



# ADUR DISTRICT COUNCIL

## Infrastructure Funding Statement (IFS)

2020 – 2021

November 2021



ADUR DISTRICT  
COUNCIL

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

## Contents

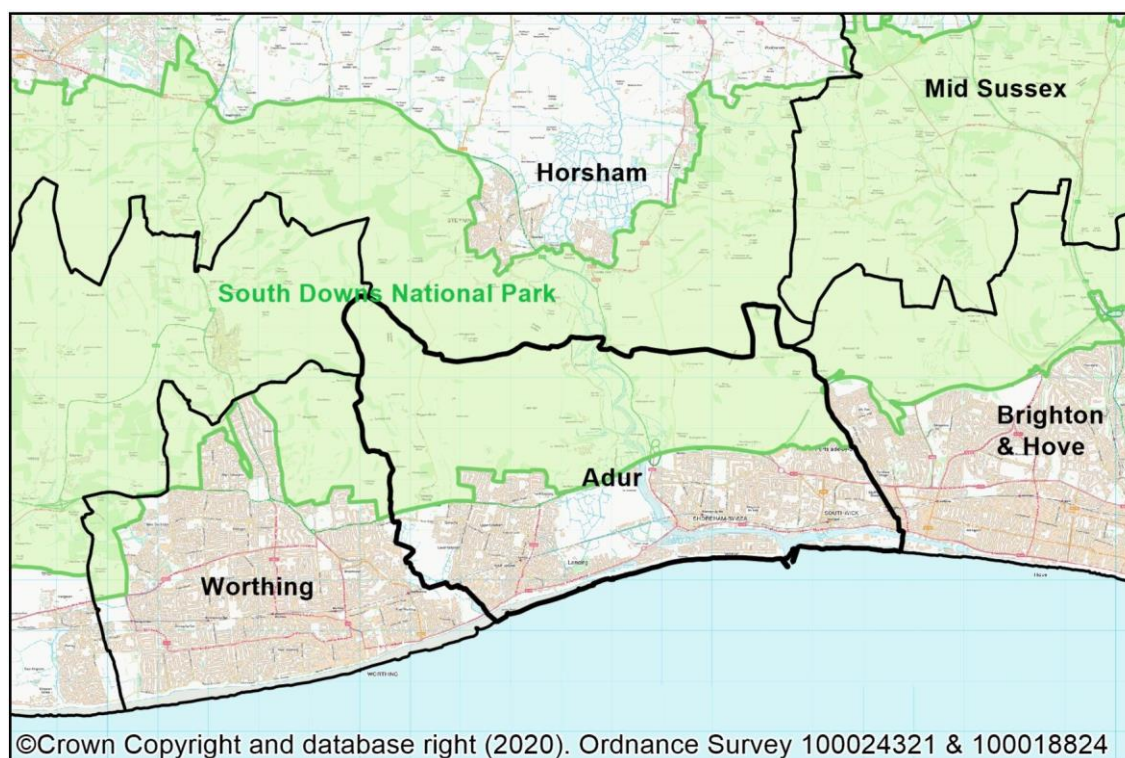
<b>Introduction</b> .....	4
<b>Community Infrastructure Levy</b> .....	5
<b>Section 106 Planning Obligations</b> .....	5
<b>Section 278 Highways Agreements</b> .....	6
<b>Section 106 report</b> .....	7
<b>Monetary contributions agreed</b> .....	8
<b>Non-monetary contributions agreed</b> .....	11
<b>Case Study – Kingston Wharf Development</b> .....	13
<b>S106 received</b> .....	14
<b>S106 allocated and unspent</b> .....	15
<b>S106 spent</b> .....	16
<b>S106 retained</b> .....	18
<b>S106 funded projects - Case Studies</b> .....	20
<b>Open Space and Leisure – Southwick Football Ground Repairs</b> .....	20
<b>Transport and Travel – Widewater Bridge</b> .....	20

**[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. 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.

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 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 Adur District Council (ADC)
- **Transferred** – Contributions that have been received by ADC and transferred to another agency (e.g. West Sussex County Council)

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

- **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 2020/21 (the last monitoring year)** - unless stated otherwise, this refers to the period 01/04/2020 – 31/03/2021

