

Dear Members

**Joint Resources Scrutiny and Economic Development and Planning Scrutiny
Committee**

A meeting of the Resources Scrutiny Committee will be held on **Tuesday 31 March 2026 at 6.30pm** in the **Craddock Room, Civic Centre, Riverside, Stafford** to deal with the business as set out on the agenda.

Please note that this meeting will be recorded.

Members are reminded that contact officers are shown at the top of each report and members are welcome to raise questions etc in advance of the meeting with the appropriate officer.



Head of Law and Governance

**JOINT RESOURCES SCRUTINY AND ECONOMIC DEVELOPMENT AND
PLANNING SCRUTINY COMMITTEE**

31 MARCH 2026

Chair – Councillor F Beatty

AGENDA

- 1 Apologies
- 2 Public Question Time - Nil
- 3 Councillor Session - Nil
- 4 Called in Items - Nil
- 5 Members' Items - Nil

Page Nos

- 6 Officers' Reports

ITEM NO 6(a) **Section 106 Update**

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HEAD OF ECONOMIC DEVELOPMENT AND PLANNING

Membership

Chair – Councillor F Beatty

K M Aspin	A M Loughran
E L Carter	B McKeown
B M Cross	D M McNaughton
M G Dodson	A Nixon
P C Edgeller	J S Powell
F D J James	J P Read
R A James	D P Rouxel
P W Jones	M J Winnington
P A Leason	

Agenda Item 6(a)

Section 106 Update

Committee:	Economic Development and Planning Resources
Date of Meeting:	31 March 2026
Report of:	Head of Economic Development and Planning
Portfolio:	Economic Development and Planning Portfolio

1 Purpose of Report

- 1.1 To inform Members about the Section 106 process and publication of the Infrastructure Funding Statement 2024/2025 in December 2025 (please see **APPENDIX 1**) setting out the financial position on Section 106 monies associated with developer obligations provided for through the planning process.

2 Recommendation

- 2.1 That the progress report be noted.

Reasons for Recommendation

This information item provides details about Section 106 agreements, which is a statutory process to secure developer contributions from new development. There is also a legal duty to produce an Infrastructure Funding Statement, to be published by December each year.

3 Key Issues

Introducing Section 106

- 3.1 “S106” is the shorthand for the legal agreements used to obtain obligations in respect of some planning decisions and relates to the relevant section of the Town and Country Planning Act 1990. An agreement may contain multiple obligations which could be financial or non-financial. A non-financial obligation is discharged by the developer carrying out works, or by the developer directly providing for, at a cost to them, specified infrastructure such as affordable housing or public open space as part of a development.

- 3.2 In the circumstances described above, a financial obligation is discharged by the developer paying a sum to the Council, which the Council then uses to carry out works required to enhance infrastructure as a result of a planning decision within the adopted Local Plan policy context, or when required infrastructure is provided. On occasion, the Council may agree alongside a third party (such as a parish) that a third party will deliver/manage the infrastructure works.
- 3.3 A Unilateral Undertaking is a legal agreement in which the developer commits to deliver an undertaking (which may be financial) and could be considered as a form of simplified S106 agreement. For the purpose of this report, Unilateral Undertakings are considered to be the same as a S106 agreement.
- 3.4 At this stage the Council has not adopted a Community Infrastructure Levy. However, as part of the process for preparing the New Local Plan, the approach to developer contributions will be further considered in light of the latest Government planning reforms, such as the Infrastructure Levy.
- 3.5 Members will be aware that the Strategic Planning and Placemaking team updates the Council's Exacom system with information relating to current Section 106 agreements, providing a comprehensive overview of the financial position. This involved significant cross-departmental co-ordination with Legal Services, Finance and the Development Management teams. **APPENDIX 2** sets out a process map for Section 106 / developer contributions.

