

Cabinet

Tuesday 17 March 2015

4.00 pm

Ground Floor Meeting Room GO2A, 160 Tooley Street, London
SE1 2QH

Appendices

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Date: 9 March 2015

ITEM 11

APPENDIX 1



SAFER SOUTHWARK PARTNERSHIP DOMESTIC ABUSE STRATEGY

2015 - 2020

www.southwark.gov.uk

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1. Foreword

Domestic abuse is a blight on our society, causing untold damage to individuals and families. It needs to be a priority not just for those immediately affected but for our whole community. We have a collective responsibility to ensure that our friends, our families, our loved ones, have the knowledge to recognise and stop the emotional, physiological, sexual and physical violence that is all too prevalent.

Tackling violent crime has been and is a long term commitment for Southwark Council and its partners. Over the last decade, we have seen year on year reductions on serious violence, particularly gun knife and gang crime.

Despite these successes we recognise that there are types of violence that take place closer to home, unreported and often unnoticed, even by those closest to the people who experience it. But while people may be suffering in silence, domestic abuse has a deep and long lasting impact, not just on immediate victims but their children, passing the terrible pattern of abuse and violence to future generations.

A lot of good work to better support people who experience domestic abuse has taken place in Southwark, but the case for change is still strong, more can and should be done using a wider range of support in the health and community sector, this strategy sets out that case.

There are many challenges when it comes to preventing domestic abuse. This strategy sets out how we will address them, how we can work together to improve our services and how we can get our support right first time. We want to make better use of health and community based support, so that those suffering or witnessing abuse can discuss their experiences in the places where they feel comfortable. We want to offer a chance to those displaying markers of abusive behaviour to get help before their behaviour escalates; and we set out our challenge to those who persistently commit domestic abuse, that we will take action to bring them to justice.

But most importantly this strategy sets out our clear intention that we will do our utmost to stop domestic abuse becoming acceptable or remaining unnoticed in our borough and giving those who suffer it the opportunity to take control of their lives and to thrive not just survive.

Southwark Domestic Abuse Strategy 2015-2020



Domestic abuse affects thousands of people in Southwark every year. It is often hidden but its impact spans generations. Despite the successful work already undertaken in Southwark, there is a strong case for change and there is evidence that we can do better, using a wider range of support in the health and community sector.

Definition

The definition of domestic abuse is: *any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members, regardless of gender or sexuality.*

The abuse can include, but is not limited to:

- psychological
- physical
- sexual
- financial
- emotional

Our strategy's key principles are:

- A clear statement of intent that abuse is not acceptable
- Challenging the normalisation of domestic abuse
- Ensuring that those who have experienced abuse can take control of their lives by providing support for those who need it, in the settings where they feel most comfortable seeking it
- Taking tough action on those who perpetrate abuse
- Ensure agencies work together to get it right first time

Why we need a domestic abuse strategy

- The development of a domestic abuse strategy is one of the Fairer Future commitments of the council
- Southwark has one of the highest levels of reported domestic abuse to the police in London, with an average 2,200 - 2,400 recorded incidents a year
- Women in intimate partner relationships are significantly the highest proportion of victims and male partners, ex partners or boyfriends the highest proportion of perpetrators, however abuse can also affect men and be perpetrated by women
- People who have experienced domestic abuse are more likely to have long term health problems, including mental health, depression and suicidal tendencies
- Two out of three people who have experiences of domestic abuse had children living with them that regularly witnessed the abuse. Children exposed to domestic abuse are more likely to develop long term health problems such as depression and carry out violence themselves in adolescence and adulthood
- For many people the emotionally abusive or controlling acts have the most long term impact and accounts for 50 per cent of abuse experienced by those accessing our main support service
- Those experiencing or witnessing domestic abuse on a daily basis see it as something that is normal, in some cases a part of a "loving" relationship
- The number of people aged 16 to 18 or 71 or older accessing our main support service has increased.

The law

Domestic abuse is not a criminal offence; it is an aggravating factor for other types of crime. However the Home Secretary recently announced plans to create a new domestic abuse offence of coercive and controlling behaviour. The maximum penalty will be five years imprisonment and a fine. The new law will help protect people by outlawing sustained patterns of behaviour that stop short of serious physical violence, but amount to extreme psychological and emotional abuse.

The strategy's key recommendations include

Prevention and awareness

- 1 Aim to "get it right first time" by providing support and clear referral pathways for friends and families, including the expansion of existing Domestic Abuse Champions in community, faith and work based settings
- 2 Establish a wide ranging education and support programme for young people
- 3 Greater support for the LGBT community, people with disabilities and those from the diverse range of communities in the borough, through an awareness raising programme.

Early identification and support

- 4 Achieve a greater balance between criminal justice, health and community support by establishing a health based intervention model
- 5 Establish an integrated support service for complex cases of domestic abuse
- 6 Work with the Mayors Office for Policing and Crime to establish a consistent pan-London approach to addressing domestic abuse.

Enforcement

- 7 Take action against persistent perpetrators by establishing a multi agency enforcement approach
- 8 Improving the criminal justice process including, lobbying for a domestic abuse specialist court in Southwark
- 9 Carry out an annual needs assessment review of domestic abuse.

Accessing services

To view the full strategy or if you are seeking advice or help on domestic abuse, there is more information on the services and support available at www.southwark.gov.uk/domesticabuse



2. Introduction

- 3.1 Domestic abuse is recognised as a global challenge which persists in many countries around the world. As highlighted by the World Health Organisation, domestic abuse:-
".. has devastating consequences for those... who experience it and a traumatic effect on those who witness it, particularly children" (WHO 2005).
- 3.2. In 2010 the council adopted the Southwark Violent Crime Strategy (SVCS) 2010-15, which included violence against women and girls as a specific priority. The key recommendation was that domestic abuse and sexual offences services to be changed to make it easier for victims to access the right support for them through one point of contact. As a result, in 2012, the council commissioned Southwark Advocacy and Support Service (SASS), a specialist domestic abuse support service for the borough.
- 3.3. As part of our approach in developing the Southwark Domestic Abuse Strategy, extensive consultation has been carried out with local communities. We spoke to over 200 survivors, support workers and voluntary and community groups' representatives, as well as youth organisations. An extensive programme of focus groups was held with survivors and practitioners in order to listen to their stories and opinions first hand and offer them the opportunity to develop this strategy and its recommendations.
- 3.4. Addressing domestic abuse and its long term effects, is a shared priority for the Safer Southwark Partnership, Southwark Health and Well Being Board, Southwark Safeguarding Adults Board and Southwark Safeguarding Children's Board. As such this is joint strategy that has been developed in collaboration with board members and the agencies they represent. For the recommendations we make in this strategy to be delivered practically for years to come it will be crucial that all these partnerships work together effectively.

3. Why we need a domestic abuse strategy.

- 4.1. As the following sections highlight, domestic abuse is a national and international issue. It has a long term impact, with research highlighting that:-

"One woman in three who experienced any physical violence by a current or previous partner since the age of 15 also indicates multiple incidents of physical violence in childhood (35 per cent).boys who were exposed to domestic violence in their childhood homes are most likely to engage in domestic violence as adults and girls who are exposed to domestic violence as children are more likely to be victims of domestic violence in their adult lives". (The European Agency for Fundamental Rights published Violence against women - a European Union (EU) study – 2014)

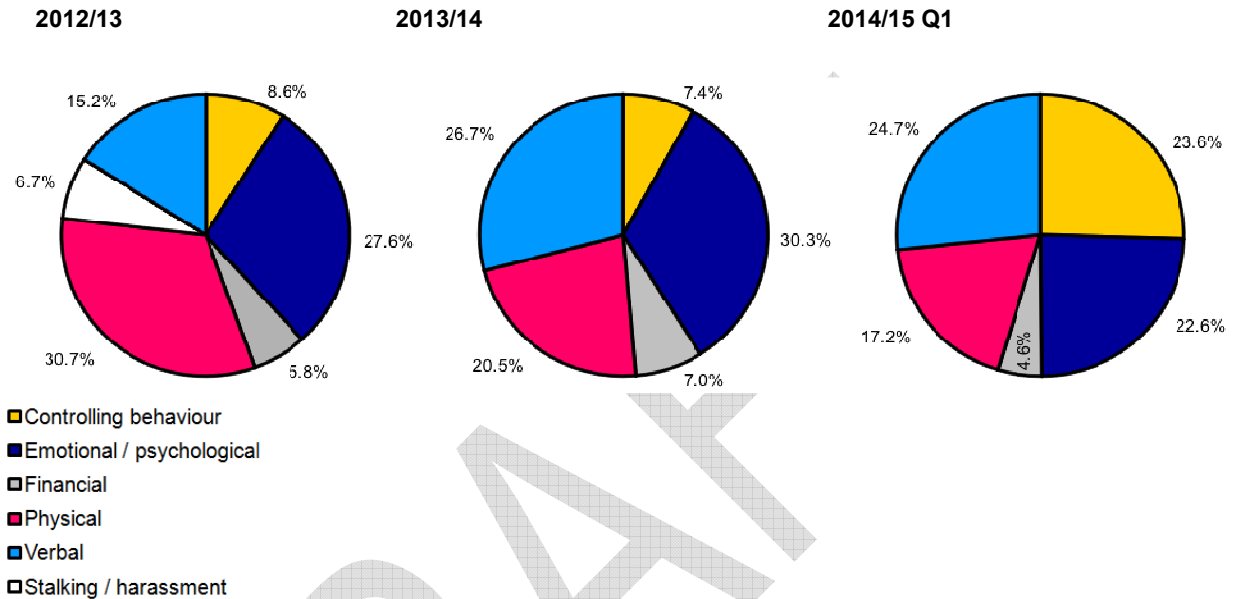
- 4.2. *Levels of Domestic Abuse in Southwark* - Southwark consistently records one of the highest levels of domestic abuse incidents in London, compared with other boroughs. On average there are 5,700 domestic incidents recorded by the police. However this figure includes a wide variety of incidents types

which could have no identified crime element, but help the police in building a bigger picture in identifying and managing risk at the earliest opportunity. Around 2,200-2,400 of these recorded incidents have a criminal element to them and are investigated as crimes.

- 4.3. *Impact on Children* - Analysis of the recorded incidents of domestic abuse in Southwark highlights that in two out of three cases a child witnessed the abuse. There is a growing body of research which highlights the long term impact that domestic abuse has on children, causing aggressive, anti social, fearful and/or inhibited behavior. Also in terms of their cognitive functions and attitudes, with the exposure to domestic abuse in the home justifying their own use of violence. As a result young people who witness abuse in the home are more likely to develop long term problems such a depression, trauma related symptoms and be violent in their own adolescent and adult relationships (Children's witnessing of adult domestic violence – Edleson 1999).
- 4.4. *Health and social changes* – There have been significant social changes over the past decade which has seen a greater acceptance of same sex and transgender relationships and our older generations leading more active and healthier lives. These changes have positive benefits for our communities, but as with abuse within families, they are not immune to the development of abusive relationships. In 2014 Southwark has seen the number of recorded intergenerational abuse cases increase by 30 per cent, and same/bi- sexual cases more than doubled.
- 4.5. *Psychological impact* - Extensive international surveys, involving interviews with women, highlight that whilst domestic abuse is often viewed as physical violence, the reality for victims is that it is the emotionally abusive and controlling acts which have the most long term impact. In 2013/14 victims who were accessing Southwark Council's commissioned domestic abuse service, Southwark Advocacy and Support Service (SASS), reported that psychological abuse or controlling behaviour, including financial control, accounted for over 50 per cent of the abuse experienced (see Figure 1 below). This is consistent with the responses through our consultation and focus groups, where respondents were asked about the type of abuse that they had suffered (Figure 2).
- 4.6. Those experiencing and witnessing domestic abuse on a daily basis see it as something that is normal, in some cases to the point that is part of a "loving" relationship. Reference to "normalisation" of abuse which increases behavioural and health related issues over the long term, is a constant theme in much of the international and national research (Victim Support 2014, Edleson 1999, Yates 2006, Radford 2009) and is supported through the Southwark consultation, undertaken as part of the development of the strategy. It is clear that addressing the psychological impact that creates a home environment where abuse and violence become normalised, is core to a long term strategic approach that addresses domestic abuse.
- 4.7. *Political priority* - Tackling domestic abuse is a political priority at a national, regional and local level. In recent years there has been a focus on violence against women and girls, which has resulted in significant improvements in the way that voluntary and statutory agencies work together in this area. Whilst Southwark remains committed to this agenda, it also recognises that domestic abuse impacts across ages, genders, sexual orientation and

intergenerational family relationships. As such, the development of a Domestic Abuse Strategy is one of the Fairer Future commitments of the council. As the profile of the borough becomes increasingly diverse and our older population is predicted to significantly increase during this decade, a broader domestic abuse strategy is required. This approach will ensure that support is consistent and there is clarity of action by and across agencies, to support those suffering abuse and address those committing it.

Figure 1: Abuse experienced by victims known to Southwark's Advocacy and Support Service - by type



4. What are we aiming to achieve?

- 5.1. Southwark has continued to invest in a range of support services to address domestic abuse. These services have provided support for many victims and families, with over 1,400 cases being referred to the borough's domestic abuse service, Southwark Advocacy and Support Service, in 2013/14.
- 5.2. There is a significant long term impact on those who witness and suffer abuse. Despite the successful work already undertaken in Southwark, doing nothing to address domestic abuse is not an option if we are to prevent abuse spanning future generations.
- 5.3. However, as we have highlighted through this strategy and based on the evidence gathered through our consultation and research, there are clear principles which will help to further develop our strategic approach to address domestic abuse over the next five years. These are set out below.

Southwark Domestic Abuse Strategy 2015-20 – Key Principles

- A clear statement of intent that abuse is not acceptable.
- Challenging the normalisation of domestic abuse.
- Ensuring that survivors take control of their lives by providing support for those who need it, in the settings where they feel most comfortable seeking it.
- Taking tough action on those who perpetrate abuse.
- Ensure agencies work together to get it right first time

6. Background on Southwark

- 6.1. Southwark has an ethnically diverse and young population. The 2014 projections, estimate the population of Southwark to be 302,289, with 57 per cent aged 35 or under. Southwark has the highest proportion of residents in the country who were born in Africa (12.9 per cent), as well as a significant population from Latin America, with 70 per cent of reception-age children from black and minority ethnic (BME) groups. Over 120 languages are spoken in Southwark, with 11 per cent of households having no member of the household who speaks English as a first language. This increases to over 13 per cent where nobody over the age of 16 in the household has English as a first language. Southwark has the 9th highest population density in England and Wales at 10,173 residents per square kilometre.
- 6.2. In Southwark men can expect to live on average for 78.0 years. This is 15 months less than the average across England. According to analysis from Public Health England the main contributors to the gap between local and national life expectancy are excess deaths from chronic obstructive pulmonary disease (COPD), cancer (in particular lung cancer) and circulatory diseases. By comparison, women in Southwark can expect to live on average 83.1 years. This is similar to the average of (83 years) across England.
- 6.3. Whilst average life expectancy in Southwark has increased over the last 10 years, there are differences between the least and most deprived populations within the Borough. The latest available data (2010-12), shows that in Southwark there is a 7.1 years (males) and 7.3 years (females) difference in life expectancy between the most and least deprived populations.

7. What is domestic abuse?

- 7.1 The widely accepted definition of domestic abuse which has been adopted in the United Kingdom and across European Union member states is set out below.
- 7.2. The definition incorporates two significant changes. Firstly, the definition sets an age range from 16, highlighting the importance of recognising abuse in terms of adolescent relationships. Secondly it includes psychological abuse, which sufferers state as having long term impacts on them, their children family and friends.
- 7.3. The definition of domestic violence and abuse is:

Any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members, regardless of gender or sexuality. The abuse can encompass, but is not limited to:

- psychological
- physical
- sexual
- financial
- emotional

- 7.4. Domestic abuse also includes controlling behaviour and coercive behaviour. Controlling behaviour is defined as a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.
- 7.5. Coercive behaviour is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten the victim.

8. Types of abusive relationships.

- 8.1. The strategy recognises that abuse happens in different types of relationships. Our approach to providing an effective intervention, recognises these relationships and offers specialist emotional, practical, and criminal justice support to the abused, those who witness it or those committing it, regardless of their circumstances.
- 8.2. The types of relationships include:-
- **Abuse within families** - Familial abuse, or abuse within relationships, remains the most common type of all recorded domestic abuse, with women accounting for, between 75 per cent and 80 per cent of all victims.
 - **Abuse in adolescent relationships** – Since the inclusion of over 16 year olds in the definition of domestic abuse, the number of SASS clients aged 16 to 18 has increased from 26 to 69. Recent research carried out by the NSPCC has highlighted that young people who experience violence in the family were also more likely to state that their friends used violence, including aggression with their partners. (NSPCC 2009)
 - **Abuse across generations** - Analysis of SASS clients' data indicated that the number of clients who were 71 or older who reported domestic abuse had increased from seven in 2012/13 to 20 in 2013/14.
 - **Same sex relationship abuse** - Domestic abuse can be as prevalent in same sex or transgender relationships as in heterosexual relationships. Research carried out by Stonewall has indicated that half of gay or bi-sexual men and one in four lesbian or bi-sexual women experience domestic abuse from a family member or partner. (Stonewall Health briefing)

- **Other issues associated with domestic abuse** – There are a wide range of issues associated with relationship abuse, including female genital mutilation, honour based violence, human trafficking and sex working. The strategic approach and interventional model set out in the strategy has been designed to be relevant to these wider issues. However it is recognised that in some cases a broader London wide or national approach will be required. Information on services which provide support for those who are affected by other aspects of relationship abuse can be found in attached directory of services (Appendix 3).

9. What does the evidence tell us?

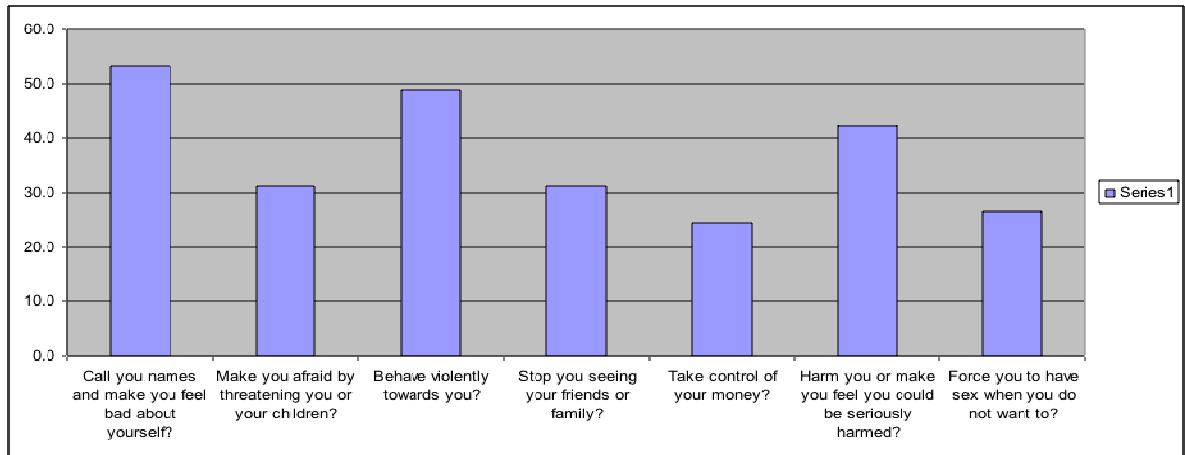
9.1. In developing the Southwark Domestic Abuse Strategy 2015-20, we have:-

- Carried out a review of current international and national research on domestic abuse.
- Reviewed current governmental policy on domestic abuse and violence against women and girls at a national and London regional level.
- Reviewed current Southwark based statistics relating to domestic violence, including, health, children and adult services, housing, police, SASS, Southwark's specialist domestic abuse commissioned services and community safety data.
- Conducted a consultation promoted through the council's website and social media, the council's quarterly printed publication Southwark Life and council public meetings such as community councils.
- An extensive programme of focus groups was held with survivors and witnesses of domestic abuse, Southwark Youth Council and Southwark Young Advisors as well as a wide range of organisations and voluntary groups. We also involved organisations who work directly with survivors and perpetrators.

9.2. The following table (Table 1) highlights the key statistics drawn from the different sources, which supports our strategic approach set out in Section 17 below. In summary, the common findings are as follows:-

- Women in intimate partner relationships are most likely to experience abuse and the majority of perpetrators are male partners, ex partners or boyfriends.
- Psychological or emotional abuse is the most common form of domestic abuse. (Figure 2) illustrates the replies through our consultation with survivors, in relation to the type of abuse which they experienced most.
- Sufferers of domestic abuse are more likely to have long term health problems, including mental health, depression and suicidal tendencies.
- Consistently, in two out of three cases, a child will witness the abuse.
- Children who are exposed to domestic abuse are more likely to carry out violence in adolescence and adulthood.
- Those people who suffer domestic abuse are most likely to tell a friend, family member or health practitioner.

Figure 2.



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Table 1 - Key Statistics

9. SOUTHWARK <ul style="list-style-type: none"> • There are on average 2,200 to 2,400 recorded domestic abuse incidents a year • 1,400 cases are referred to Southwark specialist advocacy service • Over three quarters of victims are women over the age of 16 and four out of five perpetrators are male. • Two out of three victims of domestic abuse had children living with them. • 50 per cent of the abuse experienced is psychological abuse or controlling behaviour • The number of victims who are 71 or older and report domestic abuse has trebled (7 to 20) between 2012/13 – 2013/14. • The number of victims aged 16-18 increased from 26-69 between 2012/13 – 2013/14. • 66 per cent victims of domestic abuse had children who regularly witnessed the abuse • Respondents through our consultation on domestic abuse highlighted that the most common type of abuse experienced was verbal bullying leading to lack of self confidence. (fig2) • 71 per cent of respondents of those who had experienced domestic abuse had told someone about it.(friend family member, GP) • During 2013/14 domestic abuse in same sex relationships accounted for around 2.5 per cent of SASS cases (Southwark data analysis 2014) • In 2013/13 276 cases were heard at the domestic abuse high risk multi agency risk assessment conference 		
10. INTERNATIONAL <ul style="list-style-type: none"> • 31 per cent of women have experienced one or more acts of physical violence since the age of 15 (Ref 2) • 43 per cent of women have experienced some form of psychological violence by an intimate partner (Ref 2) • 73 per cent of women who have been victims of violent incidents by their previous or current partner indicated that children living with them were aware of the violence. (Ref 2) • Study of 2,245 children and teenagers found that exposure to violence in the home was a significant factor in predicting a child's violent behaviour. (Ref.3) • 87 per cent of the women said they would find it acceptable if doctors routinely asked about domestic abuse, if they showed the signs of violence. (Ref 2) • World Health Organisation research of 24,000 women over 10 countries highlighted that, in all sites, experiences of physical/sexual violence tends to be accompanied by controlling behaviour by an intimate partner. (Ref 1) • Mental health problems, emotional distress and suicidal behaviour are common among women who have suffered partner abuse. (Ref 15) 	11. NATIONAL <ul style="list-style-type: none"> • Each year, on average 1.2 million women suffer domestic abuse, around 330,000 women are sexually assaulted and there are around 700,000 male victims of domestic abuse. • Survivors of domestic violence are more likely to experience repeat victimisation than survivors of any other types of crime. (Ref 4) • One in four young people, aged 10 to 24, reported that they had experienced domestic abuse during their childhood. (Ref 12) • 2013/14, the volume of domestic abuse referrals to the CPS from the police rose to 103,569, a rise of 17.5 per cent from 2012-13 • Nationally the police remain unaware of 81 per cent of domestic abuse victims. (Ref 4) • On average the police receive an emergency call relating to domestic abuse every 30 seconds (Ref 13) • A victim suffers abuse 35 times before telling someone about it. • 25 per cent lesbians and bisexual women experienced domestic abuse in a relationship. (Ref 7) • 40 per cent of lesbians/ bisexual women and 33 per cent of gay/ bisexual men with a disability experience domestic abuse in a relationship. (Ref 7) • Four in five (78 per cent) gay and bisexual men who have experienced domestic abuse have never reported incidents to the police. (Ref 7) 	12. LONDON <ul style="list-style-type: none"> • In London, 33 per cent of violence with injury occurs within the home. (Ref 4) • 25 per cent of girls experienced some form of physical abuse at least once in their lifetime. (Ref 4) • 75 per cent of girls reported some form of emotional abuse at least once during their lifetime. (Ref.11) • 31 per cent of girls reported experiencing some form of sexual violence at least once in their lifetime. (Ref 4) • Around a quarter of referrals to the London Rape Crisis Centre are women under 25 years of age. (Ref 4) • Between 50 and 60 per cent of women mental health service users have experienced domestic violence. (Ref 4) • The average length of time for completions of for all sexual offence cases through the criminal justice system was 496 days. The lengthiest period of time was between report and date of summons to court (295 days).(Ref 18) • There were 27 domestic homicides in London in 2013/14. (MPS)

10. The cost of domestic abuse

10.1. Domestic abuse has an impact on a wide range of services, from criminal justice to mental and public health provision. The estimated cost of domestic violence in England is in the region of £5.47billion, excluding the human and emotional cost. Broken down this includes:

- Physical and mental health care - £1,639m
- Criminal justice - £1,195m
- Social services - £268m
- Housing an refuge - £186m
- Civil and legal services - £367m
- Lost economic output - £1,819m

10.2. The estimated human and emotional cost is £9,431m. (Islands in the Stream - The Trust for London and Henry Smith Foundation 2011).

10.3. In terms of Southwark, the costs of domestic abuse are estimated to be in the region of £20m per annum. These are based on the following figures:-

- *Housing* – there are on average 110 DA homelessness applications per year.
- *Looked after children* - Domestic abuse is a highlighted factor in 70 per cent of child care proceedings, child protection plans and children in care cases, although it is not the only factor. The average cost of a Southwark child in care is £45,000 per annum.
- *Commissioned services* – The council currently spends around £600,000 per annum on commissioning specialist support services.
- *Adult health* – It is recognised that domestic abuse impacts on a range of adult care services, particularly mental health services.
- *Domestic Homicide Reviews* – there has been two domestic abuse related homicides in the last two years. Each homicide is estimated to cost £1.74m.

11. What is the legislative landscape for tackling domestic abuse?

11.1. The act of domestic abuse is recognised as a human rights issue at both a national and international level. In 2011 the EU passed a regional instrument on preventing and combating violence against women and domestic violence. This is referred to as the Istanbul Convention. In 2012 the United Kingdom signed the convention which requires the member states to “criminalise inter alia, psychological violence, stalking, physical violence, sexual violence, including rape, and sexual harassment”.

11.2. It should be noted that in terms of the law, domestic violence is not a criminal offence. It is an aggravating factor for other types of crime. In terms of police recording, domestic abuse is not recorded as a category on its own and many of the prosecutions are as a result of threats of violence, physical violence, assault or grievous bodily harm.

- 11.3 In the United Kingdom there is a range of legislation which is aimed at protecting people from abuse. These include:
- Protection from Harassment Act 1997
 - Domestic Violence Crime and Victims Act 2004 (amended in 2012). This introduced the requirement on all local authorities to carry out Domestic Homicide Reviews where a domestic violence homicide has taken place.
 - Children Act 1989 (amended by the Adoption of Children's Act 2002). This set out the definition of "harm" as the "impairment suffered from seeing or hearing the ill-treatment of another".
 - Part IV of the Family Law Act 1996 provides for non-molestation orders and occupation orders. A non molestation order is aimed at preventing a partner or ex partner from using or threatening violence against a victim or their child, harassing or pestering them. Breach of a non-molestation order is now a criminal offence.
 - An Occupation order regulates who can live in the family home and can also restrict the abuser from entering the surrounding area.
 - Clare's Law - The Domestic Violence Disclosure Scheme, known as Clare's Law, was established to give members of the public a formal process to make enquiries to the Police about an individual who they are in a relationship with, or who is in a relationship with someone they know, where they have concerns that the individual may be abusive towards their partner. There are four stages to the scheme, making an application, face to face meeting with police to complete the disclosure, a multi agency panel meeting to consider the request and formal disclosure. The police have set a time limit of 35 days for a decision or disclosure from the point of the application.
 - Domestic Violence Protection Orders and Domestic Violence Protection Notices were recently introduced allowing a period of time for the victim to decide the course of action after a violent incident, by stopping the perpetrator from contacting the victim or returning home for up to 28 days.
- 11.4. On the 18 December 2014, following consultation by the Home Office on strengthening the law on Domestic Abuse, the Home Secretary announced plans to create a new domestic abuse offence of coercive and controlling behaviour. The maximum penalty for the new offence will be five years imprisonment and a fine. The new law will help protect victims by outlawing sustained patterns of behaviour that stop short of serious physical violence, but amount to extreme psychological and emotional abuse. Victims of coercive control can have every aspect of life controlled by their partner, often being subjected to daily intimidation and humiliation.
- 11.5. Working Together to Safeguarding Children 2013 is a statutory inter-agency guide that sets out responsibilities on safeguarding and promoting the welfare of children. The guidance covers the legislative requirements and expectations on individual services. There is a clear expectation that all professionals who work with children and young people should read and comply with the guidance. Domestic abuse will be a factor in, identifying

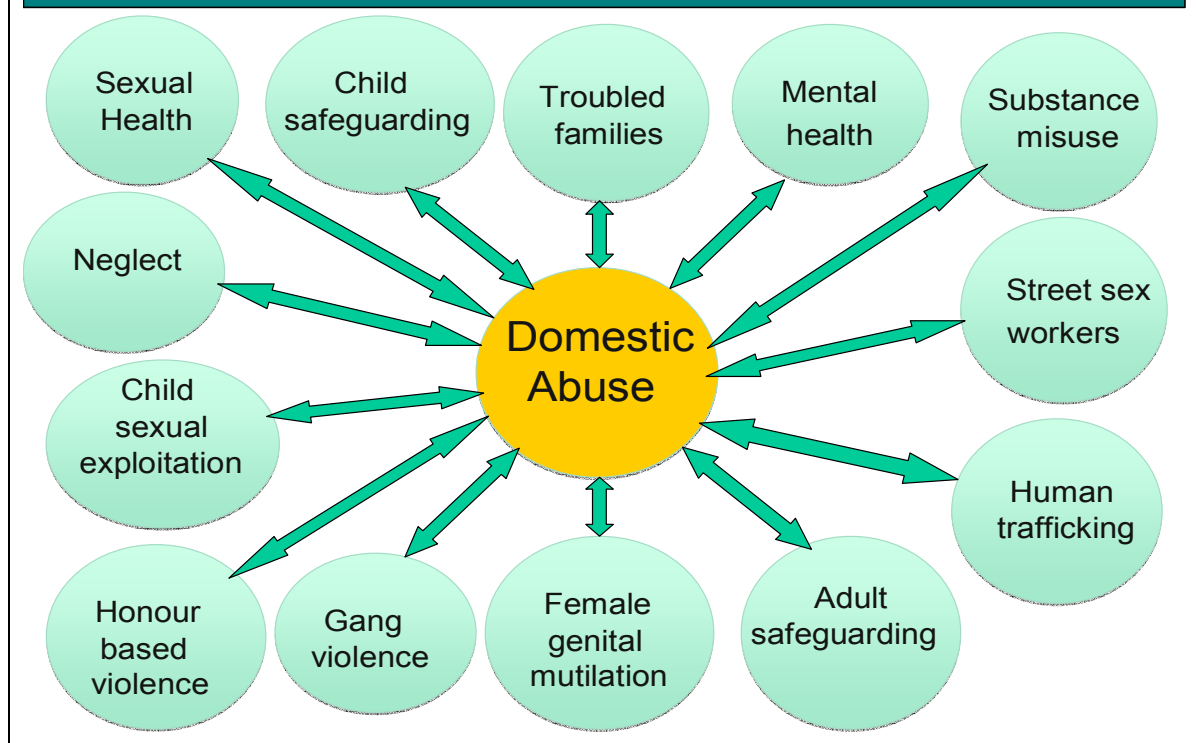
children and families who are in need of help and referring cases to social care where there are concerns about a child or young person's welfare. This might trigger an assessment and follow up action under Sections 17, 20 or Section 47 of the Children Act (Ref 19). In addition agencies should be working together to ensure that there are effective early help services, based on the local assessment of need and evidence base on the effectiveness of services. The domestic abuse definition includes young people aged 16-18. It is important to stress this age group is covered by the Children's Act and where there are concerns about risk, including domestic abuse; referral should be made to social care.

- 11.6. The priority for all agencies in Southwark, working with survivors and their children, is to make them safe in their home, either through security in their home or supporting them into alternative accommodation, short term or long term. In 2014/15, the council has supported survivors in around 110 cases through its re-housing processes. Where the council is able, it takes enforcement action against the perpetrator, which could result in their eviction. As part of this approach, the council has adopted a Good Tenancy Scheme that ensures that those who commit abuse do not receive any priority in terms of re-housing. In 2014/15 the council has used its legislative powers in five cases to remove perpetrators from the family home.
- 11.7. In addition, it is widely recognised that cyber abuse through social media is an increasing phenomenon. Some social media platforms provide automatic delete functions which mean that it is difficult to track or gather evidence of abusive messaging. The Crown Prosecution Service is working with social media companies and the police to improve the investigative techniques to support domestic abuse prosecution cases.

12. How does domestic abuse link to other priorities?

- 12.1. Domestic abuse is not an issue which can be seen in isolation. It is a factor in cases of neglect, mental ill health, child sexual exploitation, gang violence, sex working, troubled families, drug and alcohol dependency and other priority area, as illustrated in Figure 3 below.
- 12.2. The Domestic Abuse Strategy 2015-20, is not intended to replicate the work that is already undertaken through each of these priorities. However the strategy recognises the importance of adopting a joint approach, developing a multi agency intervention model and drawing on the good practice that already exists. This will include working with businesses, voluntary agencies and local communities.

Figure 3:- The interconnection between domestic abuse and other priorities



13. What works in addressing domestic abuse?

- 13.1. There have been a wide range of programmes developed to address domestic abuse. They vary from generic educational and awareness raising campaigns to high intensity specialist support for those affected by abuse and also for perpetrators. Appendix 3 provides a comprehensive list of services and programmes developed in Southwark or key national support networks.
- 13.2. Evaluation of these programmes remains limited, however those which have signs of being effective in Southwark are as follows:-
- **Independent Domestic Violence Advocates (IDVAs)** – IDVAs are highly trained advocates who support survivors of domestic abuse who are over the age of 16, regardless of their gender or sexual orientation. IDVA's link with other support services to reduce barriers such as language or financial control. Working with the Mayor's office for Policing and Crime (MOPAC), Southwark aims to have a minimum of 5 IDVA's by Autumn 2015 currently and at least 3 domestic abuse case workers who support survivors of medium and standard risk. IDVAs and case workers in Southwark assessed and supported over 1,100 people in 2013/14.
 - **Counselling** – survivors, perpetrators and close family members who access support, report that counselling services are highly beneficial, both in terms of dealing with the emotional trauma that years of abuse have caused and also in recognising the root cause of abusive behaviour.
 - **Midwifery and health services** - 30% of domestic violence starts in pregnancy (Why mothers die, op.cit) and domestic abuse has been identified as a prime cause of miscarriage or still-birth (Mezey, Gillian (1997) "Domestic Violence in Pregnancy" in Bewley, S., Friend, J., and

Mezey, G.: (1997) (ed.) Violence against women (Royal College of Obstetricians and Gynaecologists). A number of recommendations from NICE Public Health Guidance on Domestic Abuse detail how relevant midwifery services can respond effectively to this issue. The partnership will work with midwifery services to ensure that they continue to effectively implement NICE Guidance, in particular working with consultant midwives at GSTT, King's and St George's.

- **Peer Support Groups** – Peer support is an invaluable approach for those suffering abuse who often feel isolated, having no one to talk to who can fully understand the issues they are facing. Peer support is equally valuable for young people who may be growing up in a household where domestic abuse occurs and do not have the confidence to disclose to an adult. It is our intention to work with survivors groups, to provide training to enable those who wish to become mentors in the future, providing one to one support at an early stage of an abusive relationship.
- **Domestic Abuse Champions** – Domestic abuse champions, based in community, health, social, educational or work based settings, play a vital role in supporting people who experience abuse. As the evidence has highlighted above, sufferers or witnesses of abuse feel more comfortable in discussing their experiences with family, friends or in health base settings, rather than to authorities. Well trained domestic abuse champions can help by giving those who are seeking help the initial strength to take action, develop a safety plan and engage with specialist support.
- **Multi Agency Risk Assessment Conference (MARAC)** – MARACs are nationally recognised as one of the most effective approaches in the identification, assessment and multi agency response to high risk cases of domestic abuse. Information about the risks faced by these victims is shared by relevant agencies (i.e. health, housing, social services) in detail and decisions are made to increase their safety, health and wellbeing, for both the adults and their children. The conference also gives consideration to the perpetrator and looks at what intervention is available. In Southwark in 2013/14 there were 276 referrals to MARAC.
- **Sanctuary Scheme** - Sanctuary schemes are designed to provide increased security for victims of domestic abuse and violence who wish to stay in their own home. This includes strengthened doors, locks, window frames and fire resistance measures. In Southwark in 2013/14 there were 266 referrals and security works were carried out in 215 cases.
- **Co-located services** – There is good evidence that co-locating a range of services can provide a seamless response for those affected by domestic abuse. Services such as counselling, health nursing, financial, legal, substance misuse, housing and IDVAs, working collaboratively from one location is most beneficial. In London the Croydon Family Justice Centre is a good example of a co-located service and the co-located SASS service has been developed using the good practice gained from Croydon and similar local authorities.
- **Criminal justice procedures that support the victim** – The criminal justice process plays a vital role in supporting those who suffer and witness domestic abuse. Victims report that the criminal justice system is most effective if they receive constant and consistent support, from the police, crown prosecution service and the courts. Well trained police officers who have experience in domestic abuse cases are essential. Officers working within specialist teams such as the Police community safety unit, recognise the important role that family members can play in supporting survivors, from the early stages of recognising abuse and throughout the criminal

justice system. At present there are 10 Specialist domestic violence courts in London, providing dedicated rooms for victims and witnesses and video evidencing facilities. However, despite the high levels of recorded domestic violence in Southwark, there is no specialist court in the borough.

- **Communication campaigns** – There is an indication that targeted communication campaigns aimed at a specific groups, or through a specific services, can have a positive impact and increase reporting. This is particularly relevant if the campaigns emphasise psychological, controlling and coercive abuse, or using evidence based approaches such as “Insight”, developed by the Home Office. This approach is based on behaviours, experiences, attitudes, emotions or beliefs and target communications activities at a key audience (Domestic Homicide Reviews – common themes identified and lessons to be learned. Home Office 2013) (Violence against Women and Girls – communication Insight pack Home Office 2014).
- **Prevention programmes** – Educational programmes in schools provides an opportunity to promote awareness of health relationships to combat domestic and dating abuse. These programmes provide young people with the knowledge to recognise what is an abusive relationship and steps to take to challenge abuse.

