were suspended/superseded. Of this, £4,476.26 were surcharges which were applied. |
| The total amount of CIL receipts for 2020/21 <sup>3</sup>   | £470,626.40   | See more in the 'CIL receipts' section below.   |
| The total amount of CIL receipts, collected by the authority before 1st April 2020 which have not been allocated <sup>4</sup>         | £771,491.65   | See more in the 'Total amount of CIL retained' section below.   |
| The total amount of CIL receipts, collected by the authority, before 1st April 2020 which have been allocated in 2020/21 <sup>5</sup> | £62,525.00    | The Infrastructure Investment Plan (IIP) states the prioritisation of projects to receive CIL funding for the period 2020-2023.         |
| The total amount of CIL expenditure in 2020/21 <sup>6</sup>   | £23,531.32    | This figure includes amount spent on administrative expenses.   |
| The total amount of CIL receipts, collected since it was introduced, which were allocated but not spent in 2020/21 <sup>7</sup>       | £62,525.00    | The Infrastructure Investment Plan (IIP) states the prioritisation of projects to receive CIL funding for the period 2020-2023.         |

<sup>2</sup> CIL Regulations 2010 (as amended) Schedule 2, Paragraph 1(a)

<sup>3</sup> Schedule 2, Paragraph 1(b)

<sup>4</sup> Schedule 2, Paragraph 1(c)

<sup>5</sup> Schedule 2, Paragraph 1(d)

<sup>6</sup> Schedule 2, Paragraph 1(e)

<sup>7</sup> Schedule 2, Paragraph 1(f)

## CIL receipts

A total of £470,626.40 was received from 15 CIL liable developments in Worthing between 1st April 2020 and 31st March 2021. A total of £37,040.94 was granted in Self Build relief and Social Housing relief during the monitoring year.

Table 4: Breakdown of WBC CIL receipts in 2020/21

| Ward         | Planning Ref | Address  | Amount received    |
|--------------|--------------|--|--------------------|
| Central      | AWDM/1633/16 | The Aquarena, Brighton Road                          | £188,579.36        |
|              | AWDM/1801/18 | Fourth Worthing Scouts, Scouts Hall, Anglesea Street | £7,109.92          |
|              | AWDM/1944/19 | 127 - 129 Clifton Road                               | £3,212.71          |
|              | AWDM/1019/20 | 114 Chapel Road                                      | £30,305.60         |
|              | AWDM/1717/20 | 18 Cobden Road                                       | £2,579.20          |
|              | AWDM/0821/20 | 32 - 36 South Street                                 | £40,959.10         |
| Durrington   | AWDM/1417/19 | 2 Montreal Way                                       | £7,058.49          |
| Goring       | AWDM/0582/20 | 106 Sea Lane   | £24,907.33         |
| Marine       | AWDM/1347/18 | Former 28, Sea Place                                 | £26,999.70         |
|              | AWDM/0002/19 | 23 Eirene Road                                       | £30,213.95         |
| Offington    | AWDM/0108/20 | Nursery Cottage, 12 Hurston Close                    | £14,185.00         |
|              | AWDM/1042/18 | 59 Warren Road                                       | £28,153.75         |
|              | AWDM/0945/18 | 30 Poulters Lane                                     | £21,010.53         |
| Salvington   | AWDM/0025/18 | 8 The Plantation                                     | £25,755.00         |
|              | AWDM/0759/20 | Dacha, 45 Mill Lane                                  | £19,596.76         |
| <b>Total</b> |              |  | <b>£470,626.40</b> |

Figure 2: Map showing development sites which have paid CIL in Worthing in 2020/21



## CIL expenditure

In relation to CIL expenditure for 2020/21, summary details of the CIL which has been spent, and the amount of CIL spent on each item<sup>8</sup>:

|  |    |
|--|----|
| i) Amount spent on items of infrastructure | £0 |
|--|----|

Note that the [Infrastructure Investment Plan \(IIP\)](#) has recently been adopted stating the prioritisation of projects to receive CIL funding for the period 2020-2023.

|   |    |
|---|----|
| ii) Amount spent on repaying money borrowed | £0 |
|---|----|

<sup>8</sup> Schedule 2, Paragraph 1(g)

Note that no money has been borrowed to finance CIL expenditure.

|                                     |            |
|-------------------------------------|------------|
| iii) Amount spent on administration | £23,531.32 |
|-------------------------------------|------------|

This is 5% of the total amount of CIL collected in the monitoring year 2020/21 and is being used towards CIL administration and staff costs.

|  |    |
|--|----|
| Amount passed to any person (includes any 3 <sup>rd</sup> party infrastructure providers) <sup>9</sup> | £0 |
|--|----|

## CIL allocations

In relation to CIL receipts, which have been collected since it was introduced, and were allocated but not spent during 2020/21, below are the summary details of the items of infrastructure on which CIL has been allocated, and the amount of CIL allocated to each item<sup>10</sup>.

**Table 5: Summary of infrastructure projects allocated CIL funding in 2020/21**

| Summary details of items of infrastructure which have been allocated CIL funding | Amount of CIL allocated |
|--|-------------------------|
| Implementation of the Brooklands Masterplan                                      | £62,525.00              |

The [Infrastructure Investment Plan \(IIP\)](#) has recently been adopted stating the prioritisation of projects to receive CIL funding for the period 2020-2023.

