

## Cabinet

Tuesday 31 October 2017

4.00 pm

Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

### Membership

Councillor Peter John OBE (Chair)  
Councillor Stephanie Cryan

Councillor Maisie Anderson  
Councillor Fiona Colley  
Councillor Barrie Hargrove  
Councillor Richard Livingstone  
Councillor Victoria Mills  
Councillor Johnson Situ  
Councillor Ian Wingfield  
Councillor Mark Williams

### Portfolio

Leader of the Council  
Deputy Leader and Cabinet Member for  
Housing  
Public Health and Social Regeneration  
Finance, Modernisation and Performance  
Communities, Safety and Leisure  
Adult Care and Financial Inclusion  
Children and Schools  
Business, Culture and Social Regeneration  
Environment and the Public Realm  
Regeneration and New Homes

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### INFORMATION FOR MEMBERS OF THE PUBLIC

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#### Contact

Paula Thornton 020 7525 4395 or email: [paula.thornton@southwark.gov.uk](mailto:paula.thornton@southwark.gov.uk)

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Members of the committee are summoned to attend this meeting

**Councillor Peter John**

Leader of the Council

Date: 23 October 2017



# Cabinet

Tuesday 31 October 2017  
4.00 pm

Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

## Order of Business

Item No.	Title	Page No.
	<b>PART A - OPEN BUSINESS</b>	
	<b>MOBILE PHONES</b>	
	Mobile phones should be turned off or put on silent during the course of the meeting.	
<b>1.</b>	<b>APOLOGIES</b>	
	To receive any apologies for absence.	
<b>2.</b>	<b>NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT</b>	
	In special circumstances, an item of business may be added to an agenda within five clear working days of the meeting.	
<b>3.</b>	<b>NOTICE OF INTENTION TO CONDUCT BUSINESS IN A CLOSED MEETING, AND ANY REPRESENTATIONS RECEIVED</b>	1 - 2
	To note the items specified which will be considered in a closed meeting.	
<b>4.</b>	<b>DISCLOSURE OF INTERESTS AND DISPENSATIONS</b>	
	Members to declare any interests and dispensations in respect of any item of business to be considered at this meeting.	

Item No.	Title	Page No.
5.	<b>PUBLIC QUESTION TIME (15 MINUTES)</b>	
	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. The deadline for the receipt of public questions is midnight Wednesday 25 October 2017.	
6.	<b>MINUTES</b>	3 - 24
	To approve as a correct record the minutes of the open section of the meeting held on 19 September 2017.	
7.	<b>DEPUTATION REQUESTS</b>	
	To consider any deputation requests. The deadline for the receipt of deputation requests is midnight Wednesday 25 October 2017.	
8.	<b>2017 PRIMARY AND SECONDARY SCHOOL PLACE PLANNING STRATEGY UPDATE</b>	25 - 52
	To note the updated forecasts of primary and secondary school places.	
9.	<b>RESPONSE TO SOUTHWARK SCHOOLS SCRUTINY IN A DAY</b>	53 - 58
	To approve the response to the children's and education scrutiny sub-committee report on "Southwark Schools Scrutiny in a Day."	
10.	<b>GATEWAY 1: PROCUREMENT STRATEGY APPROVAL - SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND) TAXIS FOR CHILDREN, YOUNG PEOPLE AND VULNERABLE YOUNG PEOPLE</b>	59 - 72
	To approve the procurement strategy for special educational needs and disability (SEND) taxis for children, young people and vulnerable adults.	
11.	<b>INTRODUCTION OF PUBLIC SPACE PROTECTION ORDERS (PSPOS) TO TACKLE DOG RELATED ANTI-SOCIAL BEHAVIOUR (ASB)</b>	73 - 92
	To approve the introduction of Public Space Protection (PSPOs) implementing the requirements and restrictions in order to tackle dog related anti-social behaviour.	
12.	<b>SAFE AS HOUSES ? INDEPENDENT SOCIAL RESEARCH INTO EARLY IMPACTS OF UNIVERSAL CREDIT (UC) AMONG SOCIAL HOUSING TENANTS IN SOUTHWARK</b>	93 - 101
	To note the final report by the John Smith Institute setting out findings from its independent social research (Safe as Houses?) and the key conclusions and recommendations from the report.	

<b>Item No.</b>	<b>Title</b>	<b>Page No.</b>
<b>13.</b>	<b>ANNUAL WORKFORCE REPORT</b>	102 - 142
	To note the annual workforce report and key issues arising.	
<b>14.</b>	<b>NEW COMMISSIONING MODEL AND COMMON OUTCOMES FRAMEWORK FOR THE VOLUNTARY AND COMMUNITY SECTOR</b>	143 - 164
	To approve the adoption of the Southwark Common Outcomes Framework (SCOF) and a new outcome-based commissioning model developed by the council, Clinical Commissioning Group and voluntary and community sector.	
<b>15.</b>	<b>CONSIDERATION OF OPTIONS FOR BROADBAND IN ROTHERHITHE AND IMPROVING CONNECTIVITY IN THE BOROUGH AS A WHOLE</b>	165 - 203
	To approve the strategic options assessment for digital infrastructure in the Rotherhithe and Surrey Docks wards and the rest of the borough more generally.	
<b>16.</b>	<b>NEW SOUTHWARK PLAN: PROPOSED SUBMISSION VERSION</b>	204 - 212
	To agree the New Southwark Plan: Proposed submission version for consultation.	
	To note the consultation plan, consultation report, integrated impact assessment and Habitats Regulations assessment.	
<b>17.</b>	<b>COMMUNITY INFRASTRUCTURE LEVY AND SECTION 106 PLANNING OBLIGATIONS AND COMMUNITY INFRASTRUCTURE LEVY SUPPLEMENTARY PLANNING DOCUMENT</b>	213 - 233
	To provide recommendations for council assembly and rescind the addendum to the January 2017 Section 106 Planning Obligations and Community Levy Supplementary Planning Document subject to approval of the revised Southwark CIL by council assembly 29 November 2017.	
<b>18.</b>	<b>A REVIEW OF FURTHER EDUCATION AND SKILLS PROVISION IN THE LONDON BOROUGH OF SOUTHWARK - RESPONSE TO OVERVIEW AND SCRUTINY COMMITTEE</b>	234 - 245
	To note the response to the recommendations in the report "A Review of Further Education and Skills Provision in the London Borough of Southwark: Report of the Overview and Scrutiny Committee."	
	To also note the emerging skills strategy for Southwark.	

Item No.	Title	Page No.
19.	<b>GATEWAY 2: CONTRACT AWARD APPROVAL - CARE AT HOME CONTRACTS</b>	246 - 268

To note the change in the agreed evaluation methodology and approve the award of the home care (care at home) contracts.

20.	<b>ACQUISITION OF AFFORDABLE HOUSING AT LONGVILLE ROAD, SE11</b>	269 - 278
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To approve the acquisition of 115 units of housing that has been constructed as part of the regeneration of the former London Park Hotel.

21.	<b>THE OUTCOME OF THE CONSULTATION EXERCISE ON CHANGES TO DAY CENTRE PROVISION AT QUEENS ROAD AND RIVERSIDE AND THE DEVELOPMENT OF A DISABILITY HUB</b>
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See supplemental agenda no. 1

22.	<b>AYLESBURY ESTATE: COMMUNITY FACILITIES AT PLOT 18 DELIVERY</b>
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See supplemental agenda no. 1

23.	<b>AYLESBURY ESTATE: APPROVED PREMISES FACILITY (APF) DELIVERY</b>
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See supplemental agenda no. 1

**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 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.”

**Item No.**

**Title**

**Page No.**

**PART B - CLOSED BUSINESS**

**24. MINUTES**

To approve as a correct record the closed minutes of the meeting held on 19 September 2017.

**25. GATEWAY 2: CONTRACT AWARD APPROVAL - CARE AT HOME CONTRACTS**

**26. ACQUISITION OF AFFORDABLE HOUSING AT LONGVILLE ROAD, SE11**

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

Date: 23 October 2017



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

### **Cabinet 31 October 2017**

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 31 October 2017 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 25: Gateway 2: Contract Award Approval – Care at Home Contracts**

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.

Everton Roberts  
For Proper Constitutional Officer

**Dated:** 23 October 2017

## NOTIFICATION OF CLOSED BUSINESS FOR URGENT CONSIDERATION BY AN EXECUTIVE DECISION MAKING BODY

The required 28 days notice relating to a decision likely to be considered in closed session has not been given on the forward plan in respect of the decision detailed in this document. The matter is considered to be urgent and cannot be reasonably deferred for a further 28 days to enable the required notice to be given. Details of the issue are set out below.

Note: This notice applies to meetings of the cabinet, cabinet committee or community councils considering an executive function.

### DECISION MAKER

**Name of decision maker:** Cabinet

**Date of meeting:** 31 October 2017

### LEAD OFFICER DETAILS

**Name and contact details:**

Patrick McGreal 020 7525 020 7525 5626; patrick.mcgreal@southwark@southwark.gov.uk

### DETAILS OF THE REPORT

*Title and brief description of the nature of the business to be considered:*

**Title of report: Acquisition of Future Affordable Housing at Longville Road, SE1**

Approval is sought to the acquisition of 115 units of housing that has been constructed as part of the regeneration of the former London Park Hotel.

*What is the potential cost to the council if the decision is delayed?*

An early commitment to the acquisition is needed because the housing will shortly be completed. The opportunity to purchase will be closed before December and the opportunity to acquire the properties will be lost.

*How long has the department known the decision required a closed report?*

The offer to sell the properties had only just arisen October 2017.

**Everton Roberts**  
**For Proper Constitutional Officer**  
**Dated:** 23 October 2017





## Cabinet

MINUTES of the OPEN section of the Cabinet held on Tuesday 19 September 2017 at 4.00 pm at the Council Offices, 160 Tooley Street, London SE1 2QH

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**PRESENT:** Councillor Peter John OBE (Chair)  
Councillor Stephanie Cryan  
Councillor Maisie Anderson  
Councillor Fiona Colley  
Councillor Barrie Hargrove  
Councillor Richard Livingstone  
Councillor Victoria Mills  
Councillor Johnson Situ  
Councillor Ian Wingfield  
Councillor Mark Williams

### 1. APOLOGIES

All members were present.

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

The chair gave notice of the following late items:

Item 19a: Ledbury Estate: Reference from Overview and Scrutiny Committee

Item 30: Policy and Resources Strategy: Revenue Monitoring report, including Treasury Management 2017-18 (Month 4).

Reasons for urgency and lateness will be specified in the relevant minute.

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

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

#### 4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Councillor Johnson Situ declared a non-pecuniary interest in item 14: A Review of Further Education and Skills Provision and Local Support Arrangements: A report from the overview and scrutiny committee, as he was a governor at Lewisham and Southwark College. The report was being received by cabinet and would be subject to a further report back within eight weeks.

#### 5. PUBLIC QUESTION TIME (15 MINUTES)

##### **Public Question from Brigid Gardner on behalf of Dulwich Village Forum**

The new junction design for Dulwich Village is going ahead despite community opposition. Once works are complete and the bedding-in period is over, what tools, data and criteria will be used to measure the success of the scheme against the Dulwich Vision, 'Healthy Streets' and the 2011 Transport Plan?

##### **Response by Councillor Ian Wingfield, Cabinet Member for the Environment and the Public Realm**

The Dulwich Village junction modification is part of the Elephant and Castle to Crystal Palace quietway proposal and a critical element of the council's cycle strategy.

Our monitoring plan will cover the entire route, although specific issues will be monitored at some significant locations, including the Dulwich Village junction

Following completion of the works at Dulwich Village full post monitoring will be carried out. Monitoring will start with a road safety audit stage 3 carried out by an independent road safety specialist as soon as possible after completion which will identify any immediate safety issues that occur post-construction

Over the following year the council will be monitoring air quality changes on the 4 approaches to the junction and traffic counts will be taken at intervals to see how traffic has been affected at various times of the year, as well as traffic flow and delay information which will be compared to the baseline and modelled data.

There is a central database of all collisions in the borough that result in personal injury and once a full 12 months data is available the independent road safety specialist will be invited back to carry out a further audit (stage 4) that looks at the cause of any incidents that have taken place, in particular those involving pedestrians and cyclists.

## Summary of General Monitoring Plan for QW7

Activity	Measure	Baseline	Target
Safety	Average speed 85th percentile speed % of commercial vehicles Road Safety Audit stage 3 Road Safety Audit stage 4	Traffic speed conditions prior to changes.  Ref-RSA 1&2	Average speed below 24mph on all roads  No serious safety concerns raised at audit
Modal shift	Traffic counts as part of ongoing Annual Transport Plan Monitoring report.	Current mode share for cycling in Southwark is 4.6 per cent, which equates to approximately 35,000 trips made by cycle every day	Our target is to increase mode share for cycling to 10 per cent by 2025/26. This means an increase of 40,000 daily trips in 10 years time. We will continue to review progress against our target on an annual basis as part of the Annual Transport Plan. Specific screen line counts will be taken on Q7 12 months after completion.

## Monitoring Plan Specific for Dulwich Village Junction

Activity	Measures	Baseline	Target
Compliance to newly introduced internal stop lines by cyclists	Pedestrian conflict /comfort assessment	N/A	100% compliance at school opening times by cyclists
Queue length on Court Lane and Calton Avenue due to change in priority	Undertake junction review – traffic surveys (AM/ PM/ inter-peak delays )	Compare baseline queue length/delay	Delays within threshold and not more than 10% worse than baseline conditions
Queue length at Court Lane; Dulwich Village end ,due to reduction in traffic lanes	Undertake junction review – traffic surveys (AM/PM /inter-peak delays)	Compare baseline queue length/delay	Delays within threshold and not 10% worse than baseline conditions
Queue length and delay on all other arms	Undertake junction review – traffic surveys (AM/ PM/ inter-peak delays)	Compare baseline queue length/delay	Delays within threshold and not 10% worse than baseline conditions
Impact of change in priority at Calton Avenue on informal pedestrian crossing	Video survey	Compare baseline interaction	No significant incident of conflict in the first 6 -12 months. Details to be agreed with schools
Air quality at Dulwich Village junction	Measures air quality	Compare baseline air quality.	Air quality targets to be agreed

TfL (the funders of the Quietway programme) also have a London-wide Quietway monitoring programme. Results relevant to Southwark will be shared with the council.

### Supplemental question

Brigid Gardner asked a supplemental question about whether the scheme would be measured against the Dulwich Vision and TfL healthy streets for London. Councillor Ian Wingfield confirmed that a holistic approach and review would be undertaken in Dulwich and confirmed a commitment to continue working with local residents.

Brigid Gardner also asked to receive a copy of the baseline which Councillor Ian Wingfield agreed to provide.

## 6. MINUTES

### RESOLVED:

That the minutes of the meeting held on 18 July 2017 be approved as a correct record and signed by the chair.

## 7. DEPUTATION REQUESTS

The Ledbury Estate Action Group and Tenants and Residents Association withdrew their deputation request.

## 8. PETITION FROM SOUTHWARK GROUP OF TENANT ORGANISATIONS (SGTO) - KEEP THE REPAIRS LINE FREE

The petition spokesperson addressed the meeting to outline their concerns relating to the decision to change the housing repairs line from a Freephone number to a paid number. It was felt that the move would cause considerable upset and hardship for the sake of saving a relatively minor sum of money. Additionally it was felt that many residents living in council housing do not use a land line or have a phone contract, with a large proportion using pay as you go calls. SGTO were happy to support a digital inclusion strategy but wished to exercise caution before any such strategy was mature, with the risk of impacting residents negatively.

Councillor Fiona Colley, cabinet member for finance, modernisation and performance responded to the petition by confirming that cabinet would retain the Freephone for housing repairs.

### RESOLVED:

1. That the petition from Southwark Group of Tenant Organisations (SGTO) requesting to "keep the repairs line free" be received.
2. That the Freephone number for housing repairs be retained.

## 9. CANADA WATER REGENERATION

### RESOLVED:

1. That the revised heads of terms for a development agreement as set out in Appendix 3 of the report be agreed.
2. That British Land (BL) undertake public consultation on options for entering into a long term arrangement for the management of various areas of public realm so as to secure investment and a sustainable future for these important local assets and to report back as part of work on agreeing the final development agreement for Canada Water.
3. That officers be instructed to work with BL to create a social regeneration charter for

the Canada Water area as outlined in paragraphs 25-26 of the report, for incorporation in the development agreement being finalised with BL.

4. That the request from BL that the council will support the regeneration project with the use of its powers under section 203 of the Housing and Planning Act 2016 subject to satisfaction of the relevant legal requirements and a further specific cabinet approval be noted.

#### **10. APPROVAL OF THE COUNCIL'S LOCAL IMPLEMENTATION DELIVERY PLAN - ANNUAL SPENDING SUBMISSION FOR 2018-19**

##### **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 2018-19 Appendix A of the report be agreed.
2. That the identified programme be submitted to TfL by 13 October 2017.
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 public realm to amend the programme for 2018-19 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 public realm to determine the most appropriate use of the £100,000 discretionary funding allocated by TfL for 2018-19.

#### **11. REVIEW OF THE LOCAL OFFER FOR CARE LEAVERS: REPORT FROM THE EDUCATION AND CHILDREN'S SERVICES SCRUTINY SUB-COMMITTEE**

Councillor Jasmine Ali, chair of the education and children's services scrutiny, presented this report to cabinet.

(The cabinet response to this report at item 28 was considered after this item.)

##### **RESOLVED:**

The recommendations of the scrutiny report, set out in section 7 of the report be noted.

**12. SOUTHWARK SCHOOL SCRUTINY IN A DAY: REPORT FROM THE EDUCATION AND CHILDREN'S SERVICES SCRUTINY SUB-COMMITTEE**

Councillor Jasmine Ali, chair of the education and children's services scrutiny, presented this report to cabinet.

**RESOLVED:**

That the recommendations of the scrutiny report, set out in the executive summary and summary of recommendations in section 3 of the report be noted and that the cabinet member for children and schools reports back within eight weeks.

**13. SOUTHWARK GP PRACTICES: QUALITY OF PROVISION AND LOCAL SUPPORT ARRANGEMENTS: REPORT FROM THE HEALTHY COMMUNITIES SCRUTINY SUB-COMMITTEE**

**RESOLVED:**

That the recommendations in the report, as set out on the first page of the report be noted and that the relevant cabinet member/s reports back within eight weeks.

**14. A REVIEW OF FURTHER EDUCATION AND SKILLS PROVISION IN THE LONDON BOROUGH OF SOUTHWARK: A REPORT FROM THE OVERVIEW AND SCRUTINY COMMITTEE**

**RESOLVED:**

That the recommendations of the scrutiny report, set out in section 4 of the report be noted and that the relevant cabinet member reports back within eight weeks.

**15. SOCIAL REGENERATION - EMERGING FRAMEWORK AND NEXT STEPS**

**RESOLVED:**

1. That it be agreed that social regeneration is about ensuring that the places where people live, now and in the future, create new opportunities, promote wellbeing and reduce inequalities so people have better lives, in stronger communities, and achieve their potential.
2. That it be agreed that the draft social regeneration policy framework (Appendix 1 of the report) be further shaped and used as part of the evidence for a wider conversation with residents, partners and stakeholders, with a report back on progress in early 2018.

**16. GATEWAY 1 AND 2: PROCUREMENT STRATEGY AND CONTRACT AWARD APPROVAL - INTEGRATED COMMUNITY EQUIPMENT SERVICE CONTRACT**

**RESOLVED:**

**Decisions by Cabinet**

1. That the procurement strategy for the community equipment service set out in the report as a participant of the London Consortium be approved.
2. That the option to call-off the London community equipment single-supplier consortium framework, to award a 3.5 year contract, with an option to extend for 2 years, to Medequip Assistive Technology, for an estimated maximum total cost of £3,465,000 for Southwark Council (£630,000 annual value), or £4,050,000 to include the estimated £585,000 portion of the contract to be provided on behalf of the Southwark Clinical Commissioning Group from 1 October 2017 to 31 March 2018 be approved.
3. That the proposal set out at paragraph 35 of the report for the council to act as the lead commissioner on behalf of NHS Southwark CCG for an integrated community equipment service for 2017-18 be approved, and the proposed agreement under s75 of the National Health Services (NHS) Act relating to Lead Commissioning of an integrated community equipment service also be approved.
4. That it be noted that a bridging contract was put in place for this service for six months from 1 April to 30 September 2017 in order to ensure service continuation and to enable the successful conclusion of negotiations with NHS Southwark CCG, as set out at paragraph 14 of the report.

**Decision by the Leader of the Council**

5. That decision making on any future variations to amend or extend the s75 arrangements with NHS Southwark CCG be delegated to the strategic director for children's and adults' services.

**17. GATEWAY 2: CONTRACT AWARD APPROVAL - AWARD OF CONTRACTS FOR THE PROVISION OF SEXUAL HEALTH SERVICES**

**RESOLVED:**

1. That the use of the open access pan-London contract that Lambeth Council have with Kings College Hospital NHS Foundation Trust (KCH) for the provision of integrated sexual health services, from 1 October 2017 to a maximum end date of 31 March 2022, producing an estimated maximum spend of £6,764,000 as detailed in paragraph 37 of the report be approved.
2. That the use of the open access pan-London contract that Lambeth Council have with Guy's and St Thomas' NHS Foundation Trust (GSTT) for the provision of integrated sexual health services, from 1 October 2017 to a maximum end date of 31 March 2022, producing an estimated maximum spend of £13,450,000 as detailed in paragraph 38 of the report be approved.



3. That it be noted that the total spend detailed in paragraphs 1 and 2 of the report includes costs for growth linked to the repatriation of patients into local services from clinics outside the area (as per paragraph 45 of this report), as follows:
  - a) a maximum spend of £225,000 over the maximum 4.5 year contract duration, which equates to £50,000 per annum, for KCH; and
  - b) a maximum spend of £450,000 over the maximum 4.5 year contract duration, which equates to £100,000 per annum, for GSTT.

These costs will only be paid if evidence of that repatriation (and attributable out of area cost savings) is provided.

4. That the successful partnership working between Southwark Public Health, the two trusts, and the commissioners in Lambeth Council provides the council with significantly reduced contract costs in delivering integrated sexual health services be noted. Over the lifetime of the contracts contract values will be reduced by £9.31m. The annual contract cost of the KCH contract will reduce from £2.44m in 2016-17 to £1.60m in 2018-19. For GSTT, the reduction is from £4.12m in 2016-17 to £3.04m in 2018-19.
5. That it be noted some of these reductions in contract costs for integrated sexual health services will be reinvested in expanding the provision of online testing, as part of the transformation programme to deliver lower sexual health costs into the future. This is in line with the gateway 1 report and subject to separate gateway 2 decisions. Moving asymptomatic testing out of clinic enables continuing cost efficiencies (online testing is cheaper than clinic testing), ensures a sustainable local sexual health system, and enables the council to continue to manage clinic demand and capacity. Early diagnosis also prevents onward infection (reducing the number of transmitted infections) and is essential in reducing the prevalence of infection within the population (and associated treatment costs, for which the council is responsible).

## **18. BOROUGH WIDE FIRE SAFETY**

### **RESOLVED:**

That the progress since the last cabinet report on fire safety be noted.

## **19. APPOINTMENT OF KEEPMOAT FOR EMERGENCY WORKS AT LEDBURY ESTATE**

### **RESOLVED:**

1. That the appointment of Keepmoat for emergency works at the Ledbury Estate tower blocks be noted.
2. That it be noted that a further report will come to cabinet later in the year, following the final structural report from Arup, detailing options for the towers going forward.

**19a. LEDBURY ESTATE: REPORT FROM OVERVIEW AND SCRUTINY COMMITTEE**

It was not possible to circulate this report five clear days in advance of the meeting. The chair agreed to accept the report as urgent as the meeting were considering two related items on this agenda, "Borough Wide Fire Safety and "Appointment of Keepmoat Emergency Works at Ledbury Estate". It was important that cabinet considered any feedback from overview and scrutiny committee to feed into ongoing urgent work on these matters and any future reports to cabinet.

**RESOLVED:**

That the report be noted.

**20. GATEWAY 3: VARIATION DECISION - HOUSING MAJOR WORKS CONTRACTS****RESOLVED:**

1. That the variation of Contract area 3, Camberwell and Peckham contract to Keepmoat Regeneration (Apollo) Ltd (Keepmoat) to extend the term of the contract for a period of two years from 14 June 2018 at an estimated maximum cost of £45m per annum, making a revised contract value of £450m for ten years be approved.
2. That the variation of Contract area 4, Nunhead, Peckham Rye and Dulwich contract to A&E Elkins Ltd (A&E Elkins) to extend the term of the contract for a period of two years from 14 June 2018 at an estimated maximum cost of £24m per annum, making a revised contract value of £240m for ten years be approved.
3. That the variation of Contract area 5, Borough-wide street properties, temporary accommodation and major voids contract to Saltash Enterprises Ltd (Saltash) for a period of two years from 14 June 2018 at an estimated maximum cost of £6m per annum, making a revised contract value of £60m for ten years be approved.

**21. UPDATE ON THE DELIVERY OF THE HOUSING ASSET MANAGEMENT STRATEGY****RESOLVED:**

1. That it be noted that in the light of the Grenfell fire, there could be substantial investment implications for the council, and a further report will follow regarding these matters.
2. That the status of the asset management investment programmes with particular reference to achieving the QHIP (Quality Homes Investment Programme) standard be noted.
3. That the current QHIP commitments following the first year of the programme and the forward programme to ensure all residents are at the QHIP standard over the first cycle of the programme in 8-10 years, including the changes to the programme be noted.
4. That it be noted that at the end of 2016-17 the housing stock stood at a 93.35%

decency level up from 91.3% at the end of the 2015-16.

5. That it be noted that this report will be sent to home owners' council, tenant council and future steering board for information following cabinet approval.

**22. GATEWAY 3: VARIATION DECISION - EXTENSION TO THE CONSOLIDATED FACILITIES MANAGEMENT CONTRACT**

**RESOLVED:**

1. That the variation to extend the term of the consolidated facilities management (FM) contract with Interserve (Facilities Management) Limited (Interserve FM) for a period of 24 months, from 1 February 2018 to 31 January 2020, at an estimated total cost of £13,595,000 be approved. When combined with the estimated contract extension it will bring the total estimated contract value at 31 January 2020 to £45,900,000.
2. That it be noted that the contract extension shall include a six month break clause as detailed in paragraph 10 of the report.

**23. NON-DOMESTIC RATES - DISCRETIONARY RATE RELIEF POLICY FOR REVALUATION RELIEF, SUPPORTING SMALL BUSINESSES RELIEF AND PUBS RELIEF**

**RESOLVED:**

1. That it be noted that following the revaluation of rateable values for businesses within Southwark by Government, business rates payable have increased by £54m in 2017-18.
2. That the additional four year discretionary rate relief policy for revaluation relief attached as Appendix A of the report, as per government's requirement to offer additional relief to the value of £6.9m with any future amendments to be made by an individual decision by cabinet member (IDM) be approved.
3. That the policy incorporating small businesses and pubs relief be agreed.

**24. POLICY AND RESOURCES STRATEGY: CAPITAL MONITORING REPORT, INCLUDING CAPITAL PROGRAMME UPDATE 2017-18 (MONTH 4)**

**RESOLVED:**

1. That the general fund capital programme for the period 2017-18 to 2026-27 as at Month 4, as detailed in Appendices A and D of the report and the £170.6m financing required for 2017-18 be noted.
2. That the housing investment programme for the period 2017-18 to 2026-27 as at Month 4 2017-18, as detailed in Appendix B of the report and the £13.18m financing required for 2017-18 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 2017-18 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 month 4 2017-18 be noted and this position will be updated during the year when more up to date information is available.
5. That the inclusion in the programme of the capital bids set out in Appendix E of the report be approved.
6. That it be noted this report indicates that external borrowing will be required in 2017-18 to finance the programme. Options to identify the most appropriate source of financing will be appraised by the strategic director, finance and governance in conjunction with the cabinet member for finance, modernisation and performance.
7. That in the event of additional resources being required for Ledbury Estate, authority be delegated to the strategic director of finance and governance for identifying resources to be made available in a timely way (in consultation with the cabinet member for finance, modernisation and performance and the cabinet member for housing).

## **25. ACQUISITION OF FUTURE AFFORDABLE HOUSING IN BLACKFRIARS**

### **RESOLVED:**

1. That the acquisition of the affordable housing to be provided as part of the regeneration known as 18 Blackfriars on the principal terms set out in the closed version of the report be approved.
2. That the director of regeneration be authorised to agree detailed terms of the purchase including whether the freehold or leasehold interest in the housing is acquired and in conjunction with the strategic director of housing and modernisation the specification of the housing to be acquired.

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

### **RESOLVED:**

#### **What does Brexit mean for Southwark ?**

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

1. Council assembly notes that the administration remains committed to its core values of fairness and equality, and to delivering its manifesto commitments made to the residents of our borough in 2010 and 2014 - to creating a fairer future for all. This commitment will not change as the UK prepares to leave the EU.
2. Council assembly notes that the UK Statistics Authority estimates the number of EU nationals living in the borough is 31,000, and recognises the significant contribution that EU nationals living and working in Southwark make to our community.

3. Council assembly notes that 73% of those who voted in the EU referendum in Southwark opted for the United Kingdom to remain a member of the European Union and welcomes the administration's public commitment at that time to "work hard to ensure that Southwark does not lose the many benefits that the EU brings".
4. Council assembly notes that since 2010 the employment rate in our borough has risen by over 10% to nearly 77%, with nearly 40,000 more people aged 16 – 64 now in work.
5. Council assembly welcomes the administration's commitment to attracting jobs and investment to Southwark, and notes with concern that some employers may delay investment decisions or consider transferring some employment away from London as a result of the Brexit decision.
6. Council assembly notes that this administration is dedicated to making our borough a greener and healthier place to live, and has invested in making walking and cycling easier, and reducing the council's own carbon emissions.
7. Council assembly notes that despite years of national government funding cuts, this administration has remained committed to protecting the most vulnerable in our communities, recognising that because of inflation and a weaker pound in the period since June 2016, our residents are facing rising costs for food, energy and other essentials.
8. Council assembly recognises the importance of Southwark's cultural, ethnic and religious diversity, and believes that this diversity is one of the factors that makes Southwark such an exciting and vibrant area to live and work in. Our diversity is strengthened by our bonds with other EU countries, and we should therefore continue to work with, and strengthen our connections with, our twinned boroughs of Clichy and Langenhagen.
9. Council assembly calls on cabinet to work with Southwark's three Labour MPs to lobby their leader, Jeremy Corbyn, and this Conservative government in order to clarify the rights of EU nationals to remain, rule out withdrawal from the EU without a deal, guarantee a Parliamentary vote on any final outcome to negotiations, set out transitional arrangements to maintain jobs, trade and certainty for business, set out proposals to retain the benefits of the Customs Union and Single Market, set out clear measures to respect the competencies of the devolved administrations, include clear protections for EU nationals living in the UK now, including retaining their right to remain in the UK, and reciprocal rights for UK citizens, and to take every opportunity to ensure that local residents can continue to benefit from the jobs and apprenticeships in our borough which are connected to the EU.
10. Council assembly further calls on cabinet to maintain our high environmental standards and diversity, and to continue to protect our most vulnerable residents during the Brexit negotiations and after the UK leaves the EU.

### **Promoting the sale of new housing to local people**

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

1. Council assembly notes with concern that:
  - Recent research conducted for the Mayor of London indicates that over half of new build properties bought by foreign investors in London are sold at a price-point deemed suitable for first-time buyers (under £500,000).
  - The same research indicates that 25% of new build homes sold in the London Borough of Southwark are sold overseas, putting Southwark in the top four London boroughs for the proportion of new homes sold overseas.
  
2. Council assembly further notes that:
  - The redevelopment of the Heygate Estate will see more than 2,700 new homes built; at least 25% of these new homes will be offered for social rent, affordable rent or shared-ownership sale following the intervention of the then newly elected Labour council. This is opposed to if the amount of affordable housing was determined through the planning system alone as advocated by Southwark Liberal Democrats which would have secured significantly less affordable housing.
  - Council assembly also notes that the last Labour government provided £120,000 subsidy for each new affordable home built, and that the Conservative/Liberal Democrat coalition slashed this to just £20,000 per affordable unit.
  - Council assembly further notes that the former MP for Bermondsey and Old Southwark was reprimanded by the Parliamentary Commissioner for Standards for not declaring a donation from a developer on the Old Kent Road, whose scheme only comprised 6% affordable housing. Council assembly also notes this application was refused by Southwark's planning committee, but was overturned by the Conservative Mayor Boris Johnson.
  
3. Council assembly welcomes:
  - The announcement from Labour's shadow housing secretary, John Healey, indicating that a Labour government would give local people "first dibs" on new homes ahead of overseas buyers.
  - The call from the Mayor of London's advisory board, Homes for Londoners, for steps to be taken "to make more homes available to Londoners before anyone else, with any measures particularly focusing on homes sold for prices that Londoners, especially first-time buyers, are more likely to be able to afford".
  - That this council already requires developers to give UK residents a fair chance by marketing new homes to them before they are advertised abroad.
  
4. Council assembly therefore calls on cabinet to take urgent action to promote the sale of new homes to local people by:
  - Ensuring that at least one in three homes in every new development is genuinely affordable.

- Using its influence with existing developers to ensure that new-build homes in Southwark costing £500,000 or less are actively marketed to local people in the first instance rather than marketing them overseas.
- Including the above two conditions in any future development agreements.
- Lobbying the Mayor of London to implement the recommendations of the Homes for Londoners Sub-Group Board Report on Overseas Investment.

### **Southwark's response to the London Bridge attack**

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

1. Council assembly notes that on 3 June 2017, a horrific terrorist attack took place on London Bridge and in Borough Market which killed eight people, and left a further forty-eight people injured.
2. Council assembly notes that within 20 minutes of the terrorist attack taking place, Southwark Council's emergency planning team were in contact with the chief executive of the council and setting up the Borough Emergency Control Centre (BECC).
3. Council assembly notes that in the immediate aftermath of the terrorist attack and beyond, Southwark Council staff voluntarily came into work on a Saturday night to support the work of the BECC, with many working throughout the night. In the days and weeks after the attack, staff continued to play an important role, which included, but was not limited to:
  - Supporting residents who were unable to immediately return to their homes and helping them find alternative accommodation.
  - Providing information and support to local businesses affected, and assisting them in re-opening.
  - Co-ordinating the lifting of the police cordon around Borough Market.
  - Cleaning and preparing roads and other areas before they were re-opened to the public.
  - Working with the NHS and local charities to set up a community assistance centre for local people affected by the terrorist attack to seek emotional support.
4. Council assembly notes that without the council staff who volunteered their assistance, the council would not have been able to provide as high quality support to residents, businesses, local organisations and the emergency services.
5. Council assembly would like to formally put on record its thanks to the emergency services, and all council staff, local residents, business owners and community groups who helped to respond to the terrorist attack. By standing together, we have shown that this dreadful attack will not defeat us, and that we will always stand together as a community. Southwark can, and should, be proud of our response.

### **The terror attack on London Bridge and Borough Market**

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

Council assembly:

1. Offers its thoughts and condolences to the friends and family of the eight people who lost their lives, those who were injured, are still in hospital or were otherwise caught up in the horrendous terrorist attack on London Bridge and Borough Market on Saturday 3 June 2017.
2. Offers its sincere thanks to the Metropolitan Police Service, the Counter Terrorism Police, the London Ambulance Service, NHS staff, Southwark Council staff and other emergency workers for the professional and outstanding way they responded to the incident and the care and support they have provided to those affected.
3. Acknowledges the impact on Borough Market, Southwark Cathedral and other business and venues in the vicinity of the attack and pledges its support to their response and commitment to get "back to business".
4. Acknowledges the impact on residents who live in the area which was cordoned-off and who were either unable to leave their homes or unable to return home.
5. Thanks the clergy and staff of Southwark Cathedral and religious leaders from churches, mosques and other places of worship across the borough for their prayers and spiritual guidance in the wake of the attack.
6. Thanks the Mayor of London and other politicians for their united response to the terror attack and acknowledges the wider support and love shown to those affected by the attack from people across London, the UK and the world.
7. Acknowledges the unique role that James Hatts and @SE1 played in providing up to date information to those caught up in the incident, including residents and businesses.
8. Recognises the strength and solidarity of the community in SE1 and across Southwark in their response to the attack and celebrates the community cohesion and diversity that exists in our borough.
9. Calls upon cabinet to take steps to look at what lessons can be learnt from the response to the attack, including exploring any additional measures that can be put in place to make our borough safer and seeking to improve our response to sharing information and building on existing networks and communities in the event of a major incident.
10. Resolves to promote the financial appeals and ongoing support structures that have been launched or put in place for those who lost their lives, were injured or were impacted psychologically or financially as a result of the attack.
11. Resolves to celebrate our way of life and our shared values of tolerance, openness and diversity and reconfirms that those who seek to attack us will never win and that



love will always conquer hate.

12. Calls on the council, in conjunction with the families of those who died, those who were injured and other appropriate stakeholders, to consider an appropriate memorial for the victims of this attack.

### **Southeastern Trains**

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

1. Council assembly recognises the importance of public transport for residents in Southwark and that the Southeastern line to London Victoria is used by thousands of passengers from Nunhead, Peckham Rye and Denmark Hill stations. It links south East London and Kent to the DLR and Overground as well as the tube network at Victoria and provides public transport to Kings College and the Maudsley Hospitals.
2. Council assembly notes that after much lobbying (including the 2012 motion agreed by this assembly), this service was extended to a full Monday to Sunday service including evenings. Residents had already lost the Victoria to London Bridge service when the Overground service via Peckham Rye started and extension to this service was much needed. There has already, therefore been a net loss in service to Victoria on Monday to Saturday peak times of two trains per hour.
3. Council assembly is deeply concerned by the recent Department for Transport consultation seeking passengers' views on the principle of reducing the choice of London termini to provide a more regular timetable and reliable service. This has arisen to appease the Kent commuters who want a faster service into London. The proposal is to rationalise the services via Lewisham so they go to London Bridge or Cannon Street only and not to Victoria, thereby cancelling the service via Southwark to Victoria. As well as the loss of the service, this means, that when there are problems or engineering works on the Thameslink line, there won't be the option of rerouting services into Victoria as happens at present.
4. Council assembly accepts that the Lewisham train junction is a busy one. Therefore, if rationalisation of services through this junction is deemed necessary, alternative rerouting to the south of Lewisham would need good, frequent connections at Lewisham and extra train services, i.e. a return to four trains per hour through Southwark, as our residents also use the service southbound towards Dartford for work and school.
5. Council assembly find it unacceptable that the recent consultation has been skewed towards the longer distance commuters. This consultation was not even advertised at our stations. We believe the current system provides a poor outcome for our residents and that Transport for London (TfL) should take on the responsibility for the running of this and other south east London rail services to enable our residents to have a properly integrated transport system.
6. Council assembly calls on cabinet to work with Network Rail and TfL to seek a concrete commitment and funding from Government to support the reopening of Camberwell station in order to provide a much needed additional transport link for the local area.

7. Council assembly recognises the increase in passenger numbers at Denmark Hill station which has resulted in dangerous overcrowding and therefore calls on cabinet to support plans to build an additional entrance and ticket machines on Windsor Walk by accelerating the anticipated planning application and other council required permissions.
8. Council assembly calls on cabinet to lobby the Department for Transport to reinstate the South London Line service, in order to provide a key link for many Southwark residents to Central London, once rebuilding works at London Bridge have been completed.

### **Fire safety in Southwark**

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

1. Council assembly offers its sincere and heartfelt condolences on behalf of the people of Southwark to all those affected by the tragic fire at Grenfell Tower in Kensington and Chelsea.
2. Council assembly notes:
  - The courageous response of the men and women of the emergency services to the fire at Grenfell Tower.
  - The impressive scale of donations and offers of help from members of the public and voluntary organisations in response to the fire at Grenfell Tower.
  - The contribution of Southwark Council to the London Councils' led Grenfell Fire Response Team in providing support to those affected.
  - The contribution of Eleanor Kelly, chief executive of the council, for her work with the government taskforce in providing support in Kensington and Chelsea.
3. Council assembly further notes:
  - The investment into improving the fire safety of council properties in Southwark since the devastating fire at Lakanal House in 2009.
  - Decisions made by the cabinet in 2013 on where best to focus investment in response to the coroner's recommendations.
  - The understandable concerns that Southwark residents will have about the safety of council-owned blocks and about whether they will be safe in the event of a fire.
  - The independent review into fire safety in council blocks commissioned by the deputy leader and cabinet member for housing which will include but is not limited to ascertaining the need for and cost of fitting sprinkler systems and any other fire safety measures in these buildings.
  - The work the council has undertaken to keep residents updated through the council's website, letters from the deputy leader and cabinet member for housing and a special fire safety edition of Southwark Life.
4. Council assembly therefore calls upon the cabinet to:
  - Make public the findings of the independent review.
  - Establish a fire safety advisory group to allow residents to be involved in

- shaping fire safety following the review.
- Bring a report to cabinet outlining the measures that the council will take to implement the recommendations of the review.

### **Safety on Ledbury Estate**

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

1. Council assembly notes the significant concerns of residents of the four Ledbury tower blocks – Bromyard House, Peterchurch House, Sarnesfield House and Skenfrith House – regarding fire safety.
2. Council assembly views the tragic events at Grenfell Tower as requiring every council to put significant focus on improving fire safety, and recognises that our residents have a right to feel safe in their own homes.
3. Council assembly acknowledges the steps taken by the council to date to address the fire safety concerns at the four Ledbury Tower blocks over the last two weeks, but believes that the council needs to do more to ensure that its residents are safe, improve communication with them and address their concerns.

Council assembly therefore calls upon the cabinet to ensure that:

4. Any tenant of the four Ledbury Tower blocks that requests a transfer to a new home is treated as a band 1 priority.
5. The council urgently requests that Arnold Tarling shares his report on safety issues regarding the towers with the council so that all the issues that it raises can be fully addressed.
6. The council continue to carry out the type 4 fire risk assessments to the four Ledbury tower blocks and ensures all other necessary safety checks are carried out urgently. The council should share any reports arising from these reports with residents as quickly as is possible.
7. Any council officer or contractor involved in work on the towers treats every resident with the same respect and concern as if they were a valued member of their own family.
8. Whilst fire wardens are in place in the blocks, council officers ensure that they are fully trained and equipped to perform their role as fire marshals.
9. The council installs a comprehensive fire alarm system in all communal areas in the four blocks to ensure that there is full fire safety coverage in these areas once the fire wardens leave.
10. A compensation package for tenants and residents is developed that recognises the disruption and distress to their lives caused through the fire safety concerns to their homes.
11. The council does all that it can to share all that it knows with residents, recognising

that different residents have different communication needs. Where information is not yet known, the council must be clear about what steps it is taking to find this out and give an indication of how long this will take.

12. The entryphone system is fully reinstated as soon as it is safe to do so, with new fobs being issued to every resident.
13. Leaseholders of the four blocks are not charged for any safety work arising from the safety issues there.

**27. OFSTED INSPECTION OF 'SERVICES FOR CHILDREN IN NEED OF HELP AND PROTECTION, CHILDREN LOOKED AFTER AND CARE LEAVERS' - POST INSPECTION ACTION PLAN**

The following amendment to the text at paragraph 6 of the report was noted as follows: "children looked after and achieving permanence" judgement should read "requires improvement."

**RESOLVED:**

That the Southwark post inspection action plan be endorsed.

**28. RESPONSE TO REVIEW OF LOCAL OFFER FOR CARE LEAVERS**

**RESOLVED:**

That the response to the education and children's services scrutiny sub-committee report, review of local offer for care leavers, be approved.

**29. GATEWAY 1: PROCUREMENT STRATEGY APPROVAL: SPECIAL EDUCATIONAL NEEDS AND/OR DISABILITY (SEND) TAXIS FOR CHILDREN, YOUNG PEOPLE AND VULNERABLE ADULTS**

This item was deferred.

**30. POLICY AND RESOURCES STRATEGY: REVENUE MONITORING REPORT, INCLUDING TREASURY MANAGEMENT 2017-18 (MONTH 4)**

The report had not been circulated five clear days in advance of the meeting. The chair agreed to accept the report as urgent because the emerging improving financial position of the council was of significant interest, particularly, in the context of the 2016-17 general fund budget pressures previously reported to cabinet (18 July 2017: Revenue Monitoring Report and Treasury Management 2016-17 Outturn Report).

**RESOLVED:**

1. That the following be noted:
  - the general fund outturn forecast for 2017-18 of £0.407m (table 1, paragraph

11 of the report) after the application of the supplementary improved better care fund grant (IBCF) as agreed by the health and well being board on 11 September

- the reduced but continuing pressures on the children's and adults' social care of £4.229m; prior to the application of the IBCF, these cost pressures were forecast to be £11.7m (paragraphs 12 to 21 of the report)
  - the adverse variance in public health of £0.6m due to continued demand pressures in sexual health services (paragraphs 22 to 26 of the report)
  - cost pressures in housing and modernisation in temporary accommodation, No Recourse to Public Funds and corporate facilities management (paragraphs 28 to 44 of the report)
  - the £4m contingency is utilised in full to mitigate the total impact of cost pressures (paragraph 48 of the report)
  - the general fund outturn forecast including the final projected outturn position assumes a total net reduction in reserves of £7.1m (table 2 of the report)
  - the forecast reduction in reserves includes the full allocation of remaining Dedicated Schools Grant Reserve of £1,249 (table 2, paragraph 62 of the report)
  - the housing revenue account forecast set out in table 2, paragraphs 50 to 57 of the report
  - the treasury management activity to date in 2017-18 (paragraphs 63 to 67 of the report).
2. That the general fund budget movements that exceed £250,000, as shown in Appendix A of the report be approved.
  3. That the general fund budget movements that are less than £250,000 as shown in Appendix A of the report be noted.

## **EXCLUSION OF THE PRESS AND PUBLIC**

### **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 decisions taken in the closed part of the meeting.

### **31. MINUTES**

The minutes of the closed section of the meeting held on 18 July 2017 were approved as a correct record and signed by the chair.

### **32. ACQUISITION OF FUTURE AFFORDABLE HOUSING IN BLACKFRIARS**

The cabinet considered the closed information relating to this item. Please see item 25 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 27 SEPTEMBER 2017.**

**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.**

<b>Item No.</b> 8.	<b>Classification:</b> Open	<b>Date:</b> 31 October 2017	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		2017 Primary and Secondary School Place Planning Strategy Update	
<b>Ward(s) or groups affected:</b>		All	
<b>Cabinet Member:</b>		Councillor Victoria Mills, Children and Schools	

#### **FOREWORD - COUNCILLOR VICTORIA MILLS, CABINET MEMBER FOR CHILDREN AND SCHOOLS**

Southwark Council continues to make strong progress in meeting the increased demand for primary and secondary school places alongside our firm commitment to drive up standards of educational achievement. The improvement in results across our schools means that Southwark is viewed as a great place for families and young people. As our borough grows, and as substantial regeneration occurs, we have to plan well ahead and invest in our schools to make sure we meet the pace and scale of demand for places.

This report examines in detail the progress we have made to meet the anticipated demand and the need for additional school places from 2018 onwards. The current £200million expansion programme, across primary, secondary and special schools, shows a sustained investment in school places and the schools estate which is delivering new and expanded schools with high quality facilities.

By September 2018, Southwark will have added 4,425 additional primary school places since 2009. This requires a continuing investment programme in the borough's existing schools estate, and builds on the success and popularity of our high performing schools, as well as engaging school providers and external funding sources. There is no place for complacency and this report acknowledges the future shortfall of primary places in Bermondsey and Rotherhithe, particularly linked to development at Canada Water and along the Old Kent Road.

This report also sets out why the council is well-placed to meet the increasing demands for secondary places. Key Stage 4 performance is above the national and London averages and we remain consistently in the top quartile for both attainment and progress scores. In addition to the new Charter School East Dulwich and the development of plans for the new Haberdashers' Aske's Borough Academy, we are now finalising plans for potential temporary expansions of Southwark secondary schools to ensure all children secure a school of their preference in September 2018. This report also identifies the medium to long-term need to work closely with local schools and academy trusts to develop permanent expansions of existing schools or a further new secondary school.

This report also acknowledges the significant variation in the popularity of secondary schools amongst Southwark's families and young people. This means the balance between demand and the availability of places is not evenly distributed across the borough. With more places and an overall improvement in educational performance across all schools a greater proportion of families are securing a place in a school of their preference. However, there remain families in certain parts of the borough who do not get a place at a school of their preference. This is a challenge for Southwark schools and for place planning that we should not shy away from.

This report also gives proper space to plans and proposals for Special Educational Needs and Disability (SEND) provision. Two expanded (and relocated) special schools

and one new special school will add excellent and much needed SEND provision to Southwark.

Finally, as we rightly recognise the importance of social regeneration as a pillar of success in the growth and change in Southwark, we should consider the pivotal role that a school can have in the lives of our children, their families and the wider community. Primary schools across Southwark sit at the heart of their immediate local communities. They need to continue to provide much needed stability yet also be able to grow and change with their neighbourhoods - meeting the demand for places and having the excellent play and learning spaces that every Southwark child deserves. Our secondary schools need to have the state of the art academic, sporting and creative facilities that will ensure our young people can make the most of the fantastic opportunities on our doorstep. These things are equally important in every part of the borough – north and south, urban and suburban and regardless of whether a school is sited in an area of great regeneration or in an area of very little change.

We believe in giving all our young people the best start in life and this report makes clear that securing a place at a great local school is right at the heart of this commitment.

## RECOMMENDATIONS

1. That cabinet notes the updated forecasts of primary and secondary school places.
2. That cabinet notes the potential future shortfall of primary reception places in Planning Area 2 (Bermondsey and Rotherhithe) from September 2022 onwards, and Planning Area 1 (Borough, Bankside and Walworth) from September 2023 onwards.
3. That cabinet notes the projected future shortfall of secondary places from September 2018 onwards and the potential need to identify a further site for an expanded or new school and to work closely with schools and academy trusts to determine a solution in the immediate and medium to long term.

## BACKGROUND INFORMATION

4. The school places strategy update last reported to cabinet in December 2016. This described the demand for primary and secondary school places in the borough, and steps being taken to meet that demand. This report updates the background data, notes that discussions are taking place with stakeholders, and the steps the council is taking to meet anticipated primary and secondary demand.
5. The council has a statutory duty under the Education Act 1996 (amended by the Education and Inspections Act 2006) to “*secure that sufficient schools for providing— (a) primary education, and (b) [secondary] education are available for their area*” as well as to “*secure diversity and increase opportunities for parental choice when planning the provision of school places*” in the borough.
6. This duty includes matching projected demand with supply, and determining whether this demand is temporary or permanent. Based on this evidence, the authority will request schools that have the potential to expand to admit additional pupils or an additional form of entry for fixed period of time, or to expand permanently.
7. Since 2010, the council has been committed to supporting, where possible, permanent expansions at existing, good or outstanding schools. The council has also worked with good and outstanding local providers to support free schools where expansions were not possible but where there was an acute shortage of places. As a result, there is currently a programme of investment of approximately £200million in Southwark primary, secondary and special schools to increase numbers and address capacity issues. This is being funded mainly by council capital with some funding from Section 106 contributions, funding from the Education and Skills Funding Agency (ESFA) capital grant and school



contributions. The Primary Investment Strategy -which forms the largest part of this programme - has added 500 permanent reception places between September 2011 and September 2016 – a 14% increase.

8. Projections are an estimate of demand, and occasionally, it is unclear whether developments planned will deliver within the timescale anticipated, we will therefore, on occasion, ask a school to admit an additional class temporarily in anticipation of a permanent expansion. This may also happen when the council expect funding to become available at a later stage to finance a permanent expansion.
9. In common with other London boroughs, Southwark until recently saw a gradual increase in demand for primary places. However, in 2016 there was a drop in primary school applications followed by a further drop in 2017, also in common with many London boroughs. Whilst birth rates have increased 12% in the borough from 2002 to 2015, there has been a gradual decline since 2013 in the actual number of births, many of which ultimately feed into reception places four years later.
10. However, births have increased in specific parts of the borough – notably in Bermondsey and Rotherhithe, and ultimately this will lead to local areas of demand that existing school capacity will, in the medium to long term, be unable to meet.
11. This uneven distribution of demands means that there is – as highlighted in previous place planning reports – a predicted under provision of places in the north of the borough and excess places in the south. In 2015 and again in September 2016, enrolment and projections have showed that, whilst previously projected demand in the north has been (slightly) overestimated, there still remains in the long term an anticipated shortfall in primary places in the north of the borough, albeit with a longer lead-in period than previously anticipated.
12. At secondary, despite the opening of the Charter School East Dulwich (TCSED) in September 2016, its planned expansion in September 2017 and the plans for the Haberdashers' Aske's Borough Academy in September 2019, current projected demand shows a small potential shortfall of places starting in September 2018 and a more acute shortfall of places by September 2022.
13. The annual School Capacity (SCAP) survey for 2017 was submitted on 28 July 2017. This survey informs the Department for Education (DfE) and ESFA of areas where there are pressures on school places and where significant shortfalls of places are anticipated by local authorities. The projections of pupil numbers are also used to calculate the basic needs funding local authorities receive to secure sufficient school places to meet future demand. As a result of the 2015 submission, the Council received £28 million to meet primary need in the borough in February 2015, but did not receive anything in 2016 or 2017.

## **KEY ISSUES FOR CONSIDERATION**

### **Approach to primary and secondary pupil place planning**

14. Southwark's pupil place planning is based on Greater London Authority (GLA) projections, which are commissioned, by Southwark and most London boroughs. These are informed mainly by current school rolls, birth rates, underlying population projections, migration, and new housing developments. A detailed methodology is covered in Appendix D.
15. In primary place planning, the borough is split into five smaller planning areas ("PAs") outlined in Appendix A, in order to be able to respond to the more local pressure for places. These are *broadly* aligned with the council's existing "community council" areas. A list of primary schools by planning area is included at Appendix A, and a map of primary school locations is attached at Appendix B.
16. Secondary planning is carried out on a borough-wide basis, because the catchment areas for secondary schools extends as far as, and beyond the borough's boundaries, and secondary age pupils are able to travel to schools,

inside and outside the borough. A map of secondary school locations is attached at Appendix C.

### **Academy freedoms**

17. Place planning in more recent times has been complicated by the academy presumption outlined in the Academies Act 2010, which requires local authorities to facilitate academies or free schools rather than directly provide new schools themselves. An academy sponsor/free school group can apply to the ESFA with a proposal for a school for their approval. The ESFA only consults with (but does not seek the approval of) the local authority when a new academy or free school is proposed. The final decision to open new schools therefore lies with the ESFA and not the council.
18. In addition to the requirement that new schools be academies or free schools, the 32 schools in Southwark that are free schools or academies (16 primary and 16 secondary schools) are also able to increase their admissions number simply by notifying the local authority concerned. These schools are not required to undergo statutory processes and to seek the local authority's approval, as community and voluntary-aided schools are.

### **Primary schools update**

19. In September 2016, there were 4,025 primary reception places (the equivalent of 134FE) available in Southwark, and a total of 26,045 primary places overall. By September 2026, there will be 28,175 primary places in Southwark, an increase of 22% on the 2011 figures.
20. The take up of places across the borough showed a vacancy in September 2016 rate of around 16FE (483 reception places – 12% overall) in our primary schools. The level of vacancy varies from planning area to planning area and are projected to decrease year on year from September 2019 onwards and to exhaust completely by September 2027 (see table 1 for details).
21. In planning areas 1 and 2, the rate of demand means that the need for additional places begin will begin between 2023 and 2024. A “planning area by planning area” summary for Southwark primary schools is given from paragraphs 32 to 53.
22. The council anticipates the greatest need for additional school places in the short to medium term to fall into two discreet areas - around the Rotherhithe peninsula (as part of the Canada Water development), and along the Old Kent Road as part of the Bakerloo Line extension (BLE) development).
23. In respect of expanded or additional provision on the Old Kent Road, this is likely to be required in the medium to long term. This timeframe means that work is currently been undertaken to assess the current primary school estate and work with existing schools to assess the potential for expansion.
24. Despite adding a permanent 2.5FE to Planning Area 1 (Borough, Bankside and Walworth) and 4.5FE to Planning Area 2 (Bermondsey and Rotherhithe) in September 2016, paragraphs 34 and 40 show there will still be unmet need across both planning areas beginning between 2023 and 2024. In planning areas 3 (Peckham & Nunhead), 4 (Camberwell) and 5 (Dulwich), the picture remains broadly similar to previous years.
25. Pupil projections presume a similar level of “cross border flows” from and to Southwark from neighbouring boroughs. Southwark swaps pupils with up to 30 authorities inside and outside London at primary level, but the broad effect is marginally positive for Southwark (i.e. there is a small net gain of pupil numbers into Southwark). Around 7% of Southwark primary aged pupils attend another authority's primary schools – around 11% of Southwark's primary age pupils come from other local authorities. This has not changed perceptibly over the last 4 years.
26. Pupil projections also assume that historically similar proportions of children

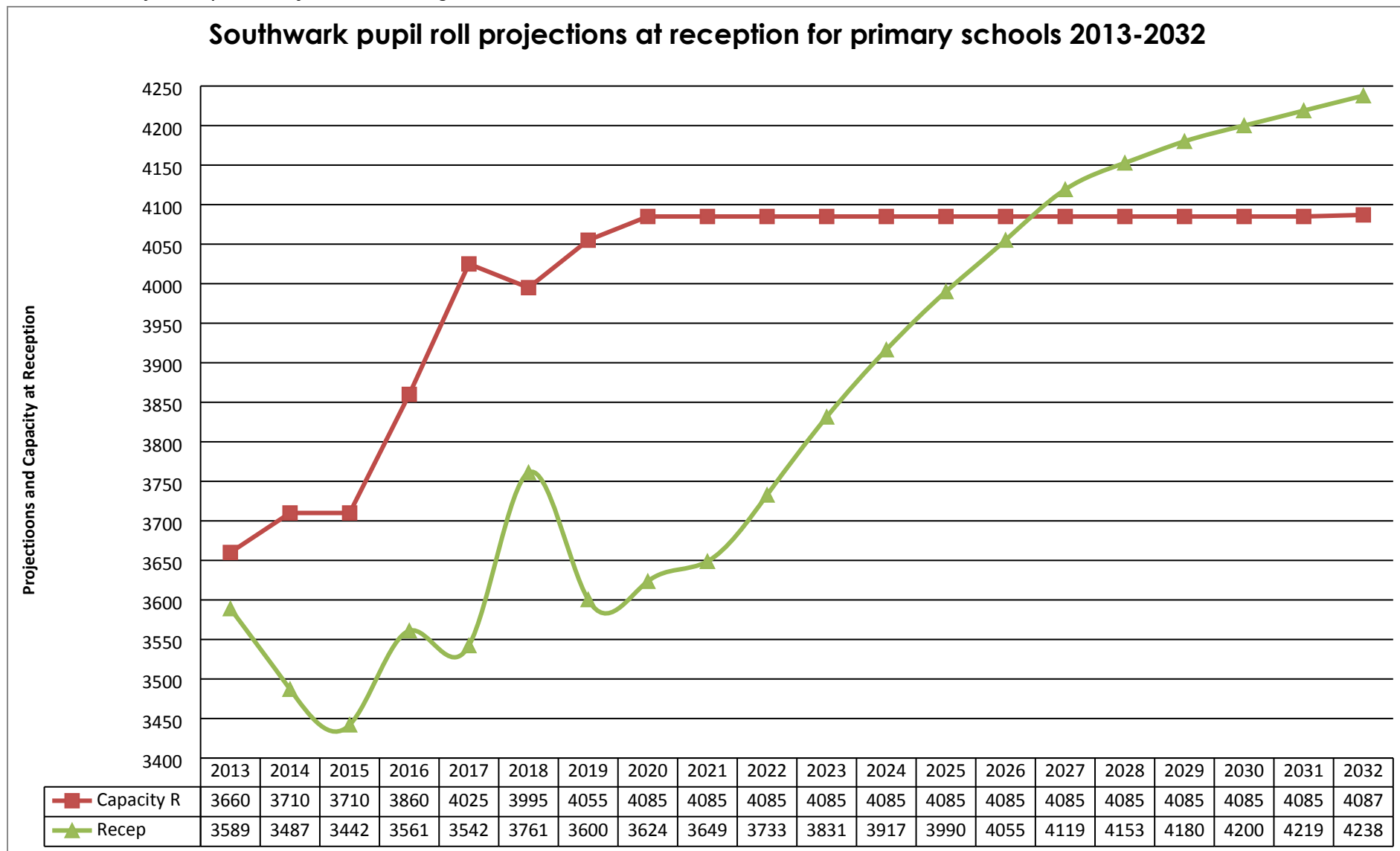
attend private schools inside and outside the borough. The number of private primary places in the authority area at the nine registered private primary schools has not altered significantly in recent years, and amounts to around 8% of all primary age pupils attending schools in Southwark as a borough.

27. Quality assurance of the projections reveals that the year on year “margins of error” for primary predictions were 0.4%. This is within DfE statistically accepted norms.

### **Primary programme update**

28. As mentioned previously, investment of approximately £200 million in Southwark schools has been committed to increase numbers and address capacity issues. This is being funded mainly by council capital with contributions from Section 106, schools and ESFA capital grant.
29. The main components of the programme were, at the outset
- *2 new primary school rebuilds (Albion: redevelopment and regeneration of the site) and Bellenden (a new 2FE on new site)*
  - *8 primary school expansions. Ivydale, Grange, Crawford, Keyworth, Phoenix, Robert Browning, Charles Dickens, Redriff.*
  - *2 new free schools; Belham and Galleywall*
30. All but one (see para 31 below) of the above have delivered the additional capacity required with builds completed or due to complete in the immediate future.
31. Negotiations are ongoing with the City of London Academies Trust on the delivery of a 1FE expansion at Redriff, subject to funding being made available to support the council’s contribution of £4.1m. The school have taken three 1FE expansions in successive years from 2015/16, 2016/17 and 2017/18.

Table 1 – Primary Reception Projections Boroughwide 2013-2032



### Planning Area 1 (Borough, Bankside & Walworth) – PA1

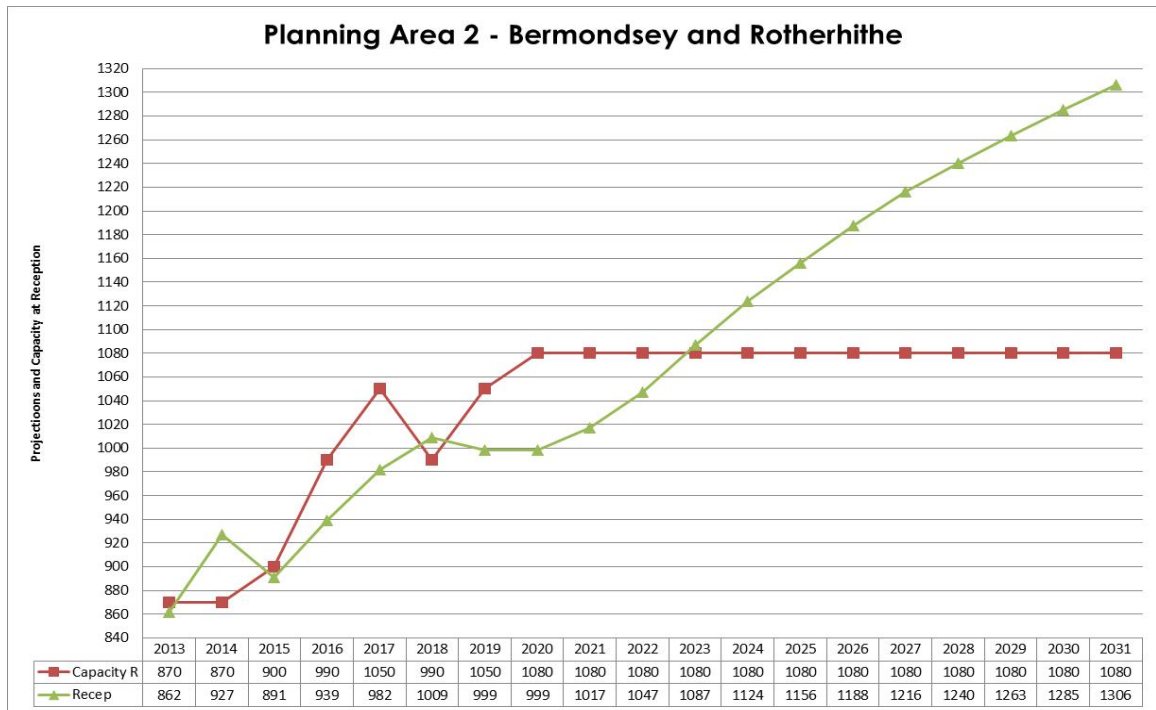
32. Births in the planning area have remained static or reduced slightly since 2009, but are projected to increase substantially by 2023 (by 35%), which could potentially feed through to increased reception numbers towards the middle and end of the next decade.
33. The authority added 90 reception places (2.5FE) from September 2016 onwards. This was provided at Robert Browning Primary (0.5FE), Charles Dickens (0.5FE), and Keyworth Primary (1.5FE).
34. Projections show that there is sufficient capacity until September 2024, although there will only be around 1FE projected spare capacity in September 2023. In September 2025, capacity will be exceeded by demand, and will increase to a 3FE deficit by September 2027. The graph below shows reception capacity against projected demand up to 2031. The potential exists in a number of schools in the planning area to expand, subject to capital funds to finance these expansions.
35. A substantial amount of development has occurred along Borough High Street, and at “Elephant Park” (the development replacing the Heygate Estate immediately adjacent to the Elephant and Castle Shopping Centre). However, the purchasers and lessees of these properties have, until now tended not to be residents with children, and we have seen a substantial drop in enrolment at 3 schools in the immediate locality – St Jude’s C of E Primary, Charlotte Sharman Primary, and St George’s RC Primary. We will continue to monitor enrolment at schools in this area.