Delivering Projects for Local Communities

- 3.6 In order to deliver for local communities the information in the Exacom system is used to confirm existing project allocations and potential future funding which could be allocated to projects, subject to formal decisions being made in that respect over £50,000 by Cabinet or approved by the relevant Cabinet Portfolio Holder in consultation with local Ward Members on sums of less than £50,000. For less than £50,000 a standard form is sent to relevant Members once the developer contributions have been received and resources available to deliver the project (Please refer to **APPENDIX 3**).
- 3.7 The available money must be allocated to projects that accord with the contribution type in compliance with the relevant S106 agreement(s). There may also be a caveat for the money to be spent within proximity of the development, which is stipulated per individual S106 agreement. It should also be noted that some funds are transferred to Staffordshire County Council to meet education and transport requirements.

Monitoring and Review

- 3.8 The Strategic Planning and Placemaking team continues to identify and propose projects which could be supported by the relevant developer contributions, subject to sufficient funds being available in a chronological order. The team will also continue to monitor the future potential funds and will invoice for financial contributions when/if the developer becomes liable to pay a contribution. Further information about new development delivered through the adopted Plan for Stafford Borough is published in the Authority Monitoring Reports.

Infrastructure Funding Statement 2024 / 2025

- 3.9 The Infrastructure Funding Statement 2025¹ details the verified Section 106 figures as at 31 March 2025 by the Finance team. The Infrastructure Funding Statement (IFS) is an annual report which provides a summary of the developer contributions secured, received and used by Stafford Borough Council during each financial year.

- 3.10 The following summary is set out in the Infrastructure Funding Statement (IFS) 2025 covering the period 1 April 2024 to 31 March 2025:

- 8 Section 106 agreements have been entered into, which have secured a total of £26,703.67 in financial contributions but no affordable housing units this year.
- £1,269,281.06 has been received in financial contributions and 163 affordable housing units have been completed.
- £815,888.58 has been allocated to projects.
- £741,136.85 has been spent on various infrastructure projects.

At the end of the financial year 2024/25, a total of £7,034,531.40 has been retained. Of this:

- £3,071,649.01 has been allocated to projects; and
- £3,962,882.39 is available to be allocated to a project(s).

¹ Information to inform this report is drawn from the Council's S106 monitoring tool Exacom.

4 Relationship to Corporate Priorities

4.1 The following vision and priorities from the Council's Corporate Plan 2025/26 to 2027/28 are considered relevant to this report:

Vision

"To be an effective Council that promotes a growing economy, strong, healthy communities and a sustainable environment."

Priorities

- "Prosperous Economy"
- "Communities and Wellbeing"
- "Climate Change, Nature Recovery and the Environment"
- "Effective Council"

5 Implications

5.1 Financial

The report is an information item and as such there are no financial implications.

5.2 Legal

None

5.3 Human Resources

None

5.4 Risk Management

None

5.5 Equalities and Diversity

The Borough Council considers the effect of its actions on all sections and has addressed all of the following Equality Strands in the production of this report, as appropriate:-

Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

5.6 Health

None

5.7 Climate Change

None

6 Appendices

Appendix 1: Stafford Borough Infrastructure Funding Statement 2024 / 2025

Appendix 2: Planning Obligations (Section 106) - Process Map

Appendix 3: Section 106 - Introductory Project Template

7 Previous Consideration

None

8 Background Papers

Details with the Strategic Planning and Placemaking team, within Economic Development and Planning.

Contact Officer: Jenny Boulton

Telephone Number: 07800 619514

Ward Interest: Nil

Report Track: Economic Development and Planning Scrutiny
Resources Scrutiny - 31 March 2026 (Only)

Key Decision: N/A

Appendix 1

Stafford Borough Infrastructure Funding Statement 2024 / 2025 - Title page

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1. Introduction

The Infrastructure Funding Statement (IFS) is an annual report which provides a summary of the developer contributions secured, received and used by Stafford Borough Council during each financial year.

