

South Willesborough and Newtown Community Council
www.southwillesboroughnewtown-cc.gov.uk
Minutes of the Extraordinary Council Meeting held on
30th March 2026

Extraordinary Council Meeting March Minutes

The Chair opened the meeting at 7pm

In attendance Chair Cllr Sue Mullan (SM) Cllr David Mullan (DM) Cllr Malcolm Webb (MW) Cllr Andy Hodges (AH) Cllr Paul Bohill (PB)

Also, in attendance Sarah Evans Community Council manager (SECCM)

69/26 To Record and List Apologies for Absence

Apologies were received from Cllr Lauren Corbett and Cllr Steve Campkin and approved.

70/26 Declarations of pecuniary, other significant or voluntary interest

No declarations were made.

71/26 To Meeting adjourned for members of the public to raise questions on items on the agenda. (This item will last no more than 15 minutes in total

The meeting adjourned at 7:02pm and with no public in attendance it was immediately reopened.

72/26 To receive and note the KCC S106 application for planning applications PA 2026 0229 PA 2026 0171 Newtown Railway Works Development.

Members has a lengthy discussion about the socio-economic requirements of the development and the S106 requests received to the application.

Resolved:- Agreed unanimously to receive and note KCC S106 application.

73/26 To consider a Community Consultation relating to South Willesborough and Newtown Community Needs and consider drafting a S106 Request in relation to applications PA 2026 0229 PA 2026 0171

Members had a lengthy discussion on the previously circulated report.

Resolved:- Proposed DM and Seconded AH and agreed unanimously to the following

In order to Draft a S106 shopping list for the Community Needs to be considered

The community Consultation Survey and covering letter was agreed to be circulated to with a clear deadline for response by Friday 10th April 2026.

Community Facilities Sport and Youth	Voluntary Sector Community Groups	Education	Local Government
	Neighbourhood Watch		
SWAN Centre Association	Karate Club	East Stour Primary School	SWANCC by resolution
Bromley Green Football Club	SWAN WI	After School Club	ABC Ward Cllrs 2
Salvation Army	Brownies		KCC Cllr
Rivers of Life	Guides		
SWAN Farm YFC	Slimming World		
St Mary's Willesborough	Ashford Active Retirement association		
Waterside Children's Centre	SWAN litter Pickers		
	Baxendale Friends		
7	8	2	4

The use of up to 42 second class stamps, letters and envelopes were approved. All Council members and Clerks would also present complete the surveys for a further resolution to be agreed on the Councils view for S106 community needs related to Council activities.

There being no further business to discuss the Chair closed the meeting 8:04pm

Signed Chair _____ Date _____

Appendix of Reports

To consider a Community Consultation relating to South Willesborough and Newtown Community Needs and consider drafting a S106 Request in relation to applications PA 2026 0229 PA 2026 0171 Newtown Railway Works.

Recommendations

Drafting a S106 shopping list for the Community Needs to be considered

Consultation recommended is a survey designed to be quick and targeted, with a clear deadline for responses, Friday 10th April 2026

To agree Letter and survey, with a clear deadline for responses, Friday 10th April 2026.

Cost £34.80 40 second class stamps, letters and envelopes

All Council members and Clerks could also present their views for the Council and complete the surveys for a further resolution to be agreed

Background

Following Members questions relating to S106 provision and the possible transfer of assets to SWANCC this was raised with the Local Council Consultant that SWANCC has instructed to support drafting its response to the planning applications. The Consultant has recommended **drafting a S106 shopping list for the Community Needs to be considered**. It is important to note there is no requirement for the Local Planning Authority to share discussion relating to or draft S.106 agreements with the Community council.

If the Council wishes to progress on S106 recommendations actions need to be agreed. a shopping list is proposed due to the time constraints and the potentially limited opportunity to engage in these discussions for S106.

However, before addressing this item, it is important to know the limitations, communicate clearly the Councils role and consider the requirements for infrastructure the area has.

S106 is not about planning gain i.e. compensating local communities for the development nor is it about managing deficiency in provision and infrastructure. It can only mitigate the impact of the new development / homes. Nor is it a tax on development; if no need is generated from a new development and the need can be generated by existing provisions S106 cannot be lawfully required.