## Planning Area 2 (Bermondsey & Rotherhithe) – PA2

36. Births in the planning area have been increasing since 2013, and by 2023, will have increased by 9%.
37. A total of 5.5FE opened from September 2016 onwards at Albion (+1FE), Phoenix (+2FE), and Grange (+0.5FE) primaries, and the Galleywall City of London Primary Academy opened on the 1st September 2016 with a PAN of 60 (+2FE) all adding to the local area capacity. Projections also include 2FE from a new free school (see paragraph 39), and an anticipated 1FE permanent expansion at Redriff Primary Academy, subject to funding being secured by the Academy Trust.
38. An analysis of application and enrolment trends, as well as pupil projections and engagement with the developers evidenced a need for additional provision in Planning Area 2. To this end, we engaged with schools in the area and ascertained that Rotherhithe Primary School would be the first most suitable for expansion – presently, the school is a 2FE school housed in a variety of buildings that are in a poor state of repair. The expansion envisaged would take the school to 3FE. Cabinet approval was sought and given on 21st July 2015 to proceed to formal consultation for the expansion of the school. The school has already temporarily expanded for 2015-2016, and 2016-2017. Council officers have engaged with the school on potential designs for expansion, a final proposal together with funding options will be brought to Cabinet for decision.
39. John Donne Primary Academy (an existing Southwark-based academy school in Planning Area 3) made a successful application for a 2FE free School –called the "*John Keats Primary Free School*". Whilst a site in Planning Area 1 was provisionally identified, a location on Rotherhithe New Road that had been earmarked for the now closed Southwark Free School has been leased to the school by the ESFA. The school is scheduled to open its doors in September 2018, and this additional capacity has now been incorporated into the 2017 projections.
40. Projections show that there is sufficient capacity until September 2022 but that there will only be 1FE projected spare capacity at that time. Spare capacity across the whole of the north of the borough will be completely full by September 2024, growing to an 11FE deficit by 2031. A medium to long-term strategy is needed to address this likely scenario.
41. A review is currently being undertaken of existing schools to determine their capacity to expand. In identifying proposals for new provision, priority would be given to expanding existing schools where it is feasible to do so, then consideration will be given to the provision of new schools where there is no further capacity from existing provision.
42. Consideration will also be given as part of the Old Kent Road Area Action Plan, to identify suitable sites to provide new schools, when they are required. The council would support schemes for schools that are located close to the area of need and offer good quality internal and external teaching areas, in accordance with DfE and council design guidance.

43. For the primary phase in particular, design guidance will recommend that these should be stand alone sites and should not be set under residential provision to ensure good quality internal and external areas can be achieved without compromise. The objective being to ensure that pupils attending schools in all parts of the borough have access to environments for teaching and learning of comparable standard.



### Planning Area 3 (Peckham & Nunhead) – PA3

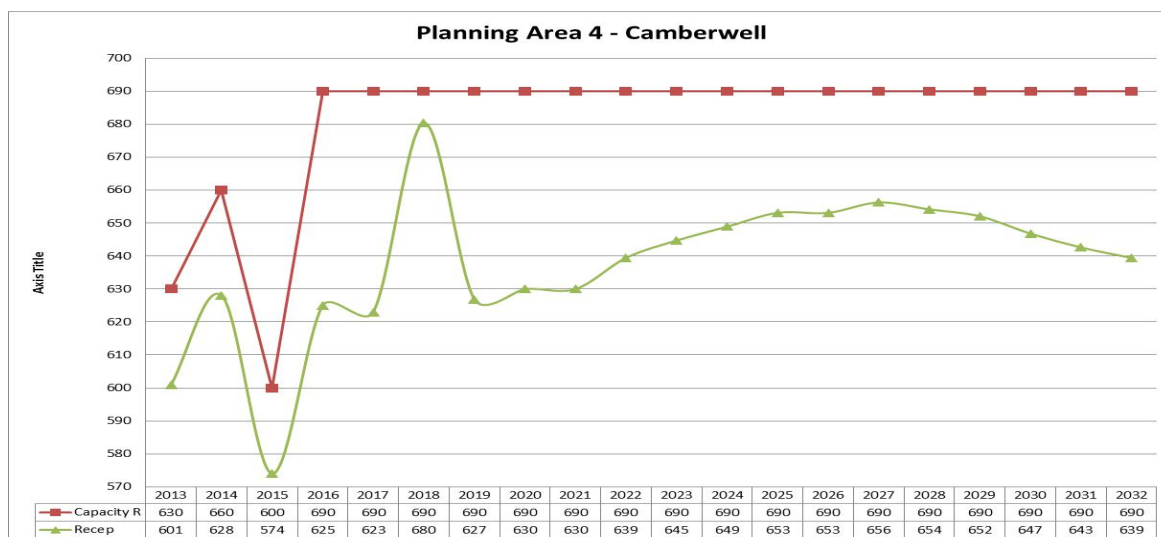
44. Births in the area have decreased since 2013 and are projected to remain steady over the next 10 years.
45. An anticipated shortage in 2015/16 was resolved in part by the opening of the 2FE Belham Primary Free School in adjacent planning area 4. The expansion of Bellenden Primary from 1FE to 2FE and Ivydale Primary from 2FE to 4FE has gone some way to create a cushion of choice for places in this planning area. There are presently around 100 spare reception places (3FE) across PA3 – 12% of all reception places.
46. Projections received from the GLA in May 2017 showed that a previously anticipated (small) shortfall for this planning area is now not scheduled to occur until 2035/2036. That said, any spare capacity in this planning area has the potential to be overtaken by adjacent planning areas, and neighbouring authorities.



#### Planning Area 4 (Camberwell) – PA4

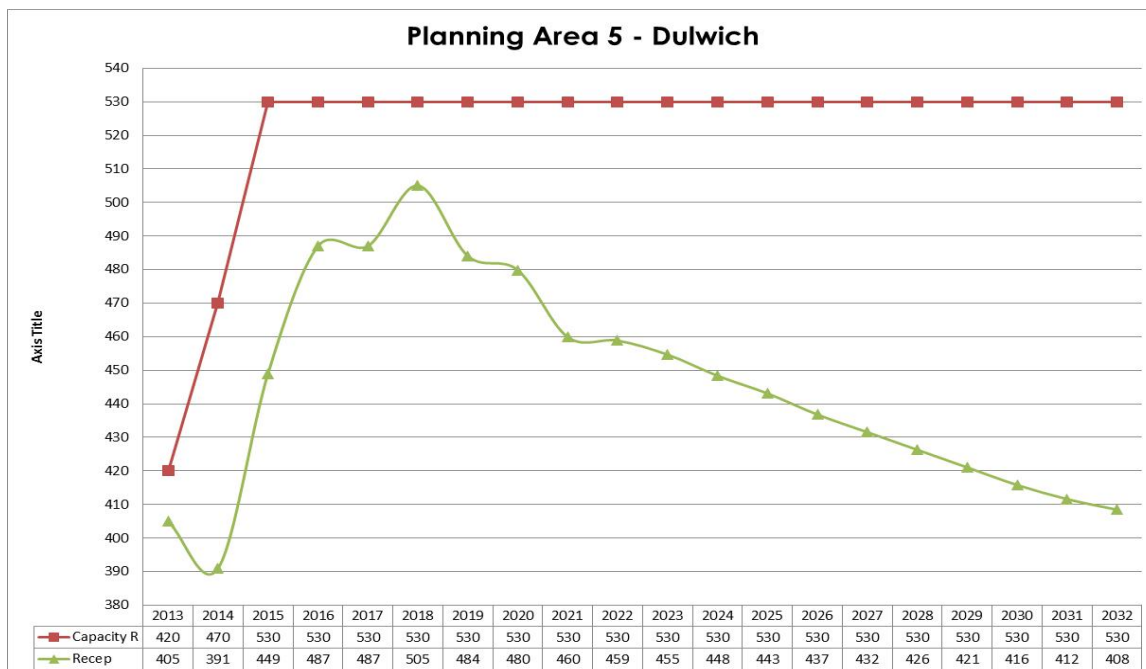
47. Births in the area have decreased since 2013 and are projected to reduce over the next 10 years.
48. In September 2015, 60 reception places were added to the area total (+2FE) with the opening of the Belham Primary School (presently temporarily located in Planning Area 3). The authority also added 2FE from September 2016 onwards – Bessemer Grange (+1FE) and Crawford (+1FE) Primary schools.
49. There is presently a 2FE excess of places this year, reducing to 1FE in September 2024, with a plateau of demand thereafter. No permanent expansion of places in Planning Area 4 is therefore envisaged to be required until at least 2032/3.





### Planning Area 5 (Dulwich) – PA5

50. Births in the area have decreased since 2013, and are projected to reduce over the next 10 years. Actual births within the Dulwich planning area fell by 6% from 2009/10 to 2015/16 (latest available birth figures)
51. In September 2014, 3.8FE reception places were added to the area total with the opening of the 2FE Harris Primary Free School East Dulwich and the 1.8FE bilingual English–German primary free school, Judith Kerr Primary Free School.
52. With these in place, there is presently a cushion of around 2FE in this area, which is projected to remain steady at this level until at least 2032/2033. No permanent expansion of places in Planning Area 5 is therefore envisaged to be required until then, at the earliest.
53. Reception pupil numbers have increased by 35% over the same time period, including additional 22% primary pupils from outside the planning area. Schools in the Dulwich planning area remain popular with applicants from adjoining planning areas. There is a risk that providing additional capacity in this area would potentially be primarily abstractive of other planning areas and schools from neighbouring boroughs and may not be meeting any demand from local residents.



### Primary expansions in adjacent boroughs

54. Paragraph 25 drew attention to the fact that a small percentage of Southwark children of primary school age attend schools outborough (and outborough children attend our schools. Therefore, where expansions have occurred in schools in neighbouring boroughs, this may have a material effect on recruitment to Southwark primary schools. The appropriate expansions are detailed by borough in Appendix E.

### Secondary school update

55. In September 2016, 3,120 Year 7 places (the equivalent of 104FE) were available for secondary pupils in Southwark. There was an uptake of around 3,030 of these, leaving only around 90 places (3FE) spare – 3% of places. Overall, there are 14,080 11-16 secondary places, with a take up of around 13,134, leaving 946 vacancies across secondary schools years 7-11 – a 7% vacancy rate overall.
56. In last year's report, cabinet were advised that overall there was sufficient capacity within Southwark schools to meet the demand for year 7 places until 2018 but that a shortage of places was forecast from September 2019 onwards, rising steeply in subsequent years. This year's projections (see table 3) show that there is now a projected small shortfall in September 2018 of around 67 pupils (between 2 to 3FE), but that this will fall back to around a 1 to 2FE shortfall from 2019 to 2021, rising to around a 4FE shortfall in 2022. After this, Y7 projections fall below the capacity before rising again towards the end of the next decade.
57. The council has worked with the ESFA and Free School sponsors to add a total of 14FE to the 104FE already in place.
58. The Charter School East Dulwich received DfE approval to open in 2015, and opened in September 2016 on a temporary site in Camberwell. The temporary school site does not have sufficient capacity to allow the school to open at its planned 8FE so has operated with a smaller intake of 4FE in 2016/17 and 2017/18 and will have an intake of 6FE in 2018/19. It is currently proposed it will operate at 8FE from September 2021, when the works at the Dulwich Hospital site are scheduled to complete. These are the assumptions we have made making when calculating capacity and need.
59. The Haberdashers' Borough School on the old Fire Station site on Southwark Bridge Road has received DfE approval to open from September 2018 onwards. A planning application for the school on the site was submitted in February 2017, with an amended opening date of September 2019 – at the earliest. Planning or construction delays could potentially push this back to September 2020 or later.

60. The following changes to PANs have also been factored in
- *a temporary expansion at Kingsdale School to 13FE in 2017-18 and 10FE in 2018-19 (from 8FE)*
  - *1FE expansion of St Michaels in September 2017 (to 5FE from 4FE)*
61. The projections show there is a probably need for some temporary expansions starting in September 2018. Discussions with schools have ascertained a high likelihood of 2FE of additional capacity being made available for September 2018. The council will continue to engage with local schools as there remains a probable long term need for an additional secondary school (or equivalent expansions of existing secondary schools) towards the end of the next decade.
62. Bacon's College has previously indicated a wish to expand by 2FE, subject to a successful bid to the ESFA. Kingsdale School has taken a number of bulge classes in year 7 in previous years and has also previously expressed a wish to permanently expand, but the low percentage of pupils attending the school from Southwark could potentially mean any permanent expansion at this site may not benefit Southwark pupils. The Council welcomes the interest and will continue to explore whether an expansion of benefit to Southwark pupils could be secured through alternative admissions arrangements.
63. Consideration is now being given to identifying a site (or sites) for a new school or expanded schools that will enable the provision of good quality internal and external teaching areas in accordance with DfE and council design guidance.
64. As the council no longer has any directly managed secondary schools in the borough and as there is a legal requirement that new schools will be free schools/academies, the role of the council is to assist and facilitate individual schools in developing proposals, applying for funds and implementation, rather than as direct provider. The ESFA relies on the council's input of the demographic issues in the borough and looks to us to provide guidance. The council has successfully influenced outcomes through its liaison and partnership working, as well as the town planning process, and will continue to work to effect this.
65. These forecasts are presented with the proviso that demand for secondary places is much less predictable than for primary places from factors, such as, the pattern of house moves among families, the housing market and fluctuations in the popularity and provision of schools both within and outside the borough. This is explored in more detail in Appendix D.
66. Secondary school roll projections are based in part on numbers already admitted to Southwark primary schools. There is a high overall "retention" of primary aged pupils through to Southwark secondary schools (a 99.9% ratio between Y6 pupils in one year to Y7 pupils in the following academic year) and therefore existing primary rolls are likely to be a reasonable prediction of the medium to longer-term demand in secondary schools.
67. Imports and exports to neighbouring boroughs, (mainly Lewisham and Lambeth), sit equally around 22% but the broad effect is neutral for Southwark. This has not changed perceptibly over the last four years. Pupil projections also assume that a similar proportion of children attend private schools inside and outside the borough, and/or are home educated. The number of private secondary places in the authority area at the seven registered private secondaries has not altered significantly, nor those receiving education at home. Private secondary school places account for around 17% of secondary school places in the authority area.
68. Despite an overall improvement in educational performance, and an increasing proportion of families gaining one of their preferences, a significant variation in the popularity of secondary schools within Southwark exists among parents, which indicates that the balance between demand and the availability of places is not evenly distributed across the borough.
69. For these reasons, the projections are refreshed on an annual basis to maximise accuracy and actual demand year on year is closely monitored by officers to inform the scale and timing of temporary or permanent expansions. Quality assurance of the

projections reveals that the year on year “margins of error” for secondary predictions was 2%. This is within DfE statistically accepted norms.

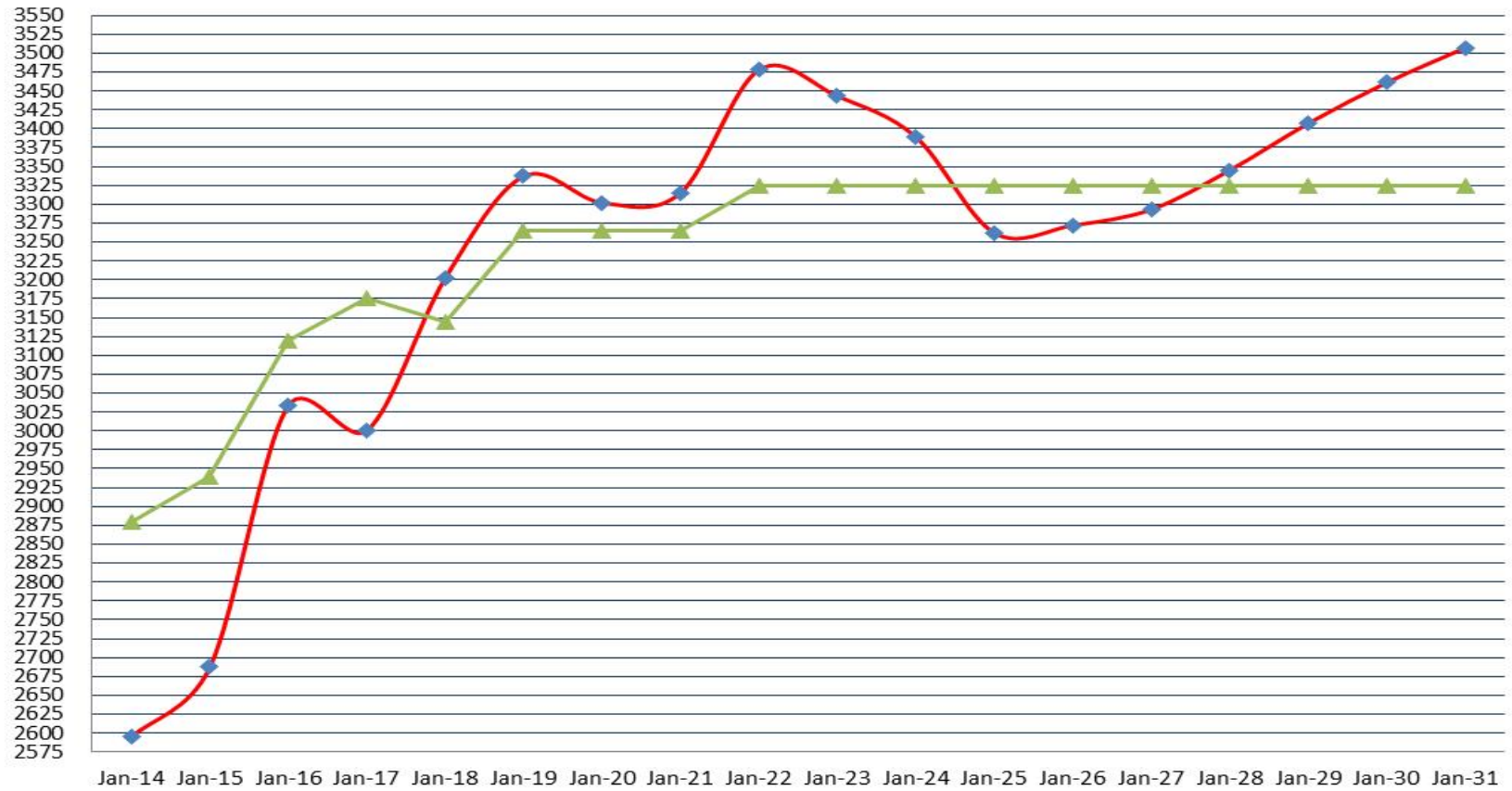
70. A map of existing secondary schools is included as Appendix B.

### **Secondary expansions in adjacent boroughs**

71. Paragraph 67 draws attention to the fact that around a fifth of Southwark-resident children of secondary school age attend schools outborough, and, conversely outborough children attend our secondary schools. Where secondary expansions have occurred in schools in neighbouring boroughs, this could potentially have a material effect on recruitment to Southwark secondary schools. The appropriate expansions are detailed, borough by borough below.

Table 3 – Secondary projections 2014-32

### Secondary Y7 projections 2015-2032



	Sep-14	Sep-15	Sep-16	Sep-17	Sep-18	Sep-19	Sep-20	Sep-21	Sep-22	Sep-23	Sep-24	Sep-25	Sep-26	Sep-27	Sep-28	Sep-29	Sep-30	Sep-31
◆ Projections Y7	2595	2687	3033	3000	3202	3337	3302	3315	3478	3443	3389	3262	3272	3293	3345	3407	3461	3507
▲ Charter ED open Habs open	2880	2940	3120	3175	3145	3265	3265	3265	3325	3325	3325	3325	3325	3325	3325	3325	3325	3325

## SEND Schools Update

72. Whilst there has been a reduction over time in the (total) number of children identified as having special educational needs and disabilities (SEND) (– i.e. those at “SEND Support” and with and Education, Health and Care Plans (EHCPs) taken as a group together), the latest figures from the draft Southwark Joint Strategic Needs Assessment (JSNA) show the number of children with the most complex needs (those with EHCPs), has been increasing. This is particularly true at primary age, and the need for specialist provision is therefore greater. Whilst the percentage of children with EHCPs has been stable in recent years, the number of these complex children has increased due to a rising population.
73. The number of children attending school in Southwark with SEND is significantly higher in mainstream primary schools compared to secondary schools. There are over 4,100 children in primary school with SEND compared to almost 2,800 children in both secondary school and post-16 combined. The majority of these children have high incidence SEN - schools identify them at SEN Support, and do not have EHCPs. The lower number of these pupils in secondary schools is principally because of successful interventions in primary, meaning that between 40% and 60% of SEN support pupils achieve the expected standard by age 11. Consequently, they are no longer identified as SEN when they move to their secondary schools. Also, some pupils with EHCPs who attend mainstream primary schools move on to secondary special schools or move out of borough.
74. The financial implications of sending children out-borough for SEND education between the ages of 5 to 25, as well as the increase in the demand for local SEND places in response to the rise in numbers of children with complex needs means that the Council is embarking on a programme to increase the scope and capacity of SEND places in Southwark.
75. Cabinet previously approved plans to increase the standard number at, and the relocation of Cherry Garden School as part of the Primary Investment Strategy. These plans are presently being actioned, with an expected completion date of September 2018. These plans and proposals for the expansion of other SEND provision are given in table 4 below. The proposals would result in an additional 156 SEN places in the borough – an increase of 22% overall. Plans to develop local provision for 19 to 25 complex SEND students are also under active consideration.

*Table 4 SEND proposals*

School	Proposal	Capacity	New Capacity	Status
Cherry Garden School	Increase standard number and relocation	46	72	Expected completion date of September 2018
Spa Camberwell	ASD 4-16 free school on the former site of LeSoCo, with Spa Bermondsey as the sponsor	0	120	Site is being used as a temporary location for the Charter East Dulwich – earliest opening Sep 2019
Beormund	Redevelopment of Beormund	40	50	Under discussion with stakeholders

## Consultation

76. If statutory proceedings to expand non-academy schools are undertaken, informal consultation will be carried out by Regeneration with individual schools, involving meetings with parents/carers, staff and governors, including a drop-in parents' meeting at all of the schools. At the formal stage, notices will be issued to the schools concerned and Southwark councillors and Southwark, Lambeth and Lewisham MPs, the Southwark Diocesan Board and Commission, and neighbouring authorities will all be written to elicit their views on the proposed expansions.

## Policy implications

77. The primary planning and investment strategies are aligned to local planning and policy frameworks, including the Council Plan and Children and Young People's Plan. These outline the council's commitment to supporting schools to be outstanding, with children and young people able to achieve their full potential, and parents able to exercise real choice in a high-performing schools system. When formulating the Primary and Secondary expansion programmes, the council considers the suitability of all schools in Southwark and the risks and advantages of expanding each. The risks of not expanding schools are considerable. The Council has a limited scope to expand existing provision, and not expanding the schools could potentially leave the council vulnerable to legal action for not meeting its target duty to provide sufficient primary school places. Section 14 of the Education Act 1996 places a duty on local authorities to secure that there are sufficient primary and secondary school places in their area. Local authorities must ensure there are enough school places to meet needs as well as working to secure diversity of provision and increasing opportunities for parental choice. Local authorities are also bound by the duty to take into account parental preference in so far as to do so avoid unreasonable public expenditure.

## Community impact statement

78. The Public Sector Equality Duty, at section 149 of the Equality Act, requires public bodies to have due regard when carrying out their activities to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between people with protected characteristics and those with none. The council's Approach to Equality ("the approach") commits the council to ensuring that equality is an integral part of our day to day business. "Protected characteristics" are the grounds upon which discrimination is unlawful - the characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, gender and sexual orientation. In this case, the characteristics covering gender reassignment, marriage and civil partnership, pregnancy and maternity, and sexual orientation are unlikely to be issues for consideration in the expansion of the schools in question. Enabling the expansion of primary and secondary provision to meet demand have the potential to advance equality of opportunity, and foster good relations between people with protected characteristics and those with none.

## Resource implications

79. The July 2013 Cabinet report delegated the authority for the approval and allocation of budgets within the programme for individual permanent expansions of primary school expansion individual to the Strategic Director of Children's and Adults' Services budgets from existing available resources. The council's current capital programme includes £148m for the Primary Expansion Programme, which includes Cherry Garden Special School, which is in addition to over £50m already spent in the past two years on expansion. The costs of the first wave of schools in this report are being managed within this budget.
80. Schools will be responsible for any ongoing revenue implications arising from the expansion. The Dedicated Schools Grant (DSG) will fund the schools for the additional expansion class pupils via the revenue "growth fund" in the first financial year of expansion (agreed by the Schools Forum); and thereafter via the schools funding formula. The "growth fund" is agreed annually by the Schools Forum and funded through a central retention from the DSG. It should be noted that different arrangements apply to some academies and free schools, who are funded by the ESFA based on estimated numbers with funding recouped from the DSG allocation.

## SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

### Director of Law and Democracy

81. The council's general duty in relation to securing sufficient school places in its area, the legal issues that inhibit the establishment by a local authority of new maintained schools, and its functions in relation to making alterations to its existing maintained schools, is described in the body of the report.
82. Where the council is considering a proposal to alter a maintained school, cabinet is reminded that certain proposals will be subject to statutory notification and consultation procedures under Education and Inspections Act 2006 and regulations and guidance issued under that that act.
83. Cabinet is reminded that the public sector equality duty under section 149 Equality Act 2010, as set out in the Community Impact section of the report, applies to the exercise any of its functions.

### Strategic Director of Finance and Governance

84. This report seeks to inform cabinet of the updated forecasts of primary and secondary school places; the potential future shortfall of primary reception from September 2023 onwards; the projected future shortfall of secondary places from September 2018 onwards; and the intention to work closely with schools and academy trusts to determine a solution in the medium to long term.
85. Paragraph 79 details the budget contained within the council's approved capital programme for school expansion, and explains that the revenue implications surrounding the expansion of schools will be met from the Dedicated Schools' Grant via "growth the fund".

## APPENDICES

No.	Title
Appendix A	List of primary schools by planning area
Appendix B	Map of Primary Schools in the borough
Appendix C	Map of Secondary Schools in the borough
Appendix D	School Roll Forecast Methodology
Appendix E	Expansions in neighbouring boroughs

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
School Places Strategy Update– report to Cabinet member for Children's Services - July 2014	Council Offices, 160 Tooley Street, London, SE1 2QH	Andy Brown 020 7525 3755
<b>Link (please copy and paste into your browser):</b> <a href="http://moderngov.southwarksites.com/documents/s47494/Report%20School%20Places%20Strategy%20Update.pdf">http://moderngov.southwarksites.com/documents/s47494/Report%20School%20Places%20Strategy%20Update.pdf</a>		
School Places Strategy Update – report to Cabinet member for Children's Services – July 2015	Council Offices, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer 020 7525 5018
<b>Link (please copy and paste into your browser):</b> <a href="http://moderngov.southwarksites.com/documents/s55562/Report%20Primary%20and%20secondary%20school%20place%20planning%20strategy%20and%20Appendices%201-3.pdf">http://moderngov.southwarksites.com/documents/s55562/Report%20Primary%20and%20secondary%20school%20place%20planning%20strategy%20and%20Appendices%201-3.pdf</a>		
School Organisation – Statutory	Council Offices, 160	Ric Euteneuer



Background Papers	Held At	Contact
Guidance for proposers and decision-makers - January 2014 – DfE, School Organisation - Maintained Schools Annex A and Annex B: Guidance for Decision-makers - January 2014 – DfE	Tooley Street, London, SE1 2QH	020 7525 5018
<b>Link (please copy and paste into browser)</b> <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/514548/16-04-06_FINAL_SO_Guidance_PA_Regs.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/514548/16-04-06_FINAL_SO_Guidance_PA_Regs.pdf</a>  <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/514570/16-04-06_FINAL_SO_Guidance_DM.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/514570/16-04-06_FINAL_SO_Guidance_DM.pdf</a>		
The Essential Guide to the Public Sector Equality Duty 3rd edition April 2011, updated: January 2015	Council Offices, 160 Tooley Street, London, SE1 2QH	Ric Euteneuer 020 7525 5018
<b>Link (please copy and paste into your browser):</b> <a href="https://www.equalityhumanrights.com/sites/default/files/psed_essential_guide_-_guidance_for_english_public_bodies.pdf">https://www.equalityhumanrights.com/sites/default/files/psed_essential_guide_-_guidance_for_english_public_bodies.pdf</a>		

#### AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Victoria Mills, Children and Schools	
<b>Lead Officer</b>	Nina Dohel, Director of Education	
<b>Report Author</b>	Ric Euteneuer, Principal Strategy Officer (School Place Planning)	
<b>Version</b>	Final	
<b>Dated</b>	12 September 2017	
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<b>CONSULTATION WITH OFFICERS/DIRECTORATES /CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>	20 October 2017	

**APPENDIX A: List of schools by Planning Area**

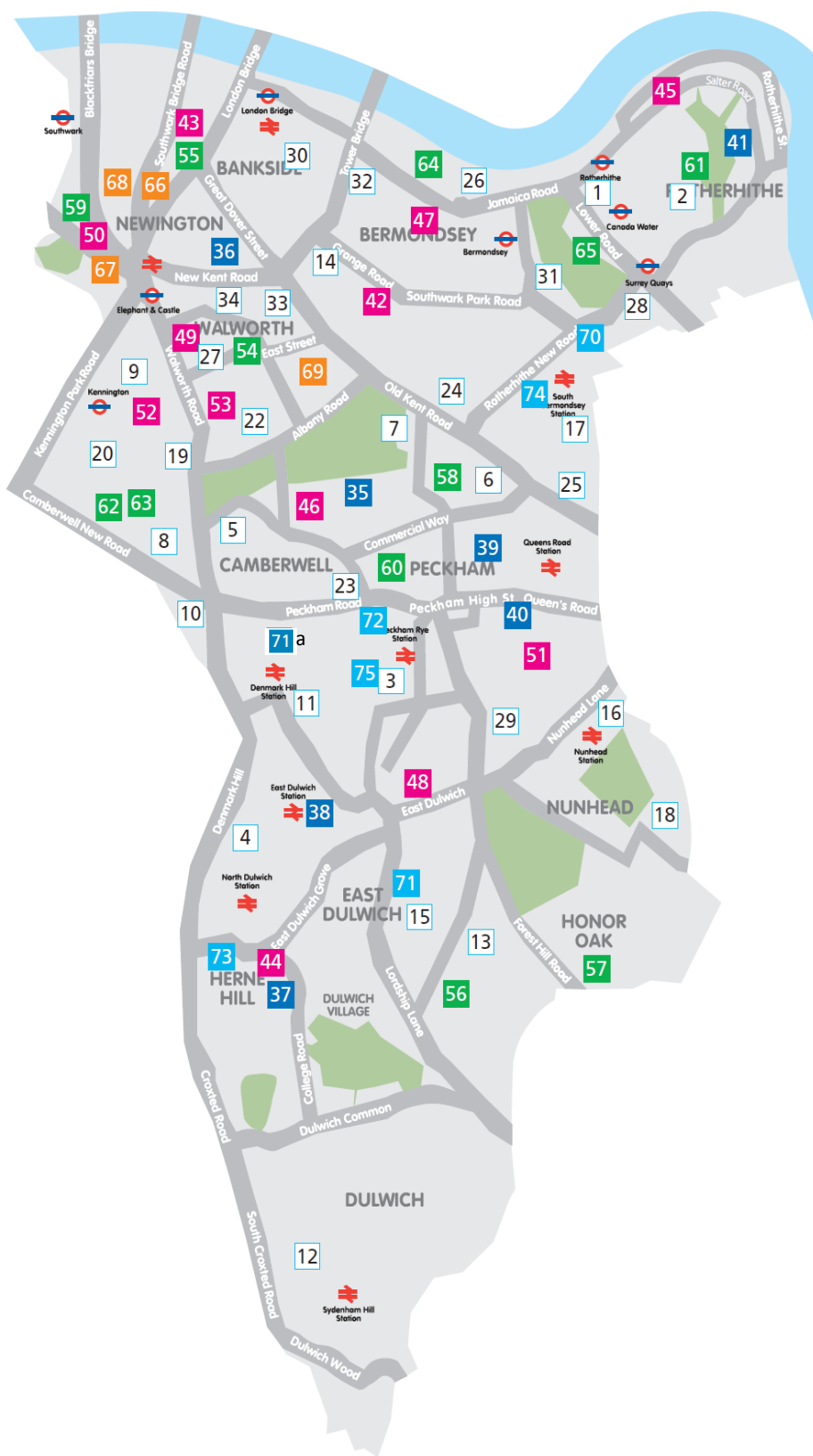
Community Schools *in italics*  
 Free Schools **in bold black**  
 Foundation Schools **in red**  
 Academies **in bold green**  
 VA Schools **in bold turquoise**

Name of Planning area (PA)	Council Wards	Primary Schools in PA	
1. Borough, Bankside & Walworth	Cathedrals Chaucer East Walworth Faraday Newington	<b>Cathedral School RC</b> <b>Charles Dickens</b> <b>Charlotte Sharman</b> <i>Cobourg</i> <i>Crampton</i> <b>English Martyrs RC</b> <b>Friars</b> <i>Keyworth</i> <i>Michael Faraday</i> <i>Robert Browning</i>	<b>St Georges Cathedral RC</b> <b>St Johns Walworth C of E</b> <b>St Joseph's (Borough)</b> <b>St Jude's C of E</b> <b>St Paul's C of E</b> <b>St Peters C of E</b> <b>Surrey Square</b> <b>The Globe Academy</b> <i>Townsend</i> <i>Victory</i>
2. Bermondsey & Rotherhithe	Grange Livesey ( <i>part</i> ) Riverside Rotherhithe South Bermondsey Surrey Docks	<i>Albion</i> <i>Alfred Salter</i> <b>Boutcher C of E</b> <b>Galleywall City of London</b> <i>Grange</i> <i>Ilderton</i> <b>John Keats (open 2018)</b> <b>Peter Hills with St Mary's &amp; St. Paul's C of E</b> <i>Phoenix</i> <i>Pilgrims Way</i>	<b>Redriff</b> <i>Riverside</i> <i>Rotherhithe</i> <i>Snowsfields</i> <b>Southwark Free School</b> <i>Southwark Park</i> <b>St James C of E</b> <b>St Johns R.C. Primary</b> <b>St Joseph's RC 014B</b> <b>St Joseph's RC 026</b> <i>Tower Bridge</i>
3. Peckham & Nunhead	Livesey ( <i>part</i> ) Nunhead Peckham Peckham Rye The Lane	<b>Angel Oak</b> <i>Bellenden</i> <i>Camelot</i> <b>Harris Peckham Park</b> <b>Harris Free School (Peckham)</b> <i>Hollydale</i>	<i>Ivydale</i> <b>John Donne</b> <i>Rye Oak</i> <b>St Francesca Cabrini RC</b> <b>St Francis RC Primary</b> <b>St James the Great RC</b> <b>St John's &amp; St Clements CE</b> <b>St Mary Magdalene</b>
4. Camberwell	Brunswick Park Camberwell Green South Camberwell	<b>Belham</b> <i>Bessemer Grange</i> <i>Brunswick Park</i> <i>Comber Grove</i> <i>Crawford</i> <i>Dog Kennel Hill</i>	<i>John Ruskin</i> <i>Lyndhurst</i> <i>Oliver Goldsmith</i> <b>St George's C of E</b> <b>St Joseph's Infants RC</b> <b>St Joseph's Junior RC</b>
5. Dulwich	College East Dulwich Village	<i>Dulwich Wood Primary</i> <b>Dulwich Hamlet Junior</b> <b>Dulwich Village Infants (C of E)</b> <i>Goodrich</i>	<b>Goose Green</b> <i>Heber</i> <b>Harris Primary East Dulwich</b> <b>Judith Kerr Free School</b> <b>St Anthony's RC</b>

**APPENDIX B: MAP OF PRIMARY SCHOOLS IN THE BOROUGH**

Map of primary schools in Southwark

# Map of primary schools in Southwark



## Community primary schools

- 1 Albion Primary School
- 2 Alfred Salter Primary School
- 3 Bellenden Primary School
- 4 Bessemer Grange Primary School
- 5 Brunswick Park Primary School
- 6 Camelot Primary School
- 7 Cobourg Primary School
- 8 Comber Grove Primary School
- 9 Crampton Primary School
- 10 Crawford Primary School
- 11 Dog Kennel Hill Primary School
- 12 Dulwich Wood Primary School
- 13 Goodrich Primary School
- 14 Grange Primary School
- 15 Heber Primary School
- 16 Hollydale Primary School
- 17 Ilderton Primary School
- 18 Ivydale Primary School
- 19 John Ruskin Primary School
- 20 Keyworth Primary School
- 21 Lyndhurst Primary School
- 22 Michael Faraday Primary School
- 23 Oliver Goldsmith Primary School
- 24 Phoenix Primary School
- 25 Pilgrim's Way Primary School
- 26 Riverside Primary School
- 27 Robert Browning Primary School
- 28 Rotherhithe Primary school
- 29 Rye Oak Primary School
- 30 Snowsfields Primary School
- 31 Southwark Park School
- 32 Tower Bridge Primary School
- 33 Townsend Primary School
- 34 Victory Primary School

## Academies

- 35 Angel Oak Academy
- 36 ARK Globe Academy
- 37 Dulwich Hamlet Junior School
- 38 Goose Green Primary School
- 39 Harris Primary Academy, Peckham Park
- 40 John Donne Primary School
- 41 Redriff Primary

## Voluntary aided schools

- 42 Boucher Church of England Primary School
- 43 The Cathedral School of St Saviour and St Mary Overie
- 44 Dulwich Village C of E Infants' School
- 45 Peter Hills with St Mary's and St Paul's C of E Primary School
- 46 St George's C of E Primary School
- 47 St James' C of E Primary School
- 48 St John's and St Clement's C of E Primary School
- 49 St John's Walworth C of E Primary School
- 50 St Jude's C of E Primary School
- 51 St Mary Magdalene C of E Primary School
- 52 St Paul's C of E Primary School
- 53 St Peter's Walworth C of E Primary School
- 54 English Martyrs' Catholic Primary School
- 55 Saint Joseph's Catholic Primary School, The Borough
- 56 St Anthony's Catholic Primary School
- 57 St Francesca Cabrini Primary School
- 58 St Francis Catholic Primary School
- 59 St George's Cathedral Catholic Primary School
- 60 St James the Great Catholic Primary School
- 61 St John's Catholic Primary School
- 62 St Joseph's Camberwell Catholic Schools' Federation (Infants)
- 63 St Joseph's Camberwell Catholic Schools' Federation (Juniors)
- 64 St Joseph's Catholic Primary School, George Row
- 65 St Joseph's Catholic Primary School, Gomm Road

## Foundation schools

- 66 Charles Dickens Primary School
- 67 Charlotte Sharman Primary School
- 68 Friars Primary Foundation School
- 69 Surrey Square Primary School

## Free schools

- 70 Galleywall Primary City of London Academy
- 71 Harris Primary Academy East Dulwich
- 72 Harris Primary Free School Peckham
- 73 Judith Kerr Free School
- 74 Southwark Primary Free School
- 75 The Belham Primary School

APPENDIX C: MAP OF SECONDARY SCHOOLS IN THE BOROUGH

Map of secondary schools in Southwark

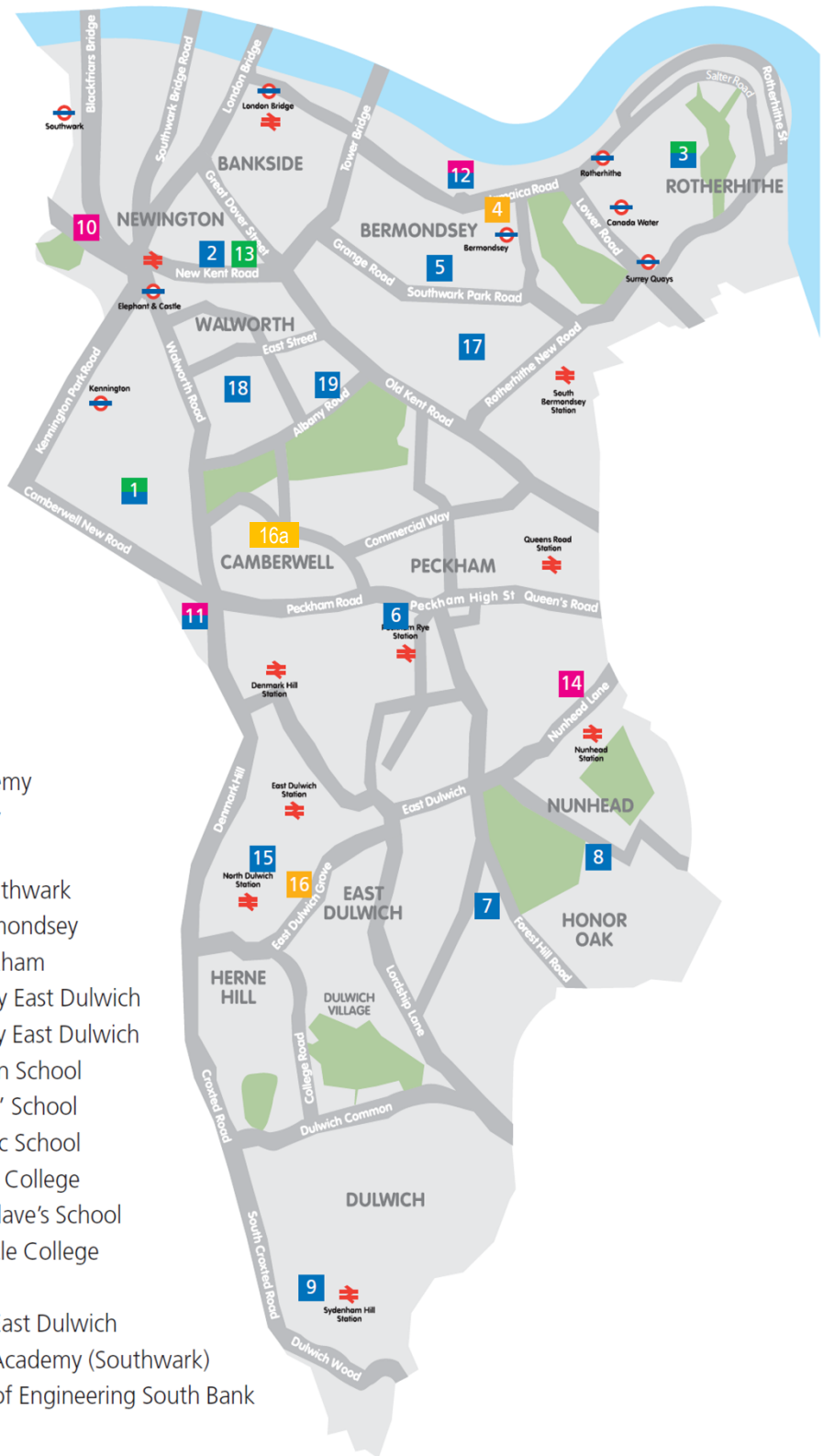
Map of secondary schools in Southwark

Key

- Academies
- Church of England
- Catholic
- Free

The schools

- 1 ARK All Saints Academy
- 2 ARK Globe Academy
- 3 Bacon's College
- 4 Compass School Southwark
- 5 Harris Academy Bermondsey
- 6 Harris Academy Peckham
- 7 Harris Boys' Academy East Dulwich
- 8 Harris Girls' Academy East Dulwich
- 9 Kingsdale Foundation School
- 10 Notre Dame RC Girls' School
- 11 Sacred Heart Catholic School
- 12 St Michael's Catholic College
- 13 St Saviour's and St Olave's School
- 14 St Thomas the Apostle College
- 15 The Charter School
- 16 The Charter School East Dulwich
- 17 The City of London Academy (Southwark)
- 18 University Academy of Engineering South Bank
- 19 Walworth Academy
- 16a Charter School East Dulwich (temporary site)



## APPENDIX D – GLA SCHOOL ROLL PROJECTIONS (SRP) FORECAST METHODOLOGY

### What is the SRP process in 2017?

The SRP process in 2017 is summarised below.

- 1) LAs provide GLA with development data as an input to population projections
- 2) GLA provides LAs with csv templates for submitting school level roll data (early March)
- 3) LAs complete and return the data as csv files (starting mid-March)
- 4) LAs complete an optional template containing context information (starting mid-March)
- 5) GLA runs SRP model and returns school roll projections (starting mid-March)

The GLA envisages that, as before, roll projections are typically returned to LAs within two working days of receipt of roll data in the correct format.

### What data do the projections use?

The three key data inputs for the model are:

- Ward-level population projections
- Pupils on roll data for each school
- National Pupil Database records with pupils' home wards

### Population projections

The model uses GLA generated population projections. Local Authorities can have school roll projections run based on the following three population projection variants for their borough:

- Borough Preferred Option (BPO) incorporating development data provided by the borough (**This is what Southwark uses**)
- The latest GLA ward level SHLAA-capped AHS (average household size) population projections for all wards in your LA.
- Zero Development variant

The default population projection used is the BPO; however this is dependent on the Local Authority having provided development data. If no development data has been provided then the GLA will give the option to wait until development data is received, or run the school roll projections with the SHLAA based population projection. The zero development based school roll projections can be used as a comparator to school roll projections based on the other two population projections to give an idea of the effect of developments.

Areas other than the wards in your LA take their population projection from the latest GLA ward level SHLAA-capped AHS (average household size) population projections

The population projections incorporate annual birth, death and migration data to mid-2015. Future birth trends in fertility and mortality are based on the principal assumptions from ONS's 2012-based National Population Projections (NPP) for England. Household formation rates are taken from the 2012-based DCLG (Department for Communities and Local Government) subnational household projections. Past dwelling completions are taken from the London Development Database. Assumed future housing trajectories are derived from the 2013 Strategic Housing Land Availability Assessment..

### School roll data

For 2017, subscribing LAs should provide roll data for individual schools split by age of child (at 31st August) and gender for both primary and secondary schools separately. LAs also provide the school DfE number, any previous DfE number that the school has had in the relevant time period, and indicate which planning area each school sits within. LAs can also split their secondary schools into planning areas if they wish.

### School/pupil related data

The model also uses additional school related data.

- 1) School maximum pupil age – this is taken from Edubase
- 2) School minimum pupil age – this is taken from the school roll data provided by LAs because of inconsistencies in Edubase

3) National Pupil Database (NPD) years 2012 to 2016 – a cut from the January school census at pupil level including pupil residence (mapped to LSOA), school attended, age and gender

### **How are school roll projections produced?**

The methodology for producing school roll projections has been slightly changed in 2017 following the major update in 2016. The main change this year has been extending the number of years of pupil level data available from the NPD to model mobility patterns and new intake numbers.

### **Overview**

For each ward of residence in London and year of age (ages 4 to 18) and sex, the proportion of children attending each state school is calculated. This proportion is carried forward as the children age so that the proportion for a 6-year old living in ward *x* and attending school *y* in 2017 is the same as the proportion for a 7-year old living in ward *x* and attending school *y* in 2018. Attrition rates are not explicitly calculated except for projections of 6th form – it is assumed that any net loss or gain of pupils as they age through a school is purely due to temporal variations in the population projection of that cohort.

For new children entering a school, for example at age 4, there is currently no information on where members of this cohort are resident. In this case the proportions are calculated as averages over past years, with 4 being the default number of years used, but there is the option to use a different number. The same approach is used at ages 11 and 16, even if the school is a through-school as it is assumed that there will be significant changes in the cohort at this point.

These proportions are then applied to the population projections to give projections of the number of children on roll by school by age and sex. These are then aggregated to planning areas and borough totals.

Projections of pupils aging through 6th form are produced using attrition rates calculated from previous years' data.

### **Why have the projected rolls changed since last year?**

There are many reasons why a LA's projected rolls may have changed when compared to a previous year. LAs should consider the following:

- **Development**

The amount of development projected in a LA will affect that authority's population projections and in turn its school roll projections. More development generally means that the LA will attract more people and its population will therefore rise. If population increases, there will consequently be more children and so school roll projections will also rise.

LAs should assume that significant changes in assumed development will be accompanied with corresponding changes in projected rolls. If LAs are unsure what development assumptions have been used in the past, the GLA is able to provide this information.

LAs should liaise with their demography and planning contacts within their LA to ensure that the most up to date development data is used.

- **Births**

The number of births in an area will have a direct effect on the number of children on roll four years later. 2012 saw the highest number of births in London with these children starting school in either academic year 2016/17 or 2017/18 depending on when in the year they were born. Many areas have seen a fall in birth numbers since and this has led to subsequent projections of future births and therefore rolls, being correspondingly lower.

ONS releases LA level mid-year birth data as part of the mid-year estimates at the end of June each year. Calendar year birth data at local authority level follows in August. The GLA commissions ward-level mid-year birth data from ONS each year which is usually available in November/December.



- **Migration**

In recent years a number of LAs have reported an increase in in-year applications as a result of children moving to the area from both overseas and elsewhere in the UK. Migration therefore could explain why projected rolls have changed.

The GLA has created an Excel based dashboard that allows boroughs to see in-, out- and net flow of children to/from their LA from elsewhere in London. It is available to download from the London Datastore and will be updated annually: <http://data.london.gov.uk/dataset/internal-migration-flows-school-age-children-visualisation>

ONS releases both mid-year international and internal migration data by single year of age and sex at the end of June each year. The former is released as part of the mid-year components of change and the latter as part of the internal migration estimates series.

- **Cross border mobility**

Not all children will go to school in their LA of residence. This is particularly the case in London where the geographic size of local authorities is relatively small and where excellent transport networks mean that children can travel further afield easier than in other parts of the UK. Additionally for children who live close to a borough boundary, their closest school may in fact be in a neighbouring authority.

A school's reputation may affect parental preference when applying for schools. This may mean that some schools will see changes in applications and attendance from children outside of the authority resulting in increasing cross border mobility.

The SRP model explicitly takes into account cross border mobility as pupil level data is used that gives both home and school locations.

A neighbouring borough opening a school could draw pupils from your LA.

## APPENDIX E – EXPANSIONS IN NEIGHBOURING BOROUGHS

Table 5 – Outborough primary school expansions by borough

Borough	Schools Expanded	Remarks
Lambeth	Sudbourne Primary planned expansion from 1.5 to 3FE	For 2018/9
	Telferscot Primary 2FE	For 2018/9
	Wyvil Primary planned expansion from of 2FE to 4FE	For 2020/21
Lewisham	Sir Francis Drake (+1FE),	For 2018/9
	St Winifred's (+0.5FE)	For 2017/8
	Our Lady and St Philip Neri (+0.5FE)	For 2017/8
	Ashmead (+1FE)	For 2017/8
	Harris Lewisham Free School (+3FE)	For 2019/20
Croydon	Krishna Avanti (new school) +1FE (2016/17), +2FE (2017/18)	For 2016/17 For 2017/18
	Harris Academy Purley Way (new primary school) +1FE	For 2016/17
	Ark Bayes (new school) +3FE	For 2019/20
	Bulge classes Woodcote Primary +1FE Smitham Primary +1FE Robert Fitzroy Academy +1FE	For 2017/8 For 2017/8 For 2017/8
	Chislehurst (St Nicholas) CE Primary +1FE	For 2017/8
Bromley	Edgebury Primary +1FE	For 2017/8

Table 6 – Outborough Secondary school expansions/closures by borough

Borough	Schools Expanded	Remarks
Lambeth	Gipsy Hill Secondary School NEW 6FE school	Provisionally scheduled to open 2018/19
Lewisham	Citizen Free School (4FE)	CANCELLED – NO SITE
	Bonus Pastor Expansion (1FE)	2018/19
	Addey and Stanhope Secondary expansion – 2FE	2018/19
Croydon	Archbishop Lanfranc – +2.3FE	2017/18
Bromley	Buller's Wood Secondary – NEW – 6FE	2018/19
	Bromley College Technical Academy (14-16)	CLOSED
	Eden Park High School – NEW – 6FE	2017/18
	Bishop Justus – 1FE bulge	2017/18
Westminster	Westminster City School - +0.6FE	2017/18
	St George's Roman Catholic School +1FE	2017/18
	Sir Simon Milton UTC (14-16) – 5.8FE	2017/18

<b>Item No.</b> 9.	<b>Classification:</b> Open	<b>Date:</b> 31 October 2017	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Response to Southwark Schools Scrutiny in a Day	
<b>Ward(s) or groups affected:</b>		All	
<b>Cabinet Member:</b>		Councillor Victoria Mills, Children and Schools	

### **FOREWORD – COUNCILLOR VICTORIA MILLS, CABINET MEMBER FOR CHILDREN AND SCHOOLS**

On 9 March 2017 Southwark Council's Education and Children's Services Scrutiny Sub-Committee held a Schools Scrutiny in a Day at the ARK Globe Academy. The aim of the day was to take scrutiny out of the Town Hall and into a local school along with teachers; head teachers; parents; lead members for children's services and jobs and skills; local businesses; representatives from the voluntary sector and young people, including the Southwark Apprentice of the Year. It set out 11 recommendations around three key themes of governance, ensuring we secure great outcomes for all our young people post 16, and schools funding.

On school funding in particular, announcements on the National Funding Formula made by the Secretary of State for Education (since the scrutiny report was written) mean that the future funding settlement for Southwark schools is not as bad as the draft proposals that were being discussed in March 2017. We should pay tribute to the amazing work Southwark Headteachers, schools and parents undertook as part of the national 'Fair Funding for All Schools' campaign to raise the potential funding impacts on Southwark schools. However Southwark schools still face a real terms budget reduction of £16.9million between 2015 and 2020, putting at risk the huge improvements and achievements that have been made across our schools

### **RECOMMENDATIONS**

1. That the response to the Education and Children's Services Scrutiny Sub-Committee report, Southwark schools scrutiny in a day, be approved.
2. That Cabinet asks the Education and Children's Services Scrutiny Sub-Committee to consider scrutinising the number and reasons for exclusions during and after Year 12 in Southwark and the governance around these decisions. This follows the unlawful use of exclusions by St Olave's Grammar School in Kent for non-behavioural reasons.

### **BACKGROUND INFORMATION**

3. This report responds to the recommendations made by the Education & Children's Scrutiny Sub-Committee in the report that was completed in April 2017. The report sets out the context for this scrutiny exercise and evidence it found.
4. Change has been a major feature of school policy. In December 2016 the DfE launched a consultation relating to fair funding for schools. At the time of the

scrutiny in a day the consultation period was nearing its closing date of the 22 March 2017. This would represent a major change to funding for schools and have a significant impact on all schools nationally with Southwark schools being one of the hardest hit.

5. In March 2016 the area review of skills for central London commenced. The first meeting of the central London group took place on 17 March, which the Leader of the Council chaired. This meeting focused on setting the scene of further education (FE) provision in central London and the broader vision for skills as posed by GLA/London Councils across 16-19 and 19+ provision in central London.

## **KEY ISSUES FOR CONSIDERATION**

6. Each of the Scrutiny Sub-Committees' themes and recommendations are set out below followed by the lead cabinet member's response:

### 6.1 Recommendations

Promote transparency on school governance by working with every Southwark school to ensure that it publicises the governance structure; provides the names of members of the local governing body and academy trustees; provides the link to the Declaration of Interests and promotes the election of parent governors widely.

Promote the school governors training to all schools and governors.

Review school governors training on Exclusions to ensure that all governors know what good practice looks like.

### 6.2 Response:

It is already a legal requirement for all state schools to make public its governance arrangements. Ofsted inspections will look at the schools website to check that the school publishes information about your school's governors, including details of each governor's business interests, financial interests, governance roles in other schools and the structure and responsibilities of the governing body and committees. The schools standards 0-19 team, head of governor services and governor training programme manager check and promote compliance locally.

We have a good relationship with our schools and close to 70% buy into governor services this includes all phases across maintained and academy schools.

Southwark have a dedicated Governor Training Manager working with and through the Southwark Governors Association to provide a comprehensive and bespoke programme of training. This includes an induction for new governors; how governors must meet requirements of any new legislation and training to support governors with exclusions.

In September 2018 there was media coverage of the exclusion of students after AS-level (Year 12) for failing to achieve three B grades. By law, students should not be excluded from sixth-form for non-behavioural reasons. Cabinet would welcome the Education and Children's Services Scrutiny Subcommittee

scrutinising the number and reasons for exclusions during and after Year 12 in Southwark and the governance around these decisions.

### 6.3 Recommendations

Develop a 'supporting people' quality standard for local businesses that provide work experience, mentoring and employment support, to demonstrate appreciation and promote involvement; link this to demonstrating social value in the procurement process.

Work on better coordination and communication with schools on the post 16 training, employment and apprenticeship programme, making sure that schools are aware of the support available for children in need/ NEETS, and the pathways available for young people not pursuing university post 16.

Work with schools, the business community and colleges to ensure that young people have a broad range of work experience taster opportunities that dovetail with the school work experience programmes, to enable young people to choose their career path and develop work social skills.

Bring together school leaders with the council to: a) contribute to the development of the emerging post 16 offer (especially higher and degree level apprenticeships) with LSBU and b) explore potentially commissioning better pathway support post 16, including careers advice and guidance.

Promote the benefits of the apprenticeship levy to business and look at how this can fit in with the supply chain. Integrate specific training with employment support providers on the needs of Care Leavers, and other young people in need.

### 6.4 Response:

Southwark has been considering its response to the Government's recent Area Based Review of Skills (ABR). At its meeting in March 2017, cabinet resolved to develop a local skills strategy that supports the delivery of a high quality FE and skills offer in the borough. The work on this has already started with a workshop in July 2017 bringing together a wide range of stakeholders including business, FE, school leaders with the council to contribute to the development of the emerging post 16 offer with LSBU and other partners. This emerging skills strategy will at least in part focus on the recommendations made in this section of the report including exploring better pathway support post 16, careers advice and guidance and exploring quality marks that are already in existence and the viability and or need for a local kite mark. The skills strategy will also consider the needs of our most vulnerable learners including care leavers and our young people with SEND.

Southwark takes seriously its duty to the NEET population and our performance in reducing the NEET population remains very strong. In the year June 2016 to June 2017 Southwark demonstrated the 4<sup>th</sup> strongest improvement in London and outperformed London and national averages.

## 6.5 Recommendations

Make technical information available to enable parents to fill out the School Funding consultation form.

Brief local schools that the council is promoting Federations for mutual support, where suitable.

Raise the potential impact of school funding cuts with the broader local community, and particularly the potential adverse direct and indirect impacts on local businesses.

## 6.6 Response

We have worked with headteachers, schools, the schools forum, the school governors, parent/teacher associations and London Councils to respond to the consultation and have submitted a separate local authority response. We have supported schools, who in turn have worked tremendously hard with parents and their local communities to provide opportunities for them to respond to the consultation. We have shared our response information with neighbouring boroughs who may also wish to encourage a response from parents. Technical information and modelling has been provided through a range of agencies including the Southwark finance team, London Councils and teaching unions.

In Southwark we have a range of governance models in place for school leadership. In light of recruitment and financial challenges we continue to talk to schools collectively through various groupings about the benefits of federation and partnership working as one of the models of governance of schools.

There has been a strong and well coordinated approach at informing schools, parents and public by schools themselves, the Standards 0-19 team, the Lead Member, local MPs and local councillors to raise the potential impact of school funding cuts with the broader local community. The awareness of the potential adverse direct and indirect impacts on local businesses has been and is being more typically addressed through the development of a Southwark skills strategy.

## Policy implications

7. The report notes the increased provision for groups of care leavers previously not entitled to such through the Children and Social Work Act 2017. This is anticipated to be implemented in April 2018. All policies relating to care leavers will be reviewed once the statutory guidance is available in January 2018.

## Community impact statement

8. The recommendations contained within this report will help provide an improved offer to school governors in relation to exclusions and post 16.

### Resource implications

9. The report notes the Children and Social Work Act 2017 has extended personal adviser support until the age of 25 years for those not in education, employment or training.

### Legal implications

10. There are no legal implications within this report.

### Consultation

11. The consultation on fairer funding for schools was widely shared with schools, families and local authority officer and councillors
12. A workshop was held with key stakeholders, including schools, FE and HE organisations, employers and training providers in July 2017, on the development of the Skills Strategy. The purpose of the workshop was to engage stakeholders at the outset of the process of development of the skills strategy and inform the draft for further consultation.
13. A range of external and internal stakeholders will be further consulted on during the process of developing the Skills Strategy. Formal consultation will place between September and October 2017 and key groups including learners, employers, FE and HE institutions, training providers and other key partner organisations will be engaged.

### BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark Schools Scrutiny in a day report	Scrutiny Team 160 Tooley Street London SE1 2QH	Julie Timbrell 020 7525 0514
<b>Link (please copy and paste into browser):</b> <a href="http://moderngov.southwark.gov.uk/mgConvert2PDF.aspx?ID=67599&amp;ISATT=1#search=%22scrutiny%20in%20a%20day%22">http://moderngov.southwark.gov.uk/mgConvert2PDF.aspx?ID=67599&amp;ISATT=1#search=%22scrutiny%20in%20a%20day%22</a>		

### APPENDICES

No.	Title
None	

## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Victoria Mills, Children and Schools	
<b>Lead Officer</b>	Alasdair Smith, Director of Children & Families	
<b>Report Author</b>	Alasdair Smith, Director of Children & Families	
<b>Version</b>	Final	
<b>Dated</b>	20 October 2017	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Democracy	No	No
Strategic Director of Finance and Governance	No	No
Procurement	No	No
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>	20 October 2017	



<b>Item No.</b> 10.	<b>Classification:</b> Open	<b>Date:</b> 31 October 2017	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Gateway 1 - Procurement Strategy Approval Special Educational Needs and/or Disability (SEND) taxis for children, young people and vulnerable adults	
<b>Ward(s) or groups affected:</b>		All wards	
<b>Cabinet Member:</b>		Councillor Victoria Mills, Cabinet Member for Children and Schools	

### **FOREWORD – COUNCILLOR VICTORIA MILLS, CABINET MEMBER FOR CHILDREN AND SCHOOLS**

It is important to ensure that we meet our statutory duty to provide a safe and reliable transport service for eligible young persons and adults within Southwark. The costs associated with providing SEND taxi transport is commensurate with the need to secure a high quality, safe and specialist service however, we do also need to ensure that we achieve value for money.

The strategy contained in this report provides the framework to achieve the above criteria. However, the timetable for this procurement has not allowed for the full exploration of how emerging technology on route planning could be utilised nor how we might be able to work more closely with neighbouring boroughs. Cabinet is therefore requesting that these continue to be explored with interested companies during the procurement process and that neighbouring boroughs are kept up to speed with the framework and how they might join.

### **RECOMMENDATION**

1. The cabinet approve the procurement strategy outlined in this report for Special Educational Needs and Disability (SEND) taxis for children, young people and vulnerable adults, which is to undertake a competitive tender process for a four year framework agreement commencing on 1 September 2018 until 31 August 2022.
2. The cabinet note that further work is being undertaken in relation to whether it is feasible to open the framework to other neighbouring boroughs. Cabinet agrees the delegation of this decision to the Strategic Director of Children's and Adults' Services once the exploratory work is complete and before the OJEU notice is placed.

### **BACKGROUND INFORMATION**

3. The current SEND Taxi Framework commenced on 1 September 2014, following approval of companies onto the Framework for a period of four academic years, from 1 September 2014 to 31 August 2018.
4. SEND taxis are used by Children's and Adults' Services to support delivery of the council's statutory transport duties to support children with SEND travel to/from school or college assessed as eligible to receive travel support and operates alongside a range of other travel support services which include the SEND school

bus transport contract, a six to eight week independent travel training programme and direct payments to families to enable them to organise their own travel arrangements. Officers regularly review travel support provided to individual children/young people with a view to promoting greater travel independence for individuals so that they can travel to and from school safely on their own and also, during their leisure time. Since the beginning of 2016 to date, 28 children/young people have successfully completed the independent travel training (ITT) programme, the aim is to increase this mode of travel support whenever possible to do so, which also helps to extend capacity across the council's travel assistance resources to meet increasing demand. However, it should be noted that ITT is not appropriate for all, some participants start their training but are not successful or need to be withdrawn as it is not safe for them to continue. Steady and positive progress is being made with delivery of the council's ITT programme.

5. Three companies were awarded contracts at the commencement of the Framework in 2014, Olympic South Limited (trading as Health and Transport Services (HATS)), London Hire Limited and Access Mobility Limited. However, during the second year of operation, London Hire Limited informed the Council that it was no longer able to meet all requirements of the Framework and asked to be removed.
6. Companies on the Framework provide vehicles of up to 8 seats, wheelchair accessible where required plus a driver (with or without a passenger assistant), to take children, young people and vulnerable adults with a range of physical/learning disabilities, emotional/mental health needs, safely to their place of education throughout the academic year. The Framework provides regular scheduled rounds, and also has a facility for provision of short-term ad hoc rounds where a vehicle is only required for a few weeks/months to cover an exceptional circumstance - for example, where a child has broken a leg and is unable to use TfL buses or walk to school.
7. Transport journeys/rounds are allocated to Providers according on the Taxi Framework Agreement mini-competition rules, where requests for quotes are sent out and the round is allocated to the Provider who gives the lowest price.
8. A fully integrated Children's and Adults' SEND travel assistance service is in place for children and young people up to the age of 25 following changes to legislation contained in the Children and Families Act 2014.
9. As at 30 September 2017 there were 122 children and young people confirmed to travel via the SEND taxi transport service for the 2017/18 academic year. Most of these children travel to Southwark mainstream schools or to special schools/colleges outside of Southwark. Young people, post 16 using SEND taxis are predominantly individuals with learning difficulties who due to their needs are unable to access other forms of travel assistance or to travel independently, they require SEND taxis to travel to colleges, day centres or other facilities.
10. The remaining two companies on the Framework have been able to meet the demands of the service effectively, provide a sufficiently flexible service to meet needs of children and young people using the service, prices have remained competitive.
11. This procurement will put in place a new framework with a start date of 1 September 2018.

