

Cabinet

Tuesday 16 April 2013

4.00 pm

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

Membership

Councillor Peter John
Councillor Ian Wingfield
Councillor Fiona Colley
Councillor Dora Dixon-Fyle
Councillor Barrie Hargrove
Councillor Claire Hickson
Councillor Richard Livingstone
Councillor Catherine McDonald
Councillor Veronica Ward

Portfolio

Leader of the Council
Deputy Leader and Housing Management
Regeneration and Corporate Strategy
Children's Services
Transport, Environment and Recycling
Communities and Economic Wellbeing
Finance, Resources and Community Safety
Health and Adult Social Care
Culture, Leisure, Sport and Olympic Legacy

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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Contact

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Or email: paula.thornton@southwark.gov.uk; everton.roberts@southwark.gov.uk

Webpage: <http://www.southwark.gov.uk>

Members of the committee are summoned to attend this meeting

Councillor Peter John

Leader of the Council

Date: 8 April 2013



Cabinet

Tuesday 16 April 2013

4.00 pm

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

Order of Business

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PART A - OPEN BUSINESS

MOBILE PHONES

Mobile phones should be turned off or put on silent during the course of the meeting.

1. APOLOGIES

To receive any apologies for absence.

2. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

In special circumstances, an item of business may be added to an agenda within five clear working days of the meeting.

3. NOTICE OF INTENTION TO CONDUCT BUSINESS IN A CLOSED MEETING, AND ANY REPRESENTATIONS RECEIVED

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To note the items specified which will be considered in a closed meeting.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.

5. PUBLIC QUESTION TIME (15 MINUTES)

To receive any questions from members of the public which have been submitted in advance of the meeting in accordance with the cabinet procedure rules.

Item No.	Title	Page No.
6.	MINUTES	2 - 13
	To approve as a correct record the minutes of the open section of the meeting held on 19 March 2013.	
7.	PETITION - REDUCE AIR POLLUTION	14 - 20
	To consider a petition from residents' of the borough in respect of air pollution on main roads near schools.	
8.	DEPUTATION REQUESTS	
	To consider any deputation requests.	
9.	REPORT INTO TRA HALLS AND COMMUNAL ROOMS (HOUSING, ENVIRONMENT, TRANSPORT AND COMMUNITY SAFETY SCRUTINY SUB-COMMITTEE)	21 - 70
	To consider recommendations of the review of TRA halls and communal rooms from the housing, environment, transport and community safety scrutiny sub-committee.	
10.	ACCESS TO MATERNAL HEALTH AND EARLY YEARS SERVICES FOR THE GYPSY AND TRAVELLER COMMUNITIES (HEALTH, ADULT SOCIAL CARE, COMMUNITIES & CITIZENSHIP SCRUTINY SUB-COMMITTEE)	71 - 94
	To consider the recommendations of the overview and scrutiny committee in respect of provision of travellers sites and funding of Southwark Travellers Action Group and the recommendations of the review of access to maternal health and early years services for the gypsy and traveller communities in Southwark.	
11.	DEVELOPING A QUALITY STRATEGY AND BEST PRACTICE PRINCIPLES FOR HOME CARE SERVICES: INITIAL REVIEW OF UNISON'S ETHICAL CARE CHARTER	95 - 121
	To note the key objectives of the UNISON ethical care charter and steps already taken by the council to meet these objectives and to confirm the council's aspiration to develop an ethical approach to commissioning high quality home care services which fully embraces the principles of the charter.	

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12.	GATEWAY TO PECKHAM - PUBLIC SQUARE AND STATION REGENERATION	122 - 127
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To note progress and instruct officers to commence negotiation with interested parties.

13.	MANOR PLACE DEPOT, OCCUPATION ROAD, WALWORTH, LONDON SE17 3BE - DISPOSAL OF FREEHOLD INTEREST	128 - 134
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To authorise the disposal of the council's freehold interest in Manor Place Depot, Occupation Road, SE17.

14.	DISPOSAL OF 91-99 ATHENLAY ROAD, LONDON SE15	135 - 139
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To agree to authorise the council's head of property to dispose of the council's freehold interest in 91-99 Athenlay Road, SE15.

15.	DISPOSAL OF 236 & 240 LORDSHIP LANE, LONDON SE22	140 - 146
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To approve the disposal of the council's freehold interest in 236 and 240 Lordship Lane, SE22 for a residential development.

OTHER REPORTS

The following items are also scheduled for consideration at this meeting.

16.	ST. OLAV'S PUBLIC CONVENIENCE SITE, ALBION STREET RESOLUTION TO MAKE COMPULSORY PURCHASE ORDER FOR SITE ASSEMBLY PURPOSES	
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17.	HOUSING AND COMMUNITY SERVICES REPORT BACK ON DECIMA STREET TENANTS AND RESIDENTS ASSOCIATION DEPUTATION	
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DISCUSSION OF ANY OTHER OPEN ITEMS AS NOTIFIED AT THE START OF THE MEETING

EXCLUSION OF PRESS AND PUBLIC

The following items are included on the closed section of the agenda. The Proper Officer has decided that the papers should not be circulated to the press and public since they reveal confidential or exempt information as specified in paragraphs 1-7, Access to Information Procedure Rules of the Constitution. The specific paragraph is indicated in the case of exempt information.

The following motion should be moved, seconded and approved if the cabinet wishes to exclude the press and public to deal with reports

Item No.

Title

Page No.

revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure Rules of the Constitution.”

PART B - CLOSED BUSINESS

18. MANOR PLACE DEPOT, OCCUPATION ROAD, WALWORTH, LONDON SE17 3BE - DISPOSAL OF FREEHOLD INTEREST

19. DISPOSAL OF 91-99 ATHENLAY ROAD, LONDON SE15

20. DISPOSAL OF 236 & 240 LORDSHIP LANE, LONDON SE22

DISCUSSION OF ANY OTHER CLOSED ITEMS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT

Date: 8 April 2013



Notice of Intention to conduct business in a closed meeting, and any representations received

Cabinet 16 April 2013

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require that the council give a 28 notice period for items to be considered in private/closed session. This has been implemented through the publication of the council's forward plan.

The council is also required under these arrangements to give a further five days notice of its intention to hold the meeting or part of the meeting in private/closed session and give details of any representations received in respect of the private meeting.

This notice issued in accordance with The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 is to confirm that the cabinet meeting to be held on 16 April 2013 at 4.00pm, Council offices, 160 Tooley Street, London SE1 2QH will be held partly in closed session for consideration of the following items listed on the agenda:

Item 18: Manor Place Depot, Occupation Road, Walworth, London SE17 3BE – Disposal of Freehold Interest

Item 19: Disposal of 91 – 99 Athenlay Road, London SE15

Item 20: Disposal of 236 & 240 Lordship Lane, London SE22

The proper officer has decided that the agenda papers should not be made available to the press and public on the grounds that they involve the likely disclosure of confidential or exempt information as specified in categories 1 - 7, of the Access to Information Procedure Rules of the Constitution. The reason for both reports is that they contain information falling within category 3: information relating to the financial affairs of any particular person (including the authority holding that information).

In most cases an open version of a closed report is produced and included on the agenda.

No representations have been received in respect of the items listed for consideration in closed session. Any representations received after the issuing of this notice will be reported at the meeting.

Ian Millichap
Proper Constitutional Officer
Dated: 8 April 2013



Cabinet

MINUTES of the OPEN section of the Cabinet held on Tuesday 19 March 2013 at 5.00 pm at the Council Offices, 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Peter John (Chair)
Councillor Ian Wingfield
Councillor Fiona Colley
Councillor Dora Dixon-Fyle
Councillor Barrie Hargrove
Councillor Richard Livingstone
Councillor Catherine McDonald
Councillor Veronica Ward

1. APOLOGIES

Apologies for absence were received from Councillor Claire Hickson.

2. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

The chair gave notice that the following late item would be considered for the reasons of urgency, to be specified in the relevant minutes:

Item 7 – Deputation requests.

3. NOTICE OF INTENTION TO CONDUCT BUSINESS IN A CLOSED MEETING, AND ANY REPRESENTATIONS RECEIVED

No closed items were scheduled for consideration at this meeting.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests or dispensations.

5. PUBLIC QUESTION TIME

There were no public questions.

6. MINUTES

RESOLVED:

That the open minutes of the meeting held on 12 February 2013 be approved as a correct record and signed by the chair.

7. DEPUTATION REQUESTS

This item had not been circulated five clear days in advance of the meeting. The chair agreed to accept the item as urgent as the requests had been submitted in line with the constitutional deadline for the receipt of deputation requests and were therefore eligible for consideration by cabinet.

RESOLVED:

That the deputation requests be heard.

Summary of the deputations heard:

Pelican Plus Tenants and Residents Association

Councillor Mark Glover was also in attendance to support the deputation. The deputation reported that the residents were concerned about the loss of a community hall. The deputation explained that their original thought was to reinstate the original tenants hall. However the view now was that that it might not be the most feasible option.

The deputation were now asking that if the Council was going to convert the hall into flats that the council looked at the flats in the whole block, in particular the flats on the ground floor which had a long standing issue of damp and lack of ventilation.

The deputation reported that the current tenants hall (previously the laundry room) was small and would like consideration given to see if an extension to the hall was possible. The current space was viewed as restrictive in terms of any equipment that can be brought into the space, especially for the children.

The deputy leader and cabinet member for housing management advised that the council would need to look at where the block was in terms of the 'warm, dry and safe programme' and see whether any works could be aligned with the work on the conversion of the community hall. In respect of the tenants hall the deputy leader and cabinet member for housing management advised that a feasibility study could be undertaken to see what work can be done in relation to an extension.

Decima Street Tenants and Residents Association

The tenants and residents association spokesperson addressed the meeting to request that consideration be given for funding towards the installation of a door entry system for blocks on Meakin Estate, Elim Estate and Decima Street block.

The deputation reported that they were promised security doors and entrance systems in 2008 to be funded from Section 106 monies. The deputation reported on the problems experienced by residents due to antisocial behaviour. They believed that the open nature of the walkways on the estates and the secluded design of the stairways made them very attractive for young people to congregate and take part in antisocial activities.

Cabinet requested that a report be submitted to the next meeting with regard to the issues raised by the deputation, including Section 106 funding.

A Group of Residents from East Dulwich Estate

The deputation spokesperson addressed the meeting in respect of the proposals contained in item 10 of the agenda relating to East Dulwich Estate. The deputation advised that they were broadly in support of the proposals contained in the report with the exception of the proposal for new build housing on the sites of the former Southdown and Gatebeck blocks as they did not believe it benefited the long-term health of the estate and residents.

The deputation felt that the approach being proposed for Southdown and Gateback blocks in terms of foregoing the capital receipt could be applied to Badminton House and that Badminton House could instead be refurbished.

The cabinet advised that they could not accept the deputations request in respect of Southdown and Gatebeck blocks.

8. ADMISSION ARRANGEMENTS FOR COMMUNITY PRIMARY SCHOOLS - SEPTEMBER 2014

RESOLVED:

Decision of the cabinet

1. That the Southwark community primary schools admission arrangements for September 2014 attached as Appendix 1 to the report be agreed.

Decision of the leader of the council

2. That authority be delegated to the cabinet member for children's services to agree the Southwark community primary schools admission arrangements for September 2015 admissions and onwards where there are no changes made from the previous year.

9. SOUTHWARK COORDINATED ADMISSION SCHEMES FOR SECONDARY AND PRIMARY ADMISSIONS 2014

RESOLVED:

Decision of the cabinet

1. That the secondary and primary co-ordinated admissions schemes for 2014 admissions attached as Appendices 1 and 2 of the report be agreed.

Decision of the leader of the council

2. That authority be delegated to the cabinet member for children's services to agree the secondary and primary co-ordinated admissions schemes for 2015 admissions and onwards where there are no changes made from the previous year.

10. EAST DULWICH ESTATE REGENERATION SCHEME AND SCHEME FINANCE UPDATE

RESOLVED:

1. That the progress on the East Dulwich Estate regeneration scheme, and the need to amend elements of the 2005 executive report and 2011 cabinet report in the light of changed circumstances be noted.
2. That the new build housing proposed for the former sites of Gatebeck House and Southdown House be developed as council housing as part of the direct delivery programme, as outlined at paragraphs 19 – 22 of the report.
3. That the conversion works to the drying rooms for sale be delivered by the council directly as outlined at paragraphs 26 – 28 of the report.
4. That the environmental works include a proportion of environmental improvement works as well as the health and safety works required as outlined at paragraphs 23 – 25 of the report.
5. That the current shortfall in the supply of the voids for sale and the proposals to indentify further units as set out at paragraph 29 of the report be noted.
6. That the financial arrangements to achieve the outcome of the above decisions as set out at paragraphs 15 – 18 of the report be agreed in outline.
7. That officers provide a report to cabinet within 3 months setting out options for Badminton House in the light of changed circumstances. The report should include an appraisal of any further available approaches including refurbishment and or partial retention.

11. AUTHORISATION OF DEBT WRITE-OFFS OVER £50,000 FOR NATIONAL NON DOMESTIC RATES - REVENUES & BENEFITS SERVICE

RESOLVED:

That approval be given for write off of the debt of £149,834.05 for one debt (which includes two accounts billed to one ratepayer) which is irrecoverable.

12. REVIEW OF THE SOCIAL LETTINGS AGENCY AND THE CREATION OF AN IN-HOUSE PRIVATE SECTOR LEASING SCHEME

RESOLVED:

1. That the progress of the council's social lettings agency, established in 2011 to supply properties to house people at risk of homelessness be noted.
2. That the acquisition on lease and the management of properties for use as temporary accommodation for homeless households in the exercise of the council's functions under Part VII of the Housing Act 1996 be agreed.
3. That a report be submitted to cabinet in 12 months time, reviewing progress of the scheme, including consideration of the merits of cross borough working.

13. ALCOHOL STRATEGY 2013 - 2016

RESOLVED:

That the Southwark alcohol strategy 2013 -2016, as set out in Appendix 1 to the report be adopted.

14. SOUTHWARK PLANNING POLICY COMPLIANCE WITH THE NATIONAL PLANNING POLICY FRAMEWORK

RESOLVED:

1. That the requirement set out in the national planning policy framework to consider whether Southwark's planning policies comply with national planning policy as set out in the national planning policy framework before agreeing that they can continue to be used when making planning decisions be noted.
2. That the assessment of compliance with the national planning policy framework of the Southwark local development framework as set out in the report be agreed.
3. That it be agreed that the core strategy 2011 and area action plans should continue to be used and planning decisions made with reference to them in accordance with s.38 of the Planning and Compulsory Purchase Act 2004 as they have been found to comply with the national planning policy framework as set out in Appendices 1, 2, 6 and 7 of the report.

4. That it be agreed that the saved Southwark plan policies and sites as set out in Appendices 1 and 3 to 5 of the report can be used in planning decisions as it has been assessed that they comply with the national planning policy framework.
5. That it be agreed to rescind the saved Southwark plan 2010 policies and sites as set out in Appendices 1 and 3 to 5 of the report.

15. 31 SHAWBURY ROAD, SE22, 92 LORRIMORE ROAD, SE17 AND 41 HAYLES STREET, SE11 - DISPOSAL OF FREEHOLD INTERESTS

RESOLVED:

1. That head of property be authorised to dispose of the council's freehold interest in 31 Shawbury Road, SE22, 92 Lorrimore Road, SE17 and 41 Hayles Street, SE11 (the "properties"), for a sum that equates to the market value of the individual properties.
2. That the earmarking of capital receipts for the purposes of funding the housing investment programme be authorised.

16. MOTIONS REFERRED FROM COUNCIL ASSEMBLY - 23 JANUARY 2013

RESOLVED:

Genuinely affordable council housing for Southwark Council

That the motion referred from council assembly as a recommendation to cabinet, set below be agreed.

1. That council assembly welcomes the fact that the current Labour administration is:
 - Investing £326 million to ensure every council home in Southwark is warm, dry and safe by 2016
 - Building 1000 new council homes in Southwark over the next eight years - more than have been built in all of London in the last 10 years
 - Engaging in a borough-wide consultation into the proposals put forward by Southwark's groundbreaking independent housing commission which explored future housing options for strategy over the next 30 years
 - And rejecting the government's definition of affordable housing as up to 80% market rents, by ensuring rents on phase 1 of the Heygate were lowered from 65% to 50% market rents to reflect the wishes of local residents.
2. That council assembly regrets the complete failure of the previous administration when it came to housing, including:
 - No new council homes approved between 2002-2010
 - An unworkable and unfunded decent homes programme which was millions of pounds over budget and left many Southwark residents without decent homes

- 7,800 fewer council homes in Southwark by the end of their time in office.
3. That council assembly believes the Tory Liberal Democrat government's housing policy is not geared towards providing more affordable and social housing and opposes:
 - The housing benefit cap
 - "Affordable rent" of up to 80% of market rent
 - The ending of secure tenancies
 - The slashing of the social housing budget by £3.9 billion
 - The Growth and Infrastructure Bill which allows developers to deliver 0% affordable housing on new developments
 - Right to buy discounts of up to £75,000.
 4. That council assembly notes that Simon Hughes MP and the Liberal Democrats have supported all of these measures.
 5. That council assembly notes that sites for the first phase of the council's 1000 new homes have already been identified throughout the borough and calls on cabinet to draw up plans for consultation on the next phase of new council homes.

Major works and housing repairs

That the motion referred from council assembly as a recommendation to cabinet, set below be agreed and the comments of the strategic director of housing and community services be noted.

1. That council assembly regrets the incident at Draper House and notes that the council is doing everything in its power to ensure people feel safe in their homes. It notes that:
 - An investigation was immediately begun into the cause of the incident and that the council has agreed to fully adopt any recommendations to ensure residents' safety
 - Properties where similar work was carried out are undergoing inspection by the council's compliance team to ensure work has been done properly and to the required safety standards
 - The council has also alerted the health and safety executive as safety is its top priority.
2. That council assembly notes that at Four Squares the project has been completely turned round. The uncertainty for residents caused by the previous Liberal Democrat administration's failed housing investment programme and failure to complete security works has now been replaced with certainty as the works start driving forward the £26 million investment on the estate. The cabinet member for housing and council officers have met regularly with residents throughout the process and the first of the packaged works is now being delivered on time, despite some unforeseen structural issues.

3. That council assembly welcomes the steps taken by the current administration to improve major works project management and performance it inherited from the Liberal Democrats, including:
 - Labour's £326 million warm dry safe programme which is realistic, fully-costed and sets out a clear timetable so residents know exactly when their works will take place
 - A substantial programme of fire risk assessment works, refurbishment of hostels and a programme of improvement to tenants and residents association halls - with 2013/14 individual heating programme brought forward into 2012/13, meaning inefficient boilers are being replaced with more efficient models helping to deliver savings for resident and tackle fuel poverty
 - The restructure and the setting up of project management teams to give improved focus to project management on site and a more open and transparent culture where problems can be quickly identified and resources committed accordingly
 - A comprehensive resident consultation process "Putting Residents First" which ensures the council is clear with residents from the outset about what we are delivering and how they can be involved.
4. That council assembly notes the good progress has been made in improving the repairs service but acknowledges that the service started from a low base thanks to the arrangements put in place by the previous Liberal Democrat administration. It notes that contracts have been terminated with Just Housing, Morrison and the council is a few months away from bringing the call centre in-house. It notes that overall contract management is improving. There is a greater focus on completing repairs quickly and to a high standard leading to reduced costs and a reduction in duplication. Repairs completed right first time is improving as is satisfaction with the repairs service. Complaint escalations are at an all time low as are the number of overdue orders.
5. That council assembly notes that the telephone answering performance at the customer services centre (CSC) for repairs was poor in the last quarter of 2012. This is because the repairs contractor for the south of the borough changed which caused some disruption and resulted in an increase in demand for the telephone service that lasted longer than we predicted. It notes that the council provided further resources and call waiting times have reduced considerably in the first two weeks of 2013. It notes that a customer access strategy has been developed to improve the quality of customer services, ease of accessibility and reduce costs and that the new My Southwark, customer service point opened at The Blue in Bermondsey in mid December and represents the prototype for the future of face to face customer services in Southwark.
6. That council assembly believes an immediate review of major works will be to the detriment of tenants with regards to their works and upgrades being completed on time and would result in severe costs to leaseholders.
7. That council assembly therefore resolves on cabinet to:
 - Continue to deliver its £326 million housing investment programme which will make every council home in Southwark warm, dry and safe by 2016

- Continue to improve management of major works contracts and to develop its customer access strategy which will help to improve the quality of the council's customer services.

Save Southwark emergency services

That the motion referred from council assembly as a recommendation to cabinet, set out below be agreed and it be noted that a full response had been submitted to the Metropolitan Police and MOPAC on the 28 February 2013 concerning their recent consultation on policing in London. That the Council's offer to invest up to £750,000 of capital in improving council facilities in order that the Police may continue to operate front office counters across the borough also be noted.

1. That council assembly believes that the safety and security of Londoners and the residents of our borough is being put at risk as a result of cuts to emergency services being pushed through by the Mayor of London and the Tory Liberal Democrat government to our key emergency services – the Metropolitan Police Service, the London Fire Brigade alongside the London Ambulance Service and the city's accident and emergency departments.
2. That council assembly believes that the cuts are going too far and too fast and that the many millions of pounds being cut from the budgets of the NHS, the Metropolitan Police Service and the London Fire Brigade will inevitably endanger families and communities across the capital.
3. That council assembly believes that the cuts are being carried out without consideration of the impact on Londoners' safety. The mooted closures of police front desks in Rotherhithe and East Dulwich, fire stations in Borough and Peckham and Lewisham A & E department will mean various pockets of London could see the safety of residents threatened by longer response times.
4. That council assembly rejects the position of the Mayor of London and of Simon Hughes MP that the scale of the cuts are necessary and acceptable and calls on both to stand up for Southwark residents against the cuts being imposed by the Tory Liberal Democrat government to the emergency services on which we rely to keep Londoners safe.
5. That council assembly notes that since the substantive motion was drafted the Mayor has published his draft police and crime strategy for London, and that this document makes a number of recommendations which will have serious consequences for Southwark if they are implemented:
 - (a) The proposed closure of East Dulwich, Gipsy Hill and Sydenham police stations, which will leave a 'black hole' in counter service provision for the residents of College, Village and East Dulwich wards
 - (b) The proposed closure of Rotherhithe police station, which will leave an isolated peninsula community without adequate access to dedicated police resources
 - (c) The proposed dismantling of the neighbourhood policing model such that the current dedicated ward based teams of six staff members (one sergeant, three police constables and two police community support officers) will be reduced to one dedicated police constable plus a 'named sergeant'.

6. That council assembly notes the Mayor's election manifesto commitment not to close any police station facility without opening an 'equivalent or better' facility in the same area, and notes that the draft police and crime strategy breaks this pledge.
7. That council assembly deplores the lack of cross-borough co-ordination in planning police station closures which has resulted in the 'black hole' in counter service provision in the Dulwich and Crystal Palace areas, which are close to the boundary with four other London boroughs.
8. That council assembly further deplores the dismantling of the neighbourhood policing model which will see the majority of officers deployed to high crime areas, to the detriment of the very important and successful community liaison and crime prevention roles which have helped to keep crime low.
9. That council assembly records its grave concern at the impact of both police station closures and the dismantling of the neighbourhood policing model on vulnerable residents, victims of domestic violence and others for whom the local police station is a place of safety; and on the ability of the police to record crime statistics accurately. Further, council assembly is concerned at the impact of police station closures on the management of local police teams and the potential for valuable police time to be lost to wards in the south of the borough due to officer travel time from operational bases in the north of the borough.
10. That whilst council assembly acknowledges the need to make budget savings, it believes the 20% cut imposed by the Tory Liberal Democrat government goes too far and too fast. In addition whilst council assembly recognises the inappropriateness of some current police station buildings for on-going use, for example the current East Dulwich police station building, it is extremely concerning that the draft police and crime plan contains no proposals for alternative provision, no definition of 'equal or better' against which future performance can be measured, and no creative thinking. Council assembly requests that the cabinet calls upon the Mayor to honour his manifesto commitment concerning police counter facilities, and to rethink the proposals for the south of the borough and for Rotherhithe, working creatively with the council and local communities, to ensure that the dangerous 'black hole' scenario is averted.
11. That council assembly recognises the council's commitment to working creatively with the Metropolitan Police in identifying alternative premises which have the potential to meet police security criteria in the south of the borough and in Rotherhithe.

DNA database

That the motion referred from council assembly as a recommendation to cabinet, set below be agreed and it be noted that an article had been placed in Southwark Life highlighting the 'early deletion scheme'.

1. That council notes that in a fair society it is simply not right that innocent people can have their DNA stored by the state.

2. That council also notes with concern that since 2004 the UK's national DNA database (NDNAD) has been permitted to hold DNA samples of any individual arrested of an offence, regardless of whether that individual was actually charged or convicted.
3. That council notes that over million people, who have never been given a conviction, caution or formal warning are estimated to be on the national DNA database and acknowledges that the European Court of Human Rights found indefinite DNA retention to be in violation of Article 8.
4. That while council recognises that DNA evidence can be an important tool in criminal investigations, council believes that the indefinite retention of the DNA of innocent people constitutes a disproportionate intrusion by the state.
5. That council assembly notes the announcement that DNA samples held for innocent people will be destroyed in four months time in May 2013 and supports the Metropolitan Police Service's early deletion request scheme.
6. That in particular, council urges council officers to provide a link to the early deletion request scheme on Southwark Council's website and highlight the scheme in the next edition of Southwark Life.

17. LOCAL WELFARE PROVISION - SOUTHWARK EMERGENCY SUPPORT SCHEME

RESOLVED:

1. That it be noted that the Welfare Reform Act 2012 abolishes the existing discretionary elements of the Department for Work & Pensions' administered social fund. The creation and delivery of a local scheme to be administered by councils takes effect from 1 April 2013, following receipt of a grant from central government.
2. That the introduction of the Southwark emergency support scheme (SESS) be approved with effect from the 1 April 2013 replacing the DWP social fund's crisis loans and community care grants and that Community Action Southwark (CAS) lead on the management and delivery of grant item(s) for successful applications to those most in need.
3. That the strategic director of finance and corporate services be provided with delegated responsibility to make any amendments to the application of the scheme following review and consultation.
4. That the strategic director of finance and corporate services set aside from within the welfare hardship fund to supplement the Southwark emergency support scheme (SESS) an amount of up to £400,000 in order to provide support for those households where the level of disability prevents temporary or full time employment.

The meeting ended at 6.45pm.

CHAIR:

DATED:

DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 21 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, THURSDAY 28 MARCH 2013.

THE ABOVE DECISIONS WILL NOT BE IMPLEMENTABLE UNTIL AFTER THAT DATE. SHOULD A DECISION OF THE CABINET BE CALLED-IN FOR SCRUTINY, THEN THE RELEVANT DECISION WILL BE HELD IN ABEYANCE PENDING THE OUTCOME OF SCRUTINY CONSIDERATION.

Item No. 7.	Classification: Open	Date: 16 April 2013	Meeting Name: Cabinet
Report title:		Petition – Reduce Air Pollution	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

RECOMMENDATION

1. That the cabinet consider a petition from residents' of the borough in respect of air pollution on main roads near schools.

BACKGROUND INFORMATION

2. A petition containing 500 signatures or more maybe presented to the cabinet. A petition can be submitted by a person of any age who lives, works or studies in Southwark. Petitions must relate to matters which the council has powers or duties or which affects Southwark.
3. At the meeting, the spokesperson for the petition will be invited to speak up to five minutes on the subject matter. The cabinet will debate the petition for a period of up to 15 minutes and may decide how to respond to the petition at the meeting.
4. Any relevant resource or community impact issues will be contained in the comments of the strategic director.

KEY ISSUES FOR CONSIDERATION

5. A petition containing 531 signatures has been received from local residents in respect of air pollution. The petition is comprised of 121 signatures from the petition on the council's web site and 410 signatures on a 'paper' version of the petition. The petitioners have expressed concern about the levels of pollution on main roads near schools in Southwark. The petition states:

"We the undersigned, call on Southwark Council to urgently reduce air pollution on main roads near schools to protect the health of children in London, to measure levels of air pollution near affected schools and to help them take steps to protect children and staff."

6. Additionally the petition states:

"London records the worst levels of nitrogen dioxide (NO₂) in Europe as well as dangerous concentrations of tiny particles, smaller than the diameter of a human hair, known as PM 10s and PM2.5s. These invisible gases and particles irritate and lodge in the lungs, exacerbating heart disease and asthma and cutting years off the average life expectancy."

After smoking, air pollution is now the leading cause of early death. Young people are particularly vulnerable because their lungs are still developing. It's estimated that traffic pollution may be responsible for 15-30% of all new cases of asthma in children. Yet there are 48 schools in Southwark within 150 metres of roads that carry over 10,000 vehicles a day. That's why this petition concentrates on schools.

Children, the elderly and people with existing respiratory illness suffer most from air pollution, but we're all affected. A study commissioned by the Mayor of London estimated that 4,267 Londoners died prematurely in 2008 as a result of long-term exposure to polluted air – mostly through heart attacks and strokes.”

7. The cabinet will decide how to respond to the petition at this meeting. A decision could be made to:
 - Take the action the petition requests
 - Not to take the action requested for reasons put forward in the debate, or
 - To commission further investigation into the matter.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Comments of the Strategic Director of Environment and Leisure

Background

8. London, as a premiere world city, economic centre and transportation hub suffers from poor air quality from time to time. Contributing factors include:-
 - London is a large and busy city region with many sources of emissions to air
 - The most significant source of atmospheric pollution in Southwark is diesel engines and
 - London is in a river valley basin which traps atmospheric emissions under certain weather conditions, for example low wind or temperature inversion and in bright sunlight may develop photochemical smog.
9. Poor air quality events affect everyone in the affected area, but impacts with a greater significance on individuals who have compromised respiratory function due to age or infirmity and on children, who have smaller, immature lungs. London regularly breaches the EEC Air Quality Objectives for NO₂ (Nitrogen Dioxide) and PM₁₀ (breathable particulates). There are also concerns regarding the levels of Black Carbon and PM_{2.5} in London. Many of these poor air quality incidents are caused by meteorological conditions transporting air pollution from outside London, including from industrial Europe. Last month pressure group ClientEarth took the UK Government to the UK Supreme Court due to the lack of effective response to and breaches of the air quality objectives. The Supreme Court has reserved its judgment at the time of writing.
10. A recent report by the pressure group Campaign for Clean Air in London has stated that up to 4,267 people died prematurely due to the impacts of poor air quality in London in 2008, however, this statistic cannot be taken in isolation. If poor air quality was eradicated 4,267 people would not be saved. Poor air quality places a strain on human respiratory and pulmonary systems which results in a deterioration in the quality of individuals biological function and hence, an average reduction in life-span of 7-8 months.

11. The Campaign for Clean Air in London has also stated that across London there are 1,148 London schools within 150 metres of roads carrying about 10,000 vehicles a day. The majority of these routes are managed by TfL. In poor air quality events everyone, including all schools within the affected area, experiences diminished air quality. However, it is clear that if a school is located at roadside on a busy road, then its air quality will be significantly poorer than at schools on quiet roads. Air quality measurements are categorized as 'background' when they are more than 50m from a predominant source/road.
12. Emissions to atmosphere are a global issue without boundaries and are known to be causing climate change. Poor air quality in London is both a regional and a Pan European issue with much of the funding to research and address air quality historically coming from EC grant sources.
13. Southwark is a central London Authority with main arterial road routes carrying regional traffic through the borough and has limited influence regarding the volume and make up of vehicles using those routes. Despite this much can be done to work regionally, to raise awareness regarding air quality and to influence personal and business transport mode decisions within the borough.

What is Southwark doing to improve air quality?