The 4 stages of S106

1. Identifying need Underpinned by the Ashford Borough Council Local Plan Adopted to 2030
2. Requesting the money
3. Collecting the money
4. Spending the money

The role of SWANCC in S106 process is limited as, this is a responsibility of the Borough Council to lawfully apply application S106 demands if the development requires it, to draw up S106 requirements, implement the agreement and allocate the spending, they therefore carry the most risk in S106 revenue arrangements. Ashford Borough Council is under no obligation to share S106 discussion however it has been very transparent in this process to date for this application. KCC and NHS Kent and Medway have made substantial applications. links to them can be found on planning application 2026 0171.

[Planning Application: PA/2026/0171](#)

Ashford Borough Council have been very transparent to date in the previous application, it had an agreement of £2,267,269, a viability report was independently completed in line with ABC Policy IMP2 and this demonstrated that a flexible viability and deferred contribution was required for S106 development.

Policy IMP2 allows flexibility where a development cannot fully meet Local Plan requirements, provided the applicant submits robust and transparent viability evidence demonstrating that any shortfall is necessary to make the scheme deliverable and that the proposal offers wider planning benefits. This evidence will be independently reviewed at the applicant's expense. Where reduced infrastructure contributions are accepted, the Council will secure a deferred contributions mechanism to recover any shortfall if viability improves. For larger or phased developments, applicants must also agree to periodic viability reviews to capture changes in market conditions and ensure that additional contributions can be secured over time.

The local plan adopted to 2030 is supported by the Infrastructure Development Plan which informs on where funding is required and could be met by S106.

<https://www.ashford.gov.uk/planning-and-development/our-planning-policies/infrastructure-planning-and-s106/infrastructure-delivery-plan/>

This sets out the Borough wide plan, there is limited mention to South Willesborough and Newtown in this infrastructure plan, other than the vital roles of play spaces and the SWAN Centre.

SWANCC could consider a targeted community consultation for considering community needs to represent this to the Planning Authority as a shopping list with evidence from the consultation to support the improvement SWAN to sustain the new development. Alongside its ongoing demand for a new community hub to support the cohesion of the community in the development.

Given the limited timeframe, a focused consultation with key local community groups and organisations to identify priorities for S106 contributions.

This would involve contacting groups such as local schools, youth clubs, community groups, sports clubs, swan farm, and the SWAN Centre, providing a short survey to gather feedback. Full listing is appendix.

The consultation recommended is **a survey designed to be quick and targeted**, with a clear deadline for responses, Friday 10th April 2026. To focus on practical infrastructure needs arising from the development. All feedback would be recorded and summarised to ensure the Community Council's recommendations to the Local Planning Authority are evidence-based, reflect local priorities, and are aligned with the legal framework governing S106 contributions.

The consultation response will also give the Council an opportunity to consider the feedback on community needs and local infrastructure as it develops the next stage of the SWAN community plan and give notice of the resident's consultation planned in the next 2 months.

A draft covering letter and survey has been drafted for Members to consider.

SWANCC also needs to consider its own needs for a community council hub and also for the ongoing maintenance of Gas House Fields Allotments and improvements to it.

The planning statement has made reference to providing for a Community Hub and conversations with SWANCC however it would be effective if members could also present their views for the Council and complete the surveys for a further resolution to be agreed.

Conclusion

Therefore, the recommendations of this report are as follows

- 1. Drafting a S106 shopping list for the Community Needs to be considered**
- 2. Consultation recommended is a survey designed to be quick and targeted, with a clear deadline for responses, Friday 10th April 2026**
- 3. To agree Letter and survey, with a clear deadline for responses, Friday 10th April 2026.**
- 4. All Council members and Clerks could also present their views for the Council and complete the surveys for a further resolution to be agreed.**

Sarah Evans
Community Council Manager
27.3.26

Appendix A

Consultees

Community Facilities Sport and Youth	Voluntary Sector Community Groups	Education	Local Government
	Neighbourhood Watch		
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Rivers of Life	Guides		
SWAN Farm YFC	Slimming World		
St Mary's Willesborough	Ashford Active Retirement association		
	SWAN litter Pickers		
	Baxendale Friends		
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