

Item No. 8.	Classification: Open	Date: 3 November 2015	Meeting Name: Planning Committee
Report title:		Release of £467,899 section 106 monies from Southwark Park area towards the planned works for the Southwark Park master plan	
Ward(s) or groups affected:		Rotherhithe	
From:		Head of Parks and Leisure	

RECOMMENDATION

1. To authorise release of £467,899 of section 106 funding broken down as:
 - GRANGE WALK, LONDON, SE1, LEG/RP/PL/S106/63695, a/n 14/AP/2102 - £26,715
 - WILLOW WALK, LONDON, SE1, a/n 12/AP/3255 - £15,098
 - 19 SPA ROAD, LONDON, LEG/RP/PL/S106/63358, a/n 12/AP/1423 - £39,989
 - 126 SPA ROAD, LONDON, LEG/RP/PL/S106/63272, a/n 12/AP/0164 - £55,870
 - 150 SPA ROAD, LONDON, LEG/RP/PL/S106/136742, a/n 09/AP/1874 - £31,154
 - 171 LONG LANE, LONDON, SE1, LEG/RP/PL/S106/63411, a/n 12/AP/2859 - £16,953
 - BLUE ANCHOR LANE/SOUTHWARK PARK ROAD, LONDON, SE16, a/n 12/AP/4049 - £46,124
 - PLOUGH WAY, LONDON, SE16, LEG/RP/PL/S106/63484, a/n 13/AP/0568 - £15,884
 - ROTHERHITHE NEW ROAD, LONDON, LEG/RP/PL/S106/63474, a/n 13/AP/0065 - £220,112

towards the planned works for the Southwark Park master plan, including improvements to the Old Nursery Site and relocating the current park office, café and public toilets to the art gallery site.

BACKGROUND INFORMATION

2. Planning obligations are used to mitigate against the negative impacts caused by a development and contribute towards providing infrastructure and facilities necessary to achieve sustainable communities. In order to achieve this, the Council enters into a legal agreement with a developer whereby the developer agrees to provide planning contributions and/or enters into various planning obligations.
3. Southwark Park is the council's oldest major park. It is Grade 2 listed on the English Heritage Register of Historic Parks and Gardens and currently holds a Green Flag award.

4. Over the past decade there has been significant capital investment in the park infrastructure, but some areas remain in need of improvement. One such is the old nursery site and the nearby cafe, toilets, public information point and staff accommodation
5. The cafe and park office are adjacent to the old nursery site. The cafe is a very small extension of an earlier toilet block and is unable to adequately meet the needs of the many park visitors. The current public toilets are only accessible during café opening hours. Both facilities are deficient and badly in need of upgrading to be fit for purpose.
6. The park office doubles as an information point and accommodation for staff and is housed in a temporary structure of minimal visual attraction or distinction.
7. The Old Nursery site was closed by the council during the 1980s and the land was licensed for fish farming, but this was discontinued some years ago. Since then the site has been mostly locked up, largely unused and in some disrepair.
8. Capital funding has allowed some clearance work to the site and the installation of a new perimeter fence located at the boundary with the properties on Ann Moss Way and Gomm Road. The Council is now in a position to action the long term future for the site and bring it back into use.
9. This project will see the park office, public toilets and café relocated to the location of the art gallery within the park and the Old Nursery site reintegrated into the park whilst maintaining controlled access for use by schools and local community groups.
10. Further details on the consultation carried out can be found in paragraphs 17 to 22.

KEY ISSUES FOR CONSIDERATION

Policy implications

11. The project will help deliver our Fairer Future Promises in making our Borough a greener borough to live in. The customer experience will be enhanced through the creation of a hub which is welcoming, attractive, safe and convenient that integrates well with the other facilities and fits attractively into the historic setting of Southwark Park.
12. Together with the above, the Old Nursery site will be transformed into a controlled access area for local schools and community groups to use as an outdoor learning area. Both these benefits will contribute to delivering our Fairer Future Promises in making our Borough a greener borough to live in.

