

Lambeth Draft Employment and Skills Supplementary Planning Document Consultation Statement

1.1. Prior to the adoption of the Employment and Skills Supplementary Planning Document (SPD), the Council is required, by the Town and Country Planning (Local Planning) (England) Regulations 2012, to produce a consultation statement which sets out who was consulted during the preparation of the SPD, a summary of the main issues raised and how these issues have been taken into account when preparing the final SPD. This consultation statement details:

- How the SPD was consulted on and who was invited to respond;
- A summary of the main issues raised during the consultation and the Council's responses.

1.2. The Council consulted on a draft SPD for a 9 week period from 12 December 2016 to 13 February 2017, in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's Statement of Community Involvement. The following methods were used to advertise the consultation:

- Copies made available on the Council's consultation and planning policy webpages
- Notification of the consultation to those on the planning policy consultation database (including businesses, community groups, amenity societies, residents, developers, landowners and individuals who have asked to be kept informed)
- Notification of the consultation to the Lambeth Working providers list (local employment and training providers)
- Notification of the consultation to neighbouring boroughs and the Greater London Authority
- Copies of the draft SPD made available at Phoenix House and all of Lambeth libraries
- A press release on the council website

1.3. A total of 19 representations were received from the following individuals and organisations:

- Berkeley Homes
- Boyer Planning on behalf of Berkeley Homes
- Daniel Watney LLP
- DP9 on behalf of ITV Plc
- Equality Human Rights Commission
- Environment Agency
- GGT Solutions
- Highways England
- Historic England
- London South Bank University
- London Underground Infrastructure Protection
- Natural England
- Port of London Authority
- Ripleys LLP on behalf of T Crawley
- Rolfe Judd on behalf of Workspace Group Plc
- Surrey County Council
- Toucan Employment
- Transport for London

1.4. Table 1 sets out all of the comments received during this first round of consultation, the Council's response to each comment and the changes made to the revised draft SPD. The Council is publishing this summary of responses and along with a revised draft SPD for a further 4 week period of consultation from 9 October 2017.

Table 1: Draft Employment and Skills SPD representations and Council response

ID	Respondent (organisation)	Draft SPD – para no.	Respondent comment	Council response	Action(s)
1a	GGT Solutions		What is the amount of section 106 money being put aside for Training and Development in terms of employment skills and career obligations?	There is no fixed amount of money set aside in terms of “employment skills and career obligations”. This will depend on the amount of major development activity taking place in the borough.	No change
1b	GGT Solutions		Which developers are part of the strategic employment and training plan and how do we contact these employers to let them know we are interested in delivering services to support local resident and to be given the opportunity to be written into their ESP?	Obligations will be sought where major developments meet the threshold criteria specified (see para 5.2). Developments that meet this threshold will be expected to produce a site specific Employment and Skills Plan (ESP). Developers are encouraged to contact the Council’s Lambeth Working team at the pre-application stage in the development process, so that the content of a proposed ESP can be discussed before a planning application is submitted.	No change
1c	GGT Solutions		How do we access funding through section 106 via the council to deliver training and support local employment initiatives and opportunities?	Funding to deliver activities contained in an Employment and Skills Plan (ESP) will be the responsibility of the developer (para 6.2). Where a financial contribution is received by the Council, the Council will use the funding to respond to local needs relevant to the ESP. If this involves purchasing services from an external provider, this will be in line with the Council’s published Procurement Policy.	No change
2a	Toucan Employment		In terms of employment for people with learning disabilities, especially in a construction setting, a major blocking point we have always found is the lack of accessible CSCS training. People without the CSCS card cannot work in any manner on a properly regulated building site, and we have not found a way for clients to get this. If you could incorporate this accessible training into the planning, it would greatly increase the outcomes for people with learning disabilities.	A Construction Skills Certification Scheme (CSCS) card is necessary to work on a construction site. Para 6.4a of the draft SPD states: “It is expected that the developer will work with the Council or its nominated agent and use all reasonable endeavours to achieve the 25% target through one or more of the following measures...”, this includes: “iv. Provision for delivery of bespoke pre-employment and skills training for Lambeth residents that will provide them with the skills to access the jobs that are being created.” This may include accessible CSCS training, however it is not possible to list all the potential training opportunities in the SPD as the list would be extensive and it will be impossible to provide an exhaustive list.	No change

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2b	Toucan Employment		I also wondered about provision for long-term support, as this is what many of the people with learning disabilities will need to remain in work (even if just a very small amount of support per week). This on-going support means that if something changes at work, such as a new Line Manager or change of duties, the client can be supported to deal with it, rather than it becoming a massive stumbling-block.	Comment noted. Para 6.4 of the draft SPD states: “It is expected that the developer will work with the Council or its nominated agent and use all reasonable endeavours to achieve the 25% target through one or more of the following measures...”, this also includes: “Provision of employment opportunities in the end-user phase which have appropriate support to make them suitable for long-term unemployed Lambeth residents.” The Council considers that this adequately reflects the point made.	No change
3	Highways England		Having examined the above documents, we do not offer any comment to this proposal.	Noted.	No change
4	Natural England		Whilst we welcome this opportunity to give our views, the topic of the Supplementary Planning Document does not appear to relate to our interests to any significant extent. We therefore do not wish to comment.	Noted.	No change
5	Equality and Human Rights Commission		Local, parish and town councils and other public authorities, as well as organisations exercising public functions, have obligations under the Public Sector Equality Duty (PSED) in the Equality Act 2010 to consider the effect of their policies and decisions on people sharing particular protected characteristics.	Comment noted. An Equalities Impact Assessment Report was completed for the draft SPD (link here). It highlights the potential positive impact that the SPD and its implementation could have on narrowing existing inequalities within Lambeth’s communities. This will be reviewed following any changes to the draft SPD.	No change
6	Surrey County Council		We have no comments to make on the draft SPDs.	Noted.	No change
7	Historic England		Having considered both documents I conclude that I have no direct comment regarding Development Viability SPD and have no comment regarding the Employment and Skills SPD.	Noted.	No change
8	London Underground Infrastructure Protection		We have no comments to make at this stage except that London Underground Infrastructure Protection needs to be consulted as Statutory Consultees on any planning application within London Underground zone of interest as per	Noted.	No change

