

# Cabinet

MINUTES of the OPEN section of the Cabinet held on Tuesday 15 September 2015 at 4.00 pm at the Council Offices, 160 Tooley Street, London SE1 2QH

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**PRESENT:** Councillor Peter John (Chair)  
Councillor Ian Wingfield  
Councillor Fiona Colley  
Councillor Stephanie Cryan  
Councillor Barrie Hargrove  
Councillor Richard Livingstone  
Councillor Darren Merrill  
Councillor Victoria Mills  
Councillor Michael Situ  
Councillor Mark Williams

## 1. APOLOGIES

There were none.

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

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

Item 20: Adult Social Care, Fairer Contributions Policy – Outcomes of Consultation Exercise and Implementation

## 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

There were none.

## 5. PUBLIC QUESTION TIME (15 MINUTES)

No public questions were received.

## **6. MINUTES**

### **RESOLVED:**

That the minutes of the meetings held on 21 and 28 July 2015 be approved as a correct record and signed by the chair.

## **7. DEPUTATION REQUESTS**

There were none.

## **8. REVISED CANADA WATER AREA ACTION PLAN**

### **RESOLVED:**

1. That an additional modification be made to page 38 (paragraph 4.4.5) of the Revised Canada Water Area Action Plan (appendix B of the report) to update the list of sports facilities in the area.
2. That council assembly be recommended:
  - To consider the Planning Inspector's report on the Revised Canada Water Area Action Plan (Appendix A).
  - To adopt the revised Canada Water area action plan (Appendix B) and the revisions to the adopted policies map (Appendix C), as amended by the Inspector's main modifications (Appendix D) and the council's minor modifications (Appendix E).
  - To note the sustainability appraisal (Appendix F), sustainability appraisal statement (Appendix G), equalities analysis (Appendix H), consultation report (Appendix I) and appropriate assessment (Appendix J).

## **9. TATE MODERN PROJECT - LAST £1M CONTRIBUTION**

### **RESOLVED:**

That £1m of capital funding towards the practical completion of the Tate Modern extension project be committed.

## **10. APPROVAL OF THE COUNCIL'S LOCAL IMPLEMENTATION PLAN DELIVERY PLAN, ANNUAL SPENDING SUBMISSION FOR 2016/17**

### **RESOLVED:**

#### **Decisions of the Cabinet**

1. That the content of the council's proposed submission to Transport for London (TfL) identifying transport projects to be delivered with TfL Lip funding in 2016/17

Appendix A of the report be agreed.

2. That the identified programme be submitted to TfL by 9th October 2015 be agreed.
3. That the implementation of the programmes as set out in Appendix A of the report be agreed.

#### **Decisions of the Leader of the Council**

4. That authority be delegated to the cabinet member for environment and the public realm to amend the programme for 2016/17 should any variations to the proposed programme be required. The cabinet member shall consult community council chairs regarding scheme changes in their area.
5. That authority be delegated to the cabinet member for environment and the public realm to determine the most appropriate use of the £100,000 discretionary funding allocated by TfL for 2016/17.

### **11. NEW HOMES DELIVERY PROGRAMME**

The leader allowed representations to be made by residents of the Salisbury Estate on this item.

#### **RESOLVED:**

#### **Decisions of the Cabinet**

1. That in principle agreement be given for the schemes listed in paragraph 9 of the report to be worked up in accordance with the individually identified recommendations and in line with the Charter of Principles for inclusion in the New Homes Delivery Programme.
2. That the consultation undertaken on schemes in paragraph 9 of the report to date be noted.
3. That the rehousing options in paragraphs 14-16 of the report available to residents impacted by any potential development, as outlined in the Charter of Principles be noted.

#### **Decision of the Leader of the Council**

4. That the approval of future schemes for inclusion in the New Homes Programme be delegated to the cabinet member for regeneration and new homes, as outlined in paragraph 22 of the report.

