



# **WORTHING BOROUGH COUNCIL**

## **Infrastructure Funding Statement (IFS)**

**2021 – 2022**

**November 2022**



**WORTHING BOROUGH  
COUNCIL**

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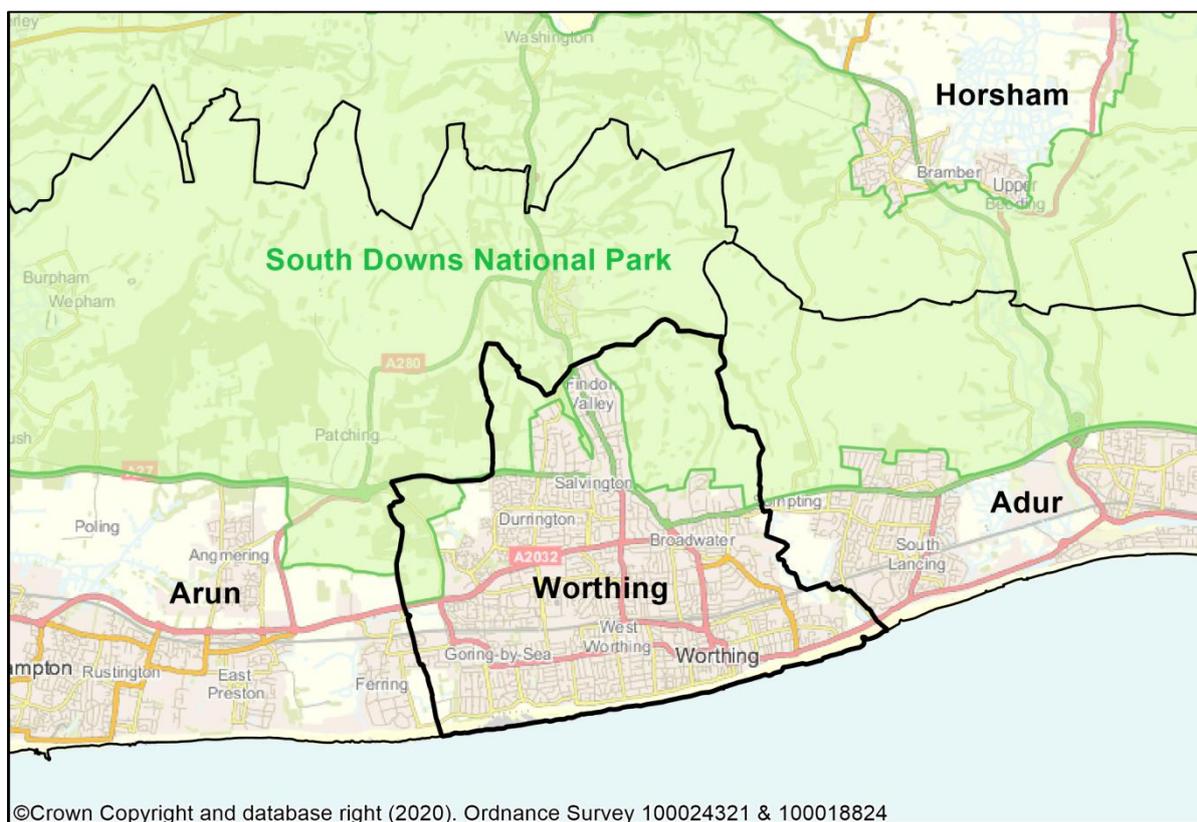
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# Introduction

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 2021 to 31st March 2022.

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 – that area is covered by the SDNP 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 2021/22 (the last monitoring year)** - this refers to the period 01/04/2021 – 31/03/2022
- **CIL Regulations** – this refers to the Community Infrastructure Levy Regulations 2010 (as amended)

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'. 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 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 suggested a

possible revised CIL draft charging schedule (DCS). WBC 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 in October 2020. The Examination was held 'virtually' on Thursday 28th January 2021. WBC 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 (WSCC). Contributions relating to WSCC will not be reported on in this 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](http://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 (WSCC) 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 WSCC will report on the section 278 agreements entered into in Worthing in their Infrastructure Funding Statement (IFS):

[www.westsussex.gov.uk/roads-and-travel/information-for-developers/section-106-planning-obligations/#infrastructure-funding-statement](http://www.westsussex.gov.uk/roads-and-travel/information-for-developers/section-106-planning-obligations/#infrastructure-funding-statement)

# 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 (April 2022)**

Monitoring Year	Total CIL receipts	Strategic Pot (70%)	Neighbourhood Pot (15%)	'Other Services' Pot (10%)	Admin Pot (5%)
Carried f/wd	£2,560,000	£1,803,000	£381,000	£302,000	£74,000
2022/23	£4,017,000	£2,822,900	£599,550	£447,700	£146,850
2023/24	£5,023,000	£3,527,100	£750,450	£548,300	£197,150
2024/25	£8,811,000	£6,178,700	£1,318,650	£927,100	£386,550
2025/26	£12,813,000	£8,980,100	£1,918,950	£1,327,300	£586,650
2026/27	£14,064,000	£9,855,800	£2,106,600	£1,452,400	£649,200
2027/28	£15,237,000	£10,676,900	£2,282,550	£1,569,700	£707,850
2028/29	£15,777,000	£11,054,900	£2,363,550	£1,623,700	£734,850

## 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 (WBC) 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 (WSSCC) 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 WSSCC 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 during the remainder of the 3-year 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:* Montague Place 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 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 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)**

	2020/2021	2021/2022	2022/2023
1 <sup>st</sup> April b/fwd			£1,692,982
<b>Income</b>			
Estimated CIL income			£1,019,900
<b>Funds available</b>	<b>£1,056,000</b>	<b>£2,003,000</b>	<b>£2,712,882</b>
<b>Expenditure</b>			
<b>IIP001</b> – Public Realm Enhancements Railway Station to the Town Centre: I) Railway Approach II) South Street III) Portland Road IV) Montague Place		£200,000	£2,300,000
<b>IIP002</b> - Public Wi-Fi for Town Centre(s)/ Seafront		£110,018	£189,982
<b>IIP003</b> – Brooklands Masterplan	£62,529		
<b>IIP004</b> – Somerset Lakes			£50,000
<b>Total Expenditure</b>	<b>£62,529</b>	<b>£310,018</b>	<b>£2,650,000</b>
<b>31<sup>st</sup> March c/fwd</b>	<b>£993,471</b>	<b>£1,692,982</b>	<b>£62,882</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 2021/22. 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 2021/22, 28 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 2021/22**

