

## Planning Committee

**19 November 2025**

### **Section 106 Agreements 1 July to 30 September 2025**

Report from: Adam Bryan, Director of Place

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S106 Officers

#### **Summary**

This report informs Members on the amount of Section 106 funding received between July to September 2025 and sets out what the contributions must be spent on according to the Section 106 agreements. This report is submitted for information to assist the Planning Committee in monitoring the contributions which developers have agreed to as part of new development schemes.

#### **1. Recommendation**

The Committee is asked to consider and note the Section 106 funding received, those Section 106 agreements signed during the period July to September 2025 and Habitat Regulations contributions as set out in Appendices 1 to 3.

#### **2. Budget and policy framework**

2.1 The Cabinet has adopted the Supplementary Planning Document 'Medway Council Guide to Developer Contributions and Obligations 2018', which sets out the Council's S106 requirements for developments of 10 dwellings and above. This report and accompanying appendices list the Section 106 agreements which have been signed in the period July to September 2025 and itemises the obligations covered by these agreements.

2.2 Information relating to expenditure of S106 contributions in 2024/2025 will be updated when final accounts have been confirmed for that period.

#### **3. Background**

3.1 Section 106 of the Town & Country Planning Act 1990 provides that anyone with an interest in land may enter into a planning obligation, which is enforceable by a Local Planning Authority. An obligation may be created by agreement or by the party with an interest in the land making a unilateral undertaking.

3.2 Obligations may:

- Restrict the development or use of land.
- Require operations to be carried out in, on, under or over the land.
- Require the land to be used in any specified way; or
- Require payments to be made to the local planning authority, either in a single sum or periodically.

3.3 A planning obligation may only constitute a reason for granting planning permission if it is:

- Necessary to make the development acceptable in planning terms.
- Directly related to the development.
- Fairly and reasonable related in scale and kind to the development.

3.4 The S106 Officer's responsibilities include:

- Monitoring agreements and their trigger dates to ensure that obligations are adhered to.
- Working with developers and internal services/partners to ensure a coordinated approach.
- Being first point of contact once an agreement is signed.

3.5 The Medway Guide to Developer Contributions and Obligations 2018 was approved at Cabinet on 8 May 2018 for adoption as a Supplementary Planning Document. This Guide sets out Medway Council's S106 requirements for developments of 10 dwellings and above. The Guide is updated on 1 April annually to reflect the increase in costs based on the retail price index.

#### 4. Options

4.1 Not applicable.

#### 5. Advice and analysis

5.1 Although an agreement is signed, it is not a guarantee that the obligations will be delivered. On occasions the approved development is not implemented and therefore no obligations would be delivered.

5.2 CIL Regulations require all planning authorities to publish an Infrastructure Funding Statement (IFS) annually. The IFS provides information on all S106 contributions agreed, received and spent, including the infrastructure/projects these contributions cover.

#### 6. Risk management

6.1 The Section 106 Officer's responsibilities include monitoring developments to ensure that all obligations, including financial contributions, are met. Failure to pay contributions results in benefits to the community being lost. These benefits

include meeting the needs of the new residents regarding educational facilities, open space and play equipment, etc.

6.2 Contributions received must also be closely monitored to ensure that contributions are spent within the timescale specified by the agreement. Failure to meet payment deadlines will result in the contribution being returned to the developer/owner with interest at a specified rate (4% over base rate).

## 7. Consultation

7.1 Not applicable.

## 8. Financial implications

8.1 Many of the obligations are financial contributions to services which will support the new development to provide the infrastructure required, for example education, open space, transport, etc.

8.2 Service planning can be problematic for say education, where a contribution is expected and school expansion plans are produced, but if the development does not go ahead, it can have repercussions to provision in an area where several expected developments would, between them, fund a new school or expansion of that school.

## 9. Legal implications

9.1 Section 106 agreements are legal documents. Developers are expected to adhere to the obligations but failure to do so can result in enforcement action being taken.

## Lead officer contact

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## Appendices

Appendix 1 S106 funding received between July to September 2025  
Appendix 2 Agreements signed between July to September 2025  
Appendix 3 Habitat Regulations: bird mitigation contributions received for developments of less than 10 units between July to September 2025

## Background papers

Section 106 agreements signed between July to September 2025

[Medway Guide to Developer Contributions and Obligations May 2018 updated April 2023](#)

[Infrastructure Funding Statement](#)

**Appendix 1: S106 funding received July to September 2025**

<b>App no. MC/</b>	<b>Site</b>	<b>Ward</b>	<b>For</b>	<b>Amount £</b>
17/2333	Rochester Riverside	Rochester West & Borstal	Towards the provision of a replacement coach park to service Rochester City Centre	173,067.47
21/1694	Land south of View Road, Cliffe Woods	Strood Rural	Towards the provision, improvement and promotion of waste and recycling services in the vicinity of the site and within the development	12,720.54
19/2898	Land west of Station Road, Rainham	Rainham North	SAMMS bird mitigation	23,636.32
97/0224/GL	Dockside	Chatham Central & Borstal	Retail	5,690.13
			Retail	6,770.13
			Leisure	18,611.96
21/3125	Land North of Moor Street, Rainham	Rainham North	SAMMS bird mitigation	17,168.45
			Towards the provision by the Council of an uncontrolled pedestrian refuge island crossing on the A2 Moor Street between the junctions with Meresborough Road and Seymour Road	15,350.53

