



ADUR DISTRICT COUNCIL

Infrastructure Funding Statement (IFS)

2022 – 2023

November 2023



ADUR DISTRICT
COUNCIL

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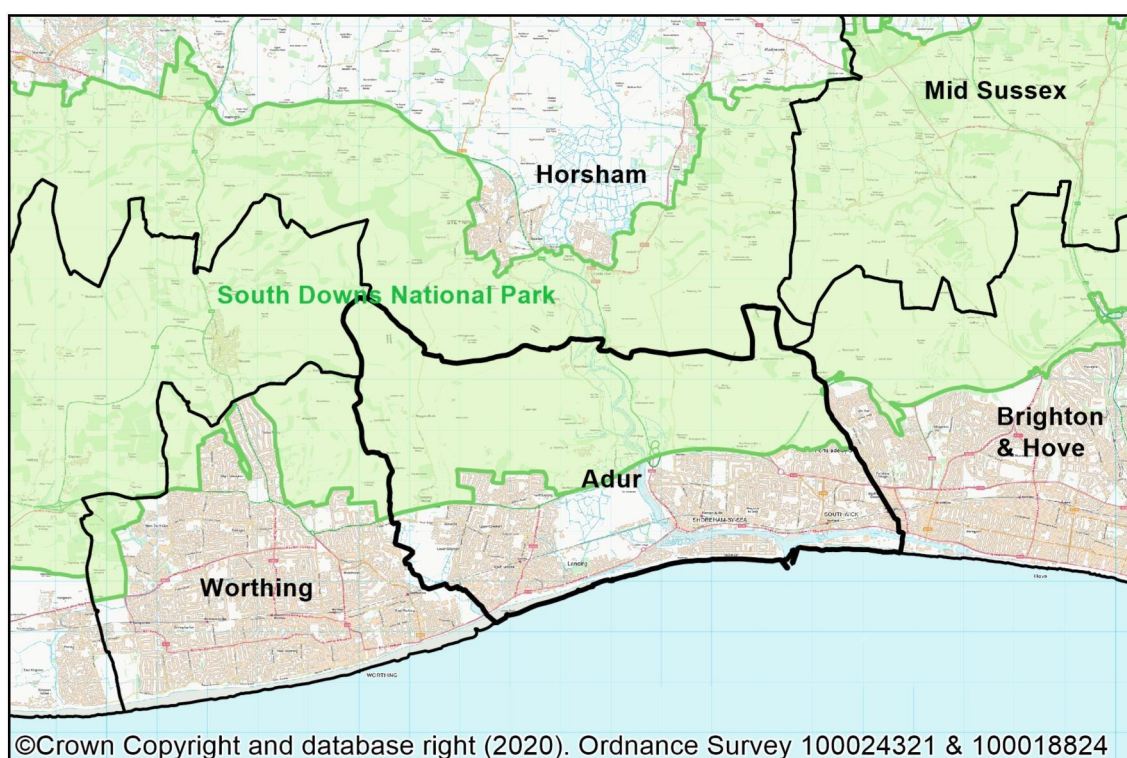
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Introduction

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) within Adur District¹ for a given monitoring year. The first infrastructure funding statement was required 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 2022 to 31st March 2023.

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)

¹ 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 2022/23 (the last monitoring year)** - unless stated otherwise, this refers to the period 01/04/2022 – 31/03/2023

The government published a Levelling Up and Regeneration Bill in May 2022 which includes plans to partially replace the current developer contributions (s106 and CIL) with a new 'infrastructure levy'. The Department for Levelling Up, Housing and Communities then published a technical consultation on the proposed infrastructure levy in early 2023. If implemented, 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, 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 and is awaiting the outcome of the Governments consultations on the proposed Infrastructure Levy. 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:

<https://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 (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/#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 (in Adur, the A27 forms the SRN) 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/

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):

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 2022/23. 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 (WSSC) 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 2022/23²

Description	Amount	Further Information
Total amount of money which may be provided under any planning obligations which were entered into during 2022/23 ³	£395,202.01	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 2022/23	116 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 2022/23 ⁴	£510,389.90	Details are set out in the 'S106 received' section below.
Total amount of money under any planning obligations which was received before 2022/23 which has not been allocated ⁵	£120,121.02	Over £40,000 are required to be used to deliver transport and highways projects - but are 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 2022/23 ⁶	£5,597.00	Details are set out in the 'S106 allocated and unspent' section below.