Description	Amount	Further Information
The total value of CIL set out in all demand notices issued in the 2021/22 <sup>2</sup> (excluding demand notices which were suspended/superseded)	£3,408,858.25	Of this, £10,022.05 was surcharges which were imposed due to breaches of the CIL Regulations and £1,111.45 was late payment interest accrued.
The total amount of CIL receipts for 2021/22 <sup>3</sup>	£1,739,013.14	See more in the 'CIL receipts' section below.
The total amount of CIL receipts, collected by the authority, before 1st April 2021 which have not been allocated <sup>4</sup>	£1,194,098.99	See more in the 'Total amount of CIL retained' section below.
The total amount of CIL receipts, collected by the authority, before 1st April 2021 which have been allocated in 2021/22 <sup>5</sup>	£562,590.15	See more in the 'CIL allocations' section below.
The total amount of CIL expenditure in 2021/22 <sup>6</sup>	£238,150.32	This figure includes amount spent on admin expenses.
The total amount of CIL receipts, collected since it was introduced, which were allocated but not spent in 2021/22 <sup>7</sup>	£450,318.66	See more in the 'CIL allocations' section below.

<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)

Note that some of these Demand Notices which were issued in 2021/22 may supersede those that were issued in previous financial years and recorded in previous versions of the IFS.

## CIL receipts

A total of £1,739,013.14 was received from 21 CIL liable developments in Worthing between 1st April 2021 and 31st March 2022. A total of £1,465,402.42 was granted in Self Build relief and Social Housing relief during the monitoring year. A total of £68,702.67 was granted in Residential Extension exemption during the monitoring year.

Table 4: Breakdown of WBC CIL receipts in 2021/22

Ward	Planning Ref	Address	Amount received
Central	AWDM/0240/20	42 - 46 Teville Road	£26,549.00
	AWDM/0679/19	60 Station Road	£19,414.29
	AWDM/0906/20	19 - 23 South Street	£23,923.47
	AWDM/1020/20	15 Shelley Road	£4,518.76
	AWDM/1375/19	38 South Street	£9,008.53
	AWDM/1633/16	The Aquarena, Brighton Road	£377,158.72
Durrington	AWDM/0100/20	87 Burnham Road	£12,471.72
	AWDM/2045/20	Durrington New Life Church, 113 Salvington Road	£22,401.00
Heene	AWDM/0456/16	10 Byron Road	£10,038.29
Marine	AWDM/0002/19	23 Eirene Road	£30,213.95
	AWDM/0255/21	Winchelsea, 1 - 3 Winchelsea Gardens	£2,481.43
	AWDM/0879/18	Land South Of 6 Grand Avenue, West Parade	£228,134.88
	AWDM/1827/19	Roshni, 19 Reigate Road	£352.05
Northbrook	AWDM/0166/20	Land Site West Of, Fulbeck Avenue	£214,052.47

	AWDM/1316/19	Land To The South And East And West Of The Coach And Horses, Arundel Road	£203,335.71
	AWDM/1714/19	Land To The South And East And West Of The Coach And Horses, Arundel Road	£504,388.28
Offington	AWDM/0436/18	45 First Avenue	£13,180.53
	AWDM/0945/18	30 Poulters Lane	£4,036.09
Salvington	AWDM/0692/20	The Drive, Mill Lane	£12,623.15
Selden	AWDM/1843/21	Brooklands Pleasure Park, Brighton Road	£14,430.89
Tarring	AWDM/2145/20	1A Littlehampton Road	£6,299.93
<b>Total</b>			<b>£1,739,013.14</b>

Figure 2: Map showing development sites which have paid CIL in Worthing in 2021/22



## CIL expenditure

In relation to CIL expenditure for 2021/22, 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	£183,799.06
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**Table 5: Summary of infrastructure projects receiving CIL funding from Strategic Pot (80%) in 2021/22**

Summary details of items of infrastructure which have been received CIL funding from the Strategic Pot (80%)	Amount of CIL spent
IIP002 Public WiFi	£110,018.07
IIP003 Brooklands Masterplan	£62,527.57

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

Additional funds have been spent from the CIL Neighbourhood Fund (15%), with details available in the '[CIL Neighbourhood Fund](#)' section below.

ii) Amount spent on repaying money borrowed	£0
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Note that no money has been borrowed to finance CIL expenditure.

iii) Amount spent on administration	£54,351.26
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This is 3.13% of the total amount of CIL collected in the monitoring year 2021/22 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
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<sup>8</sup> Schedule 2, Paragraph 1(g)

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

## CIL allocations

In relation to CIL receipts, which have been collected since it was introduced, and were allocated but not spent during 2021/22, 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 6: Summary of infrastructure projects allocated CIL funding in 2021/22<sup>11</sup>

CIL Pot	Project	Amount Allocated	Amount Unspent
Strategic (70%)	IIP002 Public WiFi	£300,000.00	£189,981.93
Strategic (70%)	IIP001IV Public Realm Enhancements Montague Place	£200,000.00	£200,000.00
Neighbourhood (15%)	002/21 Worthing Allotments Management	£5,000.00	£5,000.00
Neighbourhood (15%)	003/21 High Salvington Residents Association	£5,000.00	£531.32
Neighbourhood (15%)	005/21 Creative Waves Community Arts	£9,450.00	£9,450.00
Neighbourhood (15%)	006/21 Friends of Homefield Park	£10,000.00	£10,000.00
Neighbourhood (15%)	007/21 Charmandean and Area Residents' Association	£10,000.00	£10,000.00
Neighbourhood (15%)	008/21 Victoria Park Dog Walkers and Volunteers	£2,474.15	£2,474.15
Neighbourhood (15%)	009/21 2 <sup>nd</sup> Durrington Sea Scout Group	£7,500.00	£7,500.00
Neighbourhood (15%)	010/21 Guild Care	£8,500.00	£8,500.00
Neighbourhood (15%)	012/21 Friends of Denton Gardens	£10,000.00	£6,881.26

The projects which have been formally allocated CIL funds from the Strategic Pot (70%) were prioritised funding in the [Infrastructure Investment Plan \(IIP\)](#). The IIP states the prioritisation of projects to receive CIL funding for the period 2020-2023.

2021/22 was the first year that Worthing Borough Council opened up the CIL Neighbourhood Fund (15%) to applications for wards which had reached at least £10,000 in the ward pot. More details are provided in the '[CIL Neighbourhood Fund](#)' section below.

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

<sup>11</sup> Schedule 2, Paragraph 1(j)(ii)

## CIL Neighbourhood Fund

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>12</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

More information on the CIL Neighbourhood Fund in Worthing can be found on the [Council's website](#).

