

Item No. 6.	Classification: Open	Date: 18 December 2018	Meeting Name: Planning Committee
Report title:		Parks Programme To release £432,459.21 (including accrued interest) of section 106 monies towards improving parks and open spaces	
Ward(s) or groups affected:		London Bridge & West Bermondsey, North Bermondsey, South Bermondsey, Rotherhithe, Borough and Bankside, St Georges, Chaucer, Old Kent Road, Newington, St Giles, Rye Lane, Champion Hill, Nunhead & Queens Road	
From:		Director of Planning	

RECOMMENDATION

1. That Planning Committee agrees the allocation of funds totalling £432,459.21 (including accrued interest) to be released from the listed Legal Agreements associated with developments across the borough, towards the delivery of nine park improvement projects as set out in paragraphs 10 - 50.

BACKGROUND INFORMATION

2. Planning obligations are used to address the impacts caused by development and contribute to providing infrastructure and facilities necessary to achieve sustainable communities. The council can enter into a legal agreement with a developer whereby the developer agree to provide planning contributions.
3. The proposed projects have been prepared by identifying section 106 funds available for parks and play around the borough and matching their purposes to priority projects from the Parks Programme.
4. The Parks Programme has been developed to deliver a network of high quality parks and open spaces that benefit both existing and new communities as part of neighbourhood renewal. To provide community resources that meet the needs of local neighbourhoods and parks that are safe, accessible, coherent, easy to maintain and enhance the aesthetic appeal of the public realm.
5. This report seeks to allocate funding to support the Parks Programme. The proposals respond to feedback from the local community, Councillors and local partnerships that the council should take a strategic approach to bringing separate historical section 106 legal agreements together to deliver a holistic programme of public realm improvements.
6. The proposal is to allocate section 106 receipts paid to the council by developers, to address shortfalls in existing investment in open spaces. Whilst there is a capital budget to deliver the eight projects listed, this report seeks to secure available funding to enhance the quality of these schemes to offset the negative impacts of development.

KEY ISSUES FOR CONSIDERATION

7. 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.
8. Whilst Southwark Park is situated in the Rotherhithe Ward, the section 106 agreements identified derives from developments in the neighbouring wards of North and South Bermondsey. The parks in these wards, specifically Bermondsey Spa Gardens, Patterson Park and Tabard Gardens, are either not considered priorities for investment or have already benefited from redevelopment projects.
9. The project proposals are outlined below, together with the identified section 106 budgets and current funding available.

Project 1: Investment in Public Open Space and local play improvements Southwark Park Master Plan

10. Southwark Park is the council's oldest major park, is Grade 2 listed on the English Heritage Register of Historic Parks and has held a Green Flag Award for 12 consecutive years.
11. At nearly 27 hectares it is the largest park in the north of the borough and is an important destination park serving the densely populated urban districts of Rotherhithe, Bermondsey, and beyond.
12. Following detailed and on-going consultation since 2015, a Master Plan design is being implemented that addresses areas of Southwark Park in need of improvement. The design includes delivering a new café, public toilets, staff accommodation and re-opening the redundant Nursery Site.
13. Since funding was secured in 2015 a new playground has been built and work is underway to build a new café, toilets and staff office. Additional investment is now required to deliver the next phase of master plan improvements.
14. The old café, public toilets and park office lie adjacent to an old nursery site. The cafe is a small building converted from an old toilet block. It is unable to adequately meet the needs of the many park visitors. The public toilets are only accessible during café opening hours. The park office doubles as an information point and accommodation for staff and is housed in a temporary porta cabin of minimal visual attraction or distinction. These buildings are in poor condition and will be demolished when the new café and staff office open later this year.
15. The old nursery site was closed by the council during the 1980's 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.
16. This project will see the footprint of the old café, and parks office re-landscaped and the old nursery site reintegrated into the park with controlled access for use by schools and local community groups.

17. Further consultations will be undertaken to finalise a design for these spaces with lead member briefings and consultation with ward members and stakeholder groups.
18. This report is seeking an allocation of £22,714.24 from the agreements set out below:

Agreement Ref	Development address	Amount	Purpose
06/AP/2272	Grange Walk	£20,078.24	Parks and Open Spaces
08/AP/0813	153 Tower Bridge Rd	£2,636.00	Parks and Open Spaces
	Total	£22,714.24	

Project 2: Southwark Athletics Centre Pavilion

19. South Athletics Centre (SAC) is a sports facility located within Southwark Park and consists of a dilapidated pavilion building adjacent to a new six lane athletics track and football pitch recently been refurbished as the first phase of athletic centre redevelopment.
20. Funding is sought to complete phase 2 improvements at SAC to refurbish the pavilion building to provide a community and school sports facility that will increase participation in physical activity and support athletics development on site.
21. The refurbishment will deliver new changing rooms, public toilets, gym and club room.
22. An investment of £85,731.39 is sought from the agreements set out below:

