

Cabinet

MINUTES of the OPEN section of the Cabinet held on Tuesday 16 July 2013 at 4.00pm 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 Richard Livingstone
Councillor Catherine McDonald
Councillor Victoria Mills
Councillor Veronica Ward

1. APOLOGIES

Apologies for absence were received from Councillor Barrie Hargrove.

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

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

Item 8 – Deputation requests

Item 24 – Investigation into Asbestos Incident, Westonbirt Court

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

No representations were received in respect of the items listed as closed business for the meeting.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

In respect of item 23, Primary Investment Strategy, Councillor Fiona Colley declared that she had a young child that will be of primary school age in 2016. However she had received advice from the legal department that this was not a disclosable interest.

Councillor Victoria Mills also declared that she had a young child that will be of primary school age in 2016.

5. PUBLIC QUESTION TIME (15 MINUTES)

Question to Councillor Veronica Ward from Janet Morris (Joint Co-ordinator, What Next? Southwark):

“What Next? Southwark is a movement of cultural practitioners from across disciplines in the Southwark area. Can What Next? Southwark be included as a partner to enable members to work collaboratively with the Council to implement the Cultural Strategy Action Plan 2013-18?”

Response by Councillor Veronica Ward:

“We very much welcome opportunities to work in partnership with a range of organisations in order to deliver our new cultural strategy. We want to do this in a co-ordinated way and officers will be arranging a series of meetings to carry forward the implementation of the strategy. I will ensure that What Next? Southwark is invited to participate in this process.”

6. MINUTES

RESOLVED:

That the open minutes of the meeting held on 26 June 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 request had been submitted in line with the constitutional deadline for the receipt of deputation requests and was therefore eligible for consideration by cabinet.

RESOLVED:

That the deputation request be heard.

Futures Steering Board

The cabinet received a deputation from the Futures Steering Board in respect of the issues contained in the Housing Commission report and the key strategic challenges facing council housing in Southwark at the moment.

The deputation supported the council's ambition to build 1,000 new homes but urged the council to build thousands more. The deputation stressed that new homes were desperately needed to help address the growth of the housing register.

8. INDEPENDENT HOUSING COMMISSION - CONCLUSIONS AND NEXT STEPS FOLLOWING COMMUNITY AND STAKEHOLDER ENGAGEMENT

The leader of the council reported that the cabinet would give a commitment to build ten thousand more new homes in the next 25 years. This was in addition to the commitment already given to build one thousand new council homes.

RESOLVED:

1. That the outcomes of the community engagement on the report of the Independent Housing Commission be noted, in particular the clear weight of opinion that:
 - Council housing should be for people for whom the private rented sector is unaffordable, who are in low paid work, beyond retirement age or unable to work (e.g. through illness or disability) and who have a local connection with the borough
 - The council should invest in its housing stock to provide good quality homes for all its tenants
 - The council should provide as many homes at genuinely affordable rents as possible and should look creatively at different options for financing and managing the delivery of new council homes
 - The council's housing stock should be better managed and there is a significant appetite among council tenants and homeowners for more resident involvement in housing management, more tenant management initiatives and for exploring partnership working with other social housing providers, where this makes sense for a particular estate or locality.
2. Cabinet notes the very high level of participation of tenants, homeowners and other residents in the community conversations about the future of housing and thanks them all for their thoughtful and constructive contributions.
3. That the specific input of the Futures Steering Board of council tenant and homeowner representatives be noted and thanks them for their work.
4. That the specific view expressed by Homeowners' Council that there is now greater professionalism and focus to the council's work with homeowners but a need to continue to address the concerns of leaseholders and homeowners be noted.
5. That the outcomes of the wider stakeholder engagement with other local authorities, housing associations and representatives of regional and national government commissioned from The Smith Institute be noted.
6. That the detailed evaluation of the Independent Housing Commission's findings commissioned from Savills, which comprises a high level financial and housing stock options appraisal, informed by the most recent stock condition survey, the council's existing housing investment programme and relevant national policy developments (e.g. the Right to Buy scheme) be noted.

