

Planning Committee

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Report on Section 106 Agreements April to June 2026

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S106 Officers

Summary

This report informs Members on the amount of Section 106 funding received between April to June 2026 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

- 1.1. The Committee is asked to consider and note the Section 106 funding received, those Section 106 agreements signed during the period April to June 2026 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 April to June 2026 and itemises the obligations covered by these agreements.
- 2.2. Information relating to expenditure of S106 contributions in 2025/2026 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.

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Appendices

- Appendix 1 S106 funding received between April to June 2026
- Appendix 2 Agreements signed between April to June 2026
- Appendix 3 Habitat Regulations: bird mitigation contributions received for developments of less than 10 units between April to June 2026

Background papers

Section 106 agreements signed between April to June 2026

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

[Infrastructure Funding Statement](#)

Appendix 1: S106 funding received April to June 2026

App no. MC/	Site	Ward	For	Amount £
21/2063	Former Cuxton Pit No 2, Roman Way Strood (Lidl)	Strood South	Habitat enhancement contribution	29,380.84
97/0224/GL	Dockside	Chatham Central & Brompton	Bus service	21,184.51
21/1694	Land south of View Road Cliffe Woods	Strood Rural	Sustainable transport provision	106,921.90
24/0291	Land adjacent Fenn Street and Ratcliffe Highway, St Mary Hoo	All Saints	Waste and recycling	10,251.22
			Enhancement of open space facilities within the vicinity of the site	42,989.75
			Towards bus service provision enhancements in the vicinity of the site	50,354.96

Appendix 2: agreements signed between April to June 2026

Plan app MC/	Location	Ward	Proposal	Towards	Amount £
23/1934	Land off Ratcliffe Highway, Hoo	Hoo St Werburgh & High Halstow	Up to 240 dwellings	Bird mitigation (SAMMS): towards mitigation measures to protect wintering birds habitat areas on the Thames, Medway and Swale designated Special Protection Areas (SPAs) from the additional footfall/visitors that will result from the Development	80,997.60
				Community facilities: improvements to community facilities in Hoo including but not limited to a new community centre in Pottery Road and a new community hub	60,441.60
				Nursery education: towards the provision of mainstream and/or SEND nursery education within a radius of 2 miles from the Site and/or a new two-form entry or three-form entry primary school in Hoo	728,376.00
				Primary education: towards the provision of mainstream primary education within a new two-form entry or three-form entry primary school in Hoo	1,787,832.00
				Secondary education: towards the provision of mainstream or SEND secondary education within a new secondary school with sixth form entry in Hoo	1,437,041.01

23/1934 continued	Land off Ratcliffe Highway, Hoo	Hoo St Werburgh & High Halstow	Up to 240 dwellings	Sixth-form education: towards the provision of mainstream or SEND secondary education within a new sixth form entry secondary school in Hoo	229,193.14
				Public Rights of Way: towards the costs of improvements and enhancements to Public Rights of Way (PRoWs) RS102, RS104, RS105 and RS100 including but not limited to signage, drainage, wayfinding and access improvements, lighting surfacing and vegetation management	18,000.00
				Health: towards the provision of a new healthy living centre in the Parish of Hoo and Chattenden	480,000.00
				Highways: towards the costs of highway mitigation including but not limited to Four Elms Roundabout, Main Road Hoo junction, Sans Pareil roundabout, local roundabouts in Hoo and sustainable transport improvements on the Hoo Peninsula	2,267,040.00
				Indoor Sports: towards improvements to Hoo Sports Centre including but not limited to the development of gender-neutral changing area including improved shower facilities with increased accessibility for families, schools and disability users which enable the help and supervision of carers and development of a yoga studio	80,311.20
				Libraries: towards improvements to facilities and equipment to Hoo Library and/or a mobile library serving the Site and Hoo and Chattenden	54,475.20