The total collected by Worthing Borough Council for the reported year under Regulation 59E was £0.00 and under Regulation 59F, CIL collected and retained by the Charging Authority for areas that are not designated Neighbourhood Zones, was £260,720.61.

Summary details of the expenditure of CIL to which regulation 59F applied during 2021/22<sup>13</sup>:

i) Amount of expenditure to which regulation 59F applies	£11,253.42
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Note that of the projects which have been allocated funds from the CIL Neighbourhood Fund, only 3 had received the funds in 2021/22. This is because the CIL funds are transferred across to the groups delivering the project at various stages, once the works have commenced or completed.

<sup>12</sup> Schedule 2, Paragraph 1(i)(i), 1(k)(i) - (ii) are not applicable

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

**Table 7: Summary of infrastructure projects receiving CIL neighbourhood funds in 2021/22**

<b>Summary details of items of infrastructure which have received CIL neighbourhood funding, under regulation 59F</b>	<b>Amount of CIL expenditure</b>	<b>Spend Description</b>
001/21 Worthing West District Guides	£3,666.00	Replace fascia boards, soffits and guttering to the District Guide Hall
003/21 High Salvington Residents Association	£4,468.68	Placing Speed Detection Devices on Salvington Hill
012/21 Friends of Denton Gardens	£3,118.74	Deposit for commemorative stone and purchase of timber

2021/22 was the first round of funding for the CIL Neighbourhood Fund (15%). Six wards met the £10,000 threshold in April 2021 which meant that funds were made available to groups: Central; Durrington; Marine; Offington; Salvington; Tarring. A total of 12 applications were received during the application process and, of these, ten community groups have been awarded CIL Neighbourhood Funds totalling nearly £72,000. The Council has provided feedback to the applicants who were not successful and, providing they address the points raised, they are encouraged to submit their revised proposals as part of a future annual funding process.

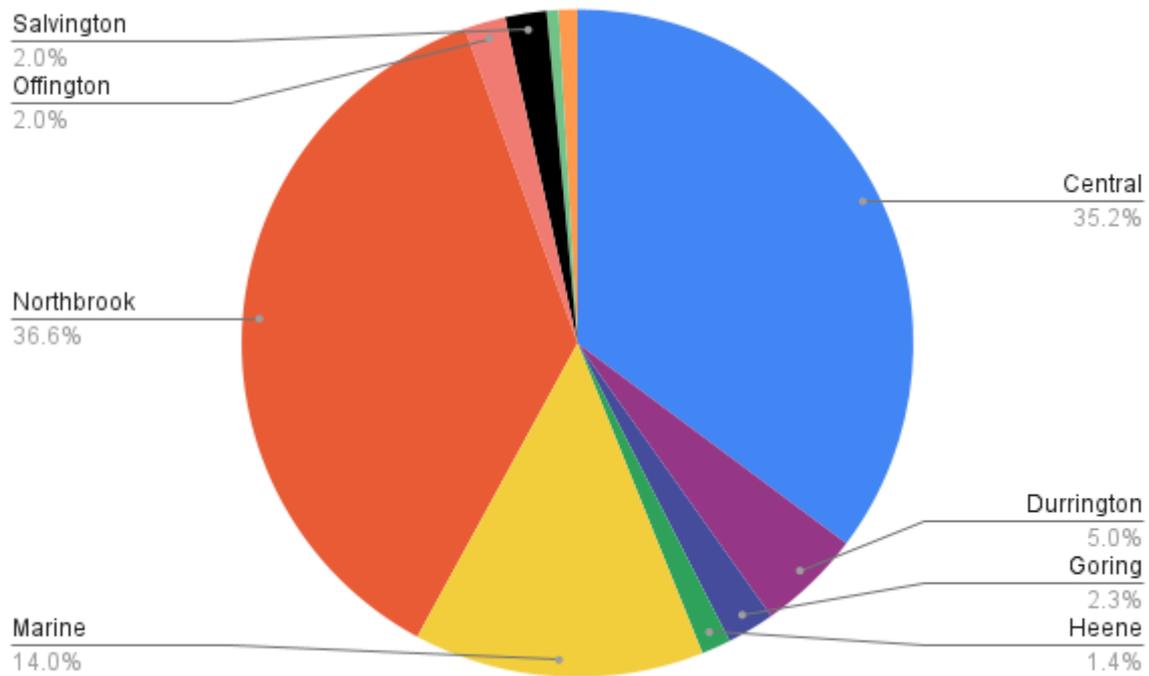
The amount of CIL that has been collected and is available in each neighbourhood pot (15% of all CIL funds), at the end of the 2021/22 monitoring year, is shown in the table below.

Table 8: Amount of CIL funds available in each ward of the Neighbourhood Pot (15%) at the end of 2021/22

Ward	Amount received in n'hood pot in 2021/22	Funds carried over from previous years <sup>14</sup>	Expenditure / Allocations for the reported year	Available funds at the end of reported year
Central	£69,085.92	£105,562.28	£40,424.15	£134,224.05
Durrington	£5,230.91	£21,258.37	£7,500.00	£18,989.28
Goring	£0.00	£8,771.77	£0.00	£8,771.77
Heene	£1,374.38	£4,009.75	£0.00	£5,384.13
Marine	£39,177.35	£14,094.48	£0.00	£53,271.83
Northbrook	£138,266.47	£1,290.00	£0.00	£139,556.47
Offington	£2,582.49	£15,007.88	£10,000.00	£7,590.37
Salvington	£1,893.47	£10,678.77	£5,000.00	£7,572.24
Selden	£2,164.63	£0.00	£0.00	£2,164.63
Tarring	£944.99	£11,177.40	£8,666.00	£3,456.39
<b>Total</b>	<b>£260,720.61</b>	<b>£191,850.70</b>	<b>£71,590.15</b>	<b>£380,981.16</b>