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			TOWN AND COUNTRY PLANNING, ENGLAND-The Town and Country Planning (Development Management Procedure) (England) Order 2015 issued on 16th April 2015.		
9	Port of London Authority		<p>The Port of London Authority is the statutory harbour authority for the tidal Thames between Teddington and the Thames Estuary. Its statutory functions include responsibility for conservancy, dredging, maintaining the public navigation and controlling vessel movements and its consent is required for the carrying out of all works and dredging in the river and the provision of moorings. As the body responsible for licensing river works and moorings, the PLA has a special regard to their continued viability for unimpeded use by the PLAs licenses. The PLAs functions also include for promotion of the use of the river as an important transport corridor to London.</p> <p>With the above in mind, the detail within the two documents are not of relevance to the PLA and therefore I have no observations or comments to make.</p>	Noted.	No change
10	Historic England		<p>Thank you for the opportunity to comment on the draft Supplementary Planning Document (SPD) on Employment and Skills Planning Obligations and the associated SEA screening report. As the Government’s statutory adviser on the historic environment, and a statutory consultee for the Strategic Environmental Assessment process, Historic England is pleased to provide comments.</p> <p>The draft SPD provides general guidance regarding the Council’s expectations in relation to</p>	Comment noted. Para 6.4a states: “It is expected that the developer will work with the Council or its nominated agent and use all reasonable endeavours to achieve the 25% target through one or more of the following measures...”, this includes: “iv. Provision for delivery of bespoke pre-employment and skills training for Lambeth residents that will provide them with the skills to access the jobs that are being created.” The Council agrees that these specialised skills to not need to be referred to specifically in the SPD.	No change

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			<p>enhancement of local employment and skills in the context of major developments within Lambeth. In view of the significant number of heritage assets in the borough, both designated and undesignated, many developments will raise conservation issues, requiring a variety of skill sets to address.</p> <p>We do not consider that these specialised skills need to be referred to specifically in the SPD but trust that, as appropriate, the general provisions of the SPD can be applied to boost conservation skills through training and other measures within the local community.</p> <p>We do not consider that these specialised skills need to be referred to specifically in the SPD but trust that, as appropriate, the general provisions of the SPD can be applied to boost conservation skills through training and other measures within the local community.</p>		
11	London South Bank University	Various (mainly section 6. Employment and skills planning obligations)	<p>We should take advantage of the opportunity to accept a financial contribution in lieu of some of the obligations set out in the SPD. We would therefore like to suggest that the SPD should permit and encourage the use of S106 agreements that:</p> <ol style="list-style-type: none"> a) Require employers to visit to schools to provide advice on skills for jobs and career opportunities and that schools are encouraged to cooperate in these visits b) Require employers to provide work experience opportunities for young people c) Use S106 payments to fund improved data capture around Secondary and 	<p>Comment noted.</p> <p>Para 6.4b states, “The Council will expect developers to engage with local schools and colleges and support them to promote amongst young people aged 11 to 19 the achievement of the skills and qualifications needed for employment in the commercial sectors of the end-use occupiers in place during the first two years of the development. The ESP will need to contain a detailed programme for the initiatives to be delivered. Examples of the activities that developers (or agents that they may nominate to act on their behalf, which could include end-use occupiers) may be expected to undertake are:</p> <ul style="list-style-type: none"> • Career inspiration: speakers provided to schools, role models to inspire and encourage career progression, work ‘taster’ events. 	No change

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			<p>Further education choices, outcomes and destinations</p> <p>d) Use S106 payments to support the provision of courses and training in local FE and HE providers directly related to local employment</p> <p>e) Use S106 payments to support the teaching of English and maths throughout the local education system. This could be done in partnership with education providers perhaps through the employment of teaching apprenticeships. In this scenario, employers would fund the salaries of teachers and the education providers would make use of their Apprenticeship Levy payments to fund the apprenticeship training.</p> <p>f) Work with local secondary, FE and HE institutions to create and promote pathways through education to support employment and career success.</p>	<ul style="list-style-type: none"> • Employability: mentoring and support for specific cohorts of young people (e.g. under-achievers, high achievers, young people from particular areas or estates), sessions on employer expectations, mock interviews and interview preparation. • Curriculum support: advice on curriculum design to bring employer relevance into lessons. • Work-based learning: workplace visits to complement curriculum, work experience placements.” <p>It is up to developers to decide how to meet obligations in the ESP and the Council will consider each application separately. The Council considers that points a, b and f are therefore already included in para 6.4b.</p> <p>Para 6.4a states: “It is expected that the developer will work with the Council or its nominated agent and use all reasonable endeavours to achieve the 25% target through one or more of the following measures...”, this includes: “iv. Provision for delivery of bespoke pre-employment and skills training for Lambeth residents that will provide them with the skills to access the jobs that are being created.” The Council considers that points d and e are therefore already reflected in para 6.4a. Point c is not currently reflected in the draft SPD. Expecting developers to capture data around Secondary and Further Education choices of local residents, or providing funding for this task, is unlikely to meet the test set out in the Community Infrastructure Levy (CIL) Regulations and the National Planning Policy Framework (CLG, 2012) which state that planning obligations should only be sought where they are directly related to the development. Therefore the Council does not feel it is appropriate to include that requirement in the SPD.</p>	
12a	Daniel Watney LLP		The approach proposed to be taken by LB Lambeth is not the standard approach that similar Councils, nor employers, take towards calculating employment and training opportunities.	The definition of a major development used in the draft SPD is as defined by the adopted Lambeth Local Plan 2015 (Pg 268) and is the same as the definition of major development in the Town and Country Planning Act 2015.	No change

