

KINGS BARTON SECTION 106 LEGAL AGREEMENT - KEY OBLIGATION TRACKER June 2026*

Winchester City Council Legal Agreement dated 8/3/11 (link below). **Key updates arising from WCC Deed of Variation of June 2026 are in red text.**

Hampshire County Council Legal Agreement 7/3/11 and variations of 11/10/13, 24/5/22 and 17/6/25.

Please note that this table includes the key planning obligations set out within the s106 legal agreements for Kings Barton only. The development is also subject to a number of planning conditions which are attached to the planning permission decision notices for the site. These permissions are available on the WCC website

Council Tax records on 1/6/26 indicate 786 units registered on the site (including 9 unoccupied)

| S106 Para | Summary of Requirement | Obligation with WCC or HCC? | Category | When is it required? | What is the latest status? | Further Information |
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| 2.4 | Phasing Programme - to show the order in which the developer will construct the phases. | WCC | General | Prior to commencement | Completed | |
| 3.7 | Draft Affordable Housing Masterplan Strategy - to demonstrate the location and total number of affordable units across the development | WCC | Affordable Housing | Prior to commencement | Completed | |
| 3.8 | Draft Affordable Housing Reserved Matters Strategy - to demonstrate how individual applications will take account of the overall | WCC | Affordable Housing | Prior to commencement | Completed | |

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| | Masterplan Strategy (in terms of layout and number) | | | | | |
| 3.21 | Local Lettings Plan - to show how certain properties are allocated to certain groups of people in order to create and maintain a sustainable community. | WCC | Affordable Housing | Prior to commencement | Completed | |
| 4.7 (see DoV June 2026) | <i>Pay the Biodiversity Gain Land Monitoring Contribution to the Council</i> | WCC | Ecology | Within 10 Working Days of the start of the maintenance period for the Biodiversity Net Gain (within Phase 2B) | Upcoming | BNG works are within Phase 2B but have not yet started. (Developer required to notify WCC when works begin). |
| 5.1 | Long Term Ownership, Maintenance and Management Plan - to includes details of Open Spaces and any other landscaped land. | WCC | Landscap e | Prior to occupation of a relevant phase | Completed | Agreed via the Landscape Open Space Specification document, which specifically references Condition 16 and also Clauses 4 and 5 of the S106. |
| 6.1 | Cultural Facilities Contribution - to provide £50,000 for cultural facilities | WCC | Culture and Communi ty | Prior to occupation of the 800th unit | Upcoming | 800 units not constructed to date |
| 7.1 | Specification of the Community Centre - to ensure the Community Centre includes adequate facilities and internal spaces. | WCC | Culture and Communi ty | Prior to commencement | Completed | Copy of specification provided. Submitted May 2014 in accordance with Clause 7.1 |
| 7.6.2 | Commence construction of the Community Centre - in a good and workmanlike manner and using good quality materials and in accordance | WCC | Culture and Communi ty | Prior to the occupation of the 800th unit | Upcoming | 800 units not constructed to date. |

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| | with Winchester Community Centre Programme (see schedule 1 of DoV June 2026) | | | | | |
| 7.8 | Transfer the Community Centre to the Council | WCC | Culture and Community | Prior to the occupation of the 950th unit | Upcoming | 950 units not constructed to date. |
| 8.1 | Community Development Worker - to provide a Worker (which may be an employee of the Council) | WCC | Culture and Community | Prior to the occupation of the 200th unit | Completed | Implementation Officers and dedicated Senior Planning Officers for the role employed by the Council |
| 8.3 | Community Development Worker Accommodation - provide a space for use by the Community Development Worker | WCC | Culture and Community | Prior to the occupation of the 200th unit | Completed | Worker employed by Council with access to on-site facilities at Visitor Centre if required. |
| 9.1 | Public Access Routes - to show routes across the site which the public can use at all times | WCC | Transport | Prior to commencement | Completed | |
| 10.1 | Plan showing a detailed route from Andover Road to Barton Meadows - to include surfacing and construction details and long-term maintenance | WCC | Transport | Prior to commencement | Completed | To submit to WCC for approval (1) a detailed route for the public footpaths from Andover Road through the site and the ecology amenity land to Worthy Road; (2) surfacing and other construction details for public footpaths and (3) proposals for the long term maintenance and |