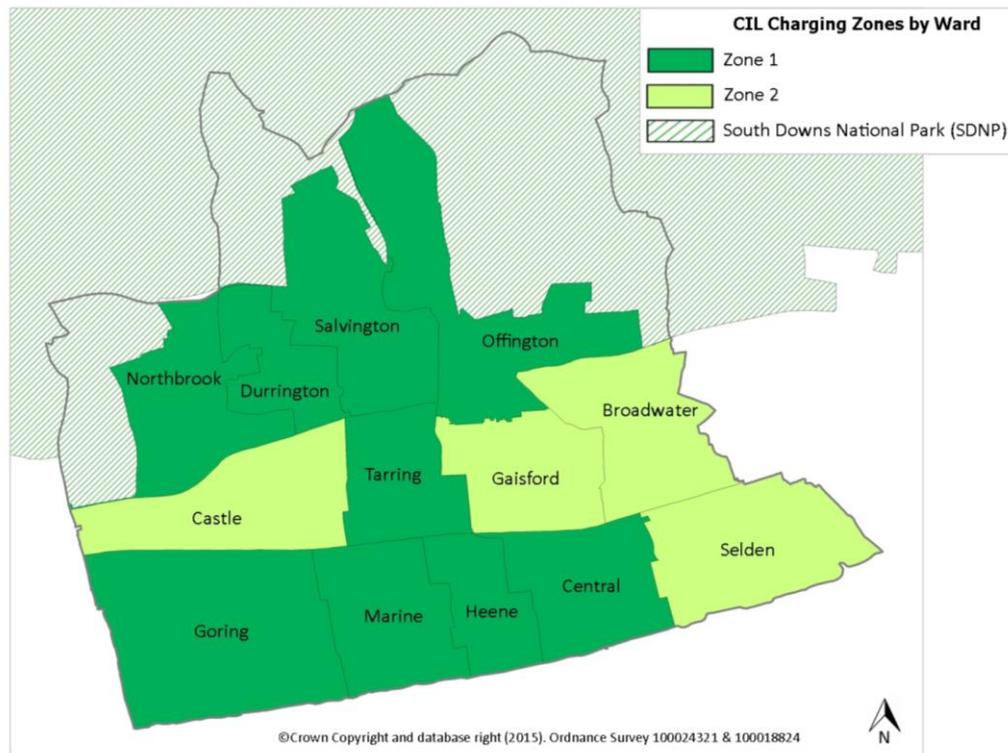
<sup>14</sup> Please note these figures may be slightly different from previous versions of the IFS, due to accounting corrections with regards to CIL Neighbourhood zone allocations

Figure 3: Amount of CIL funds available in each ward of the Neighbourhood Fund (15%) at the end of 2021/22



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, in August 2021 the Council 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 9: Amount of CIL funds retained by WBC at the end of 2021/22

Description	Amount	Further Information
The total amount of CIL receipts for 2021/22 retained at the end of the reported year (excluding those to which regulation 59F applied) <sup>15</sup>	£1,251,395.61	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 2021/22 (excluding those to which regulation 59F applied) <sup>16</sup>	£1,013,501.71	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 2021/22, to which regulation 59F applied, retained at the end of the reported year <sup>17</sup>	£260,720.61	The authority launched the first round of bids for the 'CIL Neighbourhood Fund (15%)' in 2021.
The total amount of CIL receipts from previous years, to which regulation 59F applied, retained at the end of the reported year	£180,597.28	The authority launched the first round of bids for the 'CIL Neighbourhood Fund (15%)' in 2021.

<sup>15</sup> Schedule 2, Paragraph 1(l)(i)

<sup>16</sup> Schedule 2, Paragraph 1(l)(ii)

<sup>17</sup> Schedule 2, Paragraph 1(l)(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 – Public WiFi

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, which is a key theme used for the prioritisation of CIL Strategic spending.

A total of £300,000 of CIL funds from the Strategic Pot (70%) has been allocated towards this project, with just over £110,000 spent in 2021/2022. This investment has been used to make significant enhancements to the IT infrastructure, helping to create a super modern IT network which is being deployed across publicly accessible council buildings, theatres and museums across Worthing over the next year.

The new infrastructure will replace and extend the existing WiFi and make it easier for members of the public to access the service, as well as it being more resilience, robust, secure and reliable. Some of the sites that will benefit include: Worthing Town Hall; Worthing Museum; Connaught Theatre; Highdown Gardens; Colonnade House; and The Beach Office.

### CIL Neighbourhood Fund – Friends of Denton Gardens

The Friends of Denton Gardens group has been allocated £10,000 CIL Neighbourhood Funding to replace the pergola in Denton Gardens, install 2 lion end benches, improve the planting along the walkways and install a commemorative stone to mark the centenary of the land being gifted to the Town by Alderman Denton.

2022 marks the centenary of the gifting of Denton Gardens to the people of Worthing by Alderman Denton. To commemorate the centenary, a commemorative stone in a circular area has been placed in the sunken garden just before you enter the pergola.

The sunken garden and pergola are both features of the original Gardens, and are important to retain to preserve the historic character of the Gardens. The existing pergola, however, was completely overgrown, and the footings of the upright supports were rotten. The first aspect of the plan was to completely remove the old pergola, and for longevity to replace it with a new oak version. 2 new Worthing Borough Council standard lion end benches facing south on the walkways are to be installed, to encourage people to sit and relax and enjoy the vista across the gardens towards the sea.

This project supports the Council's stated commitment to creating a healthy town centre by creating 'good quality public realm' to create environments that people want to live and work



in. Denton Gardens is a highly valued quiet green space in Worthing town centre. This project will help to improve the visual quality of this public space. It will give the community, as well as visitors to the town, a much improved space in which to walk, enjoy the flora and fauna, sit, meet and exercise, all of which have proven positive benefits for health and well-being; while the commemorative aspect adds to a sense of civic pride and belonging, as well as visitor interest.



## 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 2021/22. 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 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 10: Overview of section 106 contributions agreed, received and spent in 2021/22

Description	Amount	Further Information
Total amount of money which may be provided under any planning obligations which were entered into during 2021/22 <sup>18</sup>	£478,564.47	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 2021/22	At least 66 affordable housing units <sup>19</sup>	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 2021/22 <sup>20</sup>	£2,499,429.13	Details are set out in the 'S106 received' section below.
Total amount of money under any planning obligations which was received before 2021/22 which has not been allocated <sup>21</sup>	£813,687.53	Over £550,000 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 2021/22 <sup>22</sup>	£17,391.00	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	£576,058.85	This includes transferring it to another body to spend (e.g. West Sussex County Council).

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

<sup>19</sup> Additional units are subject to securing Grant Funding

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

<sup>21</sup> Schedule 2, Paragraph 3(c)

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

2021/22 <sup>23</sup>		
Total amount of money received (under any planning obligations) during any monitoring year which was retained at the end of 2021/22	£3,254,395.60	Of this amount, nearly £240,000 has been 'allocated' to infrastructure projects.

