

Information for Developers (Developer Funding)

Oxfordshire County Council's role:

New development leads to greater impacts upon infrastructure and services. Where this occurs we try to ensure the various infrastructures for which the County Council has a responsibility is able to be delivered to meet those impacts. We achieve this by assessing the needs arising from planning applications and securing either the provision of those needs or, more often, financial contributions towards their provision. These are commonly known as developer contributions.

Contributions may typically be secured to a wide variety of infrastructure such as:

- education and youth facilities
- fire and rescue services
- libraries
- museum services
- social and health care needs
- transportation
- waste management

The precise requirements in each case will reflect the various impacts of the proposed developments.

We secure the contributions and/or provision by means of legal deeds called S106 agreements or planning obligations. Through planning obligations developers contribute towards sustainable communities by enabling development to take place without creating unacceptable impacts on existing infrastructure and services.

As stated in paragraph 204 of the National Planning Policy Framework 'Planning Obligations should only be sought where they meet all of the following tests:

- 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.'

Where a development requires works to be carried out on the existing adopted highway, an Agreement will need to be completed between the developer and the County Council under Section 278 of the Highways Act 1980. Examples of such works could be the construction of new access/junction improvement of the highway/junctions, or safety related works such as traffic calming or improved facilities for pedestrians and cyclists.

The Community Infrastructure Levy (CIL) is changing how developer contributions are secured (see page 18). Until a CIL is adopted we will continue to secure contributions by means of S106 agreements. Once a CIL is adopted contributions will be secured by a combination of CIL and scaled back S106 agreements.

How does this role relate to Neighbourhood Development Plans?

We will help identify where the county council's requirements as an infrastructure provider need to be taken into account in the preparation and delivery of Neighbourhood Development Plans. This includes the allocation of Community Infrastructure Levy (CIL) receipts and the securing of contributions or direct mitigation by developers for infrastructure projects.

Oxfordshire County Council contact:

For further information please email: developer.funding@oxfordshire.gov.uk