

Committee: Council

Date: 8 July 2015

Agenda item: 13

Wards: All

Subject: The addition of Rediscover Mitcham to the Capital Programme in2015/16

Lead officer: James McGinlay, Head of Sustainable Communities

Lead member: Councillor Andrew Judge, Cabinet Member for Environmental Sustainability and Regeneration

Forward Plan reference number:

Contact officer: Zoe Church

Recommendations:

- A. That Council approve a new Capital Scheme “Rediscover Mitcham” totalling £507,290 funded by Section 106 contributions as detailed in Appendix A

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. The purpose of this report is to approve a new capital scheme in excess of £0.5 million to the capital programme for “Rediscover Mitcham” the scheme is funded as detailed in Appendix A.
- 1.2. In accordance with the Authority’s Financial Regulations any addition of £500,000 or more to the Capital Programme for a new scheme must be authorised by decision of Council.

2 DETAILS

- 2.1. Section 106 of the Town & Country Planning Act 1990 (as amended) permits Local Planning Authorities to enter into agreements with applicants for planning permission to regulate the use and development of land. This may involve the payment of a financial contribution for off-site works.
- 2.2. The Community Infrastructure Regulations 2010 require that a planning obligation must be Necessary to make the development acceptable in planning terms
- ii Directly related to the proposed development
 - iii Fairly and reasonably related in scale and kind to the proposed development
- 2.3. It is Council procedure that any new capital scheme £500,000 or more must be approved by Council. This report includes one new scheme in excess of £500k and new Section 106 funding in excess of £500,000, these items both require Council approval.

Rediscover Mitcham

- 2.6. List the Section 106 funding available that can be appropriately combined under “Rediscover Mitcham” are shown in Appendix A. The Appendix also indicates when original cabinet approval was given to their use. These sums remain unspent and have now been reconfigured into one new scheme. This scheme is now in excess of £500k and requires Council approval for use of section 106 monies and for its addition to the capital programme.
- 2.7 Any alternative allocation of the monies would result in an overspend on the current programme and would be running the risk of expenditure failing to accord with the reasons for which the funding was secured in accordance with the Regulation 122 of the Community Infrastructure Regulations 2010, namely to cater for the additional demand for school spaces generated by the child yield of housing developments.

3 ALTERNATIVE OPTIONS

- 3.1. As set out in paragraphs 2.7

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. None for the purposes of this report

5 TIMETABLE

- 5.1. Will be added to the Capital Programme immediately

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. The Section 106 funds referred to in this report have been received by London Borough of Merton and are available to be spent in the manner agreed by Council, subject to any restrictions contained in the agreements.
- 6.2. In the case of any part of the programme that necessitates the need to obtain building regulations approval, the first point of reference in respect of advice, guidance and authorisation required by Children Schools and Families should be the council’s own Building Control Team as opposed to outsourcing this work to external approved building control inspectors.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. As stated within the body of the report.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1. The planning application was considered in the light of the Human Rights Act. The Section 106 contribution was secured towards community benefits to mitigate the impact of the development granted planning permission. The proposed allocations would be in strict accordance with the terms of the Section 106 Agreement. As a consequence, equalities and community cohesion implications are taken into account.

9 CRIME AND DISORDER IMPLICATIONS

- 9.1. There would be no crime and disorder implications associated with the allocation of the above contribution.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 10.1. The proposed expenditure of the Section 106 monies is towards the general purposes specified in the respective Section 106 agreements and would enable effective schemes to be progressed. For example, new classrooms would be built in the borough to cope with the increase in demand for school places from new housing developments without the need to seek extra loan funding. Therefore these proposals are considered sound from a risk management perspective. There are no health and safety implications.

11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

Appendix A - Rediscover Mitcham Section 106 Funding 2015/16

12 BACKGROUND PAPERS

- 12.1. Background papers held within the Resources Division of Corporate Services.

Appendix A

Rediscover Mitcham Section 106 Funding 2015/16

Bid approved 23rd May 2012

B639a	Fair Green (Originally £42,600)	32,372
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Approved bids as per cabinet report 24th Sept 2012

B657a	James Estate, Bond Rd (Smythe's Toys)	71,550
B657b	James Estate, Bond Rd (Smythe's Toys)	183,988
Total		<u>255,538</u>

Approved bids as per cabinet report 9th Dec 2013

B667a	Tooting & Mitcham Football Ground	5,000
B667b	Former Segas site, Western Rd	65,000
B667c	Former Segas site, Western Rd	36,000
B667d	Land Nw side of Batsworth Rd	7,000
B667e	Former Rowan School Site	15,000
B667f	Former Rowan School Site	45,688
B667g	Former Rowan School Site	45,688
Total		<u>219,375</u>

Total for Rediscover Mitcham		<u>507,285</u>
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