14. How will our approach change over the next five years?

- 14.1. It is acknowledged that there has been considerable progress made in Southwark to support those who are affected by domestic abuse and take action against perpetrators.
- 14.2. However, the research and consultation findings have shown that there are further opportunities to work across departments and organisations to build a domestic abuse programme that provides support in a way that really meets people where they are, rather than expecting them to come to us. Placing health and community based support at the centre of our approach will improve the earlier identification of those affected by domestic abuse and increase the awareness that abuse is not acceptable, regardless of the circumstances.
- 14.3. In developing an effective support based intervention model, we have drawn on our consultation with those experiencing abusive relationships, the good practice from other areas and the recommendations of the National Institute for Health and Care on domestic violence and abuse PH50.
- 14.4. This strategy’s approach sets out a more balanced criminal justice, health and community based response (Figure 4) which includes:

Prevention and awareness

Local support:-

- Better information for friends and families and across agencies – As with health based settings, friends and family provide vital support for those suffering domestic abuse. Providing a broader range of community based support, local awareness campaigns, targeted at specific groups, diverse community groups, schools, through work placed settings or faith groups will have a greater and more sustainable impact. This can be supported by

increasing the number of Domestic Abuse Champions on a community and voluntary basis, who can provide initial advice on safety planning and linking in with specialist services. We will engage with community organisations across the borough, including those from diverse religious and cultural backgrounds, with the aim of building their capacity and leadership in addressing domestic abuse.

- Training - tailored training programmes for voluntary groups, key services and professionals, including the use of safety planning tools.
- Information on services – There are a wide range of domestic abuse services which are available, delivered in a variety of settings. The strategy will look to ensure that information on these services is easily accessible to local communities. This will include overcoming barriers preventing people experiencing abuse from accessing information and services, such as language, isolation, cultural norms.

Recommendations

1. **Aim to “get it right first time” by providing support and clear referral pathways for friends and families including the expansion of existing Domestic Abuse Champions in community, faith and work based settings.**
2. **Establish a multi faceted education and support programme for young people.**
3. **Greater support for LGBT, people with disabilities and those from diverse communities who suffer abuse, through establishing a range of awareness raising programme.**

Early identification and support

It is important that we ensure that those affected by domestic abuse get prompt access to the right service at the right time. Our approach over the next five years will include:-

- Support through health services – The evidence tells us that offering support through health based settings such as GP surgeries, community nursing, midwifery and health centres is highly beneficial. The findings from the research and our consultation continuously highlighted that survivors of domestic abuse are both more willing to report their experiences to a health care professional and more likely to disclose abuse, if asked by a GP, nurse or midwife.

Primary care services are already under pressure to take on more responsibility for a wide range social issues, therefore it will be important to ensure that GPs midwives and community nurses, are provided with additional support, for example via the Iris Programme, which provides domestic abuse advocates-educators, and IDVA’s across a group of GP network practices. This approach will form part of the Locality Care Networks, which proposes to establish four GP care networks across Southwark, providing a universal service covering a local population ‘cradle to grave’.

Dedicated domestic abuse network coordinators, tailored training and awareness raising programmes and clear links to existing safeguarding routes and specialist domestic abuse services, will provide accessible and easy to navigate domestic abuse support through GP practices.

- Clear referral pathways – One of the key improvements to domestic abuse services in Southwark has been the establishment of a clear single point of entry to specialist support. This strategy provides the opportunity to build on this by establishing clear referral pathways at an earlier stage. We will work with businesses, faith organisations, voluntary and community groups to provide them with the tools and support to recognise those suffering domestic abuse and where to refer cases, how to obtain advice, and the established safeguarding routes. Strengthening clear referral pathways across a broader range of partners will help achieve the aim of “getting it right first time”, which is key for those who suffer abuse.
- Information sharing – clear information sharing arrangements between agencies which encourages cases to be discussed in the early stages to improve the identification of abuse.
- Multi agency risk assessment and response – establish clear processes where risks of domestic abuse can be assessed across agencies and a coordinated multi agency response can be made. The method of assessment for domestic abuse cases is the Co-ordinated Action Against Domestic Abuse (CAADA) model, with is universally recognised.
- Integrated specialist support for complex cases – All domestic abuse cases are complex, however in some instances an abusive relationship is one of a number of issues that need to be addressed. A co-ordinated multi agency approach is recognised as the best response for supporting families and addressing abusive and violent relationships. Developing an integrated approach, maximising services that are already commissioned will reduce the likelihood of just dealing with one aspect of the issue, for example support a victim of abuse, without addressing their substance misuse issues or providing psychological support. It is proposed that these teams are strengthened by the co-location or strong links with domestic abuse services. This co-location will be developed as the wider programme for family support (Families Matter) is progressed during 2015.

Recommendations

- 4. Achieve a greater balance between criminal justice, health and community support for those affected by domestic abuse.**
- 5. Establish an integrated support service for complex cases of domestic abuse, as part of our approach to commissioned services.**
- 6. Work with the Mayor’s Office for Policing and Crime to establish a consistent pan London approach to addressing domestic abuse.**

Enforcement

- Tougher enforcement on perpetrators – Action against perpetrators remains inconsistent and still relies heavily on those suffering domestic abuse. As a result the sanction detection rate for domestic violence investigations is currently at 40 per cent and the number of cases which proceed to courts only accounts for around 30 per cent of the cases that proceed to charge.
- In terms of civil action, the priority is focused in ensuring the victim and their immediate family remain safe in their home. However, this often requires the victim to give up their home and local environment, whilst the perpetrator remains in the former family home. The use of Domestic Violence Protection Orders and Domestic Violence Protection Notices (paragraph 11.2) by the police will prove highly beneficial in offering respite and increase the opportunity to seek support. Whilst there have been five successful non occupation orders obtained by the council in domestic abuse cases since 2013, there have been no evictions, our commitment is to take action to remove the perpetrators from their home.
- There are dedicated domestic abuse perpetrator programmes in Southwark for both adults and under 18s through the Rehabilitation and Innovative Solutions Enterprise (RISE) on behalf of the Community Rehabilitation Company (CRC). The programme known as Building Better Relationships Programme (BBRP) is made through the National Probation Service to the court. Support is offered to the partners of men undertaking BBRP through a women's support service. The council also commissions a perpetrators programme and offers services through the Youth Offending Service. With the exception of the NPS perpetrator programmes which are delivered following a court order, this is in the main a self referral process. The MPS are exploring the opportunities of investing in body cameras, which can be used to record the scene when they respond to a domestic violence incident, providing vital evidence in victimless prosecution cases. Developing a co-ordinated multi agency enforcement approach, using the wide range of civil and criminal powers against persistent perpetrators is a key part of the strategic approach over the next five years.
- Domestic Violence specialist courts - Specialist domestic violence courts provide dedicated rooms for victims and witness and video evidencing facilities as well as prosecutors and Magistrates who have received domestic abuse training. At present there are 10 specialist domestic violence courts in London. However, despite the high levels of recorded domestic violence in Southwark, there is no specialist court on the borough. The establishment of a domestic violence court in Southwark would provide better support for victims and witnesses and minimize the time period that it takes to process a case from charge to a judicial outcome.

Recommendations

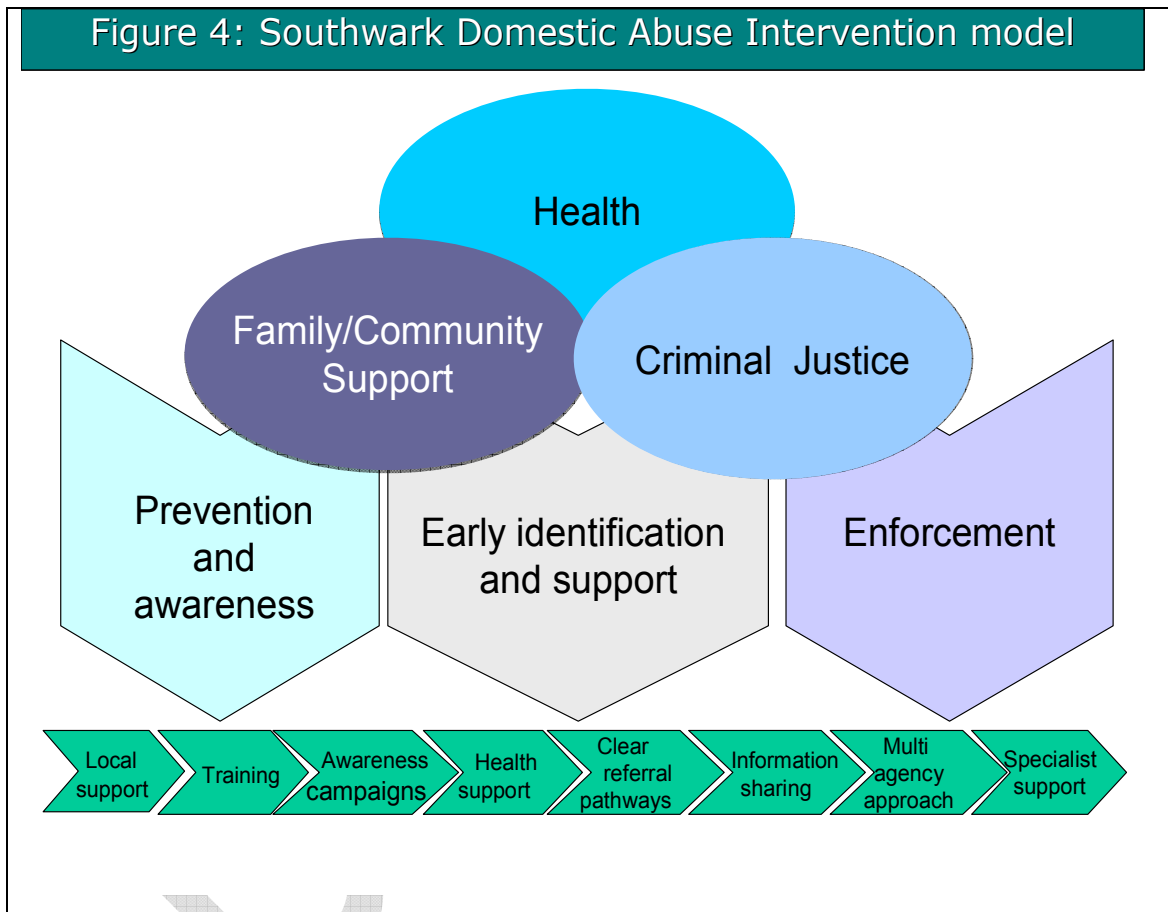
7. **Take action against persistent perpetrators by establishing a multi agency enforcement approach.**

8. Improving the criminal justice process including lobbying for DA specialist court in Southwark.

9. Carry out an annual needs assessment review of DA.

14.5. The above recommendations will be developed through existing resources and the re-commissioning of current service provision. The changing needs of those accessing the services will be reviewed on an annual basis.

14.6. Figure 4: rebalancing our intervention model to address domestic abuse.



14.7. The intervention model outlined above is relevant to any person who is suffering domestic abuse, those who witness abuse or perpetrators, regardless of their age, gender, sexual orientation, disability or status, including those who have no recourse to public funds.

14.8. Many of the services, set out in the model, are currently in place or can be developed through existing commissioning arrangements. Where additional investment is required, it will be found through the re-commissioning of current provision, or through external/grant funding, such as the additional funding of IDVAs through MOPAC, or integrating the work of the GP Locality Care Networks.

15. How do we know we are making a difference

- 15.1. The Safer Southwark Partnership (SSP) has four strategic priority delivery groups, which report to the SSP Partnership Board. One of the priorities is violence against women and girls. The Southwark Domestic Abuse Strategy 2015-20, and its recommendations (as set out in section 15 above) will be managed through the delivery plan (Appendix 2), which will be the responsibility of the Violence against Women and Girls (VAWG) Delivery Group. This will include prevention, early intervention and enforcement in relation to both men and boys.
- 15.2. The VAWG Delivery Group includes representatives from Southwark Clinical Commissioning Group, South London and Maudsley Hospital Trust, Children's Services, Social Care, Adult Safeguarding, Housing operations, Southwark MPS, Southwark Multi Agency Safeguarding Hub, Housing Options, Housing Strategy, Public Health, Troubled Families, National Probation Service and Education Services.
- 15.3. Actions arising from the recommendations and set out in the Delivery Plan (Appendix 2) will be shared across the key agencies and monitored on a quarterly basis through the VAWG delivery group and SSP Partnership Board.
- 15.4. We want the recommendations in this strategy to have a positive impact in the lives of those experiencing domestic abuse. The council and its partners have developed an outcomes based commissioning model which measures the impact our services have on the clients they engage with, namely:
 - Reduced risk of harm after engaging with the service.
 - Reduction in impact and isolation after exiting the service.
 - Improvements to health and resilience.
 - Help to remain safely in their homes.
 - Being involved in service development.
 - Experience no further incidents of domestic abuse at 6 and 12 months after exiting the service.
- 15.5. In addition there are outcomes for perpetrators, children and training of professionals, please refer to the delivery plan for further detail.
- 15.6. The Domestic Abuse Strategy 2015-20 recognises the strong links to other priorities in Southwark, particularly child sexual exploitation, neglect, substance misuse, mental well being and public health priorities. Progress on the delivery of the ambitions of this strategy will be shared across the wider Southwark partnership arrangements, specifically the Safeguarding Boards for Children's and Adults, the Health and Wellbeing Board and Troubled Families Board.
- 15.7. In addition there is an established Southwark Violence against Women and Girls Forum, including a range of partner agencies, that provide support services across the domestic abuse agenda, as well as a Domestic Abuse Survivors Group. The VAWG Forum and the Survivors Group will be key in reviewing the progress and delivering the recommendations of this strategy.

16. Acknowledgements

16.1 Addressing domestic abuse and its long term effects, is a shared priority for the Safer Southwark Partnership, Southwark Health and Well Being Board, Southwark Safeguarding Adults Board and Southwark Safeguarding Children's Board. As such this is joint strategy that has been developed in collaboration with those boards and representatives from a wide range of agencies:

- Southwark Police
- National Probation Service
- Southwark Public Health
- Clinical Commissioning Group
- King's College hospital NHS Foundation Trust
- Guy's and St Thomas NHS Foundation Trust
- South London and Maudsley Trust
- Community Action Southwark
- Southwark Young Advisors
- Southwark Youth Council
- Southwark Violence Against Women and Girls Forum:
 - Bede
 - Domestic Violence Intervention Project
 - Faces in Focus
 - Kurdish and Middle Eastern Women's Organisation
 - Latin American Women's Rights Services
 - Refuge
 - Solace Women's Aid
 - Southwark Citizens Advice Bureau
 - Southwark Muslim Women's Association
 - Victim Support

16.2 We would also like to acknowledge the invaluable feedback and input that survivors of domestic abuse and their support workers have shared with us during the consultation period. Their experiences and suggestions have been vital in shaping this strategy.

Appendix 1 References

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3. Children’s witnessing of adult domestic violence – Edleson 1999
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11. Partner Exploitation and Violence in teenage intimate relationships Barter et al NSPCC 2009
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13. Her Majesty Inspectorate of Constabulary, 2014.
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16. Domestic Homicide Reviews – common themes identified and lessons to be learned. Home Office 2013.
17. Violence against Women and Girls – communication Insight pack Home Office 2014.
18. An Overview of Sexual Offending in England and Wales: Home office and the Office for National Statistics (2013).
19. Working Together to safeguard children – HM Government (2013)

APPENDIX 2 SAFER SOUTHWARK PARTNERSHIP DOMESTIC ABUSE STRATEGY 2015 - 2020 DELIVERY PLAN

	Recommendation	Action	Lead agency	Output	Timeline	Outcome	Indicators	Cost implication
P R E V E N T I O N A N D A W	1. 1. Aim to “get it right first time” by providing support and clear referral pathways for friends and families including the expansion of existing Domestic Abuse Champions in community, faith and work based settings.	Awareness raising	<ul style="list-style-type: none"> • CSPS Comms • Council DA provider • Southwark VAWG Forum 	Borough wide domestic abuse awareness campaigns and outreach	Annually from 2015-2020	Members of the community are aware of domestic abuse and support services	• Number of self referrals into domestic abuse service*	Targeted awareness raising campaigns can be delivered with minimal costs and managed through partnership resources.
		Community DA Champions (volunteers)	<ul style="list-style-type: none"> • CAS • Council DA provider • Southwark VAWG Forum 	Codesign and implementation of champions programme which extends to voluntary and community sector	Design by 2015/16 delivery annually henceforth	Champions show increased awareness of domestic abuse and services following training	<ul style="list-style-type: none"> • Number of people attend training • Number of referrals to support service* 	This is included in the newly recommissioned domestic abuse services, and contained within the existing financial budget.
		Extend work based training (including Business Improvement Districts)	<ul style="list-style-type: none"> • CSPS • Council DA provider • BID representatives. • Economic development team 	Agreed programme of tailored training sessions	By 2016/17	Attendees show increased awareness of domestic abuse and services following training	<ul style="list-style-type: none"> • Number of people attend training • Number of referrals to support service* 	To be delivered in partnership with BID's, chamber of commerce and through regulatory services through joint existing resources.
	2. Establish a multi faceted education and support programme for young people.	Awareness raising	<ul style="list-style-type: none"> • CSPS • Comms • Council DA provider • Youth Council • Young Advisors 	Targetted campaigns and outreach	Annually from 2015-2020	Young people increased awareness of domestic abuse and services.	• Number of young people self referrals into domestic abuse service*	Targeted awareness raising campaigns can be delivered with minimal costs and managed through partnership resources.
		Training	<ul style="list-style-type: none"> • CSPS • Council DA provider • Education division 	Increased take up of the SHER programme	2016/17 onwards	Young people increased awareness of domestic abuse and services following training	• Number of young people self referrals into domestic abuse service*	This is included in the MOPAC funded VAWG services, and contained within the existing financial budget.
		DA Young Champions	<ul style="list-style-type: none"> • CSPS • DA provider • Youth Council • Young Advisors 	Codesign and implementation of champions programme which extends to voluntary and community sector	2016/17 onwards	Champions show increased awareness of domestic abuse and services following training	<ul style="list-style-type: none"> • Number of trained champions • Number of young people self referrals into domestic abuse service* 	This is included in the newly recommissioned domestic abuse services, and contained within the existing financial budget.

	Recommendation	Action	Lead agency	Output	Timeline	Outcome	Indicators	Cost implication
W A R N E S S		Access to support services including counselling	<ul style="list-style-type: none"> • Childrens Services • Council DA provider 	Revised model of intervention for children and young people who experience domestic abuse	2017/18 onwards	<ul style="list-style-type: none"> • Children have increased sense of safety and how to keep safe. • Children have increased confidence and are able to talk about how they feel. 	• Number of children and young people who complete programme and report achieved outcomes	
	3. Greater support for LGBT, people with disabilities and those from diverse communities who suffer abuse, through establishing a range of awareness raising programme.	Awareness raising	<ul style="list-style-type: none"> • Comms • Council DA provider • Southwark LGBT forum 	Targeted campaigns and outreach	Annually from 2015-2020	LGBT community increased awareness of domestic abuse and services	• Number of LGBT self referrals into domestic abuse service*	Targeted awareness raising campaigns can be delivered with minimal costs and managed through partnership resources.
		Training	<ul style="list-style-type: none"> • Council DA provider • Southwark LGBT forum 	Increased take up of the SHER programme	2016/17 onwards	LGBT increased awareness of domestic abuse and services following training	• Number of LGBT self referrals into domestic abuse service*	This is included in the MOPAC funded VAWG services, and contained within the existing financial budget.
		DA LGBT Champions	<ul style="list-style-type: none"> • CAS • DA provider • Southwark LGBT forum 	Codesign and implementation of champions programme which extends to voluntary and community sector	2016/17 onwards	Champions show increased awareness of domestic abuse and services following training	<ul style="list-style-type: none"> • Number of trained champions • Number of LGBT self referrals into domestic abuse service* 	This is included in the newly recommissioned domestic abuse services, and contained within the existing financial budget.
		Access to support services including counselling	<ul style="list-style-type: none"> • SLaM • DA provider • Southwark LGBT forum 	Revised model of intervention for children and young people who experience domestic abuse	2017/18 onwards	<ul style="list-style-type: none"> • Survivors have increased sense of safety and how to keep safe. • Survivors have increased confidence and are able to talk about how they feel. 	• Number of LGBT people who complete programme and report achieved outcomes	
E A R L Y I D E N T	4. 4. Achieve a greater balance between criminal justice, health and community support for those affected by domestic abuse.	Named IDVA or domestic abuse case officers to link with locality early help teams/Southwark Family Focus Teams	<ul style="list-style-type: none"> • Troubled Families Programme • Council DA provider 	Identified link workers	By Sep 2015	<ul style="list-style-type: none"> • Improved advice and referral pathways to domestic abuse services. • Increase in safety planning advice 	Number of referrals into specialist service made via early intervention an family focus teams.	This is included in the newly recommissioned domestic abuse services, and contained within the existing financial budget.
		Implementation of IRIS	<ul style="list-style-type: none"> • CCG • Council DA provider 	IRIS programme launched	By 2015/16	Primary health care professionals are aware of domestic abuse signs and refer on	<ul style="list-style-type: none"> • Number of GPS surgeries signed up to IRIS • Number of GP referrals to council DA service* 	

	Recommendation	Action	Lead agency	Output	Timeline	Outcome	Indicators	Cost implication
I N F O R M A T I O N		Training	<ul style="list-style-type: none"> Organisational development Council DA provider 	Agreed programme of tailored training sessions	Annually from 2015-2020	Attendees show increased awareness of domestic abuse and services following training	<ul style="list-style-type: none"> Number of people attend training Number of referrals to support service* 	
		Information sharing	<ul style="list-style-type: none"> SSP VAWG Delivery Group** 	Revised ISPs across the SSP	By of 2015/16	Cases to be discussed in the early stages to improve the identification of abuse	<ul style="list-style-type: none"> Revised ISPs across the SSP are agreed and implemented 	
S U P P O R T	5. 5. Establish an integrated support service for complex cases of domestic abuse, as part of our approach to commissioned services.	Co-located IDVA's substance misuse officers, and mental health services	<ul style="list-style-type: none"> Council DA provider DAAT SLaM 	Agreed intervention model for a coordinated and effective approach to domestic abuse complex cases	By 2015/16	<ul style="list-style-type: none"> Support for complex cases is holistic and services user engage with support services effectively Complex cases who experience no further incidents of domestic abuse at 12 months after exiting the service. 	<ul style="list-style-type: none"> Reduction in the number of MARAC repeat complex cases Council DA provider quarterly reports 	This provision will be built into the recommissioned, integrated substance misuse service and included in the service specification.
	6. 6. Work with the Mayor's Office for Policing and Crime to establish a consistent pan London approach to addressing domestic abuse.	Establish a dialogue with relevant MOPAC officers and through the London Crime Prevention Board	<ul style="list-style-type: none"> CSPS MOPAC Police 	<ul style="list-style-type: none"> MOPAC VAWG strategy refresh 	Throughout the life of the strategy	<ul style="list-style-type: none"> Consistent levels of IDVA service provision Londonwide joined up provision of refuge accommodation 	<ul style="list-style-type: none"> IDVA and refuge provision levels across London 	This is contained within the existing financial budget.
E N F O R C E	7. Take action against persistent perpetrators by establishing a multi agency enforcement approach.	To work with relevant internal and external partners to develop an enforcement toolkit	<ul style="list-style-type: none"> MPS SASBU/ Housing Probation 	DA enforcement tool kit	By 2016/17	Action against perpetrators is consistent and doesn't rely on those suffering the abuse	<ul style="list-style-type: none"> Number of occupation orders Number of tenancies recovered Increase in sanction detection rate 	As part of the development of an enforcement tool kit, will be to ensure that legal action is proportionate and cost effective. Savings may be achieved through a multi agency approach, but reviewed on an annual basis.
	8. Improving the criminal justice process including lobbying for DA specialist court in Southwark.	Lobby relevant bodies for implementation of a DA specialist court in Southwark	<ul style="list-style-type: none"> Lead Cabinet Member for Community Safety 	DA specialist court established in Southwark	Lobby to start 15/16	<ul style="list-style-type: none"> Increased in the number of victims willing to go through with prosecutions. Specialist criminal justice provision for victims of domestic abuse improved attrition rates 	<ul style="list-style-type: none"> Correspondence Meetings held with relevant stakeholders 	This is contained within the existing financial budget.

	Recommendation	Action	Lead agency	Output	Timeline	Outcome	Indicators	Cost implication
N T	9. Carry out an annual needs assessment review of domestic abuse.	Incorporate into annual strategic assessment process	<ul style="list-style-type: none"> • CSPS • Council DA provider • MOPAC • Southwark VAWG Forum • Public Health • CCG 	<ul style="list-style-type: none"> • Domestic abuse needs assessment report • Annually revised domestic abuse strategy delivery plan 	Annually from 2016/17	The strategy and delivery plan evolve to adapt to emerging needs	<ul style="list-style-type: none"> • Needs assesment is completed annually • Revised action plan published annually 	This is contained within the existing financial budget.

**The VAWG Delivery Group includes representatives from Southwark Clinical Commissioning Group, South London and Maudsley Hospital Trust, Children 's Services, Social Care, Adult Safeguarding, Housing operations, Southwark MPS, Southwark Multi Agency Safeguarding Hub, Housing Options, Housing Strategy, Public Health, Troubled Families, National Probation Service, Education Services.

* Referrals into DA service will lead to the achievement of survivor outcomes for that particular group, these are reported on quarterly by the service provider and are as follows:

- Number of service users whose risk of harm has been reduced three months after engaging with the service.
- Number of service users who experience a reduction in impact and isolation on exiting the service.
- Number of service users who experience improvements to health and resilience.
- Number of service users who are helped to remain safely in their homes.
- Number of service users who are involved with service development.
- Number of service users who experience no further incidents of domestic abuse at 6 months after exiting the service.
- Number of service users who experience no further incidents of domestic abuse at 12 months after exiting the service.

Perpetrator outcomes

- Number of service users who change positively in use of abusive behaviour (risk to survivor is reduced).
- Number of service users who display increased insight into own use of abusive behaviours.
- Number of service users who develop safer ways to behave in relationships (cessation of physical violence).
- Number of service users who display improved relationship skills (decrease in non violent forms of abuse).

Children outcomes

- Number of children who have increased sense of safety and how to keep safe.
- Number of children who have increased confidence and are able to talk about how they feel.

IRIS outcomes

- Number of primary health care professionals who are aware of DA signs and how to signpost to support services.
- Number of GP referrals into the domestic abuse service.

Training (non IRIS) outcomes:

- Number of people showing increased understanding of domestic abuse and support services following training.

Domestic Abuse Services in Southwark

APPENDIX 3

Provider	Service:	What does it do:	Who for:	How to access:	Outcomes:
Bede House	Safe, Healthy and Equal Relationships (SHER)	Education programme for young people in schools	Young people	Programme delivered in four local schools per year	Encourage positive behaviour in adolescent relationships
Bede House	Starfish Project	Support services for those affected by domestic abuse or hate crime	Anyone experiencing domestic abuse	Self referral RA@bedehouse.org .uk 020 7237 9162	Reducing harm Mitigating risk
Children's Social Care	Multi agency safeguarding hub (MASH)	The Multiagency Safeguarding Hub (MASH) which went live in September 2013 brings together key agencies from across the borough to share information to support more informed decision making around families. Faster, more coordinated and consistent responses to safeguarding concerns about children and families	Children at risk	CAF referral for professionals: MASH Team Sumner House Sumner Road London SE15 5QS Telephone: 020 7525 1921 020 7525 5000 (out of hours) mash@southwark.gov.uk	An improved journey for the child with greater emphasis on early intervention and better informed services provided at the right time Greater ability to identify potential vulnerability, enabling more preventative action to be taken and, dealing with cases before they escalate Closer partnership working, clearer accountability and less duplication of effort A reduction in the number of inappropriate referrals and referrals to children's social care

SAFER SOUTHWARK PARTNERSHIP DOMESTIC ABUSE STRATEGY 2015 - 2020 DIRECTORY OF SERVICES

Provider	Service:	What does it do:	Who for:	How to access:	Outcomes:
Community Safety Partnership Services (LBS)	Multi agency risk assessment conference (MARAC)	Multiagency, problem solving approach to managing risk for domestic abuse victims and their families	High risk victims of domestic abuse	Referrals via Emma Kehoe 0207 525 0813 emma.kehoe@southwark.gov.uk	Safeguarding victims of domestic violence (DV) and their children, and managing the risk that DV offenders may pose to the public in general
Domestic Violence Intervention Project	Perpetrator programme	Works with perpetrators to help them stop abusing and find safe alternatives to violence	Male perpetrators of domestic abuse	Via Solace: 020 7593 1290 DVIP direct: 020 7633 9181	Helping perpetrators stop abusing, and find healthy ways to be with those who are close to them.
Domestic Violence Intervention Project	YUVA	Works with perpetrators to help them stop abusing and find safe alternatives to violence	Adolescent perpetrators of domestic abuse	http://www.southwark.gov.uk/downloads/download/3467/yuva_referral	Helping perpetrators stop abusing, and find healthy ways to be with those who are close to them.
MOZAIC	Women's Wellbeing Project	Domestic violence advocacy service that provides free, confidential and independent support, advice and information	Women experiencing domestic violence	Tel: 0207 188 7710 or 0207 188 9181 talk@mozaic.org.uk	Advising of rights and entitlements and where necessary, asserting these rights and entitlements together with the client or on their behalf.
King's College hospital NHS foundation trust	Community Midwifery Assertive outreach service	Where women do not attend appointments or have 'dropped off the radar' we continue to try to re-establish contact with the individual woman including liaising regularly with any individual or other service with whom she has been in touch with in current pregnancy or previously	Pregnant women accessing maternity services	Clients identified via maternity staff	Early identification of domestic abuse so advice and sign posting can be provided and referrals can be made
Mayors office for Policing and Crime	IDVA	Offers advocacy, and support	Survivors/ victims of domestic abuse	Referral via main DA provider	Reducing harm, mitigating risks

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SAFER SOUTHWARK PARTNERSHIP DOMESTIC ABUSE STRATEGY 2015 - 2020 DIRECTORY OF SERVICES

Provider	Service:	What does it do:	Who for:	How to access:	Outcomes:
Metropolitan Police	Southwark Community Safety Unit (CSU)	Manages cases of domestic abuse and low level sexual violence	All victims should be referred by police	Contact via phone: 020 7232 6195 Or: 101	Reducing harm Mitigating risk Managing perpetrators
Rape Crisis England & Wales	Rape Crisis Centre	Advocacy and counselling for survivors of rape or sexual violence Southwark, Lewisham and Lambeth Hub	Those affected by rape or sexual violence	0208 683 3311 info@rasasc.org.uk www.rasasc.org.uk National 0808 802 9999	To reduce and/or prevent on going emotional harm to individuals who have suffered sexual crime
Redthread	KYTE	Identifies young people at risk of serious youth violence and/or gang related activity, which otherwise may not come to notice.	Southwark residents (age 16 to 25) presenting at KCH A&E department who are at risk of, or involved in gangs and serious youth violence	Redthread workers identify potential clients	The youth workers are able to offer support and encourage the young people to accept further help (via SAVU or Serious Violence Caseworker) when they are at their most vulnerable following an incident. Through accepting support the life chances of the young people will improve, giving them the tools to be able to exit their association with gangs and serious violence.

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SAFER SOUTHWARK PARTNERSHIP DOMESTIC ABUSE STRATEGY 2015 - 2020 DIRECTORY OF SERVICES

Provider	Service:	What does it do:	Who for:	How to access:	Outcomes:
Redthread	KYSS	To provide support and where appropriate follow agreed referral pathways to statutory services to improve their sexual health.	Female Southwark residents (age 16 to 25) presenting at KCH A&E department whom have experienced sexual violence.	Redthread workers identify potential clients	Enable them to improve their sexual health, mental health and engagement with statutory services including education.
Refuge	Refuge provision	Refuge provision	Women who have experienced domestic abuse	Agency referral / national helpline: 0808 2000 247	Breaking the cycle of domestic abuse
Solace Women's Aid	Southwark Advocacy and Support Service (SASS)	Offers advocacy, counselling, and support	Services for all victims of domestic abuse over 16 years of age, regardless of their gender or sexual orientation.	Contact Solace: 020 7593 1290	Reducing harm, mitigating risks
Solace Women's Aid	Sanctuary scheme	Adaptations to make victims of domestic abuse safer in their homes.	Survivors/victims of domestic abuse	Contact Solace: 020 7593 1290	Mitigating risks to survivors in their homes.
Solace Women's Aid	Domestic abuse awareness training days for external agencies	Half day training session to raise awareness for council staff and associate organisations about domestic abuse	Organisations working in Southwark	Council learning portal www.mylearningsource.co.uk	Wider awareness Increased referrals

SAFER SOUTHWARK PARTNERSHIP DOMESTIC ABUSE STRATEGY 2015 - 2020 DIRECTORY OF SERVICES

Provider	Service:	What does it do:	Who for:	How to access:	Outcomes:
Solace Women's Aid	Domestic abuse champions training for professionals.	Trains staff across Southwark Council to provide localised advice and sign posting around domestic abuse	Council staff	As above	Greater multiagency working and improve services for survivors of domestic abuse
Solace Women's Aid	Specialist support and parallel programmes	Support programmes for children and young people, with parallel workshops for mothers	Survivors/ victims of domestic abuse	Contact Solace: 020 7593 1290 Solace workers identify clients	Provides a safe place to socialise and be supported by others with similar experiences. Group led sessions where women can learn new skills and develop awareness of their rights. Running programme of professionals deliver workshops and therapeutic services to the group members.
Solace Women's Aid	Service user forum	Service user forum for domestic abuse	Survivors/ victims of domestic abuse	As above	Helping those who experience domestic abuse to shape services
Solace Women's Aid	Peer support programme	Facilitated peer support group for women who have experienced DA	Survivors/ victims of domestic abuse	As above	
Children's Services - Troubled families team	Family Focus Plus	Identifying and working with some of the most complex families in the borough. Provides the opportunity to think differently about how t families with complex needs are supported and develop an evidence base of what works to turn around these families	Criteria around school exclusion, anti social behaviour, unemployment, domestic abuse or other health/social concerns.	For further information, forms and resources, please contact your the intelligence hub on ffpinfohub@southwark.gov.uk	Brings services together to improve outcomes for families as a whole.

SAFER SOUTHWARK PARTNERSHIP DOMESTIC ABUSE STRATEGY 2015 - 2020 DIRECTORY OF SERVICES

Provider	Service:	What does it do:	Who for:	How to access:	Outcomes:
Victim Support	Independent Sexual Violence Advocate (ISVA)	Offers one to one emotional and practical support to the victims of sexual crime.	Victims of sexual crime.	Tel: 0845 30 30 900 Email: supportline@victimsupport.org.uk	To reduce and/or prevent on going emotional harm to individuals who have suffered sexual crime by providing high quality support from point of crisis to a point where the client is in a position to move on from the incident.
Xantura	Tap-it Mobile phone safety app	The app users will be enabled to set up networks of 'best friends' to stay connected with family and friends and allow them to ask for assistance when they are feeling vulnerable	This service will be free to download and use and will support individuals residing in Southwark.	Download from app store / Google play	Create earlier take-up of advice and support services To support greater levels of collaboration and communication between vulnerable women, their friends / relatives and professional support services

SAFER SOUTHWARK PARTNERSHIP DOMESTIC ABUSE STRATEGY 2015 - 2020 DIRECTORY OF SERVICES

Regional / national services

Service:	What does it do:	Who for:	How to access:	Outcomes:
NSPCC	Phone based support for victims of child abuse.	Children / professionals	0808 800 5000 Under 18's 0800 1111	Advice and signposting
Victim Support	Phone based support and referrals for victims of crime	All victims of crime	24 hour phone line 0808 168 9111	Advice and signposting
Women's Aid	National domestic abuse helpline	All victims of domestic abuse	24 hour phone line - 0808 2000 247 www.womensaid.org.uk	Advice and signposting
Latin American Women's Rights Service	Telephone and face-to-face advice and casework Advocacy to secure legal protection, rights and entitlements Securing safe and emergency accommodation Referrals to our own therapy, welfare, employment and language support services	Latin American victims of domestic abuse	Phone: 0844 264 0682 Drop in	Reducing harm Mitigating risks Empowering victims to seek help
Specialist Domestic Violence Courts (SDVC)	The courts provide Specialist support for victims, including video link facilities, separate waiting areas and support officers, during the trial period.	All victims of domestic abuse	Police / CPS referral	Support through the court process to deliver successful prosecutions and increase conviction rates.
Kurdish and Middle Eastern Women's Organisation	Specialist FGM work Advocacy and translation services	Kurdish women	Via helpline	Reduction of and raising awareness for FGM

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SAFER SOUTHWARK PARTNERSHIP DOMESTIC ABUSE STRATEGY 2015 - 2020 DIRECTORY OF SERVICES

Service:	What does it do:	Who for:	How to access:	Outcomes:
National Centre for Domestic Violence	Specialises in providing assistance to obtain injunctions to prevent further abuse	All victims of domestic abuse	Helpline :- 0844 3030900 www.ncdv.org.uk	Reduce the escalation of domestic abuse
Men Advice Line	Confidential advice line for male victims of domestic violence and abuse	All men	Help line:- 0808 8010327 www.mensadvice.org.uk	Reduce domestic violence for male victims.
Broken Rainbow	Support for LGBT victims of Domestic Abuse	All LGBT victims	Help line:- 0300 999 5428 www.broken-window.org.uk	Reduction on LGBT victims of abuse
Rape Crisis	Specialised, confidential support, information and support free of charge.	Women who have survived any form of sexual violence, no matter how long ago. Friends and family of survivors, as well as other professionals	National help line: 0808 802 9999 www.rasasc.org.uk/	Survivors and their supporters have information about and access to relevant agencies including: health care; Independent Sexual Violence Advisers; therapists; Sexual Assault Referral Centres; Rape Crisis Centres in their area.
Building Better Relationships Programme (BBRP) delivered by RISE CIC on behalf of CRC (Community Rehabilitation Company, previously the probation service)	24 group work sessions and 6 one to one sessions. Support is offered to the partners of men through Women's Safety Officer service. on assessing and reducing risk, safety planning and offer a group work programme for victims/survivors of domestic abuse entitled 'The Power to Change'	Male perpetrators of domestic abuse sentenced to a court order.	Recommendation for BBRP is made via the National Probation Service to the courts.	BBRP increases men's awareness of domestic abuse and the impact on women and children. BBRP motivates men to make positive changes to stop being violent and abusive in their intimate relationships. Men are supported in this process by providing them with tools and strategies to use to end abuse and violence.