<sup>9</sup> Schedule 2, Paragraph 1(i)(ii)

<sup>10</sup> Schedule 2, Paragraph 1(h)



## CIL Neighbourhood Pot

Regulation 50A of the CIL Regulations 2010 (as amended) states that a charging authority must pass to every local council within its area, 15% of CIL receipts to the relevant parish or town council. This increases to 25% of CIL receipts where a neighbourhood development plan is in place. However, as Worthing consists of wards, rather than parishes, Regulation 59F applies<sup>11</sup>. The charging authority has wider spending powers in relation to this area and may use the CIL to support the development of the relevant area by funding:

- A. the provision, improvement, replacement, operation or maintenance of infrastructure
- B. anything else that is concerned with addressing the demands that development places on an area

Summary details of the expenditure of CIL to which regulation 59F applied during 2020/21<sup>12</sup>:

|  |    |
|--|----|
| i) Amount of expenditure to which regulation 59F applies | £0 |
|--|----|

**Table 6: Summary of infrastructure projects receiving CIL neighbourhood funds in 2020/21**

| <b>ii) Summary details of items of infrastructure which have been allocated CIL neighbourhood funding, under regulation 59F</b> | <b>Amount of CIL allocated</b> |
|---|--------------------------------|
| N/A   | N/A                            |

No items of infrastructure have been allocated or spent CIL receipts from the Neighbourhood Pot. However, the Council opened the first round of bids for the wards which have reached £10,000 on 2<sup>nd</sup> August 2021. The closing date for applications was 27<sup>th</sup> September 2021. It is hoped that the Council will soon be able to announce with infrastructure projects have been allocated funds from the CIL Neighbourhood Fund in 2021.

The amount of CIL that has been collected and is available in each neighbourhood pot (15% of all CIL funds), at the end of the 2020/21 monitoring year, is shown in the table below.

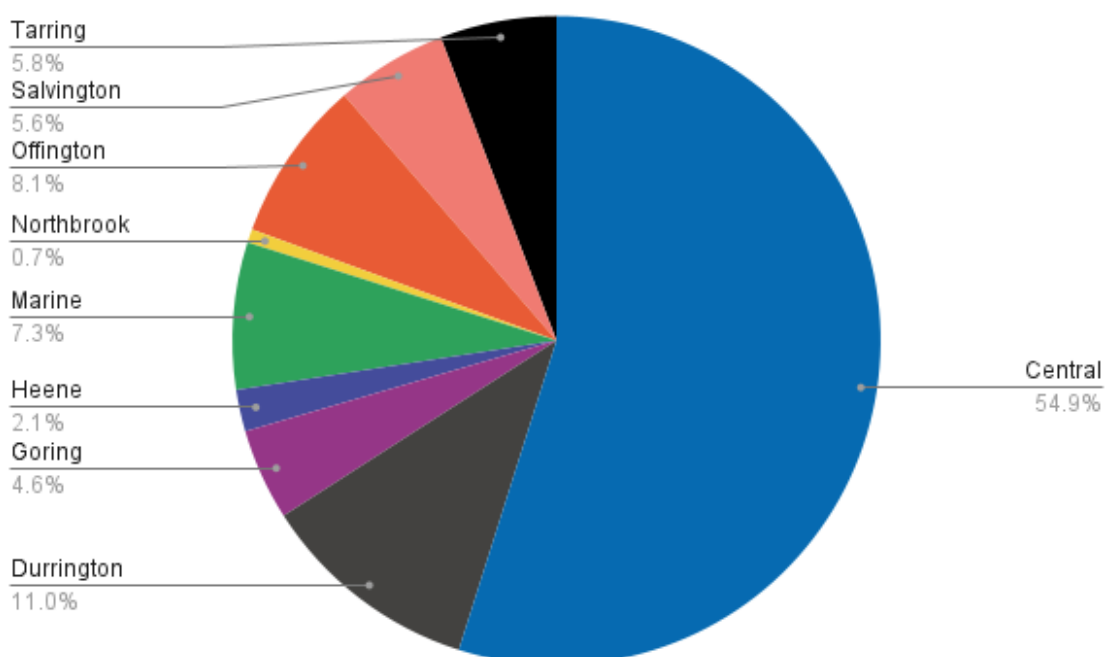
<sup>11</sup> Schedule 2, Paragraph 1(i)(i), 1(k)(i) - (ii) are not applicable

<sup>12</sup> Schedule 2, Paragraph 1(j)

Table 7: Amount of CIL funds available in each ward of the Neighbourhood Pot (15%) at the end of 2020/21

