

**QUESTION BY COUNCILLOR**

**Question submitted by:** Councillor Wheeler

**To Cabinet Member:** Councillor Richard Bingley (Leader of Plymouth City Council)

**Question:**

*My question is about the S106 requirement from the proposed development at Kings Tamerton, off Coombe Way. I'm not sure which Cabinet member is responsible for this aspect of Council service so could I ask you to re-allocate it if necessary, please? The outline planning application, 21/01038/OUT, was granted with conditions in December 2021, subject to the S106 agreement. The latter was signed on 8th July 2022 but was posted on the web-site some time later. I have now had an opportunity to read it and I am concerned about a number of aspects. I have six questions about the process by which this S106 requirement was drawn up and its content. I could ask six separate questions but it seems more straightforward to combine them in the one Council question. Would you let me know if I should submit them separately, please? 1) Process. 1.1) The Council used to have a policy whereby ward councillors were involved with formulating the S106 requirements. Were any ward councillors consulted over this S106 and if so, who, please? 1.2) If there was no consultation, when did the former policy change? 2) Content. 2.1) The planning obligation in 4.1.1 provides for phased payments, the second of which states: (ii) £39,225 either on Occupation of the 15th dwelling within Phase 2; or within 5 years of Commencement of Phase 1 (whichever is the earlier). The grant of planning permission envisages the possibility that Phase 2 may not go ahead. Can you confirm that the second payment will be required if Phase 2 does not go ahead, please? 2.2) The planning obligation in 4.1.2 provides similar phased payments as in 4.1.1. Can you confirm that this second payment will also be required if Phase 2 does not go ahead, please? 2.3) The planning obligation in 4.1.3 provides for a contribution towards public health. This is to be spent at the Health and Well-being Hub at the Jan Cutting Centre which is nearly 2 miles from the application site. The increased pressure from future residents living at the application site is far more likely to fall upon the St Budeaux Health and Well-being Hub at the William Sutton Hall about ½ mile away. Can you tell me why the funding is not directed to the local well-being hub instead of to one serving another area, please? 2.4) The phasing of the planning obligation in 4.1.3 provides for similar phased payments as in 4.1.1 and 4.1.2. However the second payment is due on the first occupation of Phase 2. Can you tell me whether this payment will be required if Phase 2 does not go ahead, please?*

**Response:**

**Process. 1.1) The Council used to have a policy whereby ward councillors were involved with formulating the S106 requirements. Were any ward councillors consulted over this S106 and if so, who, please?**

**1.2) If there was no consultation, when did the former policy change?**

The Case Officer that dealt with this planning application has now left the authority, however I do not believe there was ward Councillor involvement in formulating the S106 requirements, the case officer followed current protocol which involves consulting service leads and attending an internal Strategic Development Panel with managers from SP&I to determine where the priorities for spending are. I can find no records of a formal procedure for consulting ward Councillors and therefore am unsure when this ceased.

**2) Content. 2.1) The planning obligation in 4.1.1 provides for phased payments, the second of which states: (ii) £39,225 either on Occupation of the 15th dwelling within Phase 2; or within 5 years of Commencement of Phase 1 (whichever is the earlier). The grant of planning permission envisages the possibility that Phase 2 may not go ahead. Can you confirm that the second payment will be required if Phase 2 does not go ahead, please?**

The second payment will still be required if Phase 2 doesn't go ahead, it would be required within 5 years of commencement of Phase 1.

**2.2) The planning obligation in 4.1.2 provides similar phased payments as in 4.1.1. Can you confirm that this second payment will also be required if Phase 2 does not go ahead, please?**

The second payment will still be required if Phase 2 doesn't go ahead, it would be required within 5 years of commencement of Phase 1.

**2.3) The planning obligation in 4.1.3 provides for a contribution towards public health. This is to be spent at the Health and Well-being Hub at the Jan Cutting Centre which is nearly 2 miles from the application site. The increased pressure from future residents living at the application site is far more likely to fall upon the St Budeaux Health and Well-being Hub at the William Sutton Hall about ½ mile away. Can you tell me why the funding is not directed to the local well-being hub instead of to one serving another area, please?**

The decision where to spend the public health contribution was as a result of advice from the Council's Public Health Department who suggested the Health and Well-being Hub at the Jan Cutting Centre, this was in line with the approved Plymouth and South West Devon Supplementary Planning Document (the SPD) which included the Developer Contributions Evidence Base dated June 2020 (the Evidence Base) as a companion document.

The Evidence Base sets out that the preferred approach for the use of developer contributions is to invest in the city's network of Wellbeing Hubs. Wellbeing Hubs enable more people to be healthy and stay healthy by enhancing self-care and community resilience, empowering communities to take active roles in their health and wellbeing. This is consistent with the Devon STP strategic priority to enhance self-care and community resilience. Wellbeing Hubs will contribute to the improved resilience of existing primary care services.

**2.4) The phasing of the planning obligation in 4.1.3 provides for similar phased payments as in 4.1.1 and 4.1.2. However the second payment is due on the first occupation of Phase 2. Can you tell me whether this payment will be required if Phase 2 does not go ahead, please?** The second payment is only required upon first occupation of Phase 2 and therefore will not be required if Phase 2 does not go ahead.

**Signed:**

Richard Bingley

**Dated:** 19 October 2022