Agreement Ref	Development address	Amount	Purpose
12/AP/3127	Abbey Street	£16,206.93	Parks and Open Spaces
12/AP/4126	Canada Water	£51,662.32	Parks and Open Spaces
12/AP/1485	Roseberry St	£87.87	Parks and Open Spaces
14/AP/0309	Salter Road	£17,774.27	Children's Play Equipment
	Total	£85,731.39	

Project 3: Burgess Park Urban Games

23. Burgess Park is a large park, occupying 56 hectares of Common Land located in a diverse, densely populated area of Southwark with high levels of deprivation, being within the 10% most deprived areas of the country.
24. Since 2008 the park has benefited from significant investment supporting the phased implementation of the Burgess Park Master Plan. This proposal to build a youth sports hub is the next phase of development set out in the Master Plan for Burgess Park.
25. Building on the success of the national standard BMX track the urban games area will provide facilities, primarily aimed at teenage participants of popular 'alternative' sports such as skate boarding, climbing and parkour.
26. The new urban games facility will be built on land adjacent to the BMX track on the grounds of the old adventure playground.

27. A contribution of £15,949.00 is sought from:

Agreement Ref	Development address	Amount	Purpose
11/AP/1139	52 Peckham Grove	£15,949.00	Parks and Open Spaces

Project 4: GMH Master Plan – New Playground

28. At 6.5 hectares in size Geraldine Mary Harmsworth (GMH) Park is the largest park in Elephant and Castle. It accommodates a range of facilities including a sports pavilion, (servicing four tennis/ badminton courts and three multi use games areas), a small children's playground, world gardens, nature area, a peace garden and a refreshment kiosk, whilst retaining large expanses of amenity grass.
29. The park is well used by local families and schools, and attracts tourists throughout the year visiting the Imperial War Museum which lies at its centre. Whilst the park has several unique features, its many assets are blighted by the lack of a coherent design and inadequate play provision.
30. This project is to deliver the second phase of the master plan design developed for the park in 2017. Having completed phase 1 works to relocate the parks office to a new modern permanent building, phase 2 involves the removal of redundant temporary buildings; re-landscaping the central grass area and the installation of a new larger playground.
31. This report is seeking an investment of £107,050.34 from the agreements set out below:

Agreement Ref	Development address	Amount	Purpose
07/AP/0202	92 Webber St Blackfriars	£73,855.71	Parks and Open Spaces
07/AP/2267	Bear Lane Blackfriars	£11,336.38	Parks and Open Spaces
07/AP/1124	Borough High St	£3,990.00	Local Play Improvements
13/AP/1403	Stamford St Blackfriars	£2,826.45	Parks and Open Spaces
13/AP/0966	169-173 Blackfriars Rd	£15,041.80	Local Play Improvements
Total		£107,050.34	

Project 5: Pasley Park Playground

32. This much loved local park occupies land that was previously part of the historic Surrey Gardens Zoo. It now has a central grass football pitch with goal posts, which is surrounded by a circular footpath leading to the four entrances. There are two fairly large fenced dog walking areas at each end of the park containing a significant number of trees. A children's playground is located on a raised mound at the western boundary of the park.
33. In 2011 a master plan design for the park was developed that has been implemented in stages as funding becomes available. Phase 1 works delivered between 2014-18 involved adjustments to the Sturgeon and Chapter Road entrances and reshaping land form in the park to improve visibility.

34. Investment is sought to deliver the next phase of work which involves upgrading the outdated playground and associated improvements to the Braganza Street entrance to the park.
35. Complete delivery of the masterplan will require approximately £350,000, so a phased approach to delivery of the masterplan will be required as funding becomes available.
36. This report is seeking to allocate £108,068.65 for improvements to Pasley Park from:

Agreement Ref	Development address	Amount	Purpose
11/AP/0868	Steadman Street	£47,751.50	Parks and Open Spaces
07/AP/0650	Amelia Street	£18,958.00	Parks and Open Spaces
07/AP/0650	Amelia Street	£2,655.00	Local Play Improvements
08/AP/0564	Penton Place	£13,368.00	Parks and Open Spaces
13/AP/1235	226 Hillingdon	£25,336.15	Parks and Open Spaces
	Total	£108,068.65	

Project 6: Cossall Park

37. Cossall Park is a local park in Peckham that is 0.87 hectares in size. The park was one of 21 parks in Southwark identified as in need of significant investment and is one of the last remaining spaces to be improved.
38. Parks and Leisure service is seeking to develop a master plan design and programme of improvements to transform Cossall Park into an important recreation resource and valued community asset.
39. A thorough public consultation exercise needs to be undertaken to fully inform the park master plan however it is expected to consider:
 - Improved play area
 - Integration of old Tuke School car park into Cossall Park
 - Options for re-locating the football Muga and landscaped works
 - Creation of a nature areas
 - Community planting beds
 - New entrances and pathways
 - Options for public health, providing opportunities for exercise for the community, such as a trim trail
40. Investment of £230,000 has already been secured for the park from s106 agreement in respect of planning reference 14/AP/1872.