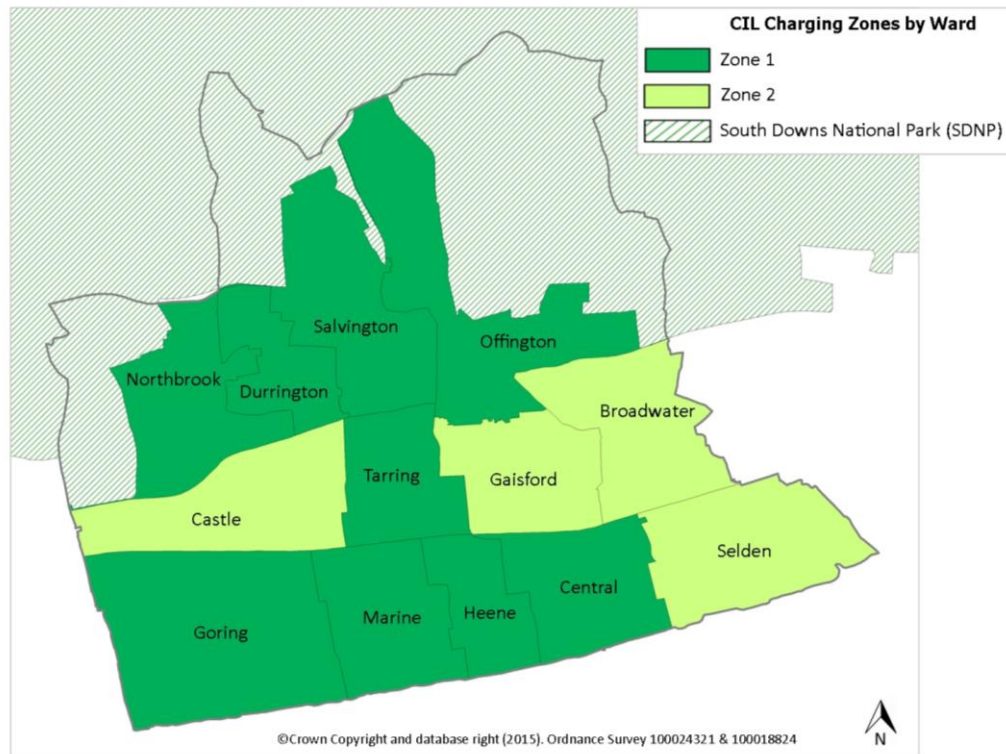
| Ward         | Amount received in Neighbourhood pot in 2020/21 | Funds carried over from previous years | Expenditure for the reported year | Available funds at the end of reported year |
|--------------|---|--|-----------------------------------|---|
| Central      | £40,911.88                                      | £64,668.06                             | £0                                | £105,579.94                                 |
| Durrington   | £1,058.77                                       | £20,199.60                             | £0                                | £21,258.37                                  |
| Goring       | £3,736.10                                       | £5,035.67                              | £0                                | £8,771.77                                   |
| Heene        | £0  | £4,009.74                              | £0                                | £4,009.74                                   |
| Marine       | £8,582.05                                       | £5,512.43                              | £0                                | £14,094.48                                  |
| Northbrook   | £0  | £1,290.00                              | £0                                | £1,290.00                                   |
| Offington    | £9,502.39                                       | £6,045.56                              | £0                                | £15,547.95                                  |
| Salvington   | £6,802.76                                       | £3,876.00                              | £0                                | £10,678.76                                  |
| Tarring      | £0  | £11,177.40                             | £0                                | £11,177.40                                  |
| <b>Total</b> | <b>£70,593.95</b>                               | <b>£121,814.46</b>                     | <b>£0</b>                         | <b>£192,408.41</b>                          |

Figure 3: Amount of CIL funds available in each ward of the Neighbourhood Pot (15%) at the end of 2020/21



It should be noted that Worthing previously had four wards, forming Zone 2, which had a £0 residential CIL charge in the original CIL Charging Schedule; Broadwater, Castle, Selden, Gaisford (see below). However, the Council has recently implemented a revised CIL Charging Schedule, which contains revised CIL residential rates, and removes the four £0 wards. Therefore, it is likely that CIL receipts will now start to be collected over the next few years in those four wards.

**Figure 4: Worthing CIL residential charging zones by ward (original Worthing CIL charging schedule)**



## Total amount of CIL retained

Table 8: Amount of CIL funds retained by WBC at the end of 2020/21

| Description   | Amount      | Further Information   |
|---|-------------|---|
| The total amount of CIL receipts for 2020/21 retained at the end of the reported year (excluding those to which regulation 59F applied) <sup>13</sup> | £376,501.12 | The Infrastructure Investment Plan (IIP) has been adopted stating the prioritisation of projects to receive 'strategic' CIL funding for the period 2020-2023. |
| The total amount of CIL receipts from previous years retained at the end of 2020/21 (excluding those to which regulation 59F applied) <sup>14</sup>   | £649,677.18 | The Infrastructure Investment Plan (IIP) has been adopted stating the prioritisation of projects to receive 'strategic' CIL funding for the period 2020-2023. |
| The total amount of CIL receipts for 2020/21, to which regulation 59F applied, retained at the end of the reported year <sup>15</sup>                 | £70,593.96  | The authority launched the first round of bids for the 'CIL Neighbourhood Fund (15%)' on 2nd August 2021.   |
| The total amount of CIL receipts from previous years, to which regulation 59F applied, retained at the end of the reported year                       | £121,814.47 | The authority is launching the first round of bids for the 'CIL Neighbourhood Fund (15%)' on 2nd August 2021.   |

<sup>13</sup> Schedule 2, Paragraph 1(I)(i)

<sup>14</sup> Schedule 2, Paragraph 1(I)(ii)

<sup>15</sup> Schedule 2, Paragraph 1(I)(iii)

## CIL funded projects - Case Studies

Below are case studies of some of the infrastructure projects which have received or been allocated Community Infrastructure Levy (CIL) funds.

