

Cabinet

Tuesday 30 April 2019

4.00 pm

Ground Floor Meeting Room GO2C, 160 Tooley Street, London SE1 2QH

Membership

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

Portfolio

Leader of the Council
Deputy Leader and Cabinet Member for
Culture, Leisure, Equalities and Communities
Community Safety and Public Health
Children, Schools and Adult Care
Housing Management and Modernisation
Environment, Transport Management and Air
Quality
Finance, Performance and Brexit
Social Regeneration, Great Estates and New
Council Homes
Growth, Development and Planning
Jobs, Skills and Innovation

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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Contact

Paula Thornton 020 7525 4395 or email: paula.thornton@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Councillor Peter John

Leader of the Council

Date: 16 April 2019



Cabinet

Tuesday 30 April 2019

4.00 pm

Ground Floor Meeting Room GO2C, 160 Tooley Street, London SE1 2QH

Order of Business

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PART A - OPEN BUSINESS

MOBILE PHONES

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

1. APOLOGIES

To receive any apologies for absence.

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

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

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

1

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

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

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

Item No.	Title	Page No.
5.	PUBLIC QUESTION TIME (15 MINUTES)	
	To receive any questions from members of the public which have been submitted in advance of the meeting in accordance with the cabinet procedure rules. The deadline for the receipt of a public question is midnight Wednesday 24 April 2019.	
6.	MINUTES	2 - 10
	To approve as a correct record the minutes of the open section of the meeting held on 12 March 2019.	
7.	DEPUTATION REQUESTS	
	To consider any deputation requests. The deadline for the receipt of a deputation request is midnight Wednesday 24 April 2019.	
8.	REDUCING HEALTH INEQUALITIES THROUGH COUNCIL SERVICES AND PARTNER ORGANISATIONS - REPORT OF THE HEALTHY COMMUNITIES SCRUTINY COMMISSION	11 - 34
	To consider recommendations from the healthy communities scrutiny commission and for the relevant cabinet member/s to report back within eight weeks.	
9.	ACTIVE SOUTHWARK - SPORT AND PHYSICAL ACTIVITY STRATEGY 2019 TO 2023	35 - 64
	To agree the active Southwark – sport and physical strategy 2019 – 2023 and key deliverables.	
10.	STYLES HOUSE AND SOUTHWARK UNDERGROUND STATION - ENABLING PRINCIPLES TO FACILITATE NEW COUNCIL HOMES AND NEW EMPLOYMENT SPACE	65 - 80
	To note the undertakings given to residents of Styles House and to authorise that pursuant to s32 of the Housing Act 1985 that the land shown on the map be transferred to Transport for London on the conditions set out and to agree related recommendations.	
11.	GATEWAY 1 - NURSING CARE	81 - 96
	To approve the procurement strategy for the purchase of nursing care beds in good quality homes situated within the Borough of Southwark.	

Item No.	Title	Page No.
12.	GATEWAY 1 - PROCUREMENT STRATEGY APPROVAL: PARKING AND TRAFFIC ENFORCEMENT AND ASSOCIATED SERVICES	97 - 112
	To approve the procurement strategy for the parking and traffic enforcement services contract.	
13.	REVIEW OF THE COUNCIL'S APPROACH TO COMMUNITY ENGAGEMENT	113 - 143
	To agree the vision and principles for consultation and engagement.	
14.	REMOVAL OF SINGLE USE PLASTIC FROM OPERATIONAL ESTATE	144 - 157
	To agree the draft single use plastic strategy for the council's operational estate.	
15.	DEVELOPMENT CONSULTATION CHARTER	158 - 184
	To agree the draft Development Consultation Charter for public consultation.	
16.	ADOPTION OF THE COUNCIL'S MOVEMENT PLAN (TRANSPORT PLAN) AND LOCAL IMPLEMENTATION PLAN 3	185 - 191
	To agree the Movement Plan 2019 – 2041 setting a direction for transport and Southwark's Local Implementation Plan 3.	
17.	FORMER JOSEPH LANCASTER SCHOOL AND LAND AT THE LAWSON ESTATE, SE1	192 - 204
	To confirm that the land currently held for housing purposes is no longer required for those purposes and to approve the appropriation of the land to planning purposes.	
	OTHER REPORTS	
	The following item is also scheduled for consideration at this meeting.	
18.	IMPACT OF BREXIT ON SOUTHWARK - PROGRESS REPORT	
	DISCUSSION OF ANY OTHER OPEN ITEMS AS NOTIFIED AT THE START OF THE MEETING	

EXCLUSION OF PRESS AND PUBLIC

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.”

PART B - CLOSED BUSINESS**19. MINUTES****20. STYLES HOUSE AND SOUTHWARK UNDERGROUND STATION -
ENABLING PRINCIPLES TO FACILITATE NEW COUNCIL HOMES
AND NEW EMPLOYMENT SPACE**

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

Date: 16 April 2019



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

Cabinet 30 April 2019

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 30 April 2019 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 20: Styles House and Southwark Underground Station – Enabling Principles to Facilitate New Council Homes and New Employment Space

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.

Paula Thornton
For Proper Constitutional Officer

Dated: 16 April 2019



Cabinet

MINUTES of the OPEN section of the Cabinet held on Tuesday 12 March 2019 at 4.00 pm at the Council Offices, 160 Tooley Street, London SE1 2QH

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

1. APOLOGIES

Apologies for lateness were received from Councillors Evelyn Akoto and Peter John.

Councillor Rebecca Lury, deputy leader and cabinet member for culture, leisure, equalities and communities chaired the meeting until the leader arrived.

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

The chair gave notice of the following late item:

Item 18: Impact of Brexit on Southwark: Progress Report

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 items listed as closed business for the meeting.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Councillor Johnson Situ declared a non-pecuniary interest in respect of Item 9: Aylesbury Regeneration Programme Moving Forward as he is a board member of the Creation Trust.

5. PUBLIC QUESTION TIME (15 MINUTES)

There were no public questions.

6. MINUTES

RESOLVED:

That the minutes of the open meeting held on 5 February 2019 be approved as a correct record and signed by the chair.

7. DEPUTATION REQUESTS

There were none.

8. SOUTHWARK GREAT ESTATES PROGRAMME PAPER TWO - ESTATE IMPROVEMENT PLANS

RESOLVED:

Decisions of the Cabinet

1. That the principles of the great estates programme - estate improvement plans be agreed.
2. That the estate improvement plans be piloted in the north, south and centre of the borough.
3. That it be agreed that council leaseholders will not be charged for any great estate pilot work (as set out in paragraph 20 of the report).
4. That officers be instructed to bring back an evaluation of the pilots to cabinet approximately 12 months after their commencement with an action plan.

Decision of the Leader of the Council

5. That authority be delegated to the cabinet member for social regeneration, great estates and new council homes in consultation with the strategic director of housing and modernisation to agree the final selection of pilot estates.

9. AYLESBURY REGENERATION PROGRAMME MOVING FORWARD

Cabinet heard representations from a local ward councillor, Councillor Jack Buck and from

Jean Bartlett, Aylesbury Tenants and Residents Association who welcomed the progress.

RESOLVED:

1. That the significant progress on implementing the Aylesbury regeneration programme be noted.
2. That the sub-phasing of phase 4 be agreed.
3. That phase 4a be activated for pre-allocation to new social rented homes on the first development site.
4. That phase 4 be activated for pre-allocation to the new social rented over 55s housing on Plot 18.
5. That local lettings policies be drafted for the social rented over 55s housing on plot 18 and the social rented housing on the first development site.
6. That the proposed additional delivery of social rented homes in phase 2 which will accelerate the rehousing of secure tenants on the rest of the estate be noted.
7. That it be noted that the resident consultation and equalities impact assessments will be undertaken at the earliest opportunity.

CHAIR OF THE MEETING

The Leader arrived at 4.26pm and took the chair of the meeting.

10. FAITH STRATEGY

RESOLVED:

1. That it be noted that many of the values and ethos that underpin our faith organisations are shared with Southwark's values such as treating every resident as if they are a member of your own family, and working for everyone to realise their own potential. This shared ethos offers a positive foundation for working closely together on the issues that matter most to both the council and faith organisations.
2. That the important role that many faith organisations play in shaping our neighbourhoods, promoting good community relations and supporting our residents be noted. In particular, Pecan provides a borough wide food bank, Robes project supports the homeless and Copplestone Centre which hosts the day centre for asylum seekers. In addition there are many smaller projects offering help and support to families, young people, and older people and quietly but steadily and consistently in times when many services have been forced to reduce the support they offer. We are thankful for the investment and commitment the variety of faith organisations make in our communities and the ways they already work together through a range of self supporting networks to achieve more.
3. That the following vision for our future relationship with faith organisations working in the borough be adopted:

We see Southwark as a place where the involvement of faith groups in the delivery of services and social action on an equal basis with other groups is welcomed, encouraged and supported. The voice, participation and solutions that faith communities bring are important, and our engagement with faith communities should enable them to deliver these benefits for everyone in the borough. We will achieve this through:

- *Building relationships and trust with faith groups*
 - *Ensuring that our faith communities and organisations are targeted in our engagement activities and that the experiences of faith group members and the challenges they face are considered in the development of services and policy*
 - *Encouraging faith groups and their members to be involved in the reshaping and redesign of local services and places*
 - *Developing partnership working to deliver key policies and delivery of improved outcomes for residents*
 - *Supporting faith organisations to play an active role in the civic life of the borough through improved communication, and access to opportunities*
 - *Sharing training and learning opportunities between faith communities and the council*
 - *Providing equal treatment with non faith community and voluntary sector organisations in access to funding opportunities offered by the council.*
4. That it be noted that improved communication is a key facilitator of breaking down the barriers to engagement and relationship building, accessing services for congregation members and supporting faith organisations to develop their social action projects. To address this, that it be agreed that the council hosts two conferences a year bringing together council staff, faith groups and community sector organisations to act together to deliver the vision.
 5. That the council will work in ways that are respectful, patient, transparent, empathetic and open so we are able to foster better understanding. Ways of working should facilitate networking and relationship building and as equal partners. We will develop and work on shared agendas and continue to talk and to grow the breadth and depth of our relationships with communities of faith so we continue to involve a wider network of faith organisations and diversity of faith groups.
 6. That it be agreed that the focus of our relationship with faith communities will be to work together to:
 - Celebrate faith and diversity of faith organisations in the borough
 - Support faith organisations and their approaches to supporting individuals who are a part of their congregations
 - Improve the lives of Southwark residents,
 - Support the council in delivery of key pieces of work,

- Improve the way in which the council is able to reach significant numbers of its residents,
- Ensure that the council is aware of the challenges that their worshippers face
- Support social integration and community cohesion in our neighbourhoods.

7. That paragraph 58 of the report be amended to request a report back in 6 months to cabinet.

11. FREE PRIMARY SCHOOL VISITS TO THE THEATRE PROGRAMME

RESOLVED:

That the proposed approach for developing a targeted programme to deliver the council plan target to:

'Ensure every primary child gets a free visit to the theatre every year' be agreed.

12. INTRODUCE WATER FOUNTAINS THROUGHOUT SOUTHWARK

RESOLVED:

Decisions of the Cabinet

1. That the target to increase the number of water fountains within Southwark to a total of 50 by 2021-22 and to ensure each ward has provision of at least one water fountain be approved.
2. That the funding bid to Greater London Authority (GLA) and Thames Water Oneless scheme, which if successful will fund five of the new fountains be noted.
3. That the approach to identifying water fountain locations in Southwark be approved.
4. That the funding strategy set out in the report in respect of water fountains not delivered under GLA and Thames Water's Oneless scheme be approved.

Decision of the Leader of the Council

5. That authority be delegated to the cabinet member for environment, transport management and air quality to approve the final approach and strategy of introducing water fountains throughout Southwark.

13. GATEWAY 1 - PROCUREMENT STRATEGY APPROVAL MAIN CONTRACTOR PROCUREMENT: ALBION NEW HOMES

RESOLVED:

1. That the procurement strategy outlined in the report for a two stage design and build contract through the Notting Hill Genesis (NHG) framework, for the construction of the Albion new homes schemes (consisting of two sites - the former Albion Civic Centre and former Albion Primary School) for an anticipated period of 32 months

commencing on 30 July 2019, at an estimated contract value of £22m, which includes the cost of the first stage tender process (pre-construction services agreement - PCSA) at an estimated value of £1.1m be approved.

2. That it be noted that the award of the pre-construction services agreement (PCSA) will be approved as set out in paragraph 34 of the report by the relevant chief officer in accordance with contract standing orders and in consultation with the cabinet member for social regeneration, great estates and new council homes.
3. That the delegation of the award decision in the gateway 2 reports for the main works contract to the strategic director of housing and modernisation in consultation with the cabinet member for social regeneration, great estates and new council homes for the reasons noted in paragraph 37 of the report be approved.
4. That it be noted that the original procurement strategy agreed by cabinet on 5 October 2015 in relation to these sites, identified as part of lot A2 within the Southwark Regeneration in Partnership Programme (SRPP) did not proceed as further detailed in paragraphs 6 and 7 of the report. Therefore, the recommended procurement strategy outlined in the report will replace the original procurement.

14. GATEWAY 1 - PROCUREMENT STRATEGY APPROVAL MAIN CONTRACTOR PROCUREMENT: CATOR STREET 2

RESOLVED:

1. That the procurement strategy outlined in the report for a two stage design and build contract for the construction of Cator Street 2, comprising of extra care (flexi-care) housing, a day centre and community information hub at an estimated contract value of £19.8m for an anticipated period of 22 months commencing in November 2019 be approved.
2. That it be noted that the award of the pre-construction services agreement (PCSA), for an estimated £150,000, will be approved as set out in paragraph 28 of the report by the relevant chief officer in accordance with contract standing orders and in consultation with the relevant cabinet member.
3. That the delegation of the award decision in the gateway 2 report for the main works contract to the strategic director of housing and modernisation in consultation with the cabinet member for social regeneration, great estates and new council homes for the reasons noted in paragraph 31 of the report be approved.

15. WALWORTH TOWN HALL INVESTMENT PROPOSAL

RESOLVED:

1. That General Projects be approved as the preferred bidder for the Walworth Town Hall complex investment project.
2. That the council enter into an Agreement for Lease with General Projects to facilitate the preparation of planning and listed building applications for the scheme based on the concept set out in paragraph 32 of the report and subsequently to carry out the

approved works.

3. That the director of regeneration (in consultation with the cabinet member for growth development and planning) be asked to confirm that the proposals satisfy the requirements of paragraph 32 of the report before the planning and listed building applications are submitted to the local planning authority for determination.
4. That following satisfactory completion of the scheme in accordance with the Agreement for Lease a new lease be granted in accordance with the principal terms set out in paragraph 8 of the closed version of the report and substantially in paragraph 47 of the open report and authority be given to the director of regeneration to approve detailed terms.
5. That a grant of £2million be made to the preferred bidder on terms to be agreed in the agreement to lease. The principal purpose of these funds is to support the restoration of the designated community, arts and culture space.
6. That officers prepare a further report for cabinet within 12 months on the dedicated community/arts/culture space in the ground floor of the former Newington Library which will address:
 - a) a vision for the community, arts and culture space which meets the needs of the diverse Southwark population to be developed in consultation with stakeholders, community and General Projects
 - b) options for an operational model which can deliver on the council's commitment for community involvement in the management of the space.
7. That it be noted that the community, arts and culture provision within the Walworth Town Hall and new Walworth Library and Southwark Heritage centre combine to deliver 939m² of publically accessible space which exceeds the pre-fire figure of 650m² (these figures are based on current available information). This equates to a 44% increase of publically accessible space.

16. 585 - 589 OLD KENT ROAD - ACQUISITION OF SITE TO DELIVER NEW COUNCIL HOUSING

RESOLVED:

1. That pursuant to s120 of the Local Government Act 1972 and s9 of the Housing Act 1985, that the council be authorised to acquire the freehold interest in the property shown edged red on the plan at Appendix A of the report.
2. That the principal purchase terms set out in full in paragraph 4 of the closed version of the report and substantially in paragraph 22 of the open report be authorised.
3. That the acquisition through the housing revenue account (HRA) with the primary focus being the delivery of high quality council housing be authorised. Interim income derived from the acquisition will accrue to the HRA.
4. That authority be delegated to the director of regeneration to agree the detailed terms of the acquisition.

17. LAND ADJOINING THE HOLLINGTON CLUB AT 56-60 COMBER GROVE SE5

RESOLVED:

1. That the land shown edged in black on the OS plan at Appendix 1 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 following the grant of planning permission to facilitate the carrying out of the development proposals in accordance with section 226 of the Town and Country Planning Act 1990 and sections 122(1) and 122 (2A) of the Local Government Act 1972 be approved.
2. That the sale of the land amounting to approximately 200 sq. m shown edged in black on the OS plan at Appendix 1 of the report to the adjoining owner of 56-60 Comber Grove SE5 be approved and that the capital receipt that will be generated by it be noted.
3. That following completion of appropriation of the land described at paragraph 1 of the report, the land shown edged in black at Appendix 1 of the report be sold freehold to facilitate the carrying out of development proposals for the area in accordance with section 233 of the Town and Country Planning Act 1990.
4. That the director of regeneration be authorised to negotiate and agree terms for a successful sale of the land shown edged in black on the OS plan at Appendix 1 of the report with the adjoining land owner of 56-60 Comber Grove SE5 and its development partner.
5. That the formal, extensive consultation that has been undertaken by the adjoining land owner of 56-60 Comber Grove SE5 and its development partner with key stakeholders, including residents and in consultation with ward members throughout the design development be noted and that the resident engagement carried out by the council to comply with its statutory requirements under section 105 of the Housing Act 1985 also be noted.

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. Given the current date of the UK withdrawal from the EU is planned for 29 March 2019, the next available cabinet would have been too late to consider a progress report ahead of Brexit itself.

RESOLVED:

1. That progress on work following adoption of the recommendations from the Southwark Brexit Panel in January 2019 be noted.
2. That a progress report be brought to the next cabinet meeting.

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. WALWORTH TOWN HALL INVESTMENT PROPOSAL

The cabinet considered the closed information relating to this item. Please see item 15 for the decision.

20. 585 - 589 OLD KENT ROAD - ACQUISITION OF SITE TO DELIVER NEW COUNCIL HOUSING

The cabinet considered the closed information relating to this item. Please see item 16 for the decision.

21. LAND ADJOINING THE HOLLINGTON CLUB AT 56-60 COMBER GROVE SE5

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

The meeting ended at 5.50pm.

CHAIR:

DATED:

DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 17 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, WEDNESDAY 20 MARCH 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.

Item No. 8.	Classification: Open	Date: 30 April 2019	Meeting Name: Cabinet
Report title:		Reducing Health Inequalities Through Council Services and Partner Organisations Report of the Healthy Communities Scrutiny Commission	
Ward(s) or groups affected:		All	
From:		Overview and Scrutiny Committee	

RECOMMENDATIONS

1. That the cabinet considers the recommendations in the report (Appendix A), as set out on page 20 of the report and request that the relevant cabinet member reports back within eight weeks.

BACKGROUND INFORMATION

2. The overview and scrutiny committee received and endorsed the report at its meeting on 8 April 2019.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Overview & Scrutiny Committee Agenda 8 April 2019.	Scrutiny Team 160 Tooley Street London SE1 2QH	Shelley Burke 020 7525 7344
Link: http://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=308&MId=6185&Ver=4		

APPENDICES

No.	Title
Appendix A	Reducing health inequalities through council services and partner organisations: Report of the healthy communities scrutiny commission
Appendices 1 – 3 below are viewable on the following link (scroll down to item 7): http://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=308&MId=6185&Ver=4	
Appendix 1	Summary drop in consultation Healthy & Wellbeing
Appendix 2	Bells Gardens TRA consultation final
Appendix 3	Bells Gardens midpoint consultation summary

AUDIT TRAIL

Lead Officer	Shelley Burke, Head of Overview and Scrutiny		
Report Author	Julie Timbrell, Scrutiny Project Manager		
Version	Final		
Dated	11 April 2019		
Key Decision?	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments Sought	Comments included	
Director of Law and Democracy	No	No	
Strategic Director of Finance and Governance	No	No	
Cabinet Member	No	No	
Date final report sent to Constitutional Team		11 April 2019	

APPENDIX A

Reducing health inequalities through council services and partner organisations

Report of the Healthy Communities Scrutiny
Commission

April 2019

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Section 1 INTRODUCTION AND BACKGROUND

- 1.1 This is the final report of the review into health inequalities by the Healthy Communities Scrutiny Commission, who decided to conduct this review in the autumn of 2018. The aim of the review is to make recommendations to the Cabinet and partner agencies.
- 1.2 The review set out to ensure that the planning process, local estates management, and wider social regeneration agenda plays its part in improving the health of residents, particularly for those experiencing multiple social and economic disadvantages. It chose to focus on improving community cohesiveness and the uptake by disadvantaged communities of the following council and health services:
 - Free Swim and Gym offer
 - parks and green spaces
 - walking and cycling routes and pathways
 - community activities
 - community activism
 - improved neighbourhood connections, relationships and mutual support
 - General Practice
- 1.3 The Commission chose this subject because Southwark has some very high levels of health inequalities. Whilst there has been significant regeneration in Southwark in recent years, the borough remains one of the most deprived in the country. Southwark is the 40th most deprived of 326 local authorities in England and ninth most deprived out of 32 local authorities in London. Two in five Southwark residents live in communities ranked in the 20% most deprived areas nationally. By contrast, only two in one hundred residents live in communities considered the least deprived nationally. There is also considerable disparity between people living in more affluent areas of Southwark and those in the most deprived: at age 55 44% of people with no qualifications will have a physically limiting health condition, but only 6% of people with a degree will do so.
- 1.4 As well as universal services the council and its partners have a number of important levers to improve health and wellbeing: the council has some innovative public health programmes that the council has pioneered, particularly Free Swim and Gym and Free Healthy School Meals. There is also an ambitious programme of regeneration, which is operating at both a large scale and also within estates to increase the social housing capacity via the recently initiated Great Estates programme. The borough also benefits from many parks, open spaces and has an active community and voluntary sector.
- 1.5 In order to focus the review it was decided to choose an estate to do a small piece of community research. Bells Gardens Estate was chosen as a relatively deprived area but where there is good engagement through the

Tenant and Residents Association (TRA) and local community organisations, which might offer some examples of good practice in supporting people to engage with health and wellbeing opportunities. Fortuitously it is also undergoing a small regeneration programme, as part of the Great Estates programme, with the planned provision of more social housing and some private housing, which will enable the rebuilding of the existing community centre and multi use games area (MUGA). Bells Gardens Estate is located in Peckham, in the centre of the borough where there is a concentration of deprivation.

- 1.6 The review offered a timely opportunity to explore 'health and wellbeing' at a local estate level with the Great Estates work running parallel. The intention is to explore if this could be a possible template for replicating and developing the scheme elsewhere.

Section 2 EVIDENCE CONSIDERED & METHODOLOGY

- 2.1 Officers from Southwark Council environment department gave an overview of parks and leisure, as well as of uptake on Free Swim and Gym (FSG) and how the related referral programme is targeted to those most in need
- 2.2 Public Health gave a comprehensive overview of health inequalities and the strategies and initiatives Southwark council and Southwark NHS has in place to reduce these. Many of these are joint initiatives and involve a range of outside partners, including schools.
- 2.3 Resident Involvement New Homes Development Team and Public Health assisted with conducting the community research on the Bells Gardens Estate by :
 - Providing data on health check take ups and disease prevalence in the locality compared to national averages
 - Mapping the available air quality information
 - Undertaking research on use of libraries and leisure centers by residents of the estate
 - Identifying community groups operating in the area and seeking anecdotal evidence
 - Outlining food insecurity and poverty in the locality
 - Giving an overview of smoking cessation services
- 2.4 Engagement was a key approach. In addition to the above resident views were gathered by:
 - Holding a session with members TRA on how they would like to tackle public health, in conjunction with King's College London public health researcher based at Guys (March, 2019).
 - Asking residents about their health and wellbeing priorities during a drop in consultation event on the proposed on estate regeneration (February, 2019)
 - Considering the initial results of the Bells Gardens Estate midway consultation questionnaire collected by Southwark's New Homes Development Team on proposed changes to the estate (February, 2019)

2.5 The Commission considered three reports:

- A matter of justice: Local government's role in tackling health inequalities <https://www.local.gov.uk/matter-justice-local-governments-role-tackling-healthinequalities>
- Making Every Adult Matter MEAM <http://www.themeamapproach.org.uk/>
- Be Active Birmingham <https://theaws.co.uk/>

2.6 Academic research on the theme was also considered.

Section 3 HEALTH INEQUALITIES

Encouraging social cohesion and combating isolation

3.1 Bells Gardens Estate has good community facilities, including a purpose built community centre, and a multi use games area (MUGA) .The TRA is active and effective, running social events and lobbying the council for improvements to the estate and local environment. The following community groups also use the facilities or have held events there:

- Southwark Law Centre
- Southwark Trade Union
- The Ernest Foundation
- Apostolic Church
- Learning Curve Group
- Ivoiriens Unis UK
- Southwark Trade council
- KIDS Southwark
- Cubs & Scouts youth groups
- Bags of Taste
- Southwark Food Action Alliance

3.2 Despite the above, TRA members interviewed said Bells Gardens Estate is not a particularly close knit estate and they suspect there is an issue with loneliness. They thought a resource was needed to identify and help lonely people, which would ideally come from embedding health workers in the community centre, but could also come from making better use of the estate officer who knew isolated residents.

3.3 Residents at the consultation event also said that they are keen for more opportunities to meet their neighbours. A number remarked on the importance of their current good neighbourly relationships. The current community services and TRA activities are valued. A few older people said that more activities geared to their age group would be welcome. The TRA wanted more funding for sustainable and consistent activities and advertising for neighbourhood events. They said over time events can reach more people if they occur regularly.

- 3.4 Social isolation and loneliness are increasingly being recognized as having a major impact on our health and wellbeing; both the quantity and quality of our interactions make a huge difference. 'Social Isolation' and 'Loneliness' are often used interchangeably, but they are different. It is possible for people who are not socially isolated to experience loneliness. Social isolation refers to the inadequate quality and quantity of social relations with other people at the different levels where human interaction takes place (individual, group, community and the larger social environment). Loneliness is an emotional perception that can be experienced by individuals regardless of the breadth of their social networks. The Campaign to End Loneliness say that research indicates that lacking social connections is a comparable risk factor for early death as smoking 15 cigarettes a day, and is worse for us than well-known risk factors such as obesity and physical inactivity. Southwark is developing a strategy to combat a social isolation.
- 3.5 The Commission received evidence from Public Health that the built environment can be a barrier to social connections, especially in deprived areas that may lack good public transport links and adequate provision of green and public spaces where people can socialise. Most Bells Gardens Estate residents responding to the questionnaire on proposed changes to the estate considered that the present community centre, multi use games area (MUGA) were important for community events and the latter particularly for children. The green spaces were also particularly highly valued, both for the enjoyment of nature and perceived health benefits, as well as being space for people to come together. A few people thought pathways did not work well, lighting was inadequate and the '*present landscaping prevents people from coming together as a community*'.
- 3.6 There were a number of compliments on the present community centre flexibility and as well as suggestions for improvements when the community centre is re-provided. Anti Social Behaviour was mentioned, though not over emphasised. A few residents said that the presence of people provided a feeling of safety.

Recommendations:

The Council to:

1) When re-providing community centres, MUG, children's play areas and building new housing through the Great Estates programme:

- ***Ensure the architects use the Sport England active design guidelines***

Active Design ¹ is a guidance document produced by Sports England on how to encourage and promote sport and physical activity through the design and layout of the built environment. It is recommended that this guidance is considered by the architects when designing the new community centre. The guidance recommendations include:

¹ Active Design ,Sports England 2015

- Manage facilities and open spaces to encourage a range of activities to allow all to take part, including activities for all genders, all ages and all cultures
 - Opportunities should be explored to create public spaces that encourage users to interact including seating areas, multi-use landscaping and safe and attractive public spaces.
 - Sports facilities should be located in prominent positions in the local community, raising awareness of their existence, inspiring people to use them and ensuring they can become focal points for the community and social interaction.
- ***Ensure the green and public space, including pathways, promotes and provides for social interaction and community gatherings, and the permeability of the estate is improved e.g. signage, wayfinding and lighting.***
 - ***Ensure that any changes to green space means an enhancement of biodiversity and amenity***
 - ***Ensure that the community centre caters to the needs of local residents, providing opportunities for healthy activities to take place which promote social cohesion.***

2) Commit to support and empower resident groups to organise public health related activities & events, which bring residents together.

3) Introduce innovative methods to communicate to residents what health and wellbeing services and activities are on offer.

4) Investigate the capacity in partnership with other providers, like Health, to embed local health workers in local estates and for Residents' Services Officers (RSO) to work in collaboration to combat social isolation (it emerged from the meeting with Bells Garden TRA that RSOs have good local knowledge of residents who may be isolated / vulnerable and who may need signposting to health & social provision).

Estate maintenance: security, rubbish disposal, damp & mildew, noise

- 3.7 Bells Gardens residents said that present arrangements for disposing rubbish and recycling are not working for residents and that this was creating concerns over hygiene. The TRA members thought this was about education, but did not want to patronize people. Respondents to the midway survey identified problematic disposal arrangements.
- 3.8 Commission members noted the importance residents give to a clean environment clear of rubbish judging by their ward caseload. A member cited a successful design solution which addressed problematic fly tipping spot

effectively: a planter was introduced with flowers, alongside screened provision for bulky waste and rubbish collection.

- 3.9 Damp and mildew is a problem for some residents. TRA members said the process to report and tackle this is onerous for some people and support is needed. Residents responding to the New Homes Development Team midway consultation said they thought it was unfair that new homes were being built when current residents' housing conditions were poor.
- 3.10 Residents also raised some concerns via the midway New Homes Development Team survey about security and door arrangements.
- 3.11 Both TRA members and the respondents to the midway New Homes Development Team survey on the adverse impact of noise. This seemed to be mainly coming from the community centre activities, such as parties and other social gatherings and could be solved by introducing sound insulation in the re-provided hall, however there may be other sources. Noise is known to impact on people's health and the Housing Health and Safety Rating System (HHSRS) notes that late night time noise is particularly aggravating and can cause conflict and emotional stress. The Act associated with the HHSRS imposes a duty on local authorities to take appropriate action in relation to hazards causing most harm, and noise is considered to be particularly harmful.

Recommendation:

The Council to:

5) Identify present estate problems that impact on health through the Great Estate programme (e.g. noise, security, rubbish disposal, damp & mildew) using the HHSRS and resident feedback to prioritise. If these are minor issues they can be addressed through the repair programme, with the support of the estate officer. If these require major works then investment ought to be made available through the Great Estates programme.

Air quality

- 3.12 The Commission was very concerned about the impact of air quality on residents in Southwark. Members cited concerns about the impact of pollution on children and heard about the elevated risk of dementia for people living near a major road. The London Air Quality Network state that children are more likely to be affected by air pollution due to relatively higher breathing and metabolic rates as well as the immaturity of their lung and immune system. The elderly are also vulnerable due to the decline in organ function with age and an increase prevalence of age-related disease. In 2008, the UK's Committee on the Medical Effects of Air Pollutants (COMEAP) reported that the burden of human-made particulate matter on the human population was approximately a loss of 340,000 years of life in 2008, and that this loss of life is equivalent to 29,000 deaths.
- 3.13 Air quality is worse for people living near busy roads and in the centre of the borough where communities are most deprived, such as Bells Gardens Estate in Peckham. Two major roads adjoin the estate and one bisects the corner.

- 3.14 There are no air quality monitoring sites on the estate, the nearest site is at 88A Peckham Road. The Environmental Protection Team provided the extract below from the London Atmospheric Emissions Inventory (LAEI) 2013 update 2017. The estate is shown (in blue) with the local roads. The major roads can be identified to help navigate the LAEI map on air quality map. These abstracts do not provide detailed modelling information.



Further information is available here: <https://data.london.gov.uk/dataset/london-atmospheric-emissions-inventory-2013>

- 3.15 Members and officers agreed that more accurate data on air pollution is needed.
- 3.16 The Commission discussed whether the council ought to be taking more radical steps to tackle air pollution, including charging for estate parking, gating some roads to reduce traffic, planting in roads so they become green walking and cycling routes.
- 3.17 No Bells Gardens residents mentioned air quality as a concern; however that could be because awareness is low. Currently there are no government public awareness programmes, although the Public Health reported that the Council is educating residents through the #onething air quality campaign.
- 3.18 Local monitoring would establish the air quality on the ground in Bells Gardens Estate.
- 3.19 Local solutions include gating roads to reduce traffic flow, and planting trees and bushes to reduce pollution.

Active play for children

- 3.20 The strategic director for public health and wellbeing said one of his top priorities was getting children moving, through the provision of better play facilities, such as play streets.
- 3.21 Rates of childhood obesity in Southwark are high. There is a significantly higher prevalence of excess weight in Peckham school children than the Southwark average at both Reception and Year 6. In Peckham 30.4% of Reception children have excess weight and 47.4% of Year 6 children have excess weight. As a borough the prevalence of excess weight is 26.3% and Reception and 43% for Year 6 children.

- 3.22 Alongside this most children do not get enough access to exercise. Nationally 23% of boys and 20% of girls met the activity guidelines in 2015². Lower activity levels have been shown to correlate with deprived urban populations with less access to green space.³

Cycling and walking

- 3.23 Six out of 10 Southwark residents do at least 2.5 hours of physical activity a week with much of this coming from transport alone. Exercise rates in Southwark therefore correlate highly with the mode of transport used, with people who walk and cycle much more likely to be meeting the exercise requirements.
- 3.24 Over the last several years walking rates have improved somewhat (from 31 - 37% of journeys), in Southwark however cycling has stayed static at 3%. People who cycle to in Southwark are usually located near cycle routes. It therefore makes sense to increase access to safe and attractive routes and promote cycling and walking to increase activity levels and reduce pollution.
- 3.25 Residents in Bells Gardens Estate were most likely to mention walking as an activity, rather than cycling. Dog walking featured as a topic.

Green space

- 3.26 Estate regeneration will involve trade-offs as land will need to be found to build more housing. Though a small sample residents in Bells Gardens Estate confirmed that retaining access to green space was priority. From a health perspective roads and non disabled parking have the most adverse impact on wellbeing given the impact diesel and petrol has on air quality, the detrimental effect car driving has on health, when compared to more active forms of transport, and the long term impact driving has on fuelling climate change and environmental degradation. The council recently declared a climate emergency; and pledged to increase efforts to be carbon neutral by 2030.
- 3.27 Only 2% of cars are used at anyone time. They are therefore an inefficient use of space. An alternative and more ecologically friendly solution, is car sharing. The council could promote the use of car sharing, particularly electric cars with zero emissions.
- 3.28 It is unclear how aware residents are of the negative impact air quality has on health, and how this could be contributing to the current high rates of diseases in certain parts of Southwark associated with air pollution: lung cancer, COPD, asthma, dementia. The results of the midway consultation by the New Homes Development Team shows saving green space as the highest priority rating (13) with parking given rating towards the low end of the spectrum (8) .If public awareness was higher on the impact of air pollution on health then willingness to build housing on space currently used for parking and roads, and turn streets in the pathways and play spaces, may rise even further.

² Statistics on Obesity, Physical Activity and Diet, England 2017

³ A Tale of Two ObesCities: The Role of Municipal Governance in Reducing Childhood Obesity in New York City and London. Article (PDF Available) in Journal of Urban Health 87(5):755-70 · September 2010

Recommendations:

The Council to:

6) Conduct detailed air quality monitoring of sites undergoing estate regeneration and share the information with residents so they are able to make informed decisions on retention / reduction to parking, gating access, and turning roads into play streets.

7) Review and strengthen the Council's #onething campaign aimed at increasing awareness about the risks of poor air quality and what we can do to help improve it.

8) Introduce a low emission zone across an area of Southwark while increasing cycling and walking provision.

9) On the back of the Great Estates programme, secure investment for car share and electrical charging points for electric vehicles, actively provide more cycle storage, and invest in footways.

Poverty and Food insecurity

3.29 The indices of multiple deprivations (IMD) show that the Bells Garden is in an area that is within the 20% most deprived nationally. Splitting this down into the different domains of deprivation shows that the area is in the:

- 10% most deprived for income
- 20% most deprived for employment
- 40% least deprived for education, skills and training
- 30% most deprived for health and disabilities
- 20% most deprived for crime rates
- 20% most deprived for barriers to housing
- 20% most deprived for environment.

3.30 Bells Gardens Estate residents cited money and debt problems as one of the top issues at the consultation exercise at Bells Gardens Estate. It is estimated that there are 53,600 people (aged 16+ years) in Southwark experiencing food insecurity at some level. Southwark's two largest foodbanks received 3,379 referrals from professionals during 2017-18.

Research has shown that only 20% of food insecure people will use a foodbank. Problems with benefits, due to delays or changes in the system, were the referral reason given in over 41% of cases. Residents at the consultation event said that delays to Universal Credit meant people were going hungry on the estate.

3.31 Bells Gardens recently became a referrer to the Southwark Foodbank who confirmed that 5 individuals from Bells Garden used the Southwark Foodbank during the year (16 visits in total). As this data is only from one foodbank – and for reasons of stigma many food insecure people do not use foodbanks or will not use one in their locality - it is only an indication of the extent of food insecurity on the estate.

- 3.32 Public Health are developing a JSNA on Household Food Insecurity and have indicated that levels of food insecurity in Southwark are likely to be high, given the higher than average levels of deprivation and destitution in the borough, combined with Southwark being a rollout borough for Universal Credit. Food insecurity impacts on physical and mental health across the lifespan, and for children in particular can increase the risk of developing asthma, as well as increasing the risk of developing depression and suicidal tendencies in adolescence and early adulthood.
- 3.33 A third of London children have problems concentrating at school due to hunger. A study conducted for the GLA on child hunger showed that among 8-16 year olds, 34% had problems concentrating at school due to hunger and 9% of children went to bed hungry. Applying these percentages at the borough level, could mean that:
- Over 9,600 Southwark children are having problems concentrating at school due to hunger
 - Over 2,500 Southwark children are going to bed hungry at night.
- 3.34 In Southwark a high percentage of foodbank recipients are children:
- 46% of those fed by the CSCH Foodbank in 2017/18 were children.
 - 38% of those fed by the Southwark Foodbank in 2017/18 were children
- 3.35 Southwark provides free, healthy school meals to all primary-school aged children. This probably has a significant impact on reducing hunger in children during term time. The Central Southwark Community Hub Foodbank saw 128 users in July 2017 and 198 in August 2017. This compared to a mean of 40 users during the months of April, May and June 2017. The spike is likely to be due to increased demand during school holidays. Southwark is currently looking at how food support can be better provided during school holidays.

Recommendation:

The Council to:

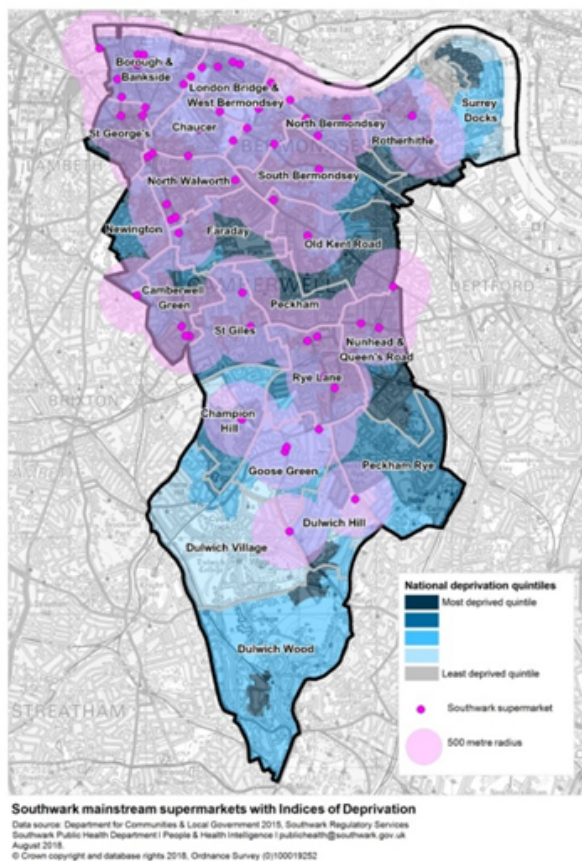
10) Prioritise food initiatives for children in the holidays as part of the Food Security Action Plan, which is being drafted in collaboration with the Southwark Food Action Alliance.

11) Actively explore the potential for introducing food initiatives into community spaces. Given the space, cooking groups, such as those making community meals using surplus food for batch cooking, would potentially thrive and address some of the poor dietary nutrition in “food desserts” found in more deprived areas. (This is in line with the recommendation in the Food Security Action Plan to focus on building resilience as a more sustainable, preventive approach to food insecurity).

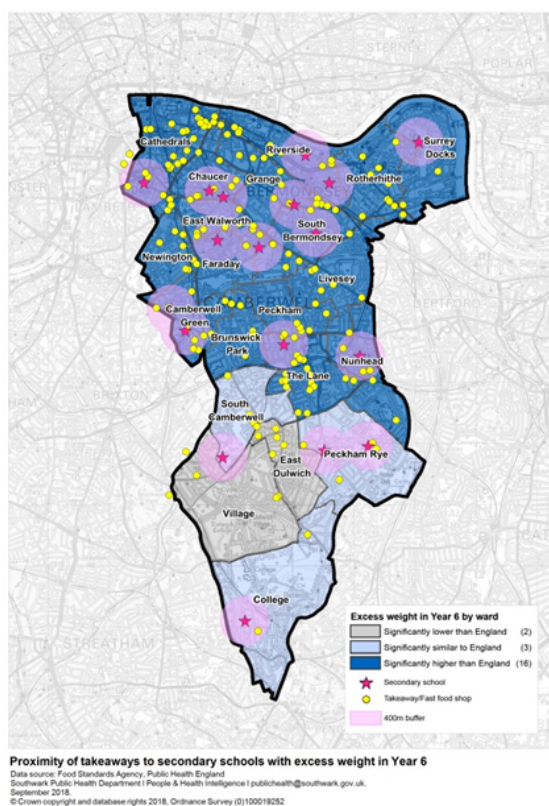
12) Housing officers to signpost to resources in the area that will help residents with food security – for example: (i) promoting the Government’s free Healthy Start vouchers for low-income pregnant women and young families, (ii) directing people towards emergency financial support for white goods for cooking, and if experiencing fuel poverty.