14. Southwark has an Air Quality Improvement Strategy for 2012 – 2017 which is compiled to complement national and regional air quality and other relevant strategy. It places improvements in levels of nitrogen dioxide and particulate matter at its core. It also recognises the particular health impacts of poor quality upon the young.
15. While the EHTS Environmental Protection Team has no specific budget allocation for air quality improvement initiatives, it works together with partner services and authorities to identify appropriate funding and other opportunities. For example:
 - (1) Southwark successfully applied to DEFRA for an Air Quality Grant in 2012 and received an award of approx £21,000 (50% of the amount sought) and is now working as part of a consortium of 8 London Boroughs and the Greater London Authority to deliver the Clean Air 4 Schools (CA4S) programme to as many primary schools as possible with the funding achieved. To manage the shortfall in the grant EH&TS combined with other LBS Services (Transportation, Sustainable Services & Children's Services) and secured a further £20,000 from the Green Travel Plan Budget to add directly to the project fund making a total of £40,000. A contractor has very recently been engaged to deliver the CA4S programme in 6 primary schools.

The CA4S project aims and objectives include:-

- Raise awareness of air quality issues in schools (students, teachers, parents & governors) AQ monitoring, near AQ hotspots, link to climate change
- Increase awareness and understanding of air pollution amongst school communities and encourage sustainable behaviour with regard to anti idling and modal shift

- Assess schools for suitability for installation of green infrastructure/highway or traffic flow modifications and
- Assess schools for suitability for installation of energy efficiency measures.

As part of the project we have also linked access to potentially £500,000 of grants to improve energy efficiency in schools to potentially £200,000 of GLA funding towards green infrastructure for schools. So far 5 of 12 shortlisted primary schools approached have agreed to participate in the programme which delivers them with multiple, cost free benefits including Key Stage 2 citizen science, air quality monitoring and potential for changes to parental transport choices leading to improved air quality. The aim is to give the most suitable and engaged schools as much of a 'whole treatment' as is appropriate/possible. The CA4S project funds available currently limits the number of schools that can be involved to 6, however, all other schools in the borough will be informed of the grant funding available to them and given the link to the on-line schools toolkit which they can choose to engage with. If the economies of scale achieved from the mass procurement exercise engaged in permit more schools to be involved the project will be expanded. It is also hoped that further grant funding rounds from DEFRA and the EU will be secured in future to enable more schools to be assisted to join the CA4S Project should they wish.

The LBS shortlist of preferred schools for involvement was developed using the following criteria:-

- High % of pupils driven to school, therefore more capacity for modal shift and reduced levels of pollution
- Area of known poor air quality, therefore more capacity to make educative message relevant
- Potential to undertake infrastructure works to improve air quality within the school and its environs or improve the carbon footprint of school
- Geographical spread across borough and
- Size of school role.

All 12 of the shortlisted schools have been approached. As noted 5 have signed and we are currently trying to engage any other primary school to fill the remaining vacant slot in the programme. It is hoped that the CA4S project will provide air quality monitoring data that will permit the impact on schools and children to move up many agendas across London. Further grant funding will be sought to continue and expand this programme in the future.

- (2) All schools involved in the CA4S project will be signed up to the AirText Service as a matter of course. AirText provides daily information on local air pollution; UV index; pollen; and temperature. EH&TS Officers are currently working to identify the most effective way of providing the AirText information to other services and internal and external organisations including schools. The aim is that this will be in place for the 'alert season' next year.

- (3) LBS works closely with TfL and the GLA to reduce pollution from transportation. EH&TS staff work with colleagues in Sustainable Transport, Road Safety and Transport Planning to address issues arising from the road infrastructure and are considering projects to
- Improve traffic management
 - improve transport infrastructure
 - reduce emissions from all vehicles (buses, taxis, cars, mopeds, haulage) through the provision of low and no carbon fuelling points (electrical chargers, hydrogen depot, etc)
 - reduce taxi idling and touting and improve taxi rank management and location.

Specific information regarding changes that have been made to reduce traffic levels in Southwark are available from LBS Transport Services, TfL and GLA.

- (4) Improving air quality monitoring. EH&TS have recently fitted a new permanent monitoring station at Elephant & Castle which is now on-line and giving results. This joins the earlier established monitoring station on the Old Kent Road. We have also expanded our NO₂ monitoring survey borough wide giving a good spread of polluted and relatively unpolluted locations to provide a greater understanding of the patterns of pollution. All the Southwark locations of concern which appear in a list maintained by the GLA, are included.
- (5) Applying for grant monies from the Mayors Air Quality Fund. A Southwark working group has been set up to consider projects that will meet the criteria to access this funding source. The process is being led by officers from Transportation and EH&TS. Current projects that have been shortlisted include:
- Developing a Clean Air 4 Schools Toolkit for secondary schools
 - Countdown and engine idling awareness campaign on road approaches to the north and south of Tower Bridge
 - Open Streets events to temporarily close roads to improve the local environment and raise public and trader awareness with regards to alternative choices and behaviours
 - To include electric vehicles in the council fleet
 - To provide support for air quality champions in Borough Market to encourage the use of no-carbon delivery technologies and, in conjunction with Better Bankside, to manage delivery of a 'green staircase' to raise awareness of air quality issues. Assessment of the performance of the green infrastructure will be by Imperial College
 - Improving access to air quality information for Southwark residents and users of Southwark's AQ Web-pages. To increase awareness and encourage personal behaviour change.
- (6) Constant improving and updating of LB Southwark's planning policies and standard conditions to ensure the most recent and appropriate constraints are applied to new development.
- (7) Audit and appropriate refit of Southwark's buildings.

Comments of the Director of Planning

16. Southwark's Transport Plan (2011) is a vision for transport in the borough and seeks to reduce transport related air pollution through the overall reduction of private motor traffic on our streets and promoting the uptake of low emission vehicles (LEVs).
17. To deliver this ambition, the council continues to work specifically with the local school community to encourage increasing numbers of children to travel more sustainably through the development of school travel plans (STPs). By monitoring travel to school via STPs, we have seen that car use has steadily decreased whilst walking and public transport remain the more popular choices. Supporting this programme the council offers a range of walking and cycling promotions and road safety awareness programmes.
18. For further detail and statistics and related policies, please refer to the Council's Transport Plan (http://www.southwark.gov.uk/downloads/download/2578/transport_plan) and Annual Report (http://www.southwark.gov.uk/downloads/download/2873/annual_report)

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
E-petition on web site: http://moderngov.southwarksites.com/mgEPetitionDisplay.aspx?ID=50000022&RPID=500547678&HPID=500547678	160 Tooley Street, London SE1 2QH	Beverley Olamijulo 020 7525 7234

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Alexa Coates, Principal Constitutional Officer	
Report Author	Paula Thornton, Constitutional Officer	
Version	Final	
Dated	4 April 2013	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Legal Services	No	No
Strategic Director of Finance and Corporate Services	No	No
Strategic Director of Environment and Leisure	Yes	Yes
Director of Planning	Yes	Yes
Date final report sent to Constitutional Team	4 April 2013	

Item No. 9.	Classification: Open	Date: 16 April 2013	Meeting Name: Cabinet
Report title:		Report into TRA Halls and Communal Rooms (Housing, Environment, Transport & Community Safety Scrutiny Sub-Committee)	
Ward(s) or groups affected:		All	
From:		Overview & Scrutiny Committee	

RECOMMENDATION

1. That the cabinet notes the recommendations of the review of TRA Halls and Communal Rooms, and that the relevant cabinet members bring back a report to cabinet, in order to respond to the overview and scrutiny committee, within eight weeks.

BACKGROUND INFORMATION

2. This is the final report arising from the scrutiny review of TRA Halls and Communal Rooms.
3. The council has taken a number of actions in the past year to address weaknesses in the way TRA community halls have been managed. These are being co-ordinated centrally by the Resident Involvement Team (now merged with Community Engagement). The Housing, Environment, Transport and Community Safety Scrutiny Sub-Committee decided to look into this issue whilst setting up its work programme in June 2012. The sub-committee was aware of the on-going work and the formation of a tenants' halls working party to make recommendations on guiding principles and on the ongoing investment programme. The sub-committee felt that it was important for members to provide an external perspective on this work and to make other contributions which could improve the way the council approaches the issue of TRA community halls.
4. The Overview & Scrutiny Committee considered the report at its meeting on 11 March 2013. The committee welcomed the report and the valuable work of the sub-committee.

HOUSING, ENVIRONMENT, TRANSPORT & COMMUNITY SAFETY SCRUTINY SUB-COMMITTEE RECOMMENDATIONS

5. The sub-committee's recommendations are listed below.
 1. **HRA Community Halls data held by the council:** The council does not currently have a comprehensive database of its own TRA Halls which provides detailed information on the status, rent, location and management contacts for every hall. As the Senior Management Team Paper referred to in this report notes: "Collection and maintenance of management information has been poor with inadequate arrangements for checks on

aspects of their management and condition. At times this has been over reliant on voluntary submission of information rather than proactive checking by the council.” Given that these are highly valuable assets, it is important that up to date information is kept on all these properties. The council should never be “unsure” about the status of any of its TRA Halls.

The sub-committee recommends that, as part of the capital investment programme, the current data is refreshed, subsequently kept fully up to date and systems put in place to ensure that this data never becomes out-dated again.

2. **Advertising Training:** The sub-committee believes more could be done to advertise what is on offer via training paid for via the Tenants’ Levy. We would recommend that the Tenants Hall Working Party discuss a new communications plan for the training programme to ensure as many tenants as possible know about the courses on offer.
3. **Composite Courses:** The sub-committee has made the observation that offering 22 separate courses may be excessive and that it may be advisable to cut the number of courses and consolidate training. In particular we would recommend a course entitled “How to run a TRA Hall” which covered the basics of running halls. This is a suggestion put to the sub-committee by the Chair of a TRA.
4. **Training feedback:** The sub-committee considered the feedback statistics on the training currently provided. This feedback is overwhelmingly positive; with virtually no negative comments received whatsoever. This is clearly reflective of the positive experience of those attending. However, the sub-committee feels that it may be worth getting a fresh pair of eyes to review the training on offer.

The sub-committee recommends that the TRA Halls Working Party commissions officers to review the training offer and the method for collecting feedback.

5. **Tenancy agreements:** The sub-committee believes that it is no longer acceptable for the Council and TRAs to manage their relationship regarding TRA Community Halls according to a mish-mash of leases, tenancies and informal arrangements. The case study examples given by officers show there is a need to put this relationship on a formal footing which makes clear the responsibilities of all parties with regard to the halls. The sub-committee also believes that, to ensure fairness and consistency, all TRA community halls managed by TRAs should be subject to the same standard agreement. The sub-committee would ask that officers investigate the legal and administrative issues further and work with TRA to introduce a standardized system at the earliest opportunity
6. **A fair rents system:** The sub-committee believes that it is wrong and unfair that some TRAs are paying significant amounts of money in rent and charges, whilst others are paying nothing. The sub-committee does not believe that the council should be seeking to make *additional* money from the rents paid by TRAs for halls. Further, we believe that the rents which are paid should be fair and that all TRAs should be making at least some contribution, no matter how small. Our suggestion would be that the Halls are categorised by officers (and agreed with the tenants halls working

party) according to their revenue raising potential. The rent levels should then be set according to the revenue raising potential of the hall itself. However, because the total amount of money collected will not rise and because there will be 50+ additional halls making at least some contribution, the rent being paid even by higher category halls should be far from punitive.

The sub-committee recommends that officer draw up a new rents system based on the principle of halls with greater revenue raising potential paying more, but with the overall rent receipt for the council remaining unchanged

7. **Provision across the borough:** The sub-committee believes that it is important that we do not pretend to start from a blank sheet of paper. TRA Community Halls have thrived in certain parts of the borough for a reason and their location, in part, reflects the tenant population of these parts of the borough. There is potential for a better use of resources in some parts of the borough and a need to address gaps in provision in others. The sub-committee would recommend that officers are tasked with identifying those TRAs which are genuinely struggling for space to carry out their meetings and activities. Once a list has been drawn up officers should work with those TRA in identifying possible sharing arrangements with the variety of other council owned premises and community spaces which may be local to those TRAs
8. **Advertising and information to boost involvement and use of halls:** It is interesting that 70% of people state that they never or rarely use the TRA community hall that they have access to. Of those who said they had never used the hall in the survey, a number of the comments indicated that they knew very little about what the hall was used for or even if they were allowed to use it. It was also noticeable that when tenants were asked how the running of their hall might be improved a significant number volunteered that better advertising and more information would be very welcome. To address this issue the sub-committee recommends that all TRAs have a website, a physical bulletin board outside of the TRA and a quarterly newsletter. New residents on estates should also be informed of the contact details of their TRA. The sub-committee suggests that these actions be taken up as part of the work programme of the TRA Halls Working Party who can then communicate with both officers and TRAs to identify what further resources and training could be provided to implement this recommendation
9. **TRA Community Halls where there is acute under-use:** Clearly, for some TRA Community Halls the problem of under-use is more acute and needs more urgent attention. For some of these halls the situation is now finally coming to a head because of the council's multi-million pound investment programme. The council simply cannot justify investing £60,000 – £120,000 to revamp buildings which are being left virtually unused, particularly when these buildings could be converted in to new council homes. The sub-committee suggests the following principle be applied:

Where a hall is being used less than 15% of the time during “core hours”, the hall should not receive significant financial investment and it should be scheduled for conversion into new homes (where this is possible). The definition of “core hours” could be informed by contributions from the

Tenants Halls Working Party. A list of halls which officers suspect may be acutely under-used should be brought before the Working Party.

Once agreed, halls on this list should be subject to an assessment. The assessment could be made over a one month reference period and informed by a diary of events provided by the TRA itself. The assessment should be up-to-date, rather than based on historic information about usage. Where lack of investment, or other factors beyond the control of the TRA, are the central reason for under-use, discretion should be applied

10. **Defunct TRAs:** Where the TRA is defunct and the hall is not being used at all, the building should be considered for conversion into new homes. This decision should include consideration of any realistic possibility of the TRA being re-launched in the near future.
11. **Stock Condition:** The sub-committee is aware that the Tenants Halls Working Party has been working constructively with officers to move forward the TRA Halls investment programme. It should be noted that the early part of the scheme has been dominated by investment decisions that are relatively uncontroversial. A point will come in the not-too distant future more difficult decisions will need to be confronted. The main difficulties will be in considering investment in properties where two conditions apply:
 - a) Where it is simply impossible to make the Hall compliant with the Disability Discrimination Act.
 - b) Where there are already alternative facilities available in the area, and there is the possibility of sharing taking place.

TRA Community Halls which fit either (or both) of these criteria might then be converted into new council homes. Clearly, decisions of this type need to be made in conjunction with the TRAs concerned. The sub-committee would recommend that all parties enter into these discussions in a constructive way. We would suggest two guiding principles with regard to these decisions:

Where potential sharing or DDA compliance are clearly issues, the council must not waste money by inappropriately upgrading TRA community halls simply because this is the line of least resistance.

Where conversion into new council homes is appropriate, both TRAs and council officers must recognise the important of securing value to money.

Where TRA community halls are converted into new council homes, comparable replacement facilities must be made available either through sharing another nearby hall or by other means (e.g. new build).

12. **Whistle-blowing procedure:** In the tenants survey 62% of people said that, if they became aware of fraudulent activity or mis-management, they would not know who they would report it to. This is unsurprising as neither the council nor TRAs have a standard whistle-blowing procedure in place with regard TRA Community Halls. The sub-committee believes that it is important to have a streamlined whistle-blowing agreement in place as a matter of urgency. The most preferable vehicle for delivering this would be

for the whistle-blowing procedure to appear as an appendix to the new tenancy agreements between the council and the TRAs. The details and the wording of the whistle-blowing procedure should be agreed with the Tenants Halls Working Party and should include a role in whistle-blowing for ward councillors.

13. **Multiple key-holders:** Several of the case studies show the problems that can arise when just one person literally “holds the key” to a HRA Community Hall. The sub-committee would recommend that for every TRA Community Hall, there are at least two, and ideally three individuals given keys to the premises. For security reasons, the sub-committee believes there should be a maximum of 3 keys in circulation at any one time.
14. **Multiple signature withdrawals.** Fraud is rare in Southwark’s TRAs, but we must always be vigilant over safe-guarding against financial malpractice. As the case studies on possible examples of fraud showed, the practice of allowing single signature withdrawals from HRA Community Hall bank accounts is inadvisable. Even in situations where the single signatory’s conduct has always been beyond reproach, this is an unwise arrangement. New committee members come and go, and where a system has been adopted with one person in mind, there may soon be another person put in their place. The sub-committee recommends that all Southwark TRAs handling money generated through TRA Community Halls should operate a system of multi-signatory withdrawals.
15. The council is embarking on a homes building over the coming years. The council should continue to consider the provision of new community space where significant concentrations of new building take place.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Overview & Scrutiny Committee Agenda 11 March 2013. The document is available on this web page (item 7): http://moderngov.southwark.gov.uk/ie/ListDocuments.aspx?CId=308&MId=4337&Ver=4	Scrutiny Team 160 Tooley Street London SE1 2QH	Peter Roberts 020 7525 4350

APPENDICES

No.	Title
Appendix A	Report of the Housing, Environment, Transport & Community Safety Scrutiny Sub-committee

AUDIT TRAIL

Lead Officer	Shelley Burke, Head of Overview & Scrutiny	
Report Author	Peter Roberts, Scrutiny Project Manager	
Version	Final	
Dated	4 April 2013	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Legal Services	N/a	N/a
Strategic Director of Finance and Corporate Services	N/a	N/a
Chief Officers	N/a	N/a
Cabinet Member	N/a	N/a
Date final report sent to Constitutional Team		4 April 2013

Report into TRA Halls and Communal Rooms

Report of the Housing, Environment, Transport &
Community Safety Scrutiny Sub-committee

Draft March 2013



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Introduction

1. Southwark Council currently has 113 properties with a primary use registered to providing space for Tenants & Residents Associations (TRAs) to carry out their activities and provide space for other community activities. The breakdown of the different types of halls/rooms is in table 1 below. For the rest of this report these facilities will be referred to generically as “TRA Community Halls”.

Categories and number of Southwark TRA Community Halls

Category	Number of Halls/Rooms
Community centre, self financing	41
Medium hall, some income	26
Meeting room/flat. No/low income	25
Closed	8
TMO office	4
Unsure	1
In use	8
Total	113

2. In most cases TRAs have responsibility for day-to-day management of the properties. There are a wide range of arrangements in place including licenses, leases, tenancies at will, sub-lets and in most cases no formal arrangements. Officers estimate that rent is currently charged on fifty-three of the halls. In 2010/2011 the income generated by this was approximately £47k.
3. A September 2012 Senior Management Team paper concluded, “While some TRAs are clearly well managed, others need support in ensuring that premises are accessible and their management is accountable. Work has therefore started with the halls working party to agree a model set of terms of hire. Other key documents will also be developed, backed with training for halls managers and committee members.” Details of the Tenants Halls Working Party are covered in the next section.
4. The council has taken a number of actions in the past year to address weaknesses in the way TRA community halls have been managed. This is being co-ordinated centrally by the Resident Involvement Team (now merged with Community Engagement). This work includes:
 - Engineering Services has agreed to manage an ongoing compliance regime for the key services and utilities including electrical testing, gas checks, water system management and asbestos management.
 - The compliance team has agreed to work to support tailored training and advice for TRAs and management committees on their responsibilities in managing health and safety. This is likely to be delivered externally because of issues with capacity within this team.
 - The Repairs Team has agreed to manage day to day repairs of the halls within the £300,000 per annum budget for both reactive and planned maintenance.

- The Investment team has agreed to manage planned preventative maintenance and capital investment.
 - Capital investment: A capital sum of £3.1 million has been established for the hall portfolio within the Housing Investment five-year programme. A dedicated repairs and maintenance budget of £500k per annum has also been set up.
 - A full stock condition survey has been carried out to inform the capital investment programme.
5. The Housing, Environment, Transport and Community Safety Scrutiny Sub-Committee decided to look into this issue whilst setting up its work programme in June 2012. The Sub-Committee was aware of the on-going work set out above and the formation of the Tenants Halls Working Party. The Sub-Committee felt that it was important for councillors to provide an external perspective on this work and to make other contributions which could improve the way the council approaches the issue of TRA Community Halls.
6. Nevertheless the sub-committee has also been eager to dovetail our work with that of the Working Party to ensure that duplication does not occur and that this scrutiny could benefit from investigatory work which had already been carried out. The sub-committee agreed to make recommendations regarding TRA Community Halls in the following areas:
1. A fair rents policy – proposing a fair and equitable system of rents for TRA Community Halls
 2. Stock condition and capital investment – adding to the work of the Tenants Working Party to make recommendations on guiding principles on the ongoing investment programme
 3. Usage of Halls – members of the sub-committee have received anecdotal evidence of some halls being “taken over” by individual uses and other halls being less than welcoming to newcomers. Members of the sub-committee also wanted to investigate the possible under-use of some halls
 4. Provision across the borough – clearly there are some parts of the borough where tenants and other residents are better served than others by the provision of TRA Halls. The sub-committee wishes to make recommendations which might address under-provision in some parts of the borough
 5. Oversight and transparency in the management of halls – issues to be covered here are the prevention of fraud, the prevention of small cliques in the running of halls and the level of council support provided to TRAs
 6. Conversions and sharing of resources – there are a small number of halls/rooms which are not being used at all and others which are used rarely. In particular the sub-committee is interested in the possibility of unused and acutely under-used halls being converted into new homes or where possible any under-utilised halls being used by the wider voluntary and community sector

The Tenants Halls Working Party

7. As noted above, the Tenants Halls Working Party has been set up to:
- Provide an overview of the halls portfolio
 - Discuss current issues/problems and resolve these

- Exchange information
- Support training on good practice for hall management committees
- Give advice on lettings and activities permitted in halls
- Help develop a suite of reference materials for TRAs running premises
- Provide intelligence of what activities are taking place in community premises (both TRA halls and the wider estate)
- Investigate opportunities to provide match-funding for halls from the Tenants Fund

8. The membership of the Working Party is as follows:

NAME	AREA FORUM
Ian Ritchie (Chair)	Tenants' Council//Nunhead & Peckham Rye
Carol Vincent (Vice Chair)	Aylesbury
Jean Attridge	Home Owners' Council
Maureen Baker	Tenants' Council//Peckham
Dean Chandler	Borough
Cris Claridge	Tenants' Council//Nunhead/Peckham Rye/ Southwark Group of Tenants' Organisation
Miriam Facey	Nunhead/Peckham Rye
Wayne Gilbert	Camberwell East
Colin Harrison	Tenants' Council//Walworth West
Steve Hedger	Tenants' Council//Camberwell East
Kathy Henessey	Rotherhite
Pat Hickson	Rotherhite 2
Kim Jones	Tenants' Council//Camberwell West
Frances Kodjie	Home Owners' Council
Kevin Lewis	Tenants' Council/
Bill Newman	Dulwich
Michael Orey	Peckham/ Home Owners' Council
Kiri Pieri	Tenants' Council/Rotherhithe
Mike Tyrer	Camberwell West

Fran Wyndham	Bermondsey West
Suzanne Webb	Bermondsey East

9. During the course of this scrutiny, the chair of the sub-committee has met with the chair of the Tenants Working Party on three occasions and has attended a Working Party meeting. In addition, the chair of the Working Party has regularly attended meetings of the scrutiny sub-committee, and contributed to them. All of these meetings and other communications have been very constructive and positive. The scrutiny sub-committee would like to congratulate the working party on the quality of their ongoing work and thank them for their input into this scrutiny process.

Section 2 – Scrutiny of TRA Community Halls in Southwark

TRA Community Hall Case Studies

10. The sub-committee asked officers to provide case studies which showed some of the problems and positive stories which can arise through the current model of managing TRA Community Halls. The case studies below are anonymised versions of the information provided by officers.

TRA Community Hall Case Study 1

The Stock Condition Survey identifies work required in the region of £80,000 to make this hall compliant and to a good standard of decoration. It is a large, stand-alone building with a large hall and a smaller room which is used for smaller meetings. It is currently subject to an enquiry from an elected representative as it is understood residents have complained about a lack of access to the facilities. Officers have visited the facility and interviewed the key holder about the reasons for the lack of access. They are twofold: Firstly, the TRA is ageing and has a small number of volunteers meaning it struggles to open the building when people wish to hire. Secondly many of the requests for hire are for church groups and parties which can if not well managed cause a nuisance to local neighbours. The TRA Committee has made a conscious decision not to hire to these groups out of respect to the local residents.

Another TRA use a small room in the neighbouring block which is not on their estate. Given this situation, it would make sense to investigate a sharing arrangement.

From a resident involvement perspective this is a classic case of an underused hall under the care of a keen but struggling TRA. They are overcoming the loss of their previous, very effective, chair and getting to grips with matters. However it is also a large hall that the wider community could be benefitting more from. Diplomacy and support are key. There is also a good opportunity for a pensioners group to use the hall and office Tuesday to Friday and pay rent and manage it during the day.

TRA Community Hall Case Study 2

The TRA Hall is occupied by a (service provider to the local community) during the week. It is also used for worship by church groups during the weekend. It is understood that the TRA does not use the hall. It is unclear if the service provider or churches pay rent, to whom and if they have any occupation agreements. Nearby is another small meeting room. This is used to host TRA meetings and Council and non Council meetings. It is a small room and has potential to be converted into a new home. Currently, if a group wishes to use the meeting room they approach the Estate Concierge who opens the room for them. They are then left unattended. Although this is less than ideal it is considered a small risk as the concierge seems to know everyone and polices its use

through common sense. However, it is unclear whether he has been briefed in what actions to take in the event of an incident and whether he has the training to be considered the 'responsible person' for both the hall and the meeting room. The meeting room requires around £15k of works. The hall requires £23K.

The TRA Committee is dominated by the chair who has managed things their own way for a long time. Officers are supporting the committee as a whole to challenge some of this behaviour. The use of the hall means that coach trips are regularly organised but now members of the local community are questioning why they cannot use the hall for family/social functions.

This is a good example of what happens when a powerful personality is willing to do all the opening/closing/etc and the association acquiesces in this.

TRA Community Hall Case Study 3

A TRA success story. Resident involvement reformed a seriously failing TRA and it is in the hands of a committee dedicated to maximising use of the hall. The secretary ensures that the association avails itself of every project and money opportunity that it can. The reputation of the TRA has soared in the eyes of the tenant movement.

TRA Community Hall Case Study 4

The TRA collapsed for some years under the impact of tenure and social change. This is an area that needs a modern community engagement strategy as the TRA model simply does not appear to be working. A local society or representative community group would probably provide a better vehicle for the council to engage with the community and deal with issues relating to the TRA Community Hall. The stock condition survey reveals it needs £120k of repairs. It is possible that this hall could be converted into new homes. There is a suitable nearby hall on an adjoining estate.

TRA Community Hall Case Study 5

This is the last hall and TRA in the borough that gives rise to concerns about it allegedly being a social drinking club for a limited section of the community. Ways have been tried to reform the association but they resist all efforts and have successfully delayed due to constantly changing staff. The new staff structure of the community engagement team will be eminently suited to problem solving here. The building is in a deprived area and should be available to a variety of local groups.

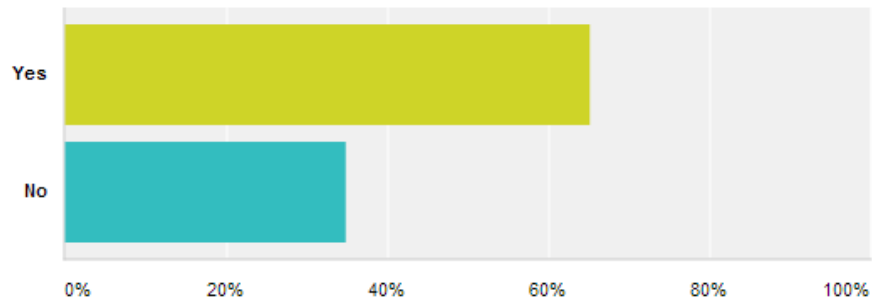
11. These case studies highlight the fact that there are on-going issues at a small number of halls with under-use and with the management practice. The sub-committee believes that these issues would need to be addressed before large amounts of money were spent up-grading and re-developing halls.

Tenants' Survey

12. In October, November and December 2012, the scrutiny sub-committee carried out an electronic survey of tenants and residents of council estates regarding TRA Community Halls. The survey was sent via email to approximately 4000 email addresses held by the council. 622 people responded, providing a huge amount of useful information which has informed this scrutiny. The basic outline of the results from the main survey questions is set out in the charts below.

Do residents on your estate have access to a hall or communal room(s)?

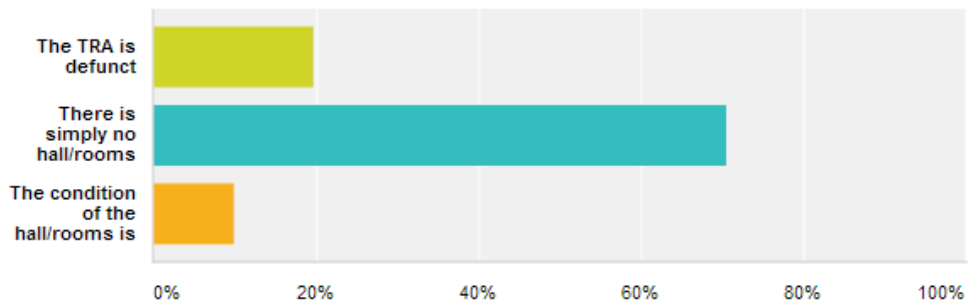
Answered: 608 Skipped: 14



Answer Choices	Responses	
Yes	65.13%	396
No	34.87%	212
Total		608

If you do not have access to a hall or communal room(s), is this because:

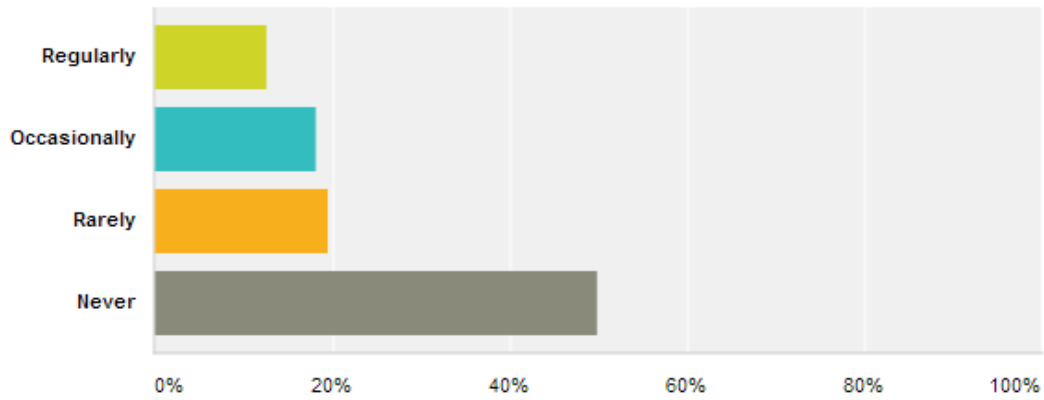
Answered: 112 Skipped: 510



Answer Choices	Responses	
The TRA is defunct	19.64%	22
There is simply no hall/rooms available in our area	70.54%	79
The condition of the hall/rooms is very poor and can no longer be used	9.82%	11
Other (please specify) (53) Expand		
Total		112

Do you use the hall/communal facilities on offer...