Stafford Borough Council currently seek developer contributions through Section 106 (S106) agreements, also known as planning obligations. A S106 agreement is a legally binding agreement made between the developer and the Council which and requires the developer to meet obligations to mitigate the impacts of the development proposed. A S106 agreement can include multiple obligations of different types, including:

- Financial obligations, requiring the developer to pay a financial contribution which must be used for defined purposes, such as open space or sports facilities. These are often to be spent off-site and required to be spent within proximity of the development.
- Non-financial contributions, such as undertaking certain works. For example, the provision of open space or affordable housing. These are often delivered on-site, although can be provided off-site.

The information included in the IFS will be updated annually and published on the Council's website. This will ensure that the most up to date information is readily available to the public and other interested parties, in line with Schedule 2 of The Community Infrastructure Levy (Amendment) (England) (No 2) Regulations 2019.

Staffordshire County Council is also responsible for the provision of infrastructure and collects planning obligations from development within Stafford Borough for education and highway provisions. Details on education and highway provisions are therefore not contained within this report, and are detailed within Staffordshire County Council's IFS which can be found at www.staffordshire.gov.uk/environment/planning/aZ/Infrastructure-Funding-Statement.aspx

Summary

A summary of the data for the financial year 2024 /25 (1 April 2024 to 31 March 2025) can be found below, with further details within the relevant sections of this report. During the financial year, a total of:

- 8 Section 106 agreements have been entered into, which have secured a total of £26,703.67 in financial contributions but no affordable housing units this year.
- £1,269,281.06 has been received in financial contributions and 199 affordable housing units have been completed.
- £815,888.58 has been allocated to projects.
- £741,136.85 has been spent on various infrastructure projects.

At the end of the financial year 2024 /25, a total of £7,034,531.40 has been retained. Of this:

- £3,071,649.01 has been allocated to projects; and
- £3,962,882.39 is available to be allocated to a project(s).

2. Section 106 agreements secured in 2024/25

During the financial year 2024/25, 8 Section 106 agreements have been secured between Stafford Borough Council and developers. These contributions will be paid by the developer either once development has commenced on site, or once a specified payment trigger point has been delivered. In total, these contributions amount to £26,703.67 of financial contributions (without indexation), and no affordable housing units.

3. Section 106 contributions received in 2024/25

The total amount of money received from Section 106 contributions during the financial year 2024/25 was £1,269,281.06. This money can be spent on projects to deliver infrastructure within Stafford Borough. A S106 agreement will stipulate where this money can be spent and usually needs to be spent within proximity to the development. In addition to the financial contributions received, a number of non-financial contributions have also been received, including the completion of 199 affordable housing units.

4. Section 106 allocations in 2024/25

The total amount of Section 106 contributions allocated during the financial year 2024/25 was £815,888.58. This includes money received from Section 106 financial contributions in the financial year 2024/25, as well as contributions received from previous financial years. Allocated S106 financial contributions is money which has been assigned to be spent on a project and has not yet been spent on the project.

Table 1 - S106 financial contributions allocated to projects during 2024/25

Project title	Amount allocated	Summary details
Beech Road Play Area, Eccleshall	£90,277.34	The provision and enhancement of the Beech Road Play Area in Eccleshall.
Commuted Sums	£85,080.19	These contributions are typically used to maintain the off-site open space within the borough and is used to a specific location as part of the off-site open space contribution.
Jubilee Fields	£325,776.36	The provision and enhancement of the Jubilee Fields Play Area within the Haywoods.
King Edward High School	£48,872.53	In conjunction with Stafford Hockey Club and England Hockey. A new hockey pitch at the school is under construction. It will be used by the school children, hockey club and community.
Rowley Park Play Facilities	£265,882.16	The provision and enhancement of Rowley Park Play Facilities in Stafford.

