

## RELEASE OF S106 CONTRIBUTIONS

REPORT OF: Deputy Chief Executive  
Contact Officer: Sally Blomfield, Assistant Director Planning and Sustainable Economy  
[sally.blomfield@midsussex.gov.uk](mailto:sally.blomfield@midsussex.gov.uk)  
Wards Affected: All  
Key Decision: No  
Report to: Cabinet Grants Panel  
16 October 2023

---

### Purpose of Report

1. The purpose of this report is to:
  - (i) Present a request for the Release of Section 106 (S106) Contributions for the construction of a toilet block on Lindfield Common for consideration by the Cabinet Grants Panel.
  - (ii) Present a revised scheme for Adastra Hall Hassocks Community Association for consideration by Members.

### Recommendations

2. Cabinet Grant Panel is recommended to consider and agree the following:
  - (i) **the release of £249,785 S106 monies to Lindfield Parish Council for the construction of a toilet block on Lindfield Common (see details in Appendix A).**
  - (ii) **re-confirm the previous agreement to release £224,139.11 S106 to the Adastra Hall Hassocks Community Association given the revised proposal for the Adastra Hall.**

### Background

3. S106 monies have been secured from developments for a range of community and sport and recreational facilities. The monies have been secured in line with the Council's adopted Development and Infrastructure Supplementary Planning Document which can be found [here](#).

### Lindfield Common Toilets

4. Lindfield Parish Council intends to construct a block of toilets on Lindfield Common. The facilities will consist of three individual locking cubicles and a Changing Places cubicle. Changing Places toilets, unlike standard accessible toilets, have an adult changing bench and hoist facilities as well as extra space for carers.
5. The total cost of the project is £305,547.50 and the proposal is to release **£249,785** S106 monies to support this project. This represents 82% of the total project costs. The remaining costs and ongoing maintenance costs will be met by Lindfield Parish Council.
6. Details of the proposals are set out in Appendix A.

## **Adastra Hall Hassocks Community Association – revised proposal**

7. In June 2023, the Cabinet Grants Panel agreed to award **£224,139.11** to the Adastra Hall Hassocks Community Association toward the cost of two extensions to provide new disabled toilet facilities and to enlarge the Green Room to create a large self-contained activity hall.
8. The Capital Grants Panel agreed to fund 44% of the total estimated project costs of £505,884 and the community association was asked to raise £287,744.89 in match funding to deliver the project.
9. In August 2023, the Chair of the Association advised the Association would be unable to raise all the required funding and proposed a reduced scheme to deliver the Green Room expansion only by May 2024, subject to funding.
10. The revised scheme is estimated to cost £314,485 including a 5% contingency, based on a Chartered Surveyors detailed cost estimate. To date, the Association has raised £61,500 from the Bernard Sunley Foundation (£15,000), the current organizational surplus (£34,000), an anonymous donation and gift aid (£12,500). This leaves a funding gap of £30,985 to be filled in the next six months which is a more realistic and achievable target.
11. In light of the proposed changes to the project the Cabinet Grants Panel is asked to re-confirm its agreement to the release **£224,139.11** S106 monies towards this revised proposal.

### **Financial Implications**

12. S106 contribution awards are funded through the allocation of financial receipts paid to the Council as a result of residential development toward infrastructure improvements to enhance formal sports, community buildings and other facilities.

### **Risk Management Implications**

13. The main risks to the successful implementation of the decisions arising from this report would be the inability of the funded organisations to deliver those projects for which the release of s106 has been agreed, so offers are time limited and conditioned accordingly.
14. A Contract is signed at the application stage by organisations seeking funding that details the terms and conditions under which the release of S106 contributions is given. In respect of the release of S106 contributions, the Council may also impose additional safeguards prior to payment and all conditions must be met before the funds will be released. Payments are made on receipt of evidence of project expenditure.
15. With these measures in place the risks are reasonably mitigated against.

### **Equality and customer service implications**

16. As part of the assessment process, all organisations applying for funding from the Council must submit an Equal Opportunities Policy. They must comply with the conditions of funding and have the requisite policies and procedures in place.

## **Legal Implications**

17. All projects recommended for funding are considered to represent appropriate expenditure of S106 funds. In accordance with the Council's Constitution, the Cabinet Grants Panel is authorised to deal with the release of Section 106 monies over £50k.
18. Release of S106 funding to voluntary organisations are conditional and subject to compliance with the Subsidy Control Act 2022.

## **Sustainability Implications**

19. The provision of the funding supports the Council's community leadership role in the delivery of local and UN Sustainable Development Goals.

## **Background Papers**

- Applications and associated documentation for the Release of S106 Contributions are held by the Council.
- Cabinet Grants Panel Report June 2023: Agenda Item 10 which deals with the previous release of S106 monies for Adastra Hall can be found [here](#)