


<p>London Borough of Hammersmith & Fulham</p> <p>CABINET</p> <p>8 MAY 2017</p>	
<p>2016/17 FINAL SECTION 106 EXPENDITURE</p>	
<p>Report of the Cabinet Member for Finance – Councillor Max Schmid and the Cabinet Member for Economic Development and Regeneration – Councillor Andrew Jones</p>	
<p>Open Report</p>	
<p>Classification - For Decision</p>	
<p>Key Decision: Yes</p>	
<p>Wards Affected: ALL</p>	
<p>Accountable Director: Jo Rowlands – Regeneration, Planning and Housing Lead Director</p>	
<p>Report Author: Peter Kemp, Planning Change Manager</p>	<p>Contact Details: Tel: 0208 753 6970 E-mail: peter.kemp@lbhf.gov.uk</p>

1. EXECUTIVE SUMMARY

- 1.1. This report is the second report for S106 spend in 2016/17 and seeks authority to spend £6.8m

2. RECOMMENDATIONS

- 2.1. That officers be authorised to spend Section 106 monies as set out in this report.

3. INTRODUCTION AND BACKGROUND

- 3.1 The Council enters into agreements with developers and land owners under Section 106 of the Town and Country Planning Act 1990 to enable mitigation of impacts of development and to enable delivery of necessary social and physical infrastructure.

- 3.2 For a Council to enter into an agreement under S106 of the Town and Country Planning Act, the obligations need to comply with the tests set out in Regulation 122 of the Community Infrastructure Regulations 2010. All obligations must be:
- i. Necessary to make the development acceptable in planning terms;
 - ii. Relevant to the development being permitted; and
 - iii. Reasonably in all other respects.

- 3.3 Funds received pursuant to S106 agreements must be used for the purposes specified in those agreements or, where there is flexibility within the terms of the agreement, for purposes that comply with the tests set out above.

4. Projects to be funded

The following projects are funded from S106 monies to address needs generated by the developments taking place.

- 4.1 £823,979 towards Economic Development Learning & Skills staffing and projects to deliver the regeneration strategy for the borough funded from: -

Numbers shown in italics relate to the legal agreements.

£55,000 – 258 – 264 Goldhawk Road	<i>805</i>
£106,560 – 271 – 281 King Street	<i>830</i>
£12,074 – Thaxton Road / North End Road	<i>538</i>
£204,742 – Westfield	<i>WSTF</i>
£9,000 – 282 – 292 Goldhawk Road	<i>784</i>
£5,550 – 28 – 36 Glenthorne Road	<i>729</i>
£57,999 – 51 Townmead Road	<i>721</i>
£4,500 – 58 Shepherds Bush Green	<i>687</i>
£47,980 – Guardian House	<i>698</i>
£40,000 – Hammersmith Pallais	<i>605</i>
£104,243 – Riverside Studios	<i>801</i>
£176,331 – Quayside Lodge	<i>161</i>

- 4.2 £1,470,000 towards capital education projects in the borough to be funded from: -

£671,620 – Fulham Reach	<i>716</i>
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	£298,827 – Stowe Road Depot	693
	£240,000 – Riverside Studios	801
	£259,553 – 258 – 264 Goldhawk	805
4.3	£40,000 towards environmental monitoring at Earls Court to measure and mitigate the impact of the works currently taking place on the site funded from:-	
	£40,000 – Earls Court	733
4.4	£443,000 towards new and existing CCTV projects to improve the security and safety in the borough being funded from: -	
	£164,188 – Westfield	WSTF
	£10,000 – Fulham Broadway	403
	£20,005 – West 12	413
	£31,717 – Chelsea Village	458
	£33,232 – Empress State Building	468
	£15,000 – 725 – 761A Harrow Road	635
	£168,857 – Chelsea Creek	722
4.5	544,992 towards Parks and Environmental improvement to increase the capacity of the public open spaces in the borough being funded form –	
	£1,457 – Fulham Reach	716
	£408,637 – Janet Adegoke	712
	£39,991 – Westfield	WSTF
	£33,176 – Service Station, Du Cane Road	773
	£40,000 – 725 -761 Harrow Road	635
	£21,730 – Chelsea Village	458
4.6	£1,160,000 towards Development projects being carried out by the Council to be funded from: -	
	£255,000 – M&S White City	867
	£602,000 – Westfield	WSTF
	£254,000 – London House	794

	£49,000 – 258 – 264 Goldhawk Road	805
4.7	£100,000 towards North End Road extended markets and other high street activities funded from: -	
	£25,000 – Westfield	WSTF
	£25,000 – Sovereign Court	776
	£25,000 – Parsons Green Club	799
	£25,000 – Woodlands	753
4.8	£50,000 towards Wandsworth Bridge Parade improvements funded from: -	
	£25,000 – Chelsea Creek, Lots Road	732
	£25,000 – Imperial Wharf	808
4.9	£1,972,328 towards the delivery of Genuinely Affordable Housing Projects funded from: -	
	£1,972,328 – M&S White City	867
4.10	£191,000 towards fitting out the Irish Centre as a community facility for the borough to be funded from: -	
	£100,000 – Riverside Studios	801
	£50,000 – Bute and Wolverton	756
	£41,000 – Fulham Reach	716
4.11	£50,000 towards arts projects carried out by LAMDA to be funded from: -	
	£50,000 – Kings Mall	776

5. EQUALITY IMPLICATIONS

- 5.1. The report seeks authority for funding of projects that are contained in other service area plans, which are each subject to their own Equality Impact Assessments.

6. SOCIAL VALUE IMPLICATIONS

- 6.1 This report seeks authority to draw down funds to pay for projects and services already delivered. As such there is no immediate Social Value Implication relating to this report. However, service areas are embedding the social value objectives of the Council and implement these in delivering the service that spend the money.

7. LEGAL IMPLICATIONS

7.1 Section 106 agreements containing planning obligations are entered into between developers and the Council as the Local Planning Authority. The use of such obligations is controlled by legislation, including regulation 122 of the Community Infrastructure Regulations 2010 which requires planning obligations to be:

- (i) Necessary to make the development acceptable in planning terms;
- (ii) Directly related to the development; and
- (iii) Fairly and reasonably related in scale and kind to the development.

7.2 The Council has entered into a significant number of Section 106 agreements. Section 106 Funds can only lawfully be applied in accordance with the terms of each agreement, as approved by the Planning Applications Committee. Officers will need to ensure that the funding proposals as set out in this Report are permitted under the terms of each individual Section 106 agreement.

Implications verified/completed by: Adesuwa Omoregie, Acting Principal Solicitor Ext 2297

8. FINANCIAL AND RESOURCES IMPLICATIONS

8.1. The spend identified in this report reflects the current spend incurred in 2016/17 for services in the Council, all of which has been incurred in agreement with the Councillors. This report seeks formal approval to drawdown the necessary funds.

8.2. Implications verified/completed by: Mark Jones, Director for Finance and Resources Ext. 6700

9. PLANNING COMMENTS

9.1. The contributions outlined in this report are all part of the Council's annual budget for 2016/17 and accounted for.

9.2. All of the projects outlined meet the statutory tests set out in regulation 122 of the community infrastructure regulations, and would be used within the contractual and geographical constraints stated in the relevant agreements. Therefore, the recommendations are considered acceptable

9.3. Implications verified/completed by: Peter Kemp, Planning Change Manager Ext. 6970

LOCAL GOVERNMENT ACT 2000 **LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT**

None