Report to the Council of the London Borough of Southwark

by B J Sims BSc(Hons) CEng MICE MRTPI

an Examiner appointed by the Council

Date: 2 March 2015

PLANNING ACT 2008 (AS AMENDED)

SECTION 212(2)

**REPORT ON THE EXAMINATION OF THE
SOUTHWARK COUNCIL
COMMUNITY INFRASTRUCTURE LEVY
REVISED DRAFT CHARGING SCHEDULE
DECEMBER 2013**

Revised Draft Charging Schedule submitted for Examination on 22 April 2014

Examination Hearing conducted 29 and 30 July 2014

File Ref: PINS/A5840/429/8

Summary

This Report concludes that the Southwark Council Community Infrastructure Levy Revised Draft Charging Schedule December 2013 provides an appropriate basis for the collection of the levy in the London Borough. The Council has sufficient evidence to support the Schedule and can show that the levy is set at a level that will not put the overall planned development of the Borough at risk.

However, modifications are needed to meet the statutory requirements. These are as set out in a Statement of Modifications put forward by the Council and are summarised as follows:

- deletion of the separate category of ‘destination’ retail development and express exclusion of ‘town centre car parking provision’ from uses ‘akin to retail’,
- application of a nil rate for ‘All Other Uses’,
- definition of the Nomination Student Housing rate as an ‘average’ value, and
- partial realignment of the boundary between charging Zones 1 and 2.

The specified modifications recommended in this Report do not alter the basis of the Council’s overall approach or the appropriate balance achieved.

Abbreviations

<i>[]</i>	<i>[document reference]</i>
AA	Action Area
AAP	Action Area Plan
BCIS	Building Costs Information Service
BMLV	Bench Mark Land Value
CIL	Community Infrastructure Levy
CS	Core Strategy
CSH	Code for Sustainable Homes
CUV	Current Use Value
EUV	Existing Use Value
GLA	Greater London Authority
IP	Infrastructure Plan
IRR	Internal Rate of Return
LDS	Local Development Scheme
m	metre(s)
NPPF	National Planning Policy Framework
OA	Opportunity Area
para	paragraph
PPG	Planning Practice Guidance
psm	per square metre
pw	per week
PRS	Private Rented Sector
RDCS	Revised Draft Charging Schedule
RICS	Royal Institution of Chartered Surveyors
RLV	Residual Land Value
SoM	Statement of Modifications
SPD	Supplementary Planning Document
sqm	square metre(s)
VS	Viability Study
VSU	Viability Study Update

Introduction

Legislation and Guidance

1. This Report contains my assessment of the Southwark Council Community Infrastructure Levy (CIL) Revised Draft Charging Schedule (RDCS) in terms of Section 212 of the Planning Act 2008 and the CIL Regulations 2010 as amended in 2011, 2012 and 2013. It considers whether the RDCS is compliant in legal terms and whether it is economically viable as well as reasonable, realistic and consistent with national guidance [*Planning Practice Guidance (PPG) - Community Infrastructure Levy – June 2014*].
2. It is accepted by the Council and Representors that the further Amendment Regulations of 2014 do not apply because the RDCS was published for consultation before their commencement date of 24 February 2014. Therefore, the statutory requirement under Regulation 14 of 2014 that the Council ‘must strike an appropriate balance’ does not have effect but the original obligation of 2010 to ‘aim to strike what appears to be an appropriate balance’, between funding from CIL and its potential effects on development viability, must still be met.
3. It is noted that further Amendment Regulations are proposed to commence on 1 April 2015, introducing social housing relief from CIL where a dwelling is let at no more than 80% market rent by a private landlord. This change, if implemented as proposed, is unlikely to affect adversely the overall viability of any private rented sector (PRS) housing in Southwark. Further reference is made to PRS housing below.
4. The PPG CIL guidance replaced, with minor changes, the Government CIL Guidance of February 2014 which, in turn, had superseded the CIL Guidance of April 2013. It is generally accepted by the Council and Representors that, compared with previous versions of CIL guidance, the current PPG makes no substantial difference to the examination of the RDCS.
5. To comply with the relevant legislation, Southwark Council, as local charging authority, has to submit what it considers to be a charging schedule which sets an appropriate balance between helping to fund necessary new infrastructure and the potential effects on the economic viability of development across the Borough.

Submission, Examination Hearing and Interim Findings

6. The RDCS of December 2013 was published for public consultation between 14 January and 25 February 2014 [*Document CDCIL1*]. The RDCS replaced an earlier Draft Charging Schedule [*CDCIL2*] which was subject to public consultation in February to April 2013 [*CDCIL2*]. The RDCS was submitted for Examination on 22 April 2014 and a single Hearing was held on 29 and 30 July 2014.
7. The documentation submitted with the RDCS included a Viability Study (VS) [*CDE1*], as well as the Original Representations on the RDCS [*CDCIL9*] and the responses to them by Southwark Council officers [*CDCIL5-I*]. The Council published certain further documentary evidence after the submission of the

RDCS but before the Hearing. This comprised, in particular, large scale zone boundary maps [CDEIP5], a Background Evidence Paper revised in April 2014 [CDCIL7] and CIL Viability Further Sensitivity Testing revised in March 2014 [CDE2]. The Council gave a written explanation of these revisions together with responses to Initial Questions from the Inspector [CDEIP2] including a breakdown of CIL yield and infrastructure costs by Opportunity and Action Area [CDEIP2 Addendum].

8. Immediately following the Hearing, the Council provided copies of further documents requested at the Hearing, namely, Greater London Authority (GLA) endorsement of the Elephant and Castle Supplementary Planning Document (SPD) [CDEIP7] and GLA comments on the RDCS [CDEIP11]. The Council submitted, at the same time, a further Build Costs Analysis [CDEIP9], Hotel Transactions information [CDEIP10] and Proposed Minor Amendments to the RDCS [CDEIP8] but these were largely overtaken by subsequent additional work (detailed below).
9. The Council also published its revised Local Development Scheme (LDS) October 2014 to December 2019 which includes a commitment to review the CIL Schedule in 2018.
10. On 26 August 2014, after consideration of the discussion at the Hearing and all the written evidence then available, I forwarded Interim Findings to the Council [CDEIP13]. These concluded that, although the general approach of the Council to the viability testing of the RDCS was appropriate (as discussed below), the evidence put forward by the Council was insufficient to justify certain of the proposed draft charging rates; and also that, on the evidence of representors, there appeared to be no scope for a separate rate for PRS housing.

Statement of Modifications and Basis of Examination and Report

11. In response to my Interim Findings, the Council held a stakeholder consultation workshop on 8 October 2014 [CDEIP20]. One representor submitted a legal opinion on the scope for a separate PRS housing rate dated 31 October 2014 [CDEIP27]. The Council subsequently provided for public consultation, between 11 December 2014 and 13 January 2015, a Statement of Modifications (SoM) under Regulation 11(1) [CDEIP24], to which was appended a Viability Study Update (VSU) and other supporting documentation [CDEIP21-23]. This further work included the Council response to the PRS legal opinion. Representations made upon the SoM and VSU, together with Council responses to them, were submitted for my consideration by 16 January 2015.
12. The basis for the Examination and this Report is therefore the submitted RDCS of December 2013 as modified by the Statement of Modifications of December 2014. The SoM makes one minor and four substantive changes to the RDCS, none of which attract substantial objection. I therefore endorse the SoM and, for clarity, set out those modifications in the Appendix to this Report.
13. The Examination was conducted with strict reference to the submitted RDCS and the related VS and VSU. However, where representations duly made to the RDCS rely upon previous representations to the Draft Charging Schedule,

these are also taken into account [*CDCIL5-H*], together with all of the foregoing information.

14. This Report also takes into account that the Council has not served notice that it will offer exceptional circumstances relief from CIL and has indicated that it has no intention of doing so.

Public Consultation

15. It is claimed, on behalf of local organisations and individuals concerned to promote local developments, that the RDCS consultation process, conducted by way of the Council website and stakeholder workshops, failed to enable their participation. However, there is nothing to indicate that the Council failed to undertake full consultation in accordance with its Statement of Community Involvement as reported in its Statement of Consultation [*CDCIL5*].

Proposed Charging Rates

16. Taking into account the SoM, the Council now proposes a series of some 13 individual charging rates, excluding nil rates, in five categories over three charging Zones.
17. Zone 1 comprises an area of the Thames South Bank in the north west corner of the Borough including the Bankside, Borough and London Bridge Opportunity Areas (OA). Zone 2 consists of most of the rest of the Borough to its southern boundary beyond Dulwich but excludes the central area between Camberwell and Peckham which comprises Zone 3. (*The SoM transfers from Zone 1 into Zone 2 a small area between Union Street and the railway viaduct west of London Bridge Station.*) Zone 2 includes the Elephant and Castle OA and the Canada Water OA and Action Area (AA). The Peckham and Nunhead AA is within Zone 2 and the Aylesbury AA is within Zone 3.
18. The Revised Draft charging rates, as modified, are tabulated with explanatory footnotes in the SoM [*CDEIP24 Table 1*]. Briefly:
- Residential rates are £400 per square metre (psm) in Zone 1, £200 psm in Zone 2 and £50 psm in Zone 3 with £100 in all Zones for direct let student housing. Nomination student housing restricted to rent below £168 per week (pw) is nil-rated. (*The SoM qualifies the £168 threshold as an 'average' figure.*)
 - The commercial rate for office development is £70 psm in Zone 1 but nil in Zones 2 and 3.
 - The rates for hotel development are £250 psm in Zone 1 and £125 psm in Zones 2 and 3.
 - The rate for all retail development, and sui generis uses akin to retail, in all Zones is £125 psm. (*The SoM deletes a former rate of £250 psm for destination superstores, supermarkets, shopping centres and malls.*)
 - Town centre parking, public libraries, industrial, warehousing and education development and all other uses are nil-rated. (*The SoM reduces a former rate of £30 psm for 'All Other Uses' to zero.*)

Available Evidence

Infrastructure Planning Evidence and the Need for a CIL

Local Planning Policy

19. Southwark Council has achieved adopted Local Plan coverage of the Borough including by way of its Core Strategy (CS) 2011 [CDL1], the Peckham and Nunhead Area Action Plan (AAP) 2012 (adopted November 2014), the Aylesbury AAP 2010 [CDL7] and the Revised Canada Water AAP 2013 [CDL6]. The CS makes provision for 24,450 additional dwellings in the Borough to 2026 to include 35% affordable housing from developments of 10 or more dwellings. Of the total provision, some 14,600 units (approximately 60%) are divided between the Bankside, Borough and London Bridge OA, the Elephant and Castle OA, the Canada Water AA, the Aylesbury AA and the Peckham and Nunhead AA.
20. The Council has in place the Elephant and Castle SPD 2012 guiding development and the provision of infrastructure in that OA. The Council also has in place the Southwark Infrastructure Plan (IP) December 2013 [CDCIL6] identifying the infrastructure needed to support planned development with information on scheme costs, funding and timing of their delivery. Crucial to the delivery of both market and affordable homes in the Borough is the completion of rail and road transport improvements at Elephant and Castle as the largest single infrastructure requirement. The estimated cost of this work is over £154 million of which some £36 million is anticipated to come from CIL revenues.
21. The recently examined Further Alterations to the London Plan (FALP) [CDR2] contemplate increased housing growth for the Borough with Canada Water and Old Kent Road nominated as potential OAs.

Funding Gap

22. CIL receipts are projected to amount to approximately £112 million, compared with a total funding gap of nearly £550 million. This is based on a wide range of infrastructure requirements identified in the foregoing Local Plan documents, including transport, open space, education, health, sport and leisure and emergency services. It is not disputed that these figures, drawn from adopted Local Plan documents and essentially unchallenged cost estimates, demonstrate the need for a CIL in Southwark. That is in addition to the London Mayoral CIL for Southwark of £35 psm, which is applicable to all new development in any event, apart from health and education developments.
23. Essentially the same range of infrastructure schemes identified in the IP are carried forward into the current Southwark CIL Draft Regulation 123 List of December 2013, setting out the projects capable of being funded by CIL [CDCIL4].
24. Local concern is noted that no mention is made in the RDCS of the allocation of 25% CIL receipts to fund specific neighbourhood projects. However, that is

a matter of implementation of the RDCS, once approved, and beyond the scope of the Examination and this Report.

Viability Evidence

Viability Studies

25. The Council commissioned from specialist consultants (BNP Paribas) its CIL Viability Study (VS) of November 2013 [CDE1], which was used to inform the consultation RDCS. The VS was supplemented by Further Sensitivity Testing [CDE2] commissioned from the same consultants after publication of the RDCS but before its submission for examination. The Council also commissioned from specialist consultants (Montagu Evans) Viability Analyses for Harmsworth Quays [CDE3] and Canada Water [CDE4] as well as a range of other area- and subject-specific viability assessments [CDE5-9].
26. In response to my Interim Findings, the Council provided a Viability Study Update (VSU) by the same specialist consultants (BNP Paribas) [CDEIP22]I.
27. The VS and VSU were based on development appraisals using a standard residual land value (RLV) method for an overall total of 73 developments including 65 sample sites, two hypothetical scenarios and 6 PRS scenarios on 3 of the sample sites. Of these developments, the majority of some 81% related to the OAs and AAs, where most development is expected to occur. The sample sites are not directly aligned to actual developments or proposals but generally appear to relate to individual developments reasonably expected to take place under the adopted Local Plan. There is a realistic variety and combination of type and scale of residential, student residential, retail, office, hotel and industrial uses spread through the sample, all on brownfield sites reflecting the highly urban character of the Borough.
28. Aside from a question of whether up-front payments for land and their funding are properly included as development costs, the numerical calculations within the viability assessments themselves are unchallenged in the written representations. At the Hearing it was accepted that these land costs are, in practice, correctly included, with the existing use value deducted from the residual value.
29. Where the VS and VSU are questioned, dispute largely surrounds the suitability of the assessments and their results for setting rates for the majority of planned development in the OAs and AAs in the amounts and combinations of uses set down in the adopted and emerging elements of the Local Plan.

Viability Assessment Methodology

30. Before assessing the individual Revised Draft charging rates it is appropriate to consider, in broad terms, the methodology of viability and rate setting adopted by the Council and its consultants in the light of the National Planning Policy Framework (NPPF) and PPG and other established guidance on financial viability testing.

31. The NPPF (paras 162, 173-177) promotes the provision of the infrastructure necessary to support Local Plans and seeks to ensure their viability and deliverability, including a competitive return to willing developers and land owners.
32. In support of that central aim, the PPG on CIL (paras 009, 015, 018, 019) requires the Council, as charging authority, to show and explain, by way of a robust evidence base, how its proposed CIL rates will contribute towards the implementation of its Local Plan and support development across the Borough. This should be drawn from ‘appropriate available evidence’.
33. Further current guidance is contained in the publications *Viability Testing Local Plans June 2012* by the Local Housing Delivery Group chaired by Sir John Harman (the Harman guidance) and in *Financial Viability in Planning 2012* by the Royal Institution of Chartered Surveyors (RICS guidance).
34. The Harman guidance supports the use of RLV methodology over a market value approach. This matter has now been debated in many CIL schedule examinations, including that of the London Mayoral CIL Schedule, with the conclusion that the RLV approach is to be preferred and there is no convincing evidence that any different methodology should be used. This is because a market value approach risks building in assumptions of current policy rather than helping to inform the potential for future policy costs.
35. Importantly, however, the Harman guidance points out that, on large complex sites, there are intrinsic and essential additional costs of land assembly and planning promotion outside the activities on which developer returns are based. It further states that reference to market values can still provide a useful ‘sense check’ on the Benchmark Land Value (BMLV), input to the viability assessment model, at which a willing developer is likely to release land for development and that special consideration needs to be given to the manner in which BMLV is treated for larger scale sites promoted in the Local Plan.
36. The RICS guidance defines Site Value as equating to market value, assuming that the value has regard to development plan policies and other material planning considerations and, with respect to CIL viability testing, is adjusted as necessary to reflect emerging policy and CIL charges. The RICS guidance asserts that the singular use of current use value (CUV) plus a margin, or Existing Use Value (EUV) plus a premium as used in this case, does not reflect the market and that margins are arbitrarily applied. For this reason it supports the use of market value reflecting alternative use. This is consistent with the NPPF acknowledgement that willing sellers should receive competitive returns.
37. There is nothing essentially contradictory between these two sets of guidance. But where RLV is used to determine viability the results need to be sense checked against market evidence, especially where the delivery of the Local Plan is dependent upon the viability of large scale, strategic developments such as that planned for the OAs and AAs of Southwark. That is not to say that, as seems to be implied by some Representors, that projects planned within AAs and OAs should be separately defined as strategic development and given special treatment or charged lower rates for that reason alone. The

central consideration, applied across the entire Borough, is whether the appropriate balance has been struck in terms of the relevant legislation and guidance quoted above.

38. The Council VS and VSU are appropriately focussed on the RLV of development sampled mainly within the OAs and AAs of the Borough. Although these are not directly aligned to actual developments they appear to represent a reasonable range and distribution of type and scale of development both experienced and planned across the Borough.
39. The VS and VSU correctly take into account the adopted policy requirement for an average 35% affordable housing [*CDCIL1 Core Strategy Strategic Policy 6*] and Code for Sustainable Homes (CSH) Level 4 in residential development, an allowance for section 106 planning obligations supported by records of past receipts [*CDCIL7 Appendix 1*] and contributions to Crossrail, as well as the statutory £35 Mayoral CIL applicable to the majority of developments in the Borough.
40. The Zone boundaries are informed both by residential site values and ‘heat mapping’ of house prices and notably are essentially unchallenged, subject to limited modification to a section of the boundary between Zones 1 and 2 at Union Street, as set out in the SoM.
41. In the VSU, the results of the site appraisals were subject to a series of illustrative sensitivity analyses incorporating sales and capital values increased by 10% and 20% and costs increased and decreased by 10%. CIL rates are set pragmatically well below the average notional capacity of the tested sites to accommodate a CIL charge allowing for a reasonable ‘buffer’, usually over 40%. The area-specific viability analyses also adopt an RLV approach which is essentially consistent with that of the Borough wide VS and VSU and provide a degree of market testing, mainly for the Canada Water AA.
42. The VS and VSU disregard sites assessed as unviable with or without CIL being charged. This is shown to be appropriate in the light of further sensitivity testing indicating that, whereas some sites could be brought into viability by reducing their affordable housing contribution below the policy requirement, they would otherwise be unviable irrespective of CIL.
43. Assessments within the VS for sites in the OAs and AAs relate simply to component land uses within those areas without consideration of their necessary interrelationship in the implementation of the respective AAPs as a whole. Whilst it would be impractical to charge a ‘mixed use’ rate, many of the relatively large-scale developments in the OAs and AAs will include a combination of uses of varying viability where some degree of cross-subsidy will occur in practice. Within the VSU therefore, additional sites are assessed, and those considered in the VS revisited, in order to establish the viability of their projected uses in the combinations envisaged in the Local Plan.
44. However, much of the data input to the site assessments within the VS and VSU is still questioned. In particular, the VS and VSU are broadly criticised on grounds that the scale, nature and extended timescale of the developments planned for the OAs give rise to a high level of investment risk, justifying greater allowances, including for BMLV, building costs and developer profit,

than have been assumed, and a more cautious approach to the viability buffer allowed in setting the CIL rates.

Bench Mark Land Value

45. In particular, it was asserted that calculated BMLVs input to the VS appraisals were not reflective of recorded market transactions, quoted as up to four times greater in practice. It was noted that the Council relied for CUV on the 2010 rating list with an antecedent valuation date of 2008, being thus dated by 6 years, during which time land values have generally risen. Rateable value was generally taken by the Council as a proxy for sales value, including in compulsory purchase negotiations.
46. The VSU appropriately provides a measure of direct market comparison as a check on input BMLVs. Further market research of the Land Registry database and local transactions and properties on the market shows an uplift of some 40% in sales values since the data informing the VS was collected in 2012.
47. Local market rents and yields are carried forward in assessing the key EUV of the appraisal sites. For cleared sites the estimated alternative policy-compliant use value is taken. The added uplift premium ranges between 10% and 20%, depending upon factors of site condition and occupancy likely to influence demand for the land and owner incentive to sell.
48. Notwithstanding some continued objection, the assumptions leading to the BMLV input data appear realistic on the whole, and the VSU is consistent with the foregoing guidance in this respect.

Building Costs and Development Efficiency

49. The building cost input to the VS were also broadly criticised by stakeholders as being too low for the local market. The Council shows, by way of a build costs analysis [CDEIP9], that the costs used were RICS Building Costs Information Service (BCIS) rates weighted for Southwark, including a 15% allowance for external (as distinct from abnormal) costs over the rates applicable when the VS of November 2013 was prepared. Similar build cost levels were input to the Elephant and Castle Section 106 Tariff Development Viability Study of December 2011 and appear realistic for that date.
50. The BCIS data was also criticised as being limited in scope and relating to relatively modest, low-rise developments, whilst the rates used did not appear to have been compared with actual prices, despite the likely effect of subsequent market inflation.
51. The VSU rebases the BCIS build costs to reflect local costs, inflated using the appropriate BCIS Index, and taking into account the variation in gross-net ratio efficiency according to building height and location [CDEIP22 Appendix 5]. The resultant values were cross-checked by comparison with viability assessments submitted to the Council in connection with actual planning applications between 2012 and 2014 [CDEIP21].
52. As for abnormal costs, these are evidently not included in the 15% allowance over BCIS rates. The degree to which such costs are likely to be incurred is

always uncertain, especially on the invariably urban brownfield sites in Southwark where remediation may be required. However, some non-standard costs are known and can be taken into account within individual site assessments and the Council considers other exceptional costs to be sufficiently covered by an overall 5% contingency figure. Accepting that abnormal costs would be reflected in the value of the land for an individual scheme, the building costs input to the VSU appear reasonable in the broader context of Borough CIL rate setting for all development types and locations assessed.

Developer Profit

53. There is conflicting evidence as to the appropriate level of developer profit allowed in the VS and its manner of calculation. The Council maintains that the 20% profit on cost (6% for affordable housing) is conservative compared with its own experience of rates of 15% to 17.5%. Developers prefer to calculate profit for the large scale development planned for OAs and AAs on Internal Rate of Return (IRR) on grounds of higher risk resulting in higher percentages. However, the Council figures are supported by written evidence from public sector property specialists employed to undertake viability assessments for developments proposed in the Borough, whilst IRR results show wide variation. Overall the profit figure of 20% on-cost Borough wide is best supported by the information available.

Analysis of VS and VSU Results as the basis for setting Revised Draft Rates

54. The sample sites are broadly representative of development across the Borough, including the OAs and AAs, and the VSU increases the number of assessments within Zone 1, in particular, to provide a finer-grained analysis than the VS. Within individual categories of development, the capacity to accept CIL varies widely. However, when the maximum residential CIL rate of £400 psm is applied in Zone 1, for example, only three of the six sites tested would be viable but the remainder would be unviable without CIL in any event, requiring a shift in market conditions to come forward [CDEIP22 Table 5.5.1]. The lesser residential rate of £200 for Zone 2 is substantially justified on a similar basis with only two sites out of 18 unviable as a result of charging CIL [CDEIP22 Table 5.9.1]. Comparable results were obtained for the commercial rates.

Market Testing and Developments in Opportunity and Action Areas

55. Limited market testing was been undertaken by way of viability analyses of the Canada Water AAP [CDE3-4]. These used rateable value as a proxy for CUV and assumed a profit of 20% on cost rather than IRR. However, they realistically took into account the RDCS rates, together with specific construction costs, and addressed holistically the mix of development projected within the AAP. The Council admits that the viability of the AAP is shown as marginal and relies on predicted positive economic trends coupled with improved project cash flow due to the necessary phasing of development over time. Importantly however, the purpose of these analyses was not directly related to the RDCS but to the viability of the AAP.

56. The VSU still does not apply IRR and other input data to whole OAs and AAs as strategic sites. However, it does now robustly analyse the majority of the example sites that lie within them on the basis of the combination of uses envisaged. The VSU utilises updated input data on building costs and BMLV with profit levels supported by independent valuation consultants. The results of the VSU confirm the broad viability of schemes that would make up the total development of the OAs and AAs. The evidence thus supports the application of the draft RDCS rates across each charging zone as a whole, irrespective of whether the development would fall within or outside an OA or AA. In further support of this approach, the Local Plan only depends on two sites to produce more than 2,500 dwellings each, or 6% of total housing required, including the Heygate Estate, which already has planning permission.
57. Parallels may be drawn between the OAs and AAs of Southwark and equivalent strategic development areas of the London Boroughs of Tower Hamlets and Kensington and Chelsea, where recent CIL Schedule Examinations have resulted in recommendations for CIL rates of nil in those areas. The detailed evidence that led to those recommendations is not before me and this RDCS is examined on its own merits. However, the Reports in question appear to identify that both those Boroughs are proportionately more dependent than Southwark on individual strategic sites to bring forward their Local Plans. Direct comparison is not therefore appropriate.

Private Rented Sector

58. There is support in the representations for separate consideration of PRS housing on grounds that this is to be encouraged as an important element of housing supply to serve an increasing demand from those who are unable to afford private ownership but who do not qualify for affordable housing.
59. With reference to the submitted legal opinion and response by the Council [*CDEIP27; CDEIP28.10; CDEIP29*], there is no policy limitation on the provision of PRS housing should a private developer choose to offer property for rent and no impediment to ensuring that form of tenure by way of legal planning obligation.
60. However, there is no adopted local policy requirement in Southwark for the provision of PRS housing. At the same time there is evidence from accredited sources of improved buoyancy in the property market, reducing to around 5% the likely discount available on bulk sale or purchase of PRS residential property, previously estimated at up to 30%. Viability testing by the Council of potential PRS schemes within the sample sites indicates viability with the RDCS rates imposed but assuming the current likely level of market discount. There is also evidence that residential developments will alternate between PRS and open market sale according to changing circumstances.
61. On the evidence now available therefore, there is no necessity for a separate CIL rate for PRS housing and, in the absence of any policy requirement for an element of private rented housing within planned development, no such modification of the RDCS is currently justified.
62. Even so, this area of the market justifies careful monitoring in the light of future economic trends. It would be appropriate for the Council to include a

review of this matter in the projected three-year review of the RDCS. This might include engagement with stakeholders and consideration of any possible mechanism for implementing differential rates, such as by way of a legal planning obligation, as well as any implication of the proposed CIL Amendment Regulations 2015 on social housing relief.

Student Housing Rates

63. There is local objection to the relatively modest level of the direct let student housing rate of £100 compared with higher rates charged in other London Boroughs. The Council points out that Southwark is the only London Borough with a policy requirement for an affordable contribution within student housing developments. This reduces their maximum capacity for CIL, as the VS demonstrates [*CDE1 Table 6.14.1*]. Direct comparison with rates elsewhere is therefore precluded and objection to the Southwark rate on this ground is unfounded.
64. Other questions related to nomination student housing are largely a matter of implementation of the RDCS in terms of whether the maximum rent of £168 per week should be regarded as an average, as now proposed in the SoM, and whether it would be capped or index-linked to RPI or CPI, the former being favoured by Representors without dissent by the Council.
65. There is ongoing discussion between the Council and one provider of student housing around a number of other detailed issues, including with respect to the minimum student occupancy of 41 weeks per year set down in draft SPD [*CDL10*]. However, the draft rate, based on an index-linked, maximum average rent of £168 per week is justified on the evidence for inclusion in the RDCS.

Hotel Rates

66. The VS and VSU base the two rates for hotel development (£250 psm in Zone 1 and £125 psm in Zones 2-3) on a number of sites with planning permission and widely varying values of maximum CIL. It is evident from recent, informed market commentary that the hotel market across London is buoyant. Values per room noted in the VSU are very much higher in the north of the Borough, including Zone 1, than in the south in a range of £80,000 to £300,000. These figures represent a substantial increase over those recorded at the time the VS was prepared and are broadly supported by transactional data [*CDEIP22 Table 5.49.1 and Appendix 8*].
67. The main objection, from budget hotel operators, is that the rate of £125 for all except Zone 1 fails to recognise the further variation in values across Zones 2 and 3, with only sites relatively close to the boundary of Zone 1 having been assessed and none toward the southern edge of the Borough.
68. It is further claimed that the examples taken fail to reflect the room size standards set by various budget hotel companies of up to 24 sqm net or 34 sqm gross. However, the Council bases its assessments on actual planning permissions granted.

69. It is not practical to differentiate between types of budget or luxury hotel operation which can change within a permitted use. Moreover, in those examples assessed within Zones 2 and 3, the lower rate is well below the maximum CIL capacity of any type of hotel. Furthermore, there is further evidence of budget hotel promoters achieving lower building costs per room than those input to the VS appraisals.
70. The hotel rates appear overall to be sufficiently conservative to be justified on the evidence.

Retail Rates

71. The Council now proposes a minor modification to the RDCS to delete reference to car parking provision in sui generis uses akin to retail. This modification is carried forward in the SoM and is endorsed as uncontroversial.
72. Concern regarding the Revised Draft retail rates tested in the VS mainly concerned the higher rate of £250 psm for ‘destination’ retail developments. These were defined as comprising large shopping centres, malls and supermarkets, invariably providing car parking, high volume sales and high unit rents and values but often occupying brownfield sites, such as former industrial areas, with lower initial costs. Following my Interim Finding that the distinction between destination and other retail uses was not made out, the ‘destination retail’ category and the related CIL rate of £250 is deleted in the SoM and this modification is also endorsed.
73. By comparison, the lower rate of £125 psm for other retail development is not substantially challenged, save with respect to the claim that OAs and AAs, and Canada Water in particular, should be nil-rated overall, as considered above.
74. However, there is a proposition that retail development below 280 sqm should be nil-rated, citing other London CIL Schedules, in the interest of promoting local shopping provision. Treating the Southwark RDCS on merit however, the VS assesses a wide range of retail operations including some well below that size threshold. Any development below 100 sqm is not liable for CIL in any event, whilst there is potential that many developments would reuse existing floorspace, also not subject to CIL. On the available evidence, the case for a differential zero rate for retail development below 280 sqm is not made out.

‘All Other Uses’ Rate

75. There were objections from statutory infrastructure providers, specifically of sewage and water facilities and fire stations, that it is illogical and inappropriate for the ‘All Other Uses’ rate to be charged against such publicly funded development. There was also local objection in principle to the ‘All Other Uses’ rate being charged for community facilities such as public halls, youth clubs or child care facilities, especially given that the Mayoral CIL is already charged on all development. It was my Interim Finding that, despite exemptions applying to certain charitable organisations, the ‘All Other Uses’ rate was not substantiated. In the SoM it is reduced to nil and this modification, too, is endorsed.

Zone Boundaries

76. The definition of the boundaries between the three charging zones is supported by the VSU [*CDEIP22 Table 3.3.1*] and is largely unchallenged. Objections to the RDCS are mainly focussed on the rates charged within the zones.
77. There was, however, representation that the boundary between Zone 1 and Zone 2 along Union Street, between Blackfriars Road and Southwark Bridge Road, should be modified with respect to a narrow strip of development between the north side of the road and the face of the viaduct supporting the main railway line west of London Bridge. This led to an Interim Finding that this section of the boundary should be reconsidered, given the limited evidence of land values and the logic that this constrained strip of land, partly severed from the rest of Zone 1, should be subject to the lower charge of Zone 2. The boundary is duly modified in the SoM and this modification is endorsed.

Other Matters

78. Further representations seek relief from CIL for developments under 1,000 sqm. However there is no basis in evidence for such a distinction, given sites were assessed in a range of sizes including some well below that threshold shown to be viable with CIL imposed.

Overall Conclusions and Recommendation

79. The VSU is still broadly criticised as failing to address, point by point, the shortcomings identified in the VS, in the terms of my Interim Findings. It is fair to say that the additional evidence supplied by way of the VSU and its appendices is difficult to relate to the earlier VS due to inconsistencies of presentation. For example, instead of tabulating figures of RLV and CIL, the VSU simply categorises viability with or without CIL with only cross-reference to the appraisal results [*CDEIP22 Chapter 5 and Appendix 3*]. The tables are reduced in hard copy to the point of illegibility and are difficult to scan on-screen due to the need for re-enlargement. More important, the audit trail from appraisal to conclusion is discontinuous and hard to follow. The Council would be well advised, in its proposed review of the RDCS within three years, to set a clear brief to ensure sufficient sampling at the outset, clearly presented results and well-reasoned conclusions.
80. In further general support of the RDCS the Council also points out that many of the projected residential sites in OAs are already approved and that CIL never amounts to more than 3.75% of development project cost in Zone 1, 5.33% in Zone 2 and 1.31% in Zone 3. Furthermore, in practice a proportion of existing floorspace is reused within redevelopment and exempt from CIL, improving overall project viability.
81. Despite the foregoing criticisms, I am satisfied that the VSU in practice addresses the shortcomings identified in my Interim Findings and that the charging rates of the RDCS, modified in accordance with the SoM, are now robustly supported by appropriate available evidence as required.

82. In setting the CIL charging rates the Council has had regard to detailed evidence on infrastructure planning and the economic viability evidence of the development market in the Borough. The Council has been realistic in terms of achieving a reasonable level of income to address an acknowledged gap in infrastructure funding, while ensuring that a range of development remains viable across the Borough as a whole.
83. However, whilst the LDS already requires the RDCS to be reviewed within three years, the Council should closely monitor the effects of the CIL charge, especially upon the viability and progress of planned strategic development in the OAs and AAs as well as PRS housing development, and undertake an earlier review if a need for this becomes evident.

LEGAL REQUIREMENTS	
National Planning Policy Framework and Planning Practice Guidance	Revised Draft Charging Schedule, modified as recommended, complies with national policy and guidance.
2008 Planning Act and 2010 Regulations (as amended 2011, 2012 and 2013)	The Revised Draft Charging Schedule, modified as recommended, complies with the Act and the Regulations in respect of the statutory processes, public consultation, consistency with the adopted Local Plan and Infrastructure Delivery Plan and is supported by an adequate financial appraisal.

84. I conclude that, subject to the modifications set out in the Statement of Modifications and, for the avoidance of doubt, endorsed and repeated in the Appendix to this Report, the Southwark Council Community Infrastructure Levy Revised Draft Charging Schedule December 2013 satisfies the requirements of Section 212 of the 2008 Act and meets the criteria for viability in the 2010 Regulations (as amended 2011, 2012 and 2013).
85. I therefore RECOMMEND that the Draft Charging Schedule be approved.

B J Sims

Examiner

Appendix

Modifications proposed by the Council in the Statement of Modifications and Endorsed by the Examiner.

Modifications to the Revised Draft Charging Schedule are shown in Table 1 below. Modifications to the charging zones are shown in Figure 1 below.

Table 1: Proposed modifications to the Revised Draft Charging Schedule

Development type	Zone *	CIL Rate £ per sq.m.
Office	Zone 1	£70
	Zones 2-3	£0
Hotel	Zone 1	£250
	Zones 2-3	£125
Residential	Zones 1	£400
	Zone 2	£200
	Zone 3	£50
Student housing – Direct let **	Zones 1-3	£100
Student housing – Nomination ***	Zones 1-3	£0
Destination superstores / supermarkets / shopping centres / malls ****	Zones 1-3	£250
All other retail (A1 – A5 & Sui Generis uses akin to retail) *****	Zones 1-3	£125
Town centre car parking *****	Zones 1-3	£0
Industrial and warehousing	Zones 1-3	£0
Public libraries	Zones 1-3	£0
Health	Zones 1-3	£0
Education	Zones 1-3	£0
All other uses	Zones 1-3	£30 £0

*These zones are shown in the CIL Zones Map 2013 below.

** Direct let student housing schemes – market rent levels

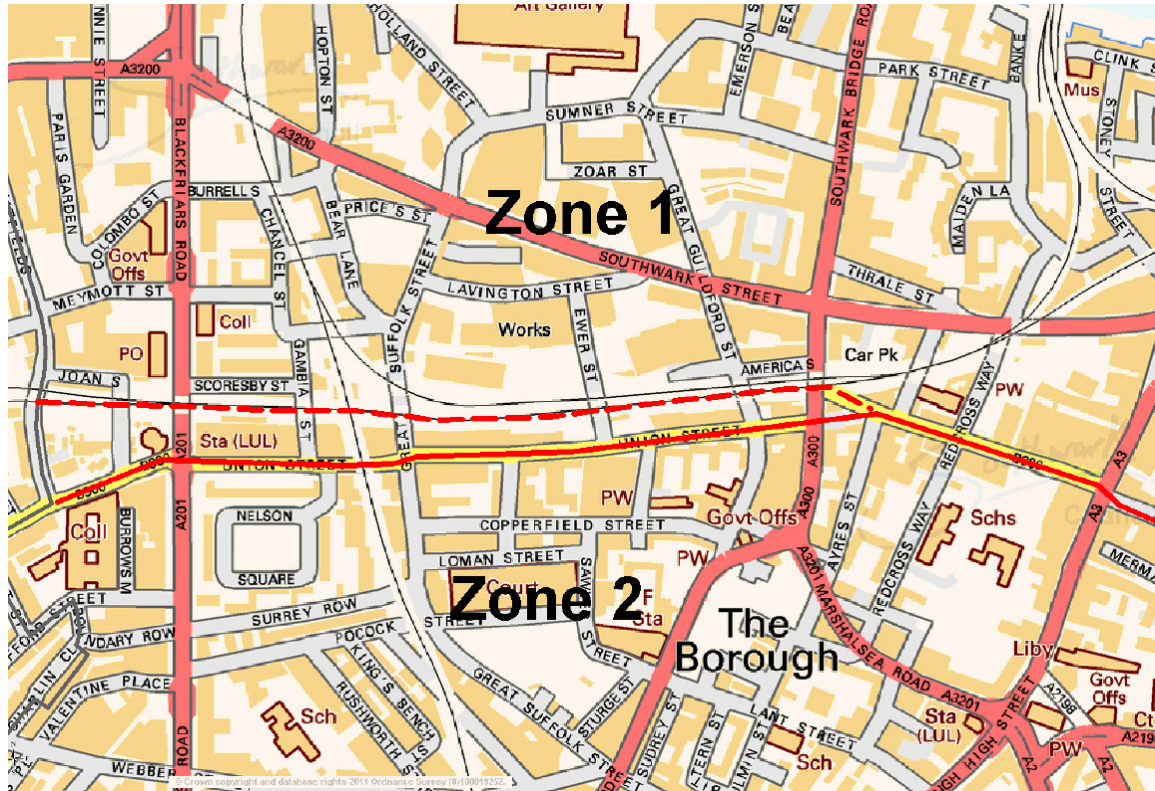
*** Nomination student housing schemes – rental levels set below an average of £168 per week and secured through a section 106 planning obligation


~~**** Destination superstores/supermarkets for weekly food shopping needs, which can include non-food floor space as part of the overall mix of the unit.~~


~~Shopping centres/shopping malls are shopping destinations which comprise one or more buildings providing a range of services including shops, cafes and restaurants, connected by pedestrian walkways, excluding town centre car parking provision.~~

~~***** Sui generis akin to retail includes petrol filling stations; shops selling and/or displaying motor vehicles; retail warehouse clubs, excluding town centre car parking provision.~~

~~***** Town centre car parking which is made available to all visitors to the town centre~~

Figure 1: Proposed modifications to the charging zone boundaries**Key**

 Boundary between CIL zones 1 and 2 proposed in RDCS, December 2013

 Modification to boundary between CIL zones 1 and 2 proposed in Statement of Modifications, December 2014

**Planning Act 2008
Community Infrastructure Levy Regulations 2010 (as
amended)**

**London Borough of Southwark
Community Infrastructure Levy
Charging Schedule (April 2015)**

The London Borough of Southwark is a charging authority for the purposes of Part 11 of the Planning Act 2008 and may therefore charge the Community Infrastructure Levy in respect of development in the London Borough of Southwark.