Healthy, nutritious and affordable food

- 3.36 As part of an initiative to improve food resilience Public Health have mapped out food deserts and food swamps. A 'food desert' is a geographical area where there is a lack of accessible options for buying fresh, nutritious, affordable food. Residents at risk of food insecurity are normally disproportionately hit by the effects of food deserts as they lack the funds for bus fares or cars to travel to competitively priced supermarkets and street markets further afield. The map below shows the food desert areas in the borough: Generally, people in 'food deserts' rely on convenience stores and corner shops where prices are higher than in competitively priced supermarket chains and market stalls and the range of fresh, healthy foods is less. This is known as the 'poverty premium' where the most socio-economically disadvantaged end up paying more for goods.
- 3.37 The dark blue areas on the map show where there are deprived parts of the borough which are potential food deserts. The north of the estate is in a food desert.



- 3.38 'Food swamps' are areas where there is a high density of establishments selling fast and junk food in relation to healthy options. The yellow dots on the map below are fast-food outlets. The map shows that there are a number of fast-food outlets surrounding the estate.



- 3.39 There are a number of food focused initiatives in Bells Garden:
- Bags of Taste (Cook and Eat) – have been operating from Bells Garden previously
 - Southwark and Central Southwark Community Hub Foodbanks
 - Holiday Hunger programme (CSCH)
 - Garden Organic (Master Gardeners programme)
 - Food Action Alliance (57 organisations, mostly grassroots) often meet at Bells Gardens Community Centre and are working with Public Health to develop a Food Security Action Plan

Case Study: CooksForce

- 3.40 In March 2018, Brixton People's Kitchen delivered Cooks Force – a three-week cooking course at Bells Gardens Community Centre. The aims of the course were to increase participants' general confidence and cookery skills while introducing them to a wide variety of healthy and affordable food. At the end of the course, participants were given a recipe book packed full of cooking ideas including how to grow, source and store food. They were also given the opportunity to volunteer with Cooks Force or attend community canteens run by the scheme.

The participants

- 3.41 11 participants attended the course. All were female and were from a wide range of backgrounds. 73% were renting social housing. 55% had or were

planning to have their kitchen refurbished as part of the Kitchen Regeneration Scheme. 64% answered yes to at least 2 of the poverty scale questions. This involved asking about dietary needs and whether they had access to adequate food at home

The benefits

- 3.42 All participants agreed that: They had learnt something new about food safety and hygiene. They had discovered new types of food, improved their cooking skills and discovered cheaper ways to eat healthily. The course had helped them make new friends in the community.

Testimonial

- 3.43 'My daughter and I had an amazing time and enjoyed meeting other local residents. I can truly say it has been life changing for me. I have cooked and eaten vegetables that I've never cooked with before and every dish was so healthy and easy to make. I feel confident to make these dishes myself at home and be able to feed myself and children with healthy and delicious dishes'.

Community Gardens

- 3.44 The Commission were interested in the ability of Community Food gardens and growing initiatives to impact positively on food and community. Members suggested establishing a food growing culture and considered that community gardening could have a significant role in nurturing this, particularly as many people do not have the skills, or access to land, to garden individually.
- 3.45 There is a local Community Garden located fairly close to Bells Garden: [Burgess Park Food Project at Glengall Wharf](#). The project works with the local community to increase the understanding of healthy, local and fresh food. The project aims are to:
- Promote food growing, organic horticulture, permaculture and other ecological issues through skill sharing and volunteering.
 - Bring people together, building links within the community for groups and individuals.
 - Help improve the local green environment in Burgess Park and the surrounding area.
 - Help regenerate the local community, contribute to sustainable development in London and enhance the life of the park.
- 3.46 The Commission thought there was a vital role for community and voluntary groups in delivering community food growing initiatives and other health and wellbeing initiatives. Officers said there is a plan to create a network across the borough; these initiatives ought to link to the school garden programmes.
- 3.47 There is enthusiasm from community groups; however these do need to be well resourced. CGS (Cleaner, Greener, and Safer) could be used to promote this work.

Recommendations:

The Council to:

13) Map 'Food Oases', like community gardens and kitchens, in order to develop and build on community assets to address food insecurity and nurture a healthy food culture.

14) Actively promote funding for community gardens and food growing projects through Cleaner, Greener Safer, and Neighbour Fund led activities, particularly targeting community engagement programmes working with economically deprived residents.

General practice, health checks, long term conditions

Disease & Poor Health

3.48 Peckham performs the same or better than England for coronary heart disease, stroke, heart attack. It is worse on chronic obstructive pulmonary disease (COPD), lung cancer, and prostate cancer but better on breast cancer.

Smoking cessations services 2017/18

3.49 Across Southwark there were 949 initial contacts in 2017/18, with the highest number in January 2018. Of the 949 clients who accessed the Smoking Cessation Services 25 were in the ward of Peckham (2.6%). Smoking cessation services ought to ideally be seeing above 40 clients ⁴ from the Peckham ward.

Health checks

3.50 Across Southwark Health checks are being accessed by people who need it most. Within the estate, 55% are currently eligible for an NHS Health check, compared to 67% in other areas. The 'whole population' uptake of Health Checks in the estate is 27% compared to 32% outside the estate. The lower eligibility could be due to a younger population on the estate or due to more people being excluded due to pre-existing health conditions. A potential area to focus on is ways to improve uptake of the health checks offer.

3.51 The Commission heard evidence that men's mortality is lower than women's, in part because they do not access the NHS so regularly. Prostate cancer is significantly higher in Southwark and Peckham is significantly higher than this. A focus on prostate cancer prevention in Bells Gardens Estate could be worthwhile.

Peer Support for long term conditions

3.52 The TRA focus group suggested peer support for long term health conditions would be helpful to help navigate the system and optimise health. Research shows that peer support for conditions such as COPD, which is high locally, impact positively on health. There are voluntary groups that run these such as [Breathe Easy](#). Nesta says that an evaluation of the British Lung Foundation's volunteer-led Integrated Breathe Easy groups has shown that people with COPD who attend the groups will gain knowledge, skills and confidence that will help them to stay well. Being part of Breathe Easy increases wellbeing and reduces

⁴ There are 23 Wards in Southwark. Southwark has a population of approximately 256700 with 15010 people living in Peckham ward, making this ward larger than normal.

the likelihood of medical emergencies and crises. Peckham has 25% more hospital admissions for chronic obstructive pulmonary disease (COPD) than England.

- 3.53 Commission members were also keen that peer support and buddy schemes were maximised for people with long term health conditions, such as cancer, noting that serious illness can be a stressful and isolating and recovery is shown to be aided when people are well supported.

Recommendation:

Public Health, NHS CCG and Health & Wellbeing Board to:

15) Explore what hyper local health data and anecdotal evidence can be used to drive service provision and improve disease prevention, management and peer support for people with long term health conditions.

In Peckham ward where Bells Gardens Estate is situated there is ward level data to suggest that promoting health checks, prostate cancer awareness, smoking cessation courses, and encouraging local GP practices to start a Breath Easy peer support group would all be worthwhile.

Use of leisure centres and Free Swim and Gym

- 3.54 Bells Garden estate has a number of active members of the Leisure centre. Between 1 August and the 31 January 2019 125 residents used Southwark facilities, approximately 10 % of the population.

Usage by Specific Postcode (non-FSG)	Unique Members	Usage
Angelina House	14	143
Bunbury House	12	123
Edwin House	22	224
Hastings Close	12	225
Neville Close	20	369
Wentworth Crescent	30	244
Wilmot Close	15	228

- 3.55 Local figures on FSG were not provided, however data was given on Southwark usage. As of October 2018 there were 29,291 live members and nearly 600k visits since the schemes inception. As well as the standard offer of Friday weekend afternoons there is also open access for disabled people and targeted programmes for older people and exercise on referral. Data is available sex, ethnicity, disability and age. However participants are not asked about income. The Commission discussed whether asking would help monitor and target the scheme at people experiencing most economic deprivation, and thus at one of the highest risk groups for poor health, however there were concerns about this being intrusive and off-putting.

Recommendation:**The Council to:**

- 16) Explore asking about income at sign up for FSG.**

Section 4 GREAT ESTATE OPPORTUNITIES

- 4.1 Last December's opening cabinet paper of our 'Great Estates' programme set out the council's fundamental approach to the long-term future of our council estates – to 'expand and enrich' our estates by a) identifying appropriate sites on our estates for building new council homes, and b) finding new ways of working with residents to improve the look, feel and lived experience of our estates.
- 4.2 The recent 'Estate Improvement Plans' March 2019 cabinet report focused on the 'enrich' part of the programme, setting out the principal routes towards improving the shared living experience of our estates, creating new opportunities for residents to come together, and to begin a process of upholding our estates as properly privileged parts of the city. The council has reoriented how the often challenging task of building new council homes on existing estates is approached, by framing it as part of a wider 'estate improvement plan' approach. This means in practice that resident project groups and architects have a brief beyond the red line of the development plot, to think about how new homes can sit comfortably as part of the existing estate as well as how the process of development can capture wider visible improvements throughout the estate. The council is already starting to see some of the early fruits of this approach with residents' better welcoming development proposals that offer a more tangible account of what's in it for them.
- 4.3 The March 2019 cabinet initiated a series of Estate Improvement Plan pilot projects over the coming year, covering all parts of the borough, older and younger estates and estates with or without active resident associations. Via workshops, drop-ins, wish list ballots and other methods of engaging and involving residents, the opening year's pilots will trial different ways of devising and delivering improvement works on a range blocks and estates with residents at the centre of the process, and a license for creativity and risk-taking. The projects will also seek to maximise resources available by drawing on external funding and partnership opportunities, with a new advisory group helping to frame the process to ensure they have the greatest possible impact.
- 4.4 The pilots featured in the report place a great emphasis in food growing, gardening, lighting and using art to make the place more beautiful, and using the process to create social mobilisation and cohesion.
- 4.5 Scrutiny welcomes the above; the evidence from the review endorses this approach. In addition this review recommends that Public Health are explicitly involved in the process of intelligence gathering, helping conduct community research and join relevant project groups to ensure that the opportunities for wellbeing are realised. The Commission also recommends that discussions take place with the Environmental Protection Team and GSTC about localised air quality monitoring.

- 4.6 As well as improvements to the physical infrastructure estate regeneration ought to be mindful of how the fabric of the estate can promote social integration, protect green space, promote active transport, and help tackle food insecurity, through food growing and community cooking facilities. The Great Estates work is an opportunity to focus on social regeneration alongside physical regeneration.
- 4.7 The community research work undertaken by the Commission has been limited due to the available resources and time constraints. The sample was small, and only included one young person (less than 25 years). The residents spoken to were already somewhat engaged with the Council, TRA or community centre. The views will be informed by their engagement and representative role (e.g. TRA members), and useful, but the sample is not broad or diverse enough to truly represent the estate. A larger piece of work would need to take place to do this. Nevertheless this is a taster of what could be achieved and how coinciding community research with the Great Estate consultation work, when there are additional resources available, could amplify and mutually reinforce the achievable physical and social outcomes.

Case Study: Poplar HARCA

- 4.8 Possible further research could mirror that done by Poplar HARCA – a housing association in Poplar, Tower Hamlets. In 2017 they commissioned Kaizen to carry out a wide ranging community consultation in order to better understand community views and perspectives on health and happiness. This informed the development and implementation of a health strategy. They spoke to over 1000 people to ask those questions on their current health and happiness, what residents currently do to improve their health and happiness what more they would like to do, motivations and barriers to improved health and happiness, and health activities and interventions that residents would utilise if available. They found that isolation and loneliness are very important causes of poor health and happiness, the importance of social networks to health and happiness, the vital role that mothers have as an influence on their children, employment has a strong correlation with happiness and those aged 15-24 were most likely to be very unhappy.

Recommendation

The Council to:

17) Involve public health in Great Estates programme and as part of one of the pilots, ideally with a TRA (or TMO), undertake a local research project to better understand resident concerns and how to best address them (including a community profile mapping out health data, local air quality, and current community assets, activities and gaps). Key is to work with residents and local community organisations to develop an active involvement on the social regeneration being undertaken.

Section 5 **RECOMMENDATIONS**

- 5.1 When re-providing community centres, MUG, children's play areas and building new housing through the Great Estates programme:
 - Ensure the architects use the Sport England active design guidelines
 - Ensure the green and public space, including pathways, promotes and provides for social interaction and community gatherings, and the permeability of the estate is improved e.g. signage, wayfinding and lighting.
 - Ensure that any changes to green space means an enhancement of biodiversity and amenity
 - Ensure that the community centre caters to the needs of local residents, providing opportunities for healthy activities to take place which promote social cohesion.
- 5.2 Commit to support and empower resident groups to organise public health related activities & events, which bring residents together.
- 5.3 Introduce innovative methods to communicate to residents what health and wellbeing services and activities are on offer.
- 5.4 Investigate the capacity in partnership with other providers, like Health, to embed local health workers in local estates and for Residents' Services Officers (RSO) to work in collaboration to combat social isolation (it emerged from the meeting with Bells Garden TRA that RSOs have good local knowledge of residents who may be isolated / vulnerable and who may need signposting to health & social provision).
- 5.5 Identify present estate problems that impact on health through the Great Estate programme (e.g. noise, security, rubbish disposal, damp & mildew) using the HHSRS and resident feedback to prioritise. If these are minor issues they can be addressed through the repair programme, with the support of the estate officer. If these require major works then investment ought to be made available through the Great Estates programme.
- 5.6 Conduct detailed air quality monitoring of sites undergoing estate regeneration and share the information with residents so they are able to make informed decisions on retention / reduction to parking, gating access, and turning roads into play streets.
- 5.7 Review and strengthen the Council's #onething campaign aimed at increasing awareness about the risks of poor air quality and what we can do to help improve it.
- 5.8 Introduce a low emission zone across an area of Southwark while increasing cycling and walking provision.
- 5.9 On the back of the Great Estates programme, secure investment for car share and electrical charging points for electric vehicles, actively provide more cycle storage, and invest in footways.

- 5.10 Prioritise food initiatives for children in the holidays as part of the Food Security Action Plan, which is being drafted in collaboration with the Southwark Food Action Alliance.
- 5.11 Actively explore the potential for introducing food initiatives into community spaces. Given the space, cooking groups, such as those making community meals using surplus food for batch cooking, would potentially thrive and address some of the poor dietary nutrition in “food desserts” found in more deprived areas. (This is in line with the recommendation in the Food Security Action Plan to focus on building resilience as a more sustainable, preventive approach to food insecurity).
- 5.12 Housing officers to signpost to resources in the area that will help residents with food security – for example: (i) promoting the Government’s free Healthy Start vouchers for low-income pregnant women and young families, (ii) directing people towards emergency financial support for white goods for cooking, and if experiencing fuel poverty.
- 5.13 Map ‘Food Oases’, like community gardens and kitchens, in order to develop and build on community assets to address food insecurity and nurture a healthy food culture.
- 5.14 Actively promote funding for community gardens and food growing projects through Cleaner, Greener Safer, and Neighbour Fund led activities, particularly targeting community engagement programmes working with economically deprived residents.
- 5.15 Explore what hyper local health data and anecdotal evidence can be used to drive service provision and improve disease prevention, management and peer support for people with long term health conditions.
- 5.16 Explore asking about income at sign up for FSG.
- 5.17 Involve public health in Great Estates programme and as part of one of the pilots, ideally with a TRA (or TMO), undertake a local research project to better understand resident concerns and how to best address them (including a community profile mapping out health data, local air quality, and current community assets, activities and gaps). Key is to work with residents and local community organisations to develop an active involvement on the social regeneration being undertaken.

Section 6 CONTRIBUTORS

The Commission would like to thank all of those who made this report possible:

Healthy Communities scrutiny commission members

- Barrie Hargrove (chair)
- David Noakes (vice chair)
- Jack Buck
- Radha Burgess
- Leanne Werner
- Gavin Edwards
- Maria Linforth-Hall

Cabinet member for Community Safety and Public Health

Councillor Evelyn Akoto

Officers, partners and health stakeholders

Officers

Scrutiny project manager and report author Julie Timbrell
 Professor Kevin Fenton, Strategic Director, Place and Wellbeing
 Jin Lim, Deputy Director of Public Health, Place and Wellbeing
 Rosie Dalton-Lucas, Head of programmes (healthy place)
 Jo Ellington Public Health Policy Officer
 Tizzy Keller Public Health Policy Officer
 Fiona Dean, Director of Leisure
 Tara Quinn, Group Manager - Sport and Physical Activity

Bells Gardens TRA

Paul Wright, chair
 Abiola Salako as well as Public Health Researcher Shayda Kashef from King's College London. T

Kings College London

Shayda Kashef, researcher

APPENDICES

Notes of consultation events:

- | | |
|------------|--|
| Appendix 1 | Bells Garden drop in consultation event on health & wellbeing on the estate (February 2019) |
| Appendix 2 | Notes of meeting with TRA members on Public Health, with Kings Collage London researcher and Public Health officers (March 2019) |
| Appendix 3 | Bells Gardens Estate results of the midway consultation questionnaire summary on proposed changes to the estate prepared by Southwark Council's New Homes Development Team (February 2019) |

Item No. 9.	Classification: Open	Date: 30 April 2019	Meeting Name: Cabinet
Report title:		Active Southwark - Sport and Physical Activity Strategy 2019 to 2023	
Wards or groups affected:		All	
Cabinet Member:		Councillor Rebecca Lury, Deputy Leader and Cabinet Member for Culture, Leisure, Equalities and Communities	

FOREWORD – COUNCILLOR REBECCA LURY, DEPUTY LEADER AND CABINET MEMBER FOR CULTURE, LEISURE, EQUALITIES AND COMMUNITIES

The health of our borough is of paramount importance to its ongoing success.

Our ambition is for a fairer future for all of our residents. Through supporting healthy life choices we can help our residents to live their lives to the full for as long as possible.

Southwark Council has previously introduced a universal Free Swim and Gym scheme which has seen a phenomenal take-up across the borough, bringing lots of residents to our leisure facilities for the first time and encouraging those already active to continue to be active going forward.

But we wanted to go further, and this Sport and Physical Activity Strategy sets out the key drivers for the introduction of free swimming lessons for all residents. The pilot programme which will be rolled out as part of this strategy will focus on some of our key groups to help support them to become more active. And we hope through providing them with this additional incentive, that they go on to become active users of leisure services throughout the borough.

Combine this with the work we have been doing over the past few years - investing over £50 million in our leisure facilities, parks and open spaces, delivering 29 satellite sport clubs, and supporting over 170 sports organisations to access quality parks and leisure facilities - and we are a borough leading the way.

This strategy is therefore an important next step in continuing to help our residents to take up physical activity and remain active throughout their lives. In engaging with our communities across three themes: active people, active places and active communities, we can reach out and interact with all our residents across the borough, ensuring that no one is left behind.

This strategy is also only the first step; we remain ambitious about delivering more support and services for our residents that ensures that they have access to the best quality resources, and leading facilities.

RECOMMENDATIONS

1. That cabinet agree the 'Active Southwark - Sport and physical activity strategy 2019 to 2023' and key deliverables.
2. That cabinet note:
 - The 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 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.

BACKGROUND INFORMATION

3. Southwark has a large infrastructure of physical activity and sports opportunities in a wide range of settings and delivered by a wide range of clubs, groups and organisations. These networks and communities operate across a borough that is significantly changing either through major regeneration projects, population growth and economic climate. These changes bring about their own challenges in helping our residents lead healthy and active lives, ensuring that the services and facilities we provide meet the requirements of our new and established communities.
4. While there has been a slowdown in the improvement in life expectancy nationally in recent years, this is less pronounced in Southwark. In 2015-17, life expectancy at birth in Southwark was 78.9 years for males and 84.4 years for females.
5. There has been a significant narrowing of the inequality gap between Southwark and England over time, with the male gap narrowing by almost three quarters and the female gap overturning completely. However, Southwark had the fourth lowest life expectancy at birth among males in London in 2015-17.
6. Whilst there has been a significant increase in life expectancy in Southwark over time, this improvement has not been the same across all our communities. The Slope Index of Inequality tells us how much life expectancy at birth varies between our most and least deprived neighbourhoods.
7. The range in years of life expectancy from the most to least deprived areas in Southwark was 5.5 years for women in 2014-16 and 9.5 years for men. This discrepancy has been increasing over time for men but has stayed roughly the same for women.
8. Whilst our local residents are living longer, the length of time spent living in good health is also an important factor. Healthy life expectancy is often considered a measure of whether we are adding life to years, as well as years to life. In 2014-16, there was a 17.9 year gap between life expectancy and healthy life of Southwark's males which increases to 21.2 years for Southwark females.

9. National intelligence indicates that not everyone can expect the same number of years spent living in good health. The gap in healthy life expectancy between the most and least deprived areas of the country stands at 19 years for both males and females.
10. Physical inactivity is an independent risk factor to multiple health problems which includes cardiovascular disease, type 2 diabetes, stroke, breast cancer and colon cancer. Premature mortality can therefore be attributed directly to physical inactivity. The effect of physical activity on mental health is also significant with strong evidence of lower rates of depression in those who are physically active.
11. The Chief Medical Officer for England recommends that adults do at least 150 minutes of moderate intensity aerobic physical activity each week to benefit their health. For children aged 5-17 this increases to at least 60 minutes per day and for younger years increases again to 180 minutes per day.
12. Currently about 20% of our residents do not meet the recommended minimum levels, and it is estimated that 308 premature deaths are recorded in Southwark every year as a result of inactivity.
13. The leading cause of death in Southwark, along with the rest of the UK, is cardiovascular disease and cancer, with rates of cardiovascular disease specifically 10% higher than the national average.
14. The strategy is an important tool in guiding the community that deliver sport and physical activity across the borough to focus resources on those most in need of increasing their physical activity, the inactive.
15. The previous strategy Southwark Council published was grouped in three cross cutting themes.
16. Targeted – this theme focused on the inactive, those with the greatest health risk and who were most likely to benefit from taking part in sport and physical activity. It also emphasised the need to get young people, disabled people, women and girls more active by encouraging uptake in physical activity and breaking down barriers to participation.
17. Universal – this theme focused on the sport and physical activity environment and infrastructure, exploring the role of good quality facilities and spaces and their impact on encouraging participation in sport and physical activity.
18. Foundation - this theme looked at the co-ordination and support in addressing new opportunities and funding as well as performance monitoring and review of programs for the delivery of physical activity. It set out the requirement to deliver more quality marketing and communications on what was available to people and set out the need to develop the sports workforce including volunteers.
19. This ongoing commitment to physical activity and sport has resulted in an increase in the number of active residents, such that 2 in 3 adults are participating in at least 150 minutes of activity each week. Some of our achievements are listed below.
 - Over £50m of investment in our leisure facilities, parks and open spaces.
 - Opening a new state of the art leisure centre in Elephant and Castle.

- Delivery of the 'Free Swim and Gym' scheme, allowing all residents free access to our leisure centres at specific times during the week.
- New improved leisure contract with Everyone Active for the management of the council's main leisure centres.
- More and improved delivery of key physical activity and health intervention projects such as exercise on referral, diabetes prevention programmes, and weight management services.
- Continued engagement each year with over 1500 young people through the London Youth Games and London Mini Marathon.
- Help bridging the gap between school, college and community sport to provide new opportunities for young people to get active by delivering 29 school satellite sport clubs.
- Supporting over 170 sports organisations to access quality parks and leisure facilities.
- Supporting people to complete over 185 sports community training courses.

KEY ISSUES FOR CONSIDERATION

20. The reduction in funding for local government in the past few years has placed pressure on all council services including sport and physical activity. However, Southwark recognises the significant contribution that sport and physical activity plays in the wellbeing of its residents. There continues to be strong investment in sport and leisure facilities and also a clear recognition of the value of sport and physical activity at the heart of social regeneration.
21. The population of the borough is expected to grow by up to 15% from the current 314,200 residents. The role of sport and physical activity in bringing both our established and new communities together will become even more important in ensuring health inequalities are tackled, all residents have access to good quality sports facilities and spaces no matter where they live and residents find it easier to include physical activity as part of their daily lives.
22. Over the last 10 years, Southwark has invested over £50 million of capital funding in improving facilities for sport and physical activity. This includes improvements to the existing leisure centre stock with the addition of the new leisure centre in Elephant and Castle, major improvements to facilities in our parks, and investment in active travel, all of which are designed to deliver high standard facilities and services for local people across the borough to access.
23. In addition to this, the council will continue to invest in new opportunities, including a new leisure centre in Canada Water, improved recreational facilities in parks, improved adventure play (Surrey Docks Adventure Playground and Frederick Street Adventure Playground), and investment in active travel including free cycle training for schools and residents. The funding for this continued investment is from a variety of sources including the Council's own capital programme, and money secured by officers from external sources.
24. There is good quality sport and physical activity provision in Southwark but the challenge remains, to ensure that all our residents are able to access this provision easily so they may lead healthier lifestyles.
25. The proposed Active Southwark strategy (see Appendix 1) aims to;
 - Contribute to reducing health inequalities across the borough through

- physical activity
- Improve the health, wellbeing, happiness and quality of life of residents through physical activity
- Ensure physical activity and sports are integral to the social regeneration of the borough
- Contribute to the delivery of the council's fairer future principles and deliver against key council targets (see paragraph 60).

26. The intention is to achieve this by;

- Ensuring that physical activity and sports priorities are reflected in other emerging plans and strategies
- Influencing and securing further investment in our sports infrastructure
- Establishing better connections between our sports community and residents
- Maximising opportunities to develop partnerships that foster collaborative working
- Maximising the resources available in order to achieve the biggest possible impact in reducing inactivity
- Ensuring the delivery of physical activity and sporting experiences is positive for our residents every time
- Bringing communities together through the enjoyment of being active
- Being a borough that celebrates sporting success and achievement
- Contributing to creating a place where our residents love where they live
- Harnessing the opportunity that digital innovation can bring to increasing physical activity.

27. One of the useful elements of the previous strategy was the use of key strategic themes, targeted, universal and foundation. This helped to group and focus the actions with similar target areas. It is considered that the themes in the new strategy, which are set out below, are more reflective of how a number of other related strategies and policies are framed and reflect the relationship between the individual, the environment they live in and the community they live within. This is a clear link the council's social regeneration agenda.

28. The three strategy themes are;

- Active People – understanding the circumstances of individuals to better shape our services and offer
- Active Places – shaping our environment and facilities so that they encourage more people to be more active
- Active Communities – maximising resources and building partnerships with our communities that promote physical activity.

Strategy consultation

29. A number of consultation methods were used to engage with residents, key partner organisations and other stakeholders.

30. The renewal of the strategy was started by consulting key local organisations and council officers who were involved in sport and physical activity and discussing the continuing and emerging themes which could shape the new

strategy and inform the related action plan. Over the course of two workshops the following attended:

Table 1

London Sport	London PE & School Sport Network	Everyone Active
Bankside Open Spaces Trust	Millwall Community Trust	Kings College London
Community Southwark	Various council departments	

31. The outcome of the workshops highlighted the following themes that have been included in the strategy

Table 2

Strategy item to consider	Inclusion in strategy
Reducing levels of inactivity – getting the inactive active	Key objective
Supporting residents with mental health condition to improve their health	Active people commitment
Inclusion and access for vulnerable people e.g. disabled residents	Active people commitment
Reducing childhood obesity levels in Southwark	Active people commitment
Targeted interventions – early years and family based activities, areas of deprivation	Active people commitment
Volunteering plan	Active communities commitment
Focus on fun everyday activities like walking and active travel	Active places commitment
Maximise resources with partners including schools	Active places commitment
Maximise the use of technology to help make it easier to track activity levels	Key objective
Innovative approach to interventions	Key objective
Use planning to influence the outcomes/themes set e.g. re-generation of specific areas in the borough	Active places commitment

32. An online consultation was undertaken using the Southwark Consultation hub website to allow residents and the wider community to have their say on the draft strategy. The online consultation ran between 17 January and 14 February 2019 where 41 residents responded and there was also an open invitation for people to provide views via email.
33. Three public events were also programmed during this time to allow people to meet a council officer to go through the strategy and share their thoughts on the draft document. Across the three events, 23 residents responded into the consultation with many more made aware of what was developing.

34. In addition to these opportunities Community Southwark organised a first sport and physical activity network meeting with the third sector on the 13th February 2019 which focused on providing feedback on the strategy. It was attended by the following;

Table 3

2x Residents	London South Bank University	Access Sport
Disability Sports Coach	Southwark Gymnastics Club	London Sport
Community Southwark	Alzheimer's Society	Blackfriars Settlement
London City Runners Club	South London and Maudsley Trust	The Bridge(YWCA)

35. The council social media channels were used to promote the consultation, with additional promotion from the Pro-Active Southwark Twitter account (which is used to promote community sport and physical activity in Southwark) and Southwark Presents (used to promote local arts and culture activities).
36. In addition, officers attended a series of internal and external meetings where they presented on the draft strategy and collated feedback.
37. The overall outcome of all of the consultation was positive and those who fed back were supportive of the objectives and themes of the strategy.
38. Targeted stakeholder consultation will continue throughout the life of the strategy and the next stage of consultation will be during the formulation of the action plan.
39. During the production of this new strategy one of the initiatives that will form part of the action plan has already emerged so this report also seeks to progress the free swimming lessons council plan commitment which has been set out below.

Council plan target - free swimming lessons

40. As outlined above, in 2018 the cabinet approved the council plan commitment which pledged to provide free swimming lessons for residents. One of the main aims of this commitment is to enable more residents to make use of the council's Free Swim and Gym (FSG) scheme. The FSG scheme allows registered residents to access the council's swimming pools and gyms at set times of the week for free, and was fully launched in 2016 after a pilot scheme.
41. Everyone Active (EA) operates the FSG scheme on behalf of the council. To date over 80,000 residents have signed up to the scheme and in Q3 2018-19, there was almost 29,000 attendances, an increase of 5% compared to Q3 in 2017-18. Nearly 10% of those members have a disability, 44% are females and 52% are from a BME background.
42. This council plan target clearly links to the 'Active People' theme within the new strategy. It recognises the barrier of being a non-swimmer in accessing the council's free swim and gym scheme. It aims to help residents become more confident in the water affording them a wider range of activity options whilst also giving them a valuable life skill. Enabling parents to become more water confident will also help them to positively influence their children to do the same.

43. It is our recommendation that the council focus 'free swimming lessons for all residents' on non-swimmers (defined as not able to swim unaided with or without floats) as this is a major barrier for adults and families accessing the FSG scheme.
44. Swim England say that as an average the national statistics are that one in five adults in the UK are unable to swim and one in three primary school aged children are unable to swim. Exact statistics are not available for Southwark, however, taking the national average and the census age of residents this would equate to 8,285 4 to 11-year-olds and 48,892 residents aged 12 and over being classified as non-swimmers.
45. As primary schools already receive government funding to provide swimming lessons, with a target to get all pupils achieving water confidence or swimming 25m unaided, and EA running a comprehensive child learn to swim programme in every leisure centre, it is recommended the scheme focus on all the other age groups that may be non-swimmers to maximise the impact of the scheme.
46. An additional element of this project is that officers will be working with the Southwark Education team and EA to achieve the best possible outcomes from the school curriculum lessons and EA swim school programme.
47. Officers have been working with EA on how to deliver the free swimming lessons and the recommendation is to deliver pilot scheme of free swimming lessons which will launch in September 2019 and would then help shape the general free swimming lesson offer to be introduced from January 2020.
48. Pilot scheme: this will deliver swimming lessons for non-swimmers for a 12 week block of lessons starting in September 2019. The scheme will deliver lessons across all of our leisure centres within existing pool sessions for the following target groups: i) Older Adults (60+); ii) GP Referral clients and iii) Disabled people (16+).
49. Targeting the offer can help to maximise the health benefits of free swimming lessons. The intention is to initially target sections of the population who would receive the most health benefit by increasing their activity levels.
50. In addition, the pilot will look at introducing free swimming lessons for non-swimming adults – these lessons will be offered within already programmed adult beginner swimming lessons and trialling additional capacity within one learner pool i.e. at Peckham Pulse.
51. The pilot scheme will offer up to 500 swimming lessons between September and December 2019 and enable us to test:
 - demand from the pilot groups and enquiries
 - marketing approach
 - logistics of staff
 - ease and functionality of booking system
 - experience / engagement of participants.
52. General Offer: The general offer will continue swimming lessons for the target groups and will expand on the non-swimming general adult offer by expanding

additional capacity to all leisure centres through existing swimming lessons, learner pools and through women/men only swimming sessions.

53. The general offer will also introduce additional lessons for non-swimming children as they transition from year 6 into secondary school. Up to 2,000 places on a 12 lesson course can be afforded within the full year budget.
54. Finally, officers will explore the possibility of delivering a family based water confidence session across the centres to encourage family groups to gain confidence in the water and enjoy a low cost family activity whilst being more physically active.
55. It is recommended that further detail on the pilot scheme and the general offer is delegated to the cabinet member for culture, leisure, equalities and communities for approval.
56. A marketing campaign will be developed with the help of Swim England, Everyone Active and London Sport in relation to existing insight on non-swimmers and what they respond to. In addition to this insight gained in the pilot scheme will be used to inform the communications for the offer from January 2020.
57. Booking will require registration through FSG process to ensure that the same data is captured about residents who use the new scheme. Promoting alternative booking methods for people not IT literate will be prominent.

Policy implications

58. Whilst the strategy is a document intended for use by all organisations and groups providing physical activity and sport opportunities for residents it is also important to note that it directly links to the council's commitment to a 'Fairer future for all' particularly in the area of;
 - A healthy borough where your background doesn't determine your life chances.
59. The Council Plan 2018-19 – 2021-22 sets out a series of commitments across eight themes:
 - A place to call home
 - A place to belong
 - A greener borough
 - A full employment borough
 - A healthier life
 - A great start in life
 - A safer community
 - A vibrant Southwark.
60. The improvement of resident's health and wellbeing through physical activity and sport flows clearly through a number of the themes in the council plan through specific commitments set out below. The strategy action plan will incorporate all of these areas.
 - Make free swim and gym more flexible with more choice about when you go

- Make swimming lessons free for all residents
- Open a new, modern leisure centre at Canada Water
- Make walking fun, safe and accessible by developing a green walking network
- Boost access to cycle hire
- Make cycling accessible for all
- Double the proportion of journeys in Southwark done by bike
- Increase cycle hangers where people want them
- Close roads around schools at drop off and collection time and get more children walking and cycling to school
- Increase activity by introducing a 'daily mile' in all primary schools.

61. The Active Southwark Strategy also supports a number of other key council plans, statutory documents and strategies:

- The Movement Plan – setting a direction for transport
- Southwark Playing pitch strategy
- Everybody's business: Southwark's healthy weight strategy 2016 - 2021
- Social Regeneration charters
- Economic wellbeing strategy 2012 to 2020
- Activity Strategy for Children and Young People 2017 to 2020
- The developing new Southwark Plan
- The developing Old Kent Road Area Action Plan
- Canada Water Area Action Plan
- Peckham and Nunhead Area Action Plan
- Elephant and Castle Area Action Plan
- Southwark Council Plan – 2018-19 to 2021-22.

Governance and delivery

62. Once the strategy is approved officers will arrange workshops involving key stakeholders to formulate an action plan. The action plan will be monitored throughout the life of the strategy and a full review will take place annually and reported back to the cabinet member.
63. It is important that during the four year term of the strategy that the action plan has built in flexibility to respond to any changes that arise in the borough or across the sports landscape.
64. Once the strategy has been approved a board of key stakeholders will be formed and they will meet twice a year to review the progress of the action plan.
65. To ensure that those involved in the delivery of sport and physical activity across the borough remain aware and engaged with the strategy and action plan the council will organise a six-monthly sports and physical activity conference.

Community impact statement

66. As set out under the Equality Act 2010 and the Public Sector Equality duty (PSED) an equalities impact assessment was carried out during the development of the strategy. Extensive consultation has been carried out with internal providers, external groups and residents, and the aims of the strategy are broadly inclusive, and should foster good relations between people from

different communities as well as advancing equality of opportunity.

67. The strategy has no clear detrimental impact to any group or protected characteristic as outlined in the Equalities Act or the PSED and the broad aims and actions programmed are likely to increase participation, representation and accessibility to sports and physical activity provision within the borough.

Resource implications

68. Staffing and any other costs connected with the delivery of the strategy will be contained within existing departmental revenue budgets.
69. The cabinet has allocated £125,000 revenue funding for the delivery of the free swimming lessons for residents council plan target in 2019-20. An additional budget of £125,000 is proposed for 2020-21 which will be subject to cabinet and council approval as part of the council's budget setting process for 2020-21. Any scheme launched will be kept within the approved allocated budget.

Legal implications

70. Please refer to the concurrent report of the director of law and democracy below.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

71. This report seeks approval of the new sports strategy entitled 'Active Southwark – sports and physical activity strategy 2019 to 2023' (the Strategy). The decision to agree the Strategy is one that can be taken by the cabinet collectively.

Strategic Director of Finance and Governance (FC18/043)

72. The report is requesting the cabinet to approve the new sport and physical activity strategy entitled 'Active Southwark – Sports and physical activity strategy 2019 to 2023'. Full details are provided within the main body of the report.
73. The strategic director of finance and governance notes that there are no new financial implications arising from this report as the costs of implementing the initiatives outlined in this report are expected to be funded within existing approved budgets.
74. Any proposals from this strategy leading to additional financial implications will be subject to further reports for cabinet approval.
75. Staffing and any other costs connected with this report to be contained within existing departmental revenue budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
None		

APPENDICES

No.	Title
Appendix 1	Active Southwark - Sport and Physical Activity Strategy 2019 to 2023

AUDIT TRAIL

Cabinet Member	Councillor Rebecca Lury, Culture, Leisure, Equalities and Communities		
Lead Officer	Rebecca Towers, Interim Director of Leisure		
Report Author	Tara Quinn, Interim Head of Parks and Leisure		
Version	Final		
Dated	30 April 2019		
Key decision?	Yes		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments Sought	Comments Included	
Director of Law and Democracy	Yes	Yes	
Strategic Director of Finance and Governance	Yes	Yes	
Cabinet Member	Yes	Yes	
Date final report sent to Constitutional Team		11 April 2019	



Active Southwark

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Sport and physical activity strategy
2019 to 2023

Foreword

The health of our borough is of paramount importance to its ongoing success.

Our ambition is for a fairer future for all of our residents. Through supporting healthy life choices we can help our residents to live their lives to the full for as long as possible.

Southwark Council has previously introduced a universal Free Swim and Gym scheme which has seen a phenomenal take-up across the borough, bringing lots of residents to our leisure facilities for the first time and encouraging those already active to continue to be active going forward. This is just one of a number of schemes and initiatives that Southwark Council has delivered to enrich the lives of our residents.

However, the journey does not stop there. Our Council Plan outlines a number of other commitments aimed at improving residents' health and wellbeing. One of them takes the Free Swim and Gym scheme to the next stage by making it more flexible and also by providing free swimming lessons for residents who can't swim so that they can learn and gain confidence in the water.

Combine this with the work we have been doing over the past few years – investing over £50 million in our leisure facilities, parks and open spaces, delivering 29 satellite sport clubs and supporting over 170 sports organisations to access quality parks and leisure facilities – and we are a borough leading the way.

This strategy is therefore an important next step in continuing to help our residents to take up physical activity and remain active throughout their lives. In engaging with our communities across three themes: active people, active places and active communities, we can reach out and interact with all our residents across the borough, ensuring that no one is left behind.

This strategy is also only the first step; we remain ambitious about delivering more support and services for our residents that ensures that they have access to the best quality resources, and leading facilities.



Cllr Rebecca Lury – Cabinet Member for Culture, Leisure, Equalities, and Communities.

Vision

A borough where people can easily lead a more healthy and active life.

About the strategy

Helping our residents lead healthy, active lives is a top priority for us. This strategy sets out the borough wide vision and direction for achieving greater participation and enjoyment in physical activity and sport.

What we are going to do:

- > Contribute to reducing health inequalities
- > Improve the health, wellbeing, happiness and quality of life of residents through physical activity
- > Ensure physical activity and sports are integral to the social regeneration of the borough
- > Contribute to the delivery of the council's fairer future principles.

How are we going to do it?

- > Ensure physical activity and sports priorities are reflected in other emerging plans and strategies
- > Influence and secure further investment in our sports infrastructure
- > Establish better connections between our sports community and residents
- > Maximise opportunities to develop partnerships that foster collaborative working
- > Maximise the resources available to achieve the biggest possible impact in reducing inactivity
- > Ensure the delivery of physical activity and sporting experiences is positive for our residents every time
- > Bring communities together through the enjoyment of being active
- > Be a borough that celebrates sporting success and achievement
- > Contribute to creating a place where our residents love where they live
- > Harness the opportunity that digital innovation can bring to increasing physical activity.

Why take part in sport and physical activity – adults and children?



Reduces your chance of:

Type II Diabetes	- 40%
Cardiovascular disease	- 35%
Falls, depression and dementia	- 30%
Joint and back pain	- 25%
Cancers (colon and breast)	- 20%

UK Chief Medical Officers' Guidelines 2011 Start Active, Stay Active:
www.bit.ly/startactive

Where are we now?

Implementing our previous strategy led us to achieve significant improvements in participation in sport and physical activity. It was a result of investing in new leisure facilities, parks and open spaces, offering increased opportunities to participate, and enhancing the delivery of health intervention projects.

