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| Item No. 6. | Classification: Open | Date: 7 March 2017 | Meeting Name: Planning Committee |
| Report title: | | To release £219,293.65 from section 106 agreements to fund the archaeology service until 2020 | |
| Ward(s) or groups affected: | | Project: All Funds: All | |
| From: | | Chief Executive | |

RECOMMENDATION

1. That planning committee authorise the release of £219,293.65 of section 106 funding from the developments listed at paragraph 14 to deliver the archaeology service, as detailed in paragraphs 4 to 6.

BACKGROUND INFORMATION

2. Planning obligations are used to mitigate 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. Agreements have secured funding for the post of archaeology officer over a number of years and this report seeks to release that funding in order to forward fund the post up to and including 2020.



KEY ISSUES FOR CONSIDERATION

4. The archaeology officer post is located within the design and conservation team. The post originated in 1992, partly as a response to the discovery of the Rose Theatre in 1989, but also as the importance of the archaeological resource in north Southwark became increasingly apparent.
5. The post was part-funded for two years by English Heritage, but became a core post entirely funded from departmental budgets from 1994. The continuing regeneration of Southwark has led to the discovery of regionally and nationally significant archaeological monuments in the borough. Through the planning process, the officer ensures the provision for archaeological investigation and post-excavation projects and monitors investigations. Where appropriate the preservation of monuments in situ is also negotiated by the officer. Owing to the importance of the archaeological heritage of the borough, it is considered necessary that the post of archaeology officer is maintained.
6. The archaeology officer post ensures the provision of archaeological investigation and post-excavation projects and monitors investigations. Where appropriate the preservation of monuments in situ is also negotiated by the officer. Owing to the importance of the archaeological heritage of the borough, it is considered necessary that this post is funded by section 106 contributions and secured for the next four years.



Community impact statement

7. This use of funds has no community impact implications.
8. The proposal has no impact on any particular age, disability, faith or religion, race and ethnicity and sexual orientation.

9. The proposals are not considered to have a disproportionate effect on any other community or group.

Consultation

10. This report is releasing funds from a number of agreements, from across the borough. As these contributions are for the single purpose of funding the council's archaeology officer and cannot be used for anything else, it has been considered necessary to consult.

Resource Implications

11. All costs arising from implementing the recommendations above will be met from the section 106 agreements attached to the planning permissions for the development sites.
12. The project will be managed by the design and conservation team, which has been managing Southwark's archaeology since 1992.

Policy implications

13. These funds will help deliver our Fairer Future Promises by managing the borough's historic environment.
14. In compliance with regulation 122, CIL Regulations 2010, the proposed expenditure will be towards a project that meets the legal tests of fairly and reasonably relating to planning considerations affecting the development site, from the legal agreements in respect of the sites listed below:

| Permission Ref | Account No | Address | Amount |
|----------------------------|------------|--|------------|
| 04/AP/0226 | 325 | CAR PARK (WEST HALF) AT TAVERN QUAY, ROPE STREET, LONDON SE16 | £3,701.05 |
| 07/AP/1262 | 687 | CHAMBERS WHARF, CHAMBERS STREET, LONDON SE16 4XQ | £15,024.68 |
| 07/AP/2267 | 359 | LAND BOUND BY PRICE'S STREET, BEAR LANE AND GREAT SUFFOLK STREET, LONDON SE1 0UG | £1,687.62 |
| 08/AP/0813 | 419 | TOWER BRIDGE ROAD LONDON SE1 3LW | £4,500.00 |
| 09/AP/1917 | 547 | CENTURY HOUSE, 82 - 84 TANNER STREET AND 62 RILEY ROAD, LONDON SE1 3PJ | £301.00 |
| 10/AP/1860 | 511 | 70 ABBEY STREET, LONDON SE1 3NJ | £36.00 |
| 10/AP/1923 | 580 | LAND ADJACENT TO BRIDGEMASTER'S HOUSE, TOWER BRIDGE ROAD, LONDON SE1 2UP | £2,497.00 |

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| 10/AP/1935 | 560 | LAND ADJACENT TO LAMBETH COLLEGE & POTTERS FIELDS, LONDON SE1 | £15,036.00 |
| 10/AP/2725 | 521 | FORMER WHITSTABLE DAY NURSERY, STEVENS STREET, LONDON SE1 3BX | £4,801.00 |
| 10/AP/2849 | 551 | HAND IN HAND, 37 ARCH STREET, LONDON SE1 6PQ | £3,800.25 |
| 10/AP/3010 | 535 | BERMONDSEY SPA SITE C5, GRANGE WALK, LONDON SE1 3EL (SITE BOUNDED BY SPA ROAD NECKINGER & GRANGE WALK) | £15,036.00 |
| 10/AP/3173 | 548 | 25 - 35 CHESTERFIELD WAY, LONDON SE15 2AW | £2,497.00 |
| 10/AP/3239 | 528 | 139 QUEENS ROAD, LONDON SE15 2NB | £1,780.88 |
| 10/AP/3316 | 594 | LAND AT EWER STREET, LONDON SE1 | £2,530.59 |
| 11/AP/1071 | 579 | KINGS REACH TOWER, STAMFORD STREET, LONDON SE1 9LS | £15,162.00 |
| 11/AP/1180 | 567 | 434 - 452 OLD KENT ROAD, LONDON SE1 5AG | £116.00 |
| 11/AP/1341 | 584 | ST IVES HOUSE, 22 LAVINGTON STREET, LONDON SE1 0NZ | £4,993.00 |
| 11/AP/2012 | 681 | BRANDON HOUSE, 180 BOROUGH HIGH STREET, LONDON SE1 1LW | £5,363.00 |
| 11/AP/2851 | 590 | LAND BETWEEN 120-150 IVYDALE ROAD, LONDON SE15 3BT | £4,847.42 |
| 11/AP/3251 | 595 | LAND AT 34 - 42 GRANGE ROAD, LONDON SE1 | £4,993.00 |
| 11/AP/3510 | 610 | 16 WINCHESTER WALK LONDON SE1 9AQ | £2,743.37 |
| 11/AP/3963 | 602 | SITE TO THE SOUTH OF EVANS GRANARY, 38 STONEY STREET, LONDON SE1 9LB | £5,280.00 |
| 11/AP/4297 | 617 | EMPIRE WAREHOUSE, 1 BEAR GARDENS, 1 & 2 ROSE ALLEY, LONDON SE1 9ED | £5,232.67 |
| 12/AP/2062 | 662 | 169 - 173 BLACKFRIARS ROAD (BOUNDED BY SURREY ROW AND POCOCK STREET), LONDON SE1 8ER | £5,372.62 |