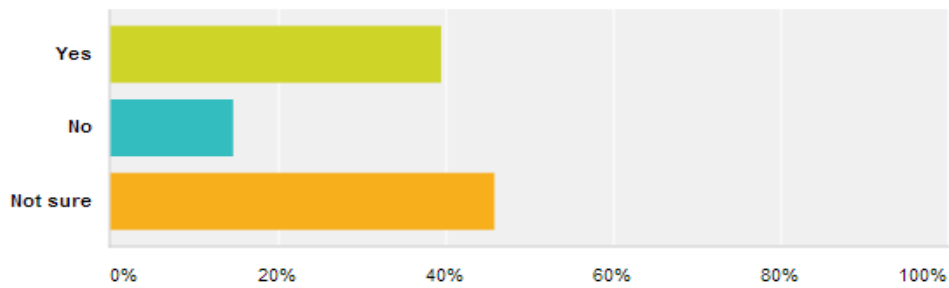
Answered: 359 Skipped: 263



Answer Choices	Responses
Regularly	12.53% 45
Occasionally	18.11% 65
Rarely	19.50% 70
Never	49.86% 179
Total	359

Do you think everyone living on the estate is made welcome at the TRA Hall/room(s)?

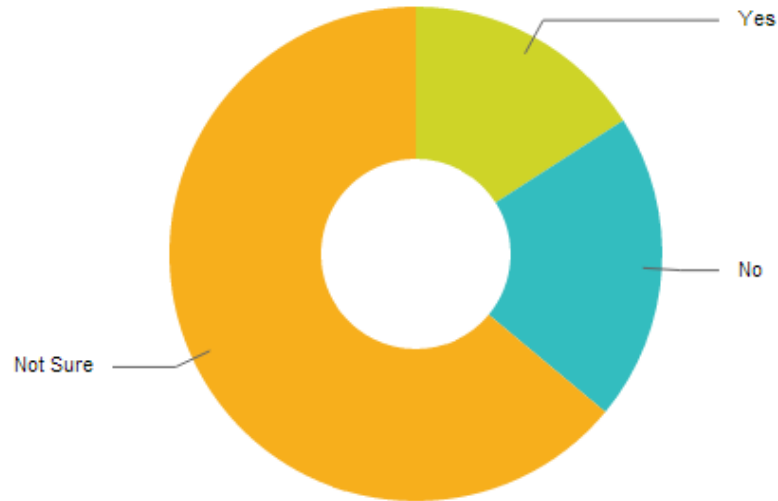
Answered: 362 Skipped: 260



Answer Choices	Responses
Yes	39.50% 143
No	14.64% 53
Not sure	45.86% 166
Total	362

Is the use of your hall/room(s) ever over-taken or dominated by one particular use or group?

Answered: 358 Skipped: 264



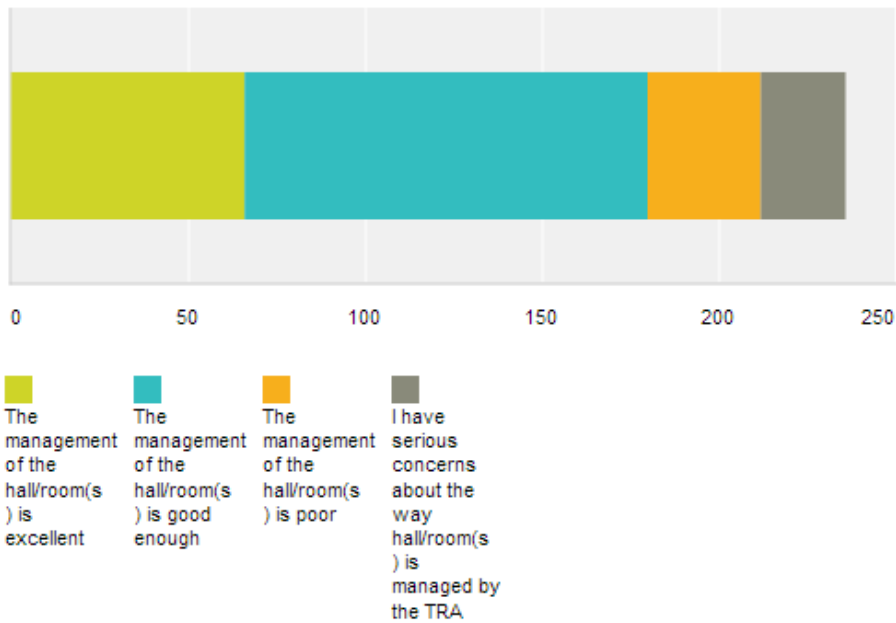
Answer Choices	Responses	
Yes	15.92%	57
No	20.11%	72
Not Sure	63.97%	229
Total		358

If yes, what is the activity which dominates the use of your hall/room(s)?

Word used	in % of responses
Parties/birthdays/weddings	16%
Church/religious	13%
Meetings	8%
Bingo	5%
Tenants	3%
Youth/young people	5%
Estate management	2%
Children's activities	2%
School activities	2%
Clique	2%

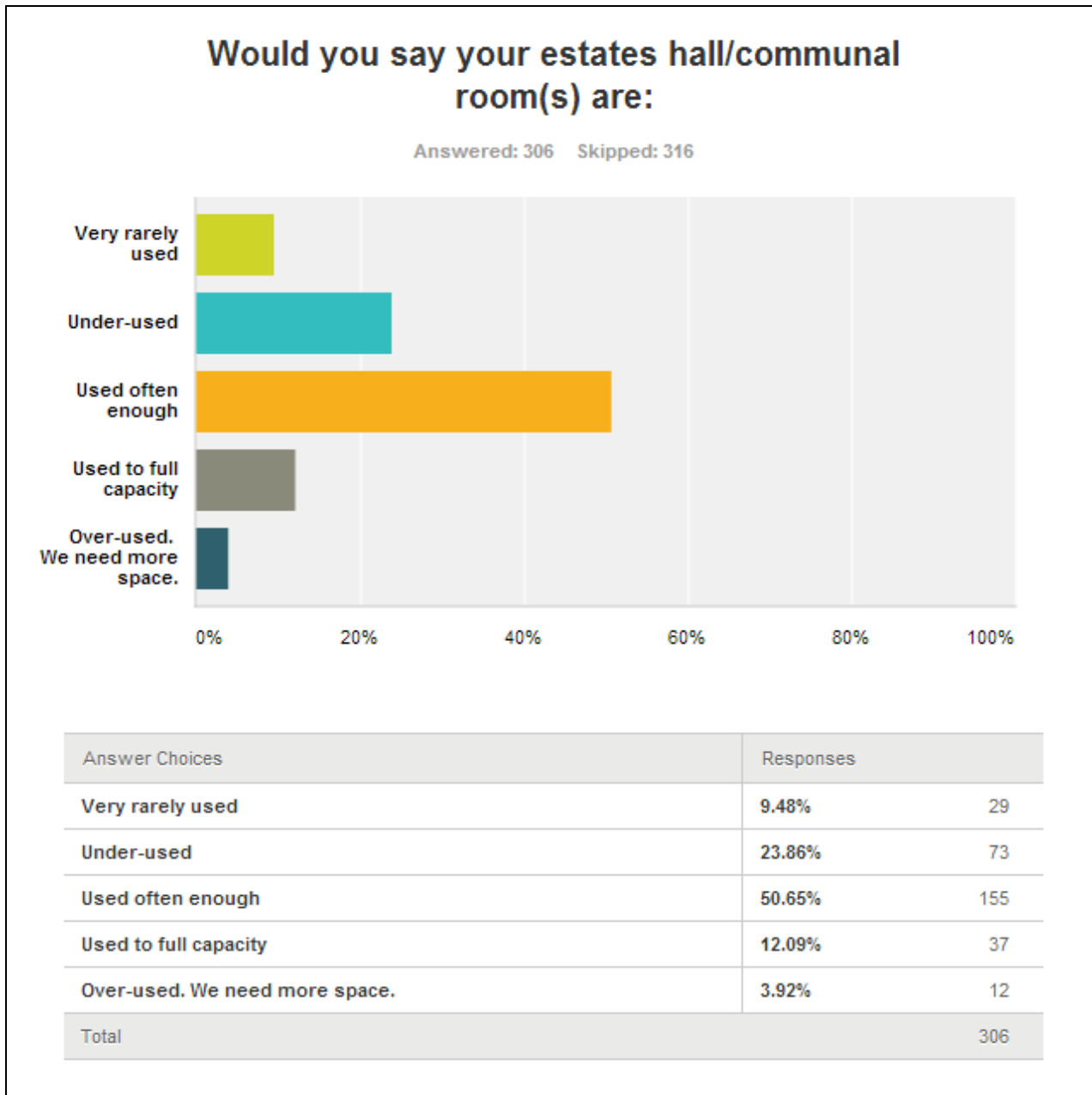
Tenant and Resident Associations often manage the use halls and communal facilities. TRAs are run by volunteers in their spare time and with a limited budget. How would you describe the management of your hall/room(s)?

Answered: 236 Skipped: 386



Answer Choices	Responses
The management of the hall/room(s) is excellent	27.97% 66
The management of the hall/room(s) is good enough	48.31% 114
The management of the hall/room(s) is poor	13.56% 32
I have serious concerns about the way hall/room(s) is managed by the TRA	10.17% 24
Other (please specify) (110) Expand	
Total	236

13. The overall picture for TRAs from the responses given to this question is very positive. 76% of respondents said that management of their hall was either good enough or excellent. The responses did show that there were a number of people with concerns about the TRA on a particular estate. This information will be passed to council officers to see if more support or training can be offered.



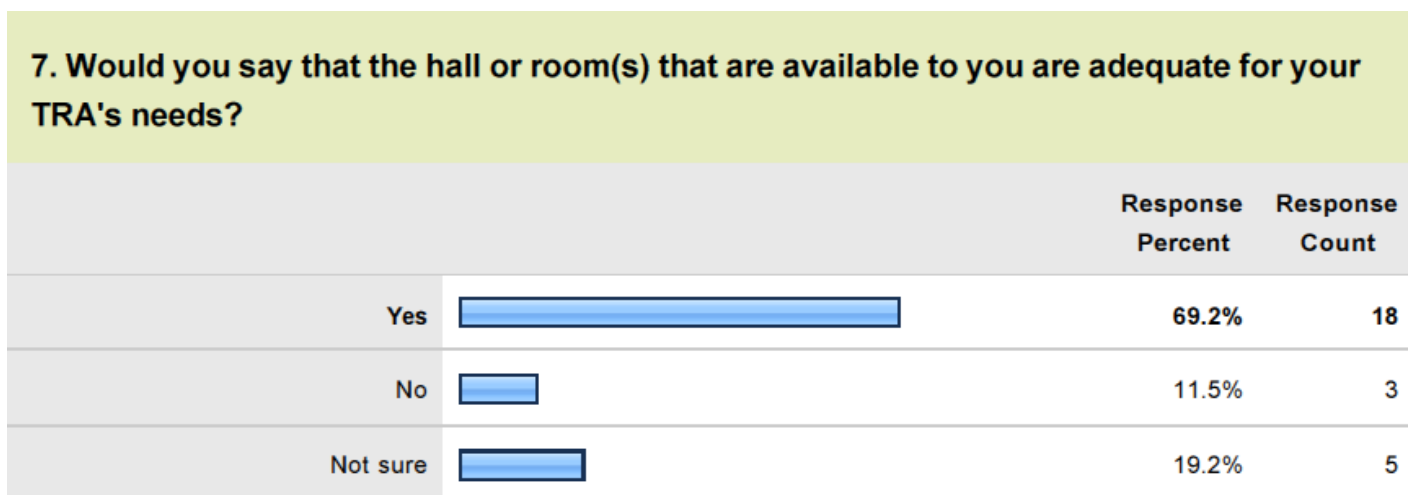
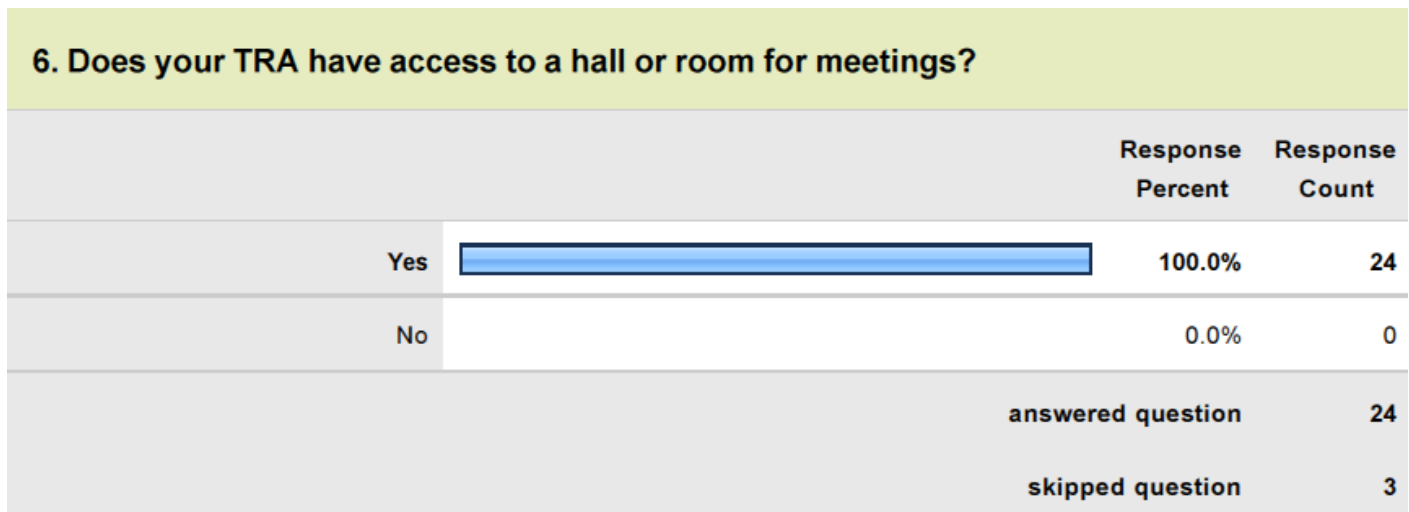
14. Main conclusions and findings of note:

- Usage of halls is not high. Almost 50% of respondents with access to a TRA Community Hall say that they never make use of this facility. A further 20% say that they rarely make use of it.
- 76% of respondents said that management of their hall was either good enough or excellent.
- There is a perception that a small number of TRA Community Halls (16%) are being dominated by one activity in particular. Bookings for parties and religious ceremonies were the two most often cited activities.
- A significant minority of respondents stated that they thought their hall was either under-used or rarely used (34%). Two estates in particular were mentioned most regularly as having halls in these categories.

- "If you could change one thing about the way in which your hall/room(s) are managed, what would it be?" The need for more advertising and information about what goes on in the hall was mentioned by 23 different people. The need for cleaning and decorating was mentioned by 13 people.
- When asked, "If you had concerns about mismanagement or fraud relating to your TRA Hall or room(s), would you know who to go to report these concerns?" 62% of people said they did not know who they would report it to.

Survey of TRAs

15. During the same period of 2012, the sub-committee also carried out an electronic survey of Tenants and Residents Associations. 27 of them responded and the charts below show the results of this survey.



8. How would you describe the amount of use which is made of the hall or room(s)?

		Response Percent	Response Count
They are rarely used		4.2%	1
They are used infrequently		8.3%	2
They are used regularly		54.2%	13
They are constantly in use		33.3%	8
Comments:			8

9. If your Hall/room is under-used, would you consider sharing facilities with another estate or organisation, so that the council can make better use of resources?

		Response Percent	Response Count
Yes		17.6%	3
No		58.8%	10
Not Sure		23.5%	4

If you have any other comments on the possibility of sharing facilities, please give them below:

17

Comments on sharing:

As long as they contribute to the upkeep and water/electric bills etc

If it was under-used then that could be an option but we are not.

It's used by 3 TRAs, councillors surgeries, elections, and various community activities

N/A our halls are in constant use by all.

Not practical with the Brandon estate as it would create more problems as our room is within the Jack Hobbs club which is leased to C.A.SP. and would create both key holding and insurance problems.

The venue could be used by other groups.

Several other halls have the same problems we do. In some cases the issue is that 1 untrained/unqualified people are 'running' the halls. 2 some TRAs are under the control of a small group of volunteers who are of a particular group and thus excluded other users, often not deliberately but due to time and exclusivity of the group outsiders find it very hard to join in

Sometimes it's hard for the TRA's to get residents to come to a meeting on its own estate to expect residents to go to other estates would not work.

The hall is in constant use, however we would be happy to (and do) make it available for use by neighbouring estates

The use of the hall is maximised because it is also available to and used by other users

They would have to respect, the rules, pay towards the cost. Keeping the place clean. Anything broken must be replaced. Communicate so there will be no double bookings. No body who comes in does not take over, they have to confront with us, about everything that goes on in our Hall. If they do not work we have the right to ask them to leave, and find somewhere else.




This sounds sensible in theory but I would have to put this to the committee. It would depend on the degree of choice we would have over occupancy, ability to charge for use of the rooms or at least cost sharing and avoiding timetable clashes.

We are too busy we would like to enable the swan road TRA to use the hall as they are having problems setting up there TRA again

We have sub groups such as the Better Living Group for the Blind and visually impaired. We also have the Friends of Brayards Estate which involves the wider community. The gardening group the computer group and encourage other groups to link in.

We use our local community centre.

11. Is the hall or room(s) over-used for one purpose or by one group?

		Response Percent	Response Count
Yes		16.7%	4
No		79.2%	19
Not Sure		4.2%	1

If yes, what use or group dominates the hall/room(s)?

6

13. How would you describe the support your TRA receives from Southwark Council?

		Response Percent	Response Count
The level of support is very poor		12.0%	3
The level of support is poor		28.0%	7
The level of support is adequate		36.0%	9
The level of support is good		12.0%	3
The level of support is excellent		12.0%	3

16. Currently, some TRA pay no rent at all for the hire of their hall, whilst others pay a regular amount. Do you think this situation should be left as it is, or should the rents be standardised?

		Response Percent	Response Count
Standardised		22.2%	4
Left as it is		77.8%	14

If you have any comments on rent levels, please give them here:

14

Comments:

But remembering the TRA is for the community so rates appropriate.

Have no views. We don't have to pay currently but might in future

I don't think any TRA should pay rent they pay enough out and do enough

I think there should be a overarching policy with variations where appropriate

It would depend on the level of engagement of the TRA - our volunteers are very committed and give a considerable amount of time to the hall, opening and closing for groups, taking bookings, organising and running themselves social events such as community parties, children's events, an annual event for senior citizens etc, as well as running the bar twice a week.

Not sure

Peppercorn rents could be paid from TFMC budget but not from TRAs
Rent should not be charged to TRAs
Some halls are too expensive the hire e.g. Bells and Albrighton for small TRAs who only have £1,100 pa. Halls across LBS should be able to produce income by a scale of charges set on rate of ability to pay this increasing revenue
The level of rent should be looked on for each hall
The ones that pay rent are the bigger ones, which makes sense
This is currently being reviewed by the Tenants Halls Working Party and it would be presumptive of me to comment on the outcome
Those that have halls are able to create income by hiring them out.
We do so much free work for the council every day we should pay no rent

Training for TRAs

16. The sub-committee expressed a wish to look at what training the council offered to TRA committee members (who are usually responsible for managing TRA Community Halls), particularly in light of some of the issues thrown up by the tenants survey and the TRAs survey.
17. Courses are open to all tenants and residents. The salary of the primary trainers is paid through the Tenants' Levy. Council tenants pay into the Tenants' Levy through their rent and leaseholders pay a contribution through their service charge. According to the trainers themselves, "The training is geared to people who serve on their T&RA committee but we also encourage those who are not on their local committee in the hope that they will join one of the other local community forums which contribute to the consultation programme."
18. The table below shows the training programme on offer to tenants and residents by the Community Engagement Team. Courses are typically 2 ½ - 3 hours in duration and take place at a variety of times during the week. The venue is usually Taplow Area Office or Bells Gardens.

Resident Involvement Community Engagement Training Programme October 2012—March 2013

Chairing Skills

"Course description: "For Chairs that want to know how to lead their committee to success and committee members that want to know how they can support the chair that they have elected."

Secretary Skills

"Course description: Examines the role of the committee secretary and gives helpful tips for dealing with correspondence, producing agendas, taking notes at meetings and creating effective minutes"

Treasurer Skills

Course description: "This course helps you understand committee finances and audited accounts and demonstrates how to keep records of your groups income and expenditure"

Committee Skills

Course description: "Together we examine the roles and responsibilities of the Chair, Vice-Chair, Secretary, Treasurer and Committee members"

Organising an Annual General Meeting (AGM)

Course description: "How much notice do you need to give your members? What Information needs to be on your notice letters? You will find the answers to all of your questions in this training session"

Resolving Conflict

Course description: "This course gives some practical tips to settling disputes within Tenants and Residents Associations"

How to Organise a Fun-day/Event

Course description: "Takes you through the practical steps that help make your event a safe, enjoyable success."

How to be Assertive

Course description: "Learn some tips on how to put your point across at meetings"

Public Speaking

Course description: "Find yourself lost for words in meetings? Learn some tips on how to present your ideas/objections confidently. This course is in 2 parts and candidates will be required to give a prepared presentation during the final session"

Basic Computer Skills

Course description: "Basic Computer Skills for Resource Centre users"

Producing Newsletters and Publicity

Course description: "Gives some useful tips on producing eye-catching publicity and newsletters that get read instead of binned. You will spend nearly all of the session on a computer designing a poster"

Producing Agendas and Minutes

Course description: "Learn how to produce your groups agendas and minutes using a computer"

Involving Everyone

Course description: "A workshop that looks at the barriers committees face to broaden involvement and some possible solutions to get people from all sectors of your community involved and retain their interest."

Safeguarding the Vulnerable in our Community

Course description: "This course raises awareness of what to look for and who to contact regarding concerns for the wellbeing of vulnerable Adults and Minors by examining a model Safeguarding Policy"

Carrying out Estate Inspections

Course description: "Come along and find out how you can play a role in your local area by working in partnership with your Housing Officer to improve your estate through regular inspections"

Understanding the Housing Rent Account (HRA)

Course description: "This course is aimed at Tenants and Residents who work with Southwark Council to agree the Housing expenditure budget using the Annual Report."

Negotiation Skills - Everyone Wins

Course description: "Brush up on the art of negotiation using role play -this sessions looks at how to win important debates/disputes without aggression or resorting to behaving badly"

Online courses only**All About Housing**

Course description: "What is Housing? Dealing with Anti-Social Behaviour, Managing a Home, Value for Money, Money Matters—Financial Inclusion"

Successful Meetings

Course description: "Problem Solving, conflict Resolution in the workplace/groups, meeting behaviour and problem characters, meeting planning and preparation, conducting effective meetings, an Introduction to Social Media for business"

Volunteer/Halls Training

Course description: "Food Hygiene Level 2 City & Guilds, Fire Safety and Evacuation, Health & Safety in the Workplace, First Aid—the Primary Survey, Risk Assessment, Manual Handling, Data Protection"

Communication Skills

Course description: "An Introduction to Listening, Introduction to Negotiation, Questioning Skills, Personal Development5, 5Common Core of Skills & Knowledge, Email & the Internet—Office 2007/WindowsVista"

Equality & Diversity

Course description: "Cultural Awareness in Safeguarding, an Introduction to Safeguarding Children, Safeguarding Adults (POVA), Understanding Gypsy and Irish Traveller Identity"

Attendance on courses

Training Courses delivered April 2012 to 10th Jan 2013	Total Attending	Avg attendance per session
Training talk	10	10
Committee skills	75	7
Resolve conflict	20	7
Treasurer skills Part 2	12	6
Chair skills part 2	14	5
Treasurer skills Part 1	23	5
Computer skills	84	4
Public Speaking Part 2	8	4
Secretary skills part 1	17	3
AGM skills	6	3
How to be more assertive	12	3
How to organise a funday	9	3
Secretary skills part 2	14	3

Training Courses delivered April 2012 to 10 th Jan 2013	Total Attending	Avg attendance per session
Chair skills part 1	8	3
Chair skills	7	2
	319	4

19. Below are the responses given by TRAs to the training related question in the TRA survey:

What training have members of the TRA committee received in managing the hall/rooms?
Unsure
Adequate enough
Chairing of meetings
Courses run by Southwark resident Involvement as well as SGTO training & courses
Development Trust Association training on sustainability Advancing Assets Programme training and support towards developing a social enterprise Bespoke training via Southwark on managing staff Equal ops in recruitment training Safeguarding training LGBT awareness training H&S trainings First Aid training Fire warden training
Hall Committee will be able to answer this.
Have had chair training and all other training even Southwark events training
I'm not sure, but while I'm fairly new, the other members of the committee have 10 years experience.
None
None
None
none
None
None
None
None at present I understand training is to start soon
Several members of our TRA have been on courses provided by the resident involvement team.
Training by Paulette and Harold, and also I have been a paid premises manager and also managed several multi person houses
We have been trained at a resource centre which has been a great help to the committee
We have residents who are Facility Mangers in their full time work and Club Managers as Hall committee members.
Years of experience

20. These answers present a mixed picture. Clearly there are many TRA Committee members who feel that the training is excellent and the courses well-suited to their needs, but there are also a significant number who do not appear to know what training, if any, is on offer. An additional answer

to another question in the survey regarding what additional support might be helpful, the TRA Committee member wrote "I have never had training regarding the hall, so that would be helpful to have." Another TRA Committee member stated in response to the same question: "The council are expecting TRA's to manage its hall without explaining simply what needs to be done. They send out documents in over complicated fashion that at best the TRA do not understand"

21. The sub-committee has several observations to make regarding the training on offer:
- The table showing take-up of courses reflects the period from April 2012 to present. Additional information provided showed that between April 2012 and December 2012 just 95 different people attended these courses. This is probably due to a combination of factors, most prominent of which is the lack of new people coming forward to get involved in voluntary activity such as running a TRA. However, the sub-committee believes that, in combination with some of the responses to the tenants survey, these figures show us that more could be done to advertise what is on offer and to better suit the courses to the needs of committee members/potential committee members.
 - Clearly lots of work has gone into creating and delivering the training programme, and this appears to be appreciated by TRA Committee members and others who have attended them. The Resident Involvement Team should be congratulated on their work on this programme.
 - The sub-committee feels that there are areas where the programme could be re-modelled and strengthened, in particular with regard to improving the way TRAs engage with residents over activities available in their Community Halls.
 - The Sub-Committee observes that 22 separate courses, some of which are extremely specific in their focus, seems excessive. Courses are run very regularly and often to a very small number of people (an average of 4). The sub-committee wonders if a smaller number of courses covering more general topics might not be more appropriate. TRA Committee members often have very little spare time to attend these courses, and so consolidating some of them may mean that they gain more from the limited amount of time they have available.
 - One TRA Secretary, in conversation with the chair of the sub-committee commented, "What we need is a course on 'running a TRA hall'. Something that covers everything, from managing room bookings, advertising events and getting the basics right on the finances. Nobody ever tells you how to do this stuff. Once you're elected, it feels very much like you're thrown in at the deep-end." Such a course could then signpost other more detailed training where appropriate.
 - Another TRA committee member pointed out that the treasurer training did not cover auditing of accounts. The sub-committee feels that this important issue should be covered.
 - Feedback for the courses provided is overwhelmingly positive; with virtually no negative comments received whatsoever. This is clearly reflective of the positive experience that those attending have when they attend. However, the sub-committee feels that it may be worth getting a fresh pair of eyes to review the training offer. Perhaps those responsible for delivering training in another part of the council could review the courses currently being delivered.

Stock condition survey and capital spend works

22. A capital sum of £2.1 million has been established for the hall portfolio within the Housing Investment 5-year programme. A dedicated repairs and maintenance budget of £500k per annum has also been set up. £200k of this has been added to the capital sum over the next five years to address the history of lack of investment more quickly. This gives a total capital investment of £3.1 million over the next five years.

23. A full condition survey was carried out to:
- Assess each building and recommend the works required to meet current fire standards
 - Assess each building and recommend works required to meet current DDA standards
 - Assess the general level of dilapidation within each building and recommend works to rectify any defects noted
24. The September 2012 senior management team paper concluded
- “The total estimated cost of works in the survey is manageable within the £3.1million of capital investment that is available over the next 5 years. 48.6% of this cost is for general building works, 13.07% for mechanical/electrical works, 9.8% for fire risk assessment related works and 28.5% for access improvements.”
25. The Stock Condition Survey has identified approximately £2.7million works. The survey includes work to make premises compliant in terms of Health and Safety and DDA but also includes improvement to the fabric and structure of the building. The table below shows the allocations made to phase one of the investment programme.

TRA Halls improvement and compliance works – Phase 1

TRA Hall	Area Forum	Amount
Perronet	Borough & Bankside	£10,270
Rockingham (Substantial Risk)	Borough & Bankside	£31,700
Queensborough	Borough & Bankside	£21,750
Astley and Coopers	South Bermondsey	£15,160
Millpond	Bermondsey & Rotherhithe	£27 325
Four Squares	West Bermondsey	£35,700
Silverlock	Rotherhithe	£79 490
Penrose	Walworth West	£83,930
Nelson	Walworth East	£25,500
BACC 84	Aylesbury	£18,000 (likely not to be spent as part of first phase of Aylesbury decant – immediate H&S issues resolved)
Brandon 3	Camberwell West	£29,730

TRA Hall	Area Forum	Amount
Albrighton	Camberwell East	Complete
Glebe	Camberwell East	£6,935
Buchan	Nunhead & Peckham Rye	£38,075
Brimtonroy	Nunhead & Peckham Rye	£19,020
Consort	Nunhead & Peckham Rye	£28,620
Bells Garden	Peckham	£32,200
Unwin & Friary	Peckham	£17,480
Sydenham	Dulwich	£17,225
Croxted Road	Dulwich	Complete

26. The approach by officers over-seeing the capital investment has been to consult with TRAs before any work is carried out to ensure:
1. It is value for money
 2. The work carried out makes a difference to the TRA and users
 3. Work programme compliments any works planned by individual TRAs
 4. Any major spend will be carried out in tandem with regularising occupation, agreement for implementation of a hire agreement and other good governance arrangements
27. As mentioned above, the Tenants Halls Working Party has been established that is meeting regularly as a consultative body on the management arrangements and to set future aims, priorities and policy objectives. The criteria to establish selection and phasing of Capital Works has been agreed by the working party:
- Compliance – Is there a immediate and significant risk to users
 - Governance – Are there any prevailing issues
 - Bang for our Buck test (proportion of spend vs size of facility, number of users)
 - Alternative Facilities in the Area (looking at the wider Community Sector portfolio and opportunities for rationalisation/maximising usage)
 - Future Proof (DDA compliant, Sustainability)
 - Alternative Uses (Hidden Homes)
 - 'If it was your money' test

- 'Gold' factor – any project that stands out or has the Wow factor or leveraging in external funding or partnership working.
28. The sub-committee is aware that the Tenants Halls Working Party has been working constructively with officers to move forward the TRA Halls investment programme. It should be noted that the early part of the scheme has been dominated by investment decisions that are relatively uncontroversial. A point will come in the not too distant future when more difficult decisions will need to be confronted. The main difficulties will be in considering investment in properties where two conditions apply:
1. Where it is simply impossible to make the hall compliant with the Disability Discrimination Act
 2. Where there are already alternative facilities available in the area, and there is the possibility of sharing taking place.
29. TRA Community Halls which fit either (or both) of these criteria might then be converted into new council homes. Clearly, decisions of this type need to be made in conjunction with the TRAs concerned. The sub-committee would recommend that all parties enter into these discussions in a constructive way. We would suggest two guiding principles with regard to these decisions:
1. Where potential sharing or DDA compliance are clearly issues, the council must not waste money by inappropriately upgrading TRA community halls simply because this is the line of least resistance. Where conversion into new council homes is appropriate, both TRAs and council officers must recognise the important of securing value for money.
 2. Where TRA community halls are converted into new council homes, comparable replacement facilities must be made available either through sharing another nearby hall or by other means (e.g. new build).