This continued commitment to physical activity and sport enabled us to increase the number of active residents such that 2 in 3 people are participating in at least 150 minutes of activity each week. Some of our previous achievements are:

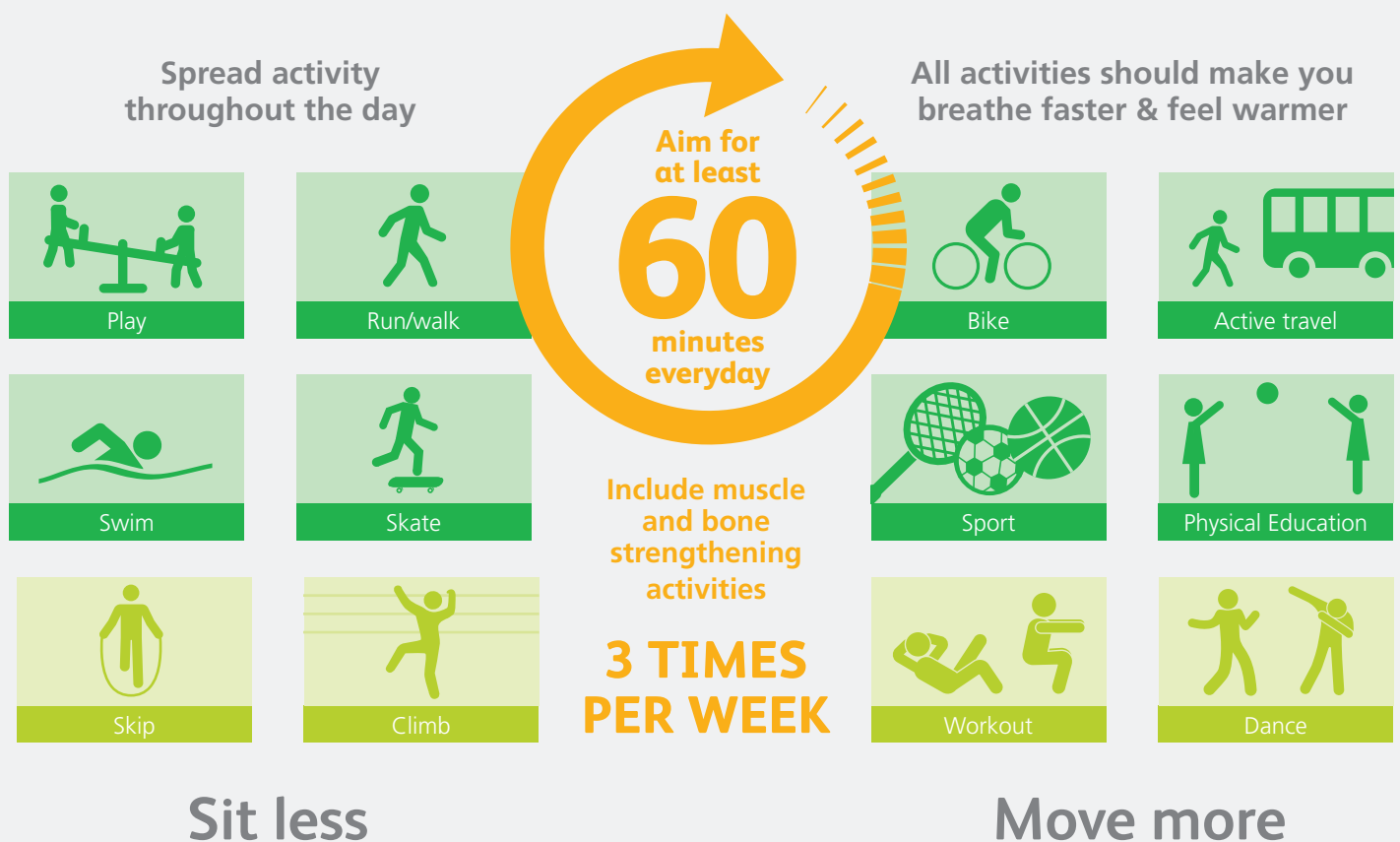
- > Over £50 million of investment in our leisure facilities, parks and open spaces
- > Opening a new state of the art leisure centre in Elephant and Castle
- > Delivery of the 'Free Swim and Gym' scheme, allowing all residents free access to our leisure centres at specific times during the week
- > New improved leisure contract with Everyone Active for the management of our main leisure centres
- > More and improved delivery of key physical activity and health intervention projects such as exercise on referral, diabetes prevention programmes and weight management services
- > Continued engagement each year with over 1500 young people through the London Youth Games and London Mini Marathon
- > Help bridge the gap between school, college and community sport by providing new opportunities for young people to get active, by delivering 29 school satellite sport clubs and Beat the Street
- > Widening opportunities for disabled young residents to get involved in sport through the creation of sport and activity clubs
- > In 2014 we supported the reintroduction of an athletics club into the borough which now has over 200 competition affiliated members, and 50 young athletes regularly attending club sessions
- > Supporting over 166 sport and physical activity organisations to access quality parks and leisure facilities
- > Supporting over 185 people to complete community sports training courses.

A number of other strategies have helped inform this document and positively impacted on the health of residents across the borough. Thanks to the help and support of our council colleagues and wider partners. The other strategies used to inform this document are listed on page 18.

Despite our recent successes, we continue to face a number of health issues, which physical activity and sport can help to address. The Chief Medical Officer for England recommends that adults do at least 150 minutes of moderate intensity aerobic physical activity each week to benefit their health. For children aged 5 to 17 this increases to at least 60 minutes per day, and for children under the age of 5 increases again to 180 minutes per day.

Whilst we are working to bring all residents up to the recommended levels of activity, we still have some way to go to reduce levels of inactivity. We know that about 20% of our residents do not meet the recommended minimum levels, and it is estimated that 308 premature deaths are recorded in Southwark every year as a result of inactivity. We need to reduce this.

What sport and physical activity should children do to lead a healthier life?



UK Chief Medical Officers' Guidelines 2011 Start Active, Stay Active:
www.bit.ly/startactive

What sport and physical activity should adults do to lead a healthier life?

For a healthy
heart and mind

Be Active

VIGOROUS

MODERATE



Run



Run/walk



Sport



Cycle



Stairs



Swim

To keep your muscles,
bones and joints strong

Sit Less



TV



Sofa



Computer

Build Strength



Gym



Yoga



Carry bags

To reduce your
chance of falls

Improve Balance



Dance



Tai Chi



Bowls

MINUTES PER WEEK

75 **OR** **150**

**VIGOROUS
INTENSITY**

BREATHING FAST
DIFFICULTY BREATHING

**MODERATE
INTENSITY**

INCREASED BREATHING
ABLE TO TALK

OR A COMBINATION OF BOTH

**BREAK UP
SITTING
TIME**



2 **DAYS
PER WEEK**

About Southwark

Population



314,200 residents
in Southwark Council¹



Population growth is concentrated among young adults. Southwark's population is projected to continue to increase by 20% by 2030, an additional 60,000 residents¹

33.1
years

Young population
– median age is 33.1 yrs¹

54% OF WHITE ETHNICITY¹

25% BLACK¹

11% ASIAN¹

10% OTHER ETHNICITIES¹

49.8

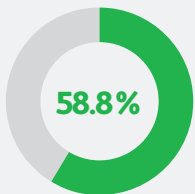
Male population 49.8% and female population 50.2%²

50.2



4 in 10 residents live in communities considered the most deprived nationally²

Health



58.8% of the adults (18yrs+) are overweight or obese³



39.8% of children are overweight or obese by year 6³

78.9
years

84.4
years

Life expectancy for males at birth is 78.9yrs and for women is 84.4yrs⁴



It is estimated that **47,600** of Southwark's population has a mental health problem⁴

47,600

Physical Activity

£17
million

In Southwark the estimated cost of physical inactivity exceeds £17 million each year⁵



24.5% of children in Southwark schools average 60 mins physical activity a day across the week⁷

65.5%

65.5% of Southwark's population (16yrs+) would like to do more sport⁶



63% of Southwark's population are active (meeting national PA guidelines). 71% of men met the national guidelines, compared to 55% of women⁵

1. JSNA Factsheet 2018-19 Demography
2. protected characteristics JSNA 2017
3. Public Health Outcomes Framework

4. Mental Health JSNA 2017)
5. JSNA Active Travel 2017
6. Sport England

7. Active children's lives – Sport England 2108

Strategy overview

The Active Southwark Strategy consists of three main themes that reflect the areas we believe are pivotal to achieving a reduction in inactivity and an increase in levels of physical activity. This strategy is owned by all organisations, clubs, groups and agencies linked to the delivery of sport and physical activity, and we will work with those key stakeholders to develop an action plan which ensures the strategy is implemented, and our ambitions realised.

Active people

Understanding the people within our borough is essential for shaping the services we provide. By considering the personal circumstances of individuals and recognising how their needs change throughout life, we will be able to support residents in leading active and healthy lives.

Active places

Ensuring our streets, housing areas, open spaces and sports facilities are the best standard possible and receive ongoing development are key to encouraging activity in the environment. Improving access to our community facilities, utilising more venues and spaces, and ensuring activity is designed into new development will maximise opportunities for physical activity and sport across the borough.

Active communities

Effective local networks of organisations, clubs, schools and businesses provide opportunities for residents to become active across the whole borough. Maximising available resources and collaborating with various groups will help engage and build communities that increase participation in physical activity.



Active people

Our residents are our top priority, and it is essential that we shape physical activity and sporting opportunities to meet an individual's needs as they progress through the different stages and events that life presents.

Southwark is a culturally rich and densely populated borough with 314,200 residents which is expected to grow by 37,000 people over the next ten years, particularly within the over 60 age group.

With a diverse and changing population comes the need for a range of opportunities for activity and sport on offer across our borough. We need to balance taking part and having fun with opportunities for competition and the pursuit of excellence. We need to embed active habits for life as we know this can lead to better health outcomes and enriched lives.

What are the challenges?

Physical inactivity presents the biggest health risk of our time. It leads to greater risks of developing life limiting illness, diabetes, heart disease, cancer and depression. Physical inactivity is a great risk to particular groups within our community.

Children and young people: We have one of the highest levels of obesity amongst young children in the country and physical activity can help with addressing this. We know there is a risk around the poor behaviours adopted in our younger years becoming habits that lead to ill health later on in life, and we need to address this before children even reach school. We need to educate parents on recommended levels of activity for their children and encourage formal, informal and risky active play as one of the many ways they can help develop their child's physical literacy.

Women and girls: Women and girls across our borough are shown to be less likely to take part in physical activity and sport compared to males. Just over 40.2% of males compared to only 28.8% of female participate in sport for at least 30 minutes per week. We need to better understand why this happens and put measures in place to reduce the gap in participation.



Residents living with a disability: 13.5 % of our residents have one or more disabilities and we know that many of them want to be more active but for various reasons feel unable to do so. Although no local data exists, all measurement of disabled participation shows a worrying trend – disabled people are twice as likely to be physically inactive (43%) than non-disabled people (21%) – Sport England, Active Lives 1 (2015-16). We need to work hard to make our facilities, clubs and programmes inclusive and accessible for everyone.

Mental ill health: is a growing issue in our borough; over 47,000 people are currently experiencing a common mental disorder. We know that physical activity can contribute to a person's mental wellbeing but we also know mental ill health can act as a barrier to being physically active.

Older People: We know that sport and physical activity can play a significant part in reducing social isolation and loneliness. This is important in Southwark because our older population will grow bigger and at a faster rate than any other age group. Whilst we have been recognised by the World Health Organisation as an Age Friendly Borough, there will still be difficult challenges for this age group such as dementia, diabetes and heart disease. Almost 1,200 people aged over 65 in Southwark have been diagnosed with dementia and this is increasing. We must adapt our services and sports networks to help tackle these increasingly challenging issues with a more inclusive approach.

Southwark is both ethnically and culturally diverse, particularly amongst those under the age of 20. However, we know that some of our residents from black and minority ethnic backgrounds can be up to 13% less likely to meet the physical activity guidelines, of doing 150 minutes each week of moderate intensity exercise. We need to better understand why this is the case and shape our offer to reduce those barriers to participation.

What do we want to achieve?

We need to reduce the participation gaps amongst specific groups of people to begin to tackle the inactivity and health inequalities that exist across our borough. We need to continue to transform, increase and promote opportunities for our residents to become more active, and especially target those who are less likely to take part in physical activity due to their personal circumstances.

We commit to tackling inactivity through:

- > Tailoring programmes, activities and facilities with our residents in mind, to make it easier for them to remain active regularly throughout their lives
- > Working with partners and devising programmes aiming to tackle mental ill health and promoting physical activity as a contributor to improved mental wellbeing
- > Increasing activity levels amongst our older residents, helping to improve their quality of life, and contributing to reducing social isolation
- > Working collaboratively with schools and partners using physical activity to contribute to the reduction in childhood obesity levels starting from the early years
- > Improving the opportunities and quality of sport on offer to our young people in our schools
- > Reducing the participation gap between females and males
- > Delivering more inclusive activities and facilities that remove barriers for deaf and disabled people to be more physically active
- > Reducing the participation gap among people of different ethnic backgrounds.

Active places

The physical landscape of our vibrant inner city borough is changing every day and finding space for everything our community needs to thrive is a constant challenge. We have already invested over £50 million in our leisure facilities, parks and open spaces, all of which are great places for people to enjoy, be active and take time out. We need to protect and continue to develop such spaces to ensure we can meet growing demand if we are to continue encouraging people to play sport and be physically active more often.

What are the challenges?

Maximising use of our assets: Despite facing significant budget reductions, major improvements have been made to our sports and open spaces infrastructure in recent years and we need to ensure that the legacy of this is maintained and remains sustainable. It is important that we maximise usage of what we already have, whilst also providing access to previously untapped resources such as schools, as they are great facilities right in the heart of our communities.

With 28 green flag parks and £26 million investment since 2010, the borough has some of the best parks and open space in London. Given the clear links between green spaces and mental wellbeing, we are uniquely positioned to use these spaces to promote both physical activity and improved mental health. By developing the offer in our parks, we can encourage more people to use them, as they are great places to have fun and be active. We need to ensure that they are welcoming places where people feel safe and where a balance between formal and informal sport is encouraged and achieved.

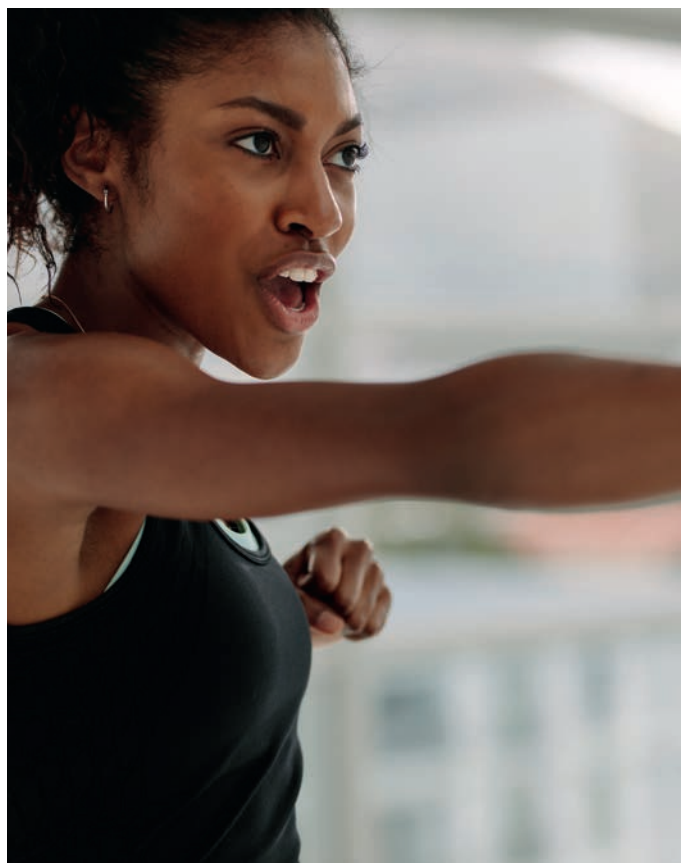
As significant areas of our borough are being regenerated, we need to ensure that our facilities and spaces enable physical activity and sport to take place, and that they meet the needs of a growing population. As part of this we must ensure the transport infrastructure facilitates more journeys to be made by walking and cycling, particularly for children. At the moment 30% of children said they would like to cycle to school but only 4% currently do. We need to change this.



Eight neighbourhoods within Southwark are classified as being in the bottom 10% most deprived in the country, and we know that in addition to numerous other challenges, there is a direct relationship between greater levels of inactivity and areas of deprivation. We need to tackle this by engaging our partners to strategically and collaboratively focus resources in these areas.

What do we want to achieve

We want our growing communities to have access to a wide range of high quality local facilities and spaces that make it easy and enjoyable to be active. We need to be a borough where participation levels are able to grow due to the access to great spaces, no matter where someone lives.



We commit to ensuring there are places and spaces that encourage physical activity by:

- > Encouraging greater and wider use of our open spaces for physical activity, informal play and structured sport
- > Maintaining and building on the improvements already completed across our facility infrastructure
- > Ensuring that physical activity and sport are an integral part of the regeneration plans for Canada Water and the Old Kent Road
- > Increasing access to school sports facilities and other alternative spaces making it easier for the community to be active locally
- > Significantly supporting the active travel agenda and increasing the number of journeys made by foot and bicycle
- > Shaping the borough's sporting hubs that offer a range of activities in key areas of the borough
- > Ensuring the places where we are active are fully accessible
- > Building 'Active Design' principles into all new developments including offices and homes
- > Improving the range and choice of activities that our residents have access to across the borough.

Active communities

Thanks to the great engagement from our partners we have a fantastic network of clubs and organisations who encourage all our communities to be active and have fun. Many of them are managed and operated by dedicated volunteers and others are run commercially. These people, clubs and organisations are the backbone of our active community and significantly contribute to the vibrancy of our neighbourhoods. If they thrive, our communities thrive. We need to work together with our partners local organisations and neighbouring boroughs to support this network, building its stability and capacity for the future.

Connecting and strengthening our partnerships with a wider range of community organisations but particularly those who are in direct contact with our most inactive residents, will further enhance our community reach so that we can work together to creatively influence and encourage them to take the steps toward a more active lifestyle.

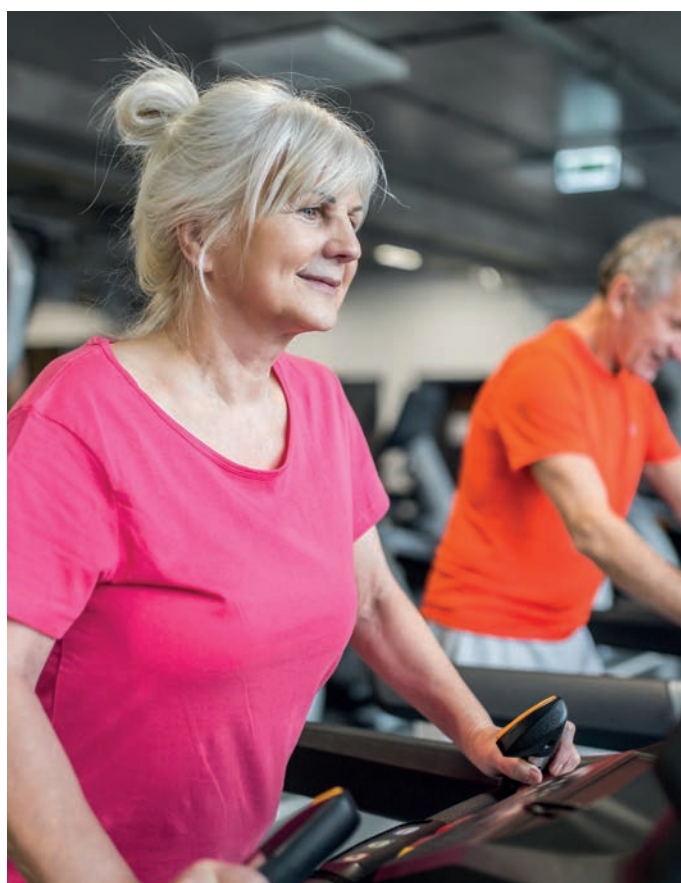
It is our hope that non-sporting organisations and communities will engage in this agenda. Our aim is that together our residents will encourage and influence each other to get to be active, make friends, and strengthen their social connectivity.

What are the challenges?

There is a heavy reliance on the voluntary sector and clubs to engage with communities but at the same time the grant funding environment is becoming more competitive. Maximising the use of resources is becoming evermore important, and often this is best achieved by collaborative working. We need to support our clubs and organisation to work collaboratively and effectively communicate what they do for our residents.

As lifestyles become busier, time for volunteering becomes more difficult. Amazingly there are still many volunteers across our borough who dedicate many hours to promoting physical activity sport for their fellow residents. We need to ensure this workforce grows, that they are maximising their skills, and that we are celebrating their efforts as they are often our unsung heroes.

There are a wealth of physical activity and sport sessions available to residents but the challenge is how we communicate these offers to our residents in a way that is relevant to them as individuals.



What do we want to achieve?

We want Southwark to have a strong and sustainable network of activity providers working collaboratively to reduce inactivity. We want to ensure our residents can easily find safe and enjoyable activities within their own neighbourhoods. We will create a menu of great quality physical activity opportunities where residents have a variety of choices that fit into, and become part of, their lifestyles.

We want a borough with well established networks in more traditionally recognised sports but also to be a place where new and emerging activities and sports are on offer for residents to try. We also want

a sporting network with clear routes to participation and pathways for progression where those that want to progress in their chosen sport are able.

We need to build strong communities who actively encourage everyone to be physically active either through clubs, health professionals or community champions. We want these active advocates to be part of the health solution, where they are linked to our health services as simple routes to wellbeing. We want the sports community to regularly and successfully connect with other communities to reach those that sport and physical activity does not factor in their lives.

We commit to supporting strong and sustainable communities delivering physical activity opportunities:

- Creating innovative, robust and collaborative partnerships aimed at tackling inactivity
- Increasing the number and quality of local coaches, particularly where specific gaps in sport and activity have been identified, increasing the number and range of volunteers across the borough's sporting infrastructure
- Continuing support of our local community clubs and organisations so they can reach as many people as possible
- Strengthening the traditional sport structure through sport specific development plans whilst also embracing new and emerging sports and physical activities that may attract different groups within our communities
- Making Southwark a place to be proud of by championing our sports competitors, celebrating success and ensuring that there are opportunities and clear elite pathways available
- Ensuring borough wide collaborative working to deliver positive and safe sport and activity experiences every time
- Promoting sport and physical activity within workplaces
- Using our extensive networks to contribute to the NHS 'Making every contact count' agenda
- Engaging communities in decision making through consultation processes
- Delivering excellence in provision of activities for young people during and after school time.

Implementing the strategy

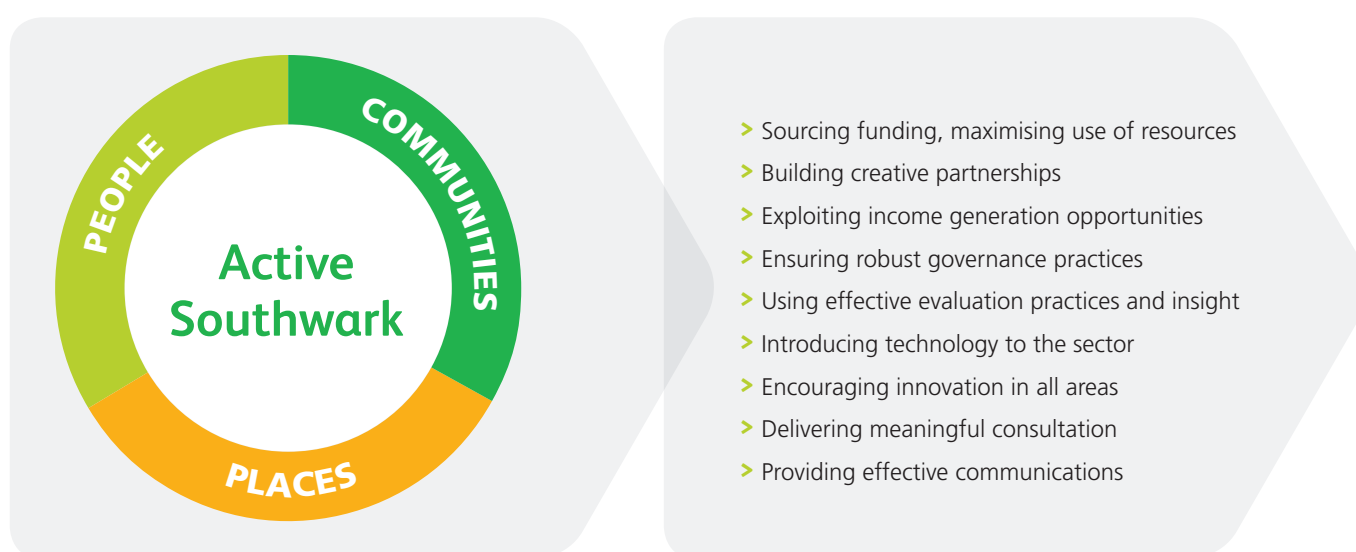
The success of this strategy will be reliant on an effective multi partnership approach. That partnership is Active Southwark, a dynamic network of organisations who work together with other key partners to increase opportunities, participation and enjoyment in sport and physical activity.

As part of the delivery of this strategy an action plan will be formed and will contain challenging targets and measurable key performance indicators which are applicable to our local communities. These will be reviewed annually to enable continuous improvement and development. Active Southwark will be open to good practice from other networks but also share the lessons learned on the strategy journey over the next few years.

Active Southwark will ensure the promotion, development, delivery and evaluation of this strategy. Regular, meaningful evaluation will be important to understand the impact Active Southwark is making and to ensure that the information we gather can then be used to effectively shape what we do in the future.

Active Southwark commits to maximising the resources available to our community groups and working proactively to attract further opportunities for the best possible support and growth for our physical activity and sports networks. Our partners are the foundation of Active Support, and through collaborative engagement we will be able to optimise our collective resources to ensure all residents, whether inactive or active, have access to and are encouraged into physical activity and sport. The diagram below shows the key areas and tools that will be the focus throughout the life of this strategy.

How Active Southwark will support active people, places and communities.



Methodology

A number of tools and methods have been used in the process of shaping this strategy. A review of the lessons learned from the previous strategy was conducted as part of our drive for continuous improvement and development.

The renewal of the strategy was started by consulting key local organisations and council colleagues who were involved in sport and physical activity, and discussing the continuing and emerging themes which could shape the new strategy. This included:

- > London Sport, London PE & School Sport Network, Everyone Active, Bankside Open Spaces Trust, Millwall Community Trust, Kings College London, Community Southwark, Various council departments
- > An online consultation was undertaken using the Southwark Consultation hub website to allow residents and the wider community to have their say on the draft strategy. This ran between the 17th January and the 14th February 2019, with additional views provided by email
- > Three public events were programmed during the consultation to allow people to meet a council officer to go through the strategy and share their thoughts on the draft document

In addition Community Southwark organised a first sport and physical activity network meeting with the third sector on the 13th February 2019 which focused on providing feedback on the strategy. This included:

- > 2 x Residents, London South Bank University, Access Sport, Disability Sports Coach, Southwark Gymnastics Club, London Sport, Community Southwark, Alzheimer's Society, Blackfriar's Settlement, London City Runners Club, South London and Maudsley Trust, The Bridge (YWCA)



The overall outcome of all of the consultation was positive and those who fed back were supportive of the objectives and themes of the strategy.

The wider picture

As the lead partner for the strategy the council has and will continue to invest in sport and physical activity in the following areas.



Leisure centres



Sports grounds



Sports programmes



Active travel and transport



Health and wellbeing



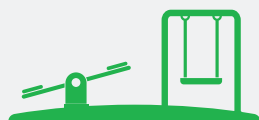
Regeneration



Estate based sports facilities



Parks and open spaces



Playgrounds and adventure play areas



Community grants



Youth services



School sport and physical activity

Other strategies that have informed this document

Sport England: Towards an active nation (Strategy 2016 – 2021)

Southwark Council Playing Pitch Strategy

Southwark Council Movement Plan – Setting a direction for transport

London Sport: Blueprint for a physically active city

Mayor of London: Sport for all of us, the mayor's strategy for sport and physical activity Dec 2018

Everybody's business: Southwark's healthy weight strategy 2016 - 2021

Southwark Council Social Regeneration charters and Area Action Plans

Southwark Council Economic wellbeing strategy 2012 to 2020

Southwark Council Activity Strategy for Children and Young People 2017 to 2020

Southwark Council Plan - 2018/19 to 2021/22

Item No. 10.	Classification: Open	Date: 30 April 2019	Meeting Name: Cabinet
Report title:		Styles House and Southwark Underground Station – Enabling Principles to Facilitate New Council Homes and New Employment Space	
Ward:		Borough and Bankside	
Cabinet Members:		Councillor Leo Pollak, Social Regeneration, Great Estates and New Council Homes	

FOREWORD – COUNCILLOR LEO POLLAK, CABINET MEMBER FOR SOCIAL REGENERATION, GREAT ESTATES AND NEW COUNCIL HOMES

The following report describes a land swap and new set of starting principles for the delivery of new council homes as well as new employment space above and beside Southwark tube station.

Following years of discussions between the council, Transport for London (TfL) and Styles House residents (now constituted as a TMO), we have over the past few months established a constructive negotiation towards a new set of enabling principles that establish TfL and the Tenant Management Organisation (TMO) as equal partners in the redevelopment of the wider site and lay the foundations for a strong long-term partnership between the TMO and TfL for the management of shared spaces.

The TMO have always understood the scale of our borough's housing crisis and been keen to play their part in building new council homes on their estate. Given the far-reaching changes experienced around the estate over the past 30 years the TMO have been determined to ensure that any new development is designed and managed to the maximum benefit of existing residents. Over the past few months, we have worked together to ensure that any upcoming design process protects the amenity of existing residents, gives the TMO significant influence over how the estate evolves and gives us the best chance of growing the already strong community that people enjoy at Styles House.

These principles give us a radically different starting point from last summer in a number of ways. These include moving back the building line of any employment space 10 metres by the removal of Joan St to better protect the amenity of existing residents and the creation of an enclosed shared amenity space for the exclusive use of Styles House residents and office block workers to form a 'buffer' between the TfL and TMO development and protect against any anti-social behavior spilling into the estate. The report also upholds previous commitments made to the residents of Styles House that they retain control through a critical oversight and sign off function in relation to subsequent design stages up to planning application.

I would like to personally thank members of the Styles House TMO for their tireless work in helping establish these principles, and the TfL development team for the willing they've shown to achieve a more equitable starting point to the process.

I am confident that the principles laid out in this report will give all parties the best chance for the Styles House residents to bring forward the highest quality new council housing

and shared spaces for residents in our borough, as well as for building a model partnership between Styles House TMO and the neighbouring building management for the benefit of all for years to come. I look forward to seeing what designs come forward.

RECOMMENDATIONS

That Cabinet:

1. Notes the undertakings given to the residents of Styles House set out in paragraphs 32 and 33.
2. Authorises pursuant to s32 of the Housing Act 1985 that the land shown hatched red on the plan at Appendix A 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. Authorises pursuant to s120 of the Local Government Act 1972 and s9 of the Housing Act 1985 that the land shown hatched blue on the plan at Appendix A 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. Authorises pursuant to s120 of the Local Government Act 1972 and s9 of the Housing Act 1985 that the council acquires 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. Agree that the recommendations specified at 2 – 4 be implemented at the same time and be contingent on each other.
6. Approves the terms agreed with Transport for London for the proposed land exchange set out substantially in paragraph 25 of this report and fully in paragraph 8 of the closed report.
7. Delegates to the director of regeneration authority 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.

BACKGROUND INFORMATION

8. The wider site in question is shown on the plan at Appendix A to this report. It is bounded to the north by Isabella Street, to the west by Hatfields, the south by The Cut and Blackfriars Road to the east; it is also bisected by the southern section of Joan Street. The freehold of the entire site is either in the council's ownership or in the ownership of Transport for London ("TfL").
9. There are a variety of different uses of the land at present including:
 - ❖ 56 dwellings forming Styles House
 - ❖ 9 lock up garages
 - ❖ Residents' meeting hall and Tenant Management Organisation ("TMO") office

- ❖ Allotments
 - ❖ Southwark underground station
 - ❖ Cycle hire station
 - ❖ Blast chiller for Jubilee Line passenger comfort
 - ❖ Cycle storage facility
 - ❖ Arts building (workshops and storage) at 1 Joan Street formerly known as Algarve House, now “Platform Southwark”.
10. The respective council and TfL freehold ownership is somewhat fragmented over the site thereby limiting the ability of the owners to optimise usage of their land. Currently TfL has freehold title to 3,375m² and LBS to 2,671m².
 11. The council and TfL have agreed land exchanges that rationalise respective freehold ownerships. Following the proposed exchanges the council will own the freehold of the land shaded yellow on the plan at Appendix A and TfL will own the freehold of the land shaded green on the same plan. The revised freehold ownership areas will therefore be TfL 3,371m² and LBS 2,675m². The proposed exchange will therefore marginally increase LBS’ ownership and decrease TfL’s. This can be seen at Appendix B that depicts the present and proposed land ownerships.
 12. Following the rationalisation the council should be able to construct new affordable housing on its site and TfL should be able to promote an office development on its land. Both aspirations are subject to the planning process.
 13. On 28 November 2018 council assembly approved the current Council Plan. This sets a number of commitments to our community including *A Place to Belong*; one of the undertakings to meet this commitment is to *Build at least 1,000 more council homes.....by 2022*. The plan also contains commitments to make Southwark *A Full Employment Borough and A Vibrant Borough*.

KEY ISSUES FOR CONSIDERATION

14. Southwark Underground Station was opened twenty years ago and was designed and constructed to enable it to be subsequently built over. Numerous proposals have been developed over the years to construct a new building above the station but they have been principally hampered by the following constraints:
 - The engineering constraints and the cost of keeping the tube station open and running during the construction above
 - The relatively small size of the tube station site which can only accommodate a small floorplate which thus impacts the business case.
15. At the time of building, this locality was very different and the property market much weaker meaning building over the station was not financially viable. That is no longer the case and in TfL’s opinion provided a minimum quantity of offices can be built, the over station development is viable. In 2018 TfL acquired Platform Southwark from U+I Group plc together with five leasehold flats at

Styles House. Before TfL's involvement, the focus had been to provide a housing led scheme but now the aspiration is to construct an office development that has potential to create around 2,100 jobs. New offices here will ultimately benefit employment opportunities for residents and employees that will spend in the local area adding vibrancy to the locality as well as sustaining local businesses.

16. Providing land for new homes in a built up environment such as Southwark is difficult but the challenge is particularly acute in the north of the Borough especially in the Bankside area. In looking at potential sites for new homes it has been identified at different points in time by the council and TMO that land by Styles House presents an opportunity to deliver some much needed new homes.
17. In order to achieve respective aspirations, the parties need to exchange pieces of land to create sites that can deliver their required outputs. Discussions to this end have been taking place over a period of years and a professional independent tenant advisor has been working closely with the Styles House TMO to develop their vision for new council homes within the estate.
18. The parties aspirations for the their sites assuming the proposed land exchange proceeds are as follows:

TfL	A single building providing around 17,500m ² of offices and to the ground floor around 650m ² of retail space
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LBS/TMO	New buildings to provide around twenty-four new units of social housing and replacement TMO hall. In addition, the existing quantity of landscaped space will be replaced over the site.
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19. In order to achieve these aspirations it will be necessary for some buildings currently on site to be demolished these are the arts facility (The Platform building) the lock up garages, the existing TMO hall and 49 - 56 Styles House.
20. 49 – 56 Styles House is a two storey block of eight studio dwellings. Seven of these are let by the council on secure tenancies, the other one has been sold under right to buy legislation and the lease is now held by TfL that has let it out by way of an assured shorthold tenancy. TfL also holds the leases of four other flats that have been sold under the right to buy in the main Styles House building. It will be a condition of the proposed land exchange that the council provides vacant possession to TfL of the seven secure tenanted dwellings in 49 – 56 Styles House. The relocation of existing tenants is extremely sensitive and potentially traumatic to those affected. In accordance with usual protocol for regeneration schemes, the local resident services officers and the TMO manager will consult with affected parties and work together with them to achieve a solution that works within housing policy that achieves the rehousing aspirations of those affected. Affected tenants will be given the highest priority for rehousing; this is known as a “band 1 priority.” Persons in Band 1 are given priority when it comes to bidding for homes featured in *Southwark Homesearch*. Cabinet will note that the proposed exchange provides for four one bedroom flats being made available to the council in the main Styles House tower. Spatially these are larger dwellings than the ones proposed for demolition and may provide helpful relocation opportunities for affected tenants that wish to remain in the immediate locality.
21. The council will also have to provide TfL with vacant possession of a finger of land fronting Joan Street that is currently used for cycle storage; this is currently

let on a short-term lease enabling possession to be readily obtained.

22. TfL will also have to provide the council with possession of the land that it is transferring, in particular the four flats in Styles House, part of the Platform Building and the community garden. Securing possession will be a matter for TfL.
23. As mentioned in paragraph 19, TfL have the leases for four one bedroom flats in the main 1 – 48 Styles House building. It is proposed that these transfer to the council – refer to paragraph 25. These flats are also currently let to assured tenants. TfL will be obliged to transfer these to the council with vacant possession. Once received by the council, they will be available for letting. It may be the case that one or more of these flats is suitable rehousing for tenants to be displaced from 49 – 56 Styles House.
24. As can be seen from the plan at Appendix A, both the council and TfL will following the proposed exchange have more uniform land ownerships. This will facilitate TfL's ability to provide new offices adjacent to and above its station. It will also enable the council to provide new affordable housing in the grounds of Styles House. It is estimated the grounds might accommodate around twenty-four new flats, though alternative massing and layout options may be developed by the TMO architects producing different outcomes. The low-rise block 49 -56 Styles House will be demolished (seven tenanted and one sold under right to buy provisions) with a resultant loss of stock but four sold properties in the main 1 – 48 Styles House block will be received by the council so the net result will be an increase of 21 homes.

<i>potential new homes</i>	24*	
<i>homes returned in main Styles House</i>	<u>4</u>	28
<i>homes to be demolished</i>	8	
<i>but one is a long leasehold</i>	<u>-1</u>	<u>7</u>
<i>net additional new homes</i>		21

* subject to the design, development and planning process

25. In order to fully explore the potential of respective proposed sites it will require planning applications to be prepared and consulted upon. The establishment of the necessary teams to prepare applications is costly so the parties require confidence that there are the necessary approvals for the land exchange to proceed in order to move forward into the planning process. It may be the case that having started the planning process there is good reason why the land boundaries and extent of the exchange may require variation and recommendation 7 covers this eventuality.

Agreed Principal Land Exchange Terms

26.
 - (a) It is conditional on both parties receiving satisfactory planning consents for their sites; the parties to make their own independent applications.
 - (b) The parties terminate any lettings or rights to occupation of the land to be transferred so that vacant possession can be provided to the acquiring party.

- (c) In the event of both parties receiving satisfactory planning consents and vacant possession being provided, the Council transfers its freehold interest in the land hatched red on the plan at Appendix A to TfL and TfL transfers its freehold interest in the land hatched blue on the plan to the council.
- (d) TfL surrenders its four leases in 1 – 48 Styles House
- (e) TfL makes a consideration payment to the council for the exchange. This is set out in the closed version of this report
- (f) TfL meet the council's reasonable costs incurred in relocating its tenants from 49 – 56 Styles House
- (g) TfL to meet the council's reasonable design/planning fees for the proposed new housing scheme design up to detailed design (RIBA stage 3) and up to a cost of £500,000 provided the application is submitted by 31 March 2020.

Commentary on Agreed Principal Land Exchange Terms

- 27.
- (a) The exchange is to deliver the parties' aspirations for their respective sites. If these cannot be achieved because of adverse planning it is not reasonable for the exchange to proceed.
 - (b) In order to take their proposals forward the parties will need the land to be received from the other clear of any encumbrances that will complicate or delay implementation.
 - (c) This sets out the land parcels being exchanged.
 - (d) The surrender of the four TfL leases forms part of the consideration being received by the Council. It also provides four dwelling available for the seven Council tenants that will have to be relocated from 49 – 56 Styles House.
 - (e) The council will be giving up land providing seven units of council housing. It is therefore appropriate that the council receives consideration. Further commentary is given in the closed version of this report.
 - (f) In relocating statutory tenants from their homes to facilitate regeneration the council has a statutory obligation to pay the tenants reasonable costs of moving as well as making home loss payments to them.
 - (g) This is recognition by TfL that in order for the council to release the land it requires new housing will need to be provided on the realigned site to justify the land transfer. This is a contribution towards the cost of bringing forward that new housing but is subject to a time limit to incentivise the early bringing forward of the planning application.

28. The terms agreed so far have been limited to the principles when it comes to formalising the appropriate land transfer contract matters of detail will arise and cabinet is recommended to delegate to the director of regeneration authority to agree those items of detail.
29. As part of the planning process the parties may agree there are good reasons why it is prudent to vary the transfer boundaries; such a variation is likely to be minor. In this eventuality, cabinet is recommended to delegate to the director of regeneration in consultation with the cabinet member for social regeneration, great estates and new council homes authority to approve the variation subject to there being an appropriate adjustment in consideration.

Styles House Tenant Management Organisation

30. Styles House whilst owned by the council is managed by the Styles House Tenant Management Organisation ("The TMO"). The proposals set out in this report have been a number of years in the formulation and the TMO has been kept abreast of their evolution. The TMO recognise there is a shortage of affordable housing in the Borough and accept there is scope for new housing to be provided at this location. However the TMO's position is that any new homes provided should not be at the expense of the amenity of existing residents. Set out below is a brief review of past history:
 - In March 2015, the TMO were concerned about proposals for a residential scheme above the station by U+I and a ward councillor raised this at council assembly by way of a member question to the Leader. In response the leader assured any development on Styles House land would require agreement by Styles House residents.
 - In 2016 to help develop their own proposal for new council homes within their estate, the TMO contacted the housing department to seek support in appointing an independent tenant advisor and an architect to develop a feasibility study. An independent tenant advisor was appointed and a brief was developed with the TMO to instruct an architect in July 2016. Bell Phillips an architect practice experienced at delivering new council homes was appointed to work with the TMO to complete the feasibility study. This illustrated the potential to construct 23 new homes, as well as re-providing the same amount of amenity space in the estate and a new tenant hall/TMO office. Following consultation with residents the development proposal from the TMO had community support for around 18 homes. The feasibility study relied on a land exchange with TfL. However, there was not community support for developing that piece of land, so the development would have been solely on council land. There was recognition that the complex and piecemeal land ownership is a barrier to further development.
 - In September 2017, the council extended the appointment of Bell Phillips to develop the concept ideas initiated by the residents in 2016 and to work in partnership with TFL to investigate options for the construction of both the new council homes and commercial space. Bell Phillips attended three workshops with the TMO, TFL and the council and a series of options were developed which formed the basis of a

consultation exercise with each of the residents and leaseholders in the estate.