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| 12/AP/2239 | 664 | FORMER ELEPHANT AND CASTLE SWIMMING POOL 22 ELEPHANT AND CASTLE LONDON SE1 6SQ | £16,990.00 |
| 12/AP/2444 | 680 | 272 - 274 CAMBERWELL ROAD AND MEDLAR STREET AND 286 - 304 CAMBERWELL ROAD SE5 | £5,129.96 |
| 12/AP/2702 | 632 | MARSHALL HOUSE, 6 PAGES WALK, LONDON SE1 4SB | £2,630.00 |
| 12/AP/3201 | 667 | LAND AT THE CORNER OF COOPERS ROAD AND ROLLS ROAD, LONDON SE1 | £5,408.61 |
| 12/AP/3860 | 713 | ESTATE OFFICE, AVONDALE SQUARE, LONDON SE1 5PD | £5,363.00 |
| 13/AP/1864 | 716 | 525 - 539 OLD KENT ROAD LONDON SE1 | £5,363.00 |
| 13/AP/3059 | 720 | 6 - 14 MELIOR STREET AND LAND ADJOINING TO THE REAR OF OUR LADY OF LA SALLETE AND SAINT JOESPH CATHOLIC CHURCH , LONDON SE1 3QP | £5,363.00 |
| 14/AP/0257 | 732 | 315 - 317 CAMBERWELL NEW ROAD, LONDON SE5 0TF | £5,471.00 |
| 14/AP/1302 | 749 | FIELDEN HOUSE, 28 - 42 LONDON BRIDGE STREET | £5,522.09 |
| 14/AP/1872 | 751 | SITE OF THE FORMER TUKE SCHOOL, 2 - 4 WOODS ROAD, LONDON SE15 2PX | £11,173.00 |
| 14/AP/2102 | 734 | SITE BOUNDED BY GRANGE WALK, GRANGE YARD AND THE GRANGE, LONDON SE1 3DT | £11,173.00 |
| 15/AP/1330 | 785 | 8 - 24 SYLVAN GROVE, LONDON, SE15 1PE | £6,819.84 |
| 15/AP/3303 | 791 | TOWER BRIDGE MAGISTRATES COURT AND POLICE STATION, 209 - 211 TOOLEY STREET, LONDON SE1 2JY | £5,555.00 |
| TOTAL | | | £219,293.65 |

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Planning

15. The above mentioned developments secured £219,293.65, combined, in contributions towards funding the post of archaeology officer. These funds are currently unallocated and available.
16. The proposed allocation accords with the above mentioned agreements and would provide appropriate mitigation for the impacts of the specific and future developments.

Director of Law and Democracy

17. As a central London borough, Southwark is fortunate in possessing a very rich history. This report emphasises the importance of the archaeological heritage within the borough and outlines the need to devote further resources in order to protect this as far as possible.
18. The report lists nearly 40 different planning agreements where financial payments have been made by developers in order to mitigate the impacts caused by the various developments. Usually, such impacts are quite specific to the individual site but in certain instances the developer consents to the contribution being used towards general purposes within the borough. This is the case with the archaeological payments identified in this report where in most of the individual agreements, the developer has agreed that the funding may cover archaeological services within the borough. This report is directly concerned with the ability to fund this important work.
19. The report confirms that it is not considered that the proposal has any disproportionate effect on any other community or group. Accordingly, on this occasion members can feel confident that there will be no breach of the rights contained within the European Convention of Human Rights, nor any failure to comply with the Public Sector Equality Duty.
20. As is customary with such release reports, the authority to consider and authorise such expenditure is in accordance with paragraph 6, part 3F of the council's constitution.

Strategic Director of Finance and Governance

21. This report seeks approval from the planning committee to release £219,293.65 from various agreements listed in the body of this report, and for the purposes stated at paragraphs 4 to 6.
22. The director of planning confirms the section 106 receipts associated with the agreements listed in this report have not been allocated to other projects, and the proposed allocation accords with the terms of the agreements.
23. The strategic director of finance and governance notes the council has received the related section 106 funds and that they are available for the project outlined in this report

BACKGROUND DOCUMENTS

| Background Papers | Held At | Contact |
|--|--|--------------------------------|
| Copies of section 106 legal agreements | Planning Division, 160 Tooley Street, London SE1 | Jack Ricketts 020 7525 5464 |

APPENDICES

| No. | Title |
|-------|-------|
| None. | |

AUDIT TRAIL

| | | |
|---|---|--------------------------|
| Lead Officer | Simon Bevan, Director of Planning | |
| Report Author | Michael Tsoukaris, Group Manager, Design and Conservation | |
| Version | Final | |
| Dated | 24 February 2017 | |
| 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 |
| Director of Planning | Yes | Yes |
| Date final report sent to Constitutional Team | 27 February 2017 | |