### CIL Strategic Pot – Brooklands Park Masterplan

Brooklands Park is an important area of public open space which is identified as a priority area for investment. It is Worthing's largest area of open space and is located on the eastern edge of the Borough. The area currently provides an important role in the local community providing a wide range of formal and informal recreational activities.

The 2020 masterplan sought to distil three key principles of learning, inclusivity and wellbeing. It is hoped that Brooklands Park will become an outdoor interactive classroom and science learning resource supporting the wider STEM curriculum. Access to Brooklands Park will be improved through new gateways, paths and seating areas. New café and play facilities will be designed with everyone in mind, making sure that people with specific needs can enjoy the Park and all it has to offer. Physical activity and exercise will be encouraged with new adventure play, walking trails and fitness route.



The project links in to a number of important policy documents, which are included in the Infrastructure Investment Plan (IIP), including '[Platforms for Our Places](#)' and '[Sustainable AW](#)'.

Plans are still being developed and the designs looked at in terms of how the site can be improved further. Currently, £62,525 of CIL funds were allocated in 2020/21 towards the project, along with section 106 receipts, to help implement the masterplan.

More information on Brooklands Park can be found [here](#).

## 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 2020/21. 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 in most cases education, libraries, fire and some transport contributions are paid to and are spent by West Sussex County Council (WSCC) and are therefore not included in this report. More information can be found [here](#).**

**Table 9: Overview of section 106 contributions agreed, received and spent in 2020/21**

| Description   | Amount                     | Further Information  |
|---|----------------------------|--|
| Total amount of money which may be provided under any planning obligations which were entered into during 2020/21 <sup>16</sup>   | £45,375.00                 | 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 2020/21         | 0 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 2020/21 <sup>17</sup>                              | £60,000.00                 | Details are set out in the 'S106 received' section below.  |
| Total amount of money under any planning obligations which was received before 2020/21 which has not been allocated <sup>18</sup> | £724,940.70                | Over £500,000 is required to be used to deliver transport or highways projects, but is waiting to be formally 'allocated' for spending or passed on to an infrastructure provider.                       |
| Total amount of money under any planning obligations which was allocated, but not spent, in 2020/21 <sup>19</sup>                 | £1,438.00                  | 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 2020/21 <sup>20</sup>         | £296,508.52                | This includes transferring it to another body to spend (e.g. West Sussex County Council).  |

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

<sup>17</sup> Schedule 2, Paragraph 3(b)

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

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

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

|   |               |  |
|---|---------------|--|
| Total amount of money received (under any planning obligations) during any monitoring year which was retained at the end of 2020/21 | £1,116,555.04 | Of this amount, £391,614.34 has been 'allocated' to infrastructure projects. |
|---|---------------|--|

## Monetary contributions agreed

In the monitoring year 2020/21:

- 696 applications were determined, of which 9 were major applications.
- Three applications contained a signed section 106 agreement in 2020/21<sup>21</sup>
- This is a decrease from the six section 106 agreements signed in 2019/20

**Table 10: Details of monetary contributions included in section 106 agreements entered into by WBC in 2020/21**

| Planning Ref | Site Address  | Date of s106 | Contribution | Purpose of contribution                                      |
|--------------|---------------|--------------|--------------|--|
| AWDM/0762/19 | 19 Manor Road | 27/11/2020   | £45,375.00   | Provision of Affordable Housing off-site within the Borough. |

During the last monitoring year:

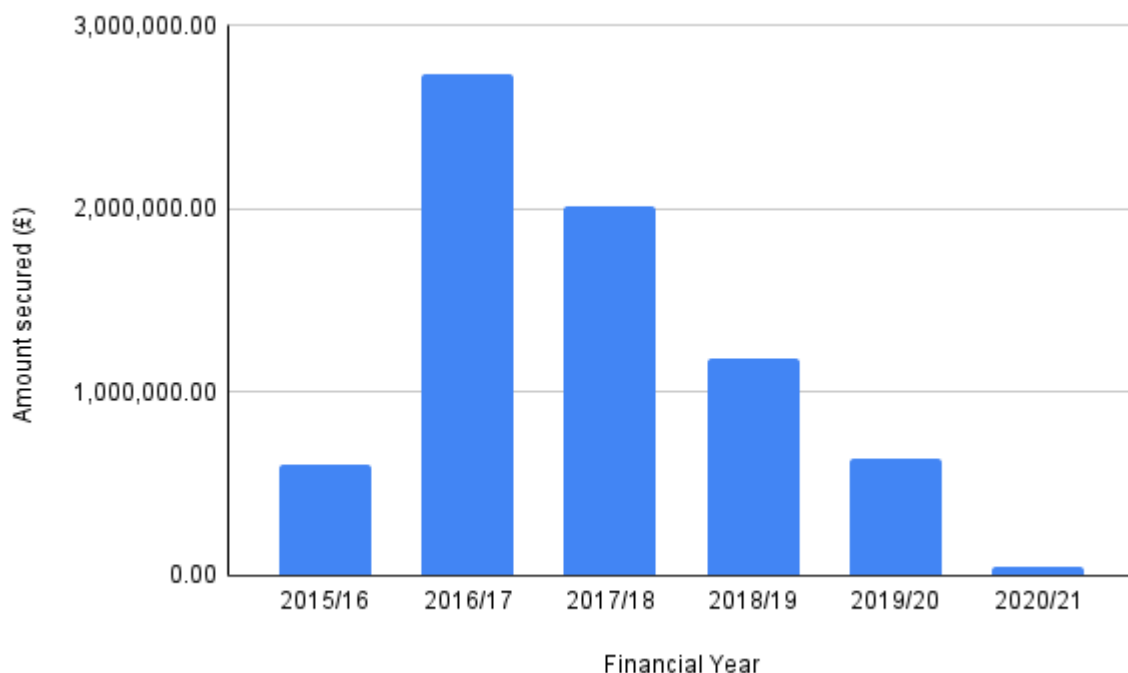
- A total of up to £45,375.00 was secured through s106 agreements by WBC
- 100% of the monetary contributions secured relate to affordable housing provision