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| | | | | | | management of the amenity land. |
| 10.1 | Developer to agree proposals for the long term management and maintenance of 'Ecological Amenity Land' (Barton Meadows/ LEORL) with WCC. | WCC | Landscap e | Prior to Commencement | Proposals agreed and subsequent land transfer in progress. | Management and Maintenance Plan (JSL1980_873M, 11 November 2016) approved in 2016. This included 10-year programme for habitat establishment and that WCC or a third party would take over the management on a 125 year lease from CALA. Land transfer from owner to HIWWT agreed and contract largely drafted. |
| 4.1 | Notice of Commencement 10 days before construction | HCC | General | Prior to commencement | Completed | |
| 4.5.1 | Copies of all surveys - to be provided to the County Council | HCC | General | Prior to commencement | Completed | |
| 4.5.2 | Design for the infrastructure serving the Primary School Land | HCC | Education | Within 3 months of commencement, prior to occupation of 1st unit | Completed | |

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| 4.6 | Remove Constraints from Primary School Land | HCC | Education | Within 3 months of commencement, prior to occupation of 1st unit | Completed | |
| 4.7 | Draft Primary School Land Transfer Plan | HCC | Education | Within 3 months of commencement. | Completed | |
| 4.8 | Transfer Freehold of Primary School Lane and pay first Primary Education Contribution | HCC | Education | Prior to the occupation of the 150th Unit | Completed | |
| 4.9 | Provide Services and Utilities to the Primary School Land | HCC | Education | Prior to the occupation of the 150th Unit | Completed | |
| 4.10 | Construct Permanent School Access and pay second Education Contribution | HCC | Transport | Prior to the occupation of the 250th unit | Part completed. Education payment has been made. Trigger for permanent access provision varied on 24/5/22. | Trigger varied 24/5/22 to read 'Not to Occupy any part of the Development within the areas shaded pink and marked 'Phase 2b' on the phasing plan unless and until the Permanent access to the primary school land has been constructed and completed to the satisfaction of HCC.' |
| 4.11 | Owner to recalculate Primary Pupil Product | HCC | Education | Following occupation of the 1200th unit | Upcoming | 1200 units not constructed to date |

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| 4.12 | If the Primary Pupil Product (4.11) exceeds 420, the developer cannot occupy more than 100 further units until an additional contribution has been paid to the County Council | HCC | Education | Following occupation of the 1200th unit | Upcoming | 1200 units not constructed to date |
| 4.15 | Secondary Education Contribution (£3,000,000 index linked) to be paid to HCC | HCC | Education | Prior to the occupation of the 750th unit | Completed | HCC have confirmed this has been paid (email 23/6/26). |
| 4.16 | Owner to calculate the Secondary Pupil Product | HCC | | Following occupation of the 1200th unit | Upcoming | 1200 units not constructed to date |
| 4.17 | Highway Access Contribution Payments | HCC | Education | Prior to occupation | Completed | |
| 4.18 | Second Highway Access Contribution Payments | HCC | Transport | Prior to Occupation of the 650th unit | Completed | To pay Second City Access Contribution, the Second Eastern Access Contribution, the Second Western Access Contribution and the Second Non Motorised User Contribution to HCC (triggers varied in deed dated 24/5/22). HCC has confirmed second payments received in April 2025. |
| 4.20 A (s106 variation 22.05.22) | To pay the Andover Road/Bereweeke Road Improvement Contribution | HCC | Transport | Within 14 days of signing the agreement | Completed | To pay £331,748 index linked to enable HCC to deliver the works shown indicatively on drawing 0710-64/Figure 4.9 which is pasted below (see full definition below from HCC s106 Deed of Variation 24/5/22) |