- The consultation exercise highlighted the concerns of residents, most notably the proximity and massing of the proposed commercial block to Styles House. This concern has manifested itself in March 2018 by way of a deputation from Styles House residents. The deputation expressed concern about the council exchanging housing land to enable an office development to proceed, referred to its plans to provide new housing at Styles House not receiving adequate consideration and referred to an assurance given in March 2015 that it would be given a final say over the exchange of land at this location.

31. Following receipt of the deputation last March, the cabinet member for social regeneration, great estates and new council homes has worked closely with the TMO and local ward members to discuss how the draft plans can be amended to meet the aspirations of the TMO's initial feasibility study and facilitate the new employment scheme above the station. This has seen some major adjustments to the indicative scheme:

- ❖ notably an additional 10 metre set back of the commercial building line from Styles House, giving a 28 metre gap between the two buildings.
- ❖ new 10 metre set back will be provided as a shared, enclosed, amenity space for use by the residents of Styles House and the future office workers in the commercial building and jointly managed.
- ❖ a commitment has also been made that the westerly portion of the new building will be no higher than the existing Styles House tower.
- ❖ in the event of planning consent being obtained and construction proceeding, the sites will be developed independently and no part of the Styles House will be used as a site compound for work on the TfL site.
- ❖ The TMO to have oversight of the key design stages of the proposed new council housing.
- ❖ TMO and council will not be beholden to TfL's construction timeframe and able to commence works as soon as possible following planning consent.
- ❖ The construction work to be phased so that a TMO office will be in existence throughout the project.
- ❖ Should planning consent be granted for new homes at Styles House the architect be novated to the appointed contractor.
- ❖ Further consideration be given to the TMO and TfL entering into an appropriate and long-term arrangement for the management of the common areas between the proposed new commercial building and Styles House.

32. So far all discussions have been based on indicative designs and plans. During the design phase the TMO will carry out extensive consultation with residents ahead of any planning application being submitted. When planning applications

are submitted there will be further consultation including the TMO and individual residents that will have the opportunity to further influence the proposed land uses and designs. It is possible as a consequence; the indicative proposals currently consulted upon will evolve to reflect observations/representations. As mentioned in paragraph 25, it may be prudent to slightly vary the exchange land boundaries to enable better schemes to be produced. Under the council's constitution land transfers are a function reserved for cabinet, this can be delegated to officers as provided in recommendation 6. This recommendation has the reservation that the cabinet member for social regeneration, great estates and new council homes must be consulted before agreeing any variation. Both the director of regeneration and cabinet member will seek the representations of the TMO before exercising the delegation.

33. In October 2018 cabinet received a report *New Homes Programme: Delivery Model Review 2018* that covered a range of matters for delivering new council homes. This approved a wider estate improvement plan approach, to ensure new homes projects better draw out the wider benefits to neighbouring residents, both in terms of the communal living environment and (where possible) aligning with repairs to existing homes. The proposed new homes at Styles House will fall within this policy and will assessed against this policy at the design stage.

Proposed Sequence of Key Stages

34.

Key Stage	Action	Parties
Contract	Completion of conditional legal agreement	TfL and LBS
Pre-planning	Consultations, assessment of potential schemes	TfL, LBS, respective architects, residents, local community, TMO
Planning applications	Schemes for new commercial and housing approved by clients and submitted	TfL in the case of commercial. LBS and TMO for housing element.
Planning consultation	Submitted applications notified to community and representations received	LBS, TfL and community
49 – 56 Styles House voluntary tenant relocation	Styles House that want to move early discuss and agree relocation	Tenants, TMO and LBS
Planning determination	Planning Committee determine applications	LBS determinations may be at different committees.
The following assumes planning consents granted		
49 – 56 Styles House tenants relocation	Alternative housing found for tenants required to relocate	Tenants, TMO and LBS
49 – 56 Styles House and the Platform building	Contract becomes unconditional	TfL and LBS

Key Stage	Action	Parties
vacated		
Appropriation	Cabinet asked to appropriate housing development site to planning and back to housing to de-risk construction of new homes	LBS
Procurement of contractors	Parties to appoint contractors to deliver consented schemes	TfL and LBS (independently)
Demolition	49 – 56 Styles House and the Platform building demolished	TfL, LBS, TMO
Construction	Building of new commercial and residential accommodation (independently)	TfL, LBS, TMO
Completion of schemes	Parties arrange occupation of new buildings	TfL, LBS, TMO
Ongoing	Management of communal areas of schemes	TfL, TMO

Rationale for recommendations

35. a) To assist in providing new homes for persons on the housing waiting list.
- b) To bring new jobs into the Borough.
- c) To further a commitments within the new Council Plan.
- d) To provide a mechanism to bring forward the proposals whilst giving protection to Styles House residents and its TMO.

Community impact statement

36. The new Council Plan was the subject of extensive community consultation. The recommendations herein further the delivery of the *A Place to Belong* and *A Full Employment Borough and A Vibrant Borough* commitments set out in the Plan.
37. The Equality Act 2010 requires the council in the exercise of its functions to have due regard to the need to:
- a) eliminate discrimination;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and

- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
38. Relevant protected characteristics for the purposes of the Equality Act are:
- Age
 - Civil partnership
 - Disability
 - Gender reassignment
 - Pregnancy and maternity
 - Race
 - Religion or belief
 - Sex and sexual orientation.
39. In considering the recommendations herein the cabinet must have due regard to the possible effects them on any groups sharing a protected characteristic in order to discharge its public sector equality duty. This is an ongoing obligation.
40. If the recommendations set out are approved, the council will have a site capable of providing new council homes but to achieve this it will transfer to TfL a block of eight dwellings; seven of which are let on secure tenancies. The quantity of new homes that will be provided will significantly exceed the number being demolished. The new homes will greatly improve the quality of life of its residents some of which may have protected characteristics. In the case of the seven tenants that will be relocated to enable 49 – 56 Styles House to be released for transfer, it is not known at the present time (because the proposed scheme is still in its relative infancy) if any have protected characteristics. Carrying out the necessary work now to establish this may be unsettling to those involved and may ultimately be fruitless if the scheme does not proceed i.e. it fails to secure a satisfactory planning consent. Also, because of the timelag between now and a scheme emerging and gaining planning consent it will be necessary to repeat the survey exercise because persons may change or the same persons' protected characteristics may change. Identification of protected characteristics and mitigation of any adverse affects arising from the proposal will therefore be identified as part of the relocation protocol referred to in paragraph 20.
41. In providing vacant possession of its four leasehold flats in 1 – 48 Styles House and the Platform Building TfL will need to consider any protected characteristics that may be affected in discharging its obligations under the Equalities Act 2010.

Financial implications

42. As advised in paragraph 25 (g) and (h) TfL will meet initial design costs and the cost of relocating the seven secure tenants in 49 – 56 Styles House. This includes the use of Bell Phillips in assisting the TMO to develop its aspiration for Styles House.
43. Officer time in managing the proposal and the cost of procuring the independent expert valuation is being met from existing budgets.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Housing and Modernisation

44. The proposed development will deliver approximately 21 new council rented homes, to help towards meeting the target of 2,500 new homes by 2022 and 11,000 by 2043. The report outlines the detailed consultation which been undertaken with the TMO and local residents which has enable this the proposal to move forward.

Director of Law and Democracy

45. Section 1 of the Localism Act gives councils a general power of competence whereby a local authority has power to do anything that individuals generally may do. However that power does not enable a local authority to do anything which it is unable to do by virtue of a pre-commencement limitation.
46. The report recommends that the council disposes of housing land to TfL. Section 32 of the Housing Act 1985 imposes limitations on the council's powers of disposal in that the consent of the Secretary of State is required for disposals of housing land.
47. A number of general consents have been issued in the General Housing Consents 2013. The report confirms that the land to be disposed of will be vacant and free from tenancies when it is transferred to TfL. General Consent A3.1.1 provides that the council may dispose of land (which includes buildings) for a consideration equal to its market value, subject to paragraph 3.1.2. Paragraph 3.1.2 contains some exceptions to this consent, none of which apply to this proposed disposal.
48. The report further recommends that land is acquired from TfL in order to build new houses and a TMO hall. Section 120(1) of the Local Government Act 1972 ("the 1972 Act") provides that the council may acquire any land by agreement for the purposes of (a) any of its statutory functions or (b) for the benefit, improvement or development of its area. By virtue of section 120(2) of the 1972 Act the council may acquire by agreement any land for any purpose for which they are authorised by the 1972 Act or any other Act to acquire land, notwithstanding that the land is not immediately required for the purpose and, until it is required for that purpose, it may be used for the purpose of any of the council's functions.
49. Section 9 of the Housing Act 1985 provides that a local housing authority may provide housing accommodation (a) by erecting houses, or converting buildings into houses, on land acquired by them for the purposes of [this part of the Act], or (b) by acquiring houses. The report recommends the acquisition by the council of four leasehold dwellings in Styles House from TfL.

50. There are therefore adequate powers for the council to dispose of its land and to acquire land from TfL as envisaged by the recommendations in this report.
51. The report points out at paragraphs 37 – 41 that the council will need to have due regard to its obligations under the Equality Act 2010. As the report identifies, this is an ongoing duty and the equalities implications of the decision contained in this report will need to be reviewed as the transactions envisaged by the report are progressed.

Strategic Director of Finance and Governance [H&M19/001]

52. There are no financial implications arising directly from the report's recommendations. The proposed land exchange is mutually beneficial to both parties and subject to planning consent, will enable the council to construct much needed new council homes.

BACKGROUND DOCUMENTS

Background Documents	Held At	Contact
Council Plan 2018/9 – 2021/22	Chief Executives Office 160 Tooley Street London SE4 2QH	Matt Little 020 7525 0388
Link (please copy and paste into your browser): http://moderngov.southwark.gov.uk/documents/s78763/Report%20Council%20Plan.pdf		
New Homes Programme: Delivery Model Review 2018	Asset Management 160 Tooley Street London SE4 2QH	Tim Bostridge 020 7525 1222
Link (please copy and paste into your browser): http://moderngov.southwark.gov.uk/documents/s78248/Report%20New%20Homes%20Programme%20Delivery%20Model%20Review%202018.pdf		

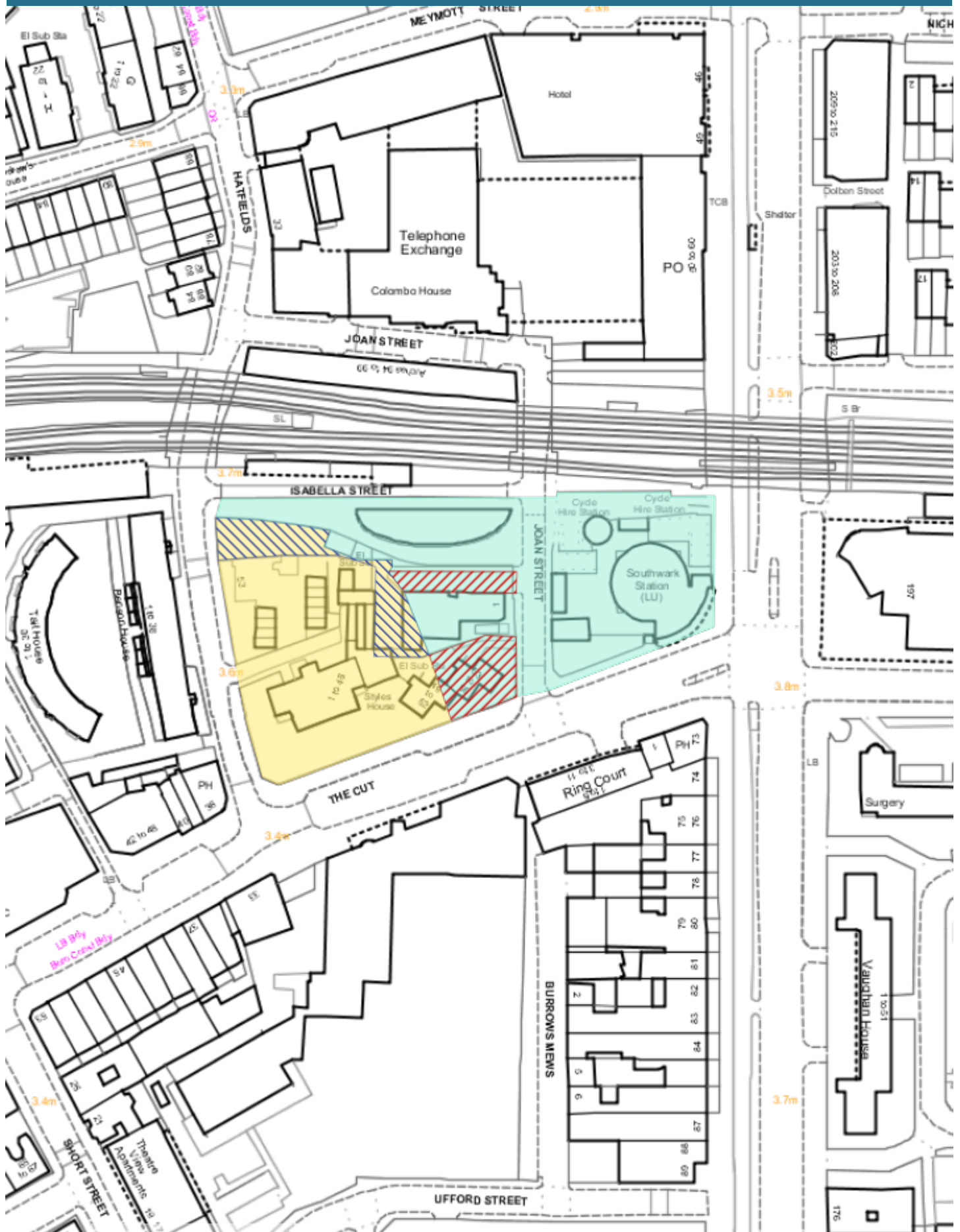
APPENDICES

Appendix	Title
Appendix A	Plan of Proposed Exchange Land
Appendix B	Present and proposed land ownerships

AUDIT TRAIL

Cabinet Member	Councillor Leo Pollak, Social Regeneration, Great Estates and New Council Homes		
Lead Officer	Kevin Fenton, Strategic Director Place and Wellbeing		
Report Author	Patrick McGreal, Regeneration-North		
Version	Final		
Dated	11 April 2019		
Key Decision?	Yes		
CONSULTATION WITH OTHER OFFICERS/DIRECTORATES/CABINET MEMBER			
Officer Title	Comments Sought	Comments included	
Strategic Director of Housing and Modernisation	Yes	Yes	
Director of Law and Democracy	Yes	Yes	
Strategic Director of Finance and Governance	Yes	Yes	
Cabinet Member	Yes	Yes	
Date final report sent to Constitutional Team		11 April 2019	

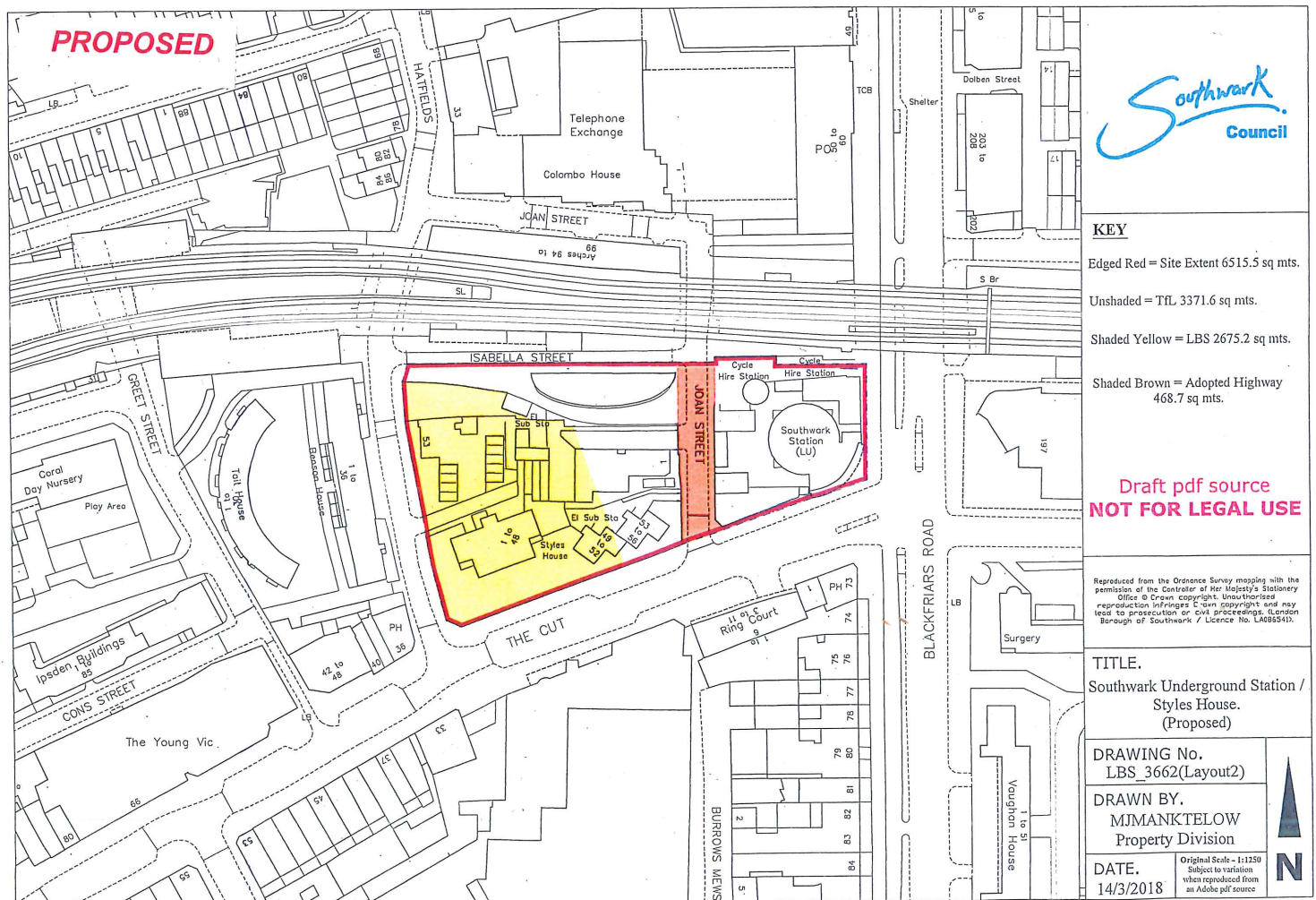
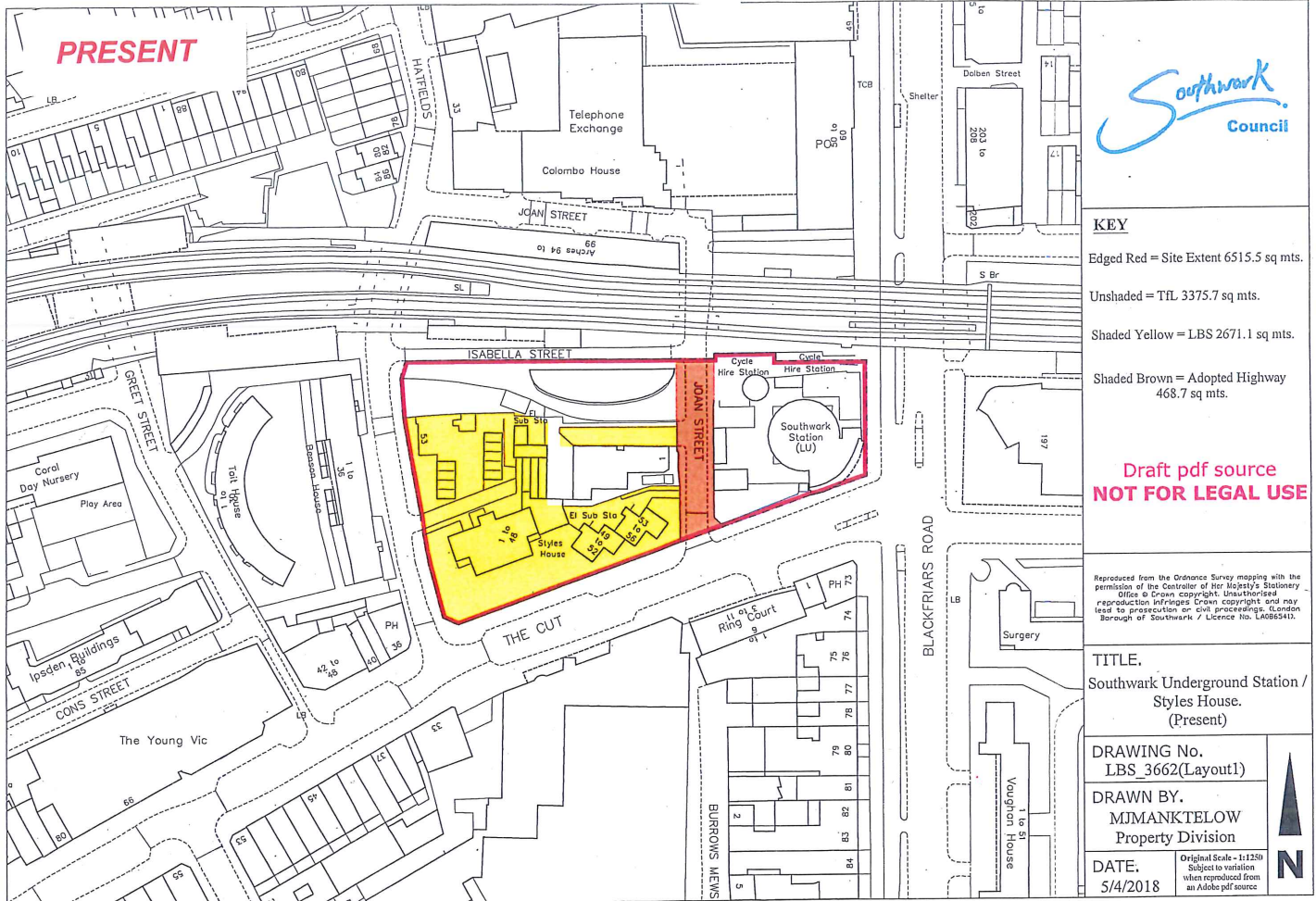
APPENDIX A: Proposed land exchange at Styles House/Joan Street



50 m

Scale = 1250

13-Feb-2019



Item No. 11.	Classification: Open	Date: 30 April 2019	Meeting Name: Cabinet
Report title:		Gateway 1 – Nursing Care	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor Jasmine Ali, Children, Schools and Adult Care	

FOREWORD – COUNCILLOR JASMINE ALI, CABINET MEMBER FOR CHILDREN, SCHOOLS AND ADULT CARE

The paper outlines the procurement strategy to bring to life the Council Plan commitment to open two good quality nursing homes in Southwark. This move will raise the bar in nursing home provision. The facilities will be beautifully built, enjoyable and comfortable, with a range of social activities both within the home and out in the surrounding communities for the people living in there, for their friends and families. We will use this timely procurement opportunity to make sure that the new nursing homes embrace new technological innovation in the care of people with different needs including different degrees of dementia.

The recent Association of Directors of Adult Social Services (ADASS) Peer Review in Southwark was positive and the opening of two new nursing homes was on the list of things that we were praised for, not least because many other local authorities have seen their local nursing homes close down.

Currently 70% of Southwark people requiring nursing beds are placed out borough. In 2017/18, 80% of people that we placed out of borough would prefer to be in Southwark, but in the absence of high quality local services this was simply not an option. Due to fluctuating quality in the borough, the number of nursing homes in the borough has reduced to two; and one of these homes is blocked booked by the London borough of Lambeth.

There are currently 212 nursing care beds available in the borough. Planning permission has been granted to the development of a care home that will include 48 nursing beds. This means that the total, by the end of 212 will increase to 260 by 2020. There is a second nursing home that has outline planning permission for 80 nursing care beds and therefore the total could increase to 340 by 2022.

The council has been speaking with providers who are prepared to open nursing homes but these discussions are property deals. In order to comply with EU procurement regulations (adopted into English Law), the council must advertise the opportunity to award care contracts. The best way to comply with this legislation is to undertake a meaningful tender for the nursing care market is a Negotiated Procurement Process.

Soft market testing shows that there is interest to provide services in Southwark and in order to ensure that the council secures good quality services at a fair price is to take this compliant but little used tender process. Using the one council approach, corporate procurement and legal colleagues will support Commissioners during the process.

Cabinet is advised that the procurement strategy will require separate negotiations with different providers. The contracts will be approved through individual Gateway 2 reports. The report's author the commissioning director and I recommend that the decision to award the subsequent contracts is now delegated to the strategic director in consultation with myself as the lead member for children, schools and adults. We would like to make sure that providers can be identified and the above aspirations for two new good quality nursing homes in Southwark can be procured, developed and up and running in a timely manner.

RECOMMENDATIONS

1. That cabinet approves 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.
2. That cabinet notes 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 cabinet delegates the approval of the award of contracts, following these individual negotiations to the strategic director for children and adults' services, in consultation with the cabinet member for children, schools and adult care.
4. That cabinet notes that the total estimated maximum figure for the contracts is in the region of £7.3m per annum.

BACKGROUND INFORMATION

5. The Council Plan 2018-22 commits to the development of two new nursing care homes within the borough. The March 2018 cabinet approved a Gateway Zero business case to undertake a procurement exercise to ensure value for money and to stimulate the evolving local nursing care market. This report sets out the procurement strategy to deliver the council's commitment.
6. Nursing care homes are regulated by the Care Quality Commission (CQC) to provide both general and dementia beds where the care is supervised by a nurse funded by the local Clinical Commissioning Group (CCG). Nursing care homes usually contain floors that are not registered for nursing care (referred to simply as "Residential care". Services tend to operate from large buildings, usually purpose built to meet the specialist requirements of their residents.
7. The council spent around £9m in 2017-18 on adult social care nursing care home provision. Nursing Care providers receive an additional payment per resident from the host CCG through a standard funded nursing care (FNC) fee. This rate in 2018/19 was £158.16 per week.
8. Of the total spend approximately £2.2m was spent with one local supplier currently rated by the CQC as "Requires Improvement". There are presently no block contracting arrangements for nursing care, with each nursing placement individually negotiated for each service user. Around 70% of clients are currently found beds out of borough in over 70 different homes. Nursing homes in Lambeth, Lewisham, Croydon and Bromley tend to be those most frequently used.

9. The council supports the ambition of older people to remain in their own home for as long as possible, with the number of people receiving nursing care remaining relatively constant over recent years:

Table 1 Nursing Care Permanent Placements

Financial year	No at end of the year (snapshot)	Total number of permanent placements during the year (flow)
2014-15	238	321
2015-16	230	336
2016-17	246	333
2017-18	232	351

(Source: SALT Short and Long-Term returns - Additionally, there are usually around a further ten people on temporary placement, either to provide respite for family carers, or to facilitate timely hospital discharge).

10. Due to of the increasing frailty of most people accessing this setting of care, the average length of stay for all new placements has been decreasing. Between April 2017 and November 2018 has been 351 days. Modelling of demand has shown that if there was sufficient local supply, around 80% of these placements would have been made in borough (186 people in 2017-18). The remaining cohort of service users will require a longer term placement in a specialist home (primarily those of working age adults with complex acquired brain injury) or primarily older people who have family connections to other areas.

Summary of the business case/justification for the procurement.

11. Since the March 2018 cabinet considered the Gateway zero business case report, officers have been exploring various contracting models, seeking the views of providers, health and social care professionals and service users and their families. This exercise concluded that:
- Around 80%+ of placements are for very frail older adults, who are living with multiple and complex conditions in the final months of their lives. These tend to be people with very strong family and community connections with Southwark, requiring continuity of care from the local health and social care services towards the latter stages of their lives.
 - There are a small but increasing number of frail people who require short term placement; in order to either provide respite for family carers or facilitate therapeutic timely hospital discharge. This group again, will benefit from this procurement exercise, as new bespoke local contracts can clearly identify trusted pathways in and out of local homes from across Southwark's wider health and social care economy.
 - To support client and family preferences to stay in Southwark and in order for local services ensure continuity of care, the Council and Southwark CCG support local homes through a range of initiatives. These include multi-disciplinary joint working, free staff training opportunities and an enhanced GP primary care service.

- d) The most effective partnerships between homes, local authorities and the wider health and social care system involve local mutually agreed pathways and strong ongoing relationships developed between the council and their local nursing home(s) are agreed and multi-disciplinary working is concentrated on specific key local nursing care facilities as opposed to clients being placed in multiple homes across the region.
 - e) The local market has not been able to respond to the requirements of Southwark citizens and has seen the closure of a number of homes (See paragraph 13) generally the demand for affordable nursing beds across central London outstrips supply, with different Councils and CCGs competing for the beds that are available.
 - f) Nursing providers price the cost of a bed based on a triangulated assessment of the needs of client, matched against standard staffing levels and core competencies and the existing levels of dependency of residents at their home. In a demand-driven market, Councils often pay a higher individual fee than most London CCGs, who combine their collective purchasing power and co-ordination through the pan-London Any Qualified Provider Framework. This framework is only available to CCGs.
 - g) Due to local circumstances, neighbouring boroughs are not able to commit to developing cross-borough joint commissioning arrangements; in part because they too wish to procure beds in borough for their local residents, for the same reasons as the Council.
12. For the reasons set out, the council wishes to advertise opportunities to negotiate for contracts for good quality local nursing care beds in borough.

Market considerations

13. The CQC highlights that nationally nursing care faces the most significant challenges in relation to financial sustainability and the maintenance of good quality care across the entire health and social care system. These national issues are compounded in Southwark which has seen a 46% reduction in nursing care beds since 2011 (Five homes with a loss of 252 beds¹). This is comparable to several inner north London boroughs– e.g. Tower Hamlets and Islington, although none of our immediate south London neighbours have experienced such a sharp decline.
14. The reasons cited by providers for this decline are the higher land prices that deter the development in inner London, workforce challenges, a younger population and relatively few self-funders compared to outer London areas such as Bromley, Croydon and Ealing. These are areas with much larger populations of older people with far higher rates of owner occupation (a basic indicator of what proportion of people pay for their own care). This means that Southwark homes are far more reliant upon state funded placements; where the costs have been tightly managed as a result of ongoing austerity measures.
15. There are currently only two homes in Southwark who are registered to provide nursing care:

¹ Southwark Home closures since 2010-11 : Southwark Park Road (2010) Evergreen (2011) Cherry Croft (2013) : Camberwell Green (2016) and Burgess Park (2017)

- Tower Bridge, which is a very large home whose CQC rating has fluctuated over recent years between “Good” and “Requires Improvement”. It is currently assessed as the latter, although demand for beds from local people remains very high.
 - Queens Oak, which is currently block booked to Lambeth and is not currently accessible for Southwark citizens. The home was recently down graded from “Good” to “Requires Improvement” and Lambeth are currently working with the provider to improve quality.
16. From market testing, it is unlikely that any of the six purely residential care homes in the borough who operate from buildings which are large enough to provide nursing facility on site, would wish to deliver nursing care status.
17. The council is aware of re-development plans for sites of former homes where the council owns the freehold. The first of these is at Picton Street (the former Burgess Park care home) where a full planning application has been formally submitted in early 2019. The second is a nursing home on D'Eynsford Road has submitted a pre planning application in 2018, although as yet no formal planning application. The local market is therefore summarised in table 2 below:

Table 2 The evolving Southwark Nursing Care Market

Nursing home and number of beds	Provider	2015	2018	2020	2022
Burgess Park (Picton Street)	Country Court Care from 2017 – Previously Four Seasons	55	0	93*	93*
Tower Bridge**	HC-One Ltd	124	124	124	124
Queens Oak**	Excelcare	88	88	88	88
Total		267	212	305	305

*The new home on this site will contain 48 nursing care beds

** These homes contain a number of non-nursing residential beds

18. The procurement approach recommended does not restrict other potential suppliers who may be able to meet in borough requirements from applying.

KEY ISSUES FOR CONSIDERATION

Options for procurement route including procurement approach

19. The strategic objective of the procurement exercise is to purchase good quality beds situated within the borough of Southwark that provide value for money and supports the local market. Several options have been considered which are summarised below (including the recommended option):

Table 3 Procurement Options

Recommended Option	Detail
Negotiated process	The council places a notification in OJEU and Contract Finder to providers and potential providers of Southwark homes, stating that it:

Recommended Option	Detail
	<ul style="list-style-type: none"> • Wishes to procure good quality nursing beds in the borough • Would be keen to receive applications from any provider who can deliver these requirements by 2022 (Aligned to the commitments as set out in the Council Plan) • Welcome contact from other potential providers • Has identified a number of providers who currently or plan to develop local homes with whom it would highlight the procurement process • A draft service specification, co-produced with local people and key multi-disciplinary leads will also be posted as part of the advert.

Not Recommended Options	Detail	Advantages	Disadvantages
Do nothing	Carry on purchasing beds on an individual basis	Buy only what is needed when it is needed	This approach has not ensured sufficient local supply and does not necessarily provide value for money.
Cease the service	No longer use nursing care facilities	No need to undertake a procurement	This will not meet statutory duty defined under the Care Act 2014.
Shared Service Delivery	Purchasing beds with other boroughs through joint contracting arrangements	Achieve economies of scale	There is little tangible interest currently amongst neighbouring boroughs and this approach would not necessarily support the development of a market within Southwark
Bring in house	The council provides nursing care itself	council uses its assets to create local supply	The council does not possess the technical expertise in this area and it is unlikely that this approach would provide value for money.
Voluntary sector/not for profit provision only	Restrict bids to non profit making organisations	Profits on any operation would be directed back into the service and not towards company profit. Providers also can fund raise to support running costs	The recommended approach does not exclude charitable organisations, but soft market testing recognises that few voluntary and community sector providers now deliver general nursing care for frail older people due to the financial and operational challenges.
Single-borough Dynamic Purchasing	Establish a framework from which to	Simpler to procure in the first stage and	The market showed little interest in engaging with this approach and is unlikely to

Not Recommended Options	Detail	Advantages	Disadvantages
System (DPS) or other forms of framework agreements.	undertake “call Offs” or mini competitions as required	DPS in particular gives scope for new providers to join during the term	support the local market and guarantee sufficient supply A DPS may be administratively burdensome to use once in operation.

Proposed procurement route

20. An advert will be placed as set out in table 3 above, giving potential suppliers an opportunity to express an interest up to six (6) months from the date of the OJEU Notice and the council reserve the right to re-open the expression of interest should it be required.
21. Dependent upon the response received from the advert, the recommended procurement strategy is likely to involve a number of concurrent negotiated exercises; which will be informed by the council's requirements and specific circumstances.
22. Each of these negotiated exercises will require interested providers submitting a “Standard questionnaire” (SQ) providing details of company structure and financial standing, alongside their record of delivering nursing care and the details of the nursing home in Southwark from which they will deliver this care. If the information supplied is satisfactory, the council will then enter into formal contract negotiations with each bidder covering areas such as:
 - A detailed assessment of the cost of a bed
 - Bed numbers to be covered by any contract
 - The ratio of beds for standard and dementia nursing care
 - The mix of complexity of need of the residents
 - Approach to delivering the service to the required standards set out in the service specification
 - Approach to multi-disciplinary partnership working
 - Length of contract term and any specific targets or milestones to be achieved during that term
 - Process to be followed if quality, such as CQC (rating) falling below “Good” and not pay “Void” costs whilst agreed improvements are delivered by the provider.
 - How general void costs can be minimised for both the council and the provider.
23. Each individual contract award will be made following approval of a Gateway 2 report and any subsequent variations being approved by way of Gateway 3 reports.

Identified risks for the procurement

24. Several risks have been identified in this procurement

Table 4 Risk log

Risk	Mitigation
Lack of interest	Soft market testing has demonstrated that there is interest within the sector to deliver good quality homes within the borough under contract with the Council.
Challenge from providers	The proposed approach satisfies the requirements of the (EU) Public Contracts Regulations 2015 as they apply to “light touch” services, which allow for a negotiated process.
The procurement approach recommended is un-affordable or fails to meet requirements as set out in the council’s Fairer Futures Procurement Strategy.	The negotiations will be informed by the Fairer Future Promises Strategy with Council maintaining the right to continue with current purchasing arrangements, should the outcome of individual negotiations not provide value for money.
CQC ratings are not satisfactory.	The CQC history of a provider and the home from which the service is intended to be delivered will be considered with any individual contract award potentially being linked to the achievement or maintenance of quality milestones through the initial contract term. The Southwark Plan sets out a commitment to develop a Residential Care Charter, which is due to be approved in 2019-20 , that is likely to be a condition of contract for all homes procured in borough.

Key /Non-key decisions

25. This is a key decision

Policy implications

26. The recommendations as set out in this report are strongly shaped by the Council Plan 2018-22; to commit to increase good quality local nursing care beds and the development of a residential care charter, which is due to be approved by the Cabinet towards the end of the current year.
27. The Care Act 2014 places a duty on the council to assess and support frail and disabled adults with their eligible care needs, whilst promoting diversity and quality in the provision of services.
28. Southwark’s vision for adult social care is to deliver well-co-ordinated personalised health and social care services to prevent, delay or reduce the need for care, and to support people to live as independent lives as possible. Nursing care within this context applies to those living with complex needs who require 24-hour care in the latter stages of their life.

29. Southwark Council and Southwark CCG have developed a joint “Five Year Forward View” which sets out a shared vision on how to improve the health and wellbeing outcomes for specific population segments through more effective joint planning and commissioning arrangements. It is estimated that there are approximately 4,000 Southwark citizens who are frail, living with dementia or approaching the end of life, to whom nursing care may be a significant area of service provision.

Procurement project plan (key decisions)

30. Given the nature of this procurement strategy and the evolving position of the local market, it is proposed that this means that the timetable for completion of individual negotiations and contract awards could possibly to cover a period up to 2022. Therefore, key dates following the placing of an advert are not completed at this stage.

Table 5 Timeline

Activity	Complete by:
Enter Gateway 1 decision on the Forward Plan	13/02/2019
Submission to CCRB	22/02/2019
CCRB Review Gateway 1	28/02/2019
DCRB Review Gateway 1	20/03/2019
Brief relevant Cabinet Member (over £100k)	2/04/2019
Agenda Planning	02/04/2019
Deadline for final report	11/04/2019
Notification of forthcoming decision - Cabinet	23/04/2019
Approval of Gateway 1: Procurement strategy report	30/04/2019
Scrutiny Call-in period and notification of implementation of Gateway 1 decision	09/05/2019
Completion of relevant documentation	20/05/2019
Publication of OJEU Notice	20/05/2019
Publication of Opportunity on Contracts Finder	21/05/2019
Anticipated receipt of expressions of interest	30/06/2019
Anticipated completion of desk top assessment of expressions of interest	30/07/2019
Anticipated completion of negotiations for expressions of interest	30/09/2019
Closing date for receipt of expressions of interest	20/11/2019
Anticipated first contract awards	02/12/2019

TUPE/Pensions implications

31. There are no considerations.

Development of the documentation

- 32. The standard SQ will be amended and method statement will be drafted.
- 33. The requirements for the service will be set out through the publication of a draft service specification co-produced with local residents of care homes, their families/supporters, and key clinical and operational leads from across the local health and social care system.
- 34. The key aspects of subsequent negotiations will be recorded, and templates as required developed to assess the value for money for bed prices quotes, to ensure a thorough audit trail

Advertising the contract

- 35. Notification on OJEU and Contract Finder. Homes who have engaged with the Council under soft market testing are advised to register on the government's "contract finder" portal, so they will receive notifications of the advert automatically once placed.

Evaluation

- 36. Evaluation of submissions and the subsequent negotiations will be carried out by senior council officers who have sufficient seniority and expertise in the area. Clinical expertise in any negotiation is likely to come from officers within SCCG.

Community impact statement

- 37. Age and Disability are "protected characteristics" under the Equality Act 2010 and the outcome of the Council's proposed procurement plans will particularly benefit older people and those living with very complex conditions.
- 38. Local care homes may also provide employment opportunities for local people.
- 39. More details are contained in Appendix 1.

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 wellbeing of the local area can be secured. The details of how social value will be incorporated within the are set out in the following paragraphs.

Economic considerations

- 41. Local care homes provide employment opportunities for local people, with homes required to expand apprenticeship schemes as a condition of contract in line with the Council's "Southwark Apprenticeship Standard" requirements of one apprentice per £1m of expenditure.

Social considerations

- 42. Nursing care homes provide job opportunities to local residents. Contract negotiations will include how providers propose to engage with local Job Centre

Plus and apprenticeship schemes, alongside other workforce and training issues. The contract negotiations will also explore the application of the Southwark Ethical Care Charter, as per the Fairer Futures Procurement Strategy, looking at providers approach to issues such as London Living Wage, apprenticeships, zero hours work contracts and Trade Union recognition agreements. The outcome of the negotiations in these areas will be reported back in each Gateway 2 report.

Environmental/Sustainability considerations

43. Care home buildings will not leave large carbon footprints on the environment as workers are likely to live locally; although residents require secure warm and safe premises so there will be a higher use of heating than non-regulated premises.

Plans for the monitoring and management of the contract

44. The experience of residents in care homes is monitored by social workers who undertake regular planned reviews or respond to quality concerns. The contracts and performance team with commissioning officers are responsible for the monitoring and inspection of homes as required.