² Note that this only includes contributions which relate to ADC, not WSSC

³ Schedule 2, Paragraph 3(a)

⁴ Schedule 2, Paragraph 3(b)

⁵ Schedule 2, Paragraph 3(c)

⁶ Schedule 2, Paragraph 3(e)

Total amount of money (received under any planning obligations) which was spent by the authority in 2022/23 ⁷	£193,632.96	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 2022/23	£1,013,396.82	Of this amount, £278,740.64 has been 'allocated' to infrastructure projects.

⁷ Schedule 2, Paragraph 3(f)
Infrastructure Funding Statement

Monetary contributions agreed

In the monitoring year 2022/23:

- 386 planning applications were permitted, of which 11 were major applications
- Two applications contained signed section 106 agreements
- This is a decrease from the four section 106 agreements signed in 2021/22

Note that a number of other planning applications were approved at Planning Committee during 2022-23, but the s106 legal agreement is yet to be signed off. These will be reported on in future versions of the IFS.

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 2022/23 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 2022/23

Planning Ref	Site Address	Date of s106	Contribution	Purpose of contribution
AWDM/0021/22 ⁸	Land East Of Shadwells Road At Mash Barn Estate, Mash Barn Lane, Lancing	13/02/2023	£2,400	S106 Monitoring Fee
			£250,000	Towards the relocation of Ball Tree Surgery
			£5,600	Open space and environmental improvements at the Mash Barn Estate
			Conditional contribution	Off-site affordable housing (in lieu of on-site provision)
			Up to £137,202	Providing any of the Air Quality Measures as have not been implemented

⁸ [Part 1 of DoV](#) and [Part 2 of DoV](#) are available to view online

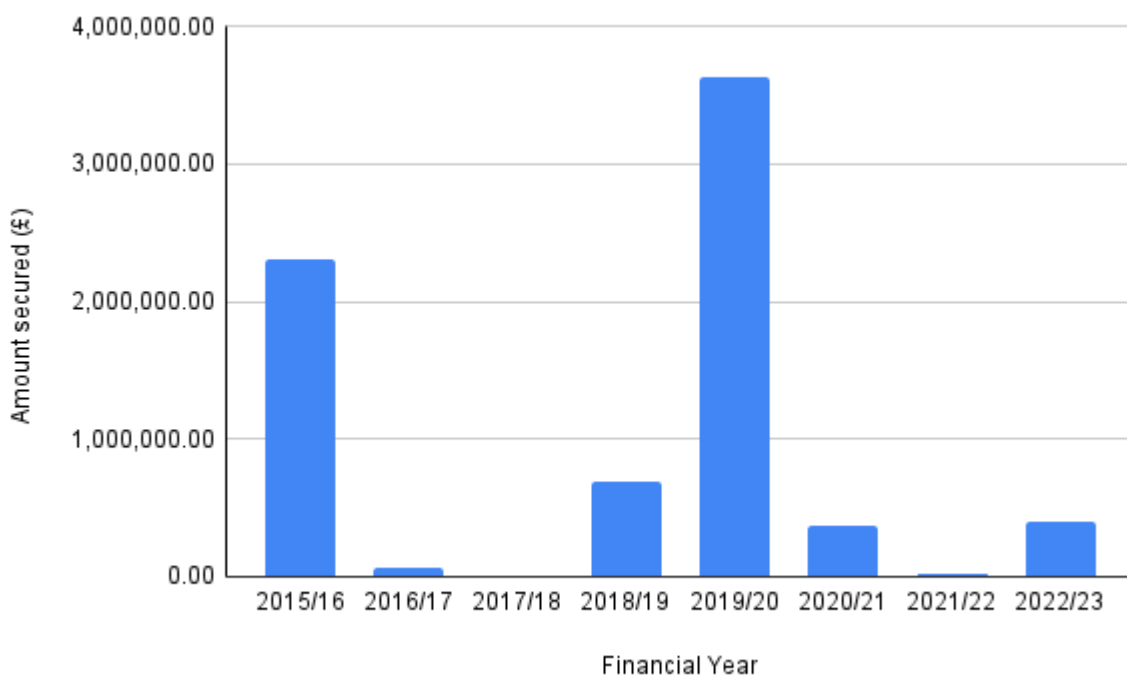
More details on the planning obligations contained in Table 2 can be found in the 'Case Study' section below.