## Monetary contributions agreed

In the monitoring year 2021/22:

- 792 applications were determined, of which 11 were major applications.
- Seven applications contained a signed section 106 agreement (including one Supplemental Agreement)
- This is an increase from the three section 106 agreements signed in 2020/21

**Table 11: Details of monetary contributions included in section 106 agreements entered into by WBC in 2021/22**

Planning Ref	Site Address	Date of s106	Contribution	Purpose of contribution
AWDM/1979/19	Hm Revenues And Customs, Barrington Road	28/04/2021	Conditional Contribution	Affordable Housing in lieu payment
			Conditional Contribution	Air Quality
			£80,000.00	Improvement of medical facilities at the Strand Medical Practice or Durrington Health Centre or at other medical facilities within the Wards
			Conditional Contribution	Play Area Maintenance
			£50,000.00	Provision of public open space and/or recreation works and/or works of improvement in the

<sup>23</sup> Schedule 2, Paragraph 3(f)

				Goring, Northbrook, Castle, Marine or Durrington
			£20,000.00	Station Access Feasibility Study
AWDM/1914/19	35 - 39 South Street	22/07/2021	£48,744.00	Affordable Housing in lieu payment
			£300.00	S106 Monitoring Fee
AWDM/0166/20	Land Site West Of, Fulbeck Avenue, Northbrook	29/07/2021	Conditional Contribution	Affordable Housing in lieu payment
			£11,471.00	Air quality monitoring and/or air quality improvement measures
			£9,338.00	Provision or improvement of allotment facilities in Northbrook ward
			£1,118.41	Off-Site Reptile Receptor Site Management
			£20,000.00	Off-Site Biodiversity Enhancements
			£14,338.00	Provision, upgrading or replacement of equipment or facilities for youth recreation at either Bourne Close Playground or Longcroft Park, Northbrook
			£2,100.00	S106 Monitoring Fee
			£3,500.00	Monitoring the implementation of and compliance with the Travel Plan
AWDM/0130/21	22 Lyndhurst	30/07/2021	Conditional	Affordable Housing in

	Road		Contribution	lieu payment
			Conditional Contribution	Provision of Open Space in the ward
AWDM/1018/20	Development Site At 31 To 35, Montague Street	07/09/2021	£203,553.00	Affordable Housing in lieu payment
			£14,102.00	Provision of public open space and/or recreation works and/or works of improvement in the Wards

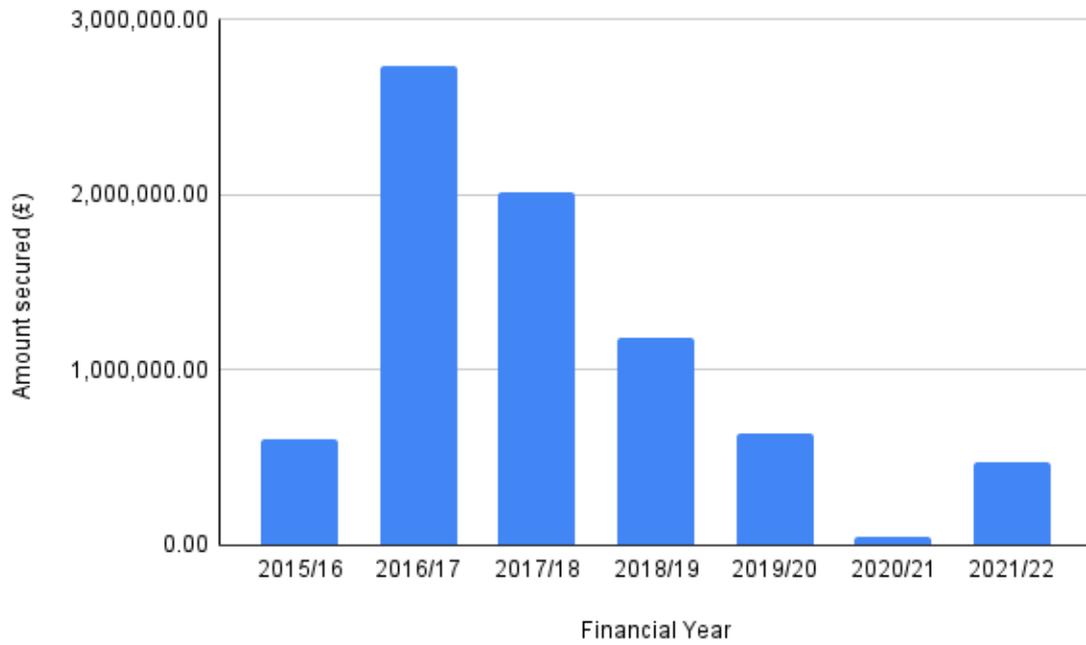
During the last monitoring year:

- A total of up to £478,564.47 was secured through s106 agreements by WBC
- Around 53% 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>24</sup>.

<sup>24</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 2021/22<sup>25</sup>. These will be secured and delivered at agreed points before, during or after the completion of the relevant developments.

**Table 12: Details of non-financial contributions included in section 106 agreements entered into by WBC during 2021/22**

Planning Ref	Site Address	Date of s106	Contribution	Details
AWDM/1979/19	Hm Revenues And Customs, Barrington Road	28/04/2021	At least 20 AH units	Subject to securing Homes England Funding or Public Sector Grant Funding. To be provided on-site
			Car Club	3 car club cars to be provided as part of the Development
			Play Area	Combined LEAP and LAP to be provided as part of the Development
AWDM/0166/20	Land Site West Of, Fulbeck Avenue, Northbrook	29/07/2021	46 AH units	32 at Affordable Rent and 14 Shared Ownership. To be provided on-site
			Car Club	2 car club vehicles
AWDM/1018/20	Development Site At 31 To 35, Montague Street	07/09/2021	Public Art	Installation to be provided on the western wall of the Site

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>25</sup> Schedule 2, Paragraph 3(d)(i) - (ii)

## Case Study - HMRC, Barrington Road Development

The contributions contained in the s106 agreement for AWDM/1979/19 relate to the outline application for a maximum of 287 dwellings as well as a 68-bedroom care home on the site of the HM Revenues and Customs building in Barrington Road. The application was granted in April 2021 upon the signing of the s106 agreement. The proposals see the demolition of the existing office blocks and the erection of houses, flats and a care home.

The Reserved Matters application (AWDM/0605/22) details the plans for 151 apartments and 135 houses, including 5 wheelchair apartments (excluding plans for the care home). The development also provides 469 parking spaces, EV charging points, cycle parking and public open space.

The s106 agreement includes the provision of at least 20 affordable housing units to be provided on site. The maximum provision of 30% affordable dwellings is dependent on the developer securing additional funding. The mix will include both affordable rent units and shared ownership units. An £80,000 contribution towards the improvement of medical facilities at the Strand Medical Practice or Durrington Health Centre (or at other medical facilities within the wards) is also included. Financial contributions are also required towards air quality monitoring, off-site open space works, and a station access feasibility study. The obligation to procure the establishment and promotion of a Car Club for the benefit of the occupiers of the Dwellings and provide a play area on site were also included in the legal agreement.

