

Item No. 6.	Classification: Open	Date: 10 October 2017	Meeting Name: Planning Committee
Report title:		Mayflower Park - To release £264,138.42 from the S106 agreement associated with the below development, towards the new public park maintenance fund.	
Ward(s) or groups affected:		Project: Surrey Docks Funds: Surrey Docks	
From:		Director of Planning	

RECOMMENDATION

1. To authorise the release of £264,138.42 of Section 106 funding, from the below development, towards the new public park maintenance fund, as set out in paragraphs 5-6.

Permission Ref	Account No	Address	Amount
14/AP/0309	728	Former Surrey Docks Stadium And Depot Adjacent To Stadium, Salter Road, Rotherhithe, London, SE16	£264,138.42
TOTAL			£264,138.42

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. Fairview Homes Limited, the developer of 14/AP/0309 obtained planning permission for the redevelopment of the Surrey Docks depot, council land and the creation of a new public park on the site previously known as the Surrey Docks Stadium.
4. As part of the s106 agreement associated with the above planning agreement, the developer agreed to create a new public park on the site. This park has now been named Mayflower Park.
5. In addition to the creation of Mayflower Park, the developer was also obliged to provide £250,000.00 to the council, toward the costs of maintaining this park. The park has now been delivered and the maintenance contribution can now be released.
6. This park will be added to the council's portfolio of parks and will be maintained by our grounds maintenance contractor 'id Verde'. The park will be maintained by way of

regularly cutting the grass areas, weeding and seeding annually, maintaining the plants beds and ensuring our tree stock is pruned and kept in good condition.



KEY ISSUES FOR CONSIDERATION

7. This money is clearly defined in the legal agreement as for the ongoing maintenance of the newly created park and as such cannot be released for any other purpose.

Community impact statement

8. This project will support the council's commitment to meet the needs of Southwark's diverse community.
9. The proposed fund has been designed to maintain the attractiveness of the newly created public amenity, as a place which people choose to use. By creating the Mayflower Park, the council is improving the environment and social sustainability of the community council area, providing high quality public places which local residents and workers can use and which promotes the potential for interaction.
10. The ongoing maintenance of the new park is designed to maintain full accessibility to all, without prejudice or discrimination.
11. The proposal has no negative impact on any particular age, disability, faith or religion, race and ethnicity and sexual orientation.
12. With the exception of those benefits identified, the proposals are not considered to have a disproportionate effect on any other community or group.

Consultation

13. Full consultation was carried out prior to the creation of the park, but no further consultation has taken place, in relation to the release of the maintenance fund.

Resource implications

Permission Ref	Account No	Purpose	Principle Amount	Indexation/Interest
14/AP/0309	728	PPOS	£250,000.00	£14,138.42
TOTAL				£264,138.42

14. The above mentioned developments secured £264,138.42, combined, in contributions towards public realm, site specific transport and strategic transport improvements. All £264,138.42 is currently unallocated and available.
15. The proposed allocation accords with the above mentioned agreement and would provide appropriate mitigation for the impacts of the specific and future developments.
16. All costs arising from implementing the recommendations above will be met from the S106 agreement attached to the planning permission for the development.
17. The project will be managed by the parks and leisure service, which has an extensive experience of this work in Southwark. Staffing and any other costs connected with this recommendation are to be contained within existing departmental revenue budgets.

Policy implications

18. The proposal meets the following Fairer Future Promises:
 - Promise 1: Value for money.
 - Promise 6: A greener borough.
 - Promise 7: Safer communities.
 - Promise 9: Revitalised neighbourhoods.
 - Promise 10: Age friendly borough.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

19. The section 106 planning obligations agreement with Fairview Developments was entered into on 13 August 2014 and referred to the creation of a new public park and required Fairview to make a contribution of £250,000 towards the cost of maintaining the park.
20. In this case, the proposed use of the funds was very specific and the funds are clearly being used solely for the intended purpose. Indeed, it would be an unlawful use of the monies to utilise them for any other purpose.
21. The report refers to the consultation which has been undertaken. Following this, the allocation of monies paid in compliance with section 106 obligations is a matter for the Planning Committee and members may therefore confirm the release of the funds if they consider this to be appropriate.

Strategic Director of Finance and Governance

22. This report requests the Planning Committee to approve the release of £264,138.42 section106 (s106) funds from the legal agreement listed in the body of this report, for the ongoing maintenance of Mayflower Park.

23. The director of planning confirms the section 106 funds required to deliver this project are available, and the proposed expenditure accords with the terms of the section 106 agreement.
24. The strategic director of finance and governance notes the council has received the related s106 funds and they are available for the maintenance works outlined in this report.
25. Staffing and any other costs associated with this recommendation are to be contained within existing departmental budgets.

BACKGROUND DOCUMENTS

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

AUDIT TRAIL

Lead Officer	John Wade, Parks and Leisure Services		
Report Author	Max Nakrani, Parks and Leisure Services		
Version	Final		
Dated	25 September 2017		
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		28 September 2017	