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			<p>It is common practise for these types of obligations to be delivered in-house by the developer or occupier through a Construction Training Agreement (CTA) or Employment and Skills Plan (ESP). The common approach, is to calculate the number of jobs in the construction phase based on the construction costs rather than the numbers of residential units being constructed. It is not clear from the draft SPD why a different approach is being taken as it would appear to be unduly onerous on developers and construction companies who do usually have processes in place to secure employment and training for local people. The levels of payments proposed within the SPD will add a significant burden to development schemes in terms of viability and impact on the delivery of other contributions.</p>	<p>The approach proposed for calculating employment and training opportunities is similar to that of other London boroughs. For example, see Hackney Council’s Planning Contributions SPD 2015 (link here) or Southwark’s Section 106 and CIL SPD 2015 (link here) therefore the Council does not agree that a different approach is being taken in Lambeth that would be onerous on developers and construction companies, as this is already a practice which is widely used. Furthermore, using the size of the development as the basis for the approach is considered preferable by the Council as it better reflects the test set out in the Community Infrastructure Levy (CIL) Regulations and the National Planning Policy Framework (CLG, 2012) which state that planning obligations should be fairly and reasonably related in scale and kind to the development.</p> <p>As set out in Section 6 of the draft SPD, developments that meet the threshold criteria will be expected to produce a site specific Employment and Skills Plan (ESP). Funding to deliver activities contained in the ESP will be the responsibility of the developer.</p> <p>The Council encourages developers to engage with officers at the earliest opportunity to discuss the specific circumstances of schemes which could include existing training programmes. Each application will be considered separately, taking into account the viability of individual schemes, in line with the relevant Lambeth planning policies.</p>	
12b	Daniel Watney LLP		<p>The July 2013 S106 Planning Obligations SPD provided flexibility for larger schemes over a threshold of £30,000,000 based on estimated construction costs which may be subject to negotiation, This element of flexibility appears to have been removed from the latest draft version and we suggest that this is reviewed with an intention to reinsert it into the final SPD.</p>	<p>The Council does not agree that this element of flexibility has been removed in the draft Employment and Skills SPD; rather the proposed draft SPD extends the flexible approach currently offered for developments of £30m+ to all major developments regardless of construction value. For example, developers are encouraged to contact the Council’s Lambeth Working team at the pre-application stage so that the content of a proposed ESP can be discussed before a planning application is submitted. Guidance is given in para 6.4 about the various ways in which</p>	No change

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				the developer may seek to deliver the commitments contained in an ESP.	
12c	Daniel Watney LLP		<p>The inclusion within the SPD for payment for the end-user phase for long-term unemployed would be particularly onerous for land owners and developers to sign up to as they have little control over the end user especially when planning permissions are for flexible uses, or could be a speculative build with no end user in mind, and has the potential to remain vacant for some time.</p> <p>As such, we are of the view that the most appropriate approach to such obligations is to encourage jobs and training within the construction phase but that this is based on construction costs, as opposed to a cost per number of units being constructed, especially when a scheme is being constructed in phases.</p>	<p>Seeking planning obligations to maximise the potential of the current Lambeth population to compete for the jobs being created, during both the construction phase and end user phase, of major developments is necessary to ensure that future development is economically and socially sustainable, and that barriers to employment for those marginalised from the workforce are removed. This is recognised in Policy ED14c which states “This includes jobs both during the construction phase and in the completed development.”</p> <p>The Council does not consider the issue of phasing to be relevant in this context as it will apply whether the approach is based on construction costs or number of units. The issue of construction costs is addressed in the response to comment 12a.</p>	No change
12d	Daniel Watney LLP		<p>The linkage between the end user, the developer and the Council requires some further thought to ensure the developer is not penalised or having to pay (given they will be signing the s.106 as opposed to an end user) if the end user is unable to secure the necessary skilled workforce from within Lambeth.</p>	<p>Para 6.2 states “Funding to deliver activities contained in the Employment and Skills Plan will be the responsibility of the developer”. Through this the Council considers it is for the developer to satisfy itself of the arrangements with the end user so that delivery of obligations can be guaranteed and monitored. Where the developer feels this is not possible, para 6.6 allows for financial contributions to be paid in lieu. Furthermore, para 6.4a states: “It is expected that the developer will work with the Council or its nominated agent and use all reasonable endeavours to achieve the 25% target” using one or more of the activities listed in i to iv. As such, the Council feels that the use of “reasonable endeavours” allows for flexibility on the approach taken dependent on the individual circumstances of the development.</p>	No change
13	Rapleys LLP, on behalf of	Para 5.2	National Planning Policy Guidance (paragraph 031 Reference: 23b-031-20160519) states that	The reference to major developments comes from Lambeth Local Plan policy ED14. The definition of a major development	No change