23/1934 continued	Land off Ratcliffe Highway, Hoo	Hoo St Werburgh & High Halstow	Up to 240 dwellings	Open space and outdoor sports: towards the enhancement of open space and outdoor sports facilities at Deangate Community Park and/or Deangate Ridge Sports Area and/or Cockham Wood Parkland and/or Hoo Wetlands and/or Hoo Common and/or Kingshill Recreation Ground, Hoo	841,620.00
				Public realm: towards improved civic space and gateways including greening, street furniture, paving, lighting and signage in the Parish of Hoo and Chattenden	88,754.40
				Social care: towards social care services/facilities within 3 miles of the Site to meet the needs of the increased, aging population including but not limited to community equipment provision, day care and activity services, personal care assistants, carer support services, home care provision and technology-enabled care solutions	68,908.80
				Strategic Environmental Management (SEMS): towards a strategic environmental programme to include conservation and enhancement of Lodge Hill SSSI, the Medway Estuary and Marshes SPA, Ramsar site and SSSI	403,610.40
				Waste and recycling: towards waste containment facilities, the maintenance and improvement of local bring centres and waste education and promotion within the Site and local vicinity	57,081.60

23/1934 continued	Land off Ratcliffe Highway, Hoo	Hoo St Werburgh & High Halstow	Up to 240 dwellings	Youth services: towards youth development services for young people across the Hoo and Chattenden & Hoo Peninsula including but not limited to development of new youth facilities and enhancements of existing provision ensuring access to essential equipment and materials, supporting high quality programme delivery and enabling the engagement of trained and experienced instructors	25,833.60
				Open space works and transfer to a management company: means the informal open space and landscaping including the Play Area for use by the general public to be provided on the Site in accordance with the Planning Permission and the Open Space Works Specification	Non-financial
				Affordable housing: 30%	Non-financial
				Link Road: means a road within the Site that will form the spine road of the Development and which will connect to the boundary between the Site and the Land West of Hoo Development such road to comprise a 6.75 — 7.3-metre-wide carriageway, a 4 metre shared cycleway on the southern side and 2 metre wide footway on the northern side built to an adoptable standard the details of which shall be approved by the Council as part of a Reserved Matters Application	Non-financial

25/0006	Land Off Lower Rochester Road Wainscott Rochester	Strood Rural	Up to 800 dwellings, primary school, mixed use centre, care home and public space	Nursery education: towards the provision of new mainstream nursery education within the Site and/or nursery education facilities within a 2-mile radius of the Site	2,427,920.00
				Primary education: towards the delivery of a new 1-FE Primary School within the Site	4,767,552.00
				Secondary education: towards mainstream secondary education facilities and/or SEND secondary education within the Council's administrative area	4,790,136.69
				Sixth form education: towards mainstream sixth-form education facilities and/or SEND sixth-form education within the Council's administrative area	954,971.43
				Great Lines Heritage Park: towards improvements to Medway's Metropolitan Park – Great Lines Heritage Park	140,270.00
				Open space and outdoor sports: towards the enhancement of open space and outdoor formal sport facilities within the vicinity of the Site including but not limited to improvements at Deangate Ridge Sports facility	2,665,130.00
				Public realm: towards improvements to the civic space in Strood Centre and its gateways	295,848.00
				Public Rights of Way: towards improvements to local public rights of way including but not limited to signage, lighting,	60,000.00

				surfacing and furniture in the vicinity of the Site	
25/0006 continued	Land Off Lower Rochester Road Wainscott Rochester	Strood Rural	Up to 800 dwellings, primary school, mixed use centre, care home and public space	Indoor sports: towards the improvements to sports and leisure facilities at Hoo Sports Centre and Strood Sports Centre	267,704.00
				Community facilities: towards community facilities within the vicinity of the Site including but not limited to enhancements to and extension to the Frindsbury Extra Memorial Hall	201,472.00
				Libraries: towards improvement to facilities within the vicinity of the Site and/or towards mobile library provision	181,584.00
				Health: to support the creation of additional capacity in Primary Care premises by the way of extension to, refurbishment of, or upgrade to existing practice premises within the vicinity of the Site or as a contribution towards a new facility if this is required to support the population growth.	1,600,000.00
				Youth: to support programme delivery for young people in the Rochester area	86,112.00
				Local Cycling and Walking Infrastructure Plan: towards the Local Cycling and Walking Infrastructure Plan (LCWIP) programme routes in the vicinity of the Site including but not limited to crossings, junction treatments, shared-use path upgrades and pedestrian priority measures.	819,429.00