### **12. MAJOR WORKS STATUS REPORT INCORPORATING WARM, DRY AND SAFE**

#### **RESOLVED:**

1. That the status of the housing investment programmes at March 2015 with particular reference to achieving the Warm, Dry and Safe (WDS) standard be noted.
2. That it be noted that the current WDS investment is on course to be fully committed by the end of 2015/16 and that first year of delivering the kitchen and bathroom guarantee will be delivered alongside the final year of the WDS investment.
3. That the target at the end of 2015/16 is achieving 90% decency which will be the highest decency figure Southwark has achieved be noted. The pre-WDS figure was 56% in April 2010.
4. That the work that has been delivered to nearly 7,000 homes in partnership with British Gas to deliver environmental improvements including roofs, windows and insulation work at a notional cost to Southwark be noted.
5. That it be noted that over 15,000 properties had received works or were in the process of receiving works to their homes or blocks at March 2015.
6. That the current programmes resources be noted and that revised resources will be presented to cabinet as part of a detailed affordable funding plan to support housing investment in new council homes and the existing stock. This will also encapsulate the quality kitchens and bathroom guarantee.
7. That it be noted that this report will be sent to Home Owners Council and Tenant Council following cabinet approval.

### **13. FAMILIES MATTER**

#### **RESOLVED:**

That the Families Matter strategy and implementation plan be agreed.

### **14. POLICY AND RESOURCES STRATEGY 2016/17 TO 2018/19 - SCENE SETTING REPORT**

#### **RESOLVED:**

1. That the key issues contained within the chancellor's budget statement insofar as they impact on the council especially with regard to council housing and welfare benefits be noted.
2. That the potential reduction in settlement funding for the council between 2016/17 and 2018/19 of £76.1m arising from London Councils most recent predictions, as shown in the table in paragraph 17 of the report be noted.
3. That the real terms net budget shortfall for the period 2016/17 – 2018/19 of around £96m after taking account of inflation and known cost pressures be noted.
4. That it be noted that funding for local authorities will not be finalised until publication

of the Comprehensive Spending Review on 25 November 2015, and that Southwark's share will not be known until the provisional grant settlement, currently scheduled for November or December.

5. That the chancellor's announcement subsequent to the budget requiring departments with unprotected budgets (including local government) to model two scenarios of cost reductions of 25% and 40% by 2020 be noted.
6. That the government consultation seeking options for delivering in year reductions in public health funding, equivalent to 6.2% of the ring-fenced grant be noted.
7. That the actions to meet the challenge currently being included in the budget model as shown in paragraphs 62 to 78 of the report be noted.
8. That the updated Fairer Future Budget Principles as shown in Appendix A of the report be agreed.
9. That consultation on the difficult choices to be made should be carried out over the coming months, and to take account of the equalities impact of any decisions be agreed.
10. That officers be instructed to submit a further report to cabinet in November 2015 to include any further settlement information that becomes available, savings identified during the second round of budget challenge meetings, and on further budget options necessary to achieve balanced budgets over the next three years.

**15. REVENUE MONITORING REPORT FOR QUARTER 1, 2015/16, INCLUDING TREASURY MANAGEMENT**

**RESOLVED:**

1. That the following be noted:
  - the general fund outturn forecast for 2015/16 and forecast net movement in reserves by department
  - the housing revenue account's (HRA) forecast outturn for 2015/16 and resulting forecast movement in reserves
  - the treasury management activity for the first three months of 2015/16.
2. That the continuing pressure on homelessness budgets, and the forecast requirement to draw down reserves of £2.3m, representing a 192% overspend on the current net expenditure base budget be noted.
3. That the potential in year reduction of Public Health grant of £1.6m, if local cuts are made on a pro rata basis, from the current government consultation on the methodology to be used when cutting the grant be noted.
4. That the general fund budget movements that exceed £250,000, as shown in Appendix A of the report be approved.