The rate at which CIL will be charged shall be:

Development type	Zone *	CIL Rate £ per sq.m.
Office	Zone 1	£70
	Zones 2-3	£0
Hotel	Zone 1	£250
	Zones 2-3	£125
Residential	Zones 1	£400
	Zone 2	£200
	Zone 3	£50
Student housing – Direct let **	Zones 1-3	£100
Student housing – Nomination ***	Zones 1-3	£0
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Industrial and warehousing	Zones 1-3	£0
Public libraries	Zones 1-3	£0
Health	Zones 1-3	£0
Education	Zones 1-3	£0
All other uses	Zones 1-3	£30 £0

*These zones are shown in the CIL Zones Map 2013 below.

** Direct let student housing schemes – market rent levels

*** Nomination student housing schemes – rental levels set below an average of £168 per week and secured through a section 106 planning obligation

**** Destination superstores/supermarkets for weekly food shopping needs, which can include non-food floor space as part of the overall mix of the unit.

Shopping centres/shopping malls are shopping destinations which comprise one or more buildings providing a range of services including shops, cafes and restaurants, connected by pedestrian walkways, excluding town centre car parking provision.

***** Sui generis akin to retail includes petrol filling stations; shops selling and/or displaying motor vehicles; retail warehouse clubs, excluding town centre car parking provision.

***** Town centre car parking which is made available to all visitors to the town centre

As per Regulation 14 of the Community Infrastructure Levy Regulations 2010 (as amended), the Council is designated the collecting authority for the Mayor of London in Southwark. This requires a current charge of £35 per square metre to be levied in addition to the amounts specified above.

The amount to be charged for each development will be calculated in accordance with Regulation 40 of the Community Infrastructure Levy Regulations 2010 (as amended). For the purposes of the formulae in paragraph 5 of Regulation 40 the relevant rate (R) is the rate for each charging zone shown in the charging schedule above.

CIL will be applied on the chargeable floor space of all new development apart from that exempt under Part 2 and Part 6 of the Community Infrastructure Levy Regulations 2010 (as amended). The exemptions from the CIL rates are:

- The gross internal area of a new buildings or extensions to buildings will be less than 100 square metres (other than where the development will comprise one or more dwelling);
- A building into which people do not normally go;
- A building into which people go only intermittently for the purpose of maintaining or inspecting machinery; or
- A building for which planning permission was granted for a limited period.

Statement of Statutory Compliance

The Charging Schedule has been approved and published in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) and Part 11 of the Planning Act 2008 as amended.

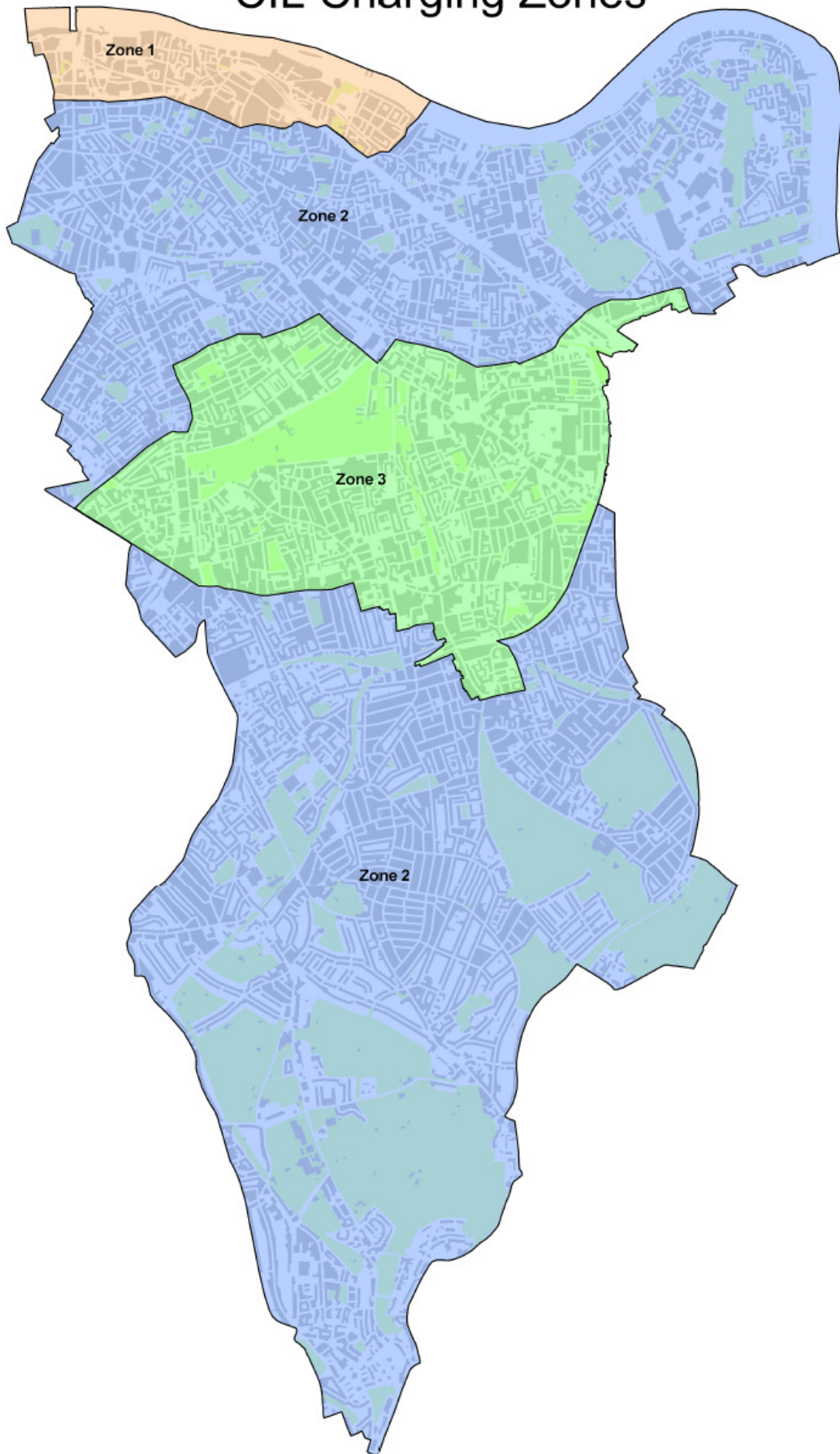
In setting the levy rates, the Council has struck an appropriate balance between;

- a) the desirability of funding from CIL in whole or in part the estimated cost of infrastructure required to support the development of its area, taking into account other actual and expected sources of funding, and
- b) the potential effects, taken as a whole, of the imposition of CIL on the economic viability of development across its area.

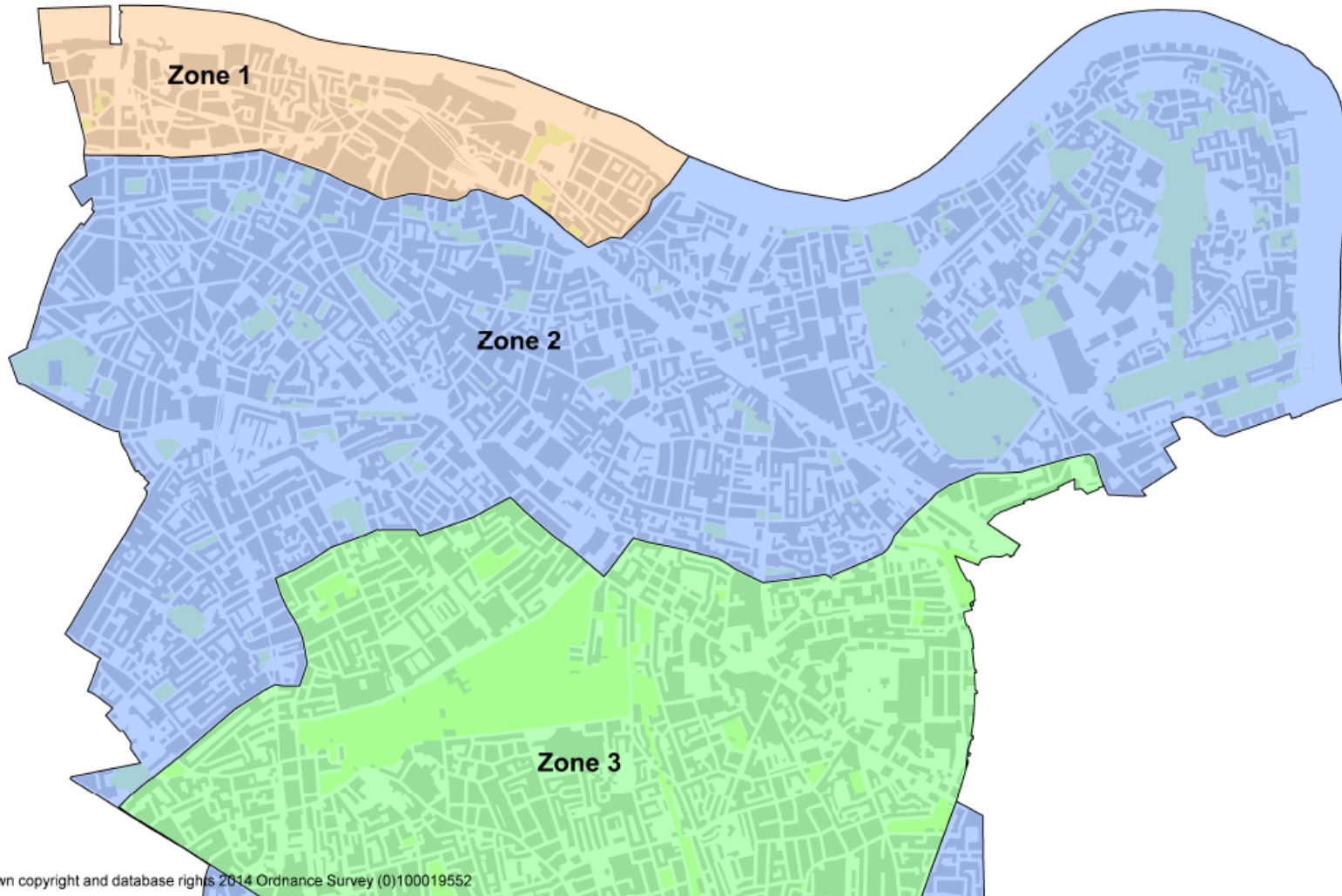
This Charging Schedule was approved by the Council on [25 March 2015]

This Charging Schedule will come into effect on [1 April 2015]

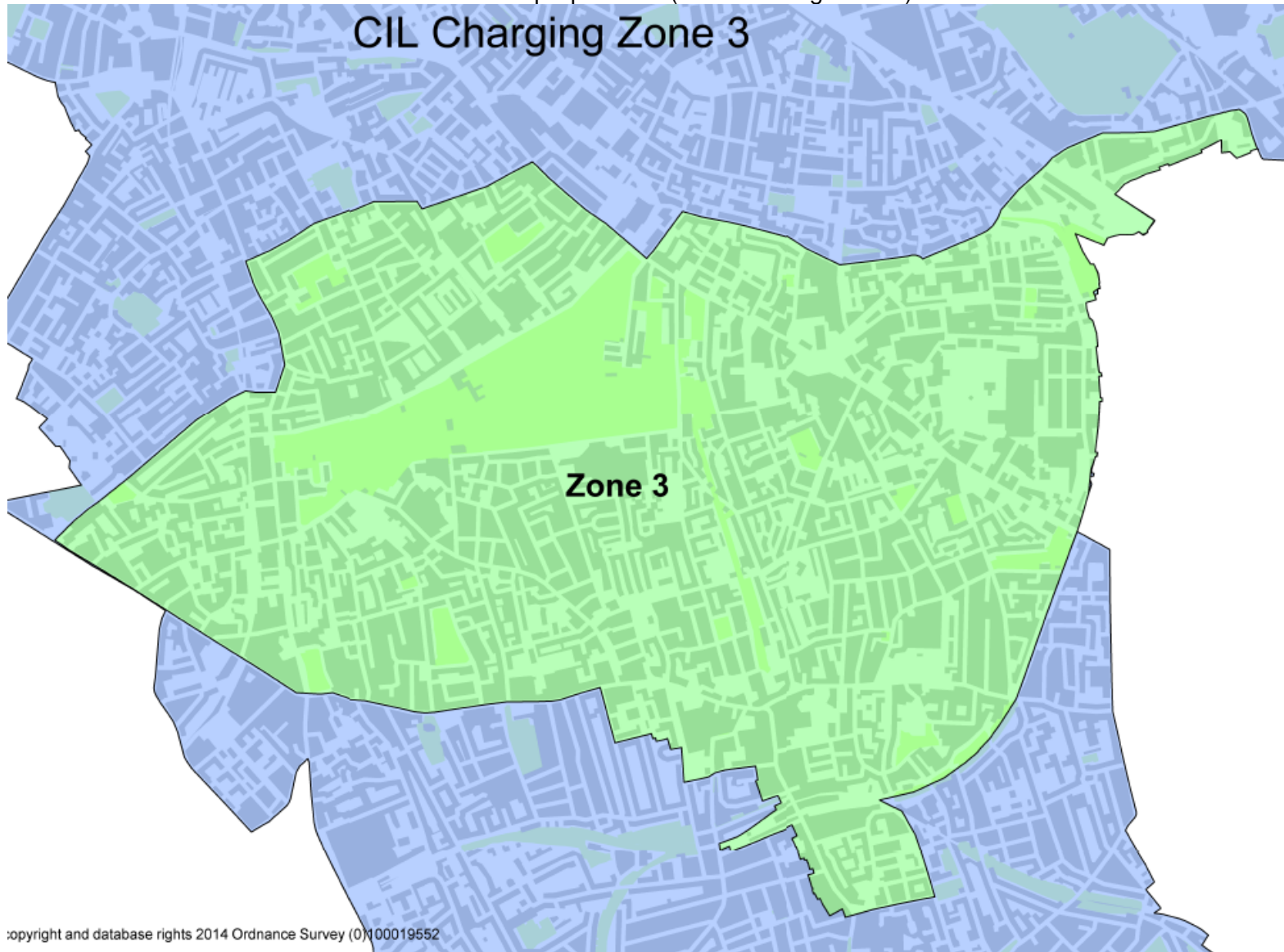
CIL Charging Zones



CIL Charging Zone 1 and 2



CIL Zones Map April 2015 (inset showing Zone 3)
CIL Charging Zone 3



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Appendix C: Regulation 123 List

No.	Title
Appendix A	Examiner's Report on the Southwark CIL Revised Draft Charging Schedule (RDCCS)
Appendix B	Southwark Community Infrastructure Charging Schedule
Appendix C	Regulation 123 List
Appendix D	Southwark CIL Infrastructure Plan (available on the website)
Appendix E	Southwark CIL Updated equalities Analysis (available on the website)
Appendix F	Southwark CIL Consultation Report (available on the website)
Appendix G	Section 106 Planning Obligations and Community Infrastructure Levy (CIL) Supplementary Planning Document (SPD)
Appendix H	SPD Consultation Report (available on the website)
Appendix I	SPD Updated Equalities Analysis (available on the website)
Appendix J	SPD Table of Modifications (available on the website)
Appendix K	SPD Draft Adoption Statement (available on the website)
Appendix L	SPD Habitats Regulations Assessment (available on the website)
Appendix M	SPD Sustainability Appraisal Screening Assessment and Statement of Reasons (available on the website)

March 2015

CIL Regulation 123¹ list

Education:

Existing primary school expansion (not land), except for Alfred Salter, Redriff and Rotherhithe primary schools

Secondary school provision /expansion (not land), except for Bacon's College secondary school

Health:

All with the exception of sites where there is a planning requirement to provide a health use, including a new facility to serve the Canada Water core area

Libraries:

All with the exception of sites where there is a planning requirement to provide a library.

Open Space:

Improvements to District Parks (Burgess Park, Dulwich Park, Peckham Rye, and Southwark Park)

Other:

Cemeteries (not including land)

Modernised adult care facilities

Storm water storage areas: Camberwell, Dulwich, Peckham Rye and North Peckham

Sports:

New leisure centre in Canada Water town centre (not including land)

Transport:

Bakerloo line southern extension (not including land)

Camberwell Station (not including land)

Camberwell town centre improvements to pedestrian crossings, signals and pavements

Cycle routes and parking (not including on-site cycle infrastructure and development specific signage)

Elephant and Castle northern roundabout pedestrian and cycle improvements

Elephant & Castle underground stations (not including land)

New cycle and pedestrian Thames crossing at Rotherhithe

Peckham Rye station

¹ Refers to Regulation 123 of the Community Infrastructure Regulations 2010 (as amended)

~~How to get involved~~

~~Consultation on the Section 106 Planning Obligations and Community Infrastructure Levy Allocations Supplementary Planning Document (SPD)~~

~~We welcome your comments on the SPD. Please send us your response by 25 February 2014. Any responses received after this date will not be considered.~~

TIMETABLE FOR CONSULTATION	
CONSULTATION	TIMETABLE
The SPD will be available to the public from	3 December 2013
The SPD will be considered by Cabinet for approval to begin the consultation process	10 December 2013
The formal consultation in relation to the SPD and Equalities Analysis will be carried out between:	14 January 2014 – 25 February 2014
The Council will consider responses received as part of the consultation process between:	February – May 2014
The SPD will be submitted to Cabinet for final approval and adoption	Summer 2014

~~Contact Tim Cutts or Barbara Ann Overwater with any questions and for copies of this document at planningpolicy@southwark.gov.uk or 020 7525 5471.~~

~~How to make a comment~~

~~Comments should be emailed to planningpolicy@southwark.gov.uk. Alternatively you can send your response to: Planning Policy, Chief -----
-----Executive's Department, Southwark Council FREEPOST SE19 19/14 London SE1P 5LX.~~

~~Our response to your comment~~

~~When we receive your comment we will:~~

- ~~• Acknowledge your response by email (or letter if an email address is not provided) within 10 days.~~
- ~~• Publish your comments and our officer responses when we publish the final SPD on the website.~~

~~We envisage that the SPD will be adopted at the same time as Southwark's CIL Charging schedule. The provisions of the Section 106 Planning Obligations SPD (2007) will be in force until that time.~~

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NB: Page numbers to be updated in final SPD

1. What is the Section 106 Planning Obligations and Community Infrastructure Levy SPD?

- 1.1 This supplementary planning document (SPD) provides detailed guidance on the use of section 106 planning obligations alongside the community infrastructure levy. ~~When adopted, it will~~ It replaces s Southwark's adopted Section 106 Planning Obligations SPD (2007).
- 1.2 Section 106 planning obligations are used to address negative impacts of a development. They are legally binding and comprise either an agreement between a council and a developer or a unilateral undertaking made by a developer. They can be used to specify the nature of developments (for example, requiring a portion of housing to be affordable), compensate for loss or damage created by a development (for example, loss of open space), or address a development's impact (for example, through a contribution towards public realm improvements in the local area). They can involve a financial or non-financial obligation. Almost all development has some impact on the need for infrastructure, services and amenities - or benefits from it - so it is only fair that such development pays a share of the cost. ~~Southwark's current guidance on section 106 planning obligations is set out in the 2007 Section 106 planning obligations SPD.~~
- 1.3 The adopted Section 106 Planning Obligations SPD (2007) sets out a number of standard charges which historically we have used to calculate section 106 planning obligations. These charges covered ed a range of types of infrastructure, including school places, open space, strategic transport improvements, sports development and play facilities. Funding which is generated is often pooled as individual obligations are often not sufficient to pay for large infrastructure items. However, the introduction of the Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (as amended) has changed the way that developments contribute towards the funding of strategic infrastructure. They introduce an alternative mechanism for funding strategic infrastructure, which is the community infrastructure levy (CIL).
- 1.4 The Community Infrastructure Levy will largely replace section 106 planning obligations as the way in which developments contribute towards providing the new infrastructure to support new development. Once a CIL has been adopted or by April 2015 (whichever is the sooner) local authorities will not be able to pool more than five separate planning obligations to pay for one item or type of infrastructure. The intention of the CIL Regulations is that section 106 planning obligations should mainly be used to secure site specific infrastructure which is needed to directly address the impact of development.
- 1.5 The draft Section 106 Planning Obligations and Community Infrastructure Levy SPD provides detailed guidance on how section 106 planning obligations are negotiated and how section 106 planning obligations and CIL work together. This SPD contains the following information:
- Section 2 explains what the community infrastructure levy is and describes both Southwark's CIL and the Mayor of London's CIL.
 - Section 3 explains section 106 planning obligations in more detail. It describes the different types of obligations, including the Mayor of London's Crossrail Section 106 planning obligations.

- Section 4 sets out how CIL and section 106 planning obligations work alongside one another.
- Section 5 provides guidance on the process for securing CIL and section 106 planning obligations.
- Section 6 describes how CIL and section 106 planning obligations are implemented and how funds are spent. A proportion of CIL funding must be spent in local areas and this section describes how that will work in Southwark.
- Finally Appendix 1 provides guidance on how section 106 planning obligations are calculated.

2. What is the community infrastructure levy?

- 2.1 The Community Infrastructure Levy (CIL) came into force in April 2010. It allows local authorities in England and Wales to raise funds from developers undertaking new building projects in their area. The money can be used to fund a wide range of local and strategic infrastructure that is needed to support growth and development in the borough. This includes transport facilities, flood defences, schools and other educational facilities, medical facilities, sporting and recreational facilities and open spaces.
- 2.2 CIL is intended to provide developers more certainty 'up front' about how much money they will be expected to contribute towards local infrastructure needs.
- 2.3 CIL takes the form of a charge per square metre of floorspace applied to most new developments that involve an increase of 100 square metres or more of gross internal floor space or that involves creating a dwelling even where this is below 100 square metres. The CIL charges are based on the size and type of the new development. Some developments are exempt from paying the levy. These are developments of affordable housing and developments by charities of buildings used for charitable purposes.
- 2.4 The CIL charges need to be set out in a formal document called a Charging Schedule. Charges are index linked and inflate over time.

Southwark CIL

- 2.5 Southwark is a CIL "charging authority" and Southwark's CIL ~~will be~~ is set out in a CIL charging schedule. The CIL charges will be applied to new development in the borough. In line with the CIL Regulations, these charges need to be supported by:
- An up-to-date development plan ;
 - The area's infrastructure needs; and
 - An overall assessment of the economic viability of new development.
- 2.6 To adopt the CIL charging schedule, Southwark needs to show that CIL is necessary to help bridge any infrastructure funding gap to support growth across the borough over the development plan period (i.e. Core Strategy 2011-2026). Southwark has prepared an infrastructure plan which is part of the evidence base needed to help justify levying a CIL. The infrastructure set out in the infrastructure plan is not an exhaustive list. It is intended to be a living document which ~~can~~ will be updated regularly.

- 2.7 The Southwark CIL will provide funding to help deliver a range of borough-wide and local infrastructure projects that support residential and economic growth and benefit local communities. It allows Southwark to work with infrastructure providers and communities to set priorities for what the funds collected under the levy should be spent on, and provides a funding stream so that the delivery of infrastructure projects can be planned more effectively.
- 2.8 The CIL charging schedule must also be supported with evidence about the effect of the CIL on the economic viability in the area. This means that a viability study needs to be prepared to show that the level of CIL does not generally prevent development from coming forward in the borough.

The link below provides more information on Southwark's CIL:

http://www.southwark.gov.uk/info/856/planning_policy/2696/community_infrastructure_levy www.southwark.gov.uk/southwarkcil

Mayoral CIL

- 2.9 In addition to Southwark, the Greater London Authority is also a charging authority and the Mayor can charge a CIL to help ensure the delivery of local and sub-regional large-scale infrastructure. As of 1 April 2012, the Mayor charges CIL to fund strategic transport, which is currently the Crossrail project.
- 2.10 The Mayor's levy is £35 per square metre (plus indexation) of new development in Southwark. There is a nil charge for education and health uses.
- 2.11 Southwark is required to collect CIL on behalf of the Mayor, and give it priority in calculating the viability of its own CIL and other planning obligations. The Mayor will be responsible for spending the Mayoral CIL.
- 2.12 Further information on the Mayoral CIL is set out within the Supplementary Planning Guidance 'Use of Planning Obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy' (April 2013) available at: <http://www.london.gov.uk/sites/default/files/Crossrail%20SPG%20April%202013.pdf>
- 2.13 There is also more information about the Mayoral CIL on our website at: <http://www.london.gov.uk/priorities/planning/mayoral-community-infrastructure-levy>
http://www.southwark.gov.uk/info/200441/cil_information/2614/mayoral_cil

3. What are section 106 planning obligations?

- 3.1 Section 106 planning obligations (made under Section 106 of the Town and Country Planning Act 1990) are usually secured by a legal agreement made between a local planning authority, a landowner, a developer and potentially other affected people or a unilateral undertaking made by a developer. They can be both financial and non-financial obligations. They are used when there is a requirement to address the impact of a development and the impact itself cannot be dealt with through a planning condition on the permission.

- 3.2 Section 106 planning obligations must meet the tests set out in the Community Infrastructure Levy Regulations 2010 ([as amended](#)) (Regulation 122) which state that a planning obligation may only be a reason for granting planning permission for the development if the obligation is:
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.

Types of section 106 planning obligations

- 3.3 Guidance on how Southwark will negotiate the most common section 106 planning obligations is set out in Appendix 1. This includes the following areas:

- Affordable housing provision
- Archaeology: Works and payments towards the Southwark's archaeology service
- Carbon offset: Green fund
- Children's play space
- Employment and Enterprise: Jobs during construction and final development
- Employment and enterprise: General and end-user phase: skills, training and employment
- Employment and enterprise: Loss of employment floorspace
- Employment and enterprise: Other obligations
- Outdoor amenity space
- Public Realm measures
- Student Housing: University nomination schemes
- Transport measures: Site specific
- Wheelchair accessible housing: Offset fund

- 3.4 This list of obligations in Appendix 1 includes a [set range](#) of sizes for development, above which we will seek the obligation. We may also seek to secure contributions where a development proposal below the minimum size creates an exceptionally large impact. Appendix 1 also does not cover all of the planning obligations that may be sought. Very large development schemes may have wide ranging impacts, which will require more significant measures to be put in place to address them in addition to the standard charges. In addition to the above list of standard charges, planning obligations may also be sought, on a case by case basis where there are identified direct impacts from development to address the following areas:

- [Bus stops and any dedicated bus service improvements](#)
- CCTV
- Community safety initiatives
- Conservation of buildings or places of historic or architectural interest
- Conservation, creation and enhancement of areas of plant and wildlife habitat
- Contributions for loss of community use (D1) floorspace
- Flood risk management and infrastructure (utilities) provision
- Land for health provision
- Management and maintenance payments

- Measures to improve and address negative impacts on air quality and noise
 - Phasing of development
 - Police and fire service
 - Project management costs
 - Provision of small business space
 - Restrictions on the use of the land, public access and public rights of way
 - Servicing, construction management and management agreements
 - Sustainable building practices and fit out, such as Code for Sustainable Homes, BREAAAM, Sustainable Urban Drainage Systems (SUDS), connection to District heating systems, non potable water networks, and private wire networks providing power generated by low and no carbon generation
 - Tourism and visitor facilities including public conveniences
 - Visitor management plan
 - Waste Management.
- 3.5 Where section 106 planning obligations are considered necessary these may include some or all of the above or others as required. This list is provided to set out the most commonly sought ~~obligations~~ ~~contributions~~ but should not be considered exhaustive. The planning obligation for affordable housing is explained in the Affordable Housing (SPG) (2008) and also the draft Affordable Housing SPD (2011) available at:
http://www.southwark.gov.uk/downloads/download/2245/affordable_housing_spd

Mayoral section 106 planning obligation for Crossrail

- 3.6 The Mayor requires a planning obligation from new ~~commercial~~ ~~office~~ developments in the Central Activities Zone (CAZ) and northern Isle of Dogs area which are above a 500 square metre (GIA) threshold. The Crossrail project is excluded from the restrictions set out in the Community Infrastructure Levy Regulations 2010.
- 3.7 CIL payments will be treated as a credit towards any payment sought for Crossrail should the former be less than the latter. If the CIL contribution exceeds the Crossrail obligation, the Crossrail planning obligation will not be sought.
- 3.8 In Southwark, a Crossrail planning obligation charge is calculated per square metre of new office (£140), retail (£90) and hotel (£61) development in the Bankside, Borough and London Bridge Opportunity Area which is shown both in the Core Strategy and London Plan.
- 3.9 Further information is set out within the Mayor's Supplementary Planning Guidance 'Use of Planning Obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy (April 2013).
<http://www.london.gov.uk/sites/default/files/Crossrail%20SPG%20April%202013.pdf>

4. How will CIL and section 106 planning obligations work together?

- 4.1 ~~When Southwark adopts a CIL or by~~ **From** April 2015 ~~(whichever is the sooner)~~ section 106 planning obligations will have a much more restricted role than they currently do. We will not be able to pool the funding generated by more than five section 106 planning obligations to pay for one infrastructure project **or type**.
- 4.2 ~~With When~~ Southwark's CIL ~~has been~~ adopted, ~~the key principle of our approach will be that~~ section 106 planning obligations will be used to address site specific impacts of developments, such as a local access road or public realm improvements near the site. They may also be used in situations where a developer does not meet planning policy requirements to provide infrastructure on the development site. Section 106 planning obligations will be negotiated where items sought are clearly linked to the development site and are needed to make that particular development acceptable. CIL on the other hand will be used to fund local and strategic infrastructure required to support growth across the borough.
- 4.3 CIL payments and section 106 planning obligations will be used to fund different infrastructure items and developments will not be charged for the same items of infrastructure through both section 106 planning obligations and the CIL. To help clarify this, we have published a list of those infrastructure projects **or types** for which we will not seek to negotiate section 106 planning obligations, after Southwark's CIL has been adopted. This is called a Regulation 123 list (from CIL Regulation 123). The Regulation 123 list contains projects **or types of infrastructure** which may be funded partly or wholly by CIL. The list is based upon the infrastructure projects **or types** set out in the borough's Infrastructure Plan which are required to support growth over the Core Strategy period (2011-2026). It will be kept up to date to take into account any changes in circumstances and / or infrastructure needs identified in the future.
https://www.southwark.gov.uk/downloads/download/3323/draft_cil_charging_schedule
- 4.4 Affordable housing falls outside of CIL and will continue to be required through a section 106 planning obligation.

5. What is the process for securing CIL and section 106 planning obligations?

CIL

- 5.1 The amount of CIL to be paid depends on the size and type of the development.
- 5.2 Developments that do not require planning permission but meet the CIL threshold i.e. some "permitted" development, may need to pay CIL if the development started **by after** the 6 April 2012. For these developments developers must submit a 'Notice of chargeable development' to the council before commencing development.
- 5.3 Applicants will know how much CIL to pay for a development from a 'CIL Liability Notice' which we will issue once planning permission has been granted, or once the developer has submitted the 'Notice of chargeable

development' where planning permission is not required. Applicants should then confirm the payment of CIL before the start of development by sending a completed 'assumption of liability' form to the council.

- 5.4 CIL needs to be paid when development starts. The [Community Infrastructure Levy CIL](#) Regulations require payment within 60 days, unless we have adopted a [payment installments](#) policy. [Southwark's installments policy will be published on the internet as per Regulation 69b \(1\) of the CIL Regulations at \[http://www.southwark.gov.uk/info/200441/cil_information/2698/southwark_cil\]\(http://www.southwark.gov.uk/info/200441/cil_information/2698/southwark_cil\)](#) We have the freedom to decide the number of payments, the amount and the time due. We can also revise or withdraw the policy as appropriate.
- 5.5 The CIL collection arrangements are covered in Part 8 of the Community Infrastructure Levy Regulations and the government has issued [further guidance](#) ~~an information document~~ on CIL collection and enforcement [in the National Planning Practice Guidance](#):
<http://www.communities.gov.uk/publications/planningandbuilding/cilcollectionenforcement>
<http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/collecting-the-levy/>
- 5.6 Further information is also available on the Planning Portal website:
<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil#Downloadtheforms>

Section 106 planning obligations

- 5.7 The ~~draft~~ SPD is used on a borough-wide scale. It provides guidance that expands on the policies and guidance for seeking planning obligations as set out in a number of planning documents, including the following:
- London Plan (2011) [\(consolidated with revised early minor alterations 2013 \(referred to as "The London Plan" in the remainder of the document\)\)](#) policy 8.2
 - Core Strategy (2011) policy 14
 - Canada Water Area Action Plan (2012) policy 33
 - ~~Draft~~ Peckham and Nunhead Area Action Plan (2014~~2~~) policy 48
 - Aylesbury Area Action Plan (2009) policy D2
 - [Elephant and Castle SPD and OAPF \(2012\) SPD 20](#)
 - Affordable Housing SPD (2008) and draft Affordable Housing SPD (2011)
- 5.8 [CIL will replace the section 106 tariffs set out in the Aylesbury Area Action Plan and the strategic transport section 106 tariff in the Elephant and Castle SPD/OAPF.](#)
- 5.9 When carrying out negotiations for section 106 planning obligations, we must meet the tests set out in the Community Infrastructure Levy Regulations ([Regulation](#) 122).
- 5.10 Applicants should use this SPD to consider the impacts of the proposed scheme and any planning obligations likely to be required to address the impacts of development. Applicants should get in contact with Southwark

early, to identify any issues and their possible solution before a planning application is made.

- 5.11 We will require applicants to prepare a planning obligations statement [for major development proposals](#) that addresses the issues outlined in this SPD where they are relevant to the particular proposal. The planning obligations statement should be submitted as part of the planning application.
- 5.12 Should the applicant consider that a planning obligation cannot be supported by the proposed development due to financial reasons, the applicant should submit a full 'open book' financial viability assessment to Southwark. All information provided to Southwark will be on a confidential basis. The applicant will be required to meet the ~~our~~ cost of reviewing the assessment which will include the appointment of qualified independent assessors. Claw-back legal clauses may be used to secure the full contribution should land values increase.
- 5.13 Following the decision to grant planning permission, the planning obligation(s) will be set out in the form of a binding legal agreement. The agreement will set out the detail of the planning obligations, including whether there are specific points in the development phasing for payment of commitments to be made by the developer, as well as obligations upon the council. On the completion and signing of a Section 106 [planning obligation legal agreement](#), planning permission is formally issued. Generally, we will always seek to receive payment of contributions upon the carrying out of the development in order to ensure that projects which address the impact of a development can be delivered by the time the development is occupied. If funds are payable on specified triggers, these funds will only be received if the planning permission is implemented. When a point has been reached, such as the start of the development construction, the developer must contact us to state that this event has occurred.
- 5.14 The cost of any section 106 charges will be reviewed annually using the Building Cost Information Service of The Royal Institution of Chartered Surveyors to adjust for inflation. The monitoring and administration of section 106 agreements is an impact of a development, and therefore we have developed a consistent and efficient approach to the monitoring and delivery of planning obligations. An administration charge of 2% will be applied, which excludes all legal costs associated with the preparation of an actual Section 106 Agreement. Legal clauses to secure indexation on the amounts agreed will also be included into each agreement to ensure the value of the obligation does not decrease over time.

6. Implementation

How will CIL money be spent?

- 6.1 Under the Community Infrastructure Levy Regulations there is a wider range of what funds can be spent on. Where possible we will seek to better align income collected from CIL for infrastructure with the preparation of the [council's](#) ~~our~~ capital programme in order to increase the overall improvements that can be delivered.

- 6.2 Information on how we spend CIL will be prepared and published on ~~the~~ our website and reported to Community Councils and designated Neighbourhood Forums. We will ~~also~~ report every year on what CIL money has been secured where and on what it has been spent, in line with the requirements of the regulations. The CIL revenue received will be able to fund the provision, improvement, replacement, operation or maintenance of infrastructure to support the growth identified in the borough.
- 6.3 The Community Infrastructure Levy Regulations also allow up to 5% of CIL money collected to be used to monitor and administer the charge. This includes the CIL set-up costs, such as consultation on the charging schedule, preparing evidence on viability or the costs of the CIL examination. It also includes the on-going administration functions such as billing and payment systems, enforcing the levy, monitoring and reporting in CIL activity. We will ~~monitor funding collected and~~ publish regular monitoring reports on the website.
- 6.4 In calculating individual CIL charges, we will be required to apply an index of inflation to keep the levy in line with market conditions. The base date for the charges set out in the CIL Charging Schedule will be the date of adoption of the schedule. A review will be carried out every year on the date the charging schedule was adopted to make a financial adjustment for capital construction costs, particularly for the cost of building schools, health and community facilities. The index will be the national All-In Tender Price Index of construction costs published by the Building Cost Information Service.

