

Item No. 6.	Classification: Open	Date: 12 July 2016	Meeting Name: Planning Committee
Report title:		Release of £136,464 S106 monies towards improving the play space within Brunswick Park	
Ward(s) or groups affected:		Brunswick Park, Camberwell Green and South Camberwell (including Camberwell Community Council)	
From:		Head of Highways	

RECOMMENDATION

1. That the planning committee agrees the allocation of funds totalling £136,464 be released from the listed legal agreements associated with developments in the Camberwell Community Council area, towards delivery of the upgrade to the Brunswick Park play area.

BACKGROUND INFORMATION

2. Planning obligations are used to address the impacts caused by developments and contribute to 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. These contributions can cover a range of facilities and services, including parks, public open space, children's play and sport development.
3. Within the Brunswick Ward, Brunswick Park has been identified as public open space in need of investment to better suit the needs of the local community. As part of the 2015/16 Cleaner Greener Safer program an application was received for the upgrade of the Brunswick Park play area.
4. Cleaner Greener Safer and Neighborhoods Fund awards have been allocated to the delivery of the project to the sum of £68,000 and £2,816 respectively.
5. Implementation of the play area is underway with the concept design being prepared based on consultation with the local community and internal stakeholders.
6. This report seeks to allocate funding to support the upgrade of the Brunswick Park play area, and responds to feedback from the local community and councillors that the council should take a strategic approach to bringing separate historical section 106 legal agreements together to deliver this play area improvement.
7. The proposal is to allocate section 106 receipts paid to the council by developers, to address shortfalls in existing investment in open space in the area. Whilst there is a capital budget (Cleaner Greener Safer fund and Neighborhoods Fund) to deliver the project, this report seeks to secure available funding to enhance the quality of park improvement and offset the negative impacts of surrounding development.

KEY ISSUES FOR CONSIDERATION

8. In order to match available section 106 funding to priority projects in the programme, a mapping exercise was carried out to understand the distribution of unspent section 106 monies by “purpose”.
9. The project is outlined below, together with the identified section 106 budgets and current funding available.

Investment in public open space and children’s play in the Brunswick Ward

10. The ward has a limited range of children’s play opportunities, consisting mainly of under developed play areas and aging play equipment. Brunswick Park is the second largest in size at 1.6 hectares, centrally located within the ward and within close proximity to a number of schools primary schools and housing estates.
11. Brunswick Park accommodates a range of facilities including a Multi Use Games Area (MUGA), tennis courts, nature areas, a large children's play area, whilst retaining large expanses of amenity grass and large mature trees.
12. The park is well used by local families. Whilst the park has a well attended play area it contains deteriorating play equipment that adds little play value and lacks integration with the park surrounding it.
13. In 2016, the council will deliver a design for the play area that will both challenge the children that use it whilst respecting and integrating with the other existing park uses.
14. The cost of development and implementation of a new play area for Brunswick Park is estimated at £207,280. A budget of £70,816k is currently available.
15. This report is seeking to allocate £136,464 towards improvements to Brunswick Park as follows:

Agreement Reference	Development address	Amount	Purpose
14/AP/2992 A/C # 747	37-39 & 45-65 Peckham Rd (Arts College)	£128,245	Public Open Space, Children’s Play and Sports Development
09/AP/2332 A/C # 532	St Giles Road (St Giles Hospital)	£1,730	Open Space
09/AP/2332 A/C # 532	St Giles Road (St Giles Hospital)	£1,824	Children’s Play Equipment
11/AP/0196 A/C # 559	St Giles Road (St Giles Hospital)	£2,464	Children’s Play Equipment
11/AP/0196 A/C # 559	St Giles Road (St Giles Hospital)	£2,201	Open Space
		£136,464	
Cleaner Greener Safer funding		£ 68,000	
Neighbourhoods fund 2015/16		£ 2,816	
Total Budget Proposed		£207,280	

Resource implications

16. The funding will come from S106 agreements as outlined above and set out in the summarised S106 finance concurrent report below.