Staffing/procurement implications

45. There are no new staffing implications in relation the individual nursing and residential care placements.

Financial implications

46. The expected annual contract value of £7.3m is estimated as 80% of the 2018-19 forecasted adult social care nursing care spends of £9.1m.
47. There is sufficient budget for the proposal. Please note nursing care is part funded by an allocation from the Improved Better Care Fund.

Legal implications

48. Please see concurrent from the director of law and democracy.

Consultation

49. Views were sought from care homes residents, their families and advocates to co-produce "I Statements" that form the core of the draft service specification as well as supporting the development of the planned Residential Care Charter.
50. Commissioners also carried out extensive engagement with operational teams within social care, with NHS partners and senior council legal, procurement and finance leads to develop this procurement approach.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Finance and Governance (51TJ201819)

51. The strategic director of finance and governance notes the recommendations of this report in furtherance of the provision of additional quality nursing care beds within the borough. There are no direct financial implications arising from this procurement strategy, however budget holders will need to work closely with finance colleagues

to model the likely impact of the proposed procurement route, noting that this is likely to result in multiple contract awards, each requiring separate financial due diligence.

Head of Procurement

52. This report seeks approval for the procurement strategy to procure in borough nursing care beds for Southwark citizens.
53. The proposed procurement route, outlined in paragraphs 20 to 24, is to establish a competitive EU compliant negotiated process in line with the EU regulations and council's own contract standing orders.
54. The identified risks and proposed mitigation of this tender are laid out in paragraph 24 and the associated table.
55. The report confirms the monitoring and management arrangements that will be in place during the life of the contract laid out in paragraph 44.
56. Southwark Council's procurement officers will be advising on the tender documents to be used to ensure that all relevant statutory questions are included and due diligence to ensure the successful supplier is financially stable

Director of Law and Democracy

57. This report seeks approval of the procurement strategy in relation to the purchase of in-borough nursing care beds.
58. These services are classed as light touch services under the Public Contract Regulations 2015 (PCR15), and as the estimated values exceed the light touch threshold of £615k, they are subject to the tendering requirements of the PCR15. This requires that a contract notice for the opportunity is placed in OJEU, but thereafter authorities have flexibility to use any process or procedure they choose to run the procurement and can design their own process altogether. In designing that process the council is required to ensure this meets the EU Treaty principles of transparency and equal treatment, they must conduct the procurement in accordance with the information noted in the OJEU notice, and any time limits proposed for responding must be reasonable and proportionate. The report details the proposed procurement process from paragraph 20.
59. The proposed procurement strategy is also consistent with the council's contract standing orders in all respects and will assist the council to fulfil its duties under the Care Act 2014.
60. The decision to approve the recommended procurement strategy is one which is expressly reserved to the cabinet under the council constitution. The community impact statement set out from paragraph 37 of this report summarises the effect of the Public Sector Equality Duty contained in section 149 of the Equality Act 2010, and in making procurement decisions the council must consider and have due regard to any effects of the decision on the community at large and, in particular on people identified as possessing "protected characteristics", as defined in the Act.

BACKGROUND DOCUMENTS

Background Documents	Held At	Contact
Gateway Zero	Partnership Commissioning Team 160 Tooley Street London SE4 2QH	Andy Loxton 020 7525 3130
Link: http://moderngov.southwark.gov.uk/mgListPlanItems.aspx?PlanId=508&RP=153		
CQC State of Care Report	Partnership Commissioning Team 160 Tooley Street London SE4 2QH	Andy Loxton 020 7525 3130
Link: https://www.cqc.org.uk/sites/default/files/20171011_stateofcare1718_report.pdf		

APPENDICES

No	Title
Appendix 1	Community Impact Assessment

AUDIT TRAIL

Cabinet Member	Councillor Jasmine Ali, Children, Schools and Adult Care		
Lead Officer	David Quirke-Thornton, Strategic Director for Children’s and Adults’ Services		
Report Author	Andy Loxton, Joint Commissioning Manager, Residential Care		
Version	Final		
Dated	11 April 2019		
Key Decision?	Yes		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments Sought	Comments included	
Strategic Director of Finance and Governance	Yes	Yes	
Head of Procurement	Yes	Yes	
Director of Law and Democracy	Yes	Yes	
Contract Review Boards			
Departmental Contract Review Board	Yes	Yes	
Corporate Contract Review Board	Yes	Yes	
Cabinet Member	Yes	Yes	
Date final report sent to Constitutional Team			11 April 2019

APPENDIX 1

Nursing Care Community Impact Assessment

Service users

Analysis of client records held by the Council has been compared to profiles of the general population drawn from the Greater London Assembly (GLA) mid census projections.

1. **Age** – Southwark is generally a young borough, with only 8%^[1] of residents being over 65 years of age. However, given the nature of the service, unsurprisingly 84% of nursing care residents placed by the Council are of pensionable age. Due to the development of community-based care, fewer working age living with chronic long-term conditions and disabilities now require nursing care beds, and those that do tend disproportionately to be placed out of borough in long term and often specialist placements. This long term cohort is itself aging. It is also noted that many people living with a learning disability or who have a long history of substance misuse and chronic long term functional mental health issues may experience premature symptoms associated with aging, and therefore may require a nursing bed at an earlier age than the general population.
2. The **proportion** of residents who are aged 80+ is higher for in borough placements compared to those out of borough. Therefore, given the aspirations of expressed by local people, the proposals will have a particularly positive effect upon the older and aging population of Southwark.

Table one: Age profile of All Nursing Care Residents (Nov 2018)

Age	Out of Borough	In borough	Total all placements in all homes
18-64	18%	7%	15%
65-80	43%	40%	42%
80+	38%	53%	42%
Not Recorded	1%	0%	1%
Total	100%	100%	100%

(% are rounded up/down)

3. **Gender** - For Southwark, 56% of people over 65 are female and 44% male. This ratio being broadly consistent with utilisation pattern for nursing care placements and the age profile of the frail older population:

Table two: Gender

Gender	Out of Borough	In borough	All Placements
Female	58%	53%	57%
Male	42%	47%	43%

(% are rounded up/ down)

4. **Ethnicity** – In Southwark 28% of all people aged over 65 are from Black and Minority Ethnic (BaME) communities (defined either as “Black”, “Asian” or “Other Ethnic Groups”). The proportion of white people becomes as the population gets older.

^[1] GLA mid census projections

5. Although there **are** several nursing home residents whose ethnicity is not recorded, the comparative analysis of the data available shows that the proportion of nursing home residents who are defined as BaME is around 28%. Details set out below:

Table three: Ethnicity of Nursing Care Residents

Ethnicity	Total all placements in all homes
White	64%
Black/ Black British	23%
Other ethnic group	3%
Asian/ Asian British	2%
Not Stated /Recorded	8%
Total	100%

(% are rounded up/ down)

6. **Disability** – Social work case records indicate the primary care need for each client. Needs associated with physical ill health and disability are the single largest category, followed by dementia and with the third largest group being people living with a (functional) mental health issue. Currently there are only two clients who are living with a learning disability in a nursing home.
7. As data gathering is focused on primary care needs, a very significant number of residents will be experiencing multiple long-term conditions with the numbers living with dementia being under reported due to data coding issues.

Table four: Primary care and support needs of residents.

Support Need	% of all Residents
Learning Disability support	0% (only 2 individuals)
Mental Health support	8%
Physical Support	64%
Sensory Support	2%
Social support	2%
Support with memory and cognition - Dementia	23%
Grand Total	100%

% rounded up to nearest figure.

8. **Other characteristics** – The client record systems used by adult social care and GLA data do not routinely record faith and religion, sexuality, gender re-assignment and marriage and civil partnership. However, it is recognised that these groups are also residents of nursing care homes, and the proposals set out within this report are not envisaged to have a detrimental impact upon people with these protected characteristics.

Workforce

9. **Although** workforce profile is not currently monitored, market engagement with providers has indicated that a disproportionate number of the front line care workforce comes from a BaME background, speaking a wide range of languages and reflecting the religious and cultural requirements of the residents of central London homes.

10. Market **engagement** indicated that all providers face difficulties retaining and recruiting staff in all areas, with the greatest challenges relating to registered nursing staff. These issues mirroring the challenge facing recruitment and retention within the profession nationally. However due to regularity of shift patterns, cares staff often find the sector more attractive than home care.
11. The role of **apprenticeships** will be used by homes as a means of supporting people with the right aptitudes to enter the care sector and progress through the profession. Including moving onto formal registered nurse training.
12. It is also noted that there are a number of multi-disciplinary local initiatives that have been set up to support nurses in local homes; and care home operators often recruit staff from abroad (In the case of the Southwark market – primarily from countries outside of the EU)

Providers

13. There are few small independent companies providing nursing care homes nationally with the only operators providing nursing care within the borough being large commercial organisations. This is not the case with exclusively residential care homes without nursing, where all such homes for older people in Southwark are provided currently by not for profit organisations. The procurement approach will be open to providers from any sector.

Conclusion

14. Taking all **relevant** factors into account, the council is satisfied that the proposals set out within the Gateway 1 report will have a neutral impact upon the people who use nursing care services.

Item No. 12.	Classification: Open	Date: 30 April 2019	Meeting Name: Cabinet
Report title:		Gateway 1 - Procurement Strategy Approval: Parking and Traffic Enforcement and Associated Services	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor Richard Livingstone, Environment, Transport Management and Air Quality	

FOREWORD – COUNCILLOR RICHARD LIVINGSTONE, CABINET MEMBER FOR ENVIRONMENT, TRANSPORT MANAGEMENT AND AIR QUALITY

Southwark's current parking enforcement contract comes to an end on 31 March 2020 and this report sets out the next steps in procuring these services from next April.

In February, the cabinet reviewed the scope of this work and decided to bring elements of this service back in-house. This was not appropriate for all areas of the service, due to the inability to generate the economies of scale within a single borough to provide a value for money service. The report therefore sets out the strategy for tendering for those parts of the service that cannot be delivered directly by the council.

An important change to the current contract is that this procurement sets out an expectation that the successful bidder will put a trade union agreement in place to support its workforce.

If agreed, invitations for tender will be issued on 1 July and tenders received by 2 September. This would enable decisions to be taken to allow for the contract to be awarded on 6 January 2020.

RECOMMENDATIONS

1. That cabinet approve the procurement strategy outlined in this 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.
2. That cabinet note that the services detailed in paragraph 4 will be brought in-house as outlined in the Gateway 0 report.

BACKGROUND INFORMATION

3. This Gateway 1 procurement strategy approval report refers to the strategic options assessment and procurement proposal (Gateway 0) for delivery of Parking and traffic enforcement services approved by the cabinet on 6 February 2019.
4. The Gateway 0 approved the bringing in house of:

- Early appeals and challenge correspondence
 - Parking permits and administration
 - Parking call centre
 - School crossing patrol officers.
5. The Gateway 0 required officers to prepare a Gateway 1 report for further cabinet consideration and to outline the procurement strategy for the outsourced services.
 6. During 2011-12 Southwark Council carried out a competitive tender process under the EU Restricted route to procure services for their parking enforcement and associated services responsibilities. The provision of the services was a single contract with a single supplier who would utilise a number of specialist parking sub-contractors to deliver the service.
 7. Following evaluation the contract was awarded to APCOA Parking UK Ltd, with the main sub-contractors being Paybyphone (permits and virtual pay and display), Conduent (parking and traffic enforcement IT), Siemens (CCTV cameras and maintenance) and ELV (vehicle removals and car pound).
 8. The contract commenced on 1 April 2013 for a duration of 4 years taking the contract through to an expiry date of 31 March 2017. The contract allowed for an option for Southwark Council to extend the contract for 3 years by informing APCOA in writing with a minimum of three months' notice. Following due process at the Southwark Council cabinet meeting on 13 December 2016 an extension of this contract for 3 years was approved.
 9. The council's parking and traffic enforcement service has generated a surplus as a consequence of income from permitted parking and parking/traffic fines. The statutory guidance to local authorities under the 2004 Traffic Management Act says "For good governance, enforcement authorities need to forecast revenue in advance, but raising revenue should not be an objective of Civil Parking Enforcement, nor should authorities set targets for revenue".
 10. The previous 4 financial years' income and expenditure set out by work stream is detailed below. This is both for highway enforcement and permits as well as on-estate enforcement and permits. 2018-19 is estimated.

Income	Financial Year, in £000s			
	2015-16	2016-17	2017-18	2018-19
Parking Meters/Pay and Display	3,352	3,762	3,795	4,100
Parking Permits	3,159	3,991	3,664	4,400
Off-Street Car Parks	130	70	68	50
Clamping and removal	0	0	0	0
Penalty Charge Notices	5,907	6,177	6,220	6,500
Bailiffs (PCN recovery)	643	766	763	950
Other income	171	134	482	150
Total income	13,363	14,900	14,992	16,150
Total expenditure	-7,348	-8,104	-8,879	-9,600
Surplus	6,015	6,796	6,113	6,550

11. Any surplus is ring fenced to parking and related services and must only be used in accordance with section 55 of the Road Traffic Regulation Act 1984 (as amended).
12. The market is used to long contracts, and typical equipment refresh periods are 3 to 4 years for the handheld equipment and vehicles that are used to deliver parking services.

Summary of the business case/justification for the procurement

13. Parking enforcement was decriminalised in 1994 and the council was required by national government to take on powers for decriminalised parking enforcement from the Metropolitan Police Service (MPS). Initially the council used powers granted under the Road Traffic Act 1991 as amended and then Traffic Management Act 2004 from April 2008.
14. Additionally the council also took on powers to enforce decriminalised moving traffic contraventions, initially in bus lanes from 2002 and others such as banned turns, yellow boxes and no entry's from 2006. The legislation used for this type of enforcement is the Road Traffic Act 1991 as amended by the London Local Authority Acts 1996 and 2003.

Market considerations

15. There are a number of contractors capable of delivering parking and traffic enforcement services for Southwark Council. These are mostly parking specialist companies but also include some of the larger administrative government service providers as well as multi-national or multi-disciplined conglomerates.
16. There are five external operators of parking enforcement currently working in London with a further two (Egis and Conduent) possibly interested in joining the market; it is a competitive market place.
17. As the table below indicates there are 34 organisations in London which enforce parking and traffic regulations on the public highway these include the City of London (CoL) Transport for London (TfL) as well as the 32 London boroughs.

Civil Enforcement Operations	Number of boroughs	% of boroughs
As of July 2018		
APCOA	7	21%
NSL	11	32%
Mouchel	1	3%
Serco	2	6%
Indigo	3	9%
In house	9	26%
Metropolitan Police (TfL)	1	3%
	34	100%

18. The two main contractors in London are parking and traffic enforcement specialists, they account for 75% of the contracts let in London. In central London most boroughs outsource parking and traffic enforcement.

19. APCOA and NSL have dominated the outsourced parking market but there continues to be newcomers to it. Mouchel and Serco have both won and retained contracts but their expansion has been slow.
20. Indigo have traditionally only bid for enforcement contracts where there are significant amounts of off street car parks, but are under new ownership. There are a further two companies Egis and Conduent who have parking enforcement contracts outside of the UK who may consider bidding.
21. Contract values will vary in price across London but it is estimated that the average contract will be in the £3.5 to £4 million range. This gives an annual value for the 24 contracts which are outsourced in London of £85 to £97 million per annum.
22. Small and medium sized companies do not take the lead on bidding for these contracts but do exist as subcontractors particularly in the provision of IT services including the specialised back office software.
23. The 'normal' central London contract consists of outsourced parking and traffic enforcement, with sub contractors providing vehicle removal and car pound services. Normally the specialist IT is also outsourced and this is either procured as part of the enforcement contract or as a separate lot. Experience suggests that having the enforcement contractor also responsible for the IT works well as there is clear responsibility for equipment and the software that runs on it.
24. The contract type that is used by multiple local authorities is the British Parking Association model enforcement contract. That contract is based around the achievement of a series of key performance indicators and it works well at producing a constructive relationship with the contractor. Other contracts make use of a wide variety of defaults and other damages which tend to create an adversarial relationship between contractor and council.
25. Based on market consideration and intelligence it should be expected that a tender carried out now would be as competitive as those carried out some years ago.

KEY ISSUES FOR CONSIDERATION

Options for procurement route including procurement approach

Do nothing

26. This is not an option, as parking and traffic enforcement is a statutory obligation. Enforcement of parking and traffic controls is essential with the ever increasing population to drive regeneration and improve safety. Consequently every highway authority ensures this function is delivered.

In source

27. The Gateway 0 approval was to in-source correspondence, parking permit administration, parking call centre and the school crossing patrol service. The council already operates similar services and the parking services team carry out administrative and correspondence tasks.

28. To deliver a comprehensive parking and traffic enforcement service of the type required by the council is a major undertaking which requires resources other than staff such as specialist types of vehicles equipped with ANPR (Automatic Number Plate Recognition) and mobile CCTV; stock of materials, such as signs, uniform, body worn video, etc; specialist IT software and systems for the provision of permit, virtual pay and display and back office IT services and training.
29. The main service providers have multiple contracts which enable them to transfer skilled staff to other contracts and strong purchasing power and agreements with specialist sub-contractors. There is also the need for specialist training and IT solutions. External contractors benefit from economies of scale in all of these areas and this is a benefit for the council, they also have the ability to be flexible and increase and decrease service provision. These services have always been outsourced since the council took on these additional powers in 1994.

External procurement

30. In the Gateway 0 it was concluded that the council proposed a number of the parts to the service would be outsourced. A number of external out-sourcing options have been reviewed and considered. These are outlined in paragraphs 32 to 39.

Frameworks

31. There are no known frameworks for the provision of parking enforcement services. Some related services such as IT, permit services and pay by phone services are available by separate frameworks which is not what is required.

Tender

32. New competitive tender – On expiry of the current contract, a new supplier or suppliers would be ready to take over the relevant services having been selected after an EU compliant competitive tender process in compliance with the Public Contracts Regulations 2015.
33. Different types of contract have been considered (there are models based around delivery of the manpower service and charged by hour, number of recorded visits to streets with defaults, etc.) and the existing BPA (British Parking Association) model service contract based around key performance indicators which helps create a partnership rather than adversarial relationship and that contract is the most appropriate. A future contract would be procured in accordance with the Fairer Future Procurement Strategy.
34. The proposed contract would allow the council to access the latest IT and infrastructure without capital investment, access specialist skills and training provision while not having to invest in that provision.

Shared service delivery

35. Joint Borough procurement – Joint operations do exist with the Bexley / Bromley parking partnership (about the same size as Southwark combined) who have a joint parking outsourced contract with APCOA. The set-up of that contract is similar to that which exists at Southwark currently.
36. Southwark's parking operation is of sufficient size and importance that a joint operation is unlikely to result in much/any saving. There is a possibility of a

reduced management structure, but even that might not be delivered as the bigger operation may require additional management support.

37. The structure of the proposed Southwark contract period means discussions with neighbouring boroughs can continue, although currently contracts are not expiring at the same time.

Voluntary sector/not for profit

38. There are no known voluntary sector or not for profit organisations that provide the required service.

Proposed procurement route

39. This report seeks the cabinet's agreement to carry out the procurement process for the provision of a sole contractor to Southwark.
40. The parking and traffic enforcement and associated services contract will be let in a single lot using the EU open procedure providing;
 - A simpler streamlined contract letting process using the open EU procedure
 - Lower procurement costs and officer time requirements
 - A straightforward contractor/council relationship focussed on delivery of a first class parking service to Southwark Council with no distractions
 - Lower overall contract costs as a result.
41. The procurement will follow an open EU compliant procedure; the process is seeking at least five tenders, such is the size of the UK on-street parking enforcement industry that running a restricted process is unnecessary.
42. The British Parking Association's model parking enforcement contract has been used through the current contract period and has been successful. The KPIs which have been set have been monitored monthly and any areas of concern have been addressed through regular KPI meetings with plans agreed and actioned to bring any problem areas back to within the KPI measurement.
43. The change control and the ability to be flexible and increase and decrease resources has been successful through the life of this contract.
44. Technical change and disruption particularly in regards to self driving vehicles are likely to become realities during the new contract period. It is therefore essential that this flexibility is continued. It is therefore proposed that the contract period will be for four years with two possible extensions of three years each. This allows for even more flexibility in response to operational and technological changes.
45. Typical equipment refreshes for the more expensive equipment used on the parking and traffic enforcement contract is three to four years, therefore shorter extensions are not fit for purpose as they do not allow for planning of investment in equipment. The parking market is used to long contracts. The break points will allow the council and contractor to review whether the contract remains relevant.

Identified risks for the procurement

46. The below table lists the main risks:

No	Risk	Description and mitigation	Risk Rating
1	Challenges to award decision	Ensure procurement is carried out in line with EU / UK regulations and guidance. Evaluation methods to be clearly identified within procurement documents and evaluation carried out as stated.	L
2	Delays to the procurement process	It is intended to carry out the procurement process for the contract in 2019. If this is delayed it would become necessary for a Gateway 3 report to be prepared and approved in order to extend the existing contract, subject to the agreement of APCOA. .	M
3	That the parking surplus declines as a result of the restructuring where services are to be delivered.	Parking services have the first call on the parking surplus by law. This change in structure will move the parking service to a similar structure as is found elsewhere in London. Through the existing KPIs and performance management any problems will be addressed if they occur.	M
4	Fall off in enforcement activity and therefore revenue during the period post contract award and the first few months of new contractor	Financial implication of the drop in income. Through the existing performance management meetings any problems with performance will be dealt with by the parking management team as required.	M
5	Existing parking IT system uses multiple interfaces with Southwark IT	Reduction in services available after a switch to a new contractor. Sufficient time must be available for any new contractor to organise smooth transition of IT services.	M
6	Insufficient equipment available to run the operations on day 1	Loss of revenue as workforce not properly equipped. The council has existing hand held computers and printers it owns which will pass to the next contractor	L
7	There may not be enough companies interested in the procurement to enable us to select the number we need.	There is an active market for parking enforcement within London.	L

No	Risk	Description and mitigation	Risk Rating
8	Insufficient project resource to handle expressions of interest and/or tenders within the project timescales.	Extra resources will be made available at peak periods	L
9	As some services are being brought in-house TUPE regulations will apply to some currently out-sourced personnel	At this stage, liabilities are unknown. Early liaison with internal TUPE lawyer, HR and pensions representative is required	L
10	Possibility of EU exit leading to changes in freedom of movement and exchange rates.	It is uncertain how suppliers will view these risks in their pricing strategy or how long it will be until the risks are resolved. Workforce planning measures will be included in the new contract.	L

Key /Non-key decisions

47. This is a key decision.

Policy implications

48. Having an effective parking and traffic enforcement service is an important component of delivering the council's plans (Movement Plan and Transport Plan) and fairer future commitments. In particular theme 3 - a greener borough, theme 4 - a full employment borough and theme 5 – a healthier life, will benefit from this service. The contract will reflect the Fairer Future Procurement Strategy.

Procurement Project Plan (Key Decisions)

Activity	Complete by:
Enter Gateway 1 decision on the Forward Plan	23/01/2019
DCRB Review Gateway 1	06/03/2019
CCRB Review Gateway 1	14/03/2019
Brief relevant cabinet member (over £100k)	26/03/2019
Notification of forthcoming decision - Cabinet	10/04/2019
Approval of Gateway 1: Procurement strategy report	30/04/2019
Scrutiny Call-in period and notification of implementation of Gateway 1 decision	15/05/2019
Completion of tender documentation	30/05/2019
Publication of OJEU Notice	01/07/2019
Publication of Opportunity on Contracts Finder	01/07/2019
Invitation to tender	01/07/2019

Activity	Complete by:
Closing date for return of tenders	02/09/2019
Completion of any clarification meetings/presentations/evaluation interviews	20/09/2019
Completion of evaluation of tenders	07/10/2019
Forward Plan (if Strategic Procurement) Gateway 2	02/09/2019
DCRB Review Gateway 2:	05/11/2019
CCRB Review Gateway 2	12/11/2019
Notification of forthcoming decision – despatch of Cabinet agenda papers	20/11/2019
Approval of Gateway 2: Contract Award Report	10/12/2019
End of scrutiny Call-in period and notification of implementation of Gateway 2 decision	24/12/2019
Debrief Notice and Standstill Period (if applicable)	24/12/2019
Contract award	06/01/2020
Add to Contract Register	06/01/2020
TUPE Consultation period (if applicable)	06/01/2020
Place award notice in Official Journal of European (OJEU)	06/01/2020
Place award notice on Contracts Finder	06/01/2020
Contract start	01/04/2020
Initial contract completion date	31/03/2024
Contract completion date – (if extension(s) exercised)	31/03/2030

TUPE/Pensions implications

49. A change in the provider of existing services, including in this case insourcing, is likely to amount to a service provision change under the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE). However whether TUPE will apply and the extent to which it may result in the transfer of employees will depend on a number of factors, in particular whether there is change in identity from an incumbent provider to a new provider and, if so, how the existing provider organises its workforce to deliver the services under its current contract or sub-contract.
50. Due diligence needs to be undertaken with the current provider to obtain a clearer picture of the TUPE and pension implications after the Gateway 1 stage during procurement and further legal advice will be sought in light of the result of that due diligence. If there is a transfer of employees to the council from an incumbent contractor, then support will also be sought from the council's human resources and pensions department at the earliest opportunity.

Development of the tender documentation

51. A project board has been convened with appropriate officer members to provide suitable technical expertise and governance. The project board will be responsible for ensuring all documentation has been produced and approved for the final tender packs. The project board is meeting on a monthly basis. The documents will be reviewed at these meetings.
52. The specification and ITT documents will be developed by Southwark's Parking and traffic enforcement team in conjunction with procurement, legal contracts and finance teams.
53. The council intends to make use of the British Parking Association model contract as a starting point for its documentation. This is a contract specifically written for this type of service contract and has been used successfully for the current contract with the inclusion of appropriate Southwark specific amendments.
54. Members of the parking and traffic enforcement are producing the tender documents. These documents are comprehensively reviewed by the project board, legal and procurement.

Advertising the contract

55. The contract will be advertised in the OJEU and on Contract Finder.

Evaluation

56. The procurement of the contract will be overseen by a project board led by the strategic director of environment and leisure or suitable delegate.
57. A departmental parking project team, consisting of departmental procurement and legal teams will report to the parking procurement board with the sign off required by the executive of the board at the completion of each stage.
58. As this will be an open procedure tenderers will be asked to submit a SQ alongside their tender proposals. The Standard Questions (SQ) will be assessed prior to the tenderer's proposals being evaluated and will need to be passed in the same way as a closed process.
59. The SQ / tender evaluation criteria will be based around the tenderers' proposals meeting specified quality requirements. The contract will be awarded to the most economically advantageous tender based on price (60%) and quality/innovation (40%).
60. Each tenderer's price will be calculated in accordance with the price evaluation methodology detailed in the tender pack with suppliers completing a schedule in the tender. The lowest sustainable tender price will be awarded the maximum scores for the price evaluation, the other tenderers' scores will be based on a percentage of that score.
61. The quality element of the tender evaluation will be by weighted score against the following criteria for tender evaluation: The questions will revolve around how the tenderer intends to deliver the services and the answers submitted by the winning tenderer will become contractually binding. It is expected the questions will be based around:

- Proposed management structure
- Contractor's proposed method statements for carrying out the service
- Quality management and quality control
- Social value and benefits to local community
- Compliance with parking management
- Equality and Diversity
- Innovations to improve the highway network / service.

62. The quality evaluation will be carried out independently by an evaluation panel. Each question will be scored independently by each member of the evaluation panel from 0 to 5. Once each question is scored the appropriate weighting will be applied to each score.
63. A quality moderation meeting will be held. This will be chaired by an officer who has not independently scored the quality submissions and attended by all officers who have independently scored the quality submissions. At this meeting a consensus score will be agreed to ensure consistency in the scoring methods. The consensus scores will then be weighted as defined in the tender documents and will be added together to produce the final quality score for that tender.
64. The price score and the quality score will then be added together to produce an overall score for each tender. The tenderer providing the most economically advantageous offer evaluated across the quality and pricing to deliver the contract will be awarded the contract.

Community impact statement

65. People in all areas of the borough are affected by the quality of the parking and traffic enforcement services.
66. The award of new contracts and delivering some of the services directly will through the contract specification deliver aspects of social value and have a positive impact on local people and communities.
67. All service elements contained in the contracts have borough-wide application. The updated technical specification addresses planning and delivery of planned and responsive parking and traffic enforcement and seeks to improve quality of the service and customer satisfaction.
68. The impact of the service will affect all communities / groups, residents, businesses, visitors and those that pass through the borough and will in turn improve the quality of life to all. Direct benefits are a service which makes an important contribution to the safety and health of all. Continued emphasis on safety and health will especially benefit the most vulnerable members of the community i.e. the elderly, the disabled and young children.

Social Value considerations

69. 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 Fairer Future Procurement Strategy and below.

Economic considerations

70. Fairer future procurement strategy and the economic and social benefits to Southwark will be considered and weighted as part of the procurement process and the criteria for award in line with this policy.
71. The contractor during the duration of the contract will be expected to have a Trade Union agreement in place with a recognised organisation(s).

Social considerations

72. The new contract will deliver benefits to Southwark and particularly to the Fairer Future promises and policy commitments. These will include:
 - London Living Wage
 - Job creation and local employment
 - Signing up to the Southwark Diversity Standard
 - Apprenticeships and work placement opportunities
 - Recruitment of local people using Southwark Works
 - Vehicles to comply with the council's Safer Lorries, Safer Cycling Pledge and the Fleet Operators Scheme at the Gold Standard (where appropriate).

Environmental/Sustainability considerations

73. The new contract and service provision will adhere to industry best practice on sustainability and waste arising from parking and traffic enforcement will be recycled and re-used in the borough whenever possible.
74. The contract specifications will demand the latest Euro standard engines on new fleet in this contract, and encourage more sustainable forms of transport where this is feasible. Currently half of the enforcement vehicles are fully electric supporting the air quality strategy

Plans for the monitoring and management of the contract

75. The parking and traffic enforcement services contract will be monitored through the use of pre-determined key performance indicators managed by the parking and traffic enforcement team.
76. Monthly KPI review meetings will take place with each KPI discussed and agreement reached on whether it was achieved or not. KPIs will be marked on a red amber and green (RAG) basis, with KPIs becoming amber when there is a first failure after a number of sustained months green.
77. In addition to this a parking management board will meet quarterly initially to discuss at a higher level the progress of the contract and contractor. One of the quarterly meetings will be an annual KPI review meeting out of which the annual performance reports for the council's CCRB and six monthly for the DCRB meetings will be agreed and taken forward in compliance with the contract standing orders (CSOs).

Staffing/procurement implications

- 78. Additional resources will be required to undertake the correspondence, permit and call centre roles in house. It is anticipated that the correspondence will go to the existing parking team while permits and call centre function will go to the council's Customer Service Centre, as a permit team already exists there for estate permit processing. In addition there will also be additional staff for HR, payroll and recruitment.
- 79. The School crossing patrols will become part of the existing road safety team and parking services will continue to fund them. The existing school crossing supervisor will probably be subject to TUPE.

Financial implications

- 80. The estimated net increase in internal costs arising from insourcing of all of the permit administration, correspondence duties and early appeals decision making and the school crossing patrol services is £250,000. However, the costs will be largely offset by a reduction in current contract costs as a result of the services brought back in-house.
- 81. Any additional costs will be contained within existing parking service revenue budgets and there is sufficient departmental budget to fund.
- 82. The proposed insourcing is designed to provide a robust service delivery option that builds flexibility and empowers the business unit to meet the current and anticipated future demands on the service as well as provide more accountable local services.
- 83. Bringing the service in-house will benefit our residents, there will be a more consistent response to early challenges, this will highlight on-street assets that may require replacement or repair earlier. This may lead to reduction in the number of PCNs which are cancelled as a result of challenges being made and improvements to overall quality.

Legal implications

- 84. Please see concurrent from the director of law and democracy.

Consultation

- 85. Formal consultation with the incumbent supplier and potential tenderers will be undertaken in accordance with the current contract and procurement regulations and guidance.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Finance and Governance (FC18/040)

- 86. This report is requesting cabinet to approve the procurement strategy for the parking and traffic enforcement services contract and also bring in-house, the services detailed in paragraph 4. The total contract value is estimated at £4.2m per year and totalling £16.8m for the initial four years. The report also indicates that the estimated contract value will total £42m if all the extensions are used, as

detailed in the report. Full details and background are provided within the main body of the report.

87. The strategic director of finance and governance notes that the additional cost of bringing some of the services in-house is expected to be funded by the reduction in the current contract costs.
88. It is also noted that staffing and any additional costs connected with this proposal will be contained within existing parking service revenue budgets.

Head of Procurement

89. This report seeks that approval of cabinet for the procurement strategy in relation to the provision of parking and traffic enforcement and associated services to procure a new contract that commences on the 1 April 2020. This will be for a period of four years with two possible three year extensions. The estimated annual value of £4.2m, which equates to an estimated £16.8m in the initial contract term, and extension period that are each worth approximately £12.6m, making £42m if both contract extensions are used.
90. The tender will be compliant with than open tender within the Public Contract Regulations (2015) and will be evaluated as set out in paragraphs 40-46.
91. The report asks cabinet to note that some services outlined in the report will be brought back in-house as had been detailed in the gateway 0 report.
92. The plans to monitor and manage the contract are set out in paragraphs 76-78 of the report. Paragraph 73 confirms that London Living Wage will be paid under this contract.

Director of Law and Democracy

93. This report seeks approval of the procurement strategy relating to a proposed new contract for the provision of parking and traffic enforcement and associated services, from 1 April 2020.
94. The procurement of these services is subject to the full application of the (EU) Public Contracts Regulations 2015 ("PCR"). The report sets out the various procurement options available to the council and confirms that, whilst a number of functions are to be performed in-house, it is intended to undertake a single stage process using the Open Procedure prescribed by the PCR for the purpose of procuring the parking and traffic enforcement services.
95. The procurement strategy is consistent with the council's statutory duties and powers and also with the requirements of the council's Contract Standing Orders. The decision to approve the report recommendations is one which is expressly reserved to the cabinet, after consideration of the report by the corporate contract review board.
96. In making procurement decisions cabinet should be mindful of the Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010, and to have regard to the need to (a) eliminate discrimination, harassment, victimisation or other prohibited conduct, (b) 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). Cabinet is specifically referred to the community impact statement at paragraphs 66 to 69, setting out the consideration that has been given to equalities issues, and it is recommended that an equality analysis should be undertaken periodically in order to demonstrate compliance with the PSED and to measure the likely and actual effect and impact of the services on individuals and groups within the community, in particular those having a protected characteristic under the Act.

97. Cabinet is also referred to paragraph 85 which acknowledges that appropriate consultation with the existing service provider and interested firms and companies concerning the proposed procurement will be required.

BACKGROUND DOCUMENTS

Background Documents	Held At	Contact
Gateway 0 – Parking and traffic enforcement and associated services	Regulatory Services / Road Network 160 Tooley Street, London SE1 2QH	David Sole 020 7525 2037
Link: http://moderngov.southwark.gov.uk/ieDecisionDetails.aspx?ID=6717		

APPENDICES

No	Title
None	

AUDIT TRAIL

Cabinet Member	Councillor Richard Livingstone, Environment, Transport Management and Air Quality		
Lead Officer	Mick Lucas, Director of Environment (Acting)		
Report Author	David Sole, Parking Services and Development Manager		
Version	Final		
Dated	12 April 2019		
Key Decision?	Yes		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments Sought	Comments included	
Strategic Director of Finance and Governance	Yes	Yes	
Head of Procurement	Yes	Yes	
Director of Law and Democracy	Yes	Yes	
Contract Review Boards			
Departmental Contract Review Board	Yes	Yes	
Corporate Contract Review Board	Yes	Yes	
Cabinet Member	Yes	Yes	
Date final report sent to Constitutional Team		12 April 2019	

Item No. 13.	Classification: Open	Date: 30 April 2019	Meeting Name: Cabinet
Report title:		Review of the Council's Approach to Community Engagement	
Ward(s) or groups affected:		All Wards	
Cabinet Member:		Councillor Rebecca Lury, Deputy Leader and Cabinet Member for Culture, Leisure, Equalities and Communities	

FORWORD – COUNCILLOR REBECCA LURY, DEPUTY LEADER AND CABINET MEMBER FOR CULTURE, LEISURE, EQUALITIES AND COMMUNITIES

Consultation and engagement are the foundations on which good relationships are built. As a council we undertake a huge amount of consultation and engagement on issues from parking, to parks and leisure centres, through to building new council homes. The scale of each of these interactions is not the same, but that does not mean that there shouldn't be some consistency in the way that we approach engagement with our residents.

The way in which the council currently undertakes conversations with our residents is one of the most frequently raised issues - with residents highlighting that the council does not do as well at consultation and engagement as it should do. Often we do not communicate as much and as clearly as we should, and residents do not feel like they receive adequate feedback to understand how their comments have influenced a decision and any modifications to the approach that have been taken.

In setting out an approach to consultation and engagement, the council is making a clear statement about the important role that we believe our residents have in the decision making process.

We should be holding ourselves to the highest standards to ensure that we are delivering the best outcomes for our residents and the best way in which we can do this is through ensuring that we are listening to them in the first place.

Working alongside the community, we have developed the Vision and Principles set out within this cabinet report. On their own, they cannot change the way in which we build relationships with our residents, but this is the beginning of a process of embedding within the council a set of principles that can shape every external interaction that we have. In doing so, we can improve our relationships with residents, and build a better Borough for all.

RECOMMENDATIONS

That cabinet:

1. Approves the vision and principles for consultation and engagement set out in paragraphs 10 and 11.
2. Agrees 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. Notes that this is the first stage in our work to develop our approach to community engagement. Following adoption of a vision and principles for community engagement, we will continue to work collaboratively with the community to develop a thorough plan for how the council will look to uphold the vision and principles throughout every department and in all dealings with residents
4. Agrees that we will return to cabinet in September 2019 to present a detailed report on our approaches. This report will outline how we 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.

BACKGROUND INFORMATION

5. In September 2018 cabinet agreed that we should carry out a review of our engagement approach, which had been adopted in December 2012. This set out the milestones for engagement for this review; however the community and voluntary sector requested that we amended our methodology to allow for them to have a larger participatory role in the development of the principles. We agreed that we would work first on the vision and principles, presenting these to cabinet and return to work with community on how we would implement these.
6. The cabinet report set out that any changes to the existing ways of working should be based on being open, honest and transparent and involves working closely with our colleagues within the council, residents, locally based organisations and partners and our commitment to proactively disseminate and intermittently review, assess and evaluate our engagement efforts in the spirit of continuous improvement. Some of the goals of the new approach should be to look at how we can:
 - Build our principles, approach and practices in community engagement upon the emerging evidence and best and promising practices
 - Embed collaborative working with key engagement partners such as the CCG, Healthwatch and Community Southwark.
 - Ensure that a broad range of voices are heard; that these reflect the diversity, and inclusiveness of the borough; and we that reach all parts of our community not just those that speak the loudest.
 - Ensure that our engagement contributes to building strong and trusting relationships with our communities and develops continuing relationships with our communities building on the principles of asset based community development.
7. Cabinet also asked that the review gave consideration to a number of cross cutting themes including how we build these into the new approach:
 - **Digital approaches:** How we can broaden the range of digital mechanisms on offer for engagement?
 - **Efficiency and effectiveness:** How we can meet our objectives within the resource constraints and how those organisations responsible for engagement in Southwark can work more collaboratively, on engagement with the community.

- **Quality of our engagement:** How the way in which we deliver engagement improves the quality of our decision making, the quality of our proposals and builds the capacity of the participants.
 - **Equalities:** This provides an opportunity to consider how we use engagement to integrate and better deliver our obligations under the Public Sector Equality Duty (PSED) and ensure that when we consult with the public that participants reflect the diversity of the people who live and work in the borough.
8. In addition, this is an opportunity to take steps to include and actively encourage those groups who are harder to hear and under represented and also to ensure that consultation includes those groups directly impacted by proposals, reviews and developments.
 9. The points made above will continue to inform the work we do to develop the approaches in the next phase of our collaborative work with communities.
 10. **The Vision**

Working with the community, we are recommending the following is the overarching vision for consultation and engagement.

“Southwark values the opinion of all those that live, work, worship, study and volunteer in our Borough. We know that our people are our greatest assets and we place consultation and engagement with our whole borough at the centre of everything that we do.

We believe that everyone has an equal and valuable voice, and we work with our communities to ensure that everyone is well-informed about decision making, can have their say and are listened to.

Our approach to consultation and engagement ensures that we build and support the growth of our Borough working hand-in-hand with everyone in our borough.”

11. Principles for consultation and engagement

Working with the community we are recommending the following principles to underpin this vision.

“We will ensure that our engagement reflects the diversity of people who live and work in the borough as this is critical to understanding the needs and aspirations of everyone, deliver better services and places and will be one of the ways we are able to deliver a number of key council commitments such as regeneration for all, and placing people at the heart of our decision making.

Relationship building lies at the core of delivering the above and the Council will work closely with community organisations to create and nurture these relationships. Asset based community development approaches will be the foundation of our work with communities.

Our engagement and consultation will be underpinned by putting people at the heart of our engagement, effective planning and through meaningful engagement:

We will put people at the heart of engagement through engagement that is:

- **Built on trust:** We will be transparent, open and honest making clear the purpose of the engagement and any limitations
- **Inclusive:** We will work with businesses, and those that work, live, worship, study and volunteer in Southwark. We will make a particular effort to connect with seldom heard communities and those likely to be most affected by any potential change
- **Collaborative:** We will bring together groups across our communities and work with partners as appropriate.

We will plan our end to end engagement effectively through practice that is:

- **Reflective:** We will both reflect internally on what can be improved on an ongoing basis in our approach to consultation and engagement and seek external evaluation of our activity
- **Timely:** We will allow sufficient time and provide sufficient information and background to permit informed decisions and response. Engagement will take place from the earliest possible stages in the process of developing policy, reviewing a service or making plans for our places
- **Proportionate:** Our strategy for consultation and engagement will be proportionate for the nature of the programme, project, policy or activity that is proposed, providing appropriate resources and planning to ensure our engagement is effective
- **Evidence based:** When we engage or consult any proposals will be founded on evidence based approaches.