Occupation Agreements for TRA Community Halls

30. During the scrutiny process the sub-committee was made aware by officers that very few TRAs have any formal agreement with the council setting out their rights and responsibilities on issues such as:
- day to day management
 - repairs, health and safety
 - rent and service charge
31. The sub-committee considers a standard agreement would be advisable in order to give greater protection to both TRAs and the council and offer greater consistency and fairness to all TRAs across the borough. For example, some TRAs have agreements, some do not, some pay nominal rent, some do not. In addition, occupation agreements are necessary for many external funding applications
32. Options for the different types of agreement were set out by officers in Resident Engagement. These options are quoted below:

Types of Agreement

Generally there are a number forms of agreement that cover occupation of council owned premises. Each have advantages and disadvantages.

Freehold- Has full responsibility and ownership of the land and building. Freeholds are rarely transferred (if ever) by the Council as it does not give the Council any interest or influence in the Property and its future use.

Lease (term of over 3 years). The most secure form of tenancy (for Landlord and Tenants). Business Tenancies that are contracted in the 1954 Landlord and Tenant Act give certain rights of the tenant to review once the lease expires (with certain exceptions). Often include break clauses (with notice period, rent reviews and either Full Repairing and Insuring (FRI) or internal repairing responsibilities to the tenant. Funders often expect leases to be in place before considering funding applications.

Tenancy Agreement (term of 3 years less 1 day). Normally for non business tenancies.

Tenancy at Will. Allows occupation of property owned by another until such time as the landlord or tenant gives notice of termination of the tenancy (usually 30 days) which may be given at any time. A tenancy at will is created by agreement between the tenant and the landlord, but it cannot be transferred by the tenant to someone else since the landlord controls the right to occupy.

Licence to Occupy gives a business the right to occupy another's property for a specific time frame. Usually, this time period is short term and the property is not rented exclusively. Other occupants and the landlord can also occupy that space. In law the landlord will hold the rights of possession. However, the landlord can state that once a business signs the agreement they are responsible for partial possession. In a licence to occupy you cannot renew the licence once the landlord asks you to leave. Most Licences to Occupy are short term.

Management Agreement A contract between the owner of income-producing property and another, who will manage the property. Management companies offer a wide variety of services and fee schedules, some charging a percentage of collected rents in return for a package of services and others charging a different fee for minimal services and then a menu of extras for varying charges.

Informal Occupation or usage. Does not provide any protection or sets out responsibilities of landlord and tenant. Puts both the tenant and Landlord at risk.

33. Having looked at the evidence and considered how best to maximise protection without the system becoming unwieldy and bureaucratic, the sub-committee believes that "Tenancy at Will" agreements appear to be the most attractive option. However, they include the drawback of requiring individual liability for failure to comply with the terms of the agreement (which might discourage people from putting themselves forward for TRA positions.)
34. These types of agreements are far more flexible but would enable the council and TRAs to formalise an agreement on how halls can and should be run. Whichever option is pursued, officers should avoid placing an onerous bureaucratic burden on both the council and TRAs. This matter is pursued further in the recommendations.

Equitable Rents Policy

35. Clearly a key element of the new Tenancy at Will Agreement will be the specified rent levels. The sub-committee considers that the current situation with rents is unfair and unsustainable. The table below shows the current state of charges made to TRA Community Halls. TRAs not mentioned in the table are not paying any rent or charges whatsoever.

FULL ADDRESS	SUM OF PAYMENTS 2011-2012
T&Ra Clubroom (1), Marsland Clo, Pasley Est, London	1321.15
Clubroom (1), T&Ra Marie Curie, Southampton Way, Sceaux Gardens Est, London, SE5 7DH	1321.15
Grosvenor T&Ra Hall, 41 Grosvenor Park, Camberwell, London, SE5 0NJ	1319.25
T&Ra Magdalen T Hall, Tower Bridge Rd, Purbrook Est, London	1256.25
T&Ra T/Hall(1a), Neptune St, London, London	1231.24
T&Ra T/Hall(1), Asylum Rd, Brimington Est, London	1205.55
T&Ra Doubtfire Hall, Tatum St, Congreve Est, London	1124.44
T/Hall(1), T&Ra Tissington Ct, Luxford St, London, London	1124.36
T&Ra Tranton Rd, Tranton Rd, Keetons Est, London, SE16	1124.36
T&Ra T/Hall(1), Buchan Rd, London, London, SE15 3HS	1120.95
T&Ra Clubroom (1), Wyndham Rd, Wyndham Est, London	1090.74
T&Ra T/Hall(1), Cossall Walk, Cossall Est, London, SE15	1065.60
T&Ra Clubroom (2), Wyndham Rd, Wyndham Est, London	1030.86
T&Ra T/Hall (1), Canterbury Pl, Newington Est, London, SE17	979.95
T&Ra T/Hall(1), Renforth St, Canada Est, London, SE16	866.35
T&Ra Telfer Hse Nres, Seeley Drive, Kingswood Est, London, SE21	861.25
H.T.R.A.Room, T&Ra Tissington Ct, Luxford St, London, London, SE16 2AG	846.34
T&Ra Andrews Walk, John Ruskin St, Brandon Est, London, SE17 3JQ	821.15
Bill Westcott Room T&Ra Hall, 232 Camberwell Rd, Castlemead Est, London	767.66
T&Ra T/Hall (1), Peckham Rye, Rye Hill Est, London, SE15	699.84
T&Ra Sydenham Hill Tenants & Residents Hall, Sydenham Hill, Sydenham Hill Esta, Forest Hill, London, SE23 3PL	563.70
T&Ra Thomson Hse N-Res, Beckway St, Alvey Est, London, SE17 IT3	532.07
T&Ra Wickway Community Centre, Cator Street, Gloucester Grove Estate, Peckham, London, SE15	426.12
T&Ra New Place Sq Nres, New Place Sq, New Place Est, London	408.07
T&Ra Browning Tenants Hall, 57-59 Browning Street, Walworth, London, SE17 1DB	392.90
15 Fairwall House Glebe Estate, Peckham Road, London, SE5 8QW	350.00
Tenants Room, T&Ra Grasmere Point, Old Kent Rd, Tustin Est, London, SE15	296.00
T&Ra Clubroom (1), Croxted Rd, Croxted Road Est, London, SE21	286.04
T&Ra Courthope Hse Nres, Lower Rd, London, London, SE16 2XH	145.60
T&Ra T/Hall(1), Crawford Rd, Crawford Est, London	61.79
T&Ra Millpond Tenants Hall, 210 Jamaica Rd, London, SE16 4RT	24.36
T&Ra Flt 5 524, Lordship La, London, London, SE22	23.40
T&Ra Ps & St (B), Redcross Way, Marshalsea Est, London, SE1	23.40
T&Ra Bradenham, Boyson Rd, Aylesbury Est, London, SE17 2BA	14.04
T&Ra Trafalgar Hse, East St, Nelson Est, London, SE17 2HF	8.84

36. There is a significant problem with Southwark's data collection systems regarding rents and charges made for TRA Community Halls. The table above is almost certainly not a complete picture of the charges made for halls. Officers provided this information with the comment that it should be taken with a pinch of salt as not all TRA Halls are correctly categorised on Iworld system. The best guess of officers is that total income from rents and charges for TRA Community Halls is in the region of £47,000 for 53 halls.
37. The mess which is represented in this table of rents and charges cannot be allowed to continue.

TRA Hall Management models in other boroughs

38. The sub-committee asked officers to look into recent developments and changes being made to the management of TRA Community Halls in other London boroughs. The table below shows that a number of London boroughs are looking at the arrangements they have in place and, in particular, there is a trend towards formalising long-standing informal arrangements.

Authority	Policy	Management Model
Kensington & Chelsea	Undertaking major review including use. Mainly verbal historical arrangements in place. No formal policy in place as yet	Managed by TMO. Looking for residents to book online. Residents have £7 per hour, non residents £25 per hour. This income comes straight to the Council. Have caretakers on site, some arrangements with TRA for weekend opening. under goodwill. 15 Halls in total
Islington	Carrying out review. Was an ALMO now back in-house. Having a VCS review across the whole sector. Looking at sharing premises. Nothing further until review is completed	
Lewisham	Manage a combination of community centres to TRA clubroom. Also manage Community Shopfronts (CAB).	Lewisham Homes (ALMO). Some are supported by Community Support Unit. There is an "Asset Rationalisation Process" taking place. Individual arrangements, very piecemeal. Some stock transfer to TMOs.
Tower Hamlets	No leases. Tenancies at Will at moment (£1 per day). This is has established a formal Landlord/Tenant relationship. FRA works in progress and compliance. No Market Rent policy in place but awaiting Cabinet Sign off. Limited to waterproof and Weatherproof and Health & Safety.	
Westminster	City West Homes manage Housing Stock, Knight Frank their commercial portfolio.	They are an ALMO. Estate offices – managed locally or delegated to TRAs (45) and formal agreements (4), monitored on an annual a basis. They have a Halls Working Review Group. Charge rent, keep income and Internal Repairs. Have sliding scale for community groups. Looking at Governance and beefing up Audit. Having a VCS review to ensure every building is well used (disposals)

Possible examples of Fraud

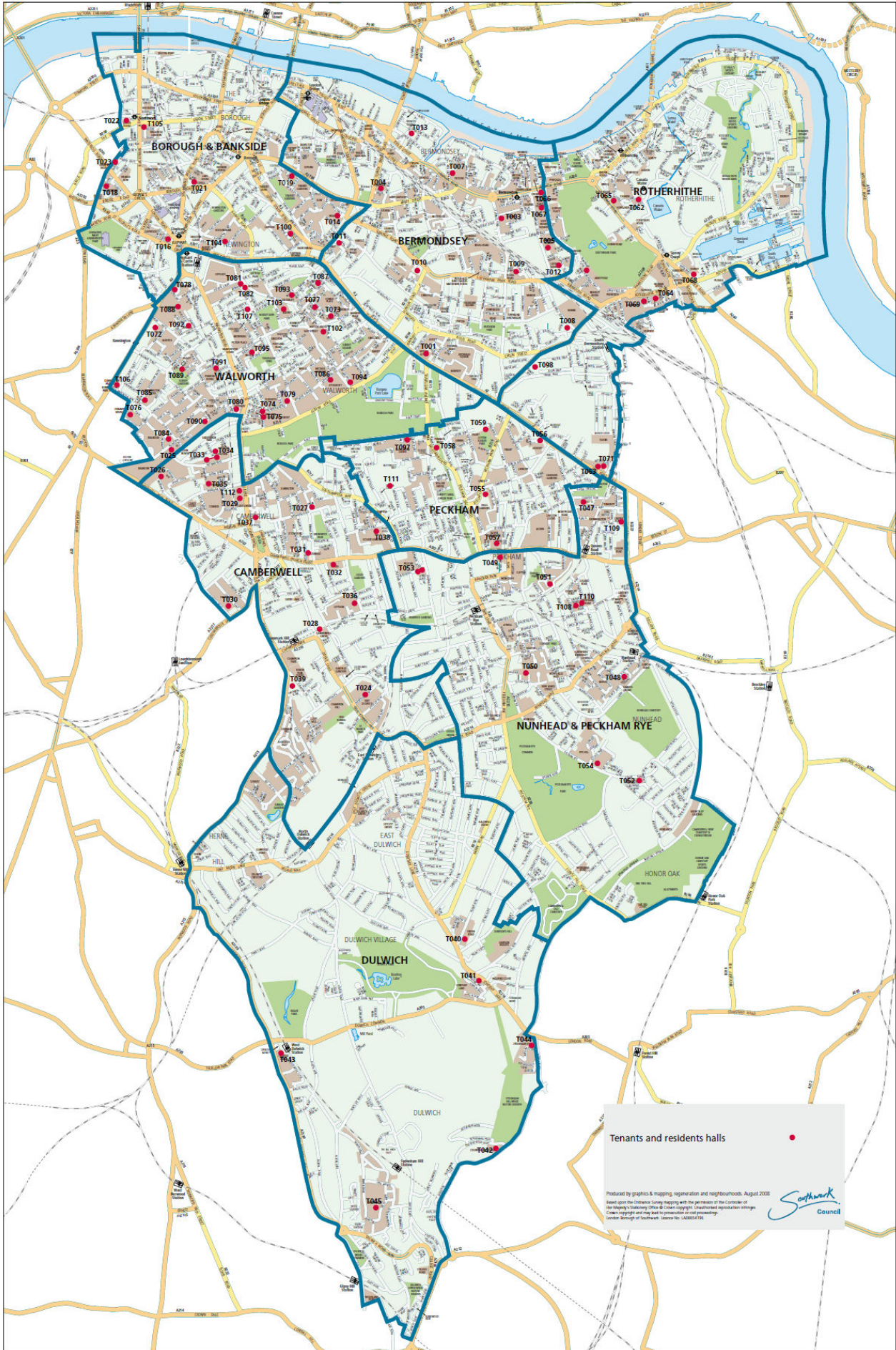
39. The sub-committee considered examples of cases of financial irregularity which gave details of the particular circumstances and also the action taken by the council in response. This evidence was considered in closed meeting and a copy is available as a closed appendix.

Whistle-blowing

40. The sub-committee requested sight of the council's whistle-blowing procedure for tenants and residents who have concerns about fraud or mismanagement in the running of TRA community halls. Unfortunately there is no such procedure. The council's wider ranging whistle-blowing provisions relate almost entirely to councillors and officers.
41. The sub-committee was informed that the custom and practice has been for those with concerns to contact someone at the council and that this is then referred to RSM Tenon (auditors).
42. The sub-committee believes that it is important to have a whistle-blowing agreement in place as a matter of urgency. The most preferable vehicle for delivering this would be for the whistle-blowing procedure to appear as an appendix to the new tenancy at will agreements between the council and the TRAs. The details and the wording of the whistle-blowing procedure should be agreed with the Tenants Halls Working Party.

Provision across the borough

43. The sub-committee expressed a wish to ensure that TRAs across the borough had access to at least some facilities to carry out their activities. As the table below suggests there are some large estates without a TRA community hall. Clearly some of these estates will have in place alternative arrangements (such as sharing premises with neighbouring estates) but this does give an indication of the problem that some TRAs face.
44. The map below shows where TRA Community Halls are situated in the borough. Officers have informed the chair of the sub-committee that information on this map may be incomplete and that further work is being done to maintain a fully accurate map. However, for the purposes of this scrutiny, the map is still of some indicative use. Clearly this shows a concentration of halls in Walworth and other, more specific parts of the North of the Borough. It also shows that there are very few TRA Community Halls in the South of the borough.
45. However, the sub-committee believes that it is important that we do not pretend to start from a blank sheet of paper. HRA Community Halls have thrived in certain parts of the borough for a reason and their location, in part, reflects the tenant population of these parts of the borough.
46. There is potential for a better use of resources in some parts of the borough and a need to address gaps in provision in others. The recommendations in this report seek to address these issues with reference to the sharing of some facilities, both between TRAs and with the Community and Voluntary Sector, where this can be mutually agreed.



Sharing with the voluntary and community sector (VCS)

47. Having received evidence from officers, the sub-committee believes that more could be done by the council to address the lack of provision in TRA Community Halls in some parts of borough by matching TRA with other voluntary and community sector premises. Clearly voluntary organisations have premises that TRAs could use and voluntary organisations are already users of existing 'TRA' spaces.
48. The VCS estate currently comprises of approximately 73 properties that can be summarised as follows:
 - Council premises used by the VCS where rents are subsidised and departments pay the rent on behalf of that organisation to property
 - Council premises used by the VCS where groups have entered into lease agreements with the council (or not in some cases) and rents are paid directly to property
 - Council run and managed properties which may be occupied by the VCS tenants e.g. Sojourner Truth, Willowbrook, Bellenden Old School
49. With the appointment of a VCS Premises Officer and a VCS Portfolio Manager in Property in August 2010 there is now a clear channel to pursue greater sharing of premises between VCS and TRAs.
50. A working party has been formed to work through the issues relating to VCS occupation of council premises. The working group will review the issues facing the VCS regarding premises and seek practical solutions to support more efficient use of DDA and H&S compliant premises.
51. A mapping exercise has taken place using various sources of data – resulting in a GIS page showing all VCS groups that exist within Southwark being published on the council's website. Work is also ongoing in conjunction with Community Action Southwark to develop a facility for VCS organisations and individuals to search for room and facilities available for hire across the borough.
52. The sub-committee would suggest (see recommendations) that the TRA Working Party should develop a list of TRAs which it feels are lacking in premises to carry out their activities and that officers should then develop a list of VCS venues with the potential to meet that need.

Conclusions and Recommendations

1. HRA Community Halls data held by the council: The council does not currently have a comprehensive database of its own TRA Halls which provides detailed information on the status, rent, location and management contacts for every hall. As the Senior Management Team Paper referred to in this report notes: "Collection and maintenance of management information has been poor with inadequate arrangements for checks on aspects of their management and condition. At times this has been over reliant on voluntary submission of information rather than proactive checking by the council." Given that these are highly valuable assets, it is important that up to date information is kept on all these properties. The council should never be "unsure" about the status of any of its TRA Halls.

The sub-committee recommends that, as part of the capital investment programme, the current data is refreshed, subsequently kept fully up to date and systems put in place to ensure that this data never becomes out-dated again.

2. Advertising Training: The sub-committee believes more could be done to advertise what is on offer via training paid for via the Tenants' Levy. We would recommend that the Tenants Hall Working Party discuss a new communications plan for the training programme to ensure as many tenants as possible know about the courses on offer.

3. Composite Courses: The sub-committee has made the observation that offering 22 separate courses may be excessive and that it may be advisable to cut the number of courses and consolidate training. In particular we would recommend a course entitled "How to run a TRA Hall" which covered the basics of running halls. This is a suggestion put to the sub-committee by the Chair of a TRA.

4. Training feedback: The sub-committee considered the feedback statistics on the training currently provided. This feedback is overwhelmingly positive; with virtually no negative comments received whatsoever. This is clearly reflective of the positive experience of those attending. However, the sub-committee feels that it may be worth getting a fresh pair of eyes to review the training on offer.

The sub-committee recommends that the TRA Halls Working Party commissions officers to review the training offer and the method for collecting feedback.

5. Tenancy agreements: The sub-committee believes that it is no longer acceptable for the Council and TRAs to manage their relationship regarding TRA Community Halls according to a mish-mash of leases, tenancies and informal arrangements. The case study examples given by officers show there is a need to put this relationship on a formal footing which makes clear the responsibilities of all parties with regard to the halls. The sub-committee also believes that, to ensure fairness and consistency, all TRA community halls managed by TRAs should be subject to the same standard agreement. The sub-committee would ask that officers investigate the legal and administrative issues further and work with TRA to introduce a standardized system at the earliest opportunity.

6. A fair rents system: The sub-committee believes that it is wrong and unfair that some TRAs are paying significant amounts of money in rent and charges, whilst others are paying nothing. The sub-committee does not believe that the council should be seeking to make *additional* money from the rents paid by TRAs for halls. Further, we believe that the rents which are paid should be fair and that all TRAs should be making at least some contribution, no matter how small. Our suggestion would be that the Halls are categorised by officers (and agreed with the tenants halls working party) according to their revenue raising potential. The rent levels should then be set according to the revenue raising potential of the hall itself. However, because the total amount of money collected will not rise and because there will be 50+ additional halls making at least some contribution, the rent being paid even by higher category halls should be far from punitive.

The sub-committee recommends that officer draw up a new rents system based on the principle of halls with greater revenue raising potential paying more, but with the overall rent receipt for the council remaining unchanged.

7. Provision across the borough: The sub-committee believes that it is important that we do not pretend to start from a blank sheet of paper. TRA Community Halls have thrived in certain parts of the borough for a reason and their location, in part, reflects the tenant population of these parts of the borough. There is potential for a better use of resources in some parts of the borough and a need to address gaps in provision in others. The sub-committee would recommend that officers are tasked with identifying those TRAs which are genuinely struggling for space to carry out their meetings and activities. Once a list has been drawn up officers should work with those TRA in identifying possible sharing arrangements with the variety of other council owned premises and community spaces which may be local to those TRAs.

8. Advertising and information to boost involvement and use of halls: It is interesting that 70% of people state that they never or rarely use the TRA Community Hall that they have access to. Of those who said they had never used the hall in the survey, a number of the comments indicated that they knew very little about what the hall was used for or even if they were allowed to use it. It was also noticeable that when tenants were asked how the running of their hall might be improved a significant number volunteered that better advertising and more information would be very welcome. To address this issue the sub-committee recommends that all TRAs have a website, a physical bulletin board outside of the TRA and a quarterly newsletter. New residents on estates should also be informed of the contact details of their TRA. The sub-committee suggests that these actions be taken up as part of the work programme of the TRA Halls Working Party who can then communicate with both officers and TRAs to identify what further resources and training could be provided to implement this recommendation.

9. TRA Community Halls where there is acute under-use: Clearly, for some TRA Community Halls the problem of under-use is more acute and needs more urgent attention. For some of these halls the situation is now finally coming to a head because of the council's multi-million pound investment programme. The council simply cannot justify investing £60,000 – £120,000 to revamp buildings which are being left virtually unused, particularly when these buildings could be converted in to new council homes. The sub-committee suggests the following principle be applied:

Where a hall is being used less than 15% of the time during “core hours”, the hall should not receive significant financial investment and it should be scheduled for conversion into new homes (where this is possible).

The definition of “core hours” could be informed by contributions from the Tenants Halls Working Party. A list of halls which officers suspect may be acutely under-used should be brought before the Working Party. Once agreed, halls on this list should be subject to an assessment. The assessment could be made over a one month reference period and informed by a diary of events provided by the TRA itself. The assessment should be up-to-date, rather than based on historic information about usage. Where lack of investment may be a central reason for under-use, discretion should be applied.

10. Defunct TRAs: Where the TRA is defunct and the hall is not being used at all, the building should be considered for conversion into new homes.

11. Stock Condition: The sub-committee is aware that the Tenants Halls working Party has been working constructively with officers to move forward the TRA Halls investment programme. It should be noted that the early part of the scheme has been dominated by investment decisions that are relatively uncontroversial. A point will come in the not-too distant future more difficult decisions will need to be confronted. The main difficulties will be in considering investment in properties where two conditions apply:

a) Where it is simply impossible to make the Hall compliant with the Disability Discrimination Act

- b) Where there are already alternative facilities available in the area, and there is the possibility of sharing taking place.

TRA Community Halls which fit either (or both) of these criteria might then be converted into new council homes. Clearly, decisions of this type need to be made in conjunction with the TRAs concerned. The sub-committee would recommend that all parties enter into these discussions in a constructive way. We would suggest two guiding principles with regard to these decisions:

Where potential sharing or DDA compliance are clearly issues, the council must not waste money by inappropriately upgrading TRA community halls simply because this is the line of least resistance. Where conversion into new council homes is appropriate, both TRAs and council officers must recognise the important of securing value to money.

Where TRA community halls are converted into new council homes, comparable replacement facilities must be made available either through sharing another nearby hall or by other means (e.g. new build).

12. Whistle-blowing procedure: In the tenants survey 62% of people said that, if they became aware of fraudulent activity or mis-management, they would not know who they would report it to. This is unsurprising as neither the council nor TRAs have a standard whistle-blowing procedure in place with regard TRA Community Halls. The sub-committee believes that it is important to have a streamlined whistle-blowing agreement in place as a matter of urgency. The most preferable vehicle for delivering this would be for the whistle-blowing procedure to appear as an appendix to the new tenancy agreements between the council and the TRAs. The details and the wording of the whistle-blowing procedure should be agreed with the Tenants Halls Working Party and should include a role in whistle-blowing for ward councillors.

13. Multiple key-holders: Several of the case studies show the problems that can arise when just one person literally “holds the key” to a HRA Community Hall. The sub-committee would recommend that for every TRA Community Hall, there are at least two, and ideally three individuals given keys to the premises. For security reasons, the sub-committee believes there should be a maximum of 3 keys in circulation at any one time.

14. Multiple signature withdrawals. Fraud is rare in Southwark’s TRAs, but we must always be vigilant over safe-guarding against financial malpractice. As the case studies on possible examples of fraud showed, the practice of allowing single signature withdrawals from HRA Community Hall bank accounts is inadvisable. Even in situations where the single signatory’s conduct has always been beyond reproach, this is an unwise arrangement. New committee members come and go, and where a system has been adopted with one person in mind, there may soon be another person put in their place. The sub-committee recommends that all Southwark TRAs handling money generated through TRA Community Halls should operate a system of multi-signatory withdrawals.

15. The council is embarking on a homes building over the coming years. The council should continue to consider the provision of new community space where significant concentrations of new building takes place.

Appendix 1 - Full list of TRA Halls and rooms

Tenant Halls Status	Hall name	Hall address 1	Hall address 2	Hall address 3	Postcode	TRA	Type	TRA List Status
	Kinglake Hall	Wolverton	Sedan Way	London	SE17 2AA			
Closed hall (H&S)	Goschen (Hall 1)	Boundary House	Bethwin Road	Camberwell	SE5 0YD			
Closed hall (H&S)	Goschen (Hall 2)	Causton House	Bethwin Road	Camberwell	SE5 0YF			
Closed hall (H&S)	Jessie Duffet TRA (Large hall) Hall hiring suspended. Not available for public hire till further notice (03/10/11)	Wyndham Rd			SE5 0UB	Wyndham and Comber TRA	TRA	Recognised
Closed hall (H&S)	Jessie Duffet TRA (Small hall) Hall Hiring Suspended (Not available for public hire) 03/10/11	Wyndham Rd			SE5 0UB	Wyndham and Comber TRA	TRA	Recognised
Closed hall (H&S)	Nunhead Green Community Centre	56 Nunhead Lane	Nunhead		SE15 3TU	Brookstone & Nunhead	TRA	Defunct
Closed hall (H&S)	Priory Court Tenants Hall	Cheltenham Rd		London	SE15			
Closed hall (other use)	Heygate Hall - Large Clubroom	25 Brandon Street	Heygate Estate	London	SE17 1NA	Heygate Estate TRA	TRA	Dissolved
Closed hall (other use)	Heygate TA - Small Clubroom	Deacon Way	Heygate Estate		SE17	Heygate Estate TRA	TRA	Dissolved
Demolished	Acorn TRA	Carlton Grove	Acorn Estate	London	SE15 2UD	Acorn TRA	TRA	Recognised

Tenant Halls Status	Hall name	Hall address 1	Hall address 2	Hall address 3	Postcode	TRA	Type	TRA List Status
Demolished	Amersham Community Centre	Inville Rd		London	SE17 2HY			
Hall (empty)	Camberwell Grove Estate TRA Hall	Grove Court	Camberwell Grove	Camberwell	SE5 8RG			
Hall (empty)	Kean House	Doddington Grove		London	SE17 3TA			
Hall (empty)	Oliver Goldsmith	Hardcastle House	Marmont Road	London	SE15 5TA	Oliver Goldsmith TRA	TRA	Defunct
Hall (empty)	Sceaux Gardens 'washroom'	Ground floor, Marie Curie	Sceaux Gardens	London	SE5			
Hall (in use)	Abbeyfield	Maydew House	Abbeyfield Estate	Rotherhithe	SE16 2NP	Abbeyfield TRA	TRA	Recognised
Hall (in use)	Alberta Tenants Room	The Old Wash House	Penton Place	Walworth	SE17 3JT	Alberta TRA	TRA	Recognised
Hall (in use)	Albrighton Community Centre	37 Albrighton Road	East Dulwich Estate	Camberwell	SE22 8AH	East Dulwich Estate TRA	TRA	Recognised
Hall (in use)	Alvey Tenants Room	Thomson House	Beckway Street	Walworth		Alvey TRA	TRA	Recognised
Hall (in use)	Astley Cooper TA (ASCO TA)	375 Old Kent Rd	Wessex House		SE1 5JQ	ASCO TRA	TRA	Recognised
Hall (in use)	Aylton Estate Tenants' Hall	Renforth Street		London	SE16			
Hall (in use)	BACC 84	Unit 2, 2D Level	Bradenham	Boyson Road	SE17 2BA	BACC 84 TRA (Bradenham)	TRA	Recognised
Hall (in use)	Bells Gardens Community Centre	19 Buller Close			SE15 6UJ	Bells Gardens TRA	TRA	Recognised

Tenant Halls Status	Hall name	Hall address 1	Hall address 2	Hall address 3	Postcode	TRA	Type	TRA List Status
Hall (in use)	Bew Court Tenants Hall	Lordship Lane	East Dulwich	London	SE22	Lordship Lane and Melford Court TRA	TRA	Recognised
Hall (in use)	Brandon 1 TRA / Jack Hobbs Club	Maddock Way	Brandon Estate	Walworth	SE17 3NQ	Brandon 1 TRA	TRA	Recognised
Hall (in use)	Brandon 3 Senior Citizen Club 1	Grimsell Path			SE5 0TB	Brandon 3 TRA	TRA	Recognised
Hall (in use)	Brandon 3 TRA Hall	32 Andrews Walk	Hillingdon St		SE17 3JQ	Brandon 3 TRA	TRA	Recognised
Hall (in use)	Brenchley Gardens Community Hall	145a Brenchley Gardens	Forest Hill	London	SE23 3RF	Brenchley Gardens TRA	TRA	Recognised
Hall (in use)	Brimmington Hall	2 Culmore Rd			SE15 2RQ	Brimtonroy	TRA	Recognised
Hall (in use)	Browning Tenants Hall	57-59 Browning Street		London	SE17 1DB	Browning EMB	TMO	Recognised
Hall (in use)	Buchan TRA	Buchan Rd	Nunhead		SE15 3HF	Buchan Tenants TRA	TRA	Recognised
Hall (in use)	Canada Tenants Hall	Columbia Point	Moodkee Street	Canada Estate	SE16 7BB	Canada Estate TRA	TRA	Recognised
Hall (in use)	Castlemead (Bill Westcott Room)	232 Camberwell Rd			SE5	Castlemead TRA	TRA	Recognised
Hall (in use)	Castlemead TRA Hall	236 Camberwell Rd			SE5 0EA	Castlemead TRA	TRA	Recognised
Hall (in use)	Clifton Estate	Clayton Road	Clifton Estate	Nunhead	SE15 5EH	Clifton TRA	TRA	Recognised

Tenant Halls Status	Hall name	Hall address 1	Hall address 2	Hall address 3	Postcode	TRA	Type	TRA List Status
Hall (in use)	Conant & Rutley TRA Hall	St Agnes Place	Conant House		SE11 4AU	Conant & Rutley TRA	TRA	Recognised
Hall (in use)	Consort Wivenhoe TA Hall	29 Philip Walk	Consort Estate	Nunhead	SE15 3NH	Consort TRA	TRA	Recognised
Hall (in use)	Cossall TRA	48 Mortlock Close	Peckham		SE15 2TR	Cossall Estate TRA	TRA	Recognised
Hall (in use)	Countisbury House	Crecent Wood Road		Dulwich	SE26 6SB			
Hall (in use)	Crawford TRA	Lowth Rd			SE5 9EP	Crawford TRA	TRA	Recognised
Hall (in use)	Croxted Road TRA Hall	25 Kennolds	Croxted Road	London	SE21 8SS	Croxted Road TRA	TRA	Recognised
Hall (in use)	Decima Street Hall	Decima Street	Meakin Estate	London	SE1	Decima TRA	TRA	Recognised
Hall (in use)	Denmark Hill Community Centre	Denmark Hill	Blanchdowne		SE5 8HL	Bessemer Grange TRA	TRA	Recognised
Hall (in use)	Dodson & Amigo Hall	Amigo House	Morley Street	London	SE1 7QE	Dodson and Amigo TRA	TRA	Recognised
Hall (in use)	Doubtfire Hall	Tatum Street		London	SE17 1QR	Congreve & Barlow TRA	TRA	Disputed
Hall (in use)	Draper TRA	Draper Community Hall	1 Howell Walk	Draper Estate	SE1 6TL	Draper Estate TRA	TRA	Recognised
Hall (in use)	Elizabeth	St Mathews House	Phelp Street	Walworth	SE17 2PJ	Elizabeth TRA	TRA	Recognised
Hall (in use)	Elmington TRA Hall	2 Owgan Close	Elmington Estate	Camberwell		Elmington T&RA	TRA	Recognised