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’. This 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 are 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 monitoring 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-developer-contributions/#adur-cil](http://www.adur-worthing.gov.uk/planning-policy/adur/adur-developer-contributions/#adur-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 (WSSCC). Contributions relating to WSSCC will not be reported on in the ADC IFS, but can be found in the IFS produced by WSSCC:

<https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/section-106-planning-obligations/#infrastructure-funding-statement>

## **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 (WSSCC) 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 in their Infrastructure Funding Statement (IFS):

<https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/section-106-planning-obligations/#infrastructure-funding-statement>

## 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 (WSSCC) and are therefore not included in this report. This information can be found [here](#).**

**Table 1: 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>2</sup>	£375,887.41	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	82 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>3</sup>	£112,171.96	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>4</sup>	£220,424.12	Over £78,000 are required to be used to deliver transport 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>5</sup>	£50,000.00	Details are set out in the 'S106 allocated and unspent' section below.
Total amount of money (received under any planning obligations) which was spent in 2020/21 <sup>6</sup>	£130,557.35	This includes transferring it to another body to spend (e.g. West Sussex County Council)

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

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

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

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

<sup>6</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	£660,303.87	Of this amount, £351,534.79 has been 'allocated' to infrastructure projects.
---	-------------	--

## Monetary contributions agreed

In the monitoring year 2020/21:

- 411 planning applications were permitted, of which 6 were major applications
- Two applications contained signed section 106 agreements
- This is a the same number of section 106 agreements signed in 2019/20

The table below provides more information on the monetary contributions which have been included in the section 106 agreements which were entered into by Adur District Council (ADC) in the 2020/2021 monitoring year. These will be secured and delivered at agreed points before, during or after the completion of the relevant developments.

**Table 2: Details of monetary contributions included in section 106 agreements entered into by ADC in 2020/21<sup>7</sup>**

Planning Ref	Site Address	Date of s106	Contribution	Purpose of contribution
AWDM/0300/20	Garage Block North Of St Peters Place, Western Road, Sompting	28/10/2020	£34,126.40	Offsite Affordable Housing
			£18,000.00	Provision and/or improvement of Open Space facilities in Sompting
AWDM/0204/20	Kingston Wharf, Brighton Road, Shoreham-By-Sea	28/01/2021	Up to £19,421.60 <sup>8</sup>	Air Quality measures in the Shoreham Town Centre Air Quality Management Area
			Up to £68,858.40 <sup>9</sup>	Air Quality measures in the Shoreham Town Centre Air Quality Management Area and/or on Brighton Road
			Up to £118,481.00 <sup>10</sup>	Harbour View GP Surgery (Shoreham Health Centre) or at another location within Adur District
			Conditional Contribution <sup>11</sup>	Harbour View GP Surgery (Shoreham Health Centre) or at another location within Adur District
			£65,000.00	Improvements to recreation at Kingston Beach and/or other public open spaces within Marine Ward, Southwick Green Ward or St Mary's Ward

<sup>7</sup> Some planning applications are never implemented, meaning the contributions would not be provided

<sup>8</sup> Conditional contribution depending on on-site air quality mitigation measures proposed as part of the Commercial Floorspace

<sup>9</sup> Conditional contribution depending on the on-site air quality mitigation measures proposed as part of the Development

<sup>10</sup> Conditional contribution depending on the number of Discretionary Social Rent Units let

<sup>11</sup> Conditional contribution depending on the number of Discretionary Social Rent Units let

			£52,000.00	Provision of bus stop improvements to include two (2) new bus shelters with RTPi Displays on Brighton Road
--	--	--	------------	--