### **Summary of the business case/justification for the procurement**

12. There is an ongoing need for the council to meet its statutory duty to provide travel assistance for children, young people and adults that meet the relevant criteria.
13. Eligibility for travel assistance is assessed for children and young people up to the age of 25 under a single, travel assistance policy. This fully integrated service enables purchasing/booking/invoicing systems, comprehensive service monitoring, performance management and a rationalisation of routes to be achieved.

### **Market considerations**

14. The market is made up mainly of private sector companies with local and regional reach.
15. The market for the provision of supported transport is mature and competitive and it is anticipated that a sufficient number of quality bids will be received for this procurement. However, as with previous transport procurement run by the council, a comprehensive assessment of each company's ability to deliver the services to the required standards consistently and remain solvent will be put in place.

### **KEY ISSUES FOR CONSIDERATION**

#### **Options for procurement route including procurement approach**

16. A project board has been in operation to oversee development of the SEND taxi framework procurement. The project board considered the following options to ensure that market challenge and competition could be demonstrated in the procurement of the SEND taxi transport for children and adults:
  - Option 1: Do nothing – this is not an option open to the council as the council has a statutory obligation to provide transport services for eligible children, young people and vulnerable adults. Failure to fulfil the statutory duty would cause considerable disruption to those eligible children and vulnerable adults and damage the council's reputation. Not putting in place medium to long term travel arrangements for these client groups will inevitably result in escalating costs to the council. Taxis provide a necessary form of transport when school buses are not possible/ practical.
  - Option 2: Competitive tender to award one or more contracts – this option could provide the service requirements however, it is less likely to provide value for money over the life of the contract and also, lacks flexibility to manage provider withdrawal. The framework agreement by its nature ensures ongoing competitive tension between providers which, it is hoped, will achieve better value for money for the council. With varying factors such as fuel and insurance costs a mechanism that can test prices in a competitive environment is considered a better way forward.
  - Option 3: Participate in an existing framework agreement for taxi services – whilst this is potentially an option, research confirmed that there is no local framework in place which the council can access. There are other frameworks

in place however these are not local and therefore would potentially be a more expensive solution.

- Option 4: Undertake a joint tender with other local authorities - This is an approach the council could explore in the future it will need significant coordination and lead in time. Currently the council's timeline for procuring these services is not aligned to neighbouring boroughs and/or, options to extend existing arrangements to Southwark are not available. This option would need careful consideration to ensure that the service provided could remain local enough to be flexible and not be compromised for example by delays due to extra travel time across borough boundaries.
- Option 5: Bring service in house. The nature of the service is not a viable option for the council to deliver, it would not be viable for the council to have a fleet of vehicles used for short periods of the day for school runs then unused for the rest of the day.
- Option 6: Competitive tender to form a framework agreement with more than one service provider - this option has worked well for the last four years and has delivered a high quality service with manageable costs through the competitive tendering of rounds (where appropriate) each year with a number of suppliers. It is anticipated that this would continue to deliver best value for the council and it allows greater flexibility in accordance with the fluctuating nature of demand and provides greater protection in relation to provider failure or market exit. It is also proposed to open up the framework to neighbouring boroughs that are identified as potential users before inviting tenders.

### **Proposed procurement route**

17. The council proposes that this procurement undertakes a restricted tender process. The evaluation stages of that procedure are detailed further in paragraphs 34 - 36 of this report.
18. The outcome of the procurement route adopted will be to:
  - establish a multi-provider framework agreement;
  - allocate (on the basis of prices submitted during the tendering exercise) a majority of the rounds for the first year; and
  - establish a mechanism to allocate new or additional rounds by way of a mini-competition under the framework agreement.
19. A round will consist of passenger/s and their specific requirements e.g. with wheel chair access and/or passenger assistant. Following the allocation of rounds for the first year of the framework agreement in accordance with paragraph 18 above, the council's intention is to conduct, on an annual basis, mini-competitions for all new rounds. The council will identify the rounds ensuring efficiency where possible to promote lower bids, that will need to be delivered during the following year and providers appointed to the framework agreement will be given the opportunity to bid for these rounds. In exceptional circumstances e.g. where a change in provider may have an adverse effect on the passenger/s the round may not be reallocated through mini-competition.
20. It is envisaged that the framework will attract both small companies and large companies to bid competitively for work and it is envisaged that a good mix of

companies will be achieved to deliver the service in accordance with the service specification.

21. This taxi framework procurement approach will provide a service delivery model that will enable:
- joined up approach across Children's and Adults' Services department
  - a flexible SEND taxi transport service for eligible children, young people and adults
  - value for money – all new rounds will be awarded based on competitive price and there will be an annual price review
  - monitoring and management of the contracts with clear performance standards and targets.

#### Identified risks for the procurement

22. A risk register of the key risks identified is set out in the table below. The project board will regularly review these risks. Actions being taken to mitigate risks are identified in the right hand column of the table.

No	Risk	Likelihood	Risk Control
1	Lack of market interest	Low	Comprehensive review and development of the process to be followed and a clear communication strategy with bidders will be in place. The scoring and evaluation will be designed to encourage bids from all providers in the market.
2	Lack of sufficient quality bids to form a framework.	Low	A robust approach to assessment of bids taking on board lessons learned from the process implemented four years ago and through service delivery since then.
3	Not enough time to deliver procurement process and ensure continuity of service.	Low	Robust governance arrangements in place to track progress of project.
4	Council unable to manage implementation and delivery of the taxi framework service due to complexity and/or limited resources.	Low	The current taxi framework has been successfully introduced and managed by the council's Travel Assistance team, this will continue with the new Framework.

#### Key /Non Key decisions

23. This is a key decision.

**Policy Implications**

24. This contract will enable the council to fulfil its statutory duty to provide transport services to eligible children and young people as set out in the Education Act 1996 and in the Education and Inspection Act 2006 and will support delivery of the Southwark School Travel Assistance Policy.
25. For adults, the contract will enable the council to fulfil its duties, under the NHS and Community Care Act 1990, National Assistance Act 1948, Health Services and Public Health Act 1968, the Chronically Sick and Disabled Persons Act 1970, the National Health Services Act 1977 and the Mental Health Act 1983, to provide services to meet the needs of vulnerable adults. This includes a duty to provide appropriate travel assistance to meet the welfare needs of adult clients assessed as needing assistance with transport.
26. The contract assists the council in meeting its statutory public sector equality duty (PSED) under 149 of the Equality Act 2010 and also supports the council's published approach to equalities.

**Procurement Project Plan (Key Decisions)**

27. To allow for the necessary mobilisation and TUPE consultation for a contract start date of 1 September 2018, the award decision will need to be made no later than 5 June. Evaluation of tenders are scheduled to be completed by 26 March 2018 which will be followed by our internal Gateway 2 reporting process, so the proposed award date is achievable, and will be referred to the cabinet for decision at its meeting on 5 June 2018.
28. The procurement plan is outlined below and the project board will keep these dates under constant review.

<b>Activity</b>	<b>Complete by:</b>
Forward Plan (October)	October 2017
DCRB Review Gateway 1	09/08/17
CCRB Review Gateway 1	17/08/17
Brief relevant cabinet member	15/08/17
Notification of forthcoming decision –	11/09/17
Approval of Gateway 1: Procurement strategy report	31/10/17
Scrutiny Call-in period and notification of implementation of Gateway 1 decision	31/10/17 – 07/11/17
Completion of tender documentation	04/12/17
Publication of OJEU notice	04/12/17
Publication of opportunity on Contracts Finder	06/12/17
Closing date for expressions of interest	12/01/18
Completion of short-listing of applicants	01/02/18
Invitation to tender	05/02/18
Closing date for return of tenders	09/04/18
Completion of evaluation of tenders	30/04/18
DCRB Review Gateway 2:	02/05/18
CCRB Review Gateway 2:	10/05/18
Notification of forthcoming decision	22/05/18
Approval of Gateway 2: Contract Award Report	05/06/18
Scrutiny Call-in period and notification of implementation of Gateway 2 decision	14/06/18
Alcatel Standstill Period (if applicable)	22/06/18
Contract Award	22/06/18
TUPE Consultation period (if applicable)	22/06/18-31/08/18
Place award notice in Official Journal of European (OJEU)	22/06/18
Place award notice on Contracts Finder	22/06/18
Contract start	01/09/18
Contract completion date	31/08/2022

### **TUPE/Pensions implications**

29. The Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) will apply on a service provision change where activities cease to be carried out by a contractor on the Council's behalf and are instead carried out by another contractor on its behalf, where there is an organised grouping of employees whose principal purpose is the carrying out of that activity, and where the activity is to be carried out otherwise than in connection with a single specific event or task of short-term duration. Only those employees assigned to the transferring activity will transfer.
30. There are no TUPE nor pensions implications for the council as an employer because the council does not deliver these services directly. TUPE will not apply on the appointment of any contractor to the new framework but may apply on the allocation of a round (a call-off contract) under that framework. Whether TUPE will apply in relation to the current contractors is unclear at this stage and will depend primarily on the allocation under the new framework of any continuing routes which result in a change in the identity of the contractor. Due diligence of the current contractors' workforce will also need to be carried out before the tender process commences as its results need to be included in the tender pack. Tenderers will be directed in the tender documentation to seek their own independent advice and no warranties will be given as to the application of TUPE.

### **Development of the tender documentation**

31. The tender documentation required to set up the framework will be developed by the project team which includes officers from the council's legal, finance and corporate procurement teams.
32. The project board will oversee all elements of the procurement process and sign off all the relevant tender documentation ((Official Journal of the European Union (OJEU) notice, standard selection questionnaire (SQ), invitation to tender (ITT), service specification and the quality and price evaluation methodologies). The project board will report to the SEND Governance Board which is chaired by the Director of Education.

### **Advertising the contract**

33. The tender will be advertised in a number of ways:
  - Notice in OJEU
  - Publication of notice on Contracts Finder
  - Advertisement published on the council's website
  - Existing and other taxi transport providers known to the council will also be alerted to the advert placed on the council's website.

### **Evaluation**

34. The contract will be awarded using a restricted tender process consisting of 3 stages– SQ, ITT and allocation of rounds:
  - Stage One – the purpose of the SQ is to create a short list of organisations who have demonstrated that they have sufficient financial and economic standing, and technical capacity and capability to deliver the services at the



standard required. SQs will be evaluated in accordance with requirements of the Public Contract Regulation 2015 and will comprise of both pass fail style questions, as well as technical questions which will require evaluation and scoring. For the financial assessment, in order to ascertain risk, a credit check, minimum turnover check, and a check of accounts will be undertaken to provide assurance of the continuity of the organisation. Method statements will be used to assess the technical section, allowing bidders to be scored and ranked. Only those tenderers who achieve a technical score which places them in the top ten bidders and pass all other sections will be invited to tender. The final SQ evaluation methodology will be signed off by the project board and advised to tenderers.

- Stage Two – method statements will be used to evaluate tenders against key quality criteria such as quality of resources, approach to service delivery, management of information and approach to service improvement. Only tenders meeting the quality threshold will then be assessed on price.
  - Stage Three – allocation of rounds will be based on prices submitted in the tenders for the first year.
35. The evaluation panel will be made up of representatives from finance, home to school transport, adults' social care, health and safety, sustainability and equalities.
36. It is envisaged that in the event of any minor changes to a round during an academic year e.g. change in the number of passengers/pick ups the price will stay the same within an agreed range. Therefore tolerances for change will be included and these will be agreed as part of the tender documentation.

### **Community impact statement**

37. This is a specialist service that is likely to be delivered annually to approximately 130 children and young people with special educational needs and/or physical disabilities each year. Service users representing a wide range of communities, including families and individuals with English as an additional language, receive support through SEND transport services. This transport service, supports this cohort to fully engage with educational and/or community activities e.g. to be able to attend school or their local community centre, which they would otherwise be unable to do. The provision of this service will support children and young people to access education and vulnerable adults to lead independent lives.
38. A comprehensive review of children's and adults' transport services was carried out during 2012. The consultation included focus group sessions with SEND transport service users including parents and carers of children with disabilities as well as children/young people travelling on the service to and from school. This consultation enabled us to obtain a much greater understanding of what the community wanted from this service. The feedback received was used to develop the council's travel assistance policy and was central to determining the specific expectations of the service. A second consultation targeted at current users of the taxi service ended on 11 August 2017. The consultation asked questions relating directly to satisfaction levels of the taxi service and quality of staffing, responses were positive across the board in this area. Wider questions were included to ascertain families' views towards moving to alternative travel assistance solutions including making their own travel arrangements with direct payments and, learning to travel independently, this generated a mixed response and will be developed

further with families in a more direct way in the future. All responses will be considered and feedback will be incorporated into this procurement process where appropriate to do so.

39. As SEND taxis are used by some of the most vulnerable members of the community, it is essential that the service is of a high standard and is able to meet the needs of all passengers. The SEND transport service specification will include details of the specific requirements of community needs which are based on community consultation feedback and therefore, will be able to deliver services in accordance with direct requirements highlighted by service users from the community. All potential providers will be required to demonstrate their commitment to diversity and equal opportunities.

### **Social Value Considerations**

40. The Public Services (Social Value) Act 2012 requires that the council considers, before commencing a procurement process, how wider social, economic and environmental benefits that may improve the well being of the local area can be secured. The details of how social value will be incorporated within the tender are set out in the following paragraphs.

### **Economic considerations**

41. Local companies will be able to bid for inclusion on this framework and if successful, will help to promote local jobs to local people in delivering these transport services.

### **Social considerations**

42. The council has made a commitment to ensure that the London Living Wage (LLW) benefits were extended to not only the councils directly employed staff but also those who work for the council through contracts. Since the introduction of this commitment in 2012, the LLW has been included in all relevant procurements and in some cases to existing contracts.
43. For this procurement the council will stipulate the LLW requirement for all employees, workers and sub-contractors engaged by the provider on the contract. It is recognised that with taxi and mini cab providers, a range of business models are in operation, especially with regard to the engagement of self-employed drivers. The tenderers' support of the council's LLW commitment will be tested fully through the procurement process. The council will need to be satisfied that, where there are any business models with self-employed components, self-employed workers are paid the LLW or, in the case of genuinely self-employed independent contractors, paid fees which support the council's Fairer Future Procurement Strategy.

### **Environmental/Sustainability considerations**

44. Environmental policies will be assessed at SQ stage. As a minimum providers will be expected to use and source green, environmentally friendly vehicles whenever it is possible to do so.

### **Plans for the monitoring and management of the contract**

45. As this framework arrangement will be in place across the Children's and Adults' Services department appropriate monitoring and management arrangements to facilitate this change will be required. The current school travel service team has significant experience in managing transport contracts, route planning and passenger support which will be used as a basis for developing this in-house resource.
46. Day to day monitoring of the contract will be achieved through monthly review meetings between officers and the transport provider. The contract will be monitored and managed in respect of:
- compliance with the specification and contract terms and conditions
  - the performance of the contractor
  - cost
  - user satisfaction
  - risk management and
  - key performance indicators
47. Annual awards of rounds will include an element of performance assessment. It is envisaged that poor performance will not lead to continued levels of work being secured through the framework.

### **Staffing/procurement implications**

48. There is a cross departmental project team tasked with delivering this procurement. There are governance arrangements in place to oversee the progress of the procurement and to make necessary decisions during the process.
49. Monitoring arrangements and contract management of this taxi framework arrangement has been carried out effectively by the council's Travel Assistance team for the lifetime of the current taxi framework. Six monthly reports to the Children's and Adults' Board alongside annual reports on the anniversary of the commencement of the contract service to the Corporate Contracts Review Board, will be made with details of the performance and management of the Sufficient resources are currently in place to manage this taxi service for the life of the framework.

### **Financial implications: CAS17/003**

50. The home to school transport budget has continued to be under strain due to the growth in numbers of SEND children requiring transport. The total forecast cost of taxi services to vulnerable adults and SEND children for the proposed contract duration is £6.75m (based on current projections of £1.69m p.a.) from 1 September 2018 to 31 August 2022, this will be met from service budgets.

### **Legal implications**

51. Please see concurrent from the Director of Law and Democracy

## **Consultation**

52. The current SEND taxi framework service has been in operation since 1 September 2014. A consultation with key stakeholders/users of the service was carried out in July through a questionnaire developed with input from the Parents Consortium. The results of the consultation will be used to shape the taxi framework tender process which will include, changes to the service specification and key aspects of the taxi service requirements that service users had informed us were important to them. There are plans in place to include parents and service users in the assessment stages of the procurement process.

## **Other implications or issues**

53. None.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Strategic Director of Finance and Governance (CAS17/003)**

54. The financial implications are identified within paragraph 50 of this report.

### **Head of Procurement**

55. This report seeks the cabinet's approval of the procurement strategy for the provision of SEND taxis for children, young people and vulnerable adults by way of the establishing of a framework agreement spanning a total of 4 years. With an estimated contract value of £6.75m this procurement represents a strategic decision and as such approval is reserved for cabinet.
56. Currently children and vulnerable adults, who are assessed as being eligible to receive support with their travel requirements, are serviced by two organisations working on behalf of Southwark Borough Council under an existing framework agreement. This framework is due to come to an end on the 31<sup>st</sup> of August 2018 and as such there is a need to procure a new service which can meet the council's statutory requirements in relation to SEND transport. The report clarifies the options that have been explored for future delivery of the SEND taxis service and concludes that a framework contract involving a number of suppliers would provide the best outcome in terms of both quality and value for money.
57. Paragraphs 14 and 15 confirm that the market for supported transport is mature and competitive, and comprised mainly of private sector suppliers. As such it is anticipated that a sufficient number of quality bids will be received.
58. Paragraphs 38 and 52 state that consultation has taken place involving service users to ensure that the service being procured meets the needs of the community.
59. The report confirms in paragraph 34 that, due to the value of the contract exceeding EU procurement thresholds, an OJEU compliant two staged, restricted tender process will be completed to ensure best value. Paragraph 34 further confirms that the evaluation of tender submissions will be split into two stages, both focussing on quality, with work being allocated to successful bidders through mini-competitions based on price once the contract has been awarded.

60. The report confirms in paragraph 48 that the procurement will be governed by way of a cross departmental project board.

### **Director of Law and Democracy**

61. This report seeks the cabinet's approval to the procurement strategy for the SEND taxis for children, young people and vulnerable adults by establishment of a 4 year framework for this service. At an estimated value exceeding £4m, this is a Strategic Procurement under contract standing orders, and approval is therefore reserved to the cabinet.
62. The nature and value of this service means that this procurement is subject to the full tendering requirements of the Public Contract Regulations 2015. As noted in paragraph 17, the framework will be established following a restricted procedure in accordance with those EU procurement regulations, and will be advertised through OJEU. Regulation 34 sets out specific requirements which must be met when establishing a framework, for example that the framework period should not, save in exceptional circumstances, exceed 4 years. Officers from the contracts team in legal services will work with the project team to ensure that the framework is established in accordance with those EU requirements.
63. The cabinet's attention is drawn to the Public Sector Equality duty (PSED General Duty) under the Equality Act 2010, and when making decisions to have regard to the need to (a) eliminate discrimination, harassment, victimisation or other prohibited conduct, (b) to advance equality of opportunity and (c) foster good relations between persons who share a relevant protected characteristic and those who do not share it. The relevant characteristics are age, disability, gender reassignment, pregnancy and maternity, race, relation, religion or belief, sex and sexual orientation. The duty also applies to marriage and civil partnership but only in relation to (a). The cabinet is specifically referred to the community impact statement at paragraphs 37 and 39 setting out the consideration that has been given to equalities issues which should be considered when approving this procurement strategy, and at each stage of the process.
64. The cabinet is also referred to paragraph 38 and 52 which set out the consultation that has taken place. The cabinet should take into account the outcome of that consultation when approving this procurement strategy.

### **BACKGROUND DOCUMENTS**

<b>Background Documents</b>	<b>Held At</b>	<b>Contact</b>
None		

### **APPENDICES**

<b>No</b>	<b>Title</b>
None	

**AUDIT TRAIL**

<b>Cabinet Member</b>	Councillor Victoria Mills, Children and Schools	
<b>Lead Officer</b>	David Quirke-Thornton, Strategic Director Children's and Adults' Services	
<b>Report Author</b>	Glenn Garcia, Head of Education Access 0-25	
<b>Version</b>	Final	
<b>Dated</b>	20 October 2017	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Head of Procurement	Yes	Yes
Director of Legal Services	Yes	Yes
Strategic Director of Finance and Corporate Services	Yes	Yes
<b>Contract Review Boards</b>		
Departmental Contract Review Board	Yes	Yes
Corporate Contract Review Board	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional</b>	23 October 2017	

<b>Item No.</b> 11.	<b>Classification:</b> Open	<b>Date:</b> 31 October 2017	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Introduction of Public Space Protection Orders (PSPOs) to tackle dog related anti-social behaviour (ASB)	
<b>Ward(s) or groups affected:</b>		All wards	
<b>Cabinet Member:</b>		Councillor Barrie Hargrove, Communities, Safety and Leisure	

### **FOREWORD - COUNCILLOR BARRIE HARGROVE, CABINET MEMBER FOR COMMUNITIES, SAFETY AND LEISURE**

Dog owners are part of our diverse community who use and enjoy our public spaces. The majority of dog owners behave responsibly and are respectful of the spaces they share with others. However, it has been necessary for the council to explore ways in which officers could be more effective in tackling those dog owners who continue to behave irresponsibly in our public spaces, ensuring that our environment can be enjoyed and shared by everyone.

The response to the consultation regarding the potential to introduce public space protection orders (PSPOs) to address dog related Anti-social behaviour resulted in the greatest number of responses to any online consultation undertaken by Southwark, with over 47% of respondents identifying themselves as dog owners.

The recommendations in this report come from careful consideration of the consultation responses, as well as the council's commitment to animal welfare as detailed in Southwark's Animal Welfare Charter and the Animal Welfare Act.

Southwark Council is committed to providing services that create a cleaner, greener, safer borough for all. The introduction of a PSPO for dog related ASB will improve officer's enforcement capability, providing powers for them to issue fixed penalty notices to those dog owners who behave irresponsibly and prosecute those who persistently offend.

The implementation of the PSPO will also support the council's cleaner, greener, safer commitment to 'Encourage People to keep Southwark clean and use enforcement powers proportionately, where people litter or do not clean up after their dogs'.

As cabinet member for communities, safety and leisure I am asking that cabinet, after consideration, approve the recommendation as set out in this report.

### **RECOMMENDATION**

1. That cabinet approves the introduction of PSPOs implementing the requirements and restrictions as set out in table 1, in order to tackle dog related anti-social behavior, as prescribed under The Anti Social Behaviour Crime and Policing Act 2014.

## 2. Table 1 – PSPO requirements and restrictions

PSPO requirements and restrictions	Area
Dog faeces must be cleaned up by those responsible for their dog(s)	Borough Wide
<p>Dogs must be put on lead when instructed to do so by and authorised officer*</p> <p>* Authorised Officer is an officer of the council with delegated authority to enforce the PSPO regulations, Civil Enforcement Officer, Police Officer or Police Community Support Officer.</p>	Borough Wide
Maximum of 6 dogs with one handler with 3 dogs allowed off a lead at any one time.	<p>Borough Wide</p> <p>(excluding One Tree Hill**)</p> <p>** The DCO regulations as set out for One Tree Hill have automatically become a PSPO provision from the 20th October 2017, as prescribed under section 76 of the ASB Crime and Policing Act.</p>
<p>Dogs must be kept on a lead.</p> <p>Maximum of six dogs with one handler.</p>	Camberwell New Cemetery and Honor Oak Crematorium – Whole site as highlighted on Map (Appendix 1)
<p>Dogs must be kept on a Lead</p> <p>Maximum of six dogs with one handler.</p>	Camberwell Old Cemetery – Areas highlighted on Map (Appendix 2)
<p>Dogs must be kept on a Lead</p> <p>Maximum of six dogs with one handler.</p>	Nunhead Cemetery – Areas highlighted on Map (Appendix 3)
Dog exclusion areas	<p>Children’s Play areas*** within Parks and Open Spaces</p> <p>Children’s play areas*** within housing estates</p> <p>***Defined as gated children’s play areas containing play equipment.</p>



Appendix 8 shows the proposed PSPO Order reflecting restrictions and requirements in table 1

## BACKGROUND INFORMATION

3. On 21 March 2017 cabinet agreed to carry out a public consultation in order to gain the public view on the introduction of PSPOs to tackle dog related Anti-social behaviour, as prescribed under the Anti-social Behaviour Crime and Policing Act 2014 (known here after as 'The 2014 Act').
4. The consultation was undertaken through Southwark's online consultation hub and ran from 24 April to 5 June 2017. It sought public views on the proposed PSPO provisions as highlighted in Table 2 (below) as well as options for extending controls as highlighted in the questionnaire Appendix 4.
5. Table 2 – proposed PSPO provisions

Proposed PSPO provision	Proposed Area
Dog faeces must be cleaned up by those responsible for their dog(s)	Borough Wide
Dogs must be put on lead when instructed to do so by an authorised officer	Borough Wide
Dogs must be kept on a lead or Dog Exclusion Areas	Nunhead Cemetery Camberwell Old Cemetery Camberwell New Cemetery
Dog exclusion areas	Children's Play areas within Parks and Open Spaces  Children's play areas within housing estates
A maximum number of dogs with one handler (four maximum)	One Tree Hill (Replacing current Dog Control Order provision)

6. The consultation received 2,081 responses, the highest return of any online consultation launched in Southwark to date. Of those who responded, 47.76% identified themselves as dog owners/walkers. 45 of these respondents identified themselves as professional dog walkers.
7. Responses to the consultation were also received from the Kennel Club and Dogs Trust as detailed in Appendix 5 and 6 respectively.
8. The consultation promotion is detailed in Table 3 of this document and demonstrates Southwark's delivery of its statutory obligation to consult with the

local chief officer of police; the police and crime commissioner and appropriate community representatives.

9. The Kennel Club stated in its response to Southwark's consultation that it would like to "welcome the proactive approach the council has taken in promoting this consultation... The consultation plan demonstrates thought was put into the process".
10. Table 3 – Consultation promotion of the PSPO questionnaire for dog related ASB.

Table 3

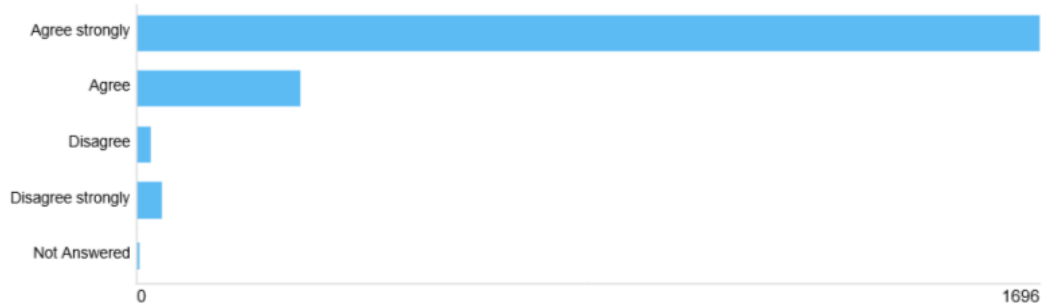
What	How
Information on relevant Southwark Council webpages	Promotional rolling article on Southwark Council Website.
Friends of Parks	Email with information and link sent to all current 'Friends of Parks' groups
Residents e-bulletin (approximately 6,000 residents) including link to on line consultation	Explanatory e-bulletin mentioning the consultation including a link to online questionnaire
Email to Tenants and Residents Association (TRA) chairs and secretaries	Introduction of the PSPO consultation and link sent out to every TRA chair and secretary. Total 307 contacts made.
Email to specific consultee groups – Mayors Office for Policing and Crime (MOPAC), Southwark Chief Inspector for Partnerships	Explanatory email including a link to the on line consultation and cabinet report
Post on local on line forums	Explanatory e-bulletin including a link to the on line consultation
Press article	Southwark News – article announcing the approval to go out to consultation
Paper consultation surveys and a posting box in Libraries	Paper consultation surveys and a posting box in Libraries
Paper consultation	Paper consultation surveys made available at the Nunhead Cemetery Open Day – including sealed ballot box
Paper consultation	450 consultation surveys sent out to 2 individuals for dissemination to the public.
Posters promoting consultation	Nunhead Cemetery

## Consultation results

11. **96.2%** of respondents either Agreed or Agreed Strongly to the introduction of a PSPO requiring dog walkers to pick up dog mess after their dogs.

**Question 1: Do you support a borough-wide Public Space Protection Order to make it a requirement for dog walkers to pick up dog mess after their dogs?**

### *Dog mess*

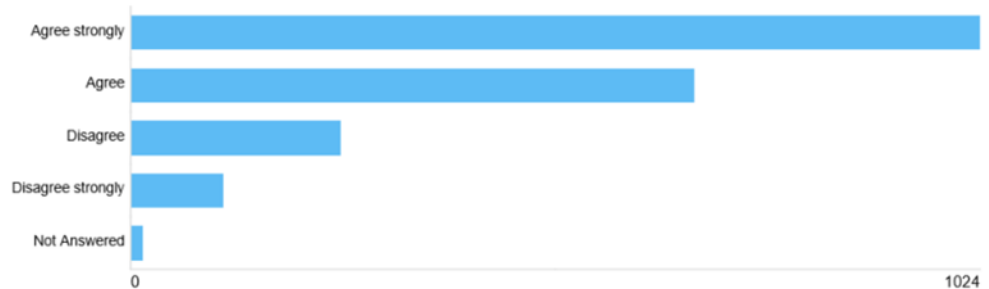


Option	Total	Percent
Agree strongly	1696	81.50%
Agree	306	14.70%
Disagree	26	1.25%
Disagree strongly	48	2.31%
Not Answered	5	0.24%

12. **81.84%** of respondents either Agreed or Agreed Strongly to the introduction of a PSPO provision excluding dogs from children's play areas.

**Question 2: Do you support the proposal to exclude dogs from children's play areas?**

### *exclude dogs from play areas*



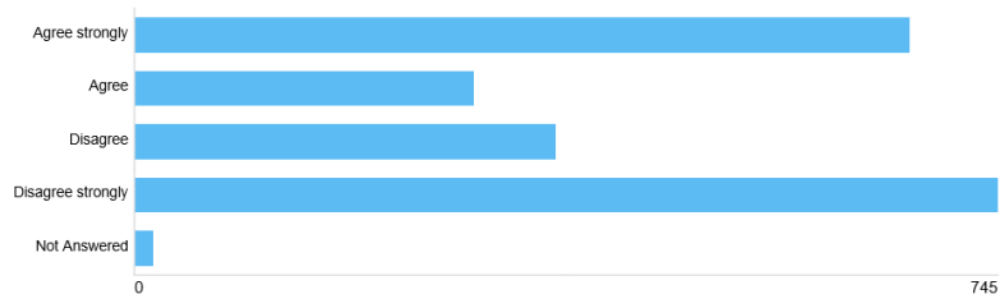
Option	Total	Percent
Agree strongly	1024	49.21%
Agree	679	32.63%
Disagree	253	12.16%
Disagree strongly	111	5.33%
Not Answered	14	0.67%

13. **46.08%** of respondents either Agreed or Agreed Strongly with the proposal for dogs to be on leads within cemeteries and burial grounds at all times.

**53.2%** of respondents either Disagreed or Disagreed Strongly with this proposal.

**Question 3: Do you support the proposal for dogs to be on leads within cemeteries and burial grounds at all times?**

*on lead in cemeteries*

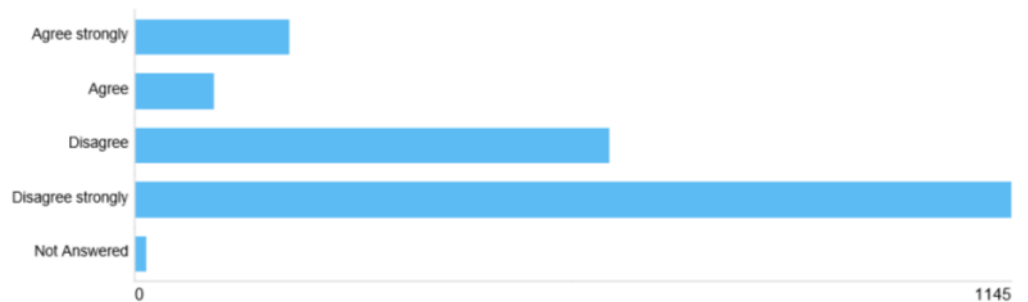


Option	Total	Percent
Agree strongly	667	32.05%
Agree	292	14.03%
Disagree	362	17.40%
Disagree strongly	745	35.80%
Not Answered	15	0.72%

14. **84.77%** of respondents either Disagreed or Disagreed Strongly with the proposal to exclude dogs from cemeteries and burial grounds.

**Question 4: Do you think that dogs should be excluded from cemeteries and burial grounds?**

*exclude dogs from cemeteries*

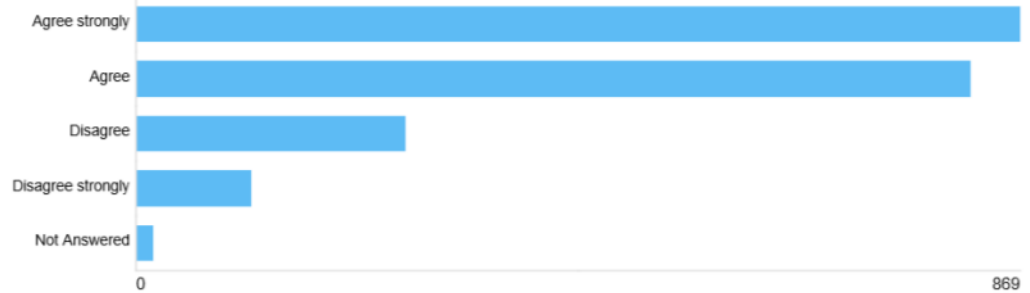


Option	Total	Percent
Agree strongly	200	9.61%
Agree	103	4.95%
Disagree	619	29.75%
Disagree strongly	1145	55.02%
Not Answered	14	0.67%

15. **81.12%** of respondents either Agreed or Agreed Strongly with the proposal for dogs to be put on a lead when instructed to do so by an authorised officer.

**Question 5: Do you think that dogs should be put on a lead when instructed to do so by an authorised officer?**

*dog on a lead when instructed*

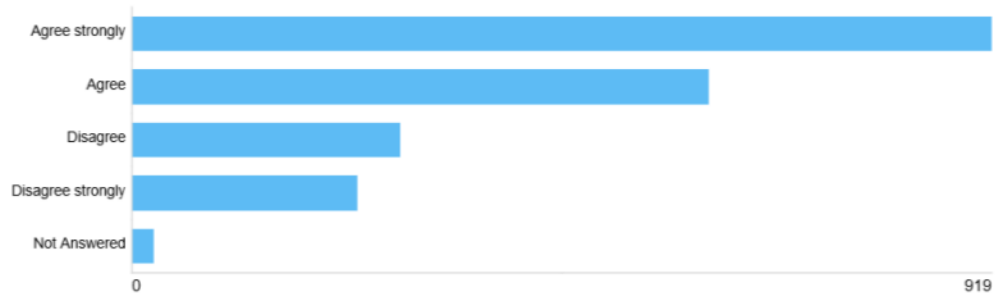


Option	Total	Percent
Agree strongly	869	41.76%
Agree	819	39.36%
Disagree	264	12.69%
Disagree strongly	112	5.38%
Not Answered	17	0.82%

16. **73.71%** of respondents either Agreed or Agreed Strongly with the proposal to extend PSPO provision, limiting the number of dogs under the control of one walker to a maximum of four within Southwark's cemeteries and burial grounds.

**Question 6: Do you think that a PSPO should be introduced limiting the number of dogs under the control of one walker to a maximum of four within Southwark's cemeteries and burial grounds?**

*max number of dogs in cemeteries*

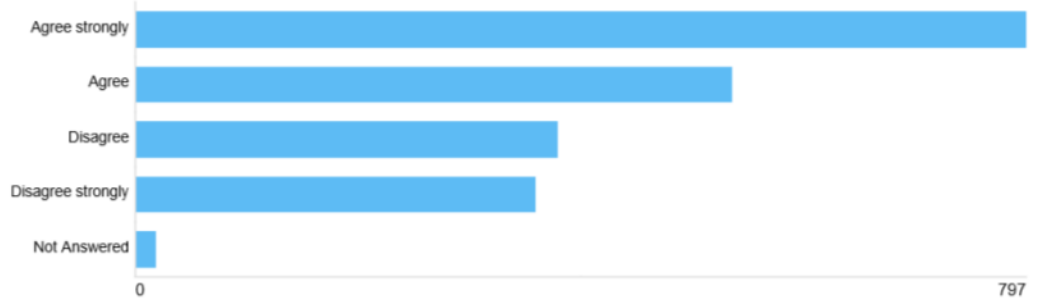


Option	Total	Percent
Agree strongly	919	44.16%
Agree	615	29.55%
Disagree	286	13.74%
Disagree strongly	239	11.48%
Not Answered	22	1.06%

17. **63.91%** of respondents either Agreed or Agreed Strongly with the proposal to extend PSPO provision, limiting the number of dogs under the control of one walker to a maximum of four within Southwark's parks and open spaces.

**Question 7: Do you think that a PSPO should be introduced limiting the number of dogs under the control of one walker to a maximum of four within all Southwark's Parks and Open Spaces?**

*max number of dogs in parks and open spaces*



Option	Total	Percent
Agree strongly	797	38.30%
Agree	533	25.61%
Disagree	376	18.07%
Disagree strongly	357	17.16%
Not Answered	18	0.86%

18. **57.86%** of respondents either Agreed or Agreed Strongly with the proposal to extend PSPO provision, limiting the number of dogs under the control of one walker to a maximum of four everywhere in the borough.

**Question 8: Do you think that a PSPO should be introduced limiting the number of dogs under the control of one walker to a maximum of four everywhere in the borough?**

*max number of dogs borough wide*

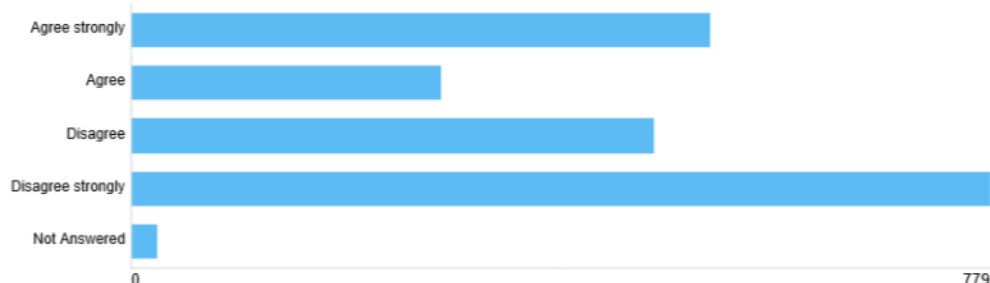


Option	Total	Percent
Agree strongly	700	33.64%
Agree	504	24.22%
Disagree	424	20.37%
Disagree strongly	434	20.86%
Not Answered	19	0.91%

19. **60.16%** of respondents either Disagreed or Disagreed Strongly with the proposal to extend PSPO provision requiring dogs to be on leads at all times in Southwark's designated nature reserves.

**Question 9: Do you think that a PSPO should be introduced requiring dogs to be on leads at all times in Southwark's designated nature reserves?**

*dogs on leads in nature reserves*

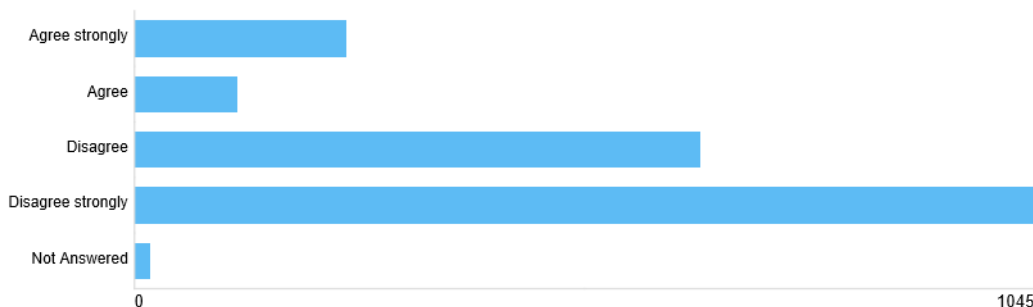


Option	Total	Percent
Agree strongly	525	25.23%
Agree	281	13.50%
Disagree	473	22.73%
Disagree strongly	779	37.43%
Not Answered	23	1.11%

20. **81.7%** of respondents either Disagreed or Disagreed Strongly with the proposal to extend PSPO provision requiring dogs to be excluded in Southwark's designated nature reserves.

**Question 10: Do you think that a PSPO should be introduced requiring dogs to be excluded from Southwark's designated nature reserves?**

*dogs excluded from nature reserves*



Option	Total	Percent
Agree strongly	244	11.73%
Agree	119	5.72%
Disagree	655	31.48%
Disagree strongly	1045	50.22%
Not Answered	18	0.86%

21. Question 11 of the PSPO consultation questionnaire was a free text section asking for any other ideas or comments on the dog related Anti-Social Behaviour PSPO proposal not covered by the above questions. Southwark received 979 returns from this specific question. Each response was considered and codes were allocated to the most common suggestions/comments provided. These codes are reflected in the summary of responses shown in Table 4. Where

comments made in Question 11 would be reflected in the response to other questions within the questionnaire no code was allocated.

22. Many comments provided in Question 11 stated that there was already existing provision for dog fouling, dogs on leads and dog exclusion areas across Southwark and that the council should enforce these.
23. The majority of comments made where a location was mentioned detailed Nunhead Cemetery. Comments for Nunhead Cemetery highlighted the benefits of dog walking, including making the area safer for people including non dog walkers using the space, health and well being for both the dogs and their owners.
24. Respondents also highlighted a need for respect within cemeteries and burial grounds with incidents of dogs attacking other dogs, knocking over children and fear of packs of dogs in these areas.
25. Other comments provided in Question 11 gave a view that the proposed PSPOs, particularly any provision excluding dogs from Nunhead Cemetery and Nature Reserves would be penalising responsible dog owners not just the few irresponsible dog owners.
26. A request for more dog bags and bins to be made available within the borough was also highlighted within the responses. It should be noted that properly bagged dog waste can be disposed of in any of the council's street litter bins. Since 2015 Southwark Council have purchased and distributed over 4.2 million dog poo bags across parks and libraries.
27. Some respondents suggested that a code of conduct and dog training and education would work to reduce dog related ASB within the borough. Dog walkers also commented that dog education within schools would reduce the fear of dogs and improve spaces being used by both dog walkers and non dog walkers.
28. Table 4 – summary of responses given in Question 11 of the PSPO consultation questionnaire.

		location							
		total	location type not provided / not coded	cemeteries	nature reserves	green spaces incl. parks	Nunhead Cemetery	Peckham Rye	Dulwich Park
theme	not coded	423	692						
	ensure enforcement	155	106	41	0	9	31	2	1
	use existing provision	98	64	27	3	5	23	4	0
	dogs on leads at location	86	45	24	3	15	17	7	4
	designated dog areas	74	42	19	2	15	11	6	4
	code of conduct	68	37	26	2	7	17	2	1
	dog licensing for professional walkers / walkers	68	48	18	1	4	14	2	0
	dog bags / bins	62	41	13	2	9	8	3	2
	dog training and education	47	34	11	1	2	10	0	1
	against PSPO	46	32	9	2	4	9	1	1
	questioning consultation	24	14	8	3	1	7	1	0
	muzzle dogs	8	6	1	1	1	0	0	1
	DNA testing	6	6	n/a	n/a	n/a	n/a	n/a	n/a
<b>total</b>	<b>979</b>			<b>197</b>	<b>20</b>	<b>72</b>	<b>186</b>	<b>23</b>	<b>9</b>



## Consultation summary

29. Results of the consultation showed strong support for the following proposed PSPO provisions;
- Dog faeces to be picked up by those responsible for their dog(s)
  - Dog exclusion areas in Children's Play areas within Parks and Open Spaces and Housing Estates
  - Dogs to be put on a lead when instructed to do so by an authorised officer
30. Public view on the proposal for Southwark to introduce a PSPO requiring dogs to be on leads at all times within cemeteries and burial grounds demonstrated close results between those agreeing (46.08%) and disagreeing (53.2%) with the proposals. The Kennel Club response outlined that they would not typically oppose dogs on lead restriction for a cemetery to ensure mourners are not unduly disturbed; however, they highlighted Nunhead Cemetery as an exception to this, suggesting that a formalisation of the current zoning approach would be a more locally appropriate solution. The Dogs Trust accepted that there are some areas where it is desirable that dogs should be kept on a lead but urged the council to give due consideration to the Animal Welfare Act 2006 section 9 requirements (the 'duty of care'). Section 9 requirements under the Animal Welfare Act 2006 states that a person commits an offence if he does not take such steps as are reasonable in all the circumstances to ensure that the needs of an animal for which he is responsible are met to the extent required by good practice. For the purposes of this Act, an animal's needs shall be taken to include;
- its need for a suitable environment,
  - its need for a suitable diet,
  - its need to be able to exhibit normal behaviour patterns,
  - any need it has to be housed with, or apart from, other animals, and
  - its need to be protected from pain, suffering, injury and disease.
31. Results of the consultation showed the majority of respondents (85%) were strongly opposed to a PSPO excluding dogs from cemeteries and burial grounds.
32. Results of the consultation showed the majority of respondents opposed the following proposed extensions to PSPO provisions;
- Dogs to be on leads at all times in Southwark's designated nature reserves. 60.16% of respondents either Disagreed or Disagreed Strongly.
  - Dog to be excluded from Southwark's designated nature reserves. 81.7% of respondents either Disagreed or Disagreed Strongly.
33. The majority of respondents either Agreed or Agreed Strongly with the proposal to limit the number of dogs to a maximum of four with any handler within Southwark's cemeteries and burial grounds (73.71%), parks and open spaces (63.91%) and borough wide (57.86).

34. However, The Kennel Club responded that the limitation of dogs was an arbitrary measure that in their view would be an inappropriate approach to dog control, which might simply displace and intensify problems in other areas.
35. The Dogs Trust also stated that the behaviour of the dogs, competency of the handler, needs to be taken into consideration if considering an order specifying the number of dogs being taken onto land. The Dogs Trust went on to state that research from 2010 showed that 95% of dog owners have up to 3 dogs; therefore the number of dogs taken out onto land by one individual would not normally be expected to exceed these numbers.
36. DEFRA guidance provided for the implementation of Dog Control Orders stated that the number of dogs that can be controlled by one person should not exceed six.

### **KEY ISSUES FOR CONSIDERATION**

37. PSPOs were introduced under the Anti Social Behaviour Crime and Policing Act 2014, giving provisions to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life by imposing conditions on the use of that area that apply to everyone.
38. A local authority may make a public spaces protection order if satisfied on reasonable grounds that two conditions are met. The first condition is that;
  - activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or
  - it is likely that activities will be carried on in a public place within that area and that they will have such an effect.
39. The second condition is that the effect, or likely effect, of the activities;
  - is, or is likely to be, of a persistent or continuing nature,
  - is, or is likely to be, such as to make the activities unreasonable, and
  - justifies the restrictions imposed by the notice.
40. Introduction of PSPO restrictions and requirements for dog related anti-social behaviour (detailed in table 1) meets the conditions as set by the 2014 act detailed in paragraphs 35 and 36 in that;
  - a) Dog related anti-social behaviour has a detrimental effect on the quality of life on those who experience it within the borough. Any dog related Anti-social behaviour is considered unreasonable and justifies the restrictions proposed.
  - b) Dog related anti-social behaviour is, or is likely to be, of a persistent or continuing nature. Table 5 shows the number of reports logged for dog related anti-social behaviour since 2011/12 from community wardens and parks liaison officers.
  - c) Table 5 – reports of dog related ASB since 2011/12 from the community wardens' service.

Classification	11/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	Grand Total
Dog attack					11	7	4	22
Dogs prohibited from the grounds byelaw	7	43	39	37	62	57	25	270
Dogs on leads byelaw	18	105	105	142	96	34	2	502
ASB- animal related nuisance	123	85	80	105	64	22	15	494
<b>Grand Total</b>	<b>148</b>	<b>233</b>	<b>224</b>	<b>284</b>	<b>233</b>	<b>120</b>	<b>46</b>	<b>1288</b>

- d) In 2013 Southwark undertook public consultation to seek people's views on whether they felt there were dog related issues in parks, what the perceived issues were and how they feel they could be tackled. 1,191 responses were received to this consultation with 55% stating that there were dog related issues in parks. The top three issues highlighted were;
- Dog Fouling
  - Dogs off leads
  - Dogs not under control
- e) The consultation responses highlighted the five most popular ways to tackle issues were;
- Target known irresponsible dog owners
  - Better/more powers of enforcement for wardens
  - Introduce Dog Control Orders
  - Limit the number of dogs a handler can have with them
  - Educational campaign on dangers of toxocara canis
41. Implementation of the PSPO requirements and restrictions as set out in table 1 are considered reasonable to impose in order to either prevent or reduce the detrimental effects of dog related ASB or reduce the risk of its continuance.
42. Southwark Council currently has no borough wide provision to issue fixed penalty notices specifically to those who do not pick up after their dogs. The Dog (Fouling of Land) Act 1996 had provided powers for issuing of fixed penalty notices, was repealed and replaced with the more general provision of a public space protection order (PSPO) as provided for by the ASB, Crime and Policing Act 2014.
43. Southwark is committed to creating a Cleaner, Greener, Safer Borough for residents, businesses and visitors and has a council plan commitment (CGS4) to 'Encourage People to keep Southwark clean and use enforcement powers where people litter or do not clean up after their dogs.
44. Introduction of the PSPOs to tackle dog related ASB as shown in table 1 will ensure that authorised officers are able to enforce against irresponsible dog owners more effectively, with authorised officers being able to issue fixed penalty notices of up to £100.

45. Question 3 of the PSPO consultation asked for public opinion on whether they supported the proposal for dogs to be on leads within cemeteries and burial grounds. The results were 46.08% agreeing or strongly agreeing with this provision and 53.02% disagreeing or strongly disagreeing. Taking this in to account it was clear that a balanced approach was needed when considering this provision within cemeteries and in particular for Nunhead Cemetery.

The proposed dogs on leads areas within Nunhead Cemetery will therefore encompass the working parts of the cemetery, including access routes plus areas where there has been previous or is existing signage that requires dogs to be kept on a lead.

46. As the result of the consultation relating to whether dogs should be kept on leads at all times whilst in cemeteries was so close (please see Section 13), officers canvassed all other London boroughs to explore how they dealt with dogs this matter to help the council reach a considered position. The outcome of this piece of work is that 14 boroughs excluded dogs from cemeteries and crematoria completely and the other 18 boroughs insist that dogs are kept on leads at all times whilst in these areas. The recommendations in this report therefore mean Southwark will be the only borough in London that allows dogs off leads anywhere in its cemeteries, active areas or otherwise. This is a clear recognition of the needs of Southwark dog owners to have a suitable area to exercise their dogs near their home whilst acknowledging the wishes of other cemetery users to be able to enjoy these spaces without being worried about dogs running loose. Appendix 9 shows the full benchmarking return for restrictions on dog walkers in other London Boroughs.
47. Adequate signage within the cemeteries and crematoria where PSPO provision is in place will also highlight the need for dog walkers to act responsibly and to be mindful of other cemetery users regardless of which zone they are in.
48. Under the 2014 Act, any Dog Control Orders (DCOs) still in place three years after the passing of the 2014 Act will be considered to be in effect public spaces protection orders. The Local Government Association's Public Spaces Protection Orders – Guidance for councils highlights that any Dog Control Order (DCO) still in force on the 20th October 2017 will automatically become a PSPO.
49. Southwark Council currently has two areas (One Tree Hill and Aylesbury Estate) designated as Dog Control Order (DCO) Areas, introduced under the Clean Neighbourhoods and Environment Act 2005, Dog Control Orders (Prescribed Offences and Penalties, etc.) Regulations 2006.
50. The DCO in One Tree Hill prescribes:
- Dog faeces must be cleaned up by those responsible for the dog/s
  - A maximum number of dogs with one handler (four maximum)
51. The DCO for One Tree Hill was introduced to reduce concerns from visitors to the Nature Reserve resulting from commercial dog walkers being present with large numbers of dogs. The effect of the DCO has been the reduction in concerns being raised. The provisions set by the DCO has also been a useful tool to Southwark's Park Liaison Officers to insist on compliance when a breach of the order is witnessed.

52. Due to the positive impact of the current DCO provisions at One Tree Hill and the results of the consultation for PSPO highlighting an agreement with limiting numbers of dogs to one dog walker to four, the current provision to One Tree Hill will remain as PSPO provisions and will automatically become a Public Space Protection Order on 20 October 2017.
53. The DCO for the Aylesbury Estate prescribes:
- Dog faeces must be cleaned up by those responsible for the dog(s)
  - Dogs must be kept on leads
54. The DCO provisions for Aylesbury Estate will be replaced by the borough wide PSPO requirements and restrictions as set out in this document.
55. Any Byelaw currently in place that provides for the same requirements or restrictions in a particular area covered by a PSPO will be revoked for the duration of the PSPO under Section 70 of the 2014 Act. The introduction of PSPO for dog related ASB will repeal Schedule 2 of the Composite Dog Ban. The PSPO provision to exclude dogs from Children's play areas (as defined in table 1), will repeal and replace relevant areas highlighted within Schedule 1 (dog prohibited areas) of the Composite Dog Ban for the duration of the PSPO. Appendix 7 lists those play areas within parks and open spaces that will be covered by the PSPO provision excluding dogs.
56. As stated in paragraph 33 the majority of respondents either Agreed or Agreed Strongly with the introduction of a PSPO limiting the maximum number of dogs under the control of one person to four. However, DEFRA guidance provided for the implementation of Dog Control Orders stated that the number of dogs that can be controlled by one person should not exceed six. Considering this alongside the responses provided by the Kennel Club and Dogs Trust led to the PSPO provision limiting the maximum number of dogs with one handler at six, with up to three dogs off a lead at any one time.

### **Policy implications**

57. Southwark aims to deliver services so the borough is clean, green and a safe place to be. Implementation of any PSPO for dog related ASB will support service delivery in this area and aid officers to deliver against the council commitment (CGS4) to 'Encourage People to keep Southwark clean and use enforcement powers where people litter or do not clean up after their dogs.
58. In 2016 Southwark Council adopted the Animal Welfare Charter which outlines its commitment to promoting animal wellbeing and providing information and guidance on animal care and legal responsibilities. The introduction of PSPO requirement and restrictions as highlighted in table 1 will enable and encourage responsible dog ownership which is highlighted as a requirement under the charter for dog owners who are council tenants.

59. The introduction of PSPO requirements and restrictions as outlined in table 1 will not reduce the ability of dog owners/walkers to meet their duty of care under the section 9 of the animal welfare act because:
- The PSPO for the exclusion of dogs for children's play areas (as defined in table 1) will replace byelaws for these areas where it is already a requirement for dogs to be excluded. The PSPO provision however ensures that greater enforcement capability of these restrictions can be undertaken by authorised officers by way of the issuing of fixed penalty notices.
  - PSPO for dogs on leads areas within Southwark's cemeteries and burial grounds are merely formalising areas where there is an existing expectation (provided for through signage within the cemetery) for dogs to be on leads. Provision has been provided for in both Nunhead Cemetery and Camberwell Old Cemetery where dogs can continue to be exercised off lead. Camberwell New Cemetery, including Honor Oak Crematoria will have a PSPO requiring dogs to be on leads at all times, however, sufficient space for dogs to be able to be off a lead is provided nearby in the sports ground (as shown in Appendix 1).

### **Community impact statement**

60. The proposals outlined in this report have been assessed in terms of their equalities impact in line with the protected groups set out in the Equalities Act 2010 and the Public Sector Equality Duty. The proposals made seek to enforce responsible dog ownership in terms of control and cleanliness within defined publicly accessible spaces. It is recognised that the majority of dog owners are responsible, and that these measures are being introduced to tackle those that are not, and also enhance the enjoyment and opportunity provided by public spaces.
61. Extensive consultation has been carried out prior to the proposals being finalised. There are clear positive impacts in terms of health, especially for young children and expectant mothers who are most at risk from exposure the dog faeces. There are also wider indirect health benefits for all residents who may access spaces they previously avoided due to antisocial behaviour. No groups are being prevented from accessing the spaces set out in the PSPOs. There are positive impacts for the visually impaired. Based on the proposal being made there are no negative equalities impact on any protected group or characteristic.
62. Person(s) will be exempt from any Public Space Protection Order requiring dog walkers to pick up after their dogs if;
- a) They are registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
  - b) They have a disability which affects his/her mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which they rely for assistance.
63. Person(s) will be exempt from any Public Space Protection Orders that exclude dogs from areas if;

- a) They are registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- b) They are deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance; or
- c) They have a disability which affects their mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which they rely for assistance

64. Prescribed charities as detailed below are members of Assistance Dogs UK and are accredited by Assistance Dogs International or the International Guide Dog Federation.

- Canine Partners (Registered charity no: 803680)
- Dog A.I.D. (Registered charity no: 1098619)
- Dogs for Good (Registered charity no: 1092960)
- Guide Dogs (Registered charity no: 209617)
- Hearing Dogs for Deaf People (Registered charity no: 293358)
- Medical Detection Dogs (Registered charity no: 1124533)
- Support Dogs (Registered charity no: 1088281)
- The Seeing Dogs Alliance (Registered charity no: 1156790)

### **Resource implications**

#### Finance

- 65. The main item of expenditure arising out of the introduction and implementation of the Public Space Protection Orders (PSPOs) is signage. Initial surveys of the requirements for signage across the borough estimate the costs at approximately £20,000.
- 66. The funding is from the existing base budget of the Regulatory Services division. There are no additional revenue budget requirements arising from the introduction of the PSPO.

#### Staffing

- 67. Resource implications for the delivery of public consultation, education and enforcement of any PSPO restriction or requirements will be met within the current staffing resources across Environment and Social Regeneration

#### Enforcement

- 68. It is proposed that enforcement of any PSPO provisions will be undertaken by Community Wardens, Environmental Enforcement Officers and Parks Liaison Officers.

## SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

### Director of Law and Democracy

69. Legal comments are substantially embodied within the report as noted at paragraphs 34 to 38 in that a PSPO is intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area. Before making an order the authority must publicise the proposed order and consult the chief officer of police, any representatives of the local community they consider appropriate — for example, a local residents group or a community group that regularly uses the public place and the owner/occupier of land within the restricted area.
70. The Part 4 of the Anti-Social Behaviour, Crime and Policing Act 2014 relating to PSPOs came into force on 20 October 2014 and repealed the law under which DCOs could be ordered with the proviso that existing DCOs would continue for 3 years and will then automatically lapse on 20 October 2017.
71. In deciding whether to make a PSPO the local authority must have regard to the rights of freedom of expression and freedom of assembly set out in articles 10 and 11 of the European Convention on Human Rights. These articles are not engaged and the proposed PSPO on dogs does not restrict these freedoms.
72. The council must take into account in coming to any decision its equality duties under s149 of the Equality Act 2010 and have due regard to them. These legal obligations require the council, when exercising its functions, to have “due regard” to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, advance equality of opportunity between people who share a relevant protected characteristic and those who don't and foster good relations between people who share a relevant protected characteristic and those who don't (which involves tackling prejudice and promoting understanding). Under the Duty the relevant protected characteristics are: Age, Disability, Gender Reassignment, Pregnancy and maternity, Race, Religion, Sex, Sexual orientation. Paragraph 54-58 provides a summary of the overarching EIA.. A careful consideration of the assessment carried out is one of the key ways in which Members can show “due regard” to any equalities impact. “Due regard” means the regard that is appropriate in all the particular circumstances in which the authority is carrying out its functions. There must be a proper regard for the goals set out in s.149. Members should be aware that the duty is not to achieve the objectives or take the steps set out in s.149 but to bring these objectives into consideration when carrying out public functions. In summary, the EIA analyses the equalities impact of the individual proposals recognising that there will be or may be some adverse impacts and the measures as positive impacts to promote opportunities to advance equality, for example on grounds of age or disability.
73. A PSPO, if made, will last for up to three years before requiring a review under section 60(1) of the Act; however there is no limit on the number of times an order can be reviewed and renewed. The review requirements will be different depending on the prohibitions or requirements being applied. Under section 61(1) of the Act an order can be varied or discharged at any time by the authority that made it.



74. A challenge to a PSPO can be made in the High Court, within six weeks of the PSPO being made, only by those interested persons directly affected by the restrictions on the following grounds;
- i. The local authority did not have the power to make the order, or to include particular prohibitions or requirements;
  - ii. The local authority did not fulfil the requirements for consultation in making the order.
75. Pending the outcome of the appeal, the High Court can suspend the PSPO in whole or in part.
76. Anyone breaching the terms of this Order without reasonable excuse commits an offence punishable by a fine set at level 3 on the standard scale (currently £1,000). Officers may issue an offender with a Fixed Penalty Notice (FPN) in lieu of prosecution, in which case payment of the FPN would discharge the offender from any criminal liability.

### **Strategic Director of Finance and Governance**

77. This report is requesting cabinet to approve the introduction of Public Space Protection Orders (PSPO) implementing the requirements and restriction as reflected in the recommendations. Full details and background is provided within the main body of the report.
78. The strategic director of finance and governance notes that there are no additional financial implications arising from this report. Staffing and any other costs connected with this report to be contained within existing departmental revenue budgets.

### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Cabinet report 21 March 2017 – Approval to go out to Public Consultation for the Introduction of Public Space Protection Orders (PSPOs) to Tackle Dog Related Anti-Social Behaviour (ASB)	160 Tooley Street London SE1 2QH	Paula Thornton 020 7525 4395
<b>Link:</b> <a href="http://moderngov.southwark.gov.uk/ielistDocuments.aspx?Id=302&amp;MId=5379&amp;Ver=4">http://moderngov.southwark.gov.uk/ielistDocuments.aspx?Id=302&amp;MId=5379&amp;Ver=4</a> (Item 9)		

**APPENDICES**

No.	Title
Appendix 1	Camberwell New Cemetery and Honor Oak Crematorium – Map of Proposed PSPO provisions (circulated separately)
Appendix 2	Camberwell Old Cemetery – Map of Proposed PSPO provisions (circulated separately)
Appendix 3	Nunhead Cemetery – Map of Proposed PSPO provisions (circulated separately)
Appendix 4	PSPO consultation questionnaire (circulated separately)
Appendix 5	Kennel Club – Consultation response (circulated separately)
Appendix 6	Dogs Trust – Consultation response (circulated separately)
Appendix 7	Redacted consultation responses (available online)
Appendix 8	PSPO Draft Order (circulated separately)
Appendix 9	London Borough Dogs in Cemeteries Benchmarking Exercise (circulated separately)

**AUDIT TRAIL**

<b>Cabinet Member</b>	Councillor Barrie Hargrove, Communities, Safety and Leisure	
<b>Lead Officer</b>	Ian Smith, Director of Environment	
<b>Report Author</b>	Tracy Umney, CCTV and DABS Unit Manager	
<b>Version</b>	Final	
<b>Dated</b>	19 October 2017	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>	20 October 2017	

<b>Item No.</b> 12.	<b>Classification:</b> Open	<b>Date:</b> 31 October 2017	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Safe As Houses? Independent social research into the early impacts of Universal Credit among social housing tenants in Southwark.	
<b>Ward(s) or groups affected:</b>		Working age social housing tenants in receipt of housing cost support through Universal Credit or housing benefit (control group)	
<b>Cabinet Member:</b>		Councillor Fiona Colley, Finance, Modernisation and Performance	

### **FOREWORD - COUNCILLOR FIONA COLLEY, CABINET MEMBER FOR FINANCE, MODERNISATION AND PERFORMANCE**

The London boroughs of Southwark and Croydon were among the first areas in the country to see the early rollout of full service Universal Credit (UC). Between the two boroughs we manage and let almost 50,000 social rented council homes. In October 2016, in partnership with Peabody, we jointly commissioned the Smith Institute to undertake this research into the early impact of UC rollout on our tenants.

This is the first in-depth, independent analysis of the rollout of UC full service, which examines the early experience and rent payment behaviours among social housing tenants before, during, and after their claim for UC. The research confirms our concerns that more tenants are falling into significant rent arrears, or deeper into rent arrears, under UC than under the previous housing benefit system. Delays in payments in particular, are leading to a build-up of rent arrears which people often struggle to pay back.

The research shows clearly the impact UC is having on individuals, with delayed payments putting people into debt causing considerable stress. Many people transitioning onto UC are already facing difficult circumstances due to unemployment, disability or low income. The wellbeing of those tenants, many of whom have desperate personal stories to tell, must be central to considerations of the new benefit system.

In Southwark alone, where only 12% of council tenants have moved onto universal credit, rent arrears for UC tenants total over £5.3m. If this is reflected nationally, rent arrears among council tenants claiming UC across the country as a whole could reach many hundreds of millions of pounds by the end of the planned rollout period. Hundreds of thousands of social housing tenants could find themselves in significant debt while social landlords incur substantial additional costs. We do not believe this is either acceptable or necessary.

