

P25-045 SECTION 106

A Section 106 agreement is a legally binding planning obligation between a local planning authority and a developer, used to mitigate the impact of a new development and ensure infrastructure and services are provided. These agreements require developers to fund or provide specific items, such as [affordable housing](#), public facilities, or highways improvements, to make a development acceptable in planning terms.

S106 agreements can be used for a variety of measures, including financial contribution for local infrastructure like schools, healthcare and recreational areas.

The attached spreadsheet details the financial contributions that will be made to early years education, primary education, secondary education and recreational and open spaces. The County Council decide who the educational contributions go to. They money should remain in the local area.

The recreational and open spaces contributions require and email from the Parish Council to tell Guildford Borough Council (GBC) what the money going to spent on, so GBC can determine if this matches the contribution in the s106. GBC will require quotes and any evidence to show that the amount of money allocated is enough and if it isn't enough, the Parish council need to tell GBC how the rest will be covered.

The S106 for Elm Centre currently has listed Incy Wincy's for the early years education and the Manor Fruit Farm Development Phase 2 (football pitches) for the Open Spaces contribution, both of which no longer exist. The Parish council need to write to the developer of the site to make a Deed of Variation to amend these parts of the s106. The council can only make a recommendation for the early years contribution, as this decision is made by the County Council.

Matters for consideration

1. Where do the council recommend the early years contribution is made?
2. What do the council recommend that the Open Spaces/Recreational monies are used for?

Planning application name and number	Early Years Education Contribution	Primary School Education Contribution	Secondary School Education Contribution	Recreation Space/Open Space Contribution	Total	Notes
Hawthron Close	£10,768 (to be determined by SCC)	£34,869 Ash Primary School	£38,888 - Ash Manor Secondary School	£40,010.28 Open space amenity £2145.12 Childrens Play Space £16,991.40 Formal Palying Fields £20,873.76	£124,535.28	When dwellings are fully occupied the money is then collected and distributed. If there is money for the parish, then this needs to be applied for.
Elms Centre	£9,615 - Incy Wincys Pre School	Amount TBC - Ash Grange Primary School	Amount TBC - Ash Manor Secondary School	Amount TBC - MFF Phase 2 development	TBC	Due to the closure of Incy Wincys and MFF phase 2 development not going ahead - the parish council will need to apply for a deed of variation from the developer.
Shortlands Farm						
Taylor Wimpey Application						