Tenant Halls Status	Hall name	Hall address 1	Hall address 2	Hall address 3	Postcode	TRA	Type	TRA List Status
Hall (in use)	Four Squares TRA	1 Marden Square			SE16 2HZ	Four Squares TRA	TRA	Recognised
Hall (in use)	Friern Road	397 Friern Road	Friern Estate	East Dulwich		Friern Road TRA	TRA	Recognised
Hall (in use)	Gateway Estate Tenants Hall	2 Dartford Street		Walworth		Gateway TRA	TRA	Recognised
Hall (in use)	Gilesmead Estate Tenants Hall	Vicarage Grove	Camberwell	London	SE5 7LN	Gilesmead TRA	TRA	Recognised
Hall (in use)	Glebe Estate Tenants Room	15 Fairwall Hse	Glebe Estate	Camberwell	SE5	Glebe North and South TRA	TRA	Recognised
Hall (in use)	Grasmere Point Tenants Room	Grasmere Point	Tustin Estate	Old Kent Road		Tustin TRA	TRA	Recognised
Hall (in use)	Grosvenor TRA House	41 Grosvenor Park			SE5 0NH	Grosvenor TRA	TRA	Recognised
Hall (in use)	Hall used by CASP (Camberwell After School Project)	1 Brandon Estate	Maddock Way		SE17 3NH			
Hall (in use)	Hall used by Peabody	1 Brandon Estate	Maddock Way		SE17 3NH			
Hall (in use)	Hankey Hall	Hankey Place	Tabard Gardens Estate	London	SE1	Hankey Hall Committee	Hall committee	
Hall (in use)	Hawkstone TRA	Tissington Court	Warndon Street	London	SE16 2SD	Hawkstone TRA	TRA	Recognised
Hall (in use)	Keetons TA Hall	2 Tranton Rd	Keetons Estate		SE16 4SE	Keetons TRA	TRA	Recognised

Tenant Halls Status	Hall name	Hall address 1	Hall address 2	Hall address 3	Postcode	TRA	Type	TRA List Status
Hall (in use)	Kennington Park House Clubroom	Kennington Park House	Kennington Park Place		SE11 4JT	Kennington Park House TRA	TRA	Recognised
Hall (in use)	KETRA Hall (Kingswood Estate)	Telfar House	Seeley Drive		SE21 8QW	Kingswood Estate TRA (KETRA)	TRA	Recognised
Hall (in use)	Kinglake TRA	2 Amery House	Kinglake Street			Kinglake TRA	TRA	Recognised
Hall (in use)	Latimer Rooms / Wendover	Latimer House	Beaconsfield Road	Walworth				
Hall (in use)	Ledbury TRA Hall	Sansfield House	Penraig Way	London	SE15 1ND	Ledbury TRA	TRA	Recognised
Hall (in use)	Lettsom TRA	114 Vestry Road				Lettsom Move Forward (TRA)	TRA	Recognised
Hall (in use)	Links Community Centre	353 Rotherhithe New Road	Rotherhithe	London	SE16 3HF	Bonamy and Bramcote TRA	TRA	Recognised
Hall (in use)	Lordship Lane and Melford Court TRA	29 Bew Court	Lordship Lane		SE22 8PA	Lordship Lane and Melford Court TRA	TRA	Recognised
Hall (in use)	Magdalen Tenants Hall	Purbrook Street	Bermondsey	London	SE1	SPAM TRA	TRA	Recognised
Hall (in use)	Mardyke Committee Rooms	Mardyke House	Mason Street	London	SE17 1HH	Mardyke House TRA	TRA	Recognised

Tenant Halls Status	Hall name	Hall address 1	Hall address 2	Hall address 3	Postcode	TRA	Type	TRA List Status
Hall (in use)	Mayflower TRA - advise residents to pop in on Wednesdays 10-6pm if they want to book. No contact tel no - 'too many nuisance calls'	The Assembly Hall	1 Neptune Street	Rotherhithe	SE16 7JP	Mayflower TRA	TRA	Recognised
Hall (in use)	Millpond TRA	210a Jamaica Rd	Rotherhithe		SE16 4RT	Millpond TRA	TRA	Recognised
Hall (in use)	Nelson Square Tenants Hall	Nelson Square	Borough	London	SE1 0QB	Nelson Square Gardens TRA	TRA	Recognised
Hall (in use)	Newington Estate Tenants Hall	77 Canterbury Place		London	SE17	Newington Estate TRA	TRA	Recognised
Hall (in use)	Osprey Community TRA	Tawny Way	Trident Street		SE16 2NW	Osprey TRA	TRA	Recognised
Hall (in use)	Owgan Pension over 60s Club	2 Owgan Close			SE5 7SH	Elmington T&RA	TRA	Recognised
Hall (in use)	Parkside TRA	46 New Place Square	Rotherhithe		SE16 2HW	Parkside TRA	TRA	Recognised
Hall (in use)	Pasley Estate Tenants Hall	2 Marsland Close			SE17 3JW	Pasley Estate TRA	TRA	Recognised
Hall (in use)	Pelican Tenants Hall	Crane House	Grummant Rd	Peckham	SE15 5NF	Pelican Plus TRA (formerly Puffin TRA)	TRA	Recognised
Hall (in use)	Pelier Clubroom	19 Hillingdon St		London	SE17 3UL	Pelier Estate TRA	TRA	Recognised

Tenant Halls Status	Hall name	Hall address 1	Hall address 2	Hall address 3	Postcode	TRA	Type	TRA List Status
Hall (in use)	Pennack Road TRA Hall	Pennack Road			SE15	Dragon & Pennack CA TRA (Dissolved 2010)	TRA	Dissolved
Hall (in use)	Penrose Estate TA Hall	Penrose Grove			SE17 3EZ	Penrose Estate TRA	TRA	Recognised
Hall (in use)	Perronet Tenants Hall	1st floor, 1-90 Princess Street	Opposite numbers 81-85	London	SE1 6JS	Perronet House TRA	TRA	Recognised
Hall (in use)	Poets Corner TRA	Landor House	Camberwell Road	Camberwell	SE5 7JE	Poets Corner TRA	TRA	Recognised
Hall (in use)	Pullens	Crampton Street	Pullens Estate	Walworth	SE17 3AE	Pullens TRA	TRA	Recognised
Hall (in use)	Queensborough Community Centre	Scovell Rd			SE1 1QQ	L'sborough and Scovell TRA	TRA	Recognised
Hall (in use)	Rennie & Manor TRA Hall	Galleywall Road	Rennie Estate	Bermonsey	SE16	Manor Estate TRA	TRA	Recognised
Hall (in use)	Rockingham TA Hall	Falmouth Rd		London	SE1 6RQ			
Hall (in use)	Rodney Road TRA	97 Dawes House	Orb Street	Walworth	SE17 1RE	Rodney Road TRA	TRA	Recognised
Hall (in use)	Rouel Rd Tenants Hall	Market Place	Southwark Park Rd		SE16 3UL	Rouel Road Estate TRA	TRA	Recognised
Hall (in use)	Rye Hill TRA	Rye Hill Estate			SE15 3JN	Rye Hill TRA	TRA	Recognised

Tenant Halls Status	Hall name	Hall address 1	Hall address 2	Hall address 3	Postcode	TRA	Type	TRA List Status
Hall (in use)	Ryegates TRA (formerly Brayards)	28 Ryegates	Caulfield Road	Nunhead	SE15 2DF	Brayards Estate TRA	TRA	Recognised
Hall (in use)	Salisbury TRA	Hillery Close	Salisbury Estate	London	SE17 1RQ	Salisbury TRA	TRA	Recognised
Hall (in use)	Sceaux Gardens TRA	Havill Street		London	SE5 7DG	Sceaux Gardens TRA	TRA	Recognised
Hall (in use)	Setchell Estate & Longfield TA	Hazel Way			SE1 5XN	Setchell Estate TRA	TRA	Recognised
Hall (in use)	SHACCA TA hall	10 Swan Mead	Tower Bridge Rd		SE1 4SX	SHACCA	TRA	Recognised
Hall (in use)	Silverlock Hall (Tissiba)	2 Warndon Street	Silverlock Estate		SE16 2SD	Silverlock TRA	TRA	Recognised
Hall (in use)	Southwark Park Community Room TRA	151 Drummond Rd	Layard Square		SE16 2JY	Southwark Park Estate TRA	TRA	Recognised
Hall (in use)	Styles House Tenants Hall	Styles House	The Cut	Borough	SE1 8DF	Styles House TRA	TRA	Recognised
Hall (in use)	Sydenham Hill Tenants Hall	183 Sydenham Hill	Sydenham Hill Estate	Dulwich	SE23 3PL	Sydenham Hill TRA	TRA	Recognised
Hall (in use)	T.A.R.A.	1 Brandon Estate	Maddock Way		SE17 3NH			
Hall (in use)	The Roundhouse Tenants Hall	Great Dover Street	Lawson Estate	Borough		Lawson TRA	TRA	Recognised
Hall (in use)	Thurlow Lodge TRA	241-471 Wendover	Thurlow Street		SE17	Thurlow Lodge TRA	TRA	Recognised

Tenant Halls Status	Hall name	Hall address 1	Hall address 2	Hall address 3	Postcode	TRA	Type	TRA List Status
Hall (in use)	Trafalgar House / Nelson	Trafalgar House	Bronti Close	Walworth	SE17 2HF	Nelson TRA	TRA	Recognised
Hall (in use)	Tustin Community Centre	328 Ilderton Rd			SE15 1NT	Tustin TRA	TRA	Recognised
Hall (in use)	United Children's Pop-in Centre	100 Pentridge Street	Peckham	London	SE15 6LG	North Peckham TRA	TRA	Recognised
Hall (in use)	Unwin & Friary	Frensham Street	Friary Estate	Peckham	SE15	Unwin and Friary TRA	TRA	Recognised
Hall (in use)	Wade Hall	Parkers Row	Dickens Estate	Bermondsey	SE1 2DJ	Dickens Estate TRA	TRA	Recognised
Hall (in use)	Walkynscroft Drop in Centre	Firbank Road	Brayards Estate	Nunhead	SE15 2BZ	Brayards Estate TRA	TRA	Recognised
Hall (in use)	Webber Row & Quentin	12-14 Quentin House	9-36 Gray Street	London	SE1 8UY	Webber and Quentin TRA	TRA	Recognised
Hall (in use)	Wickway Community Centre	Cator Street		London	SE15 6AA	Wickway Community Association	Hall committee	
Sold	Tooley Street Tenants Hall	Nutmeg House	^) Gainsford Street	Bermondsey	SE1			
TMO office	Applegarth TMO Office	Applegarth House	Blackfriars Road	London	SE1 0PY			
TMO office	Brenchley Gardens TMO Office	163 Brenchley Gardens	London		SE23 3RF	Brenchley Gardens TMO	TMO	Recognised

Tenant Halls Status	Hall name	Hall address 1	Hall address 2	Hall address 3	Postcode	TRA	Type	TRA List Status
TMO office	Juniper TMC Office	1 Juniper House	Pomeroy Street	Nunhead	SE14 5BY	Juniper House TMO	TMO	Recognised
TMO office	TMO Office	1 Tanner House		London	SE1 3LL			

Item No. 10.	Classification: Open	Date: 16 April 2013	Meeting Name: Cabinet
Report title:		Access to Maternal Health and Early Years Services for the Gypsy and Traveller Communities in Southwark (Health, Adult Social Care, Communities & Citizenship Scrutiny Sub-Committee)	
Ward(s) or groups affected:		All	
From:		Overview & Scrutiny Committee	

RECOMMENDATIONS

1. That the cabinet considers the recommendations of Overview & Scrutiny Committee, in respect of provision of travellers' sites and funding of Southwark Travellers Action Group, as set out at paragraph 9.
2. That the cabinet notes the recommendations of the review of Access to Maternal Health and Early Years Services for the Gypsy and Traveller Communities in Southwark, and that the relevant cabinet members bring back a report to cabinet, in order to respond to the overview and scrutiny committee, within eight weeks.

BACKGROUND INFORMATION

3. This is the final report arising from the scrutiny review of access to maternal health and early years' services for the gypsy and traveller communities in Southwark.
4. The scrutiny report forms part of a wider review of public health that the Health, Adult Social Care, Communities & Citizenship Scrutiny Sub-Committee is undertaking this year. The sub-committee chose to focus on maternal health and early years' services for two reasons; to link the review with priorities identified by the Marmot Review into health inequalities in England, published in 2010, and to evidence that significant maternal and early years' health inequality is experienced by travellers and gypsies.
5. This review was supported by the Centre for Public Scrutiny (CfPS), as part of a phased programme focusing on tackling health inequalities. The review used a process, outlined in the CfPS publication 'Tipping the Scales'. CfPS supported six projects throughout the UK, working with three excluded communities: Gypsies and Travellers, sex workers, and homeless people. As part of the review an indicative calculation was made measuring the potential 'return on investment' (ROI) from the scrutiny review in the next 12 months, using a series of financial outcome measures.

OVERVIEW & SCRUTINY COMMITTEE RECOMMENDATIONS

6. The Overview & Scrutiny Committee considered the report at its meeting on 11 March 2013. The committee welcomed the report and the valuable work of the sub-committee.

7. At the same meeting, the committee also received an update on the proposed new written statement (agreement) for council gypsy and traveller sites. This update followed on from the call-in in November of a cabinet member decision in respect of the proposed agreement.
8. The committee noted the actions taken and commitments made following on from the call-in, the actions taken and future actions to be taken following on from the further review of the proposed agreement and the next steps, including dates for the revised cabinet member decision.
9. The committee also heard concerns raised by Southwark Travellers' Action Group (STAG) about overcrowding on sites and noted the work of the group generally and in particular in relation to the proposed new agreement. The committee agreed to recommend to cabinet that:
 1. In view of overcrowding on sites that it be recommended that the consultation due to be launched into the future of housing provision in the borough include future provision for gypsy and traveller sites and that these groups be formally consulted.
 2. That cabinet explores funding for Southwark Travellers Action Group so that they can maintain their services; the committee firmly believes that the services provided by STAG save the council money.

HEALTH, ADULT SOCIAL CARE, COMMUNITIES & CITIZENSHIP SCRUTINY SUB-COMMITTEE RECOMMENDATIONS

10. The sub-committee's recommendations are listed below.
 1. Nell Gwyn Nursery School and East Peckham Children's Centre to work, with the support of STAG, to restart a dedicated session for traveller parents and children. This will focus on improving access to children's centres activities, nursery school (Early Years offer), antenatal care, health and social care (such as weaning, parenting skills, immunisation etc).
 2. Pilgrims Way Children's Centre to nominate a dedicated officer to build outreach links with the gypsy and traveller community to improve access to Children's Centre activities and Nursery Schools.
 3. Community Safety & SOLACE to work with STAG to improve access and referrals to the domestic abuse service (including MARAC referrals where appropriate) and to minimise STAG involvement in the handling of domestic abuse cases.
 4. Public Health to work with STAG to improve access to doctors' practices by providing information and support.
 5. Southwark Clinical Commissioning / Public Health / STAG to develop a training programme for health professionals to understand the needs of the gypsy and traveller communities in Southwark.
 6. Social Services and Community Safety to organise and hold a session for the traveller community in Southwark on their safeguarding role and explain

how referrals work, ensuring that accurate information is given and myths dealt with.

7. Social Services and Community Safety to identify lead officers to work with the traveller community in Southwark. These officers should be appropriately trained and understand issues such as health and safety on site. This will enable relationships to be established and promote better understanding between all parties.
8. That the importance of confidentiality in child protection is emphasised with all Social Workers on all occasions.
9. Smoking cessation courses are offered to travellers.
10. The proposed parent and child group at Nell Gwyn to include sexual health sessions for parents.
11. Breast-feeding, weaning and obesity are raised at the proposed parent and child group at Nell Gwyn.
12. STAG proposals on improving employment support are implemented; where feasible. (See Appendix STAG consultation submission for details)
13. The consultation that is due to be launched into the future of housing provision in the borough should include future provision for gypsy and traveller sites and these groups should be consulted.
14. The council develops an over-arching framework for engagement with, and providing services for, the gypsy and traveller communities in Southwark.
15. That cabinet explores funding for Southwark Travellers Action Group so that they can maintain their services; the sub-committee firmly believes that the services provided by STAG save the council money.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Overview & Scrutiny Committee Agenda 11 March 2013. The document is available on this web page (item 6): http://moderngov.southwark.gov.uk/ie/ListDocuments.aspx?CId=308&MId=4337&Ver=4	Scrutiny Team 160 Tooley Street London SE1 2QH	Peter Roberts 020 7525 4350

APPENDICES

No.	Title
Appendix A	Report of the Health, Adult Social Care, Communities & Citizenship Scrutiny Sub-Committee

AUDIT TRAIL

Lead Officer	Shelley Burke, Head of Overview & Scrutiny	
Report Author	Peter Roberts, Scrutiny Project Manager	
Version	Final	
Dated	4 April 2013	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Legal Services	N/a	N/a
Strategic Director of Finance and Corporate Services	N/a	N/a
Chief Officers	N/a	N/a
Cabinet Member	N/a	N/a
Date final report sent to Constitutional Team	4 April 2013	

APPENDIX A

Access to Maternal Health and Early Years Services for the Gypsy and Traveller Communities in Southwark

Report of the Health, Adult Social Care,
Communities & Citizenship Scrutiny Sub-Committee

March 2013



Section 1: Background to the report

1. This scrutiny report forms part of a wider review of public health that the sub-committee is undertaking this year. This piece of work has been separated out as we are taking part in a programme run by the Centre for Public Scrutiny (CfPS). The programme is supported by the CfPS and includes health and adult social care committees from across the country looking into health inequalities suffered by marginalised communities (other strands include sex workers and the homeless).

Why the focus on Maternal Health and Early Years (under 3)?

2. The sub-committee has chosen this focus for two reasons: to link the initiative with priorities identified by the Marmot review and the evidence that significant maternal and early years' health inequality is experienced by Travellers and gypsies.

The Marmot Review: Fair Society, Healthy Lives

3. The Marmot Review into health inequalities in England was published in 2010. The review's findings and main policy recommendations are summarised below.
4. The first policy objective the Marmot Review identifies is to "give every child the best start in life". The report states that this is crucial to reducing health inequalities across the life course. The foundations for virtually every aspect of human development – physical, intellectual and emotional – are laid in early childhood. What happens during these early years (starting in the womb) has lifelong effects on many aspects of health and well-being – from obesity, heart disease and mental health, to educational achievement and economic status.
5. The report goes on to argue that to have an impact on health inequalities we need to address the social gradient in children's access to positive early experiences. Later interventions, although important, are considerably less effective where good early foundations are lacking.
6. The report advocates reducing inequalities in early child development by continuing and sustained commitment to the Sure Start and the Healthy Child Programme. It is vital that this is sustained over the long term and the report recommends that even greater priority must be given to ensuring expenditure early in the developmental life cycle (that is, on children below the age of 5) and that more is invested in interventions that have been proved to be effective. The report calls for a "second revolution in the early years", to increase the proportion of overall expenditure allocated there. This expenditure should be focused proportionately across the social gradient to ensure effective support to parents (starting in pregnancy and continuing through the transition of the child into primary school), including quality early education and childcare.

Priority objectives

1. Reduce inequalities in the early development of physical and emotional health, and cognitive, linguistic and social skills.
2. Ensure high quality maternity services, parenting programmes, childcare and early years' education to meet need across the social gradient.
3. Build the resilience and well-being of young children across the social gradient.

Policy recommendations

1. Increase the proportion of overall expenditure allocated to the early years and ensure expenditure on early years development is focused progressively across the social gradient.
2. Support families to achieve progressive improvements in early child development, including:
 - Giving priority to pre- and post-natal interventions that reduce adverse outcomes of pregnancy and infancy
 - Providing paid parental leave in the first year of life with a minimum income for healthy living
 - Providing routine support to families through parenting programmes, children's centres and key workers, delivered to meet social need via outreach to families
 - Developing programmes for the transition to school
3. Provide good quality early years education and childcare proportionately across the gradient. This provision should be:
 - Combined with outreach to increase the take-up by children from disadvantaged families
 - Provided on the basis of evaluated models and to meet quality standards

Section 2: What we discovered

Access to Children's Centre activities & Nursery Schools

7. The Leyton Square One 'o' clock Club used to hold a weekly session, specifically for Traveller women, on a weekday morning at 10:30 am. This initiative was well regarded and used. The session provided a space for Gypsy and Traveller women and children to meet and access early years' services and activities. There were crèche facilities so that the women could attend the antenatal clinic and attend parenting classes. Supplementary activities were also held, such as talks on obesity and dentistry, the toy library was also visited. Leyton Square has been taken over by Nell Gwyn Nursery School and East Peckham Children's Centre. It should be explored whether they have the resources to restart this activity.
8. There are good links with Nell Gwyn Children's centre to build on and better links could be forged with Pilgrims Way children's centre. Data and anecdotal reports are that very few families access other children's centres, and only a few children access the early years' offer/nursery schools.

Recommendation 1

Nell Gwyn Nursery School and East Peckham Children's Centre to work, with the support of Southwark Travellers' Action Group (STAG), to restart a dedicated session for Traveller parents and children. This will focus on improving access to children's centres activities, nursery school (early years offer), antenatal care, health and social care (such as weaning, parenting skills, immunisation etc)

Recommendation 2

Pilgrims Way Children's Centre to nominate a dedicated officer to build outreach links with the Gypsy and Traveller community to improve access to children's centre activities and nursery schools.

Domestic Violence

9. Domestic violence was raised as an issue during the course of our evidence gathering. Contact was made with Community Safety (the lead commissioner for domestic abuse services within the council) and Solace Women's Aid who are the council's commissioned domestic abuse service provider. They provided information on current practice.
10. STAG and Community Safety explained that a Safer Southwark Partnership funded programme is already running with one of its aims being to reach out to young men with the aim of preventing domestic violence, including addressing perpetrator behaviour. STAG explained that they do not want to be put in a difficult position and deal with domestic violence incidents directly, as they need to work across the community. They explained how, in the past, the lack of an adequate service response had led to a family seeking shelter in their office for some time whilst a refuge space was allocated, which compromised their position. Community Safety informed us that in April 2012 SOLACE Women's Aid was appointed the council's domestic abuse service provider, offering a wide range of services, and although access to a particular shelter might not always be possible or appropriate, now that SOLACE is the lead agency in our borough, responses to situations like the one mentioned above have

improved. It was explained that SOLACE has a dedicated London-wide worker for Travellers.

11. Referrals concerning members of the Traveller community to the Multi-Agency Risk Assessment Conference (MARAC) for serious incidents will also be looked into. Community Safety agreed to work with STAG and provide a briefing note for members.

Recommendation 3

12. Community Safety & SOLACE to work with STAG to improve access and referrals to the domestic abuse service (including MARAC referrals where appropriate) and to minimise STAG involvement in the handling of domestic abuse cases.

Access to Primary Care Services

13. Access to primary care was raised as an area of concern. STAG consulted with Travellers about their experiences of accessing this service. The experience of Travellers at GP practices were very variable, some are experiencing a poor service and feel they are prejudiced against by health staff, for example GPs receptionists. However others are receiving a good level of service and treatment.
14. Members of the community who are not accessing primary care are more likely to use A&E and receive treatment for health conditions late. This has obvious repercussions for their health and wellbeing.
15. Park Medical Centre was identified as offering a good service to Travellers, but East Street Practice and Acorn Practice on Meeting House Lane less so. Public Health are advising STAG on doctors' practices and have put STAG in touch with Patient Advice and Liaison Services (PALS) to advise on alternative GP surgeries that may suit people better where they are dissatisfied with the service or making frequent use of South East London Doctors on Call (SELDOC) and A&E. This is welcome, but is only a short term solution. Staff of all NHS organisations, in particular at GPs surgeries, must treat all patients with respect.

Recommendation 4

Public Health to work with STAG to improve access to doctors' practices by providing information and support.

Recommendation 5

Southwark Clinical Commissioning / Public Health / STAG to develop a training programme for health professionals to understand the needs of the Gypsy and Traveller communities in Southwark.

Safeguarding and Social Services

16. Safeguarding and relationships with Social Services arose as an issue of concern for the community during the course of our evidence gathering. There had been incidences where the consequences of liaising with Social Services had raised concern. STAG reported that on an occasion there had been a breach of confidentiality by a social worker in a personal social setting which had resulted in local gossip which eroded trust between social services and the family concerned, as well as the wider community.

17. We also heard that the consequences of reporting domestic violence could also inhibit a report to the police. This is an issue which stretches beyond the Gypsy and Traveller community.
18. There was concern about health incidents leading to a Social Service referral. People in the community had fears of their children being unjustly removed, and that had led to a breakdown in at least one relationship between a family and Social Services. STAG also reported that child and health professionals sometimes did not understand that space on site was viewed differently by Travellers: for example a child playing in the yard outside the family's accommodation was not unsupervised as they would be looked after by the whole community.

Recommendation 6

Social Services and Community Safety to organise and hold a session for the Traveller community in Southwark on their safeguarding role and explain how referrals work, ensuring that accurate information is given and myths dealt with.

Recommendation 7

Social Services and Community Safety to identify lead officers to work with the Traveller community in Southwark. These officers should be appropriately trained and understand issues such as health and safety on site. This will enable relationships to be established and promote better understanding between all parties.

Recommendation 8

That the importance of confidentiality in child protection is emphasised with all social workers on all occasions.

Miscarriages and Stillbirths

19. The national data for child deaths, stillbirths and miscarriages amongst gypsies and Travellers is very high. Local anecdotal evidence does not indicate that child deaths are a problem (and this might be partly because the sites are of an above average standard), however there is some evidence, though not conclusive, that miscarriages and stillbirths could be high locally. The level of smoking is high for men and women and this can raise the risk of miscarriage.

Recommendation 9

That smoking cessation courses are offered to Travellers

Sexual Health

20. This was an issue of concern and it was felt that due to cultural differences this was best discussed in same sex groups. One possible route would be via starting the parent and child group at Nell Gwyn.

Recommendation 10

That the proposed parent and child group at Nell Gwyn include sexual health sessions for parents.

Breast-feeding, Weaning and Obesity

21. Breast feeding rates are low in Traveller communities and weaning can start earlier than recommended – through taster foods being introduced at two and a half to three months. These are practices, alongside healthy eating and exercise, that it was thought could be best addressed by health visitors and other practitioners through the proposed parent and child group at Nell Gwyn.

Recommendation 11:

That breast-feeding, weaning and obesity are raised at the proposed parent and child group at Nell Gwyn.

Enterprise and Employment

22. Enterprise and employment was raised by STAG as an issue of concern that could affect family wellbeing. STAG has provided a number of recommendations on how to improve the situation, including increasing access to apprenticeship for young people.

Recommendation 12

That STAG proposals on improving employment support are implemented; where feasible. (See STAG consultation submission for details)

Housing Strategy and Site Provision

23. STAG fed back that site provision in Southwark is very good. Overcrowding is an issue that has been identified at previous events. The council will shortly be consulting on the future of housing provision within the borough; this follows the publication of the Independent Housing Commission's report. Any consultation on the future of housing provision in the borough must include reference to future need and pitch provision for the Gypsy and Traveller communities in Southwark. As part of the consultation the council must engage with the Gypsy and Traveller communities.

Recommendation 13

The consultation that is due to be launched into the future of housing provision in the borough should include future provision for Gypsy and Traveller sites and these groups should be consulted.

Over-arching Framework

24. During our evidence gathering it became clear that the council needs to develop and implement a framework for engagement with, and providing services for, the Gypsy and Traveller communities in Southwark. This should be developed in partnership with groups like STAG and individuals from these communities.

Recommendation 14

The council develops an over-arching framework for engagement with, and providing services for, the Gypsy and Traveller communities in Southwark.

Recommendation 15

That cabinet explores funding for Southwark Travellers Action Group so that they can maintain their services, the sub-committee firmly believes that the services provided by STAG save the council money.

Section 3: Summary of Recommendations

Recommendation 1

Nell Gwyn Nursery School and East Peckham Children's Centre to work, with the support of STAG, to restart a dedicated session for Traveller parents and children. This will focus on improving access to children's centres activities, nursery school (Early Years offer), antenatal care, health and social care (such as weaning, parenting skills, immunisation etc).

Recommendation 2

Pilgrims Way Children's Centre to nominate a dedicated officer to build outreach links with the Gypsy and Traveller community to improve access to Children's Centre activities and Nursery Schools.

Recommendation 3

Community Safety & SOLACE to work with STAG to improve access and referrals to the domestic abuse service (including MARAC referrals where appropriate) and to minimise STAG involvement in the handling of domestic abuse cases.

Recommendation 4

Public Health to work with STAG to improve access to doctors' practices by providing information and support.

Recommendation 5

Southwark Clinical Commissioning / Public Health / STAG to develop a training programme for health professionals to understand the needs of the Gypsy and Traveller communities in Southwark.

Recommendation 6

Social Services and Community Safety to organise and hold a session for the Traveller community in Southwark on their safeguarding role and explain how referrals work, ensuring that accurate information is given and myths dealt with.

Recommendation 7

Social Services and Community Safety to identify lead officers to work with the Traveller community in Southwark. These officers should be appropriately trained and understand issues such as health and safety on site. This will enable relationships to be established and promote better understanding between all parties.

Recommendation 8

That the importance of confidentiality in child protection is emphasised with all Social Workers on all occasions.

Recommendation 9

Smoking cessation courses are offered to Travellers.

Recommendation 10

The proposed parent and child group at Nell Gwyn to include sexual health sessions for parents.

Recommendation 11

Breast-feeding, weaning and obesity are raised at the proposed parent and child group at Nell Gwyn.

Recommendation 12

STAG proposals on improving employment support are implemented; where feasible. (See STAG first consultation submission for details)

Recommendation 13

The consultation that is due to be launched into the future of housing provision in the borough should include future provision for Gypsy and Traveller sites and these groups should be consulted.

Recommendation 14

The council develops an over-arching framework for engagement with, and providing services for, the Gypsy and Traveller communities in Southwark. (See STAG second consultation submission for details)

Recommendation 15

That cabinet explores funding for Southwark Travellers Action Group so that they can maintain their services, the sub-committee firmly believes that the services provided by STAG save the council money.

APPENDICES**Appendix 1**

STAG first submission

Appendix 2

STAG second submission: framework

Appendix 3

Return on Investment (ROI) Calculation
Southwark Gypsy and Traveller Scrutiny Project 2012 / 2013

STAG first submission to scrutiny - issues brought up by Travellers as part of consultation and based on experience

- One-Stop-Shop workers don't seem to have much understanding of Travellers in Southwark. When Traveller-site residents have housing issues they have to explain basics to One-Stop-Shop workers (such as that the Council owns the sites and they rent land from the council- but the mobile homes are privately rented- therefore people on Housing Benefit have 2 payments to make- one to council and one to mobile home company). There is one member of staff (Moses) who seems more knowledgeable.
1. Back-to-work schemes are often not accessible to Travellers as men rarely sign on for JSA. Traveller economy is still over reliant on informal self-employment but there is a cultural shift towards accepting waged employment. The stability offered by waged employment is increasingly desirable. There is a stigma around signing on for JSA and it is also made difficult by demands for documentation and records of previous employment. Back to work schemes such as the Network Rail scheme run by Pecan would have been taken up by Travellers but many are ineligible.
- Grants could be made available for Travellers wanting to get into work (to help pay for HGV licences)- or loans could be made available on a 'student loan' basis- i.e. low-interest- pay back when earning over x-amount per year. Jobs which are generally desirable in the Traveller community for men are labour, construction, driving jobs etc. The value of giving grants for training courses (towards becoming qualified construction workers, lorry drivers, driving instructors) would be in making waged employment seem- for the first time- desirable and achievable- a complete cultural shift. Consequences would be wide-reaching- not only locally but potentially nationally. Knock-on benefits come with greater community cohesion (dispel the wide-spread belief that Travellers don't contribute to society through taxes), improving health especially mental health (Travellers to fulfil their cultural expectations to earn a good living- reliance on informal economic activity leads to accidents and unhealthy practices at work), reduction in crimes which are the result of economic exclusion and reduction in domestic violence.
 - Spring Tide Close residents want a new site. Spring Tide Close was originally a temporary site- residents were promised a larger site by the council. Site is overcrowded now that families have grown and children are having their own children.
 - Ilderton Road site- wall which separates site from railway tracks is still crumbling. This issue has been unresolved for 8 years- health and safety risk. National Rail or Southwark Council need to take responsibility for repair. Paul Jeffery (Traveller Housing Officer) is aware of this, so is Councillor Bowman (who remembered this issue from 8 years ago).
 - Women fleeing domestic violence need a police reference number to stay in the Irish women's refuge run by Camden Women's Aid. STAG is in a very difficult position here as the project is jeopardised if we are seen to be encouraging women to report abusive

partners to the police. STAG can offer help and support to women that come to us, but the perpetrators of the DV are our clients also.