7. That the council's commitment to council housing as a community asset for the long term benefit of Southwark residents and to championing the mixed and diverse communities which make Southwark such a successful and liveable borough be restated.
8. That any wholesale or large-scale transfer of its housing stock to another provider be ruled out.
9. That amendments proposed to the council's lettings policy, the report of which appears elsewhere on the agenda, including the proposal to extend the local residency qualification for joining the housing register from 6 months to 2 years be noted.
10. That the strategic director of housing and community services
 - Bring back proposals to September cabinet on how to increase resident involvement in managing council housing and, in particular, how to encourage more tenant management organisations;
 - Bring back an action plan to September cabinet for the continued improvement of leasehold management services;
 - In consultation with the strategic director of finance and corporate services, undertake further detailed assessment of the financial performance of the council's housing assets alongside an assessment of the extent to which they meet the council's overall social housing objectives and develop long term plans for delivering the cabinet's commitment to build ten thousand more council homes in the future.
11. That in recognising the important role that other social housing providers and the private sector have in meeting the totality of housing needs in the borough, the director of corporate strategy be instructed to review the council's housing strategy across all tenures and sectors, having regard to the detailed assessment of the council's own stock referred to in 6 above.

9. LETTINGS POLICY REVIEW

RESOLVED:

1. That the results of the lettings policy review consultation be noted.
2. That the final recommendations of the lettings policy review be agreed with a view to implementing the amendments to the housing allocations policy as outlined in sections 20 to 123 of the report and with the timescale for implementation noted alongside each recommendation.
3. That it be noted that the amended housing allocations policy will be brought back to the deputy leader of the council and cabinet member for housing management under individual decision making in October 2013.

10. REPORT INTO MAJOR WORKS AT DRAPER HOUSE (HOUSING, ENVIRONMENT, TRANSPORT AND COMMUNITY SAFETY SCRUTINY SUB-COMMITTEE)

The chair of overview and scrutiny committee, Councillor Catherine Bowman presented the report.

RESOLVED:

1. That the recommendations of the review of major works at Draper House be noted, 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.
2. That cabinet review decision-making for the letting of contracts for housing works under the partnering arrangements and generally review the effectiveness of those arrangements.

11. CULTURAL STRATEGY 2013-2018

RESOLVED:

1. That the cultural strategy and action plan for 2013-18 as set out in Appendix 1 of the report be approved.
2. That officers bring a further report on progress with implementation within 18 months of the approval date of this report.

12. GATEWAY 1: PROCUREMENT STRATEGY APPROVAL - SUPPLY OF ELECTRICITY TO QUARTERLY BILLED SITES

RESOLVED:

1. That the use of the Laser consortium arrangement for the purpose of purchasing the supply of electricity to quarterly billed sites for a period of two years and six months from 1 April 2014 to 30 September 2016, at an estimated cost of £4.37m per annum, totalling an estimated cost of £10.9m be approved.
2. That authority be delegated to the strategic director of environment and leisure to award the contract and agree the purchasing options to be outlined in the gateway 2 report.

13. GATEWAY 1: PROCUREMENT STRATEGY APPROVAL - NURSING CARE DEMAND LED CONTRACTS

RESOLVED:

1. That the procurement strategy outlined in the report, namely to enter into single supplier negotiations with the two in-borough nursing care home providers in order to establish two demand led contracts for nursing care placement for the elderly and chronically disabled be approved.
2. That it be noted that the anticipated contract value for the two contracts will be in the region of between £5.8m and £6.3m per annum, making an anticipated total contract value in the region of between £23.2 and £25.2m over the four years life time of the contracts.
3. That it be noted that contract one will be with HC1, to cover two nursing home sites at Tower Bridge Road and Camberwell Green and contract two will be with Four Seasons, to cover a single site at Burgess Park nursing home.