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	Terence Crawley		“contributions should not be sought from developments of 10-units or less”, in this regard the threshold should be ideally updated to 10 units or less to reflect National Policy Guidance. However, if the threshold were to remain as 10 units or more, our client would not object to the document as drafted.	used in the draft SPD is as defined by the adopted Lambeth Local Plan 2015 (see here). The PPG is a material consideration but does not replace or override the development plan as the starting point for planning decisions. The statutory duty on Local Planning Authorities is to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.	
14	Transport for London		I can confirm that TfL has no representations to make on the above SPD’s.	Noted.	No change
15a	DP9 Ltd, on behalf of ITV plc	Para 6.4	Firstly, the draft text in the SPD talks of “local residents”. Does this mean those living and working in the borough? A site such as ITV sits close to the border with Southwark so, whilst employees may be “local residents” they may not live in Lambeth. Also, as noted the increasingly mobile nature of the workforce means that it is often not practical or necessary that employees live locally.	Local resident means any person of working age living in the London Borough of Lambeth. To clarify this, it is proposed to add an explanatory footnote to para 6.4a. As per the draft SPD, it is expected that the developer will work with the Council or its nominated agent and use all reasonable endeavours to achieve the 25% target highlighted in para 6.4a through one or more of the measures listed. It is important the economic benefits of new development in terms of improved local skills and employment outcomes are realised to ensure that future development is economically and socially sustainable, in line with Policy ED14 of the Lambeth Local Plan. The SPD is not prescriptive about how the 25% target can be met through use of all reasonable endeavours, and therefore allows the remaining 75% of the workforce to be drawn from other boroughs.	Footnote added to para. 6.4a to clarify this matter this matter. Local resident means any person of working age living in the London Borough of Lambeth.
15b	DP9 Ltd, on behalf of ITV plc	Para 6.4	The draft SPD also does not address the position whereby a local resident might commence employment with a borough employer but might subsequently move out of the borough whilst retaining their job. How does the SPD cover this eventuality?	This will be based on a resident’s place of residence at the time when they enter employment. To clarify this, it is proposed to add an explanatory footnote to para 6.4a.	Footnote added to para. 6.4a to clarify this matter. This is based on a resident’s place of residence at the time when

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					they enter employment.
15c	DP9 Ltd, on behalf of ITV plc	Para 6.9	The draft SPD also notes that in addition to an ESP, developments are to make a financial contribution to employment initiatives. A formula is set out at para 6.9, p xiv. Whilst a “worked example” of the formula is set out this does not actually relate to an actual office floor area. Can this be done so that the financial implications arising from, for example, a B1 office building of circa 10,000 sq m or 20,000 sq m can be understood?	Comment noted. It is agreed that the example given is not fully “worked”. Therefore it is proposed to change the wording in para 6.9 (second bullet) from “A worked example for B1 office space” to “An example for B1 office space”. It is expected that interested parties would be able to use the details in para 6.9 to estimate the financial implications of potential developments.	Wording has been adjusted in para. 6.9 to show that the example is not fully worked.
15d	DP9 Ltd, on behalf of ITV plc	Para 6.9	Irrespective of the outcome of the financial payments arising from the calculation of the formula, the SPD must acknowledge the likely implications of these obligations for scheme viability. What will it mean for a mixed use scheme’s ability to deliver affordable housing, particularly when considered alongside payment of the borough and Mayoral CIL levies? The SPD should ensure that as per the NPPF at para 173 the “costs of any requirements” will not affect the ability to deliver a development.	The Council encourages developers to engage with officers at the earliest opportunity to discuss the specific circumstances of schemes as stated in para 6.6. Each application will be considered separately, taking into account the viability of individual schemes, in line with the relevant Lambeth planning policies.	No change
15e	DP9 Ltd, on behalf of ITV plc	Para 7.2	Part of the consideration of scheme viability should also be to enable the staging of financial payments such that they do not all fall due on implementation of planning permission (para 7.2, p xv SPD). For employment initiatives it would seem appropriate for such obligations to be paid later in the development process i.e. prior to occupation.	As stated in para 7.2: “Payment of planning obligations relating to employment and skills will normally first fall due on the implementation of planning permission; a Section 106 agreement will set out the detailed arrangements for the timing of payments in individual cases”. This therefore may allow for staging of financial payments.	No change
15f	DP9 Ltd, on behalf of ITV plc	Para 6.5	ITV welcome the acknowledgement at para 6.5, pxiii that developers will be expected to make “all reasonable endeavours” to meet the obligations of the draft SPD in this respect. It is important that in applying the guidance the Council is proportionate	Comment noted.	No change

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			and has regard to the individual circumstances of each application.		
16a	Environment Agency		We do not have specific comments to make in regard to this SPD because it addresses issues beyond the scope of the Environment Agency role. However, we support the purpose of the document to seek from developers' contribution towards a range of employment and training measures to mitigate the impacts of development and to ensure that local people can better access job opportunities arising from new development.	Support noted.	No change
16b	Environment Agency		<p>Borough wide, we would recommend use of the developers' contribution funds to:</p> <ul style="list-style-type: none"> • Engage with local community regarding the flood risk in the borough, to make them aware of their responsibilities for property drainage (especially in the CDAs) and steps that can be taken to improve flood resilience; • Provide an 'Information Portal' via the London Borough of Lambeth website, for local flood risk information and measures that can be taken by residents to mitigate surface water flooding to / around their property; and, • Prepare a Communication Plan to effectively communicate and raise awareness of surface water flood risk to different audiences using a clearly defined process. 	Comment noted. However, this is outside the scope of the draft Employment and Skills SPD. These comments have been passed to the council's flood risk officer.	No change but comments passed to council's flood risk officer.
17a	Rolfe Judd, on behalf of Workspace Group Plc	Para 6.4a	Paragraph 6.4a seeks to secure a minimum of 25% of all jobs created by the development (in both the construction phase and the first 2 years of end-use occupation of the development) for local residents.	Policy ED14 of the Lambeth Local Plan states that the Council will support employment and training schemes to maximise local employment opportunities and help address skills deficits in the local population. While the 2011 Census data shows that	No change

