

Cabinet

Tuesday 18 November 2014

4.00 pm

Ground Floor Meeting Room GO1A, 160 Tooley Street, London
SE1 2QH

Supplemental Agenda No. 2

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Contact

Virginia Wynn-Jones 020 7525 7055 or Paula Thornton 020 7525 4395
Or email: virginia.wynn-jones@southwark.gov.uk; paula.thornton@southwark.gov.uk
Webpage: <http://www.southwark.gov.uk>

Date: 14 November 2014

Item No. 7.	Classification: Open	Date: 18 November 2014	Meeting Name: Cabinet
Report title:		Deputation Requests	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

RECOMMENDATIONS

1. That cabinet consider whether to hear a deputation from the Southwark Group of Tenants Organisation (SGTO) in respect of item 8, Update on Consultation and Plans for the Delivery of 11,000 New Homes.
2. That cabinet consider whether to hear a deputation from the Aylesbury Leaseholders Action Group in respect of the Aylesbury regeneration programme as summarised in paragraph 6.

BACKGROUND INFORMATION

3. When considering whether to hear the deputation request, cabinet can decide
 - To receive the deputation at this meeting or a future meeting; or
 - That the deputation not be received; or
 - To refer the deputation to the most appropriate committee/sub-committee.
4. A deputation shall consist of no more than six people, including its spokesperson. Only one member of the deputation shall be allowed to address the meeting for no longer than five minutes. After this time cabinet members may ask questions of the deputation for up to five minutes. At the conclusion of the questions, the deputation will be shown to the public area where they may listen to the remainder of the open section of the meeting.

KEY ISSUES FOR CONSIDERATION

Southwark Group of Tenants Organisation (SGTO)

5. The deputation have submitted comments in respect of an item on the agenda, item 8, Update on Consultation and Plans for the Delivery of 11,000 New Homes. The representation from SGTO is attached as appendix 6 to this item (page 53 of the main agenda).

Aylesbury Leaseholders Action Group

6. The deputation have requested assistance with a number of outstanding issues relating to the Aylesbury regeneration programme with particular reference to leaseholder concerns. The main issues identified by the deputation relate to:
 - The fee cap on leaseholders' surveyors fees. The deputation would like the council to lift these caps

- A request that the council stop using council officers to conduct valuations and negotiations and appoint a person from the District Valuation Service to undertake this work
- Offer of shared ownership/equity for rehousing. It is felt by the deputation that very few leaseholders consider this as a realistic housing option
- A request that full valuation reports and agreed settlements should be made available to leaseholders and their representatives at all times
- Safety and security. The deputation feel that leaseholders are being left isolated in decanted blocks and are becoming concerned for their safety.

Community impact statement

7. The Southwark Constitution allows for deputations to be made by groups of people resident or working in the borough.

REASONS FOR URGENCY

8. The deputation requests were received in line with the constitutional deadline for the receipt of deputation requests and are therefore eligible for consideration by cabinet as to whether or not to hear the at this meeting.

REASONS FOR LATENESS

9. The deadline for the receipt of deputation requests was midnight 12 November 2014, after the main cabinet agenda despatch on 10 November. It has therefore not been possible to send out this report five clear days in advance of the meeting.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Cabinet procedure rule 2.11 on deputations (page 163):	160 Tooley Street, London SE1 2QH	Virginia Wynn- Jones 020 7525 7055 or Paula Thornton 020 7525 4395
Link http://www.southwark.gov.uk/downloads/download/133/councils_constitution		

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Everton Roberts, Principal Constitutional Officer	
Report Author	Paula Thornton, Constitutional Officer	
Version	Final	
Dated	11 November 2014	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Legal Services	No	No
Strategic Director of Finance and Corporate Services	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	11 November 2014	

APPENDIX 1

Local Welfare Provision, response to consultation 7/11/14

The Council's formal response to the consultation on future funding arrangements for local welfare provision is attached. However, as the Southwark Council Cabinet member with responsibility for local welfare, I wanted to go on the record to express my anger and disappointment at the way in which I believe that Government has handled this matter; failings that the latest consultation does not, in my view, come close to adequately addressing.