**16. QUARTER 1 CAPITAL MONITORING FOR 2015/16 AND CAPITAL PROGRAMME REFRESH FOR 2015/16 - 2024/25**

**RESOLVED:**

1. That the general fund capital programme for the period 2015/16 to 2024/25 as at Quarter 1 2015/16, as detailed in Appendices A and D of the report be noted.
2. That the housing investment programme for the period 2015/16 to 2024/25 as at Quarter 1 2015/16, as detailed in Appendix B of the report be noted.
3. That the virements and variations to the general fund and housing investment capital programme as detailed in Appendix C of the report be approved.
4. That the projected expenditure and resources for 2015/16 and future years for both the general fund and housing investment programmes as detailed in Appendices A, B and D of the report as at Quarter 1 2015/16 be noted and that this position will be updated during the year when more up to date information is available.

**17. GATEWAY 2: CONTRACT AWARD APPROVAL: INTEGRATED DRUG AND ALCOHOL TREATMENT SYSTEM**

**RESOLVED:**

That the award of the adult integrated drug and alcohol treatment system contract to Lifeline Project Ltd. up to a maximum annual value of £3,913,104 in year one, £3,513,667 in year two and £3,499,467 in year three for a period of three years commencing on 4 January 2016 with an option to extend for a further period or periods not exceeding two years in total, making a total maximum contract value of £18,656,306 be approved.

**18. GATEWAY 2: CONTRACT AWARD APPROVAL HEATING AND WATER CONTRACTS**

**RESOLVED:**

1. That the award of Contract A (north of the borough) Heating and Water Contract to OCO Ltd for the estimated sum of £7.2m per annum for a period of 5 years from 1 April 2016 with the option to extend up to 5 years (3+2 years) making a total estimated contract value of £72m be approved.
2. That the award of Contract B (south of the borough) Heating and Water Contract to Smith and Byford Ltd for the estimated sum of £6.6m per annum for a period of 5 years from 1 April 2016 with the option to extend up to 5 years (3+2 years), making a total estimated contract value of £66m be approved.
3. That OCO Ltd and Smith and Byford Ltd to act as back up contractor to each other on their own tendered rates when required be approved.

## **19. MOTIONS REFERRED FROM COUNCIL ASSEMBLY**

### **RESOLVED:**

#### **Schools, Standards and Places**

That the motion referred from council assembly as a recommendation to cabinet, set out below, be noted:

That council assembly:

1. Welcomes the good progress being made by the council in keeping pace with the increased demand for primary and secondary school places and in driving up standards for educational achievement.
2. Recognises the incredible work of Southwark schools, where results and performance are rising and scores continue to be above the national average.
3. Recognises the work that this administration has done to create new school places within the challenging context of the government's free schools programme, working with communities and providers to open new schools that parents want in areas of high demand.

#### **Standards**

4. Welcomes the increase in the number of schools in the borough that are rated either Good or Outstanding, which has risen to 91%, from 64% in 2010, with no schools in Southwark rated inadequate.
5. Notes that:
  - Southwark's performance is higher than the national and London averages at foundation stage is narrowing the gap with London average for Key Stage 1 performance
  - Southwark ranks in the top quartile nationally for Key Stage 2 results
  - Southwark is in the top quartile nationally for GCSE results and was ranked joint 20th in the country, an improvement of 43 places since 2013
  - Southwark is one of the most improved and high performing London boroughs at secondary level and continues to outperform other neighbouring boroughs in results at GCSE, English Baccalaureate and A Levels.
6. Applauds Southwark secondary schools for record levels of improvement achieved in GCSE results and calls on cabinet to continue supporting schools and protecting school improvement work in the face of vicious government cuts, to achieve even more and meet the council's ambitious target of 70% of our young people achieving five or more A\* to C grades at GCSE or equivalent by 2016.

#### **Places**

7. Recognises that demand for school places in Southwark, particularly in the north

of the borough, continues to rise. Following the Liberal Democrats' admission that there was a 'school places crisis' when they ran the council, Council assembly welcomes the steps taken by this administration to ensure additional school places to meet this demand.