25/0006 continued	Land Off Lower Rochester Road Wainscott Rochester	Strood Rural	Up to 800 dwellings, primary school, mixed use centre, care home and public space	Highways: towards highways mitigation	4,489,395.00
				Bus service: either (A) to secure an additional bus service operating between Strood Town Centre and the Site Monday to Saturday between the hours of 7am and 7pm; or (B) to secure an enhanced bus service operating between Strood Town Centre and the Site at a frequency of not less than one service every 20 minutes Monday to Saturday between the hours of 7am and 7pm	Either (A) £1,500,000.00 Or (B) £3,000,000.00
				Bird mitigation (SAMMS): towards strategic mitigation measures to avoid adverse effects on the Thames Estuary and Marshes SPA and Ramsar site, the Medway Estuary and Marshes SPA and Ramsar site and the Swale SPA and Ramsar site	269,992.00
				Strategic Environmental Management Strategy (SEMS): towards the provision of measures to protect designated sites and areas of significant flood risk	1,345,368.00
				Waste and recycling: towards waste containment facilities the maintenance and improvement of local bring centres and waste education and promotion within the Site	190,272.00

25/0006 continued	Land Off Lower Rochester Road Wainscott Rochester	Strood Rural	Up to 800 dwellings, primary school, mixed use centre, care home and public space	Affordable housing: 30%	Non-financial
				Primary school: 1FE with expansion land for 2FE	Non-financial
				Open space, allotments and BNG	Non-financial

Appendix 3: Habitat Regulations: bird mitigation contributions received for developments of less than 10 units between April to June 2026

Application no. MC/	Site address	Ward	For	Amount received £
25/0965	Land south of Upnor Road including the foreshore of the River Medway, Lower Upnor	Strood Rural	14 units	4,902.24
26/0419	Durland House, 160 High Street, Rainham	Rainham South West	1 unit	350.16
26/0253	33 Balmoral Road, Gillingham	Gillingham South	2 units	700.32
25/1500	Upper Mount Car Park, Old Road, Chatham	Fort Pitt	21 units	7,353.36
26/0221	58 York Avenue, Gillingham	Gillingham South	3 units	1,050.48
25/0569	5 Burns Road, Gillingham	Gillingham North	4 units	1,400.64
26/0433	7 Napier Road, Gillingham	Watling	1 unit	350.16
26/0362	55 Green Street, Gillingham	Gillingham South	28 units	9,804.48
26/0470	13-17 North Street, Strood	Strood North & Frindsbury	1 unit	350.16
26/0451	54 Balmoral Road, Gillingham	Gillingham South	2 units	700.32

Application no. MC/	Site address	Ward	For	Amount received £
26/0606	98 Grove Road, Strood	Strood North & Frindsbury	3 units	1,050.48
26/0385	98 Howard Avenue, Rochester	Rochester East & Warren Wood	1 unit	350.16
25/1988	142 High Street, Rainham	Rainham South West	2 units	700.32
26/0282	13 Park Avenue, Gillingham	Watling	6 units	2,100.96
25/2536	2 Temple Gardens, Strood	Strood West	1 unit	350.16
26/0670	Flat 336 High Street, Chatham	Chatham Central & Brompton	6 units	2,100.96
26/0549	101 Balmoral Road, Gillingham	Gillingham South	5 units	1,750.80
26/0221	58 York Avenue, Gillingham	Gillingham South	2 units	700.32
26/0483	11 Park Avenue, Gillingham	Watling	6 units	2,100.96
26/0769	32 Salisbury Road, Chatham	Chatham Central & Brompton	4 units	1,400.64
26/0639	1 Blenheim Avenue, Chatham	Fort Pitt	4 units	1,400.32
26/0473	78 Ingram Road, Gillingham	Gillingham North	5 units	1,750.80

Application no. MC/	Site address	Ward	For	Amount received £
26/0792	48 The Chase	Fort Pitt	1 unit	350.16
26/0857	124a Richmond Road, Gillingham	Gillingham North	2 units	700.32
26/0414	62 New Road, Chatham	Fort Pitt	1 unit	350.16
26/0856	34 Kingswood Road, Gillingham	Gillingham South	11 units	3,851.76