

Infrastructure Funding Statement

2024-2025



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1. INTRODUCTION

SECTION 106 AGREEMENTS (S106)

Section 106 Agreements (S106) are legal agreements which provide for on/off site infrastructure that is required to make a development acceptable.

Swale Borough Council seek developer contributions through S106 Agreements (also known as planning obligations).

Section 106 of the Town and Country Planning Act 1990 enables a local planning authority to enter into a negotiated agreement – a planning obligation – to mitigate the impact of a specific development, to make it acceptable in planning terms. The planning obligation might, for example, require the provision or contribution to a new or improved road, school, health facility or local green infrastructure. Local planning authorities can also seek planning obligations to secure a proportion of affordable housing from residential developments. In some instances, Section 106 planning obligations may require payments to be made to parish councils.

Contributions collected from a site must be spent in accordance with the S106 Agreement and are normally paid at a staggered period over the build out of the development. This means there will be intervals in receiving the S106 monies which reflects in a fluctuation of the balance of monies collected. The expenditure balances will also be impacted by the timing of the delivery of projects. These are regulated within a S106 clause which allows time for the key infrastructure delivery partners in receipt of S106 money to plan and account for project delivery complexities.

For those projects with a spend by date, the developer can claw back any unspent S106 contributions not allocated after the period for unspent contributions which are generally five or ten years after receipt of the money depending on the complexity of the project. Swale Borough Council holds the contributions until the projects have been identified and funds are requested to be drawn down. The spend by dates are monitored by the Council to safeguard from developer claw back.

2. DEFINITION OF INFRASTRUCTURE

THE DEFINITION OF INFRASTRUCTURE – taken from ‘Bearing Fruits 2031’ – the Swale Borough Local Plan (adopted July 2017)

STATEMENT 6

Definition of infrastructure

This list of infrastructure requirements is not exclusive, but includes:

- Transport – ports, road networks, car parking, cycle and pedestrian infrastructure, rail and bus provision;
- health – local health facilities;
- social infrastructure – education facilities, supported accommodation and other social care facilities, social and community facilities, sports facilities, open spaces (including accessible natural space), arts and culture, parks and play space;
- green infrastructure – existing and proposed green grid network as identified in the Local Plan Green Infrastructure Plan;
- public services – waste management and disposal, libraries, emergency services, Council offices, Job Centre Plus offices, training facilities, cemeteries, places of worship, prisons and drug treatment centres;
- utility services – non-renewable and renewable energy infrastructure, water supply, waste water treatment, sewerage and telecommunications (including digital internet) infrastructure; and
- flood defence infrastructure – in the context of making new development safe on a site specific basis.

3. SECTION 106 (PLANNING OBLIGATIONS) REPORT

3.0 During the period 1 April 2024 to 31 March 2025 20 Section 106 Agreements were signed.

3.1 The potential amount of developer contributions contained in the signed S106 Agreements for this period is £ 7,697,937.00 *

Potential amount of developer contributions through planning obligations agreed in 2024 – 2025	£7,697,937.00 *
Total money received through planning obligations (whenever agreed) in 2024 – 2025	£4,290,962.00

3.2 Non-Monetary Contributions

Total number of affordable housing units to be provided through planning obligations agreed in 2024 – 2025	209 *
Obtain a District Level Licence for Great Crested Newts from Natural England to be provided through planning obligations agreed in 2024 – 2025	One development
Landscape Management Scheme to be provided through planning obligations agreed in 2024 – 2025	One development
Travel Plan Monitoring to be provided through planning obligations agreed in 2024 – 2025	One development

* please note that some S106 agreements relate to outline applications for which reserved matters applications are pending or yet to be submitted, therefore the contribution figure / number of units has yet to be calculated / determined.