Archie Utley
Southwark Travellers Action Group

APPENDIX 2

STAG second submission regarding a Engagement Framework for Travellers

Main Recommendation- named workers in public services who are understanding of Travellers. Travellers to form relationships with these individuals and be given direct lines so that they can talk to somebody they know.

As with all public services, the degree to which Travellers access and benefit from health care services will largely depend on individual experiences. There was a very mixed response to questions about Travellers attitudes towards health care services which can generally put down to the fact that some receptionists/G.P.s/midwives are more understanding of Travellers than others. When asked, Travellers who spoke positively about their GPs were far more likely to be accessing other healthcare service, and far less likely to use A&E for non-emergencies. Those who had bad experiences with their primary healthcare providers were less likely to use other services and more likely admit to going straight to A&E or ignoring problems. The importance of positive individual relationships should be stressed.

Just as some schools managed to retain Traveller pupils and deliver good results for Traveller pupils while others struggle to maintain sustained attainment; some Travellers are receiving what they regard as good health care and others feel let down. The Traveller community, due to historical marginalisation and discrimination by statutory services and the commonly-held prejudices against Travellers, has reservations about engaging with any statutory body. When individual experiences are poor, this will inform Travellers' attitudes towards larger institutions (one bad experience with a receptionist can inform the opinion that 'the NHS doesn't treat Travellers well'). Travellers often only ever see healthcare professionals (and for that matter social service workers, education welfare officers etc.) at times of crisis- often the worst time for relationships to be formed.

One answer to this problem is to have named individuals in all statutory services who have a specific remit to work with Travellers. These individuals would obviously require the skills and understanding needed to work with Travellers. There are examples of success in this area- Paul Jeffery- the Traveller Housing Officer is well known and trusted resulting in better housing provision for Travellers in Southwark. Paul Jeffery recently introduced Traveller site residents to the new contractors for repair works in order to build good relationships. STAG meets with the police liaison officer for Traveller sites which has resulted in better relations between the police and Travellers. Dave Cannon of Southwark Traveller Education Support Service was known by all Travellers through working with the community for 30 years, and all issues around education were brought to him. STAG employed a health worker in the past who was referred to for all health problems. The health worker was at STAG for 3 years- by the time she left all Travellers in the borough were registered with G.P.s and better informed of other health services available. She ensured that all children received all necessary injections and supported older members of the community by accompanying them to appointments with G.P.s for the first time. Finding named, trusted professionals can happen naturally; many Travellers who use the One-Stop-Shop will specifically ask for one individual who is knowledgeable on Traveller housing issues without having an official Traveller 'role'.

This wouldn't have to have a major cost implication, entire new positions would not have to be created. However, it would be beneficial to have a named worker at PALS who Travellers had met with Travellers and could form good working-relationships with the community. This arrangement would also be welcomed for education and social services- at the moment Travellers would be unsure of who to turn to. This would be useful in ensuring that myths about statutory services do not proliferate, and enable a better understanding of Travellers from professionals. In short, relationships need to be built. Named individuals is preferred to training for all workers on Traveller issues as Travellers like to deal with people they have already formed relationships with.

STAG will be holding regular service user meetings restarting on 4th February which could provide a forum for professionals to meet with Travellers. However, it cannot be taken for granted that STAG will be operating beyond 2013 as we are reliant on 1 core funder at the moment, the Irish Government, which this year has reduced its emigrant support fund. STAG is developing its governance at the moment in order to provide a better platform for the community to engage with other organisations. STAG can play a big role in improving access to services but at the moment it has no security.

Archie Utley
Southwark Travellers Action Group

**Return on Investment (ROI) Calculation
Southwark Gypsy and Traveller Scrutiny Project 2012 / 2013**

This paper presents the **potential** return on investment (ROI) from the scrutiny review in Southwark in the next 12 months using a series of **indicative** financial outcome measures. Some measures draw on **proxy** indicators and where there have been multiple pieces of evidence for the value of an outcome, the most conservative figure has been chosen.

Inputs

Total value of inputs to the review: **£1,820**

Activity	Evidence	Cost / financial data	Calculation	Input value
Stakeholder meeting preparation	Literature review 4 hour Briefing 3 hours Invites, agenda and writing notes 5hours	4 hours 3 hours 5hours	12 hours x £16 per hour	£192
Stakeholder meeting attendance 24 October	15 Members, officers and voluntary sector representatives attending a three hour meeting 15 X 3hour	15 X 3 hours	45 hours x £16 per hour	£720
Mini stakeholder meetings attendance 8 October 17 December 21 December	Three mini stakeholder meeting attended by between five members, officers, health workers and voluntary sector	5 X 1.5 = 7.5 hours 5 X 1.5 = 7.5 hours 5 X 1.5 = 7.5 hours	36.25 hours x £16 per hour	£580

Activity	Evidence	Cost / financial data	Calculation	Input value
16 January	representatives. A final meeting attended by 11 people.	11 x 1.25 = 13.75 hours		
Mini stakeholder meetings preparation	Preparation meeting with STAG , invites, agenda, notes, briefing. Sub- total 4hours	4 hours	4 hours x £16 per hour	£64
Scrutiny meeting	Attendance by members, officers, and voluntary sector representatives for the item Administration	10 x 0.25 hours	2.5hours x £16 per hour	£40
Final Report preparation	Preparation by officer Report writing by member	1 hour 2 hours	3 hours x £16 per hour	£48
Focus group	Preparation 2hours Attendance by Travellers , officers, mid wife 9x1	2 hours 9 x1hours	11 hours x £16 per hour	£176
Total			113.75	£1,820

Time value is based on an approximate average council salary value of £16 per hour taking into account London weighting. The calculation uses an average salary measure to balance the financial input costs of those participating in the review who are salaried and those who are not.

Outcomes

Total value of outcomes from the review calculated as **£20,973**

Outcome Measure	Evidence	Cost / financial data	Calculation	Outcome value
Increased access to full	Case studies	NHS Commissioning	1/3 of PbR tariff for three	£2,800

Outcome Measure	Evidence	Cost / financial data	Calculation	Outcome value
range of local maternity services for mothers and babies from the Gypsy and Traveller communities – including early identification and more consistent post-natal care	Engagement activities One-to-one interviews Networking Evidence review Awareness raising with NHS Impact statement Final Scrutiny Report	Board 2012 – Commissioning Maternity Services Payment by Results (PbR) HRG4 tariff £2,800 per mother	local Gypsy and Traveller mothers over the next 12 months £933 * 3	
'Best start in life' (Marmot Review) for Gypsy and Traveller babies through access to health and early years services including health screening, immunisation and advice and support as a result of greater awareness and understanding of the needs of the local community	Marmot Review Case studies Final Scrutiny Report	Marmot Review Centre for Excellence in Outcomes (C4EO) Grasping the Nettle: Early Intervention Report 2011 Early Intervention: Next Steps – Graham Allen 2011	Indicative potential benefit to three children in Southwark in the next 12 months 16% return on investment from most conservative study on breastfeeding impact -16% of 2,800 = additional £1,344	£1,344
Better access to early years services for Gypsy and Traveller young children through the Two Year Old programme	Networking Stakeholder event Case studies – One o'clock Group Final Scrutiny Report	London average Two-Year Old programme child care value NDNA analysis report £6 per hour = £4,680 per year	Two years of benefit by accessing early years entitlement for three children has the value of £18,720 The impact of the scrutiny review estimated to have the potential to contribute to 1/3 of this value	£6,240

Outcome Measure	Evidence	Cost / financial data	Calculation	Outcome value
Improved access to primary care services for mothers and families from the Gypsy and Traveller communities.	<p>Increased awareness of the needs of the Gypsy and Traveller communities in Southwark in primary care partners.</p> <p>Better information and advice to families about how to access primary care.</p>	<p>Average cost of A&E attendance = £108</p> <p>Department of Health Payment by Results Reference Costs Report 2011-2012 p. 8</p>	<p>Reducing A&E visits by enabling better direct access to local primary care for 6 families making two unnecessary visits to A&E per year</p> <p>$6 \times 2 \times £108 = £1296$</p>	£1296
Increased employment opportunities for young people and adults from the local Gypsy and Traveller communities through increased access to employment and training services as a result of networking and awareness raising during the review.	Case studies Feedback Employment services data	<p>Minimum wage:</p> <p>For 18 to 20 year olds = £4.98 per hour</p> <p>For over 21s = £6.19 per hour</p>	<p>New part-time job opportunities for one adult and one young person from the local Gypsy and Traveller communities.)</p> <p>Basing the calculation on a conservative figure of 16 hours per week additional work takes into account incremental income and net changes to previous income position)</p> <p>For the young person: 16 hours per week x £4.98 x 52 weeks per year = £4,143.35</p> <p>For the adult: 16 hours per week x £6.19 x 52 weeks per year =</p>	£9,293

Outcome Measure	Evidence	Cost / financial data	Calculation	Outcome value
			£5,150.08	
Total				£20,973

Process Measures

Process Measure	Evidence
Introduction and networking opportunities for health (primary care, maternity, commissioning and provider Trusts), social care, public health, , housing, community engagement, community safety, scrutiny members, STAG and early years staff in Southwark	Stakeholder event Follow up stakeholder meetings and activities Stakeholder report Networking lists Stakeholder materials
Fact finding, mapping, analysis and reporting of data for the local Gypsy and Traveller communities for use in planning and decision making	Impact statement Evidence reports Literature review
Supporting the development of an over-arching Gypsy and Traveller framework for engagement for Southwark Council including evidence of best practice	Framework development Engagement process records Stakeholder reports
Identifying access to domestic violence services (including refuges) for women from the Gypsy and Traveller community. Identifying organisational issues and referral patterns for STAG and Solace Women's Aid	Stakeholder reports Review meeting minutes Case studies Domestic violence briefing Follow up meetings
Improving access to GP surgeries through better sharing of information	Meeting minutes, final report, and follow up emails
Improving access to training and employment opportunities through better understanding of existing provision and networking	Meeting minutes, final report and follow up emails
Identifying differences and diversity within the Southwark Gypsy and	Evidence review

Process Measure	Evidence
Traveller communities including issues of gender, migration patterns, site location and ethnicity	Reports Networking The revised new written statement (agreement) for Council Gypsy and Traveller sites
Identification and presentation of housing and site issues (wider determinants of health) for local Gypsy and Traveller communities	Reports
Contribution to Southwark strategic review of housing to identify and needs and issues of Gypsy and Traveller communities	Southwark strategic review of housing to identify and needs and issues of Gypsy and Traveller communities
Capture and presentation of user and patient stories and experiences in Southwark	Meetings write ups and reports
Raising awareness about the needs and issues faced by the Gypsy and Traveller communities with professionals and the public including identifying ways to improve relationships and access	Improved EQA for the new written statement (agreement) for Council Gypsy and Traveller sites Reports
Addressing and challenging attitudes, stereotypes and assumptions about the Gypsy and Traveller communities in Southwark – and providing education support	Reports
Total	

Return on Investment Calculation

Total value of inputs = **£1,820**

Total potential value of outcomes = **£20,973**

Total potential value of process measures = nil (qualitative measures only)

Financial return on each £1 spent on the review = **£11.52**

For every one pound that has been spent on the review, a benefit of £11.52 has been

% return on investment = **1,152%**

Item No. 11.	Classification: Open	Date: 16 April 2013	Meeting Name: Cabinet
Report title:		Developing a Quality Strategy and Best Practice Principles for Home care services: Initial review of Unison's Ethical Care Charter	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor Catherine McDonald, Health and Adult Social Care	

FOREWORD – COUNCILLOR CATHERINE MCDONALD, CABINET MEMBER FOR HEALTH AND SOCIAL CARE

Our home care services provide an essential support to vulnerable people with social care needs in order to help them live independently and safely in their own homes. The quality of these essential services is paramount and as an administration our fairer future promises underline our strong commitment to high quality personalised services. This is one of our most important duties.

The people who actually carry out the work which can include tasks such as personal care, practical domestic duties and emotional support, provide a vital and demanding role that is critical to the service users and their carers. The many hundreds of local people who make up the home care workforce are also important to us and this administration recognises the need to ensure that people are paid fairly for their work. That is why I am proud that we will be introducing the London Living Wage and ensuring our homecare agencies to pass this on to their employees.

We welcome Unison's Ethical Care Charter and the principles set out in the charters which are a useful checklist that supports the council's wider quality improvement agenda. This report sets out that a great deal of progress has been made by this council on many of the charter's principles and confirms the councils aspirations to develop an approach to commissioning high quality home care services that embraces the principles of the charter.

There are three areas of the charter where further work is required - zero hours contracts in all areas of home care, payment for travel time and occupational sickness schemes. As a result of Unison's approach to the council, this report recommends that officers undertake feasibility work on each of these which will report back to me in Autumn this year.

I hope to be able to make firm commitments on each of these in the Autumn, subject to the results of the feasibility work.

RECOMMENDATION

Recommendations for the Cabinet

1. Note the key objectives of the UNISON ethical care charter and steps already being taken by the Council to meet these objectives, including the prior commitment to introduce the London Living Wage for all new contracts.
2. Confirm the council's aspiration to develop an approach to commissioning high quality home care services which fully embraces the principles of the charter and that cabinet notes key milestones including the aim to implement LLW for existing home care contract in July 2013, and note that the current contracts run until summer 2014.
3. Request that the Strategic Director of Children's and Adults Services establish a task and finish group to develop a commissioning approach for Southwark that supports the council's aspiration to implement the principles of the charter – including those relating to the three outstanding areas – zero hours contracts, payment for travel time, occupational sickness schemes - subject to affordability, contractual commitments and with reference to the demands of personalised budgets. Note that the task and finish group will be required to report back on progress, feasibility, plans and affordability analysis to the cabinet member for Health and Adult Care in the Autumn of 2013.
4. Notes the continual intention of the council to establish a reference group of key stakeholders, to have strong and regular input to the task and finish group, including Unison, users and providers to inform the commissioning approach, including a set of best practice principles to inform our commissioning approach to home care services which are, as far as is practical, consistent with the ethical charter.
5. Notes the work currently underway to develop a training partnership with home care providers focused on developing the skills and quality of the home care workforce.

Recommendations for the Leader of the Council

6. That the leader delegates to the Cabinet member for Health and Adult Social Care approval of any contract variation to existing home care contracts to implement LLW, taking account of legal and procurement advice and the incorporation of measures to ensure enhanced quality and performance is linked to payment of LLW.
7. That the leader delegates to the Cabinet member for Health and Adult Social Care, following the recommended co-production in 4, the agreement to best practice principles to be adopted by the council for home care services.

BACKGROUND INFORMATION

9. The Council's Vision for Adult Social Care sets out the aspiration for social care services to be of excellent quality and has already provided a strong platform that has enabled the council to make progress on improving user choice and control over their care. For example following the retendering of home care services in 2011/12 and the transition process to the new home care contracting arrangements over 400 users of home care services chose to remain with their current providers on a personal budget arrangement.
10. Through the Council's focus on personalisation the number of users choosing personal budgets has continued to increase and for older people in particular many have chosen to take personal budgets using a Managed Account Provider arrangement. Through this work and the Council's wider personalisation programme, the principles set out in the Health and Social Care Act in relation to home care that commissioning should be based on need and 'visits' should not be for less than 30minutes are already well embedded in Southwark's operational and commissioning approach.
11. To support improving the terms and conditions of employees delivering council services the Council has made a clear commitment to introducing London Living Wage (LLW) for all future contracts and to explore implementation for existing home care contracts.
12. In Adult Social Care services progress has already been made to improve the terms and conditions of home care workers, for example the introduction of LLW within the council's reablement service alongside enhanced training and support for these workers. Furthermore this report, in line with the Council's budget for 2013/14, recommends the implementation of LLW for the main home care contracts within 2013/14.
13. Recognising the importance of home care services, on a regular basis Cabinet receives reports on the quality and performance of home care service contracts in Southwark.
14. In the above context, the council has already made a very strong commitment to ensure that the profile and importance of high quality home care services is recognised and the role these services play in supporting a range of vulnerable people in the community is considered vital. Thus it should be noted that there are already many aspects of the Charter that the Council is committed to, has already introduced or is in the process of introducing.
15. It was therefore timely that on 20 November 2012 a deputation request from Southwark based home care workers, supported by Unison, was received and welcomed by Cabinet. The deputation requested that council consider adopting UNISON's Ethical Care Charter "the Charter" (full document is in appendix 1).
16. In response to this cabinet requested officers to prepare a report to enable cabinet to consider the feasibility of the council adopting the Charter and paragraphs 44 to 60 of this report set out the council's progress against the charter, highlighting the areas where it is recommended further work is needed to prepare plans and affordability modelling in order to deliver the council's aspiration over time of developing a commissioning approach to home care services that embrace the principles of the charter and incorporate best practice

principles to be co-produced with key stakeholders.

17. The Charter is broken down into 3 stages and the council's analysis of each stage of the charter has been approached systematically taking into account the following:
 - Analysis of how the council currently commissions home care services, its operational practice and the progress already made on many of the key principles within the Charter.
 - Local and national policy in relation to the personalisation of health and social care services and relevant national research and literature on home care services.
 - Analysis of questionnaires sent to local providers and other key stakeholders
 - Analysis of focus group discussions with key providers and stakeholders
 - Feedback from care management teams.
18. The Charter expresses as its aim a desire to set a minimum baseline for the safety, quality and dignity of care and has set out a number of objectives to work towards this.
19. The objectives of the Charter focus primarily on achieving the minimum baseline through the development of care worker terms and conditions. There are approximately 771,000¹ care workers in the United Kingdom and 431 of these responded to the Unison survey that informed the Charter.

KEY ISSUES FOR CONSIDERATION

20. The overarching principles and aims of the Charter are ones that council and wider stakeholders can and do support and they confirm the importance of many of the things the Council has already implemented and is committed to developing further as part of its Fairer Future promises and Vision for Adult Social Care.
21. The Council's Fairer Future promises emphasise the importance of ensuring the most vulnerable are supported to have choice and control of their support and that services should be the high quality that anyone of us would want for our own family member.
22. The Council has already recognised the importance of the terms and conditions of workers delivering council services under contracts and its commitment to introducing London Living Wage underlines this.
23. In relation to home care services, national research and literature on the delivery and management of home care services underlines the importance of attracting and retaining a well skilled workforce. It is also noted that terms and conditions in their broadest sense are a factor in attracting and retaining staff. The literature on home care services, in particular reablement services, also provides some evidence that a stable, well trained workforce is a factor that influences service

¹ The Size and Structure of the Adult Social Care Workforce, Skills for Care, 2011 cited in Where the Heart is...a review of the older peoples home care market in England: IPC, Oxford Brookes University October 2012.

quality, the outcomes achieved by home care services and users experience. In applying this national evidence locally the council is already undertaking work to develop a training partnership with home care providers.

24. While workforce terms and conditions are important there are other elements that are equally important that impact on service quality and the experiences of those receiving care, including:
 - The service users' level of choice over who delivers their care, and their control over that care
 - Having a well thought out support plan that is holistic, has a wider focus than just council-funded care, and which incorporates flexibility and contingency to respond to change (without having to 'ask' for changes to be made)
 - The way services are commissioned avoiding 'task and time' oriented commissioning.

25. While there are many aspects of the charter that are already in place some of the charters requirements, which are supported in principle, have potentially significant financial implications. In the current context of a 28% reduction in central government grant to the council over the past 3 years and the ongoing uncertainty of future revenue funding it is recommended that Cabinet require officers to undertake further planning to consider how the council's aspiration to meet the requirements of the charter could be achieved over time, including matters of affordability.

26. Alongside the above, Cabinet are also asked to note and confirm the council's continuing work and commitment to co-produce, with stakeholders, a set of best practice principles which are, as far as is practical, consistent with the ethical charter, that will govern the future management and commissioning of home care services in Southwark.

Current commissioning arrangements

27. It is important to note at the outset of this report that as personalisation of social care services continues to be rolled out and personal budgets are introduced for all service users, the council anticipates and is planning for a corresponding reduction in the volume of home care it directly commissions through traditional tendering and procurement approaches.

28. While it is theoretically possible that in the future there would be no further need for the council to directly commission home care services, as people take control of their own budgets, it is recognised that in practice there will always be some people who will want the council to manage their personal budget on their behalf. In order to do this the council will still need mechanisms in place that allow it to commission care on users' behalf.

29. Realistically therefore, the council will continue to directly commission a volume of home care service for some time to come. However the Charter cannot be considered in isolation and within the context of personalisation consideration needs also to be made of the impact and outcomes for directly employed home care workers and personal assistants.

30. The Council currently directly contracts home care services for adults through several agencies:
- Enara (generic home care)
 - London Care (generic home care)
 - Brook Street (reablement home care)
 - Allied (extra care and night owl)
 - Carewatch (Intermediate care - South)
 - Medacs (North)
 - Care watch Lewisham (Intermediate care- neuro rehabilitation)
 - Enara (Alcohol specialist services)
31. In addition, the council spot purchases care to meet the needs of individuals where there is not capacity within existing provision or if the individual has specialist requirements.
32. Other commissioning of home care is undertaken by South London and Maudsley mental health services (SLAM), children's commissioning, and health. Services commissioned by the council would all need to have a consistent approach but it is recognised, that as a market leader, changes made by the council are likely to impact on other commissioners and their budgets as well.
33. There is also a significant and growing group of service users who have elected to manage their personal budget themselves or who have asked a third party to manage it on their behalf, so do not draw down on the council's arrangements.
34. Home care services are provided to the most vulnerable people in our community and this is an essential service that enables them to remain safe in their homes.
35. Home care support workers are usually local residents of Southwark and the workforce is predominantly women with a high proportion from BME groups.
36. The industry norm is for the work force to be made up primarily of part time workers, who often chose part time work to fit in with other family or work commitments. It is also not unusual for care staff to work for more than one agency.
37. The quality of care provided has a direct impact on people living in the community. Good quality care, provided by care workers in partnership with health and community services, can contribute towards preventing people being hospitalised, avoiding or deferring the need for residential or nursing home care, and providing people with terminal illnesses the option of dying at home. This goes to the heart of dignity and choice for people who require services.
38. The council is fully committed to continual improvement in the quality of home care services and has been working with contracted providers to identify and implement ways of achieving this, including development of a training partnership model, ongoing monitoring and review, and regular meetings both at operational and management levels.
39. Therefore with this joint aim, the objectives of the Charter have been reviewed with a view to establishing the feasibility of adopting the charter

recommendations, and the extent to which they will help to achieve the aim of continually improving quality.

40. Ultimately the quality of a service is measured by looking at whether or not it helps people to live their lives in the way they wish to. People who are in control of their own care and who can make their own choices will select a care provider / care worker who best meets their individual needs and have their care delivered in a way that is best for them. As we all do, people will make choices about their own priorities and this will be reflected in how they prioritise what they need from their support plan. Providers who cannot meet people's expectations will not retain their client base.
41. The next section of the report provides a summary of the progress the council has already made around many of the principles within the charter and highlights areas where more detailed planning and analysis is recommended. As such the summary is grouped as follows:
 - Charter recommendations already in place and part of current arrangements including areas for further development; and
 - Charter recommendations where further planning and analysis is recommended to determine how the council could achieve its aspiration of meeting the requirements of the charter and the financial feasibility of doing so.

Initial Feasibility Review

Charter principles already in place

42. There are a number of the principles set out in the Charter which are already in place or are covered within the council's existing contractual requirements and commissioning approach to home care services. These can be summarised as follows:
43. With the exception of payment for travel time all principles under ***stage 1*** of the charter are already in place under the current contracts and commissioning arrangements for home care and in summary this includes:
 - Commissioning of care by need not task and time
 - Not commissioning/using 15 minute visits
 - Scheduling of visits to ensure sufficient time between visits
 - Payment of statutory sick pay (this is a contractual and legal requirement).
44. With regard to payment for travel time, while home care workers are not typically paid for travel time, visits are scheduled as far as is possible to ensure travel time between visits is 15 minutes or less. Where travel time exceeds 15 minutes or is more than 3 stops on public transport home care workers are paid a travel allowance as opposed to being paid for actual travel time.
45. The initial feasibility review of the charter highlighted that there are different approaches to how this matter could be addressed and that there was a strong interrelationship with the way that most home care workers are employed – that being through use of permanent contracts that do not specify a set number of

guaranteed hours for remuneration. This is discussed further in the section of the report that highlights the areas where further work is needed to develop a programme of work that looks at options, affordability and timeframe for achieving the council's aspiration to develop an approach to commissioning high quality home care services that embraces the principles of the charters.

46. With reference to the principles under **stage 2** of the charter with the exception of the recommendation relating to contracts of employment all other principles are already in place under the current contract and commissioning arrangements and in summary this includes:
- Users being allocated the same care worker(s) where possible
 - Providers having clear accountable procedures for following up concerns raised by staff about users' wellbeing
 - Home care workers being trained to the necessary standards
 - Home care workers having the opportunity to meet with co-workers and share best practice.
47. There are however, in relation to some of the above areas, enhancements to existing arrangements that the Council could explore through the recommended development and co-production of a set of best practice principles and its continuing commitment to commissioning high quality home care services.
48. Officers have been working with providers to implement a training partnership approach with providers that would enable providers and the council to commit additional resources to enhanced training and development of home care workers that could be focused on the skills needed to deliver more person centred approaches to home care and training and development that improves the recruitment and retention of staff. This could also support investment in local leadership in these services in the way 'My HomeLife' has been working to support improved quality in nursing and care homes in Southwark.
49. In relation to the use of zero hours contracts this is discussed in the section on areas of the charter that require further analysis.

Commitment to London Living Wage

50. With reference to recommendation 6, in the context of the Council's commitment to introduce LLW and provisions made in the Council's budget for 2013/14, it is considered possible to implement this for the current home care contracts. It is recommended that the leader delegates to the Cabinet Member of Health and Adult Social Care, subject to further legal and procurement advice, the approval to vary current contracts to implement LLW.
51. It should also be noted that progress has already been made on implementing LLW for home care services and that with effect from 1 March 2013 LLW will be paid to home care workers delivering the council's reablement service commissioned by the council from an external provider.

Charter principles requiring further analysis and planning to develop implementation options

52. There are three of the charter's principles that the initial feasibility review highlighted require further work.. It should be noted that they are principles that the Council recognise as important and in order to meet its aspiration to develop an approach to commissioning high quality home care services that embrace the principles of the charter it is recommended further analysis is done to establish how, subject to affordability, these could be planned into the council's commissioning and operational approach to home care services. In summary these are payment for travel time, not using zero hours contracts and requiring providers to provide occupational sickness schemes.

Zero hours contracts

53. One of the stage 2 principles relates to the contracts of employment typically adopted by the majority of home care providers; both voluntary, not for profit and for profit providers. This initial feasibility review of the charter has assumed the charter's meaning to be that permanent contracts that specify a guaranteed level of hours for remuneration, irrespective of hours worked, are used instead of permanent contracts that are based on zero hours where home care workers are paid for the hours they work only.
54. This approach to the employment of home care workers is the approach adopted by the majority of providers locally and nationally. It is however, recognised that zero hours permanent contracts can lead to uncertainty for employees as actual pay can fluctuate based on the level of hours worked and in part the amount of work available / commissioned. It should also be noted that this recommendation does have an interrelationship with the third principle in Stage 1 of the charter which relates to payment for travel time.
55. Some of the reasons for the use of zero hours contracts relate to how home care services are commissioned. This includes the variable volumes required as demand fluctuates, the limited guarantee around contract hours incorporated into providers' contracts with commissioning authorities, the duration of most home care contracts and how the provider market has responded to long term pressure on social care budgets and the funding levels available for home care services. These factors combined have led to the vast majority of providers adopting a zero hours approach to enable them to mitigate their financial risks.
56. One aspect of financial risk that providers set out are around their costs exceeding their income where lower than expected levels of work is commissioned by councils but the providers have ongoing costs associated with staff employed on set hours of work. There is a financial risk around mitigating redundancy costs. Where there is a lower than expected level of work and the providers have no other work to redeploy these staff to, the providers would face redundancy costs for them. A similar risk applies at contract end and where a provider is not successful in securing a continued contract and TUPE does not apply to transfer such staff to the new provider. Even where there was a TUPE transfer it would be typical to expect the providers bidding for new contracts to factor this into their pricing as when they take on TUPE transfer staff the potential liability around redundancy would pass to them.
57. These are a complex set of issues that would need further and more detailed

consideration in order to find a solution(s) to be able to work towards this aspect of the charter. As such this report highlights this as an area where further work is needed to identify the options and affordability of the potential solutions to reduce and if possible eliminate the use of zero hours based contracts or introduce different commissioning approaches that guarantee some minimum hours.

Payment for Travel Time

58. In relation to the third principle under Stage 1 which relates to workers being paid for travel time, the use of contracts that specify a set level of working hours could address this point as the issue of not being paid travel time arises from zero hours contracts involving payment for hours worked (user contact time) only. In the alternative the council could require providers to ensure home care workers are paid for travel time – for example from the start of their visits to the end of the last visit in a day. How best to approach payment for travel time is an area where further work is needed to develop the options and affordability of potential solutions which would need to take account of the interrelationship with the use of zero hours contracts.

Occupational sickness schemes

59. Requiring providers to adopt occupational sickness schemes would almost certainly lead to additional cost to the council. Based on the stakeholder engagement conducted to date, all providers whether voluntary or for profit indicated they would seek to pass this cost onto the council. These costs are difficult to estimate as it would very much depend on the nature and level of cover the council considered appropriate to require providers to put in place.
60. It should be noted that through the focus groups and stakeholder consultation, the key factor affecting providers' ability to ensure continuity of care i.e users having the same care worker, was staff sickness. In this context many of the providers who operate in Southwark (and other boroughs as well) have incentive schemes to remunerate / reward home care workers for good attendance as opposed to providing enhanced occupational sickness cover. Some providers did however explain that they have 'discretionary' enhancements to statutory cover that can be applied for in certain circumstances.

Conclusion

61. Southwark is committed to improving the quality of life for local people who need home care support. Our commitment to personalisation provides a platform to do this, ensuring that users are central to improving the quality of home care services and that other stakeholders can contribute to develop best practice principles that go beyond the recommendations of the charter.
62. The majority of the charter's requirements are already in place and part of current commissioning and operational practice and the initial feasibility review of the charters principles is summarised in paragraphs 44 to 60. The Council's Fairer Future promises, Vision for Adult Social Care and significant commitment to introduce London Living Wage all support the overarching stated aim of the charter.
63. There are, however, some of the charters requirements that while the council's

aspiration is to meet them it is recommended that officers establish a task and finish group to develop and deliver a programme of work including affordability analysis to support meeting the council's aspiration.