During this monitoring year:

- A total of £395,202.01⁹ was secured through s106 agreements by ADC
- The majority (63%) of these contributions relate to Primary Healthcare

The graph below indicates the amount of money secured through s106 agreements by ADC in previous years¹⁰.

Figure 2: Total potential value of section 106 financial contributions included in agreements entered into by ADC in each monitoring year¹¹



The amount of financial contributions secured each year will depend on a number of factors. Firstly, it relates to the scale of development coming through the planning system in the district. In cases where there are a number of large-scale development projects, the amounts secured are likely to be higher. Secondly, it depends on whether or not the development is able to deliver on-site infrastructure (such as affordable housing units, or public open space). This is the preferred choice when it comes to mitigating the impacts of development. In cases where this is not possible, the Council will accept a final contribution to provide the required infrastructure off-site within the district. Finally, it depends on the viability of the developments. In some extreme cases, the viability margin of the

⁹ Note that this is an estimated amount that could be received and is dependent on a number of factors, including conditional contributions

¹⁰ Note that some of the contributions may appear in multiple years where agreements have been varied under a Deed of Variation in subsequent years

¹¹ Note that this only includes contributions which relate to ADC, not WSCC

development may mean that the developer is unable to provide the financial contribution and still keep the development as being viable to deliver.

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 2022/23¹². 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 2022/23

Planning Ref	Site Address	Date of S106	Contribution	Details
AWDM/0021/22 ¹³	Land East Of Shadwells Road At Mash Barn Estate, Mash Barn Lane, Lancing	13/02/2023	Local Equipped Area of Play	To be provided on site
			116 Affordable Dwellings	82 Dwellings as 60% Affordable Rent & 40% Intermediate Housing; 34 Dwellings as 75% rented at Local Housing Allowance rates & 25% as Intermediate/Shared Ownership
			Community Hub	Floorspace within a building of no less than 250 sqm
			Local Employment / Apprenticeships	During the construction of the Development
			Air Quality Measures	During the construction of the Development

Other site or development specific requirements, including net proceeds of sale, occupancy restrictions, details of management companies, provision of street furniture, schedule of

¹² Schedule 2, Paragraph 3(d)(i) - (ii)

¹³ [Part 1 of DoV](#) and [Part 2 of DoV](#) are available to view online

specific works, highways and general estate management matters are not listed within the table above.

Case Study – New Monks Farm Development

The monetary contributions contained in the s106 agreement for AWDM/0021/22 relate to the application for 385 dwellings and a community hub on the land between Shoreham and Lancing which borders the A27 and Shoreham Airport. The outline permission was granted in February 2020 under AWDM/0961/17. This was a hybrid application, with the first part being full permission for a total of 249 dwellings in the first phase. The reserved matters application provides a total of 385 further dwellings¹⁴ as part of the second phase. This new legal agreement superseded a number of the obligations which were contained in the original legal agreement under AWDM/0961/17, dated 04/02/2020 and reported in a previous IFS.

The s106 agreement includes the provision of 116 affordable housing units (30% of all the dwellings) to be provided on site. 49 dwellings will be provided as affordable rent, 33 dwellings as intermediate housing; 35 dwellings rented at local housing allowance rates & 8 dwellings as intermediate/shared ownership. Should the developer be unable to conclude a binding contract with a registered provider (RP), they will be required to make an off-site affordable housing contribution. There is also provision for a community hub to be built as part of the development, with a floorspace of no less than 250 sqm (or as otherwise agreed by the Council).