14. WALWORTH TOWN HALL - A STRATEGIC VISION FOR THE REBUILT TOWN HALL

RESOLVED:

1. That the high level vision for the Walworth Town Hall as set out in paragraph 14 of the report be approved.
2. That officers agree a consultation plan with the cabinet member for regeneration and corporate strategy for a consultation process to establish whether there is support for the approved vision.
3. That officers report back by February 2014 with the results of the consultation exercise and proposals for a full project mandate for the rebuilding of the Walworth Town Hall. The report to also address potential funding streams, interim arrangements for library and museum provision, revenue/capital cost implications and explore delivery options.

15. DULWICH SUPPLEMENTARY PLANNING DOCUMENT

RESOLVED:

That the Dulwich Supplementary Planning Document (Appendix A of the report) be adopted and the sustainability appraisal (Appendix B of the report), the equalities analysis (Appendix C of the report) and the consultation report (Appendix D of the report) be noted.

16. QUARTERLY CAPITAL MONITORING OUTTURN REPORT 2012/13

RESOLVED:

1. That the outturn position for 2012/13 for the general fund capital programme including the overall position of the programme for the period 2012/13 to 2021/22 as detailed in Appendix A and D of the report be noted.
2. That the outturn position for 2012/13 for the housing investment programme, including the overall position of the programme for the period 2012/13 to 2015/16, as detailed in Appendix B of the report be noted.
3. That the virements and funded variations to the general fund and housing investment capital programme as detailed in Appendix C of the report be approved.
4. That the re-profiling of the expenditure and resources in the new financial year 2013/14 in light of the 2012/13 outturn position for both the general fund and housing investment programmes as detailed in Appendix A, B and D of the report be approved and it be noted that further re-profiling will be required during 2013/14 based on more up to date information available at that time.

17. EAST DULWICH ESTATE - BADMINTON HOUSE OPTIONS APPRAISAL

RESOLVED:

1. That the consideration of the options for refurbishing and retaining Badminton House be noted.
2. That the financial implications of the three options be noted.
3. That the revised strategy of retention for Badminton House be approved and that option 2, to refurbish and relet with private sale of 2 x 2 beds and the drying room conversion, described in paragraph 14 of the report as the way forward for the block be agreed.

18. 143 COPLESTON ROAD, EAST DULWICH SE15 4AQ - DISPOSAL OF FREEHOLD INTEREST

RESOLVED:

1. That the head of property be authorised to dispose of the council's freehold interest in 143 Copleston Road, East Dulwich, SE15 (the "property"), for a sum that equates to the market value of the property.
2. That the earmarking of the capital receipt for the purposes of funding the housing investment programme be authorised.

19. DISPOSAL OF PROPERTY AT WOOD'S ROAD, LONDON SE15

RESOLVED:

1. That the disposal of the site at Wood's Road Peckham as shown hatched black on the plan attached to the report ("the site") to the bidder and on the terms identified on the closed agenda report, subject to any further negotiations considered necessary by the head of property be approved.
2. That the disposal of the site to an alternative buyer on terms to be approved by the head of property at not less than the best consideration that can reasonably be obtained should the preferred disposal not proceed within a reasonable time be approved.

20. DISPOSAL OF FORMER CAR POUND, MANDELA WAY, SE1

RESOLVED:

1. That approval be given for the disposal of the 250 year leasehold interest in the car pound at Mandela Way, London SE1 ("the property"), as shown edged with the bold line on the plan attached to the report, to the purchaser identified and on terms set out in the accompanying closed agenda report, subject to any further negotiations considered necessary by the head of property be approved.
2. That should the sale not proceed to completion within a reasonable time as determined by the head of property, the property be offered to an alternative bidder or subsequent to that be offered for sale on the open market and sold on terms to be approved by the head of property for a sum that represents best consideration.