Further contributions are to be made to West Sussex County Council (WSSCC), including a contribution of £50,000 highways contribution. As part of the agreement, the developer will also provide a footpath and other transport improvements.

**Figure 6: Existing site plan at HMRC, Barrington Road**



## S106 received

The Council received a total of £2,499,429.13 in s106 financial contributions during 2021/22, which came from nine developments. Around 85% of the contributions received relate to the provision of off-site affordable housing in Worthing.

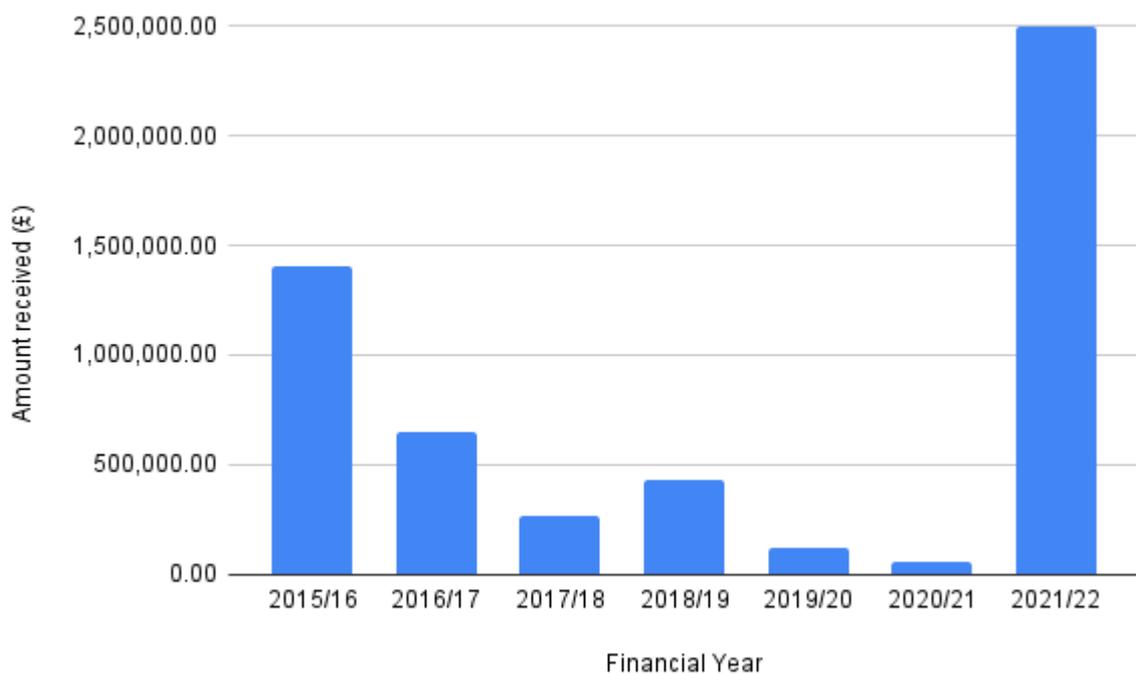
Table 13: Section 106 contributions received by WBC during 2021/22

Planning Ref	Site Address	Amount of s106 received	Category
11/0275/OUT	West Durrington Development, Land East Of Titnore Lane	£243,350.86	Open Space & Leisure
		£42,944.27	Open Space & Leisure
		31 Affordable Housing Units	Affordable Housing
AWDM/0166/20	Land Site West Of, Fulbeck Avenue	£11,584.37	Air Quality
		£20,197.66	Environmental
		£1,129.46	Environmental
		£14,479.71	Open Space & Leisure
		£9,430.29	Open Space & Leisure
		£2,120.75	S106 Monitoring Fee
AWDM/0178/18	Unit B, Lyons Farm Retail Park, Lyons Way	£8,214.00	Air Quality
AWDM/0303/19	32 - 36 South Street	£8,469.33	Affordable Housing
AWDM/0521/12	Northbrook College, Littlehampton Road	£25,000.00	Open Space & Leisure
AWDM/0764/17	Kingsway Hotel, 117 -	£110,967.28	Affordable Housing

	119 Marine Parade		
AWDM/1633/16	The Aquarena, Brighton Road	£1,948,268.16	Affordable Housing
		20 Affordable Housing units	Affordable Housing
		1 Public Realm Scheme	Open Space & Leisure
AWDM/1882/16	Land To The South And East And West Of The Coach And Horses, Arundel Road	£4,228.99	S106 Monitoring Fee
AWDM/1914/19	35 - 39 South Street	£48,744.00	Affordable Housing
		£300.00	S106 Monitoring Fee

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 7: Total value of section 106 financial contributions received by WBC in each monitoring year