5. Section 106 expenditure in 2024/25

The total amount of Section 106 contributions spent during the financial year 2024/25 was £741,136.85. This includes money received from Section 106 financial contributions in the financial year 2024/25, as well as contributions received from previous financial years.

Table 2 - S106 financial contribution spent on projects in 2024/25

Project title	Amount spent	Project Summary
Cannock Chase SAC Mitigation	£42,696.05	Cannock Chase SAC contributions are used to mitigate the impacts of developments on the Cannock Chase SAC.
Commuted Sums	£59,625.00	These contributions are typically used to maintain the off-site open space within the borough over several years, and is used to a specific location as part of the off-site open space contribution.
Jubilee Fields	£93,297.39	The provision and enhancement of the Jubilee Fields Play Area within the Haywoods.
Hixon Green Millennium Trust	£2,263.85	Hixon Green Millennium Trust (HGMT) have put together a project to encourage greater community cohesion by offering more frequent and more varied events within the local community. Provision has been made to offer people with disabilities easy access, including a sensory garden human sun dial, new wheelchair-friendly picnic tables, perimeter railings and gates, and a wooden timbered multi-purpose gazebo.
Meadow Road Play Park	£11,381.00	The provision of an inclusive roundabout which can be used by wheelchair users and parents with young children in push chairs.
Stone Hockey and Rugby Club	£400,000.00	Provision towards the merger between Stone Rugby Club and Stone Hockey Club including new club house, changing rooms and pitches.
Stone Leisure	£2,777.70	New leisure provision in Stone, including a new leisure centre and destination play area at Westbridge Park, and maintaining the undeveloped part of Westbridge Park as an open space.
Yelverton Park	£129,095.86	Refurbishment and enhancement measures to Yelverton Park in the Baswich area including new play facilities along with picnic benches, seating, and a new circular pathway around the park boundary.

6. Section 106 balance

The following section reviews the overall balance for Section 106 obligations received, spent, and allocated for Stafford Borough Council.

As of 31 March 2025, a total of £7,034,531.40 in Section 106 money received has been retained. Of this, £3,071,649.01 has been allocated to S106 infrastructure projects and will be spent on these projects in the future. Table 3 provides a summary of these project allocations. The remaining £3,962,882.39 is available to be allocated to a project (s). Individual Section 106 agreements identify these funds to be spent on particular types of contributions i.e. open space improvements, with Table 4 providing a summary of these funds.

Table 3 - Overall S106 financial contributions allocated to projects

Project title	Amount allocated	Project Summary
Beech Road Play Area, Eccleshall	£90,277.34	The provision and enhancement of the Beech Road Play Area in Eccleshall.
Commuted Sums	£1,274,794.97	These contributions are typically used to maintain the off-site open space within the borough over several years and is used to a specific location as part of the off-site open space contribution.
Deposits	£16,056.50	Deposits received for the provision of on-site open space.
Eccleshall Road Cemetery	£13,065.50	Biodiversity enhancements to the land at Eccleshall Road Cemetery for wildlife and habitats.
Future High Street Fund	£1,000,000.00	The delivery and progress of renovations to Stafford Market Square.
Jubilee Fields	£325,776.36	The provision and enhancement of the Jubilee Fields Play Area within the Haywoods.

King Edward High School	£48,872.53	In conjunction with Stafford Hockey Club and England Hockey. A new hockey pitch at the school is under construction. It will be used by the school children, hockey club and community.
Rowley Park Play Facilities	£265,882.16	The provision and enhancement of Rowley Park Play Facilities in Stafford.
Stone Leisure Facilities	£20,123.65	New leisure provision in Stone, including a new leisure centre and destination play area at Westbridge Park, and maintaining the undeveloped part of Westbridge Park as an open space.
Yarnfield Drainage Works	£16,800.00	

