

Cabinet

MINUTES of the OPEN section of the Cabinet held on Tuesday 30 April 2019 at 4.00 pm at Council Offices, 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Peter John OBE (Chair)
Councillor Rebecca Lury
Councillor Evelyn Akoto
Councillor Jasmine Ali
Councillor Stephanie Cryan
Councillor Richard Livingstone
Councillor Victoria Mills
Councillor Leo Pollak
Councillor Johnson Situ
Councillor Kieron Williams

1. APOLOGIES

All members were present.

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

That chair gave notice of the following late items:

Item 7: Deputation requests

Item 18: Impact of Brexit on Southwark – Progress report.

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

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

None were declared.

5. PUBLIC QUESTION TIME (15 MINUTES)

There were no public questions.

6. MINUTES

RESOLVED:

That the minutes of the open meeting held on 12 March 2019 be approved as a correct record and signed by the chair.

7. DEPUTATION REQUESTS

The report had not been circulated five clear days in advance of the meeting. The chair agreed to accept this item as urgent as the requests had been received in line with the constitutional deadline for the receipt of deputation requests.

RESOLVED:

That the deputations be received.

Be Active Social Enterprise

The deputation spokesperson addressed the meeting to explain that the deputation was a follow up to a petition submitted to cabinet 9 May 2017. The deputation outlined the volume of tennis-related activities undertaken and the strong position of the group in providing value for the community. The group acknowledged their understanding of resource constraints for the council, but requested that cabinet progress with a long-term tennis plan for the borough, as well as a lease for Burgess Park.

Councillor Rebecca Lury, deputy leader and cabinet member for culture, leisure, equalities and communities responded to the deputation by referencing Item 9: Active Southwark – Sport and Physical Strategy 2019 – 2023. Following agreement of this strategy, the council would be looking to develop a long term strategy for tennis across the borough and to work with the Be Active Social Enterprise group and other partners.

Styles House Tenant Management Organisation (TMO)

The spokesperson for Styles House tenant management organisation deputation expressed broad support for examination of a scheme, with understandable concerns from residents. The organisation asked that the council be flexible in its approach, to appreciate the uniqueness of the estate and to allow the tenant management organisation to lead the scheme.

It was suggested that the scheme would produce a number of negative issues for tenants.

It was explained that it was important to find a way to mitigate some of these factors, which would form part of the discussions with Transport for London (TfL). It was considered vital in view of this that tenants were considered as a partner and equal in the discussions and negotiations that take place including discussions with TfL. Additionally flexibility was requested around decants, for the TMO to be involved and provided finance to facilitate this work. Residents also had understandable concerns around property sizes and height of buildings.

Councillor Leo Pollak, cabinet member for social regeneration, great estates and new homes and thanked the deputation for their hard work and expressed the intention for the council to put the tenant management organisation at the heart of the process.

Plastic Free Peckham

The deputation addressed cabinet in respect of the crisis on plastic. The deputation were comprised of volunteers working in Peckham and Dulwich with local businesses, the community and schools to reduce single-use plastic; the key being reduce, reuse and recycle. The deputation acknowledged the progress made by the council through the introduction of water fountains and other measures, but asked that further work be undertaken with council contractors, tenants and local businesses to further advance the removal of single use plastic.

The deputation requested a number of key actions from the council as follows (some of which were already underway):

- (i) Accelerated reduction in council's own carbon emissions with the target to be carbon neutral by 2030 and to change all energy suppliers to be 100% renewable by 2020
- (ii) Work with partners to produce an emergency action plan, especially with regard to flooding (covering all the relevant council strategies) and to submit plan via scrutiny by the end of September 2019
- (iii) Examine all current activity across the council for potential improvements to be made on use of pesticides and insecticides in green spaces and regulations be adapted for more radical changes to building standards
- (iv) Update the New Southwark Plan to account for the climate emergency
- (v) Training session for all cabinet members.

Councillor Richard Livingstone, cabinet member for environment, transport management and air quality, thanked the deputation for their hard work and confirmed that the council was fully signed up, working alongside these groups and the community to make further progress and produce a strategy to reduce single use plastic. Additionally, Councillor Johnson Situ, cabinet member for growth, development and planning confirmed that the New Southwark Plan was under constant review.

8. REDUCING HEALTH INEQUALITIES THROUGH COUNCIL SERVICES AND PARTNER ORGANISATIONS - REPORT OF THE HEALTHY COMMUNITIES SCRUTINY COMMISSION

RESOLVED:

That the cabinet member for community safety and public health report back on the recommendations in the report (Appendix A) to cabinet within eight weeks.