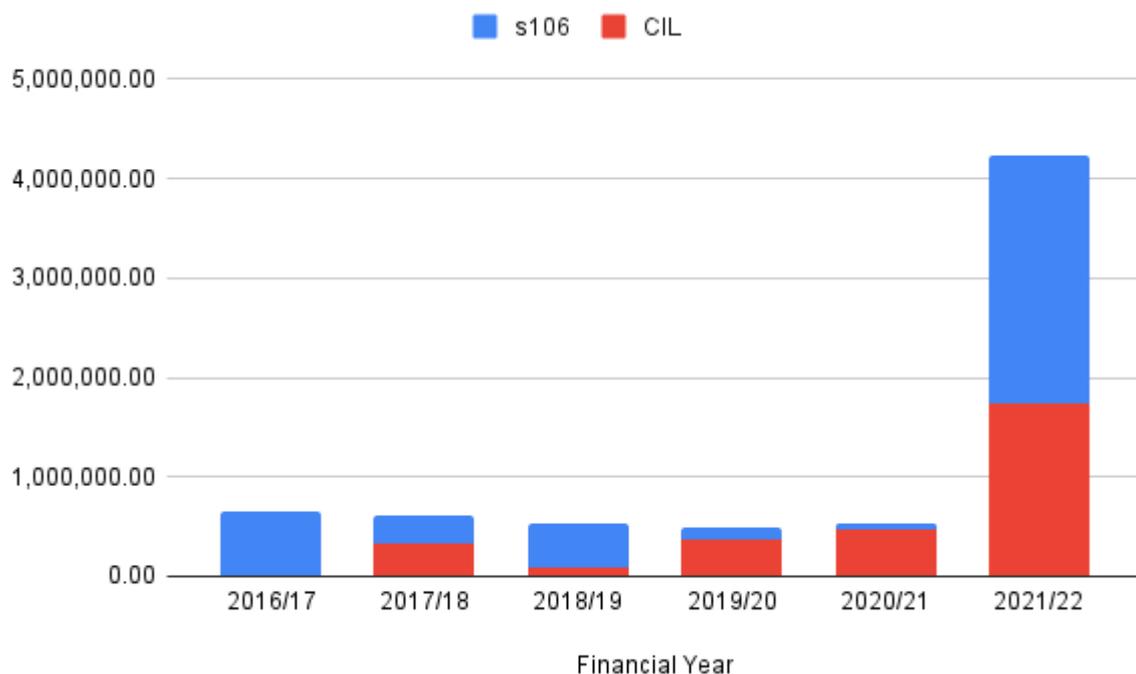


One possible explanation for the declining s106 receipts over recent years (prior to 2021/22) is the introduction of the Community Infrastructure Levy (CIL) in Worthing. The CIL Charging Schedule was implemented in October 2015 and as a result, CIL became the dominant means for securing financial contributions from development in the Borough, with Planning Obligations (section 106 agreements) being scaled back. S106 agreements continue to play a key role in relation to affordable housing and certain site specific requirements.

The figure for 2021/22 is skewed by the significantly large affordable housing contribution received in relation to the development at The Aquarena, Brighton Road, which was a financial contribution towards the provision and management of Affordable Dwellings in the Borough of Worthing. Without that contribution, the total s106 receipts would have been just over £550,000 which is still below the receipts from 2015/16 and 2016/17.

The result of the introduction of CIL 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, remained relatively level over the first few years of implementation of CIL, as seen in the figure below.

Figure 8: Amount of CIL and s106 financial contributions received by WBC in each financial year



The last financial year saw a larger number of developer contributions receipts, which is partially attributed to the commencement of development on a number of large strategic sites across the borough. This triggered payment of the first instalments of CIL receipts.

## S106 allocated and unspent

The total amount of money received (under any planning obligations) which was allocated but not spent during 2021/22 for funding infrastructure was £17,391.00<sup>26</sup>. A summary of the infrastructure projects and amount of money allocated to it are set out in the table 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: Summary of infrastructure projects allocated section 106 funds during 2021/22<sup>28</sup>

Scheme Allocated to	Amount Allocated	Further Information
Windsor Lawns Outdoor Fitness Equipment	£17,391.00	Windsor Lawns Park, The Esplanade

<sup>26</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>27</sup> Schedule 2, Paragraph 3(g)

<sup>28</sup> Please note that some of these projects are joint WBC/WSCC projects and therefore may also be recorded in the WSCC IFS

## 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 2021/22 was £576,058.85. 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>29</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 15: Expenditure of section 106 funds by WBC during 2021/22, by category on infrastructure type

Category	Amount Spent
Affordable Housing	£168,180.61
Open Space	£351,368.24
Transport and Travel	£56,510.00

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

Table 16: Summary of infrastructure projects receiving section 106 funds during 2021/22<sup>30</sup>

Planning Ref	Address	Category	Scheme	Amount Spent
06/1344/FULL	10 And 10A Mill Road	Transport and Travel	Transferred to WSCC	£17,680.00
07/0794/FULL	Highdown School, Durrington Lane	Transport and Travel	Transferred to WSCC	£10,400.00
07/1511/FULL	28 Marine Drive	Transport and Travel	Transferred to WSCC	£11,310.00
09/1055/FULL	Hurst Grange, 17 - 19 Parkfield Road	Transport and Travel	Transferred to WSCC	£17,120.00
11/0107/FULL	Land At 84-92 Heene Road	Open Space and Leisure	Palatine Park Play Area Improvements	£13,080.00
11/0275/OUT	West Durrington Development, Land East Of Titnore Lane	Open Space and Leisure	Palatine Park 3G Pitch	£334,059.25
AWDM/1882/16	Land To The South And East And West Of The Coach And Horses, Arundel Road	Open Space and Leisure	West Durrington Phase 2 Open Space Inspections	£4,228.99
AWDM/0764/17	Kingsway Hotel, 117 - 119 Marine Parade	Affordable Housing	Downview Affordable Housing Development	£110,967.28
AWDM/0303/19	32 - 36 South Street	Affordable Housing	Downview Affordable Housing Development	£8,469.33
AWDM/1914/19	35 - 39 South Street	Affordable Housing	Downview Affordable Housing Development	£48,744.00
<b>Total</b>				<b>£576,058.85</b>

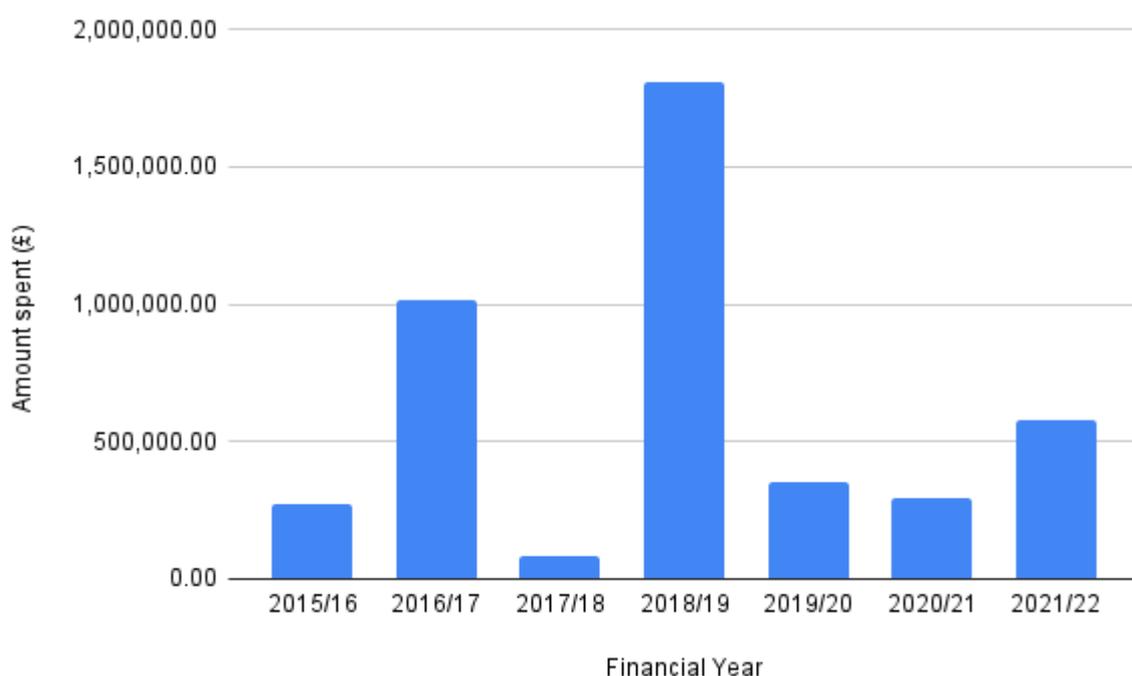
<sup>30</sup> Please note that some of these infrastructure projects are delivered by West Sussex County Council (WSCC) – therefore the funds may also appear in their IFS