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			The figure of 25% has been derived from the 2011 Census data which showed that just over a quarter of the jobs in Lambeth are being taken by Lambeth residents. We would welcome from the Council further explanation as to why an obligation (as described above) is required to deliver a target which, as shown by Census data, is already being met?	just over a quarter of the jobs in Lambeth were filled by Lambeth residents in 2011, this is unlikely to be sustained if a lower proportion of employment opportunities are filled by Lambeth residents in new major developments. Therefore it is felt that the 25% target, as stated in para 6.4a is justified.	
17b	Rolfe Judd, on behalf of Workspace Group Plc	Para 6.4a	It is considered that arriving at this threshold (25%) via census data is unjustified. To assign a blanket 25% minimum threshold for every development which does not take account of site specific circumstances, the trends different employment sectors or future end users is concerning to a business such as Workspace which acknowledges the wide ranging variables across all businesses (especially SME's). For example, a light industrial business may attract far in excess of 25% local employment due to the nature of its operation, as oppose to a specialised service provided where employees with the required skill set are unrealistic to be sourced locally.	The Council will expect the developer to use all reasonable endeavours to meet the obligations set out at para 6.4 and encourages developers to engage with Council officers at the earliest opportunity to discuss the specific circumstances of relevant schemes. It is up to developers to decide how to meet their obligations in the ESP; however guidance is offered in para 6.4 about the various ways in which the developer may seek to deliver these commitments.	No change
17c	Rolfe Judd, on behalf of Workspace Group Plc	Para 6.4a	Paragraph 6.4a notes that “the ESP will need to contain realistic estimates of the numbers and types of jobs the developer envisages being created by the construction and end-use phases”. It is considered that this sentence fails to recognise the general role of developers: to deliver construction and buildings which are then either sold on or leased to an end occupier. Whilst a developer may have knowledge on the quantum of construction workers and required roles for a development, it is unreasonable to expect that same developer to have knowledge on future	The Lambeth Local Plan (6.67) states that the Council is “committed to promoting access into construction related opportunities including training and employment; but also considers that it is vital that local people can access opportunities in the post construction phase.” Policy ED14 of the Lambeth Local Plan also refers to “jobs both during the construction phase and in the completed development”. The Council recognises the point made that a developer may not know the exact occupier of any commercial development at the planning stage. However the developer will be required to identify which planning use class the development is proposing	Additions have been made to para. 6.4a to clarify that the Council will have regard to evidence on employment densities of end uses based upon standard employment

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			occupants, that end user business strategy and requirements, or even the type of occupier (as noted in the bullet point above) prior to the implementation of works. Whilst this could be reasonably considered during construction, it is unreasonable to consider this for an end-use phase which would be made of little more than assumptions, some 18-24 months before an occupier is found / known.	and therefore it will be possible to estimate the number of jobs that could be created using standard employment density benchmarks. As such it is proposed that an addition is made to para 6.4a to further state that “In assessing expected levels of employment generation the Council will have regard to evidence on employment densities of end uses based upon standard employment density benchmarks. For example, the Homes & Communities Agency Employment Densities Guide 2015”.	density benchmarks.
17d	Rolfe Judd, on behalf of Workspace Group Plc	Para 6.4a	Further, Paragraph 6.4a does not distinguish between the issues raised by development sites on the edge of the Borough boundary or close to large transport hubs which would likely comprise a large proportion of their employees from outside of the borough. We express concern that the Council do not acknowledge the difference of the labour market within different areas for the borough, for example the northern hubs of Vauxhall and Waterloo and the more suburban quarters to the south. London has a diverse and fluid working population, much of which has migrated to London over recent years from the rest of the UK in search of employment. Paragraph 6.4a and its supporting text would appear contradictory and shows limited acknowledgment in the variation of Lambeth’s labour market across the borough.	<p>Comment noted. Seeking planning obligations to maximise the potential of the current Lambeth population to compete for the jobs being created, whether during the construction phase or end user phase, is necessary to ensure that future development is economically and socially sustainable, and that barriers to employment for those marginalised from the workforce are removed. The Council encourages developers to engage with officers at the earliest opportunity to discuss the specific circumstances of schemes as stated in para 6.2.</p> <p>While, the Council will expect the developer to make “all reasonable endeavours” to meet the obligations set out at para 6.4, if the developer can demonstrate to the satisfaction of the Council that there are circumstances specific to the scheme such that either direct provision is not operationally feasible, or that an alternative means of delivery would result in a more effective outcome because of the particular circumstances of the scheme, then the Council will take this into consideration.</p>	No change
17e	Rolfe Judd, on behalf of Workspace Group Plc	Para 6.4a	As part of any obligation, it is considered important to understand how the required ‘mitigation measure’ can be effectively and fairly enforced. We do not understand how the Council will be able to effectively and fairly enforce this current obligation outlined under Paragraph 6.4a? Having consideration for Workspace and their operations,	Seeking planning obligations to maximise the potential of the current Lambeth population to compete for the jobs being created, during both the construction phase and end user phase, of major developments is necessary to ensure that future development is economically and socially sustainable, and that barriers to employment for those marginalised from the workforce are removed. This is recognised in Policy ED14c	No change