8. Calls on the cabinet to continue the practice of the last five years of expert and well researched places planning, and investment in high quality education facilities in popular, well performing schools.
9. Welcomes the work undertaken by the council to create 1,690 additional primary school places since 2010 and commends the current expansion programme, and the two new free school projects Belham and Galleywall, which will provide additional school places to meet forecast demand for September 2016.
10. Also welcomes the council's work to assist and facilitate expansion in oversubscribed secondary schools and to open a new Charter School in East Dulwich. Council assembly calls on cabinet to work with the community and providers to open an outstanding secondary school on the former Southwark Fire Station site, to meet demand for secondary school places in the north of the borough.
11. Believes that there should always be a requirement to consult with parents about the school their child is attending. Council assembly therefore condemns the proposals in the Education and Adoption Bill, which will scrap the requirement for academy sponsors to consult locally on whether they should take over schools. Council assembly calls on cabinet to challenge the government to explain what possible benefits there are in forcing a school to go through the academy process at the moment they are rated inadequate, when local experience in Southwark shows that intensive support from a local authority can help a struggling school get back on track.

### **Save Southwark Woods**

That the motion referred from council assembly as a recommendation to cabinet, set out below, be noted:

1. That council assembly is proud of Southwark being one of the greenest boroughs in London and believes that woods in Southwark are a vital part of our borough. The council invests approximately £130,000 every year in valuable woodlands such as Dulwich Upper Wood, Sydenham Hill Wood and Russia Dock Woodland - a combined 55 acres of woodland - and also maintains many dedicated wildlife sites, nature gardens and Sites of Importance for Nature Conservation around the borough, to provide a habitat for wildlife and open space for residents to enjoy.
2. That council assembly notes that at no stage prior to the submission of this motion have Liberal Democrat councillors sought to comment on or engage with the council on its cemeteries strategy and condemns any party seeking to "play politics" with this important issue.
3. That council assembly regrets that inaccurate claims have been made about the council's cemeteries strategy and notes its concern that these claims have led to

residents being misinformed about the council's plans to bring two pieces of designated burial ground, one of which is currently inaccessible, into use in Camberwell Old and New Cemeteries. The areas proposed for development measure less than one acre in total.

4. That council assembly recognises the challenge the council faces in securing sustainable burial space in the borough and notes that if the council takes no action, burial space in Southwark will run out in early 2017.
5. That council assembly believes that it is important to recognise the wishes of those residents who want to have the option to bury their loved ones locally and who for financial reasons would struggle to travel to visit a cemetery outside the borough.
6. That council assembly notes that an extensive public consultation was undertaken in 2011 on the future of Southwark's cemeteries and that the local community has also been given the opportunity to review detailed plans for the next phase of the Cemetery Strategy and contribute feedback over the last seven months.
7. That council assembly calls on the cabinet to:
  - Maintain the status of Camberwell Old and New Cemeteries as Sites of Importance for Nature Conservation
  - Continue to work with the London Wildlife Trust, the Forestry Commission and the local community to ensure that the plans for managing the cemeteries enhance the existing biodiversity and ecology of the area
  - Continue to engage with the local community on the council's plans for cemeteries throughout the process of implementing the cemeteries strategy
  - Continue to protect green spaces throughout the borough, as well as providing burial space for the future, to create quality open space for local people alongside a respectful place for the deceased.

### **Right to Buy**

That the motion referred from council assembly as a recommendation to cabinet, set out below, be noted:

1. That council assembly welcomes this administration's commitment to building 11,000 new council homes to meet growing demand for affordable housing in the borough, with the first 75 of these new homes recently being built at Willow Walk.
2. That council assembly notes however that the council's ambitious house-building programme is at serious risk from the government's right to buy proposals, which could lead to up to 500 council homes a year in Southwark being sold, as well as forcing the sale of new council homes as soon as they are built.
3. That council assembly believes these proposals will have a devastating effect on council housing in Southwark and could effectively stop the local authority from building much-needed new council homes, particularly in the north of the borough.
4. That council assembly believes that at a time when London boroughs are facing a

housing crisis, it is an utter disgrace for the 12,000 people on Southwark's housing waiting list for the government to force the sale of desperately needed council homes. Council assembly also believes that is wrong for council housing to be sold in London, where there is a massive housing shortage, to fund the sale of housing association properties outside the capital.

5. That council assembly calls on the cabinet to work with other London boroughs to lobby the government to reconsider these preposterous plans and to push for an exemption to new build homes, to ensure that the government's plans do not jeopardise the council's ambitious council house building programme.