64. Further engagement is needed and recommended with users, providers and the wider home care market to ensure that all opportunities to improve the quality and consistency of care are identified. Through the development of best practice principles for home care services we aim to achieve measurable improvements in the quality of care and users' experience of home care services, and also seek to improve the working terms and conditions of home care workers.
65. It will be important to ensure that any work to improve the quality of home care services is considered in conjunction with wider quality improvement initiatives for other parts of the care sector. For example there are risks that committing to the charter for home care services may result in care workers being drawn away from other parts of the sector (personal assistants, residential homes, non-contracted care providers). The council therefore considers its aspiration to develop an approach to commissioning home care services that embraces the principles of the charter to be part of its overarching commitment to commissioning high quality personalised care services for the most vulnerable members of Southwark's community.
66. It is therefore proposed that Cabinet should agree a programme of work for officers to take forward that will:
 - Work collaboratively with service users, carers and families and a range of other stakeholders, to develop a set of best practice principles to guide current and future practice and inform future commissioning of services and contractual requirements
 - Develop of a set of best practice principles with the stakeholders above devise a quality improvement programme that the council and its partners can jointly sign up to.
 - Work collaboratively with existing providers to better understand the relevant local and sub regional dynamics in the home care market and develop costed action plans for how they can improve the quality of care delivered
67. Alongside engaging with service users it is recommended that a working group of stakeholders be established to develop the best practice principles and the council's ongoing quality improvement programme and Unison and other trade unions be invited to contribute to this working group.

Policy implications

68. The Charter proposes a number of changes presented as ways to improve staff retention, skill and satisfaction which, it is asserted, will in turn improve quality. Whilst there is no data or research to support this, it is clear that a number of the proposals are sensible and would set a benchmark for good practice.
69. It should be noted that it does not appear that users or providers were involved in the development of the Charter, and nor was the council consulted in its development.
70. Any additional costs associated with meeting the council's aspiration to embrace

the principles of the Charter ,would also impact on the personal budgets rates paid across the social care system. This is because the level of direct payments individuals are entitled to is related to what it would cost the Council to arrange for care to be provided.

71. The council is committed to ensuring that the London Living Wage, currently £8.55 per hour is paid to all staff delivering services under new contracts with the council and to explore where this may be possible under existing contractual arrangements.

Community impact statement

72. Demographics of care work staff:
- At present, contracted providers of home care in Southwark employ in excess of 400 people.
 - Of these, approximately 82% are women and approximately 65.5% are from BME groups.
 - Providers have indicated that they do not have any staff who have declared a disability under the Disability Discrimination Act.
 - It is estimated that the majority of homecare workers are also from Southwark as they tend to be drawn from the local community.
73. Demographics of people who receive care:
- Of 4600 people who receive care, approximately 64% are older people, with the remainder being people with learning disabilities, mental health or physical disabilities.
 - Amongst the over 65's approximately 65% of these are women and approximately 37% are from BME groups.
 - Amongst the under 65's approximately 47% of these are women and approximately 56% are from BME groups.
 - All people receiving care meet the Fairer Access to Care Services (FACS) criteria of critical and substantial. This means they are all likely to be classified as having a disability.
74. Any changes that impact on the quality of care delivered will affect all adults social care client groups though it should be noted that older people represent the largest group of service users.
75. The full equalities impact of the council's aspiration to embrace the principles of the charter will be considered continually throughout the development of the council's quality strategy and best practice principles for homecare services. Any recommendations arising from the work of the task and finish group and working group of stakeholders in relation to this will include a full assessment of their equalities impact.

Financial implications

76. This report identifies a number of the charter's principles which require further with analysis including the development of implementation options. At this stage it is not possible to model and estimate the full cost of implementing all principles within the charter.

77. This report recommends the implementation of LLW for the two main home care contracts. This will be subject to a delegated decision to vary the existing contracts, which will be taken through an IDM decision report to the Cabinet Member for Health and Adult Care. Budget provision has been made to allow for this potential additional cost.

Consultation

78. The Council's Vision for Adult Social Care has provided a strong platform that has enabled the council to make progress on improving user choice and control over their care, including providing the opportunity for over 400 users of home care services to remain with their current providers on a personal budget arrangement following the retendering of home care services in 2011/12.
79. With reference to Unisons Ethical Care Charter, a focus group discussion took place with a mixture of voluntary, and for profit homecare provider organisations on 15 January 2013. This included the councils two main contracted providers, providers delivering homecare under MAP arrangements and some spot purchase providers.
80. This focus group provided some useful insights and comments on the charter's principles and confirmed that providers are supportive of the aims of the charter and are willing to work with the council to develop best practice principles that can support the council to meet its aspiration to embrace the charters principles.
81. Further views were sought from other homecare providers working in Southwark via an email survey.
82. Unison sought the views of care workers when developing its charter and 431 of an estimated national workforce of 771,000² in the United Kingdom responded to Unison's survey and their views are expressed in the Charter document.
83. At this stage the council has not sought the views of home care workers in Southwark.
84. Subject to Cabinet agreeing the recommendations in this report an engagement plan will be developed to ensure that the development of best practice principles is consulted on as widely as possible. The engagement plan will ensure that users, home care workers, other interested groups and experts in the field can inform and shape the development of these principles and Unison and all other recognised trade unions will be invited to contribute and participate in the development of the best practice principles.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

85. This report requires the cabinet to consider and agree a number of recommendations relating to the Unison ethical care charter, and the council's aspirations for home care services.

² The Size and Structure of the Adult Social Care Workforce, Skills for Care, 2011 cited in Where the Heart is...a review of the older peoples home care market in England: IPC, Oxford Brookes University October 2012.

86. Before approving any proposals Members should have regard to their equalities implications and consultation that has been undertaken.
87. Paragraphs 78-84 set out the consultation which has already taken place, and the report confirms that further consultation and equality analysis is to be undertaken before the cabinet member is asked to approve the best practice principles. These will be outlined in the reports for the cabinet member's delegated decision.
88. Paragraph 6 asks the leader to delegate approval to subsequent contract variations (to include the provision of London living wage (LLW) to existing home care contracts) to the cabinet member for health and adult social care. This is subject to further legal and procurement advice, and measures being included so that enhanced quality and performance is demonstrated by this inclusion. The council agreed in February 2012 that there should be a presumption that LLW applies for new contracts where best value can be demonstrated, and quality improvements can be delivered. In November 2012 the council also became an officially accredited LLW employer. As noted in paragraph 23, there is evidence to support that the attraction and retention of a well skilled workforce influences the quality of service. This will be considered further and full advice given to the cabinet member as part of the delegated approval.

Strategic Director of Finance and Corporate Services (FC13/022)

89. The Strategic Director of Finance and Corporate Services notes the aspiration to commission high quality home care services which fully embrace the principles of the ethical care charter. This remains subject to detailed analysis, which will lead to costs and benefits, contained within future budget reports for cabinet and council assembly.
90. It is noted that renegotiations will be entered in to with existing contractors in the coming months. Provision is already in place in the 2013/14 budget for introducing London Living Wage to contract. Any costs associated with these services will represent a call on that budget and also from earmarked modernisation reserves if necessary.
91. In carry out negotiations on revised contracts the council will wish to understand productivity and service improvements that arise as a consequence of any additional costs.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
None		

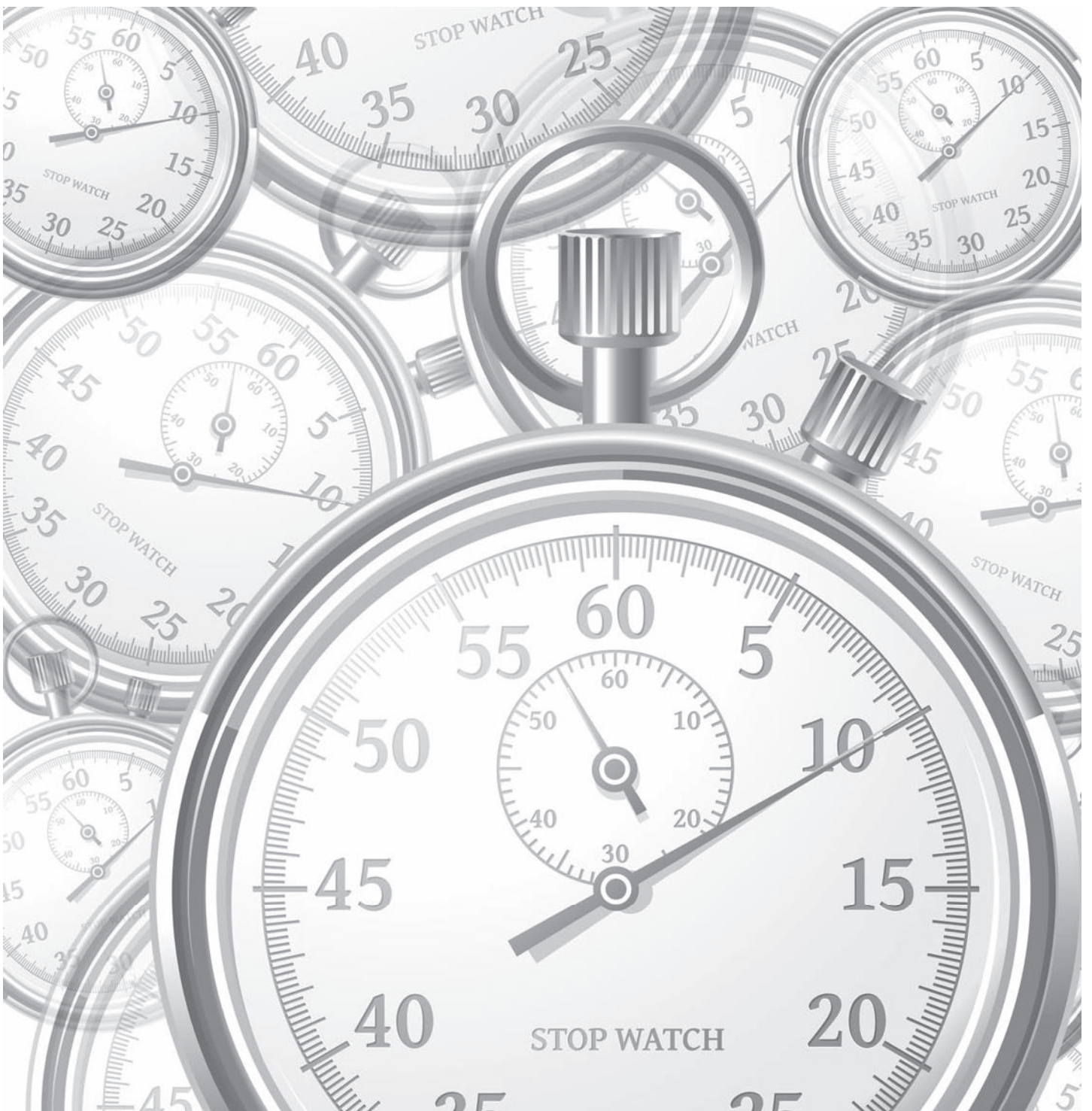
APPENDICES

No.	Title
Appendix 1	UNISON's ethical care charter

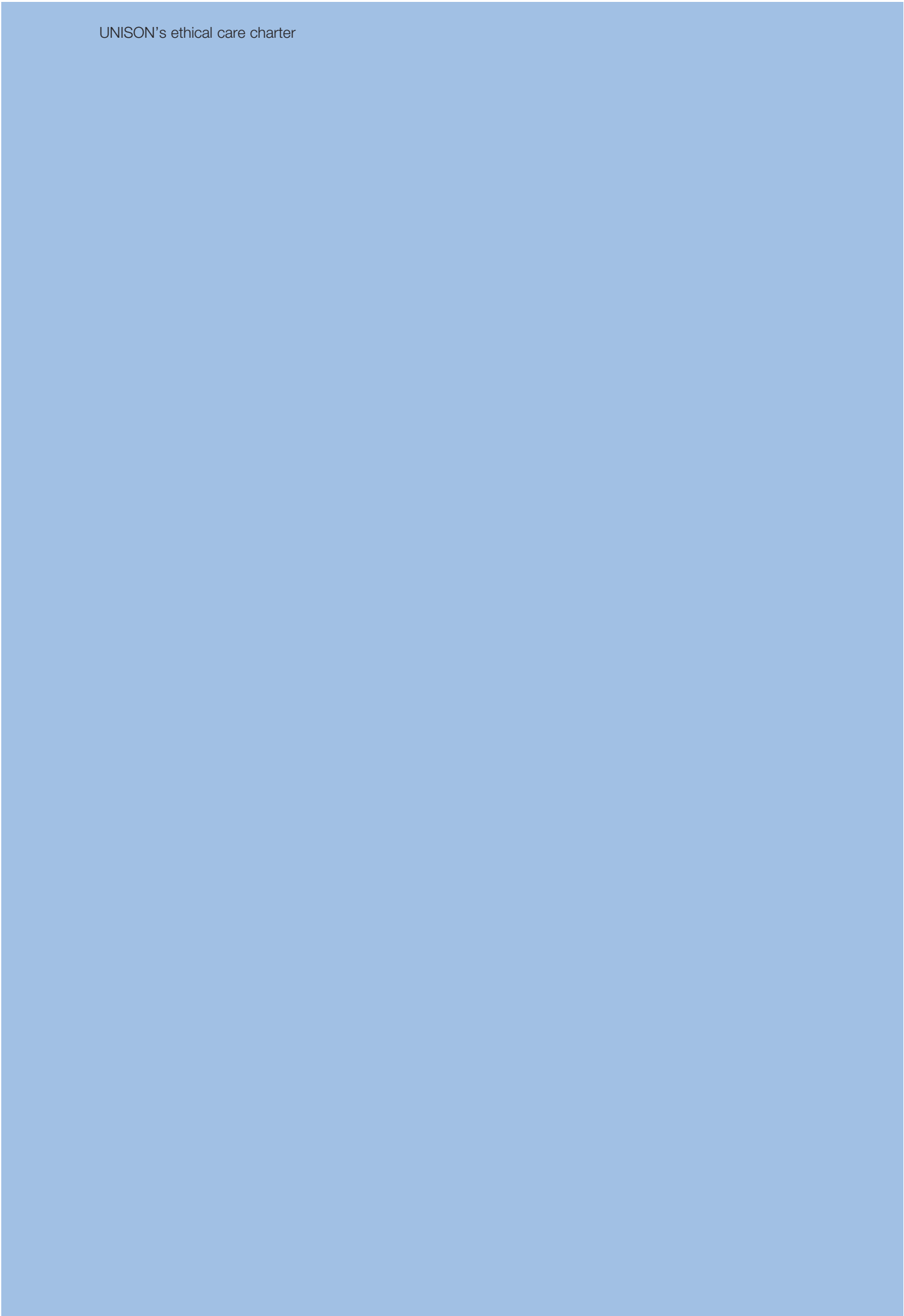
AUDIT TRAIL

Cabinet Member	Councillor Catherine McDonald, Cabinet Member for Health and Social Care	
Lead Officer	Romi Bowen, Strategic Director, Children's and Adults Services	
Report Author	Jonathan Lillistone, Head of Commissioning	
Version	Final	
Dated	5 April 2013	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Legal Services	Yes	Yes
Strategic Director of Finance and Corporate Services	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional/ y Team	5 April 2013	

UNISON's ethical care charter



UNISON's ethical care charter



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Introduction

A number of reports from client organisations, consumer groups, and homecare providers have recently been produced which have been highly critical of the state of homecare services in the UK. Little consideration however has been given to the views of homecare workers themselves as to why there are so many problems in this sector.

UNISON, the largest public service union, conducted a survey of homecare workers entitled “Time to Care” to help address this imbalance and to illustrate the reality of homecare work. The online survey which was open to homecare workers who were either UNISON members or non-members attracted 431 responses between June and July of 2012.

The responses showed a committed but poorly paid and treated workforce which is doing its best to maintain good levels of quality care in a system that is in crisis. The report highlights how poor terms and conditions for workers can help contribute towards lower standards of care for people in receipt of homecare services.

Key findings

- 79.1% of respondents reported that their work schedule is arranged in such a way that they either have to rush their work or leave a client early to get to their next visit on time. This practice of ‘call cramming’, where homecare workers are routinely given too many visits too close together, means clients can find themselves not getting the service they are entitled to. Homecare workers are often forced to rush their work or leave early. Those workers who refuse to leave early and stay to provide the level of care they believe is necessary, also lose out as it means they end up working for free in their own time.
- 56% of respondents received between the national minimum wage of £6.08 an hour at the time of the survey and £8 an hour. The majority of respondents did not receive set wages making it hard to plan and budget. Very low pay means a high level of staff turnover as workers cannot afford to stay in the sector. Clients therefore have to suffer a succession of new care staff.
- 57.8% of respondents were not paid for their travelling time between visits. As well as being potentially a breach of the minimum wage law, this practice eats away at homecare workers’ already low pay.
- Over half the respondents reported that their terms and conditions had worsened over the last year, providing further evidence of the race to the bottom mentality in the provision of homecare services.
- 56.1% – had their pay made worse
- 59.7% – had their hours adversely changed
- 52.1% – had been given more duties
- 36.7% of respondents reported that they were often allocated different clients affecting care continuity and the ability of clients to form relationships with their care workers. This is crucial, especially for people with such conditions as dementia.
- Whilst the vast majority of respondents had a clearly defined way of reporting concerns about their clients’ wellbeing, 52.3% reported that these concerns were only sometimes acted on, highlighting a major potential safeguarding problem.
- Only 43.7% of respondents see fellow homecare workers on a daily basis at work. This isolation is not good for morale and impacts on the ability to learn and develop in the role.
- 41.1% are not given specialist training to deal with their clients specific medical needs, such as dementia and stroke related conditions.

The written responses to our survey paint a disturbing picture of a system in which the ability to provide some companionship and conversation to often lonely and isolated clients is being stripped away. Some recounted the shame of providing rushed and insufficient levels of care because of the terms and conditions of their job, whilst many detailed insufficient levels of training that they had been given to carry out the role. Others made the point that rushed visits are a false economy leading to a greater likelihood of falls, medication errors and deterioration through loneliness.

However the survey also showed the selflessness and bravery of homecare workers who, to their own personal cost, refused to accept the imposition of outrageously short visits and worked in their own time to ensure that their clients received good levels of care. Some homecare workers were doing tasks and errands for their clients in their spare time, despite the seemingly best efforts of the current care model to strip away any sense of personal warmth or humanity.

Homecare workers are personally propping up a deteriorating system of adult social care, but they are being pushed to breaking point. That they are still willing to deliver good levels of care in spite of the system is nothing short of heroic. For the system to work it needs to be underpinned by adequate funding and a workforce whose terms and conditions reflect the respect and value they deserve. Crucially they must be given the time to care.

“ I never seem to have enough time for the human contact and care that these people deserve. ”

“ A lot of the people I care for, are old and lonely, they are not only in need of physical support, but they are also in need of company and someone to talk to. The times given to these people are the bare minimum to get the job done, no time for a chat, just in and out. ”

“ People are being failed by a system which does not recognise importance of person centred care. ”

“ We are poorly paid and undervalued except by the people we care for! ”

“ I have worked as homecare worker for 15 years. Things have to change but not at the expensive of clients. It’s appalling the care they receive now. ”

Ethical care councils

In light of UNISON's findings, we are calling for councils to commit to becoming Ethical Care Councils by commissioning homecare services which adhere our Ethical Care Charter.

The over-riding objective behind the Charter is to establish a minimum baseline for the safety, quality and dignity of care by ensuring employment conditions which a) do not routinely short-change clients and b) ensure the recruitment and retention of a more stable workforce through more sustainable pay, conditions and training levels. Rather than councils seeking to achieve savings by driving down the pay and conditions that have been the norm for council – employed staff, they should be using these as a benchmark against which to level up.

Councils will be asked to sign up to the Charter and UNISON will regularly publish the names of councils who do.

Ethical care charter for the commissioning of homecare services

Stage 1

- › The starting point for commissioning of visits will be client need and not minutes or tasks. Workers will have the freedom to provide appropriate care and will be given time to talk to their clients
- › The time allocated to visits will match the needs of the clients. In general, 15-minute visits will not be used as they undermine the dignity of the clients
- › Homecare workers will be paid for their travel time, their travel costs and other necessary expenses such as mobile phones
- › Visits will be scheduled so that homecare workers are not forced to rush their time with clients or leave their clients early to get to the next one on time
- › Those homecare workers who are eligible must be paid statutory sick pay

Stage 2

- › Clients will be allocated the same homecare worker(s) wherever possible
- › Zero hour contracts will not be used in place of permanent contracts
- › Providers will have a clear and accountable procedure for following up staff concerns about their clients' wellbeing

- › All homecare workers will be regularly trained to the necessary standard to provide a good service (at no cost to themselves and in work time)
- › Homecare workers will be given the opportunity to regularly meet co-workers to share best practice and limit their isolation

Stage 3

- › All homecare workers will be paid at least the Living Wage (As of September 2012 it is currently £7.20 an hour for the whole of the UK apart from London. For London it is £8.30 an hour. The Living Wage will be calculated again in November 2012 and in each subsequent November). If Council employed homecare workers paid above this rate are outsourced it should be on the basis that the provider is required, and is funded, to maintain these pay levels throughout the contract
- › All homecare workers will be covered by an occupational sick pay scheme to ensure that staff do not feel pressurised to work when they are ill in order to protect the welfare of their vulnerable clients.

Guidance for councils and other providers on adopting the charter

Seeking agreements with existing providers

1. Convene a review group with representation from providers, local NHS and UNISON reps to work on a plan for adopting the charter – with an immediate commitment to stage 1 and a plan for adopting stages 2 & 3
2. Start by securing agreement for a review of all visits which are under 30 minutes. The review will include getting views of the homecare workers and client (and/or their family) on how long the client actually needs for a visit and what their care package should be

Looking for savings

3. Are providers' rostering efficiently – for example are there cases of workers travelling long distances to clients when there are more local workers who could take over these calls?
4. How much is staff turnover costing providers in recruitment and training costs?
5. How much are falls and hospital admissions amongst homecare clients costing the NHS and could some of these be prevented by longer calls and higher quality care?

6. Are there opportunities for economies of scale by providers collaborating around the delivery of training and networking/mentoring for workers?
7. Are there opportunities for collaboration between providers to achieve savings on procurement of mobile phones, uniforms and equipment for workers?

The commissioning process

1. UNISON's evidence, along with that of other bodies such as the UKHCA, shows that working conditions are intrinsically bound up with the quality of care.
2. When councils are conducting service reviews and drawing up service improvement plans, the Charter will provide a helpful benchmark for ensuring service quality – whether for an improved in-house service or in relation to externally commissioned services.
3. Where a decision has been taken to commission homecare externally, identify how the elements of the charter will be included as service delivery processes, contract conditions or corporate objectives in the invitation to tender documents. It must explain how these are material to the quality of the service and achieving best value.

Service monitoring

1. Work with providers and trade unions to agree how service quality will be monitored and compliance with the Charter assured
2. Build regular surveys of homecare workers into this process to gain their views and consider establishing a homecare workers panel from across local providers who can provide feedback and ideas on care delivery

The provisions of this charter constitute minimum and not maximum standards. This charter should not be used to prevent providers of homecare services from exceeding these standards.

UNISON has more than a million members delivering essential services to the public. Services that protect, enrich and change lives.

We want to see changes that put people before profit and public interest before private greed. Join our campaign to create a fairer society.

To find out more go to unison.org.uk/million

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Item No. 12.	Classification: Open	Date: 16 April 2013	Meeting Name: Cabinet
Report title:		Gateway to Peckham - Public Square and Station Regeneration	
Ward:		The Lane	
Cabinet member:		Councillor Fiona Colley, Regeneration and Corporate Strategy	

FOREWORD – COUNCILLOR FIONA COLLEY, CABINET MEMBER FOR REGENERATION AND CORPORATE STRATEGY

Working alongside our partners, Peckham Vision, Network Rail, the GLA and Southern Railways, we have been making good progress with improvement works at Peckham Rye Station. Passenger waiting arrangements have been improved, the windows have been unbricked on the southern tower, we will shortly have a new cycle parking hub and the station is back in the Access for All Programme to provide step free access to train services.

There has also been a great deal of work going on to progress plans for the new Peckham Rye Station Square project and we are now ready to commence negotiations with the businesses to acquire the many existing leases and sub-leases so that the existing run down buildings can be removed and replaced with new high quality public realm and retail units.

Whilst this project will undoubtedly be of great benefit to the overall economic wellbeing of Rye Lane and the surrounding area, approximately 60 businesses currently based within the regeneration area will be displaced - many of them small independent and BME businesses. Council officers are already in regular contact with many of these businesses, but in addition to instructing officers to start negotiations I am also recommending that a business engagement and support package is developed by the director of regeneration in consultation with myself and the cabinet member for communities and economic wellbeing to ensure these local entrepreneurs are kept fully informed and given appropriate support to help them take the right decisions about the future of their businesses.

RECOMMENDATIONS

That the cabinet:

1. Notes the progress made to date.
2. Instructs officers to commence negotiation with interested parties and notes the council is taking active steps to secure the vacant possession of the area shown in Appendix 1.

3. Authorises the director of regeneration
 - a) To approve the detailed provisions and requirements of a business engagement package in consultation with the cabinet members for regeneration and corporate strategy and communities and economic wellbeing.
 - b) To prepare and implement a land information and assembly strategy, which would include:
 - i. Continued engagement and negotiations to acquire all interests and approve agreements with landowners of land within the area shown in Appendix 1
 - ii. Undertake referencing and/or obtain further information using requisitions under the Acquisition of Land Act 1981
 - iii. Amend the boundaries of the areas edged in bold and shown in Appendix 1 should it be required
 - iv. Enter into agreement with Network Rail for the Gateway to Peckham project

BACKGROUND INFORMATION

4. The Gateway to Peckham project is the centre piece of the regeneration programme in Peckham and will be a catalyst for further investment leading to the achievement of the vision in the Peckham and Nunhead Area Action Plan (PNAAP). It is anticipated that this draft plan will be submitted for examination by the Secretary of State later in 2013.
5. On the 17 April 2012, the cabinet approved that the council enter a grant agreement with the Greater London Authority (GLA) to deliver the project as part of the Mayor's Regeneration Fund.
6. The project objectives include opening out the area in front of the station into a new public space and improving the arches and area to the rear of the station to increase economic activity and it is anticipated that it will be delivered over a four year period.
7. The project will deliver an attractive point of arrival forming an anchor in the middle of the town centre, promote new active uses and be the catalyst for further investment. With a number of vacant, redundant or under-utilised spaces (especially within the station envelope) bringing these back into productive and viable use is fundamental to supporting the regeneration of the area

KEY ISSUES FOR CONSIDERATION

Improvements to Peckham Rye Station

8. Southern Railways completed improvement works to the station including improved passenger waiting arrangements. These works were completed ahead of the opening of the London Overground service on 10 December 2012.
9. Works have now been completed to the opening of the windows in the southern tower, exposing the stairs and decorative ironwork. This work has been led by Peckham Vision.

10. Funding was granted for the creation of a cycle parking hub in April 2012, with permission secured in late December 2012. Works are now progressing and are due for completion by May 2013. Permission has been granted and works are continuing to bring the northern retail unit back into use.
11. Network Rail have secured the reinstatement of Peckham Rye Station on the Access for All programme (to provide step-free access) and option development commenced in late February 2013.
12. To ensure the protection of the station's heritage through the range of proposed works, a conservation management plan will be developed for the station. In addition a structural survey of the floor to determine possible interventions in the former Billiard Room/Old Waiting Room is being progressed.

Engagement with the business community

13. There are approximately 60 businesses which are likely to be affected by the station regeneration project, including around 30 at the front of the station and a similar number in the rear arches. In July 2012, the council hand delivered letters to all businesses within the area shown in Appendix 1.
14. An engagement and support programme will be put in place for landowners and businesses directly affected by the station regeneration and the possibility of a temporary alternative business site will be explored.
15. Local businesses not directly affected by the station project will be kept informed and engaged with the project through a communications strategy to be prepared with Network Rail.
16. The council is also engaged in wider initiatives in the Rye Lane area that impact on businesses, which will be taken into account, including the Community Restoration Fund, Townscape Heritage Initiative, Pocket Places and the new Business Support Fund.

Creation of station square

17. Since April 2012 officers have been progressing the project and in December 2012, the council entered into a grant agreement with the GLA.
18. Officers have been developing an understanding of interests included within the Network Rail owned property outlined in proposal site 6 of the draft PNAAP and as shown in Appendix 1.
19. In support of the creation of the new station square, a high level assessment of future massing and supporting active uses has been prepared and used to inform the business case. Network Rail's investment panel are due to consider the Gateway to Peckham project in April 2013.
20. At this investment panel meeting, it is anticipated that Network Rail will support the development of the scheme, necessitating the need to formalise a working arrangement with Network Rail to bring greater coherence and surety to the regeneration, and provide greater delivery certainty. To ensure the interests of the council and Network Rail are protected it is proposed to develop heads of terms leading to the preparation of an agreement between the two organisations.

This agreement is expected to cover, amongst other things:

- a. Preparation and approval of a planning application
- b. Business relocation strategy
- c. Design and construction
- d. Land acquisition
- e. Ongoing maintenance and responsibilities

Community impact statement

21. Gateway to Peckham forms a key component in delivering the aspirations and visions of the draft PNAAP. It is envisaged that investment and improvements to Peckham Rye Station and surrounds will have a positive long term impact.
22. There will need to be further extensive consultation with the current business occupiers and with key stakeholders involved in the project. An equalities impact statement will be prepared as the project develops which will assist the council in understanding the needs of the current occupiers and identifying any key concerns or barriers to our services for different groups of people; and anticipate and avoid potential difficulties for some people and work to remove or mitigate them.
23. The council will ensure that all interests, regardless of age, disability, faith/ religion, gender, race, and ethnicity or sexual orientation will be treated fairly and equally throughout negotiations, and where appropriate, they will be offered financial and business support as well as being advised of their legal rights in accordance with statutory principles and council policy.

Policy implications

24. Gateway to Peckham forms a key component in delivering the aspirations and visions of the draft PNAAP. The confirmed policies and actions relating to regeneration and economic prosperity are consistent with the council's economic wellbeing strategy as well as the council's broader policy framework.

Consultation

25. As part of the consultation of the draft PNAAP, issues and options, the council asked the community if they would want to see a square in front of Peckham Rye Station, 86% of respondents were in favour.
26. Extensive consultation will be undertaken in the delivery of the project, with the affected businesses, local stakeholders and wider community.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

27. The intention is to assist in the regeneration of Peckham Rye station which will contribute to the council's aim of promoting and improving the economic, environmental and social well-being of the area around the station.
28. The purpose of this report is to ensure that the council continues with a process towards landowners and occupiers which is open and treats the persons affected with due respect. Carrying out consultation is an important part of this process to ensure that any misunderstandings concerning the process are removed as far

as possible.

29. Officers will enter into negotiations with those with a legal interest in part of the land affected. If the market value of any such interest exceeds £100,000, then the specific acquisition will need to be authorised by cabinet. Authority is also sought to exercise formal information gathering powers where required.

Strategic Director of Finance & Corporate Services (FC13/021)

30. The strategic director of finance & corporate services notes the progress made to date and that the negotiation and preparation of strategies can be contained within existing resources.
31. There are no new costs associated with this report. Any subsequent decisions arising from the regeneration programme will be brought to the relevant decision maker with full financial implications clearly identified.