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			<p>how would it be reasonable for Workspace to flexibly lease their units to small SME's company's and enforce that they would deliver 25% of their workforce from the local borough – it is considered to be at this stage unworkable.</p>	<p>which states “This includes jobs both during the construction phase and in the completed development.”</p> <p>Developments that meet the threshold criteria will be expected to produce a site specific Employment and Skills Plan (ESP). Funding to deliver activities contained in the ESP will be the responsibility of the developer. The Council encourages developers to engage with officers at the earliest opportunity to discuss the specific circumstances of schemes, which will include how the ESP can be effectively and fairly enforced. This is stated in paras 6.1-6.3.</p>	
17f	<p>Rolfe Judd, on behalf of Workspace Group Plc</p>	<p>Para 6.4a</p>	<p>We would further request the Council provide supporting evidence as to how the required ‘2 year’ period has been identified as a necessity, and why an alternative has not been considered?</p>	<p>The two year period was chosen as it is likely to be reflective of the first occupiers of the development. <<MORE DETAIL TO BE ADDED>></p> <p>Please note that other SPDs refer to a longer period of end-user occupation, for example the Hackney Planning Contributions Supplementary Planning Document (2015) states: “All vacancies for employees, self-employed, sub-contractors and any other types of employment or training arising from the operational phase of the development (first five years) should be set out in the Employment and Skills Plan” (see link).</p> <p>Therefore the Council considers that two years is a reasonable period to cover.</p>	<p>No change</p>
17g	<p>Rolfe Judd, on behalf of Workspace Group Plc</p>	<p>Para 6.4b</p>	<p>The requirement for developers to provide an ‘ESP to contain a detailed programme for the initiatives to be delivered’ is likely to be proven difficult for developers when the end-user would be unknown at the time of completing the exercise. Furthermore, as previously stated, such programmes would vary considerable depending upon the size of the end users, their operations, and period of time which they may be remaining within the development. Such initiatives could</p>	<p>Comment noted. The Council will expect the developer to make reasonable endeavours to meet the obligations set out at para 6.4. It is up to developers to decide how to meet obligations in the ESP and the Council will consider each application separately as stated in para 6.2. However, if the developer can demonstrate to the satisfaction of the Council that there are circumstances specific to the scheme such that either direct provision is not operationally feasible, or that an alternative means of delivery would result in a more effective outcome because of the particular circumstances of the scheme, then the</p>	<p>No change</p>

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			likely be delivered for the purpose of construction, however holding a large office provider such as Workspace and associated third party (the end user) to this obligation is likely to hold many practical challenges.	Council may consider a financial contribution in lieu. The Council encourages developers to engage with Council officers at the earliest opportunity to discuss the specific circumstances of the scheme as stated in para 6.6.	
17h	Rolfe Judd, on behalf of Workspace Group Plc	Para 6.4b	Paragraph 6.4b further suggests various activities will be required to undertake include mock interviews, curriculum support in lessons and providing work base experiences and placements. We express concern that the business community would be enforced to deliver such activities and failure to do so would incur financial liabilities – this again only presents SME’s with additional pressure on delivering such schemes while progressing with their businesses. As noted, businesses via a voluntary and informal commitments already deliver such opportunities where and when appropriate times or activities arise. This approach seems reasonable and fair.	Comment noted. The Council will expect the developer to make reasonable endeavours to meet the obligations set out at para 6.4. Developers are encouraged to contact the Council’s Employment team at the pre-application stage in the development process, so that the content of a proposed ESP can be discussed before a planning application is submitted as stated in para 6.2. The obligations set out in para 6.4 envisage that developers will make, or will bring about, the necessary provision, although flexibility is offered in how this is done. Funding to deliver activities contained in the ESP will be the responsibility of the developer as stated in para 6.2	No change
17i	Rolfe Judd, on behalf of Workspace Group Plc	Para 6.6	Supplementary planning documents should not be used to add unnecessarily to the financial burdens on development and should not be used to set rates or charges which have not been established through development plan policy. Having reviewed Lambeth’s recent Local Plan, specifically policies D4 and ED14, there is no reference to a level / cost of funding which may be required by a development. Having reviewed Paragraph 6.7 and associated costs outlined within Appendix 1, we would request evidence that such costs have been independently verified and have been subject to viability testing to demonstrate that the proposed costs would not be restrictive to the delivery of development. As per the Paragraphs 173 and 174	<p>The Council encourages developers to engage with officers at the earliest opportunity to discuss the specific circumstances of schemes as stated in para 6.6. Each application will be considered separately, taking into account the viability of individual schemes, in line with the relevant Lambeth planning policies.</p> <p>Sources for figures quoted in paragraph 6.7 and Appendix 1 are all provided in the footnotes, and Government published figures have been used where these are available.</p>	No change