The most recent, full spending round (2010-2014) included provision for total Community Care Grant and Crisis Loan programme costs of about £180m annually. In 2013 that budget was transferred in its entirety, with additional funds to meet administration costs, to the devolved administrations in Scotland and Wales and to upper tier local authorities in England, with no reduction in the money available to support vulnerable people.

In a letter of settlement to local authorities of August 2012 Steve Webb, Minister for Pensions stated

"We expect the funding to be concentrated on those facing greatest difficulty in managing their income, and to enable a more flexible response to unavoidable need...In short the funding is to allow you to give flexible help to those in genuine need"

In separate correspondence with local authority associations from later the same year Steve Webb stated

"Community Care Grants and Crisis Loans were poorly targeted and failing to help those most in need"

These and other Ministerial statements of the time reflected a shared assumption between Governments and local authorities that a level of funding would be required to meet the real and unavoidable needs of our most vulnerable people at times of genuine crisis. Southwark Council and other local authorities responded positively to the challenges of delivering an entirely new scheme and to targeting that funding more effectively and efficiently at those in greatest need. When he appeared before the Work and Pensions Select Committee in 2013, Secretary of State Ian Duncan Smith, "took his hat off" to local authorities for doing so. And yet, less than two years later, that funding has, notwithstanding Ministerial protestations to the contrary, simply vanished as a result of what I would characterise as Treasury sleight of hand.

CLG now confirm that from next year there will be no identifiable rolled in grant and that the Department does not intend to provide any additional funding for local welfare provision from 2015-16 onwards. Instead, local authorities will meet the costs of that provision from general grant. This at a time of unprecedented austerity for local government as a whole, and for Councils such as Southwark, in particular. With almost breath-taking cynicism, Ministers have divested themselves of any responsibility for our poorest and most vulnerable and presented local government with an unsustainable mandate, while hiding behind the increasingly hollow rhetoric of a so called localism.

This Council may not have a statutory duty in respect of Local Welfare provision but we do have a mandate – a mandate of conscience, a mandate born of our values which are rooted in basic human decency. That is why, in spite of the fact that this Council faces swingeing cuts in central government funding and further increases in service demand due to demographic pressures, we remain firmly committed to retaining the existing level of local welfare provision for our most vulnerable for the duration of this administration (until 2018).

The Government is carrying out this consultation for no reason other than it was effectively forced to do so following judicial review proceedings against its decision to end funding as set out in background papers to Local Government Financial Settlement of December 2013.

No consultation was carried out before that decision and no impact assessment of any kind carried out. Having committed to reviewing the operation of the new arrangements for local welfare provision, Government made the decision to end funding before that review was complete.

I would simply implore Ministers to take this opportunity to think again, do the decent thing and restore funding in respect of local welfare provision to a level that will enable local authorities to continue to meet the needs of our most vulnerable in a sustainable way that reflects local priorities from 2014-15 and beyond.

Draft Response to DCLG consultation on Local Welfare Provision in 2015/16
14 November 2014 - DEADLINE FOR RESPONSE 21 November 2014

Response by Southwark Council (London Borough)