We will deliver meaningful engagement through being:

- **Simple & Accessible:** We recognise that everyone's needs are not the same. We will provide engagement and consultation in plain English and provide materials in a variety of formats to support our varied communities get involved
- **Clear and informative:** We will provide enough information well explained, to ensure full and meaningful participation
- **Responsive:** We will ensure that there is timely feedback about the outcome of any engagement, evidencing the engagement and how it has been taken into account."

Method and results

12. We held four workshops in February, two aiming to develop a vision and two where we discussed the principles that will contribute to delivering this vision. Overall 56 attended the first two sessions and 67 the second set. The participants were a good mix of residents, community and voluntary sector organisations and council staff. The sessions were mainly facilitated by people who were not members of the consultation and involvement team to ensure that the discussions were hosted neutrally. 116 people are now on the mailing list for this work.
13. The reasons for engaging, the benefits of good engagement and the vision were reviewed and amended through the second set of workshops. Everyone who expressed an interest was sent a copy of the outcomes and notes of what was said at each of the sessions, and invited to send further commentary on the vision and principles as part of the process for developing these.

14. Overall the workshops were well received with one participant saying *'great work in bringing so much content and workshop material together.'* and one of the facilitators said *'quite blown away by the amount of genuine sharing that took place at our tables.'*
15. The key themes that emerged in the sessions were around:
 - Relationships
 - Diversity
 - Feedback
 - Earlier engagement
 - Greater input into shaping the process of engagement
 - Learning, monitoring and quality assurance.
16. In the workshops participants spoke from their own experiences of engagement in both Southwark and elsewhere, as both practitioners and participants. This has meant we already have a wealth of material to begin the next phase of the discussions on how we should engage across a range of activities. This is in addition to the material we have already collected through other engagement such as the Southwark conversation, and resident involvement work.

KEY ISSUES FOR CONSIDERATION

17. Our principles are underpinned by asset based community development approaches. ABCD has four core principles:
 - a. It focuses on community assets and strengths rather than problems and needs
 - b. It identifies and mobilises individual and community assets, skills and passions
 - c. It is community driven – 'building communities from the inside out'
 - d. It is relationship driven.

At the core of ABCD is its focus on social relationships. Formal and informal associations, networks, and extended families are treated as assets and also as the means to mobilize other assets of the community. By treating relationships as assets, ABCD is a practical application of the concept of social capital.

18. To begin the journey to reshape our engagement practice it was important to establish a common understanding of what was meant by the term community engagement and jointly map the scope of work affected by the review of community engagement.
19. During the discussions the following definition of community engagement emerged:

'Community engagement is the process of working collaboratively with and through groups of people linked by geographic proximity, a community group, a voluntary sector organisation or similar situations to address issues affecting the wellbeing of those people. Community engagement is something that happens every day, in every interaction, at every level, as we all carry out our day to day business. The process of engagement aims to create better relationships and greater trust and an equal exchange of viewpoints both peer to peer and between the council and other participants.'

The ways we engage are through research, consultation, involvement, communication, networking, listening, learning, understanding, devolved decision-making, supporting community action, building cohesion and developing long term relationships with different communities; all in ways that ensure that diverse places and people are enabled to fully take part.'

20. In Southwark community engagement covers a range of tasks including statutory consultations, engagement activities, inclusion work, work to build and strengthen communities, service review and developing and maintaining key partnerships with the community and voluntary sector.
21. The workshops identified the purpose of community engagement, which will help to inform engagement planning. They also identified what good engagement looks and feels like to the people participating and the outcomes the council and others can expect. This will support the evaluation of our engagement activity and establish ways of working and a framework for teams across the council. These are also set out in appendix 1.
22. The final session of the workshops explored some of the challenges to the delivery of good engagement. These will be considered in more detail in the next stage of the review, and will shape these discussions. They broadly fitted into three themes around culture, process and resources. In particular the following issues were identified:
 - Resources invested in engagement within the council
 - Resources invested in the community sector to support community capacity building and engagement
 - Consistency across the council in the quality of its engagement
 - Lack of forward planning which leads to less engagement, consultation fatigue, and sense of no influence.
 - Culture within the council.
23. In preparation for the next phase of the development of our approaches to community engagement we have begun to explore how we can make better use of digital technology to broaden our reach and improve the depth of interactions digitally, using the learning through our participation in the EU wegovnow research project, and working across the council with colleagues involved in the various strands of digital inclusion work.
24. Community Southwark have been very supportive of our work on developing our approaches providing three of the workshop facilitators, introducing the sessions and organizing our liaison with Southwark Voice. Their early thoughts are that the work on vision and principles is very much aligned with their own principles and values and as the work progresses interested in exploring in more detail how they can collaborate more closely and support the delivery of our new approach. In particular their thoughts are that they could support us in a number of ways by doing:
 - Research on our behalf
 - Research with us
 - Supporting people get involved.
25. Desk top research in November and December 2018 indicated that few local authorities in London currently have an engagement strategy that outlines the principles for the work across the whole council that have been refreshed in the last three years. While many have engagement strategies for particular areas such as

statement of community involvement or working with their tenants and leaseholders.

Policy implications

26. This work should strengthen our ability to deliver a number of policy objectives such as our work with community and voluntary sector through common purpose common cause framework, and will inform the way in which we work to deliver community engagement across the whole council and develop the architecture we put in place to work with different groups and around different issues, such as those who live in our council homes, faith groups, or on planning matters.
27. This will shape both the development and delivery of a number of key council plan objectives such as, the developers' consultation guidance, Statement of Community Involvement, review of the way we engage with residents who live in our homes, and balloting of tenants.

Community impact statement

28. The recommendations in this report are based on our close working with members of the community either through their organisations or individually, and has been supported by our key partners who deliver engagement in the borough such as Community Southwark, health watch and the CCG. Over 116 people have participated in some way with the process of developing the vision and principles.
29. The methodology used has been based around co-production of the vision and principles and developing a common understanding of what engagement means and involves.
30. The importance of ensuring that diversity of experience informs our decision making has been placed at the heart of our vision and principles, as well as making sure that those who participate reflect the diversity of those living, working, worshipping, studying and volunteering in the Borough.
31. This will be reflected not only in how we engage and consult on particular issues and in specific places to ensure that our work reflects the needs of the community affected by any decisions we make, but also the way in which we work with different communities to support our reach, and develop relationships that improves our ability to integrate a range of voices in our day to day business; voices such as the faith communities, young people, older people, LBGTQ+ community, disabled people, people from different black minority and ethnic backgrounds and men and women.
32. The vision of Southwark as a place incorporates a strong vision about working with all our community partners including faith organisations. The Public Sector Equality Duty (PSED) requires public bodies to consider the diverse needs of groups and people when carrying out their day to day work, in shaping policy, in delivering services and in relation to their own employees. It requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Due regard is about considering the different needs of protected characteristics in relation to the three parts of the duty.
33. This review of our approach to engagement and how we place residents at the heart of our decision making will bring about improvements in our processes to ensure that residents are included in the design of policy, local development and services and the

varying needs of our communities and strengthen our capacity to deliver the PSED.

34. Knowing and understanding our communities is key to effective delivery of council equality and diversity commitments and the PSED. Community engagement and consultation plays an important role in this. An effective equality analysis process starts when scoping a project and engagement plan. A key principle is that both consultation and equality analysis need to be considered at the start of any review, development or project scoping and planning process. Equality analysis informs and is built upon throughout the lifetime of a review/development/project, through to decision making stages and also implementation of decisions.
35. Our approach to engagement will remain one that seeks to widen participation while ensuring that the process is able to adapt to local needs and circumstances.

Resource implications

36. The work has no resource implications as the new approach will be absorbed into existing work plans.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Finance and Governance (FC18/042)

37. The strategic director of finance and governance notes that there no new financial implications arising from this report as all related expenditure are expected to be funded within existing budgets.
38. Staffing and any other costs connected with this report to be contained within existing departmental revenue budgets.

Director of Law and Democracy

39. There is no specific duty requiring local authorities to establish a general community engagement strategy, but local government legislation over the years has included a number of measures aimed at promoting the involvement and empowerment of communities served by councils, including the Local Government Act 1999 and the Localism Act 2011. The report identifies the benefits such a strategy bring to the council in carrying out its full range of statutory functions. In that regard section 111 of the Local Government 1972 gives a local authority powers to do "any thing ...which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions".
40. The council is frequently required by law to engage in consultation processes, eg when formulating new or revised policies. It will be important that where particular legal steps need to be followed in any such processes, they are properly considered and included and legal advice obtained at an early stage to assist. Whenever consultation is undertaken by the council, it will always be necessary to ensure that the basis of the consultation is clear, that it engages with the appropriate audience, at a sufficiently early stage in the process with sufficient time given for responses which are then taken into account in any subsequent decision.
41. Under section 149 of the Equality Act 2010, in making this decision the cabinet must comply with its public equality duty which requires it to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and any other conduct that is

prohibited by or under the 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.

42. The community impact statement set out in the report and the Equality Impact Analysis prepared identifies relevant matters to be taken into account in discharging that duty.
43. Whilst there is no duty on the council to consult residents in relation to formulating this strategy, the report demonstrates how the council has taken account of the views of relevant groups and individuals in the community.
44. The establishment of this strategy is an executive function reserved to cabinet which includes the "approval of policy and procedures governing the council's relationship with the voluntary sector".

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Future Approach to Community Engagement Cabinet paper December 2012	160 Tooley Street, London SE1 2QH	Jessica Leech 0207 525 5853
Link: http://moderngov.southwark.gov.uk/ielIssueDetails.aspx?Ild=50001026&PlanId=0&Opt=3		
Review of the Council's Approach to Community Engagement September 2018	160 Tooley Street, London SE1 2QH	Jessica Leech 0207 525 5853
Link: http://moderngov.southwark.gov.uk/mglIssueHistoryHome.aspx?Ild=50017721		

APPENDICES

No.	Title
Appendix 1	Vision and Principles
Appendix 2	Equalities Analysis

AUDIT TRAIL

Cabinet Member	Councillor Rebecca Lury, Deputy Leader and Cabinet Member for Culture, Leisure, Equalities and Communities		
Lead Officer	Kevin Fenton, Strategic Director of Place and Wellbeing		
Report Author	Jessica Leech, Community Engagement Manager		
Version	Final		
Dated	11 April 2019		
Key Decision?	Yes		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments Sought	Comments included	
Director of Law and Democracy	Yes	Yes	
Strategic Director of Finance and Governance	Yes	Yes	
Equalities Officer	Yes	Yes	
Cabinet Member	Yes	Yes	
Date final report sent to Constitutional Team		11 April 2019	

Why do we engage?

The purpose of engagement is to develop relationships with, residents and businesses, community and faith groups, voluntary sector organisations and those that work, study and volunteer in the borough so the council can:

- Create and nurture relationships with people and community organisations
- Understand people's experiences of services they use and the neighbourhoods they live in, visit and move through and better use this local intelligence and local expertise to improve people's wellbeing
- Ask people what they think
- Ensure that all those that are affected by something we are doing or failing to do, have a chance to say how this will affect them and what matters
- Enable two way and multi way dialogues about change in an area and about the services people receive
- Let people know about and explain what is happening in Southwark and how to get involved
- To provide fair and informed decision making
- Build confident, skilled, active and influential communities
- Bring people together where there are shared interests
- Build better connectivity between the council, community organisations and residents.

What are the benefits?

The outcomes of good engagement are:

- Building trustful and meaningful relationships, which create opportunities to do other things together
- Better services and better neighbourhoods
- Brings communities, community organisations, the voluntary sector, frontline staff and commissioners together
- More civic engagement across a range of activities from voting to running a local project, to good neighbourliness
- Better understanding of community need and impact of changes to services and places leading to improved decision making
- Communities and their organisations able to feed in and contribute to policy making
- Communities and their organisations able to contribute to decisions about what matters
- Participants feel valued, respected, listened to and empowered and they are more likely to own the outcomes
- Improved wellbeing and a better sense of belonging
- Builds connections across Southwark's diverse communities
- Generate innovative ideas and solutions
- Confident, skilled, active and influential communities
- Effective and inclusive community organisations.
- Effective relationships between community organisations and other organisations and services
- Reduces tension and conflict
- Saves time and money
- Facilitates learning from one another and upskilling of all those involved

What is community engagement?

Community engagement is the process of working collaboratively with and through groups of people linked by geographic proximity, a community group, a voluntary sector organisation or similar situations to address issues affecting the wellbeing of those people. Community engagement is something that happens every day, in every interaction, at every level, as we all carry out our day to day business. The process of engagement aims to create better relationships and greater trust and an equal exchange of viewpoints both peer to peer and between the council and other participants.

The ways we engage are through research, consultation, involvement, communication, networking, listening, learning, understanding, devolved decision-making, supporting community action, building cohesion and developing long term relationships with different communities; all in ways that ensure that diverse places and people are enabled to fully take part.

Vision

Southwark values the opinion of all those that live, work, worship, study and volunteer in our Borough. We know that our people are our greatest assets and we place consultation and engagement with our whole borough at the centre of

everything that we do.

We believe that everyone has an equal and valuable voice, and we work with our communities to ensure that everyone is well-informed about decision making, can have their say and are listened to.

Our approach to consultation and engagement ensures that we build and support the growth of our Borough working hand-in-hand with everyone in our borough.

Principles that underpin our vision

We will ensure that our engagement reflects the diversity of people who live and work in the borough as this is critical to understanding the needs and aspirations of everyone, deliver better services and places and will be one of the ways we are able to deliver a number of key council commitments such as regeneration for all, and placing people at the heart of our decision making.

Relationship building lies at the core of delivering the above and the Council will work closely with community organisations to create and nurture these relationships. Asset based community development approaches will be the foundation of our work with communities.

Our engagement and consultation will be underpinned by putting people at the heart of our engagement, effective planning and through meaningful engagement:

We will put people at the heart of engagement through engagement that is:

- **Built on trust:** We will be transparent, open and honest making clear the purpose of the engagement and any limitations
- **Inclusive:** We will work with businesses, and those that work, live, worship, study and volunteer in Southwark. We will make a particular effort to connect with seldom heard communities and those likely to be most affected by any potential change
- **Collaborative:** We will bring together groups across our communities and work with partners as appropriate

We will plan our end to end engagement effectively through practice that is:

- **Reflective:** We will both reflect internally on what can be improved on an ongoing basis in our approach to consultation and engagement and seek external evaluation of our activity
- **Timely:** We will allow sufficient time and provide sufficient information and background to permit informed decisions and response. Engagement will take place from the earliest possible stages in the process of developing policy, reviewing a service or making plans for our places
- **Proportionate:** Our strategy for consultation and engagement will be proportionate for the nature of the programme, project, policy or activity that is proposed, providing appropriate resources and planning to ensure our engagement is effective
- **Evidence based:** When we engage or consult any proposals will be founded on evidence based approaches.

We will deliver meaningful engagement through being:

- **Simple & Accessible:** We recognise that everyone's needs are not the same. We will provide engagement and consultation in plain English and provide materials in a variety of formats to support our varied communities get involved
- **Clear and informative:** We will provide enough information well explained, to ensure full and meaningful participation
- **Responsive:** We will ensure that there is timely feedback about the outcome of any engagement, evidencing the engagement and how it has been taken into account.



APPENDIX 2

Equality and health analysis guidance and template

Guidance notes

Things to remember:

Under the Public Sector Equality Duty (PSED) public authorities are required to have due regard to the aims of the general equality duty when making decisions and when setting policies. Understanding the affect of the council's policies and practices on people with different protected characteristics is an important part of complying with the general equality duty. Under the PSED the council must ensure that:

- Decision-makers are aware of the general equality duty's requirements.
- The general equality duty is complied with before and at the time a particular policy is under consideration and when a decision is taken.
- They consciously consider the need to do the things set out in the aims of the general equality duty as an integral part of the decision-making process.
- They have sufficient information to understand the effects of the policy, or the way a function is carried out, on the aims set out in the general equality duty.
- They review policies or decisions, for example, if the make-up of service users changes, as the general equality duty is a continuing duty.
- They take responsibility for complying with the general equality duty in relation to all their relevant functions. Responsibility cannot be delegated to external organisations that are carrying out public functions on their behalf.
- They consciously consider the need to do the things set out in the aims of the general equality duty not only when a policy is developed and decided upon, but when it is being implemented.

Best practice guidance from the Equality and Human Rights Commission recommends that public bodies:

- Consider all the [protected characteristics](#) and all aims of the general equality duty (apart from in relation to marriage and civil partnership, where only the discrimination aim applies).
- Use equality analysis to inform policy as it develops to avoid unnecessary additional activity.
- Focus on the understanding the effects of a policy on equality and any actions needed as a result, not the production of a document.
- Consider how the time and effort involved should relate to the importance of the policy to equality.
- Think about steps to advance equality and good relations as well as eliminate discrimination.
- Use good evidence. Where it isn't available, take steps to gather it (where practical and proportionate).
- Use insights from engagement with employees, service users and others can help provide evidence for equality analysis.

Equality analysis should be referenced in community impact statements in Council reports.

Community impact statements are a corporate requirement in all reports to the following meetings: the cabinet, individual decision makers, scrutiny, regulatory committees and community councils. Community impact statements enable decision makers to identify more easily how a decision might affect different communities in Southwark and to consider any implications for equality and diversity.

The public will be able to view and scrutinise any equality analysis undertaken. Equality analysis should therefore be written in a clear and transparent way using plain English. Equality analysis may be published under the council's publishing of equality information, or be present with divisional/departmental/service business plans. These will be placed on the website for public view under the council's Publications Scheme.

Equality analysis should be reviewed after a sensible period of time to see if business needs have changed and/or if the effects that were expected have occurred. If not then you will need to consider amending your policy accordingly. This does not mean repeating the equality analysis, but using the experience gained through implementation to check the findings and to make any necessary adjustments.

Engagement with the community is recommended as part of the development of equality analysis. The council's Community Engagement Division and critical friend, the Forum for Equality and Human Rights in Southwark can assist with this (see section below on community engagement and www.southwarkadvice.org.uk).

Whilst the equality analysis is being considered, Southwark Council recommends considering health and wellbeing implications, as health and health inequalities are strongly influenced by the environment we live and work in. As a major provider of services to Southwark residents, the council has a legal duty to reduce health inequalities and this is reflected in its values and aims. For this reason, the council recommends considering health & wellbeing impacts in all equality analyses, not forgetting to include identified potential mitigating actions.

Section 1: Equality analysis details

Proposed policy/decision/business plan to which this equality analysis relates	- Approach to Community Engagement
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Equality analysis author		Jessica Leech			
Strategic Director:		Kevin Fenton			
Department		Place and Well Being	Division	Community and Voluntary Sector Engagement	
Period analysis undertaken		February 2019 to March			
Date of review (if applicable)		September 2019			
Sign-off		Position		Date	

Section 2: Brief description of policy/decision/business plan

1.1 Brief description of policy/decision/business plan

Cabinet in September 2018 requested a review of our Approach to Community Engagement. At the first stage of this process we have developed, in partnership with residents, community groups and voluntary sector through a series of workshops, a vision and set of principles for our approach to community engagement.

We will report back to Cabinet in September 2019 on the approaches we will use to deliver this vision and the principles.

Both our vision and the principles identify diversity as a key part of our proposals.

Our vision

Includes the following statement:

We believe that everyone has an equal and valuable voice, and we work with our communities to ensure that everyone is well-informed about decision making, can have their say and are listened to.

In particular the principles set out:

We will ensure that our engagement reflects the diversity of people who live and work in the borough as this is critical to understanding the needs and aspirations of everyone, deliver better services and places and will be one of the ways we are able to deliver a number of key council commitments such as regeneration for all, and placing people at the heart of our decision making.

In addition of the 10 principles one is about being *inclusive* and another being *simple and accessible*.

Section 3: Overview of service users and key stakeholders consulted

2. Service users and stakeholders	
Key users of the department or service	All council departments, residents and businesses in Southwark and those that work, study and volunteer in the borough
Key stakeholders were/are involved in this policy/decision/business plan	Council officers across departments, voluntary sector organisations, community groups and residents

Section 4: Pre-implementation equality analysis

This section considers the potential impacts (positive and negative) on groups with 'protected characteristics', the equality information on which this analysis is based and any mitigating actions to be taken.

The first column on the left is for societal and economic issues (discrimination, higher poverty levels) and the second column on the right for health issues, physical and mental. As the two aspects are heavily interrelated it may not be practical to fill out both columns on all protected characteristics. The aim is, however, to ensure that health is given special consideration, as it is the council's declared intention to reduce health inequalities in the borough. The Public Health Team can assist with research and data.

Age - Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).

Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
<p>Positive impact</p> <p>Our engagement faces a number of challenges across different age ranges. In particular there is poor participation from young people (under 24), but also people under 45. These groups form a significant part of the population in the borough.</p> <p>The ambition of this policy is to bring to the fore that it is not just numbers of people engaging that matters but we must ensure that a range of voices and perspectives are listened to when shaping policy and services.</p> <p>Two relevant principles are:</p> <p>Simple & Accessible: We recognise that everyone's needs are not the same. We will provide engagement and consultation in plain English and provide materials in a variety of formats to support our varied communities get involved.</p> <p>And</p> <p>Inclusive: We will work with businesses, and those that work, live, worship, study and volunteer in Southwark. We will make a particular effort to connect with seldom heard communities and those likely to be most affected by any potential change</p> <p>Using asset based community development approaches and collaborative working should support the fostering of good relations between persons who share a relevant protected characteristic and persons who do not share it.</p>	
Equality information on which above analysis is based	Health data on which above analysis is based

<p>Experience via use of the consultation hub and Southwark Conversation and local population data. Feedback from the workshops.</p> <p>Over 40% of the Southwark population consists of those aged 20 to 39, compared to 34% in the rest of London and only 8% of the population of Southwark is aged over 65.</p> <p>Both the Southwark Conversation and the Kaizen report identified digital engagement as a means to improve participation. In planning the move to digital has increase the pool of participants from 2000 to 7000 in a relatively short period of time.</p>	
Mitigating actions to be taken	
<p>Through the next phase of our engagement we need to look at the tools we use in our approaches in particular developing digital means (attractive to younger people), how our materials and outreach are targeted to reach these different audiences.</p> <p>In particular the needs of older people will also need to be considered as more traditional mechanisms for engagement may be more likely to result in participation from this group, and we must ensure that through addressing the needs of younger people we do not leave others behind. This will be achieved through using a range of means to connect with our different communities.</p> <p>We will be working through the ageing well work 2019-2020 with older people as well as developing mechanisms for older people's insight through a new grant to an older people's reference group. Both should strengthen our engagement with older people.</p> <p>We will continue the work in the department of developing the youth voice for Southwark young people through the youth council.</p>	

Disability - A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
<p>Positive impact</p> <p>Again there is a challenge for engagement with people who are disabled even when targeting people directly as service users.</p> <p>The new approach places the onus on the council to</p>	

<p>find the means to reach and include this group of residents that form a significant minority in the borough.</p> <p>Two relevant principles are:</p> <p>Simple & Accessible: We recognise that everyone's needs are not the same. We will provide engagement and consultation in plain English and provide materials in a variety of formats to support our varied communities get involved.</p> <p>And</p> <p>Inclusive: We will work with businesses, and those that work, live, worship, study and volunteer in Southwark. We will make a particular effort to connect with seldom heard communities and those likely to be most affected by any potential change.</p> <p>Using asset based community development approaches and collaborative working should support the fostering of good relations between persons who share a relevant protected characteristic and persons who do not share it.</p>	
Equality information on which above analysis is based	Health data on which above analysis is based
<p>It is estimated that almost 47,600 adults in Southwark experience a common mental disorder (CMD), which comprises different types of depression and anxiety, and this is expected to rise to approximately 52,000 individuals over the next decade as our population grows.</p> <p>Severe mental illness refers to psychotic conditions such as schizophrenia and bipolar affective disorder, which affects 1.2% of Southwark residents (4,000 people), compared to 1.1% in London. The prevalence of SMI increases with age among both men and women, peaking among those in their fifties. In contrast to the estimated prevalence of common mental disorders, the number of men diagnosed with SMI in Southwark is greater than women across each age group up to 70.</p> <p>In Southwark, approximately 1% of the GP registered population have three or more chronic conditions, equivalent to over 3,500 patients. The large majority of people with multiple long term conditions in Southwark are aged over 50 and more than half of people with multiple LTCs are aged 70 and over.</p> <p>In the 2011 census about 13.5% of residents reported a long term condition that limited them this includes those with physical and mental disability as well as illness..</p>	
Mitigating actions to be taken	

<p>Through the next phase of our engagement we need to look at the tools we use in our approaches, in particular working through our community and voluntary and statutory partners may work well. Accessibility is also a key especially thinking about venues, and materials and type of engagement activity.</p> <p>As part of our work on Tideways we are action testing asset based community development approaches; one of the areas of focus will be resident well being and improving mental health. Lessons learnt from this approach will be mainstreamed across all the work we do.</p> <p>There is a need to strengthen our links to organisations locally that offer support to and campaign on behalf of people with a range of disabilities and working with Community Southwark and CCG should also help achieve this.</p>	
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Gender reassignment - The process of transitioning from one gender to another.	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
<p>No positive or negative impacts.</p> <p>Any consultation process that is particularly relevant to this protected characteristic, the principle of being inclusive will mean that the council will seek to engage with those likely to be most affected by any potential change.</p>	
Equality information on which above analysis is based.	Health data on which above analysis is based
Mitigating actions to be taken	
<p>We will need to work with the LBGTQ+ community to improve our understanding and reach of this community.</p>	

Marriage and civil partnership – In England and Wales marriage is no longer restricted to a union between a man and a woman but now includes a marriage between a same-sex couple. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples and must be treated the same as married couples on a wide range of legal matters. **(Only to be considered in respect to the need to eliminate discrimination.)**

Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
<p>No negative or positive impacts</p> <p>Any consultation process that is particularly relevant to this protected characteristic, the principle of being inclusive will mean that the council will seek to engage with those likely to be most affected by any potential change.</p>	
Equality information on which above analysis is based	Health data on which above analysis is based
Mitigating actions to be taken	

Pregnancy and maternity - Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
<p>No positive or negative impacts.</p> <p>Any consultation process that is particularly relevant to this protected characteristic, the principle of being inclusive will mean that the council will seek to engage with those likely to be most affected by any potential change.</p>	

Equality information on which above analysis is based	Health data on which above analysis is based
Mitigating actions to be taken	
We will need to work with the LBGTQ+ community to improve our understanding and reach of this community.	

Race - Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins. N.B. Gypsy, Roma and Traveller are recognised racial groups and their needs should be considered alongside all others

Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
<p>Positive impact By creating vision and set of principles that places diversity at the centre of what we do this should improve our reach to a range of BAME communities. Working closely with organisations such as community southwark embedded in our approach should also improve our reach to BAME communities.</p> <p>Two relevant principles are: Simple & Accessible: We recognise that everyone's needs are not the same. We will provide engagement and consultation in plain English and provide materials in a variety of formats to support our varied communities get involved.</p> <p>And</p> <p>Inclusive: We will work with businesses, and those that work, live, worship, study and volunteer in Southwark. We will make a particular effort to connect with seldom heard communities and those likely to be most affected by any potential change.</p> <p>How we deliver our principles which will be developed in the next phase of our work to build our approaches, will continue to focus on how we are inclusive and accessible, and place diversity at the heart of what we do..</p>	
Equality information on which above analysis is based	Health data on which above analysis is based

Mitigating actions to be taken	
<p>Currently we are working to develop the capacity of the Latin American community and supporting their better integration with the work of the council. Our work with faith organisations should also support our reach with BAME communities. For some people from Black, Asian and Minority Ethnic backgrounds, religion is integral to their ethnicity and not separate from it.</p> <p>This has important implications for services developed and provided. This also has important implications for promoting good relations.</p> <p>Further work on inclusivity principle and equalities as part of the next phase of engagement.</p>	

Religion and belief - Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
<p>Positive impact.</p> <p>Southwark is home to over 400¹ faith organisations and many of these groups play an active role in their communities, and in particular refugee and new migrant communities are supported through their places of worship. Faith groups have a key role to play in reaching some of our harder to reach communities.</p> <p>We have recently developed a faith strategy which supports the delivery of our vision and principles.</p> <p>In particular the following principle is relevant to this protected group:</p> <p>Inclusive: We will work with businesses, and those that work, live, worship, study and volunteer in Southwark. We will make a particular effort to connect with seldom heard communities and those likely to be most affected</p>	

¹ The number of faith organisations in the Borough can only be speculative as there is no licensing of faith groups, and smaller and newer congregations do not always have permanent or obvious premises and may be visible only to their own followers and networks.

<p>by any potential change.</p> <p>Working with faith organisations in the ways outlined in the faith strategy will greatly improve the connectivity of people of faith in shaping the services provided by the council.</p> <p>Working more closely with faith organisations will improve the variety of mechanisms of delivery improving take up and support for people of faith who live in the borough.</p> <p>Bringing faith organisations together to discuss areas of common concern and encouraging collaborative working with the wider community and voluntary sector and other faith organisations will strengthen social integration and community resilience.</p> <p>.</p>	
<p>Equality information on which above analysis is based</p>	<p>Health data on which above analysis is based</p>
<p>Census data 2011 This identified the following belief make up of the borough: 52.54% Christian; 1.35% Buddhist; 1.27% Hindu; 0.35% Jewish; 8.52% Muslim; 0.23% Sikh; 0.47% other religion; 26.74% no religion; 8.54% did not say.</p>	
<p>Mitigating actions to be taken</p>	

<p>Sex - A man or a woman.</p>	
<p>Potential impacts (positive and negative) of proposed policy/decision/business plan</p>	<p>Potential health impacts (positive and negative)</p>
<p>In most consultations women are more likely to respond than men although most achieve reasonable parity.</p> <p>Involvement of men on some issues can be challenging.</p> <p>Two relevant principles are: Simple & Accessible: We recognise that everyone's needs are not the same. We will provide engagement and consultation in plain English and provide materials</p>	

<p>in a variety of formats to support our varied communities get involved.</p> <p>And</p> <p>Inclusive: We will work with businesses, and those that work, live, worship, study and volunteer in Southwark. We will make a particular effort to connect with seldom heard communities and those likely to be most affected by any potential change.</p>	
Equality information on which above analysis is based	Health data on which above analysis is based
Experience of running consultations.	
Mitigating actions to be taken	
<p>Although on some issues men can be hard to reach the next phase of the work on our approaches should identify how we can reach some of the harder to reach men. Many of our voluntary sector organisations already deliver services in imaginative settings and we should explore how we can make best use of these activities to reach out.</p> <p>Our sessions on faith have also demonstrated that many of our faith leaders are men and working with faith organisations also provides a useful pathway to reach this group.</p>	

Sexual orientation - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
<p>Positive impact.</p> <p>Southwark has a large LGBTQ+ community, and their voice and perspective is important when shaping our policies and developing strategies for the borough.</p> <p>In particular the following principle is relevant:</p> <p>Inclusive: We will work with businesses, and those that work, live, worship, study and volunteer in Southwark. We will make a particular effort to connect with seldom heard communities and those likely to be most affected</p>	

<p>by any potential change.</p> <p>One of the strands for consideration as we develop the approaches in the next phase will be how to ensure that we use engagement to integrate and better deliver our obligations under the Public Sector Equality Duty (PSED) and ensure that when we consult with the public that participants reflect the diversity of the people who live and work in the borough.</p>	
<p>Equality information on which above analysis is based</p>	<p>Health data on which above analysis is based</p>
<p>Mitigating actions to be taken</p> <p>One of our strands of work in the division is working with the LGBTQ+ network facilitated by Community Southwark. This work should ensure that there is better engagement of this community in shaping decisions about the future of southwark and their needs and aspirations are met. Previous work has already highlighted concerns about housing and care for older LGBTQ+ residents and the closure of LGBTQ+ safe venues. Public health is also working this year to improve the take up of sexual health services among the BAME LGBTQ+ community. This supports the delivery of our new vision and principles.</p> <p>Further work on inclusivity principle and equalities as part of the next phase of engagement.</p>	
<p>Socio-economic disadvantage – although the Equality Act 2010 does not include socio-economic status as one of the protected characteristics, Southwark Council recognises that this continues to be a major cause of inequality in the borough.</p> <p>Socio economic status is the measure of an area's, an individual's or family's economic and social position in relation to others, based on income, education, health, living conditions and occupation.</p>	
<p>Potential impacts (positive and negative) of proposed policy/decision/business plan</p>	<p>Potential health impacts (positive and negative)</p>
<p>Positive impact</p> <p>Based on the feedback from those that attended the workshops and discussions at the Forum for Equalities Human Rights and Southwark Voice. It is clear that some of the most vulnerable in our communities feel that they have no voice and decisions are made that impact them without being able to influence those decisions.</p> <p>The development of this vision and the principles seeks to address these concerns. In particular an asset based approach to engagement should strengthen the participation and involvement of people at socio-economic disadvantage as should a stronger connectivity with community and voluntary sector organisations close to residents.</p>	

Equality information on which above analysis is based	Health data on which above analysis is based
Mitigating actions to be taken	
When developing the approaches we will need to ensure that consideration is given to how we engage with and involve socio economically disadvantaged residents.	

Human Rights

There are 16 rights in the Human Rights Act. Each one is called an Article. They are all taken from the European Convention on Human Rights. The Articles are The right to life, Freedom from torture, inhuman and degrading treatment, Freedom from forced labour, Right to Liberty, Fair trial, Retrospective penalties, Privacy, Freedom of conscience, Freedom of expression, Freedom of assembly, Marriage and family, Freedom from discrimination and the First Protocol

Potential impacts (positive and negative) of proposed policy/decision/business plan

Neither positive nor negative impact.

Information on which above analysis is based

Mitigating actions to be taken

Based on the initial analysis above, please detail the key mitigating actions or the areas identified as requiring more detailed analysis.

5. Equality objectives (for business plans)

Based on the initial analysis above, please detail any equality objectives that you will set for your division/department/service. Under the objective and measure column please state whether this objective is an existing objective or a suggested addition to the Council Plan.

[illegible]

5. Health objectives (for business plans)

Based on the initial analysis above, please detail any health objectives that you will set for your division/department/service. Under the objective and measure column please state whether this objective is an existing objective or a suggested addition to the Council Plan.

[illegible]

Item No. 14.	Classification: Open	Date: 30 April 2019	Meeting Name: Cabinet
Report title:		Removal of Single Use Plastic from Operational Estate	
Ward(s) or groups affected:		All	
Cabinet Member:		Councilor Stephanie Cryan, Housing Management and Modernisation	

FOREWORD – COUNCILOR STEPHANIE CRYAN, HOUSING MANAGEMENT AND MODERNISATION

In 2018 the television programme Blue Planet 2 brought to the public's attention the scale of environmental damage caused by the use of single use plastics. Southwark's council assembly recently declared a climate emergency and as part of our aim to be a greener borough we are committed to the removal of single use plastic in all of our council buildings. As a council we have a responsibility to limit our environmental impact so that current and future generations can live in a cleaner, greener and safer borough. We have already taken steps to minimize and reduce the use of single use plastics and this report sets out the framework and timescales for us to be a "plastic free" council.

RECOMMENDATIONS

1. That the draft single use plastic strategy for the council's operational estate as set out in Appendix 1 is agreed.
2. That the responsibility for implementation of the action plan set out in Appendix 2 is delegated to the strategic director of housing and modernisation.

BACKGROUND INFORMATION

3. Southwark Council is committed to the removal of single use plastic (SuP) across its operational estate, and is also working to identify and limit its use of all single use items such as paper, packaging, cleaning materials that may have an environmental impact so that future generations can live in a cleaner, greener Southwark. Where possible council staff will be encouraged to reduce, reuse and recycle items as a priority rather than dispose. This paper supports the council's commitment to end the use of single use plastic by 2021.
4. The council has already taken steps to reduce the use of SuP across its operational estate with some of the more obvious examples being plastic cups, stirrers, plastic cutlery and is leading on a London Councils learning network to reduce the use of such plastics.

KEY ISSUES FOR CONSIDERATION

Strategy Overview

5. The council's SuP strategy commits the council to the removal as far as practical of single use plastic across the council's operational estate. The operational estate being those non-housing properties that corporate facilities management (CFM) is responsible for directly supporting.
6. Those buildings that corporate facilities management (CFM) is not responsible for managing or supporting are not included in this strategy, but as far as practical, the communication plan will extend to these properties, along with providing advice, guidance and support to those responsible for managing those properties.
7. Whilst the strategy does not cover SuP items being brought into council buildings by staff and visitors, the council will also seek to engage with staff and visitors and educate them on the benefits of reducing the use of SuP.
8. In seeking alternatives to SuP, the council will ensure that any alternatives identified do not in themselves cause environmental damage and where possible they will reduce usage, reuse and recycle items as a priority rather than disposing. For instance, there are certain alternatives on the market that whilst termed biodegradable do not in fact degrade for a number of years. Other examples are where plastics are termed recyclable however they cannot be recycled in mainstream recycling sites, and require specific recycling arrangements not readily available in the United Kingdom.
9. In addition, the council will ensure that alternatives are appropriate and do not create any additional risks or have disproportionate cost implications. For instance, the use of glass as an alternative will have to be carefully considered as there may be health and safety implications. In addition, certain alternatives will have a significant increased cost, and a cost benefit analysis will need to be undertaken in those instances.
10. There will always be some examples of SuP where there is simply no reasonable alternative. The strategy will ensure that the council continues to review and monitor industry for alternatives and implement these as and when they become available.
11. Whilst there are a number of definitions of SUPs, the council has adopted a definition that is in line with the United Nations and other international and national bodies:

'any plastic items which are either designed to be used for one time by the consumer before they are thrown away or recycled, or likely to be used in this way.'
12. The council has developed a route map to the removal of single use plastic (SuP). The key steps are:
 1. Identify where we are using SuP
 2. Assess impact of removal and alternatives
 3. Make recommendations on removal

4. Implement recommendations.
13. The route map also outlines the continuous approach to communication, review, promotion and incentive.
14. The council will also measure the success of the strategy via a series of key performance indicators.

Action plan

15. The strategy is supported by an outline and action plan (Appendix 2) that explains how the council will achieve its strategy and also sets out the key actions to be taken, outcomes, responsibility and timeline. Ultimate responsibility for the action plan rests with the strategic director of housing and modernisation.
16. Progress has already been made on removing SuP. The Tooley Street café have taken steps to remove plastic cutlery, containers and are seeking an alternative for coffee cups and their associated lids. Plastic cups and other plastic materials have been removed from the Tooley Street and Queens Road staff kitchens.
17. Corporate facilities management have led on a pan-London local government learning network on SuP, consisting of a series of seminars, with further seminars planned, these share experience, discuss best practice and seek industry solutions. The objective being to arrive at a collective approach to the replacement of SuP, CFM will also seek to identify and liaise with other plastic free groups in the borough.
18. The action plan sets out a short, medium and long term plan. In the short term, and by December 2019, the council will remove single use plastic from the largest sites with the highest concentration of staff, including Tooley Street, Bournemouth Road, Sumner House, 47b East Dulwich Road, Curlew, Talfourd Place and the Queens Road complex. A communication plan will also be developed.
19. It is intended that additional London wide seminars will be held, which will include representation from industry. The City of London have a plastic free charter, further investigation will be made into applying for and achieving a standard that supports the removal of these plastics. This will enable the council to benchmark themselves against other organisations.
20. In the medium term, up to June 2020, the remaining sites in the corporate facilities management property portfolio will have plastics removed. A review of progress will be undertaken after 12 months. New alternatives to these plastics are quickly being developed and introduced so it will be important for the council to keep up to date of new developments in this field.
21. In the longer term the project will be extended to all remaining buildings including those where corporate facilities management does not have direct responsibility for maintenance, this will be done in consultation with the relevant department. CFM will also develop and communicate training material for the community schools estate and other related sites, to help them develop their own strategy to assist with the removal of SuP.

Policy implications

22. The strategic director of housing and modernisation leads on the strategy, to remove single use plastic (SuP), this is also a key deliverable as outlined in the department's business plan. Corporate facilities management has responsibility for providing facilities management support at the majority of the council's operational estate, and has been tasked to lead on the implementation of the strategy.
23. As a new strategy, this strategy does not replace any earlier strategies. It is however linked to a number of council initiatives, including work being undertaken by the environment and leisure department who are responsible for reducing the use of single use plastics across the borough.
24. The strategy will also seek to align to the Fairer Futures Procurement Strategy, to enable the council to where possible influence contractors and suppliers.

Community impact statement

25. Section 149 of the Equality Act, lays out the Public Sector Equality Duty (PSED) requires public bodies to consider all individuals when carrying out their day to day work – in shaping policy, in delivering services and in relation to their own employees. It requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people when carrying out their activities. 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.
26. The report author has considered this report and the supporting strategy have identified no specific equality implications.

Resource implications

27. There is sufficient resource within current budget provision to accommodate the work required to implement this strategy. The head of CFM will oversee the implementation of the action plan, with the division's programme office coordinating the delivery of the action day to day with support from other CFM staff as required.

Legal implications

28. There are no significant legal implications. There will however be proposals for changes to the council's procurement strategy to incorporate the SuP strategy, and the head of procurement will be involved in this process. Advice will be sought from officers in legal services should any potential legal issues arise during the development and implementation of the strategy.

Financial implications

29. It is anticipated that costs in relation to actions arising from the implementation of the SuP strategy across the council's operational estate will be contained within existing budgets. However, should this not prove to be possible, the source of any additional funding requirement will be confirmed by the strategic director of housing and modernisation as part of the action approval process.