ID	Respondent (organisation)	Draft SPD – para no.	Respondent comment	Council response	Action(s)
			of the NPPF, we consider that the Council has failed to fulfil such duties and would require a full evidence of this.		
17j	Rolfe Judd, on behalf of Workspace Group Plc	Para 6.8	Paragraph 6.8 further provides our client with uncertainty and needs clarification. The sentence “in addition to delivering an ESP and the commitment secured by the ESP, developments that meet threshold criteria above will be expected to make financial contributions”. This is contradictory to Paragraph 6.6 and needs to be justified by the Council.	<p>Comment noted. It is not considered that paragraph 6.8 contradicts paragraph 6.6. It is expected that the developer will work with the Council or its nominated agent and use all reasonable endeavours to achieve the obligations set out in para 6.4. However, as per paragraph 6.6, if the developer can demonstrate to the satisfaction of the Council that there are circumstances specific to the scheme such that either direct provision is not operationally feasible, or that an alternative means of delivery would result in a more effective outcome because of the particular circumstances of the scheme, then the Council may consider a financial contribution in lieu.</p> <p>The financial contributions set out in para 6.8 are additional to the direct provision the Council would usually expect developers to undertake (examples of which are set out in para 6.4). These are required to help support those sections of the Lambeth workforce that are furthest from employment, having been out of work for a long period of time and/or having low levels of skills. The financial contributions will be used by the Council to fund training and support to enable access to newly created employment opportunities arising from development for those who may struggle to access the opportunities without extra support.</p> <p>However, to provide clarity, para. 6.8 is proposed to be amended to be clear that the monetary contributions sought in para. 6.8 are in addition to the obligations sought in paras. 6.1 to 6.7.</p>	The first sentence of para. 6.8 has been amended to ensure clarity.
17k	Rolfe Judd, on behalf of	Para 7.1	Further costs have also been identified under Paragraph 7.1 which states “applicants will be required to provide monitoring reports... and...	As stated in para 7.3, monitoring fees will be linked to the overall package of obligations and therefore will be dependent on the content of individual planning agreements.	No change

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	Workspace Group Plc		completed planning agreements will also provide for monitoring fees linked to the overall package of obligations, reflective of the fact the Council incurs costs in securing compliance with planning obligations”. The current SPD does not identify the cost of these monitoring fees for delivering the obligation, thus creating further uncertainty for developers on the delivery of costs.		
18a	Boyer Planning, on behalf of Berkeley Homes	Paras 6.6 - 6.7	Contributions being required on site in addition to further off-site financial contributions which are seemingly for the same purpose. Therefore it is difficult to understand how they are directly related to the development and how they are fairly and reasonably related in scale and kind to the development as required the NPPF.	<p>Seeking planning obligations to maximise the potential of the current Lambeth population to compete for the jobs being created, whether during the construction phase or end user phase, through improving their skills levels, is necessary to ensure that future development is economically and socially sustainable, and that barriers to employment for those marginalised from the workforce are removed.</p> <p>The Council encourages developers to engage with officers at the earliest opportunity to discuss the specific circumstances of schemes. Each application will be considered separately, taking into account the viability of individual schemes, in line with the relevant Lambeth planning policies.</p>	No change
18b	Boyer Planning, on behalf of Berkeley Homes	Paras 6.8-6.9	The figure of £6,500 per training, preparing and placing an unemployed person is based on ESA which is designed for those who are ill or disabled and is therefore not reflective of the general population.	<p>As per para 6.8, financial contributions are required to help support those sections of the Lambeth workforce that are furthest from employment. As stated in para 2.2 “By far the largest group of out-of-work benefits claimants are claiming for health reasons, with 13,510 Lambeth residents on Employment Support Allowance or Incapacity Benefits in May 2015”. Therefore it is considered by the Council that the use of ESA for this calculation is reflective of the out-of-work Lambeth population.</p> <p>The figure proposed in the draft SPD is based on the maximum outcome payments for Work Programme providers who achieve sustained outcomes for ‘new ESA claimants’. This</p>	No change

ID	Respondent (organisation)	Draft SPD – para no.	Respondent comment	Council response	Action(s)
				<p>payment is also similar to the maximum payment for (early access) JSA claimants who are seriously disadvantaged in the labour market (£6,600) and lower than the maximum payment for the ESA ex-IB group (£13,720).</p>	
18c	Boyer Planning, on behalf of Berkeley Homes	Para 6.8	<p>The figures used to calculate the cost of training, preparing and placing an unemployed person are not reflective of unemployment rates in Lambeth.</p>	<p>As per para 6.8 of the draft SPD, financial contributions will be used to “help support those sections of the Lambeth workforce that are furthest from employment, having been out of work for a long period of time and/or having low levels of skills”. This is reflective of Policy ED14a and ED14c of the Lambeth Local Plan.</p> <p>As indicated, to determine the proportion of residents needing training or support, the proportion of Lambeth residents with qualifications equivalent to or less than NVQ1 has been used, and not the ILO or JSA unemployment rates as suggested. There are a number of reasons for this:</p> <ul style="list-style-type: none"> • Policy ED14 of the Lambeth Local Plan states “a) The council will support employment and training schemes to maximise local employment opportunities and help address skills deficits in the local population”. This does not restrict support to only those who are unemployed but recognises skills deficits for all the local population. • The ILO unemployment rate is not an accurate reflection of the out-of-work population in the borough since it excludes economically inactive residents. (In total, more than 23% of working age Lambeth residents were unemployed or economically inactive in the period Oct 2015-Sep 2016. Source: ONS Annual Population Survey.) The claimant rate is an even more limited measure of the borough’s out-of-work population as it only includes residents who are claiming Job Seeker’s Allowance, and not residents who 	<p>Amendment to para. 6.9 to change “unemployed” to “out-of-work”</p>