17. The projects will be project managed by the Highways department as part of the delivery of a Cleaner Greener Safer project. No additional staff time will be required.
18. All professional fees related to the project are also treated as the capital costs of the project.

Equal opportunities

19. This project has been designed to be fully accessible to all, without prejudice or discrimination.

Consultation

20. Regular and on-going consultation is underway for the project. This includes but is not limited to:
 - Ward councilors
 - Friends groups
 - TRAs and neighbourhood forums
 - Local residents and business owners
 - Schools.
21. Consultation with stakeholder has contributed to the formulation of the design brief and will continue through each stage of the design process and at regular intervals during implementation.
22. For this project a detailed community consultation plan will be implemented that will involve the following:
 - a) Local and park based consultation events
 - b) Postal distribution of concept designs
 - c) Online and postal feedback forms
 - d) Presentations at stakeholder groups meetings
 - e) Posters displayed on community and park notice boards
 - f) Proposal exhibit at local community centres and/or schools
 - g) Regular ward councilor updates.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

23. Members of the planning committee are requested to authorise the release of funds totalling £136,464.00 from the three section 106 agreements listed in this report. The funds are required for the upgrade of the Brunswick park play area including the play equipment.

24. 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.
25. 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.
26. The three 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.
27. Members will note that the planned works has 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

28. The above mentioned developments secured £136,464.00 in contributions towards POS, children's play and sports development, and local playground improvements. All £136,464.00 is currently unallocated and available
29. The proposed allocation accords with the above agreements and would provide appropriate mitigation for the impacts of the specific and future developments.

Strategic Director of Finance and Governance (CAP 16/024)

30. This report requests the planning committee to approve the release of £136,464 section 106 funds from the legal agreements listed in paragraph 15 of this report towards the upgrade of Brunswick Park play area.
31. The strategic director of finance and governance notes the council has received the related s106 funds and that they are available for the improvement works outlined in this report.
32. The s106 allocation of £136,464 represents an increase in the council's capital expenditure programme and will be reflected in the next capital budget monitoring report.
33. Staffing and any other costs connected with this recommendation are to be contained within existing departmental revenue budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
<p>Copies of S106</p> <p>http://planbuild.southwark.gov.uk/documents/?case-reference=14/AP/2992&system=DC</p> <p>http://planbuild.southwark.gov.uk/documents/?case-reference=09/AP/2332&system=DC</p> <p>http://planbuild.southwark.gov.uk/documents/?case-reference=11/AP/0196&system=DC</p>	160 Tooley Street	Jack Ricketts 020 7525 5564
<p>Camberwell Community Council meeting held on Wednesday 4 February 2015, Minutes item 11</p> <p>http://moderngov.southwarksites.com/documents/g4849/Printed%20minutes%20Wednesday%2004-Feb-2015%2019.00%20Camberwell%20Community%20Council.pdf?T=1</p>	Environment and Leisure/Highways 160 Tooley Street	Michelle Normanly 020 7525 0862
<p>Camberwell Community Council meeting held on Saturday 19 March 2016, Minutes item 8</p> <p>http://moderngov.southwarksites.com/mgAi.aspx?!D=40226</p>	Environment and Leisure/Highways 160 Tooley Street	Michelle Normanly 020 7525 0862
<p>Camberwell Community Council meeting held on Saturday 21 March 2015, Minutes item 9</p> <p>http://moderngov.southwarksites.com/mgAi.aspx?!D=36068</p>	Environment and Leisure/Highways 160 Tooley Street	Fitzroy Lewis 020 7525 3084

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Matt Hill, Head of Highways	
Report Author	Alexander Rozema, Project Manager, Highways	
Version	Final	
Dated	29 June 2016	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Director of Planning	Yes	Yes
Date final report sent to Constitutional Team		29 June 2016