This report highlights a number of areas where efforts should be focused to make improvements. These findings are consistent with, and reinforce, the recommendations that both Southwark and Croydon councils have been making to the Department for Work and Pensions (DWP) over the last year. As UC continues to be

rolled out across the country, we believe that steps must urgently be taken to address the challenges highlighted in this report.

## **RECOMMENDATIONS**

1. That cabinet notes the final report by the Smith Institute setting out findings from its independent social research (Safe As Houses?) into the impact of Universal Credit (UC) full service for rent payments among affected social housing tenants in Southwark.
2. That cabinet notes the key conclusions from the report which are set out below.
3. That cabinet note that the Cabinet Member for Finance, Modernisation and Performance wrote to the Secretary of State for Work and Pensions in July and subsequently gave evidence to the Work & Pensions Select Committee in September.

## **BACKGROUND INFORMATION**

4. On the 1 November 2016 cabinet noted and endorsed the commissioning of the Smith Institute to carry out independent research into the impact of UC on rent payments among Southwark tenants.
5. UC implies significant changes to how housing cost support is paid to social housing tenants – especially council tenants. The aim of the research was to allow the council to better understand the early impacts of those changes in terms of rent payment behaviour, in particular patterns of rent payments and levels of rent arrears.
6. The research aimed to answer two questions:
  - a. How is the early roll out of UC affecting rent payment behaviours among residents in social housing tenants?
  - b. How are identified changes in behaviour – or absence of change – affecting the tenancies of those residents?
7. Learning from the research will inform the council's future approach to rent income management, tenancy sustainment and homelessness prevention. Crucially, it will also provide an evidence base to support the council's efforts to influence the future development of UC and secure improvements to UC that the research has revealed as necessary.
8. The council partnered with Croydon Council, and Peabody to create a coalition of social housing providers to widen the range of social housing tenants included in the research. Funding was provided within existing budget frameworks but all partners made contributions to cost and additional funding was received from Southwark Tenant Council.
9. A steering group chaired by director of exchequer and including representatives from the council, other partners, local community organisations and tenant representative groups oversaw the design and delivery of the research project.
10. The cabinet member for finance, modernisation and performance wrote to the secretary of state for work and pensions in July setting out concerns reflecting

draft research findings and explaining that rent arrears for the still relatively small number of council tenants who had claimed UC now exceeded an alarming £5m. She subsequently gave evidence expressing similar concerns, in writing and in person, to the Work & Pensions Select Committee in September. Nonetheless, the Secretary of State announced in the first week of October that the planned roll-out of UC to the rest of the country would go ahead as previously planned, beginning from later that same month. This decision was confirmed in a letter from DWP to the Chief Executive dated 2 October 2017 which also dismissed the effect of UC on rent arrears as “overstated”.

### **Government plans to reform working age welfare (Universal Credit)**

11. UC was provided for in the Welfare Reform Act 2012 and was described by the then Government as the biggest change to the UK social security system for more than half a century.
12. According to the Government, UC aims to reduce poverty, by making work pay, and to help claimants and their families to become more independent. It also aims to simplify the benefits system by providing a single monthly payment based upon the circumstances of the household.
13. The research focused on the following key differences in how UC is claimed and received:
  - most people apply for UC online and manage their claim through an online account
  - claimants receive a single, monthly, household payment, paid into a bank account in the same way as a monthly salary
  - support with housing costs usually go direct to the claimant as part of their monthly payment

Additionally UC design entails a number of changes to how housing cost support is calculated and paid – for example:

- a seven day waiting period at beginning of the claim for which no benefit will usually be paid
- those making a claim for UC may expect to wait for at least six weeks for their first payment to be made – a much longer period than under the previous arrangements

### **What Universal Credit means for those living in rented social housing in the London Borough of Southwark**

14. Southwark has a larger proportion of its housing stock made up of rented social housing than any other local authority area in England and Wales. The council itself is the largest social landlord in the borough and among the biggest social landlords in the south of England. By 2022 it is expected that all those living in rented social housing, who are of working age and in need of housing cost support will be receiving that support in the form of UC.
15. UC roll-out implies particularly significant changes for social housing tenants - and above all council tenants - in terms of how their housing cost support is paid and how they will need to budget and manage their household finances. Evidence, as highlighted by this research, demonstrates that should social housing tenants fail to cope with the changes, or adapt quickly to the new

arrangements, there is a significant risk that they will fall into rent arrears, or deeper into rent arrears, as a consequence.

### **Research methodology**

The independent research was split into two sections. It firstly examined changes in rent payment behaviour after tenants claimed UC, then secondly explored the reasons for these changes.

#### **a) Rent account analysis – rent payments and rent arrears**

16. To understand whether, or how, rent payment behaviours were changing, the Smith Institute carried out rent account analysis of tenants who transitioned to UC during the period between August 2016 and October 2016 (doing so anonymously and with tenant consent). The same methodology was adopted for a separate group of tenants who claimed housing benefit in the same period.
17. The analysis covered rent payments for the period January 2016 to the end of March 2017. This was to examine rent payment behaviours *prior to claiming UC (or housing benefit)* and payments up to eight months after the initial claim. The accounts were analysed to see what differences there were in payment rates and levels of underpayment; differences in behaviours amongst certain groups; and what effect, if any, alternative payment arrangements had on payments.

#### **b) in depth interviews and focus groups**

18. Whilst the rent account analysis identified changes in payment behavior, qualitative research was conducted to understand the reasons for those changes and to obtain an understanding of tenants' experiences of UC.
19. This part of the research took the form of thirty-six in-depth telephone interviews and four focus groups with another forty tenants. The purpose of this methodology was to understand tenant's experiences of claiming UC; documenting and evaluating their understanding of the new system; and examining what worked well or what could be done to improve it.

### **Key issues for consideration**

#### **a) Rent account analysis findings**

20. *Arrears were larger for those on UC.* Twenty weeks after making a claim UC tenants were £156 in arrears whereas housing benefit tenants had actually overpaid their rent by 4% of the rent due by that point.
21. *Arrears accumulated before transition to UC.* Prior to claiming UC tenants were already accumulating arrears. The same occurred for housing benefit tenants but not to the same extent and arrears were paid back earlier.
22. *Big underpayments and underpayers.* The majority of arrears were caused by big underpayments and the majority of arrears were caused by 20% of tenants.
23. *Arrears eventually stabilise and start to be paid down.* Arrears accumulated each week up to 11 weeks after claiming UC. After this arrears start to be paid down, but at a slower rate than those who claimed housing benefit.
24. *Alternative payment arrangements have a positive impact.* Those tenants who moved onto alternative payment arrangements saw their arrears fall.

### **b) Interviews and focus groups (qualitative research) findings**

25. *Tenant perceptions of UC are generally negative.* This was driven by tenant experience of the transition period to UC and delayed payments.
26. *Delayed UC payments have put many into arrears.* This causes considerable stress and anxiety.
27. *Many struggle to manage their finances on UC.* Some tenants stated this was due to moving to a monthly budgeting cycle, others because UC payments were simply not enough and less than they expected.
28. *UC is a 'one size fits all' process.* Tenants who claimed UC and had unusual or challenging circumstances found the system inflexible and challenging to navigate, again elongating the process and delaying payments.
29. *Housing officers play an important role in support.* As a result of the perceived complexities and inflexibility of the system tenants turned to housing officers for support – from help with initial applications to management of arrears.

### **Financial implications**

30. Non-payment of rent among UC claimants potentially creates a significant risk to the Council Housing Revenue Account over period of transition to UC which is expected to continue until 2022. This adds to already significant pressures due to Government imposed 1% rent reduction and additional investment that may be required to improve fire safety or maintain and upgrade the stock. At time of writing total rent arrears among the four thousand plus tenants who have claimed UC stands at £5.5 million. Many more tenants are yet to claim or transition to UC and rent arrears figures may be expected to climb further.
31. Research reveals that while payments stabilise from week 12 after claiming UC and repayment of arrears begin, those repayments tail off. Rent arrears can take a long time to be repaid and the evidence suggests that under UC some rent arrears may never be repaid leading to an increase in bad debt provision. It should be noted that some tenants who took part in the UC Direct Payment pilot in 2012 are still paying off arrears they built up then.
32. Changes to UC housing cost payment arrangements and frequency are expected to mean increased workloads for staff especially during period of transition to UC and permanently. The council is presently undertaking work to better understand those impacts so that a balanced judgement may be made between the need for additional resources at a time of downward pressure on costs, and the over-riding importance of maintaining rent collection at a high level. This will include exploring scope for greater efficiency and new ways of working.

### **Social considerations**

33. The qualitative research findings point to sometimes severe financial hardship for tenants when transitioning to UC. A number of tenants reported waiting longer than they anticipated for their first UC payment, and there was uncertainty about when they would receive payment and how much this would be.

34. As rent arrears rise the well being of tenants is put at risk. Significant levels of stress and anxiety are experienced, exacerbated by the fact that many tenants are already in difficult circumstances financially and emotionally.
35. Delays or lower than expected payments cause tenants to struggle managing their money. Spending savings, getting into credit card or payday debt and borrowing from friends or families were all cited in the research as coping strategies adopted by tenants. Cutting back on essentials such as food and energy are also highlighted. This comes at the same time as Southwark foodbanks report increased demand as a result of UC payment delays.

### **Policy implications**

#### **a) Supporting tenants**

36. The council has made immediate changes to its rent collection practices in light of research findings. Possession action will not be taken in any case where a tenant has claimed UC and finds themselves in rent arrears through no fault of their own.
37. The research also revealed that understanding of UC was low among the tenants who were interviewed. While raising awareness is of course chiefly a matter for the Government, as a responsible landlord the council has already developed new communication products for council tenants. It has reviewed or updated existing communication with tenants via a range of channels to provide clearer messages about UC and how tenants may prepare for it.
38. The research revealed that arrangements for providing Government funded support to those who might struggle with aspects of the transition to UC are not well understood and not working as well as they should be. New support arrangements have been set in place at Jobcentres from the beginning of this month and a new, more diverse support offer will be piloted from November with a particular focus on providing greater support for the Council's own tenants - and with a bigger role for housing officers.
39. The council has expanded the criteria for the Southwark Emergency Support Scheme, which provides goods and services to those experiencing a crisis or emergency, to include UC as a qualifying benefit.
40. Exchequer Services' Local Support Team have widen their income maximisation service to include UC, identifying residents who need to make a claim, and supporting vulnerable residents through the UC application process.

#### **b) UC design and implementation**

41. This commission is the first independent piece of social research into the early impacts of UC on rent payment behaviours among social housing tenants. Southwark is in a unique position to use raise awareness and influence national policy as UC starts to roll out across the rest of the country. The council has already begun to make representations to government via a number of official channels with a series of recommendations as to how UC may be improved – especially as it relates to housing costs. The Government recognises the important role of local authorities in ensuring that UC is implemented effectively and safely. The DWP have described the engagement of Southwark council and other councils where UC has been tested as “exemplary”.



42. Following receipt of a draft version of the report the Cabinet Member for Finance Modernisation and Performance wrote to the Secretary of State for Work and Pensions calling for the removal of the seven day waiting period and the introduction of a housing benefit run-on. These were among a number of recommendations for changes to UC that should have the effect of reducing payment delays.
43. Southwark was pleased to be selected by DWP as the first place in the country to test the new UC landlord portal. Landlord portal is expected to result in improvements in communication between social landlords and UC service centres that will in turn help improve the claimant experience and reduce the worst payment delays. The portal is in its infancy and no positive impacts on rent arrears among tenants claiming UC have yet been discerned.

### **Community impact statement**

44. UC is the policy responsibility of the Department for Work and Pensions (DWP) and an Equality Impact Analysis was carried out by the DWP in respect of UC in 2012.
45. According to the latest Office for National Statistics report 43% of the residential housing stock in Southwark is made up of rented social housing and the council estimates that around half of those living in social housing currently need support to pay their housing costs. The council estimates that about 40,000 working age households in Southwark will eventually claim UC, the majority are expected to be social housing tenants.
46. The anonymised rent account analysis included data on the lead tenant's age and sex. The limitations on what data is recorded and can be extracted from housing rent account systems meant that these were the only protected characteristics under the Equality Act 2010 on which additional analysis took place.
47. The rent account analysis found that there were minimal differences in the level of rent arrears when sex and age of tenants were analysed. Men were slightly more likely to be in arrears than women, with 58% of men being in arrears compared to 50% of women, and there were no noticeable differences in the level of arrears by age.
48. The qualitative research did not differentiate between specific characteristics of participants. However, it did document a number of accounts where those with unusual or changing circumstances found the UC application process difficult resulting in delayed payments. This included those who were pregnant who encountered difficulties in reporting the birth of children. This suggests that there may be further impacts of UC on specific groups that this research was unable to examine in greater detail.

### **Resource Implications**

49. As outlined in the financial and policy implications, UC is a risk to the HRA through increased rent arrears, as well as the increased demand on the housing service at a time of increased budget pressures. Changes in working practices have already been put in place to mitigate these risks.

## Consultation

50. Consultation was carried out prior to the commissioning of the research with departmental officers in the Chief Executive's, Housing and Modernisation, and Finance and Governance departments. In addition to this we consulted with London Councils, Registered Providers operating within Southwark, and tenants through tenant representative groups.
51. The steering group acted as a conduit for ongoing consultation and feedback between the Smith Institute; the council and its partners; tenant representatives; and local community organisations.

## SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

### Director of Law and Democracy

52. Cabinet is asked to note the findings of the Smith Institute report Safe As Houses, as described in the report.
53. The council has the power, under section 1 Localism Act 2011, to do anything that an individual may do, within the restrictions outlined elsewhere in that Act. The commissioning of the research described in this report would be within the scope of this power.
54. Cabinet is reminded that the council is subject to the public sector equality duty in section 149 Equality Act 2010. This requires the council, in the exercise of all its functions, to have due regard to the need to
  - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The duty is a continuing one. Cabinet is referred to the community impact section of the report for an account of the analysis undertaken in this regard.

### Strategic Director of Finance and Governance

55. The Strategic Director of Finance and Governance notes the independent social research on the early impacts of Universal Credit among social housing tenants in Southwark. The financial implications are set out in paragraphs 31 to 33 of this report.

## APPENDICES

No.	Title
Appendix 1	Safe as Houses: the impact of universal credit on tenants and their rent payment behaviour in the London boroughs of Southwark and Croydon, and Peabody (circulated separately)

**BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Safe As Houses? Commissioning independent social research into the early impacts of Universal Credit and changes to arrangements for payment of housing cost support among social housing tenants in Southwark	Exchequer Division, Southwark Council, 1 <sup>st</sup> Floor, 160 Tooley Street	Paul Anderson 020 7525 708
<b>Link:</b> <a href="http://moderngov.southwark.gov.uk/ielssueDetails.aspx?Ild=50011495&amp;Opt=3">http://moderngov.southwark.gov.uk/ielssueDetails.aspx?Ild=50011495&amp;Opt=3</a>		

**AUDIT TRAIL**

<b>Cabinet Member</b>	Councillor Fiona Colley, Finance, Modernisation and Performance	
<b>Lead Officer</b>	Dominic Cain, Director of Exchequer	
<b>Report Author</b>	Eugene Nixon, Head of Strategy & Compliance	
<b>Version</b>	Final	
<b>Dated</b>	20 October 2017	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member for Finance, Modernisation and Performance</b>	Yes	Yes
<b>Deputy Leader &amp; Cabinet Member for Housing</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>	20 October 2017	

<b>Item No.</b> 13.	<b>Classification:</b> Open	<b>Date:</b> 31 October 2017	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Annual Workforce Report	
<b>Ward(s) or groups affected:</b>		All	
<b>Cabinet Member:</b>		Councillor Peter John, Leader of the Council	

## **FOREWORD - COUNCILLOR PETER JOHN, LEADER OF THE COUNCIL**

In November, cabinet agreed a suite of new strategies to help staff in the way they work so that we can be the best employer that we can, and so that our workforce is equipped to deliver the council's priorities for the people of the borough.

Each year, we produce an annual workforce report which provides progress, statistical information on staff and employment activity and this year includes gender pay gap reporting. The annual workforce report shows that our workforce is broadly reflective of the local community. It also provides a strong indication of the success of our apprenticeship and management programmes and that our workforce is developing the skills and knowledge that will enable us to deliver innovative and high quality services for all our customers in the future, recognised through our achievement of Investors in People Gold status.

Equality and diversity remains a strong focus at Southwark and the report highlights aspects that require further consideration as part of our equality work planning and development of our equality action plan which will set further equalities priorities and continued action to address any areas of concern and build upon areas where we are doing well.

The council has again faced unprecedented cuts to its budget from central government. Despite this we have managed to avoid compulsory redundancies and we maintain a productive and motivated workforce who tells us they are proud to work for Southwark, with low sickness rates, fewer complaints and a high level of retention.

I am proud that every day, residents across the borough are served by a team of talented, committed and hard working council officers who support the council's mission to deliver a fairer future for all in Southwark. This report shows we are committed to not just making Southwark a great place to live, but a great place to work too.

## **RECOMMENDATIONS**

That the cabinet

Notes the workforce report attached as Appendix 1 and that this report:

1. Demonstrates that the council continues to reflect the diversity of the borough in the makeup of its workforce and the levels of change that have taken place have not impacted negatively on the diversity of the workforce;

2. Demonstrates that the council has protected frontline staff despite the level of savings that have been made due to reductions in central government funding;
3. Suggests a picture of a productive and well motivated staff with low levels of sickness, low levels of staff complaints and good rates of staff retention.
4. Suggests that the council is an attractive employer given the high numbers of applications that the council receives;
5. Highlights how we will continue to inform Southwark's Workforce Strategy agreed by cabinet in November 2016 suggesting some areas requiring further consideration and action for example in encouraging staff to declare disabilities assisted by our HR system upgrade, so that the council can monitor our commitment to employing and retaining staff with disabilities.

## **BACKGROUND INFORMATION**

6. In November 2016 cabinet agreed a suite of strategies to help staff in the way they work and support the delivery of the council's priority outcomes. The workforce strategy will help us make sure that our people can deliver our corporate plans and priorities for our borough and as one council. This will help provide staff across the council with a more consistent experience, reduce bureaucracy and communicate to and between staff more effectively.
7. The Equality Duty 2010 is supported by specific duties which require public bodies to publish relevant, proportionate information annually demonstrating compliance. Information must be published in a way which makes it easy for people to access it and, for public bodies with 150 or more employees, to consider how their activities as employers affect people who share different protected characteristics. The span of information to be published is not specified within the Duty, but it is suggested that the following could be included:
  - composition of the workforce
  - pay equality issues; in Southwark this is shown by profile at different grades and includes new reporting requirements to publish gender pay gap data.
  - recruitment and retention rates;
  - learning and development opportunities;
  - grievances and disciplinary issues for staff with different protected characteristics.
8. Published information could also include plans to address equality concerns within the workforce, and information from staff surveys.
9. The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 placed a new requirement on employers in the public sector in England with 250 or more staff to publish their gender pay gap data, specifically:
  - their mean gender pay gap
  - their median gender pay gap
  - their mean gender bonus gap
  - their median gender bonus gap
  - the proportions of male and female employees who received bonus pay
  - the proportions of male and female employees in quartile pay bands.

10. To meet our obligations, the council produces an annual workforce report which includes a range of Human Resources (HR) related data. This year it will include the gender pay gap data for the first time. The report is published on the council's website. The 2016-17 report is attached at Appendix one.
11. Southwark's trade unions have been briefed on the workforce data and we will continue to work constructively with them on the development of the workforce equality plan.

### **KEY ISSUES FOR CONSIDERATION**

12. The workforce strategy has set out key employment related areas to support delivery of the council's fairer future promises:
  - New ways of working
  - Recruitment and retention
  - Management and leadership
  - Learning and development
  - HR and management policies
  - Pay and reward
  - Equality and diversity
  - Job design and organisational structure
  - Wellbeing and engagement.
13. The workforce report provides some key information to consider within the context of the workforce strategy.

### **Recruitment and retention**

14. Our strategy sets out the work we are doing to develop our employee brand so that we can continue to attract and retain high calibre staff, supported by effective recruitment and retention policies. Despite reductions in our workforce, it is as important as ever to improve our approach to workforce planning so that as the council and our services evolve we have the right staff with the right skills doing the right jobs.
15. The workforce has reduced from 4,538 at year end 2015-16 to 4,150 at year end 2016-17.
16. Despite having to make significant savings in 2016-17, the council has protected frontline staff from cuts where possible; in total, there was an 8.6% reduction in the workforce.
17. Throughout the year a total of 384 people left through the council's voluntary redundancy scheme which closed at the end of 2016. During 2016-17 no compulsory redundancies were made.
18. Competition for posts is vital to ensure the council is able to appoint the best quality candidates; in 2016/17, the council received almost 6,000 applications, averaging over 15 applications for each opening. This demonstrates that the council is seen as an attractive employer, in spite of the recent cuts to local government.

19. The council prides itself on ensuring that all applications are treated equally. In terms of gender and disability, the success of hired candidates remains proportionate to the percentages of people who applied.
20. 42% of those recruited were from a black or minority ethnic (BME) background. This data includes both internal and external recruitment. New starters to Southwark were evenly split between BME and white candidates which mirrors our existing establishment.
21. There was a difference between the percentage ultimately hired from BME communities (42%) and the percentage of BME applicants (61%). This is partially explained by the fact that those recruitment exercises with the largest number of applicants tend to be those with higher percentages of BME candidates, i.e. for jobs with more than 100 applicants, on average 75% of applicants were from BME backgrounds compared to an average across all roles of 64%.
22. Many candidates also make multiple (defined as more than three) applications to the council. 80% of multiple applicants are from BME backgrounds. Every separate application is included in the data. The most applications made by one candidate was 14 during the year.
23. 49% of promotions were amongst staff from BME backgrounds.
24. 269 people started work with the council during the year 2016-17. As expected, this number is much lower than the previous year when there were 451 new starters.
25. Those starting work during 2016-17 have not made any noticeable changes to the profile of our workforce in terms of gender, age or ethnic origin. 55% of staff hired during the year were female and 52% were from BME communities. 5% classified themselves as having a disability.
26. 81% of advertised posts were successfully recruited to during 2016-17. This is higher than our expectation of 75%.
27. A review of recruitment processes and timescales to improve a number of areas in recruitment as part of our workforce strategy has begun and modernisation of the candidate experience through a new look and feel job site allows applications from any smart mobile device.
28. In 2015-16 and 2016-17 combined, 82 apprentices/ trainees have completed their programme - 56 have secured jobs with the council and 16 with other employers including our contractors, 13 have progressed to higher level apprenticeships or to university while only 9 have left the programme without completing their studies & without securing a permanent job immediately following the programme. This represents a success rate of 90%.
29. 3.6% of our workforce are aged 16 to 24 years of age. This is higher than the London average of 3.3%.
30. Agency workers are not employees of the council, but they are an important part of our resourcing arrangement. There has been an increase in the number of workers on assignment compared to last year while restructures and recruitment are pending. The "snapshot" across 2016-17 shows that at the end of March 2017, 489 individuals (8.4% of the workforce) were agency staff.

### **Learning and development**

31. We have committed to creating a workplace where staff enjoy what they do and have opportunities to develop and share their knowledge with others. We wish to ensure that learning and development opportunities will always enable better performance in existing job and/or help staff to progress within the council.
32. Investors in People awarded Southwark Gold status in August 2015, as recognition of our investment in staff learning and development. Only 14% of the companies awarded Investors in People status achieved the Gold standard in 2015. We are due for reaccreditation in 2018.
33. There has been provision of a comprehensive set of training programmes. Over 3,900 training events were recorded across the workforce in 2016-17.
34. The proportion of those attending is broadly in line with the profile of our workforce although fewer male staff attended training compared to female staff. This will be addressed through a number of mechanisms e.g. performance management, developing strategies that encourage learning and development to all staff equally.

### **Pay and reward**

35. Our most valued resource is our staff and we want ensure that the rewards of working for Southwark are attractive, modern, and relevant to the aspirations of our workforce.
36. The performance management scheme links the performance of the employee to the attainment of organisational aims. Under the scheme staff may be recommended for an incremental award on 1 April in each year (until they reach the maximum point of their grade). In 2017, 73% of the workforce were eligible for an increment. 67% of employees received an increment which is slightly higher than the previous year.
37. The London Living Wage is in place and maintained across the entire workforce. Staff benefits including season ticket loans, bike scheme, free gym and swim and childcare vouchers continue to be available. 85% of staff are in the pension scheme.
38. The gender pay gap data shows that the average pay for female staff is above the average pay for male staff. This is predominantly driven by the fact that we have a large in-house street cleaning service where roles are at the lower grades in our structure. The majority of that staff group is male.
39. Bonuses are only in place within our traded service, e.g. for electricians and plumbers. This is almost entirely a male staffed service and the average bonus pay is higher for men. This is influenced by the additional shifts they carry out which the legislation requires us to include. The scheme is under review.

### **HR and management policies**

40. We want to ensure that our HR and management policies and procedures add value and improve our management practices.



41. The workforce report shows a relatively low number of disciplinary investigations and actions across the workforce and there are low numbers of staff complaints. The number of staff subject to disciplinary or capability actions are few and equate to less than 1% of the workforce although they can be time consuming to manage. We focus in particular on hotspots although the relatively low numbers overall may be considered as an indicator that the council has robust and compliant processes in place and that the vast majority of staff have engaged positively with these.
42. Cases are regularly reviewed to identify themes and patterns which may inform improvements to our practice and policies.
43. The number of BME staff subject to disciplinary, capability, complaints and respect at work complaints compared to white staff is broadly in line with the workforce profile.

### **Equality and diversity**

44. Southwark is hugely proud of our diverse and vibrant local community and we want to reflect these at all levels within the council.
45. It is important that the council reflects the diversity of Southwark. In terms of gender, ethnicity, age and disability, the council reflects the borough. For example, 50.5% of Southwark is female and 51% of the council's staff are female. Similarly, 45.8% of Southwark's residents belong to a Black and Minority Ethnic (BME) group and 49% of staff are BME.
46. The number of BME and female staff at JNC level (grade 14 and above) at year end 2016-17 has increased this year from 14.5% to 15.8% for staff from BME backgrounds and from 46.3% to 48.2% for female staff. These increases are positive, but we will look to introduce initiatives for increasing the representation at senior levels in the organisation amongst staff from BME backgrounds.
47. The number of staff declaring a disability (2.7%) fell for the third year and is now under the London average of 4.0%, which has also experienced a reduction over time. This has been impacted due to a larger percentage of leavers (9%) in 2016-17 being disabled. Southwark has been a Two Tick disability employer (now Disability Confident Employer) for the last nine years, recognising our commitment to employing and retaining staff with disabilities.
48. Whilst new employees are encouraged to declare any disability at recruitment, it is recognised that existing employees who develop disabilities during their employment need to be encouraged to declare this. Early results from the staff survey conducted in 2017 show 10% of staff declaring a disability. As part of the 2018 improvements to our HR system (SAP), we will ask staff to update their details.
49. The broad ethnic origin of staff leaving the council is balanced with 46% BME staff and 53% white staff leaving and broadly similar to the workforce.

### **Wellbeing and engagement**

50. We want our staff to enjoy coming to work and to do a brilliant job. It is important to us to provide a working environment that is welcoming, supportive, empowering, professional and safe.

51. The results from the 2017 staff survey showed that a significant majority of employees (78% of the respondents) are proud to work for Southwark. The majority of staff (66%) would speak highly of the council as an employer and service provider. 89% understand how their work contributes to the success of the organisation. In general Southwark compares favourably to local government benchmarks and shows improvements since the 2015 survey.
52. Sickness absence rates showed another decrease this year, with an average of 6.2 days per employee. This is a continued reduction over the past three years and continues to be lower than the average sickness rates across London boroughs, currently 7.8 days per employee. 55% of the workforce had no sickness absence during the year 2016-17, a slight reduction on last year at 51%.
53. At present a high percentage of sickness absence does not have a recorded reason and it is likely that this is resulting in underreporting of stress, depression and anxiety related absence which we know is the primary cause of sickness absence in the public sector. Changes are being made to our systems to improve data capture and allow us to better target health interventions.
54. The council formally holds the achievement level of the London Healthy Workplace Charter having provided detailed evidence against criteria on leadership, health and safety, attendance management, smoking, healthy eating, physical activity, mental health and wellbeing and alcohol and substance misuse. This work continues through the Health and Wellbeing steering group.

### **Management and leadership**

55. Our success in being a good employer and in delivering on our promises to our residents depends on the support, energy and professionalism of our managers and leaders. We need to ensure that managers and leaders have the knowledge, confidence and tools to support and develop staff, make fair decisions and are clear what it means to successfully deliver services in Southwark.
56. Our Leadership and Management Development programme offers managers at different levels the opportunity to enhance their skills and knowledge to progress their careers. The programme is endorsed by the Institute of Leadership and Management (ILM). Since the leadership programme commenced in 2014, 234 managers have completed the programme.
57. We continue to take steps to support career progression into more senior roles, particularly for women and those from BME backgrounds who are underrepresented at our more senior levels. We will be introducing a new approach to coaching and mentoring over the coming year and continue to work closely with groups such as the Women's Network who run a series of successful events and training focusing on e.g. career boosting.

### **Policy implications**

58. Some action points may require amendments to existing HR policy as part of the development of the workforce strategy and will be subject to the appropriate approval process.

### **Community impact statement**

59. Analysis and ongoing evaluation of the equality impact is fundamental to the Workforce Strategy. Our workforce reporting provides information demonstrating compliance with the Equality Duty and considers how the strategy affects people who share different protected characteristics. The workforce report informs the strategy and analyses the impact upon :
- composition of the workforce
  - pay equality issues; reporting on profile at different grades
  - recruitment and retention rates
  - learning and development opportunities;
  - grievances and disciplinary issues for staff with different protected characteristics.
60. This analysis of the reporting information influences plans and proposals to address equality concerns within the workforce.
61. Any policy changes will be subject to impact assessments.

### **Resource implications**

62. There are no specific implications arising from this report. Existing resources are already in place to meet the strategic aims. Any actions arising which have resource effects will be subject to separate decision-making process and reallocation within existing budget.

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

#### **Director of Law and Democracy**

63. The director of law and democracy notes the content of the report.
64. The report asks cabinet to note the contents of the appended Annual Workforce Report.
65. Cabinet are reminded of the General PSED Duty under section 149 of the Equality Act 2010 to have due regard to the need to:
- a. Eliminate discrimination, harassment, victimisation or other prohibited conduct;
  - b. Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it;
  - c. Foster good relations between person who share a relevant protected characteristic and those who do not share it.
66. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Marriage and civil partnership are protected in relation to (a) only.
67. Cabinet's attention is drawn to paragraph 4 of the Report which sets out the new requirement, under the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017, for public authorities to publish specified information relating to the gender pay gap in their organisation in addition to the existing requirements under the duty to annually publish proportionate equality information in respect of

their workforce (Specific PSED Duty), to demonstrate their compliance with the General PSED Duty.

68. In producing and publishing the Annual Workforce Report as appended to this Report the council is meeting that Specific PSED Duty.
69. The PSED General Duty is a continuing one; the Annual Workforce Report and the new Workforce Strategy referred to in paragraph 1.5 of the Report will assist the council in complying with that General Duty.

### **Strategic Director of Finance and Governance**

70. The strategic director of finance and governance notes the recommendations in this report. Where the updates to the council's workforce strategy have financial implications, these will be managed within the existing agreed budgets for the council's general fund and housing revenue account.

### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
None		

### **APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Workforce Report 2016-17

### **AUDIT TRAIL**

<b>Cabinet Member</b>	Councillor Peter John, Leader of the Council	
<b>Lead Officer</b>	Gerri Scott, Strategic Director of Housing and Modernisation	
<b>Report Author</b>	Julie Foy, Head of Human Resources	
<b>Version</b>	Final	
<b>Dated</b>	19 October 2017	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>	19 October 2017	



## APPENDIX 1 - Workforce report 2016-17

This report looks at the profile of employees and at human resources management activities over financial year 2016–17

### Scope

1. It covers all departments of the council and directly employed substantive employees. It therefore excludes those under the management of schools.
2. All departmental details will relate to organisational structures as at year end 2016-17.
3. All workforce profile data will be at the end of the year 2016-17.
4. All data related to the outcomes of HR activity will cover the period April 2016 – March 2017, unless stated.
5. For completeness, information is given on the numbers of agency workers engaged. They are an important addition to our workforce resources but do not have a direct contractual relationship with the council and therefore details are limited.
6. The data used in this report is rounded up or down. It is for this reason that, on occasions, tables may not add up to 100%.

### Content

The report –

1. Begins with key data. This includes an overview of employees' profile and some comparative data from previous years.
2. Looks at the profile of the council's employees against each protected characteristic where information is available (gender, ethnic origin, age, disability).
3. Will, for the first time, include gender pay gap data as set out in legislation. Previous reports have included gender data, but new requirements include specified formulas.
4. Will be discussed with the constituent trade unions.

The report will be published on the council's intranet, (the Source), and the Southwark website; [www.southwark.gov.uk](http://www.southwark.gov.uk)

## Contents

Please click on the links below

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- [Performance Management](#)
- [Sickness](#)
- [Learning & Development](#)
- [Disciplinary Investigations & Outcomes](#)
- [Capability Action & Outcomes](#)
- [Staff Complaints](#)
- [Respect at Work](#)
- [Recruitment](#)
- [Agency Workers](#)

[Appendix 1 Information on the community in Southwark & other London Boroughs](#)

## Key data - Workforce 2016 - 17

The details below pull out some key information from the report that follows about the workforce. It aims to provide a quick reference and to give context by looking at details from previous years where comparisons can be made.

Year 2016-17			Context		
<b>Number of employees (headcount)</b>			Number of employees		
<b>4150</b>			<b>Year</b>	<b>No.</b>	
			Year 2016-17	4150	
			Year 2015-16	4538	
			Year 2014-15	4847	
			Year 2013-14	4814	
<b>Gender Profile of Employees</b>			Gender Profile		
	Number	%	<b>Year</b>	<b>% Female Employees</b>	
Female	2108	51%	Year 2016-17	51%	
Male	2042	49%	Year 2015-16	51%	
			Year 2014-15	52%	
			Year 2013-14	52%	
<b>Broad Ethnic Profile</b>			Broad Ethnic Profile		
	Number	%	<b>Year</b>	<b>% BME employees</b>	<b>% White employees</b>
BME employees	2005	49%	Year 2016-17	49%	51%
White employees	2111	51%	Year 2015-16	48%	52%
Total	4116	100%	Year 2014-15	49%	51%
Excludes those with no ethnic origin stated = 34 employees			Year 2013-14	48%	52%
<b>Employees with Disabilities</b>			Disability		
	Number	%	<b>Year</b>	<b>% Disabled</b>	
Employees	99	2.7	Year 2016-17	2.7%	
			Year 2015-16	3.3%	
			Year 2014-15	4.0%	
			Year 2013-14	4.1%	
<b>Average age of the workforce</b>			Age		
<b>45.2 years</b>			<b>Year</b>	<b>Average age (years)</b>	
			Year 2016-17	45.2	
			Year 2015-16	45.1	
			Year 2014-15	45.2	
			Year 2013-14	44.9	

## Section 1: Workforce Numbers & Employee Profiles

1. The headcount of employees was 4,150. This excludes casual workers and others who are not directly employed such as agency workers. A workforce population of 4150 is a reduction of 8.6% of employee numbers in 2015-16. (*Key Data*).
2. Southwark has a similar size workforce to boroughs such as Islington, Tower Hamlets, Camden and Hackney who have similarly retained key services in-house rather than outsourcing. The average size of London boroughs for 2016/17 was 2,666 and 3,119 for inner London boroughs.
3. Employees in the three service departments make up 83% of the council's workforce (Children's & Adults; Environment & Leisure; Housing & Modernisation). (*Reference data 1*)
4. The highest percentage of part time employees is in Children's & Adults' Services (17%). Overall 13% of all employees work part time. (*Reference data 2*)

Reference data 1

### Employee numbers by department

	Numbers (headcount)	% of total
Chief Executive's Department	194	5%
Children's & Adults Services	1146	28%
Environment & Social Regeneration	1319	32%
Finance & Governance	553	13%
Housing & Modernisation	938	23%
Total	4150	100%

Reference data 2

### Distribution of full time & part time employees per department & Council wide

	Male		Female	
	Full-time	Part-time	Full-time	Part-time
Chief Executive's Department	51.0%	1.0%	39.7%	8.2%
Children's & Adults Services	22.4%	1.2%	60.6%	15.8%
Environment & Social Regeneration	71.0%	5.1%	16.1%	7.8%
Finance & Governance	42.1%	1.1%	48.6%	8.1%
Housing & Modernisation	44.0%	1.1%	44.9%	9.6%
Total	46.7%	2.5%	40.3%	10.5%



## Gender

5. The percentages of female and male employees are similar; 51% of employees are female; 49% are male. (*Reference data 3*). The gender split shows a small change (1%) from the previous year, (*Key Data*). The gender breakdown in council employment is similar to the female population in Southwark (50.5%) and is slightly lower than the average across London boroughs (58%). (*Appendix 1*)
6. There are greater differences in the gender breakdown when looking at a departmental level. (*Reference data 3*). In particular, Environment has a high percentage of male staff compared to the rest of the Council largely due to areas such as waste and cleansing and traded/building services.
7. There are higher percentages of male employees than female employees in the grades 1-5, amongst building workers and in the higher grade bands, although the total numbers of employees grade 17 and above are relatively small (*Reference data 4*)

Reference data 3

### Gender breakdown per department as percentages

	Female	Male
Chief Executive's Department	48%	52%
Children's & Adults Services	76%	24%
Environment & Social Regeneration	24%	76%
Finance & Governance	57%	43%
Housing & Modernisation	54%	46%
Total	51%	49%

Reference data 4

**Grade distribution, gender and disability**

Grade band	Total	Female	Male	Disabled staff
<b>Grades 1-5</b>	<b>1067</b>	<b>320</b>	<b>747</b>	<b>17</b>
%	100%	30%	70%	2% <sup>1</sup>
<b>Building Workers</b>	<b>75</b>	<b>2</b>	<b>73</b>	<b>1</b>
%	100%	3%	97%	1% <sup>1</sup>
<b>Grades 6 - 9 or equivalent</b>	<b>1568</b>	<b>943</b>	<b>625</b>	<b>51</b>
%	100%	60%	40%	3% <sup>1</sup>
<b>Grades 10-12 + Social Work</b>	<b>1148</b>	<b>689</b>	<b>459</b>	<b>24</b>
%	100%	60%	40%	2% <sup>1</sup>
<b>Grades 14-16</b>	<b>203</b>	<b>100</b>	<b>103</b>	<b>6</b>
%	100%	49%	51%	3% <sup>1</sup>
<b>Grades 17 &amp; above</b>	<b>19</b>	<b>7</b>	<b>12</b>	
%	100%	37%	63%	
<b>Teacher conditions</b>	<b>14</b>	<b>11</b>	<b>3</b>	
%	100%	79%	21%	
<b>Soulbury conditions</b>	<b>39</b>	<b>30</b>	<b>9</b>	
%	100%	77%	23%	
<b>Other<sup>2</sup></b>	<b>17</b>	<b>6</b>	<b>11</b>	
%	100%	35%	65%	
<b>Total</b>	<b>4150</b>	<b>2108</b>	<b>2042</b>	<b>99</b>

<sup>1</sup> Percentage in that grade band<sup>2</sup> TUPE conditions (various)

8. The Equality Act 2010 (Gender Pay Gap Information) Regulations 2017 place a new mandatory requirement to report annually on our gender pay gap and publish the following information:
- the mean and median gender pay gap which is the difference between the mean and median hourly rate of pay of male full-pay relevant employees and that of female full-pay relevant employees, expressed as a percentage of the male mean.
  - the mean and median gender bonus gap which is the difference between the mean and median bonus pay paid to male relevant employees and that paid to female relevant employees, expressed as a percentage of the male mean.
  - the proportions of male and female employees who received bonus pay.
  - the proportions of male and female employees in quartile pay bands.
9. Pay includes gross full pay April 2017 pay data for all staff and includes basic pay, certain allowances and shift payments. It does not include overtime payments.
10. Bonus includes gross bonus payments in a 12 month period i.e. 6th April 16 to 5th April 17 includes bonus payments received by building and trades staff in Building Services and Asset Management. They are paid on a productive

pay system (in place since 1994) wherein employees accumulate standard minute values for each task completed. It is based on output for work generated over and above the required level, over a specified period. This accumulates to a bonus payment.

11. Employers must not treat a woman less favourably than a man or a man less favourably than a woman in its pay arrangements on the basis of gender. The gender pay gap is the difference between the average pay of men and women expressed as a percentage.
12. **The mean gender pay gap:** Southwark council has a mean gender pay gap of -10.69%. This indicates that on average Southwark male employees are paid lower than Southwark female employees by approximately 10.69%.
13. **The median gender pay gap:** Southwark council has a median gender pay gap of -10% which suggests that typically Southwark male employees are paid at around 10% lower than Southwark female employees. The hourly median pay for females is £18.23 compared to £16.58 for males.
14. **The average Bonus Pay:** Southwark Council has a mean bonus gender pay gap of 74%. In the period to 6 April 2017, approximately 4.12% of Southwark male employees were paid a bonus payment compared to 0.04% of Southwark female employees. The data is based on the only relevant operational bonus scheme for building and trades staff in Building Services and Asset Management. This is a local longstanding scheme (since 1994) rooted in national conditions. A review of how the bonus payments are awarded in this area revealed no issues of inequality or irregularity based on gender. The bonus scheme is under review and is likely to be replaced following consultation.
15. **The proportion of male and female employees in each quartile pay band:** The distribution of men and women through the pay bands by quartile, as shown above, does not reflect the overall gender composition of the workforce which is 51.7% male and 48.3% female. Notably, the proportion of men and women in the lower quartile (shown as quartile1) is the *furthest* from the overall gender composition of the workforce at 33.46% female, 66.54% male. A review of the data highlights that for the quartile, there were 1061 employees, 408 of which were cleaning operatives (a male dominated job role); 394 of the 408 cleaning operatives were male.

#### Gender pay gap

Gender Pay Indicator	Percentage Gap
Difference in mean hourly rate of pay	-10.69%
Difference in median hourly rate of pay	-10.00%
Difference in mean bonus pay	73.87%
Difference in median bonus pay	54.14%
Proportion of male employees who were paid a bonus	4.12%
Proportion of female employees who were paid a bonus	0.04%

<b>Gender Pay Indicator – Quartile Distribution</b>	<b>Female</b>	<b>Male</b>
Quartile 1	33.46%	66.54%
Quartile 2	59.04%	40.96%
Quartile 3	56.12%	43.88%
Quartile 4	55.56%	44.44%

## Disabilities

9. Southwark records actual employee declarations of a disability. Since the introduction of the Disability Discrimination Act when the use of strict externally set criteria to determine “disability” ceased, self declaration is appropriate. It is known that some other boroughs determine the disability average by extrapolating from survey data or use sickness absence rates as a marker. This is not our preferred approach. The average across London boroughs is 5.7%, (*Appendix 1*).
10. The percentage of people formally declaring a disability, 2.7% has reduced by 0.6% compared to the previous year (*Key Data*). There are differences between departments. (*Reference data 5*).
11. As part of our biannual employee survey, we ask staff whether they consider themselves to have a disability. 10% said they do, which is significantly higher than our formal records and indicates that not all disabled staff are formally declaring their disability.
12. The percentages of employees with disabilities are lowest on Building Worker grades. There are some grade bands where there are no staff with a declared disability. This applies to those grade bandings where numbers of staff are few. (*Reference data 4*)

### Reference data 5

#### Staff with disabilities as percentage of departmental numbers

	Disabled
Chief Executive's Department	2.6%
Children's & Adults Services	3.1%
Environment & Social Regeneration	1.7%
Finance & Governance	3.3%
Housing & Modernisation	3.3%
Total	2.7%

## Ethnic Origin

13. There are a small number of employees who do not have an ethnic origin record, 34 employees (less than 1%), this compares with an average of 11.4% across London boroughs who do not have an ethnic origin (*Appendix 1*). Those with no ethnic origin data recorded are predominately people who joined the council under TUPE agreements. (*Key data*).
14. There is no significant change in the percentages of employees who classify themselves as white (51%) or from black and minority ethnic groups (49%) compared to the previous year. (*Key Data*).
15. When looking at broad ethnic groups the percentages of employees from White and from BME communities are very similar to the percentages in the Southwark community, where 54% of the population classify themselves as White. (*Appendix 1*). Across London boroughs those employees who classify themselves as White average 61%. (*Appendix 1*).

### Reference data 6

#### Broad ethnic origin of employees as percentage of departmental numbers

	Asian	Black	Mixed	Other	<i>BME employees</i>	White
Chief Executive's Department	8%	17%	3%	4%	32%	68%
Children's & Adults Services	6%	37%	4%	2%	49%	51%
Environment & Social Regeneration	3%	33%	3%	4%	43%	57%
Finance & Governance	8%	33%	3%	3%	47%	53%
Housing & Modernisation	7%	45%	6%	3%	61%	39%
<b>Total across the council</b>	<b>6%</b>	<b>36%</b>	<b>4%</b>	<b>3%</b>	<b>49%</b>	<b>51%</b>

16. The percentages of White employees compared to BME employees change through the grades. Apart from those in Building Worker grades, up to grade 9 there are higher percentages of BME staff than percentages of White staff. This changes at grades 10-12 and the percentages of BME employees are low in grades 14 and above. (*Reference data 7*)

## Reference data 7

**Grade distribution, broad ethnic origin**

Grade band	BME employees	White	Not Stated	Total
Grades 1-5	<b>581</b>	<b>482</b>	4	1067
% <sup>1</sup>	55%	45%		
Building Workers	<b>27</b>	<b>48</b>		75
% <sup>1</sup>	36%	64%		
Grades 6 - 9 or equivalent	<b>892</b>	<b>652</b>	24	1568
% <sup>1</sup>	58%	42%		
Grades 10-12 +SW's	<b>453</b>	<b>691</b>	4	1148
% <sup>1</sup>	40%	60%		
Grades 14-16	<b>33</b>	<b>168</b>	2	203
% <sup>1</sup>	16%	84%		
Grades 17 & above	<b>2</b>	<b>17</b>		19
% <sup>1</sup>	11%	89%		
Teacher conditions	<b>4</b>	<b>10</b>		14
% <sup>1</sup>	29%	71%		
Soulbury conditions	<b>5</b>	<b>34</b>		39
% <sup>1</sup>	13%	87%		
Other <sup>2</sup>	<b>8</b>	<b>9</b>		17
% <sup>1</sup>	47%	53%		
<b>Total</b>	<b>2005</b>	<b>2111</b>	<b>34</b>	<b>4150</b>

<sup>1</sup> Excludes those where ethnic origin not supplied.

<sup>2</sup> TUPE conditions (various)

## Age

17. The average age of employees is 45.3 years. (*Key Data*). There is not a significant range (44-48) across London but our average is similar to the median age of 45.8 years and younger than the majority of London boroughs (*Appendix 1*).
18. The largest staff group is in the 40-54 years banding (44%) (*Reference data 8*) although we are in the upper quartile in London for the 25-39 age group, which has increased since last year.

Reference data 8

### Employees per age band as percentage of total workforce numbers

	%
16 to 24	3.6%
25 to 39	30.8%
40 to 54	43.8%
55+	21.9%

## Length of Service

19. Employees' length of service is on average 9 years. It must be noted however that the average service will be impacted by the large percentage of employees who have over 10 years' service. (*Reference data 9*)

Reference data 9

### Employees' length of service & service bandings - total workforce numbers

Average (mean) length of service	9 years
<b>Length of service – bands</b>	<b>% of employees</b>
Less than 1 year	7.5%
1 to <2 years	8.6%
2 to <3 years	8.4%
3 to <5 years	16.1%
5 to <10 years	21.9%
10 to <15 years	19.6%
15 to 20 years	6.5%
20+ years	11.4%
<b>Total</b>	<b>100%</b>



## Gender Reassignment, Religion or belief and Sexual Orientation

20. Whilst our employee monitoring data does not currently include gender reassignment, religion or sexual orientation, for the first time, our biannual employee survey asked staff to respond to questions relating to these protected characteristics.
21. Less than 0.5% of staff indicated that their gender identity does not match the gender assigned at birth.

Religion	%
Christian	44%
Buddhist	1%
Hindu	1%
Jewish	<0.5%
Muslim	3%
Sikh	<0.5%
No religion	27%
Other faith / religion / belief	4%
Prefer not to say	20%
Not provided	<0.5%

Sexual orientation	%
Heterosexual	77%
Gay woman/ lesbian	1%
Gay man	3%
Bisexual	1%
Other	1%
Prefer not to say	17%
<b>Total</b>	<b>100%</b>

## Section 2: Changes in the Workforce

### Starters

22. There were 269 people who had started work with the council within the year. The table below shows the person's department at the end of the financial year not necessarily the department at commencement. (*Reference data 10*)
23. Those starting during this period have not resulted in any notable changes to the profile of the workforce in terms of gender, age or ethnic origin (*Key data*).

Reference data 10

#### Number of starters & department

	Numbers of starters (headcount)
Chief Executive's Department	13
Children's & Adults Services	83
Environment & Social Regeneration	48
Finance & Governance	39
Housing & Modernisation	86
Total	269

### Leavers

24. This section provides a detailed look at the reasons why people leave the organisation and their profile.
25. The dominant reasons for people leaving were on a voluntary basis, i.e. voluntary redundancy, resignation, career breaks, retirement. Other reasons attracted relatively small numbers of employees.
26. The most common reason for leaving during 2016-17 was voluntary redundancy. The profile of disabled staff leaving on the basis of voluntary redundancy was 5%. This has resulted in a notable reduction of the profile of the percentage of the disabled staff workforce (2.7%).
27. Further scrutiny of those who left on the basis of dismissal, e.g. disciplinary or capability, appears in the relevant sections later in this report.

## Reference data 11

**Leavers by reason, gender and disability**

Reason for Leaving	Number	Female %	Male %	Total	Of those disabled %
Career Break	6	67%	33%	100%	0%
Deceased	4	75%	25%	100%	50%
Dismissal – Capability	2	50%	50%	100%	0%
Disciplinary Dismissal	9	11%	89%	100%	25%
Expiration of Contract <sup>1</sup>	28	61%	39%	100%	7%
End of shared service	9	67%	33%	100%	0%
Redundancy	384	59%	41%	100%	11%
Resignation	283	56%	44%	100%	6%
Retirement Age	25	36%	64%	100%	12%
Retirement Early	6	67%	33%	100%	33%
Retirement Ill Health	8	25%	75%	100%	38%
<b>Total</b>	<b>764</b>	<b>57%</b>	<b>43%</b>	100%	<b>9%</b>

## Reference data 12

**Leavers by reason, BME employees, White employees**

	No.	BME employees %	White employees %	Not stated %	Total
Career Break	6	100%	0%	0%	100%
Deceased	4	50%	50%	0%	100%
Dismissal – Capability	2	50%	50%	0%	100%
Dismissal	9	33%	67%	0%	100%
Expiration of Contract <sup>1</sup>	28	71%	25%	4%	100%
Outsourced	9	56%	44%	0%	100%
Redundancy	384	50%	49%	1%	100%
Resignation	283	41%	58%	1%	100%
Retirement Age	25	16%	84%	0%	100%
Retirement Early	6	33%	67%	0%	100%
Retirement Ill Health	8	50%	50%	0%	100%
<b>Total</b>	<b>764</b>	<b>46%</b>	<b>53%</b>	<b>1%</b>	100%

## Reference data13

**Leavers by reason & age bands**

	No.	16 - 24	25 - 39	40 - 54	55 +	Total
Career Break	6	17%	50%	33%	0%	100%
Deceased	4	0%	0%	50%	50%	100%
Dismissal – Capability	2	0%	100%	0%	0%	100%
Dismissal	9	0%	44%	33%	22%	100%
Expiration of Contract <sup>1</sup>	28	25%	43%	14%	18%	100%
Outsourced	9	0%	11%	56%	33%	100%
Redundancy	384	0%	16%	41%	43%	100%
Resignation	283	7%	52%	31%	10%	100%
Retirement Age	25	0%	0%	0%	100%	100%
Retirement Early	6	0%	0%	0%	100%	100%
Retirement Ill Health	8	0%	0%	75%	25%	100%
<b>Total</b>	<b>764</b>	<b>4%</b>	<b>30%</b>	<b>35%</b>	<b>31%</b>	100%

<sup>1</sup> Includes staff on apprentice contracts

## Section 3: Performance Management

This monitor looks at incremental awards in 1st April 2017.

28. 73% of the workforce were eligible for an incremental award in 2017. Figures below relate to the percentage of staff who were eligible for an increment.
29. The awards this year (67%), higher than the previous two years. (*Reference data 14*)

Reference data 14

### Incremental awards – Council wide position

Incremental awards	Increment given	No increment given
2013 % of employees	56%	44%
2014 % of employee	74%	26%
2015 % of employees	58%	42%
2016 % of employees	55%	45%
2017 % of employees <sup>1</sup>	67%	33%

<sup>1</sup> Data for incremental awards 2017 as at 20<sup>th</sup> July 2017

Reference data 15

### Incremental awards by gender

Outcomes & % of employees	Female	Male
Increment Given	68%	66%
No Increment Given	32%	34%
Total	100%	100%

Reference data 16

### Incremental awards by disability

Outcomes & % of employees	Not Disabled	Disabled
Increment Given	67%	72%
No Increment Given	33%	28%
Total	100%	100%

Reference data 17

### Incremental awards by broad ethnic origin

Outcomes & % of employees	Asian	Black	Mixed	Other	White	Not Stated
Increment Given	69%	68%	69%	68%	67%	50%
No Increment Given	31%	32%	31%	33%	33%	50%
Total	100%	100%	100%	100%	100%	100%

Reference data 18

**Incremental awards by age band**

<b>Outcomes &amp; % of employees</b>	16 to 24	25 to 39	40 to 54	55 & over
Increment Given	58%	68%	68%	63%
No Increment Given	42%	32%	32%	37%
Total	100%	100%	100%	100%

## Section 4 – Sickness

30. Average sickness per person of 6.20 days, showed a decrease of 0.4 days per person (Reference data 19). This is lower than the average sickness across London boroughs of 7.8 days. (Appendix 1). Of note is the significant proportion of staff who had no sickness absence during the year (56%).
31. There are multiple recorded reasons for sickness which are grouped as shown (*Reference data 20*). The “internal disorders” grouping alone covers over a hundred conditions, but will include chronic health disorders such as angina, chest infections, stroke etc.
32. At present a high percentage of sickness absence does not have a recorded reason and it is likely that this is resulting in underreporting of stress, depression and anxiety related absence which we know is the primary cause of sickness absence in the public sector. Changes are being made to our systems to improve data capture.
33. Occupational health data shows us that a high proportion of referrals are related to mental health conditions.

Reference data 19

### Annual average days’ sickness per person over five years

Year	Average sickness absence (Excludes schools)
2010-11	7.74
2011-12	4.67
2012-13	7.49
2013-14	7.77
2015-16	6.63
2016-17	6.20

Reference data 20

### Recorded reasons for sickness absence 2016-176

(<sup>1</sup>) Excludes where not stated

Reason	%
Muscular Skeletal	26.0%
Internal Disorders	20.8%
Neurological	12.9%
Infectious Disease	9.0%
Stress depression	8.0%
ENT dental & Skin	4.4%
Disability Related	3.9%
Accident / Injury	3.9%
Chest respiratory	3.3%
Pregnancy & Related	3.2%
Cancer	1.6%
Back problems	1.5%
Heart blood pressure	1.1%
Mental health	0.3%
Genito urinary	0.2%

## Section 5 – Learning & Development

34. It is stressed that the data below shows training activities coordinated by the corporate Organisational Transformation (OT) team and recorded in the council's Learning Management System (LMS). Managers and staff record all other training/ learning and development locally. The OT team have procured a new learning management system which will improved reporting, and this will be introduced in the third quarter of 2017/18.
35. The data suggests that when looking at training events:-
- The proportion of those attending is broadly in line with the proportion of people from different ethnic groups in the workforce, (*reference data 21*)
  - The proportion of people who are disabled attending training events is higher than the proportion of disabled staff (2.7%) in the workforce. (*Reference data 22*)
  - The proportion of women attending training events is higher than the proportion of women (51%) in the workforce. (*Reference data 23*)

Reference data 21

### Employees attending training coordinated by OT & their ethnic origin<sup>1</sup>

	Events	% of those attending
BME	1674	43%
White	1511	39%
Not Stated	734.5	19%
<b>Total</b>	<b>3919.5</b>	<b>100%</b>

Reference data 22

### Employees attending training coordinated by OT & whether they have a disability<sup>1</sup>

	Events	% of those attending
Disabled	182.5	5%
Not Disabled	3737	95%
<b>Total</b>	<b>3919.5</b>	<b>100%</b>

Reference data 23

### Employees attending training coordinated by OT & their gender<sup>1</sup>

	Events	% of those attending
Female	2798	71%
Male	1121.5	29%
<b>Total</b>	<b>3919.5</b>	<b>100%</b>

36. Southwark is very committed to supporting the development of its workforce. There are two well-established programmes to support this across the organisation. The first, apprentices and first entry training support entry into the council and the second, leadership and management qualifications through the Institute of Leadership and Management. 74 managers have started a new management programme at levels 2, 3 and 5 in 2016/17. Since the inception of the ILM programme in 2014, 234 managers have completed an ILM programme, and 98 are partly through their studies.

37. Southwark has a council plan target to have 3% of the workforce who are apprentices or first entry trainees. The total of individuals in Southwark over 2016/17 was 98 apprentices and 28 trainees, or a total of 126 which equates to 3.03% of the workforce.



## Section 6 - Disciplinary Investigations & Outcomes

38. Note – two separate activities are described in this section; staff subject to disciplinary investigation and the outcomes of disciplinary hearings. The information below is not necessarily linked, i.e. some of the cases are captured in “investigations” would not have reached the stage of a completed disciplinary hearing.
39. The number of staff who were subject to disciplinary investigation and/or disciplinary action is a very small percentage of all employees, 0.8% (*Reference data 24 & Key Data*).
40. On 13 occasions disciplinary actions resulted in either a warning or dismissal. (References data 26 & 27). Those subject to such actions are 0.3% of all employees, (key data). Where there are such small numbers drawing conclusion based on more detailed levels, e.g. gender, ethnic profile or disability is questionably statistically valid.
41. It is difficult to draw conclusions from relatively low numbers when considered against the overall workforce. However these numbers should be subject to further analysis and monitoring to ascertain whether more detailed action is necessary.

### Reference data 24

#### Investigations by gender & by disability

	Female	Male	Total	Of those - disabled
Disciplinary Action Pursued	11	14	25	1
In Progress	4	4	8	1
<b>Total<sup>1</sup></b>	<b>15</b>	<b>18</b>	<b>33</b>	<b>5</b>

<sup>1</sup> Note in addition 2 investigations resulted in a guidance interview; on 10 occasions there was no further action; on 8 occasions the employee left before the investigation concluded.

### Reference data 25

#### Investigations by broad ethnic origin

	BME employees	White employees	Total
Disciplinary Action Pursued	12	13	25
In Progress	4	4	8
<b>Total<sup>1</sup></b>	<b>16</b>	<b>17</b>	<b>33</b>

<sup>1</sup> Note in addition 2 investigations resulted in a guidance interview; on 10 occasions there was no further action; on 8 occasions the employee left before the investigation concluded.

Reference data 26

**Disciplinary action by gender & by disability**

	Female	Male	Total	Of those - disabled
Dismissal	1	8	9	1
Final written warning		1	1	
Written warning	1	2	3	
Guidance Interview		1	1	
No action	2		2	
<b>Total<sup>2</sup></b>	<b>4</b>	<b>12</b>	<b>16</b>	<b>1</b>

<sup>2</sup> Note in addition

- On 6 occasions the employee left during a disciplinary process
- 3 still in progress

Reference data 27

**Disciplinary action by broad ethnic origin**

	BME employees	White employees	Total
Dismissal	3	6	9
Final written warning		1	1
Written warning	2	1	3
Guidance Interview	1		1
No action		2	2
<b>Total<sup>2</sup></b>	<b>6</b>	<b>10</b>	<b>16</b>

<sup>2</sup> Note in addition

- On 6 occasions the employee left during a disciplinary process
- 3 still in progress

## Section 7 - Capability Action & Outcomes

42. The numbers subject to capability action are a small percentage of all employees (*References data 28 & 29*), 4 concluded cases represents 0.1% all employees, (key data). Where there are such small numbers drawing conclusion based on more detailed levels, e.g. gender, ethnic profile or disability is questionably valid.

Reference data 28

### Capability action by gender & by disability

	Female	Male	Total	Of those - disabled
Dismissal	1	1	2	0
No action	1	2	3	0
<b>Total</b>	<b>2</b>	<b>3</b>	<b>5</b>	<b>0</b>

- 0 still in progress

Reference data 29

### Capability action by broad ethnic origin

	BME employees	White employees	Total
Dismissal	1	1	2
No action	2	1	3
<b>Total</b>	<b>3</b>	<b>2</b>	<b>5</b>

- 0 still in progress

## Section 8 - Staff Complaints

43. Note this data relates to individual employee complaints that require a formal process to resolve. Many complaints can be resolved informally or through mediation; all parties are encouraged to pursue such actions as a first step.
44. The numbers of staff that submit a formal complaint at stage 1 are very few. (*Reference data 30 & 31*); 24 employees represent 0.6% of the workforce. (*Key data*).
45. Stage 2 complaints are those where the employee is not satisfied with the outcome at stage one and identifies grounds for appeal.
46. Where there are such small numbers drawing conclusions at a more detailed level, e.g. gender, ethnic profile or disability is questionably valid.

Reference data 30

### Stage 1 complaints by gender & by disability

	Female	Male	Total	Of those - disabled
Informal resolution				
Not upheld	3	3	6	
Partially upheld	2	4	6	1
Upheld				
In progress	8	4	12	
<b>Total <sup>1</sup></b>	<b>13</b>	<b>11</b>	<b>24</b>	<b>1</b>

<sup>1</sup> In addition 6 stage 1 registered complaints were withdrawn and 1 stage 1 complaint was resolved through mediation.

Reference data 31

### Stage 1 complaints by broad ethnic origin

	BME employees	White employees	Total
Informal resolution			
Not upheld	2	4	6
Partially upheld	3	3	6
Upheld			
In progress	7	5	12
<b>Total <sup>1</sup></b>	<b>12</b>	<b>12</b>	<b>24</b>

<sup>1</sup> In addition 6 stage 1 registered complaints were withdrawn and 1 stage 1 complaint was resolved through mediation

## Section 9 - Respect at Work

Note; the procedure will cover complaints on all forms of harassment, bullying or victimisation on the basis of someone's profile.

47. The numbers of employees making a formal complaint are few; 18 employees represents than 0.4% of the workforce.
48. Where there are such small numbers drawing conclusions at a more detailed level, e.g. gender, ethnic profile or disability is questionably valid.

Reference data 32

### Complaints by gender & by disability

	Female	Male	Total	Of those - disabled
Informal resolution		1	1	
Not upheld	5	3	8	
Upheld	1	2	3	
Partially upheld	1	3	4	1
In progress	2		2	
<b>Total <sup>1</sup></b>	<b>9</b>	<b>9</b>	<b>18</b>	<b>1</b>

<sup>1</sup> In addition 5 complaints were withdrawn.

Reference data 33

### Complaints by broad ethnic origin

	BME employees	White employees	Total
Informal resolution		1	1
Not upheld	4	4	8
Upheld	2	1	3
Partially upheld	4		4
In progress	2		2
<b>Total <sup>1</sup></b>	<b>12</b>	<b>6</b>	<b>18</b>

<sup>1</sup> In addition 5 complaints were withdrawn.

## Section 10 - Recruitment

49. The following looks at recruitment projects over the year 2016-17. A recruitment project is an advertised job(s) with a defined closing date. More than one media (advertisements) may be used in each project. The following looks at 365 recruitment projects; of these
- There were 26, each with 50 or more applicants.
  - There were 157 each with 5 or less applicants.
50. Some jobs have been the subject of more than one recruitment project. For example, Advanced Practitioner appears several times, each project is counted separately. Only those projects that attracted an applicant response are shown. Applicants who withdrew from the process are excluded completely from the details below.
51. Overall there were 5,992 people who pursued an application.
52. Looking at gender and disability the success of people at the hired stage of the recruitment process are in line with the percentages of people who applied, i.e. female / male, not disabled / disabled, (*Reference data 34 & 35*).

### Reference data 34

#### Gender

Female applicants, 3,228; Male applicants, 2,530; Not stated, 234

Status	Female	Male	Not stated	Total
Hired	50%	45%	5%	100%
Shortlisted	54%	40%	6%	100%
Applicants	54%	42%	4%	100%

\* Hired here means an offer of appointment, not that the person has yet started work

### Reference data 35

#### Disability

Disabled applicants, 348; not disabled applicants, 5,417; Not stated, 227.

Status	Disabled	Not Disabled	Not stated	Total
Hired	6%	89%	5%	100%
Shortlisted	6%	86%	7%	100%
Applicants	6%	90%	4%	100%

\* Hired here means an offer of appointment, not that the person has yet started work

53. When looking at broad ethnic origin, (*Reference data 36*,) the significant outcomes to note are –
- The percentage of applicants from BME communities 61% (3,632 people).
  - The percentage of hires from BME communities 42%, (205 people). (*Reference data 36*).

### Reference data 36

**Broad Ethnic Origin**

BME applicants, 3,632; White applicants, 2,137; Not stated, 223.