Financial contributions are also due to be made to Adur District Council towards the relocation of Ball Tree Surgery, open space and environmental improvements at the Mash Barn Estate, as well as towards air quality improvements in the event that measures have not been implemented within the development.

Further contributions are to be made to West Sussex County Council (WSSCC), including a contribution of £2,117,672 to education provision. As part of the agreement, the developer will also pay a £127,849 library contribution, £10,784 towards the fire service, £75,000 towards cycle and pedestrian link improvements and £14,400 highways contribution.

¹⁴ an increase of 34 dwellings from the outline approval

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



S106 received

The Council received a total of £510,389.90 in s106 financial contributions during 2022/23, which came from two developments. 56% of the contributions received relate to improvements to healthcare facilities in Adur. There were also two non-financial contributions received in the form of a flood defence wall and affordable housing.

Table 4: Section 106 contributions received by ADC during 2022/23¹⁵

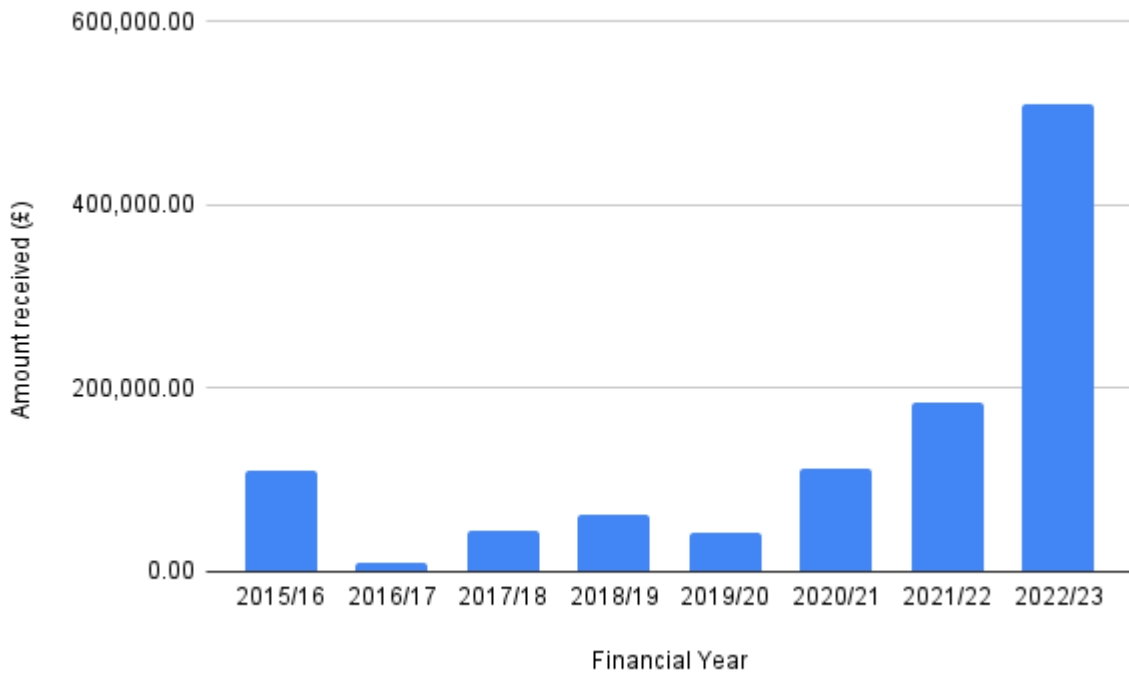
Planning Ref	Site Address	Amount of s106 received	Category of expenditure
AWDM/1006/16	Riverbank Business Centre, 39 Old Shoreham Road, Shoreham-By-Sea	Flood Defence Wall	Flood and Water Management
AWDM/0961/17	Land East Of Shadwells Road At Mash Barn Estate, Mash Barn Lane, Lancing	12 Affordable Dwellings	Affordable Housing
		£152,535.11	Health
		£92,220.72	Police Services
AWDM/0204/20	Kingston Wharf, Brighton Road, Shoreham-By-Sea	£133,652.35	Health
		£73,323.18	Open Space & Leisure
		£58,658.54	Transport & Travel

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

Figure 4 shows that 2022/23 saw a large increase in the amount of s106 financial contributions received by Adur District Council. However, it is worth noting that Health and Police Services contributions are normally paid to the Local Authority before being passed to the relevant stakeholder who spends the funds, in accordance with the legal agreement.