The graph below indicates the amount of money secured through s106 agreements by WBC in previous years<sup>22</sup>.

<sup>21</sup> The agreements under AWDM/0895/18 and AWDM/1900/19 did not contain either a financial nor non-financial contribution

<sup>22</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

**Figure 5: Total value of section 106 financial contributions included in agreements entered into by WBC in each monitoring year**



## Non-monetary contributions agreed

The table below sets out the non-financial contributions which have been included in s106 agreements entered into during 2020/21<sup>23</sup>. These will be secured and delivered at agreed points before, during or after the completion of the relevant developments.

**Table 11: Details of non-financial contributions included in section 106 agreements entered into by WBC during 2020/21**

| Planning Ref | Site Address | Date of s106 | Contribution | Details |
|--------------|--------------|--------------|--------------|---------|
| N/A          | N/A          | N/A          | N/A          | N/A     |

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.

<sup>23</sup> Schedule 2, Paragraph 3(d)(i) - (ii)



## S106 received

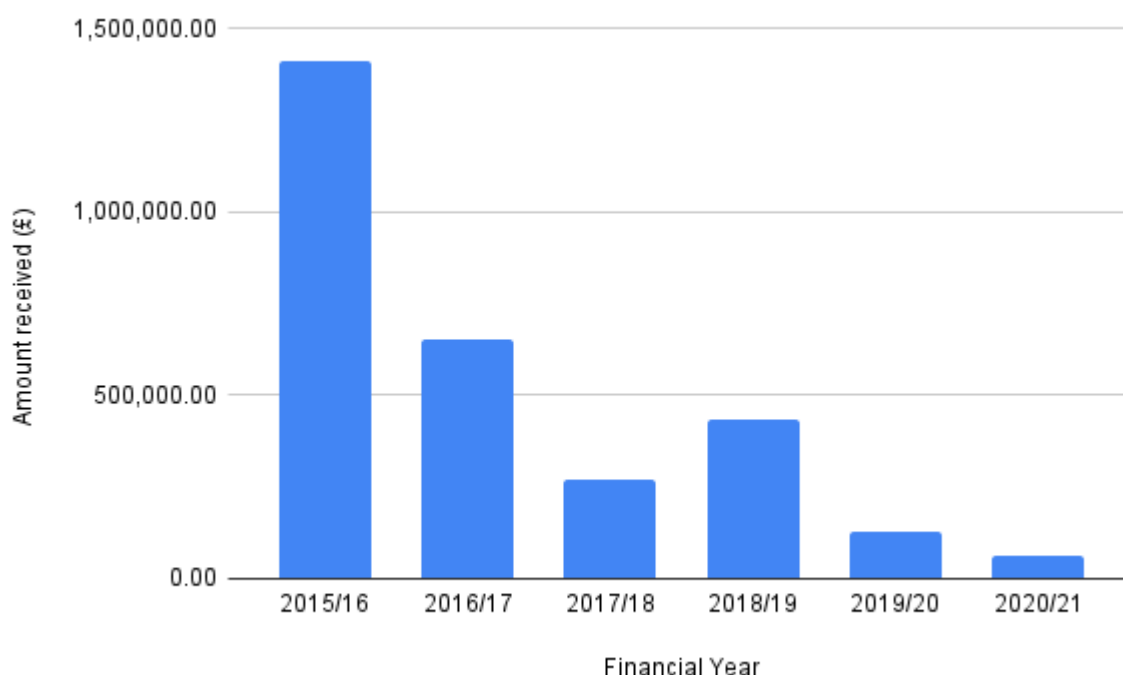
The Council received a total of £60,000 in s106 contributions during 2020/21, which came from one development. 100% of the contributions received relate to the provision of highways improvements in Worthing.