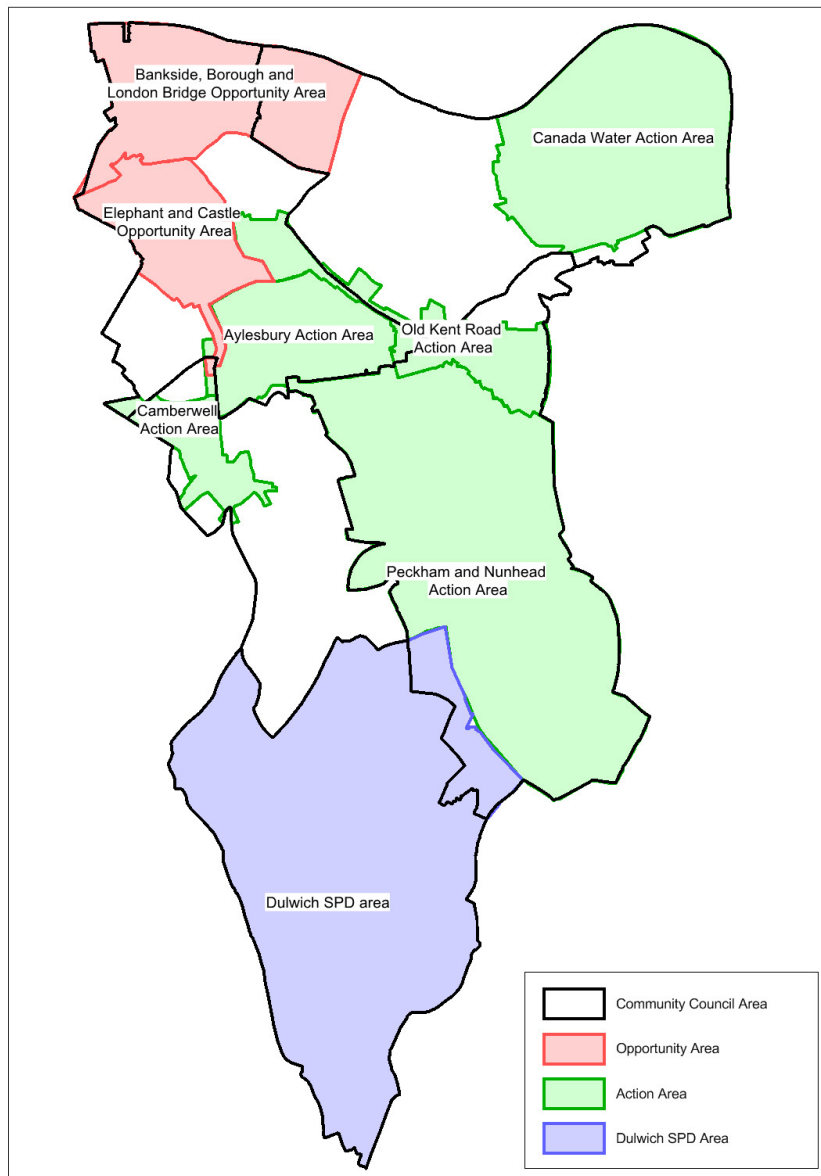
Community Infrastructure project list-Local CIL spending

- 6.5 ~~In early 2013 the government announced that~~ The CIL Regulations (amendment) 2014 require an amount of CIL to be spent locally; ~~(a 'meaningful amount') would be~~ 15% with a cap at £100 per council tax dwelling. For areas with an adopted neighborhood plan the amount is this would be 25% with no cap.
- 6.6 We will ~~spend~~ retain local CIL funds and spend them on projects listed in the Community Infrastructure Project Lists (CIPL) or where relevant, on projects listed in an adopted neighbourhood plan. The CIPLs have been developed as the mechanism by which local communities will inform priorities for spending local CIL funds. The CIPLs are project ideas created by the local community and approved by the relevant community council, as the established local decision making forum. Inclusion of potential projects on the CIPL will need to be publically accessible physical infrastructure improvements in the local area which support growth. The council, as the accountable body, is responsible for managing the process of CIPL operation. We will consult on the CIPLs ~~regularly~~ annually to make sure they are up-to-date.
- 6.7 The CIPLs ~~will~~ replace the existing Section 106 project banks which include projects to improve the local environment that could be implemented through Section 106 planning obligations or other funding sources. However, once the Southwark's CIL charging schedule is adopted, new Section 106 planning obligations will only focus on addressing the impacts of a single development and remove this as a source of project bank funding.
- 6.8 Southwark will spend at least 25% of CIL on projects in the local area, whether there is an adopted neighborhood plan or not, using the following sequence of areas:

- Areas with an adopted neighbourhood plan
- Opportunity areas/action areas
- Action areas
- SPD areas (other than individual sites/buildings)
- Community council areas (for those areas which are not covered by any of the above).

6.9 We will use the areas in the order they are listed to select projects. For example, if a development site is located in an opportunity area and an area which has an adopted neighbourhood plan, the local CIL funds from a development will be spent on projects located within the boundary of the neighbourhood plan area and formally approved by the local community council. This process ensures that CIL funds generated in a neighbourhood plan area are spent in the neighbourhood plan area. The areas are shown on figure 1 below. This will be updated on our website as planning policy documents and neighbourhood plans are adopted.

Figure 1: Local CIL funding areas



- 6.10 Southwark will consult designated Neighbourhood Forums and the wider local communities and groups using established community consultation and engagement processes on priorities for these areas and will create the CIPL for each of the areas listed above. These lists will be revised regularly annually as projects are delivered, and priorities change. CIPL will help direct funding to infrastructure local people believe is required in their local areas in order to support the amount of new development planned. The process of engagement with the community and the current CIPLs are is available on our website page:
http://www.southwark.gov.uk/info/200152/section_106/796/cipl_ideas_for_local_infrastructure

http://www.southwark.gov.uk/info/200152/section_106/796/current_project_bank_ideas

APPENDIX 1

Affordable Housing			
<p>We will require provision of affordable housing in new developments to help address the current shortage of affordable homes in the borough. This SPD should be read in tandem along with the Affordable Housing SPD (2008) and the draft Affordable Housing SPD (2011) which provide detailed guidance on affordable housing in major residential developments.</p>			
Threshold	Policy	Justification	Calculation
<p>The site is 0.5 hectares or more in size</p> <ul style="list-style-type: none"> • The site is appropriate in size and location to provide 10 or more housing units • The development is a student housing scheme of 30 or more bedspaces and living spaces, or the development is over 0.5 hectares (whichever is smaller) • The development includes live-work units and the number of live-work units is 10 or more. • Also if the number of residential units and live-work units combined is 10 or more 	<p>Core Strategy (2011) Strategic Targets Policy 2 - Improving Places Policy 6 – Homes for people on different incomes Policy 8 – Student homes Policy 14 - Implementation and delivery</p> <p>Saved Southwark Plan (2007) Policy 4.2 - Quality of residential accommodation Policy 4.3 – Mix of dwellings Policy 4.4 - Affordable housing Policy 4.5 - Wheelchair affordable housing</p> <p>Affordable housing SPD (2008) and draft Affordable Housing SPD (2011)</p> <p>London Plan (2011) Policy 3.12 – Negotiating affordable housing on individual private residential</p>	<p>There is a shortage of affordable homes, in Southwark, across London and the whole of the UK. A key objective of Southwark, the Greater London Authority and national government is to provide more affordable housing.</p> <p>Our housing studies and statistical evidence both set out that there is a great need for more affordable housing and support our priority of providing more affordable housing to meet local need. This will be achieved through securing the highest amount of affordable housing from the maximum number of developments whilst ensuring the continued viability of housing development across Southwark.</p> <p>We require affordable housing on all student housing sites above the threshold to make sure that we work towards meeting the considerable housing need in Southwark.</p>	<p>Development schemes of 10 or more units or 30 or more student bedspaces, the developer should provide a minimum of 35% of all habitable rooms as affordable housing on site.</p> <p>In circumstances where the calculation of affordable housing results in a fraction of a habitable room (e.g. 0.7) we will round the number up or down to the nearest whole habitable room (with 0.5 being rounded up). Any room that is over 27.5 sqm will be considered as two habitable rooms.</p> <p>One less affordable habitable room will be required for every affordable housing unit which complies with the wheelchair design standards (as set out in the Residential Design Standards SPD (2011)).</p> <p>Where these targets cannot be met on site, we will require a financial viability appraisal of the development scheme. In exceptional circumstances, offsite provision, or an “in lieu” payment may be made to provide affordable housing off-site.</p>

	and mixed use schemes Policy 3.8 – Housing Choice Policy 3.9 – Mixed and balanced communities Policy 8.2: Planning Obligations		
Archaeology			
We will seek section 106 planning obligations to support Southwark’s effective monitoring of archaeological matters. This will make sure that this archaeology is properly managed and preserved. A contribution will be calculated for developments on the basis of the officer time which is needed to carry out the following tasks: a) Desk-based assessment (DBA) b) Archaeological evaluation c) Archaeological excavation			
Threshold	Policy and guidance	Justification	Calculation
All developments within the archaeological priority zones (shown on the adopted policies map) requiring archaeological assessment and evaluation and/or excavations will be required to make a financial contribution towards our monitoring and supervisory role.	Core Strategy (2011) Policy 12 – Design and Conservation Policy 14: Implementation and delivery Adopted Policies Map (2012) Saved Southwark Plan (2012) Policy 3.15 Conservation of the historic environment Policy 3.19 - Archaeology London Plan (2011) Policy 7.8 – Heritage Assets and Archaeology Policy 7.9 – Heritage-led regeneration Policy 8.2: Planning	Given its historical setting, Southwark has a very important archaeological resource. Developments in the archaeology priority zones require specialist officer advice to evaluate and assess the likelihood of archaeology on the site and advise developers on their investigation for the protection of on-site archaeology. Within the Borough, Bermondsey and Rivers Archaeological Priority Zone the nature of the archaeology reflects the long-standing urban landscape dating from the Roman, early medieval, medieval and post-medieval periods that provides deep, complex, stratified archaeology. In	For planning applications that are within Archaeological Priority Zones, we will seek a contribution towards its cost in providing technical archaeological support. The support will include: examining the desk-based assessment, agreeing written schemes of investigation for differing types of fieldwork, monitoring different fieldwork types. The different fieldwork types could include archaeological evaluations, excavations, watching brief and building recording. The contributions sought will be relative to the scale of the development and based on the current cost of this service. £1,695 for under 100sqm of development £3,389 for 101- 4999 sqm of development £6,778 for 5000 - 9999sqm of development £11,171 for 10,000 and more sqm of development Consultation with Southwark’s archaeology officer may result in a change to these costs in certain circumstances.

	Obligations	other archaeological priority zones the depth and nature of the archaeological deposits relate to the different character and development of the zones and the likely archaeology to be found in them.	
Carbon Offset- Green fund			
<p>We will seek to secure mitigation where schemes do not meet the development plan target for reducing carbon dioxide emissions. Contributions will be placed in a green fund and will be used to reduce carbon dioxide emissions in projects elsewhere in the borough. Details of the green fund and projects will be set out on the our website. Contributions may be reduced where a developer can directly off-set any shortfall in carbon dioxide reductions from a scheme by implementing a carbon dioxide saving project off-site, where the saving exceeds what might otherwise be provided and where (in Southwark's opinion) this can be achieved within a reasonable timeframe. Measures could include directly funding or installing community energy and retrofitting projects.</p> <p>Carbon dioxide emissions which are secured either through an off-site project proposed by a developer or through a project funded through the green fund will be expected to provide either the carbon dioxide saving or the financial equivalence to the carbon dioxide saving that would otherwise be required on the development site.</p> <p>Section 106 planning obligations will not be secured to provide funding towards the strategic projects specified on our Regulation 123 list, which currently includes Canada Water district heating/Combined Heat and Power.</p>			
Threshold	Policy	Justification	Calculation
<p>10 or more residential units or residential schemes providing 1000sqm or more of floorspace (GIA) (whichever is the smaller) and including live work units.</p> <p>Development providing a net increase of 1,000sqm or more of non-residential floorspace (GIA). Where development schemes propose mixed use</p>	<p>Core Strategy (2011) Policy 13 – High Environmental Standards Policy 14: Implementation and delivery</p> <p>Sustainable Design and Construction SPD (2008) Section 11.2</p> <p>London Plan (2011) Policy 5.2 – Minimising Carbon Dioxide Emissions Policy 8.2: Planning</p>	<p>Southwark's Energy and carbon Reduction Strategy emphasises the borough's commitment to reducing borough-wide carbon dioxide emissions by 80% by 2050 (on 2003 levels). It identifies a short term target of a 22.4% reduction by 2020.</p> <p>In Southwark, by far the largest share of carbon dioxide emissions (84%) is generated by workplaces and homes.</p> <p>London Plan policy 5.2 identifies</p>	<p>The carbon reduction targets are set out as minimum improvements over the Target Emission Rates (TER) in the Building Regulations (Part L).</p> <p>The shortfall in CO2 reduction will be charged at £1,800380 per tonne of carbon dioxide.</p> <p>£1,800380 represents £6046 per tonne calculated over 30 years. £6046 per tonne of carbon dioxide calculated over 30 years is the price identified by the Zero Carbon Hub in the publication Next steps to zero carbon homes: allowable solutions 2013 (Consultation DCLG) Allowable Solutions for Tomorrow's New Homes 2011 and is one of the nationally recognised prices suggested in the Mayor's</p>

<p>floorspace the combined total of this floorspace will be counted.</p> <p>Mitigation will be sought where schemes do not meet the overall carbon dioxide reduction requirements identified in Southwark's development plan. The current <u>minimum</u> target is a 40% improvement on the 2010 Building Regulations for both domestic and non domestic buildings, as set out in London Plan (2011) policy 5.2. <u>(NB The relevant target is the overall carbon reduction requirement, rather any target associated with the requirement to reduce carbon dioxide through the use of renewable technologies.)</u></p>	<p>Obligations</p> <p>Draft Sustainable Design and Construction - <u>Mayor of London Supplementary Planning Guidance</u> (2014<u>3</u>) Carbon dioxide off-setting</p>	<p>targets for carbon dioxide reduction and states that any shortfall may be provided off site or through a financial contribution which will be used to fund the delivery of carbon dioxide savings elsewhere.</p>	<p>draft Sustainable Design and Construction SPG (2014<u>3</u>).</p> <p><u>This charge will be monitored and if appropriate updated in line with changes in government guidance.</u></p>
<p>Children's Play Space</p>			
<p>New developments are expected to provide play space for children on the site. In exceptional circumstances where this cannot be provided on site, we will seek to secure a section 106 planning obligation to contribute to improving play space elsewhere in the surrounding area of the development site.</p>			
<p>Threshold</p>	<p>Policy</p>	<p>Justification</p>	<p>Calculation</p>
<p>The <u>All developments with an estimated child</u></p>	<p>Core Strategy (2011) Policy 11 – Open spaces and</p>	<p>The Core Strategy and London Plan require new development to meet the</p>	<p>A minimum of 10 sqm of play space per child <u>bedspace</u> is required.</p>

<p>occupancy of ten or more children provides 10 or more child bed spaces.</p> <p>Mitigation will be sought where schemes do not meet the on-site children's play space provision standards which are included in the Mayor's Supplementary Planning Guidance on Shaping Neighbourhoods Play and Informal Recreation (2012).</p>	<p>wildlife Policy 14: Implementation and delivery</p> <p>Saved Southwark Plan (2007-12) Policy 4.2 – Quality of residential accommodation</p> <p>Residential Design Standards SPD (2011)</p> <p>London Plan (2011) Policy 3.5 – Quality and design of housing developments Policy 3.6 – Children and Young People's Play and Informal Recreation Facilities Policy 8.2: - Planning Obligations</p> <p>'Shaping Neighbourhoods Play and Informal Recreation Mayor of London Supplementary Planning Guidance (September 2012)</p>	<p>needs of a growing population by providing space for children's play on site.</p> <p>Play space will be required in accordance with Southwark's Residential Design Standards SPD and the Mayor's Supplementary Planning Guidance on Shaping neighbourhoods Play and Informal Recreation.</p>	<p>Child yield is calculated as follows:</p> <p>For private and intermediate housing</p> <table border="1" data-bbox="1391 427 2087 735"> <thead> <tr> <th colspan="7">MARKET AND INTERMEDIATE FLATS</th> </tr> <tr> <th rowspan="2">Age</th> <th colspan="6">Number of Bedrooms</th> </tr> <tr> <th>0</th> <th>1</th> <th>2</th> <th>3</th> <th>4</th> <th>5+</th> </tr> </thead> <tbody> <tr> <td>0-4</td> <td>0.00</td> <td>0.00</td> <td>0.07</td> <td>0.17</td> <td>0.00</td> <td>0.00</td> </tr> <tr> <td>5-10</td> <td>0.00</td> <td>0.00</td> <td>0.02</td> <td>0.11</td> <td>0.00</td> <td>0.00</td> </tr> <tr> <td>11-15</td> <td>0.00</td> <td>0.00</td> <td>0.01</td> <td>0.03</td> <td>0.00</td> <td>0.00</td> </tr> <tr> <td>16-18</td> <td>0.01</td> <td>0.01</td> <td>0.01</td> <td>0.02</td> <td>0.00</td> <td>0.00</td> </tr> <tr> <td>Total</td> <td>0.01</td> <td>0.01</td> <td>0.10</td> <td>0.33</td> <td>0.00</td> <td>0.00</td> </tr> </tbody> </table> <table border="1" data-bbox="1391 762 2087 1070"> <thead> <tr> <th colspan="7">MARKET AND INTERMEDIATE HOUSES</th> </tr> <tr> <th rowspan="2">Age</th> <th colspan="6">Number of Bedrooms</th> </tr> <tr> <th>0</th> <th>1</th> <th>2</th> <th>3</th> <th>4</th> <th>5+</th> </tr> </thead> <tbody> <tr> <td>0-4</td> <td>0.17</td> <td>0.17</td> <td>0.08</td> <td>0.29</td> <td>0.63</td> <td>0.36</td> </tr> <tr> <td>5-10</td> <td>0.00</td> <td>0.00</td> <td>0.03</td> <td>0.10</td> <td>0.31</td> <td>0.58</td> </tr> <tr> <td>11-15</td> <td>0.00</td> <td>0.00</td> <td>0.01</td> <td>0.05</td> <td>0.13</td> <td>0.25</td> </tr> <tr> <td>16-18</td> <td>0.00</td> <td>0.00</td> <td>0.01</td> <td>0.01</td> <td>0.04</td> <td>0.17</td> </tr> <tr> <td>Total</td> <td>0.17</td> <td>0.17</td> <td>0.12</td> <td>0.45</td> <td>1.10</td> <td>1.36</td> </tr> </tbody> </table> <table border="1" data-bbox="1391 1134 2087 1331"> <thead> <tr> <th colspan="7">SOCIAL RENTED/AFFORDABLE RENTED FLATS</th> </tr> <tr> <th rowspan="2">Age</th> <th colspan="6">Number of Bedrooms</th> </tr> <tr> <th>0</th> <th>1</th> <th>2</th> <th>3</th> <th>4</th> <th>5+</th> </tr> </thead> <tbody> <tr> <td>0-4</td> <td>0.00</td> <td>0.20</td> <td>0.64</td> <td>0.62</td> <td>0.41</td> <td>0.57</td> </tr> </tbody> </table>	MARKET AND INTERMEDIATE FLATS							Age	Number of Bedrooms						0	1	2	3	4	5+	0-4	0.00	0.00	0.07	0.17	0.00	0.00	5-10	0.00	0.00	0.02	0.11	0.00	0.00	11-15	0.00	0.00	0.01	0.03	0.00	0.00	16-18	0.01	0.01	0.01	0.02	0.00	0.00	Total	0.01	0.01	0.10	0.33	0.00	0.00	MARKET AND INTERMEDIATE HOUSES							Age	Number of Bedrooms						0	1	2	3	4	5+	0-4	0.17	0.17	0.08	0.29	0.63	0.36	5-10	0.00	0.00	0.03	0.10	0.31	0.58	11-15	0.00	0.00	0.01	0.05	0.13	0.25	16-18	0.00	0.00	0.01	0.01	0.04	0.17	Total	0.17	0.17	0.12	0.45	1.10	1.36	SOCIAL RENTED/AFFORDABLE RENTED FLATS							Age	Number of Bedrooms						0	1	2	3	4	5+	0-4	0.00	0.20	0.64	0.62	0.41	0.57
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to enhance the prospects of the use of local employment in the development and its supply chain.

Threshold	Policy and guidance	Justification	Calculation
<p>Development schemes providing 5,000sqm or more of new or improved residential or non-residential space (GEA).</p>	<p>Core Strategy (2011) Policy 10 – Jobs and Business Policy 14: Implementation and delivery</p> <p>Saved Southwark Plan (2012) Policy 1.1 – Access to employment opportunities Policy 1.2 – Strategic and local preferred industrial locations Policy 1.4 – Employment sites outside the POL and PILS Policy 1.5 – Small business units Policy 1.7 – Development in town centres</p> <p>Southwark Economic Well-being Strategy (2010-2020)</p> <p>London Plan (2011) Policy 4.1 – Developing London’s economy Policy 4.12 – Improving Opportunities for all Policy 8.2: Planning Obligations</p>	<p>The Core Strategy aims to help local people and businesses benefit from opportunities which are created from development.</p> <p>One of the Economic Well-being Strategy objectives is for regeneration and development to provide lasting jobs for residents in both construction and jobs in completed developments. This can be supported through the funding of skills and training programmes for unemployed residents.</p> <p>Reducing the level of deprivation is an essential part of developing socially sustainable communities, especially in growing communities. Finding local labour, and reducing the need to travel is a key part of creating of sustainable communities.</p>	<p>Targets</p> <p>1 job lasting a minimum 26 weeks for an unemployed Southwark resident per 500sqm GEA</p> <p>1 Southwark resident trained in pre or post employment short courses per 500sqm GEA</p> <p>1 new apprenticeship start or in-work NVQ per 2000sqm</p> <p><u>Employment and training contribution (jobs during construction)</u></p> <p><u>Where the target number of sustained jobs, short courses or apprenticeships cannot be provided a contribution will be sought to be used by the Council to provide equivalent opportunities in the local area to residents based on the following formula:</u></p> <p><u>Shortfall against target number of jobs lasting minimum 26 weeks for an unemployed Southwark resident x £4,300 (the average cost of supporting an unemployed Southwark resident into sustained employment)</u></p> <p><u>Shortfall against target number of Southwark residents trained in short courses x £150 (the approximate cost of a typical construction sector short course)</u></p> <p><u>Shortfall against target number of apprenticeship starts x £1,500 (the approximate cost of a typical construction sector Level 2 qualification)</u></p>

			<p>Management and coordination fee</p> <p>To support the costs of managing, monitoring and coordinating developments to deliver these outcomes, a management and coordination fee will be charged, set at £0.6 per sqm GEA.</p>
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Employment and Enterprise: General and end-user phase: skills, training and employment

We will seek to secure a section 106 planning obligation from developers to provide a skills and employment plan for the end-user employment opportunities in the final development, including targets for employment of unemployed people who live in Southwark.

In addition, we will seek to secure a section 106 contribution to be used by the council to facilitate the delivery of the skills and employment plan by providing training and employment support to borough residents.

Threshold	Policy and Guidance	Justification	Calculation
Development schemes providing 2,500sqm new or improved non-residential space (GEA).	<p>Core Strategy (2011) Policy 10 – Jobs and Business Policy 14: Implementation and delivery</p> <p>Saved Southwark Plan (200712) Policy 1.1 – Access to employment opportunities Policy 1.2 – Strategic and local preferred industrial locations Policy 1.4 – Employment sites outside the POL and PILS Policy 1.5 – Small business units</p>	<p>One of Southwark’s Economic Well-being Strategy objectives is for regeneration and development to provide lasting jobs for residents in both construction and related industries and jobs in completed developments. This can be supported through the funding of skills and training programmes for unemployed residents.</p> <p>Reducing the level of deprivation is an important part of developing socially sustainable communities, especially in growing communities. Providing for training facilities in new developments which create high levels of jobs will help the skills of</p>	<p>Skills and Employment Plan Targets</p> <p>For business use (B class) floorspace a target for the number of jobs lasting a minimum of 26 weeks for unemployed Southwark residents will be calculated at 10% of the estimated Full Time Employee (FTE) employment on site according to Homes and Community Agency (HCA) employment densities (see page 21) or an alternative measure agreed by the council.</p> <p>For retail use (A class) floorspace and hotels a target for the number of jobs lasting a minimum of 26 weeks for unemployed Southwark residents will be calculated at 20% of the estimated FTE employment on site according to HCA employment densities or another measure agreed by the council.</p> <p>Employment and training contribution</p>

	<p>Policy 1.7 – Development in town centres</p> <p>Southwark Economic Well-being Strategy (2010-2020)</p> <p>London Plan (2011) Policy 4.1 – Developing London’s economy Policy 4.12 – Improving Opportunities for all Policy 8.2: Planning Obligations</p>	<p>local people match the needs of London’s growing economy</p>	<p><u>An employment and training contribution will be sought, to be set at the target number of jobs lasting a minimum of 26 weeks for unemployed Southwark residents, as set out above, multiplied by £4,300 (the average cost of supporting an unemployed Southwark resident into sustained employment). This will be used by the council to support borough residents to access local jobs and facilitate the delivery of the skills and employment plan.</u></p> <p>Management and coordination fee</p> <p>To support our costs of managing, monitoring and coordinating developments to deliver these results, a management and coordination fee will be charged, set at £1.8 per sqm GEA for B class floorspace and £1.2 per sqm GEA for A class floorspace and hotels.</p>
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Employment and Enterprise: loss of employment floorspace

We will seek to secure a section 106 planning obligation from developers who cannot meet the criteria set out in the saved Southwark Plan Policy 1.4 which are used to assess development schemes which include a net loss of floorspace in business use. The planning obligation will contribute towards skills and employment programmes where employment floorspace in protected employment locations is lost.

Threshold	Policy and guidance	Justification	Calculation
<p>Development schemes which reduce the existing employment floorspace on sites located in the protected employment locations (Core Strategy Policy 10).</p>	<p>Core Strategy (2011) Policy 10 – Jobs and Business Policy 14: Implementation and delivery</p> <p>Saved Southwark Plan (2012) Policy 1.1 – Access to</p>	<p>Land for employment is in short supply in Southwark, and often under pressure for proposals for different or additional types of land uses. Southwark’s Core Strategy and Economic Well-being Strategy set out the need to protect land for business and keep a balance of business uses within our town centres. The</p>	<p>£40300 (average cost for a Southwark unemployed resident to gain support and training to get access to a skilled job)</p> <p><u>multiplied by the following:</u></p> <p>10% number of FTE jobs that may have been provided in equivalent amount of (net) lost floorspace in the existing employment use class, according to HCA employment</p>

	<p>employment opportunities Policy 1.2 – Strategic and local preferred industrial locations Policy 1.4 – Employment sites outside the POL and PILS Policy 1.5 – Small business units Policy 1.7 – Development in town centres</p> <p>Southwark Economic Well-being Strategy (2010-2020)</p> <p>London Plan (2014) Policy 4.1 – Developing London's economy Policy 4.12 – Improving Opportunities for all Policy 8.2: Planning Obligations</p>	<p>Economic Well-being Strategy also aims for regeneration and development to provide lasting jobs for residents in both construction and related industries and jobs in completed developments. This can be supported through the funding of skills and training programmes for unemployed residents.</p> <p>Reducing the level of deprivation is a key part of developing socially sustainable communities, especially in growing communities. Providing for training facilities in new developments which create high levels of jobs, will help the skills of local people match the needs of London's growing economy</p>	<p>densities or agreed alternative measure.</p> <p>HCA employment densities</p> <table border="1" data-bbox="1400 331 2085 874"> <thead> <tr> <th>Use Class</th> <th>Use Type</th> <th>Area per FTE (m2)</th> </tr> </thead> <tbody> <tr> <td colspan="3">Industrial</td> </tr> <tr> <td>B2</td> <td>General</td> <td>36</td> </tr> <tr> <td>B1 (c)</td> <td>Light Industry</td> <td>47</td> </tr> <tr> <td colspan="3">Warehouse & Distribution</td> </tr> <tr> <td>B8</td> <td>General</td> <td>70</td> </tr> <tr> <td>B8</td> <td>Large scale and high bay warehousing</td> <td>80</td> </tr> <tr> <td colspan="3">Office</td> </tr> <tr> <td>B1 (a)</td> <td>General office</td> <td>12</td> </tr> <tr> <td>B1 (a)</td> <td>Call centres</td> <td>8</td> </tr> <tr> <td>B1 (a)</td> <td>IT/Data centres</td> <td>47</td> </tr> <tr> <td>B1 (a)</td> <td>Business park</td> <td>10</td> </tr> <tr> <td>B1 (a)</td> <td>Service office</td> <td>10</td> </tr> </tbody> </table> <p>See the employment densities guide for further clarification</p> <p>http://www.homesandcommunities.co.uk/employment-densities-guide-2nd-ed</p>	Use Class	Use Type	Area per FTE (m2)	Industrial			B2	General	36	B1 (c)	Light Industry	47	Warehouse & Distribution			B8	General	70	B8	Large scale and high bay warehousing	80	Office			B1 (a)	General office	12	B1 (a)	Call centres	8	B1 (a)	IT/Data centres	47	B1 (a)	Business park	10	B1 (a)	Service office	10
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<p>Employment and Enterprise: Other Obligations</p> <p>We may also seek to secure additional planning obligations, depending on the nature of the site and development scheme, which include:</p> <ul style="list-style-type: none"> • provision of affordable business or retail units when required within area based planning policy documents. • local procurement and supply chain measures • relocation assistance for existing businesses 																																										
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<p>Development schemes providing a net increase of 1,000sqm or more of non-residential floorspace (GIA).</p> <p>Where schemes propose a mix of uses the combined total of this floorspace will be counted.</p> <p>10 or more residential units or residential schemes providing 1000sqm or more of floorspace (GIA) (whichever is the smaller) and including live work units.</p>	<p>Core Strategy (2011) Policy 10 – Jobs and Business Policy 14: Implementation and delivery</p> <p>Saved Southwark Plan (2007-12) Policy 1.1 – Access to employment opportunities Policy 1.2 – Strategic and local preferred industrial locations Policy 1.4 – Employment sites outside the POL and PILS Policy 1.5 – Small business units Policy 1.7 – Development in town centres</p> <p>Southwark Economic Well-being Strategy (2012-2020)</p> <p>London Plan (2011) Policy 4.1 – Developing London’s economy Policy 4.9 – small shops Policy 4.12 – Improving Opportunities for all Policy 8.2: Planning Obligations</p>	<p>Southwark is a highly visible and desirable location for business. The borough has a high number of large office developments in the north and also a large number of small and medium enterprises (SME). Our Employment Land Review (2010) confirms there is continuing demand for high quality small floorplate business space.</p> <p>Southwark’s Economic Well-being Strategy aims that better quality, more flexible, better managed and affordable business space is available in Southwark, for start-ups and businesses that are ready to grow. The provision of affordable business space and retail units will help create a more varied business environment and will support local small businesses to remain and grow in the borough during a process of regeneration.</p> <p>Where small businesses are displaced by development they should be assisted to relocate within the borough if possible, to retain a strong local economy, to strengthen town centres and to maintain the supply of local jobs.</p>	<p>The provision of affordable small business or retail units may be secured through a planning obligation only where it is specifically required in a development plan or relevant area based supplementary planning document.</p> <p>Interventions to ensure small and medium sized local enterprises have access to tender opportunities for the procurement of goods and services, created by the development, both during and after construction will be secured through a planning obligation, in line with Southwark’s Economic Well-being Strategy.</p> <p>Schemes to support displaced small businesses to relocate may be secured through a planning obligation.</p>
<p>Outdoor amenity space</p>			

All new housing and flat developments must provide some form of outdoor amenity space, as set out in our Residential Design Standards SPD (2011). In exceptional circumstances where adequate amenity space cannot be provided on site and where this is demonstrated through a Design and Access Statement which has considered reasonable options for the provision of on-site amenity space, we will seek a section 106 planning obligation to help improve open space elsewhere near to the development site.

Threshold	Policy and guidance	Justification	Calculation
<p>All new residential development.</p> <p>Mitigation will be sought where schemes do not meet the on-site amenity space standards identified in Southwark's Residential Design Standards SPD.</p>	<p>Core Strategy (2011) Policy 13 – Open Spaces and Wildlife Policy 14: Implementation and delivery</p> <p>Saved Southwark Plan (200712) Policy 4.2 – quality of residential accommodation</p> <p>Southwark's Open Spaces Strategy (2013) and evidence base report</p> <p>Residential Design Standards SPD (2011)</p> <p>London Plan (2011) Policy 3.5 – Quality and design of housing Policy 8.2: Planning Obligations</p>	<p>All new residential development must provide an adequate amount of useable outdoor amenity space. The Residential Design Standards SPD sets out the minimum standards which must be met in new developments.</p> <p>The provision of good quality outdoor amenity space within development sites is important in achieving the Core Strategy objective of promoting a healthy and active population in Southwark.</p> <p>In exceptional circumstances where it is not possible to provide an adequate amount of outdoor amenity space the applicant must justify why this cannot be achieved through the Design and Access Statement and in accordance with our Residential Design Standards SPD. The Design and Access Statement must show that the developer has assessed reasonable options for providing amenity space on site.</p> <p>In general, funding for the provision,</p>	<p>Houses: A minimum of 50 sqm of outdoor private amenity space is required. The garden should be at least 10m in length and should extend across the entire width of the dwelling.</p> <p>Flats: A minimum of 50 sqm of communal amenity space per development. For units containing three or more bedrooms 10 sqm of private amenity space must be provided. For units containing two or less bedrooms, 10 sqm of private amenity space should be provided. Balconies, terraces and roof gardens must be a minimum of 3 sqm to count towards private amenity space.</p> <p>Any shortfall in the required provision of amenity space will be charged at £205 per square metre. £205 per square metre represents an average cost in Southwark for improving open space, taking into account all costs including fees and construction costs.</p>

		enhancement and maintenance of open spaces required as a result of population growth will be provided as part of CIL contributions and other funding sources	
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Public realm measures

We will expect developments to address site specific development impacts on the public realm. Where necessary, we may use CIL to fund or part fund strategic projects to improve the streetscene and built environment, such as the improvements to the public realm around the northern roundabout at Elephant and Castle or the Camberwell Green town centre improvements, as set out in our Regulation 123 list.

Section 106 planning obligations will be sought to address the impact on the public realm in the local area surrounding the development, through either:

- 1) Commitment by the applicant to carry out a schedule of works under a Section 278 agreement of the Highway Act 1980. An agreed list of works should be detailed in the Section 106 agreement, with an outline of the range of works attached.
- 2) A contribution towards works to be carried out by contractors employed by Southwark. Where appropriate, works to a development's surrounding area include: footpaths and carriageways, street lighting, tree planting, green chains, urban parks, surrounding footways and streetscape, maintenance payments, community safety initiatives, public art, landscaping, wildlife habitats and others as required.

Threshold	Policy and guidance	Justification	Calculation
<p>10 or more residential units or residential schemes providing 1000sqm or more of floorspace (GIA) (whichever is the smaller) and including live work units.</p> <p>Development schemes providing a net increase of 1000sqm or more of non-residential floorspace (GIA)</p> <p>Where schemes propose a</p>	<p>Core Strategy (2011) Policy 12 – Design and Conservation Policy 14: Implementation and delivery</p> <p>Saved Southwark Plan (2007-12) Policy 3.11 Efficient use of land Policy 3.12 Quality in design Policy 3.13- Urban Design Policy 3.14 – Designing out crime</p>	<p>The public realm is an important part of any development, and helps the building or set of buildings to fit into the existing built environment and street scene. The use of high quality and tough materials has an important role in creating an identity and sense of place for an area.</p> <p>We are concerned that the impact of re-providing floorspace (partial demolition and rebuild) may result in extensive damage to public realm in the development's environs. It is reasonable that Section 106 planning</p>	<p>We will calculate the planning obligations based on a list of items, for which the costs are regularly updated to reflect changes in build costs.</p> <p>Public realm improvements that may be necessary to make development acceptable include, but are not limited to, the provision of:</p> <ul style="list-style-type: none"> -Site specific contributions for carriageway surfacing -New or improved footways and/or hard or soft landscaping improvements -Replacing paving or landscape material on existing public realm including carriageway and footways -Street furniture, bins, bollards -Street lighting

<p>mix of uses the combined total of this floorspace will be counted.</p> <p>Where floorspace is to be re-provided (partially demolished and rebuilt), additional sums will be sought to address the impact of damage to the public realm from major construction works.</p>	<p>London Plan (2014) Policy 6.10 – Walking Policy 7.3 – Designing out Crime Policy 7.4 – Local character Policy 7.5 – Public Realm Policy 7.6 – Architecture Policy 7.19 – Biodiversity and access to nature Policy 7.21 – Trees and Woodland Policy 8.2: Planning Obligations</p> <p>There is a range of guidance such as Better Streets¹, Manual for Streets², Manual for Streets 2³, Principles of Inclusive Design⁴, and Streets for All⁵ which can help guide the design of the public realm.</p>	<p>obligations may be sought to address this site-specific impact on a case-by-case basis.</p>	<ul style="list-style-type: none"> -Cycle stands -Tree and landscape planting and biodiversity mitigation and improvement measures -Signage -Public art -CCTV or other community safety measures
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Student Housing: University schemes

We will seek a section 106 planning obligation to secure controlled rent levels for university nomination student housing developments.

Universities providing student accommodation will have three options when considering their CIL payment:

1. Provide student accommodation as the majority land owner. This will allow them to apply for Charitable Relief and not be liable to pay CIL. (see DCLG

¹ Mayor of London, *Better Streets*, Transport for London, November 2009

² Department for Transport (DfT), *Manual for Streets*, Thomas Telford Publishing, March 2007

³ Department for Transport (DfT), *Manual for Streets 2*, Chartered Institution of Highways and Transportation (CIHT), September 2010

⁴ Commission for Architecture and the Built Environment (CABE), *The principles of inclusive design (They include you)*, 2006 op cit

⁵ English Heritage, *Streets for All: A Guide to the Management of London's Street*, English Heritage, March 2000

Community Infrastructure Levy Relief Information document)

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Provide student accommodation with another party but restrict the rents. This will not be subject to CIL but will need a section 106 Planning Obligation to make sure the low rent is maintained.
3. Provide direct-let student accommodation with another party. This would be CIL liable for £100 per sqm (as set out in the ~~draft~~ CIL Charging Schedule ~~December 2013~~).

Threshold	Policy and guidance	Justification	Calculation
All new university student housing development	<p>Core Strategy Policy 8 – Student homes Policy 14 – Implementation and delivery</p> <p>London Plan (2011) Policy 3.8 – Housing Choice Policy 3.9 – Mixed and balanced communities Policy 8.1: Implementation Policy 8.2: Planning Obligations</p> <p>Draft CIL Charging Schedule (December 2013)</p>	<p>BNP Paribas Real Estate’s study ‘Student Housing Study: Implementation’ (March 2011) identifies two separate types of student accommodation. This has been confirmed in the representations to the consultation on the Southwark CIL by the major student accommodation providers in the borough. One type of accommodation is market student housing which charges unrestricted rents. The other, usually tied to a university, is restricted rents at lower than market levels.</p> <p>Given there is a viability consequence of offering restricted rents, Southwark’s CIL is not applied to student accommodation with restricted rents. A planning obligation will be sought where proposals include restricted rent student accommodation, to make sure that the low rent is provided.</p>	A planning obligation will be secured on schemes that propose student accommodation let at restricted rent levels below <u>an average of £168 per week (single or double unit including service charge) and</u> CPI indexed yearly from October 2013) to be set for a period of at least 7 years (7 years being equivalent to the relevant period for securing CIL charitable relief as set out in the CIL Regulations 2010).