¹⁵ Note that this only includes contributions which relate to ADC, not 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 2022/23 for funding infrastructure was £5,597.00¹⁶. All of the s106 funds allocated in 2022/23 relate to open space & leisure improvements. A summary of the infrastructure projects and amount of money allocated to it are set out in the table below¹⁷. 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 2022/23

Scheme Allocated to	Amount Allocated	Further Information
Studies into improvement at The Meads Park	£5,597.00	In addition to money allocated in 2021/22. To facilitate studies to support the options appraisal development and delivery of improvement at The Meads Park and playground, Victoria Road, Shoreham-by-Sea

¹⁶ 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

¹⁷ 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 2022/23 was £193,632.96. 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 below¹⁸. 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 2022/23, by category of infrastructure type

Category	Amount Spent
Air Quality	£10,499.70
Police	£124,425.90
Open Space and Leisure	£58,707.36

Table 7: Summary of infrastructure projects receiving ADC section 106 funds during 2022/23

Planning Ref	Address	Category	Scheme	Amount Spent
SU/56/03	Sussex Wharf, Harbour Way, Shoreham-By-Sea	Open Space and Leisure	Maintenance of open space at Sussex Wharf	£3,270.36
ADC/0210/09	Ballamys Showroom, High Street, Shoreham-by-Sea	Air Quality	Nitrogen Dioxide continuous analyser in Shoreham High Street	£5,000.00
AWDM/0501/12	79 - 81 Brighton Road, Shoreham-By-Sea	Air Quality	Nitrogen Dioxide continuous analyser in Shoreham High Street	£1,178.70
		Air Quality	Air conditioning unit within the Shoreham High	£3,321.00

¹⁸ Schedule 2, Paragraph 3(h)(i)
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			Street Continuous Air Quality Monitoring cabinet	
AWDM/0935/13	Riverbank Business Centre, 39 Old Shoreham Road, Shoreham-By-Sea	Open Space and Leisure	Adur Recreation Ground Play Area Equipment	£25,000.00
AWDM/0431/14	Unit 1, Malthouse Trading Estate, Brighton Road, Shoreham-By-Sea	Air Quality	Nitrogen Dioxide continuous analyser in Shoreham High Street	£1,000.00
AWDM/1340/14	Southlands Hospital, Upper Shoreham Road, Shoreham-By-Sea	Open Space and Leisure	Buckingham Park hardstanding and equipment	£30,437.00
AWDM/0961/17	Land East Of Shadwells Road At Mash Barn Estate, Mash Barn Lane, Lancing	Police	Transferred to Sussex Police	£124,425.90
Total				£193,632.96

Note that these projects received S106 funds between 1st April 2022 and 31st March 2023, however the exact date is not recorded.

