

Item No: 2	Classification: OPEN	Date: 31 January 2007	Meeting Name: Regeneration & Resources Scrutiny Sub-Committee
Report Title:		Scrutiny: Section 106 – draft Supplementary Planning Document	
Ward(s) or Group affected:		All wards	
From:		Regeneration & Resources Scrutiny Sub-Committee	

PURPOSE OF ITEM

1. To receive an update on progress of Southwark's consultation on the draft Supplementary Planning Document for Section 106 [Attached at Appendix A];
2. To explore the sub-committee's key questions in relation to the draft s106 SPD and to feed comments arising from this process into the s106 SPD consultation process. These questions [detailed at paragraph 7] concern:
 - ensuring dividend meets community need;
 - operation of Community Project Banks; and
 - monitoring s106

BACKGROUND

3. Having agreed to include this item on its annual work programme, the sub-committee received an initial background briefing on Section 106 from the Strategic Director of Regeneration at its meeting on 14 July 2006.
4. Informal consultation on the Supplementary Planning Document for Section 106 ran from 28 November until 9 January 2007. The SPD [attached at Appendix A] is now out for formal consultation until 21 February 2007 and the SPD Consultation Plan includes presentations to Community Councils and other interested parties.
5. Following the public consultation period all recommended changes and officer responses will be reported to members and their agreement sought to adopting this SPD as the core of Southwark Council's Local Development Framework which scheme would be used to determine planning applications.
6. Discussion of the draft s.106 Supplementary Planning Document at this meeting is an opportunity for the sub-committee to clarify the impetus for revision of the s106 SPD and its anticipated benefits to the community and to receive an update on consultation undertaken to date including feedback coming through the system where appropriate.

7. In addition, following scoping of this review, members outlined the following key areas for further questioning:
- Ensuring dividend meets community need
 - How will local councillors and communities ensure dividend from developments appropriate to local community need ?
 - How will local ward councillors be kept up to date about potential or current s.106 agreements in their wards ?
 - Operation of Community Project Banks
 - how these will be administered
 - how criteria for use of resources will be set and applied
 - how use of resources will be monitored
 - mechanisms for local Ward member involvement in CPB priority-setting and monitoring
 - Monitoring s.106
 - Audit and monitoring mechanisms around s.106 allocation and expenditure
 - What member involvement will there be in audit/monitoring of s106 use ?
 - How will proposed arrangements help Southwark meet its national and local targets in respect of s.106 performance ?
8. Having received a presentation from the Planning and Transport Policy Manager and considered the key areas plus additional concerns arising from discussion, the sub-committee's comments will be fed into the ongoing formal consultation process.

Appendix A: *Section 106 planning obligations draft supplementary planning document. Achieving positive planning through the use of planning obligations [December 2006], Southwark Council*

BACKGROUND DOCUMENTS

<u>Background Papers</u>	<u>Held At</u>	<u>Contact</u>
Regeneration & Resources Scrutiny Sub-Committee agendas and minutes http://www.southwark.gov.uk/YourCouncil/AgendasMinutes/RegenerationResourcesMeetings/	Scrutiny Team Rm 3.09, Town Hall, Peckham Road, London SE5 8UB	Lucas Lundgren Scrutiny Project Manager T: 0207 525 7224

AUDIT TRAIL

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Report Author	Lucas Lundgren, Scrutiny Project Manager	
Version	Final	
Dated	23 January 2007	
CONSULTATION WITH OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Borough Solicitor & Secretary	No	No
Director of Regeneration	No	No
Chief Finance Officer	No	No