

Performance of S106 Delivery

With focus on Primary Care

Overview and Scrutiny Committee, 24 March 2026

Agenda

- Overview of how section 106 obligations are agreed
- Overview of how section 106 obligations monitored and delivered
- Factors and constraints behind infrastructure delivery
- Primary care spotlight: funds held and funds secured

S106 Process

Pre-agreement

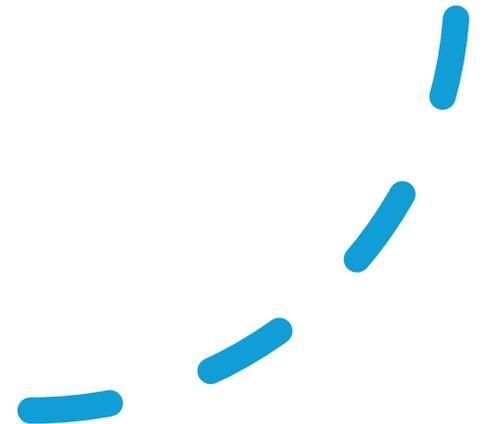
- Pre-Application & Early Negotiation
- Heads of Terms
- Drafting

Decision

- Committee Resolution
- Completion & Planning Permission Issued

Post-agreement

- Implementation & Monitoring
- Delivery & Expenditure



How are contributions justified?

Planning obligations assist in **mitigating the impact of unacceptable development** to make it acceptable in planning terms

They must be:

- **necessary** to make the development acceptable in planning terms;
- **directly related** to the development; and
- **fairly and reasonably related in scale and kind** to the development.

Other considerations:

- **Local policy support** (Developer Contributions SPD 2016)
- **Viability**

Why might infrastructure not be secured?

Lack of policy support

Lack of evidence of need

Viability constraints

Negotiated process

Cross boundary impacts



Facilitating Infrastructure Delivery

Inherent obstacles:

- Time lag between legal agreement and delivery; changes to need
- Market conditions and commercial viability
- Piecemeal approach and requirements to pool funding
- Funding gaps, inflation, etc.
- Insolvency risks

What can improve infrastructure delivery?

- Strong monitoring and enforcement regime
- Good project planning; co-sourced funding
- Third-party recipient engagement
- Flexible application of s106 contributions

Health Contributions Currently Held

(any year)

Key takeaways:

- £580,800 currently held
- Oldest funds received in 2017
- Funds are predominantly for Banbury area
- Funds not at risk of clawback until 2037

| Area | Scheme Narrative | Planning Ref | Contribution | Clawback | Received date | Balance 24/25 |
|---------------|--|--------------------------------|----------------------------------|----------------------|---------------|--------------------|
| Banbury | 2 West Bar and 10/11 Horsefair Land at County Chambers | 13/00211/F | Health contribution | No (UU) | 13/04/2017 | £5,349.79 |
| Banbury | Banbury Rise | 17/00189/F (13/00444/OUT) | Health Contribution | No | 2018 - 2021 | £300,618.01 |
| Bicester | Land at Charlotte Avenue (Bicester Eco Village) | 19/01036/HYBRID | Health Facility contribution | 15 years; 30/05/2037 | 30/05/2022 | £4,910.10 |
| Bicester | Eco Town Exemplar Site Phase 4 | 21/01227/F | Health Facility Contribution | 15 years; 03/08/2037 | 03/08/2022 | £19,955.91 |
| Kidlington | Land on the South East side of Green Road | 19/02341/F | Health Care | No | 03/08/2022 | £1,009.26 |
| Steeple Aston | Land at Sandy Lane | 20/01561/F | Primary Care Contribution | No | 30/06/2023 | £46,272.73 |
| Adderbury | Land on the North side of Berry Hill Road, Adderbury | 19/00963/OUT & 22/00969/REM | Healthcare Contribution | No | 13/06/2024 | £27,692.04 |
| Banbury | Phase 1 Land North & West of Bretch Hill Reservoir Adj to Balmoral Avenue, Banbury | 20/01643/OUT & 22/00996/REM | Healthcare Contribution | No | 11/09/2024 | £56,342.28 |
| Banbury | Brooklands Development Southam Road Banbury" | 18/00273/OUT | Healthcare Contribution | No | 18/03/2025 | £94,961.45 |
| Bicester | Graven Hill | 24/02058/F | Primary Health Care Contribution | No (UU) | 10/06/2025 | £23,760.00 |
| Bodicote | Tappers Farm, Bodicote | 18/00792/OUT | Healthcare Contribution | 10 years; 17/10/2035 | 17/10/2025 | £20,617.20 |
| | | | | | | £601,488.77 |

Health Contributions secured since 2019/20

Key takeaways:

- £600 avg. secured per dwelling since 2021
- 48% of developments since 2021 include health scheme
- Excludes on-site health facility provision (1 qty.)

| IFS Year | Total Schemes | Health Schemes | % with Health Scheme | £ total | Dwellings total |
|-------------|---------------|----------------|----------------------|-----------|-----------------|
| 2020 | 13 | 3 | 23 | £758,792 | 3394 |
| 2021 | 7 | 3 | 43 | £334,026 | 421 |
| 2022 | 9 | 4 | 44 | £202,810 | 513 |
| 2023 | 8 | 4 | 50 | £267,7782 | 2887 |
| 2024 | 12 | 7 | 58 | £669,430 | 1926 |
| 2025 | 10 | 4 | 44 | £584,064 | 1624 |

indicative