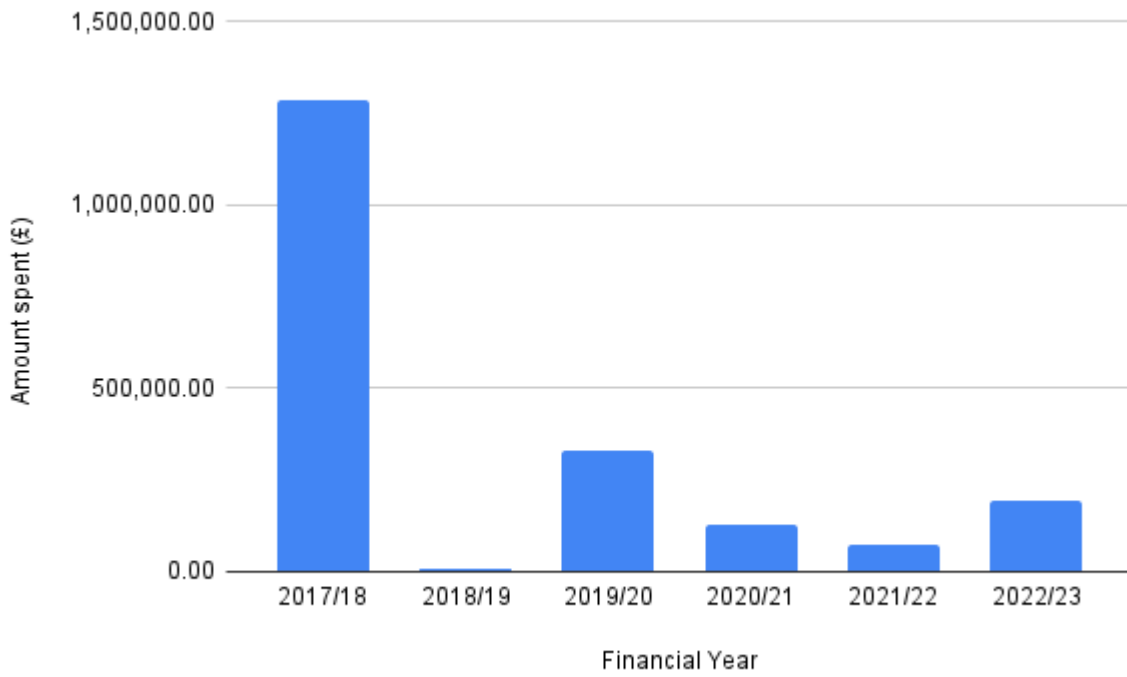
ii) Amount of s106 money (received under planning obligations) which has been spent on repaying money borrowed, including interest ¹⁹ .	£0
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iii) Amount of s106 money (received under planning obligations) which has been spent in respect of monitoring ²⁰ .	£0
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¹⁹ Schedule 2, Paragraph 3(h)

²⁰ Schedule 2, Paragraph 3(h)

Figure 5: Total value of section 106 financial contributions spent by ADC in each monitoring year²¹



²¹ Note that this only includes contributions which relate to ADC, not WSCC
Infrastructure Funding Statement

S106 retained

The total amount of s106 money received (under any planning obligations) during any monitoring year which was retained at the end of 2022/23 was £1,013,396.82. Of this, £65,032.06 has been retained for the purposes of longer term maintenance (known as a commuted sum)²².

Table 8: Total value of section 106 financial contributions retained by ADC at the end of 2022/23²³

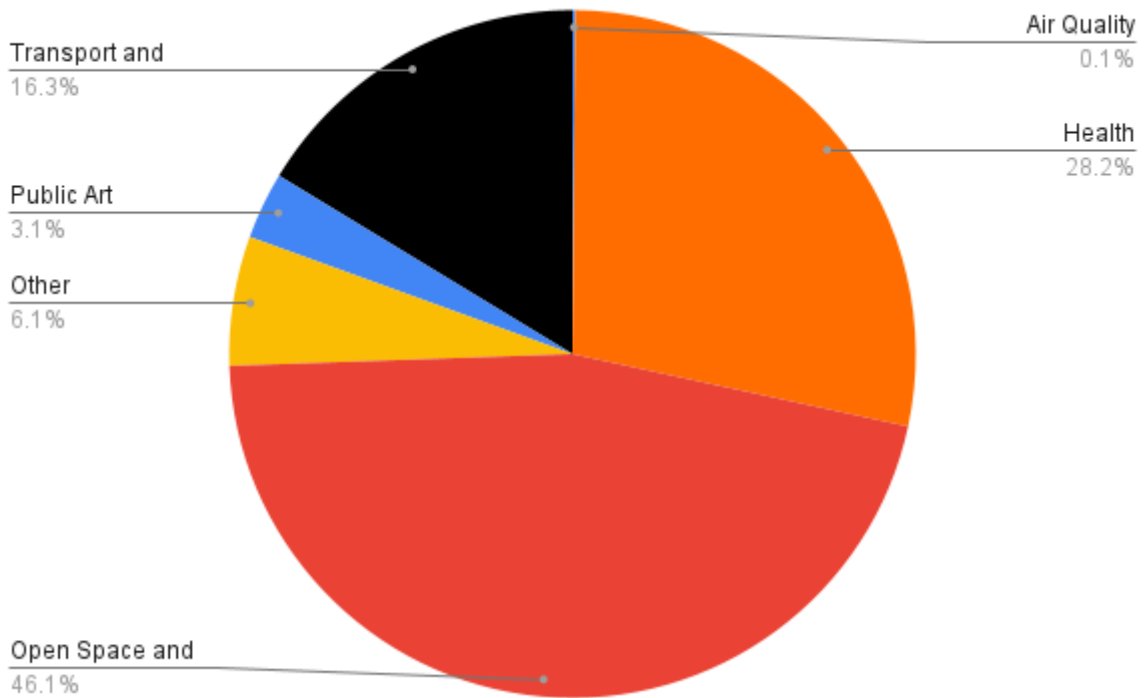
Contribution Type	Amount of money retained and unallocated at the end of 2022/23	Amount of money allocated but unspent at the end of 2022/23
Air Quality	£1,357.17	£0
Health	£286,187.46	£0
Open Space and Leisure	£254,802.21	£212,127.64
Other ²⁴	£61,610.00	£0
Public Art	£31,895.35	£0
Transport and Travel	£98,803.99	£66,613.00
Total	£734,656.18	£278,740.64