1. The Council welcomes the Government's decision to consider reinstatement of separately identified funding to meet the costs of local authorities' local welfare provision. Among the three options set out in the consultation paper on how funding might be separately identified the Council's preference would be for Option 2 (b) i.e. separate visibility for local welfare provision funding in line with the allocation of local welfare provision in 2014-15.
2. However, we note that none of the three options set out in the consultation paper actually proposes any additional spending power to local authorities. Previously earmarked Government funding to meet known and longstanding needs and explicitly provided for in the last public spending round, appears to have simply evaporated. This at a time when many local authorities are seeing significant reductions in their spending power for 2015-16, £18m in Southwark, whilst demand for local welfare provision and other forms of emergency support is increasing. We therefore propose a fourth option which would be not only separate visibility for local welfare provision, but also ensure continuity of reasonable, dedicated funding from Government to help local authorities meet the cost of that provision. An outline summary of our proposal is set out below.
3. The Council proposes that from 2015-16 Government create a new, dedicated fund to meet the costs of both local welfare provision and the existing, discretionary housing payments scheme from what would be a single funding pot for all, single tier, English local authorities.
4. The new scheme would adopt a number of features of the existing Discretionary Housing Payment scheme. Most notably, the size of the fund for all English single tier local authorities would be fixed (DEL) but annual allocations to individual local authorities would vary to reflect actual expenditure by all local authorities in the previous year. Under-spends in one area – including lower tier local authorities - would be transferred to local authorities who had exhausted or overspent their budgets the previous year.
5. In addition, local authorities would have headroom to top up central funding from their own resources where they judged it appropriate to do so. We believe that this would ensure the right degree of local discretion and flexibility and would also be consistent with the principles of localism.
6. The Council also notes that the recent DWP review finds that it is simply not possible to produce a like for like comparison between local authorities' welfare schemes and the discretionary Social Fund which was abolished from April 2013. That finding is reflected in the very significant variances in local authority programme spend across the country during the first two years of the new arrangements. Local authority funding during that period used prior year Social Fund spend in those localities as a baseline. That baseline is, by the Department's own admission, now proven to have been deeply flawed.
7. However we believe that the experience in Southwark does confirm that Government's expectation that new provision would be better integrated with existing local services and therefore more efficient and effective than remote, centrally delivered Government schemes has been fully borne out.
8. We believe that adoption of the Council's proposal would strike the right balance between ensuring that local authority emergency support spend

Draft Response to DCLG consultation on Local Welfare Provision in 2015/16
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continued to be well targeted at those with real need and providing a central funding floor. This would allow local authorities to ensure that proven demand could continue to be met over the longer term in ways that are both sustainable and that reflect local needs and priorities.

9. One significant factor in the increasing demand for the Council's own provision (LWF) appears to be the large and still rising number of referrals from Jobcentre Plus (DWP). We have seen numerous examples of referrals for those who have been sanctioned by JCP and lost benefit and for those facing extended payment delays for DWP administered benefits. The Council would urge Government to carry out a full investigation into the extent to which DWP sanctions or delays in paying DWP administered benefits are significant factors driving demand for local welfare services.
10. The Council calls upon government to recognise the importance of local welfare provision as it decides the total, national figure for local welfare and other emergency provision from 2015-16. The Council's recognition of the importance of this provision is reflected in the fact that we have committed to funding our own scheme (Southwark Emergency Support Scheme) until at least 2018, at levels based on actual demand during the first eighteen months of live running of that scheme.
11. It is the Council's view that it would be premature to make definitive, long-term decisions on future Government funding requirements for LWF as demand for the scheme and our understanding of that demand continue to evolve. It is notable for example that during the first year of the scheme two thirds of those referred to the Council's scheme were referred by staff at Jobcentre Plus (DWP). In the second year of the scheme the numbers referred from Jobcentre Plus has increased but the proportion has fallen markedly as the numbers referred from the local advice and voluntary sectors, and from other parts of the Council, has grown even more rapidly as awareness of the scheme deepens and the real, underlying level of demand is revealed.
12. The policy aims of the Southwark Emergency Support Scheme are to offer protection to those facing an emergency and at risk of significant harm; to prevent individuals or families from entering care; and to assist those leaving care, or other institutions, as they move back into the community.
13. Southwark's scheme was implemented in partnership with our local partners in the voluntary and community sector. The scheme offers assistance and support, typically in kind, including the provision of white goods, furniture, food-bank parcels, but also rent advances for those leaving care or prison and, in exceptional circumstances, cash payments. More than half those seeking help are offered help, mostly in the form of white goods and furniture.
14. The Council welcomes publication of the DWP review of Local Welfare provision (November 2014) which shows that our total programme spend was higher than the average published figure for all English local authorities in 2013-14 and is set to be higher still in 2014-15. The Council also calls upon Government to continue to work with the local government sector as a whole, so that a sustainable welfare emergency intervention fund may continue to be operated at local level. The Council also argues that, as part of that engagement, proper consideration should be given to the local challenges expected to arise from the implementation of Universal Credit.

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