**Table 12: Section 106 contributions received by WBC during 2020/21**

| Planning Ref | Site Address                         | Amount of s106 received | Category of expenditure |
|--------------|--------------------------------------|-------------------------|-------------------------|
| AWDM/0393/19 | Teville Gate House, Railway Approach | £60,000.00              | Highways                |

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

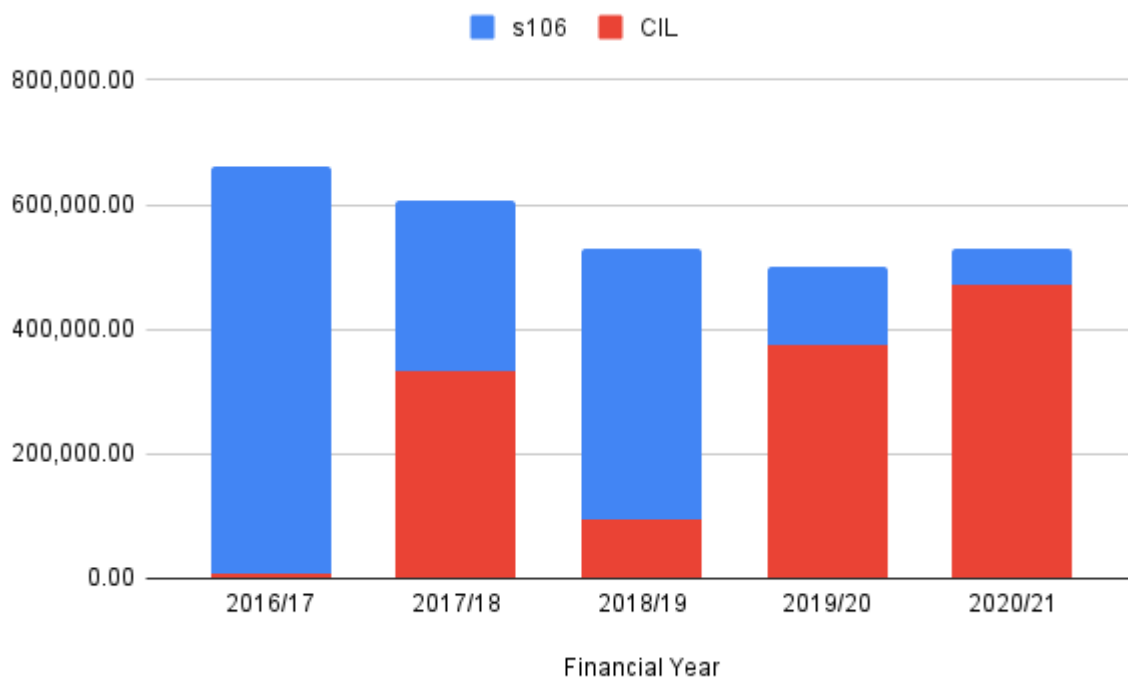
**Figure 6: Total value of section 106 financial contributions received by WBC in each monitoring year**



One possible explanation for the declining s106 receipts over recent years is the introduction of the Community Infrastructure Levy (CIL) in Worthing. The CIL Charging Schedule was implemented in October 2015 and as a result, CIL became the dominant means for securing financial contributions from development in the Borough, with Planning Obligations (section 106 agreements) being scaled back. S106 agreement continue to play a key role in relation to affordable housing and certain site specific requirements.

The result of this is that developments permitted from 1<sup>st</sup> October 2015 were charged CIL and therefore a lower level of s106 financial contributions could be secured from the development. Overall, the total level of developer contributions received, from both CIL and s106, has remained relatively level over the past 5 years, as seen in the figure below.

Figure 7: Amount of CIL and s106 financial contributions received by WBC in each financial year



## S106 allocated and unspent

The total amount of money received (under any planning obligations) which was allocated but not spent during 2020/21 for funding infrastructure was £1,438<sup>24</sup>. A summary of the infrastructure projects and amount of money allocated to it are set out in the table below<sup>25</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>24</sup> Some of these funds may have previously been 'allocated' to infrastructure projects in previous years, which were not brought forward – hence the funds have been reallocated

<sup>25</sup> Schedule 2, Paragraph 3(g)

**Table 13: Summary of infrastructure projects allocated section 106 funds during 2020/21<sup>26</sup>**

| <b>Scheme Allocated to</b>              | <b>Amount Allocated</b> | <b>Further Information</b> |
|---|-------------------------|----------------------------|
| Windsor Lawns Outdoor Fitness Equipment | £1,438.00               |                            |

## **S106 spent**

The total amount of money (received under any planning obligations) which was spent by the authority (including transferring it to another body to spend) in 2020/21 was £296,508.52. These funds were spent from obligations secured across several monitoring years. A summary of the infrastructure on which money has been spent is set out in the tables below<sup>27</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 14: Expenditure of section 106 funds by WBC during 2020/21, by category on infrastructure type**

| <b>Category</b>        | <b>Amount Spent</b> |
|------------------------|---------------------|
| Affordable Housing     | £135,272.34         |
| Open Space and Leisure | £61,236.18          |
| Transport and Travel   | £100,000.00         |

<sup>26</sup> Please note that some of these projects are joint WBC/WSCC projects and therefore may also be recorded in the WSCC IFS

<sup>27</sup> Schedule 2, Paragraph 3(h)(i)