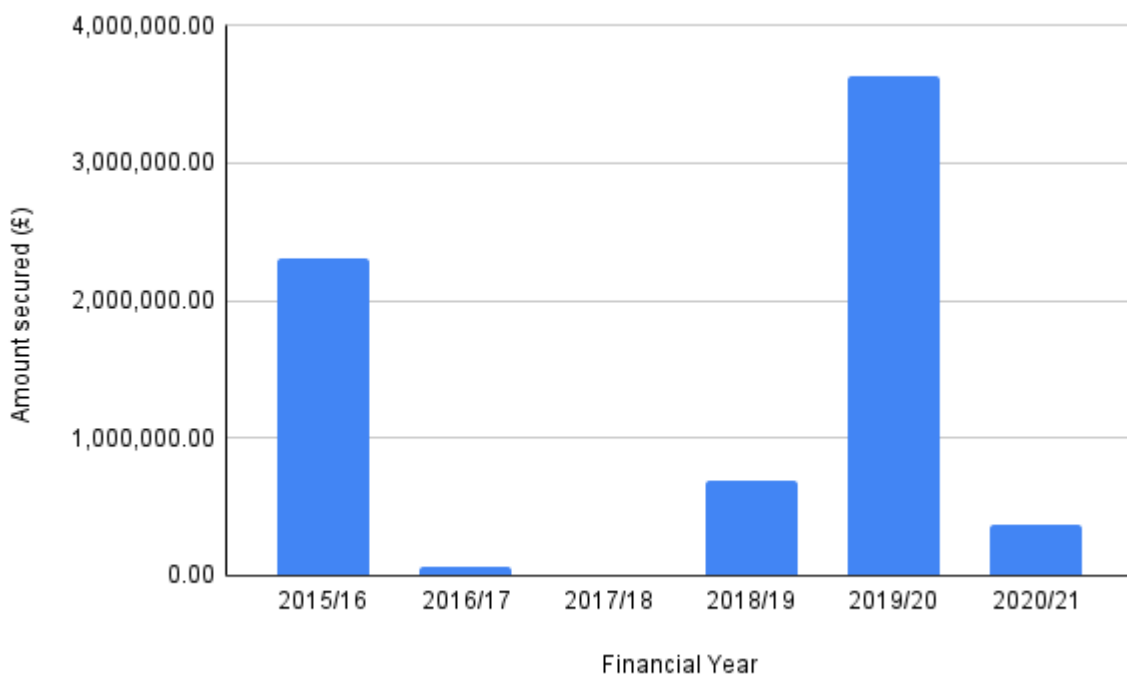
More details on the planning obligations contained in Table 2 can be found in the ‘Case Study’ section below.

During this monitoring year:

- A total of up to £375,887.40<sup>12</sup> was secured through s106 agreements by ADC
- 22% of these contributions relate to Open Space and Leisure

The graph below indicates the amount of money secured through s106 agreements by ADC in previous years<sup>13</sup>.

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



<sup>12</sup> Note that this is a maximum amount that could be received and is dependent on a number of factors, included conditional contributions

<sup>13</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

## 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 2020/21<sup>14</sup>. These will be secured and delivered at agreed points before, during or after the completion of the relevant developments.

**Table 3: Details of non-financial contributions included in section 106 agreements entered into by ADC during 2020/21**

Planning Ref	Site Address	Date of S106	Contribution	Details
AWDM/0300/20	Garage Block North Of St Peters Place, Western Road, Sompting	28/10/2020	5 Affordable Dwellings	4 Affordable Rent and 1 Shared Ownership. To be provided as part of the Development
AWDM/0204/20	Kingston Wharf, Brighton Road, Shoreham-By-Sea	28/01/2021	77 Affordable Dwellings <sup>15</sup>	58 Social Rent and 19 Intermediate Housing. To be provided as part of the development
			Commercial Air Quality Mitigation Plan	Set out in full the proposed operational phase air quality mitigation measures in connection with the Commercial Floorspace
			Residential Air Quality Mitigation Plan	Set out in full the proposed operational phase air quality mitigation measures in connection with the Dwellings
			Commercial Footpath	Commercial land to be laid out as a footpath and used by residents or employees at the Development and the public
			Residential Footpath	Residential land to be laid out as a footpath

<sup>14</sup> Schedule 2, Paragraph 3(d)(i) - (ii)

<sup>15</sup> Remaining 178 dwellings will also be affordable – thanks to Homes England funding

				and used by residents or employees at the Development and the public
			Commercial Public Art Plan	A plan setting out proposals for the delivery of public art within the commercial land (minimum cost of £9,000)
			Joint Public Art Plan	A plan setting out proposals for the delivery of public art within the Site (minimum cost of £30,000)
			Residential Public Art Plan	A plan setting out proposals for the delivery of public art within the residential land (minimum cost of £21,000)
			Energy Centre	A facility to accommodate high efficiency gas boilers, a combined heat and power unit, cold water storage and associated ancillaries where the heat and power is generated to supply the Shoreham Heat Network
			Heat Network <sup>16</sup>	An energy network to provide heating and hot water more energy efficiently to reduce local carbon emissions in a medium such as hot water or steam, from central sources of production, to multiple buildings or sites
			Car Club	Includes two Car Club Vehicles on the Site

<sup>16</sup> Subject to the proposed Shoreham Heat Network being available to connect on Practical Completion of the relevant part of the Development

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.