App no. MC/	Site	Ward	For	Amount £
24/0279	Land south of View Road, Cliffe Woods	Strood Rural	Towards the provision, improvement and promotion of waste and recycling services in the vicinity of the site and within the development	5,783.50
			Towards provision of enhancements of open space facilities within the vicinity of the site in consultation with the Parish Council	31,183.47
24/0291	Land adj Fenn St and Ratcliffe Highway, St Mary Hoo	All Saints	Bird mitigation	14,443.88
22/1875	Kingdom Hall, Bloors Lane	Twydall	provision of enhancements to the facilities and equipment at Rainham Library	3,640.85
			towards the development of a new square/civic space in Rainham Precinct shopping centre and/or improvements to the gateway to the shopping centre from the car park and Rainham High Street	5,296.55
			provision of youth facilities by Medway Youth Services team in the Rainham area	1,750.16
			improvements and/or expansion of community facilities within the Rainham area	4,450.95
			towards supporting the foundation and development of the Primary Care Network within the locality of Rainham	15,360.31
			PROW: towards improvements to signage/information and any relevant surface improvements to the public right of	1,135.06

App no. MC/	Site	Ward	For	Amount £
			way GB5/6A and other associated paths in the vicinity of Bloors Community woodland	
19/2446	97-111 Rainham Road, Gillingham	Gillingham South	Nursery: Greenvale Infants School and/or Phoenix Junior School and/or New Road Primary School and/or St Thomas of Canterbury School	5,725.15
			Primary: Greenvale Infants School and/or Phoenix Junior School and/or New Road Primary School and/or St Thomas of Canterbury School	5,397.98
			Secondary: facilities at Brompton Academy and/or Victory Academy and/or Chatham Grammar School for Girls and/or the Robert Napier School	12,524.04
			Sixth form: facilities at Brompton Academy and/or Victory Academy and/or Chatham Grammar School for Girls and/or the Robert Napier School	921.16
			Waste and recycling: household containers for collection of recycling and use once bags	2,634.34
			Open space: improvements to facilities within the vicinity of the site including Gillingham Park and/or Great Lines Heritage Park and/or Balmoral Gardens	39,604.58
18/3659	Chatham Waterfront	Fort Pitt	Nursery and primary education: towards nursery school and primary school provision at New Road Infants School and/or Greenvale Infants School and/or Delce Infant School	55,179.66

<b>App no. MC/</b>	<b>Site</b>	<b>Ward</b>	<b>For</b>	<b>Amount £</b>
			Secondary and sixth form education: towards the provision of secondary school and sixth form facilities at Victory Secondary School and/or St John Fisher School and/or Holcombe Grammar School	68,974.57
			Sports: towards the improvement/replacement of flooring at Medway Park	20,692.48

**Appendix 2: agreements signed between July to September 2025**

<b>Plan app MC/</b>	<b>Location</b>	<b>Ward</b>	<b>Proposal</b>	<b>Towards</b>	<b>Amount £</b>
25/0262	Former Hen & Chicks PH, 41 High St, Luton	Luton	10 units	Bird mitigation (SAMMS)	3,374.90
				Open space: enhancement of open space facilities within the vicinity of the site	32,404.12
				GLHP: enhancement of open space facilities within GLHP	1,705.48
				Public realm: to improve appearance of Chatham town centre	2,450.00
				Library: improve facilities and equipment at Luton Library	2,207.80
				Sport: provision of new swimming lesson equipment for school and community use at Medway Park	3,254.90
				Health: support development of the primary care network within the locality of Luton	8,453.70
				Waste and recycling: provision, improvement and promotion of waste and recycling services in the vicinity of the site	2,313.40
				Heritage: improvements to interpretation at the Guildhall Museum	3,805.90

<b>Plan app MC/</b>	<b>Location</b>	<b>Ward</b>	<b>Proposal</b>	<b>Towards</b>	<b>Amount £</b>
23/2857	Former Sturdee Club, Stoke Rd Hoo	Hoo St Werburgh and High Halstow	Demolition/134 units	Bird mitigation	43,988.18
				Waste and recycling : provision, improvement, and promotion of waste and recycling services in the vicinity of the site and within the development	29,656.88
				Open space: towards the provision of enhancements of open space facilities within the vicinity of the site	150,000.00
				PROW: towards provision of improvement to signage/information and any relevant surface improvements to the public right of way in the vicinity of the site	10,050.00
				Primary ed: enhancements to/expansion of the primary school provision within 2 miles of the site and/or SEND primary school provision within the Medway area	489,169.09
				Secondary ed: enhancements to/expansion of the secondary school provision and/or SEND facilities within the Medway area	387,585.48
				Highways: towards the provision of off site highway improvement works	550,000.00
				Public transport: improvements to serve the site	400,000.00
				Health: towards extension/refurbishment or upgrading of existing primary care premises within the vicinity or contribution towards the support of the foundation and development of new facilities within the locality of the site	95,201.64