Table 4 - Available S106 money for project allocation by funding type

Type of S106 funding	Available amount for project allocation
Affordable Housing	£158,344.44
Allotments	£190.45
Biodiversity	£31,682.39
Off-site Open Space	£1,556,890.24
Sports 3G Pitches	£55,971.64
Sports AT Pitches	£33,202.68
Sports Other/Unspecified	£1,186.51
Sports Court/Hall	£1,026,279.37

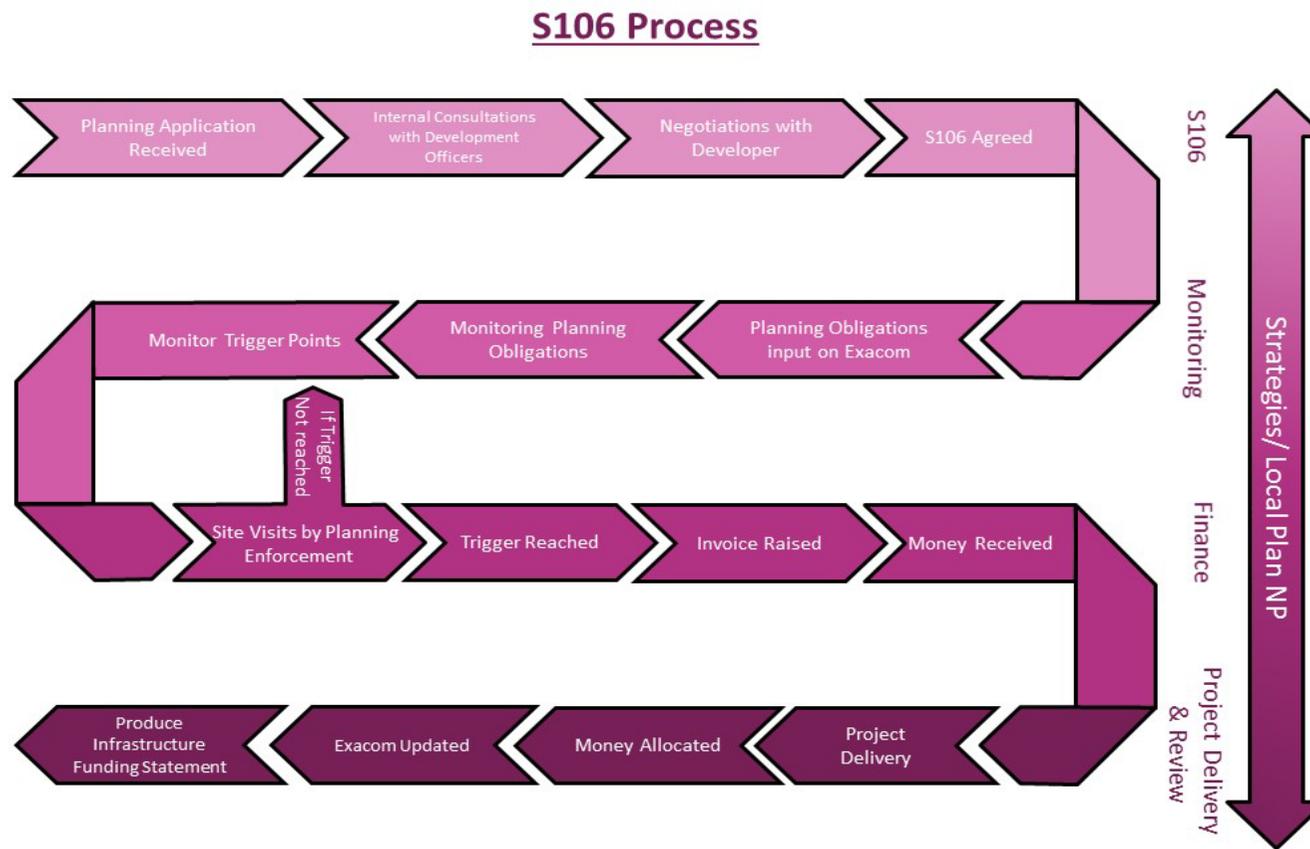
Sports Swimming Pool	£1,099,134.67
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7. Conclusion

Stafford 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, such as new affordable homes, community infrastructure, jobs and environmental improvements.