BACKGROUND PAPERS

Background Papers	Held At	Contact
Cabinet Report - Approval to enter grant agreement with the GLA for the Gateway to Peckham Project – April 2012	http://modern.gov.southwark.gov.uk/mg/IssueHistoryHome.aspx?Id=18556	Sally Crew 020 7525 5564

APPENDICES

No.	Title
Appendix 1	The site

AUDIT TRAIL

Cabinet Member	Councillor Fiona Colley, Regeneration and Corporate Strategy	
Lead Officer	Eleanor Kelly, Chief Executive	
Report Author	Sally Crew, Group manager, Policy and Programmes	
Version	Final	
Dated	4 April 2013	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Legal Services	Yes	Yes
Strategic Director of finance & Corporate Services	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	4 April 2013	

Appendix One - Gateway to Peckham_area

Date 4/4/2013



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Item No. 13.	Classification: Open	Date: 16 April 2013	Meeting Name: Cabinet
Report title:		Manor Place Depot, Occupation Rd, Walworth, London SE17 3BE – Disposal of Freehold interest	
Wards affected:		Newington	
From:		Councillor Richard Livingstone, Finance, Resources and Community Safety	

FOREWORD - COUNCILLOR RICHARD LIVINGSTONE CABINET MEMBER FOR FINANCE, RESOURCES AND COMMUNITY SAFETY

This report asks cabinet to approve the sale of the council's freehold interest in the old Manor Place Depot in Walworth. The council first decided that it would sell this site when it agreed to build the new waste management facilities at the Old Kent Road in 2004.

The preferred bidder intends to develop the land mainly for residential use, but with some commercial development of the railway arches. The developer is proposing that 35 percent of the residential units are policy-compliant affordable housing, helping in the council's aim of having more affordable housing built in the area. The listed buildings on the site will be retained for a mixture of residential, commercial and community use.

The receipt will contribute significantly to the council's ten-year capital programme for general fund projects. Those projects include the building of the new Elephant and Castle Leisure Centre and are likely to also to include the rebuilding of Walworth Town Hall following last month's disastrous fire, as part of the next capital programme refresh.

RECOMMENDATIONS

That the cabinet authorises

1. The head of property to dispose of the council's freehold interest in Manor Place Depot, Occupation Rd, SE17 (the "Property"), on the terms outlined in the closed version of this report.
2. The resulting capital receipt to be recycled into the council's capital programme.
3. The head of property to agree any minor variations to the terms of the sale, with the purchaser, which may arise prior to completion of the transaction or alternatively to agree terms with any of the under bidders subject to best consideration requirements if in the unlikely event the original offer fails to progress to completion.

BACKGROUND INFORMATION

4. The council are the freeholders of the Property highlighted and edged in black on the attached Ordnance Survey extract at Appendix 1. The site has been in operational use as the councils refuse transfer station as well as a number of ancillary and related uses for 100 years. Following the completion and commissioning of the new integrated waste management facility, located on the Old Kent Road, the property is now no longer required and is surplus to the council's requirements.
5. On the 18 May 2004 the council's executive first authorised the property for disposal following a report on the provision of new waste management facilities on the Old Kent Road.
6. The property is designated as a site in the Southwark Core Strategy as Proposals Site 49P; a predominantly residential development site, with some other commercial and community uses located in the railway arches that bisect the site.
7. Part of the property comprises 33 Manor Place which is a grade II listed building and was originally constructed as public bathing pools and wash house. These were built in 1898 and were closed in 1978 after which the council utilised the space as offices and storage. Since 2007 part of the building has been leased to a Buddhist Group. The letting is outside the 1954 Landlord and Tenant Act.
8. Most of the site is currently empty or subject to temporary uses. Completion of the sale will not occur until the council has fully vacated the site. In particular the fuel tanks that supply council vehicles are still being used until alternative suppliers have been secured. The fleet services offices are currently operational but they are to be relocated to alternative accommodation in the near future.
9. Following a tender process in July 2012 the council appointed Deloitte Real Estate (DRE) to market for sale the property by informal tender. In conjunction with the council's property team the appointed agents prepared a comprehensive pack of background information and specialist reports related to the property to help inform potential bidders. This was then made available in an online data room. Also included was a planning statement prepared by SNR Denton and agreed with the council's development management team.
10. The property was marketed for just over six weeks from the 29 September 2012. Over 200 enquiries were received by the council's agents during the marketing period. The informal tender exercise generated eleven bids from eight bidders. Following the close of bids the top four bidders were all interviewed by a panel comprising DRE and council officers from the development control and property teams in an attempt to further analyse their submissions and to establish them all on like for like basis.
11. The property is held in the council's general fund.

12. Authority to sell is delegated to the head of property in individual cases where the sale price is below £500,000 or less under Part 3P of the council's constitution. The sale price of this property will exceed this limit and cabinet approval is therefore required.

KEY ISSUES FOR CONSIDERATION

13. In accordance with the principles and policy of good asset management laid down by government, together with local authority regulations, councils are required to dispose of surplus property assets subject to best consideration requirements. The head of property confirms that the sale of the property will comply with these requirements and the price achieved equates to its current market value.
14. The property has been properly marketed for sale by informal tender. After making an assessment of the planning risk associated with each of the shortlisted bidders and considering the effect of rebasing these bids to Net Present Value (NPV), the highest bidder has been identified, thus discharging the council's statutory duty to achieve best consideration. The details of which are contained in the closed version of this report.
15. The council has a duty under Section 123 of the Local Government Act 1972 to obtain the best consideration for the property.
16. The preferred bidder proposes a residential led, mixed use redevelopment of the site assuming planning permission for 256 new build units and the provision of new B1 space within a number of the railway arches located on the site.
17. Part of the property, 33 Manor Place is heritage listed. Any changes to this building will require listed building consent.
18. The property is located within the area covered by the Elephant and Castle opportunity area supplementary planning document (SPD) which was adopted by Cabinet on 20 March 2012. The SPD sets out the vision for the Elephant and Castle opportunity area. It provides a framework which will guide development over the next 15 years, ensuring that regeneration is coordinated and sustainable. The SPD is part of the Council's framework of planning documents. It is a material planning consideration in deciding planning applications in the opportunity area. Any planning application arising as a result of this proposed transaction will have to comply with the requirements of the SPD.
19. The preferred bid offers the chance of a substantial early receipt to the council with little risk of delay. The precise details of this offer are outlined in the closed report
20. The empty site and deteriorating buildings thereon are having a negative effect on the immediate neighbourhood. The redevelopment of the property will have significant regenerative benefits for the local community including the provision of new housing across a range of tenures. The sale of the property should ensure that it is quickly brought back into beneficial use.

21. The property will be offered with full vacant possession prior to completion of the sale. The council does not own any interest in any of the bidder bodies.
22. The substantial capital receipt that will be generated as a result of the sale of the property is needed as a contribution to the council's Capital Programme and to replenish resources that were committed to enable the new waste management facility to be established.

Policy implications

23. The disposal of the property will generate a substantial capital receipt, which will be used to provide capital funding in support of the council's key priorities.
24. The environmental improvements arising from the redevelopment or refurbishment of the buildings on this site will assist the council in meeting its cleaner, greener and safer agenda. All new dwellings arising from the redevelopment will have to meet code level 4 of the code for sustainable homes.

Community impact statement

25. The decision has been judged to have no or little impact on local people and communities. However, the large capital receipt realised as a result of the transaction will be applied in pursuant of the council's corporate objectives, achieving its stated budget principles and working together with communities towards a 'fairer future for all'.
26. Some local residents have indicated their interest and concern for the future use of the property and have met with council officers and ward councillors.
27. Any planning application seeking to redevelop or change the use of any part of the Property will have to conform to the requirements of the local development framework and will be subject to the statutory consultation process.
28. Any redevelopment of this currently deteriorating and largely empty site will likely have a positive benefit on the wider community.

Resource implications

29. This proposal will generate a large capital receipt, much of which is expected in the financial year 2013/14.
30. The buyers will also make a contribution towards the council's administration costs.
31. There will be a small loss of income to the council generated by the a number of the current users of the site e.g. receipts from film crews, the metropolitan police for parking vehicles and the Buddhist group for their occupation of 33 Manor Place. This reduction has been accounted for in the 2013/14 budget.
32. Disposal expenditure includes reasonable incidental management and legal charges which would be reimbursed from receipts, as well as sales and marketing costs.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

33. Section 1 of the Localism Act 2011 grants councils a general power of competence whereby a local authority has power to do anything that individuals generally may do. However, that power does not enable a local authority to do anything which it is unable to do by virtue of a pre-commencement limitation. Disposal of land and buildings by a council are limited by a number of different Statutes, the relevant one here being s.123 of the Local Government Act 1972.
34. Property held in the general fund can only be disposed by the council in accordance with Section 123 of the Local Government Act 1972. This states that, except with the consent of the Secretary of State, a council shall not dispose of land under that section, otherwise than by way of a short tenancy, for a consideration less than the best that can reasonably be obtained.
35. The information set out in the closed report indicates that the consideration to be obtained for the Property is the best that can reasonably be obtained.
36. If the cabinet is satisfied that the consideration is the best that can reasonably be obtained and that the transaction represents value for money, they may proceed with the approval of the recommendation.

Strategic Director of Finance and Corporate Services (FC13/008)

37. This report recommends that the cabinet authorises the head of property to dispose of the council's freehold interest in, Manor Place Depot, Occupation Rd, Walworth, London SE17 that the resulting capital receipt be recycled into the council's capital programme. .
38. The strategic director of finance and corporate services notes the resource implications contained within the report. Revenue savings from this disposal have already been achieved and identified in the 2012/13 budget. Officer time to effect the recommendation will be contained within existing budgeted revenue resources.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
None		

APPENDICES

No.	Title
Appendix 1	Ordinance Survey plans, indicating the property - highlighted in bold

AUDIT TRAIL

Cabinet Member	Councillor Richard Livingstone, Finance, Resources and Community Safety		
Lead Officer	Eleanor Kelly, Chief Executive		
Report Author	Paul Davies, Principal Surveyor		
Version	Final		
Dated	4 April 2013		
Key Decision?	Yes		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments Sought	Comments Included	
Director of Legal Services	Yes	Yes	
Strategic Director of Finance and Corporate Services	Yes	Yes	
Cabinet Member	Yes	Yes	
Date final report sent to Constitutional Team	4 April 2013		

Appendix 1

Manor Place Depot (1.7ha)



Date 8/6/2011



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Item No. 14.	Classification: Open	Date: 16 April 2013	Meeting Name: Cabinet
Report title:		Disposal of 91-99 Athenlay Road, SE15	
Ward:		Peckham Rye	
Cabinet Member:		Councillor Richard Livingstone, Finance, Resources and Community Safety	

FOREWORD – COUNCILLOR RICHARD LIVINGSTONE, FINANCE, RESOURCES AND COMMUNITY SAFETY

This report asks cabinet to agree the sale of land at 91-99 Athenlay Road, SE15, following a marketing exercise. The site was previously used for prefab bungalows and became vacant in early 2007. The council's then Executive agreed in May 2007 to sell the land.

Since that time, officers have been seeking to work with organisations interested in developing a self build scheme at this site. However, last year it became clear that, after many tries, this would not be viable. As a result, the site was marketed in November 2012 and received 21 bids by the January deadline. The proposal here represents the bid that offers best value to the council.

The capital receipt gained through the disposal of this land will contribute towards the council's Housing investment Programme to make every council home Warm, Dry and Safe.

RECOMMENDATIONS

That cabinet agrees:

1. To authorise the head of property to dispose of the council's freehold interest in 91-99 Athenlay Road ("the Land"), on the terms outlined in the closed version of this report.
2. To delegate authority to the head of property to agree any minor variations to the terms agreed with the proposed purchaser which may arise prior to the completion of the transaction or alternatively agree terms with any of the under bidders subject to best consideration requirements if in the unlikely event that the original offer fails to progress to completion.

BACKGROUND INFORMATION

3. 91-99 Athenlay Road is shown edged bold on the Ordnance Survey extract attached at appendix 1 and comprises a cleared rectangular shaped vacant site, which most recently accommodated several prefabricated dwelling houses.
4. The council holds the freehold interest of the Land. The interest is not subject to any leases or licenses.

5. The Land has been declared surplus by the director of regeneration.
6. The Land at Athenlay Road formed part the council's prefab development programme which commenced in 1998. The programme was delivered in stages with prefab tenants rehoused in completed developments. The last tenants were moved from this site in early 2007. The site was not required for the development of replacement housing because of the success of the earlier stages of the program, and in May 2007 the council's then Executive agreed that a self build scheme should be supported on this Land. Officers attempted over some time to agree acceptable terms with Wandle housing association in partnership with Emerald Eco build, a group of Southwark residents who formed a co-operative group in order to build environmentally friendly homes. This proved very challenging and it was not possible to develop a financially viable and deliverable scheme whilst allowing the council to realise an acceptable capital receipt.
7. The council was subsequently approached by Southwark Habitat for Humanity (SHfH), a local branch of the international housing charity with a specialism in delivering self build. From 2010 through to 2012 the council worked closely with SHfH and Hexagon their housing association partner together with the Homes and Communities Agency to explore the potential for the development of a self build scheme on this Land. After extensive negotiations the final offer fell short of the council's expectations on a number of levels. This included the level of capital receipt that SHfH were able to pay but also that their proposal to provide the rented units at rent levels significantly above target rents.
8. The land was marketed for sale and attracted significant response from interested parties. The council commenced a marketing campaign in November 2012 using a variety of media to attract interested parties with a proven track record. An advert was placed in the professional property press, a marketing board was erected on-site and the land was advertised on the council's web-site. The council received 21 bids before or on the deadline of Friday 18 January 2013 at 12 noon, from which a preferred bidder was selected.
9. In order to achieve market value it is proposed to transfer the land by way of a contract conditional on planning permission being granted. The purchaser will pay a deposit and on receipt of a satisfactory planning consent the balance of the consideration will be paid. The freehold interest in the land will then be transferred to the purchaser unconditionally.
10. The preferred bidder intends to develop the site for private residential purposes. The land is held in the council's housing revenue account.

KEY ISSUES FOR CONSIDERATION

11. In accordance with the principles and policy of good asset management laid down by government together with local authority regulations, councils are required to dispose of surplus property assets subject to best consideration requirements.
12. The disposal of the land will ensure that it is bought back into beneficial use through regeneration. In addition, it will alleviate the council of the costs of security and ongoing management. The empty site has in the past attracted 'fly tipping' and criminality.

Policy implications

13. The recommendation will produce a capital receipt that will be available to supplement the council's capital programme.

Community impact statement

14. The recommendation should result in a derelict site being brought back into use as housing.
15. It is considered that the disposal will have no effect on the council's agenda for age, disability, faith/religion, gender, race and ethnicity and sexual orientation.
16. The local community will be consulted through the planning process and any negative impacts of development will be managed in this way.

Resource implications

17. Disposal of this site will relieve the council of its ongoing liability to invest in and maintain the site. The development and disposal team has adequate resources to secure the disposal of the land.
18. There are no direct staffing implications arising from the proposed disposal strategy. The marketing costs and officer time to effect the recommendations will be contained within existing budgeted revenue resources.
19. The council's reasonable surveying and legal costs will be met by the preferred bidder.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**Director of Legal Services**

20. Section 1 of the Localism Act 2011 grants councils a general power of competence whereby a local authority has power to do anything that individuals generally may do. However, that power does not enable a local authority to do anything which it is unable to do by virtue of a pre-commencement limitation. Section 32 of the Housing Act 1985 is a pre-commencement statute which imposes limitations on the council's power of disposal.
21. As the Land falls within the council's housing portfolio, the disposal can only proceed in accordance with Section 32 of the Housing Act 1985, for which purposes the consent of the Secretary of State is required.
22. A number of general consents have been issued in the General Housing Consents 2012. Consent A3.2 of the General Consent for the Disposal of Land held for the purposes of Part II of the Housing Act 1985 – 2012 states that a local authority may dispose of vacant land. The definition of land includes (inter alia) any estate, interest or right over land. The definition of disposal includes a conveyance of a freehold interest in land. "Vacant " in relation to land means land on which (a) no houses have been built or (b) where houses have been built, such house are no longer capable of human habitation and are due to be demolished.
23. Paragraph 4 of this report confirms that the site is vacant.

24. The report also indicates in paragraph 5 that a surplus declaration has been obtained from the director of regeneration.
25. If the cabinet is satisfied that the disposal represents value for money, they may proceed with approval of the recommendation.

Strategic Director of Finance and Corporate Services

26. Comments are set out in the closed report.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Executive report – 21 May 2007. The document is available on this web page (item 9): http://moderngov.southwark.gov.uk/CeListDocuments.aspx?Committeeld=118&MeetingId=3160&DF=15%2f05%2f2007&Ver=2	Council offices, 160 Tooley Street, London SE1 2QH	Paula Thornton 020 7525 4395

APPENDICES

No.	Title
Appendix 1	Ordinance Survey extract

AUDIT TRAIL

Cabinet Member	Councillor Richard Livingstone, Finance, Resources and Community Safety	
Lead Officer	Eleanor Kelly, Chief Executive	
Report Author	Jason Guthrie, Property Services	
Version	Final	
Dated	4 April 2013	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Legal Services	Yes	Yes
Strategic Director of Finance and Corporate Services	Yes	In closed report
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	4 April 2013	

Draft pdf source

TITLE.

Site at 91 - 99 Athenlay Road, SE15.



DRAWING No.

LBS_2865

DRAWN BY.

MMANKTELOW
Property Division

DATE.

3/4/2013

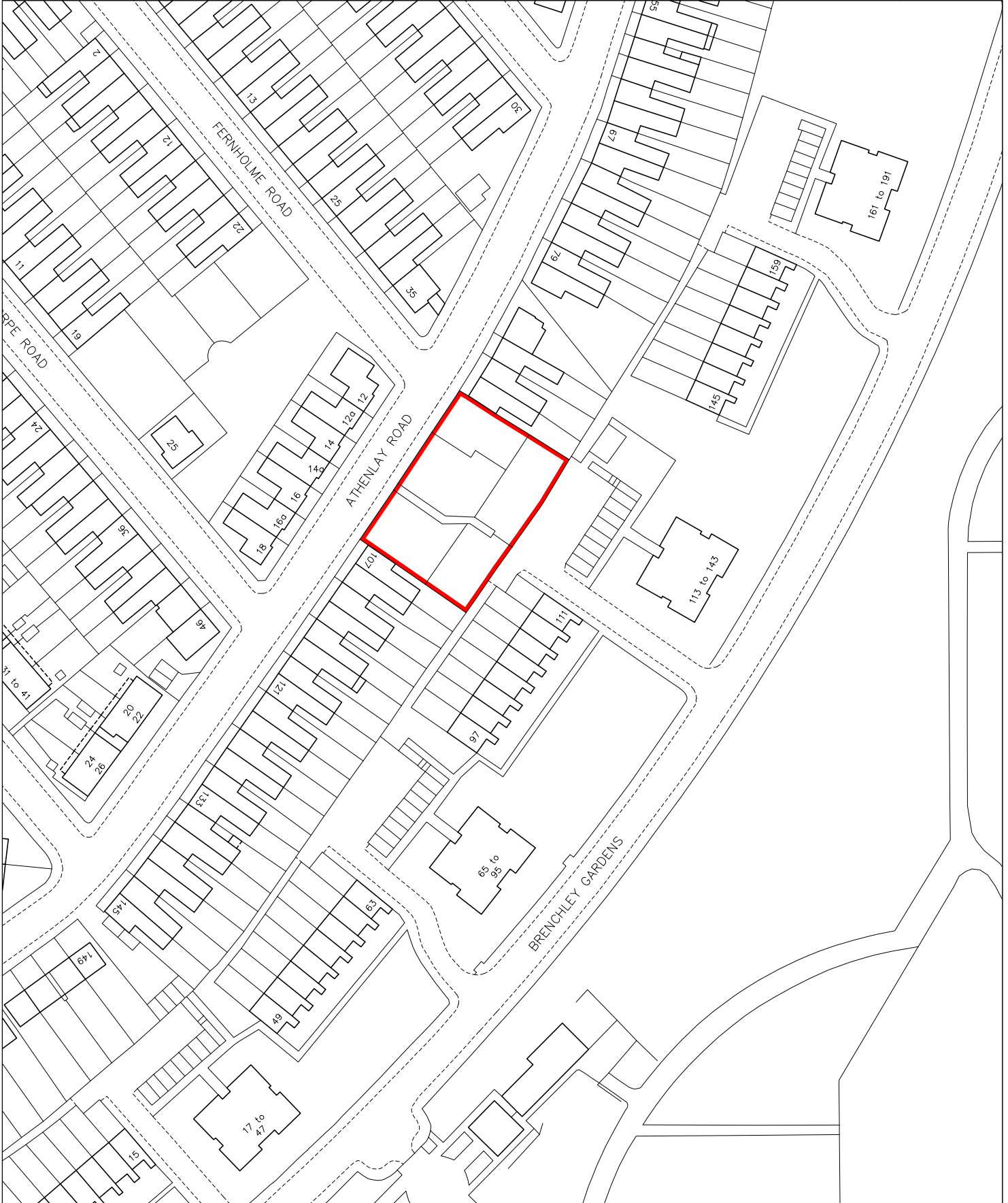
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Item No. 15.	Classification: Open	Date: 16 April 2013	Meeting Name: Cabinet
Report title:		Disposal of land at 236 & 240 Lordship Lane SE22	
Ward:		Village	
Cabinet Member:		Councillor Richard Livingstone, Finance, Resources and Community Safety	

FOREWORD – COUNCILLOR RICHARD LIVINGSTONE, CABINET MEMBER FOR FINANCE, RESOURCES AND COMMUNITY SAFETY

This report asks cabinet to approve the sale of the council's freehold interest in 236 and 240 Lordship Lane. These properties are two of a trio of prefab bungalows built shortly after World War II. Both of these buildings are vacant and no longer usable for human habitation due to their poor state of repair and the presence of high levels of asbestos. The sites are also infested with Japanese Knotweed.

The sale of this land will enable the land to be used more efficiently for homes: the preferred bidder proposes to replace the two bungalows with seven new homes.

The sale of these properties will contribute capital funding to the council's Housing Improvement Programme to make every Southwark council home Warm, Dry and Safe.

RECOMMENDATIONS

That the cabinet

1. Approves the disposal of the council's freehold interest in land at 236 and 240 Lordship Lane SE22 ("the Land") for a residential development on the following terms and conditions:
 - a) Authorises the head of property to agree any variations to these terms that may be necessary to achieve the successful disposal of 236 & 240 Lordship Lane SE22
 - b) In the unlikely event that this recommended disposal does not proceed to exchange of contract, the cabinet authorises the head of property to agree the terms of a disposal with any one of the under bidders set out in the closed report and/or any other third party, subject to best consideration or market value requirements.
 - c) Authorise that the capital receipt from the sale of the property is recycled into the Housing Investment Programme.

BACKGROUND INFORMATION

2. 236 and 240 Lordship Lane SE22 is an irregular - shaped parcel of land that approximates to 842 sq. metres (0.0842 hectares). The land includes two single - storey, disused pre-fabricated bungalows built circa 1940s/ 1950s as outlined in

bold on the ordnance survey plan attached at Appendix 1.

3. 240 Lordship Lane was vacated in October 2004 and 236 Lordship Lane was vacated in November 2011, having been used for residential purposes. Both parcels of land were held within the Housing Revenue Account but declared surplus to requirements by director of regeneration on the 17 April 2012. It was necessary for 236 Lordship Lane to be vacated and declared surplus to requirements in order to optimise the residential use that could be delivered on the whole of the land.
4. The council commenced tentative negotiations with the adjoining owner and occupier at 238 Lordship Lane in February 2012 with a view to finding a sustainable, long-term solution to the mutual benefit of the council and adjoining owner. A proposal to amalgamate the three parcels of land at 236, 238 and 240 Lordship Lane to optimise residential use and improve the overall streetscape of this part of Lordship Lane was rejected by the adjoining owner and occupier of 238 Lordship Lane. The council carried out a due diligence exercise after April 2012 before the land could be brought forward for marketing.
5. The council then commenced its marketing campaign in November 2012 using a variety of media to attract interested parties with a proven track record. An advert was placed in the professional property press, a marketing board was erected on-site and the land was advertised on the council's web-site.
6. The council prepared a tender bundle, which included a number of legal documents, local searches as well as an asbestos report and Japanese Knotweed survey that was distributed to all interested parties from November 2012.
7. The survey of pre-fabricated bungalows showed it contained high levels of asbestos which would require removal under controlled and safe conditions by the preferred bidder. The bungalows are no longer capable of human habitation and will be demolished following the grant of planning consent for the proposed scheme.
8. The presence of Japanese Knotweed had been detected on the land and was being treated by the local housing office before the land was declared surplus to requirements in April 2012. The council subsequently commissioned a consultant to report on the extent and level of residual infestation with treatment plan. The land was chemically treated in the autumn 2012 and the report has been passed onto the preferred bidder.
9. The council received 15 financial bids before or on the deadline of Friday, 18 January 2013 at 12 noon.
10. These ranged from property developers, architectural organisations and others with good track records in urban development or design. From the bids that were received three bidders were short-listed. A detailed comparative analysis of the short-listed parties was undertaken internally.
11. The shortlisted parties were asked to submit detailed information on their proposals for the land, financial offers including full terms and conditions, overage arrangements and funding information based on a residential development. The shortlisted parties had all received preliminary advice from planning officers or were guided by architects and planning consultants with

experience of planning policy matters prior to submission of financial bids to ensure that they were policy compliant and deliverable. All three short-listed parties have a similar track record with adequate levels of experience of property development or design and it is expected that, broadly, the preferred bidder's design proposals are policy compliant and deliverable.

KEY ISSUES FOR CONSIDERATION

12. The preferred bidder's financial consideration is exclusive of the Mayoral Community Infrastructure Levy (CIL) that came into force in April 2012. The financial consideration does not include S106 payment as the proposed scheme is below the threshold for including affordable housing on the land. The council is currently consulting on its draft CIL, charging schedule with adoption expected in late 2013. It is expected that planning consent for the proposed scheme will be obtained well in advance of the introduction of the council's CIL and therefore the preferred bidder will not be obligated to pay the council's CIL. In the event that council's CIL has been implemented by the time of grant of planning consent, the financial consideration will reduce by an amount specified in the planning consent.
13. The preferred bidder has confirmed that they are fully funded and has provided documentary evidence to show that it can adequately finance the purchase and proposed development.
14. It is therefore considered that the preferred bidder's financial consideration represents best consideration or market value that could reasonably be obtained based on the deliverability of a policy compliant scheme.
15. It is expected that it will take approximately three to four weeks from instructing lawyers to finalise exchange of contracts after cabinet approval. A planning consent on the land could be obtained by summer 2013 with completion of contract shortly thereafter with the capital receipt estimated to be received before the expiry of financial year ending 31 March 2014.

Policy and legal Implications

16. The council's land is held for housing purposes and the provisions of section 32 of the Housing Act 1985 govern the terms of any disposal. The consent of the Secretary of State is required for disposals of housing land, but the Department of Communities and Local Government has issued the General Housing Consents 2012 which set out the circumstances in which disposals of housing land can proceed without specific consent needing to be obtained. The new general consents came into force in May 2012 revoking the previous consents dating from 2005, and it should be noted that disposals of vacant land (i.e land for development which are either vacant or buildings on the land will be demolished) are no longer subject to a requirement to obtain best consideration.
17. The disposal of this land will generate a substantial capital receipt, which will be used to provide capital funding in support of the council's key priorities. This includes the provision, refurbishment and redevelopment of affordable housing. This assists the council in meeting its commitment to regeneration and sustainability in housing as demonstrated through the 2009-2016 Southwark Housing Strategy.

Sustainability

18. The proposed development should achieve a high level of sustainability to help mitigate its impact on the surrounding environment through the planning process. The land is vacant and the disused, prefabricated bungalows are currently susceptible to anti-social behaviour. The redevelopment of the land will be beneficial to the surrounding neighbourhood through improving the streetscape and the immediate area.

Community impact statement

19. The disposal of the land will have a positive impact on the local community and borough as a whole. It will enable the redevelopment of land that is currently vacant with poorly constructed bungalows into policy compliant, high quality, sustainable dwellings built to a modern standard.
20. It is considered that the disposal will have no affect on the council's agenda for: age, disability, faith or religion, gender, race and ethnicity and sexual orientation.

Consultation.

21. The council initially consulted with the adjoining owner and occupier of the prefabricated bungalow at 238 Lordship Lane SE22 in January 2012 with a view to acquiring it, or amalgamating it with the council's land as part of a joint redevelopment initiative led by the council. The adjoining owner declined a joint marketing initiative and the council decided to dispose of its land independently.
22. There is no further consultation planned by the development & disposals team to take place in future with the owner and occupier of 238 Lordship Lane SE22 or nearby residents with regard to the proposed scheme. It is expected, however, that the preferred bidder will engage with the adjoining owner and occupier of 238 Lordship Lane to acquire the land, or accommodate the occupier in the proposed scheme, and then redevelop 238 Lordship Lane independently in a similar architectural style as the proposed scheme at 236 and 240 Lordship Lane SE22. The adjoining owner and nearby residents will have the opportunity along with the wider community to consult the council through the planning department and any negative impacts of development can be managed in this way.

Financial & resource implications

23. Disposal of this land will also relieve the council of its ongoing liability to invest in and maintain the disused, pre-fabricated bungalows and land. The development & disposal team has adequate resources to secure the disposal of the land.
24. There are no direct staffing implications arising from the proposed disposal strategy. The marketing costs and officer time to effect the recommendations will be contained within existing budgeted revenue resources.
25. The council's reasonable surveying and legal costs will be met by the preferred bidder.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

26. Section 1 of the Localism Act 2011 grants councils a general power of competence whereby a local authority has power to do anything that individuals generally may do. However, that power does not enable a local authority to do anything which it is unable to do by virtue of a pre-commencement limitation. Section 32 of the Housing Act 1985 is a pre-commencement statute which imposes limitations on the council's power of disposal.
27. As the property is held within the council's housing portfolio, the disposal can only proceed in accordance with Section 32 of the Housing Act 1985, for which purposes the consent of the Secretary of State for the Department of Communities and Local Government is required.
28. A number of general consents have been issued by the General Housing Consents 2012. Consent A3.2 of the general consent for the disposal of Land held for the purposes of Part II of the Housing Act 1985 – 2012 states that a local authority may dispose of vacant land. For the purposes of the consent "land" includes (inter alia) buildings and other structures, any estate, interest or right over land." Disposal" includes a conveyance on a freehold interest. "Vacant" means land on which (a) no houses have been built or (b) where houses have been built, such houses are no longer capable of human habitation and are due to be demolished. The report indicates in paragraph 7 that is the case.
29. The report indicates in paragraph 3 that a surplus declaration has been obtained from the director of regeneration.
30. If cabinet is satisfied that the transaction represents value for money, they may proceed with the approval of the recommendation.

Strategic Director of Finance and Corporate Services (FC13/016)

31. This report recommends the disposal of the council's freehold interest in 236 & 240 Lordship Lane to the preferred bidder and for the consideration specified in the closed report.
32. The strategic director of finance and corporate services notes that the offer by the preferred bidder represents the best consideration that could reasonably be obtained and the capital receipts generated by this transaction will be reinvested in the Housing Investment Programme.
33. The strategic director of finance and corporate services notes a contribution by the preferred bidder, of 0.5% of the purchase price towards council's legal and surveying fees, as well as other resource implications contained within the report.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
None		

APPENDICES

No.	Title
Appendix 1	Ordinance Survey Plan showing the location and extent of the land at 236 and 240 Lordship Lane SE22

AUDIT TRAIL

Cabinet Member	Councillor Richard Livingstone, Finance, Resources and Community Safety	
Lead Officer	Eleanor Kelly, Chief Executive	
Report Author	Paul Davies, Principal Disposal Surveyor	
Version	Final	
Dated	5 April 2013	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
	Officer Title	Comments Sought
		Comments Included
	Director of Legal Services	Yes
	Strategic Director of Finance and Corporate Services	Yes
	Cabinet Member	Yes
	Date final report sent to Constitutional/Community Council/Scrutiny Team	5 April 2013

Draft pdf source

TITLE.

236 & 240 Lordship Lane, SE22 8LT.



DRAWING No.

LBS_2907

DRAWN BY.

MMANKTELOW
Property Division

DATE.

26/2/2013

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