Transport measures: site specific			
<p>We will seek to secure contributions for transport measures through site specific measures to help improve the access to a new development, by delivering, for example new pedestrian crossings, bus stops and any dedicated bus service improvements, cycleways, and car clubs. Travel plans will be required for all applications to demonstrate how impacts will be overcome.</p> <p>For large major developments, additional contributions to major infrastructure improvements not identified below may be sought to support the public transport network, such as a bus station or taxi rank.</p> <p>We will not use Section 106 planning obligations to help fund the strategic transport projects set out in the Regulation 123 list.</p>			
Threshold	Policy and guidance	Justification	Calculation
<p>10 or more residential units or residential schemes providing 1000sqm or more of floorspace (GIA) (whichever is the smaller) and including live work units.</p> <p>Development schemes providing a net increase of 1,000sqm of non-residential floorspace (GIA)</p> <p>Where schemes propose a mix of uses the combined total of this floorspace will be counted</p> <p>Where floorspace is to be</p>	<p>Core Strategy (2011) Policy 2 – Sustainable Transport</p> <p>Saved Southwark Plan (2012) Policy 3.11- Efficient use of Land Policy 5.2 – Transport Impacts Policy 5.3 - Walking and Cycling</p> <p>Sustainable Transport SPD (2010)</p> <p>London Plan (2011) Policy 6.3 - Assessing effects of development on transport capacity</p>	<p>Allowing new development that would place pressure on either the public transport network and/or the road network would not help promote sustainable development.</p> <p>CIL funds and other mainstream funding programmes will be used to address the increasing impacts of development on the transport network. However, individual developments may cause a site-specific impact which should be directly addressed through the development itself, or where that cannot be achieved we will use Section 278 agreements or Section 106 Planning Obligations.</p> <p>The impact of re-providing floorspace</p>	<p>A number of highway improvements may be necessary to make a development acceptable. We will calculate the Section 106 planning obligation based on a list of site specific items for which the costs are regularly updated to reflect changes in build costs.</p> <p>We will also seek to secure non-financial planning obligations to address the impact of a development proposal. Non-financial planning obligations may include:</p> <ul style="list-style-type: none"> - Car club initiatives and local travel plan groups - provide on-site parking for car club use, providing marketing about the availability of the car club and free membership for a period of years for residents of the development. - Public-Electric Vehicle Charging bays – provision of electric charging points in line with current adopted policy. - Travel Plan - preparation, submission and subsequent monitoring to ensure compliance - Construction logistics plans and delivery and servicing plans should be secured in line with the London Freight

<p>re-provided (partially demolished and rebuilt), additional sums will be sought to address impact of damage to site-specific transport infrastructure as a result of major works</p>	<p>Policy 6.5 – Funding Crossrail and other strategically important transport infrastructure Policy 6.7 – Better streets and surface transport Policy 6.9 – Cycling Policy 6.10 - Walking Policy 6.11 Smoothing Traffic flow and Tackling Congestion Policy 6.12 – Road Network Capacity Policy 6.13 – Parking Policy 8.2: Planning Obligations</p>	<p>(partial demolition and rebuild) may result in extensive damage to site-specific transport infrastructure (such as crossings, cycleways, and bollards). It is reasonable that contributions may be asked for to address this site-specific impact on a case-by-case basis.</p>	<p>Plan and should be co-ordinated with travel plans.</p> <p>For most development, on-site works, improvements to the surrounding road(s), travel plans and CIL funding will be enough to address any harmful transport impacts. However larger developments may need to directly contribute to wider transport improvements where required to make the delivery of the site possible.</p> <p>In addition planning contributions to fund Crossrail will be calculated in line with the Mayor’s requirements as set out in the <i>‘Use of Planning Obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy’</i> Supplementary Planning Guidance (April 2013).</p>
Wheelchair Accessible Housing: Offset Fund			
<p>In line with the London Plan (2011) and saved Southwark Plan policy, a minimum of 10% of all new housing must be wheelchair accessible. In exceptional circumstances, and where it can be shown that this is not achievable, we will seek a section 106 planning obligation from the developer to contribute towards the adaptation of other homes in the borough to meet the needs of people with a range of disabilities.</p>			
Threshold	Policy and guidance	Justification	Calculation
<p>10 or more residential units or an area of 0.5 hectare or more.</p> <p>Mitigation will be sought where schemes can not meet the minimum 10% wheelchair accessible housing requirement identified in the Residential</p>	<p>Saved Southwark Plan (2007-12) Policy 4.3 – Mix of dwellings Policy 5.7 – Parking standards for disabled people and the mobility impaired</p> <p>London Plan (2011) Policy 3.8 – Housing Choice Policy 8.2: Planning</p>	<p>The saved Southwark Plan Policy 4.3 requires all new major residential developments to provide at least 10% of the number of habitable rooms to be wheelchair accessible. Saved policy 5.7 also requires at least one disabled car parking space per development and also one space for each wheelchair accessible flat or house.</p>	<p>Any shortfall in the required provision of on-site wheelchair housing will be charged at £10,000 per habitable room unit (based on £30,000 for a 2 bed 3 habitable room unit).</p> <p>The level of payment is based on the average cost of adapting properties in Southwark over the last four years to make wheelchair equivalent alterations. These changes include installing accessible kitchens, bathrooms, doors, levelled access and ramps. If the on-site units are not fully accessible, we need to be able to provide for this off site.</p>

<p>Design Standards SPD (2011)</p>	<p>Obligations</p> <p>Residential Design Standards SPD (2008) (2011)</p>	<p>In exceptional circumstances where development schemes can show that it is not viable or feasible to meet the wheel chair housing policy requirement and necessary on-site disabled car parking spaces, a Section 106 planning obligation can be secured to address the impact of the development.</p> <p>We will work with Southwark residents who have a disability and their current home is in need of adaption, to provide the off- site provision. This will help more disabled people to stay in their homes and provide accessible units to those who can not move to brand new units.</p>	<p>The payments would be spent in partnership with Southwark’s Adult Social Care team to fund projects for existing housing adaptations for people being housed in the community.</p>
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***GATEWAY TO
PECKHAM
EQUALITY IMPACT
ASSESSMENT***










***PREPARED FOR
SOUTHWARK
COUNCIL***

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<i>Rev No</i>	<i>Comments</i>	<i>Prepared by</i>	<i>Checked by</i>	<i>Approved by</i>	<i>Date</i>
1	For client comment	Catriona Macdonald Socio-Economist 	Nicky Hodges Associate Director 	Nicky Hodges Associate Director 	17/02/14
2	For client comment	Catriona Macdonald Socio-Economist 	Nicky Hodges Associate Director 	Steve Smith Technical Director 	26/2/2015
3	Final	Nicky Hodges Associate Director 	Steve Smith Technical Director 	Steve Smith Technical Director 	04/3/2015

EXECUTIVE SUMMARY

Executive Summary

1.1 Purpose

- 1.1.1 Southwark Council ('the Council') has commissioned AECOM to undertake an Equalities Impact Assessment (EqIA) of the Peckham Gateway Project to support fulfilment of its equality duties in taking forward the proposed development scheme. The Council, as a public body, is subject to a public sector Equality Duty, as set out in Section 149 of the Equality Act 2010 ('the Act').

1.2 Background

- 1.2.1 Southwark Council, working in partnership with Network Rail and the Greater London Authority (GLA), is developing plans to significantly improve the area around Peckham Rye train station. Project objectives are to:
- substantially improve the setting of the station, through the removal of the existing station forecourt buildings and the creation of a new Station Square;
 - retain the strength and diversity of local business and retail through the refurbishment of the railway arches and new development on Blenheim Grove; and
 - improve the quality and offer in Peckham Rye through the development of a new or refurbished building on Blenheim Grove including studio/workshop space for cultural/creative users.
- 1.2.2 The project originally sought to master plan the entire station area. In 2013, AECOM was appointed to conduct an EqIA of these proposals, which considered potential impacts on circa 57 small businesses across two sites ('Site A' and 'Site B'). The site has now been divided up into four discrete elements, each being delivered by different partners.
- 1.2.3 AECOM has been appointed to conduct an EqIA of updated proposals for the redevelopment of 'Area 1', which will be delivered by Southwark Council. These proposals will involve the removal of existing station forecourt buildings, from which approximately 20 small businesses operate. These businesses include a bank; several minimarkets and other food retailers; restaurants and takeaways; and hair and beauty salons. The current proposals for Area 1 do not include any residential uses.
- 1.2.4 The scheme's design is currently in development, and the Council expects to submit a planning application in June 2015.

1.3 Methodology

- 1.3.1 The methodology for undertaking the EqIA and compiling this report involved the following stages:
- screening;
 - review of legislation;
 - collection of evidence on profile of affected population and design proposals;
 - design, conduct and analysis of a business and customer survey;
 - appraisal of potential impacts, informed by consideration of survey findings; and
 - preparation of recommendations and this report.
- 1.3.2 The focus of the EqIA is limited to consideration of the effects for businesses currently operating at the site and associated indirect effects for customers. The screening stage identified potential

negative equality impacts arising for people of South Asian, West African, Afro-Caribbean and mixed racial origin as well as people from different minority faith groups.

Survey of businesses and customers

- 1.3.3 This EqIA presents findings from an analysis of survey data collected for the previous EqIA, conducted in January 2014. A survey was prepared for businesses within the proposed development area, and a second survey was prepared for customers of these businesses. The surveys were conducted in the area that would be directly affected by the 2013 development proposals (including both 'Site A' and 'Site B'). Copies of the surveys can be found in Appendix 1: Survey for businesses and Appendix 2: Survey for customers.

Site visit, February 2015

- 1.3.4 A member of AECOM staff visited the site in February 2015 to confirm which businesses included in the previous business survey lie within the relevant area ('Area 1') and to check for any significant changes in the business profile of the area. No further surveys were undertaken. Notes from the site visit were subsequently checked against notes from the survey in January 2014.

Survey analysis

- 1.3.5 The business survey included a question which asked respondents to confirm the location of their premises (Site A or Site B). This question was used to filter out responses from businesses located in Site B, which is no longer included in the development proposals. The analysis therefore included only those businesses located in Site A, which corresponds broadly to Area 1 in the current proposals. The survey of business customers did not include an equivalent question, and so it has not been possible to filter out responses from customers of businesses located in Site B.

Limitations and constraints

- 1.3.6 Whilst efforts were made to achieve as much coverage as possible, the study was subject to a number of constraints and limitations, including incomplete coverage achieved within the survey period; potential misinterpretation of survey questions; and the small sample size for the customer surveys. Additionally, the survey does not capture the views of businesses that have opened in the area since the survey was conducted in January 2014. These constraints and limitations are explained in detail in paragraph 2.6.

1.4 Baseline situation

- 1.4.1 Southwark is the 12th most deprived borough in London and the 41st most deprived of the 326 local authorities across England.
- 1.4.2 There is a slightly lower proportion of White British residents compared with the borough and London average, and a significantly lower proportion than the national average. There are large populations of Black, African, Caribbean and Black British people.
- 1.4.3 The proportion of the population aged 16-74 that is economically active is high and the proportion of economically active people who are employed full-time is higher than across London and England. However, unemployment is slightly higher than the regional and national figures. The proportion of residents who are long-term sick or disabled is marginally higher than the borough and London rates, but slightly lower than the national rate.
- 1.4.4 Southwark was one of the areas affected by civil disturbances in August 2011. 140 businesses across the borough reported damage, looting and disruption to trade, 50 of which were in Peckham. However, a study conducted by Southwark Council following the civil disturbances found that there is generally a strong sense of community in Southwark.

- 1.4.5 Peckham Rye Station has a high rate of crime, relative to other nearby stations. Concerns have been expressed about levels of anti-social behaviour, and consultation responses received in relation to the redevelopment scheme suggest that local residents would like the area around the station to be made cleaner, safer and less cluttered, with improved lighting and fewer dark spaces or narrow passages.

1.5 Consultation and engagement

- 1.5.1 A programme of consultation activities specifically focused on the previous Peckham Rye Station Area redevelopment proposals, led by Southwark Council and Network Rail, began in February 2013. These activities included holding meetings with local community groups, and several public consultation events. The Council and Network Rail also undertook consultation activity specifically targeted at business owners within the scheme area. In addition, the Council sent letters to affected businesses on various dates to inform them of progress with the redevelopment.
- 1.5.2 In 2013 Southwark Council appointed a consultant from GLE oneLondon to act as business advisors in relation to the proposed development. The service specification for GLE oneLondon made explicit reference to equalities considerations being central to their service. The consultant's role was to provide support for all affected businesses to continue trading effectively during and after the development, providing business advice to business owners. As of November 2013, GLE oneLondon had met with 16 business owners across Site A and Site B.
- 1.5.3 In 2014, Southwark Council initiated a CoDesign process, focusing on the proposed development of Area 1 (as illustrated in Figure 4-1). The CoDesign project sought to engage local people, facilitate greater local influence on the project brief and design, and provide a platform to more thoroughly communicate the opportunities and challenges of delivering the project. This resulted in the production of a report setting out an 'atlas' of 30 key aspirations, which have been fed into the vision statement for the revised scheme. The CoDesign process and its outcomes are discussed in full in section 6.3.6 below.

1.6 Key findings

Survey of business representatives

- 1.6.1 The survey achieved a total of 17 responses from business owners and representatives. Six of these businesses were White-owned and 11 were Black and Minority Ethnic (BME) owned.
- 1.6.2 A significantly higher proportion of BME owners than White owners strongly agreed or agreed that their business provided goods or services that served the needs of people from a shared ethnic background. Six out of 11 BME respondents considered that their business serves people with a shared religious identity. None of the White respondents considered that their business serves people with a shared religious identity.
- 1.6.3 White and BME business representatives alike identified transport links as the most valued factor for Peckham Rye as a location for business.

Effects on the business

- 1.6.4 16 of the 17 business owners surveyed (94%) stated that they wish to continue operating their business following the redevelopment. Some commented that, if they were able to remain in the area, the proposed development could be 'good for business' as it would attract more customers and potentially bring more money to the area. However, other business owners were concerned that commercial rents could increase following the redevelopment, and that this could have the potential to put them out of business.
- 1.6.5 There was some concern about the potential business impacts of moving away from the area: respondents commented that their businesses were integrated into the community, that they had

built up a strong reputation locally, and that they would risk losing customers if they were to move elsewhere. This was a particular concern for some BME business owners. Some BME business representatives also stated a concern over the loss of customers if the local identity and diversity of the area changed.

Effects on customers

- 1.6.6 Concerns were expressed about the potential effects on customers of businesses relocating outside of Peckham. Business owners commented that both local residents and customers travelling to Peckham in order to purchase specialist goods and services may not be able to access these in future. This was particularly the case for BME-owned businesses offering specialist goods to serve the needs of people with either a shared ethnic background or religious identity.
- 1.6.7 It was considered that the proposed development could help attract new customers; however, business representatives also expressed concern over the potential loss of existing customers and the change to the business profile of the area. Less favourable transport access of alternative sites for businesses needing to relocate was highlighted as a concern, reflecting the recognition that current transport links contribute significantly to the success of the businesses.

Effects on employees

- 1.6.8 Many of the business representatives expressed concern that the new development would lead to job losses and unemployment amongst their staff, which could make it difficult for them to maintain their current levels of financial security.
- 1.6.9 Both BME and White business representatives noted that many of their employees were dependent on public transport to get to work, and therefore relocation outside of Peckham or in an area less served by transport links could adversely impact them by increasing transport costs.

Survey of customers

- 1.6.10 It was generally considered that the development would produce long-term benefits through the provision of better quality retail units, increased public amenity and increased attraction to people from further afield, particularly if the existing community and existing businesses could be reintegrated following the redevelopment.
- 1.6.11 However, there was concern from both White and BME customers that the character of the area could change, and that local residents and businesses could be 'priced out of the market'. Particular concerns were expressed that the established African and Caribbean communities that live and work in the area could be displaced.
- 1.6.12 A primary concern was that many local residents depend on products and services that they find in the area. Customers considered that if current businesses were relocated, they would need to go to other places to find similar products, services or facilities, which would cause them inconvenience.

1.7 Appraisal of potential equality impacts

Business

- 1.7.1 Responses to the business survey show that a diverse range of businesses operate within the site. However, there are notable differences in the types of businesses run by different ethnic groups.
- 1.7.2 The business survey responses confirm that there is a strong desire among business owners across all ethnic groups to continue operating their businesses following the proposed development. The proposed development scheme includes provision for a number of new commercial units that are designed to be flexible in order to accommodate a range of potential uses – including arts and creative industries within three refurbished railway arches and at 2–10 Blenheim Grove.

- 1.7.3 The council has stated that it is committed to supporting current occupiers and traders to relocate either within the new scheme, close by in Peckham, or to a new location of their choice. It is unclear at this stage what proportion of existing businesses can expect to be relocated within the proposed development scheme. Furthermore, it is considered that the successful relocation of existing businesses will depend, in part, on the flexibility of individual businesses and the ability and willingness of business owners to engage in the redevelopment process, particularly when construction activity at the site means businesses cannot operate at the site temporarily.

Potential implications for businesses as a result of the redevelopment

- 1.7.4 The affordability of commercial rent both on the redeveloped site and at other locations was identified as a key concern. There was uncertainty about the cost of commercial rents for the new units and the implications this could have for them in terms of being able to afford to continue running their business either in the locality or nearby.
- 1.7.5 It is understood from Southwark Council that current commercial rents in the proposed development area are relatively high, and there is little evidence to suggest that rents will be significantly higher following the redevelopment.¹ However, given the level of concern expressed by BME business owners about this issue, AECOM considers that some BME businesses may be particularly susceptible to any future increase to rents as a threat to their ability to continue to operate their businesses successfully.

Employment

- 1.7.6 The redevelopment will provide new commercial space which may generate employment opportunities. However, it is not clear whether this will result in a net gain in the number of jobs on the site compared to the current situation.
- 1.7.7 Given the ethnic composition of business owners and employees currently in the area, any loss of existing business units as a result of the redevelopment of the station area is considered likely to disproportionately affect business owners and employees of BME groups, particularly those of Black Caribbean and Black African origin.
- 1.7.8 This assessment is informed by business survey responses that demonstrate significant levels of concern and uncertainty in relation to the ability of businesses to afford to operate in the new development, although it should be noted that there is currently little evidence to suggest that commercial rents for the new units will be significantly higher than those that currently prevail on the site.

Goods and services

- 1.7.9 Responses to the business survey show that the majority of BME business owners within the area provide services that cater primarily to people from a shared ethnic background. A number of the business survey respondents highlighted that the station area is known for providing African and Caribbean products and services, and expressed concern over the potential loss of services from the local area. However, it is notable that Rye Lane is also a destination for these goods and services. Several BME owners raised concerns over a potential loss of community cohesion as a result of changes in the types of services that would be offered following the redevelopment.
- 1.7.10 It is currently unclear what proportion of existing businesses can expect to relocate into the new development. Alternatives are likely to be available on Rye Lane and in other parts of Peckham, or Southwark and town centres in neighbouring boroughs. Should existing businesses relocate further afield, this may somewhat diminish the identity of Peckham Rye as a hub for Afro-Caribbean and Asian goods and services. However, with the potential for many of the businesses to relocate locally, concerns about an associated loss of community cohesion may be overstated.

¹ Email communication from Southwark Council, received 25/02/15.

Facilities

- 1.7.11 The proposed redevelopment is expected to result in significant improvements to the public realm through the creation of a new public square in front of the station which will provide space and a better sense of connectivity between the station and the town centre. It is considered that the proposed redevelopment will contribute different cultural benefits for different groups; while it may result in some displacement of existing culturally-specific businesses serving a mainly Afro-Caribbean community, the potential change in the mix of businesses in the area may attract a more diverse range of shops with the capacity to appeal to the local community as well as others visiting Peckham Rye.

Other potential benefits of the redevelopment

- 1.7.12 While this EqIA has identified a number of potential negative impacts for BME groups, the potential benefits of the redevelopment have been identified as: new business opportunities which may generate new employment opportunities for local people; improved accessibility of public realm and streetscape; and improved public safety.

1.8 Recommendations and conclusion

- 1.8.1 A full set of recommendations are set out in Chapter Seven in relation to the following themes:
- Wide-ranging consultation and enabling participation;
 - Business and employment;
 - Goods, services and facilities; and
 - Safety and crime.

Conclusion

- 1.8.2 The redevelopment proposal is identified as giving rise to a number of positive equality impacts in relation to: an improved and more accessible public realm and streetscape; improved public safety; and potential new business opportunities, which could generate new employment opportunities for local people. People sharing protected characteristics are likely to be able to share in these benefits. Southwark Council, as a public body, can maximise this sharing of benefits, through explicit measures in their approach to future letting of premises and overall site management to encourage equal opportunities.
- 1.8.3 It is considered that the redevelopment proposals do have the potential to give rise to negative equality impacts in terms of potential loss of existing employment and business opportunities, and, to some degree, to access to culturally-specific goods and services. BME-owned businesses and employees (particularly amongst people of Black African and Black Caribbean origin) are identified as particularly vulnerable to potential negative effects of the redevelopment and associated loss of existing business premises.
- 1.8.4 The new development will have a reduced amount of floor space available for businesses and there is current uncertainty regarding what proportion of existing businesses can expect to relocate into the new development. The potential implications of this may involve the closure of a number of BME-owned businesses, which could result in job losses among people in BME groups.
- 1.8.5 Southwark Council has stated its commitment to enable businesses to remain local, unless they want to move elsewhere. Where businesses are able to relocate within the redevelopment or the local Rye Lane area, this would reduce the significance of negative effects for businesses and for customers from African, Afro-Caribbean and Asian backgrounds.

INTRODUCTION

01

1 Introduction

1.1 Purpose

- 1.1.1 Southwark Council ('the Council') has commissioned AECOM to undertake an Equalities Impact Assessment (EqIA) of the Peckham Gateway Project to support fulfilment of its equality duties in taking forward the proposed development scheme. The Council, as a public body, is subject to a public sector Equality Duty, as set out in Section 149 of the Equality Act 2010 ('the Act').
- 1.1.2 The public sector Equality Duty (the 'Duty') brings together the previous race, disability and gender duties, and extends coverage to include age, sexual orientation, religion or belief, pregnancy and maternity, and gender reassignment. These are the grounds upon which discrimination is unlawful and are referred to as 'protected characteristics'. The Duty requires public bodies to take proactive measures to address inequality. The purpose of these duties is to ensure that public bodies contribute to a wider government commitment to tackle persistent and long-standing issues of disadvantage and discrimination in society. It requires that in the exercise of all their functions, public bodies consider the need to eliminate discrimination, advance equality of opportunity and foster good relations.

1.2 Background

- 1.2.1 Southwark Council, working in partnership with Network Rail and the Greater London Authority (GLA), is developing plans to significantly improve the area around Peckham Rye train station. The project is being delivered to unlock the potential of the station, associated railway arches and the immediate surroundings. The aim, as highlighted in the Peckham and Nunhead Area Action Plan (PNAAP) is to create a public station square, resulting in a positive focal point for the area whilst unveiling the high quality heritage asset of the grade II listed station.
- 1.2.2 Project objectives are to:
- substantially improve the setting of the station, through the removal of the existing station forecourt buildings and the creation of a new Station Square;
 - retain the strength and diversity of local business and retail through the refurbishment of the railway arches and new development on Blenheim Grove; and
 - improve the quality and offer in Peckham Rye through the development of a new or refurbished building on Blenheim Grove including studio/workshop space for cultural/creative uses.
- 1.2.3 The project originally sought to master plan the entire station area, including the rear arches in Dovedale Court. In 2013, AECOM was appointed to conduct an EqIA of these proposals, which considered potential impacts on circa 57 small businesses across two sites, 'Site A' and 'Site B'. Site A comprised the land between the railway arches and the land immediately adjacent to them, including the buildings fronting onto Holly Grove, Blenheim Grove and Rye Lane; while 'Site B' comprised the land to the rear of the station, on Dovedale Court Business Estate.
- 1.2.4 In order to deliver the overall project, the site has now been split into four discrete elements, each being delivered by different partners. AECOM has been appointed to conduct an EqIA of updated proposals for 'Area 1', which will be delivered by Southwark Council. These proposals will involve the removal of existing station forecourt buildings, from which approximately 20 small businesses operate. These businesses include a bank; several minimarkets and other food retailers; restaurants and takeaways; and hair and beauty salons.

- 1.2.5 The current proposals for Area 1 do not include any residential uses. Southwark Council anticipates that there may be some residential development on the Bywater site (Area 2), however this does not form part of the Council's proposals and is therefore outside the scope of this report.
- 1.2.6 Area 1 is the area hatched edged in red in Figure 1-1 below, and corresponds broadly to Site A in the previous proposals.

Figure 1-1: Proposed development site



- 1.2.7 This report draws on research and consultation conducted for the previous EqIA, as well as subsequent consultation and engagement work carried out in support of the updated development proposals. This includes CoDesign work conducted by Ash Sakula Architects between July and October 2014. The scheme's design is currently in development, and the Council expects to submit a planning application in June 2015.
- 1.2.8 This report presents the EqIA undertaken in order to demonstrate how the Council has fulfilled its equality duties in taking forward the proposed development scheme.

1.3 Structure of this report

- 1.3.1 This report is structured as follows:

- Chapter 1: Introduction
- Chapter 2: Methodology
- Chapter 3: Equalities Legislation and Policy Review
- Chapter 4: Summary of Development Scheme

- Chapter 5: Baseline Situation
- Chapter 6: Consultation and Engagement
- Chapter 7: Appraisal of Equality Impacts
- Chapter 8: Recommendations and Conclusions

METHODOLOGY

02

2 Methodology

2.1 Introduction

- 2.1.1 In accordance with the requirements of the Duty, the Council's aim is to positively promote equality for all people in the development scheme area (i.e. Area 1). The EqIA was thus designed to enable consideration to be given to the scheme's impact on all those likely to be affected by it.
- 2.1.2 The EqIA focuses on assessing and recording the likely positive and negative equality impact of the proposed development scheme for affected people sharing protected characteristics identified in the Equality Act 2010. The EqIA focus is limited to consideration of the effects for businesses currently operating at the site and associated indirect effects for customers. The EqIA does not consider effects for commuters or local residents in the wider area. These have been considered as part of the consultation process to date.
- 2.1.3 The approach draws on guidance for the appraisal of equality impacts produced by the Equality and Human Rights Commission (EHRC),² as well as AECOM's in-house approach for conducting EqIAs. The Equality Act 2010 places a legal duty on public authorities to take proactive measures to address inequality. It considers how the Council has fulfilled its duties, with reference to the Duty. Further detail on equalities legislation is contained in Section 3.1.
- 2.1.4 The methodology for undertaking the EqIA and compiling this report comprised a combination of desk-based research and primary data collection and has involved the following stages:
- screening;
 - review of legislation,
 - evidence on profile of affected population and design proposals;
 - design, conduct and analysis of a business and customer survey;
 - appraisal of potential impacts, informed by consideration of survey findings; and
 - preparation of recommendations and this report.
- 2.1.5 The EqIA screening identified potential negative equality impacts arising for people of South Asian, West African and Afro-Caribbean origin as well as people of mixed race and of faith/religious groups.
- 2.1.6 It should be noted that this appraisal considers the impacts of the development proposals as presented in the project briefing provided to AECOM in February 2015. Should the development proposals be subject to any significant change prior to a planning application being submitted, further consideration of effects for equality may be required.

2.2 Survey design

- 2.2.1 This EqIA presents findings from an analysis of survey data collected for the previous EqIA, conducted in January 2014. Two separate surveys were designed in order to gather the views of those affected by the initial development proposals put forward by Southwark Council and Network Rail in 2013. A survey was prepared for businesses within the proposed development area and another survey was prepared for customers of businesses within the proposed development area (including both Site A and Site B - (see site description in paragraph 1.2.3, above). Copies of the surveys can be found in Appendix 1: Survey for businesses and Appendix 2: Survey for customers.

² Equality and Human Rights Commission (2012) *The essential guide to the public sector equality duty* [online] Available at: http://www.equalityhumanrights.com/sites/default/files/documents/EqualityAct/PSED/essential_guide_guidance.pdf (Accessed 02/2015)

- 2.2.2 The surveys were of a structured design which captured a combination of quantitative and qualitative information. This combined approach was chosen as it ensured that relevant factual information was collected, whilst also allowing respondents to share their wider views on the proposals. Questions were developed that were relevant to the needs and circumstances of this particular study. Diversity monitoring questions that were drawn from data in the 2011 Census were also included.
- 2.2.3 The development of the surveys followed good practice in survey design. This included the avoidance of leading and double-barrelled questions, careful choice of wording (e.g. clear, lay language) and type (e.g. closed, open), the application of logical sequencing and simple layout, and consideration of questionnaire length.

2.3 Conducting the survey

- 2.3.1 The survey was conducted in the area that would be directly affected by the 2013 development proposals, including both Site A and Site B. Visits to the survey area were undertaken over a three-day period between the hours of 0900 and 1730.³ This period was chosen as it provided an opportunity to contact business operators during their working hours and customers of these businesses during opening hours.
- 2.3.2 Surveys were conducted by AECOM staff with prior surveying experience. The majority of answers were inputted directly into the online survey using an iPad. Either the staff member or the survey respondent themselves entered the data, dependent on the respondent's wishes. In some cases respondents preferred to input their responses on a paper version of the surveys at a later date. In such cases, AECOM staff agreed a suitable time to collect the completed surveys, or provided a stamped addressed envelope to enable respondents to return the completed survey by post. AECOM staff then inputted the hardcopy survey data into the online survey software.
- 2.3.3 Surveys were conducted within the individual business premises. Repeat visits to business owners who were busy or unavailable were made wherever possible.

2.4 Site visit

- 2.4.1 A member of AECOM staff visited the site in February 2015 to confirm which businesses included in the previous survey lie within the relevant area (Area 1) and to check for any significant changes in the business profile of the area. No further surveys were undertaken. Notes from the site visit findings were checked against notes from the January 2014 survey, to resolve apparent discrepancies in the number of businesses and units identified.

2.5 Survey analysis

- 2.5.1 The business survey included a question which asked respondents to confirm the location of their premises (Site A or Site B). For the purposes of this appraisal, the analysis of business survey findings used this question to filter out responses from businesses located in Site B, which is no longer included in the development proposals. The analysis therefore included only those businesses located in Site A, which corresponds broadly to Area 1 in the current proposals.
- 2.5.2 The survey of business customers did not include an equivalent question, and so it has not been possible to filter out responses from customers of businesses located in Site B and therefore outside the scope of the current development proposals. Findings from the customer survey are reported in this appraisal; however caution should be taken in interpreting these findings as they are not necessarily specific to the context of the current development site.

2.6 Limitations and constraints

- 2.6.1 Given the small number of businesses affected, a 100% target sample was identified for the business surveys, rather than a randomised sample. This was with the recognition that it would be

³ Monday 13/01/2014, Thursday 16/01/2014, Tuesday 21/01/2014

unlikely that a response would be obtained from all affected businesses. Whilst efforts were made to ensure that the survey questionnaire achieved as much coverage as possible, it was subject to a number of constraints and limitations. These included the following:

- It was not possible to obtain a response from representatives from all businesses during the available survey period. Some units were closed or vacant, some business owners declined to participate in the survey, and some requested a hard-copy version of the survey. Hard-copies were left with these businesses, along with a stamped return envelope addressed to AECOM. The non-randomised nature of the survey and the small total eligible population size mean that results are not intended to be generalised more widely.
- The surveys were designed to capture the views on the development scheme of those people identified as being most likely to be affected by it. As such the surveys were targeted at business owners, employees and customers of businesses located within the development area. Although commuters were not specifically identified for inclusion in the surveys, a number of commuters using nearby services participated in the customer surveys.
- Despite care taken in the explanation of the surveys' purpose and the meanings of the questions involved, it is possible that respondents may not always have understood the questions fully and that questions may have been misinterpreted. The interviewers took care to ensure that respondents understood what they were being asked, without influencing their responses.
- For the customer surveys, given the limited availability of survey respondents for each business, a convenience sample was undertaken rather than a random sample. The nonrandomised nature of the survey, and the small sample size (2-3 customers per business, across the original Site A and Site B) limits the reliability of responses. As a result caution should be taken in interpreting the survey data findings, and these cannot be generalised to represent views of the wider population.

2.6.2 Furthermore, the report does not capture the views of businesses that have opened in the area since the survey was conducted in January 2014. The site visit was undertaken to confirm that there had not been any significant changes to the business profile of the area; however, no additional surveys or interviews with new business owners were conducted. Notes from the site visit were checked against notes from the January 2014 site visit to resolve apparent discrepancies in the record of numbers of businesses and units.

2.6.3 Area 1 does not correspond exactly with the original Site A: Site A included units at 12-16 Blenheim Grove, which are not part of the current proposed development area. It is understood that these units comprise various arts and creative industry uses, including an art gallery, incubator studios, and commercial printing services. It has not been possible to filter these businesses out of the survey analysis; however findings relating specifically to these businesses have not been reported.

2.6.4 It has not been possible to filter out the survey responses of customers of businesses located in the original Site B, and therefore outside the scope of the proposed development. Caution should therefore be taken in using and interpreting the customer survey results.

***EQUALITIES
LEGISLATION AND
POLICY REVIEW***

03

3 Equalities Legislation and Policy Review

3.1 Equality Act 2010

- 3.1.1 The Equality Act 2010 is the relevant legislation setting out the Public Sector Equality Duty, to which Southwark Council is subject in carrying out all its functions, including its consideration of planning applications.
- 3.1.2 In December 2013, the Government announced that Network Rail has been classified as a central government body in the public sector and the public sector Equality Duty therefore also applies. The new classification will be implemented from 1st September 2014.
- 3.1.3 Those subject to the Duty must, in the exercise of their functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
 - advance equality of opportunity between people who share a protected characteristic and those who do not; and
 - foster good relations between people who share a protected characteristic and those who do not.
- 3.1.4 These are sometimes referred to as the three aims or arms of the general equality Duty. The Act explains that having due regard for advancing equality involves:
- removing or minimising disadvantages suffered by people due to their protected characteristics;
 - taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and
 - encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.
- 3.1.5 The Act states that meeting different needs involves taking steps to take account of disabled people's disabilities. It describes fostering good relations as tackling prejudice and promoting understanding between people from different groups. It states that compliance with the Duty may involve treating some people more favourably than others.
- 3.1.6 The Duty covers the following eight protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 3.1.7 Public authorities also need to have due regard to the need to eliminate unlawful discrimination against someone because of their marriage or civil partnership status. This means that the first arm of the Duty applies to this characteristic, but that the other arms (advancing equality and fostering good relations) do not apply.

3.2 London-wide Policy

London Plan (July 2011, amended October 2013)

- 3.2.1 The London Plan is the overall strategic plan for London, and sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031. It forms part of the development plan for Greater London. London boroughs' local plans need to be in

general conformity with the London Plan, and its policies guide decisions on planning applications by councils and the Mayor.

3.2.2 The Plan includes strategic and planning policies to encourage equal life chances for all, in recognition of social inequalities existing within the city. A number of policies outlined in the Plan relate to equalities and the protection of disadvantaged groups, specifically:

- Policy 3.1 'Ensuring Equal Life Chances for All' requires that development proposals should protect and enhance facilities that meet the needs of particular groups and communities. The plan does not support proposals involving loss of these facilities without adequate justification or provision for replacement;
- Policy 3.2 'Improving Health and Addressing Health Inequalities' is also relevant, requiring due regard to the impact of development proposals on health inequalities in London;
- Policies 3.17 – 3.19 concern the provision of social infrastructure, including health and social care, education, sports and recreation facilities; and
- Housing policies 3.3 – 3.16 concerning housing provision, affordable housing provision, mixed and balanced communities, housing choice and provision of associated play facilities, are all relevant to equal opportunities.

3.2.3 Revised early minor alterations to the London Plan were issued in 2013, and draft further alterations in 2014. These do not affect the policies summarised above.

Equal Life Chances for All (2012)

3.2.4 The GLA's Equality Framework sets out the Mayor's commitment to tackling inequality, improving life chances, and removing barriers that prevent people from reaching their full potential in London. The Framework identifies 22 equality objectives relating to health; education, employment, pay and skills; housing; safety; violence; transport and community engagement.

3.3 Local Policy

Southwark Council's Approach to Equality: Delivering a Fairer Future for All (2011)

3.3.1 This document sets out Southwark Council's approach to meeting the Public Sector Equality Duty (PSED) and explains what people in the borough can expect from the Council in terms of the way it plans and delivers its services, and what the Council is committed to doing. It also explains the Council's approach to advancing equality of opportunity in the borough by making equality part of its day-to-day business.

3.3.2 In particular the Council seeks to ensure that the effects on equality are considered at an early enough stage to influence decision making.

Fairer Future Promises (2014)

3.3.3 In 2014, the Council set out ten Fairer Future promises. These are key commitments that outline the objectives that the Council will be working towards in order to deliver a fairer future for all its residents. They are:

1. Value for money;
2. Free swimming and gyms;
3. Quality affordable homes;
4. More and better schools;

5. Nurseries and childcare;
6. A greener borough;
7. Safer communities;
8. Education, employment and training;
9. Revitalised neighbourhoods; and
10. Age friendly borough

3.3.4 Of greatest relevance to this project is Promise 7, Revitalised Neighbourhoods, which commits to revitalising neighbourhoods to make them places in which all residents can be proud to live and work.

Southwark Core Strategy (2011)

3.3.5 The Council's Core Strategy includes planning policies which are relevant to promoting equality and tackling existing disadvantage, including policies on housing and density, community facilities and open space.

3.3.6 In relation to the scheme area, the Core Strategy states that the Council will work with Network Rail to help deliver improvements to areas around Peckham Rye station and the associated railway lines, including a possible new square that will transform the area around the station and the railway arches.

Peckham and Nunhead Area Action Plan (adopted 2014)

3.3.7 The Peckham and Nunhead Area Action Plan (PNAAP) was formally adopted in November 2014, and sets out policies specific to Peckham and Nunhead. The PNAAP identifies Peckham town centre as the area with the greatest potential for change, and focuses on maintaining and strengthening its role as a major town centre in Southwark.

3.3.8 The PNAAP highlights the redevelopment opportunity at Peckham Rye Station (identified as site PNAAP 6) for mixed uses including business, retail, a public square, community/cultural/leisure and residential use.

***SUMMARY OF
DEVELOPMENT
SCHEME***

4 Summary of Development Scheme

4.1 Introduction

- 4.1.1 The community of Peckham and Nunhead has for many years expressed a desire for Peckham Rye station, the forecourt and the rear court to be improved. The Peckham and Nunhead Area Action Plan (PNAAP) was developed in close consultation with local people, and feedback on the PNAAP highlighted overwhelming support for improving the station and removing the existing forecourt buildings.
- 4.1.2 In 2012, Southwark Council began working in partnership with Network Rail and the Greater London Authority (GLA) to transform the area immediately surrounding the station. Proposals were developed to deliver improvements to the station and surrounding area, which would have resulted in the displacement of up to 60 local businesses. Following feedback from the local community, the Council decided to revise the scope of the scheme and adopt an approach based on evolving the design of the proposals with local stakeholders.
- 4.1.3 The revised Gateway to Peckham scheme is part funded by a grant from the GLA. The Council will also be investing considerable funding to secure the necessary Compulsory Purchase Orders (CPOs) to reconfigure the retail offer in the area, to build a new station square, and to create a fully accessible station.

