



Aylesham Parish Council

December 2025 Full Council Extraordinary Meeting Agenda Item 6.1

Consideration of second additional s106 item: Adoption of Play Areas by Aylesham Parish Council

At the meeting with Dover District Council Officers Emma-Jane Allen and Darran Solley yesterday, Monday 9th December with S. Bott, D. Fleck, J. Flaig, D. Miller and APC Officers N. Purcell and D. Quinn in attendance, the following was confirmed by DDC Officers:

- DDC recommended off-site contributions to support existing play areas rather than creating new ones.
- DDC confirmed they will not be adopting any of the new play areas from the Aylesham South development, as there is no budget for this.

In regard to this, the following has been drafted for Council to consider at their meeting tonight:

Consideration of second additional s106 item: Adoption of Play Areas by Aylesham Parish Council

Justification

- The proposed development of approximately 800 dwellings will generate a substantial increase in the child and young person population within Aylesham.
- New equipped children's play areas and informal recreation spaces are therefore a necessary element of the social infrastructure required to support the development.
- The Parish Council has confirmed its willingness in principle to adopt and manage the proposed play areas, subject to:
 - Appropriate design standards;
 - Full developer delivery; and
 - A commuted maintenance contribution.



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- Adoption by Aylesham Parish Council will ensure:
 - Long-term public access;
 - Proper inspection, maintenance and equipment replacement;
 - Democratic accountability; and
 - Protection from unregulated estate management charges.

The scale of development directly gives rise to the need for adopted play provision and associated long-term funding.

Request

A Section 106 obligation securing:

1. Delivery of Play Areas

- The on-site construction and full fit-out of all equipped play areas and informal recreation spaces in accordance with:
 - Fields in Trust (FiT) standards (or successor standards);
 - Inclusive and accessible play principles; and
 - An agreed Play Strategy covering toddler, junior and youth provision.

2. Phasing & Triggers

- No more than:
 - 100 dwellings shall be occupied before the first equipped play area is fully completed and available for use; and
 - 50% occupation before all play areas are completed and available for use.

3. Commuted Maintenance Sum

- A ring-fenced commuted sum to be paid to Aylesham Parish Council:
To cover not less than 25 - 30 years of maintenance, including:



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- Grass cutting;
- Safety inspections;
- Litter clearance;
- Equipment repairs and full replacement cycles.

Indexed from the date of the agreement.

4. Legal Transfer & Adoption

- Upon practical completion, each play area and relevant open space shall be:
 - Legally transferred to Aylesham Parish Council at nil consideration;
 - Free from encumbrances;
 - With full public access retained in perpetuity.

5. Maintenance Prior to Transfer

- The developer shall be fully responsible, at its own cost, for:
 - All maintenance;
 - Safety inspections; and
 - Public liabilityuntil formal adoption has taken place.

Legal Compliance Statement

This obligation is:

- Necessary to make the development acceptable in planning terms;
- Directly related to the scale and impact of the development; and
- Fairly and reasonably related in scale and kind

in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010.



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For Council to consider as part of this s106 request:

Due to Dover District Council confirming that they are not adopting any new play areas within Aylesham South and that they have requested off-site contributions to existing play area, the following paragraph to be included within the request:

In the event that direct adoption by Aylesham Parish Council cannot be secured, no private management company shall take control of the play areas unless an alternative Parish-approved management arrangement with equivalent public access, inspection regimes, and long-term replacement funding is first secured through the Section 106 agreement.