41. This report is seeking the allocation of a further £8,843.00 towards the master plan project for Cossal Park from:

Agreement Ref	Development address	Amount	Purpose
12/AP/1630	Wanley Rd	£2,706.00	Local Play Improvements
12/AP/1630	Wanley Rd	£6,137.00	Parks and Open Spaces
	Total	£8,843.00	

Project 7: Newington Gardens

42. Newington Gardens is a local park in Borough that lies adjacent to the Rockingham Estate on two sides, private housing on Bath Terrace and Southwark Magistrates Court on the other. The site includes a large ball court, a small play area, and a central area of hardstanding with mature trees, patched tarmac and a cobbled mosaic feature.
43. Previous investment has made improvement to the Multi Use Game Area (MUGA) which is popular and well used for basketball practice and as a training space for bike polo enthusiasts.
44. A recent petition and twitter campaigns have highlighted the poor condition of the surfacing both in the park. Modest funding has been secured from Cleaner Greener Safer initiative for resurfacing works to the MUGA. However there is greater need for the failing cobbled mosaic to be refurbished.
45. Allocation of £48,352.46 is being sought for infrastructure improvements at Newington Gardens from:

Agreement Ref	Development address	Amount	Purpose
10/AP/2429	Alice Street Car Park	£13,650.00	Parks and Open Spaces
13/AP/1714	177 Borough High St	£16,303.03	Parks and Open Spaces
14/AP/1968	88 Borough High St	£18,399.43	Local Play Improvements
	Total	£48,352.46	

Project 8: Leathermarket Gardens Playground

46. Leathermarket Gardens is a small park of 1.15 hectares situated between Leathermarket Street and Weston Street. The park has a small well used playground that is in need of repair. Investment of £170,000 has been secured to upgrade the playground and entrances to the park. Additional funding is for enhancements to the playground so that it offers accessible play and promotes increased physical activity for local children.
47. An allocation of £34,258.13 is sought for the playground at Leathermarket Gardens from:

Agreement Ref	Development address	Amount	Purpose
15/AP/2721	Weston Road	£34,258.13	Local Play Improvements

Project 9: Greendale Playing Field Infrastructure Improvements

48. Greendale Playing Field is 2.2ha open space situated between Dulwich Hamlet Football Stadium, Sainsbury's supermarket and Wanley Road in Dulwich. The space has recently returned to council management earlier and implementation of interim management plan is currently underway.
49. Additional investment is needed to complete a range of infrastructure improvements including creating a new entrance, cycle & pedestrian paths and park furniture.
50. An allocation of £1,492.00 is sought for the Greendale Playing Field from:

Agreement Ref	Development address	Amount	Purpose
14/ AP/ 0075	41-43 East Dulwich Road	£1,123.00	Parks and Open Spaces
14/ AP/ 0075	41-43 East Dulwich Road	£369.00	Local Play Improvements
	Total	£1,492.00	

Policy implications

51. The parks are located in the areas identified in Southwark's Open Space Strategy (2013) as having the highest population density in the borough the highest proportion of housing units with no access to private open space.
52. Whilst it is recognised that the pressure to create new homes means that there are limited opportunities for the creation of new green spaces, Southwark's Open Space Strategy sets out the council's commitment to maintain and improve existing parks and open spaces to ensure that those that live and work in the borough experience the positive benefits associated with health and well-being, quality of life and cohesive communities that open spaces provide.
53. Delivering this programme of open space and public realm improvements within Walworth areas will support the implementation of a number of Southwark's key strategic priorities. This includes but is not limited to the following policies:

54. The Core Strategy 2011

- *Theme 2: Making the borough a better place for people*
 - Strategic Objective 2F is to conserve and protect historic and natural places. Southwark's heritage assets and wider historic environment will be conserved and enhanced. Open spaces and biodiversity will be protected, made more accessible and improved.
- *Theme 5: Planning for development in growth areas*
 - Strategic Objective 5A commits to developing growth areas to achieve the vision of improved places and to prioritise development in the following areas:
 - Central Activities Zone.
 - Elephant and Castle opportunity area.
 - Bankside, Borough and London Bridge opportunity area.