	BME	White	Not stated	Total
Hired	42%	53%	5%	100%
Shortlisted	55%	38%	7%	100%
Applicants	61%	33%	3%	100%

\* Hired here means an offer of appointment, not that the person has yet started work

## Section 11 – Agency Workers

54. Agency workers are not employees of the Council. But are an important resource in the delivery of the council's services. On the first working Monday of each month a snapshot is compiled of agency workers in use.
55. Monitors over the financial year 2016-17 show that numbers ranged from 394 to 526. (Reference data 37)

Reference data 37

### Agency Workers – numbers via monthly snapshot 2016-17<sup>1</sup>

	No. Headcount
April 16	394
May 16	438
June 16	435
July 16	435
August 16	413
September 16	441
October 16	478
November 16	518
December 16	526
January 17	457
February 17	480
March 17	489

<sup>1</sup> The numbers of agency workers in use as at the monitoring date, i.e. first working Monday of each month.

1. The average numbers in use over the year was 458 workers. This is higher than last year with 381 the previous year.



## Information on the community in Southwark & other London Boroughs

Southwark's workforce is drawn from across London & the South-east of England approximately 27%<sup>1</sup> of our staff were Southwark residents. It is however interesting to look at how the profile of the workforce compares to the Southwark community and where possible across London.

<sup>(1</sup>Borough residency is not an indicator on HR records and this figure has been compiled from home address/ post code information).

This Section provides some basic information about the Borough drawn from the 2011 census.

It also includes key data comparing the council's workforce with other London boroughs, albeit this must viewed with caution. Increasingly the services provided will differ between boroughs. This will, for example, impact on the gender profile where particular services remain male or female dominated. Service type and organisation size is also known to affect how organisations perform, for example sickness absence tends to be higher in large multi functional organisations.

Some key data is as follows.

### Census data - Southwark borough

All data drawn from ONS census 2011 – key statistics

#### 1. Population figures, gender & economically active comparisons

	Southwark borough information	England Country
2011 Population: All Usual Residents	288,283	53,012,456
2011 Population: Males	142618	26069148
	<b>49.5%</b>	<b>49.2%</b>
2011 Population: Females	145665	26943308
	<b>50.5%</b>	<b>50.8%</b>
Economically Active; Employee; Full-Time	42%	39%
Economically Active; Employee; Part-Time	9.9%	13.7%
Economically Active; Self-Employed	10.0%	9.8%
Economically Active; Unemployed	6.0%	4.4%
People aged 16 and over with 5 or more GCSEs grade A-C, or equivalent	10.2%	15.2%
People aged 16 and over with no formal qualifications	16.3%	22.5%

## 2. Occupations of all people in employment, March 2011

	Southwark	England
Managers, directors and senior officials	11%	11%
Professional occupations	26%	18%
Associate professional and technical occupations	17%	13%
Administrative and secretarial occupations	10%	12%
Skilled trades occupations	7%	11%
Caring, leisure and other service occupations	8%	9%
Sales and customer service occupations	7%	8%
Process, plant and machine operatives	3%	7%
Elementary occupations	12%	11%

## 3. Ethnic Origin

	Southwark – Borough (Numbers)	(%s)	London – Region (%s)	England – Country (%s)
All Usual Residents	288283			
White; English/Welsh/Scottish/Northern Irish/British	114534	39.7%	45%	79.8%
White; Irish	6222	2.2%	2%	1.0%
White; Gypsy or Irish Traveller	263	0.1%	0%	0.1%
White; Other White	35330	12.3%	13%	4.6%
<b>White</b>		<b>54.2%</b>	<b>59.8%</b>	<b>85.4%</b>
Mixed/Multiple Ethnic Groups; White and Black Caribbean	5677	2.0%	1%	0.8%
Mixed/Multiple Ethnic Groups; White and Black African	3687	1.3%	1%	0.3%
Mixed/Multiple Ethnic Groups; White and Asian	3003	1.0%	1%	0.6%
Mixed/Multiple Ethnic Groups; Other Mixed	5411	1.9%	1%	0.5%
<b>Mixed</b>		<b>6.2%</b>	<b>5.0%</b>	<b>2.3%</b>
Asian/Asian British; Indian	5819	2.0%	7%	2.6%
Asian/Asian British; Pakistani	1623	0.6%	3%	2.1%
Asian/Asian British; Bangladeshi	3912	1.4%	3%	0.8%
Asian/Asian British; Chinese	8074	2.8%	2%	0.7%
Asian/Asian British; Other Asian	7764	2.7%	5%	1.5%
<b>Asian</b>		<b>9.4%</b>	<b>18.5%</b>	<b>7.8%</b>
Black/African/Caribbean/Black British; African	47413	16.4%	7%	1.8%
Black/African/Caribbean/Black British; Caribbean	17974	6.2%	4%	1.1%
Black/African/Caribbean/Black British; Other Black	12124	4.2%	2%	0.5%
<b>Black</b>		<b>26.9%</b>	<b>13.3%</b>	<b>3.5%</b>
Other Ethnic Group; Arab	2440	0.8%	1%	0.4%
Other Ethnic Group; Any Other Ethnic Group	7013	2.4%	2%	0.6%
<b>Other</b>		<b>3.3%</b>	<b>3%</b>	<b>1.0%</b>
Totals		100.0%	100.0%	100.0%

## Other Boroughs

The following information relates to year 2016/17. The data that is shown is based on no fewer than submissions from 33 London boroughs although not every borough will have submitted data for every area.

In considering this information –

- The London mean (average) data is shown.
- It must be re-emphasised that there are significant differences in the organisations presenting data, e.g. Newham has around 4,670 directly employed staff (headcount), Sutton 1,100 directly employed staff (headcount).
- Organisations collect and define data in different ways, e.g. some councils extrapolate from survey information others such as Southwark rely on actual declarations.
- Only data which links to Southwark's statistics shown in the body of this report is shown.

### 1. Headcount of employees

- 2,666 staff

### 2. Average age

- 45.77 years. Across London boroughs those in 16-24 years age band are 3.26% of the workforce and those aged 65 and older are 3.93% . (Note there are significant variations in data submitted by boroughs in response to this question, one borough's return being 1.07%, another 8.29% and 1.50% - 32.49% respectively - which is out of step with all other responses)

### 3. Gender profile

- Male 42%
- Female 58%

### 4. Disabled staff

- 5.66% of the workforce

### 5. Broad Ethnic Origin

Not known – 11.44% of remainder

Broad Ethnic Origin	%
Asian (inc Chinese)	11.78%
Black	21.92%
Mixed	3.33%
White	61.10%
Other	1.86%

## 6. Length of Service

Range	%
Less than a year	10.47%
1 - < 2 years	8.85%
2 - < 3 years	7.61%
3 - < 5 years	11.24%
5 - < 10 years	18.98%
10 - < 15 years	18.77%
15 - < 20 years	10.04%
20 years & above	13.99%

## 7. Sickness Absences

- Average sickness days per person 7.81 days

## 8. Turnover

- All 18.94%
  - Resignations 8.8%%
  - Leavers with less than 1 years service 12.41%
-

<b>Item No.</b> 14.	<b>Classification:</b> Open.	<b>Date:</b> 31 October 2017	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		New Commissioning Model and Common Outcomes Framework for the Voluntary and Community Sector	
<b>Ward(s) or groups affected:</b>		All.	
<b>Cabinet Member:</b>		Councillor Barrie Hargrove, Communities, Safety and Leisure	

### **FOREWORD – COUNCILLOR BARRIE HARGROVE, CABINET MEMBER FOR COMMUNITIES, SAFETY AND LEISURE**

We saw a need to develop a new and different voluntary and community sector strategy for Southwark, *Common Purpose Common Cause* which we launched last year. Our strategy is ambitious and our goal is to help the voluntary and community sector (VCS) to thrive and meet the needs of all our communities. To make that happen we have been working with our partners in the VCS and the clinical commissioning group (CCG) to develop a new approach to commissioning. We wanted to develop a better shared understanding of what we are all working towards achieving in Southwark.

The new commissioning model and common outcomes framework sets out the impacts and changes we want to see happen. Working with our partners we can make our vision for the VCS strategy to build and sustain strong, cohesive communities where no one group or community is left behind a reality. We want to improve outcomes for residents and this framework will help us make that happen. The headline outcomes in the framework are communities that are safer, healthier, engaged, greener and vibrant. Under the headlines is more detail about the most important changes and progress that will improve the lives of all our residents and in particular of those who face more challenges.

When the strategy was launched we talked about our proud history, a solid sense of community and a great ability to transform and renew. Our strengths are those of tolerance, cohesion and diversity. And the voluntary and community sector (VCS) embodies all of this, alongside a determined independence, fairness and energy, to deliver the very best for residents in Southwark. That's why the contribution of this sector is crucial to the future shape of the borough and the wellbeing of its people.

### **RECOMMENDATIONS**

That the cabinet:

1. Approves the adoption of the Southwark Common Outcomes Framework (SCOF) and a new outcome-based commissioning model developed by the council, Clinical Commissioning Group (CCG) and voluntary and community sector (VCS) at Appendix 1.
2. Notes the changed arrangements to improve co-ordination and planning of commissioning in paragraph 14.

3. Instructs officers to implement the new outcomes based approach to commissioning set out in the documents listed in paragraph 15 in this report.

## **BACKGROUND INFORMATION**

4. The scale of the financial challenges that the council and CCG faces means that the need to reduce the transactional costs for the council and the VCS and bring even greater focus on efficiency, value for money, clear and measurable outcomes and partnership working remains an overriding imperative.
5. Both the Local Early Action Report and *Common Purpose Common Cause*, Southwark's tripartite Voluntary and Community Sector Strategy 2017-2022 approved by Cabinet and the CCG in October 2016, recommended that a new cross sector strategic approach to commissioning is put in place by the council and the CCG.
6. The broad aim of the Early Action Commission was to make a series of recommendations about how organisations such as the local council, NHS, police and voluntary sector can work together to prevent problems that damage people's lives and trigger future demand for services.
7. The vision for the VCS Strategy is, "*To support a sustainable, confident and resourceful voluntary and community sector that can work alongside the public and private sector to deliver the best outcomes for Southwark residents.*"
8. The VCS Strategy's key objectives are:
  - Improving outcomes for residents that reduces and prevents future demand on high cost, high demand services
  - Sustaining and building strong, cohesive communities where no one group or community is left behind.
9. In order to realise the vision, achievement of the following two key priorities will demonstrate its success:
  - Create better partnership working to improve outcomes for residents
  - Improve commissioning and grant-giving to focus on outcomes
10. In response to these messages a report, *Strategic Coordination of council commissioning* was taken to cabinet in December 2016. This approved a number of recommendations to improve the oversight and coordination of council and CCG commissioning.
11. The report described the VCS strategy as a new deal with duties and obligations on both sides referring to the council, CCG and the VCS. The VCS expects improved collaboration and co-production on the part of the council and CCG. The council and CCG's expectation is that in return for the funding the VCS will be accountable for the delivery of agreed outcomes and will be able to demonstrate impact.

## **KEY ISSUES FOR CONSIDERATION**

12. The SCOF will provide a shared understanding of commissioning outcomes and improve the ability to deliver them. Working together with Southwark's

communities the council, the CCG and the VCS will have a greater shared clarity on the desired impact of commissioning plans and how these are being achieved.

13. The changes to how commissioning is coordinated, with all council departments working together and with the CCG and VCS as a strategic partner, is intended to deliver better outcomes for residents through improved collaboration and sharing of intelligence.
14. The following actions have been completed in response to the commissioning report.
  - A council-wide senior officer commissioning board made up of strategic directors and the director of commissioning has been set up to oversee the planning and strengthen the governance arrangements around voluntary sector commissioning.
  - Reporting to the board a cross-departmental group of commissioners and the Head of Procurement have been working to improve co-ordination, remove duplication and build commissioning expertise and resources.
  - Officers from the Communities Division, Local Economy Team, Children's & Adults Services and Public Health have led on the development of the resources which have been formally approved by the commissioning board. They are beginning to deliver a whole systems approach to commissioning.
15. The new resources which will build upon existing good practice and will be published are as follows:
  - The Southwark Common Outcomes Framework (SCOF) Appendix 1
  - A VCS Commissioning Forward Plan 2017-2022 which lists the totality of currently commissioned services both statutory and discretionary, how they are commissioned and when they end Appendix 2
  - A screening checklist for VCS commissioning Appendix 3.
16. The Commissioning Forward Plan is checked against the commissioning programmes collated by the Communities Division and published on the council website as part of the Open Data policy. This means that as well as a complete picture of council spend on the VCS there is now a forward plan relating to existing commissioned services.
17. The SCOF will act as a single commissioning plan for the council and CCG providing a framework where impact will be measured by the contribution made by the VCS to establish and sustain strong and flourishing communities.
18. Recognising the contribution made by the VCS not just as a service provider but as a strategic partner is essential to taking a whole systems approach to commissioning. The aim of co-producing services as part of the commissioning cycle is to maximise the sharing of knowledge and the opportunities offered by effective partnerships. This in turn means that there will be less emphasis on the more target driven quantitative approach to delivering outcomes which is a feature of a client / provider split.

19. In order to enhance the effectiveness of this engagement Community Southwark has reviewed the borough wide VCS engagement structure. A number of new thematic Provider Led Groups (PLG) has been put in place. These provide a network of service providers with whom commissioners can engage to develop plans and co-produce services.
20. Examples of this structure working effectively include the collaboration that took place with the Children/Young People PLG and has resulted in the Youth and Play Grants Programme awards. Another example is the ongoing work around service reconfiguration for older people and the Consortium of Older People's Services in Southwark (COPSINS).
21. The SCOF has been developed to align with existing council, CCG and VCS plans. The Social Regeneration Framework that is being developed by Public Health has also adopted the framework headings listed below as these capture the most important priorities drawn from the Fairer Future promises and Southwark Five Year Forward View to which the VCS can make a contribution.
  - Safer communities
  - Healthier communities
  - Engaged communities
  - Greener communities
  - Vibrant communities
22. The outcomes have been agreed with VCS partners and the CCG. They provide sufficient flexibility to enable service providers and grantees to identify the key areas where they will make an impact. Further work will take place to allocate agreed indicators against which the achievement of the outcomes will be measured.
23. A New Local Wellbeing Indicator set is available for local authorities, public health leaders and Health and Wellbeing Boards. This new set is the product of a six-month scoping project co-commissioned by the ONS and Public Health England in collaboration with the What Works Centre for Wellbeing and Happy City. The Indicator set will form a useful tool as the basis for a Southwark indicator set.
24. The SCOF will be reviewed on an annual basis to ensure that it remains a framework for continued engagement and that there is a mechanism to review gaps and make amendments.
25. The Commissioning Officers Group's (COG) next priorities will consider how best to develop the embedding of this more coordinated commissioning approach. This will include:
  - Identifying where further simplification of process can be made leading to lower transactional costs for both the council and the VCS
  - Identifying areas of service commissioning (Information Advice and Guidance is the first one) where starting with a totally new approach may result in improved services and better value for money
  - Identifying areas of duplication and the reasons for this
  - How to ensure that data on indicators and outcomes achieved is shared across all partners to improve future commissioning
  - Planning a partnership conference on the framework outcomes to celebrate achievements and identify challenges which could focus on the contribution



of thematic areas to delivering both these and the Social Regeneration outcomes

- Use intelligence gathered to seek additional external investment and innovative ways to address challenges
- Develop more of an ongoing feedback loop within the commissioning cycle so that intelligence is available and shared across partners to enable changes to be made
- Ensuring that the COG works to deliver the VCS Strategy key strategic objectives.

26. As a result of these changes a number of commissioning programmes have moved from discreet departmental areas e.g. Community Safety grants moving to Children's and Adults Services. In other areas e.g. Youth Services, major service redesign linked to budget reductions have meant that a new approach is needed for future commissioning.

### **Policy Implications**

27. In addition to the policy initiatives set out above, the recommendations of this report support a number of council policies and strategies, including:
- Health and Wellbeing Strategy
  - Social Regeneration
  - Approach to Equality
  - Economic Wellbeing Strategy
  - Families Matter
  - Homelessness Action Plan and Homelessness Prevention Protocol
  - Southwark Domestic Abuse Strategy.

### **Community impact statement**

28. The initiatives and recommendations of this report are intended to have a significant positive impact on the community and to improve standards of the delivery of outcomes across the three partners.
29. There is a legal duty on local authorities, in the exercise of their functions, to have due regard to the need to promote equal opportunities, eliminate discrimination and to promote positive community relations between people with a protected characteristic and people without.
30. The vision of the SCOF in delivering a more outcomes based commissioning approach is to build and sustain strong, cohesive communities where no one group or community is left behind.
31. The VCS Commissioning Forward Plan attached as Appendix 2 sets out service areas that are currently commissioned and for which in the future the SCOF will be used. In many cases the services listed in the plan provide additional targeted support for people with protected characteristics for example older people, people with disabilities, women and people from a range of different communities of identity and interest.
32. In developing the framework partners have carefully considered the wording of the outcomes. As well as promoting positive outcomes for Southwark residents generally, the outcomes are intended to ensure that for particular groups of

people with protected characteristics commissioned services will meet the specific needs of those groups. The SCOF is intended to provide sufficient flexibility for organisations to demonstrate in their bids how they will evidence the impact their services will make and who the service beneficiaries will be.

33. The next step is to do more detailed work on developing a set of indicators to show progress against an outcome. The group of people working on the indicators will include community representatives and a full community impact assessment of the indicators that sit beneath the SCOF will be carried out to ensure due regard to the Public Sector Equality Duty has been achieved.
34. The Screening Checklist for VCS Commissioning attached as Appendix 3 includes within Stage 2, Strategic screening a question about the need for an Equality Impact assessment.
35. As part of the process of developing the framework a draft version was presented to a VCS event in May 2017 at which representatives from a range of organisations representing communities of interest were asked their views and to comment on the overall approach and the contents of the framework.

### **Resource implications**

36. The changes to commissioning have been made within the council's budgetary framework.

### **Consultation**

37. Consultation on the SCOF has taken place with the VCS at an event in May 2017 at which the council, the CCG and the sector met to discuss progress on the early stages of developing an action plan for the implementation of the strategy. The framework was well received and amendments have been made to take these into account. It is intended to be a living document and will be revised and updated to maintain its relevance.
38. The VCS have been asking for a forward plan of VCS Commissioning so have welcomed its availability as a valuable resource which will support understanding of how service provision is currently commissioned and planning.
39. Consultation has also taken place with locally based independent funders who have indicated their support for this approach.
40. The SCOF has been approved following further revision by the Commissioning Board.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Law and Democracy**

41. Cabinet is recommended to approve and adopt the Southwark Common Outcomes Framework as described in the report.
42. The proposed commissioning model and outcomes framework bears on the council's relationship with the voluntary sector, and as such Cabinet is empowered to agree the recommendations in this report, pursuant to part 3C

of the council's constitution.

43. The council is subject to the "Best Value" duty (Local Government Act 2003) to "make arrangements to secure continuous improvement in the way in which functions are exercised, having regard to a combination of economy, efficiency and effectiveness". The government's Best Value Statutory Guidance requires the council to approach "value" as including economic, environmental and social value, and to be responsive to the needs of the voluntary and community sector. The council's approach as outlined in this report appears to be consistent with these duties.
44. Cabinet is reminded that the council is subject to the public sector equality duty in section 149 Equality Act 2010, and attention is drawn to the community impact section of the report in this regard. The duty requires the council, in the exercise of all its functions, to have due regard to the need to:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- The duty is a continuing one.
45. Cabinet is referred to the consultation undertaken, as described in paragraphs 37 to 40 of the report.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Strategic coordination of council commissioning	Housing & Modernisation, Communities Division, 160 Tooley Street	Stephen Douglass 020 7525 0886
<b>Link: (copy and paste link into browser)</b> <a href="http://moderngov.southwark.gov.uk/documents/s65506/Report%20Strategic%20Coordination%20of%20Council%20Commissioning.pdf">http://moderngov.southwark.gov.uk/documents/s65506/Report%20Strategic%20Coordination%20of%20Council%20Commissioning.pdf</a>		
Common Purpose: Common Cause Southwark Voluntary and Community Sector Strategy 2017-2022	Housing & Modernisation, Communities Division, 160 Tooley Street	Stephen Douglass 020 7525 0886
<b>Link: (copy and paste link into browser)</b> <a href="http://moderngov.southwark.gov.uk/documents/s64611/Appendix%203%20Common%20Purpose%20Common%20Cause%20VCS%20Strategy%202017%20-%202022%20c.pdf">http://moderngov.southwark.gov.uk/documents/s64611/Appendix%203%20Common%20Purpose%20Common%20Cause%20VCS%20Strategy%202017%20-%202022%20c.pdf</a>		

**APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Common Outcomes Framework
Appendix 2	VCS Commissioning Forward Plan
Appendix 3	Screening checklist for VCS Commissioning

**AUDIT TRAIL**

<b>Cabinet Member</b>	Councillor Barrie Hargrove, Communities, Safety and Leisure	
<b>Lead Officer</b>	Gerri Scott, Strategic Director of Housing & Modernisation	
<b>Report Author</b>	Stephen Douglass, Director of Communities Genette Laws, Director of Commissioning	
<b>Version</b>	Final	
<b>Dated</b>	18 October 2017	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES /CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Strategic Director of Children's and Adults Services	Yes	Yes
Director of Transformation and Performance, NHS Southwark Clinical Commissioning Group	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>	19 October 2017	

## APPENDIX 1

# Southwark Common Outcomes Framework

This framework is to be used when drawing up outlines or specifications for contract procurement or bidding opportunities for grants. It has been produced following the launch of Southwark's Voluntary and Community Strategy *Common Purpose Common Cause* in 2016.

[http://www.2.southwark.gov.uk/downloads/download/4747/vcs\\_strategy\\_2016](http://www.2.southwark.gov.uk/downloads/download/4747/vcs_strategy_2016)

To take forward the strategy's vision a cross sector group met to identify ways in which commissioning can be improved. One of the products of the group is this new framework which sets out the overall vision for what commissioning will set out to achieve. This has close links to other strategic plans. There are five main outcome themes set out below.

The future model of commissioning will be outcomes focussed, without a reliance on a detailed specification of what services are expected to deliver. The method by which the service delivers against the outcomes, can be determined by the provider as long as the provider is able to demonstrate delivery against an outcome, using appropriate measures. See below for further information.

**To build and sustain strong, cohesive communities where no one group or community is left behind.**

Safer communities	Healthier communities	Engaged communities	Greener communities	Vibrant communities
Residents have an improved understanding of their rights and responsibilities resulting in greater community ownership	Residents have improved access to community services	Residents are given more opportunities to provide feedback that improves services	Residents are more able and willing to access community spaces especially local green spaces	More young people feel ready to engage with their education
Residents feel safer where they live, work or socialise and know where to get support	Residents and their families and carers are fully involved in planning their care and feel services are provided in a holistic way	Residents have increased opportunities and support to volunteer	Residents and organisations are more able to look after designated green spaces	More young people feel ready for work, to train or able to start and grow their own business
Children and young people feel safer in their neighbourhoods and in Southwark	Residents feel that they have access to services to improve their wellbeing	Residents have the skills and confidence to increase their use of online services and there is less digital exclusion	Residents increase their use of public transport, cycling or walking around the borough	Residents are supported to maximise their income and manage their money better

Residents across communities are more confident in reporting issues when they arise	Residents feel more confident to maintain their independence without the need for higher levels of support	Organisations can demonstrate they work more frequently in partnership across communities	Residents and organisations feel more able to use green spaces to support social action and health and wellbeing activities	Residents have greater access to apprenticeships and a range of quality job opportunities which are fairly paid and sustainable, including residents who have disabilities or long-term health conditions
Residents feel treated with respect and listened to through ongoing engagement and collaboration	Residents are able and confident to access appropriate mental health services	More residents taking part in local decision making	Increasing numbers of residents and organisations support initiatives to make Southwark greener	Small businesses are more able to access support to become sustainable
Residents feel more able to access services at an early point and in times of crisis	Children, young people and families feel more supported and able to access appropriate health and wellbeing services for the best start in life	Residents feel more involved in planning and decision making about changes to their local area which impact on their lives e.g. the built environment, planning decisions and regeneration initiatives	Residents across communities feel able to engage in the design of the public realm	VCS organisations work in partnership to increase investment in local services from sources that statutory organisations cannot access
More residents are helped to feel more secure in their homes	Residents feel more able to live in accommodation which is warm, dry and safe, and appropriate to their needs	Residents and organisations have greater access to community spaces and premises		Residents across communities have access to a broad range of cultural activities and organisations in the creative economy are more able to access support
<b>Fairer Future Vision</b>				
<b>Southwark Five Year Forward View</b>				
<b>Common Purpose, Common Cause – VCS Strategy</b>				

To deliver this approach of commissioning for outcomes means commissioners working collaboratively with local people and providers to maximise the value from public money across the social, environmental and economic bottom line – co-producing support to meet people’s needs, helping them achieve their aspirations and promoting well-being for all.

An outcome is the meaningful and valued impact or change that occurs as a result of a particular activity or set of activities. Outcomes may be achieved over a relatively short period of time, or they may be longer-term in nature. For example, if you are supporting people to find employment, a shorter-term outcome might be improving confidence, and the longer-term outcome might be getting, and ultimately staying in, a job. In these situations it makes sense to talk about a person’s distance travelled towards achieving their ultimate goal.

Social outcomes: commissioners and providers are expected to meet needs and promote outcomes that contribute towards well-being for all, such as stronger social networks and community participation, improved physical health, or greater autonomy.

Environmental outcomes: commissioners and providers are encouraged to address negative environmental impacts, such as their waste and carbon emissions, and to promote positive environmental changes, such as using renewable energy sources or promoting the use of green space locally.

Economic outcomes: commissioners and providers are expected to consider their role in – and impact on – the local economy. This might include, for example, specific outcomes around local money flows, investment, good quality jobs, or training and skills.

Outputs are a quantitative summary of an activity. For example, the number of youth work sessions delivered or the number of elderly people attending a luncheon club are outputs. An output tells you an activity has taken place, but it does not tell you what changes as a result.

Indicators are ways of knowing that an outcome has been achieved, or show progress against an outcome. For example, indicators for an increase in confidence might include a young person trying new things, making new friends, or taking on new challenges. All of these are related behaviours that indicate an increase in confidence.

### **Next steps**

A group of council commissioners, voluntary and sector representatives and Clinical Commissioning Group are responsible for the implementation of the framework.

To ensure that the framework becomes the norm in commissioning in Southwark it has been approved by the Voluntary and Community Sector Commissioning Board. There is more work to be done on developing and allocating indicators that will support and show how the outcomes are being achieved.

An example of a Local Wellbeing Indicator set for local authorities, public health leaders and Health and Wellbeing Boards is available as a guide for future development of the Southwark indicators.

<https://www.whatworkswellbeing.org/product/local-authority-wellbeing-indicator-sets-and-guidance-only/>

For further information: Andrew Matheson [andrew.matheson@southwark.gov.uk](mailto:andrew.matheson@southwark.gov.uk); Simon Mitchell [simon.mitchell@southwark.gov.uk](mailto:simon.mitchell@southwark.gov.uk); Gordon McCullough [gordon@communitysouthwark.org](mailto:gordon@communitysouthwark.org)

## APPENDIX 2



### VCS Commissioning Forward Plan – October 2017

This plan lists services currently commissioned by Southwark Council through contracts and grants funding. It is arranged chronologically by year to indicate when the current arrangements come to an end. It provides an overview of which department is responsible for the services and a brief description of the service. It has been developed in response to requests from VCS partners for more information on current commissioning arrangements and how these are organised. It is intended to be a tool to assist partners in planning for commissioning opportunities and to improve awareness of the totality of services provided for residents by VCS partners. It will be updated twice yearly.

A caveat: there is no guarantee that services currently commissioned will be in the future. The contents of the plan are not a guarantee of future funding or future programmes. The council has a commitment to give a minimum notice period of three months of any changes to continuing funding resulting from the need to make reductions in its budget. Contact: **Commissioning & Voluntary Sector Support Unit** [CVSSU@southwark.gov.uk](mailto:CVSSU@southwark.gov.uk)

Current Service	Current contracts / grants	Term / end date	Intermediate plans	Likely outcome / longer term plans.
<b>a) Ending in 2017-18</b>				
<b>Community advice services</b>	<u>Contracts</u> <ul style="list-style-type: none"> <li>• Advising London</li> <li>• Southwark Citizens Advice</li> <li>• Southwark Law Centre</li> </ul> c. £1,140k pa total (incl advice for leaseholders)	Ending March 2018	To be extended to Sept 2019	<b>Communities Division – Housing &amp; Modernisation</b> Supporting residents through welfare reform also resolving cross-cutting problems such as housing/debt/benefits/employment
<b>Community Capacity &amp; Environment &amp; Ecology grants programme</b>	<u>Grants</u> 27 groups £730k pa	Ending March 2018	Likely to be extended for a year to March	<b>Communities Division – Housing &amp; Modernisation</b> New grants programme to be developed in first part of 2018.



Current Service	Current contracts / grants	Term / end date	Intermediate plans	Likely outcome / longer term plans.
			2019	<ul style="list-style-type: none"> <li>• Shorter term incubation grants</li> <li>• 4 year grants</li> <li>• Community infrastructure funding – community engagement / area based resources.</li> </ul> <p>To launch in autumn 2018.</p>
<b>Culture Grants</b>	<u>Grants</u> Annual grant awards currently funding of £152,000 <ul style="list-style-type: none"> <li>• London Bubble Theatre</li> <li>• Blue Elephant Theatre</li> <li>• Theatre Peckham</li> <li>• South London Gallery</li> <li>• CGP London</li> </ul>	Ending 31/03/2018	Programme being reviewed	<b>Culture Division – Environment and Social Regeneration</b> Future plans will be developed
<b>Environment &amp; Ecology contracts</b>	<u>Contracts</u> <ul style="list-style-type: none"> <li>• Bankside Open Spaces Trust</li> <li>• London Wildlife Trust</li> <li>• The Conservation Volunteers</li> </ul> £114,750	Ending March 2018	Contract	<b>Environment &amp; Social Regeneration – Parks &amp; Leisure</b> Will commission contracts to March 2020 or longer if possible.
<b>Healthwatch Southwark</b>	<u>Contract</u> <ul style="list-style-type: none"> <li>• Community Southwark</li> </ul> £120k pa	Ending March 2018	Commissioning reports scheduled for early 2018.	<b>Communities Division – Housing &amp; Modernisation</b> Statutory requirement to provide.
<b>Local Community Offer</b>	<u>Grants</u> <ul style="list-style-type: none"> <li>• AgeUK</li> <li>• Blackfriars</li> <li>• LinkAge Southwark</li> <li>• Southwark Pensioners Centre</li> </ul>	Now	Co-production of new model	<b>Children’s &amp; Adults Services</b> Better Care Fund / Adult Social Care funded model for Adult Social Care contact and support.

Current Service	Current contracts / grants	Term / end date	Intermediate plans	Likely outcome / longer term plans.
	<ul style="list-style-type: none"> <li>• Time and talents</li> <li>• Leonard Cheshire</li> <li>• Southwark Disablement Association (SDA)</li> <li>• Lifelong Family Links</li> <li>• Lambeth and Southwark Mencap</li> <li>• Alzheimer's Society</li> </ul> <u>Contracts</u> <ul style="list-style-type: none"> <li>• Southwark Carers</li> <li>• AgeUK</li> <li>• Metropolitan</li> <li>• Southwark CAB</li> <li>• Imago</li> </ul>			
<b>SAIL – Safe &amp; independent living</b>	Age UK	End March 2018		<b>Children's &amp; Adults Services</b>
<b>RISE Partnership (HIV and Sexual Health Outreach and Promotion)</b>	<u>Contract</u> Jointly funded by LB Lambeth, Southwark and Lewisham c. £127,000	To March 2018	Contract held by LB Lambeth through Tri-Partite Agreement	<b>Children's &amp; Adults Services- Public Health</b>
<b>SGTO/Tenant Fund</b>	<u>Grants</u> Annual grants awarded as part of Tenant Fund budget from Housing Revenue Account (HRA) Grant to SGTO £238k for 2017/18.	Annual		<b>Communities Division – Housing &amp; Modernisation</b> Contributes to social regeneration & participation. Grants to TRAs on rolling basis throughout year.
<b>Tenants &amp; Residents Social Improvement Grants (TRSIG)</b>	<u>Grants</u> Annual grants programme from HRA – budget c £200k pa	Annual – open for applications every Feb	Advertised through TRA network	<b>Communities Division – Housing &amp; Modernisation</b> Social regeneration agenda – TRAs working with community organisations to offer services and activities for residents. Opportunity for VCS

<b>Current Service</b>	<b>Current contracts / grants</b>	<b>Term / end date</b>	<b>Intermediate plans</b>	<b>Likely outcome / longer term plans.</b>
				organisations to deliver service in partnership with TRA.
<b>Black History Month</b>	<u>Grants</u> Annual grants programme awarded as part £30 pa from General Fund for individual grants up to £2k	Annual – open for applications every June for events in Oct	Advertised through networks	<b>Communities Division – Housing &amp; Modernisation</b>
<b>Neighbourhoods Fund</b>	<u>Grants</u> Annual local small grants scheme £30k per ward. £630k in total	Annual – opens in Autumn		<b>Communities Division – Housing &amp; Modernisation</b> Ward based decision making through community councils
<b>Cleaner Greener Safer programme</b>	<u>Grants</u> <ul style="list-style-type: none"> <li>• £1.88m annually divided equally between 21 wards</li> <li>• Grants are available to community organisations, C.I.Cs and charities</li> <li>• Between 15% and 20% awarded as grants</li> <li>• Majority of funding awarded to projects managed by council officers on behalf of the community</li> </ul>	Annual – opens in Autumn		<b>Environment and social regeneration</b> Annual funding programme for capital improvements. Proposals are subject to an annual open public application process and decisions about the allocation are delegated to Community Councils. Eligible ideas must result in a permanent, physical improvement in the public realm to be eligible. Grants are available to constituted groups only. Majority of funding is awarded to projects managed by council officers in consultation with the local community. The application period is open between September/October, decisions are made in January/February and the funding is available the start of the new financial year (April). Deadline of two years applies to all awards/grants.
<b>Specialist Advocacy (IMCA / IMHA / RPR)</b>	<u>Contract</u> <ul style="list-style-type: none"> <li>• Cambridge House</li> </ul>	Now	Tender	<b>Children's &amp; Adult</b> New procurement to start in June Statutory requirement to provide.
<b>Young People's Sexual Health and Substance</b>	<u>Grant</u> <ul style="list-style-type: none"> <li>• Blenheim £177,388 (8</li> </ul>	Ending 30 Nov 2017	3 & 4 months plus 1 contract	<b>Communities Division – Housing &amp; Modernisation – DAAT &amp; Public Health</b>

<b>Current Service</b>	<b>Current contracts / grants</b>	<b>Term / end date</b>	<b>Intermediate plans</b>	<b>Likely outcome / longer term plans.</b>
<b>Misuse Service</b>	months) <u>Contract</u> LSL – Brook & GSTT			Contract to be awarded in early September 2017.
<b>Recovery Support Service for Substance Misuse</b>	<u>Contract</u> New three year (+ 2) contract	July 2017 new service starts	3 plus 2 contract	<b>Communities Division – Housing &amp; Modernisation – DAAT</b>
<b>Tier 4 Drug &amp; Alcohol Placements</b>	<u>Contract</u> Dynamic Purchasing System – no end date but initial contractual term of 4 years	To commence on 1 April 2018	Initial term of 4 years (no end date)	<b>Communities Division – Housing &amp; Modernisation – DAAT (input from ASC – Children’s and Adults Service &amp; Public Health – Environment &amp; Social Regeneration</b>
<b>Children’s Services - Independent Visitors</b>	<u>Contract</u> • Action for Children	31/12/2017	Contract	<b>Children’s and Adults Services</b>
<b>Adult Learning</b>	<u>Contract</u> • Flux Studio • Walworth Garden • Strive Training • Stepping Stones • Rerezent • Learning Unlimited • London Wildlife Trust £319,950	End date for all Adult Learning contracts 31 July 2018	Contract	<b>Children’s and Adults Services</b>
<b>Youth Fund employment services</b>	<u>Contract</u> • Inspire • St Giles Trust £325k	Ending March 2018	May be extended by one year	<b>Chief Executive’s Division – Local Economy</b> Pre-employment and employment support for clients aged 16-25 with medium to high needs.
<b>b) Ending in 2018-19</b>				
<b>CVS Southwark</b>	<u>Contract</u> • Community Southwark  £423k pa	Ending March 2019		<b>Communities Division – Housing &amp; Modernisation</b> Contract for VCS umbrella organisation – capacity building, voice and leadership of civil society sector, support for volunteering
<b>“Southwark Works”</b>	<u>Contract</u>	New contracts from	Through 4 year	<b>Chief Executive’s Division – Local Economy</b>

<b>Current Service</b>	<b>Current contracts / grants</b>	<b>Term / end date</b>	<b>Intermediate plans</b>	<b>Likely outcome / longer term plans.</b>
<b>employment programme</b>	<ul style="list-style-type: none"> <li>• Pecan</li> <li>• St Mungo's</li> <li>• Royal Mencap</li> </ul> c. £125k pa per provider	July 2017-June 2019	commissioning framework	
<b>Carers Contracts</b>	Contracts <ul style="list-style-type: none"> <li>• Citizens Advice Southwark</li> <li>• Imago Community</li> </ul> £392,743	End Sept 2018	Contracts	<b>Children's and Adults Services</b>
<b>Children's Services – SEND and Family Group Conferencing</b>	<u>Contract</u> <ul style="list-style-type: none"> <li>• Contact A Family</li> <li>• Daybreak</li> </ul>	End in <ul style="list-style-type: none"> <li>• 30/09/2018</li> <li>• 30/06/2018</li> </ul>		<b>Children's and Adults Services</b>
<b>Solace Women's Aid contract (3 year contract)</b>	<u>Contract</u> <ul style="list-style-type: none"> <li>• The Advocacy Team – up to 12 weeks support for survivors of Domestic Abuse, (both high and medium risk clients)</li> <li>• Perpetrator programme</li> <li>• IRIS (Identification and Referral to Improve Safety) GP training programme</li> <li>-Resilience building</li> <li>• Training and Development – Professional and Community Champions training</li> <li>• Women's Resilience and Awareness Project</li> <li>• Specialist Counselling Service (1:1 and group)</li> <li>• Children's Therapeutic</li> </ul>	Ending July 2018 – with the possibility of extending the contract for an additional two years	Contract	<b>Communities Division – Housing &amp; Modernisation – Safer Communities Team</b>

Current Service	Current contracts / grants	Term / end date	Intermediate plans	Likely outcome / longer term plans.
	intervention programme <ul style="list-style-type: none"> <li>• Peer Support programme</li> <li>• The Sanctuary Scheme, (security target hardening)</li> </ul> Legal Surgeries  The main contract value for 2017/18 is £574,960, with £91,000.further grant funding of additional services.			
<b>Mayor Office for Policing and Crime, (MOPAC) funded Violence Against Women &amp; Girls</b>	<u>Grant</u> <ul style="list-style-type: none"> <li>• Domestic and Sexual Abuse Counselling</li> <li>• Adolescent DA perpetrators programme</li> <li>• Part funding full time SASS IDVA to cope with increase in service demand</li> <li>• Part funding duty worker to cope with increase in service demand</li> <li>• DA contract contribution</li> <li>• DA resilience programme for survivors to cope with increase in service demand</li> </ul> £111k in total	Ending March 2019	MOPAC funding available in 2 x two year tranches <b>T1</b> – 2017-2019 <b>T2</b> – 2019 - 2021	<b>Communities Division – Housing &amp; Modernisation – Safer Communities Team</b>
<b>MOPAC funded Southwark Anti-Violence</b>	<u>Grants</u> JCCS Ltd t/a Southwark	Programme ending March 2021 but	MOPAC funding	<b>Communities Division – Housing &amp; Modernisation – Community Safety Partnership Service – not all</b>

<b>Current Service</b>	<b>Current contracts / grants</b>	<b>Term / end date</b>	<b>Intermediate plans</b>	<b>Likely outcome / longer term plans.</b>
<b>Unit (SAVU) and SERVE</b> Gangs and safe accommodation work	Works Together for Mental Wellbeing St Giles Trust SHIAN Housing Association	subject to current review to accommodate reduced funding for 2017/2019. Further reductions for 19/20 & 20/21 confirmed.	available in 2 x two year tranches until 2021	funding is allocated to VCS, in proposal it amounts to £159,000 pa but this is subject to revision.
<b>MOPAC funded Wider Criminal Justice System</b> Integrated Offender Management	<u>Grants</u> JCCS Ltd t/a Southwark Works St Mungo's Together for Mental Wellbeing	Programme ending March 2021 but subject to current review to accommodate reduced funding for 2017/2019. Further reductions for 19/20 & 20/21 confirmed.	MOPAC funding available in 2 x two year tranches until 2021	<b>Communities Division – Housing &amp; Modernisation – Community Safety Partnership Service –</b> currently funding is allocated to VCS but this is subject to revision before 2019. .
<b>MOPAC funded Early Intervention</b>	<u>Grants</u> Participation People Bede Centre Blenheim Insight	Programme ending March 2021 but subject to current review to accommodate reduced funding for 2017/2019. Further reductions for 19/20 & 20/21 confirmed.	MOPAC funding available in 2 x two year tranches until 2021	<b>Communities Division – Housing &amp; Modernisation – Community Safety Partnership Service –</b> provide performance and financial reports to MOPAC with data supplied by the Drug and Alcohol Action Team also in Community Safety and Partnerships
<b>Youth and Play Grant</b> Activities for children and young people	<u>Grants</u> 21 organisations receive grants £4k and £45k	Starting 1 <sup>st</sup> October to 31 <sup>st</sup> March 2019	Programme managed via Conditions of grant fund	<b>Environment and social regeneration</b> Organisations funded to deliver activities across Southwark for children and young people 5yrs to 25yrs, to meet outcomes of activities for children and young people strategy
<b>c) Ending in 2020</b>				
<b>Children's Services – SEND short breaks</b>	<u>Contract</u> • Contact A Family £253k	End in • 30/09/2020		<b>Children's and Adults Services</b>

Current Service	Current contracts / grants	Term / end date	Intermediate plans	Likely outcome / longer term plans.
	<ul style="list-style-type: none"> <li>Daybreak £72k</li> </ul>			
<b>d) Ending in 2021-22</b>				
<b>Independent health complaints advocacy service (IHCAS)</b>	<u>Contract</u> <ul style="list-style-type: none"> <li>POhWER.</li> </ul> Estimated cost for Southwark of £95,000 pa for the 4 year period	Ending March 2022	Single supplier Framework	<b>Communities Division – Housing &amp; Modernisation</b> Statutory requirement to provide. Provided as pan-London service with Southwark as lead provider.

Future of Adult Learning contracts beyond July 2018 is unclear owing to the recent merger of the Skills Funding Agency and the Education Funding Agency.

**Further information:**

Open data information on the voluntary, community and faith organisations that have received funding from Southwark Council can be found at:

[http://www.2.southwark.gov.uk/downloads/download/3915/grants\\_to\\_voluntary\\_community\\_and\\_social\\_enterprise\\_organisations.%20](http://www.2.southwark.gov.uk/downloads/download/3915/grants_to_voluntary_community_and_social_enterprise_organisations.%20)

Funding Central database of thousands of grants and contracts from local, national and international sources.

<https://www.fundingcentral.org.uk/default.aspx>



Screening checklist for VCS commissioning		See explanatory notes at base	
Department		Date completed	Lead officer
What is the purpose of the service to be commissioned?			
<b>Stage 1 - Budget screening</b>			
No.	Question	Yes / No	Additional information
1	What is the budget?		
2	Summary of the financial background assessed?		
3	Is a budget reduction required on existing commitment?		
<b>Stage 2 - Strategic screening</b>			
4	Is providing the service a statutory requirement? If yes, note statute and key details		
5	If not statutory does it provide an essential community benefit?		
6	if existing service is it delivered in-house or externally?		
7	If funded from an external source does the funder have any requirements as to how the money is spent?		
8	Is service redesign needed?		
9	Could the service be commissioned collaboratively -e.g. another funder/local authority?		
10	What council plan objectives are met through the services? E.g. social value; apprenticeships; inward investment if externally provided		
11	Which areas of the Common Outcomes Framework will be delivered?		
12	Is an Equality Impact Assessment needed? To address both positive discrimination and assess negative impacts		
	<a href="http://thesource.southwark.gov.uk/tools-and-resources/equality/">http://thesource.southwark.gov.uk/tools-and-resources/equality/</a>		
13	Is a risk assessment required?		

14	Are there any other risk factors?		
15	Is the timeframe critical?		
16	Additional information/next steps/mitigation		
<b>Stage 3 - Routes to be taken in commissioning/procurement</b>		<b>Refer to grant or contract guidance:</b>	
<a href="http://thesource.southwark.gov.uk/tools-and-resources/contracts/service-contracts/third-sector-procurement/contracts-grants/">http://thesource.southwark.gov.uk/tools-and-resources/contracts/service-contracts/third-sector-procurement/contracts-grants/</a>			
16	Is the current service grant or contract? And why?		
17	Is the service known to be needed for a specific length of time?		
18	What is the total budget for the length of time?		
19	Is the service required to deliver measurable specified outcomes?		
20	Is the service for a more general purpose e.g. for broader outcomes?		
21	State preferred route and reasons.		
22	What is needed internally for council staff to commission the service - people, systems, anything else?		
<b>Stage 4 - Sustainability post contract award</b>			
23	Planning the next commissioning cycle - 18 months before the service ends. What steps need to be taken to start the process again?		

### Explanatory notes for background and context

1. This checklist is a resource to support good commissioning practice in Southwark.
2. It has been produced by commissioners working with procurement to improve coordination of commissioning across the council.
3. Use of the checklist is not mandatory. It does not replace the current decision making process for grant making or the procurement process.
4. It would be good practice to complete the checklist at the start of the commissioning cycle and attach as appendix to the commissioning report.
5. This report would be either the commissioning plan and award of grants report for grant making or the gateway reports for a procurement process.

<b>Item No.</b> 15.	<b>Classification:</b> Open	<b>Date:</b> 31 October 2017	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Consideration of Options for broadband in Rotherhithe and Improving Connectivity in the Borough as a Whole	
<b>Ward(s) or groups affected:</b>		All (with a particular focus on the Rotherhithe and Surrey Docks wards)	
<b>Cabinet Member:</b>		Councillor Fiona Colley, Finance, Modernisation and Performance	

### **FOREWORD - COUNCILLOR FIONA COLLEY, CABINET MEMBER FOR FINANCE, MODERNISATION AND PERFORMANCE**

Since our Gateway 0 report in June, officers and our external specialist advisers have been working closely with broadband providers, external stakeholders and residents to further explore the options for the council to enable and facilitate the roll out of super fast broadband and full fibre broadband in Rotherhithe and indeed across the borough.

This report sets out our strategy and plans for the immediate, medium and longer term to deliver the digital infrastructure we need to ensure residents, businesses and visitors have access to the digital tools they need.

For instance, in the next few months we will sign lease agreements and see the installation of wireless broadband infrastructure on a number of council owned buildings which will supply up to 40Mb broadband speeds across 70% of the borough. This roll out will start in Rotherhithe.

We will also agree a new wayleave strategy for the installation of fibre broadband into council estates and blocks on a first come, first serve, non-exclusive basis for interested providers.

We will continue to work with the GLA and government, seeking to secure funding to fill any remaining not spots and to ensure that full fibre broadband is available in all parts of the borough. We have already submitted an expression of interest to access part of the £200m DCMS funding for broadband projects and are awaiting further information on the next steps of this programme.

Crucially, we are establishing a digital infrastructure team and a cross-council board to implement our digital infrastructure strategy and to stay abreast of technological improvements and innovations and funding opportunities.

Digital infrastructure has become an essential utility and this report and strategy sets out how the whole council will work together to ensure that Southwark can fully participate in the digital revolution.

## RECOMMENDATIONS

That the Cabinet approves the following:

1. the strategic options assessment set out in this report for digital infrastructure in the Rotherhithe and Surrey Docks wards and the rest of the borough more generally;
2. the approach to the roll out of wireless broadband, set out at paragraphs 13 to 21;
3. the plan to adopt a new corporate wayleave strategy for the installation of fibre broadband infrastructure, set out at paragraphs 22 to 27;
4. the council wide Digital Infrastructure Strategy, set out at paragraphs 28 to 29;
5. the creation and funding, initially for a two year period, of a Digital Infrastructure Programme to deliver the council's new Digital Infrastructure Strategy, set out at paragraphs 35 to 38.

## BACKGROUND INFORMATION

6. Southwark Council is committed to improving connectivity and access to faster broadband speeds in the Rotherhithe and Surrey Docks wards; an area which is known to have a significant proportion of properties which are unable to receive broadband speeds of 10Mbps (the expected government baseline for its Universal Service Obligation introduced by the Digital Economy Act 2017).
7. The background to the Rotherhithe Broadband Project is set out in detail in the Gateway 0: Consideration of Options for Broadband in Rotherhithe report which was agreed by Cabinet on 20 June 2017 ("**Gateway 0 report**").
8. Since the Gateway 0 report was published in June, the council has consulted the market, residents of the Rotherhithe area, key stakeholders and other public bodies and has made real progress in understanding the challenges in improving the access to high speed internet in the area and the options available.
9. Over the course of this consultation and engagement process, one fact has begun to crystallise: there exists an abundance of opportunities for the council to play an effective role as enabler and facilitator of connectivity and digital availability in the borough. By ensuring that all residents, businesses and visitors have access to the digital tools they need to work and live, the council can promote digital inclusion, social mobility and economic prosperity, supporting SME start-up, growth and expansion within the local economy and marketing Southwark as an attractive digital destination for businesses and investment.
10. The following represent the key findings identified through the market engagement process:

- **there is interest in the market** for providing high speed broadband services in Rotherhithe, as well as a variety of connectivity options and delivery models that could be applied across the borough;
  - it is essential that the council **builds on the data already collected** to assemble a complete baseline database (such as postcodes, connectivity speeds and gaps);
  - to optimise the prospect of successful broadband roll out a **Digital Infrastructure Programme within the council** (consisting of interested internal and customer facing services such as Housing & Modernisation, Highways, Property, Planning, Legal) should be established. This will ensure that an effective and collaborative approach across the council as a whole is adopted;
  - **sufficient budget and resources** must be set aside for ongoing digital infrastructure work to ensure that the council is able to implement the recommendations in this report.
11. The council recognises that to maximise the options for accessing high speed connectivity in Rotherhithe and to realise gains (both in the short, medium and long term) a multifaceted approach is beneficial:

**In the short term (the next 3 months):**

- Sign lease agreements with select network operators for the installation of new wireless telecommunications infrastructure on certain council owned assets;
- Agree a new council Wayleave Strategy for the installation of fibre broadband and grant an initial wave of wayleaves to interested suppliers on a first come, first served, non-exclusive basis;
- Agree a council Digital Infrastructure Strategy to streamline the approach across the council;
- Mobilise a new, dedicated programme team to deliver the Digital Infrastructure Strategy.

**In the medium term (the next 18 months):**

- Implement wayleave agreements and oversee supplier roll out of new fibre broadband to Southwark residents;
- Stay abreast of relevant technology improvements and innovations (e.g. 5G and FTTP) to ensure the council benefits from upcoming opportunities.

**In the long term (the next 24 months):**

- Secure central government funding for, and then deliver, one or more projects to address remaining connectivity gaps in the borough.

Southwark Council is confident that the solutions proposed in this report will not only help improve connectivity in the Rotherhithe area but could also be used as

a model to address other areas of the borough with poor broadband speeds.

## **KEY ISSUES FOR CONSIDERATION**

12. Since the Gateway 0 Report, the council has undertaken a significant amount of work and has identified the following key information:
- the common broadband technologies available to the residents in the Rotherhithe area (further details can be found in Appendix 1);
  - the connectivity work already being undertaken by the council (further details can be found in Appendix 2);
  - the recurring themes regarding the market position with regards to improving connectivity in the Rotherhithe area and the borough more generally (further details can be found in Appendix 3).

The council has used this information to help inform the strategies and recommendations set out in this report.

### **Wireless broadband strategy**

13. As a means of addressing broadband connectivity gaps and mobile network availability issues experienced throughout the borough, and in accordance with the council's December 2016 'Asset Management Plan for the Commercial Property Estate' ("**AMP**"), Southwark Council is in the process of expanding its practice of hosting wireless telecommunications aerials on the rooftops of council owned assets.
14. By leasing unused rooftop space to wireless broadband providers and mobile phone network operators, the council will both enable the improvement of mobile phone reception, 3G and 4G network coverage in Southwark and facilitate access to a new, London based wireless broadband service offering download speeds to homes and businesses of up to 40Mbps. It is envisaged that these steps will contribute towards Southwark becoming a more digitally inclusive borough, while opening up the market to multiple network operators should foster competition, potentially leading to lower cost broadband options being made available for residents and local businesses.
15. The council has now agreed Heads of Terms with UK Broadband Ltd, network operator of the Relish wireless broadband service, and Cornerstone Telecommunications Infrastructure Ltd (CTIL), the company responsible for managing O2 and Vodafone's network. All lease agreements are expected to have been signed before the end of the year. In all, 26 new UK Broadband installations, including four in the Rotherhithe area, and 13 new CTIL sites are planned, bringing the total number of UK Broadband and CTIL installations on council owned assets to 28 and 25 respectively. With the exception of three installations, all new wireless telecommunications aerials will be hosted on the rooftops of residential housing blocks.
16. The Head of Property for Southwark Council is satisfied that the proposed grant of new telecommunication leases to UK Broadband and CTIL represents best consideration. The council's telecommunication consultant, Lambert Smith Hampton, has negotiated these rents which have been benchmarked against

comparable transactions in Central London. None of the proposed leases grant exclusivity and the council is free to grant further leases to other operators on the same sites.

17. The signing of lease agreements and the commissioning of new sites will progress in a phased approach, with new UK Broadband and CTIL installations being divided in to tranches of three and two respectively. Half of the new UK Broadband sites will have been commissioned by the end of 2017 (which includes the four in the Rotherhithe area), with the remaining installations completed by the end of February 2018. All new CTIL sites will have been commissioned by the Spring of 2018. It is estimated that 70% of the borough will be able to receive the Relish wireless broadband service once all new installations have been completed.
18. The income generated from these new lease agreements, plus the uplift in rents received for existing UK Broadband and CTIL sites (that has been negotiated to take effect once all new leases have been completed), will represent a significant revenue source for the council over the next 15 years. It proposed that this income will be allocated as follows:
  - a percentage of the annual income received (equivalent to £200k in the first year) will be used to fund the delivery of the council's new Digital Infrastructure Strategy. This programme of work will be delivered by IT & Digital Services within Modernise;
  - rents received from installations on corporate facilities and commercial properties will go towards the General Fund ("**GF**");
  - all remaining income will be allocated to the Housing Revenue Account ("**HRA**").
19. To allay concerns regarding the health and safety implications of these installations for council employees and Southwark residents working or living beneath them, the council has commissioned Public Health England (PHE) to conduct health impact studies. These studies assess the potential exposure to radio frequency (RF) electromagnetic fields (EMFs) arising from four of these proposed new wireless telecommunications aerial installations (two CTIL and two UK Broadband). Research into the RF EMFs emitted by wireless telecommunication base stations and associated technology has been ongoing for more than 75 years, and after a thorough review of the available scientific findings, the World Health Organisation (WHO) has concluded the following:
 

*"To date, the only health effect from RF fields identified in scientific reviews has been related to an increase in body temperature (> 1 °C) from exposure at very high field intensity found only in certain industrial facilities, such as RF heaters. The levels of RF exposure from base stations and wireless networks are so low that the temperature increases are insignificant and do not affect human health".*
20. Furthermore, all such equipment is designed to comply with stringent, precautionary public exposure guidelines set by the International Commission on Non-Ionizing Radiation Protection (ICNIRP), and a certificate or statement of compliance will be provided by all network operators for each site where there is equipment to be installed.

21. Both of the studies carried out by PHE for proposed installations on the rooftops of council offices concluded that exposures would remain below the recommended reference levels for the general public contained in European Council Recommendation 1999/519/EC, which has been accepted in the UK as a framework for managing exposures to RF fields in publically accessible areas. As these exposures are not considered to be hazardous, the studies advised that no special precautions or restrictions on access are considered necessary for Southwark Council employees working inside either building. The findings of the studies of the proposed installations for two of the council's residential housing blocks are expected in early November, and it is not anticipated that their conclusions will differ from the two which have already been completed.

### **Wayleave strategy**

22. One of the key themes highlighted by suppliers during the market engagement process (see Appendix 3) was that implementing wayleave agreements for the installation of fixed line broadband to council owned, multi-occupancy properties is a significant challenge and frequent delaying factor in the progression of fibre broadband roll out in Southwark and London as a whole, particularly in residential areas.
23. Given its importance, the council must be able to assist suppliers with any requests for wayleave agreements and act expeditiously to ensure that such requests are processed effectively. In order to achieve this the council will take the following steps before the end of 2017:
- Finalise and then launch a wayleave strategy for the installation of fibre broadband to council owned properties, which will set forth Southwark Council's expectations for suppliers, a streamlined process for wayleave applications, the key contacts for this process within the council and the documents that will be adopted for it. It will also clarify that wayleaves will be granted on a non-exclusive, first come first served basis.
  - Appoint an officer to be responsible for progressing requests for wayleave agreements within the council and to be a point of contact for interested suppliers;
  - Adopt a modified version of the City of London Standardised Wayleave Agreement, which has been endorsed by the GLA and is recognised by the market.
24. The council is already in contact with suppliers who are interested in entering into wayleave agreements to install fibre broadband in the Rotherhithe area. It is, therefore, expected that launching a wayleave strategy will achieve genuine progress in the short term (in terms of granting wayleave agreements to any interested suppliers), which should result in significantly improved broadband delivery in the Rotherhithe area in the medium term (within 18 months), once the relevant wayleave agreements have been granted.
25. It is envisaged that the granting of wayleaves for council owned properties to multiple different fibre broadband providers will help to promote and improve the economic and social well-being of the borough, enabling businesses and



residents alike to benefit from the advantages of having access to a wider variety of faster, more reliable broadband services. By acting as a facilitator of the wayleave application process, the council anticipates that it will be able to attract, promote and foster increased interest from, and competition amongst, broadband suppliers operating or looking to operate in Southwark, which it hopes will result in reduced costs for customers.

26. Key to achieving these aims will be incentivising suppliers to deliver fibre broadband to identified not spots and less commercially attractive parts of the borough (and not just to the commercially viable locations in Southwark), whilst ensuring not to disincentivise these suppliers by making this new process a financially onerous one. Given the nominal sums associated with processing wayleave applications internally, where appropriate the council will look to subsidise this process; at most, it will endeavor to manage this as a cost neutral service. As such, in the majority of cases the council will not prioritise obtaining the best consideration for wayleave agreements in relation to its housing stock.
27. That said, given the nature of the market, it is anticipated that there will, nonetheless, be gaps in the resulting FTTP coverage. Any such gaps will be assessed and addressed as part of the council's long term Digital Infrastructure Strategy and programme (see below).

#### **Digital infrastructure strategy and programme**

28. Appendix 4 to this report sets out the draft Digital Infrastructure Strategy recommended to Cabinet. The council's involvement in the Department for Digital, Culture, Media and Sport's ("**DCMS**") Local Full Fibre Networks ("**LFFN**") programme has highlighted that a Digital Infrastructure Strategy is necessary to access government funding for broadband rollout. If the council is to successfully make progress in improving the access to high speed broadband across the borough (benefiting residents and businesses alike), a considered and coordinated Digital Infrastructure Strategy and programme is essential.
29. One of the key benefits of a Digital Infrastructure Strategy is that it will help to ensure a consistent approach to digital infrastructure projects across the council. Moreover, it will allow the council to formulate its approach to and then implement a fully funded Digital Infrastructure Programme (including assigning appropriate resources and budget). As part of its work for developing such a programme the council needs to consider what incentives it can offer suppliers and residents alike to further stimulate the market. Such incentives could include waiving parking permit requirements for suppliers or offering a voucher scheme to residents. The importance of developing innovative incentives has been highlighted by DCMS and should improve the council's chances of securing funding from the DCMS' Challenge Fund (see below).

#### **Funding**

30. The government has set aside £200m to invest in locally-led broadband projects across the UK. Local bodies that can leverage local investment and activity to stimulate more fibre connections in their local areas have been invited by DCMS' LFFN programme to express interest in, and ultimately bid for, this central government funding. The council submitted an expression of interest in this programme in August 2017 and is awaiting further information from DCMS regarding the next steps of the programme.

31. The council understands that funding may start to be allocated in Spring 2018. Given that the Rotherhithe area has already received media attention for its poor connectivity, the hope is that Southwark Council will be in a strong position to make a bid for funding. In order to do this and secure funding, Southwark must have a clear Digital Infrastructure Strategy in place. The council will also explore opportunities for accessing existing infrastructure funding regimes which have not previously been considered for digital infrastructure developments.

### **Digital inclusion and affordability**

32. The council is committed to digital inclusion within the borough and ensuring the affordability of broadband provision is fundamental to achieving this. Affordability in this context means ensuring internet access for everyone's budget and lifestyle, including those on lower incomes. Affordability considerations are imperative to determining the council's approach to improving connectivity in Rotherhithe (as well as the borough as a whole) because Southwark Council is committed to finding a high speed broadband solution that works for all residents.
33. To help achieve digital inclusion, as well as ensuring a comprehensive coverage of high speed broadband and accessibility to all residents, the council will need to investigate further the affordability of the connectivity options for the residents of Rotherhithe, as well as whether any discounts or incentives could be offered to lower income households and/or council tenants.
34. To help the council determine what residents consider to be affordable, as well as attitudes towards internet services and usage in Rotherhithe more generally, a resident survey targeting the Rotherhithe area has been developed and issued. The resident survey was launched on 20 September and the council is hopeful that the responses, due to be received on 1 November 2017, will help contribute to further digital inclusion / affordability decisions. (For further details about the resident survey please see paragraph 44 below.)

### **Governance**

35. As one of the initial steps in this project, a Rotherhithe Broadband Options Board ("**RBOB**") was established, made up of appropriate representatives from the following council divisions and teams:
- Modernise
  - Finance Services
  - Parking & Network Management
  - Property Services
  - Chief Executive's Office
  - Regeneration
  - Resident Services
  - External Affairs

The purpose of the RBOB was to obtain high level strategic input into the project, as well as assistance (where it may be required) with certain work streams and programme delivery. However, since the inaugural meeting of the RBOB it has become clear that a new Digital Infrastructure Programme, with a wider ranging

purview, needs to be established within the council to ensure that there is a structured and coherent approach to delivering the new Digital Infrastructure Strategy and improving connectivity throughout the borough as a whole.

36. The proposed governance structure for this new programme has been included in Appendix 5. Beginning in December 2017, a steering committee lead by the Director of Modernise and comprised of senior representatives from the divisions listed in paragraph 35, as well as from Planning, Asset Management, Highways, Street Furniture and Community Engagement, will meet every six weeks to provide guidance, leadership and decision making support to a core delivery team. This core delivery team, again lead by the Director of Modernise, will convene on a fortnightly basis to review and monitor the progress of all digital infrastructure projects, providing a clear framework for organizing, directing and implementing the council's Digital Infrastructure Strategy. It is envisaged that this new programme will enable the alignment of council policies and practices in relation to the delivery of digital infrastructure, by providing a regular forum to facilitate inter-departmental engagement and coordination on the subject.

### Resource implications

37. The core delivery team for the Digital Infrastructure Programme will be staffed by leveraging existing resources from a selection of council divisions and by using a percentage of the income generated by the new and renewed lease agreements for the hosting of wireless telecommunications aerials to fund new posts (as referenced in paragraph 18). The table below details the resource profile of this core delivery team:

Role	FTE	Cost per annum	Notes
Programme Manager	0.3	N/A	The current Programme Manager for IT & Digital Services will fulfil this role.
Project Manager	2	£120k	It is expected that the programme will begin with 1 FTE, after which a second FTE will be added once the pipeline of projects has grown sufficiently.
Public Affairs Officer	0.2	N/A	The current Public Affairs Officer for External Affairs will fulfil this role.
Community Engagement Officer	N/A	N/A	Existing Community Engagement Officers will be utilised on an ad hoc basis to fulfil this role.
Project Support Officer	0.6	N/A	One of the existing Project Support Officers for IT & Digital Services will fulfil this role.

38. In addition, £75k per annum will be spent on external specialist consultancy and support (technical, legal and commercial), to assist the council with central government funding applications, scoping of new projects and exploring new technological opportunities. This new programme will be funded for a period of two years initially, after which a review will be undertaken to determine whether the programme needs to be continued for a further period of time.

### Policy implications

39. The approaches and strategies outlined in this report reinforce and align with a number of existing council plans and principles, the clearest example of which being the commitment in the Council Plan 2014 to 2018: Summer 2016 Refresh to revitalizing Southwark's neighbourhoods by, amongst other measures, bringing superfast broadband to Rotherhithe, and its stated aim of Southwark becoming a leading digital borough that enhances the lives of its residents. It is expected that the delivery of the wireless broadband strategy will enable the council to meet the former of these commitments.
40. Similarly, the commitments and initiatives contained in Southwark's Economic Wellbeing Strategy 2017 – 2022 reflect those of this report in a myriad of ways, from the former's promise to work with public sector partners to encourage business growth in Southwark's regeneration areas by ensuring that "the borough's connectivity, both physical and digital, continues to keep pace with the needs of business", to its ambition of utilising the council's "strategic influence to improve connectivity...and digital infrastructure across the borough". The same is true of Southwark's Digital Strategy, whose prioritization of and principles around digital inclusivity are echoed in the Digital Infrastructure Strategy.
41. At a more practical level, the new wireless broadband strategy set forth in this report will enable the realisation of both the rent policy contained within the current AMP, which advocates exploring "incomes from non-traditional sources including advertising hoardings and telecommunications aerials", and the corporate and operational principles of the 2015-16 to 2017-18 Medium Term Resources Strategy.

