

TO: THE MONITORING OFFICER (TOM CLARK, SOLICITOR TO THE COUNCIL)

RECORD OF ACTION TAKEN BY A CABINET MEMBER UNDER DELEGATED POWERS

Subject: Re-allocation of S106 Total Access Demand (TAD) contributions previously committed to West Sussex County Council (WSCC) to Mid Sussex District Council (MSDC)

Cabinet Member: Cllr Robert Salisbury

Has the Cabinet Member received a report prior to taking the decision?

Yes

In the case of a key decision and where the Cabinet Member has received a report.

This is not a key decision.

Alternative options considered and rejected.

None – contributions were collected towards:-

- `The Scheme' which will improve access between the Land and local amenities (to include housing, jobs, shops, schools, leisure and other services).
- A safe route to school scheme for Southway Junior School.
- A safe route to school scheme for the Gattons Infant School.

Record of decision taken.

To authorise the re-allocation of £67,076.35 of contributions previously committed to WSCC to MSDC from the Total Access Demand (TAD) fund.

Statement of reasons for making the decision.

MSDC can deliver some Burgess Hill Place and Connectivity Programme projects during the 2021/22 financial year.

The Growth Board considers the release of funding at this stage will support an efficient delivery of the Programme.

Officers consider this an appropriate expenditure of TAD contributions.

Date of decision:- 20 July 2021

Is the decision to be protected from call-in? (i.e. if any delay would seriously prejudice the Council's or the public's interest) - see Scrutiny Procedure Rule 14 (M)

N/A

Signed:



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Cabinet Member

This record must be forwarded immediately to the Monitoring Officer (TC) and copied to the relevant Cabinet Member.

For Monitoring Officer

Date of publication of Member Information Services

21/7/21

Date of decision can be implemented (on the Thursday after publication of the Member Information Service unless already protected from call-in)

29/7/21

REPORT TO CABINET MEMBER FOR PLANNING

RE-ALLOCATION OF S.106 TOTAL ACCESS DEMAND (TAD) CONTRIBUTIONS.

| | |
|------------------------------|---|
| REPORT OF Contact Officer | Divisional Leader for Planning and Economy Elizabeth Lancaster, Infrastructure Officer, Planning Policy and Economic Development Email: Section106Monitoring@MidSussex.gov.uk Tel: 01444 477066 |
| Wards affected | |
| Key decision | No |

Purpose of Report

1. This report seeks approval to re-allocate Total Access Demand (TAD) contributions that were previously committed to West Sussex County Council (WSCC) to Mid Sussex District Council (MSDC) to facilitate the delivery of agreed projects within the Burgess Hill Place and Connectivity Programme.

Recommendation

2. It is recommended that £67,076.35 be released to MSDC from contributions arising from developments at Land at 86 Junction Road, Land at 88 Junction Road, Land at Kings Head Public House, Land at Summerfold House, Land at 67 Victoria Road, Land at 107 Fairfield Road and Land at 71 Victoria Road to fund these projects.
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Background

3. The Burgess Hill Place and Connectivity Programme is a coordinated investment package of public realm, connectivity, and sustainable transport infrastructure improvements. The Place and Connectivity Programme is part of and is integral to the sustainable delivery of the Burgess Hill Growth Programme
4. The Place and Connectivity Programme will deliver:
 - Public realm and connectivity enhancements at Burgess Hill and Wivelsfield railway stations
 - Public realm and connectivity improvements in Burgess Hill Town Centre
 - Connectivity between the Northern Arc and key destinations in Burgess Hill
 - Connectivity between the Victoria Business Park and key destinations in Burgess Hill
 - Connectivity between Burgess Hill and Haywards Heath
 - Connectivity between surrounding villages and key destinations in Burgess Hill
 - Connectivity between the A2300 corridor and key destinations in Burgess Hill
5. The S106 funding identified in this report for release was subject to a report made to the MSDC Cabinet Grants Panel in June 2019 who approved the transfer of £485,768.00 of S106 contributions held at MSDC to WSCC to facilitate delivery of the Place and Connectivity Programme. The transfer of monies has not been made and it is now requested that £67,076.35 of contributions from the relevant TAD agreements are released to MSDC for spend on project delivery by MSDC during the financial year 2021/22
6. The Growth Board, chaired by the Chief Executive of MSDC and attended by senior representatives from MSDC & WSCC, considers such arrangements to support the

efficient delivery of the Programme and the release of appropriate S106 monies at this stage will play a key role in this.

Financial Implications

7. The Burgess Hill Place and Connectivity Programme is considered to represent an appropriate expenditure of TAD contributions from the agreements below.

| S106 Agreement | | | |
|-----------------------|--------------|----------------------------|-------------------|
| P35/711 | 12/02873/FUL | Land at 86 Junction Road | £13,346.00 |
| PL12-000331 | 13/03302/COU | Land at 88 Junction Road | £4,528.00 |
| PL13/KingsHead | 12/04048/FUL | Land at Kings Head PH | £7,400.00 |
| PL13-000560 | 14/02395/FUL | Land at 152 Leylands Rd | £3,483.00 |
| PL13-000869 | DM/15/0235 | Land at 67 Victoria Road | £4,369.00 |
| PL13-000948 | DM/15/1410 | Land at 107 Fairfield Road | £25,223.00 |
| PL13-001075 | DM/15/3036 | Land at 71 Victoria Road | £8,727.35 |
| | | | |
| Total | | | £67,076.35 |

8. Oversight of S106 fund expenditure will be maintained by the Growth Board with the allocation of S106 funding for specific projects required to be agreed by the Board. S106 expenditure will be maintained by the Growth Board via monitoring updates (on at least a quarterly basis). This is in addition to monitoring of all S106 expenditure which is reported annually.

Legal Implications

9. The planning permissions for the developments at Land at 86 Junction Road, Land at 88 Junction Road, Land at Kings Head Public House and Land at 152 Leylands Road secured contributions towards 'The Scheme' which will improve access between the Land and local amenities (to include housing, jobs, shops, schools, leisure and other services).
10. The developments at 67 Victoria Road and 71 Victoria Road secured contributions towards a safe route to school scheme for Southway Junior School.
11. The development at 107 Fairfield Road secured contributions towards the safe routes to school scheme for the Gattons Infant School.
12. The Burgess Hill Place and Connectivity Programme projects are considered to represent appropriate expenditure of TAD contributions.
10. The projects are considered beneficial to the local community.
11. It is proposed the decision be signed off by the Cabinet Member for Planning.
12. Decisions on the distribution of TAD Section 106 monies are delegated to individual Cabinet Members in the Council's Constitution.