We have identified a need to improve the planning and delivery of Section 106 income and expenditure to respond to the levels of funding received. Steps are being undertaken to address these issues. Any changes to how the Council manage the Section 106 process will be take into account, including any changes resulting from the Government's consultations on planning reforms, once detailed policy and associated guidance has been released.

Planning Obligations (Section 106) - Process Map



Appendix 3

Section 106 - Introductory Project Template (available from March 2022)

1. ORGANISATION DETAILS	
Name of Organisation	
Name of Project Lead	
Telephone Number	
Email address	
Role descriptions of people involved in delivering the project.	
How will the team manage the project - how often will they meet?	
Will your organisation be working with any other agencies to deliver or fund this proposal?	Yes No
If yes please provide details:	
2. PROJECT DETAILS	
Name of Project	
Location of Project	
Borough Ward	

Project description	
<p>Project Background</p> <p><i>Based on local need please provide a business case for the project and/or please identify how this project has been identified as a priority and include linkages to National, Regional and Local Strategies if possible</i></p>	
Planning Application number to which S106 money is requested	
Is Planning Approval required for the project and are any other Approvals to be secured? - If yes please provide draft plans and details	
Parish (if applicable)	<ul style="list-style-type: none"> (i) Parish Council (ii) Voluntary or Community Group (iii) Registered Charity (iv) School (v) Other
Land Ownership (Is the land owned by the applicant - if not who?)	
<p>Does the applicant need approval from the landowner? - if yes, please provide evidence that the landowner has consented for the application to proceed.</p>	
<p>What outcomes will be achieved from the scheme?</p> <p><i>How does link into the Council's adopted Plan for Stafford Borough 2011-2031 and other Council strategies?</i></p>	

<p>Project Costs</p>
<p>Project Funding</p> <p><i>Please include amount requested and provide a breakdown of how the project will be funded. If applicable please also provide any information about partnership funding being allocated alongside S106 monies to deliver the project.</i></p>
<p>Stafford Borough Councillors</p> <p><i>Are local borough councillors aware of the proposed project? Do they support the project? If no, please provide information as to why and the reason you think the project should continue to be considered</i></p>
<p>Site Access</p> <p><i>Please provide details to confirm the site is accessible to all. Furthermore in terms of assessing project delivery please state if the site has open access or if access is restricted at any time</i></p>
<p>Public Engagement</p> <p><i>Please provide details of all public consultation undertaken and responses received as part of any engagement activities</i></p>

Key Milestone and Timescale

Set out timescale of planned works. Are there any contingencies for delays in materials, inclement weather, or outside factors? How would it affect the project?

Maintenance and Management

Please provide details of how the facility will be maintained. Who will manage the project once it is completed? Who will pay for the maintenance? How sustainable is the project? Will there be a sinking fund set up?

Other Relevant Information

3. PROJECT DELIVERY

Procurement

How will you prove that you have obtained value for money in delivering the project?

- How many quotes will there be?
- Will they be evaluated on cost, quality, delivery of similar projects, value for money, or a mix of these?

Previous Experience

Please provide details of previous project your organisation has managed leading to a successful outcome

Risk Management

What are the risks in delivering this project? Please list the risks. How will they be managed? What could the cost or timescale implications be on the project?

Please note that to progress a project the Council will require Third Parties to enter into a Legal Agreement.

OFFICE USE	
S106 Reference	
S106 Amount	
S106 Clause	

Further details may need to be progressed in terms of the topics listed below:

1. Purpose
2. Outline Business Benefits/Business Case
3. Financial/Budget Requirements
4. Key Milestones and Timescales
5. Risk Log
6. Contingency Arrangements
7. Review and Reporting