### **Community impact statement**

42. No specific equality implications have been identified in relation to the recommendations contained in this report. It is envisaged that the strategies and proposals detailed herein will have a positive impact on all Southwark residents, businesses and visitors, irrespective of age, gender, ethnicity, religion, disability or sexual orientation, particularly given the emphasis which has been placed upon digital inclusivity.

### **Consultation**

43. The council has been working closely with residents, community groups and broadband suppliers to gain insight into how proposed solutions will address poor connectivity in Southwark. In particular, the council has been working towards gaining an understanding of what "affordability" in relation to internet services means to the residents of the Rotherhithe area, and to assess what the take up of new broadband services might be.
44. **Resident survey:** In order to gain a clearer understanding of residents' experience of broadband in the Rotherhithe area, including broadband speeds and provision, broadband use and affordability, the council developed and published a resident survey aimed at the Rotherhithe area. The survey was launched on 20 September on the council's online consultation hub and was promoted through social media and communicated by email to residents. The survey will close on 1 November and the council would encourage as many residents living in the Rotherhithe area as possible to take part. The responses received will help contribute to further digital inclusion / affordability decisions and the council is hopeful that the information gathered will help to build a strong

case to providers and to central government to invest in broadband improvements in the area.

45. **SE16 Broadband Group:** The council has been working closely with members of the SE16 Broadband Group, who have been instrumental in advocating for residents and highlighting the case for broadband improvements in the Rotherhithe area. The Group contributed to the development of the resident survey and has provided helpful feedback on the council's broadband proposals.
46. **The council's Better Broadband for Southwark website:** The council's dedicated webpage is kept up to date with the progress that is being made with regard to the roll out of faster broadband speeds in Rotherhithe (as well as the borough as a whole). Members of the public are able to access this information and keep up to date with progress made and developments which are being planned.
47. **Greater London Authority, Department for Culture, Media and Sport and other local authorities:** The council has been working closely and liaising with relevant public sector stakeholders and delegates. Amongst other things, this engagement has helped to clarify the approach to digital infrastructure taken by other local authorities, including lessons learnt, and to confirm the funding options available to the council. This understanding has been factored into the recommendations in this report, and the suggested short, medium and long term approaches to digital infrastructure have been devised accordingly to maximise the council's chances of securing government funding for certain elements of this project and, in turn, reap the benefits to the residents and business in the borough.
48. **Market consultation:** The council formally commenced the market consultation period by issuing a Prior Information Notice ("**PIN**") on the Official Journal of the European Union on 7 July 2017 (this was officially published and became visible to suppliers on 11 July 2017). To help make the most of the market consultation, as well as publishing the PIN, a list of known suppliers that the council was keen to involve in the market engagement process were approached directly by email. A market engagement event then took place on 25 July 2017 at Canada Water Library and included both a plenary session and one to one meetings with suppliers. From consulting the market the council has been able to understand the options/models available and identify common blockers which often delay the roll out of fibre broadband across the country discussed in this report.
49. Internally, extensive consultations have been held over the past few months with those council divisions and teams that will play either a direct or indirect role in delivering the new Digital Infrastructure Strategy. This stakeholder engagement process has been integral to obtaining council-wide buy-in of the new strategy, its proposed delivery mechanisms and approaches.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Law and Democracy**

50. This report seeks cabinet's approval of a number of recommendations in relation to options for broadband in the Rotherhithe area, and improving connectivity in the borough as a whole. External legal advice has been sought throughout the duration of this project, and in relation to the report and its recommendations which

has identified that the key points to note are consideration of (a) the council's obligations to ensure best consideration is achieved when granting wayleaves in accordance with the proposed wayleave strategy; and (b) the state aid implications of the wayleave strategy.

51. In relation to best consideration, the relevant legislation here is s123 of the Local Government Act 1972, which states as follows:
  - i. Subject to the following provisions of this section, a principal council may dispose of land held by them in any manner they wish.
  - ii. Except with the consent of the Secretary of State, a council shall not dispose of land under this section, otherwise than by way of a short tenancy, for a consideration less than the best that can reasonably be obtained.
52. As the grant of a wayleave constitutes a disposal of land in the present circumstances, s123 is engaged here. However, in the Local Government Act 1972: General Disposal Consent (England) 2003, the Secretary of State provides councils with general consent to dispose of land (otherwise than by way of a short tenancy) where, (a) the council considers that the purpose for which the land is to be disposed is likely to contribute to the achievement of any one or more of the promotion or improvement of economic wellbeing; social well-being; environmental wellbeing of the whole or any part of its area, or of all or any persons resident or present in its area; and (b) the difference between the unrestricted value of the land to be disposed of and the consideration for the disposal does not exceed £2,000,000 (two million pounds).
53. As further detailed in paragraphs 6 to 9 and paragraph 25, it is believed that the roll out of fibre broadband to areas of the borough which are currently (comparatively) digitally under-developed would lead to the promotion and / or improvement of economic, social and environmental wellbeing of the borough. Furthermore, and as suggested in paragraph 26, the unrestricted value of the wayleaves being proposed as part of the wayleave strategy will fall significantly below £2,000,000. On this basis, the council is empowered to dispose of its interests in land (by way of the proposed wayleaves) in accordance with the general consent to dispose of land referred to above.
54. In relation to state aid, a risk could arise if the council disposes of wayleave rights at no cost (or at below market value) without having run an open competition to determine the most economically advantageous option for disposing of those rights. However, in order for state aid to be unlawful, it must favour certain undertakings and also distort (or threaten to distort) competition. As the council is on this occasion proposing to make wayleaves openly and equally available to anyone who wishes to receive the benefit of one, the council's approach would not favour certain undertakings but rather be available to any interested fibre providers.
55. However the position regarding s123 and state aid should be kept under review as the digital infrastructure strategy and wayleave strategy are deployed, to ensure that the council continues to comply with both of these areas of law.
56. The cabinet's attention is drawn to the Public Sector Equality duty (PSED General Duty) under the Equality Act 2010, and when making decisions to have regard to the need to (a) eliminate discrimination, harassment, victimisation or other prohibited conduct, (b) to advance equality of opportunity and (c) foster good

relations between persons who share a relevant protected characteristic and those who do not share it. The relevant characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion, religion or belief, sex and sexual orientation. The duty also applies to marriage and civil partnership but only in relation to (a). The cabinet is specifically referred to the community impact statement at paragraph 42, setting out the consideration that has been given to equalities issues which should be considered when approving the recommendations in this report. The cabinet is also referred to paragraphs 43 - 49 which sets out the consultation that has taken place. To meet legal requirements, consultation must be undertaken when proposals are still at a formative stage, must be meaningful, including sufficient reasons for the proposal and allow adequate time for consideration and response. The outcome of the consultation must be conscientiously taken into account when considering these recommendations and when decisions are made throughout the life of the project.

### **Strategic Director of Finance and Governance**

57. This report sets out the strategic approach for the development of a Digital Infrastructure Programme across the borough and specifically for broadband connectivity improvements in the Rotherhithe and Surrey Docks wards.
58. The market engagement exercise and options appraisal process has revealed considerable appetite for the provision of high speed broadband services and the council, in conjunction with industry advisers, has embarked on negotiations with a number of network operators for the installation of new wireless telecommunications equipment on council buildings and the renegotiation of terms on existing sites. The proposed lease rentals have been benchmarked against comparable Central London sites and are deemed to represent best consideration. Furthermore, none of the proposed leases grant exclusivity, leaving the council free to enter into further agreements with other operators on the same sites going forward. These sites are predominantly housing assets held in the HRA and three corporately held assets in the GF.
59. This will generate a valuable additional on-going revenue stream (yet to be fully determined) for the council over the next 12-15 years to support the HRA principally and to a much lesser extent the GF. All installation, maintenance and associated costs remain with the operator.
60. Inherent in the proposal is to establish a specific budget of £200k per annum for two years funded from the additional rental stream to support the development of the Digital Infrastructure Programme across the borough in line with the council's Fairer Future promise. This will be addressed as part of the annual HRA budget setting round and the initial funding will be subject to review after two years.
61. The aim has always been to minimise the financial impact on the council and the proposals outlined in this report seek to achieve this by generating new income from the council's assets, sufficient to fund development of the Digital Infrastructure Programme. The report also makes reference to the availability of central government funding to invest in locally-led broadband projects and the council has already submitted an initial expression of interest in this programme and is awaiting further information about the bidding round. The council will also explore other opportunities to leverage in other funding where available.

**BACKGROUND DOCUMENTS**

<b>Background Documents</b>	<b>Held At</b>	<b>Contact</b>
Gateway 0: Consideration of Options for Broadband in Rotherhithe	Housing & Modernisation, 160 Tooley Street, London, SE1 2QH	Bill Day  0207 525 0162
<b>Link (please copy and paste into your browser):</b>		
<a href="http://moderngov.southwark.gov.uk/documents/s69037/Report%20Gateway%20%20Consideration%20of%20options%20for%20broadband%20in%20Rotherhithe.pdf">http://moderngov.southwark.gov.uk/documents/s69037/Report%20Gateway%20%20Consideration%20of%20options%20for%20broadband%20in%20Rotherhithe.pdf</a>		
Rotherhithe Broadband Resident Survey	Housing & Modernisation, 160 Tooley Street, London, SE1 2QH	Bill Day  0207 525 0162
<b>Link (please copy and paste into your browser):</b>		
<a href="https://consultations.southwark.gov.uk/housing-community-services-department-community-engagement-team/broadband-to-rotherhithe-resident-survey/">https://consultations.southwark.gov.uk/housing-community-services-department-community-engagement-team/broadband-to-rotherhithe-resident-survey/</a>		

**APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Common broadband technologies available to the residents in the Rotherhithe
Appendix 2	Connectivity work already being undertaken by the council
Appendix 3	Market position
Appendix 4	Digital Infrastructure Strategy
Appendix 5	Digital Infrastructure Programme – Governance Structure



## AUDIT TRAIL

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<b>Dated</b>	20 October 2017	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>		20 October 2017

## APPENDIX 1

### Common broadband technologies available to the residents in the Rotherhithe

1. Through engaging with the market and technical advisers, the council has identified the most common broadband technologies available to residents in the Rotherhithe peninsular. These are summarised below:
2. **Telephone lines:** This represents the most widely available option for delivering broadband services in the UK. To achieve this method of broadband delivery different technologies can be used, ranging from Asymmetric Digital Subscriber Line (“**ADSL**”) to Fibre to the Cabinet (“**FTTC**”) and Very-high-bit-rate Digital Subscriber Line (“**VDSL2**”). FTTC and VDSL2 are commonly referred to as “fibre broadband” delivered to each premises through the telephone line. This means that to receive the broadband services there is usually a need to pay an additional fee for telephone line rental (usually through the same service provider).
3. Telephone-line based broadband technologies can deliver up to 76 Mbps downstream (with a UK median of 29 Mbps). The speed residents receive can vary depending on how far the property is from the telephone exchange and/or the local street cabinet.
4. **Cable TV Networks:** This method of broadband delivery uses the cable TV Network (which was largely laid in the 1990s) together with a modem based technology called Data Over Cable Service Interface Specifications (“**DOCSIS**”) to deliver high speed internet. The benefit of cable broadband is that it does not degrade over longer connections and has the capability of delivering connectivity speeds of up to 300 Mbps (with a UK median of 40 Mbps). The disadvantage of cable broadband is that it tends to be found in more populated areas (ie. with established road and pavement infrastructures) and is not available in all parts of the UK.
5. **Mobile/wireless connectivity:** This represents one of the fastest growing methods of broadband delivery in the UK and includes services provided by mobile networks (such as Vodafone, EE, O2, etc) using 3G, 4G and Long Term Evaluation (“**LTE**”). The benefits of this option are that it is relatively easy to construct mobile networks which can deliver speeds of over 30 Mbps and it works alongside fibre-based broadband solutions to provide a spread of service availability to residents. 5G (the fifth generation of mobile telecommunications) is currently being developed and promises to deliver speeds which will dwarf current technologies. Ofcom reports that it should be able to deliver connectivity speeds of between 10-50 Gbps.
6. **White Space:** This method of broadband delivery is less common in the UK (although it is becoming widely used in the USA) and uses frequencies allocated to a TV broadcasting service which are not already being used locally. This method is currently being trialled in rural parts of the UK and as yet there is no clear evidence of its overall performance and/or its suitability for use in urban areas.
7. **Fibre to the Home (or Premise) (“FTTP”):** There is a growing market of “full fibre”/FTTP providers which provide high speed broadband connections to both new and existing properties in the UK. This method of broadband delivery is being driven by recent government funding but at present the percentage of residents in the UK receiving FTTP is less than 5%. FTTP broadband is capable of delivering from 20 Mbps to 300 Mbps (with a UK median of 51 Mbps).

## APPENDIX 2

### Connectivity work already being undertaken by the council

1. **Smart Benches:** The council is currently involved in a pilot scheme to roll out smart benches in certain sites across Southwark. Smart Benches are solar powered seating arrangements that provide mobile device charging ports and free Wi-Fi access, as well as a place to sit and socialise. As part of the pilot, it is intended that ten Smart Benches will be installed at various locations in the borough. There are no costs to the council associated with the pilot scheme and the council charges a nominal licence fee of £166 for each proposed site. Similar schemes have been run in Islington and Lewisham.
2. **InLinkUK:** The council is currently involved with a scheme to install several InLinks in Southwark. InLinks are new structures which are intended to replace pay phones in cities and will provide ultrafast, free public Wi-Fi, phone calls, device charging and a tablet for access to city services, maps and directions. As well as this, the council is allowed 5% content time of the InLink screens for displaying local messages and promoting events. 14 InLinks are currently in the process of being installed in Southwark to replace existing BT pay phones and it is expected that further InLinks will be installed once the relevant planning permissions and necessary permits for installation have been received. InLinks have already been installed in Camden; Southwark being the second borough in London to adopt the scheme.
3. **Pan London Wi-Fi:** The council is currently participating in an initiative to bring together London boroughs and IT leaders with the intention of joining up Wi-Fi connectivity for public sector staff working in public authority buildings across London. The London Borough of Camden, the Met Police, TFL, the NHS and various universities are already involved in the initiative, which is in its early stages.
4. **Engagement with Virgin:** As Southwark Council's incumbent broadband provider, the council has an existing relationship with Virgin, which is currently rolling out its 'Project Lightning' initiative across the UK. The project, which is the largest investment in the UK's broadband infrastructure in more than a decade, is expected to offer superfast broadband to 17 million premises by 2020. The council is liaising with Virgin to discover more about Project Lightning and about how the borough might benefit from it.

## APPENDIX 3

### Market position

5. The council has identified the following recurrent themes from its consultation with suppliers:
6. **All of the suppliers proposed delivering FTTP** on the basis that this is, in the suppliers' opinion, the most future proof broadband solution and will deliver connection speeds in line with the reasonable expectations of residents.
7. **Delivery models:** There is a range of FTTP delivery models (all of which could be implemented in both commercial arrangements and as part of a public sector based initiative), including:
  - a. Pure wholesale in which the provider would provide the FTTP network and then rent out usage of the network to Internet Service Providers (“ISP”);
  - b. Provision of the FTTP network by the provider who would then both rent out usage of the network to ISPs and acting as an ISP in its own right;
  - c. Provision of the FTTP network by the provider who would then act as the sole ISP for that network.
8. **Wayleaves are highlighted as being a key challenge** to progressing fibre broadband roll out. The council must be able to assist suppliers and act expeditiously to ensure that wayleaves are processed efficiently.
9. **Planning/highways consents (such as the Major Works Permit) are highlighted as being another key challenge** to progressing fibre broadband roll out. The council needs to be in a position to be able to assist suppliers with this issue.
10. **Timescales and logistics:** There is no clear message from the market regarding the timescale for delivery of FTTP in Rotherhithe, but what is clear is that the following outside factors may have a significant impact on delaying delivery:
  - a. Wayleave and civil engineering permission;
  - b. Accurate data collection including;
  - c. Analysis of current broadband speeds for each address in Rotherhithe
  - d. Inventories of Council owned assets
  - e. GIS data
  - f. Accurate street mapping.
11. **Commercial model/funding:** There is a range of commercial/funding models for FTTP delivery, which depend on the approach to delivery that is adopted. Where funding from public sector sources is required, this may elongate the timescales for delivery as it may take time to apply for and secure the required funding. A summary of the commercial/funding models highlighted during the market engagement process is outlined below:
  - a. **Private investment:** The supplier meets the cost of installing the FTTP through its own funding streams and at no cost to the council. Through this model it is expected that suppliers will concentrate on delivering FTTP to premises which they determine to be more commercially profitable.
  - b. **Public investment – gap funding:** With this model, the suppliers expect

part or the entire project to be publicly funded (i.e. to cover provision of FTTP to less commercial areas). The DCMS Challenge Fund is a recent example of a source of public funding for such broadband projects.

- c. **Wireless concessions – gap funding:** With this model, the “gaps” in the project (ie. the less commercial areas to provide FTTP) are funded by the granting of borough wide wireless concessions. In other words, revenue to fund the FTTP provision is generated through allowing wireless broadband providers to use council owned property to install wireless broadband infrastructure.
- d. **Direct council funding:** The council funds the cost of a FTTP procurement which the council can tailor to its needs and ensure affordability and FTTP delivery to the less commercially attractive areas.



**Southwark Council**

**Digital Infrastructure Strategy**

**2017 - 2020**

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## 1 Summary

### 1.1 Key messages

Access to fast, reliable internet connectivity is no longer a luxury; it is a basic necessity for residents, local businesses and public services. Whilst parts of Southwark have good access, there are many areas that do not: high profile 'not spots' such as the Rotherhithe and Surrey Docks wards, as well as other gaps across the borough. This creates an inequality across communities that the council must and will address.

Emerging technology also means that connectivity to ultrafast broadband, fast wireless and mobile connectivity (including, after 2020, 5G), are essential foundations for economic growth and prosperity. It helps to establish the borough as a digital place and destination for investment, jobs and new housing and business infrastructure.

This strategy therefore has an essential role to play in aligning with the current, key strategies of the council, such as the Economic Well Being and Digital Strategy, the Fairer Future principles and promises and existing policy guidance for planning and regeneration, whilst directing funding and levies, such as the Community Infrastructure Levy, into building a better digital infrastructure.

### 1.2 Key actions

The key actions set out in this strategy are as follows:

- Creating and resourcing a programme of priority projects that deliver short term and major improvements to the borough's digital infrastructure over the next few years;
- Enabling commercial investment in fibre and wireless broadband, and other mobile services, through market engagement, better wayleave access and strategic use of council owned assets to deliver rapid improvements to key 'not spots';
- Pursuing central government funding opportunities, such as the Challenge Fund of the Local Full Fibre Networks (LFFN) programme, to use the council's assets to extend coverage across the borough;
- Supporting innovative solutions, such as smart benches, that enhance free public Wi-Fi in community locations;
- Revising council policies so that they enable and incentivise developers and commercial investors to build and deploy new, faster digital infrastructure;
- Helping residents and local businesses to acquire the basic digital skills, access and motivations they need to embrace digital technology, including the council's rapidly expanding online service provisions.

### 1.3 Implementing this strategy

This strategy sets out key projects and activities up to 2020 (when the strategy will be reviewed) which are necessary in order for the council to achieve tangible benefits for residents and local businesses, to tackle digital exclusion and affordability issues and to align with Southwark's economic growth and prosperity ambitions.



## 2 Introduction

### 2.1 Purpose

This Digital Infrastructure Strategy for Southwark Council sets out the context, challenges and intended actions to improve the access, speed and affordability of broadband fibre, wireless and other related mobile digital technologies to residents, communities and businesses across the borough.

The key benefits of a Digital Infrastructure Strategy are that it will identify key development priorities and help harmonise and coordinate existing and planned initiatives across the council to deliver maximum impact and benefit to residents and local businesses. This strategy should also aid the council in formulating its overall approach, accessing funding and implementing a successful Digital Infrastructure Programme.

To achieve these ambitions, this strategy proposes the creation of a programme team and a series of key strategic actions. The programme will involve the design and delivery of a series of short and medium term projects and activities that will enable digital infrastructure improvements across the borough to enhance the local economy, support digital inclusion and help Southwark to become a more attractive destination for the expanding digital economy.

### 2.2 Our commitment to a better digital infrastructure

Southwark Council is committed to being a digitally inclusive borough and has made promises through its Fairer Future principles to bring superfast broadband to Southwark, and in particular to areas with poor broadband speeds such as the wards of Rotherhithe, Surrey Docks and other 'not spots' (areas of low connectivity and broadband speed).

The council will support digital infrastructure technologies such as superfast fibre, ultrafast fibre to the premises (FTTP), 4G and 5G wireless technology, as well as other built and virtual assets, in order to provide all residents and local businesses with what is now a key utility in daily life: fast, reliable internet connectivity. These solutions will support the council's broader aims of promoting economic prosperity throughout the borough and using technology to help its communities, for instance through improved community engagement and more efficient dissemination of public information.

Ultimately, a better digital infrastructure forms a key part of the council's Fairer Future promise to build to a strong local economy for everyone, by ensuring that all residents, businesses and visitors have access to the digital tools they need to work and live. Access to good internet connections and other digital technologies is no longer a luxury; it is a necessity for individuals, businesses and the council alike.

### 2.3 Scope and strategic context

This document is a component of the wider Digital Strategy for Southwark Council, and specifically focuses on the investment and technology required to support:

- **Our residents** – improving access to, and the speed of, broadband, especially in areas that do not meet the Universal Service Obligation (USO) set by the government in the Digital Economy Act 2016;
- **Our businesses** – especially SMEs, to benefit from similar digital infrastructure access and speeds to support start-up, growth and expansion within the local economy;
- **The borough** – making Southwark more ‘open for business’ and attractive to the market and investors as a digital destination and a thriving ‘digital place’.

## 2.4 Alignment with other council strategies and plans

Creating a better digital infrastructure across the borough aligns with the council’s core strategies and plans to stimulate growth and prosperity in Southwark, including:

**Council Plan 2014-2018** – this strategy supports key commitments to residents and communities as quoted below:

*“Become a leading digital borough, transforming how we serve and enhancing the lives of people in our community so that no one is left behind”*

*“We will make it easier for residents and businesses on the move to access more services via the web and smartphone”*

**Digital Strategy** - Digital infrastructure is a key component of the council’s Digital Strategy. Alongside the themes of ‘Digital Council’ and Digital Place’, ‘Digital Infrastructure’ helps create a thorough and comprehensive digital strategy for the borough. The existing Digital Strategy places an emphasis on both digital inclusion and the need to attract digital business to Southwark through establishing superfast broadband throughout the borough and marketing Southwark as the ideal location for digital businesses.

**Economic Wellbeing Strategy 2017-2022** – digital infrastructure is an important prerequisite for the success of large-scale borough developments, such as in the Old Kent Road and Canada Water, as it facilitates the creation of modern, lifestyle-friendly digital destinations, which in turn supports growth in housing and economic prosperity.

**New Southwark Plan** –includes the need to ensure new planning applications encompass future-proof digital connectivity (i.e. FTTP) to new developments, and superfast speeds (i.e. 24Mbps) at a minimum. Furthermore, this policy document encourages developers to provide FTTP, or equivalent, connections to existing, poorly serviced properties in the vicinity new developments, where there is an identified connectivity gap, and to explore opportunities for installing wireless telecommunications aerials on top of new developments.

**Community Infrastructure Levy (CIL)** – this new levy offers the opportunity to invest not only in physical infrastructure but also in digital infrastructure, opening up new capital investment option to support improved connectivity.

## 2.5 Summary of key strategic actions

The following actions have been identified for Southwark's Digital Infrastructure Strategy, and are set out in the body of this document:

<b>Key Strategy Actions</b>
<b>1. The council will enable a full fibre programme for the Rotherhithe and Surrey Docks wards, as part of the nationwide Local Full Fibre Networks programme.</b>
<b>2. The council will enable fibre broadband providers in the borough to upgrade fibre connections from fibre to the cabinet (FTTC) to FTTP.</b>
<b>3. The New Southwark Plan will prioritise the importance of fibre broadband connections, or equivalent, in new and existing developments.</b>
<b>4. The council will work actively with wireless providers to support commercial investment in the wards of Rotherhithe, Surrey Docks and other 'not spots', to provide alternative broadband options and enhanced mobile provision.</b>
<b>5. The council will signal its openness to approaches from IT developers who wish to trial new technologies, initially undertaking a pilot and if successful, moving to a full commercial partnership to install small cell technology.</b>
<b>6. The council will coordinate a programmed approach to the utilisation of public realm assets in order to extend Wi-Fi provision, building upon initiatives to date.</b>
<b>7. The council will develop a proactive wayleave strategy that promotes commercial investment in the wards of Rotherhithe, Surrey Docks and other 'not spots'.</b>
<b>8. To support this new wayleave strategy, the council will provide dedicated resource to facilitate a rapid wayleave application and support process.</b>
<b>9. The council will target digital inclusion and digital skills improvement as a key activity to improve levels of digital take-up across the borough, with a particular focus on social housing tenants.</b>
<b>10. The council will revise key policies, including planning, highways and those governing public realm assets, to ensure that they provide incentives to stimulate market investment in broadband and network connectivity.</b>
<b>11. The council will establish a Digital Infrastructure Steering Committee to oversee delivery of this new strategy.</b>
<b>12. The council will establish a Digital Infrastructure Programme to implement this new strategy.</b>
<b>13. This strategy will fully scope priority projects into a comprehensive programme delivery plan.</b>
<b>14. The council will invest in internal and specialist external resources to accelerate programme delivery.</b>
<b>15. This strategy will monitor and actively pursue alternative funding mechanisms to support wider digital infrastructure roll out.</b>

### 3 Southwark's digital infrastructure: progress to date

Creating a modern digital infrastructure that takes advantage of emerging technologies and which ensures that no-one gets left behind is a challenge for all local authorities at present. Southwark also has additional challenges in addressing large 'not-spots' such as the Rotherhithe and Surrey Docks wards, as well as other gaps across the borough where connectivity is insufficient.

This strategy therefore looks to build on progress to date but also sets out steps to meet key challenges and accelerate Southwark's digital infrastructure development.

We have made some good progress in tackling infrastructure challenges and introducing new technologies to support communities and business, as detailed below.

#### 3.1 Current provision

The current broadband connectivity for Southwark and its least connected ward areas, Rotherhithe and Surrey Docks, is shown in the table below. Whilst Southwark generally compares well against UK statistics and shows good progress with ultrafast broadband and full fibre connections, there is a huge disparity in wards such as Rotherhithe and Surrey Docks. However, assessing connectivity figures only can be misleading, as take-up of broadband services is an indicator of digital inclusion: for example, in Rotherhithe, whilst superfast connectivity is 73% the take-up is 24%; a significant gap that needs addressing. Related to this is the level of basic online skills, with 17% of Southwark residents estimated as not having basic online skills.

Broadband Connectivity	UK	Southwark	Rotherhithe & Surrey Docks
Overall UK Superfast	93.60%	91.30%	
Superfast UK (>24 Mbps):	93.97%	91.34%	
Superfast EU (>30 Mbps):	93.57%	91.33%	73%
Ultrafast (>100 Mbps):	53.05%	74.97%	
Below 10 Mbps down: (USO)	2.83%	0.92%	8.70%
Virgin Media Cable:	50.81%	69.32%	
Full Fibre (FTTP or FTTH):	2.86%	8.82%	

*Source: Think Broadband - Oct-2017 (UK & Southwark), Ofcom Connected Nations Bermondsey & Rotherhithe - Jun-2016*

#### 3.2 Improving broadband provision and addressing 'not spots'

The council engaged with BT Openreach to facilitate delivery of its broadband improvement plans for the Rotherhithe area (implementation of FTTC). In September 2015

BT Openreach committed to connecting 18,000 premises in the borough through the installation of approximately 60 new cabinets. Since April 2016, BT Openreach has delivered 21 new broadband street cabinets borough-wide, providing the opportunity for approximately 6,880 properties to connect to superfast broadband. Nine of those cabinets have been delivered on the Rotherhithe peninsula, representing 2,922 possible new connections.

### 3.3 Key baseline data

Significant work has been undertaken by the council to map the 'not spots' and areas of low broadband speeds in the borough using geographical information systems (GIS) and post code analysis, so as to identify priority areas for improved digital infrastructure. The resident survey on the subject of broadband experience in the Rotherhithe area, published in September 2017, has been one of the primary sources of this data, and this work will continue under the council's new Digital Infrastructure Programme, with a view to assembling a complete set of baseline data that will be used to inform any future procurement options.

Other key data to be gathered will include:

- Ducting across the borough, including within council owned assets;
- CCTV connectivity;
- Underground assets, including public utility data;
- Street furniture and other assets which may offer connectivity points, such as lampposts, billboards, benches and rooftops;
- Broadband speeds across the borough.

A comprehensive view of the above, including key postcode and property data mapped using GIS, will offer attractive data sets which can be used by the market to deliver services in the areas that require it most.

### 3.4 New digital infrastructure initiatives

As part of developing this strategy, key services across the council were engaged to understand more about current and planned initiatives. Some of these digital infrastructure initiatives introduced by the council include:

- **DCMS funding** – the council is actively pursuing funding options as part of the Department for Digital, Culture, Media & Sport's (DCMS) LFFN programme, outlined later in this strategy;
- **Smart benches** - the council is introducing the concept of smart benches across the borough, starting with some early pilots, to offer key information points and Wi-Fi to local users. At present, the council has nine in operation, with a planned addition of a further 20, all at no cost to the council;

- **Street lighting CMS** – an ongoing roll out of a modern management system for street lighting. Currently only rolled out to parks, awaiting a council decision for full roll out across Southwark’s 18,000 street lighting columns. This provides the platform for enabling small cell Wi-Fi and 5G technology through the use of street furniture;
- **Electrical vehicle (EV) charging using street lighting columns** – TFL funding of £300k for the installation of 150 EV charging points on existing street lights across the borough (for resident use only). Service subject to metered charge to all users;
- **Digital assets** – the council is in early exploration of an automated single view of every road in the borough, which together with the council’s GIS data would improve the overall visibility of owned and managed council assets;
- **CCTV** – the council is currently exploring an opportunity to utilise spare capacity on its wireless CCTV network, but this would be subject to strict segregation rules, with limitations of any alternative use of data from the network. Potential opportunities for DCMS funding and support to test new technologies such as ‘small-cell’ and 5G trialling;
- **Advertising on public highways** – the council has a contract with JCDecaux for highway billboards. Currently in 38 locations, the intention is upgrade these to digital boards, which will potentially offer Wi-Fi capability;
- **Business Improvement Districts (BIDs)** – Southwark’s BIDs are keen to explore options for providing free Wi-Fi in their districts, funded via their BID levies and other grants. This could potentially link to schemes to offer discounts to members of the public for local businesses, bars, restaurants within these districts.

## 4 Building a better digital infrastructure

### 4.1 Emerging technology landscape

In creating this digital infrastructure strategy, the council understands the importance of closely monitoring the emerging landscape that is shaping broadband (a move to FTTP, mobile / wireless provision etc.), especially the emergence of 5G and small cell technology, and other developments associated with digital infrastructure including use of mobile sensors and monitors as part of the Internet of Things (IoT)

Whilst this strategy more specifically focuses on connectivity for Southwark residents and businesses, mainly driven by fibre and Long Term Evolution (LTE) / 4G / 5G wireless solutions, we will remain aware of emerging infrastructure developments such as intelligent transport systems, autonomous vehicles, AI, robotics and others areas under development.

### 4.2 Full fibre / fibre to the premises

Central government policy has led to large-scale investment in superfast fibre technology (defined in the UK as download speeds of 24Mbps and above, in the EU 30Mbps and above). This has largely been achieved through fibre to the cabinet (FTTC) and mostly via BT Openreach implementation across the UK.

To promote better connectivity, the Digital Economy Act 2017 was introduced in part to guarantee a legal right for every household in the UK to have access to high-speed broadband, with the government expected to enforce a minimum download speed of 10Mbps under a new broadband USO.

However, the UK comes 31<sup>st</sup> in the global rankings for broadband speeds, and 10Mbps (via the USO) is not a future proof commitment. As such, it is important that all innovative technologies form part of the digital infrastructure for the borough, not only to keep up with other local authorities but also to create the kind of distinct digital destination that will strengthen Southwark's regeneration and local economy.

The aspiration of this strategy, therefore, is to deliver full fibre solutions to cover 'not spots' and to make the borough's connectivity more futureproof. This can be achieved in a number of ways:

- Accessing funding via the current DCMS LFFN programme;
- Stimulating the market to invest in the borough through improved access to wayleaves;
- Providing gap funding to the market for either of the above.

#### The Local Full Fibre Networks Programme

In August 2017 Southwark expressed its interest in accessing the Challenge Fund of the LFFN programme. At the time of writing, the programme offers four potential delivery methods, listed below:

- **Public Sector Anchor Tenancy** - building a local fibre network with a partner;
- **Gigabit Voucher Scheme (GbVS)** - voucher scheme which helps businesses (or clusters of businesses) buy gigabit-capable connectivity;
- **Full Fibre Upgrades for Public Sector Sites** - tactical connectivity upgrades to full fibre at specific public sector locations;
- **Re-use of Public Sector Infrastructure Assets** - re-use or developing public sector infrastructure assets (for example CCTV duct networks) to facilitate the deployment of new fibre networks.

Whilst further information from DCMS may extend or change the nature of these proposed delivery methods, such as the introduction of wireless and 5G schemes, the council will pursue at least two of the four current delivery methods, namely:

- Re-use of Public Sector Infrastructure Assets;
- Gigabit Voucher Scheme.

The two schemes will be included as projects within the Digital Infrastructure Programme. The council will scope out each in readiness for calls for submissions by DCMS, which are expected later in the year.

For the LFFN programme as a whole, it has been recommended that Southwark Council keep all options on the table for now, as it is likely that DCMS will revise the rules and requirements for access to its funding programme.

However, whilst fibre will be a significantly important technology solution for the borough's digital infrastructure it is noted that:

- although its robustness and longevity make it a more acceptable investment, fibre is the most expensive technology to implement retrospectively. For an area such as the Rotherhithe and Surrey Docks wards, the lack of fibre in the area makes this an attractive option;
- for new developments the cost of FTTP installation is greatly reduced, and the council has an opportunity to tie this requirement into its New Southwark Plan (this action has been secured);
- it takes time to procure and deliver where funding is involved and relies on reasonable levels of take-up by residents and businesses to deliver a return on investment (normally 30%).

For these reasons, other technologies, particularly wireless options, are considered as part of the borough's digital infrastructure solution.



Key Strategy Actions
1. The council will enable a full fibre programme for the Rotherhithe and Surrey Docks wards, as part of the nationwide Local Full Fibre Networks programme.
2. The council will enable fibre broadband providers in the borough to upgrade fibre connections from fibre to the cabinet (FTTC) to FTTP.
3. The New Southwark Plan will prioritise the importance of fibre broadband connections, or equivalent, in new and existing developments.

### 4.3 Wireless technology

Wireless connectivity covers a wide range of technologies including:

- **Wireless technology** - via relays of rooftop and high rise aerials connected to end devices and routers, focusing more on broadband and Wi-Fi connectivity;
- **Small cell technology** – developments on street furniture (i.e. lampposts) that maximise the use of assets and make them accessible to all network operators for 4G and 5G connectivity;
- **Wi-Fi meshes** – commercial developments that offer limited, free Wi-Fi access with the option of pay-as-you-use upgrade to faster speeds. Such Wi-Fi developments can be delivered via commercial investment in target locations, and through the utilisation of public assets such as street furniture and highways assets.

Planned developments include:

#### **Wireless provision utilising rooftop locations for 4G telecommunications aerials**

Southwark Council is in the process of significantly expanding its practice of hosting wireless telecommunications aerials on the rooftops of council owned assets. Heads of Terms have been agreed with three network operators, and the roll out of Wi-Fi aerials is scheduled to commence at the end of 2017, targeting the Rotherhithe area initially. This project will offer a rapid solution to many of the borough's 'not spots', by improving 3G and 4G network coverage (not to mention mobile phone signal) across Southwark at a reasonable price for residents and businesses.

#### **Utilisation of lampposts for small cell installations to support Wi-Fi and 4G / 5G provision**

Initial discussions have begun on a potential partnership that will create a revenue sharing model to install small cell technology on lampposts in order to create a network of connectivity to support Wi-Fi, enhanced cellular coverage, future 5G provision and the provision of IoT devices.

5G technology will be introduced fully into the UK by 2020 and early pilots are being encouraged by central government, via DCMS, and through growing market interest.

### Targeted commercial partnerships to increase Wi-Fi provision

As outlined earlier, the strategy will continue to support ongoing innovations in the use of street assets, including smart benches, billboards and local schemes, to provide increased Wi-Fi provision to residents and businesses in the borough.

Key Strategy Actions
<b>4. The council will work actively with wireless providers to support commercial investment in the wards of Rotherhithe, Surrey Docks and other 'not spots', to provide alternative broadband options and enhanced mobile provision.</b>
<b>5. The council will signal its openness to approaches from IT developers who wish to trial new technologies, initially undertaking a pilot and if successful, moving to a full commercial partnership to install small cell technology.</b>
<b>6. The council will coordinate a programmed approach to the utilisation of public realm assets in order to extend Wi-Fi provision, building upon initiatives to date.</b>

#### 4.4 Wayleave strategy

Research leading up to the development of this strategy indicated that access to public and private wayleaves was a significant barrier to broadband rollout.

Upon assessment, and following market engagement, the council considers the best approach will be to offer a wayleave model for its housing stock, and in particular its multi-occupancy properties, which encourages and attracts applications from commercial companies.

Taking this forward, we will launch a wayleave strategy that sets out expectations for suppliers, detailing a streamlined process for wayleave applications, the key contacts for this process within the council and the documents that will be adopted for it. These will be non-exclusive arrangements, granted on a first come first served basis, the internal cost of administering which the council will look to recover from suppliers or, where appropriate, subsidise (in part or wholly).

Dedicated resource will work with companies to build full fibre solutions; target all property types and 'not spots'; build a wayleave 'toolkit' for the market to use and offer fair pricing to help tackle digital exclusion due to affordability issues.

The council is already in contact with a number of suppliers who are interested in entering into wayleave agreements to install fibre broadband in the Rotherhithe area. It is, therefore, expected that launching a wayleave strategy will achieve genuine progress in the short term (the granting of wayleave agreements to any interested suppliers), which should result in significantly improved broadband delivery in the Rotherhithe area in the medium term (within 18 months), once the relevant wayleave agreements have been approved.

Key Strategy Actions
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7. The council will develop a proactive wayleave strategy that promotes commercial investment in the wards of Rotherhithe, Surrey Docks and other 'not spots'.
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8. To support this new wayleave strategy, the council will provide dedicated resource to facilitate a rapid wayleave application and support process.
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#### 4.5 Digital inclusion

Digital inclusion will enable and support our community to self-serve through digital means. Basic digital skills are improved and the social value of digital transformation is increased exponentially through higher levels of employability; digital literacy; maintaining independence; social inclusion; mental and physical wellbeing and financial capability.

Social housing tenants are a particular target group as UK research indicates this group may face lower digital skills and awareness through affordability and access challenges. Improving digital skills and awareness for this group will help tenants to access housing and other public sector services online and improve their economic opportunities whilst also helping to meet the council's commitment to make savings through increased use of digital services.

As such, the council will support a wider and more inclusive roll out of digital connectivity in the borough through the following four main incentives:

- **Easy and affordable payment mechanisms** for residents and businesses who would find difficulty with the impact of the full commercial cost of digital connectivity, including full engagement with the DCMS Gigabit Voucher Scheme;
- **Assist providers to implement comprehensive coverage** of wireless and fibre roll out, by offering co-ordinated and flexible street works permit schemes, wayleave management and clear planning requirements;
- **Provision, co-ordination and sign-posting of digital training** for our residents and businesses who have low skill levels;
- **Work with other partners**, both inside the borough and throughout London, to promote the need for full digital inclusivity.

Key Strategy Actions
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9. The council will target digital inclusion and digital skills improvement as a key activity to improve levels of digital take-up across the borough, with a particular focus on social housing tenants.
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#### 4.6 Incentives to the market and residents

The council needs to consider what incentives it can offer suppliers and residents alike to further stimulate the market. Such incentives could include waiving parking permit requirements for suppliers or offering a voucher scheme to residents. The importance of developing innovative incentives has been highlighted by DCMS and should improve the council's chances of securing funding from the DCMS Challenge Fund.

Changes to the New Southwark Plan around broadband and telecommunications helps to create greater market incentives, and further opportunities lie in ensuring that our planning policies are aligned to support residents and market investment in broadband and improved connectivity.

##### **Key Strategy Actions**

**10. The council will revise key policies, including planning, highways and those governing public realm assets, to ensure that they provide incentives to stimulate market investment in broadband and network connectivity.**

## 5 Delivering this strategy

### 5.1 Governance

A Digital Infrastructure Steering Committee will be set up to oversee the implementation of this strategy. This will incorporate oversight of the work that is already underway to support better broadband for the wards of Rotherhithe and Surrey Docks. A Digital Infrastructure Programme core delivery team, reporting to the Steering Committee, will be established to manage specific project implementation.

This Steering Committee will include representation across a range of council services, such as:

- Modernise (including IT & Digital Services)
- Planning
- Regeneration
- Highways
- Parking & Network Management
- Property
- Asset Management
- External Affairs
- Street Furniture
- Resident Services
- Local Economy Team

The core delivery team for the programme will comprise of an overall Programme Sponsor / SRO, supporting programme resources and project specific, third party consultants (legal and technical).

This new programme will be funded for an initial period of two years, at which point the need for its continuation will be reviewed, using income generated by current digital infrastructure projects to pay for the additional resources required, and by leveraging existing resource from within the council.

Key Strategy Actions
<b>11. The council will establish a Digital Infrastructure Steering Committee to oversee delivery of this new strategy.</b>
<b>12. The council will establish a Digital Infrastructure Programme to implement this new strategy.</b>

## 5.2 Short term programme activities

The key short term programme activities over the next 12+ months are listed below :

Project / Activity
<ol style="list-style-type: none"> <li>1. Set-up and mobilisation of a Digital Infrastructure Programme;</li> <li>2. Development of a comprehensive baseline of assets and data for market use, including full property data and coverage for target 'not spot' areas;</li> <li>3. Development of a wayleave strategy and a streamlined application process, including a support 'toolkit';</li> <li>4. Continued development of wireless broadband and telecommunications installations, with a focus on the Rotherhithe area. Development of revenue share model as part of this initiative;</li> <li>5. Identification of a partner for, and development of, a pilot scheme for small cell technology application on street furniture;</li> <li>6. Continue to redefine and improve the council's planning policies, building guidance and requirements as they pertain to digital infrastructure for new developments;</li> <li>7. Programme support to other ongoing digital infrastructure initiatives identified in this strategy;</li> <li>8. Development of a programme to promote digital inclusion in priority / target groups and areas;</li> <li>9. Continued application for funding via the DCMS Local Full Fibre Networks programme.</li> </ol>

## 5.3 Projects and activities to 2020

Longer term projects to 2020 are listed below:

Project / Activity
<ol style="list-style-type: none"> <li>10. Procurement and implementation of LFFN programme schemes for fibre broadband to the borough's 'not spots';</li> <li>11. Extension of small cell technology pilot scheme into full commercial partnership and potential revenue share model;</li> <li>12. Continued implementation of short term projects, extending into new areas and initiatives.</li> </ol>

### Key Strategy Actions

**13. This strategy will fully scope priority projects into a comprehensive programme delivery plan.**

**14. The council will invest in internal and specialist external resources to accelerate programme delivery.**

## 5.4 Funding options

It is expected (with the exception of council owned assets and directly sponsored projects) that a significant part of the funding for new digital infrastructure in Southwark will be provided by the open market and private sector investment.

At the time of writing, the following represent the main sources of the funding for digital infrastructure available to the council:

**Local Full Fibre Networks programme**, started earlier this year, represents a DCMS-led government investment of £200m to fund a fibre broadband programme of local projects to test ways to accelerate market delivery of new full fibre broadband networks, by:

- Bringing together local public sector customers in order to create enough broadband demand to reduce the financial risk of building new full-fibre networks;
- Offering full fibre broadband connection vouchers for businesses, to increase take-up of services where new networks are built through the programme;
- Delivering new fibre broadband connections directly to public sector buildings, such as schools and hospitals. This will bring fibre closer to more homes and businesses, thus enabling them to be connected;
- Opening up public assets, such as existing ducting, to allow fibre to be deployed more efficiently.

**Digital Infrastructure Investment Fund**, a £400m cornerstone funding programme that is intended to kick-start a nationwide roll out of FTTP. Central government investment is expected to be more than matched by funding from the private sector, which should take the fund's total to over £1bn.

**Fibre business rates relief**: although currently at consultation stage, it is expected that through these new powers, business rates relief will be provided to operators of telecommunications networks who install new, full fibre infrastructure on their networks. This new fibre will be eligible for 100% relief from business rates for the five years from 1 April 2017 (retrospective) to 31 March 2022.

**National Productivity Investment Fund**, although targeting a number of infrastructure types across government, there is £740m earmarked from 2017/18 to 2020/21 for:

- 5G trials and testbeds – coordinated programme of integrated 5G and fibre projects to accelerate and de-risk deployment of future technologies; and
- Local full fibre networks – as a means to stimulate more commercial investment to deliver increased gigabit capable connectivity.

The above will often be subject to a bid process, delivery models and other conditions, which allows them to be used jointly, or not, with the council's own sources of investment, including the Southwark CIL, and via **prudential borrowing, through the compliant use**

**of available reserves and income generated from complimentary activities (i.e. wireless rentals).**

In terms of funding options for this strategy, we will:

- Promote and sponsor private sector investment in digital technologies in the borough;
- Only use the optimum funding model appropriate for each digital project;
- Where possible, minimise funding and cost pressures on the council's overall budget;
- Proactively seek available central government funding;
- Manage operational and investment risks;
- Promote and communicate funded voucher schemes to our residents and businesses.

<b>Key Strategy Actions</b>
<b>15. This strategy will monitor and actively pursue alternative funding mechanisms to support wider digital infrastructure roll out.</b>

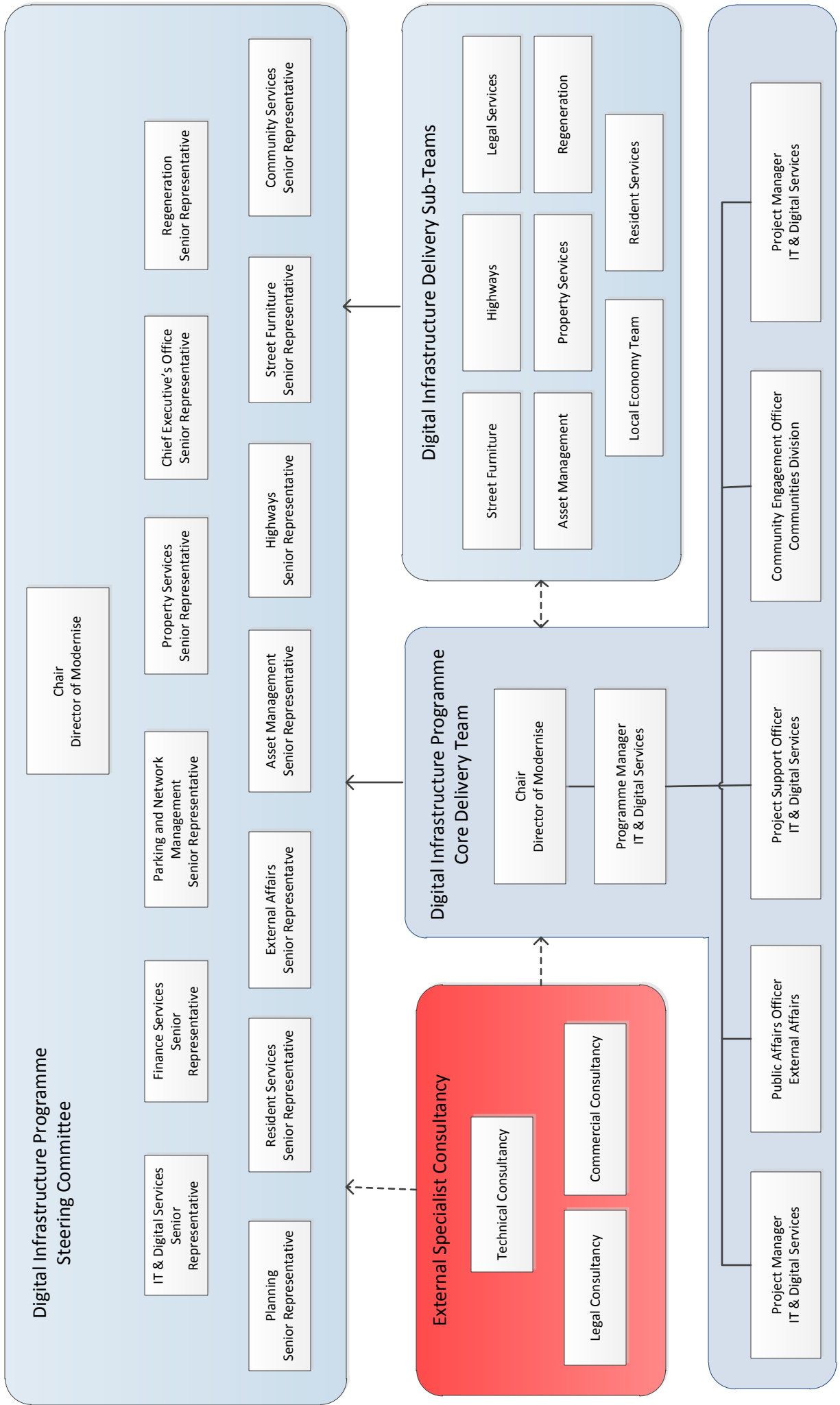
**October 2017**



# Digital Infrastructure Programme Governance Structure

## Key

- Lines of authority
- ⋯ Lines of support / advice



<b>Item No.</b> 16.	<b>Classification:</b> Open	<b>Date:</b> 31 October 2017	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		New Southwark Plan: Proposed Submission Version	
<b>Ward(s) or groups affected:</b>		All	
<b>Cabinet Member:</b>		Councillor Mark Williams, Regeneration and New Homes	

**FOREWORD - COUNCILLOR MARK WILLIAMS, CABINET MEMBER FOR REGENERATION AND NEW HOMES**

This New Southwark Plan sets out how we will deliver further regeneration and wider improvements for our great borough in the years to come. We have welcomed development to our borough, providing much needed homes and affordable homes for our residents, along with jobs – in construction and in the completed schemes. At the same time as welcoming new development we have maintained a strong commitment to preserving and enhancing the historic nature and identity of our borough. Our location, with large amounts of our borough being in Central London, provides an opportunity for all of Southwark’s residents to benefit from new developments.

Looking to the future we must answer the pressing need for housing – of all tenure types – for our residents, we need more affordable homes and in particular new council homes. To meet this need, Southwark has an ambitious target to deliver 11,000 new council homes by 2043 with the first 1,600 complete or underway by the end of 2018. This New Southwark Plan sets out that we expect to deliver a significant proportion of these homes through new developments, as well as through estate infill and regeneration. By working with our communities and local residents we will identify opportunities to deliver an increase in council homes on our existing estates. We have set out in our Council Plan a Fairer Future promise to make Southwark an age-friendly borough and this New Southwark Plan will help to promote a wider range of different types of homes that help to meet the needs of an aging population.

The regeneration of the Elephant and Castle continues to gather pace and is a clear demonstration of our commitment to improving the lives of our borough’s residents. To enable further investment in new homes we have adopted the Aylesbury Area Action Plan, Peckham and Nunhead Area Action Plan and the Revised Canada Water Area Action Plan and we continue to consult on the Old Kent Road Area Action Plan. All of these plans will help realise the potential of these distinct areas and deliver the homes, jobs, and social infrastructure our residents so desperately need.

This new plan also contributes to our borough’s new responsibilities for public health and helping our residents lead healthy and active lives, and tackling poor air quality. This plan complements our Cycling Strategy which will unlock the cycling network and help us get many more residents of all ages cycling. We continue to take a firm stand on limiting payday lenders who blight many of our high streets and town centres. This New Southwark Plan also sets out visions for all of our borough’s neighbourhoods.

I look forward to continue to work with residents, businesses and community groups from across our borough to implement the policies set out in the New Southwark Plan. By

working together we can continue delivering the homes, jobs and public spaces our borough needs.

## **RECOMMENDATIONS**

That Cabinet:

1. Agree the New Southwark Plan: Proposed Submission Version (Appendix A) for consultation.
2. Note the Consultation Plan (Appendix B) and Consultation Report (Appendix C).
3. Note the Integrated Impact Assessment (Appendix D) and Habitats Regulations Assessment (Appendix E).

## **BACKGROUND INFORMATION**

4. The New Southwark Plan (Appendix A) is the regeneration strategy and development plan (along with the London Plan) for Southwark. It is used to set our aspirations for regeneration and to make decisions on planning applications. The preparation has been an open, informal consultation since October 2013 with many versions being subject to considerable discussion. This is now the formal stage where the final document called the 'Submission Version' is submitted to the Secretary of State for a Planning Inspector to consider whether there are any legal issues to address. We are asking people to tell us if they think there are any legal issues for the Council to address. Further changes will only be made if there are legal reasons.
5. Consultation will take place from 25 October 2017 until 12 January 2018. Unlike previous consultations, the scope of the consultation is to ask whether its aims are achievable and whether the plan is based on a robust evidence base. These questions are commonly known as the 'Test of Soundness.' We are asking two questions:
  - Is the New Southwark Plan legal?
  - Is the New Southwark Plan 'sound'?
6. Further details about the consultation are provided in the Consultation Plan (Appendix B) and Consultation Report (Appendix C).

## **KEY ISSUES FOR CONSIDERATION**

### **Conformity**

7. The GLA have raised a number of conformity issues:
8. They consider Canada Water to be a district rather than a major town centre as they consider the activity at Canada water to be of district rather than major town centre level. Canada Water was designated as a Major Town Centre in the 2007 New Southwark Plan. This approach was found sound by a Planning Inspector. The town centre is expanding rather than contracting. Therefore there are no reasons for the Council to downgrade the town centre.
9. They consider Old Kent Road to be 2 district centres rather than a major town

centre. Old Kent Road is one road with shops along the entire road. There is enough retail for the town centre to be considered as a major town centre. Therefore there are no reasons for the Council to consider the shopping to be part of 2 district centres rather than a major town centre.

10. They consider there to be a few specific sites that should be kept as industrial as a Preferred Industrial Location rather than changing to mixed use. We are proposing Admiral Hyson as an additional site which the GLA had not considered. We are also setting out clear guidance on retention of the type of B use that is protected in Preferred Industrial Locations in the draft Old Kent Road Area Action Plan/Opportunity Area Framework. We are also setting out a saved Preferred Industrial cluster with a new policy and designation. Therefore these amendments should address the concerns that therefore there are no reasons to extend the Preferred Industrial Location to include the specific sites concerning the GLA.

### **Duty to co-operate**

11. Neighbouring boroughs have been consulted and there have been group discussions about issues. Details about these will be provided for the consultation in our paper on the 'Duty to Co-operate'.

### **General comments**

12. Residents, businesses, community groups, Councillors and others have raised detailed issues about the visions, policies and sites throughout the consultation. There have been many versions of the document as these have been taken into account. There are many detailed changes to the text and policies to ensure that they read more simply and clearly and so that they are meaningful as a regeneration strategy and planning document. There have been no substantive changes at this stage of the plan between the Preferred Option versions 2015 and 2016 and the Submission Version to the visions or policies.
13. A detailed summary of changes between the Preferred Options and Proposed Submission Version is set out in the Consultation Report (Appendix B). A detailed summary of the consultation responses and how they have been taken into account is also set out in the Consultation Report Appendix B)

### **Site allocations**

14. There are a number of site allocations that were proposed at the Preferred Option stage have been removed from the Plan for the Submission Version:
15. **Telephone Exchange and 50-60 Blackfriars Road (Blackfriars Road)** The site owners confirmed there is no prospect of redevelopment within the NSP timeframe as the site houses telecoms equipment that cannot be relocated.
16. **St Georges Health Centre and Tadworth House (Blackfriars Road)** The site includes a residential element (Tadworth house) and the site's inclusion caused alarm and distress to residents. There are no plans to redevelop the site so this site allocation has been removed.
17. **Cinema and multi-storey car park, Moncrief Street (Peckham)** Following the previous consultation and due to the ongoing success of Bold Tendencies,

Peckhamplex, and the soon to open Peckham Levels project the council has decided to extend the leases for these users. This site allocation has therefore been removed as this site will continue as a hub for employment and cultural uses for at least the duration of the New Southwark Plan.

18. **Croft Street Depot (Rotherhithe)** The site owners confirmed there is no prospect of redevelopment within the NSP timeframe as the site houses telecoms equipment that cannot be relocated.
19. **Dulwich Telephone Exchange, 512 Lordship Lane (Dulwich)** The site owners confirmed there is no prospect of redevelopment within the NSP timeframe as the site houses telecoms equipment that cannot be relocated.
20. **Wesson Mead (Camberwell)** The site owners, Southwark Council, have no plans to redevelop the site.
21. The following sites are proposed for allocation at the Proposed Submission stage that were not proposed for allocation at the Preferred Option stage:
  - **NSP14: Old Jamaica Road Business Estate (Bermondsey)**
  - **NSP43: Goose Green Trading Estate (East Dulwich)**
22. Both have been proposed because the commercial uses do not benefit from planning protection in the event an application is received to redevelop the sites for entirely residential uses. The proposed site allocations allow for residential uses as part of mixed use development.
23. One site has a significantly amended site area. **NSP53: Land between Melior Street, St Thomas Street, Weston Street and Fenning Street** has been amendment to remove the area to the east.

### **Policy implications**

24. As above.

### **Community impact statement**

25. The purpose of the New Southwark Plan is to facilitate regeneration and deliver the vision of the Fairer Future promises, ensuring that community impacts are taken into account. An Integrated Impact Assessment that includes an equalities analysis to make sure that the New Southwark Plan is having a positive impact on different groups and is delivering the most sustainable option is attached as Appendix D. Consideration of Habitats and the impact of the Plan on these are considered as attached in Appendix E.

### **Resource implications**

26. There are no immediate resource implications arising from this report as any additional work required to complete the work will be carried out by the relevant policy team staff and budgets without a call on additional funding.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Public health implications**

#### **Director of Public Health**

27. The National Planning Policy Framework states that local planning authorities should ensure that health and wellbeing, and health infrastructure are considered in local plans and in planning decision making.
28. The Director of Health and Wellbeing welcomes how the New Southwark Plan (NSP) addresses a range of issues relevant to health and healthcare infrastructure through the plan-making and decision-making processes. The implementation policies, strategic policies and policies in the NSP have set out how:
- Development proposals can support strong, vibrant and healthy communities and help create healthy living environments and support the reduction of health inequalities;
  - Opportunities for healthy lifestyles can be created (eg planning for an environment that supports people of all ages in making healthy choices, helps to promote active travel and physical activity, and promotes access to healthier food and food growing opportunities, high quality open spaces, and opportunities for play, sport and recreation);
  - The healthcare infrastructure implications of any relevant proposed local development must be considered;
  - Potential pollution and other environmental hazards, which might lead to an adverse impact on human health, must be accounted for in the consideration of new development proposals;
  - Access to the whole community by all sections of the community, whether able-bodied or disabled, must be taken into account.
29. The Director of Health and Wellbeing especially welcomes that the NSP highlights health inequalities and childhood obesity as local concerns. The Director of Health and Wellbeing will support the planning authority to strongly reinforce the importance of planning applicants and planning decisions to have particular regard to:
- Make physical activity easy to do;
  - Create places and spaces to meet to support community engagement and social capital;
  - The impact of developments that are in proximity to locations where children and young people congregate such as schools, community centres and playgrounds;
  - The evidence indicating high levels of obesity, deprivation and general poor health in specific locations;
  - The over-concentration and clustering of certain use classes within a specified area that impact on health and wellbeing.

### **Legal implications**

#### **Director of Law and Democracy**

30. The National Planning Policy Framework (“NPPF”) came into force in March 2012

and since then due weight when making planning decisions should be given to relevant development plan policies according to their degree of consistency with the NPPF.

31. The report identifies that the Core Strategy was adopted in 2011 whilst the relevant Southwark Plan policies were saved in 2010. There is therefore growing pressure to reconsider policies and the Council is required by section 17, Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England Regulations 2012 to keep the development plan documents under review.
32. As identified in the foreword to the report at paragraph 1.2, the next stage in the process is for a public consultation on the Proposed Submission Local Plan pursuant to Regulation 19 of the 2012 Regulations mentioned above. At that stage, following the incorporation of technical or other minor amendments, it is proposed that the Submission Local Plan together with supporting documents and evidence is submitted to the Secretary of State for an Examination in public. This is explained in paragraph 4.3 of the report., At that Examination, whether or not the Plan is compliant with the requirements of the 2004 Act (as amended) will be considered. The Plan together with any updates arising through the Examination in public can then be considered for adoption which must fall to be determined by the Council Assembly.
33. The New Southwark Plan is emerging as the result of extensive consultation and this is reported at Appendix C. The question on the community impacts which are arising in view of the revised policies contained within the Plan are considered at Appendix D to the report and the Cabinet is referred to this analysis so Members can satisfy themselves that those persons having a protected characteristic are being properly considered. By identifying these impacts, , it is intended that the Council will be able to maintain the appropriate balance between making strategic policies for its communities against possible interference with individual rights. The issue of human rights will be specifically considered at the time the New Southwark Plan Comes forward for adoption.
34. Once it is adopted, the New Southwark Plan will form part of the statutory development plan in accordance with which applications for planning permission must be determined by the Council unless material considerations indicate otherwise.