## **Case Study – Kingston Wharf Development**

The planning obligations contained in the section 106 agreement for AWDM/0204/20 relate to the application for a mixed-use redevelopment at Kingston Wharf, Brighton Road, Shoreham-By-Sea comprising of three blocks of residential dwellings and mixed-use business centre (office, storage and cafe uses). The application was approved by the Planning Committee in July 2020 and was granted planning permission in January 2021, upon the signing of the s106 agreement. Plans also include the provision of a riverside walk, landscaping, play area and cycle parking.

The s106 agreement includes the provision of 77no (30%) affordable housing units (of which 75% will be social rented units) to be provided on site. However, thanks to Homes England funding, all 255 properties will be made available as affordable housing, either through shared ownership (163 units) or social rented (92 units). Homes England only fund the provision of affordable homes which are not secured via planning agreements (i.e. the remaining 70%).

The s106 also contains obligations for a combination of air quality mitigation measures to be implemented along with financial contributions towards mitigation measures in Shoreham. A contribution of around £236,000 is to be made towards local health facilities, and local recreation enhancements are to be funded via a contribution of £65,000. Public Art will be delivered in public locations at the site, and there is a car club for future residents. There is also the possibility of the development being linked up to the proposed Shoreham Harbour District Heating System, to supply heating and hot water more energy efficiently, provided that the heat network is fully operational upon completion of the development.

Further contributions are to be made to West Sussex County Council (WSCC), including contributions of over £1million towards transport and travel improvements. As part of the agreement the developer will also contribute £225,000 towards education provision, additional library floorspace & fire service improvements.

Figure 3: Artist's impression of the Kingston Wharf development (courtesy of Hyde New Homes)



## S106 received

The Council received a total of £112,171.96 in s106 contributions during 2020/21, which came from two developments. 55% of the contributions received relate to the upgrading the play equipment and play area safety surface in Adur.

Table 4: Section 106 contributions received by ADC during 2020/21

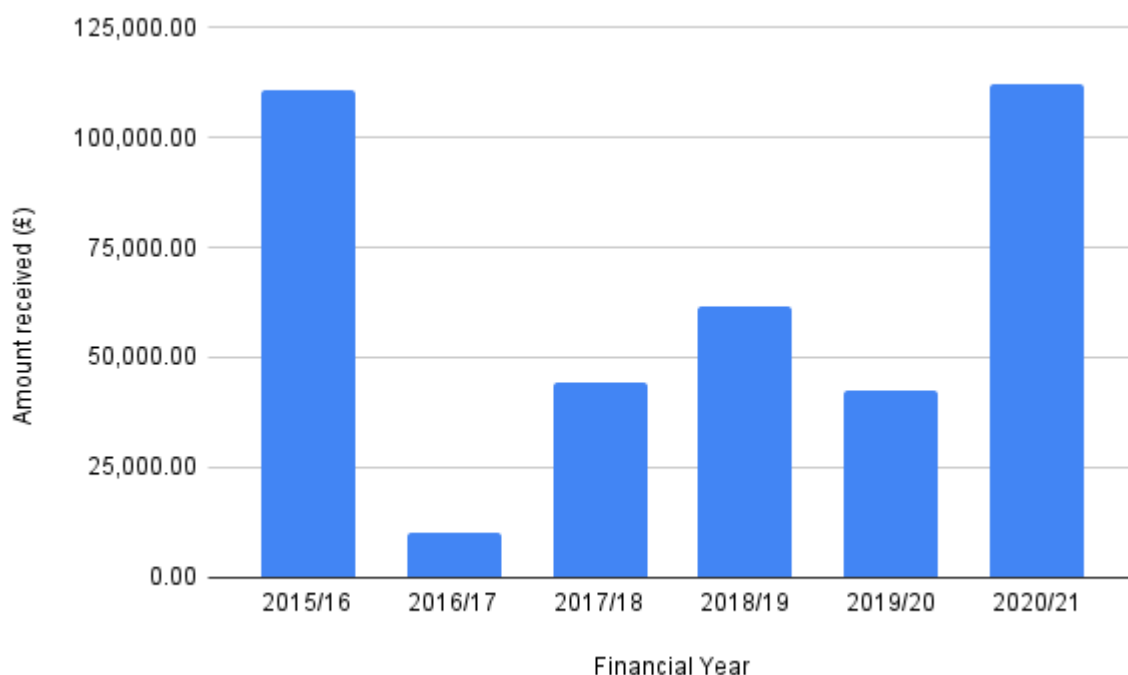
Planning Ref	Site Address	Amount of s106 received	Category of expenditure
AWDM/0935/13	Riverbank Business Centre, 39 Old Shoreham Road, Shoreham-By-Sea	£61,949.61	Open Space and Leisure
		£16,895.35	Public Art
AWDM/0501/12	79 - 81 Brighton Road, Shoreham-By-Sea	£4,500.00	Air Quality
		£5,000.00	Public Art
		£2,257.00 <sup>17</sup>	Fire Services
		£21,570.00 <sup>18</sup>	Community Facilities (Libraries)