Note that these projects received s106 funds between 1st April 2021 and 31st March 2022, 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>31</sup> .	£0
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iii) Amount of s106 money (received under planning obligations) which has been spent in respect of monitoring <sup>32</sup> .	£0
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Figure 9: Total value of section 106 financial contributions spent by WBC in each monitoring year



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

<sup>32</sup> Schedule 2, Paragraph 3(h)

## S106 retained

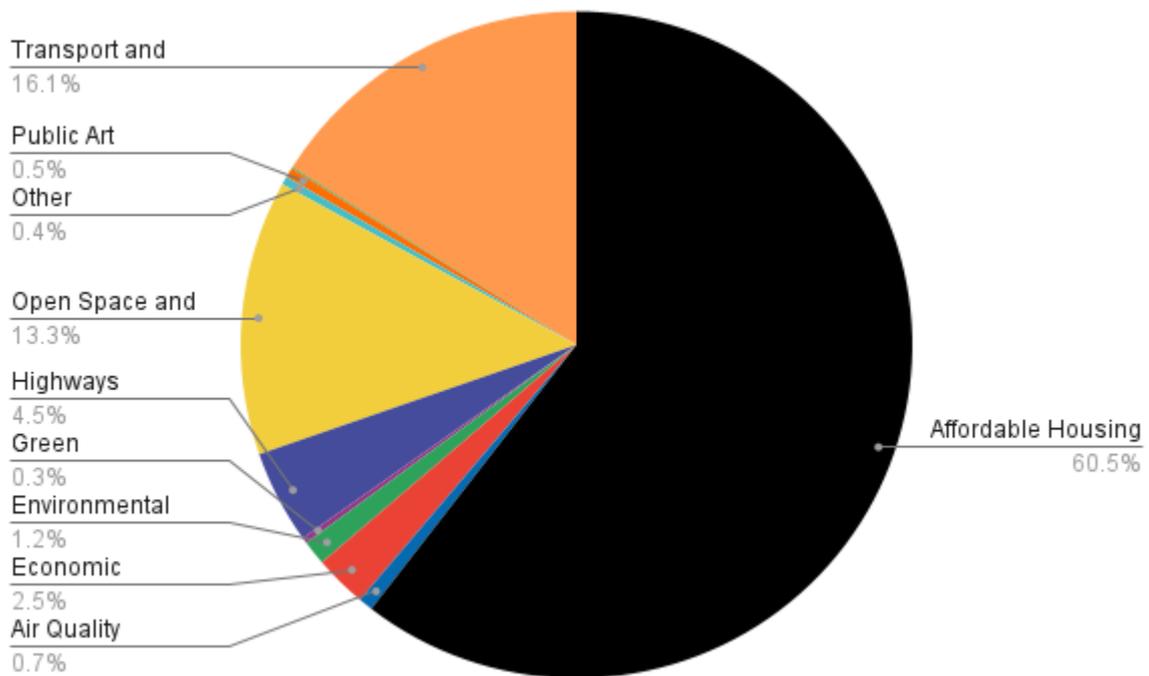
The total amount of s106 money received (under any planning obligations) during any year which was retained at the end of 2021/22 was £3,222,395.60. Of this, £13,000 has been retained for the purposes of longer term maintenance (known as a commuted sum)<sup>33</sup>.

Table 17: Total value of section 106 financial contributions retained by WBC at the end of 2021/22

Contribution Type	Amount of money retained and unallocated at the end of 2021/22	Amount of money allocated but unspent at the end of 2021/22
Affordable Housing	£1,948,268.16	£0
Air Quality	£22,383.80	£0
Economic Development	£81,814.07	£0
Environmental	£38,313.97	£0
Green Infrastructure	£0	£8,938.26
Highways	£111,500.00	£34,014.00
Open Space and Leisure	£321,653.42	£107,719.56
Other	£12,999.31	£0
Public Art	£15,000.00	£0
S106 Monitoring Fee	£2,420.75	£0
Transport and Travel	£460,769.30	£56,601.00
<b>Total</b>	<b>£3,015,122.78</b>	<b>£207,272.82</b>

<sup>33</sup> Schedule 2, Paragraph 3(i)

Figure 10: Amount of s106 financial contributions retained by WBC at end of 2021/22, by category 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 – Palatine Park 3G Pitch

Worthing Borough Council, in partnership with South Downs Leisure and Worthing Town FC, have created new all-weather football facilities at Palatine Park in Palatine Road, Worthing.

The state-of-the-art pitch cost over £900,000 to develop and build, with £340,000 coming from s106 funds which has been collected from the West Durrington Phase 1 development. The rest of the funding came from a Football Foundation grant. It was officially opened in January 2022.



The full sized, third generation (3G) artificial surface will be used by both local residents via pre-arranged hire, and Worthing Town FC which boasts more than 500 players in men's, women's and youth teams.

Details on how to book the facilities can be found on the South Downs Leisure website; <https://www.southdownsleisure.co.uk/palatine-park-football-centre/>

### Affordable Housing – Bayside provision

As part of the s106 agreement under the development AWDM/1633/16 at The Aquarena, Brighton Road, Worthing (now known as Bayside Apartments) there contained a number of obligations relating to the provision of Affordable Housing on site. There was an obligation to provide 20 units at social rent and 22 units at shared ownership (or such other mix) as part of the development of 141 residential apartments a commercial unit, Cafe, public and private open space.



The 20 social rented units were completed and handed over to Worthing Homes in August/September 2021. They are made up of 1 studio apartment, 8 one bedroom apartments and 11 two bedroom apartments. These units will help provide much needed affordable housing in Worthing.

The developer was unable to attract a Registered Provider to oversee the proposed shared ownership units at the site. The s106 agreement contained an obligation for a commuted sum to be payable in this instance. A total of almost £2m was paid by the developer and can be used by Worthing Borough Council to fund affordable housing units off-site in the borough.

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