## **Financial implications**

### **Strategic Director of Finance and Governance (FC17/070)**

35. This report requests cabinet to agree the New Southwark Plan: Proposed Versions (Appendix A) for consultation. The report is also requesting cabinet to note the consultation plan (Appendix B) and consultation report (Appendix C), along with the Integrated Impact Assessment (Appendix D) and Habitats Regulations Assessment (Appendix E). Full details are contained within the main body of the report.
36. The strategic director of finance and governance notes that there are no immediate financial implications arising from this report.
37. It is noted that staffing and any other costs connected with this recommendations

will be contained within existing departmental revenue budgets.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
London Plan 2016	Planning Policy Team 160 Tooley Street London SE1 2QH	<a href="mailto:planningpolicy@southwark.gov.uk">planningpolicy@southwark.gov.uk</a>  020 7525 5471
<b>Link:</b> <a href="http://www.london.gov.uk/priorities/planning/londonplan">http://www.london.gov.uk/priorities/planning/londonplan</a>		
Southwark Statement of Community Involvement 2008	Planning Policy Team 160 Tooley Street London SE1 2QH	<a href="mailto:planningpolicy@southwark.gov.uk">planningpolicy@southwark.gov.uk</a>  020 7525 5471
<b>Link:</b> <a href="http://www.southwark.gov.uk/info/856/planning_policy/1238/statement_of_community_involvement_sci">http://www.southwark.gov.uk/info/856/planning_policy/1238/statement_of_community_involvement_sci</a>		
Saved Southwark Plan 2010	Planning Policy Team 160 Tooley Street London SE1 2QH	<a href="mailto:planningpolicy@southwark.gov.uk">planningpolicy@southwark.gov.uk</a>  020 7525 5471
<b>Link:</b> <a href="http://www.southwark.gov.uk/info/856/planning_policy/1241/the_southwark_plan">http://www.southwark.gov.uk/info/856/planning_policy/1241/the_southwark_plan</a>		
The Core Strategy 2011	Planning Policy Team 160 Tooley Street London SE1 2QH	<a href="mailto:planningpolicy@southwark.gov.uk">planningpolicy@southwark.gov.uk</a>  020 7525 5471
<b>Link:</b> <a href="https://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/development-plan/local-plan?chapter=2">https://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/development-plan/local-plan?chapter=2</a>		
National Planning Policy Framework	Planning Policy Team 160 Tooley Street London SE1 2QH	<a href="mailto:planningpolicy@southwark.gov.uk">planningpolicy@southwark.gov.uk</a>  020 7525 5471
<b>Link:</b> <a href="http://www.gov.uk/government/publications/national-planning-policy-framework--2">http://www.gov.uk/government/publications/national-planning-policy-framework--2</a>		
New Southwark Plan Issues and Options Version	Planning Policy Team 160 Tooley Street London SE1 2QH	<a href="mailto:planningpolicy@southwark.gov.uk">planningpolicy@southwark.gov.uk</a>  020 7525 5471



Background Papers	Held At	Contact
<b>Link:</b> <a href="http://www.southwark.gov.uk/newsouthwarkplan">http://www.southwark.gov.uk/newsouthwarkplan</a>		
New Southwark Plan: Strategic Policies and Development Management Policies Preferred Option Version	Planning Policy Team 160 Tooley Street London SE1 2QH	<a href="mailto:planningpolicy@southwark.gov.uk">planningpolicy@southwark.gov.uk</a>  020 7525 5471
<b>Link:</b> <a href="http://www.southwark.gov.uk/newsouthwarkplan">http://www.southwark.gov.uk/newsouthwarkplan</a>		
New Southwark Plan: Area Visions and Site Allocations Preferred Option Version	Planning Policy Team 160 Tooley Street London SE1 2QH	<a href="mailto:planningpolicy@southwark.gov.uk">planningpolicy@southwark.gov.uk</a>  020 7525 5471
<b>Link:</b> <a href="http://www.southwark.gov.uk/newsouthwarkplan">http://www.southwark.gov.uk/newsouthwarkplan</a>		
New Southwark Plan: New and Amended Policies	Planning Policy Team 160 Tooley Street London SE1 2QH	<a href="mailto:planningpolicy@southwark.gov.uk">planningpolicy@southwark.gov.uk</a>  020 7525 5471
<b>Link:</b> <a href="http://www.southwark.gov.uk/newsouthwarkplan">http://www.southwark.gov.uk/newsouthwarkplan</a>		

## APPENDICES

No.	Title
Appendix A	New Southwark Plan Proposed Submission Version 2017 (Hard copy circulated separately)
Appendix B	New Southwark Plan Proposed Submission Version: Consultation Plan (available at: <a href="http://www.southwark.gov.uk/newsouthwarkplan">http://www.southwark.gov.uk/newsouthwarkplan</a> )
Appendix C	New Southwark Plan Proposed Submission Version: Consultation Report (available at: <a href="http://www.southwark.gov.uk/newsouthwarkplan">http://www.southwark.gov.uk/newsouthwarkplan</a> )
Appendix D	New Southwark Plan Proposed Submission Version: Integrated Impact Assessment (available at: <a href="http://www.southwark.gov.uk/newsouthwarkplan">http://www.southwark.gov.uk/newsouthwarkplan</a> )
Appendix E	New Southwark Plan Proposed Submission Version: Habitat Regulations Assessment (available at: <a href="http://www.southwark.gov.uk/newsouthwarkplan">http://www.southwark.gov.uk/newsouthwarkplan</a> )

## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Mark Williams, Regeneration and New Homes	
<b>Lead Officer</b>	Eleanor Kelly, Chief Executive	
<b>Report Author</b>	Juliet Seymour, Planning Policy Manager	
<b>Version</b>	Final	
<b>Dated</b>	20 October 2017	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Director of Public Health	Yes	Yes
<b>Cabinet Member</b>	Yes	No
<b>Date final report sent to Constitutional Team</b>		20 October 2017

<b>Item No.</b> 17.	<b>Classification:</b> Open	<b>Date:</b> 31 October 2017	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Community Infrastructure Levy and Section 106 Planning Obligations and Community Infrastructure Levy Supplementary Planning Document	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Councillor Mark Williams, Regeneration and New Homes	

### **FOREWORD – COUNCILLOR MARK WILLIAMS, CABINET MEMBER FOR REGENERATION AND NEW HOMES**

As part of Southwark’s work to tackle the housing crisis we have been consulting with local residents, businesses and community groups along the Old Kent Road on how we can significantly regenerate the area. This work culminated in the publication of the Old Kent Road Area Action Plan which sets out how and where we expect 20,000 new homes, 5,000 new jobs, and new parks, schools and health facilities to be built over the next 15-20 years. We have listened to local residents and are clearly setting out that we want to extend the Bakerloo Line down the Old Kent Road with three new stations. We also want to see significant improvements to the Old Kent Road itself including bus lanes, cycle lanes, more and better crossings for pedestrians and the creation of a tree lined boulevard from the Lewisham border all the way to Tower Bridge Road. Working with landowners and developers we will create a new park at Mandela Way and at the gasholders as well as a new green route along the former Surrey Canal. We will work with the affected businesses to help them take advantage of and adapt to new development or find new more suitable premises elsewhere. This will require intensive work from our officers to make sure that as many businesses as possible benefit from these proposed changes.

We also set out in the Old Kent Road AAP that we will require 35% affordable housing with 70% of these homes being social rent with the remainder being intermediate homes. This approach means that those who both need social housing and help getting on the housing ladder will receive assistance. We will also require developers to help pay for the infrastructure needed to allow this scale of development to happen, most notably the Bakerloo Line extension. We are uprating the Community Infrastructure Levy for this area; this includes amending the boundary between CIL zones 2 and 3 so that the whole opportunity area falls within zone 2 and all residential development pays a rate of £218 per square metre. The AAP also sets out the need to provide new primary and secondary schools, improved play space for our children, and that development must improve air quality in the local area.

### **RECOMMENDATIONS**

That cabinet provides recommendations for council assembly to:

1. Consider the Examiner’s Report on the revisions to the Southwark Community Infrastructure Levy (Revised Southwark CIL) (Appendix A).

2. Approve the Revised Southwark CIL Charging Schedule (Appendix B) and bring it into effect on 1 December 2017.
3. Approve the revisions to Southwark's "Regulation 123 List" (Appendix C).
4. Note the Revised Southwark CIL Infrastructure Plan (Appendix D), the Equalities Analysis (Appendix E) and Consultation Report (Appendix F).

That cabinet:

5. Resolves to rescind the January 2017 Addendum to the Section 106 Planning Obligations and Community Infrastructure Levy Supplementary Planning Document (2015) (Appendix G) on 1 December 2017, subject to approval of the Revised Southwark CIL by Council Assembly on 29 November 2017.

## **BACKGROUND INFORMATION**

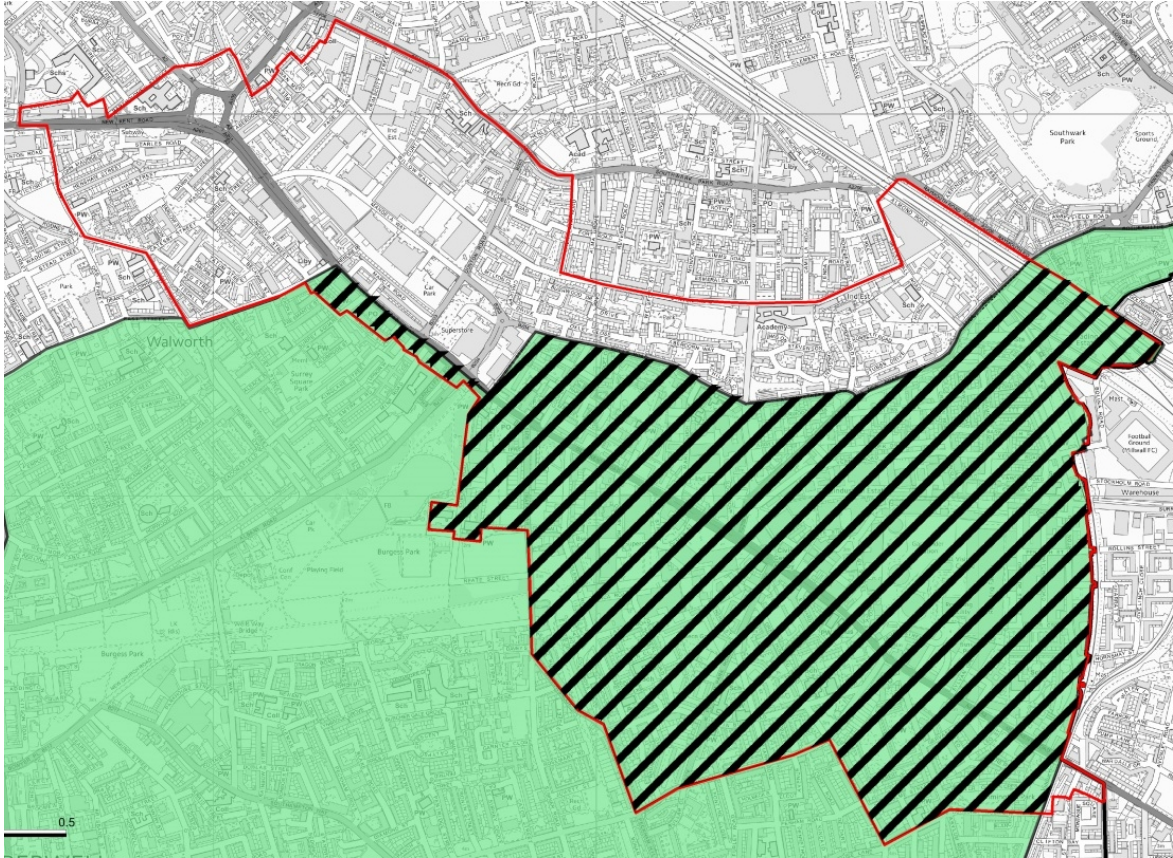
### **CIL**

6. The CIL is a levy that local authorities can choose to charge on new developments in their area. The money can be used to support development by funding infrastructure that the council, local community and neighbourhoods want. Infrastructure is defined in the CIL Regulations to include: roads and other transport facilities, flood defences, schools and other educational facilities, digital connectivity and fibre, medical facilities, sporting and recreational facilities and open spaces. The benefits are increased certainty for the funding and delivery of infrastructure, increased certainty for developers and increased transparency for local people.
7. If intending to apply the levy, councils (which are designated as "charging authorities") must produce a document called a charging schedule which sets out the rate for their levy. These rates must be supported by an evidence base including:
  - An up-to-date development plan
  - The area's infrastructure needs
  - An overall assessment of the economic viability of new development.
8. The levy is a compulsory charge levied on most new developments that involve an increase of 100sqm or more of additional floorspace, or that involve the creation of a new residential unit. The charging authority can set one standard rate or it can set specific rates for different areas and types of development.
9. Some developments are exempt from paying the levy. These are developments of affordable housing and developments by charities of buildings used for charitable purposes.
10. It should be noted that in London's case, the Mayor is also a charging authority. The Mayor has introduced a CIL to fund Crossrail. The Mayor's levy is £35 per square metre, with a limited number of exceptions. Southwark collects this levy on behalf of the Mayor.

## Revision of CIL

11. Working with the GLA and wider stakeholders the council is preparing the Old Kent Road Area Action Plan (AAP). The draft AAP is planning for significant growth of 20,000 new homes and at least 5,000 additional jobs in the Old Kent Road opportunity area.
12. Key growth drivers include delivery of the Bakerloo Line extension and wider transport improvements. Developments will be expected to contribute to funding this infrastructure through the Community Infrastructure Levy (CIL).
13. The ambition and vision in the emerging Old Kent Road AAP is changing land values in the opportunity area. The council is therefore revising its CIL charging schedule so that CIL rates reflect current land values and to maximise the funding which can be generated for new infrastructure, while also ensuring that other policies objectives, such as provision of affordable housing, can continue to be met.
14. Southwark's current CIL charging schedule was adopted in 2015. This sets rates for residential, hotel, office, retail and other developments. Rates are varied by area, with three separate CIL zones defined. The 2015 CIL charging schedule sets CIL rates of £200 per sqm and £50 per sqm for residential developments in CIL charging zones 2 and 3 respectively. The CIL Regulations establish a mechanism for inflating CIL using the All-in-Tender Price Index. In 2016 when the Revised Southwark CIL charging schedule was prepared, the 2017 residential rates were forecast to be £218 per sqm in CIL zone 2 and £54 per sqm in CIL zone 3.
15. The Old Kent Road Opportunity Area falls across CIL zones 2 and 3. The council proposes to revise the CIL charging schedule to increase the rate paid by residential developments currently falling within CIL zone 3 in the southern part of the opportunity area. By amending the boundary between CIL zones 2 and 3 the whole of the opportunity area will be brought within CIL zone 2 (see Figure 1 overleaf). This is important to help fund the transport infrastructure required to support growth in the opportunity area, including delivery of the Bakerloo Line extension. On the basis that 20,000 new homes will be built in the opportunity area, CIL will generate around £200m.
16. No other changes to the CIL charging schedule are proposed beyond aligning the existing CIL rates with the All-in-Tender Price Index, as provided for in the CIL Regulations.

**Figure 1: Map showing current CIL charging zone 3 (green), OKR OA boundary (red) and area that currently falls within CIL zone 3 which will be brought within CIL zone 2 (hatched)**



### **Process for preparing a CIL**

17. The process for preparing a CIL involves a number of stages which are identified below:
  - i. Consultation on a preliminary draft charging schedule.
  - ii. Consultation on a draft charging schedule.
  - iii. Submission of the draft charging schedule to an independent examiner, consultation on any post-submission modifications and examination-in-public.
  - iv. Receipt of the examiner's report and adoption of CIL (the current stage).
  
18. The council completed the first stage of revising the CIL charging schedule by consulting on the 'preliminary draft charging schedule' between June and November 2016. This set out the initial revised proposals for the CIL rates. The second stage of consultation took place between January and March 2017. The Revised Southwark CIL was submitted for examination in May 2017 and an informal hearing was held on 26 July. On 23 August the examiner submitted his report.

### **Section 106 planning obligations**

19. Since the introduction of CIL, section 106 planning obligations continue to be used, including to fund affordable housing, but they have a more restricted role. Local authorities are now not able to pool more than 5 separate planning obligations to pay for one item of infrastructure. The intention of the CIL Regulations is that section 106 planning obligations should mainly be used to secure site specific infrastructure which is needed to directly mitigate the impact of development.
20. The Section 106 Planning Obligations and CIL SPD (2015) provides detailed guidance on the use of planning obligations alongside CIL. In 2016-17 the council developed an addendum to this SPD setting out interim guidance on the approach to using section 106 planning obligations to contribute towards funding the two new Bakerloo Line extension stations planned to serve the opportunity area. This addendum was adopted in January 2017 and has applied during the period in which the revision of the CIL charging schedule has taken place. However, it will now be superseded by the Revised Southwark CIL and should therefore be rescinded.

### **Regulation 123 List**

21. A key principle of CIL is that after CIL is adopted authorities should not be spending both CIL and section 106 planning obligations on the same item of infrastructure. Government guidance requires authorities to be clear about those items which will not be funded by section 106 planning obligations and set these out in a list. This is called a Regulation 123 list (which refers to Regulation 123 of the CIL Regulations 2010).
22. The council amended the Regulation 123 List (Appendix I) to align with the addendum to the s106 and CIL SPD. It now requires a further amendment, principally to confirm that the Bakerloo Line extension, including stations can be funded by the Revised Southwark CIL.

### **Consultation**

23. The CIL Regulations 2010 (as amended) set out consultation requirements for planning documents. In accordance with Southwark's statement of community involvement (SCI), the preliminary draft charging schedule was made available for comment over a period from 17 June 2016 until 4 November 2016. Consultation on the draft charging schedule and Regulation 123 List took place between January and March 2017. The documents were made available on the council's website and in local libraries and the council notified around 1,000 consultees in the Planning Policy mailing list and My Southwark. In response to the consultation 12 representations were made. These break down as 2 representations from local residents, 3 representations from statutory bodies and 7 representations from developers. The main areas of concern raised in representations are summarised below and are described in full in the Consultation Report (Appendix F).

#### Residents

- There should be a zero rated CIL sub-area of zone 3 in the Camberwell area to mitigate for the loss of the Bakerloo Line Extension, and sufficient CIL ring-fenced to fund the re-opening of Camberwell station.
- Concern that these proposals will dampen housebuilding at a time of great need for increase.

#### Developers

- Viability of development. A fixed charging schedule for CIL will require flexibility in the application of other policies, such as the affordable housing requirement, to prevent stalled delivery, such as a 70/30 split for affordable housing towards intermediate as in Peckham and Elephant and Castle.
- Improvements to Canada Water station, Surrey Quays station, junctions on Lower Rd with Surrey Quays station and Rotherhithe tunnel and roundabout, bus, cycle, public realm, pedestrian access and road layout should be included in the Regulation 123 list.
- Charging schedule should have a discounted rate for undercroft or basement car parking associated with a chargeable use.
- The CIL rate for Old Kent Rd should be below zone 2 rate, with different rates for different parts of Old Kent Rd, and a different rate for Build to Rent schemes.
- Changes to the charging schedule should be made in association with changes to the AAP.
- Validity of data used in the viability assessment and the resulting assumptions on growth in sales values, build costs and benchmark land values are questioned in relation to other data sources and market research forecasts.

#### University/Charity

- Weekly rental for student accommodation is too low and needs to be between £190-200 to reflect the cost of land, fees, construction, finance and profit.
- Infrastructure provision as part of any future development of London Bridge campus will not be adversely affected by CIL policy and that due regard be given to charitable status.

#### GLA/TfL

- Support for draft CIL charging schedule
- TfL have some queries over the relationship between CIL and s106 planning obligations.

#### Sport England

- Whether there is a robust evidence base for playing pitches and indoor sports facilities for Southwark.

### **KEY ISSUES FOR CONSIDERATION**

24. The council is planning for significant growth of 20,000 new homes and at least 5,000 additional jobs in the Old Kent Road opportunity area through the



emerging Old Kent Road AAP. The delivery of new and improved transport infrastructure, particularly the Bakerloo Line extension, is critical to unlocking the growth opportunities.

## CIL

25. To ensure that CIL can make a meaningful contribution to the Bakerloo Line extension and to reflect changing values in the Old Kent Road opportunity area, the revision to Southwark's CIL charging schedule changes the boundary of current CIL zone 2 so that it covers the entire Old Kent Road opportunity area. All charges in the Revised Southwark CIL charging schedule have also been increased in line with inflation. Residential developments in the Old Kent Road opportunity area will pay the same CIL charge (£218 per square metre) that is paid elsewhere in CIL zone 2, which includes the Elephant and Castle opportunity area and Canada Water opportunity area.
26. The CIL regulations and the National Planning Practice Guidance (NPPG) specify that in setting their levies charging authorities should strike a balance between the desirability of securing funding for infrastructure and the potential impacts of charging a CIL on the economic viability of development across their areas. Levies must also take into account the requirement to pay the Mayoral CIL and should also consider impacts on planning policies, including the requirement to provide affordable housing.
27. The National Planning Policy Framework (NPPF) requires planning authorities to properly consider development viability when considering infrastructure delivery. If development is not viable, it will not proceed and this would impact on the provision of new homes, including affordable homes, and new jobs to support the economy. To inform the revision of the Revised Southwark CIL, the council commissioned a viability study. This study showed that CIL is not one of the main factors in determining the viability of development. Other factors, such as affordable housing, build costs and existing use value will have a far greater impact on viability and a decision about whether to progress a development. Of the notional sites tested, the increased CIL would either have no impact on the level of affordable housing that can be achieved, or in some cases, would result in a small reduction. In all cases tested, the reduction is no more than 5% e.g. it would reduce the level of affordable housing from 40% to 35% or from 35% to 30%.
28. The council has made an assessment of the infrastructure required to support growth in the Old Kent Road opportunity area, and across the borough more generally, over the next 20 years (Appendix D). Sources of committed funding to support infrastructure have also been identified. Inevitably, there is more certainty over funding sources for projects to be delivered in the short term and much less certainty over mid and longer term projects. The infrastructure plan is a living document and can be updated regularly. CIL will play an important role in contributing to the infrastructure requirements to support growth in the Old Kent Road Opportunity Area. However it will not be sufficient to cover the cost entirely and the council will continue to explore other sources of funding to deliver the infrastructure set out in the infrastructure plan.
29. Charging authorities should also make available a draft list of infrastructure items that in the future will not be funded by section 106 planning obligations (the Regulation 123 List, Appendix C). These are items which could be funded or part funded by CIL. Projects not referred to on the list could be funded either by

CIL or by planning obligations. The NPPG advises that authorities should ensure they are clear about what infrastructure is needed and what will be paid for via CIL and via section 106 planning obligations. There should be no actual or perceived 'double dipping' with developers paying twice for the same item of infrastructure through CIL and section 106 planning obligations. The revised Regulation 123 list confirms that the Bakerloo Line extension, including stations, is a potential recipient of CIL funding.

30. Overall it is considered that the change of the CIL zone 2 boundary to ensure that all residential development in the Old Kent Road Opportunity Area pays the higher CIL rate of £218 per sqm represents an appropriate balance between generating funding to secure provision of infrastructure and ensuring that CIL does not put development and regeneration in the borough at risk.
31. Following the examination-in-public on the Revised Southwark CIL, the examiner submitted his report to the council on 23 August. The report concludes that the Revised Southwark CIL, subject to a minor modification in the presentation of mapping, provides an appropriate basis for the collection of the levy in the borough.

#### **SPD addendum**

32. In January 2017 the council adopted an addendum to the section 106 planning obligations and CIL SPD setting out the approach to negotiating section 106 planning obligations in the opportunity area. This document applies to the interim period in which the council was revising the Southwark CIL to ensure that any developments which come forward early make an appropriate contribution to the Bakerloo Line extension. This document will be superseded by the Revised Southwark CIL and should therefore be rescinded.

#### **Community impact statement**

##### **Equalities analysis**

33. An equalities analysis (Appendix E) was undertaken as part of the preparation of the council's existing CIL charging schedule. This has been updated to reflect the changes proposed in the Revised Southwark CIL. In accordance with the Equality Act 2010, the analysis considers the potential impacts of the charging schedule on those groups identified within the Act as having protected characteristics. The main issues are summarised below.
34. The change to the CIL charge proposed for residential developments in CIL zone 3 in the Old Kent Road Opportunity Area is considered to give rise to limited impacts on the individual groups that are identified in the Equality Act. The equalities analysis for the original CIL identified that the imposition of an increased CIL charge could have potential impacts on small businesses in some parts of the borough, which could impact on a range of groups including BME communities. However, the council is proposing no changes to the CIL charging schedule, other than a revised rate for residential development in CIL zone 3.
35. There is a small risk that the proposed increase in the CIL rate will drive up values which will make it harder to access housing which is affordable. However, the proposed charging schedule has been informed by viability appraisals and the level of CIL reflects existing values and is not reliant on any increase in values.

36. Ultimately, CIL is a mechanism intended to raise money to fund infrastructure that will contribute to sustainable development in the borough. In this sense, the adoption of CIL should have an overall positive impact on the various equalities groups. More specific impacts may arise depending on the types of infrastructure that are ultimately funded through CIL, but such issues are not broached as part of the charging schedule and will be considered in due course in the context of decisions concerning expenditure.

### **Sustainability appraisal**

37. The Core Strategy 2011 and emerging Old Kent Road Area Action Plan and New Southwark Plan were subject to sustainability appraisal incorporating strategic environmental assessment to ensure that the principles of sustainable development were thoroughly considered. The Southwark CIL is an extension of the spatial vision and policies set out in the Core Strategy, New Southwark Plan and Old Kent Road Area Action Plan and should not raise additional implications for sustainable development objectives which have not been previously considered. The NPPG notes that a CIL does not require a sustainability appraisal.

### **Financial implications**

38. Significant new infrastructure, including the Bakerloo Line extension costing ~£1.25 billion (for works relating to the Southwark stretch), is required to unlock growth opportunities in the Old Kent Road Opportunity Area. CIL will make a key contribution towards the cost of delivering this infrastructure. The council proposes to increase the CIL rate paid by residential developments falling within CIL zone 3 in the Old Kent Road Opportunity Area so that residential development across the opportunity area pays the higher rate of £218 per sqm. CIL funding in the opportunity area would generate around £200m over the plan period. These measures will help to reduce the infrastructure funding gap, but alternative sources of funding will still need to be identified.
39. This report proposes that the January 2017 addendum to the s106 and CIL SPD which sought contributions of £164 per sqm of residential development, is rescinded. Increasing the residential CIL charge to £218 per sqm, from £54 per sqm, will offset the loss of s106 income.
40. Costs associated with both managing, monitoring and establishing Southwark CIL can be recouped from up to 5% of any CIL income.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Law and Democracy (KC: 4/10/2017)**

41. The Planning Act 2008 (the PA 2008) introduced a discretionary planning charge known as the Community Infrastructure Levy (CIL). The statutory framework for it is set out in sections 205-225 of the PA 2008 and further detail is provided under a number of regulations, in particular, the CIL Regulations 2010 (as amended). As detailed in paragraph 14, the council adopted its CIL charging Schedule in April 2015.

42. Section 211 of the PA 2008 provides that the council in setting its rates in the charging schedule, must have regard to:
- The actual and expected costs of expenditure;
  - The economic viability of development (which may include, in particular, actual or potential economic effects of planning permission or of the imposition of CIL); and
  - Other actual and expected sources of funding for infrastructure.
43. However, there is no legislative provision on how long a charging schedule should apply once it is adopted; nor is there any duty in the PA 2008 or the CIL Regulations 2010 for the charging schedule to be reviewed. However, guidance strongly encourages charging authorities to keep their charging schedules and Regulation 123 List under review. In reviewing the charging schedule, the same process of consultation, examination and approval must be followed.
44. The council has complied with the required statutory process and its Statement of Community Involvement (SCI) as detailed in paragraph 17-18 and paragraph 23 of this report. The council has also had regard to the general duty, introduced by Section 110 of the Localism Act 2011, to cooperate with other prescribed bodies in respect of strategic planning matters which may impact upon sustainable development. Although it may be argued that this duty does not strictly apply to the process of revising charging schedules, the council has taken a purposive approach and cooperated with a range of organisations.
45. The Examiner by a Final Report dated August 2017 has recommended, with minor modifications, that the draft revised charging schedule can be approved.

#### **Regulation 123 list**

46. The language of the CIL regulations 2010 implies that the production of a Regulation 123 List is entirely within the discretion of the charging authority. Therefore, the revision of the Regulation 123 to principally confirm that the Bakerloo Line extension, including stations can be funded by the revised Southwark CIL is entirely within the council's discretion.

#### **Decision making:**

Cabinet recommendation (recommendation 1-4)

47. CIL is part of the council's Local Development Framework (LDF) and can be considered analogous to other LDF documents such as Development Plan Documents. Under Part 3(C) of the council's constitution, the cabinet collectively has responsibility for the council's policy framework (function 3), its finances (function 7) and approval of preferred options (effectively advanced drafts of) development plan documents (function 20). In any event, cabinet has power under Article 6 of the Constitution to carry out the all of the local authority's functions which are not the responsibility of any other part of the council.
48. The legislation on CIL does not prescribe decision making in respect of a charging schedule. The only relevant requirement is that the charging schedule, once approved by the Examiner, should be approved by a resolution of the full council of the charging authority (Section 213(2) of the Planning Act 2008). Once the Cabinet has recommended approval, the matter will be referred to Council

Assembly for final approval.

49. Therefore, for the above reasons cabinet may make the recommendations as set out at paragraph 1-4 of this report.

Cabinet recommendation (recommendation 5)

50. Part 3B of the Constitution sets out that one of the executive functions of the cabinet is have responsibility for supplementary planning documents. Therefore, cabinet have the power to resolve to rescind the Addendum to the January 2017 Section 106 Planning Obligations and Community Infrastructure Levy Supplementary Planning Document (Appendix G) on 1 December 2017, subject to approval of the Revised Southwark CIL by Council Assembly on 29 November 2017.

### **Equality impact assessment**

51. The Equality Act 2010 introduced a single public sector equality duty. This duty requires the council to have due regard to its decision making process to the need to:
- a) eliminate discrimination, harassment, victimization or prohibited conduct.
  - b) advance equality of opportunity between persons who share a relevant characteristic and those who do not; and
  - c) foster good relations between those who share a relevant protected characteristic and those that do not share it.
52. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
53. The council has consulted a broad range of groups and has made every effort to be inclusive. The council has undertaken an updated, detailed Equalities Assessment (Appendix E) in relation to the proposed revised charging schedule.

### **Human rights considerations**

54. Revising the charging schedule, the Regulation 123 and the Infrastructure Plan potentially engages certain human rights under the Human Rights Act 1998 (“the HRA”). The HRA prohibits unlawful interference by public bodies with convention rights. The term “engage” simply means that human rights may be affected or relevant. For our present purposes, a number of rights are potentially engaged:
- a) the right to a fair trial (Article 6) - giving rise to the need to ensure proper consultation and effective engagement of the public process.
  - b) The right to respect for private and family life (Article 8) – the increase in the rate paid by residential development currently falling in CIL zone 3 could impact on viability of housing provision or re-provision. Other considerations may include impacts on amenities or the quality of life of individuals based on the revised charge being too prohibitive.
  - c) protection of property (Article 1 of Protocol 1) – this right prohibits interference with individuals’ rights to peaceful enjoyment of existing

and future property/homes. It could be engaged, for instance, if CIL makes future development unviable.

55. It is important to note that few rights are absolute in the sense that they cannot be interfered with under any circumstances. 'Qualified' rights, including Article 6, Article 8 and Article 1 of Protocol 1, can be interfered with or limited in certain circumstances. The extent of legitimate interference is subject to the principles of proportionality whereby a balance must be struck between the legitimate aims to be achieved by a local planning authority in the policy making process against the potential interference with individual human rights.
56. Before making their decision members are advised to have regard to human rights considerations and strive to strike fair balance between the legitimate aims of revising the charging schedule, the Regulation 123 List and the Infrastructure Plan for the benefit of the community against the potential interference with the individual rights.

**Strategic Director of Finance and Governance (FC17/065)**

57. This report is requesting cabinet to recommend to Council Assembly in approving a number of recommendations relating to the revisions of the Southwark Community Infrastructure Levy. Full details of the recommendations are reflected in paragraphs 1-5.
58. The strategic director of finance and governance notes that the proposals are expected to increase the value of income available from CIL which will contribute towards the high value infrastructure projects planned for the area.
59. The availability of income under the revised proposals in funding the council's infrastructure projects will need to be closely monitored on a regular basis.
60. It is also noted that the costs associated with managing, monitoring and establishing Southwark CIL can be recovered from the 5% of any CIL income permitted under CIL regulations.
61. Staffing and any other costs connected with this recommendation to be contained within existing departmental revenue budgets.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark Statement of Community Involvement 2008	160 Tooley Street London SE1 2QH	020 7525 5411
<b>Link: (copy and paste into browser)</b> <a href="http://www.southwark.gov.uk/info/856/planning_policy/1238/statement_of_community_involvement_sci">http://www.southwark.gov.uk/info/856/planning_policy/1238/statement_of_community_involvement_sci</a>		
Draft Old Kent Road area action plan, 2016 and amendments, 2017	160 Tooley Street London SE1 2QH	020 7525 5411
<b>Link: (copy and paste into browser)</b> <a href="http://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/development-plan/area-action-plan">http://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/development-plan/area-action-plan</a>		
S106 and CIL SPD, 2015	160 Tooley Street London SE1 2QH	020 7525 5411
<b>Link: (copy and paste into browser)</b> <a href="http://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/supplementary-planning-documents-spd/spd-by-planning-topic?chapter=6">http://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/supplementary-planning-documents-spd/spd-by-planning-topic?chapter=6</a>		
The Core Strategy 2011	160 Tooley Street London SE1 2QH	020 7525 5411
<b>Link:</b> <a href="http://www.southwark.gov.uk/assets/attach/1675/1.0.2%20DL%20Core_Strategy_2011.pdf">http://www.southwark.gov.uk/assets/attach/1675/1.0.2%20DL%20Core_Strategy_2011.pdf</a>		

## APPENDICES

No.	Title
Appendix A	Examiner's Report on the Revised Southwark CIL <b>Link: (copy and paste into browser)</b> <a href="http://www.southwark.gov.uk/planning-and-building-control/section-106-and-community-infrastructure-levy/revised-cil-charging-schedule">http://www.southwark.gov.uk/planning-and-building-control/section-106-and-community-infrastructure-levy/revised-cil-charging-schedule</a>
Appendix B	Revised Southwark CIL Charging Schedule
Appendix C	Regulation 123 List
Appendix D	Infrastructure Plan <b>Link: (copy and paste into browser)</b> <a href="http://www.southwark.gov.uk/planning-and-building-control/section-106-and-community-infrastructure-levy/revised-cil-charging-schedule">http://www.southwark.gov.uk/planning-and-building-control/section-106-and-community-infrastructure-levy/revised-cil-charging-schedule</a>
Appendix E	Equalities Analysis <b>Link: (copy and paste into browser)</b> <a href="http://www.southwark.gov.uk/planning-and-building-control/section-106-and-community-infrastructure-levy/revised-cil-charging-schedule">http://www.southwark.gov.uk/planning-and-building-control/section-106-and-community-infrastructure-levy/revised-cil-charging-schedule</a>
Appendix F	Consultation Report <b>Link: (copy and paste into browser)</b> <a href="http://www.southwark.gov.uk/planning-and-building-control/section-106-and-community-infrastructure-levy/revised-cil-charging-schedule">http://www.southwark.gov.uk/planning-and-building-control/section-106-and-community-infrastructure-levy/revised-cil-charging-schedule</a>
Appendix G	Addendum to the Section 106 Planning Obligations and Community Infrastructure Levy (CIL) Supplementary Planning Document (SPD)

No.	Title
	January 2017 <b>Link: (copy and paste into browser)</b> <a href="http://www.southwark.gov.uk/planning-and-building-control/section-106-and-community-infrastructure-levy/addendum-to-the-section-106-planning-obligations-and-cil-spd">http://www.southwark.gov.uk/planning-and-building-control/section-106-and-community-infrastructure-levy/addendum-to-the-section-106-planning-obligations-and-cil-spd</a>

**AUDIT TRAIL**

<b>Cabinet Member</b>	Councillor Mark Williams, Regeneration and New Homes	
<b>Lead Officer</b>	Eleanor Kelly, Chief Executive	
<b>Report Author</b>	Tim Cutts, Senior Regeneration Manager	
<b>Version</b>	Final	
<b>Dated</b>	19 October 2017	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	Yes	Yes
<b>Date final report sent to Constitutional Team</b>		19 October 2017



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

London Borough of Southwark  
Draft Community Infrastructure Levy  
Charging Schedule (December 2017)

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

**London Borough of Southwark  
Draft Community Infrastructure Levy  
Charging Schedule (December 2017)**

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

The rate at which CIL will be charged shall be:

<b>Development type</b>	<b>Zone *</b>	<b>CIL Rate £ per sq.m.</b>
<b>Office</b>	Zone 1	£76
	Zones 2-3	£0
<b>Hotel</b>	Zone 1	£272
	Zones 2-3	£136
<b>Residential</b>	Zones 1	£435
	Zone 2	£218
	Zone 3	£54
<b>Student housing – Direct let **</b>	Zones 1-3	£109
<b>Student housing – Nomination ***</b>	Zones 1-3	£0
<b>All retail (A1 – A5 &amp; Sui Generis uses akin to retail) ****</b>	Zones 1-3	£136
<b>Town centre car parking *****</b>	Zones 1-3	£0
<b>Industrial and warehousing</b>	Zones 1-3	£0
<b>Public libraries</b>	Zones 1-3	£0
<b>Health</b>	Zones 1-3	£0
<b>Education</b>	Zones 1-3	£0
<b>All other uses</b>	Zones 1-3	£0

\*These zones are shown in the CIL Zones Map 2016 below.

\*\* Direct let student housing schemes – market rent levels

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

\*\*\*\* Sui generis akin to retail includes petrol filling stations; shops selling and/or displaying motor vehicles; retail warehouse clubs

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

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

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

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

- The gross internal area of a new buildings or extensions to buildings will be less than 100 square metres (other than where the development will comprise one or more dwelling);
- A building into which people do not normally go;
- A building into which people go only intermittently for the purpose of maintaining or inspecting machinery; or
- A building for which planning permission was granted for a limited period;
- Development by charities of their own land to be used wholly or mainly for their charitable purposes;
- Social Housing.
- Self-build homes.

#### Statement of Statutory Compliance

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

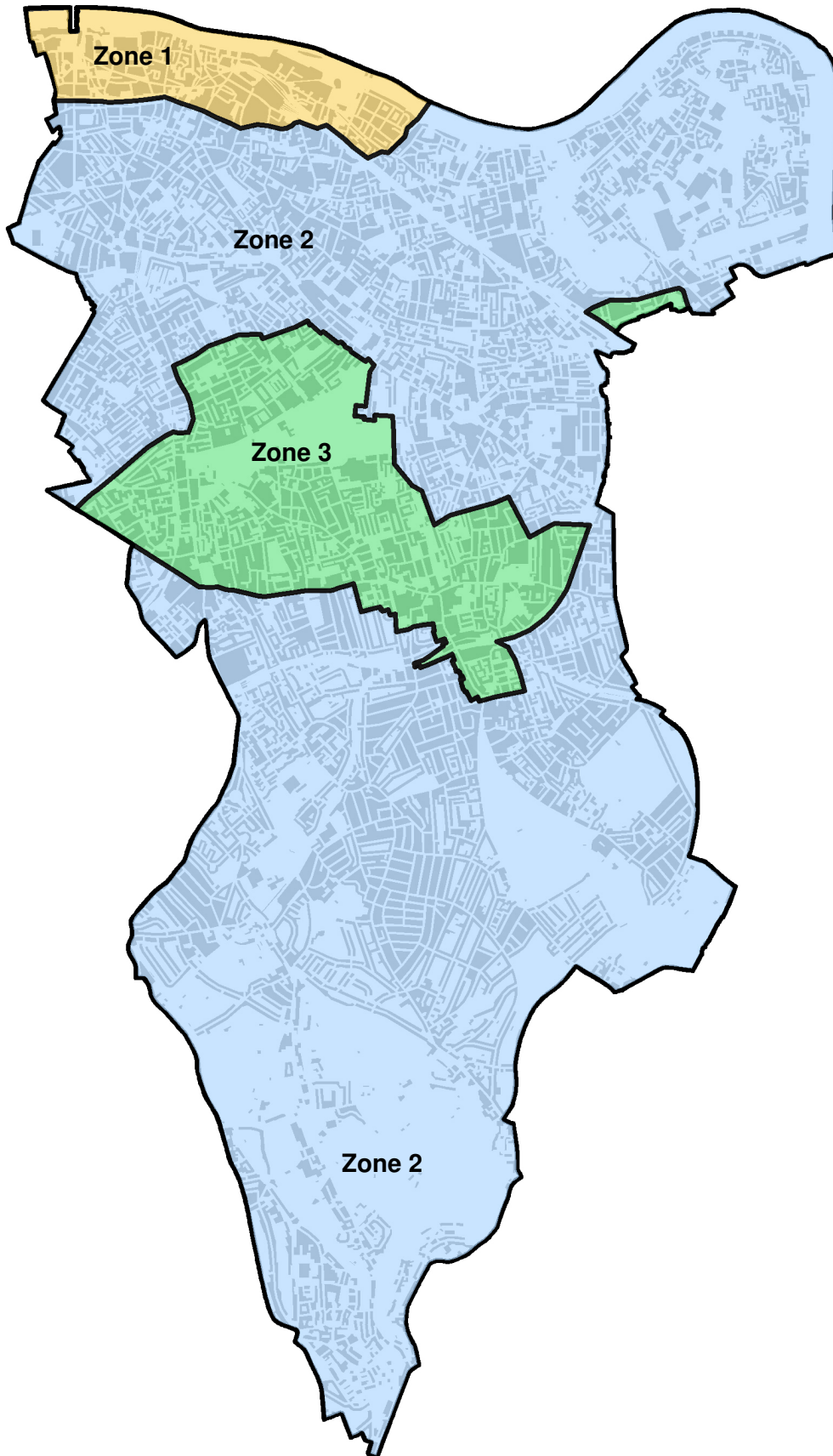
In setting the levy rates, the Council has struck an appropriate balance between;

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

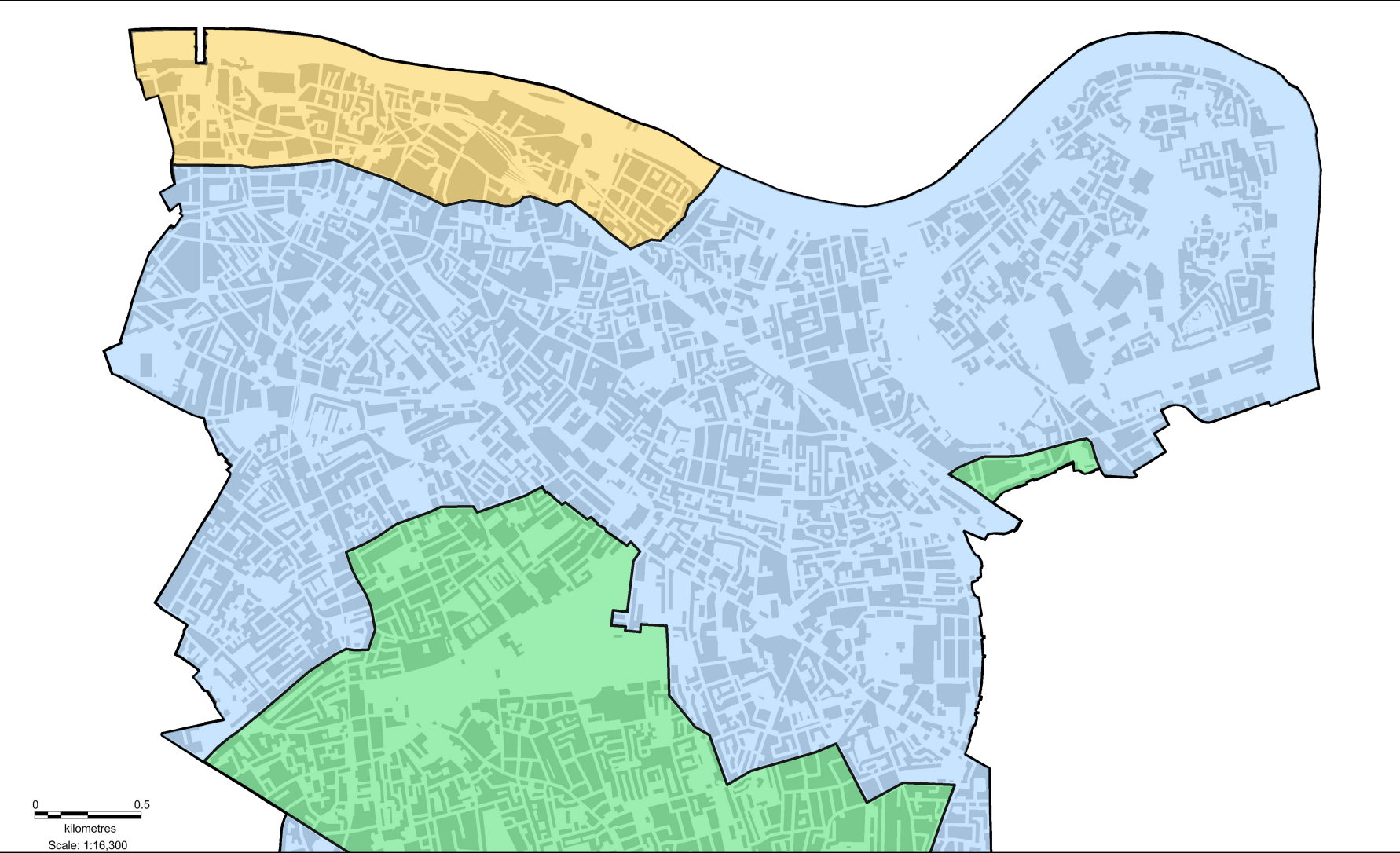
This Charging Schedule was approved by the Council on 29 November 2017.

This Charging Schedule will come into effect on 1 December 2017.

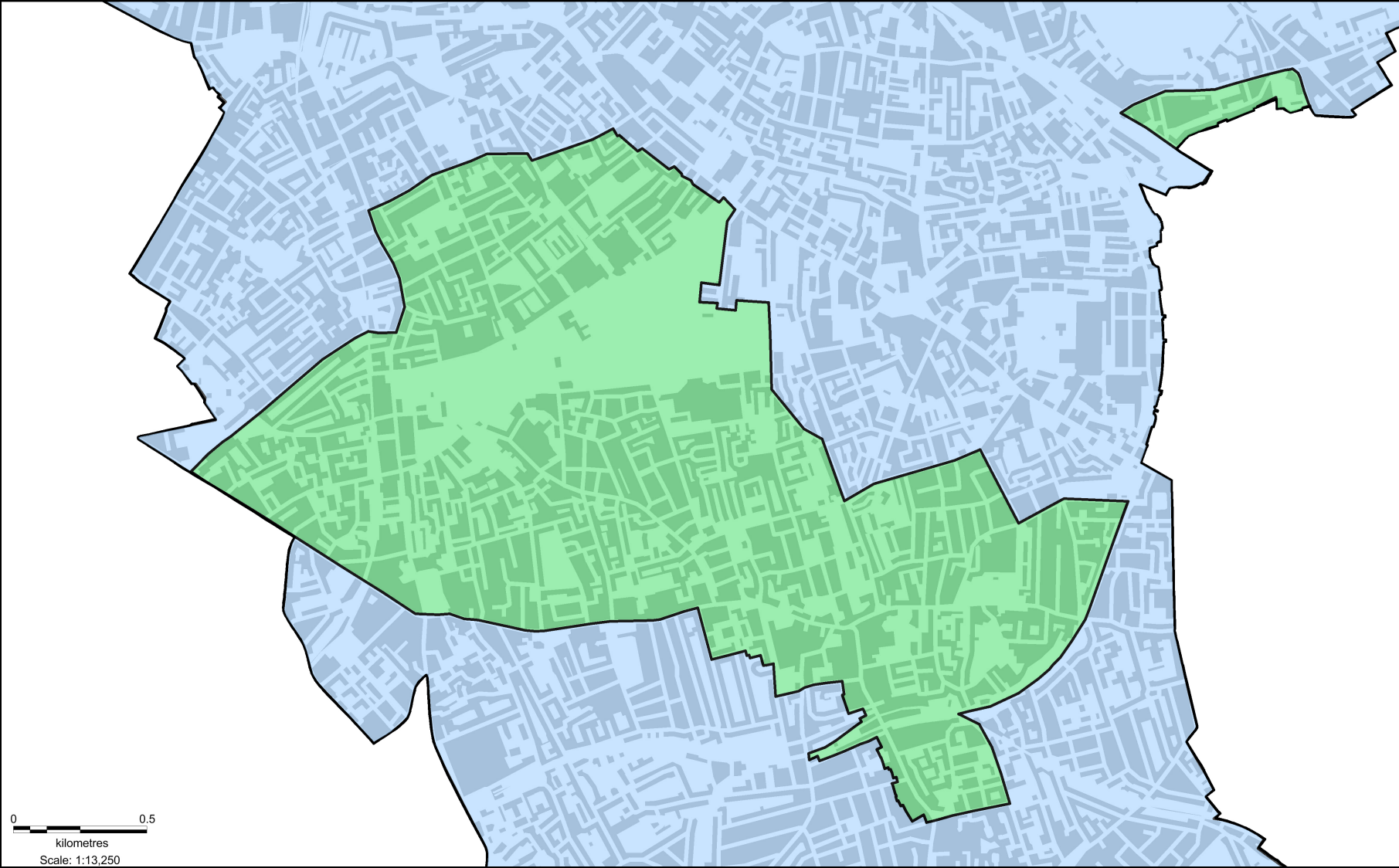
# CIL Charging Zones



CIL Zones Map (inset showing Zones 1 and 2)



CIL Zones Map (inset showing Zone 3)



## CIL Regulation 123<sup>1</sup> list

<b>Infrastructure type and projects</b>
<b>Education</b>
Primary school provision /expansion (not land), except for Alfred Salter, Redriff and Rotherhithe primary schools
Secondary school provision /expansion (not land), except for Bacon's College secondary school
<b>Health</b>
All with the exception of sites where there is a planning requirement to provide a health use, including a new facility to serve the Canada Water core area <u>and Old Kent Road opportunity area</u>
<b>Libraries</b>
All with the exception of sites where there is a planning requirement to provide a library
<b>Open Space</b>
Improvements to District Parks (Burgess Park, Dulwich Park, Peckham Rye and Southwark Park) <u>(excludes improvements to play space)</u> .
<b>Other</b>
Cemeteries (not including land)
Modernised adult care facilities
Storm water storage areas: Camberwell, Dulwich, Peckham Rye and North Peckham
<b>Sports</b>
New leisure centre in Canada Water town centre (not including land)
<b>Transport</b>
Bakerloo line extension <del>(not including land and infrastructure costs for delivering the two stations on Old Kent Road)</del>
Camberwell Station (not including land)
Camberwell town centre improvements to pedestrian crossings, signals and pavements
Cycle routes and parking (not including cycle infrastructure in the Old Kent Road opportunity area; on-site cycle infrastructure; and development specific signage)
Elephant and Castle northern roundabout pedestrian and cycle improvements
Elephant & Castle underground stations (not including land)
New cycle and pedestrian Thames crossing at Rotherhithe
Peckham Rye station

<sup>1</sup> Refers to Regulation 123 of the Community Infrastructure Regulations 2010 (as amended)

<b>Item No.</b> 18.	<b>Classification:</b> Open	<b>Date:</b> 31 October 2017	<b>Meeting name:</b> Cabinet
<b>Report title:</b>		A Review of Further Education (FE) and Skills Provision in the London Borough of Southwark – Response to Overview and Scrutiny Committee	
<b>Ward(s) or groups affected:</b>		All wards	
<b>Cabinet members</b>		Councillor Peter John, Leader of the Council	

### **FOREWORD – COUNCILLOR PETER JOHN, LEADER OF THE COUNCIL**

In September 2017, the council's overview and scrutiny committee reported to cabinet on their review of further education and skills provision in Southwark. The review was undertaken to identify problems and issues with the further education offer in Southwark, particularly with regard to the offer made to young people. The report set out eight recommendations to improve the local further education and skills offer in the borough.

Being at the heart of London brings lots of job opportunities, particularly through our major regeneration projects and as a result of business growth and investment in the borough. Creating a strong local economy and giving our residents the skills so they can take advantage of these opportunities is of critical importance for the council. Our schools are among the best in the country and we have above average Key Stage 4 results across Central London. The council continues to invest in the skills and employability of Southwark residents, particularly where they need extra help to get over barriers holding them back from work. Yet there remains a gap in skills provision and the local further education offer still requires improvement. Still too many learners leave the borough to access suitable further education training elsewhere.

When the results of the Area Based Review were reviewed by cabinet in March 2017, we were concerned that the review did not go far enough to address the specific concerns the council has with state of the local FE offer. In response, we proposed that the council continue the work to influence and build a local skills offer that focuses on the needs of our residents and employers through the development of a local skills strategy. This strategy will set out the council's ambition to work hard with local businesses and other partners to support a high quality FE and skills offer in the borough. I hope we can take this opportunity to reshape, innovate and deliver a quality local skills offer.

### **RECOMMENDATIONS**

That cabinet:

1. Note the response to the recommendations in the report 'A Review of Further Education and Skills Provision in the London Borough of Southwark: Report of the Overview and Scrutiny Committee' (June 2017).
2. Note the progress of the emerging Skills Strategy for Southwark, the development of which was agreed by cabinet at its meeting in March 2017.



## BACKGROUND INFORMATION

3. Earlier this year, the overview and scrutiny committee undertook a review to identify gaps and challenges with the Further Education (FE) offer in Southwark, particularly with regard to the offer made to young people. The subsequent report, published in June 2017, made a series of recommendations with the intention of improving the local further education offer to enable a system which more fully harnesses our resident's potential and prepares them for the world of higher education and employment.
4. The report by the overview and scrutiny committee is planned to be submitted to cabinet for consideration in September 2017. The purpose of this report is to set out a response to the eight recommendations that are made in the report for cabinet to consider.
5. Running parallel to the review of FE being by the overview and scrutiny committee, Southwark has been considering its response to the government's recent Area Based Review of Skills (ABR). As its meeting in March 2017, cabinet resolved to develop a local skills strategy that supports the delivery of a high quality FE and skills offer in the borough. This strategy will be aligned to the Economic Wellbeing Strategy that currently runs to 2022.

## KEY ISSUES FOR CONSIDERATION

### **A Review of Further Education and Skills Provision in the London Borough of Southwark: Report of the Overview and Scrutiny Committee**

6. Officers have reviewed the recommendations put forward by overview and scrutiny committee and have provided the following responses on behalf of the cabinet member for business, culture and social regeneration.

#### **Recommendation 1**

***The committee is disappointed that warnings about the merger with Newcastle College Group by Lewisham and Southwark College were not heeded. We believe a London based partner would have been more appropriate and been better placed to meet the challenges identified in this report. OSC now urges the leadership of the college to work with the council to demonstrate it is prepared to work constructively.***

7. The council has made a concerted effort over the years to address local issues with regards to skills provision and has been advocating for a local solution to quality and sustainability. There have been concerns about provision and outcomes at Lewisham Southwark College in particular. The refresh of the Council Plan further established this ambition stating that the council, *with local business and other partners will make sure our residents are equipped with the skills and knowledge to access the many exciting opportunities that being in Southwark brings and support a high quality FE and skills offer in the borough*
8. Cabinet expressed its concern at the proposed merger of Lewisham Southwark College with Newcastle College group at its meeting in March 2017. This opposition was reiterated in the council's response to the consultation on the proposed merger in

April 2017. However, the merger has now been agreed and it is imperative that the council and Lewisham Southwark College work together to improve the quality of FE provision and outcomes for learners in the borough.

9. The recommendation for Lewisham Southwark College to work constructively with the council is welcomed. The council will seek to engage Lewisham Southwark College as a key stakeholder on the development of Southwark's emerging Skills Strategy.
10. As part of the development of the strategy, a period of consultation and engagement with all key stakeholders will support the emerging strategy and associated delivery and communications plan. The council will ensure that Lewisham Southwark College is fully engaged in this process.

## **Recommendation 2**

***The Area Review noted the need for improved dialogue between colleges, employers and local government to improve the offer to young people. Both the council and the Overview and Scrutiny Committee have voiced serious concerns about the merger between Lewisham Southwark College and Newcastle College Group. These concerns have not gone away, but the Committee believes that, now that the merger has taken place, a new effort needs to be made to engage positively with the college leadership to secure positive outcomes for local young people.***

***The Committee recognises that a Cabinet Member (Councillor Situ) sits on the Board of Governors of the college, but that there is also a need for a broader forum for discussion in order to build a better relationship between the College and the council.***

***With this in mind, the Committee recommends the establishment of a new forum to facilitate this engagement.***

***This would include both officer and political leadership from both Lewisham and Southwark council's and senior leadership from Lewisham Southwark College. We hope that all sides will be prepared to put aside previous differences in order to produce the best outcomes for Southwark's young people.***

***The Committee recommends that the Cabinet Member raises this at the next meeting of the College Board.***

11. Any forum between Lewisham Southwark College, the council and other stakeholders must be able to demonstrate value and have a focus on specific and tangible outcomes. It is proposed that a forum of key stakeholders, including Lewisham Southwark College and the council, will be established to guide the development and implementation of the Skills Strategy. This will address the recommendation for ongoing and constructive engagement between the council and Lewisham Southwark College but link the dialogue specifically to how the quality of FE and skills in Southwark is improved.
12. As part of the development of the Skills Strategy, the establishment of this forum will ensure that all key stakeholders are effectively engaged in the setting of key priorities

and enable a common understanding of key delivery mechanisms, with a strong focus on effective outcomes for all learners, including young people.

13. The council will continue to have a representative on the board of Lewisham Southwark College, a position that is currently filled by Councillor Johnson Situ, Cabinet Member for Business, Culture and Social Regeneration.

### **Recommendation 3**

***The mismatch between the skills employers want and the courses on offer is a clear problem. The council has a role to play in ensuring local FE providers have the information they need in order to construct less complex, more focused course offers. The data and intelligence gathered via the local business forum is just one example. The committee recommends that Southwark provides a formal written contribution to Lewisham Southwark College (and other relevant providers, where appropriate) informing their annual review of courses to be offered. This communication should be a public document.***

14. The council has constructively engaged Lewisham Southwark College to support the development of their curriculum plan in the past and it is hoped that this proactive engagement will continue. The emerging Skills Strategy can support this.
15. The challenge with the mismatch between the skills employers want and the courses on offer is in part because of the way that skills are funded, so closing the skills gap requires more than effective curriculum plan. The emerging Skills Strategy will propose strategic, longer term solutions to address this.
16. In particular, the Southwark Business Forum provides a solid foundation to engage large local employers on the development of a quality local FE and skills offer. Key local employers including PWC, News UK, British Land, Lendlease and others work proactively with the council on promoting a strong local economy. Business Forum members have been vocal in their support for the councils position and the need for a effective local skills offer and supported a submission by the council to the FE Commissioner to advocate for a local skills offer that is more aligned to employer needs and that focuses on collaboration to create a local curriculum that is more fit for purpose and able to meet the needs of residents and businesses.

### **Recommendation 4**

***The Committee has found that one of the reasons the skills offer does not tally with employer demand is that funding is tied to course completion rates, meaning that provision is steered very much by what learners request.***

***The Cabinet should consult with the college (and other local skills providers) about changing this incentive so that actual employment prospects and skills demand are more central to the courses offered.***

17. Ensuring that skills provision in Southwark is employer led is critical and will form a fundamental part of the emerging Skills Strategy. Success here requires a broad range of local, sub-regional and regional discussions with a significant number of stakeholders including funders, providers and employers. The council has already

taken a lead here and robust employer relationships have been established through the Southwark Business Forum.

18. It is expected that the Skills Strategy will help catalyse business leadership on skills. Employers will be a key stakeholder in the development of the strategy and support the articulation of how employers can become more integral to the skills system. As part of the development of the strategy, the council will engage with employers of all sizes and sectors, including through the Business Forum, but also through other networks such as our Business Improvement Districts (BIDs) and the Chamber of Commerce.
19. It is intended that the Skills Strategy will be aligned with, and form a part of, broader sub-regional work that is underway to improve the quality of the FE and skills offer in London. This will include emerging Mayoral priorities at a London level and the proposed Central London Forward (CLF) Skills Strategy.
20. There is also a role for council in supporting learners to shape their decisions so that there is increased demand for employer-led courses. This will support providers to offer the courses that meet the demands of employers without diminishing course completion rates. The current asymmetry in information between learners, providers and employers will be addressed in the emerging Skills Strategy.

#### **Recommendation 5**

***One particular area where more apprenticeships are needed, as identified by the Area Review, is in IT, communication, leisure, travel and tourism, and education. The council should put particular focus on working with employers from these sectors in developing new apprenticeships.***

21. As part of the delivery plan to create 2000 new apprenticeships (as part of the Council Plan), the council has developed a broad range of support for employers to enable them to create better quality apprenticeships in line with the Southwark Apprenticeship Standard. To date, the council has created 1,265 apprenticeships in support of the delivery of this commitment.
22. Specific support that is available for the creation of apprenticeships includes the provision of bespoke business support from the council, working with employers to understand their skills needs and supporting them to identify and implement suitable apprenticeships. This service receives referrals from sales partners, self-referrals through the council's website and also goes directly to firms to support them on the matter of apprenticeships.
23. The council is also working with three training provider partners, including a hospitality specialist and two large providers focusing on core business including IT. The council has supplied them with business intelligence on SMEs in Southwark. These provider partners are approaching Southwark employers on the matter of apprenticeships under the Southwark Apprenticeship Standard.
24. The council has also commissioned a specialist business support service available to construction and built environment employers. This service is targeted to create apprenticeships in addition to existing section 106 commitments and has close links

with the Southwark Construction Skills Centre, which offers a range of training provision for built environment firms locally.

25. All employers in the borough can access both the free business support outlined above plus a range of recruitment services to help them connect to the local labour market. Particular focus is made on key sectors within the Southwark economy including construction, health & social care and tourism & hospitality.
26. The Passmore Centre hub, being developed in partnership with London South Bank University, will provide a gateway for learners into higher professional and technical education. It will also create the infrastructure and technical facilities required to support a substantial growth in Higher and Degree Apprenticeships offered by the LSBU, with a specific focus on hospitality and management.

### **Recommendation 6**

***This report notes the devolution of the Adult Education Budget (AEB) to London (approximately £400 million per year). The committee believes that the council should have a central role in deciding how these funds are spent in our borough. As with recommendation 2, the council is ideally placed to understand how to match this funding to practical support for adult learners, particularly with regard to up-skilling those wishing to improve their employment opportunities.***

***OSC recognises that Cllr Peter John is Deputy Chair on the Mayor of London's Skills for Londoners Taskforce which is tasked to:***

- ***Help the Mayor meet his manifesto commitments on skills***
- ***Support the Mayor to develop a London Skills Strategy***
- ***Share creative and innovative ideas to improve City Hall policy making on skills***

***Using its influence, the Cabinet should lobby the Mayor and the GLA for a more central role for the council in allocating funding in the longer term.***

27. As described above in response to recommendation 4, ensuring that skills provision in Southwark is employer led and leads to effective learner outcomes is critical and will form a fundamental part of the emerging Skills Strategy. This requires a broad range of local, sub-regional and regional discussions.
28. Key to the success of these discussions will be in understanding how the council and its partners can best influence key decision makers including government, the GLA and others. Understanding this landscape and how it can best be influenced will be set out as part of the delivery and communications plan for the Skills Strategy.

### **Recommendation 7**

***The evidence in this report shows that one of the key challenges for the council, colleges and employers is to get the right information about further education to the right people. Currently there is a lack of quality information, advice and guidance for young people in London with regard to the opportunities which are available. The new skills strategy which is being developed by the council***

***should include a proposed communications strategy to address this issue. The strategy should include working closely with other stakeholders.***

29. The statutory duty for providing Information, Advice and Guidance (IAG) to young people rests with the schools that they attend and is inspected by Ofsted. The duty on local authorities is to make support available that will encourage, enable or assist young people to participate in education or training. Southwark Council's published NEET rate (1.3%) is significantly better than England (2.8%) and London (1.8%) [2016/17 destination data].
30. The Local Government Association (LGA) continue to lobby central govt. for increased local powers to commission IAG at Council level, as 'Councils are in a unique position to have strategic oversight of careers provision' [LGA, Position Paper, Principles underpinning good careers advice and guidance, January 2017].
31. A delivery plan and effective communications will be developed as part of the emerging Skills Strategy which will aim to develop clearer progression pathways for learners across all ages. Getting the right information about education, employment and training to young people is fundamental to the Council Plan priority for young people, which seeks to ensure that young people in Southwark have access to education, employment and training.

#### **Recommendation 8**

***The Cabinet should work with schools to see if more can be done to facilitate visits by FE providers to Southwark schools, to make pupils aware of appropriate courses. However, this work should only take place once Southwark Council is convinced that the courses on offer are high quality and would improve the life and employment chances of children in Southwark schools.***

32. As schools are judged by their destination data, there is an appetite to ensure young people are exposed to a rich and varied post-16 and post-18 offer. The successful transition of young people to appropriate 16+ destinations is recorded against the originating school for 2 full years, providing an indicator of the quality of school-based advice.
33. Young people at risk of not engaging in post-16 education, employment or training should be identified in their final year of compulsory education (Year 11) by their school. Data sharing of this 'at risk' group has improved measurably in the last 2 years and increasingly targets young people at risk of marginalisation from good quality FE provision. While good quality FE may not be available within the local authority, Southwark continues to export a high proportion of resident learners to school sixth forms and FE Colleges across London. We are aware that our proximity to the especially rich central-London offer makes specialist provision more accessible.
34. The annual Post-16 brochure, published in September, aims to support learners to make informed decisions about the myriad post-16 choices. The recent development of this on-line resource enables young people, and their families, to choose courses from good quality providers. A broad menu of education and training is described, including Apprenticeship programmes.

35. The Skills Strategy will be instrumental in ensuring young people are informed of the broad and improving offers available locally.

### **Policy Implications**

36. In its response to the ABR, cabinet agreed to the development of a local skills strategy that supports the delivery of a high quality FE and skills offer in the borough. This strategy will be aligned to the Economic Wellbeing Strategy to 2022.
37. The aims of the skills strategy are:
- To ensure all residents are equipped with the range and level of skills they need to access local opportunities and progress in the labour market
  - To enable employers to invest in their workforce and have access to training provision that responds to their needs and allows them to recruit locally
  - To support a collaborative skills system that is more responsive to the needs of the local economy.
38. Key emerging themes for the skills strategy include:
- The need to improve access to effective information, advice and guidance (IAG)
  - Influencing the skills system to increase the focus on outcomes
  - Creating a skills infrastructure that responds to the needs of the local economy and is an enabler of labour market progression
  - Responding to future demand; developing higher level skills
  - Providing tailored support for higher needs/hard to reach groups
  - Continued focus on delivering quality apprenticeships.
39. London government's stated objectives for a devolved skills system are to:
- Boost economic growth and employment, and reduce welfare dependency, by focusing investment in skills that will increase productivity and progression into and within work;
  - Increase the efficiency and effectiveness of public sector skills investment by bringing budgets and powers closer to the point of use – focusing on better demand information, clearly articulating London's skills demands and priorities and getting greater investment from learners and employers, particularly for higher level skills;
  - Creating a responsive skills system that meets the needs of Londoners and London's businesses and can adapt rapidly to the very unique needs of London's economy;

- Support the most disadvantaged and deliver a cost effective, innovative and adaptive adult learning offer that works locally with partners, and integrates with other local services to respond to local social and employment issues.
40. These objectives are particularly important in the context of Brexit as London looks for ways to sustain high levels of growth and ensure that changes in immigration policy have no impact on the supply of skilled labour in the capital. Given that the capital is a high skill economy, with a reliance on flows of international labour to meet its skills demand particularly in important sectors such as finance and construction, London needs to use greater control of parts of the skills system to ensure that it can meet the future skills needs of our economy

### **Community impact statement**

41. A full equalities analysis will be undertaken as part of the development of the Skills Strategy. A core aim of the Economic Wellbeing Strategy and aligned Skills Strategy will be to identify what actions the council and partners can take to build on the high employment rate and growing number of businesses to ensure all sections of the community benefits from the opportunities available in Southwark. The council wants all residents to have the skills they need to participate in the economy in Southwark which is job and business-rich, and achieve financial independence and wellbeing.
42. In delivering these strategies, the council will focus attention on the needs of protected characteristics groups, in line with the council's published equalities approach. The Public Sector Equality Duty (PSED) in section 149 of the Equality Act 2010, requires the council in the exercise of its functions to have due regard to the need to eliminate discrimination, harassment, victimisation or other prohibited conduct; advance equality of opportunity (through providing the means to engage in a quality FE and skills offer and as a consequence the wider labour market and so improve socio-economic outcomes and wellbeing); and foster good relations between people with protected characteristics and those who do not. The relevant protected characteristics specifically supported through this provision include, but are not exclusive to, age, disability, race and gender.
43. Those with disabilities are underrepresented in the labour market and the council aims to reduce the disparity between the employment rate between disabled and non-disabled residents. It aims to ensure that young people with SEND, learning difficulties, mental health issues and those who have been in council care are more able to take advantage of apprenticeships and supported internships to build their skills and readiness for the labour market and independent living.
44. Those for whom English is not their first language, ESOL (English for Speakers of Other Languages) skills provision is in high demand locally and that skills deficit in this area can leave people disadvantaged in the labour market. This is an issue to be addressed at a London wide and local level.
45. The council supports the Living Wage as set by the Living Wage Foundation as a principal way to counter the threat of poverty, and the importance of growing skills and wages in the borough. It supports in- work progression and aims to support residents to up-skill and develop their careers.