Table 15: Summary of infrastructure projects receiving section 106 funds during 2020/21<sup>28</sup>

| Planning Ref | Address   | Category               | Scheme  | Amount Spent       |
|--------------|---|------------------------|---|--------------------|
| 06/1121/FULL | Land at Eirene Road, Eirene Avenue and Sea Place  | Open Space and Leisure | Highdown Gardens  | £9,310.00          |
| 07/1495/FULL | Land South of Lower Northbrook Farm, Titnore Lane | Transport and Travel   | Provision of the recently completed cycle path at Northbrook Recreation Ground/Titnore Lane Cycle Path (WSCC) | £40,000.00         |
| 09/1055/FULL | Hurst Grange, Parkfield Road                      | Open Space and Leisure | Brooklands Park Redevelopment   | £11,355.00         |
| AWDM/0821/11 | 2 and 4 Southey Road                              | Affordable Housing     | Rowlands Road Housing Development   | £40,272.34         |
| AWDM/0055/13 | Land at Lower Northbrook Farm Titnore Lane        | Open Space and Leisure | HLF External Funding Bid for Highdown Gardens   | £30,929.58         |
| AWDM/1727/14 | (Caffyns) 341 Goring Road                         | Open Space and Leisure | Brooklands Park Redevelopment   | £9,641.60          |
| AWDM/1542/16 | (Bunces) 112 - 114 Chapel Road                    | Affordable Housing     | Downview Housing Development  | £25,000.00         |
| AWDM/1075/17 | Irene House, 1 Parkfield Road                     | Affordable Housing     | Downview Housing Development  | £70,000.00         |
| AWDM/0393/19 | Teville Gate House, Railway Approach              | Highways               | Transferred to WSCC - spent 2020/21   | £60,000.00         |
| <b>Total</b> |   |                        |   | <b>£296,508.52</b> |

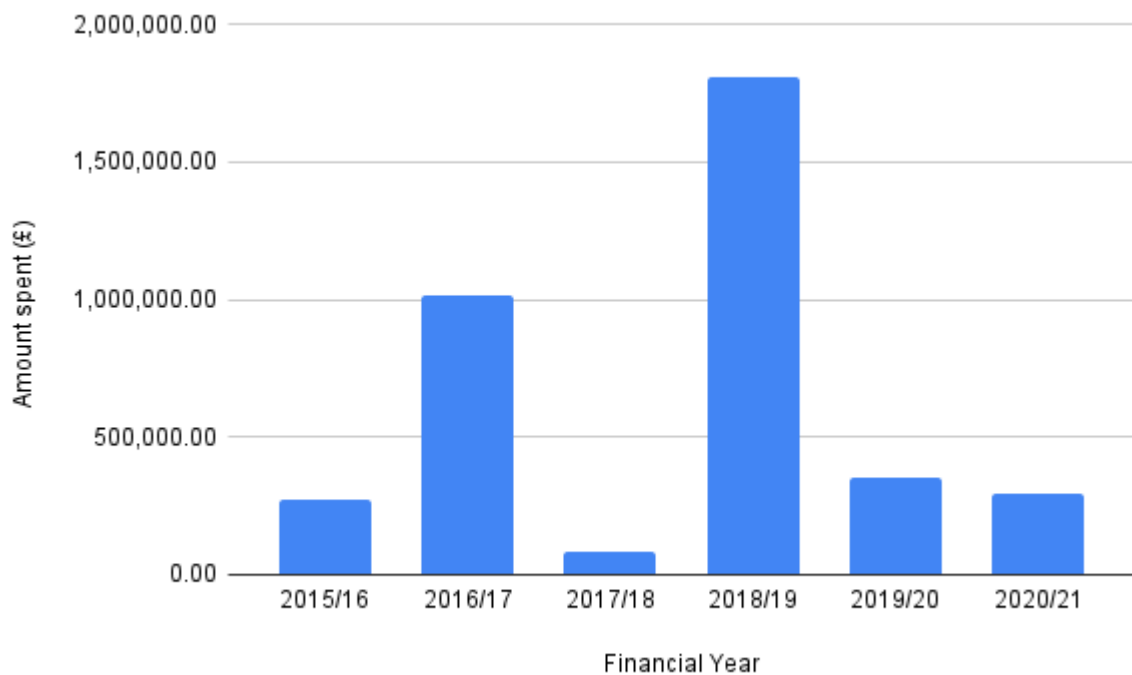
Note that these projects received s106 funds between 1st April 2020 and 31st March 2021, however the exact date is not recorded.

<sup>28</sup> Please note that some of these infrastructure projects are delivered by WSCC – therefore the funds may also appear in their IFS

|  |    |
|--|----|
| ii) Amount of s106 money (received under planning obligations) which has been spent on repaying money borrowed, including interest <sup>29</sup> . | £0 |
|--|----|

|   |    |
|---|----|
| iii) Amount of s106 money (received under planning obligations) which has been spent in respect of monitoring <sup>30</sup> . | £0 |
|---|----|

**Figure 8: Total value of section 106 financial contributions spent by WBC in each monitoring year**



## S106 retained

The total amount of s106 money received (under any planning obligations) during any year which was retained at the end of 2020/21 was £1,116,555.04. Of this, £3,000 has been retained for the purposes of longer term maintenance (known as a commuted sum)<sup>31</sup>.