9. ACTIVE SOUTHWARK - SPORT AND PHYSICAL ACTIVITY STRATEGY 2019 TO 2023

RESOLVED:

Decisions of the Cabinet

1. That the 'Active Southwark - Sport and physical activity strategy 2019 to 2023' and key deliverables be agreed.
2. That the following be noted:
 - Progress towards the delivery of a pilot scheme to deliver the council plan target of free swimming lessons for all residents as detailed in paragraphs 40 to 57 of the report as a key action to be delivered as part of the strategy.
 - That within six months an update will be brought to cabinet on the strategy action plan, and also on progress with the council plan commitment of making the free swim and gym scheme more flexible.

Decision of the Leader of the Council

3. That further detail on the pilot scheme and the general offer be delegated to the cabinet member for culture, leisure, equalities and communities.

10. STYLES HOUSE AND SOUTHWARK UNDERGROUND STATION - ENABLING PRINCIPLES TO FACILITATE NEW COUNCIL HOMES AND NEW EMPLOYMENT SPACE

RESOLVED:

1. That the undertakings set out in paragraphs 32 and 33 of the report given to the residents of Styles House that give its tenant management organisation the lead in respect of the residential element of the proposed development be noted.
2. That pursuant to s32 of the Housing Act 1985, that the land shown hatched red on the plan at Appendix A of the report be transferred to Transport for London provided that at the time of transfer that land is vacant and not subject to any housing tenancies.
3. That pursuant to s120 of the Local Government Act 1972 and s9 of the Housing Act 1985, the land shown hatched blue on the plan at Appendix A of the report be acquired from Transport for London provided that at the time of transfer that land is vacant and not subject to any leases, tenancies or licences.
4. That pursuant to s120 of the Local Government Act 1972 and s9 of the Housing Act 1985, the council be authorised to acquire the leasehold interests held by Transport for London in four dwellings in Styles House, the addresses of which are specified in the closed version of the report.
5. That the recommendations specified at 2 – 4 above be implemented at the same

time and be contingent on each other.

6. That the terms agreed with Transport for London for the proposed land exchange set out substantially in paragraph 25 of the report and fully in paragraph 8 of the closed report be agreed.
7. That authority be delegated to the director of regeneration to agree the detailed land exchange agreement including if it is prudent to do so and in consultation with the cabinet member for social regeneration, great estates and new council homes any variation to the exchange boundaries.

11. GATEWAY 1 - NURSING CARE

RESOLVED:

1. That the procurement strategy for the purchase of nursing care beds in good quality homes situated within the Borough of Southwark, namely to advertise (through an OJEU notice) contract opportunities using a negotiated approach with providers either currently operating or planning to operate nursing care homes, within the borough, be approved.
2. That it be noted that this procurement strategy will require separate negotiations with individual providers resulting in separate contract awards which will be approved through individual gateway 2 reports.
3. That the approval of the award of contracts, following these individual negotiations be delegated to the strategic director for children's and adults' services, in consultation with the cabinet member for children, schools and adult care.
4. That it be noted that the total estimated maximum figure for the contracts is in the region of £7.3m per annum.

12. GATEWAY 1 - PROCUREMENT STRATEGY APPROVAL: PARKING AND TRAFFIC ENFORCEMENT AND ASSOCIATED SERVICES

RESOLVED:

1. That the procurement strategy outlined in the report for the parking and traffic enforcement services contract - namely that the council will procure a new contract externally for the provision of parking and traffic enforcement and associated services to commence 1 April 2020, for a period of four years with two possible three-year extensions at an estimated annual value of £4.2m, meaning £16.8m across the initial term and up to £42m if both contract extensions are used, each having a value of £12.6m, be approved.
2. That it be noted that the services detailed in paragraph 4 of the report will be brought in-house as outlined in the Gateway 0 report.

13. REVIEW OF THE COUNCIL'S APPROACH TO COMMUNITY ENGAGEMENT

RESOLVED:

1. That the vision and principles for consultation and engagement set out in paragraphs 10 and 11 of the report be approved.
2. That it be agreed that the vision and principles outlined will inform the way in which the council works with residents throughout the borough on any matters which involve engagement and consultation.
3. That it be noted that this is the first stage of the council's work to develop its approach to community engagement. Following adoption of a vision and principles for community engagement, the council will continue to work collaboratively with the community to develop a thorough plan for how to uphold the vision and principles throughout every department and in all dealings with residents.
4. That officers return to cabinet in September 2019 to present a detailed report on the council approaches. This report will outline how the council will engage across the range of community engagement tasks including statutory consultations, service reviews engagement activities, inclusion work, work to build and strengthen communities, and developing and maintaining key partnerships with the community and voluntary sector.