²² Schedule 2, Paragraph 3(i)

²³ Note that this only includes contributions which relate to ADC, not WSCC

²⁴ 'To be used for whatever came forward as being most important'

Figure 6: Total value of section 106 financial contributions retained by ADC at the end of 2022/23, by contribution type



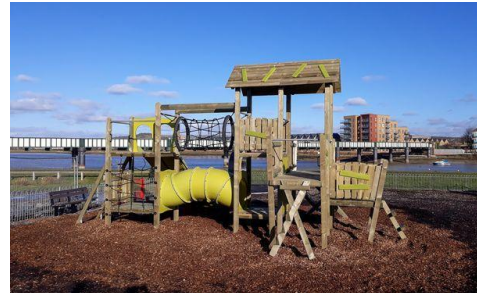
Often when section 106 funding is received in smaller amounts, the Council will combine these contributions over time to invest in larger projects which have a greater impact in the community.

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 – Adur Recreation Ground Play Area Equipment

A total of £25,000 of s106 funds have been used towards an exciting new piece of multi-play kit at Adur Rec. The new climbing unit is the first of its kind to be installed in the county, and has replaced the old piece of multi-play kit, which needed to go after reaching the end of its life.



The piece of equipment was voted for by young users of the park and has been added to the popular play area in Shoreham beside the River Adur. The playground is a destination playground, therefore it will be highly beneficial to have this type of unique playground equipment. The new unit has been paid for by the Council and forms part of our work to improve playgrounds across Shoreham, Lancing, Sompting, Southwick and Fishersgate.

Air Quality – Nitrogen Dioxide continuous analyser in Shoreham High Street

Over £10,000 of s106 funds have been used on upgrades to the Air Quality Monitoring cabinet in Shoreham High Street. The cabinet comprises two monitoring devices (a Nitrogen Dioxide monitor and a Particulate Matter monitor), pumps to draw in air from outside, an aircon unit to prevent the equipment overheating and telematics to allow data transfer. Both monitoring devices continually analyse the air in the vicinity and produce results for concentrations of Nitrogen Dioxide (NO₂) and Particulates PM_{2.5} (particles less than 2.5 microns diameter).



The Council is committed to improving air quality in High Street, Shoreham (A259) which has been designated as an Air Quality Management Area (AQMA) since 2005. Adur has two areas classified as AQMAs, High Street in Shoreham and Old Shoreham Road in Southwick as they failed to comply with legal limits of Nitrogen Dioxide.

Poor air quality is the largest environmental risk to public health in the UK, as long-term exposure to air pollution can cause chronic conditions such as cardiovascular and respiratory diseases as well as lung cancer, leading to reduced life expectancy.

The data is made available to the public through the [Sussex Air Quality Partnership](#) and feeds into the annual reporting to defra which are available on the Council's [website](#). The data allows us to report against [national air quality objectives](#). It will also allow us to note the effects of local major developments and changes in traffic flows/numbers.

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