### **Financial implications**

46. There are no financial implications arising from this report.

### **Legal implications**

47. Refer to legal concurrent at paragraphs 50 onwards.

### **Consultation**

48. A workshop was held with key stakeholders on the development of the Skills Strategy in July 2017. Participants included schools, FE and HE organisations, employers and training providers. The purpose of the workshop was to engage stakeholders at the outset of the process of development of the skills strategy and inform the draft for further consultation.
49. A range of external and internal stakeholders will be further consulted on during the process of developing the Skills Strategy. Formal consultation will place between September and October 2017 and key groups including learners, employers, FE and HE institutions, training providers and other key partner organisations will be engaged.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Law and Democracy**

50. Cabinet is being asked to note the response to the overview and scrutiny committee's report 'A Review of Further Education and Skills Provision in the London Borough of Southwark' (June 2017); also to note the progress of the emerging Skills Strategy (as agreed at its meeting in March 2017).
51. Relevant to the subject matter of this report is the council's various duties relating to post-16 education. The Education Act 1996 ("the 1996 Act") requires the council to secure that enough suitable education and training (which may include apprenticeship training), in or outside of its area, is provided to meet the reasonable needs of young people in Southwark who are over compulsory school age but under 19, and also young people aged 19 or over with special educational needs and disabilities for whom an "education, health and care plan" is maintained. Local authorities subject to this duty must cooperate with one another, and with regard to apprenticeship training they must also cooperate with the Secretary of State.
52. In determining what is "suitable", the council must have regard in particular to young people's ages, abilities and aptitudes; any learning difficulties or disabilities they may have; the quality of the education or training; and the locations and times at which the education or training is provided.
53. The council must also act with a view to encouraging diversity in the education and training available and promote choice and take account of education and training that might reasonably be secured by other persons.
54. The council is further required by the 1996 Act to encourage participation in education and training by young people described above, and encourage employers to participate in the provision of education and training for them. The Education and Skills

Act 2008 requires young people aged between 16 and 18 and who have not obtained a level 3 qualification to participate in education or training. The 1996 Act requires the council to act with a view to enabling these young people to participate.

55. The council also has a power to secure the provision in its area of full-time or part-time education suitable to the requirements of persons aged 19 and over. "Education" would include training (including vocational, social, physical and recreational training) and of organised leisure time occupation.
56. As Cabinet has previously been advised, the preparation and adoption of a "Skills Strategy" is incidental to the council's functions as outlined above, and something the council has a power to do.
57. Cabinet is reminded that in the exercise of any of its functions, the council is subject to the public sector equality duty, in section 149 Equality Act 2010, and attention is drawn to the community impact statement section of the report for information about the regard given to the objectives described in section 149.

#### **Strategic Director of Finance and Governance (FC17/057)**

58. This report requests cabinet to note the response from the Cabinet member for business, culture and social regeneration on the set of recommendations in the report 'A Review of Further Education and Skills Provision in the London Borough of Southwark: Report of the Overview and Scrutiny Committee' (June 2017). Full details are contained within the main body of the report.
59. This report also requests cabinet to note the progress of the emerging Skills Strategy for Southwark, the development of which was agreed by cabinet at its meeting in March 2017.
60. The strategic director of finance and governance notes that there are no immediate financial implications arising from this report.
61. It is noted that staffing and any other costs connected with this recommendations will be contained within existing departmental revenue budgets

#### **BACKGROUND DOCUMENTS**

<b>Background documents</b>	<b>Held At</b>	<b>Contact</b>
A Review of Further Education and Skills Provision in the London Borough of Southwark: Report of the Overview and Scrutiny Committee	Strategy and Partnerships Manager Team	020 7525 5105
<b>Link: (copy and paste into browser):</b>		
<a href="http://moderngov.southwark.gov.uk/documents/s70938/Appendix%201%20Scrutiny%20report%20A%20Review%20of%20Further%20Education%20and%20Skills%20Provision.pdf">http://moderngov.southwark.gov.uk/documents/s70938/Appendix%201%20Scrutiny%20report%20A%20Review%20of%20Further%20Education%20and%20Skills%20Provision.pdf</a>		

## APPENDICES

No.	Title
None	

## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Peter John, Leader of the Council	
<b>Lead Officer</b>	Nina Dohel, Director of Education Stephen Gaskell, Head of Chief Executive's Office	
<b>Report Authors</b>	Danny Edwards, Strategy and Partnerships Manager	
<b>Version</b>	Final	
<b>Dated</b>	18 October 2017	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
<b>Cabinet Members</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>	18 October 2017	

<b>Item No.</b> 19.	<b>Classification:</b> Open	<b>Date:</b> 31 October 2017	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Gateway 2: Contract Award Approval - Care at Home Contracts	
<b>Ward(s) or groups affected:</b>		All	
<b>Cabinet Member:</b>		Councillor Richard Livingstone, Adult Care and Financial Inclusion	

**FOREWORD – COUNCILLOR RICHARD LIVINGSTONE, CABINET MEMBER FOR ADULT CARE AND FINANCIAL INCLUSION**

For too long, homecare workers in the United Kingdom have been poorly paid. Councils have too often entrusted the care of some of their most vulnerable residents to people working at low rates of pay, on zero hours contracts, whose travel time between jobs is not recognised and have no right to paid holiday and sick leave. Those care workers are also all too often not given good training that helps in the job or to gain promotion.

Part of the country’s national social care crisis has been created by this race to the bottom approach to home care creating an unsustainable system. To put this right, the care sector must start paying people what their work is worth, rather than just the least they think they can get away with.

Southwark has led the country in taking the necessary steps to put this right. In 2012, we became a Living Wage council, agreeing that all new contracts would be let on London Living Wage terms. In 2014, Southwark became one of the first two councils in the country to agree to put an Ethical Care Charter in place, addressing all the problems highlighted above with homecare employment practice. This was put into affect for our homecare contracts in 2015.

However, this still left much of the change needed undone: approximately half the home care paid for by the council was not through its contracts but through spot-purchase arrangements. This report therefore completes the journey on making homecare work fairer that we have embarked on: cabinet is asked to agree contracts that would cover all the homecare that the council pays for.

There are a total of ten contracts in the new arrangements. Nine of these contracts cover four geographic areas in the borough, which align with the local care network areas developed jointly with the Southwark Clinical Commissioning Group. The tenth covers the borough’s out of hours “Night Owls” service and our extra care housing schemes.

We welcome the high level of interest of potential partners in these ten contracts: it is clear that the Southwark Ethical Care Charter is an attractive offer to both employees and their employers. 47 companies submitted Standard Questionnaire applications, of which 26 were of sufficient quality to be asked to put forward a full tender. 22 of those companies did so.

After careful evaluation, five companies are being recommended for these ten contracts. All five companies scored well for both quality and price for each of the contracts that they have been recommended for.

Agreeing the recommended contracts will ensure that Southwark can provide high quality home care for its vulnerable people whilst treating the workers delivering that care with the respect that they deserve.

## RECOMMENDATIONS

1. That the cabinet notes the change in the agreed evaluation methodology to a cost/quality weighting of 70.30 as further detailed in paragraph 6.
2. That the cabinet approves the award of the home care (Care at Home) contracts to the following providers for a period of five years commencing from 4 December 2017 for general home care (Lots 1-9) and from 1 March 2018 for extra care and night owls<sup>1</sup> (Lot 10) with provision to extend all contracts at the council's discretion for a further two years. Details of the contracts are set out in the table below:

Lot No	Description of contract	Name	Estimated annual Contract Value	Estimated value at five year term	Estimated value if two year extensions exercised	Total estimated contract Value
1	General Home Care	London Care Ltd	£2.82m	£14.10m	£5.64m	£19.74m
2	General Home Care	Sagecare Ltd	£2.82m	£14.10m	£5.64m	£19.74m
3	General Home Care	Supreme Care Services Ltd	£2.13m	£10.66m	£4.26m	£14.92m
4	General Home Care	Medacs Health Care PLC	£2.20m	£11.02m	£4.41m	£15.43m
5	General Home Care	London Care Ltd	£2.73m	£13.63m	£5.45m	£19.08m
6	General Home Care	Sagecare Ltd	£2.73m	£13.63m	£5.45m	£19.08m
7	General Home Care	Supreme Care Services Ltd	£2.30m	£11.48m	£4.59m	£16.08m
8	General Home Care	Medacs Health Care PLC	£0.86m	£4.29m	£1.72m	£6.01m
9	General Home Care	Carewatch Care Services Ltd	£0.88m	£4.39m	£1.76m	£6.15m

<sup>1</sup> The contract will provide care in the borough's three extra care housing schemes as well as delivering the Night owls mobile over night home care service supporting particularly frail people who have recently been discharged from hospital – primarily experiencing bed pressure sores and compromised skin viability who require turning several times over night

Lot No	Description of contract	Name	Estimated annual Contract Value	Estimated value at five year term	Estimated value if two year extensions exercised	Total estimated contract Value
10	Extra Care +Night Owls	London Care Ltd	£1.84m	£9.21m	£3.68m	£12.89m
<b>Total</b>			<b>£21.30m</b>	<b>£106.51m</b>	<b>£42.60m</b>	<b>£149.12m</b>

(All numbers are rounded and estimated)

## BACKGROUND INFORMATION

3. In March 2015 the cabinet approved a Gateway 1 report to procure home care contracts as a means of introducing the Southwark Ethical Care Charter (SECC) across the whole commissioned home care sector. This includes that purchased in a more ad hoc arrangement through individual Service Level (home care) Agreements (SLA) provision, also known as “spot” arrangements. Therefore delivering in full the Fairer Future Promises 10 commitment in this area.
4. Following this decision, there then followed a period of extensive market, user and stakeholder engagement to finalise the council’s requirements. Namely; to provide a greater emphasis upon both improved outcomes for individual service users and the strategic outcomes for the wider health and social care economy. The engagement shaped the service specifications and the tender documentation and general procurement approach. To reflect this strategic shift, the council has adopted the title “Care at Home” for these future contracts as opposed to home care; in recognition of their vital role in a wider health and social care system supporting the boroughs’ most vulnerable and frail adult populations to live in their own home and avoid unnecessary residential care home or hospital admission.
5. Contracts with the council’s incumbent home care providers have been extended to align to the contract award and mobilisation timelines as set out in this report. The remaining home care is purchased on individual SLA arrangements from other home care providers. The staff who work under SLA arrangements are not as yet covered by the SECC. These SLA arrangements will cease as the care at home contracts go live and are rolled out.
6. The weighting as set out in the Gateway 1 was that of a 60/40 price/quality split. Due to the financial challenges facing the council, prior to advert going live in January 2017, the cabinet member for adult care and financial inclusion on 6 December 2016 agreed that this threshold should be amended to a 70% cost and 30% quality split, but not compromise on quality standards. Minimum quality thresholds were built into the evaluation methodology to ensure that quality remained acceptable. All of the providers who are being recommended for award passed the minimum thresholds of the requirements of the quality evaluation.

## KEY ISSUES FOR CONSIDERATION

### Description of procurement outcomes

7. The procurement has led to the recommended award of 10 different contracts. Overall the strategic objectives of the procurement were to:
- Fulfil the council's Fairer Future Promises and the roll out of the Southwark Ethical Care Charter to staff currently delivering home care through SLA arrangements as well as directly contracted home care
  - Achieve value for money
  - Drive up quality and outcomes for service users
  - Mitigate against future provider failure and manage risk
  - Re-configure services along Local Care Network boundaries to ensure the wider system is working as effectively as possible for the benefit of the vulnerable populations supported.
- These objectives will be delivered through this procurement.
8. There have been five interrelated competitions covering 4 geographical areas aligned to the north and south Local Care Networks (LCNs). Areas A and B are located in the north LCN with C and D in the south LCN. The areas are broadly aligned to ward boundaries, with an intention to ensure that care teams are situated throughout the borough and travel time between visits is limited:
- **Area A** (Wards: Surrey Docks, Rotherhithe, Riverside, Grange, South Bermondsey Livesey)
  - **Area B** (Wards: Cathedral, Chaucer, East Walworth, Faraday Newington)
  - **Area C** (Wards: Camberwell Green, Brunswick, Peckham, Nunhead, The Lane South Camberwell, East Dulwich, Peckham Rye)
  - **Area D** (Wards: Village, College)
  - **Lot 10** Borough wide Extra Care and Night owls.
9. The service users and hours of care within each area A to D will be shared equally between the 2 or 3 providers operating in that particular area.
10. Following tender evaluation the recommendations relate to five separate organisations and ten individual contract awards as set out below:

Table One - Care at Home Contract Awards

Service Delivery	LCN/ Area	Lot	Area Name	Providers	Approx' annual contract value (£s)	Total Score out of 100 (cost/ quality)	Final rank for this area <sup>2</sup>
General Care at Home	LCN North A	1	Bermondsey And Rotherhithe	London Care	£2.82m	92.20	1st
		2		Sage	£2.82m	90.52	2nd
	LCN North B	3	Walworth and Blackfriars	Supreme	£2.13m	88.30	3 <sup>rd</sup>
		4		Medacs	£2.20m	87.33	4 <sup>th</sup>
	LCN South C	5	Camberwell and Peckham	London Care	£2.73m	92.20	1st
				Sage	£2.73m	90.52	2nd
				Supreme	£2.30m	88.30	3rd
	LCN South D	8	Dulwich	Medacs	£0.86m	92.20	2nd
		9		Carewatch	£0.88m	86.31	4th
Extra Care and Night Owls	Borough-wide E	10	Borough-wide	London Care	£1.84m	92.26	1st

11. There is historically an uneven geographical pattern of home care purchased by the council. This being linked to the geographical nature of the economic and health inequalities in Southwark.
12. Although the council spend on home care is essentially split equally between the north and south LCN areas, the south LCN is geographically larger and purchasing is less evenly distributed than within the north. There is far higher utilisation in Peckham, Camberwell and East Dulwich, than in the less densely populated Dulwich Village / Crystal Palace areas; where economic and health inequalities are not as pronounced and with higher numbers of self funders of care. Hence the lower contract value for area D. This area has also traditionally been the hardest to find care staff to cover because of the lower density of customers (and therefore work available for care workers) and poorer public transport links. The intention from the lotting strategy was also to ensure that the council achieved value for money and avoid paying for unnecessary travel time across Dulwich. The aim is therefore for the two providers who are covering this area to develop specific links with the community and build up a local work force

<sup>2</sup> The highest scoring bidders who has not already been awarded a contract within the same Local Care Network is awarded a contract. See paragraph 24.



in College and Village wards. The award of lower value contracts also provided an opportunity for smaller providers with lower turnovers to bid.

13. As a result of this procurement, LCN North (area A and B) will have 4 different providers operating in total; with areas C and D in the south having 5 different providers. The contracts are co-terminus with the council's two social work teams and the LCNs. They have scope to be varied through mutual agreement to reflect any future configurations of the wider local health and social care economy. The lotting strategy applied also means that risk of an individual organisation failing can be managed as provider(s) will be operating alongside each other in each area/LCN, and so can provide cover.
14. The council has placed particular emphasis on achieving value for money in the procurement, and as a result it has obtained reductions on the unit costs it has been paying up to now for SECC home care rates. This has been done without compromising the integrity of the SECC. The SECC was not applied previously to SLA contracted home care and as a result the unit costs will increase in line with the financial projections the council carried out at the start of the procurement exercise.
15. In summary:
  - Ten contracts will be awarded to five separate home care organisations.
  - Three of these organisations are already operating in the borough. London Care is currently the second largest provider and Medacs and Carewatch both have long standing (be it with lower value) contractual arrangements in Southwark for the delivery reablement and intermediate care.
  - Supreme and Sage are both new to Southwark, but deliver comparable services elsewhere in London.

#### **Procurement project plan (Key Decision)**

16. The procurement plan is set out below:

<b>Activity</b>	<b>Completed by/Complete by:</b>
Briefed relevant cabinet member (over £100k)	06/12/2016
Approval of Gateway 1: Procurement Strategy Report	19/03/2015
Invitation to tender	27/03/2017
Closing date for return of tenders	22/05/2017
Forward Plan (If Strategic Procurement) Gateway 2	01/05.2017
Completion of evaluation of tenders	11/08/2017
DCRB Review Gateway 2:	06/09/2017
CCRB Review Gateway 2:	14/09/2017
Notification of forthcoming decision – despatch of Cabinet agenda paper	23/10/2017
Approval of Gateway 2: Contract Award Report	31/10/2017

End of Scrutiny Call-in period and notification of implementation of Gateway 2 decision	10/11/2017
Alcatel Standstill Period	11/11/2017
Publication of award notice in Official Journal of European (OJEU)	20/11/2017
Publication of award notice on Contracts Finder	20/11/2017
Contract award	20/11/2017
Add to Contract Register	01/12/2017
Contract start for lots 1-9 from (Mobilisation over 5 months)	04/12/2017
Contract start for lot 10	01/03/2018
End TUPE Consultation(s) period (if applicable)*	30/04/2018
Contract completion date for lots 1-9	04/12/2022
Contract completion date for lot 10	28/02/2023
Contract completion date for lots 1-9 – if extension(s) exercised	04/12/2024
Contract completion date for lot 10 – if extension(s) exercised	28/02/2025

\*TUPE consultations involve a number of different staff in various incumbent directly contracted and SLA organisations and will be staggered over a five month period.

### Policy implications

17. The procurement will fully deliver the “Fairer Future” promises commitment to the Southwark Ethical Care Charter (SECC) as set out in the Council Plan.
18. Care at home services will be used by the council to fulfil its statutory duties under the Care Act 2014. The act also requires the council to secure and promote a vibrant and diverse local care and support market.
19. The provision of care at home services will also support the Southwark Health and Wellbeing Board’s vision for integration.
20. Care at home also supports the on-going delivery of the council’s Future Vision for Adult Social Care Services and the Five Year Forward View agreed jointly between the council and Southwark Clinical Commissioning Group that commits both organisations to working together to support those living with disabilities or who are elderly and frail to continue to live independently within the community and avoid unnecessary care home or acute hospital admissions.

### Tender process

21. The council launched the procurement at a bidder’s event on 9 January 2017; with the Standard Questionnaire (SQ) stage (Formerly known as the Pre Qualification Questionnaire) this followed an OJEU notice that was placed along with details of the opportunity on the national contract finder and the council’s own website.
22. The SQ stage assessed the bidders’ experience in a number of mandatory areas as well as a short method statement relating to service areas that are pertinent to the service needs.

23. The SQ process also required bidders to have a minimum company turnover proportionate to the projected maximum contract value for each area and specific lot. Each organisation's set of accounts were reviewed to assess their financial viability and if they had any significant financial issues that may mean that they would be unable to fulfil their contractual requirements. There was also a requirement that bidders obtained suitable credit scores through the credit reference agency.
24. The lotting strategy set out in the tender documentation, stated that a single provider could hold a maximum of one contract in the north and one in the south, plus the extra care contract. This meant that the maximum number of different providers would be 10 with the minimum number five. Tenderers were also asked to rank preferences.
25. The lotting strategy required any bidder who was invited to bid for the larger contracts in Areas A, B and C to be automatically considered for the smaller contracts in area D. This meant that the top 25 scoring for areas A, B and C were automatically considered for the smaller contracts in area D. However they did not have to choose all 3 areas A - C and could either select one, two or three areas of their choice commensurate with their company turn over. The lotting strategy also provided scope for up to six Smaller Medium (sized) Enterprises (SME) with lower financial turn over to compete fairly against larger organisations for area D (lots 8 and 9). Similarly the strategy also indicated that tenderers could bid for extra care only, to provide an opportunity for RSLs who specialise only in this service to bid. The overall top five scores for this lot would be invited to tender.

#### **SQ in summary:**

- 113 organisations registered an interest in the procurement on the E-procurement system at SQ stage
- 47 Bidders submitted applications at the "SQ" stage. Out of the 47:
  - 3 micro companies (under 10 employees)
  - 10 small companies (10-50 employees)
  - 18 medium companies (50-300 employees)
  - 16 Large companies (300+ employees)
- 49 did not respond. For those that gave reasons they tended to be organisations that provided only specialist services to particular client groups (eg learning disability) or stated that the opportunity did not fit in with their business plans.

#### **ITT in summary:**

- 26 bidders were invited to tender. Feedback was given to those who were unsuccessful at this first stage of the process.
- Of the 26 shortlisted agencies who were invited to tender, 22 tenders were finally submitted. Clarifications were sought from the four who did not submit tenders. 3 confirmed they chose not to tender due to internal organisational reasons, and the other as a result of the set guide rate (see para 28 below).

#### **Tender evaluation**

26. The Care at Home Invitation To Tender (ITT) evaluation was in four stages:
- Stage 1 – Initial screening assessment
  - Stage 2 – Price assessment for each lot
  - Stage 3 - Quality assessment/ method statement for each lot
  - Stage 4 - Ranking, cross checking references, finances and policies as required and recommendation for different contract lots.
27. Finance scores were based on a guide rate, through which the lowest eligible tendered price(s) within the guide rate was awarded the maximum 70% score, with subsequent lower scores being awarded relative to their proximity to the highest scored tender(s)
28. The council adopted a guide rate approach to ensure delivery of SECC home care in the borough, as the council has developed considerable knowledge over recent years in relation to the cost of delivering SECC compliant home care in Southwark. A minimum and maximum hourly rate was set for tenderers to bid against, which protected against unsustainable high or abnormally low bids that could affect quality levels or a companies ability to deliver the contract. The council reserved the right to exclude bids that fell outside that range.
29. Quality evaluation panels were made up of suitably qualified officers from across children and adults' department, other parts of the council, NHS, voluntary sector partners from the Consortium of Older People Services in Southwark (COPSINS) and service users with lived experience (coordinated in partnership with Healthwatch and Age UK Lewisham and Southwark). Training was provided for all evaluators.
30. In total there were 28 quality questions in the method statement for general care at home (lots 1-9). These covered 5 domains: workforce, user experience, service outcomes, partnerships and mobilisation. A further 4 questions were asked for tenderers who were short-listed for extra care and night owls. None of the recommended agencies failed on any aspect of the quality evaluation questions.
31. The council was expecting to award contracts to between 5 and 10 bidders in total based upon Most Economically Advantageous Tender (MEAT) principles. The recommendations set out in this report are in line with these objectives.
32. In order to achieve best value, contract recommendations for general care at home (lots 1-9) were allocated in rank order of A, C, B and then D (ie the highest value first, then the second and so on) The value of area C is lower than had been anticipated, which means that area A is the highest value contract and not C as indicated within the tender evaluation methodology. Given that London Care and Sage were ranked first and second respectively for both area A and C, and similarly expressed that these two areas were their first and second preferences; value for money allocation and expressed preferences of tenderers have both been accommodated
33. At the fourth stage of the evaluation process, references were thoroughly checked for the recommended tenderers, alongside final cross-checks of their financial viability (including parent company liability as appropriate) and CQC registration status, as well as revisiting and updating the financial checks conducted for these tenderers as SQ stage.

### Plans for the transition from the old to the new contract

34. A mobilisation plan has been developed covering the key aspects of the pre and post contract mobilisation. This takes account of the of the outcomes of the evaluation process with two of the three incumbent contracted SECC providers and a number of current SLA providers, not being recommended for contract award.

#### Mobilisation Work Programme

Work Stream	Objective
<b>1. Governance and contractual requirements</b>	Ensure the process is managed well.
<b>2. Data cleansing</b>	Ensure reliable service user data is on Mosaic to ensure cost effective and safe transfer of service users.
<b>3. Electronic billing roll out</b>	Reduce transactional costs and improve quality monitoring through electronic billing linked to roster information in real time in terms of length of visits
<b>4. Communications</b>	Ensure effective communications with service users; internal/external stakeholders Foster the spirit of partnership within the local care networks involving local authority, NHS providers and the wider voluntary and community sector (alongside other Care at home providers)
<b>5. Service users reviews</b>	Continuity of care and best value over winter pressure period.
<b>6. Work force</b>	Continuity of care over winter pressure period through ensuring that there are sufficient numbers of trained care workers.
<b>7. Service user transfer</b>	Continuity of care over winter pressure period

### Plans for monitoring and management of the contract

35. The contracts will be monitored through existing staffing resources in the Performance and Quality Team. There is an expectation that partnership working between the care at home providers and the council social work teams; will ensure that quality can be overseen as a matter of ongoing operational work.
36. The Key Performance Indicators (KPI's) have been drawn up, based in part, on the lived experience of home care service users living in Southwark and the ongoing requirements of the council to support vulnerable people to remain at home (as opposed to care home and hospital bed based care). A number of the new KPIs have been shaped by the "I" statements (Appendix 1) embedded within the service specification(s).
37. The council will also be working with the providers during the term of the contracts to develop a "gain share" incentive, through which financial savings from increasing level of independence with a subsequent reduction of the level of care commissioned; can be shared between the provider and the council. The first year of the contracts will be used as a means of establishing baseline

performance with the providers, which will then be used to identify potential gain shares for subsequent contract years.

38. The questions asked by providers in their annual user satisfaction survey will also be changed as a result of the input from local service users and Healthwatch, to ensure questions are more responsive to local service users' experience.
39. A 6 monthly contract monitoring report will be taken to DCRB and an annual contract monitoring report will be taken to CCRB within 6 months of the anniversary of the contracts.

#### Identified risks for the new contracts

40. A number of risks have been identified and are set out in the table below:

<b>Risk</b>	<b>Status</b>	<b>Details</b>	<b>Mitigation</b>
Unsuccessful Mobilisation	Medium	Challenges transferring staff and clients to new providers, including TUPE transfer and recruitment drives for new workers, alongside opening of new branch offices etc.	A mobilisation team is in place prior to the contract award. Mobilisation planning started over the summer and will be completed by April 2018. This includes for example promoting care worker job opportunities in the autumn edition of Southwark Life magazine and general communication messages to all tenders prior to the cabinet date. The council will be formally meeting the successful tenders the day after the October Cabinet to ensure a timely mobilisation.
Financial Sustainability of the contracts	Low	Given the financial challenges will the council be able to afford these contracts moving forward?	The council has made provision for the contract awards in this year's budget following the allocation of specific funds for this purpose through the "Improved Better Care Fund" The guide rate approach has proven highly effective as a means of delivering value for money. The council is currently undertaking a comprehensive review programme of service user needs to ensure that only statutory need is being addressed. The mobilisation plan will also focus upon joint assessments by a qualified social worker

Risk	Status	Details	Mitigation
			and OT of high cost double handed care packages in particular, to ensure that the correct level of care hours and needs are transferred.
Provider financial failure	Low	Providers may fail in the future	Financial organisational checks were undertaken and the lotting strategy means that there will be cover from other providers if one agency is having difficulties in each area within both respective LCNs.
Legal challenge of the process	Low	Unsuccessful bidders challenge the process and outcome.	Robust procurement rules have been applied throughout with contract award recommendations being followed by a process of due diligence.
Reputational – local businesses being unsuccessful	Low	Ensuring that the tender methodology did not automatically rule out SME organisations as they have a lower turn over or particular considerations pertinent to smaller organisations were not taken in due regard.	Engagement took place with the local market prior to advert, including one early session specifically aimed at SME and SLA providers to take on board views and particular concerns. The procurement process itself was clear and transparent with comprehensive guidance. Bidders and tenderers meetings were held. The lotting strategy also provided scope for SMEs with lower company turn over to bid for area D contracts. (please also see appendix 2 Community Impact Assessment )

### Community impact statement

41. Southwark is an extremely diverse borough and this applies both to users of adult social care, the general population and its care workforce. It is believed that the procurement will have an overall positive impact in relation to the following areas covered by the councils' equality agenda: Race, Gender, Age, Disability, Faith and Religion, Sexuality, Gender re assignment, Marriage and Civil Partnership and finally Child Care and Pregnancy. Further details are set out in appendix 2 of this report.

### Social Value considerations

42. The Public Services (Social Value) Act 2012 requires the council to consider a number of issues including how procurement such as this may improve the economic, social and environmental well-being of the local area. These issues are considered in the following paragraphs which set out economic, social and environmental considerations.

### **Economic considerations**

43. As set out in the community impact assessment (above) the workforce tends to live in Southwark and the award of the contract will continue to support the local economy. This is because the SLA workforce will now universally be receiving the London Living Wage (LLW). According to information supplied to the council by existing home care suppliers (in the context of TUPE liability) as of March 2016; 729 care staff were deployed to cover the contracts that may be subject to TUPE. There are a further group of home care workers who work with SLA providers who may not be subject to TUPE (As less than 50% of their current work is with Southwark clients). Where TUPE does not apply, the new care at home providers will be required to recruit new staff to ensure that they have a sufficiently sized work force. So there will be another cohort of predominately Southwark residents, who will have opportunities to take up a career in care over the coming months.

### **Social considerations**

44. The council is an officially accredited London Living Wage Employer and is committed to ensuring that, where appropriate, our contractors and subcontractors pay staff at a minimum rate equivalent to the LLW rate. The Gateway 1 report approved by the March 2015 Cabinet, confirmed, for the reasons stated in that report, payment of LLW was an appropriate and best value requirement for this contract. The proposed contractors will therefore meet the LLW requirements. Following award, quality improvements and costs implications linked to the payment of LLW will be monitored as part of the contract review process.
45. Tenderers were evaluated on their approach to recruiting and employing apprentices. It is a contractual requirement for each agency to employ one apprentice p.a. per £1m worth of contract value, which means that each year approximately 15-19 apprenticeship opportunities will arise. Therefore further improving employment prospects in the sector.

### **Environmental/Sustainability considerations**

46. Bidders were assessed at SQ stage in relation to environmental factors, and all those invited to tender demonstrated that their policies and practice in this area was acceptable.
47. The geographically aligned contracts will minimise long travel times and encourage effective roster planning to support walking or cycling between visits, rather than the use of cars.
48. By paying the LLW the contract awards will create sustainability within the workforce.

### **Market considerations**



49. The market for home care is characterised by large national, regional providers and smaller local organisations. There was considerable interest from the market in the pre-tender engagement and several open meetings held prior to the procurement being advertised, for current and potential providers. (Please see community impact statement above).
50. The council actively encouraged smaller organisations by providing an opportunity to bid for the lower value contracts for lots 8 and 9. As such the evaluation methodology at the SQ stage stated that smaller sized bidders could elect only to be considered for this area and that a number would be put through to ITT stage.
51. The six top scoring SME organisations were invited to tender for area D at SQ stage in line with the lotting strategy. However none of these scored sufficiently highly to be recommended for award. The council will offer these organisations comprehensive feed back in relation to their tender, in order to allow them to build up their expertise for future opportunities. There is also scope for such organisations to develop their portfolio in supporting people who take up a direct payment as well as supporting self funders in the borough.

### **Staffing implications**

52. The procurement was carried out within existing commissioning staffing structures and likewise the management of the contracts moving forward. Resources have been allocated for a dedicated mobilisation team to ensure the safe mobilisation of the contract.

### **Financial implications**

53. The total estimated annual value of these contracts based upon levels of activity is approximately £21.302m p.a. Please note that this is an estimated value, since the contracts are paid on an activity basis, on actual hours required to meet the homecare needs of adult social care service users as assessed against national Care Act eligibility criteria. The total homecare budget available for 2017-18 is £23.2m. This includes Better Care Fund funding of £1.3m and Improved BCF funding of £5.3m, which were agreed by the Health and Wellbeing Board on 11/9/17 as part of the 2017-19 Better Care Fund Plan. The contracted homecare costs for future years will be subject to annual changes in London Living Wage, and related employer's National Insurance and pension costs.

### **Legal implications**

54. Please see concurrent from the Director of Law and Democracy below.

### **Consultation**

55. Given the strategic relevance of this service there was considerable engagement and consultation to inform both the services specifications and the evaluation methodology, as summarised below.
  - **Social care staff** – a number of work shops were held for adult social care staff in order that the needs of the service were fully developed. Operational

staff were involved in the developing the service requirements and specifications as well as evaluating tenders.

- **NHS partners** Work shops were also held for NHS nursing and therapy staff as part of early engagement. Local Care Networks members were then consulted and actively engaged in the development of the specification and co designed relevant documentation (Such as a medication protocol) and were also involved in the tender evaluation.
- **Service users** – The council worked with Healthwatch and Age UK to identify a panel of service users with lived experience of home care, who over a two year period developed a group of “I” statements “about me and my home care” (See appendix 2) Separate engagement events were also held at Lew Evans and Lime Tree House extra care schemes, as due to the frailty of the residents their attendance at the ongoing user panel was not viable.
- **Care Workers** The SECC identifies the need to recognise front line home care staff and be treated with respect as the professionals they are. In order to follow through this commitment, an engagement event was held for local home care workers in order for them to speak from their own experience (not as representatives of their employer organisation)
- **Voluntary Sector** - A number of engagement events were held involving the voluntary sector, through either the Older People Partnership Board or Healthwatch. Representatives from voluntary sector partners were also involved in the evaluation of bids.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Strategic Director of Finance and Governance (FC17/066)**

56. The strategic director of finance and governance notes the recommendations in this report for the award of care at home contracts. These will affect financial years from 2017-18 to 2022-23. Home care costs are a substantial element of the overall costs of the adult social care function for the council, which itself is a major element of the council's general fund budget.

### **Head of Procurement**

57. This report seeks the approval of cabinet to award the contract for Care at Home over ten lots as laid out in paragraph 2, for a period of five years commencing 4 December 2017 for lots 1-9 and from 1 March 2018 for lots 10, with the capability to extend for a further two years, and at an estimated value of £149.12 million.
58. The report also asks that cabinet note the change in the agreed evaluation methodology as laid out in paragraph 1.
59. Paragraph 34 details the mobilisation plan that will be put in place to manage the transition from the old contract.
60. Paragraphs 21 through 33 highlight the tender process that was undertaken in order to award this contract, as well as the evaluation criteria applied at each stage of the tender.

61. The report confirms the requirement for all awarded bidders to comply with Southwark's requirements around the payment of London Living Wage (LLW) and the employment of apprentices.

#### **Director of Law and Democracy**

62. This report seeks the cabinet's approval to the award of ten home care contracts as further detailed in paragraph 2. As the value of the contracts to be awarded is of a level to be a strategic procurement, then the decision to award is reserved to the cabinet.
63. The contracts were procured in accordance with the Public Contract Regulations 2015 (PCR15), and whilst only subject to the 'Light Touch' requirements of those Regulations (being a Schedule 3 'social and other specific services'), were required to be advertised through the Official Journal of the European Union. As noted in paragraph 21, an advert was placed through OJEU in January 2017. The council's criteria for award of these contracts were on the basis of the most economically advantageous tender, using the criteria noted in the evaluation methodology. Whilst bidders were permitted to apply for all contracts, the council's lotting strategy restricted award to one contract in the north, one in the south and the extra care contract. The outcome of the evaluation process and award of the 10 contracts to 5 contractors is in accordance with the evaluation methodology set out in the tender documents. As noted in paragraph 1, the cost/quality weighting for this procurement was amended prior to tenders being sought.
64. The cabinet's attention is drawn to the Public Sector Equality duty (PSED General Duty) under the Equality Act 2010, and when making decisions to have regard to the need to (a) eliminate discrimination, harassment, victimisation or other prohibited conduct, (b) to advance equality of opportunity and (c) foster good relations between persons who share a relevant protected characteristic and those who do not share it. The relevant characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The duty also applies to marriage and civil partnership but only in relation to (a). The cabinet is specifically referred to the community impact statement at paragraph 41 and appendix 2, setting out the consideration that has been given to equalities issues which should be considered when approving these awards. The cabinet is also referred to paragraph 55 which sets out the consultation that has taken place. The cabinet should take into account the outcome of that consultation when approving these awards.
65. Contract standing order 2.3 requires that no steps should be taken to award a contract unless the expenditure involved has been approved. Paragraph 53 confirms the financial implications of this award.

**BACKGROUND DOCUMENTS**

<b>Background documents</b>	<b>Held At</b>		<b>Contact</b>
Gateway 1 report	Partnership Team	Commissioning	020 7525 3130
<b>Link: (copy and paste into browser)</b> <a href="http://moderngov.southwark.gov.uk/documents/s52527/Report%20Gateway%201%20Home%20Care%20Procurement%20Strategy.pdf">http://moderngov.southwark.gov.uk/documents/s52527/Report%20Gateway%201%20Home%20Care%20Procurement%20Strategy.pdf</a>			
Southwark Ethical Care Charter	Partnership Team	Commissioning	020 7525 3130
<b>Link: (copy and paste into browser)</b> <a href="http://moderngov.southwark.gov.uk/documents/s58081/Southwark%20Ethical%20Care%20Charter.pdf">http://moderngov.southwark.gov.uk/documents/s58081/Southwark%20Ethical%20Care%20Charter.pdf</a>			

**APPENDICES**

<b>No</b>	<b>Title</b>
Appendix 1	Southwark Care at Home "I" Statements
Appendix 2	Impact Assessment

**AUDIT TRAIL**

<b>Cabinet Member</b>	Councillor Richard Livingstone, Adult Care and Financial Inclusion	
<b>Lead Officer</b>	David Quirke-Thornton, Strategic Director Of Children and Adults'	
<b>Report Author</b>	Andy Loxton, Head of Older People and Complex Needs	
<b>Version</b>	Final	
<b>Dated</b>	20 October 2017	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance and Governance	Yes	Yes
Head of Procurement	Yes	Yes
Director of Law and Democracy	Yes	Yes
<b>Contract Review Boards</b>		
Departmental Contract Review Board	Yes	Yes
Corporate Contract Review Board	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>		20 October 2017

## APPENDIX 1

### User Experience “I” Statements.

Southwark Service Users have expressed a series of ‘I’ statements which articulate the outcomes that are most important to the way they receive the service:

#### General Care At Home Specification (Lots 1-9)

- I want you to be honest with me.
- I want to feel safe and protected from abuse.
- I want to be treated with dignity, empathy and respect at all times.
- I want regular and replacement carers who know me and respect who I am, my culture and my beliefs, and what is important to me.
- I want suitably trained and supervised care staff.
- I want to receive clear good quality information right from the beginning.
- I want to know where to go for advice.
- I want to know how much this will cost me from the start.
- I have the right to choose how I live my life and be as active and go outside as I want.
- I want to stay living in my own home and maintain my community, social, cultural and /or religious networks.
- I want to be able to speak to someone who I can understand and who understands me, in the way that I have agreed works best for me.
- I want my family and friends to be involved and consulted with my consent.
- I expect that the quality of my care does not depend upon me having family or friends who advocate on my behalf.

#### Extra Care

The “I” Statements set out in the general spec contains statements that have been developed further through consultation with residents in the extra care schemes to include:

- When I moved into extra care I felt supported by staff who understood any anxiety I may have had as a result of my move.
- I want interesting and stimulating activities to take place in the extra care scheme
- I want support to retain links with my family, friends and wider community.

## About me and my home care schedule

This schedule is to be retained at the front of the care plan kept in the service users home  
This is a worked up version which describes a fictional person, that has been drawn up by a panel of people using home care service sin Southwark.

### 1. What I want you to call me

- Mrs Morgan

### 2. Contact..... Tel .....relationship..... if you are worried about me or want to talk about my care (but it is not an emergency)

Audrey Morgan (Daughter – tel 012233445566) or email  
[Audrey.Morgan@daughterlovesmum.com](mailto:Audrey.Morgan@daughterlovesmum.com)

### 3. This is what you and I need to know/do before you start

- Talk to me before you start providing care
- Tell me your name, your agency and show me your ID
- Please make sure I have taken my medication before you go
- Please check how I am feeling today and how I slept last night
- I wear an incontinence pad and please check with me if it needs changing

### 4. This is what you need to know to communicate effectively with me

- Check that I can hear you
- Please speak slowly and clearly to me
- Please ensure that the TV and radio is turned down and my hearing aid is clean and functioning well
- Check if I need my glasses and speak to me at my eye level even when I am sitting down
- Check if I like to be touched when you speak to me

### 5. This is what I like to do/talk about

- I like watching football and cricket
- My favourite TV programmes are comedies and nature programmes and my favourite soap is Emmerdale
- I brought up six kids
- I sang in a choir for 30 years

### 6. This is what really upsets me

- Leaving the door open and letting the heat out
- Putting my used incontinence pads in my kitchen bin or blocking my toilet
- Speaking on your mobile phone when you are with me
- When you use my landline phone

- Coming in with wet shoes without wiping your feet
- Calling me “mum”

7. Where things are kept

- Cleaning things are kept under the sink
- Clean bedding is in the bedroom on the top shelf of chest drawers
- The tea/coffee/sugar are in the 2<sup>nd</sup> shelf next to the cooker
- The bin is in the kitchen and needs to be emptied into the bin outside when full. The bin bags are in the top draw next to the sink
- Frozen meals that my daughter has cooked for me are in the freezer and can be reheated in the microwave
- Please check pockets for tissues or sentimental items before clothes go in the washing machine. Clothes can be dried on the hanger in the bathroom.

## Community Impact Assessment

## APPENDIX 2

### Service users

1. Previous analysis of home service users records in Southwark found:
  - 64% of those who receive care are older people – which is characterised by higher than London and national averages of people living alone and with lower levels of income.
  - People with Learning Disability, Physical Disability or with Mental Health problems make up the other 36%. A significant proportion of these people are in “middle age”. Direct Payment take up tends to be higher amongst younger adults.
  - Over 65% of those aged 65 or over are women. This is expected given the natural longer life expectancy for women as opposed to men.
  - 37% of those aged 65 or over receiving care are from BME groups. This is higher than the proportion of BME older people identified in the 2011 census (19%) and is thought to be linked primarily to economic inequalities. The largest BME group tend to be from African Caribbean communities.
2. The client record systems used by adult social care do not routinely record faith and religion, sexuality, gender re assignment and marriage and civil partnership. However it is recognised that these groups also use home care, and there will be requirements for care at home providers to ensure that particular characteristic requirements for these population(s) are sensitively and routinely addressed. The care at home providers offer adult services only. Children home care will continue to be purchased under separate contractual arrangements from providers who require an additional CQC registration status to adult providers.
3. Within its diversity, Southwark home care service users include a number of distinct cultural, ethnic and religious communities which have been generally regarded as ‘hard to reach’. In the provision of home care there are occasionally particular linguistic needs that may be more challenging to meet. For example a relatively small number of people living with more advanced forms of dementia may lose the ability to speak a second language (English) and revert to only their born mother tongue. There are also elderly and disabled people who do not possess an understanding of English. There are currently around ten service users who are using Service Level Agreement (spot) providers due to their specialist linguistic requirements. These currently relate exclusively to people from Chinese speaking and South Asian communities.
4. In order to ensure parity of care between user groups and across age categories and allow for effective strategic planning and partnerships within the wider Local Care Network community, the council’s requirements in this area were robustly tested through the evaluation methodology. Due to the wide range of different service user demographic factors, the council took an informed and considered view that it would not procure “specialist” home care that specifically targeted particular client groups or people living with specific conditions. Instead given the level of diversity, all care at home providers would be required to work with a range of different client groups with different levels of needs, values and beliefs.
5. As a result, the tender methodology tested how providers would work with service users with varying and complex levels of vulnerability, as well as their understanding of the opportunities and challenges working in such a diverse area as Southwark. The service user presentation which formed part of the evaluation methodology, specifically addressed many of these issues emphasising the importance of communication to



ensure that a quality service can be maintained that respects difference. The service user evaluation panel itself was made up of a diverse group of local residents with a lived experience of receipt of state funded home care. These areas were weighted relatively highly in the quality evaluation scoring.

6. Evidence from service user pre procurement engagement and investigations into “Quality Risk Alerts” in existing home care arrangements illustrate that poorer quality care often is delivered as a result of frequent changes of personnel to a service users’ care worker team. Where the SECC has been applied, it has been shown to improve staff retention with existing incumbent providers in the borough.

## **Workforce**

7. It is also noted that a disproportionate proportion of the homecare work force comes from a Black or Minority Ethnic background that speak a wide range of languages and themselves reflect and understand the religious and cultural requirements of our local service user population(s).
8. Older people make up the bulk of the service users and this proportion of the Southwark population is predominantly white and long term (often life time) residents of the borough. It is noted that this can result in complex caring situations and on rare occasions challenging relationships between care workers and people using the service. The work the council has been doing with both care workers and service users, found that communication is key. Between the care worker and the client/service user and the company office and the client (ie for the office to make contact immediately where a carer is running late for an appointment) Therefore there is great emphasis both within the service specification and through the tender evaluation that lifestyle/beliefs and communication need to be particularly sensitively handled.
9. The “About Me and My Home Care schedule” of the service specification (Appendix 1) alongside the expectation for providers to engage more with the local community and voluntary sector will nourish the quality of all care giving relationships covered by these contracts.
10. Providers in Southwark sometimes find it more difficult to attract care workers from Chinese and other minority (within a Southwark context) Asian communities. In August there were 7 service users receiving specialist care packages commissioned from two separate specialist Chinese first language organisations, with a further two service users being supported by a separate specialist Asian language speaking care agency.
11. Similarly care at home providers will be encouraged to work in partnership with specialist linguistic and cultural providers and organisations to support the small number of users whose needs may not be addressed through mainstream provision.
12. Where in the future (and potentially for these service users currently receiving specialist linguistic support) these cannot be accommodated by the care at home providers workforce, clients will be supported to take up direct payment options to pay for appropriate first language care workers.
13. When the council introduced the SECC in 2013, an analysis of the directly contracted care work force who would benefit from the charter found that 82% were women and 66% were from BME communities and they disproportionately lived in Southwark. Likewise the SECC places an emphasis upon training and professional recognition of the work force. There is no indication of the work force profile for the SME organisations

affected are any different. So the extension of the charter to this group of care workers will have a wholly positive impact upon both the pay and conditions of the whole care at home work force and subsequently a positive impact upon the quality of the care received by the service users. Currently just fewer than 50% of the users receiving general home care are supported through spot arrangements.

### **Providers**

14. It is noted that a number of SME home care private sector businesses who are either based in Southwark or in local boroughs such as Bromley who provide services under Service Level Agreements arrangements, were unsuccessful in the tender process. The council is aware that these include a number of BME owned or led businesses. However Supreme and Carewatch Care Services Ltd are BME owned / managed businesses or franchisee organisations.
15. The lotting and procurement strategy ensured that there were opportunities for smaller sized operations to apply; with tender documentation methodology clear and clarifications provided to tenderers as required. Such organisations will still have opportunities to continue to work with clients in receipt of direct payments as well as self funders in Southwark following care at home contracts going live. The council will also seek to support these organisations develop an alternative business model and offer services to self funders and direct payment clients.
16. There was a strong requirement for tenderers to demonstrate a commitment to operational and strategic partnership with the council, the wider health and social care economy and the local community and voluntary sector. All of which are being facilitated primarily through the Local Care Networks. This is intended to ensure that there is a more holistic approach to supporting the vulnerable service user group with a greater emphasis on outcomes as opposed to outputs.

### **Conclusion**

17. Taking all relevant factors into account the council is satisfied that the outcome of this procurement will have an overall positive impact upon the people who use and deliver home care services in Southwark.

<b>Item No.</b> 20.	<b>Classification:</b> Open	<b>Date:</b> 31 October 2017	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Acquisition of Affordable Housing at Longville Road SE11	
<b>Ward:</b>		Cathedrals	
<b>Cabinet Member:</b>		Councillor Mark Williams, Regeneration and New Homes	

### **FOREWORD – COUNCILLOR MARK WILLIAMS, CABINET MEMBER FOR REGENERATION AND NEW HOMES**

Southwark Council is committed to doing all we can to tackle the housing crisis head on; this includes the most ambitious new build council home programme in the country. This will see 11,000 new council homes delivered by 2043. We are making good progress and will see the first 1,600 complete, on-site, or committed (with planning permission and funding in place) by the end of 2018. Residents have already moved into the first 357 new council homes.

We are delivering these new council homes through direct delivery on our existing housing land, through regeneration partnerships and through directly purchasing units. This report seeks approval to purchase the affordable housing block of 115 homes nearing completion at Longville Road next to The Castle Leisure Centre. These new homes are right in the heart of central London at the Elephant and Castle and will provide much needed genuinely affordable council homes for local people.

Bearing in mind the scale of housing need in the Borough we are always looking at ways of increasing our housing stock. An opportunity has arisen to acquire 115 units of brand new housing in a fabulous location. This has been evaluated and we think it right for our residents to purchase these homes and the price is significantly less than what it would cost to acquire this quantity on the open market. They will be available for letting early in the New Year so we will have an immediate positive impact on tackling housing need.

### **RECOMMENDATIONS**

That cabinet:

1. Approves the acquisition of 115 units of housing that has been constructed as part of the regeneration of the former London Park Hotel on the principal terms set out in the closed version of this report.
2. Authorises the director of regeneration to agree detailed terms of the purchase.

### **BACKGROUND INFORMATION**

3. The site of the former London Park Hotel together with some additional assembled land is shown hatched on the plan at Appendix B. It has been the subject of a major redevelopment that is due to complete and the end of this year or early in the New Year. The site was assembled by English Partnerships the functions of which subsequently transferred to the Greater London Authority

(GLA). The GLA then transferred the site to a joint venture (JV) comprising Real Star (a Canadian investment company) and Mace (contractors). The JV then granted a lease of accommodation to the Peabody Group expiring in 2204.

4. In 2007 the planning committee resolved to grant the consent to regenerate the site. Thereafter, a number of variations to the consent were made; the most recent was in January 2015. The consolidated consented scheme provides:
  - 457 residential units
  - a retail unit
  - theatre
  - car parking
  - landscaping.
5. Of these 457 residential units:
  - 278 will be for market rent
  - 179 will be at below market rent or shared ownership.

6. The consented tenure mix is set out in the table below:

	Studio	1 bed	2 bed	3 bed	Total
Market rent		138	140		278
Intermediate market rent*	36				36
Affordable rent**			35		35
Target rent***		27		17	44
Shared ownership		32	32		64
<b>Totals</b>	<b>36</b>	<b>197</b>	<b>207</b>	<b>17</b>	<b>457</b>

- \* 80% of market rent
- \*\* 60% of market rent
- \*\*\* Council house rent level

7. The 64 units of shared ownership accommodation is provided on floors 2 – 9 of the main tower the upper floors of which are to be let at market rents. The remaining 115 units for letting at below market rent are provided in the seven storey block that is the subject of a lease to Peabody.
8. Peabody has given the council the opportunity to acquire the lease (186 years unexpired) of the seven storey block but because the development is nearing completion there is only a short period to decide whether to accept the offer.
9. The accommodation provided in this 115 unit block is set out below:

Quantity	Type	Maximum area m <sup>2</sup>	Minimum floor area m <sup>2</sup>
36	Studio	38.5	36.5
27	One bedroom flat	45	44
35	Two bedroom flat	71	71
17	Three bedroom flat	92	88

10. On 9 December 2014 the cabinet resolved actions to address the shortage of affordable housing within the Borough. One of the approved actions was where appropriate, to acquire affordable housing provided by new developments. It is

therefore appropriate for cabinet to consider acquiring the affordable housing provided at Longville Road.

11. S17(1b) of the Housing Act 1985 empowers the council to acquire dwellings for housing purposes. Such dwellings once acquired will usually be held by the Housing Revenue Account.

#### **KEY ISSUES FOR CONSIDERATION**

12. The direct acquisition of affordable housing provided at new developments is a cost effective means of delivering the commitment to provide 1,500 new homes by 2018, it will be faster and less expensive than the Council directly building new housing. The proposed purchase will provide a significant contribution to the target and be ready for occupation in 2018.
13. There are a number of instances where this route is being followed:
  - 320 Blackfriars Road Bankside
  - Fisher Close Rotherhithe
  - Odessa Street Rotherhithe.
14. At this stage in the construction process it is too late to influence the specification of the housing. Therefore if the council purchases it will be to the specification Peabody agreed with the JV. Peabody is a registered social landlord so has similar requirements to the council in providing social housing. Officers have viewed the block and no major specification issues were identified.
15. The studios are unusual in that they are arranged on two levels with the bathroom and kitchen on the lower floor and a bedroom with living space on the upper floor. The bedroom does not extend fully over the kitchen area which leaves a picture window covering the full width and depth of the dwelling's elevation. The character of the property is enhanced by balustrades provided at the end of the bedroom creating a galleried effect. The units are however small in spatial terms. Units of this nature would not be commissioned in a council direct delivery scheme.
16. All homes except the studios will have access to a private amenity balcony or terrace space. The block benefits from landscaped grounds, a cycle store, fronts Churchyard Row park and is next to the new leisure centre. It is within a very short distance of the transport and town centre facilities of the Elephant and Castle. The block has a sprinkler system. The exterior is glazed with cladding infill. The cladding is not aluminium profiling but a stone composite.
17. The block was built as a comprehensive development of the former hotel so it is therefore connected to the main tower, the basement runs below both buildings and part under the block in question is for the use of the main tower. As a consequence of this, Peabody could only acquire the leasehold rather than the freehold interest from the JV. This means that the proposed council purchase will be of the leasehold interest and this will bring service charge implications referred to in the closed version of the report.
18. Should these 115 units be acquired, they will increase the quantity of accommodation available to persons awaiting social housing in a very desirable locality.

19. It is normal protocol for any acquisition such as this to be considered by Housing Delivery Programme Board but owing to the urgency of a decision needing to be taken it has not been possible on this occasion.
20. The terms for the proposed purchase are set out in the closed version of this report. The agreed price represents good value for the council and is less than it would cost to directly provide an equivalent number of housing units in this locality.

#### **Rationale for recommendations**

21.
  - (a) To deliver additional affordable housing for Southwark
  - (b) To secure the housing in the most cost effective way
  - (d) To add to the council's asset base.

#### **Community impact statement/public sector equalities duty**

22. The Equality Act 2010 imposes a general equality duty on public authorities (PSED), in the exercise of their functions, to have due regard to the need to:
  - Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act.
  - Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it.
  - Foster good relations between people who share a relevant protected characteristic and those who do not share it.
23. For the purpose of the PSED the following are 'protected characteristic' considerations:
  - Age
  - Civil partnership
  - Disability
  - Gender reassignment
  - Pregnancy and maternity
  - Race
  - Religion or belief
  - Sex and sexual orientation.
24. The proposed purchase will increase the availability of housing to all protected characteristics and not adversely affect any.

### **Resource implications**

25. These are set out in the closed version of the report.

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

#### **Strategic Director of Housing & Modernisation**

26. As part of the council's strategy to deliver 11,000 new council homes by 2043, the cabinet agreed on the 9 December 2014 that the acquisition of s106 affordable homes being delivered by private housing developers as part of their planning consent could contribute to this target.
27. The acquisition of homes built by private developers raises issues for the housing and modernisation department in terms of ensuring the final development can meet the council's requirements, however this is by no means a unique position to be in and any challenges can be met.
28. As noted in the report, as the development is near completion, there is no ability to influence the final design or finishes. However, as the development has been lead by Peabody, a registered social landlord, very experienced in developing affordable housing, the standard will be similar to that developed via the Direct Delivery Programme. However, it is recommended that an allowance is made in the budget to allow for any essential works required to address any shortfall.
29. It should also be noted that due to the purchase arrangements and the freehold remaining with the developers, the service charges will be higher than that normally charged to existing and new build homes.
30. The new homes team will lead the process for bringing the homes into management.
31. 115 newly purchased council homes present an opportunity for the council to continue to add to the pipeline of new homes towards the goal of delivering 11,000 new homes.

#### **Director of Law and Democracy**

32. The report clearly sets out the relatively long history of this particular development and at paragraph 7 clarifies that the opportunity to purchase is in relation to part of the affordable housing being provided within the development and sited in a seven storey block which is currently leased to the Peabody Group. The block comprises 115 units which will be available at below market rent in accordance with the terms of the planning section 106 Agreement and the table in paragraph 8 sets out the accommodation being provided.
33. The consideration to be paid together with the Stamp Duty Land Tax arising are set out in the closed report. Paragraph 19 of the report confirms that the price represents good value for the council and does not exceed the market value. The agreed figure is less than if the council was itself directly developing a site in the locality for a similar number of units.
34. Paragraph 12 refers to the other instances where the council have acquired the affordable housing units within developed schemes. The purchase of the blocks

at 320 Blackfriars Road adjoining St George Circus and the site at Fisher Close have already been completed and the acquisition of the affordable housing block within the Odessa Street site at Rotherhithe is currently being finalised. Other possibilities for purchase are being considered.

35. The report refers to the power in section 17(1b) Housing Act 1985. Furthermore, in accordance with section 120(1), Local Government Act 1972, the council has the power to acquire any land where it is for the purposes of (a) any of its statutory functions or (b) for the benefit, improvement or development of its area. Accordingly, cabinet is able to approve the acquisition of the 115 units and following the authority provided within the cabinet decision in December 2014, can delegate the details of the precise terms to the director of regeneration since these units would be a further example of the scheme of acquisition of affordable housing which has already been approved.
36. Paragraph 16 of the report refers to the service charge arrangements and the likely cost which will arise. The closed report provides further details and this is an area where further detail will be obtained.
37. The report has considered the Public Sector Equalities Duty and reaches the conclusion that this decision will increase the availability of affordable housing and accordingly it is not considered that there will be any adverse impact on those people who share a protected characteristic.

#### **Strategic Director of Finance and Governance (FC17/066)**

38. The strategic director of finance and governance notes the recommendations in this report seeking cabinet approval for the acquisition of 115 affordable homes at Longville Road, Newington (on a leasehold basis until 2204), and to authorise the director of regeneration to agree detailed terms.
39. The closed report sets out the consideration to be paid including SDLT and makes comparison with other similar acquisitions made recently or in the process of being negotiated. The proposed purchase price does not exceed market value and is deemed to represent good value in relation to the potential cost of direct development or open market acquisition by the council of a similar number of properties in that locality.
40. Subject to cabinet approval, the acquisition will be financed from the council's housing investment programme (HIP), comprising Right To Buy receipts and other capital resources. The council's ability to use S106 commuted sums in this instance is still to be determined, but in the event that it cannot, then other resources will be substituted as appropriate. It should be noted that the medium-term HIP is not currently fully resourced and it may be necessary to borrow to part fund this acquisition, thereby reducing the council's borrowing headroom.
41. In addition, given the leasehold nature of the acquisition the council will be liable for a share of the cost of periodic external and communal repairs and renewals. However, this is not dissimilar to the council's asset management responsibilities in relation to its own housing stock, albeit the standard, frequency and timing of such capital works are at the discretion of the freeholder and could potentially be more onerous.



42. Service charges are also payable under the lease for estate management and upkeep and form part of the Housing Revenue Account. The cost of these service charges is yet to be fully established, but will be higher than prevailing council service charges. The council will therefore need to have regard to the charges that are payable by tenants and if appropriate, whether this arrangement should operate on a separate ring-fenced basis to the rest of the council's estate, which are charged on a borough-wide pooled basis.
43. Staffing and any other costs associated with the report's recommendation are to be contained within existing departmental revenue budgets.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Cabinet report on 9 December 2014 Proposed Pipeline for the Delivery of 1,500 New Council Homes by 2018	160 Tooley Street London SE1 2QH	Paula Thornton 020 7525 4395
<b>Link:</b> <a href="http://modern.gov.southwark.gov.uk/ieListDocuments.aspx?CId=302&amp;MId=4865&amp;Ver=4">http://modern.gov.southwark.gov.uk/ieListDocuments.aspx?CId=302&amp;MId=4865&amp;Ver=4</a>		
January 2015 planning consent - 14/AP/3871 variation	160 Tooley Street, London SE1 2QH	Paula Thornton 020 7525 4395
<b>Link: (copy and paste into browser and enter planning application 14/AP/3871 into search box)</b> <a href="http://planbuild.southwark.gov.uk:8190/online-applications/simpleSearchResults.do;jsessionid=E88B315823019660DF16C74B7F9BF01C?action=firstPage">http://planbuild.southwark.gov.uk:8190/online-applications/simpleSearchResults.do;jsessionid=E88B315823019660DF16C74B7F9BF01C?action=firstPage</a>		

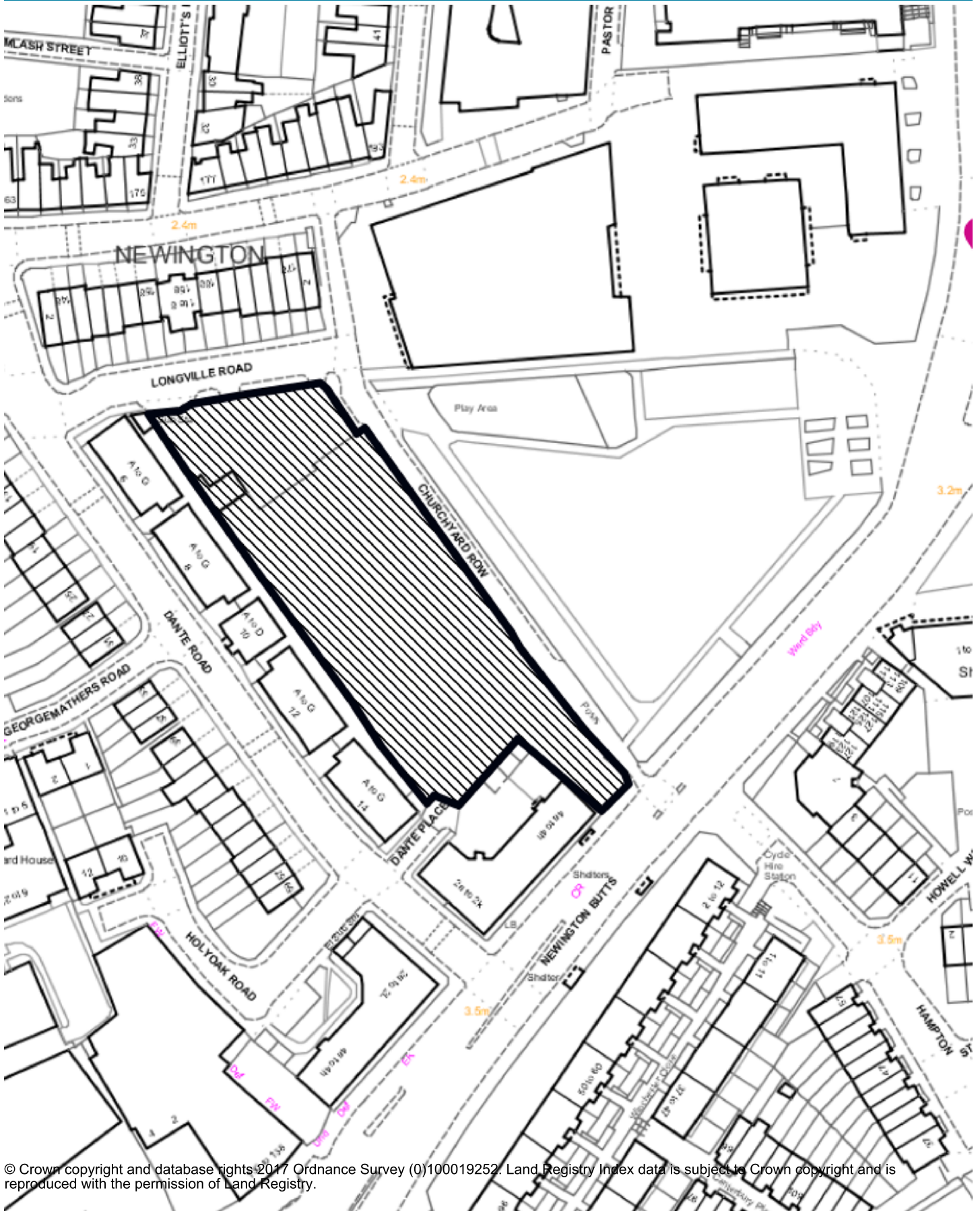
## APPENDICES

Appendix	Title
Appendix A	Plan showing former London Park Hotel regeneration site
Appendix B	Elevation of block proposed to be purchased

**AUDIT TRAIL**

<b>Cabinet Member</b>	Councillor Mark Williams, Regeneration and New Homes	
<b>Lead Officer</b>	Stephen Platts, Director of Regeneration	
<b>Report Author</b>	Patrick McGreal, Regeneration – North	
<b>Version</b>	Final	
<b>Dated</b>	19 October 2017	
<b>Key Decision ?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS/DIRECTORATES/CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Director of Law & Democracy	Yes	Yes
Director of Finance & Governance	Yes	Yes
Strategic Director of Housing & Modernisation	Yes	Yes
<b>Date final report sent to Constitutional Team</b>		19 October 2017

# APPENDIX A: New housing at Longville Road



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APPENDIX B

*Elevation on block proposed to be purchased*



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