3.3 Developments with the largest total contributions received during 2024 – 2025:

Ospringe Brickworks Sumpter Way Faversham (14/502729/OUT)	£500,964.00
Land At Preston Fields Salters Lane Faversham (16/508602/OUT)	£251,272.00
Manor Farm Key Street Sittingbourne (17/500727/OUT)	£477,285.00
Land at Wises Lane Borden (17/505711/HYBRID)	£473,701.00
Land adj to Quinton Farm House Quinton Road Sittingbourne (18/500257/EIFUL)	£406,293.00
Land at Hill Farm Rook Lane Keycol Hill Bobbing (21/501740/FULL)	£229,767.00
Land at Lady Dane Farm - Phase 2 Love Lane Faversham (21/502927/FULL)	£503,636.00
128 High Street Newington (21/505722/OUT)	£547,199.00
Land at Oare Gravel Works Ham Road Faversham (SW/14/0257)	£323,903.00

3.4 Development Contributions Received 2024 – 2025:

	RECEIVED (£)
Adult Education (KCC)	3,102.00
Adult Social Care / Adult Social Services (KCC)	37,497.00
Air Quality & Emissions Mitigation / Monitoring (SBC)	47,292.00
Community Learning (KCC)	14,160.00
Cycle /Footpath Scheme (SBC)	10,000.00
Education (secondary and primary) (KCC)	1,985,712.00
Footpaths (KCC)	162,521.00
Healthcare (NHS/)	244,551.00
Highways (KCC)	477,055.00
Libraries (KCC)	73,985.00
Monitoring Fee (KCC)	500.00
Monitoring Fee (SBC)	67,227.00
Play Equipment (SBC)	60,669.00
Primary Education Land (KCC)	228,210.00
SAMMS (Strategic Access Management & Mitigation) (Medway Council)	145,677.00
Secondary Education Land Contribution (KCC)	601,694.00
Social Care (KCC)	10,077.00
Special Educational Needs (KCC)	27,524.00
Waste (KCC)	40,279.00
Wheelie Bins (SBC)	34,551.00
Youth Services (KCC)	18,679.00

4. DEVELOPER CONTRIBUTIONS PASSED TO THIRD PARTIES – 2024 – 2025

4.1 In 2024 – 2025 £1,295,037.00 was passed to third parties.

S106 CONTRIBUTION	S106 SPEND	TOWARDS
Adult Education / Community Learning (KCC)	£7,290.00	towards new equipment, additional classes and additional support at Sittingbourne Adult Educational Hub; additional equipment and provision of additional classes at Sheerness Adult Education Centre; towards additional courses, equipment and staff to support new clients at Faversham Adult Education Centres
Adult Social Care (KCC)	£16,172.00	towards Faversham Social Care hub to include a changing place facility
Libraries (KCC)	£30,831.00	towards equipment and bookstock costs of a new library in the Sittingbourne Hub; additional services and bookstock at the library in Minster; towards expanding services in Faversham Library and to provide additional stock and equipment; towards additional services resources and stock for the local library service including mobile library services attending Bobbing and Sittingbourne Library; towards the provision of additional bookstock and services at Sittingbourne Library
Primary Education (KCC)	£453,746.00	towards expansion of Halfway Primary School; towards the phase two expansion of Murston Primary School; towards the construction of a new 2FE primary school at Rushenden; towards the first phase of expansion of Bysingwood Primary School; towards the provision of a new 2FE primary school in Sittingbourne; towards construction of a new 2FE Primary School to serve Iwade and North Sittingbourne
Primary Education Land (KCC)	£52,418.00	towards land to be acquired to facilitate delivery of a new 2FE Primary School to serve Iwade and North Sittingbourne
Public Open Spaces and Recreation (Selling Paris Council)	£10,446.00	Provision of children's play equipment