Resource Implications

13. Staffing and any other costs connected with this recommendation to be contained within existing departmental revenue budgets.

COMMUNITY IMPACT STATEMENT

14. This project will support the council's commitment to meet the needs of Southwark's diverse community.

15. The building will be designed to accommodate new reception facilities that are fully accessible to all visitors.
16. It will offer a central information point that will enhance the visitor experience of the park.
17. The Old Nursery site will provide an area of diverse activities and enhance the visual and recreational appeal of the site.

CONSULTATION

18. The first phase of consultation was carried out in February to March 2015. 216 individuals completed the survey, 70 per cent of whom lived within the SE1 area.
19. Three options of each scheme were presented to the public, for the Old Nursery site these were:
 - a. Option A: Creation of formal gardens with option for a new park entrance
 - b. Option B: Creation of informal gardens with option for a new park entrance
 - c. Option C: Creation of an access only area for school or community use
20. Option C was the preferred option with 44 per cent of the respondents choosing this one. Primary concerns regarding an open access site related to safety and security; residents felt uncomfortable with the idea of park users being able to get so close to their homes and back gardens.
21. The three options for the location of the park office, public toilets and café were as follows:
 - a. Option A: New building incorporating all three located close to the existing park office
 - b. Option B: New building incorporating all three located close to the existing park office but orientated to provide views from the café towards the play area.
 - c. Option C: Refurbishment of the existing gallery building and extended to form a combined park café, art gallery and park office.
22. Option C was the preferred location with 47 per cent of the respondents choosing this one. Residents ascribed particular importance to the idea that any new toilet facilities should not be 'out of sight' and felt that Option C delivered this, as well as being most likely to maximise the use of the existing café gallery.
23. Further consultations will take place once a final design has been developed with lead member briefings and consultation with ward members and stakeholder groups.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

24. Members of the Planning Committee are requested to authorise the release of funds totalling £467,899 from the nine section 106 Agreements listed in this report. The funds are required for the planned works for the Southwark Park master plan.

25. The decision to consider the expenditure of sums in excess of £100,000 is reserved to members of the Planning Committee in accordance with Part 3F of the Council's Constitution, paragraph 2.
26. The section 106 monies must be spent in accordance with:-
 - a. the terms of the specific section 106 Agreements;
 - b. the tests set out in Regulation 122 (2) a-c of the Community Infrastructure Levy Regulations 2010 ('the CIL regulations') which provide that the planning obligation must be:-
 - (i) necessary to make the development acceptable in planning terms;
 - (ii) directly related to the development; and
 - (iii) fairly and reasonably related in scale and kind to the development.
27. The nine section 106 Agreements listed in this report have been reviewed and it is confirmed that the proposed expenditure is in accordance with the terms of each Agreement.
28. Members will note that the planned works have been subject to public consultation. Subject to Members taking into account the requirements of the CIL regulations outlined above, it is confirmed that Members may approve the expenditure.

Director of Planning

29. The above mentioned developments secured £467,899.00 in contributions towards sports development and facilities. All £467,899.00 is currently unallocated and available.
30. The proposed allocation accords with the above agreements and would provide appropriate mitigation for the impacts of the developments.

Strategic Director of Finance and Governance

31. This report requests that the Planning Committee approve the release of section 106 funds secured from the legal agreements listed above towards the planned works for the Southwark Park master plan.
32. It is noted that all funds from these agreements have been received into the Council's and is available towards the project as detailed above. Use of the monies will be monitored as part of the Council's capital programme.
33. Any staffing and other costs connected with this recommendation will be contained within existing budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Copies of S106 Legal Agreements	Planning Division, Southwark Council, 160 Tooley Street, London SE1	Jack Ricketts 020 7525 5464

AUDIT TRAIL

Lead Officer	Rebecca Towers, Head of Parks and Leisure	
Report Author	Hemali Topiwala, Project Manager	
Version	Final	
Dated	22 October 2015	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
S106 Manager	Yes	Yes
Date final report sent to Constitutional Team	22 October 2015	