

<b>Item No.</b> 10.	<b>Classification:</b> Open	<b>Date:</b> 3 November 2015	<b>Meeting Name:</b> Planning Committee
<b>Report title:</b>		To release £568,613.00 from the section 106 agreements associated with the below developments, towards improvement works and increasing the range of sports facilities at Burgess Park	
<b>Ward(s) or groups affected:</b>		Faraday	
<b>From:</b>		Head of Parks and Leisure	

## RECOMMENDATION

1. To authorise release of £587,078 of section 106 funding broken down as:

- 10/AP/3372 231-241 Blackfriars Road SE1 £400,000.00
- 14/AP/0669 2 Havil Street SE5 £22,483.00
- 14/AP/0764 184-188 Southampton Way SE5 £28,048.00
- 13/AP/1864 525-539 Old Kent Rd SE1 £50,678.00
- 10/AP/2623 30-35 Peckham Rd SE5 £56,659.00
- 11/AP/0196 St Giles Hospital, St. Giles Rd SE5 £10,745.00

towards improving and increasing the range of sports facilities at Burgess Park including the proposed installation of a two all weather pitches and making improvements to the existing sports centre hub including the creation of much needed training room space.

## 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. The Council is committed to continuing the delivery of further improvements to Burgess Park following the successful phase 1 and phase 2 revitalisation works which were completed in 2012.
4. The master plan for the park has just been reviewed and updated following an extensive consultation with key stakeholders including park users. There were 2,000 responses to the consultation.
5. The master plan highlights the need to improve the sports centre hub by providing additional all weather pitches and making improvements to the sports centre building to include a training room and club room space for the existing sports clubs.
6. The consultation on the master plan also requested the public prioritise which improvements they would like delivered in the first instance and the improvements to the sports facilities was the greatest priority.

7. Further details on the consultation carried out can be found in paragraphs 17 to 20.
8. The master plan has been approved by the Cabinet Member for public health, parks and leisure as has the decision to prioritise future funding bids to improve and increase the number of sports facilities at the sports centre hub.

## **KEY ISSUES FOR CONSIDERATION**

### **Community impact statement**

9. This project will support the council's commitment to meet the needs of Southwark's diverse community.
10. The new pitches and improved sports centre will be designed so that they are fully accessible to all visitors as well as the current sports clubs and organisations that use the existing facilities. The current facility is at capacity and as such a number of prospective users are not able to use the current pitch. As such increasing the number of pitches will enable those who are currently not able to use the facilities to play their games or use for training.
11. Burgess Park has regional importance in that its scale, number and range of facilities and associated quality of green space serve not only the immediate community but also the borough.
12. The Council's open spaces strategy identifies Burgess Park as being a 'district' park in that it serves the wider borough.
13. The facilities including the sports centre and associated pitches are wide reaching in that they are used by sports clubs and organisations from across the whole borough. These facilities are at capacity at peak times throughout the year resulting in a number of clubs and organisations having to find pitch space elsewhere in the borough.
14. This report recommends securing this allocation of s106 funding on the basis that the park and its facilities serve the wider borough and as such will benefit the sports clubs and organisations and residents in the borough as well as just those in the local area.

### **Resource implications**

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

### **Policy implications**

16. 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 sports centre hub which is not only welcoming and attractive but has high quality sports facilities which cater for as many sports as possible.
17. The improvement and increase in the number of sports facilities will help deliver our Fairer Future promise of making the borough a healthier place to live.

## **CONSULTATION**

18. The first public consultation was carried out in December 2014 to identify what improvements the public would like made to the park. A second public consultation was

then undertaken in May/June 2015 to present a draft master plan and gain feedback on the proposals.

19. A third and final public consultation was undertaken whereby the final master plan was presented alongside the prioritisation of capital works based on the feedback received during the consultation process.
20. The design will require planning permission, and during the application process statutory consultation will be undertaken.
21. Lead Members and Ward Members have been consulted and kept updated on the review and update of the master plan.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Law and Democracy**

22. Members of the Planning Committee are requested to authorise the release of section 106 funds totalling £568,613.00 from the six section 106 Agreements listed in this report towards the planned works for the Southwark Park master plan.
23. 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 Regulations 2010 (as amended) which provide they 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.
24. The section 106 Agreements listed in this report have been reviewed to ensure that the contributions which have been identified are being spent in accordance with the tests listed above and have been found to be compliant.
25. The decision to consider and approved section 106 expenditure of strategic importance exceeding the sum of £100,000 is reserved to Members of the Planning Committee in accordance with Part 3F of the Council's Constitution, paragraph 2 under the heading 'Matters Reserved for Planning Committee'. Subject to taking account of the above considerations, Members are advised to approve the expenditure which would be consistent with the terms of the relevant section 106 Agreements and the legal test outlined above.

### **Director of Planning**

26. The above mentioned developments secured £568,613.00 in contributions towards sports development and facilities. All £568,613.00 is currently unallocated and available.
27. 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

28. 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.
29. 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.
30. 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

<b>Lead Officer</b>	Rebecca Towers, Head of Parks and Leisure	
<b>Report Author</b>	John Wade, Principal Service Development Manager	
<b>Version</b>	Final	
<b>Dated</b>	22 October 2015	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
S106 Manager	Yes	Yes
<b>Date final report sent to Constitutional Team</b>	22 October 2015	