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| 4.21.3 | To provide first Bus Subsidy | HCC | Transport | Prior to the occupation of the 350th units | Completed | |
| 4.21.4 | To provide Bus Subsidy payment | HCC | Transport | Prior to the occupation of the 650th unit | Completed | HCC has confirmed second payments received in April 2025. |
| 4.21.5 | To provide Bus Subsidy payment | HCC | Transport | Prior to the occupation of the 950th unit | Upcoming | 950 units not constructed to date |
| 4.21.6 | To provide Bus Subsidy payment | HCC | Transport | Prior to the occupation of the 1250th unit | Upcoming | 1250th units not constructed to date |
| 4.23 | To pay the Travel Plan Fee | HCC | Transport | Prior to the first occupation | Completed | |
| 4.24 | Submission of school and residential Travel Plans | HCC | Transport | Prior to commencement of each phase | Part-Completed | Completed on a phase-by-phase basis and will continue to be submitted as the development is constructed. Residential Travel Plan has been approved and has been implemented. School and retail will be completed by other developers. |
| 4.25 | To pay the Travel Plan Monitoring Fee | HCC | Transport | Prior to commencement | Completed | |
| 4.26.1 | Submission of Retail Travel Plan | HCC | Transport | Prior to occupation of retail units | Completed | |
| 4.26.2 | Not to occupy any residential unit until the Residential Travel Plan is submitted | HCC | Transport | Prior to occupation of 1st unit | Completed | |

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| 4.31 | To pay Travel Plan bond | HCC | Transport | Prior to commencement | Completed | |
| 4.32 | Community Travel Website | HCC | Transport | Prior to the occupation of the 350th unit | Completed | |
| 4.33 | Installation of Travel Boards | HCC | Transport | Prior to the occupation of the 350th unit | Completed | |
| 4.35.1 | Pool Car Club Provision | HCC | Transport | Prior to the occupation of the 400th unit | Completed | |
| 4.35.2 | Review the car club scheme and provide second car at 750th occupation | HCC | Transport | Review at 700th occupation | Part-Completed | CALA review presented at previous Forum indicated lack of demand for second car. Additional information/justification for this approach has been submitted by Cala to HCC and a response is awaited. |
| 4.36 | Scheme for Cycle Parking | HCC | Transport | Prior to commencement | Completed | |
| 4.37 | Construct Cycle Parking | HCC | Transport | Prior to occupation of any housing unit | Part-Completed | Each unit must be provided with cycle parking prior to occupation - this is an on-going requirement through lifetime of development to be applied to each unit before it is occupied. |

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| 4.37A | Construct the Link Road Works to binder course level and shall make the Link Road Works open for use by traffic/pedestrians. | HCC | Transport | Prior to the Occupation of more than seven hundred and fifty (750) Housing Units | Part-Completed. Route open, however ongoing diversions in place while road completed. | Clause inserted by s106 deed of variation June 2025 |
| 4.38 | Submit Draft Construction Route Management Plan | HCC | Transport | Prior to commencement | Completed | |
| 4.39 | Approval of Draft Construction Route Management Plan | HCC | Transport | Prior to occupation of 1st unit | Completed | |
| SCHEDULE 2 Part 1 | Submission of Access details for Andover Road/Temporary Access Junction | HCC | Transport | Prior to commencement | Completed | |
| SCHEDULE 2 PART 2 | Completion of Highway Access Works | HCC | Transport | Prior to commencement | Completed | |
| SCHEDULE 2 PART 5 | Submission and written approval of Implementation Programme (of various highway works see full definition below*) to the County Council. | HCC | Transport | Prior to occupation of 725 Housing Units | Completed | Schedule 2, Part 5 of agreement (which included triggers for various stages of highways works) deleted by deed of variation June 2025 and replaced by this clause. Implementation Programme agreed with HCC 13/10/25. |

