BRENCHLEY AND MATFIELD PARISH COUNCIL
Matfield Pavilion, The Green, Matfield, Kent, TN12 7JU
Tel: 01892 723586 www.brenchleyandmatfield-pc.gov.uk

Policy: Section 106 Funding **Date of adoption by PC: 2 November 2026**

The purpose of this policy is to set out the process by which the Parish Council will handle utilisation of Section 106 funds and the eligibility and prioritisation criteria that will be applied for applications from outside bodies

Section 106 Funding

Section 106 funds are money that developers are required to provide through the relevant planning authority, in our case Tunbridge Wells Borough Council (TWBC), as part of their development. This is governed by Section 106 of the Town and Country Planning Act, 1990. The intention is to provide resources through which the impact of developments can be mitigated or offset by contributing to improvements to community infrastructure and services. These can be provided on-site directly by the developer or through financial contributions to off-site investment by other organisations.

Eligibility and priority of proposals

Under legislation, any S106 funding requirement must be:

(i) necessary to make the development acceptable in planning terms;
(ii) directly related to the development;
(iii) fairly and reasonably related in scale and kind to the development.

These requirements are not closely defined or quantified so there may be room for negotiation with both developers and Tunbridge Wells Borough Council on how they are used.

The Neighbourhood Plan contains a list of priority projects for the community. Some examples of projects that might be considered are:

- improvements to road safety;
- footpaths, cycle paths and bridle ways;
- subsidies to bus services;
- recreation areas, such as children's playgrounds, open spaces and playing fields;
- improvements to community buildings and services;
- environmental projects.

Eligibility of organisations to receive S106 funding

Although S106 funding must be used in the interests of the community, it is not restricted to projects implemented by the Parish Council. Other organisations in the private or public sector are eligible, and need not be based in the parish, so long as the benefits will wholly accrue to our community. A formal agreement will be required with any beneficiary organisation to ensure that community benefits are safeguarded, usually in perpetuity.

Beneficiary organisations must be properly constituted, with a bank account and auditable accounts.

Procedures

All applications for Section 106 funded projects must be made via the Parish Council. An application form is annexed to this policy statement. Organisations wishing to benefit from Section 106 funding may put forward proposals at any time. If the Council decides that such proposals are a priority, they will be added to the bank of potential projects.

As and when developments are proposed that would entail Section 106 contributions, the Council will consider how best such contributions might be used. Section 106 utilisation is subject to the approval of TWBC as well as negotiation with the developer. The new Local Plan and Neighbourhood Plan will identify Section 106 priorities for each Local Plan site allocation, hence it is important to develop ideas into costed projects as soon as possible and identify links with particular sites.

Receipt of funds from the developer after completion of the project will be made via the Parish Council and passed on to the applicant. The applicant must comply with any requirement deemed necessary by the PC or TWBC in order to assess use of funds.

Approval of a project by the Parish Council does not indicate acceptance by TWBC and will be subject to the terms of the relevant developer contribution agreement.

BRENCHLEY AND MATFIELD PARISH COUNCIL
Matfield Pavilion, The Green, Matfield, Kent, TN12 7JU
Tel: 01892 723586 www.brenchleyandmatfield-pc.gov.uk

Application Form for s.106 Project Funding:

Name of Organisation

Contact address/email

Contact person

Position

Stated objectives of organisation

Name of Project

Outline of Project and expected benefits

How the project will be implemented

Estimated timescale for delivery of project

Estimated costings (2 quotes required)