4.2 Previous work

- 4.2.1 In 2012, Southwark Council with support from Network Rail undertook a feasibility / concept design study that was used to create a business appraisal to support the delivery of the project.
- 4.2.2 In 2013, architects were appointed to progress the scheme based on this feasibility / concept design study in order to be able to submit a planning application. As part of the architects' work, two stages of community consultation were undertaken to inform the preparation of proposals, in November 2013 and January 2014. It was at this stage that AECOM (as URS) was appointed to undertake the previous EqIA of the proposed development. In response to concerns emerging from the community consultation, wider outreach work was undertaken including attending Peckham and Nunhead Youth Community Council, leaflet drops, visits to individual business, church meetings and a Peckham Town Team meeting.
- 4.2.3 The consultation exercises proved useful in gathering feedback, but also raised questions from the community about the principle, scope and content of emerging plans, revealing a perception that the previous plans did not reflect the aspirations of the local community. Feedback from pre-application meetings with the London Borough of Southwark development control department and Southwark Design Review Panel also raised concerns about the proposed scheme, and particularly its relationship with buildings on Holly Grove.
- 4.2.4 A combination of feedback from the planners and opposition from local people led Southwark Council and Network Rail to seek an extension to their timescales from the GLA. The aspiration was that with a revised timescale and refreshed approach, plans could be developed with local people's involvement in shaping the redevelopment.

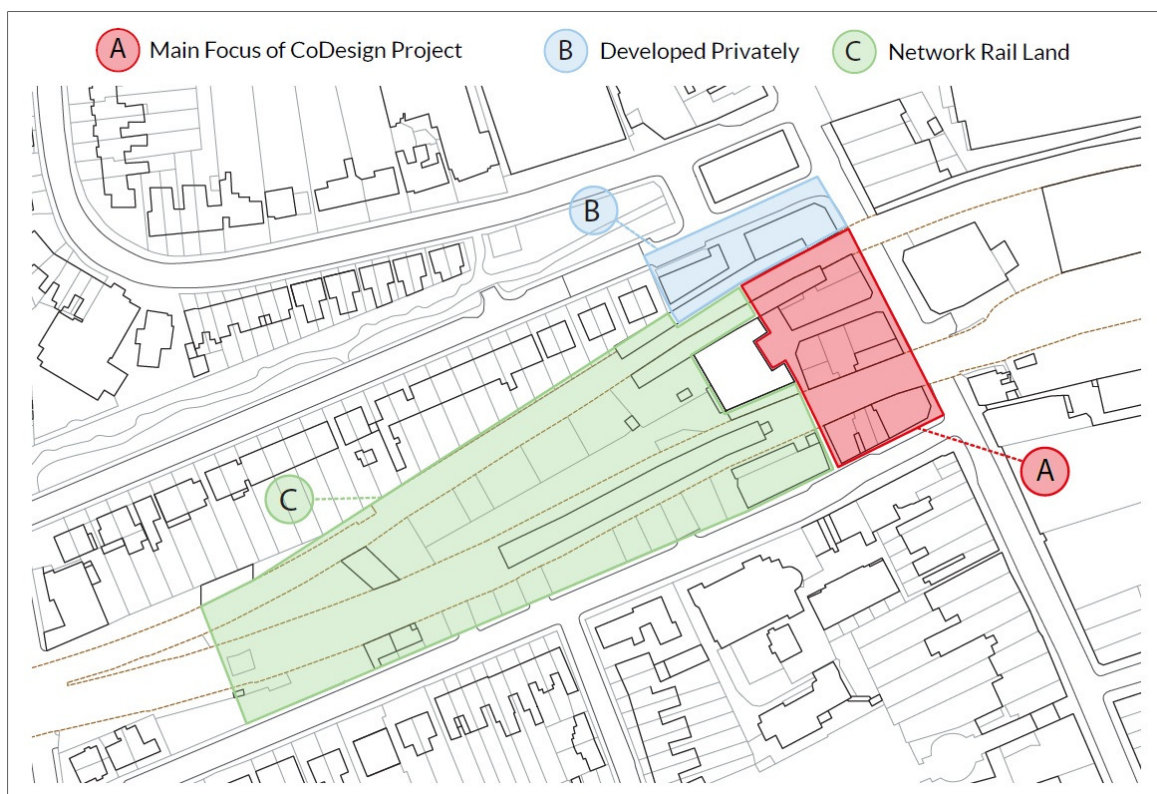
4.3 Revised scope of the development scheme

- 4.3.1 The project originally sought to master plan the entire station area, including the rear arches in Dovedale Court. In order to deliver the overall project the site has now been split into four discrete elements, each being delivered by different partners (see Figure 1-1: Proposed development site, above, and Figure 4-1: Peckham Rye CoDesign site (source: Ash Sakula (2014) CoDesign Peckham Report, overleaf):

- Area 1 – Arcade, Railway Arches (excluding Iceland), 2-10 Blenheim Grove, 4 Station Way & 82 Rye Lane (marked as A in Figure 4-1). This is the area to be delivered by Southwark Council, and is the subject of this report. . This has also been the area of focus of the CoDesign process (see Section 4.3.2 below).
- Area 2 – Bywater site: 74 Rye Lane, 24 Station Way, and 4 Holly Grove (marked as B in Figure 4-1). This is intended to be delivered by the current leaseholder and Network Rail (subject to negotiation). This may form part of the scheme if negotiations between the parties are not concluded.
- Areas 3 and 4 – station building, Dovedale Court and arches (marked as C in Figure 4-1). Improvements to Dovedale Court (to the rear of the station) and the station building, including Access for All improvements and general improvements, will be delivered by Network Rail.

4.3.2 In 2014, Southwark Council initiated a CoDesign process, focusing on the proposed development of Area 1 (as illustrated in Figure 4-1). The CoDesign project sought to engage local people, facilitate greater local influence on the project brief and design, and provide a platform to more thoroughly communicate the opportunities and challenges of delivering the project. This resulted in the production of a report setting out an ‘atlas’ of 30 key aspirations, which have been fed into the vision statement for the revised scheme. The CoDesign process and its outcomes are discussed in full in section 6.3.6 below.

Figure 4-1: Peckham Rye CoDesign site (source: Ash Sakula (2014) CoDesign Peckham Report



4.4 Project objectives

4.4.1 The project focused on Area 1 is being delivered by Southwark Council to unlock the potential of the station, associated railway arches and the immediate surroundings. The aim, as highlighted in the PNAAP, is to create a public station square, resulting in a positive focal point for the area whilst unveiling the high quality heritage asset of the grade II listed station. This project is made up of three

interrelated elements: a new station square, refurbished railway arches and a new or refurbished building on Blenheim Grove.

4.4.2 Project objectives are to:

- substantially improve the setting of the station, through the removal of the existing station forecourt buildings and the creation of a new Station Square;
- retain the strength and diversity of local business and retail through the refurbishment of the railway arches and new development on Blenheim Grove; and
- improve the quality and offer in Peckham Rye through the development of a new or refurbished building on Blenheim Grove including studio/workshop space for cultural/creative uses.

4.4.3 New and refurbished commercial floorspace will be provided on site, potentially including new studio/workshop units in the Blenheim Grove building to encourage new creative/cultural businesses. There will not be as much floorspace as is currently provided on site, but Southwark Council have stated that current occupiers will either be relocated within the new scheme, nearby in Peckham, or at a location of their choice.

4.4.4 The following section summarises key design considerations that have been drawn from the work to date undertaken in partnership with Network Rail and the GLA, and from the outcomes of the Co-Design process.

The Station Square

4.4.5 The new station square should reveal and celebrate the façade of the listed station building. The space should be easy to maintain and to keep clean, and should provide flexible space to accommodate different uses. As well as space for people passing through, there should be space to meet people, to sit and to linger as well as to hold events. Planting and green elements should be included in the new square and consideration given to linkage to nearby green spaces.

4.4.6 Connectivity to the wider street network should be improved and allow for easy movement to and from the station. This includes the route directly to Rye Lane but attention should also be given to enhancing the route to Blenheim Grove and Holly Grove. Way finding to and from the station to other parts of the town centre, including the various markets, should be considered, and the needs of cyclists should be accommodated. Consideration should be given to use of the space at different times of the day and night, and there should be appropriate lighting for visibility and way finding.

4.4.7 The design should support the diversity of the area and meet the highest standards of accessibility and inclusion for all people regardless of disability, age or gender. Access is not just about the physical access, but also about how people feel about using the space.

Refurbishment of railway arches

4.4.8 The arches on either side of the square should provide units that open out onto the square, and are able to accommodate a range of potential uses, predominantly retail. There is an ambition to relocate some existing businesses if possible within the three new arches in Area 1.

82 Rye Lane and 2-10 Blenheim Grove

4.4.9 This building is in a landmark position fronting onto Rye Lane and Blenheim Grove and marking the location of the station and station square. The new building should be designed to maximize the opportunity for relocation of existing businesses, and should be sensitive to the existing buildings and heritage of the area.

4.4.10 It is anticipated that the design brief for the proposed development will be finalised by March 2015, with the concept design finalised by April 2015, and the full planning application submitted during June 2015.

BASELINE SITUATION

5 Baseline Situation

5.1.1 This section provides baseline information on the population likely to be affected by the construction and operation of the development scheme, drawing on 2011 Census data for the London Borough of Southwark, the Greater London region, and England. Data for the ward of The Lane is included where available.

5.2 Peckham Rye

5.2.1 Peckham Rye Station is located in The Lane ward of the London Borough of Southwark. Lane Ward's population has increased by 30 per cent, over a ten year period from 2001 to 2011, with the resident population at the time of the 2011 Census recorded as 15,565 people. This rapid population growth exceeded that across the borough as a whole (17 per cent), and was more than double the rate of population growth across London (14 per cent) over the same period.⁴⁵ Both The Lane and Southwark are expected to experience continued high rates of population growth over the next ten years: by 2021 the population of the ward is projected to be 18,137, an increase of 16.3 per cent on the 2011 level, while the population of Southwark is projected to increase by 21.2 per cent over the same period.⁶

5.3 Profile of potential affected groups sharing protected characteristics

Age

5.3.1 71.1 per cent of residents of The Lane, and 73.7 per cent of residents of Southwark are aged between 16 and 64. The proportions of residents aged under 16 are broadly in line with regional and national averages, while the proportions of people aged 65 and over (9.1 per cent and 7.7 per cent in The Lane and Southwark respectively) are lower than the figures for London (11.1 per cent) and England (16.4 per cent).⁷

5.3.2 The number of older people living in The Lane is projected to fall slightly over the next decade, before growing again from 2021. In Southwark, however, population growth is expected to be high in the over 65 age group: the population of over 65s in the borough is expected to grow to 26,428 by 2021, an increase of 4,004, or 18 per cent, on the 2011 level. The greatest population increase is expected in the 0-15 age group, which will increase by 22 per cent, and account for 18 per cent of the total population of Southwark by 2021.⁸

Sex

5.3.3 51.3 per cent of residents of The Lane are female. This is slightly higher than across Southwark (50.5 per cent), London (50.7 per cent) and England (50.8 per cent).⁹

Race

5.3.4 The proportion of White British people living in The Lane (38.5 per cent) is slightly lower than in both the wider borough of Southwark (39.7 per cent) and the London region (44.9 per cent), and significantly lower than the national average (79.8 per cent). Both The Lane and Southwark have large populations of Black, African, Caribbean and Black British people: 33.7 per cent of residents of The Lane and 26.9 across Southwark are Black, compared with 13.3 per cent in London and 3.5 per cent nationally. 17.5 per cent of the population of The Lane is African, and 10.6 per cent Caribbean.

⁴ Office for National Statistics (ONS) (2004) Census 2001, Usual resident population, local authorities in England and Wales (UV01)

⁵ ONS (2012) Census 2011, Usual resident population, local authorities in England and Wales (KS101EW)

⁶ ONS (2012) Interim 2011-based subnational population projections for England

⁷ ONS (2012) Census 2011, Age structure (KS102EW)

⁸ ONS (2012) Interim 2011-based subnational population projections for England

⁹ ONS (2012) Census 2011, Sex (QS104EW)

- 5.3.5 The proportion of Asian and Asian British people living in The Lane (7.9 per cent) is in line with the national average (7.8 per cent), but lower than the figures for Southwark (9.4 per cent) and London (18.5 per cent).¹⁰

Religion/belief

- 5.3.6 53 per cent of residents of The Lane are Christian. This is lower than the national average of 59.4 per cent, but higher than the figures for both Southwark and London (52.5 per cent and 42.4 per cent respectively). Both The Lane and Southwark have relatively high proportions of residents with no religion: 26.7 per cent in each area, in comparison with 20.7 per cent across London and 24.7 per cent nationally. 8.5 per cent of residents of The Lane are Muslim, and there are smaller proportions of Buddhists, Hindus, Sikhs and Jewish people living in the ward.¹¹

Disability

- 5.3.7 The rate of people living with a limiting long-term illness or disability is slightly lower in Southwark (13.5 per cent) and across London (14.1 per cent) than in England as a whole (17.6 per cent). The figure for The Lane (15.4 per cent) is higher than in Southwark and London, but lower than the national average.¹²
- 5.3.8 Data collected by Transport for London suggests that around 12.4 per cent of the population of London, or 890,569 people, currently experiences reduced mobility, including 1.2 per cent of residents who are wheelchair users and 4.4 per cent who have walking difficulties. These figures vary significantly by age group: 0.3 per cent of people aged under 25 have walking difficulties, compared with 17.5 per cent of those aged 60 and over. In total, 29.6 per cent of people in London over the age of 60 – 350,527 people – experience reduced mobility in some way.¹³

Employment and business ownership

- 5.3.9 Both The Lane (71.1 per cent) and Southwark (73.7 per cent) have relatively large proportions of residents of working age (those aged 16 - 64), in comparison to regional (69 per cent) and national averages (64.8).¹⁴ The proportion of the population aged 16-74 that is economically active is also high, at 73 per cent in both The Lane and Southwark, and the proportion of economically active people who are employed full-time is higher than across London and England. The Lane has a high proportion of residents who are full-time self-employed. At 7.9 per cent, this figure is in line with the London-wide average of 8 per cent, but slightly higher than across Southwark (6.9 per cent) and England (6.8 per cent).¹⁵
- 5.3.10 A very high proportion of the population of both The Lane (42 per cent) and Southwark (43.1 per cent) is educated to degree level or above, in comparison to both regional (37.7 per cent) and national (27.4 per cent) averages.¹⁶ This is reflected in the occupational profiles of people living in The Lane and Southwark in comparison to London and England. The Lane (25.2 per cent) and Southwark (25.8 per cent) both have a larger proportion of residents in professional occupations than either London (22.5 per cent) or England (17.5 per cent), although the proportions of managers, directors and senior officials are broadly in line with regional and national averages.¹⁷
- 5.3.11 Residents in The Lane work predominately in human health and social work activities (14%), professional scientific and technical activities (12%) Education (10%), wholesale and retail trade, repair of motor vehicles and motor cycles (10%) and arts, entertainment, recreation and other

¹⁰ ONS (2012) Census 2011, Ethnic group (KS201EW)

¹¹ ONS (2012) Census 2011, Religion (KS209EW)

¹² ONS (2012) Census 2011, Long-term health problem or disability (QS303EW)

¹³ Transport for London (TfL) (2010) Londoners with reduced mobility

¹⁴ ONS (2012) Census 2011, Age structure (KS102EW)

¹⁵ ONS (2012) Census 2011, Economic activity (QS601EW)

¹⁶ ONS (2012) Census 2011, Highest level of qualification (QS501EW)

¹⁷ ONS (2012) Census 2011, Occupational profile (QS606EW)

service activities (9%). There is a similar pattern in Southwark with small variations in the percentages of residents working in each sector. Overall both The Lane and Southwark have higher proportions of residents working in human health and social work, professional scientific and technical and arts, entertainment, recreation and other service activities and relatively lower proportions of residents working in manufacturing, construction, wholesale and retail in comparison to London and England.¹⁸

- 5.3.12 Unemployment is slightly higher in both The Lane (6.2 per cent) and Southwark (6.0 per cent) than the regional and national figures (5.2 per cent and 4.4 per cent respectively).¹⁹ The proportion of residents who are long-term sick or disabled is also marginally higher, and Southwark has slightly higher rates of incapacity benefit claimants (2.5 per cent) and jobseekers' allowance claimants (4.4 per cent) than either London (2.3 per cent and 3.6 per cent) or England (2.4 per cent and 3.8 per cent).²⁰

Access to services and facilities

- 5.3.13 The Index of Multiple Deprivation (IMD) measures deprivation at the level of Lower Super Output Areas (LSOAs); small geographical zones that are used for statistical purposes. There are 32,482 LSOAs in England, and 4,765 in Greater London. The IMD gives each LSOA a score, based on the following 'domains' of deprivation:

- income deprivation;
- employment deprivation;
- health deprivation and disability;
- barriers to housing and services;
- living environment deprivation; and
- crime.

- 5.3.14 LSOAs are then ranked to enable comparison with other areas across England. Two thirds of LSOAs within Greater London have above average levels of deprivation, and 26 per cent fall within the 20 per cent most deprived nationally. Southwark is the 12th most deprived borough in London and the 41st most deprived of the 326 local authorities across England, with 54 LSOAs (33 per cent) within the 20 per cent most deprived nationally.

- 5.3.15 Southwark performs poorly in the housing domain, with 159 of its 165 LSOAs in the 20 per cent most deprived nationally; this is likely to reflect London-wide affordability barriers to housing.²¹

Public realm, transport, safety

- 5.3.16 Peckham Rye Station is classed as a strategic transport interchange.²² Journey times are 10 minutes to London Bridge and 15 minutes to Victoria, and the station is used by two and a half million people each year. The recent London Overground extension has improved links to Clapham, east London, and Canary Wharf, and will provide connections with Crossrail for Heathrow. Rye Lane is also an important route for buses, goods vehicles, private cars, cyclists and pedestrians,

¹⁸ ONS (2012) Census 2011, Industry (QS605EW)

¹⁹ ONS (2012) Census 2011, Economic activity (QS601EW)

²⁰ ONS (2013) Benefit claimants, working age client group

²¹ Southwark Council (2010) *Southwark Report – Index of Multiple Deprivation 2010* [online] Available at: https://www.southwarkstats.com/public/download/DIRECT/D0002/IMD2010_Southwark%20analysis%20report_alldomains.pdf (accessed 13/02/2015)

²² Southwark Council (2012) *Peckham and Nunhead Area Action Plan, Preferred Option February 2012* [online] Available at: http://www.southwark.gov.uk/downloads/download/2959/peckham_and_nunhead_aap_preferred_option (accessed 13/02/15)

particularly around the station and the junction with Peckham High Street, and can become congested for both vehicles and pedestrians.²³

- 5.3.17 There were 59 crimes reported at Peckham Rye Station in 2014. Of these, 14 (23.7 per cent) were drugs offences, 11 (18.6%) were bicycle thefts, and 11 were violence and sexual offences. Smaller numbers of thefts, incidents of anti-social behaviour, criminal damage and arson, public order offences, and possession of a weapon were also recorded.²⁴ Between January and December 2014, the rate of crime and anti-social behaviour offences per 100,000 passengers recorded at Peckham Rye Station was 2.26, an increase from 1.89 the previous year. This is in line with the rate recorded at Nunhead (2.37) but higher than the rates recorded at other nearby stations, including Queen's Road Peckham (1.78); Brockley (1.1); East Dulwich (1.09); Denmark Hill (0.87); and New Cross Gate (1.05).²⁵
- 5.3.18 Across the ward of The Lane, 22.9 per cent of offences recorded during 2014 were antisocial behaviour. There were 581 violent and sexual offences (18.5 per cent of the total), and relatively high rates of other theft (407 offences, or 12.9 per cent of the total).²⁶
- 5.3.19 Concerns have been expressed about levels of anti-social behaviour, and consultation responses received to date suggest that local residents would like the area around the station made cleaner, safer and less cluttered, with improved lighting and fewer dark spaces or narrow passages. Residents would also like to see more space available for pedestrians around the station and on Rye Lane.

Community cohesion and relations between different groups

- 5.3.20 Southwark was one of the areas affected by civil disturbances in August 2011. 140 businesses across the borough reported damage, looting and disruption to trade, 50 of which were in Peckham. Many more businesses experienced loss of trade and reduced demand as a result of road closures and reduced footfall.²⁷ Southwark Council conducted a series of 'community conversations' to find out more about why the disturbances occurred, and what could be done to stop something similar happening again in future. This research found that there is generally a strong sense of community in Southwark: 80 per cent of residents feel that people in their local area treat each other with respect and consideration, and 92 per cent agree that their local area is a place where people from different backgrounds get on well together.²⁸

²³ Southwark Council (2012) *Peckham and Nunhead Area Action Plan, Preferred Option February 2012* [online] Available at: http://www.southwark.gov.uk/downloads/download/2959/peckham_and_nunhead_aap_preferred_option (accessed 13/02/15)

²⁴ Metropolitan Police crime statistics – *Peckham Rye station* [online] Available at: <http://www.police.uk/metropolitan/00BEGY/crime/2014-01/all-crime/1488010/> (accessed 13/02/15)

²⁵ British Transport Police (2014) *Crime Maps and Statistics* [online] Available at <http://crimemaps.btp.police.uk/> (accessed 13/02/15)

²⁶ Metropolitan Police crime statistics – *The Lane* [online] Available at: <http://www.police.uk/metropolitan/00BEGY/crime/> (accessed 13/02/14)

²⁷ Southwark Council (2012) *Peckham and Nunhead Area Action Plan, Preferred Option February 2012* [online] Available at: http://www.southwark.gov.uk/downloads/download/2959/peckham_and_nunhead_aap_preferred_option (accessed 13/02/15)

²⁸ Southwark Council (2011) *Community Conversations 2011, Summary Report* [online] Available at: http://www.southwark.gov.uk/download/7158/community_conversations_report (accessed 31/01/14)

***CONSULTATION AND
ENGAGEMENT***

6 Consultation and Engagement

6.1 Introduction

6.1.1 The first part of this chapter presents findings from the business and customer surveys conducted by AECOM with directly affected business owners and representatives, and with customers of the affected businesses. There is also a summary of findings from a site visit conducted in February 2015 in order to check for any significant changes in the business profile of the proposed development site. The second part of this chapter includes a summary of consultation undertaken by Southwark Council in relation to the proposed development scheme, including the CoDesign process initiated in 2014.

6.2 Business and customer surveys

6.2.1 The views expressed in this section are those of business owners and customers at the time of the survey in January 2014, and do not reflect the current proposals or any stakeholder engagement carried out by Southwark Council and its partners in 2014 and 2015.

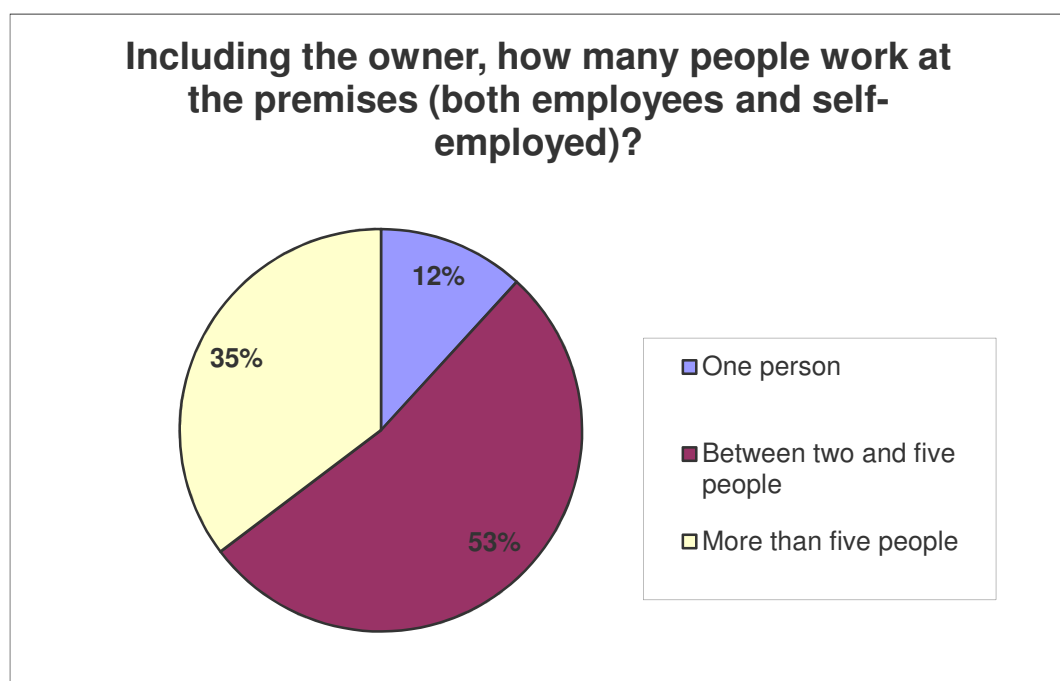
Survey of affected businesses

6.2.2 The following is a breakdown of the results from the surveys conducted with businesses within the area affected by the proposed Gateway to Peckham development. It should be noted that Area 1 does not correspond exactly with the original Site A, which included units at 12-16 Blenheim Grove that are not part of the current proposed development area. It is understood that these units comprise various arts and creative industry uses, including an art gallery, incubator studios, and commercial printing services. It has not been possible to filter these businesses out of the survey analysis; however findings relating specifically to these businesses have not been reported.

Profile of affected businesses

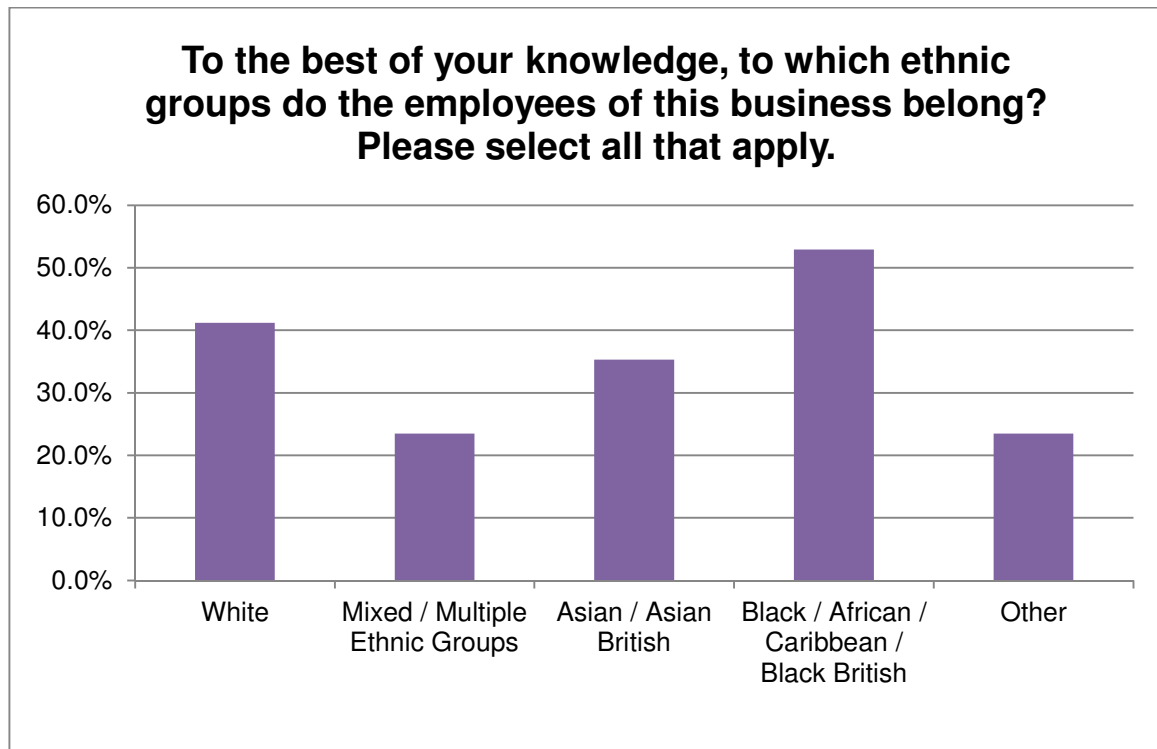
6.2.3 The survey achieved a total of 17 responses: 16 from owners of businesses located in the proposed development area, and one from the main leaseholder of a business. As illustrated in Figure 6-1, the majority of these businesses (11, or 65%) employ fewer than five people.

Figure 6-1: Number of employees



- 6.2.4 Six (35%) of the business owners²⁹ surveyed described themselves as White, seven (41%) as Black or Black British, one as Asian or Asian British and one as of a mixed ethnic background. Two business representatives answered that they belong to an 'Other' ethnic group.³⁰ Six business owners gave their religion as Christianity and six as Islam. Four stated that they have no religion, and one respondent preferred not to say.
- 6.2.5 Respondents were also asked to which ethnic group the employees of the business belong, and were able to select all groups that applied. 53% of businesses surveyed had some Black or Black British employees, 41% had some White Employees, 35% had some Asian or Asian British employees, and 23% had employees of a mixed ethnic background.

Figure 6-2: Ethnic groups of business employees



- 6.2.6 As shown in Table 6-1, nearly a third (29%) of business owners surveyed had held the lease on the business premises for more than 10 years. In total, 82% of businesses had held the lease for at least two years, indicating a relatively low rate of turnover. Of the businesses that had held the lease for less than two years, two were White-owned and one BME-owned. Of all BME-owned businesses in the proposed development area, 89% had held the lease for at least two years, compared with 67% of White-owned businesses. However half of all White-owned businesses had held the lease on their premises for at least ten years.

²⁹ For brevity, the term 'business owner' is used hereafter to refer to both owners and main leaseholders of businesses located within the proposed development area.

³⁰ For the purposes of this analysis, these businesses have been considered BME-owned.

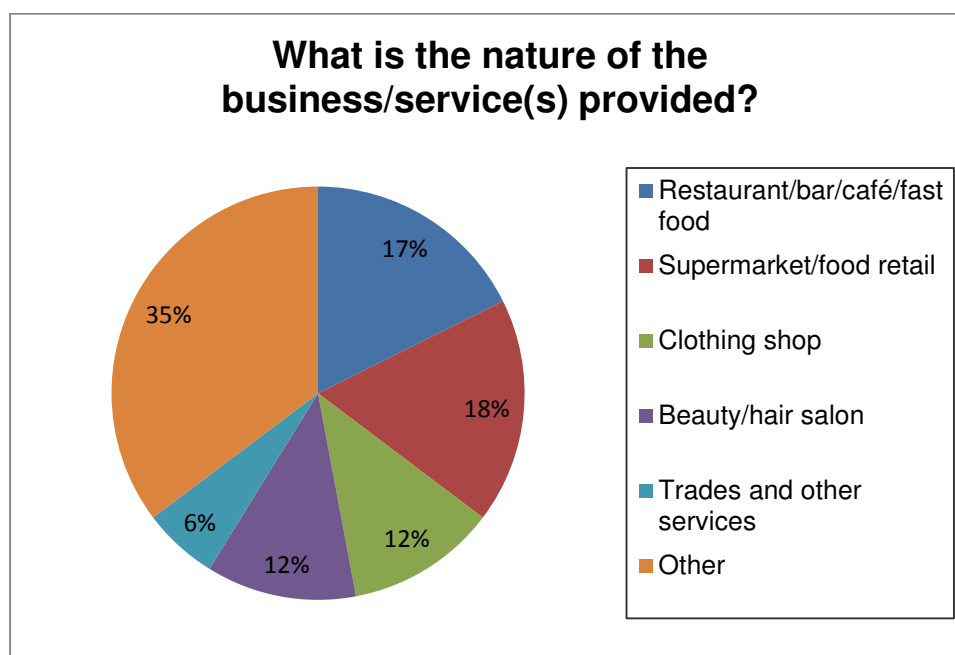
Table 6-1: Length of lease (all businesses)

Question	Options	Number of respondents	% of respondents
How long have you held the lease for the premises?	Less than 12 months	2	11.8
	Between one and two years	1	5.9
	Between two and five years	5	29.4
	Between five and 10 years	4	23.5
	More than 10 years	5	29.4
Answered question		17	100
Skipped question		0	0

6.2.7 Respondents were asked separately about how long they have operated in their current premises. Responses correlated closely with the above: 35% of businesses have operated on the premises for more than 10 years, and 82% for at least two years. The majority of business owners surveyed (71%) hold the lease for just one unit in the proposed development area. Three business owners hold the lease for two units, one for three units, and one for more than five units. Of the multi-unit business owners, three are White and three from BME groups. At the time of the survey, all potentially affected units were let.

Business/service provision

6.2.8 Figure 6-3 shows the range of business in the proposed development area represented in responses to the survey. Other businesses and services provided include a church, a bank, and a dentist. Two business units are currently used primarily for storage. When responses are analysed separately for White or BME-owned businesses, the data shows that BME-owned businesses include a specialist food shop, fast food outlets, clothing shops, beauty and hair salons, a dentist's surgery and a Pentecostal church. It should be noted that the number of hair and beauty salons operating on the site may have been underreported in the survey, due to a low response rate among these businesses. Site visits undertaken at the time of the survey in January 2014 suggest that there were six such businesses in the area.

Figure 6-3: Nature of business/service(s) provided

- 6.2.9 Respondents were asked to indicate whether their business caters primarily for local residents. The majority of business owners (13 out of 17, or 77%), and five out of six White business owners, agreed that their business does cater primarily for local customers. Of BME-owned businesses, six out of nine (67%) agreed or agreed strongly. Both White and BME respondents commented that, although their businesses do cater for local trade, they also attract custom from across Southwark and London. One BME respondent, the owner of a hair and beauty salon, said that ‘people know Peckham for this industry’. Another BME respondent, who owns a range of businesses including a supermarket and beauty salon, estimated that 50% of customers travelled from outside of Peckham in order to access specialist African products.
- 6.2.10 Respondents were then asked to indicate whether their business provides goods or services that serve the needs of people from a shared ethnic background. Responses to this question were mixed, with 53% of business owners agreeing or agreeing strongly that they do serve the needs of people from a shared ethnic background, 35% disagreeing or disagreeing strongly, and 12% stating that they neither agreed nor disagreed. As illustrated in Table 6-2, there was a marked split in the responses to this question from White and BME-owned businesses. Four out of six White business owners disagreed with this statement, whereas 10 out of 11 BME business owners agreed or agreed strongly. Specific goods or services mentioned by BME respondents include African and Caribbean food, hair and beauty services catering for people of African and Caribbean descent, African clothing, halal meat, and money transfer services.

Table 6-2: Provision of goods or services that serve the needs of people from a shared ethnic background

Question	Options	Total respondents	White-owned businesses	BME-owned businesses
This business provides goods or services that serve the needs of people from a shared ethnic background	Agree strongly	2	0	4
	Agree	1	0	6
	Neither agree nor disagree	5	2	0
	Disagree	4	4	0
	Disagree strongly	5	0	1
Answered question		17	6	11
Skipped question		0	0	0

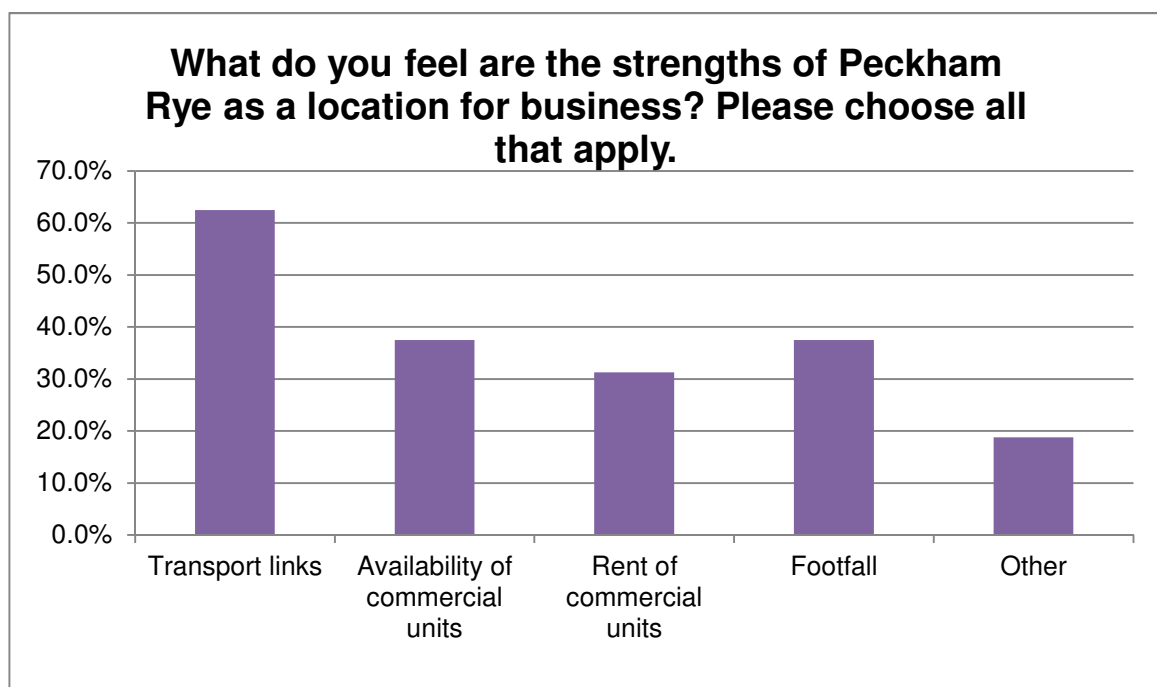
- 6.2.11 Respondents were asked separately whether their business provides goods or services that serve the needs of people with a shared religious identity. Eight out of 17 respondents (47%) disagreed with this statement. Of the six respondents who agreed with the statement, all were from BME groups. These businesses include fast food outlets and butcher’s shops selling halal meat, and a Pentecostal church catering primarily for Christians of African descent.
- 6.2.12 In total, 10 out of 16 business owners (63%) stated that there are no other businesses nearby that cater for similar ethnic or religious needs (one respondent skipped this question). These businesses include clothing shops, restaurants and fast food outlets.³¹ Of the six respondents who answered that there are other businesses nearby that cater for similar needs, three are supermarkets or food retailers, two hair or beauty salons, and one a Pentecostal church. Several commented that there are alternative food outlets and retailers in the area.

³¹ This may indicate a misunderstanding of the question, as art galleries and studios in the proposed development area are predominantly White-owned, and respondents had previously stated that they do not provide services that serve the needs of people from either a shared ethnic background or religious identity.

Views on Peckham Rye as a business location

- 6.2.13 Respondents were asked to comment on what they felt are the strengths of Peckham Rye as a location for business. As illustrated in Figure 6-4, business owners most frequently mentioned transport links, with the availability of commercial units, levels of rent on commercial units, and footfall also considered important by a significant proportion of respondents. Several business owners commented on the importance of proximity to the station, which allows customers from across London to easily access their businesses.
- 6.2.14 Respondents also highlighted the ethnic and cultural diversity of the area as a factor that contributes to a positive community atmosphere and creates varied demand for products and services. Business owners commented on the established market that exists for their businesses in Peckham Rye. One respondent, who owns a hair and beauty salon catering to people of African and Caribbean heritage, said that customers know that Peckham is an area where they are able to access these services.