<sup>29</sup> Schedule 2, Paragraph 3(h)

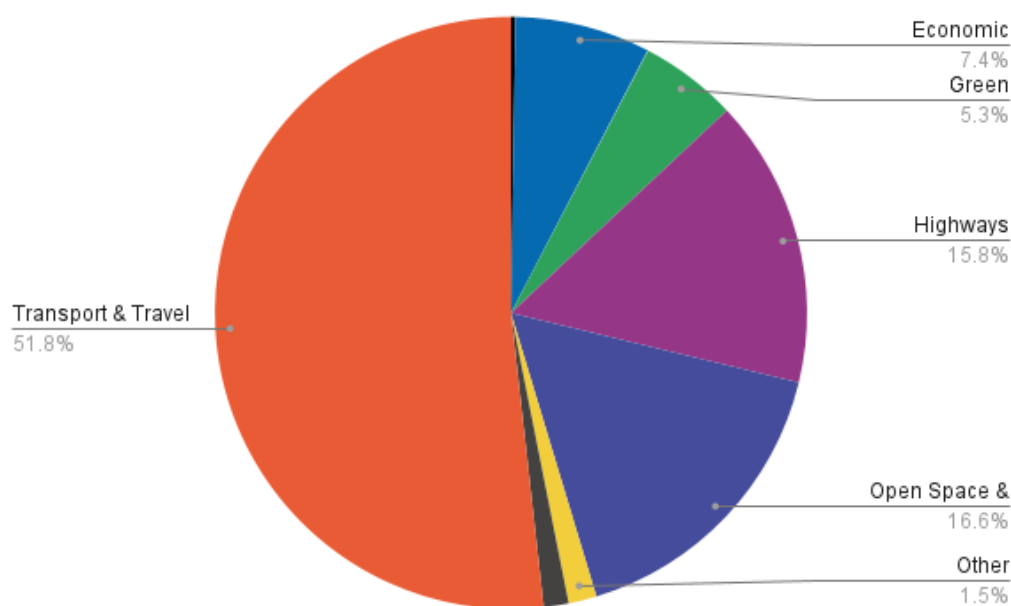
<sup>30</sup> Schedule 2, Paragraph 3(h)

<sup>31</sup> Schedule 2, Paragraph 3(i)

**Table 16: Total value of section 106 financial contributions retained by WBC at the end of 2020/21**

| Contribution Type           | Amount of money retained and unallocated at the end of 2020/21 | Amount of money allocated but unspent at the end of 2020/21 |
|-----------------------------|--|---|
| Air Quality                 | £2,585.43  | £0  |
| Economic Development        | £81,814.07   | £0  |
| Fire Services <sup>32</sup> | £217.00  | £0  |
| Green Infrastructure        | £50,000.00   | £8,938.26   |
| Highways                    | £129,570.00  | £44,379.00  |
| Open Space and Leisure      | £48,713.05   | £134,119.08   |
| Other <sup>33</sup>         | £16,986.85   | £0  |
| Public Art                  | £15,000.00   | £0  |
| Transport and Travel        | £380,054.30  | £191,178.00   |
| <b>Total</b>                | <b>£724,940.70</b>   | <b>£378,614.34</b>  |

**Figure 9: Amount of s106 financial contributions retained by WBC at end of 2021, by category type**



<sup>32</sup> To be transferred to WSCC to spend

<sup>33</sup> Environmental Clerk of Works

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.

## **S106 funded projects – Case Studies**

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

### **Affordable Housing – Rowlands Road**

In February 2019 the Council acquired the former, vacated care home in Rowlands Road, Worthing in order to convert the existing building on the site into 19 self-contained flats for use as Temporary Accommodation.

The works consist of a major conversion, refurbishment and extension of a historic building. The result is a modern property comprising of 4 x 2 bedroom flats, 14 x 1 bedroom flats and 1 x bedsit. The development was part funded using over £1.5million of section 106 receipts. This includes £40,000 spent in 2020/2021. The project was completed in October 2021 and will provide much needed temporary accommodation in Worthing. It is estimated that the Rowlands Road development will save Worthing Borough Council an estimated £58,000 per year.



### **Affordable Housing – The Downview**

In June 2020, work completed on phase 1 of the development to provide 9 homes for emergency and temporary accommodation owned by Worthing Council, and a commercial unit at ground floor from the former Downview Public House.

In September 2020, work started on phase 2 to build a new block of flats in the car park adjacent to the refurbished public house. This will provide a further 8 one- and two-bedroom flats for emergency and temporary accommodation.

The development was part funded using almost £100,000 of section 106 receipts, which were spent in 2020/2021. The completion date of the project was November 2021 and will provide much needed temporary accommodation in Worthing. It is estimated that the Downview development will save Worthing Borough Council an estimated £104,000 in the first year with an average saving of £245,000 per year thereafter.



Both affordable housing projects help meet the need for more social housing in Worthing.

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**Planning Policy**  
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**Worthing**  
**West Sussex**  
**BN11 1HS**



**WORTHING BOROUGH**  
**COUNCIL**