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.

<sup>17</sup> Should have been paid to WSCC - transferred to WSCC

<sup>18</sup> Should have been paid to WSCC - transferred to WSCC

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



## S106 allocated and unspent

The total amount of s106 money (received under any planning obligations) which was allocated but not spent during 2020/21 for funding infrastructure was £50,000<sup>19</sup>. All of the s106 funds allocated in 2020/21 relate to leisure facility improvements. A summary of the infrastructure projects and amount of money allocated to it are set out in the table below<sup>20</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 5: Summary of infrastructure projects allocated section 106 funds during 2020/21<sup>21</sup>**

Scheme Allocated to	Amount Allocated	Further Information
Southwick Football Ground Repairs	£50,000	To be spent on roof repairs, floodlight upgrades and rebuilding boundary walls

<sup>19</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>20</sup> Schedule 2, Paragraph 3(g)



## S106 spent

The total amount of s106 money (received under any planning obligations) which was spent by ADC (including transferring it to another body to spend) in 2020/21 was £130,557.35. 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 table below<sup>22</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 2020/21, by category on infrastructure type**

Category	Amount Spent
Fire Services	£2,257 <sup>23</sup>
Community Facilities (Library)	£21,570 <sup>24</sup>
Open Space and Leisure	£2,957.59
Transport and Travel	£103,772.76

---

<sup>22</sup> Schedule 2, Paragraph 3(h)(i)

<sup>23</sup> Transferred to WSCC

<sup>24</sup> Transferred to WSCC

Table 7: Summary of infrastructure projects receiving ADC section 106 funds during 2020/21<sup>25</sup>

Planning Ref	Address	Category	Scheme	Amount Spent
AWDM/0501/12	79 - 81 Brighton Road, Shoreham-By-Sea	Fire Services	Transferred to WSCC	£2,257
		Community Facilities (Library)	Transferred to WSCC	£21,570
SU/56/03	Sussex Wharf, Harbour Way, Shoreham-By-Sea	Open Space and Leisure	Maintenance of open space at Sussex Wharf	£2,957.59
AWDM/1483/12	136 Upper Shoreham Road, Shoreham-By-Sea	Transport and Travel	Widewater Bridge Accessibility Improvements	£103,772.76
<b>Total</b>				<b>£130,557.35</b>

Note that these projects received S106 funds between 1st April 2020 and 31st March 2021, 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>26</sup> .	£0
--	----