S106 CONTRIBUTION	S106 SPEND	TOWARDS
Strategic Access Management & Mitigation (SAMMS) - (Natural England)	£298,204.00	
Secondary Education (KCC)	£316,434.00	towards phase one expansion of Westlands Secondary School; towards the expansion of Highsted Grammar School or toward the provision of a new secondary school in Sittingbourne; towards the expansion of the first phase of Abbey School, Faversham; towards the provision of a new secondary school on land off Quinton Road in NW Sittingbourne;
Secondary Education Land (KCC)	£83,664.00	towards land to be acquired to facilitate delivery of Phase 3 of a new secondary school upon land off Quinton Road, NW Sittingbourne; towards land required to deliver secondary education facilities
Social Care (KCC)	£10,636.00	fit out costs of Sittingbourne Hub; towards the provision of specialist care accommodation in the Borough; towards the provision of further specialist care accommodation in Sittingbourne
Waste (KCC)	£9,349.00	towards provision of additional capacity at the household waste and recycling centre and the waste transfer station in Sittingbourne;
Youth Services (KCC)	£5,847.00	towards increased youth services provision in the area; towards the provision of additional staff, sessions and equipment Faversham Youth consortia at Bysingwood Road; towards provision of additional youth services for the Sittingbourne area

5. SECTION 106 MONITORING

5.1 NON-FINANCIAL OBLIGATIONS & MONIES HELD BUT NOT SPENT

Capital Contributions

The Capital Contributions account is a creditor account used for contributions where conditions are outstanding. It is used for the funding of future capital expenditure. This includes monies received for S106 purposes to fund new facilities provided as part of an agreement with developers.

31 March 2024		Expenditure	Income	31 March 2025
£'000		£'000	£'000	£'000
(8,660)	S106 held for Third Parties	1,558	(3,701)	(10,802)
	S106 Capital Funding			
(1,026)	Housing	0	0	(1,026)
(610)	Open Spaces	0	62	(548)
(639)	Play Areas	12	(15)	(642)
(223)	Air Quality & Ecology	27	(47)	(244)
(2,320)	Other	0	(10)	(2,330)
(13,478)	TOTAL	1,597	(3,711)	(15,592)

(figures taken from 24/25 statement of accounts)

In 2024/25 nothing was repaid. The S106 monies held for third parties is largely due to developments (£10.802m) where the S106 monies being held are to fund services such as education, social care, health care and highways to be provided by other public bodies and not Swale Borough Council.

Affordable Housing

Delivery from S106	
2024 – 2025	79 units

(figures provided by Accommodation Supply and Resettlement Manager)

5.2 Non-Financial Obligations contained in S106 Agreements signed 2024 – 2025

App No / Site Address	Type
23/505752/FULL Land south of Ridham Avenue, east of Swale Way Sittingbourne ME10 2SG	Landscape Management Scheme
22/504863/FULL Land at Plumpudding and Highstreet Road Hernhill ME13 9EL	District Level Licence for Great Crested
22/504863/FULL Land at Plumpudding and Highstreet Road Hernhill ME13 9EL	Travel Plan Monitoring
Provision of Affordable Housing Units at the following developments	
21/505041/OUT Land north of Lower Road Eastchurch	15% of dwellings on development to be affordable units
22/505646/OUT Land at Ufton Court Farm Tunstall	30% of dwellings on development to be affordable units
20/501631/FULL Moores Yard Crown Quay Lane Sittingbourne	18% of dwellings on development to be affordable units
23/503228/FULL Cockleshell Walk Car Park St Michaels Road Sittingbourne	12% of dwellings on development to be affordable units
23/502113/OUT Land at Ham Road Faversham	40% of dwellings on development to be affordable units

please note that some S106 agreements relate to outline applications for which reserved matters applications are pending or yet to be submitted, therefore the exact number of units has yet to be confirmed.

6. CONCLUSION

Swale Borough Council is committed to working with the local community and other stakeholders to ensure that planning contributions are used in a fair and transparent way to maximise the benefits and opportunities arising from development and aims to work with infrastructure providers to deliver infrastructure such as new affordable homes, community infrastructure, and highway and environmental improvements needed to support planned growth across the borough of Swale.

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