

## **Developer Contributions for improving Rights of Way (Parish Councils)**

One of the principal ways West Sussex County Council can improve and enhance the Public Rights of Way (PRoW) network is via the planning and development system. These enhancements can come in the form of surface and infrastructure improvements or changes in the legal status, for example upgrades of public footpaths to bridleways or adding new routes.

Surface and infrastructure enhancements can help to mitigate increased use linked to development and new or upgraded routes allow increased recreational access and support the sustainable transport offering of developments.

These enhancements are most often delivered within the red line boundary of development sites, and are financed directly by the developer and occasionally improvements can also be made, with landowner agreement, outside the sites themselves. These most commonly include contributions through agreements under s.106 of the Town and Country Planning Act 1990 or Community Infrastructure Levy (CIL) contributions.

S.106 contributions are made under the terms of the Town and Country Planning Act 1990 in agreement with the developers and local planning authority. As Highway Authority WSCC can feed into this process and contributions can be sought for Public Rights of Way enhancements through this process.

The Community Infrastructure Levy (CIL) is a planning charge, introduced as a tool for local authorities to help deliver infrastructure to support the development of their area. These funds are held by local District and Borough Councils (those that have adopted CIL) and as a service we can bid for these funds.

As Parish Councils you can play an important part in this process by feeding in local improvement suggestions through planning application consultations and keeping an awareness of local s.106 availability. In terms of CIL the general rule is that 15% of CIL contributions locally should be directed to the Parish Council (this is capped and further advice is available on the central government website by following this [link](#)), but if development takes place in an area covered by a Neighbourhood Plan then this CIL contribution increases to 25% (uncapped).

In situations where CIL contributions are held by Parish Councils and you have particular PRoW improvements you would like to see and are willing to contribute to the works, then you are encouraged to contact the WSCC PRoW team on [prow@westsussex.gov.uk](mailto:prow@westsussex.gov.uk) setting out your proposals. Projects with external funding and Parish Council support often score higher in our prioritisation, therefore have an increased the likelihood of being delivered (please see accompany Capital Programme advice note).

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12.05.23