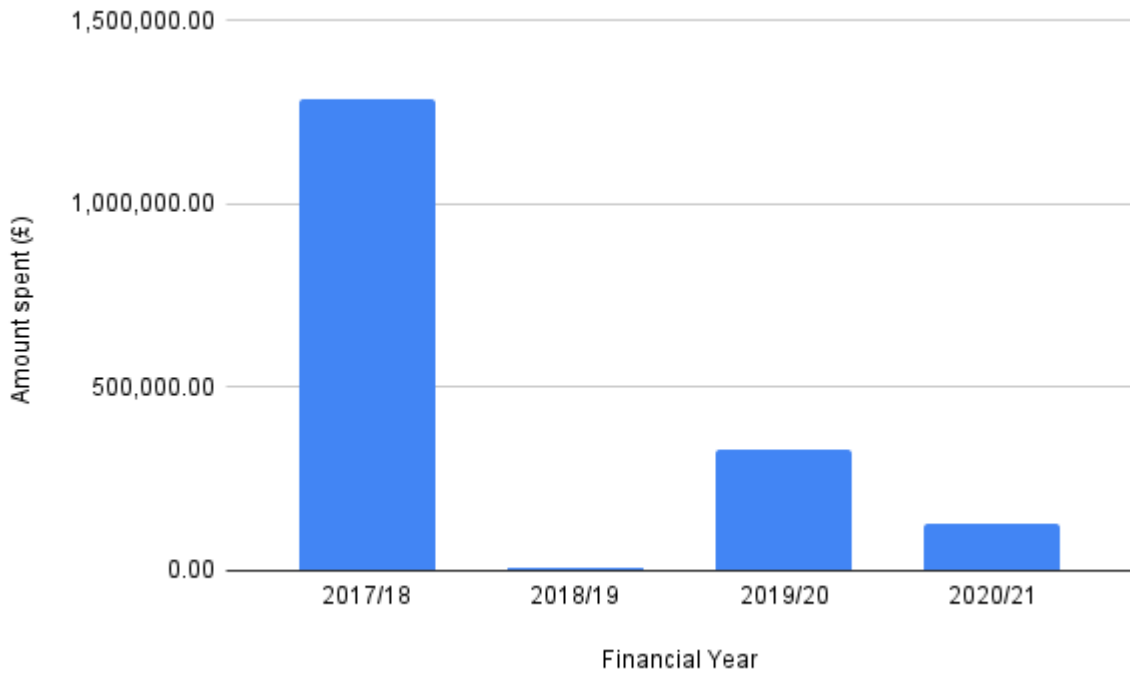
iii) Amount of s106 money (received under planning obligations) which has been spent in respect of monitoring <sup>27</sup> .	£0
---	----

<sup>25</sup> Please note that some of these infrastructure projects are delivered by WSCC – therefore the funds may also appear in their IFS

<sup>26</sup> Schedule 2, Paragraph 3(h)

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

Figure 5: Total value of section 106 financial contributions spent by ADC in each monitoring year



## S106 retained

The total amount of s106 money received (under any planning obligations) during any monitoring year which was retained at the end of 2020/21 was £660,303.87. Of this, £40,415.79 has been retained for the purposes of longer term maintenance (known as a commuted sum)<sup>28</sup>.