Consultation

30. Consultation has taken place with environment and leisure in connection with their related initiatives, and also with the head of procurement in connection with changes to the procurement process in support of the strategy.
31. Further consultation with the head of procurement may be required. Departmental site responsible officers will also be consulted through the process on plans to remove SuP from sites under their direct control.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Head of Procurement

32. The council's strategy on single use plastics is noted in this strategy. If approved, it will work with externally procured service contracts to ensure that any use of these is highlighted as part of the procurement process and the cost implications assessed as part of the evaluation process. Cost implications and decisions on these, will be highlighted in the Gateway 2 contract award report. For contracts with a value above the current threshold in the Public Contract Regulations (2015) this expectation will be highlighted, as well as the need for innovation during the life of the contract should more sustainable /cost effective alternatives become available.

Director of Law and Democracy

33. The council has the power to establish this strategy in accordance with section 1 of the Localism Act 2011 (the general power of competence for councils to do anything that individuals generally may do). Section 111 of the Local Government 1972 is also relevant as this gives a local authority powers to do "any thing ...which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions" and this strategy will support other statutory functions that the council is performing. Exercise of Localism Act powers is an executive function of the council which the cabinet will determine in accordance with the council's scheme of delegation.
34. Under section 149 of the Equality Act 2010, in making this decision the cabinet must comply with its public equality duty. However, there are no identified implications in this report for individuals with particular protected characteristics under the Equality Act for the cabinet to have due regard to.

Strategic Director of Finance and Governance

35. The financial implications are contained in the body of the report.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
None		

APPENDICES

No.	Title
Appendix 1	Southwark Council – Single Use Plastic Strategy
Appendix 2	Outline and Action Plan

AUDIT TRAIL

Cabinet Member	Councillor Stephanie Cryan, Housing Management and Modernisation		
Lead Officer	Paul Symington, Head of Corporate Facilities Management		
Report Author	Maureen McBain, Head of CFM Business Strategy		
Version	Final		
Dated	11 April 2019		
Key Decision?	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments Sought	Comments Included	
Director of Law and Democracy	Yes	Yes	
Strategic Director of Finance and Governance	Yes	Yes	
Head of Procurement	Yes	Yes	
Cabinet Member	Yes	Yes	
Date final report sent to Constitutional Team		11 April 2019	

APPENDIX 1

Southwark Council – Single Use Plastic Strategy

Introduction

As outlined in the council's plan, Southwark Council is committed to the removal of single use plastic. In 2018, the council stated:

'In everything we will make sure we are being greener and tackling problems like air quality and climate change. We will make sure we limit our environmental impact so that future generations can live in a cleaner, greener Southwark.

One action in support of this commitment is that the council will specifically 'end the use of single use plastic in the council'.

The Strategic Director of Housing and Modernisation leads on this commitment. This strategy sets out how the council will remove SuP from its operational estate.

Definition

The council defines SuP as:

'any plastic items which are either designed to be used for one time by the consumer before they are thrown away or recycled, or likely to be used in this way. '

Such items include disposable cutlery, plastic straws, thin plastic carrier bags, drink stirrers and crisp and sweet packets.

This definition is in line with definition adopted by UN and other bodies

Background

In 2018 the Blue Planet II Series, watched by 17 million people in the UK, was groundbreaking in bringing to the public's attention the scale of damage caused to the environment by the use of SuP. The result of this hard hitting programme is driving action across Governments, business and has stirred public interest.

A number of key public sector organisations and businesses have pledged support to the removal of SuP. In the UK alone, the Scottish Government has pledged to remove SuP from their sites. The Welsh Government are considering a number of cross-UK initiatives such as a deposit return scheme and has set aside additional funding for this initiative.

The UK Government has consulted on an approach to tax items containing SuP, wanting to be seen as 'Tackling the Plastic Problem', and are also consulting on the banning the distribution and/or sale of plastic straws, stirrers and plastic-stemmed cotton buds in England, as well as investigating other UK wide initiatives.

Under draft plans, the Irish Government will ban SuP from government departments and public bodies by 2021.

The corporate facilities management division on behalf of the council has already taken steps to identify SuP across the operational estate, having removed some of

the more obvious examples (plastic cups, stirrers and plastic cutlery etc.) and is leading on a London Councils learning network to reduce the use of such plastics.

Scope and Objective

This strategy outlines the approach that the council will take to remove SuP from its operational estate, those buildings that the corporate facilities management division has responsibility for maintaining.

Although, the council's ban on single use plastic does not include plastic brought in by staff and visitors, through education, we will encourage staff and visitors to reduce the amount of SuP brought into our buildings, by engaging with staff and visitors by various communication approaches.

In considering realistic alternatives to SuP, the council will seek solutions that do not in themselves create other and potentially more harmful environmental issues. The council will also consider other factors in their assessment to ensure value for money and also any potential health and safety implications.

There may be occasions where there no realistic alternative to SuP and in those instances; alternatives and removal options will continue to be identified as demand drives further advances in SuP alternatives. And in the meantime steps to reduce the use of such plastics as far as reasonable will be implemented.

The council's procurement strategy which already considers environmental matters through the gateway process will be reviewed to ensure that future procurements also consider SuP removal. The strategy will also encourage key contractors to work with the council to maximise the reduction in the use of SuP throughout their supply chain.

The working being carried under this strategy is in parallel and alongside the work that is underway in the Environmental and Leisure Directorate and the reduction of SuP borough wide.

The strategy is supported by an 'Outline and Action Plan' document that lays out how the council intends to implement the strategy.

APPENDIX 2

Supporting Document

Outline and Action Plan

Approach

The council proposes a phased approach to the eradication of SuP plastic.

The following route map will be adopted to assist with the ultimate removal of all SuP, across the operational estate.

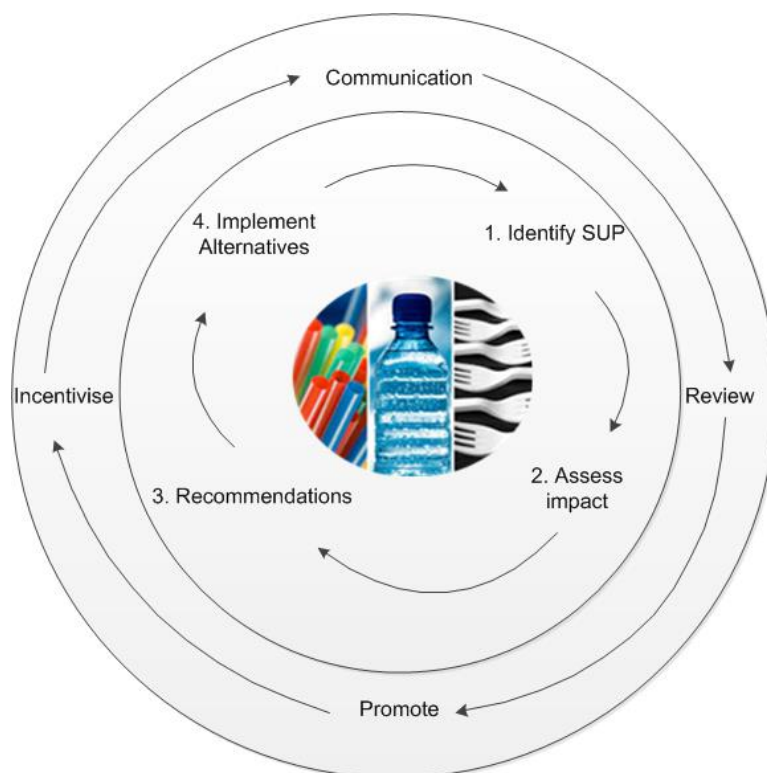


Diagram 1 –
Route MAP to

SuP removal

1. Identify use of SuP across the council

SuP will be identified across the council's operational estate. This will include, but not limited to, the use of disposable coffee cups, plastic cups, plastic cutlery, plastic bags, plastic straws, takeaway containers, hospitality consumables, and cleaning product containers.

2. Assess the Impact

A risk to the removal of SuP is that the alternatives proposed may in themselves cause disposal or environmental issues. In assessing alternatives, consideration will also be given to the cost, the ease of use etc. The impact of that alternative will be assessed, to ensure that it is a viable solution.

3. Recommendations

The most appropriate alternative to SuP will then be recommended. Recommendations may well include complete removal with no replacement, replacement with an alternative.

4. Implement Alternatives

Once appropriate alternatives have been identified then the alternative will be implemented. Where possible contracts will be revised and new contracts will be utilized to source alternatives. Following initial pilot where appropriate, there will be a phased roll out of alternative solutions.

Continuum

Stakeholder Engagement

Continuous engagement with stakeholders throughout the 4 stage process is critical. Engagement will be made with all relevant stakeholders, including end users, suppliers, and those organisations that may be able to offer help in implementing the strategy.

A communication plan will support this engagement with a range of engagement tools utilized; road shows with staff, presentations, and corporate communication tools.

Communicate Promote and Incentivise

A communication plan will be developed. Where required, education, training, and communication campaign, will support the implementation. In addition consideration will be given to incentivising staff to not only use the alternatives available but also to promote a drive of SuP brought into the council by staff and visitors.

Continuous Review

The council will continue to monitor and review the use of SuP, identifying where additional SuP may be being introduced to the council. The council will also continue to identify new alternatives to SuP as they become available.

Finance and Resources

The Strategic Director of Housing and Modernisation will ensure that adequate finance and resource is available to implement the strategy. Where practicable, costs will be managed within existing budgets. However, where there are elements of the implementation that may require resource and additional funding and this impact will be factored into the assessment process.

The Plan

The council has developed an action plan in support of the strategy.

A short, medium and long-term plan is aligned to the SuP removal route map. A number of different variables will impact on how quickly and easily the council can

remove SuP, including site location, type of SuP involved, availability of alternatives, and resources requirement. These will be factored into the plan.

The action plan outlines actions, responsibility, outcomes, officer responsibility and deadlines. This action plan will be monitored regularly and regular updates provided to relevant stakeholders.

An annual update on the action plan will be published.

Short Term

In the short term the council will concentrate on the gold sites (Tooley Street, Queens Road Complex, Sumner House, Bournemouth Road, Talford Place and Curlew House). These are sites that are managed by the corporate facilities management division and have the largest concentrations of staff, highest use of consumables and full-time onsite FM support who can help facilitate the removal.

Consideration will also be given to seeking Accreditation of Plastic Free City, the City of London's sponsored initiative to drive the reduction of SuP.

Working with the corporate procurement team, to revise the process to implement the changes required to the procurement process.

Medium Term

In the medium term, the council will have by then raised the profile of the strategy, learned lessons from the Gold site implementation and be in good position to extend the strategy to the remaining corporate facilities management supported sites.

The plan will also seek to implement a standard in SuP removal as appropriate benchmarking tools evolve.

As the market for alternatives to SuP is continuously evolving, there will also be an annual review of alternatives to ensure that the council is implementing the most appropriate alternatives.

Long Term

In the long term, the remaining council run sites will implement the strategy; removing all SuP from across the council's operational estate by the end of 2021.

Support will also be provided to those sites where corporate facilities management does not have direct control, including the community school estate.

The corporate facilities management team will stay abreast of industry changes, implementing cost neutral initiatives as soon as possible. The strategy's early actions will be reviewed and progress reported on periodically. Further work will be carried and implemented across the council's supply chain.

Measuring Success

The council will measure the success of this strategy by developing key performance indicators which will consider:

- Progress made against the action plan

- Reduction in the amount of SuP being purchased by the council
- The number of contractors with a SuP strategy
- The level of SuP being generated by key sites across the council

The council will also measure its success by how well it supports other related strategies, including the wider borough-wide SuP reduction strategy and the council's recycling strategy.

APPENDIX 2

ACTION PLAN

Short Term	Ref	Action	Outcome	Owner	Deadline
	ST1	Set KPIs for measuring SuP strategy success	Measurement tool for SuP reduction	Head of CFM	Apr-19
	ST2	Gold sites - identify SuP use	List of SuP across gold sites	Head of CFM	Apr-19
	ST3	Tooley Street atrium education day	Education of Staff in Tooley street	Head of CFM	May 19
	ST4	Gold sites - agree approach for each SuP	Agreed alternative for each SuP	Head of CFM	Jun-19
	ST5	Gold sites – Implement alternative solution, including with contractors, suppliers	Phased removal of SuP across Gold sites	Head of CFM	Sept 2018- Oct 2019
	ST6	Communication and engagement plan with staff and visitors	Increased staff awareness and reduction in staff and visitor use of	Head of CFM	Oct-19
	ST7	Coordinate 2 London local authority events	Cross London engagement, best practice and consistency	Head of CFM	Oct-19
	ST8	Investigate relevant standard in SuP	Benchmark position on SuP response	Head of CFM	Dec-19

Medium Term	Ref	Action	Outcome	Owner	Deadline
	MT1	Silver sites and bronze sites - identify SuP use	List of SuP across silver and bronze sites	Head of CFM	Nov-19
	MT2	Silver and bronze sites - agree approach for each SuP	Agreed alternative for each SuP	Head of CFM	Jan-20
	MT3	Silver and bronze sites – Implement alternative solution, including with contractors, suppliers	Phased removal of SuP across Gold sites	Head of CFM	Apr-20
	MT4	Implement standard in SuP	Benchmark position on SuP response	Head of CFM	Apr-20
	MT5	Engage with procurement to incorporate strategy in procurement approach	Procurement process that considers third parties providers SuP strategy	Head of CFM	December 2019

	MT6	Annual review - existing SuP use, available alternatives etc	Ensure continued SuP strategy implementation and identification of new alternatives to support strategy	Head of CFM	Jun-20
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Long Term	Ref	Action	Outcome	Owner	Deadline
	LT1	Remaining operational sites (e.g. libraries, one stop shops, leisure centres) - identify SuP use	List of SuP across remaining operational sites	Head of CFM	Jul-20
	LT2	Remaining operational sites - agree approach for each SuP in conjunction with Departmental responsible person	Agreed alternative for each SuP	Head of CFM/ Departmental Leads	Oct-20
	LT3	Remaining operational sites – Implement alternative solution, including with contractors, suppliers	Phased removal of SuP across remaining sites	Head of CFM/ Departmental Leads	
	LT3	Remaining operational sites – Implement alternative solution, including with contractors, suppliers	Phased removal of SuP across remaining operational sites	Head of CFM/ Departmental Leads	Jan-21
	LT4	Extended education programme for schools and other sites which are not in direct council control to seek engagement on initiatives to drive down use of SuP	Supporting the reduction and ultimate removal of SuP across schools, and other sites where council does not have direct control	Head of CFM/ Children and Adult Services Department	March 2021
	LT5	Annual review - existing SuP use, available alternatives etc	Ensure continued SuP strategy implementation and identification of new alternatives to support strategy	Head of CFM	Jul-21

Item No. 15.	Classification: Open	Date: 30 April 2019	Meeting Name: Cabinet
Report title:		Development Consultation Charter	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor Johnson Situ, Growth, Development and Planning	

FOREWORD – COUNCILLOR JOHNSON SITU, CABINET MEMBER FOR GROWTH, DEVELOPMENT AND PLANNING

Southwark is a vibrant place to live, with record levels of employment, award winning libraries, new theatres and high attaining schools. Our vision to deliver a fairer future for all has been in part delivered through regeneration across the borough which has brought new opportunities.

The council also recognises and is clear that regeneration is not just about changes to the buildings and environment around us but improving the lives of people who live and work in the borough. To ensure we build on successes it is important that everyone has a voice and is able to influence change and our approach to the way investment takes place in the borough.

This Charter has been developed following our most wide-ranging engagement programme. The Southwark Conversation reached over 3000 residents across the borough and covered residents' views on change and the impact of new developments. Amongst the findings were the observations that whilst in many cases communities were consulted on new schemes by the developer, often the quality and depth of engagement varied depending on the scheme.

The Development Consultation Charter will for the first time set a Southwark standard for engagement, in which we expect all schemes to deliver on. The Charter also reflects our work to develop the Council's community engagement principles. This will inform all future consultation guidance and consultation activities that the council conducts.

The Development Consultation Charter is our promise to deliver 'Regeneration that works for all'. This charter forms part of the Statement of Community Involvement (SCI). The SCI is a legal requirement and the requirement for the submission of an engagement plan at pre-application stage and an engagement summary at the planning application stage will be added to the validation checklist.

RECOMMENDATIONS

That Cabinet:

1. Agree the draft Development Consultation Charter at Appendix A for public consultation from May 2019-September 2019.

2. Agree the draft Development Consultation Charter will be used in validation of planning applications.

BACKGROUND INFORMATION

Background to the Development Consultation Charter

3. Southwark Council recognises regeneration is not just about changes to the buildings and environment around us but improving the lives of people in the borough. It is important that everyone has a voice and is able to influence change and our approach to the way we invest in the borough.
4. The Development Consultation Charter is our promise to you to deliver 'Regeneration that works for all'.
5. The Development Consultation Charter ('the charter') is a guide setting out the consultation requirements to be carried out by developers for proposed development. This will ensure developers provide detailed, online information setting out how they have undertaken public consultation relative to the scale and nature of the proposed development.
6. The charter introduces a process for developers to involve stakeholders including residents, businesses and community groups involved in the planning process at an early stage and then throughout the planning process to ensure the developers show how the local community have influenced development.
7. The charter will be part of the Statement of Community Involvement. The requirement for the submission of an engagement plan at pre-application stage and an engagement summary at the planning application stage will be added to the validation checklist so developers are clear that we expect their pre-application and planning application checklists for validation.
8. The commitment within the Council Plan 2018/19-2021/22 under a Fairer Future – a Place to Belong states: '*Introduce ballots on any new estate regeneration and a Consultation Charter to ensure local residents can hold private sector developers to account*'. The charter is carrying out the second part of this commitment.
9. Following a review of all London boroughs, none of them have a standalone specific development consultation charter. A number of these boroughs include their pre-application consultation suggestions as part of the development management chapter of their Statements of Community Involvement. London Borough of Hackney has a separate document named 'Community Consultation Requirements for Major Applications' (2010).
10. The most detailed level of recommended consultation at the pre-application stage is provided by Ealing and Brent with clear definitions of developments based on scale and nature. Ealing also requires the submission of a Consultation and Involvement Statement with the planning application.
11. Within the Statements of Community Involvement reviewed, Planning Performance Agreements are commonly pointed to as a tool to provide a framework for community involvement pre-application stage.

KEY ISSUES FOR CONSIDERATION

The charter

12. The initial draft charter is attached at **Appendix A** and will be subject to testing over the summer (as set out at Paragraphs 21-22 below).
13. It provides a checklist for the minimum amount of consultation to be undertaken by developers depending on the scale and nature of the proposed development.
14. The charter only applies to major and strategic schemes as follows:
 - Major – 10-49 residential units, 1,000-3,499sqm commercial floorspace.
 - Strategic (lower range) – 50-199 residential units, 3,500-10,000sqm commercial floorspace.
 - Strategic (higher range) – 200+ residential units, over 10, 000sqm commercial floorspace.
15. Consultation requirements for smaller schemes, less than 10 units and less than 1,000sqm of commercial floorspace will be set out in the Statement of Community Involvement.
16. The charter will ensure developers show how they take accountability with templates posted online for consultation with the public at every stage of the planning application process, from pre-planning through to construction on site.
17. At the pre-application stage, developers will be expected to present to officers what public consultation they have undertaken to date and what else they are planning to carry out prior to submission of the planning application and during the planning application. An engagement plan should be submitted as set out at **Appendix A**. This will need to be agreed with the case officer.
18. They will also have the duty of reporting the consultation process and outcomes within the planning application through the submission of the engagement summary. This will have to follow the structure of the template provided (**Appendix A**). This information can then easily be inserted into officer and committee reports so members of the public and committee members can easily understand how the local community has shaped the development proposal, the main objections and concerns of the proposal and how they have been addressed.
19. At post-application stage, when the development construction is starting on site, engagement is required with the public as set out in the charter. This is important to ensure the local community is informed of the construction process, they know who to contact if there are any concerns / queries and the timeframe for particular works and how long they will last.
20. The charter will be 'designed up' to be a more user-friendly document.

Statement of Community Involvement

21. As set out above, the charter will form an appendix to the updated Statement of Community Involvement (SCI). The SCI is to be updated and the draft SCI is expected

to go to cabinet in Autumn 2019 and will also go through public consultation. It will explain how we will engage local communities and other interested parties in producing our Local Plan and determining planning applications.

22. Information relevant to the charter and contained within the SCI may include:

- Who to engage
- List of consultees
- Benefits of public consultation
- Recommendations for carrying out public consultation
- Other ways to engage
- Consultation materials
- Equalities considerations
- Details of the Charter of Principles which sets out requirements of the council in direct delivery schemes
- Development management policies which address some site specific considerations.

Community engagement principles

23. Work is currently being undertaken with local communities on updating the council's community engagement principles. This will inform all future consultation guidance and consultation activities that the council conducts. The community engagement principles are going to Cabinet in April 2019 and the strategy is expected to go to cabinet in September 2019.
24. The principles are going to be developed over the summer through consultation. This will include testing of the initial draft charter and templates. We will also consider a template for the post-application stage, this could be developed as part of the testing. Once the testing has taken place we will take them back to cabinet with the Statement of Community Involvement.

SCI and charter workshop

25. A workshop was undertaken with members of the public on 25 March 2019 to discuss the Statement of Community Involvement and the charter to obtain feedback from members of the public on how we and developers should consult.
26. This invitation was sent to the My Southwark mailing list which includes over 10,000 email addresses. 148 people signed up to the event and over 90 people attended (76 of whom signed the attendance sheet).
27. **Appendix B** sets out the feedback received specifically relating to the charter and also general consultation comments. **Appendix C** illustrates the agenda of the workshop.

TIME FRAME FOR THE DEVELOPMENT CONSULTATION CHARTER

28. The Development Consultation Charter time table is as follows:

Stage	Date
Cabinet	April 2019
Public consultation	May-September 2019
Testing of the charter	May-September 2019
Cabinet to report consultation outcomes / final Development Consultation Charter	Autumn 2019

29. Following cabinet in April 2019, we will consult on the charter alongside development of the community engagement principles until Autumn 2019.

Community impact statement/equalities impact statement

30. The Public Sector Equality Duty (PSED) contained in Section 149 (1) of the Equality Act 2010 imposes a duty on public authorities (including the Council to have, in the exercise of their functions, due regard to three “needs” which are central to the aims of the Act

a) The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act

b) The need to advance equality of opportunity between persons sharing a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:

- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
- Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

c) The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.

31. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.

32. The purpose of the charter is to ensure local communities are engaged from an early stage in the planning application process to ensure they have an opportunity to shape development coming forward in the borough. An Equalities Statement will be produced to accompany the final version of the charter.

33. The introduction of the charter will give those persons who have a protected characteristic under the Equalities Act with more of a say in proposed developments in the borough. The engagement plan and engagement summary will have to

demonstrate how those people with a protected characteristic have been considered within the proposed development.

Financial implications

34. There are no immediate resource implications arising from this report.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

35. At this stage, there are no specific legal issues for cabinet as the Charter is being submitted for consultation. As explained in paragraph 19 of the report, the Charter will ultimately be an appendix to the revised Statement of Community Involvement that will be considered by cabinet later this year.
36. There has already been and will continue to be wide consultation. An Equalities Statement will be submitted with the final version of the Charter and, as reported at paragraph 30, it is expected that its introduction will provide those persons with a protected characteristic with more opportunity to contribute to the discussion concerning schemes being proposed.
37. Cabinet Members should note that when the SCI and the Charter are confirmed later in the year, they will give rise to a legitimate expectation as to the procedural standards for any consultation. Accordingly, whilst there may not be a statutory duty of consultation, residents may well be able to rely upon the promise of consultation set out in the SCI and the Charter.

Strategic Director of Finance and Governance (FC18/044)

38. The strategic director of finance and governance notes that there are no immediate financial implications arising from this report.
39. Staffing and any other costs connected with this report to be contained within existing departmental revenue budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council Plan 2018/19-2021/22	https://www.southwark.gov.uk/council-and-democracy/fairer-future/council-plan	planningpolicy@southwark.gov.uk
Statement of Community Involvement (2008)	http://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/consultation-and-updates/statement-of-community-involvement	planningpolicy@southwark.gov.uk

APPENDICES

No.	Title
Appendix A	Draft Development Consultation Charter
Appendix B	Feedback on the draft charter and general comments
Appendix C	Workshop agenda

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Emma-Lisa Shiells, Planning Policy Officer	
Version	Final	
Dated	15 April 2019	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
	Comments Sought	Comments included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team		15 April 2019

DEVELOPMENT CONSULTATION CHARTER

Contents

- Why – The need for a development consultation charter
- Why - Why should you engage?
- How - How will the charter be used?
- How
- How
- When & Where - pre-application
- Engagement Plan
- When & Where - planning application
- Engagement Summary
- When & Where - post-application
- Statement of Community Involvement
- Monitoring - development consultation success

WHY - The need for a Development Consultation Charter

Southwark Council recognises regeneration is not just about changes to the buildings and environment around us but improving the lives of people in the borough. It is important that everyone has a voice and is able to influence change and our approach to the way we invest in the borough.

The Development Consultation Charter is our promise to you to deliver '***Regeneration that works for all***'. This charter forms part of the **Statement of Community Involvement (SCI)**. The SCI is a ***legal requirement*** this means that we have to adopt a ***fair and effective consultation approach*** and have an agreed way of working with developers and the community.

This way of working together requires providing you with:

- Clear guidelines for consultation and a better understanding of the planning process
- More accessible information online
- Accessible, online information on how the engagement and feedback has shaped discussions and proposals

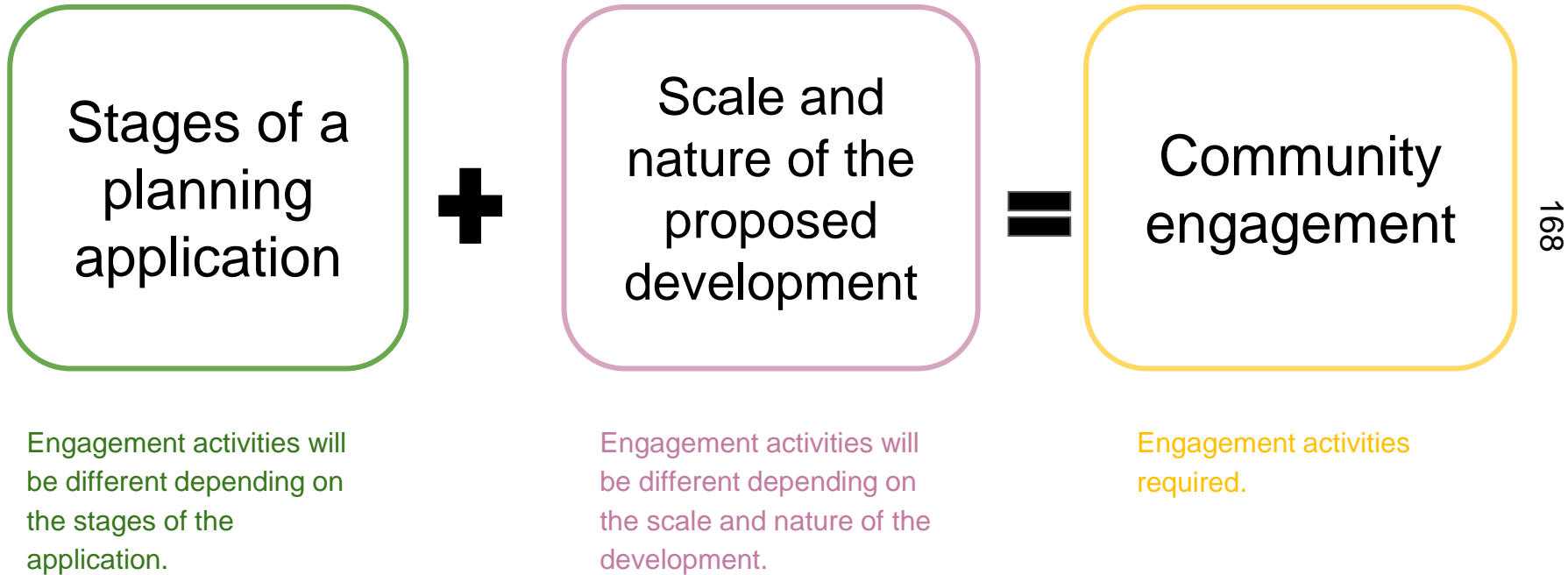
This will help developers to present a proposal that has been influenced by working closely with you. We can then make informed, open decisions on development

WHY - Why should you engage?

Successful engagement has the benefits of new planning applications that:

- Ensure developers understand local concerns from an early stage
- Inspire innovative ideas and solutions with people who understand local issues
- Gain more support from the community as they have been listened to, valued and respected
- Shaped by and reflect feedback from the diverse local community impacted by the proposals

HOW - How will the consultation charter be used?



HOW

Stages of planning

Pre-planning



Pre-application



Planning application



Post-application and construction

Engagement will take place from the earliest possible stages in the process of developing our proposals. When we prepare our Development Plan including the **Local Plan, Area Action Plans** and **Supplementary Planning Guidance**, everyone's ideas and feedback shape this stage and involves widespread consultation and engagement.

The type of engagement should be agreed at this stage. This is then presented as an **engagement plan**.

An **engagement summary** will need to be submitted as part of the planning application. The engagement approach will be considered as part of the planning decision.

From the beginning to the end the community will be updated at key stages. There will be ongoing opportunities to receive updates on the construction of the development and raise any concerns.

HOW

Smaller scheme requirements are detailed in the **Statement of Community Involvement**.

- 10-49 residential units.
- 1,000-3,499sqm commercial floorspace
- 50-199 residential units
- 3,500-10,000sqm commercial floorspace
- 200+ residential units
- over 10,000sqm commercial floorspace

Major applications

Strategic applications
- lower range

Strategic applications
- higher range

Scale and nature of the proposed development

About you

- Who occupies the site?
- Will they need to be relocated? On what basis? Will they be expected to return?
- Due regard to how the development might impact people differently depending on their race, age, gender reassignment, disability, sexual orientation, religion or belief, or sex.
- How the development fosters good relations between different groups in the community.
- Are there neighbours in close proximity?

Cultural setting

- Is the site in a **conservation area**?
- Is the **building listed**?
- Is the site/building a **place of community interest**

Highways

- How is the site accessed?
- Will there be an increase in traffic during construction?
- Will there be an increase in traffic in the new development?

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Minimum
requirements
for pre-
application

*for strategic applications the engagement plan will be issued to ward councillors for consideration.

Major applications

Strategic applications - lower range

Strategic applications - higher range

Engagement plan for validation including when pre-application meetings are taking place*, a **fact based audit** of the area such as what and who is there now

← Site notice/board is displayed (including images and contact details of the developer)

← Leaflet drop with a follow-up door-knock (including images, contact details of the developer and how to make comments on the proposal)

← **Computer Generated Images and 3D modelling**

← **Design Review Panel** meeting (as required)

← **Statutory and non-statutory consultees** are contacted

← Consider the **Movement Plan**

← **Public consultation workshops** as agreed in **engagement plan**

Meetings with local residents, relevant groups, including community / resident groups, businesses and stakeholders

Developers set up website providing details of development

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ENGAGEMENT PLAN

Engagement Plan Template for the Development Consultation Charter (validation requirement)

Before your pre-application request is validated, the template needs to be completed and submitted. It should set out what public consultation has been undertaken to date and what is planned during the pre-application and planning application stages.

Site: XXX

Address: XXX

List of meetings undertaken to date and planned:

Meetings	Date	Attendees	Summary of discussions
Pre-application meeting	XXX	Council officers	Extent of public consultation agreed XXX
Councillor meeting	XXX	Ward Councillors XX	XXX
Resident group meeting	XXX	XXX	XXX
Local business meeting	XXX	XXX	XXX
Meeting with occupier of the site	XXX	XXX	XXX
Design Review Panel	XXX	XXX	XXX

List of public consultation events carried out to date and planned:

Public consultation events	Date	Attendees	Summary of feedback
Public meeting	XXX	Number of attendees and the diversity – were the attendees representative of the area?	XXX
Public exhibition	XXX	XXX	XXX
Open workshop 1	XXX	XXX	XXX
Open workshop 2	XXX	XXX	XXX
XXX	XXX	XXX	XXX

Refer to checklist in the development consultation charter for consultation requirements dependent on the scale of the proposed development.

Evidence of consideration of the following (this list is not exhaustive):

Demographic context:

- Who occupies the site?
- Will they need to be relocated? On what basis? Will they be expected to return?
- Due regard to how the development might impact people differently depending on their race, age, gender reassignment, disability, sexual orientation, religion or belief, or sex.

- How the development fosters good relations between different groups in the community.
- Are there neighbours in close proximity?

Cultural setting:

- Is the site in conservation area?
- Is the building listed?
- Is the site/building a place of community interest?

Highways:

- How is the site accessed?
- Will there be an increase in traffic during construction and once the new development is completed?

Other engagement undertaken / planned:

- Leaflet drop...
- Website

Ways to feedback responses were / are:

- Stamped addressed envelopes
- Feedback forms at public consultation events
- Website - online form and email
- XXXX

Support - public consultation summary (provide statistics)

XXX

Objection - public consultation summary (provide statistics)

You said, we did....

How have objections been addressed or are they going to be addressed?

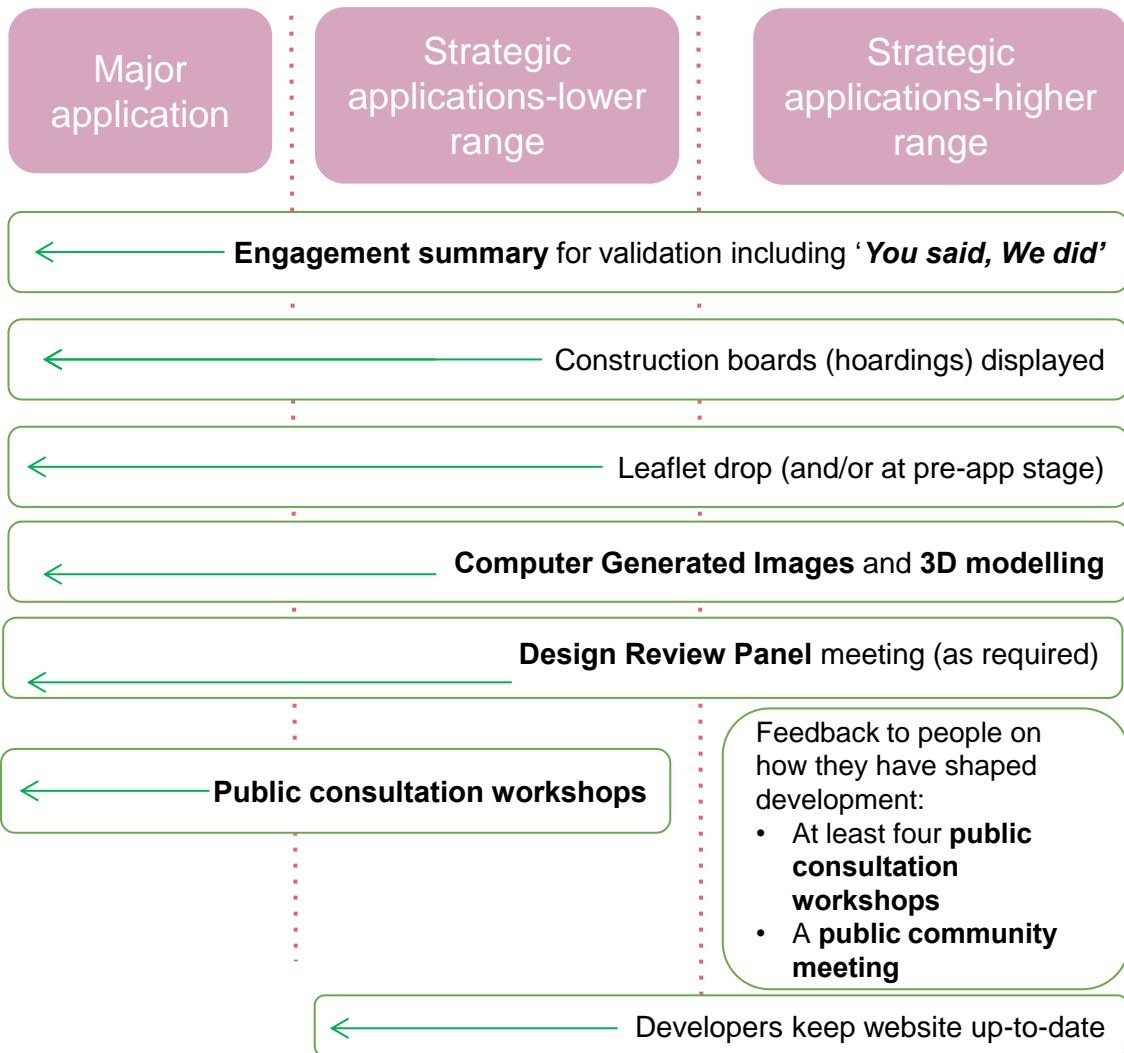
A detailed engagement summary will be required to be submitted to support the planning application.

The engagement plan will be a validation requirement for any pre-application requests.

WHEN

HERE

Minimum requirements for planning applications



ENGAGEMENT SUMMARY

Engagement Summary Template for the Development Consultation Charter (validation requirement)

Before your application goes live and is validated the template needs to be completed and submitted.

Site: XXX

Address: XXX

Application reference: XXX

List of meetings:

Meetings	Date	Attendees	Summary of discussions
Pre-application meeting	XXX	Council officers	Extent of public consultation agreed XXX
Councillor meeting	XXX	Ward Councillors XX	XXX
Resident group meeting	XXX	XXX	XXX
Local business meeting	XXX	XXX	XXX
Meeting with occupier of the site	XXX	XXX	XXX
Design Review Panel	XXX	XXX	XXX

List of public consultation events carried out to date or planned:

Public consultation events	Date	Attendees	Summary of feedback
Public meeting	XXX	Number of attendees and the diversity – were the attendees representative of the area?	XXX
Public exhibition	XXX	XXX	XXX
Open workshop 1	XXX	XXX	XXX
Open workshop 2	XXX	XXX	XXX
XXX	XXX	XXX	XXX

Refer to checklist in the development consultation charter for pre-application consultation requirements dependent on the scale of the proposed development.

Evidence of consideration of the following (this list is not exhaustive):

Demographic context:

- Who occupies the site?
- Will they need to be relocated? On what basis? Will they be expected to return?
- Due regard to how the development might impact people differently depending on their race, age, gender reassignment, disability, sexual orientation, religion or belief, or sex.
- How the development fosters good relations between different groups in the community.

- Are there neighbours in close proximity?

Cultural setting:

- Is the site in conservation area?
- Is the building listed?
- Is the site/building a place of community interest?

Highways:

- How is the site accessed?
- Will there be an increase in traffic during construction and once the new development is completed?

Other engagement:

- Leaflet drop...
- Website

Ways to feedback responses were:

- Stamped addressed envelopes
- Feedback forms at public consultation events
- Website - online form and email
- XXXX

Support - public consultation summary (provide statistics)

XXX

Objection - public consultation summary (provide statistics)

You said, we did....

How have objections been addressed? (Provide statistics) Where objections have not been addressed, provide justification.

Summary of how the relevant Social Regeneration Charter, Place Action Plan and Community Investment Plan have been considered.

Key themes: XXX

Provide examples of all consultation materials

The **engagement summary** will be a validation requirement for any planning application. It should clearly set out how the feedback received has been addressed and how the community has shaped the proposed development. Where comments have not been addressed, this should be detailed and justified. This will be used to inform officer and committee reports.

WHEN

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Minimum requirements for post-application and construction

Major application

Strategic applications-lower range

Strategic applications-higher range

Construction boards (hoardings) displayed on site with updates on progress and contact details for site manager

Confirmation of engagement undertaken – through the inclusion of a compliance condition

← Website with progress updates by developer

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SOME REQUIREMENTS MAY BE IN THE SCI

Statement of Community Involvement (SCI)

The SCI is being updated and a draft will be out to consultation in the Autumn. The purpose of the SCI is to contain detailed information regarding the consultation required during the planning application and development plan-making process. Relevant information that may be set out in the SCI that will not be repeated in the Development Consultation Charter is:

- Who to engage: residents, businesses, neighbourhood forums, community councils, councillors, cabinet members.
- List of statutory and local consultees.
- Consultation requirements of schemes under 10 units and 1,000sqm commercial floorspace.
- Other ways to engage – online tools (surveys, social media, virtual reality), offline (letters, leaflets, posters), community street surveys, focus groups, planning by design.
- Consultation materials - clear, plain English, visuals.
- Equalities – advice to reach all target groups. Due regard to how the development might impact people differently depending on their race, age, gender reassignment, disability, sexual orientation, religion or belief, or sex and how the development fosters good relations between different groups in the community
- Reference to the **Charter of Principles** which sets our standards for working with the community in the direct delivery of homes in the borough through six pledges.
- Reference to development management policies which will address some site specific considerations.
- Good practice examples will be in the SCI.

MONITORING - Development consultation success?

- Before your **pre-application request** is validated, the **engagement plan** template needs to be completed online and submitted. This will be made public.
- Before your **planning application** goes live and is validated the **engagement summary** template needs to be completed online and submitted. This will be made public.
- **Engagement summaries** will be placed on our website (validation requirement) for comparison purposes.
- A **monitoring report** on our website will provide updates on the **public consultation** through feedback from the public and development partners.
- A **monitoring report** on our website of whether objections have been taken into account by developers.
- Ongoing reviews of the development consultation process including updating best practice guidance.

Appendix B – Workshop Feedback on the draft Development Consultation Charter

Below sets out feedback received during a public workshop with residents held on Monday 25th March 2019 from 19:00 – 21:00 that discussed the draft Development Consultation Charter and the Statement of Community Involvement (SCI).

The event invitation was sent to the My Southwark mailing list which includes over 10,000 email addresses. 148 people signed up to the event and the sign-in sheets at the event confirmed that approximately 76 people attended, however, not all attendees signed in and it is considered that the attendance was more in the region of 90-100 people. The event was facilitated by approximately 15 members of staff from Southwark Council's Place & Wellbeing Division.

The running order of the event (attached at **Appendix D**) aimed to discuss both documents in two separate workshop sessions on the day with four key questions being discussed. The questions relevant to the draft Development Consultation Charter allowed residents to engage on the purpose of the document and also for them to give us feedback on the draft document.