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				<p>are claiming other out-of-work benefits or are not claiming any welfare benefits.</p> <ul style="list-style-type: none"> • There is a particularly close link between skills and employment outcomes in Lambeth – employment rates are much higher for working age residents with degree level qualifications compared to those with low or no qualifications, reflecting the competitiveness of the London labour market. • Supporting sustainable integration and progress in to the labour market of inactive people is important so that the economic benefits of new development in terms of improved local skills and employment outcomes can be realised. This may include, for example, support for people with disabilities and health conditions to enter the labour market. <p>However it is accepted that there may be confusion with the phrase “[...] average cost for Lambeth unemployed resident in terms of support and training to obtain access to a skilled job” in para 6.9. The wording will be adjusted – from “unemployed” to “out-of-work” – to clarify this.</p>	
18d	Boyer Planning, on behalf of Berkeley Homes	Para 6.9	Further clarity is required on exactly how the contributions are calculated including the use of NIA, GIA or GEA and the methodology for residential floorspace.	In terms of floorspace, the figures in para 6.9 refer to gross internal floorspace (GIA). This clarification will be added to para 6.9 in both of the examples given.	Amendment made to para. 6.9 to clarify Gross Internal Area will be used for floorspace calculations
19a	Berkley Homes	Paras 6.6 - 6.7	Contributions being required on site in addition to further off-site financial contributions which are seemingly for the same purpose. It is difficult to understand how they are directly related to the development and how they are fairly and	Seeking planning obligations to maximise the potential of the current Lambeth population to compete for the jobs being created, whether during the construction phase or end user phase, through improving their skills levels, is necessary to ensure that future development is economically and socially	No change

ID	Respondent (organisation)	Draft SPD – para no.	Respondent comment	Council response	Action(s)
			reasonably related in scale and kind to the development as required the NPPF.	<p>sustainable, and that barriers to employment for those marginalised from the workforce are removed.</p> <p>The Council encourages developers to engage with officers at the earliest opportunity to discuss the specific circumstances of schemes. Each application will be considered separately, taking into account the viability of individual schemes, in line with the relevant Lambeth planning policies.</p>	
19b	Berkley Homes	Paras 6.8-6.9	The figure of £6,500 per training, preparing and placing an unemployed person is based on ESA which is designed for those who are ill or disabled and is therefore not reflective of the general population.	<p>As per para 6.8, financial contributions are required to help support those sections of the Lambeth workforce that are furthest from employment. As stated in para 2.2 “By far the largest group of out-of-work benefits claimants are claiming for health reasons, with 13,510 Lambeth residents on Employment Support Allowance or Incapacity Benefits in May 2015”. Therefore it is considered by the Council that the use of ESA for this calculation is reflective of the out-of-work Lambeth population.</p> <p>The figure proposed in the draft SPD is based on the maximum outcome payments for Work Programme providers who achieve sustained outcomes for ‘new ESA claimants’. This payment is also similar to the maximum payment for (early access) JSA claimants who are seriously disadvantaged in the labour market (£6,600) and lower than the maximum payment for the ESA ex-IB group (£13,720).</p>	No change
19c	Berkley Homes	Para 6.8	The figures used to calculate the cost of training, preparing and placing an unemployed person are not reflective of unemployment rates in Lambeth.	As per para 6.8 of the draft SPD, financial contributions will be used to “help support those sections of the Lambeth workforce that are furthest from employment, having been out of work for a long period of time and/or having low levels of skills”. This is reflective of Policy ED14a and ED14c of the Lambeth Local Plan.	Amendment to para. 6.9 to change “unemployed” to “out-of-work”

ID	Respondent (organisation)	Draft SPD – para no.	Respondent comment	Council response	Action(s)
				<p>As indicated, to determine the proportion of residents needing training or support, the proportion of Lambeth residents with qualifications equivalent to or less than NVQ1 has been used, and not the ILO or JSA unemployment rates as suggested. There are a number of reasons for this:</p> <ul style="list-style-type: none"> • Policy ED14 of the Lambeth Local Plan states “a) The council will support employment and training schemes to maximise local employment opportunities and help address skills deficits in the local population”. This does not restrict support to only those who are unemployed but recognises skills deficits for all the local population. • The ILO unemployment rate is not an accurate reflection of the out-of-work population in the borough since it excludes economically inactive residents. (In total, more than 23% of working age Lambeth residents were unemployed or economically inactive in the period Oct 2015-Sep 2016. Source: ONS Annual Population Survey.) The claimant rate is an even more limited measure of the borough’s out-of-work population as it only includes residents who are claiming Job Seeker’s Allowance, and not residents who are claiming other out-of-work benefits or are not claiming any welfare benefits. • There is a particularly close link between skills and employment outcomes in Lambeth – employment rates are much higher for working age residents with degree level qualifications compared to those with low or no qualifications, reflecting the competitiveness of the London labour market. • Supporting sustainable integration and progress in to the labour market of inactive people is important so that the economic benefits of new development in terms of improved local skills and employment 	

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				<p>outcomes can be realised. This may include, for example, support for people with disabilities and health conditions to enter the labour market.</p> <p>However it is accepted that there may be confusion with the phrase “[...] average cost for Lambeth unemployed resident in terms of support and training to obtain access to a skilled job” in para 6.9. The wording will be adjusted – from “unemployed” to “out-of-work” – to clarify this.</p>	
19d	Berkley Homes	Para 6.9	Further clarity is required on exactly how the contributions are calculated including the use of NIA, GIA or GEA and the methodology for residential floorspace.	In terms of floorspace, the figures in para 6.9 refer to gross internal floorspace (GIA). This clarification will be added to para 6.9 in both of the examples given.	Amendment made to para. 6.9 to clarify Gross Internal Area will be used for floorspace calculations