### **Children Missing from Care**

That the motion referred from council assembly as a recommendation to cabinet, set out below, be noted:

That council assembly:

1. Puts on record its concern about the issue of young people in Southwark and throughout London going missing from care, which can put already vulnerable people at further risk of exploitation, abuse or other serious harm.
2. Notes that in 2014/15 there were 249 recorded incidents of children going missing from care in Southwark.
3. Recognises that this is a complex issue and thanks council officers and care home staff who have been working to support young people in care and reduce the number going missing.
4. Welcomes the council's decision to commission the St Christopher's Charity to provide home visits for all young people reported missing, building trust and working with the young people to understand the reasons behind why they go missing, which is successfully reducing repeat missing episodes.
5. Welcomes the close analysis of the impact of this work by the corporate parenting committee over the last year, by meeting with St Christopher's and considering the early data produced and the feedback from young people.
6. Welcomes the work being done by the council to respond to the reasons why children are going missing from care, and to find innovative ways to improve outcomes for children and young people at risk of family breakdown, to strengthen parenting and rebuild relationships between young people and their parents and to help keep more families together.
7. Welcomes the council's recruitment drive to increase the number of local foster carers through exempting them from council tax so that when children do need to be taken into care they are able to stay close to family and friends.
8. Also welcomes the work of the Safer London Project working with young people who are at risk of sexual exploitation, to build relationships with some of our most vulnerable young people and ensure that safety plans are put in place to reduce

the risk of exploitation.

9. Welcomes the work done on this issue by politicians on all sides, including the 'Looked-After Children: Missing In Care' report by Caroline Pidgeon AM published in June 2015, which looked at the problem across London.
10. Recognises that this is a problem that should be acknowledged and understood by all councillors in order to highlight the issue, work towards reducing the number of recorded incidents in future years and ensure there is no complacency whatsoever where the welfare of looked-after children is concerned.
11. Notes that the council has a weekly report on children missing from care and that all children are offered a missing from care interview undertaken by St Christopher's to find out if the young person is at risk, or if there are any problems with their placement.
12. Notes that corporate parenting has responsibility for monitoring data on children missing from care and has a membership of cabinet member, backbenchers and independent members, is cross-party and has regular attendance not only from officers but also other agencies such as health as well as contributions from Speakerbox, our award-winning Children in Care Council.
13. Notes that corporate parenting committee is not only well placed to scrutinise the issue of children missing from care and the council's response but is actively doing so.
14. Also notes the on-going scrutiny of this issue by the multi-agency Children's Safeguarding Board.
15. Welcomes any request for further scrutiny by education and children's services scrutiny sub-committee.
16. Calls on the cabinet to continue to tackle the problem of children missing from care by:
  - Monitoring each of the recommendations included in the corporate parenting committee's statutory guidance on children who run away or go missing from home or care
  - Receiving a report on the work commissioned from St. Christopher's and the council's response to the feedback captured from our young people
  - Working closely with the police and all other key partners from the Children's Safeguarding Board on missing children and those at risk of sexual exploitation.

### **Revitalising the Blue**

That the motion referred from council assembly as a recommendation to cabinet, set out below, be noted:

That council assembly:

1. Believes that while high streets are at the heart of the economic and civic renewal of many of our neighbourhoods, the challenges of online competition, redeveloped shopping centres and prevalent retail uses that take money out of a neighbourhood mean that creative solutions are required for their future vitality.
2. Welcomes the investment Southwark Council has made through the Investing In Local Retail Environment (ILRE) and High Street Challenge programmes across the borough, including the improvements made to shop fronts and public realm at the Blue and Southwark Park Road and the support provided to help establish the Blue Bermondsey business improvement district.
3. Supports the Blue Bermondsey BID's efforts to drive new investment into the area in a way that directly benefits local people and welcomes the establishment of a "Commonplace" survey to identify what kinds of shops, stalls, attractions and general amenities local people want.
4. Notes that the balance of shops around the Blue and Southwark Park Road does not serve local residents well, with 4 betting shops, 8 fast food takeaways, and 12 general grocer/late night off licences in the immediate area.
5. Notes that the Southwark Park Road/Market Place town centre has a very high concentration of retail units under council ownership and management.
6. Calls on cabinet to develop a new lettings strategy or charter for the parade, in dialogue with the Blue Bermondsey BID, local residents and landlords, which takes a holistic view on the maximisation of revenue income from the parade by creating over time the full variety of retail uses serving all parts of the local community and establishing the Blue as a cultural and retail destination for people in Bermondsey and beyond.