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| SCHEDULE 2 PART 6 | Completed Well House Lane Rail Arch Improvement Works and Barton Farm/Worthy Road Improvements | HCC | Transport | Prior to occupation of 425th unit | Completed | |
| SCHEDULE 2 PART 7 | New Andover Road Works, Andover Road/Harestock Road Junction Improvement Works, Andover Road/Stoney Lane Junction Improvement Scheme and Andover Road/Well House Lane Junction Improvement Works | HCC | Transport | Prior to occupation of 1000th unit | Not yet triggered | Trigger pushed back from 750 to 1000 units by deed of variation of June 2025 |
| SCHEDULE 2 PART 8 | Completion of the Downgrading of Andover Road Works to the satisfaction of the County Council and to Completion Certificate Standard | HCC | Transport | Prior to occupation of 1050th occupation | Not yet triggered | Trigger pushed back to 1050 units by deed of variation of June 2025 |
| SCHEDULE 2 PART 14 | Where a TRO is obtained prohibiting the use of that part of Andover Road, the owner shall get county approval of landscaping with a programme for implementation and subject to the grant of all necessary licences and carry out to the approval of the County Council | HCC | Transport | Prior to occupation of 950th unit | Upcoming | Where a stopping up order or road traffic regulation order is obtained prohibiting the use of that part of Andover Road before the date of Occupation of nine hundred and fifty (950) Housing Units the Owner shall submit to the County Council for their approval details of landscaping thereof together with a programme for implementation and subject to the grant of all necessary |

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| | | | | | | licences by the County Council as highway authority shall carry out such landscaping to the reasonable satisfaction of the County Council in accordance with the approved details. 950 units not constructed to date |
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NOTE

KEY DEFINITIONS AND PLANS

* Definition of 'Implementation Programme' set of in deed of variation June 2025;

"Implementation Programme" means a programme to be submitted and approved by the County Council in accordance with Paragraph 5 of Schedule 2, which will set out the detail of how and when all actions/agreements/traffic regulation orders/works etc will need to be delivered in order for Andover Road to be closed to through traffic and for highway rights to be established and all traffic to have been re-routed to Winchester Avenue which for the avoidance of doubt relates to the New Andover Road Works, the Andover Road/Harestock Road Junction Improvement Works, the Andover Road/Stoney Lane Junction Improvement Works and the Andover Road/Well House Lane Junction Improvement Works and to include a programme for delivering the Downgrading of Andover Road Works.

"Link Road Works" means the section of proposed highway works that will link Phase 1B to Phase 2A including pedestrian and cycle facilities as shown indicatively on the Link Road Works Plan

"Link Road Works Plan" means the indicative plan showing the proposed link road connecting Phase 1B and Phase 2A or such other plan to be agreed in writing with the County Council at Appendix 1 of this Deed.'

“Permanent Access”

means the permanent vehicular and pedestrian access complete with binder course level surfaced footways signing lining landscaping lighting and kerbing constructed pursuant to a Highway Agreement or otherwise to adoptable standards and which is connected to an adopted highway to serve the Primary School;

“New Andover Road Works”

means the realignment of Andover Road through the Site with a 30mph speed limit (20mph through the local centre) as shown indicatively on drawing number 0710-64/ Figure 4.1 Rev L (as appended to this Agreement) and in accordance with the initial Design Code and the Design code Addendum Letter exchanged between the County Council and the Owner as set out in correspondence in Appendix SCG/A of the Highways Statement of Common Ground;



Extract from Deed of Variation 24/5/22

The definition of "Downgrading of Andover Road Works" in clause 1.1 (Definitions) of the Original Agreement shall be deleted and replaced with the following new definition:

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| Downgrading of Andover Road Works | means the downgrading of Andover Road to a pedestrian/cycle route with vehicular access for local frontages only (subject to the provisions of Schedule 2) |
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Phasing Plan attached to Deed of Variation dated 24/5/22