14. REMOVAL OF SINGLE USE PLASTIC FROM OPERATIONAL ESTATE

RESOLVED:

1. That the draft single use plastic strategy for the council's operational estate as set out in Appendix 1 of the report be agreed.
2. That the responsibility for the implementation of the action plan set out in Appendix 2 of the report be delegated to the strategic director of housing and modernisation.
3. That it also be noted the Fairer Future commitment to halving single use plastic across the borough and that a strategy to achieve this is currently being developed. The vital role of community groups in achieving this aim be recognised and it therefore be agreed that the council pledges to support all plastic free initiatives in the community.
4. That it be agreed to have relevant members on the Plastic Free Communities steering committees. That Councillor Andy Simmons be nominated as the representative for Plastic Free East Dulwich and Councillor Jasmine Ali as the representative for Plastic Free Peckham.

15. DEVELOPMENT CONSULTATION CHARTER

RESOLVED:

1. That the draft Development Consultation Charter at Appendix A of the report be

agreed for public consultation from May 2019 - September 2019.

2. That the use of the draft Development Consultation Charter in validation of planning applications be agreed.

16. ADOPTION OF THE COUNCIL'S MOVEMENT PLAN (TRANSPORT PLAN) AND LOCAL IMPLEMENTATION PLAN 3

RESOLVED:

1. That the 'Movement Plan 2019 - 2041, Setting a direction for transport' be agreed.
2. That Southwark's Local Implementation Plan (Lip) 3 be agreed.
3. That a report back on the implementation of the movement plan be received in 12 months' time by cabinet and annually thereafter.

17. FORMER JOSEPH LANCASTER SCHOOL AND LAND AT THE LAWSON ESTATE, SE1

RESOLVED:

1. That the reason set out in paragraph 5 of the report that the new housing will be delivered directly by the council rather than by Leathermarket Community Benefit Society Limited as approved by cabinet on 13 March 2018 be noted.
2. That the land shown hatched red on the plan at Appendix A of the report that is currently held for education purposes be confirmed as no longer required for those purposes and that the appropriation of the land to planning purposes to facilitate the carrying out of the development proposals for the area in accordance with section 226 of the Town and Country Planning Act 1990 and section 122(1) of the Local Government Act 1972 be approved.
3. That the land shown hatched green on the plan at Appendix A of the report that is currently held for housing purposes be confirmed as no longer required for those purposes and that the appropriation of the land to planning purposes to facilitate the carrying out of the development proposals for the area in accordance with section 226 of the Town and Country Planning Act 1990 and section 122(1) of the Local Government Act 1972 be approved.
4. That following completion of the appropriations at decisions 1 and 2 above, the land shown hatched red and green on the plan at Appendix A of the report be confirmed as no longer required for planning purposes and that the appropriation of the land to housing purposes in accordance with section 9 of the Housing Act 1985 and section 122(1) of the Local Government Act 1972 be approved.

18. IMPACT OF BREXIT ON SOUTHWARK - PROGRESS REPORT

The report had not been circulated five clear days in advance of the meeting. The chair agreed to accept the report as urgent as cabinet had requested a progress report on Brexit

impact and preparedness ahead of the European Parliamentary elections planned for 23 May 2019. The next available cabinet after this meeting is scheduled to take place on 18 June 2019 and would therefore have been too late.

Cabinet expressed their thanks and commended the election team for their hard work in preparation for the European Parliamentary elections on 23 May 2019.

RESOLVED:

1. That progress on local work in preparing for European Union (EU) exit be noted.
2. That it be agreed to convene a further meeting of the cross-party Brexit Panel following the annual council meeting and outcome of the EU Parliamentary Elections.

EXCLUSION OF THE PRESS AND PUBLIC

That the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in category 3 of paragraph 10.4 of the access to information procedure rules of the Southwark Constitution.

The following is a summary of the decisions taken in the closed part of the meeting.

19. MINUTES

The closed minutes of the meeting held on 12 March 2019 were approved as correct record and signed by the chair.

20. STYLES HOUSE AND SOUTHWARK UNDERGROUND STATION - ENABLING PRINCIPLES TO FACILITATE NEW COUNCIL HOMES AND NEW EMPLOYMENT SPACE

The cabinet considered the closed information relating to this item. Please see item 10 for the decision.

The meeting ended at 6.00 pm.

CHAIR:

DATED:

DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 17 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, THURSDAY 9 MAY 2019.

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.