Figure 6-4: Business views on the strengths of Peckham Rye



- 6.2.15 Respondents broadly agreed that recent developments in the Peckham area, such as the introduction of the London Overground service, have been beneficial to their businesses. 12 of the 16 business owners who responded to this question stated that these developments had been very beneficial or somewhat beneficial, and none of the business owners felt that they had been detrimental. Respondents perceived an increase in the number of customers visiting the area, and one business owner reported an associated 10% growth in sales.

Understanding of the proposed development

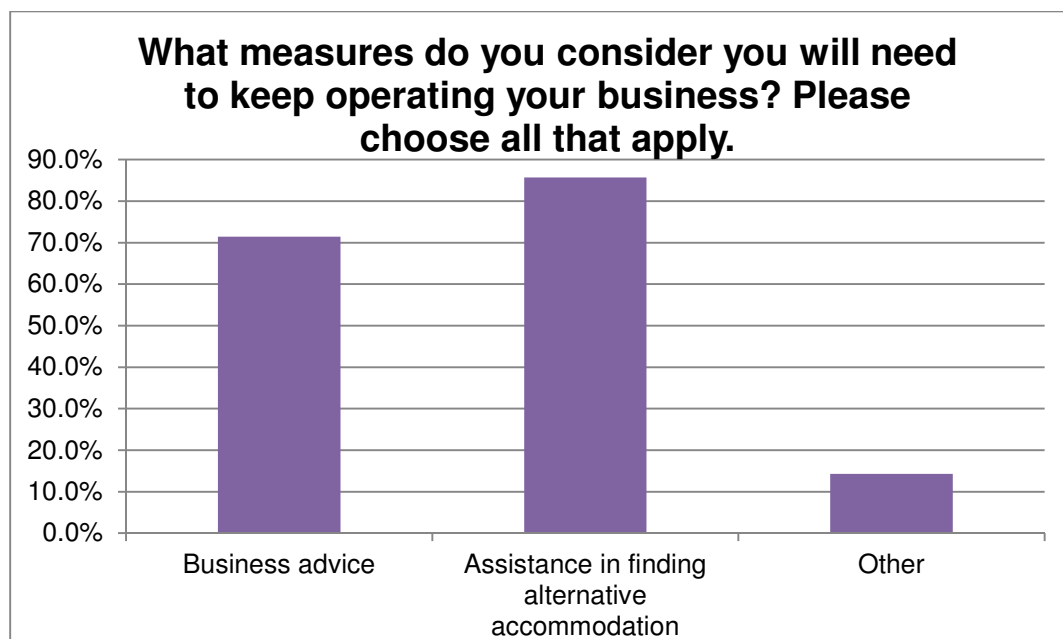
- 6.2.16 The survey asked respondents about the extent of their contact with Southwark Council in relation to the proposed development scheme. At the time of the survey, 11 of the 17 businesses surveyed (65%) had received a letter from the Council informing them of the proposals, and three had subsequently met with a Council representative. Of those that had received a letter, two respondents were White and 9 were from BME groups. Two of those who had met with a Council representative were BME business owners, and one was a White business owner. Similarly, three business owners – two from BME groups – reported that they had engaged with consultants from GLE OneLondon, appointed by the Council in 2013 to act as business advisors regarding the proposed development.

- 6.2.17 Several respondents commented that they had received a flyer about a consultation event related to the proposals, but had not received a formal letter or had any other contact with the Council. A number of other respondents stated that they either intended to make contact with Council representatives, or had scheduled meetings with the Council which had yet to take place.
- 6.2.18 Of the three business owners who had met with a Council representative, two described the meeting as helpful, in terms of improving their understanding of the proposals and their implications, and in helping them to find suitable alternative premises.
- 6.2.19 These responses pre-date the CoDesign process undertaken in 2014.

Opinions on the proposed development

- 6.2.20 16 of the 17 business owners surveyed (94%) stated that they wish to continue operating their business following the redevelopment. Respondents were asked to give the main reasons why they would wish to continue operating. Business owners from across ethnic backgrounds stated that their business was their main or sole source of income. Some had recently invested money to set up their businesses and were waiting to make a return, while others commented that they had a well-established and profitable client base in Peckham.
- 6.2.21 There was some concern about the potential business impacts of moving away from the area: respondents commented that their businesses were integrated into the community, that they had built up a strong reputation locally, and that they would risk losing customers if they were to move elsewhere. One BME respondent, the owner of a specialist African food shop, commented that customers currently travel from across London in order to access these products as the shop is well-known in the area.
- 6.2.22 Respondents were then asked to comment on the measures that they would require in order to continue operating their business. 14 respondents answered this question, of whom 12 said they would require assistance in finding alternative accommodation, and 10 would require business advice. Two respondents stated that they had already found alternative premises. Others commented that they would require financial assistance, compensation, and physical help in moving. Again, concerns were expressed about the potential impact of moving away from Peckham, as well as about the length of time that may be required in order to move to new premises and the potential impact of any short-term closure on business continuity.

Figure 6-5: Measures required to continue operating the business



Effects on the business

- 6.2.23 Respondents were then invited to put forward any comments they might have on the proposed development and its potential effects for their business. Some commented that, if they were able to remain in the area, the proposed development could be ‘good for business’ as it would attract more customers and potentially bring more money to the area.
- 6.2.24 However, other business owners expressed concerns about the potential effects of the proposed development for existing businesses on the site. Some respondents were concerned that commercial rents would increase following the redevelopment, and that this could have the potential to put them out of business.³² A respondent who owns a butcher’s shop selling halal meat and African speciality food commented that the business is currently based on demand from African people living locally, and expressed concern about a potential reduction in demand due to changing clientele as a result of the development.
- 6.2.25 A theme to emerge from the comments was that business owners generally would prefer to remain in Peckham, either because they have already invested considerably in their current premises, or they have built up an established client base. A number of business owners had significant concerns about the potential effects of moving away from the area, commenting on the benefits of the area’s good transport links, as well as the importance of retaining existing clients. This was a particular concern for some BME business owners. One respondent, who owns a hair and beauty salon catering for people of African and Caribbean heritage, commented that customers would not follow the business to a new location. Business owners also commented on the difficulties associated with finding alternative premises, and the costs associated with moving.

Effects on customers

- 6.2.26 Respondents again commented that the proposed development could have benefits in terms of regenerating the Peckham Rye area, but concerns were expressed about the potential effects on their customers of relocating their businesses outside of Peckham. Business owners commented that both local residents and customers travelling to Peckham in order to access specialist goods and services may not be able to access the business in future, and may not be able to find the goods and services that they require elsewhere. This was particularly the case for BME-owned businesses offering specialist goods to serve the needs of people with either a shared ethnic background or religious identity, including halal meat and other food products.

Effects on employees

- 6.2.27 Respondents expressed concerns that the proposed development could result in job losses – including the loss of full-time positions – among their employees if businesses were forced to close or relocate. Additionally, several business owners commented that their staff currently rely on public transport, particularly train services, to get to work, and that the cost of transport could increase if they were to relocate outside of Peckham.
- 6.2.28 A BME respondent, who owns a hair and beauty salon catering for customers of African or Caribbean heritage, commented on the uncertainty caused by the lack of clarity over the development proposals. In this respondent’s experience, self-employed hairdressers were unwilling to rent chairs in the business as they had heard that it was going to be knocked down.

Site visit, February 2015

- 6.2.29 In February 2015, a member of AECOM staff conducted a visit to the proposed development site to check for any significant changes to the business profile of the area since the survey was conducted in January 2014. No further surveys or interviews with business owners were conducted. The site

³² The survey did not include any questions about the current level of rent paid by businesses, due to potential sensitivities around this subject.

visit findings were checked against notes from the January 2014 survey, to resolve apparent discrepancies in the number of businesses and units identified.

- 6.2.30 Findings from this visit were that there had been no significant change in the mix of businesses operating on the proposed development site. Businesses present on the site included a bank; several minimarkets and specialist food retailers; restaurants and cafes; and seven hair and/or beauty salons, most of which are located in units along 2-10 Blenheim Grove. The majority of hair and beauty salons on the site cater primarily for customers of African or Caribbean heritage. There is also a nail bar on the site which has opened since the January 2014 survey, and which appears to cater primarily for customers of South-East Asian heritage.
- 6.2.31 Given the profile of business owners set out in paragraph 6.2.8, this would suggest that there has been very little change to the business profile of the proposed development site, which is unlikely to have resulted in a significant change in the proportion of BME-owned businesses operating on the site.

Survey of customers of affected businesses

- 6.2.32 The following is a breakdown of the results from the surveys conducted with customers within the area affected by the proposed development. Where the survey recorded zero responses to an option, it is not listed in these findings. The limitations associated with the customer survey and results are detailed in section 2.6 above. These responses pre-date the CoDesign process undertaken in 2014.
- 6.2.33 In total, the survey achieved a total of 45 responses from customers. Some business units did not receive any customers as they acted as a depot or storage area to support business functions elsewhere. In several such cases, where there were no customers present at the time of the surveys, it was possible to leave customer surveys with the business owners to collect at a later date. However, some business units were vacant or could not be accessed to leave a copy of the survey.

Customer visits to Peckham Rye

- 6.2.34 The survey asked respondents where they lived and how they had travelled to Peckham Rye. As shown in Table 6-3, 42% of the customers who took part in the survey (18 out of 43) lived in Peckham, 23% (10) lived elsewhere in Southwark, and 33% (14) lived elsewhere in London (e.g. Camberwell and Greenwich). One of the 43 customers who responded to this question lived outside of London. 52% of customers (23) had travelled to the area by bus, while 23% (10) had walked and 15% (5) had travelled by train.
- 6.2.35 When responses are reported separately by White or BME customers, the data indicates that 56% of White respondents (5 of 9) and 36% of BME respondents (12 of 33) lived in Peckham. BME customers were more likely than White customers to live elsewhere in Southwark, and were also more likely to have travelled by bus compared with White respondents, who were more likely to have travelled to Peckham by foot or by train.

Table 6-3: Respondents' place of residence

Question	Options	Total respondents	% White respondents	% BME respondents
Where do you live?	Peckham	18	56	36

	Elsewhere in Southwark	10	11	27
	Elsewhere in London	14	33	33
	Outside London	1	0	3
Answered question		43	9	33
Skipped question		2	0	1

6.2.36 Customers were asked how often they visited Peckham Rye. The majority of respondents (84.1%) were frequent visitors to the area, travelling to Peckham Rye on at least a weekly basis. 43% of respondents said that they visit the area every day. 66% of white customers (6 of 9) visited Peckham on a daily basis, compared to 35% (12 of 34) of BME respondents. BME respondents were more likely to visit on a weekly (47%) basis. 15% of BME respondents said that they visit Peckham monthly, compared to 0% of White respondents.

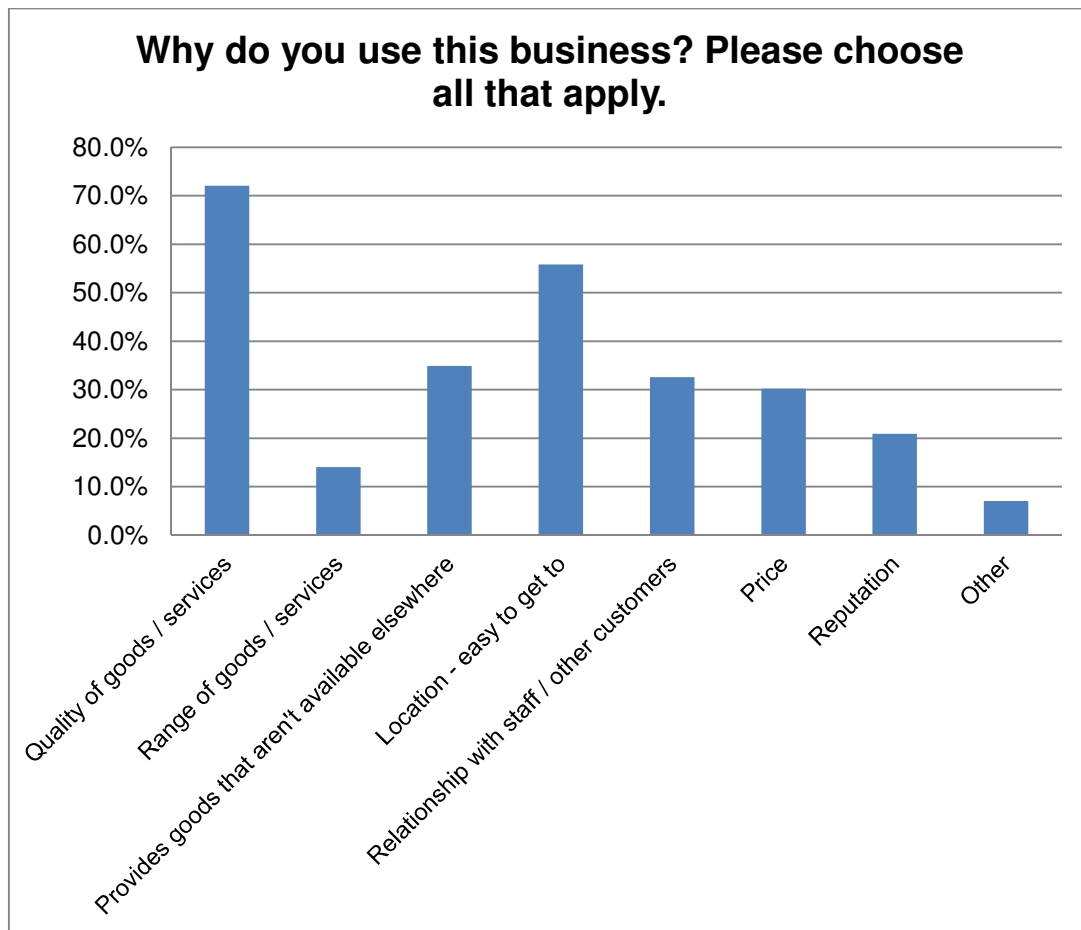
6.2.37 When asked for the key factors that attracted them to Peckham Rye, the majority of customers (57%) indicated that it was the variety and range of shops and businesses in Peckham Rye as a town centre that attracted them. Other customers reported that the affordability of shops and businesses (45%), the quality of shops (38%) and transport links (36%) attracted them to the area. In addition, some customers commented that the area acted as a social hub for meeting people from their ethnic community. One responded noted that 'it is like living in Africa, I can find everything African', and that Peckham Rye was their hometown and family base.

Customer use of businesses

6.2.38 41% of customers (18) reported using the specific business they were visiting on a weekly basis, and 23% (10) on a monthly basis. There was very little difference in responses from White and BME customers. 41% of respondents had been customers of the business in question for less than 12 months, while 27% had been using the same business for five years or more.

6.2.39 When asked their reasons for using the business, the majority (72%) of both BME and White customers indicated that they visit the business because of the quality of the products and services provided. The easily accessible location of the business was also considered important by over half of customers (56%). Again, there was very little difference in responses from White and BME customers.

Figure 6-6: Reasons for using the business



6.2.40 When asked whether other businesses nearby provided comparable goods and services that could be easily accessed, 60% (24) of customers stated that they would be able to find the same products and services nearby. However, a number of customers stated their preference for the chosen business for the reasons listed above. When responses are separately reported by white or BME customers, 67% (20) of BME respondents agreed that there were comparable businesses nearby, whilst 44% (4) of white respondents agreed.

Opinions on the proposed development and its potential effects

6.2.41 Customers were asked to give their opinion about the proposed development and its potential effects for local shops and businesses, and on the Peckham area more broadly. It was generally considered that the development would produce long-term benefits through the provision of better quality retail units, increased public amenity and increased attraction to people from further afield.

6.2.42 However, there was concern from both White and BME customers that the character of the area could change adversely, as the new development may attract people with higher incomes, potentially resulting in unaffordable commercial rents and local residents being 'priced out of the market'. Particular concerns were expressed that the established African and Caribbean communities that live and work in the area could be displaced. It was noted that shops and businesses had evolved in the area in light of local demand and that there might not be demand for a significant change in the nature of provision.

6.2.43 A primary concern was that many local residents depend on products and services that they find in the area. In particular, customers from BME backgrounds find specific traditional food from Africa, South America and Asia. Customers considered that if current businesses were relocated, they would need to go to other places to find similar products, services or facilities, which would cause them inconvenience.

- 6.2.44 Both BME and White customers expressed their concern for the future of people who work and depend on the businesses potentially affected by the redevelopment. Both BME and White customers stated that if the existing community and existing businesses were reintegrated following the development, the development could bring numerous benefits to businesses, customers and visitors. One BME respondent noted that they would be happy with the development if it could increase the general amenity of the area while preserving existing ethnic service provision. Similarly, a White respondent noted that they would be 'pro' the development if support was shown to existing local businesses in the process.
- 6.2.45 Some respondents expressed concern about a perceived lack of clearly and officially communicated information about the proposed development. These responses pre-date the CoDesign process undertaken in 2014.

6.3 Consultation by Southwark Council

- 6.3.1 The Peckham Rye Station Area redevelopment project is identified in the Peckham and Nunhead Area Action Plan (PNAAP), which was formally adopted in November 2014. This forms the basis of the proposed development moving forward. A programme of consultation activities specifically focused on the previous Peckham Rye Station Area redevelopment proposals, led by Southwark Council and Network Rail, began in February 2013.
- 6.3.2 The consultation activities that the Council undertook included holding meetings with local community groups such as the Peckham and Nunhead Community Council and Peckham Vision, at which Council officials presented the emerging redevelopment proposals. In addition the Council and Network Rail held several public consultation events including in November 2013 and in January 2014 at which the community's views on the visioning and early stage plans for the development were sought, and, in the case of the latter, the outline design was presented.
- 6.3.3 The Council and Network Rail also undertook consultation activity specifically targeted at business owners within the scheme area. This included visits to businesses by Local Councillors and Cabinet Members (February 2013; May 2013) as well as Southwark Council's Director of Regeneration (November 2013) to explain the purpose of the proposed redevelopment, the implications that it might have for businesses, and the business support available. In addition, the Council sent letters to affected businesses on various dates (July 2012; April 2013; November 2013 and November 2014) to inform them of progress with the redevelopment.

GLE oneLondon

- 6.3.4 In 2013 Southwark Council appointed a consultant from GLE oneLondon to act as business advisors in relation to the proposed development. The service specification for GLE oneLondon made explicit reference to equalities considerations being central to their service.
- 6.3.5 The consultant's role was to provide support for all affected businesses to continue trading effectively during and after the development, providing business advice to business owners. In the period between their appointment and the commencement of negotiations with individual business owners the consultant made initial contact with all businesses within Site A in November 2013 to inform them of 1) the redevelopment proposals and their likely implications, and 2) the assistance GLE oneLondon could offer, primarily in terms of identifying suitable alternative accommodation. As of November 2013, GLE oneLondon had met with 16 business owners across Site A and Site B.

CoDesign Peckham

- 6.3.6 In 2014, Southwark Council initiated a CoDesign process in order to successfully engage local people, facilitate greater local influence on the project brief and design, and provide a platform to more thoroughly communicate the opportunities and challenges of delivering the project. Southwark Council commissioned Ash Sakula architects to undertake the first stage of a CoDesign process

examining new visions for the area around Peckham Rye Station. This process focused solely on Area 1, as illustrated in Figure 4-1.

- 6.3.7 In partnership with the people of Peckham, the Ash Sakula creative team held discussions, exhibitions, workshops and editorials as part of the co-design project. They engaged writers, urbanists, horticulturalists, artists, filmmakers, poets, activists and visionaries in the process. Peckham CoDesign has generated energy, excitement and community spirit and, as a result of the process, a strong group of local co-designers has developed.
- 6.3.8 The output of the CoDesign process was an 'Atlas of Aspirations', setting out 30 key ambitions of the community in Peckham. These include numerous aspirations around cleaning and tidying up the pavements and streetscape, particularly around the station, to create more space for pedestrians and cyclists; modernising the station itself; creating public space in a new square in front of the station; encouraging the diversity of the area; and supporting social capital by providing spaces that can be used by the community. These aspirations have fed into the vision statement for the scheme.

***APPRAISAL OF
EQUALITY IMPACTS***

07

7 Appraisal of Equality Impacts

7.1 Introduction

7.1.1 The appraisal considers the potential impacts arising from the proposed Peckham Gateway project for affected people sharing protected characteristics. The appraisal addresses impacts in relation to themes which have been identified as relevant to these proposals and the local context. These themes have been identified through policy review, review of baseline evidence and consultation evidence.

7.2 Business

- 7.2.1 Responses to the business survey show that a diverse range of businesses operate within the site. However, there are notable differences in the types of businesses run by different ethnic groups. In particular the responses show that food retailers, fast food outlets, and hair and beauty salons are predominantly BME-owned businesses. The site visit in February 2015 confirmed that there has been very little change to the business profile of the area since the surveys were undertaken in January 2014, and that many of the businesses on the site – such as the hair and beauty salons at 2-10 Blenheim Grove – cater primarily to customers of African and Caribbean heritage.
- 7.2.2 The business survey responses confirm that there is a strong desire among all business owners to continue operating their businesses following the proposed development. The original masterplan would have resulted in the displacement of around 60 businesses across Site A and Site B, and in 2013, some businesses reported that they had been advised to assume non-return following the redevelopment. However, Southwark Council is committed to an approach of evolving a design with local stakeholders, and the CoDesign process has highlighted the importance to the local community of protecting independent shops and businesses.
- 7.2.3 The development is intended to be phased to allow some of the current occupiers the opportunity to be relocated during the development. The Council's strategy is to negotiate with leaseholders to find alternative premises either within the scheme if possible or elsewhere, to minimise the impact on the occupier and the overall cost to the council of the Compulsory Purchase Order (CPO) required to take possession of the development site.
- 7.2.4 Site specific guidance set out in the PNAAP for site 6, Peckham Rye Station, states that units in the railway arches and Blenheim Grove should be retained for business use. The proposed development scheme includes provision for a number of new commercial units that are designed to be flexible in order to accommodate a range of potential uses, in the refurbished railway arches and at 82 Rye Lane/2–10 Blenheim Grove. The units to be provided in the railway arches will open out onto the station square, and will accommodate a range of uses, predominantly retail. The building on Blenheim Grove will be designed to maximise the opportunity for the relocation of existing businesses. Additionally, Southwark Council has proposed that the Blenheim Grove building should include new studio/workshop units to encourage new creative/cultural businesses.
- 7.2.5 It is unclear at this stage what proportion of existing businesses can expect to be relocated within the proposed development scheme. There will not be as much floorspace as is currently provided on site, but Southwark Council has stated that current occupiers will either be relocated within the new scheme, nearby in Peckham, or at a location of their choice.³³ It is considered that the successful relocation of existing businesses will depend, in part, on the flexibility of individual businesses, some of which are quite specific in terms of where they consider an appropriate location for their business to operate successfully, as well as the ability and willingness of business owners to engage in the redevelopment process.

³³ Email communication from Southwark Council, received 25/02/2015.

7.3 Potential implications for businesses as a result of the redevelopment

- 7.3.1 Several common issues of concern were raised by both White and BME business owners. For example, the affordability of commercial rent both on the redeveloped site and at other locations was identified as a key concern. This is especially significant given that the relative affordability of commercial rents was identified by survey respondents as a strength of Peckham Rye as a location for business. In particular, there was uncertainty among business owners in terms of the cost of commercial rents for the new units and the implications this would have for them in terms of being able to afford to continue running their business either in the locality or nearby.
- 7.3.2 Business owners expressed concern over a lack of clarity with regards to the development scheme, as well as lack of information on the timescales of the development and associated relocation, and a lack of information on the compensation measures available. It should be noted that this finding relates to the previous development proposals, and pre-dates the CoDesign process undertaken in 2014.³⁴ Furthermore, Council representatives have since visited most of affected businesses on at least two occasions. However, it remains important to ensure continued effective collaboration between all interested parties, taking consideration of the differing levels of support needed by individual business owners.
- 7.3.3 Southwark Council has stated its ambition that the refurbished railway arches and building at 82 Rye Lane/2–10 Blenheim Grove will, as far as possible, provide the opportunity for the relocation of existing businesses. It is understood from Southwark Council that current commercial rents in the proposed development area are relatively high, and there is little evidence to suggest that rents for these new units will be prohibitively high.³⁵ However, given the level of concern expressed by BME business owners about this issue, AECOM considers that some BME businesses may be particularly susceptible to any potential future increase in commercial rents as a threat to their ability to continue to operate their businesses.

7.4 Employment

- 7.4.1 65% of business survey respondents identified themselves as belonging to a BME group, including 41% who identified themselves as Black or Black British. In terms of the ethnic composition of employees of businesses in the area, 53% of businesses surveyed had some Black or Black British employees, 41% had some White Employees, 35% had some Asian or Asian British employees, and 23% had employees of a mixed ethnic background.
- 7.4.2 The redevelopment will provide new commercial space, including better quality retail units. This may generate new employment opportunities for local people, including in arts and creative industries which may move to the new studios and workshops to be provided in the Blenheim Grove building. However, it is not clear whether this will result in a net increase in the number of jobs provided on the site compared to the current situation. Projected employment associated with the redevelopment will be established through the design and planning process.
- 7.4.3 Given the ethnic composition of business owners and employees currently in the area, AECOM considers that the proposed redevelopment has the potential to give rise to negative equality impacts in terms of employment, where it leads to loss of jobs amongst employees of existing businesses on

³⁴ The previous (2014) EqIA drew on interviews with representatives of GLE oneLondon and Network Rail, which owns the land at Dovedale Court ('Site B') that was previously within the scope of the development scheme. These interviews suggested that BME business owners may have been less engaged in the redevelopment process, and less forthcoming than White owners in seeking professional advice in terms of their relocation options. This evidence has not been included in this analysis, as both interviews were conducted prior to the initiation of the significant further community engagement work undertaken as part of the CoDesign process, and the Network Rail interview referred to businesses that are now outside the scope of the proposals. Furthermore, there is no evidence from the analysis of survey responses for businesses located in Area 1 ('Site A') to support this suggestion. The proportion of businesses that had met with a Council representative was very low (3 out of 17); however, there was no difference between business owners of different ethnic groups.

³⁵ Email communication from Southwark Council, received 25/02/15. It should be noted that the survey did not include any questions about current levels of rent paid by businesses, due to potential sensitivities.

the site. The redevelopment of the station area is considered likely to disproportionately affect business owners and employees of BME groups, particularly those of Black Caribbean and Black African origin. This assessment is informed by business survey responses that demonstrate significant levels of concern and uncertainty in relation to the ability of businesses to afford to operate in the new development, although it should be noted that there is currently little evidence to suggest that commercial rents for the new units will be significantly higher than those that currently prevail on the site.

- 7.4.4 The proposed development may also generate new employment suitable for local people from different BME backgrounds, though not necessarily for those individuals currently employed by existing businesses operating at the site.

7.5 Goods and services

- 7.5.1 The area around the station and Rye Lane is known as a hub for shops and businesses that provide specialist goods and services for people of African and Caribbean origin and other culturally diverse groups of customers. Responses to the business survey show that the majority of BME business owners within the station area provide services that cater primarily to people from a shared ethnic background. Evidence from the February 2015 site visit suggests that there has been very little change to the business profile of the area since the surveys were undertaken in January 2014.
- 7.5.2 A number of the business survey respondents highlighted that the station area is known for providing African and Caribbean products with strong links to cultural identity, and consequently expressed concern over the potential loss of such services following the proposed development. Furthermore, several BME owners raised concerns over a potential loss of community cohesion as a result of changes in the types of services that would be offered following the redevelopment.
- 7.5.3 This concern was shared by a number of BME customers who expressed concern that the proposed redevelopment would result in a change in the type of businesses present, which would affect the character of the area. BME customers also commented that they may be obliged to travel to other areas of London in order to purchase ethnically specific goods or services if the businesses currently located on the proposed development site were to close. However, it is notable that Rye Lane is also a destination for these goods and services.
- 7.5.4 Southwark Council have stated their ambition that the refurbished railway arches and building at 82 Rye Lane/2–10 Blenheim Grove will provide the opportunity for the relocation of existing businesses. However, there will not be as much floorspace as is currently provided on site. It is currently unclear what proportion of existing businesses can expect to relocate into the new development. Alternatives are likely to be available on Rye Lane, or elsewhere in Peckham, or further afield in Southwark or town centres in neighbouring boroughs. Should existing businesses relocate elsewhere, this may somewhat diminish the identity of Peckham Rye as a hub for African and Caribbean and South Asian goods and services. However, with the potential for many of the businesses to relocate locally, concerns about an associated loss of community cohesion may be overstated.

7.6 Facilities

- 7.6.1 Southwark Council has stated that a key aim for the proposed redevelopment is to improve the public realm in the area surrounding the station, which is currently of low quality. With the exception of a church, the station area currently includes limited community facilities. Although opposition to the development was stated by a number of the business and customer survey respondents, there was support for the scheme in terms of its capacity to improve the provision of facilities and the overall amenity of the area.
- 7.6.2 The proposed redevelopment is expected to result in significant improvements to the public realm through the creation of a new public square in front of the station which will provide space and a better sense of connectivity between the station and the town centre. It is considered that the proposed redevelopment will contribute different cultural benefits for different groups; while it may

result in the loss or displacement of existing culturally-specific businesses which may limit benefits for African, Caribbean and Asia clientele, the new mix of businesses may attract a more diverse range of shops with the capacity to appeal to the local community as well as others visiting Peckham Rye.

7.7 Other potential benefits of the redevelopment

- 7.7.1 One of the criteria for assessing the equalities impacts associated with a proposal is the extent to which any benefits from the proposal will be available to all the groups affected by it. While this EqIA has identified a number of potential negative impacts for BME groups, by drawing on the baseline information and the information on the proposed scheme, this assessment identifies a number of potential benefits of the redevelopment, which are expected to affect people across a broader range of protected characteristic groups. The potential benefits of the redevelopment have been identified as: new business opportunities potentially generating new employment opportunities for local people; improved accessibility of public realm and streetscape; and improved public safety.
- 7.7.2 The redevelopment is also expected to result in improvements to the accessibility of the public realm, streetscape and safety, particularly through the creation of the new station square providing increased circulation space for pedestrians, and better connectivity to the town centre. In addition, retail units in the railway arches will have 'active frontages' fronting the square, and improved lighting and way finding will be provided. In order that older people, young people, women and children in particular benefit from improvements, it will be important that the Council (and Network Rail, where appropriate) effectively communicate the new lighting and other safety measures that are being designed into the development scheme. Targeted communication of personal safety precautions that should be taken to reduce risk should also be carried out.
- 7.7.3 The current proposals for Area 1 do not include any residential uses. Southwark Council anticipates that there may be some residential development on the Bywater site (Area 2), however this does not form part of the Council's proposals and is therefore outside the scope of this report.

***CONCLUSIONS AND
RECOMMENDATIONS***

08

8 Conclusions and Recommendations

8.1 Introduction

- 8.1.1 This chapter sets out recommendations to strengthen, secure or enhance positive equality impacts and to mitigate for potential negative equality impacts. It also sets out conclusions on the overall impact of the current redevelopment proposals for equality.

8.2 Recommendations

- 8.2.1 A number of recommendations are made below, some of which AECOM consider should be undertaken prior to submission of the planning application and some following planning consent for the scheme. These should be undertaken through a combination of negotiation and agreement, as well as through the fulfilment of Heads of Terms included in the S106 agreement as part of the forthcoming planning application.

Wide-ranging consultation and enabling participation

- 8.2.2 Southwark Council should, as a matter of priority, publish and regularly update information relating to the development on its website and via the distribution of print versions. This should include information on the timescales involved in the redevelopment (including committee dates; the date on which the planning application is set to be determined; the procedure and timescales for property acquisition; the likely date on which notice will be served on businesses; the likely date by which premises will need to be vacated; the likely date around which new units will be allocated; and the phasing of the development). This would help widen awareness amongst affected members of the community of the timescales involved, including relevant timescales for them to express their views on the redevelopment and to make their own plans.
- 8.2.3 Southwark Council and its appointed business advisors³⁶ should together review consultation and engagement approaches to date and agree on a forward strategy, including any need for additional inputs or changes of approach that may encourage greater engagement by BME businesses, including in the CoDesign process. A renewed strategy for ongoing stakeholder engagement should be developed prior to a decision on the planning application being made, which should set out specific engagement pathways for particular affected groups, including existing shop owners, employees on the site, and other business owners and local residents in the area.
- 8.2.4 The Council should ensure that the CoDesign process continues as a key part of this broader stakeholder engagement strategy, maintaining communication with stakeholders and building on the significant work already undertaken. The Council should work to facilitate communication between the project team, CoDesigners and other external stakeholders. The CoDesign process should take account of the differences in levels of understanding/engagement among White and BME business owners and employees, as well as the implications these can have in terms of creating potential barriers to their take-up of available support and engagement in the process.

Business and employment

- 8.2.5 Southwark Council should ensure that its appointed business advisors continue to submit regular progress reports on their activities, as well as on other measures taken to support the existing businesses on the site.
- 8.2.6 Southwark Council, with its appointed business advisors, should identify whether additional or differing forms of support should be offered to businesses identified as poorly equipped to develop revised business plans or to find suitable alternative premises or employment.

³⁶ At the time of writing in February 2015, it is understood that the appointment of business advisors is currently being finalised by Southwark Council.

- 8.2.7 Southwark Council and its appointed business advisors should continue to signpost existing business owners and employees to relevant business support and/or training providers to develop their skills sets to be able to better respond to the changes resulting from the proposed redevelopment.
- 8.2.8 Southwark Council plans to negotiate with current occupiers and leaseholders pursuant to a CPO, and intends to phase development to allow some of the current occupiers the opportunity to be relocated either within the scheme or elsewhere during the development. Where a CPO is required, Southwark Council should seek to negotiate on a case-by-case basis a reasonable value for purchase of the premises and compensation for disturbance. A realistic timeframe for such negotiations following planning permission and prior to CPO should be agreed. This measure should be included in the S106 Heads of Terms to be agreed as part of the forthcoming planning application.

Goods, services and facilities

- 8.2.9 Planned support to help existing businesses find alternative locations or premises will be important to ensure that businesses' existing customer bases with shared equality characteristics are able to continue to access specialist goods and services. Marketing and advertising advice is likely to provide an important component of this support so that businesses are able to inform existing and new customers of their planned relocation. This measure should be included in the S106 Heads of Terms to be agreed as part of the forthcoming planning application.
- 8.2.10 Southwark Council, in planning its future approach to letting business premises at the redeveloped site and their overall management of the site, should include explicit measures to encourage equality of opportunity. These measures could include the promotion of diverse ownership of businesses at the site as well as measures to encourage services and activities that meet the creative and cultural aspirations of the diverse local community.

Safety and crime

- 8.2.11 It is recommended that the site should be registered with the Code of Considerate Practice, run by the Considerate Constructors' Scheme.³⁷
- 8.2.12 Prior to the demolition phase commencing, the police should be consulted on any appropriate additional security measures required such as monitoring to ensure that materials are not stolen during the demolition and construction phases.

8.3 Conclusion

- 8.3.1 The redevelopment proposal is identified as giving rise to a number of positive equality impacts in relation to: an improved and more accessible public realm and streetscape; improved safety; and potential new business opportunities which could generate new employment opportunities for local people. People sharing protected characteristics are likely to be able to share in these benefits. Southwark Council, as a public body, can maximise this sharing of benefits, through explicit measures in their approach to future letting of premises and overall site management to encourage equal opportunities.
- 8.3.2 It is considered that the redevelopment proposals do have the potential to give rise to negative equality impacts in terms of potential loss of existing employment and business opportunities, and, to some degree, to access to goods and services. BME-owned businesses and employees (particularly amongst people of Black African and Black Caribbean origin) are identified as particularly vulnerable to potential negative effects of the redevelopment and associated loss of existing business premises.

³⁷ See: <http://www.ccscheme.org.uk/index.php/company-registration/how-to-be-very-considerate/company-code-of-considerate-practice>

- 8.3.3 The new development will have a reduced amount of floor space available for businesses and there is current uncertainty regarding what proportion of existing businesses can expect to relocate into the new development. The potential implications of this may involve the closure of a number of BME-owned businesses, which could result in job losses among people in BME groups.
- 8.3.4 Southwark Council's has stated its commitment to enable businesses to remain local, unless they want to move elsewhere. Where businesses are able to relocate within the redevelopment or the local Rye Lane area, this would reduce the significance of negative effects for businesses and for customers from African, Afro-Caribbean and Asian backgrounds.

APPENDICES

Appendix 1: Survey for businesses

Appendix 2: Survey for customers

Appendix 3: Information on the diversity of survey respondents

8.4 Business owners and respondents

Table 0-1: Ethnic group

Question	Options	Respondents	% of respondents
What is your ethnic group?	White	6	35
	Mixed ethnic group	1	6
	Asian/Asian British	1	6
	Black/Black British	7	41
	Other ethnic group	2	12
Answered question		17	100
Skipped question		0	0

Table 0-2: Age

Question	Options	White respondents	BME respondents	Total
What is your age group?	Under 18	0	0	0
	18-24	0	0	0
	25-34	3	3	6
	35-44	1	2	3
	45-54	1	3	4
	55-64	1	3	4
	65-74	0	0	0
	75 and over	0	0	0
Answered question		6	11	17
Skipped question		0	0	0

Table 0-3: Sex

Question	Options	White respondents	BME respondents	Total
What is your sex?	Male	6	7	13
	Female	0	4	4
Answered question		6	11	17
Skipped question		0	0	0

Table 0-4: Religion

Question	Options	White respondents	BME respondents	Total
What is your religion?	Christianity	2	4	6
	Islam	0	6	6
	No religion	4	0	4
	Prefer not to say	0	1	1
	Other	0	0	0
Answered question		6	11	17
Skipped question		0	0	0

8.5 Business customers

Table 0-5: Ethnic group

Question	Options	Respondents	% of respondents
What is your ethnic group?	White	9	20
	Mixed ethnic group	4	9
	Asian/Asian British	4	9
	Black/Black British	26	58
	Other ethnic group	0	0
Answered question		43	96
Skipped question		2	4

Table 0-6: Age

Question	Options	White respondents	BME respondents	Total
What is your age group?	Under 18	0	0	0
	18-24	2	9	11
	25-34	2	13	15
	35-44	1	9	10
	45-54	2	1	3
	55-64	1	1	2
	65-74	1	0	1
	75 and over	0	1	1
Answered question		9	34	43
Skipped question		n/a	n/a	2

Table 0-7: Sex

Question	Options	White respondents	BME respondents	Total
What is your sex?	Male	4	12	16
	Female	5	22	27
Answered question		9	34	43
Skipped question		n/a	n/a	2

Table 0-8: Religion

Question	Options	White respondents	BME respondents	Total
What is your religion?	Christianity	3	18	21
	Hinduism	0	1	1
	Islam	0	10	10
	Rastafarianism	0	1	1
	No religion	4	3	7
	Prefer not to say	2	0	2
	Other	0	0	1
Answered question		9	33	42
Skipped question		n/a	1	3

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