
Agenda Item: Developer Contribution Projects

Meeting Date: Tuesday, 18 November 2025

Contact Officer: Deputy Town Clerk

The purpose of this report is to seek Members' agreement to develop and maintain a formal list of Town Council projects that could be funded, in full or in part, through developer contributions, such as Section 106 (S106) agreements or Community Infrastructure Levy (CIL) funds.

Background

For many years, the Town Council has sought Section 106 (S106) funding to support site-specific infrastructure and off-site contributions for community assets (under its current or future ownership). West Oxfordshire District Council, as the local planning authority, adopted its Community Infrastructure Levy (CIL) Charging Schedule on 1 October 2025, with the levy taking effect from 31 January 2026.

For Members' information, there are three main developer funding agreements:

- Section 106 - Used to secure specific on-site infrastructure and off-site infrastructure which is required to mitigate the direct impacts of a development. This must meet three tests i.e. necessary to make development acceptable in planning terms; directly related to the development and fairly and reasonably related in scale and kind. Should only be used where it is not possible to address unacceptable impacts through a planning condition.
- CIL Community Infrastructure Levy (CIL) - CIL payments can be collected and used for any infrastructure that is needed to support development across the district. It does not need to be directly related to a particular development.
- Section 278 Agreements - Section 278 agreements allow alterations and improvements to the public highway to be funded through development in order to mitigate the impact of new development on the highway network.

Current Situation

The Town Council has requested funds based on the needs of the area and to mitigate additional influx and strain on its community facilities – tied to Committee needs and aspirations evidence by its emerging Strategic Plan and Open Spaces Strategy. An

infrastructure plan for the town council was last approved prior to the Covid-19 pandemic in early 2020.

In recent requests these have included:

- **Sports & Recreation**

- Improvements to West Witney sports grounds and pitches including funds to facilitate the building of a 3G pitch.
- Upgrading Burwell Hall Changing Rooms/facilities.
- Addressing the lack of sports pitches highlighted in the WODC Playing Pitch Strategy such as additional bowls greens, basketball court provision and a running track.

- **Community**

- Contributions towards street scene infrastructure such as bus shelters, bins, grit bins, community noticeboards, defibrillators, and benches.
- Provision of services and utilities to allocated allotment land.
- Support for the West Witney Parkrun hogging path.
- Funding towards the community bus route serving developments.
- Support for the Town Council's detached youth service to meet increased demand from the developments.

- **Cemeteries**

- Contribution towards Windrush Cemetery to meet the anticipated demand for grave spaces and associated layout improvements.

- **Public Halls**

- Support towards the Corn Exchange Community Arts facility serving West Oxfordshire.

- **Climate & Biodiversity**

- Funding for nature recovery and re-wilding works at Witney Lake & Country Park as set out in the Council's Land Management Plan.
- Accessibility and further biodiversity improvements across additional Town Council-managed sites.

- **Heritage**

- Contribution towards refurbishment of key historical buildings owned by the Town Council, including Tower Hill Cemetery Chapels, Buttercross, Town Hall, Corn Exchange, and St Mary's Church Carillon and Bell Tower.

Historically, requests for Town Council projects to be included in such agreements have been made on an ad hoc basis. With the adoption of CIL, it would seem an opportune time for the Council to strengthen its request for development funding.

The ad-hoc approach can limit the Council's ability to respond quickly to consultation requests or to ensure that contributions reflect current community priorities. A clear and up-to-date list of eligible Town Council projects would:

- Provide transparency and consistency in the Council's approach to developer funding.
- Strengthen the Council's position when engaging with the District Council and developers.
- Help ensure developer contributions are targeted towards projects that deliver tangible community benefits

It is proposed that the Town Council develops a rolling list of priority projects suitable for potential S106 or CIL funding. This list would:

- Be aligned with the Council's strategic aims and community priorities (as set out in the Council Strategic Plan).
- Include both capital and community infrastructure projects, such as improvements to parks, play areas, and community buildings.
- Be reviewed annually by the relevant Committees to ensure it remains current and reflective of emerging needs.

The Committee may also wish to formalise the Council's formula on how a developer sum for the town council is calculated through a resolution.

Impact Assessments

The Town Council has a duty to consider the effects of its decisions, functions and activities on equality, biodiversity, and crime & disorder. Consideration should also be given to effects on the environment, given the Council's Climate Emergency declaration in 2019.

- a) Equality – directing investment toward inclusive facilities and infrastructure that benefit all residents.
- b) Biodiversity –prioritising projects that protect and improve natural habitats, such as tree planting, habitat restoration, and sustainable landscaping, helping to support local wildlife and green infrastructure.
- c) Crime & Disorder – supporting safer public spaces, improved lighting, secure facilities, and community projects that deter anti-social behaviour.
- d) Environment & Climate Emergency – The identification of suitable projects may enable environmental enhancements and improved community infrastructure, contributing positively to residents' wellbeing and sustainable development goals.

Risk

In decision making Councillors should give consideration to any risks to the Council and any action it can take to limit or negate its liability.

Failure to maintain an up-to-date list of projects may result in missed opportunities for external funding or reduced influence over how developer contributions are allocated locally. Maintaining a clear and reviewed list mitigates this risk and supports strategic financial planning.

Social Value

Social value is the positive change the Council creates in the local community within which it operates.

Having an approved list for developer funding enables the Council to identify and prioritise community needs, ensuring new developments contribute to facilities and infrastructure that improve residents' quality of life. It promotes transparency and fairness in how funds are used, helps deliver visible local benefits, and supports community wellbeing.

Financial implications

There are no direct financial implications arising from the preparation of a project list. However, identifying eligible projects may enable the Council to secure external funding and reduce reliance on its own reserves or borrowing.

Recommendations

Members are invited to note the report and;

1. Consider the creation of a formal list of priority projects suitable for developer (S106/CIL) funding,
2. If yes, consider expanding the list of projects above and confirm via a recommendation to Full Council following review at the next meeting of this committee,
3. Agree that the list be reviewed annually to ensure continued alignment with the Council's strategic plan and strategies along with community needs.