21. REVENUE OUTTURN REPORT 2012/13, INCLUDING TREASURY MANAGEMENT

RESOLVED:

1. That the general fund outturn for 2012/13 and movement on reserves be noted.
2. That the housing revenue account's (HRA) outturn for 2012/13 and movement on reserves be noted.
3. That the general fund budget movements as set out in Appendix A of the report be approved.
4. That the schools budget outturn, which has been taken to the dedicated schools grant reserve be noted.
5. That the collection fund's year-end surplus be noted.
6. That the treasury management activity for the year be noted.

22. REGENERATION RISK REGISTER AND ARCHIVE RECORDS OF HOUSING ESTATES

RESOLVED:

1. That regeneration risk registers are not published online but that risk and risk management are considered as part of project communication plans to ensure that risk information is available online, and via other mediums, in order that stakeholders are aware of risks and the strategies to manage them.
2. That it be noted that regeneration risk registers have been reviewed and amended as necessary in consideration of the concerns raised by overview and scrutiny committee in relation to National Planning Policy Framework and that the cabinet member for regeneration has been briefed directly on the implications of paragraph 173 of the National Planning Policy Framework.
3. That the actions taken by housing and community services to date, and those planned, to improve the accessibility and completeness of building archive information and the potential need for investment to support this be noted.

23. PRIMARY INVESTMENT STRATEGY

RESOLVED:

1. That the forecast demand for primary places and associated need for the creation of additional capacity within Southwark's primary estate be noted.
2. That approval of the proposed primary investment programme outlined in table 3 and paragraphs 45 and 46 of the report be confirmed.
3. That initial consultations on the statutory proposals to permanently enlarge the seven schools identified in paragraph 49 of the report be opened.
4. That the approval of budgets for individual permanent expansion projects within the programme budgets identified within the report be delegated to the strategic director of children's and adults' services
5. That the potential capital liabilities in future years and that ongoing engagement with the Department for Education will be required to ensure funding is sufficient to meet the requirement for new places be noted.
6. That it be noted that the strategic director of children's and adults' services will approve a programme of temporary expansion for 2014/15 by autumn 2013.

24. INVESTIGATION IN TO ASBESTOS INCIDENT, WESTONBIRT COURT

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 interim contract for repairs and maintenance for the south of the borough expires on 2 October 2013. A decision to award a long term contract or to pursue an alternative option was required urgently in order to allow a smooth transition and continuity of service to tenants and residents. The decision to award the contract was deferred from 26 June cabinet in order to allow a full investigation in to the asbestos incident. A special cabinet meeting will be arranged for later in July to allow cabinet time to consider the findings of the investigation before considering a report on the long-term contract award.

RESOLVED:

Decisions of the Cabinet

1. That the contents of the two investigation reports into the asbestos incident at Westonbirt Court included as appendices to the report be noted.
2. That a further report be received at a special cabinet meeting regarding the award of the repairs and maintenance contract for the south of the borough.
3. That officers' recommendations in the internal investigation report at Appendix 1 of the report be noted.

Decision of the Leader of the Council

4. That the monitoring of the implementation of the recommendations (referred to in 3 above) be delegated to the deputy leader and cabinet member for housing management.

EXCLUSION OF PRESS AND PUBLIC

It was moved, seconded and

RESOLVED:

That the press and 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 category 3 of paragraph 10.4 of the Access to Information Procedure Rules of the Southwark Constitution.

The following is a summary of the closed part of the meeting.

25. MINUTES

The closed minutes of the meeting held on 26 June 2013 were approved as a correct record and signed by the chair.

26. DISPOSAL OF PROPERTY AT WOOD'S ROAD, LONDON SE15

The cabinet considered the closed information relating to this item. See item 19 for the decision.

27. DISPOSAL OF FORMER CAR POUND, MANDELA WAY, SE1

The cabinet considered the closed information relating to this item. See item 20 for the decision.

The meeting ended at 6.18pm.

CHAIR:

DATED:

DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 21 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, WEDNESDAY 24 JULY 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.