Plan app MC/	Location	Ward	Proposal	Towards	Amount £
23/2857	Former Sturdee Club, Stoke Rd Hoo continued			Travel Plan	93,800.00
				Library: improvements facilities and equipment at Hoo Library	28,303.48
				Sport: towards gender neutral changing area and development of yoga studio at Hoo Sports Centre	41,726.26
				Public realm: towards public realm improvements at Hoo St Werburgh and/or within the vicinity of the site	32,830.00
				Stop line: provision of improvements to interpretation of the stop line on the site and within the vicinity fo the site in conjunction with the Whose Hoo Strategy	5,000.00
25/0912	Land at 5 Matts Hill Road	Rainham South East	1 self/custom build dwelling		
25/0540	Yantlett Farm, West Lane, Isle of Grain	All Saints	1 self/custom build dwelling		
23/0685	20 Broom Hill Road	Strood North	26 flats	SAMMS bird mitigation	8,535.02
				Waste and recycling: towards waste containment for the development, maintenance and improvement of location bring centre and waste education and protection	6,014.84
				Community facilities: towards community facilities within the vicinity of the development	6,368.96

<b>Plan app MC/</b>	<b>Location</b>	<b>Ward</b>	<b>Proposal</b>	<b>Towards</b>	<b>Amount £</b>
				Open space: towards improvements to open green facilities within the vicinity of the development	84,250.71
				GLHP	4,434.25
				Health: towards extension, refurbishment or upgrading of existing proactive healthcare premises within the vicinity or contribution to a new facility	21,979.62
				Youth: towards programme delivery for young people across Medway	2,722.22
				Heritage: towards improvements at Rochester Castle	9,895.34
				Libraries: towards equipment and facilities at Strood Library	5,740.28
				Nursery ed: for nursery provision within 2 miles of the development or SEND education in Medway	5,492.94
				Primary ed: for primary provision within 2 miles of the development or SEND education in Medway	6,120.70
				Secondary ed: towards secondary school provision within Medway	12,369.53
				Sport: towards improvements to Strood Sports Centre	8,462.74

**Appendix 3: Habitat Regulations: bird mitigation contributions received for developments of less than 10 units between July to September 2025**

<b>Application no. MC/</b>	<b>Site address</b>	<b>Ward</b>	<b>For</b>	<b>Amount received £</b>
25/0992	116 High Street, Chatham	Chatham Central & Brompton	3 units	1,012.47
25/0791	250 Dale Street, Chatham	Fort Pitt	1 unit	337.49
25/1055	36 Boundary Road, Chatham	Fort Pitt	4 units	1,349.96
23/2790	38 & 40 High Street, Rochester	Rochester West & Borstal	3 units	1,012.47
25/0935	Flat 1, 56-68 Balmoral Road, Gillingham	Gillingham South	6 units	2,024.94
25/1162	112-114 High Street, Gillingham	Gillingham South	7 units	2,362.43
25/1225	14 Watling Street, Gillingham	Watling	1 unit	337.49
25/1457	26 Springvale, Rainham	Rainham South West	1 unit	337.49
25/1181	1a Wickham Street, Rochester	Rochester East & Warren Wood	4 units	1,349.96
24/2334	Shant Cottage, Grain Road, Lower Stoke	All Saints	3 units	1,012.47

<b>Application no. MC/</b>	<b>Site address</b>	<b>Ward</b>	<b>For</b>	<b>Amount received £</b>
25/1112	Land Adj To 91 Hawbeck Road, Rainham	Rainham South East	1 unit	337.49
25/1543	110 Woodside, Rainham	Hempstead & Wigmore	1 unit	337.49
25/1697	137 High Street, Rainham	Rainham North	2 units	674.98
25/1099	Scarlet Meadow, Matts Hill Road, Gillingham	Rainham South East	4 units	1,349.96
24/1413	433 Canterbury Street, Gillingham	Gillingham South	5 units	1,687.45
24/2246	5-7 Mill Road and 4 Fox Street, Gillingham	Gillingham South	9 units	3,037.41
22/2016	5-7 Mill Road and 4 Fox Street, Gillingham	Gillingham South	5 units	1,687.45
22/2016	5-7 Mill Road and 4 Fox Street, Gillingham	Gillingham South	5 units	1,687.45
25/1488	25 Franklin Road, Gillingham	Gillingham South	3 units	1,012.47
25/1453	3 Kingswood Road, Gillingham	Gillingham South	7 units	2,362.43
25/1356	172 Richmond Road, Gillingham	Gillingham North	1 unit	337.49
/1025	Land adj 309 Lower Rainham Road, Rainham	Rainham North	3 units	992.49