- Peckham and Nunhead action area.
 - Canada Water action area.
 - Aylesbury action area.
 - Camberwell action area.
 - Old Kent Road action area.
- Strategic Policy 1: Sustainable Development
 - Strategic Policy 4: Places for learning enjoyment and healthy lifestyles
 - Strategic Policy 11: Open Spaces and Wildlife
 - Strategic Policy 12: Design and conservation
55. Southwark's Elephant and Castle Supplementary Planning Document (SPD, 2012), sets out the council's vision for the Elephant and Castle Opportunity area and provides a framework to guide development over the next 15 years, ensuring that regeneration is coordinated and sustainable.
56. Southwark's Open Spaces Strategy (2013), identifies Walworth as an area of deficiency in the amount of natural green space available, with just 0.38ha per 1,000 population. Taking account of population increases expected in the area the ratio is likely to fall to 0.31ha per 1,000 population in 2026. (Southwark OSS 2013) This falls significantly short of the local planning standard to achieve 1.5ha of green space per 1,000 population.

Community impact statement

- 57. Delivering a range of environmental improvement projects that protect public open spaces and enhance the public realm, within the context of rapid development and population growth, is essential to the health and well being of residents.
- 58. The creation of high quality open spaces will contribute to making these areas places where people choose to live and work.
- 59. This programme of projects has been designed to be fully accessible to all, without prejudice or discrimination.

Resource implications

- 60. The below mentioned developments secured £432,459.21, combined, in contributions towards parks and public open space and local play improvements. The £432,459.21 is currently unallocated and available.
- 61. The proposed allocation accords with the above mentioned agreements and would provide appropriate mitigation for the impacts of the specific and future developments. All costs arising from implementing the recommendations above will be met from the S106 agreements attached to the planning permissions for the development sites.
- 62. The projects will be managed by the Parks department. Staffing and any other costs connected with this recommendation are to be contained within existing departmental revenue budgets.

Consultation

63. The projects proposed which have been identified through consultation with internal and external stakeholders.
64. Regular and on-going consultation is underway for each project. This includes but is not limited to:
 - Ward Councillors
 - Friends Groups
 - TRAs and Neighbourhood forums
 - Local residents and business owners
 - Schools
65. Consultation will include stakeholder input in the design brief; will continue through each stage of the design process and at regular intervals during implementation.
66. For each 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 project proposals
 - c. Online and postal feedback forms
 - d. Presentations at stakeholder groups meetings
 - e. Posters displayed at community and park notice boards.
 - f. Proposal exhibit at local community centres and/ or schools
 - g. Regular ward councillor and cabinet member briefings

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

67. It is essential that section 106 monies are spent strictly in accordance with the terms of the relevant Agreement and also in accordance with the tests set out in regulation 122(2), Community Infrastructure Regulations 2010 (as amended) which provide that the required 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 to the scale and kind of the development.
68. The Section 106 Agreements which are listed in this report have been reviewed to ensure that the contributions which have been identified are indeed being spent in accordance with the tests set out above and have been found to be compliant.
69. This report seeks authority for the release of £432,090.21 (including any accrued interest) of section 106 monies. In accordance with paragraph 6, part 3F, of the Council's Constitution, it is amongst the roles and functions of the Planning Committee to consider the expenditure of section 106 monies and where the proposed expenditure exceeds £100,000, the Planning Committee is required to consider the expenditure in accordance with paragraph 9, Part 3F under the subheading of "Matters Reserved for Decision".

70. 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 tests outlined above.

Strategic Director of Finance and Governance CAP18/027

71. This report requests the planning committee to approve the release of £432,459.21 section 106 funds from the various legal agreements detailed in this report, for the purposes outlined at paragraphs 10-50.
72. The strategic director of finance and governance notes the council has received the related s106 funds and they are available for the improvement works outlined in this report.
73. Staffing and any other costs connected with this recommendation are to be contained within existing departmental budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
S106 Legal Agreements	Planning Division, Southwark Council, 160 Tooley Street, London, SE1 2QH	Jack Ricketts 020 7525 5464

APPENDICES

Appendix	Description
Appendix 1	Southwark Park Master Plan
Appendix 2	Southwark Athletic Centre Plan
Appendix 3	Burgess Park Master Plan
Appendix 4	GMH Master Plan
Appendix 5	Pasley Park Master Plan
Appendix 6	Newington Gardens Photos Survey

AUDIT TRAIL

Lead Officer	Rebecca Tower, Head of Parks and Leisure	
Report Authors	Deborah McKenzie, Parks Service Development Officer	
Version	Final	
Dated	12 November 2018	
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
Date final report sent to Constitutional Team	6 December 2018	