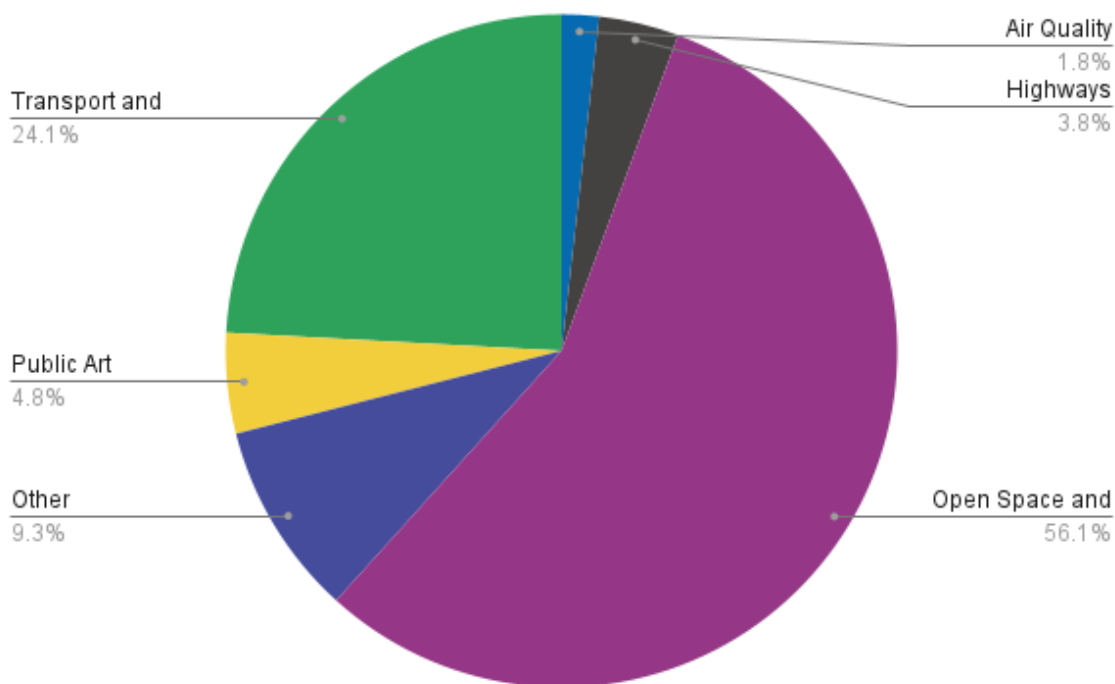
---

<sup>28</sup> Schedule 2, Paragraph 3(i)

**Table 8: Total value of section 106 financial contributions retained by ADC at the end of 2020/21**

<b>Contribution Type</b>	<b>Amount of money retained and unallocated at the end of 2020/21</b>	<b>Amount of money allocated but unspent at the end of 2020/21</b>
Air Quality	£6,856.87	£5,000.00
Highways	£0	£25,400.00
Open Space and Leisure	£129,746.41	£240,415.79
Other <sup>29</sup>	£61,610.00	£0
Public Art	£31,895.35	£0
Transport and Travel	£78,660.45	£80,719.00
<b>Total</b>	<b>£308,769.08</b>	<b>£351,534.79</b>

**Figure 6: Total value of section 106 financial contributions retained by ADC at the end of 2020/21, by contribution type**



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.

<sup>29</sup> 'To be used for whatever came forward as being most important'

## S106 funded projects - Case Studies

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

### Open Space and Leisure – Southwick Football Ground Repairs

A total of £50,000 of s106 funds has been allocated towards bringing Southwick FC's football ground up to scratch as new leaseholders get ready to take over the facility. The site in Old Barn Way, Southwick has several major building defects and is in need of immediate repairs. The money will be spent on roof repairs, floodlight upgrades and rebuilding boundary walls.



The s106 funds will ensure that the site can be refurbished to enable the Russell Martin Foundation (RMF) to transform the site into a community football hub. The ground is an important community resource in Southwick and the upgraded facilities will be able to be enjoyed by footballers of all ages. The aim is to promote health, wellbeing and education in the area, linking in with a number of priorities set out in the Adur and Worthing Council's ['Platforms for our Places'](#).

The money for the repairs comes from sums that Brighton and Hove Albion FC contributed to the Council when the club's training facilities at Lancing were given the go-ahead in 2013. Under government regulations developers have to make a financial contribution to compensate for the loss of an open space.

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

### Transport and Travel – Widewater Bridge

West Sussex County Council (WSSCC) have completed the project to replace the footbridge at Widewater Lagoon, making the coastal nature reserve and Lancing's beach more accessible for people with disabilities. Widewater Lagoon is an area of brackish water, landlocked by a man-made shingle bank. It is home to herons, swans, geese and many other wildfowl. It lies between the beach and A259 coast road (Brighton Road) in Lancing; between the far east of Lancing Beach and the far west of Shoreham Beach.



The previous, timber bridge had degraded beyond repair but has been replaced with one made from a special fibreglass material and with a slope that makes it more suitable for people with disabilities, including wheelchair users. Ongoing costs are far cheaper, too, as there is no need for re-painting and the material does not rot. The project links in with a number of priorities set out in the Adur and Worthing Council's ['Platforms for our Places'](#).

The project was funded by Adur District Council and West Sussex County Council through developer contributions (Section 106 funds), with Adur District Council providing over £100,000 of the section 106 funds.

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

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



**ADUR DISTRICT  
COUNCIL**