### **Albion Primary School**

That the motion referred from council assembly as a recommendation to cabinet, set out below, be noted:

1. That Southwark faces a significant challenge in meeting the growing demand for school places across the borough. Council assembly therefore welcomes the redevelopment of Albion Primary School, which will provide new school facilities and enable the school to expand to add an additional class, providing education to more Southwark children.
2. That council assembly welcomes the leadership being provided by Albion Primary School in meeting the challenge of growing places and building an innovatively designed new school, which makes the best possible use of outdoor space.
3. That council assembly further applauds Albion Primary School for taking the brave decision to release a portion of land on the site for housing, helping to meet the council's ambitious pledge to build 11,000 new council homes while also enabling the school to build a state of the art building with fantastic facilities.
4. That council assembly believes the redevelopment of Albion Primary will deliver a

genuinely world class school for Southwark children, make a huge contribution to the regeneration of the area and provide high quality facilities for the local community.

## **20. ADULT SOCIAL CARE, FAIRER CONTRIBUTIONS POLICY - OUTCOMES OF CONSULTATION EXERCISE AND IMPLEMENTATION**

It was not possible to circulate this report five clear days in advance of the meeting. The chair agreed to accept as urgent because the proposals in the report were intended to modernise the council's approach to charging for social care and, in a time of financial austerity, to ensure its approach to charging for services was sustainable for the local authority in the long term. If the proposals were accepted income raised will be used to fund care services. Any delay in implementing the policy would adversely affect this income stream. If the income stream is affected then other services may suffer as the difference will need to be found.

### **RESOLVED:**

1. That the responses to the consultation on the proposed changes to the Fairer Contributions Policy as set out within the report and in Appendix 2: "Fairer contributions policy consultation responses summary" be noted.
2. That the equality and impact analyses set out in Appendix 1 of the report: "Equality and impact analysis – Fairer Contributions Policy" be noted.
3. The information contained within the report and its appendices were considered and the adoption of the proposed changes to the charging policy agreed:
  - To change the level of available income after financial assessment below which a service user will not be charged anything for their care from £2 to £3 a week
  - To charge up to 100% of available income, after financial assessment, increasing this from up to 80%
  - To ask all eligible service users, who are assessed as financially able to contribute, for a contribution toward their care costs
  - To simplify charging, so that all services, including respite care, meals and telecare services currently charged at a flat rate, are included within a financial assessment so that service users will only pay what they can afford
  - To assess and charge non-residential care services in the same way that we assess residential care, so that non-residential care service users with savings or capital above £23,250 no longer have their care subsidised by the council
  - To introduce a discount scheme for social care customers paying by direct debit.
4. That the proposed changes to be adopted in a new Fairer Contributions Policy to be

applied from October 2015 be agreed.

## **EXCLUSION OF PRESS AND PUBLIC**

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 rules of the Southwark Constitution.

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

### **21. MINUTES**

The closed minutes of the meeting held on 21 July 2015 were approved as a correct record and signed by the chair.

### **22. GATEWAY 2: CONTRACT AWARD APPROVAL: INTEGRATED DRUG AND ALCOHOL TREATMENT SYSTEM**

The cabinet considered the closed information relating to this item. Please see item 17 for decision.

### **23. GATEWAY 2: CONTRACT AWARD APPROVAL HEATING AND WATER CONTRACTS**

The cabinet considered the closed information relating to this item. Please see item 18 for decision.

Meeting ended at 6.15 pm

**CHAIR:**

**DATED:**

**DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 21 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, WEDNESDAY 23 SEPTEMBER 2015.**

**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.**