Feedback was also received on the Statement of Community Involvement which is to be prepared, however, this is not set out in this Appendix as it only relates to the draft Development Consultation Charter.

The feedback received on the Development Consultation Charter is set out below.

Part 1 - Development Consultation Charter

Question 1: What do you think of the format of the charter? Is it easy to follow?

- The subject matter is too complex
 - o When and where – doesn't understand the meaning of the title
- The procedure looks complex
 - o better to break them into stages with details on requirement
 - o Timescale is not clear
 - o Need to be clear who it is for; how it is to be used
- Prefer plain English and visualisation for easier understanding
 - o For example, don't know what CGI means
 - o Also multi-lingual
 - o In the When and where section – reading the arrows from right to left are confusing
 - o List form would be clearer
- Lack of linkage with the site allocation methodology
- Early stage consultation is crucial, but need examples of good practices (in terms of conversation and consultation)
 - o The public has nothing to compare the plan with, they don't know how to set it into context
- Ensure diversity of consultees
 - o Reach out to more vulnerable and isolated groups and stakeholders
 - o Currently not clear on the list of groups who are consulted – more clarity is needed

- Who decides who is a registered/recognised consultative body?

Question 2: What do you think of the recording sheet with the information that is on the web? Is this the type of information that you would find useful?

- Details of engagement is needed
 - Which groups to be consulted
 - When and the duration
 - Feedback
 - Evidence of engagement
 - Conclusion
- Co-design process with professional support is needed
- Visual material requirement: to show the wider context beyond the development site (massing)
- Ensure feedback mechanism in consultation process has impacts on the outcome
 - Specific report on negative feedback is required
- Parallel consultation is needed
 - planning officers with the community
 - developers with the community
- Ensure feedback mechanism in the consultation process
 - Add a column for changes made after public consultation
 - Current lack of publicity on how to take account of objections

Question 3: What do you think of the requirements of developers for major applications?

And

Question 4: What do you think of the requirements of developers for strategic applications? How we consult on planning documents and applications?

- Pre-application stage suggestions:
 - Road map in charter is a good idea but earlier discussions are a must
 - Advertisement at this stage for community engagement should take place
 - What is the actual process of engagement? Clear line of communications between the public and developers
 - Who to contact
 - How to receive feedback
 - How to be involved/informed on the outcomes of design review panels
 - Pre-app should be summarised in full application to understand the initial consultation with the council - giving clarity of the pre-application process with developers from the start
 - If the proposed development is in compliance, then there should be a lower degree of consultation. If the proposed development is in violation, then there should be a higher degree of consultation.
- Application stage suggestions:

- To place greater burden on developers to demonstrate their ability to deliver, e.g. Project plan / timetable for residents including details of the construction management plan and post construction phases should be required
- Impacts of the development
 - Transport and other impact assessments
 - Accurate plans on height shadowing (with use of 3D modelling platform, virtual reality)
- Developers should consult using local community organisations with charitable status that have worked on planning and licencing issues locally to large development
- Duration & coverage of consultees
 - Longer consultation period required for major applications
 - Exhibitions that can cater to residents of different needs and timeslots
 - Requires the developers to invite members of affected community to focus groups
 - Consultation events at different times of day
 - Small number of people
 - Individuals are included, so that the group is not suffocated by local groups
 - To ensure diverse voices, clarity and transparency
 - There should be no difference between major or strategic applications in terms of level of engagement the developer requires to undertake
- Post-application stage suggestions:
 - Should use hoardings and website during construction stage
 - To educate people about the planning process
 - To detail some qualitative quotes from the community engagement process
 - Condense the vision and challenges of the application
 - To highlight residents' views of why this development/feature was a good idea - displaying people that look like me (e.g. BMW, elderly, disabled)
 - Developers should pay (around £7,000) to a community group who will externally monitor the course of the development.
- The practice should be more genuine, more than tick-box exercise:
 - Also to avoid consultation fatigue
 - How to evaluate public engagement?
 - Residents need to be involved in the evidence gathering stage of the process before developers look at sites
 - Working collectively with communities to validate the evidence that is gathered to ensure the facts about the site and the area are correct

For both strategic and major applications

- Clarity on:
 - information on S106 obligations
 - Enforce and monitor the delivery at post-planning phase
 - consultation plan and timetable

- Who's been consulted
 - Who's going to be consulted
 - Rules and guidelines on what is expected from developers
 - Backstories of the sites and developers
 - Necessity to explain how the application fits in and enhances the community
- Lack of information on viability calculation
 - Clarity is required in the charter for developers
 - Clearly inform the community of where S106 and CIL contributions go
- Council's support on community
 - Funding for neighbours to appoint professional advisers (locality) throughout the pre-application, application and construction stages
 - Residents are all volunteers, and developers hold meetings too early for full-time workers to attend. We lack resources that all developers have
 - Encourage meanwhile uses of the site during planning and construction phases
- Anything to learn from other boroughs?
- Multi-media consultations
 - Websites to inform consultation timetable and impact assessments
 - Interactive consultation on online forum
- Issue of timeline: 10 days is not enough

Further comments were received at the event that are not specific to the Development Consultation Charter, they will help inform the ways in which the Council works with residents moving forward. They are summarised below.

General Comments

- All new builds should be required to be carbon neutral.
- Officers should check if there are other planned or proposed developments nearby the application site to genuinely conduct cumulative impact assessments.
- Officers should document publicly the time and date when they visited a site.
- Officers should run workshops to enable individuals to understand the process of the council's planning structure and events.
- Officers should be present at TRA's meetings to address issues relating to individual's concerns and to provide information etc.
- Mixed voices: should developers come to council first, or to the community first?
 - Council first: ensure compliance with Southwark policies
 - Community first: council needs to consider local needs and voices and ensure transparency
- In relation to New Southwark Plan
 - A stronger plan is needed to be judged against the strategic applications
 - Currently (e.g. site allocations methodology) needed to be researched and re-evaluated through local engagement in order to be sound and legal
 - poor understanding of sites especially in terms of 'needs', 'heritage', 'economic networks'
 - By keeping things vague, the developers always win
- Difficulties in accessing online applications
 - Issues downloading the documents online, which normally takes over 10MB

- Hard to make contact with case officers and finding their contact details
- Community is divided by the attitude of both councillors and the council
 - Institutionally devalue community's voice through the current practices of community engagement
 - Imposed by different values, language barriers
- Value and protect the outcome of Peckham regeneration
 - Protect the arch and public space
 - No construction adjacent to the library that blocks the view of London
- Closure of bus stops at various times on the same road
- Ensure residents who lack digital accessibility can be included in the consultation process
- Update the list of buildings of historical, townscape and architectural importance for planning decision-making
- Documents should be provided seven days prior to an event so that attendees can read in advance and participate fully in the workshop
- No level playing field between community and developer
 - Especially on strategic and major applications
 - Community needs help to read, analyse and respond to highly technical and lengthy documents
 - Possibility of funding and dedicated planning officer with role of community support
- Cornwall Council's approach to early engagement was cited as a good example
- Requirement for all developments at the beginning
 - A facts report detailing:
 - land and buildings on the site
 - current uses and users
 - existing ideas and plans for self-initiated development by existing uses/users/owners
 - lists all stakeholders and their arguments or disagreement
- Vue City – at what stage does the 'model' get loaded on the 3D map? Will it be adjusted when proposal changes?
- Unbalanced development in Southwark - focuses on the north and central

How we consult you on planning in Southwark

19:00 – 21:00, Monday 25th March 2019

160 Tooley Street, London, SE1P 5LX

Objective

- Conducting a workshop to engage with the community and obtain feedback that informs the draft Developers Charter and the emerging Statement of Community Involvement (SCI)

Agenda

- **7:00** **Introduction to event - Councillor Johnson Situ**
- **7:10** **Workshop part 1- Feedback on the Draft Development Charter
(Each facilitator moves around to each table for 10 minutes)**

The Development Charter aims to set out clearly the expectations of developers by the Council when they are consulting on planning applications before, during and after the applications are submitted to the Council. The aim is to have open, easy to follow information on the Council's website that will be regularly updated

- Facilitator 1- What do you think of the format of the charter? Is it easy to follow?
- Facilitator 2- What do you think of the recording sheet with the information that is on the web? Is this the type of information that you would find useful?
- Facilitator 3- What do you think of the requirements of developers for major applications?

- Facilitator 4 - What do you think of the requirements of developers for strategic applications? How we consult on planning documents & applications

- **7:50** **Demonstration of new interactive digital planning options and other current planning consultations: Plan X, Vue City, Old Kent Road AAP, New Southwark Plan**

- **8:10** **Workshop part 2- What needs to be included in the SCI?
(Each facilitator moves around to each table for 10 minutes)**

The Statement of Community Involvement is the document that sets out the processes for consulting on planning policies and planning applications. This is the first stage of preparing this document over the next six months for a September Cabinet. We have a number of questions for you:

- Facilitator 1- What do you need to know about how planning works in Southwark?
- Facilitator 2- What ideas do you have for involving the community in decisions on planning applications?
- Facilitator 3- What ideas do you have for involving the community in developing planning policies?
- Facilitator 4 - How can communities play a full role in preparing the Statement of Community Involvement document?

- **8:50** **Close to event - Councillor Johnson Situ**

Please [click here](#) to sign up to this free event.
All relevant supporting documents can be found here.

Item No. 16.	Classification: Open	Date: 30 April 2019	Meeting Name: Cabinet
Report title:		Adoption of the Council's Movement Plan (Transport Plan) and Local Implementation Plan 3	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor Richard Livingstone, Environment, Transport Management and Air Quality	

FOREWORD – COUNCILLOR RICHARD LIVINGSTONE, CABINET MEMBER FOR ENVIRONMENT, TRANSPORT MANAGEMENT AND AIR QUALITY

This report sets out the council's Movement Plan, for cabinet to adopt.

The Movement Plan replaces the borough's 2014 transport plan. As its new name suggests, this new strategy takes a more holistic, human-centred approach to how people get around our borough, considering the public health aspects of travel alongside the mechanics of getting from A to B.

Our bold vision for movement over the next twenty years is based around three broad themes: People, Place and Experience. Each of these describes three missions, and those nine missions in turn set out twenty-three key actions. The plan is deliberately designed to be flexible enough to adapt as we learn.

Cabinet considered a draft of the Movement Plan in October 2018. Since that time, the council's consultation on the Movement Plan has elicited over a thousand responses. I would like to thank all those people that responded as they have helped shape and improve the Plan.

This Plan is a bold vision for the future of travel and transport in the borough. Each and everyone of us will need to play our part in delivering the Movement Plan if we are to achieve the improvements that the plan describes.

RECOMMENDATIONS

That the cabinet agree:

1. The 'Movement Plan 2019 - 2041, Setting a direction for transport'
2. Southwark's Local Implementation Plan (Lip) 3.

BACKGROUND INFORMATION

3. The current Transport Plan was adopted in 2011. Actions delivered through the plan include; a 20mph borough, increasing access to car clubs for residents, improved access to the rail network and improvements to Denmark Hill and Queens Road stations.
4. In 2014, the council adopted the Cycling Strategy (2014 to 2019). The cycling strategy refreshed the cycle network and introduced the Southwark Spine cycle

route. Since the adoption of the cycle strategy, there has been significant investment including quiet ways, the Southwark Spine supported by behaviour change programmes including the annual active travel campaign.

5. In 2016, the council consulted on draft Kerbside Strategy. The strategy and the consultation sought to widen the public discussion around use of this space and through that enable the wider implementation of safety, and active travel objectives.
6. In March 2018, the Mayor of London published his Transport Strategy (MTS) which has a greater focus on health, wellbeing and the importance of place. It identified that encouraging walking and cycling is important to achieving a reduction in car usage and the resultant negative health externalities.
7. Section 145 of the Greater London Authority Act 1999 (GLAA 1999) requires each council in London to prepare a Local Implementation Plan (LIP) to detail how the authority will assist in delivering the Mayor's Transport Strategy. Transport for London subsequently produced guidance in May 2018 for boroughs in preparing their third LIP (LIP3). In response the council prepared a new transport plan (title the Movement Plan) which is supported by a more technical document title Southwark's transport implementation plan which bridges the Movement Plan and the requirements of the borough's LIP3.

KEY ISSUES FOR CONSIDERATION

8. The Movement Plan has been developed through a human centred approach and places the people that live, work and visit the borough at the starting point of our journey. The Movement Plan is based around three focus areas; people, place and experience and within these sets a number of missions which we are seeking to achieve.
9. People, focusses on the personal role and impact of movement on physical and mental wellbeing and the differential impact across our community. This theme introduces an equity framework to guide the delivery of the plan. The borough is the first authority to place an equity approach and the core of movement function. Within this theme we also recognise the personal impacts, some positive (calm, green streets) as well as some of the negative (cluttered streets/too much to see) and provides core actions to address these.
10. Place, focusses on reducing traffic, the role of the place in influencing our experience as well as the management of essential traffic such as waste collection, delivery and servicing. This theme seeks to create places for people to come together (such as town centres) and how they can be enjoyable, exciting, creative, diverse places to be.
11. Experience, the final theme responds to how we feel about movement and addresses feeling safe and being safe on our roads from a personal safety and road safety perspective. This theme also recognises the significant change that the borough will face in the life of the plan (to 2041) and reflects information sharing, exchanging and collaborating to deliver the movement plan.
12. The plan builds on the successes of the Transport Plan 2011 and learns from the less successful elements, it incorporates the vision set out in the Cycling Strategy and incorporates the outcomes of the Kerbside Strategy consultation.

13. The plan responds to the requirements set by the Mayor of London and TfL and will help to deliver the Mayors Transport Strategy.

Policy implications

14. The Movement Plan (and associated Lip3) will help to deliver the council plan, placing people and their wellbeing at the heart of our policy. The plan is a statutory requirement and will be looking ahead to 2041.
15. The Movement Plan addresses the following policies in the Council Plan:
 - A place to call home
 - A place to belong
 - A healthier life
 - A vibrant Southwark.
16. The plan has been developed with officers from across the council and as such embeds the broader policy work. Clear linkages within the policy and subsequent delivery plan between work areas, will extend into the delivery of this plan across the council.
17. The plan has been prepared alongside the Sport and Physical Activity Strategy and the Consultation Framework and has a strong relationship to these documents.

Community impact statement

18. We have listened to concerns, challenges, and opportunities raised by our community. This has been supported by research, evidence and experience when developing the Movement Plan.
19. Alongside this we fulfilled our duty under the GLA Act 1999 by consulting with statutory consultees including Transport for London, London boroughs, Police, Emergency services and any other service that is likely to be affected by the plan.
20. The Movement Plan has been assessed against the council's equality duty. The equality duty applies to public bodies and others carrying out public functions. It supports good decision-making by ensuring public bodies consider how different people will be affected by their activities, helping them to deliver policies and services which are efficient and effective; accessible to all; and which meet different people's needs.
21. The Movement Plan has due regard to the three aims of the equality duty:
 - I. eliminate unlawful discrimination, harassment and victimisation and any other conduct prohibited by the Act;
 - II. advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
 - III. foster good relations between people who share a protected characteristic and people who do not share it.
22. Ongoing monitoring will identify any unforeseen consequences, positive impacts or any identified impacts and any adverse impacts minimised where possible.

The embedded equality framework, in the Movement Plan places equality as a core principle, the delivery of the plan will be supported by an annual review from all available information.

Financial implications

23. There are no financial implications arising from this report as the plans will be implemented within existing departmental approved revenue and capital budgets.
24. Any additional resources, if required, will be subject to further reports for cabinet approval.

Consultation

25. The Movement Plan and supporting documents (including the Integrated Impact Assessment) were consulted between November 2018 and February 2019. The approach to consultation was tailored to ensure everyone has an opportunity to have their say, felt listened to and were well informed.
26. In addition to common consultation processes, three focus pieces of work were undertaken, these were:
 - Young advisors surveyed the views of the 12-16 year olds
 - With London College of Communication we hosted a workshop and conducted in-depth interviews with members from Southwark's pensioners centre to understand and identify where we can improve the experiences of older people moving and using public space.
 - On street surveying at key locations (libraries, leisure centres) to ensure broader representation of responses to the plan.
27. In total we received 1,025 responses comprising 689 via the consultation hub, 207 on street surveys and a further 129 collected by the Young Advisors of 12-16 year olds. In addition to this eight stakeholder responses were received.
28. The consultation showed strong support for some of our key initiatives and directions. With 76.92% of respondents agreeing that we should reduce the number of motor vehicles on our roads. Further, 59.22% support the idea of expanding the concept of time-restricted road closures to other locations. Particularly for the purpose of community events and streets parties, prioritising of an enjoyable walking and cycling experience and improved air quality.
29. The document was generally welcomed and people supported the people centred focus of the plan. Where the consultation showed a strong appetite for an initiative and action we have worked to strengthen missions to clearly deliver on these. Key areas included:
 - Reduce traffic and improve air quality (77% agree we should reduce the number of motor vehicles on our roads).
 - Feel safe from crime and injury.
 - Green, peaceful and calm places. With green links and quiet routes away from traffic.
 - Infrastructure to support easy and safe walking and cycling.
 - Public transport is reliable and accessible.

30. The consultation showed strong support for some of our key initiatives for example 59% of respondents support the idea of expanding the concept of time-restricted road closures particularly for the purpose of community events such as streets parties, prioritising of an enjoyable walking and cycling experience and improved air quality.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

31. The council is required by section 145 of the Greater London Authority Act 1999 (GLAA 1999) to prepare a Local Implementation Plan outlining their proposals and how they intend to implement the Mayor's Transport Strategy in their respective areas. Accordingly, the Council has undertaken a consultation and the results are reported between paragraphs 26 and 29 of the report.
32. Under section 151 of the GLAA 1999, once a LIP plan has been approved by the Mayor the Council must implement it according to the timetable in the plan.
33. Paragraph 22 of the report confirms that the delivery of the plan will be supported by annual reviews which are essential as the obligation to comply with the Public Sector Equality duty is a continuing requirement. Paragraph 20 of the report confirms that the requirements contained within section 149 of the Equality Act have been considered and assessed
34. Cabinet is being asked to agree the Movement Plan 2019-2041 and also Southwark's Local Implementation Plan. Under Part 3B of the Constitution the Cabinet retains control for major policies and strategies and this report relates to the update to the current Transport Plan which was adopted in 2011.

Strategic Director of Finance and Governance (FC18047)

35. This report is requesting cabinet to agree the 'Movement Plan 2019 - 2041, setting a direction for transport and Southwark's Local Implementation Plan (LIP) 3.
36. The strategic director of finance and governance notes that there are no immediate financial implications arising from the report and any additional resources if required, in implementing the plans, will be subject to further reports for cabinet approval.
37. Staffing and any other costs connected with this report to be contained within existing departmental revenue budgets.

BACKGROUND DOCUMENTS

Background Papers	Held at	Contact
Transport Plan 2011	Planning and Transport, 5 th Floor, 160 Tooley Street London SE1 2QH	Sally Crew 020 7525 5564
Link: https://www.southwark.gov.uk/assets/attach/1959/Transport%20plan.pdf		

APPENDICES

No.	Title
Appendix A	Movement Plan, Setting a direction for transport (circulated separately)
Appendix B	Southwark's Local Implementation Plan 3 (circulated separately)
Appendix C	Movement Plan supporting documentation; Integrated Impact Assessment Movement Plan/Local Implementation Plan 3/Equality Analysis Consultation report (all available online – web link below)
Link: http://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=302&MId=6089&Ver=4 (Item 16)	

AUDIT TRAIL

Cabinet Member	Councillor Richard Livingstone, Environment, Transport Management and Air Quality	
Lead Officer	Kevin Fenton, Strategic Director Place and Wellbeing	
Report Author	Sally Crew, Transport Policy Manager	
Version	Final	
Dated	12 April 2018	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Law and Democracy	Yes	Yes
Director of Planning	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team		12 April 2019

Item No. 17.	Classification: Open	Date: 30 April 2019	Meeting Name: Cabinet
Report title:		Former Joseph Lancaster School and Land at the Lawson Estate SE1	
Ward:		Chaucer	
Cabinet Member:		Councillor Leo Pollak, Social Regeneration, Great Estates and New Council Homes	

FOREWORD – COUNCILLOR LEO POLLAK, CABINET MEMBER FOR SOCIAL REGENERATION, GREAT ESTATES AND NEW COUNCIL HOMES

At the end of May this year, more than 11,800 families (comprising over 25,000 people) were recorded on Southwark's housing register in need of rehousing – behind these figures are stories of families living in overcrowded homes, delaying key life decisions due to extortionate housing costs, health problems linked to housing, children's educational attainment and younger people's ability to invest in themselves and their futures thwarted. In this context, Southwark is resolved to maximise the overall social rented stock in our borough, including through pursuing an ambitious programme for building new council homes.

We will soon begin construction of forty new council homes on this the former school and part of the Lawson Estate, as part of our long-term commitment to build 11,000 new council homes by 2043. Unlike in previous periods of council house building where large sites lent themselves to comprehensive estate development and (relatively) simpler approaches to land assembly, today most of our development sites involve the repurposing of existing housing land with a greater risk of historic property rights emerging that may frustrate the process. We owe it to residents on our waiting list and to neighbouring residents who have contributed positively to the design and associated landscaping of these new homes to mitigate any risk to the development, even where the risk is remote. Cabinet is therefore recommended to approve the appropriation of the hatched land parcels from education and housing to planning and then to housing, an administrative process that will enable construction of the approved scheme to proceed with confidence.

RECOMMENDATIONS

That cabinet:

1. Notes for the reason set out in paragraph 5 of this 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.
2. Confirms that the land shown hatched red on the plan at Appendix A that is currently held for education purposes is no longer required for those purposes and approves 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.

3. Confirms that the land shown hatched green on the plan at Appendix A that is currently held for housing purposes is no longer required for those purposes and approves 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.
4. Confirms that following completion of the appropriations at recommendations 1 and 2 the land shown hatched red and green on the plan at Appendix A will no longer be required for planning purposes and approves 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.

BACKGROUND INFORMATION

5. On 13 March 2018, cabinet approved a proposal to facilitate the delivery of new homes on the former Joseph Lancaster School. Broadly, the mechanics of this would be the site to be transferred by way of a long lease to Leathermarket Community Benefits Society (CBS) the trading arm of Leathermarket Joint Management Board ("JMB"). The council would provide a grant to fund the construction of the housing and the completed homes would be managed by the JMB and let on secure tenancies at council rent levels. This model has worked for the parties on a similar scheme at Marklake Court (former garages on the Kipling Estate). A significant part of the grant would be funded by the Homes for Londoners scheme. However it is a condition of that scheme that the completed dwellings are Council homes and that is at variance with last year's decision that was on the premise the new homes would be held by the CBS. As a consequence it is now considered appropriate for the council to directly build the homes and for the JMB to manage them.
6. On 10 January 2019 planning consent was granted in respect of the land shown edged green on the plan at Appendix A for new housing and enhancements to the Lawson Estate. This consented land includes a pre-fabricated building that was known as the Joseph Lancaster School that was latterly used as a nursery, an area of grassed communal garden, a children's play area and two areas of car parking (including a block of nine lock up garages). The site also includes the undercroft beneath Nashe House and two parcels of land to the north of this block.
7. On 28 November 2018 council assembly approved the current Council Plan. This sets a number of commitments to our community including *A Place to Belong*; one of the undertakings to meet this commitment is to *Build at least 1,000 more council homes.....by 2022*. The recommended appropriations in this report are to further this commitment.
8. Whilst all the land contained within the area edged green is owned by the council as freeholder it is held for two different purposes; the majority is held for housing purposes in the housing revenue account but the former school hatched red on the plan at Appendix A is held for education purposes by the general fund.
9. The Lawson Estate whilst owned by the council is managed on its behalf by the Leathermarket JMB. Following completion of the consented scheme this will remain the case and the new homes will be managed by Leathermarket JMB.

10. Leathermarket JMB and many of the Estate's residents actively and positively participated in preparing the scheme that was given planning consent earlier this year and understandably there is the expectation that it commences imminently. The present estimate is for work to start next month but before it can, the sites need to be appropriated to eliminate the risk of anyone seeking to enforce a third party right such as a right of access or light and obtaining an injunction to stop the scheme.
11. In January 2019 planning consent was granted for the redevelopment of the site to provide the following:
 - ❖ 7 one bedroom flats
 - ❖ 24 two bedroom flats
 - ❖ 3 three bedroom flats
 - ❖ 6 three bedroom houses
 - ❖ New parking bays
 - ❖ A play area
 - ❖ Community garden
 - ❖ Enhanced landscaping
 - ❖ Fourteen cycle lockers to the undercroft of Nashe House.
12. All forty of the new housing units will be let at council rent levels.

KEY ISSUES FOR CONSIDERATION

13. The consented scheme provides for a stepped block of flats starting at four stories by Middleton House moving north-west, then six stories and then to eight stories on the land hatched red on the plan. The houses will be in a three storey terrace situated on the land shown hatched green on the plan. As part of the planning process a lighting report was obtained from a specialist surveyor. This is considered in the planning report and for daylighting and sunlighting concludes *"analysis indicates that all properties around the development site are compliant with the Building Research Establishment Guidelines for daylight and sunlight with the proposal in place or come close to the recommendations within the BRE Guidelines. There are some isolated reductions in daylight beyond the recommendations in the Guidelines in Nashe House and Beeston House but these windows retain good levels of daylight in terms in many cases better than other fully compliant windows in Beeston House. Given the flexibility permitted in the application of the BRE Guidelines in urban locations such as this, these results are considered in keeping with the BRE Guidelines' recommendations"*.
14. The surveyor's daylighting/sunlighting report whilst generally positive does recognise there will an adverse impact to some properties in Nashe House and Beeston House. These adverse impacts were not of a degree to cause refusal of the scheme from a planning perspective but their existence poses a risk in being able to build the scheme because affected persons may apply to the court for an injunction to stop it proceeding.
15. The determined planning application has taken into account daylighting and sunlighting issues. As part of the planning process around six hundred occupiers in the locality were directly consulted and only one objection was lodged (there were three representations supporting the scheme). This objection did not refer to lighting but concerned itself with density of development, impact on street

parking, noise and disruption from the development and a preference for the former nursery site to be a communal garden.

Appropriations

16. The appropriation of land refers to the process whereby a council alters the purpose for which it holds land. Where land has been appropriated for planning purposes third party rights enjoyed over the land can be overridden. The beneficiaries of such rights may however claim compensation [equal to the loss in value of their property caused by losing the right] but cannot seek an injunction to delay or terminate the development. This will give the council the certainty that having commenced construction works a person with the benefit of an unregistered (with the Land Registry) right over land (such as a right to light) cannot apply to the court to have the development stopped. This is a very important tool in enabling development to proceed on urban sites. As mentioned, the beneficiary of any such right is entitled to financial compensation for the loss of the right. The Council could either insure against such compensation claims but this will be costly or accept the risk of an injunction that may be fatal to development or result in perhaps significant unquantifiable costs.
17. The compensation persons affected by the loss of light may be entitled to is based on the value of their properties before the right has been infringed versus the value of the property with the infringed right. This compensation is based on the diminution in value of the affected property. If agreement between the parties is not possible it will be determined by the Upper Tribunal (Lands Chamber).
18. In this case it is recommended that the land hatched red (former nursery) on the plan be appropriated from education purposes to planning purposes and the land hatched green (surfaced access and parking area) on the plan be appropriated from housing purposes to planning purposes. Once these appropriations are completed then both hatched sites be appropriated to housing purposes as to hold the land for planning purposes will not be consistent with the ultimate use of the land.
19. The rationale for the appropriations of the land shown at Appendix A is set out at Appendix B and Cabinet is recommended to approve the appropriations.
20. The appropriation stages is summarised overleaf:

Land currently held for education and housing purposes

Appropriate from education and housing to planning



Third party rights infringed by development cannot be enforced by injunction

Appropriate from planning to housing



Construction of new housing can proceed

21. Cabinet has received similar reports to enable new housing schemes to proceed to address the shortage of affordable housing within the Borough.

Rationale for recommendations

22.
 - a. To mitigate against the construction of new social housing being

frustrated or delayed by injunctions/

- b. To de-risk the construction project so as to encourage the maximum number of bidders and achieve a lower construction cost.
- c. To delivery a current Council Plan commitment.

Community impact statement

- 23. The new Council Plan was the subject of extensive community consultation. The recommendations herein further the delivery of the *A Place to Belong* commitment set out in the Plan.
- 24. The Equality Act 2010 requires the council in the exercise of its functions to have due regard to the need to:
 - a) eliminate discrimination;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 25. Relevant protected characteristics for the purposes of the Equality Act are:
 - Age
 - Civil partnership
 - Disability
 - Gender reassignment
 - Pregnancy and maternity
 - Race
 - Religion or belief
 - Sex and sexual orientation.
- 26. In considering the recommendations herein the cabinet must have due regard to the possible effects them on any groups sharing a protected characteristic in order to discharge its public sector equality duty. This is an ongoing obligation.
- 27. If the recommendations set out are approved, the council will be able to proceed with the construction of forty new homes and to make enhancements to the Lawson Estate. These new homes may ultimately house some people with protected characteristics. There are no known dis-benefits to persons with protected characteristics arising from the proposed scheme.

Financial implications

28. The construction of the new homes will have a significant cost and an approved budget exists for this. The budget will need to make provision for any compensation claims for diminution in value that may arise as a consequence of the construction of the new homes.
29. When land and property is appropriated between the HRA and the general fund, adjustments are required to reflect the change in the respective debt liabilities, as measured by the Capital Financing Requirement (CFR). Ownership of the land does not change; the council itself owns all assets regardless of the power under which they are held.
30. The adjustment in respect of the appropriation of the education land (hatched red on the plan) will result in an increase in the HRA CFR of £3m and a corresponding decrease in the general fund CFR. The revenue implication of the appropriation will increase the interest charged to the HRA by circa £135,000 per annum; the charge to the General Fund will reduce by £135,000 together with a saving on Minimum Revenue Provision (the amount set aside for debt repayment).
31. The land hatched green is currently held by the housing revenue account; it will transfer briefly to the general fund and then back to the housing revenue account. It will be held in the general fund for less than a day so the net effect of the respective transfers between accounts is de minimis.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

32. The report recommends the appropriation of council-owned land currently held for education and housing purposes to planning purposes, and thereafter, the appropriation of that land for housing purposes.
33. A council holds land and property for a variety of statutory purposes in order to perform its functions. A council is authorised by virtue of section 122 of the Local Government Act 1972 ("the 1972 Act") to appropriate land within its ownership for any purpose for which it is authorised to acquire land by agreement, where is no longer required for the purpose for which it is held immediately before the appropriation.
34. The land must already belong to the council. Paragraph 8 of the report confirms that the land to be appropriated is in the council's freehold ownership.
35. The land must be no longer required for the purpose for which it is currently held. The report confirms at paragraph 8 of Appendix B that the lands are no longer required for education and housing purposes.
36. The purpose for which the council is appropriating the land must be authorised by statute. It is proposed that the land is held for planning purposes. This is a purpose which is authorised by statute. Section 246 of the Town and Country Planning Act 1990 ("TCPA 1990") defines such purposes as, inter alia, those for which can be acquired under ss226 or 227 of that Act. Section 227 provides that a council may acquire land by agreement for any purposes for which it is authorised to acquire land compulsorily by s226 TCPA 1990.

37. The purposes for which a council can acquire land pursuant to s226 TCPA 1990 include purposes “which it is necessary to achieve in the interests of the proper planning of an area in which the land is situated.” S226 also authorises the acquisition of land “... if the authority think that the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to the land.” In the case of either s226 or s227 the acquiring authority must be satisfied that whatever development proposals it has for the land in question these are likely to “contribute to the achievement of any one or more of the following objects – (a) the promotion or improvement of the economic well-being of their area; (b) the promotion or improvement of the social well-being of their area; (c) the promotion or improvement of the environmental well-being of their area.” The council’s plan to build new homes on the land, of which, all are council homes for rent and is capable of falling within all three categories.
38. Section 203 of the Housing and Planning Act 2016 came into force on 13 July 2016. This section contains a power to override easements and other rights, and it replaces s237 TCPA.

S203 says:

“(1) A person may carry out building or maintenance work to which this subsection applies even if it involves

(a) interfering with a relevant right or interest...

(2) Subsection (1) applies to building or maintenance work where –

(a) there is planning consent for the building or maintenance work,

(b) the work is carried out on land that has at any time on or after the day on which this section comes into force

(i) become vested in or acquired by a specified authority or

(ii) been appropriated by a local authority for planning purposes as defined by section 246(1) of the Town and Country Planning Act 1990 [*i.e. for purposes for which an authority can acquire land under ss226 and 227*]

(c) the authority could acquire the land compulsorily for the purposes of the building or maintenance work, and

(d) the building or maintenance work is for purposes related to the purposes for which the land was vested, acquired or appropriated as mentioned in paragraph (b).”

39. What this means is that where land has been appropriated for planning purposes building work may be carried out on land even if this interferes with rights or interests if there is planning consent for the building work; and the work must be for purposes related to the purposes for which the land was appropriated, in this case planning purposes. By s204 those third party rights are converted into an entitlement to compensation to be calculated in accordance with ss7 and 10 of the Compulsory Purchase Act 1965.

40. This report confirms that the work being done on the land will be done in accordance with planning permission. Once the land has been appropriated and s203 triggered, that work will be authorised even where it interferes with third party rights.
41. Following the appropriation of the land for planning purposes it is recommended that the land is appropriated for housing purposes, as the land is to be used for the provision of new housing. At that point the land will no longer be required for planning purposes and will be appropriated for housing purposes.

Strategic Director of Finance and Governance [FC18/046]

42. This report is requesting cabinet to approve the appropriation of the lands as reflected in paragraphs 1-3 to facilitate the regeneration and the building of new homes at the Lawson Estate. Full details are provided within the main body of the report.
43. The strategic director of finance and governance notes that the respective lands are no longer required for education and housing purposes and can therefore facilitate the housing redevelopment proposals as reflected in the report.
44. The financial impact of the appropriation is detailed in the financial implication section and the strategic director of finance and governance notes that it is proposed to occur in such a way that it will have a neutral financial impact for the council.
45. Staffing and any other costs relating to this report to be contained within existing departmental revenue budgets.

Strategic Director of Housing and Modernisation

46. This report ensures that the proposed development of the former Joseph Lancaster School scheme can progress with the avoidance of legal challenge. The rights of light issues from the scheme are not considered significant but nevertheless exist. Extensive consultation with local residents, together with a commitment to make 50% of the new social rented homes available to local residents in housing need leads the way in which social housing can be developed in inner cities. The scheme is a contribution to the Council's pledge to build 11,000 new homes by 2043.

BACKGROUND DOCUMENTS

Background Documents	Held At	Contact
Council Plan 2018/9 – 2021/22	Chief Executives Office 160 Tooley Street London SE4 2QH	Matt Little 020 7525 0388
Link (please copy and paste into your browser): http://moderngov.southwark.gov.uk/documents/s78763/Report%20Council%20Plan.pdf		
January 2019 planning determination and associated documents	160 Tooley Street London SE4 2QH	Tim Bostridge 020 7525 1222
Link: http://planbuild.southwark.gov.uk/documents/?casereference=17/AP/4661&system=DC		
Proposed lease and funding for former Joseph Lancaster nursery	Constitutional Team 160 Tooley Street London SE4 2QH	Paula Thornton 020 7525 4395
Link (please copy and paste into your browser): http://moderngov.southwark.gov.uk/documents/s74553/Report%20Joseph%20Lancaster%20Estate%20Deverell%20Street%20SE1%20-%20Grant%20of%20Long%20Lease%20and%20Housing%20Funding%20Agre.pdf		

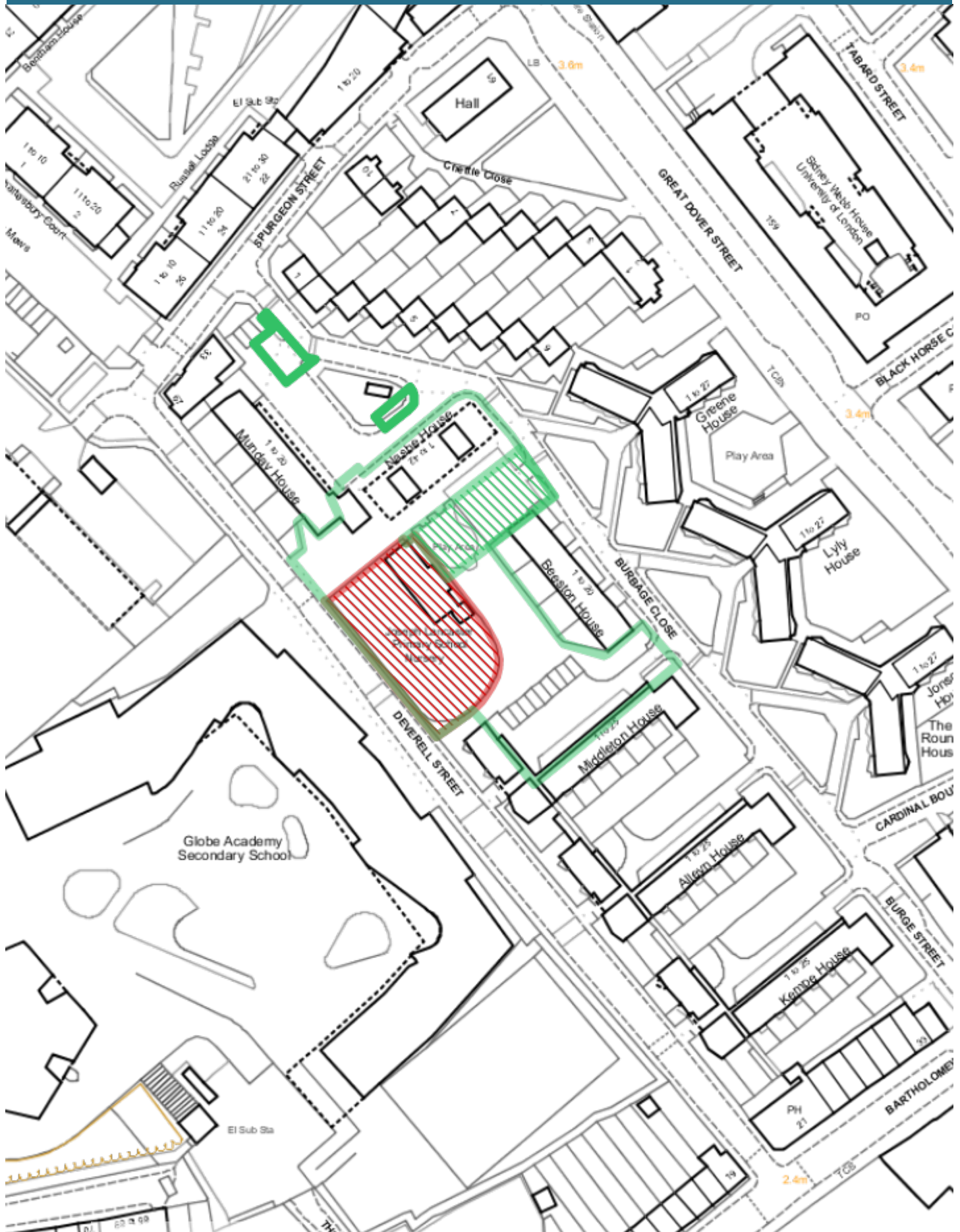
APPENDICES

Appendix	Title
Appendix A	Former Joseph Lancaster School and Land at the Lawson Estate SE1
Appendix B	Rationale for appropriations of the land

AUDIT TRAIL

Cabinet Member	Councillor Leo Pollak, Social Regeneration, Great Estates and New Council Homes		
Lead Officer	Kevin Fenton, Strategic Director Place and Wellbeing		
Report Author	Patrick McGreal, Regeneration North		
Version	Final		
Dated	11 April 2019		
Key Decision?	No		
CONSULTATION WITH OTHER OFFICERS / CABINET MEMBER			
Officer Title	Comments Sought	Comments included	
Director of Law and Democracy	Yes	Yes	
Strategic Director of Finance and Governance	Yes	Yes	
Strategic Director of Housing and Modernisation	Yes	Yes	
Cabinet Member	Yes	Yes	
Date final report sent to Constitutional Team		12 April 2019	

APPENDIX A: Former Joseph Lancaster School and land at the Lawson Estate SE1



Former Joseph Lancaster School and Land at the Lawson Estate SE1

Appropriation of the land (shown hatched red and green on the plan) at Appendix A for purposes set out in s226 of the Town and Country Planning Act 1990 and to purposes set out in section 9 of the Housing Act 1985

Background to appropriation

1. Under section 122(1) of the Local Government Act 1972 the Council may appropriate land for any purpose for which it is authorised to acquire land when the land is no longer required for the purposes for which it is held.
2. Under section 226(1)(a) and 227 of the Town and Country Planning Act 1990 the Council may acquire land if they think the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to the land. This includes development of the sort contemplated in the redevelopment of the subject former school and estate parking and gardens. The power in section 226(1)(a) is subject to subsection (1A) of section 226. This provides that the acquiring authority must not exercise the power unless it considers the proposed development, redevelopment or improvement is likely to contribute to achieving the promotion or improvement of the economic, social or environmental well-being of the area for which the acquiring authority has administrative responsibility. There are clear economic social and environmental and social benefits associated with the provision of new housing at the Lawson Estate, namely providing people with quality accommodation that may result in better educational attainment and general well being, and employment opportunities from the construction works. Accordingly the Council may appropriate land for the purposes of the development proposals land that it already owns if that land is no longer required for the purposes for which it is held. The land shown on the plan at Appendix A is no longer required for its current purposes for the reasons set out below and is not needed in the public interest for those purposes. The land can therefore be appropriated from its current use. As the appropriation will facilitate the Lawson Estate new housing development proposals it may be appropriated for planning purposes.
3. Where land has been appropriated for planning purposes Section 203 of the Housing and Planning Act 2016 (power to override easements and other rights) applies such that the erection, construction or carrying out or maintenance of any building or work on the land (by the council or a person deriving title from the council) is authorised if it is done in accordance with planning permission, notwithstanding that it interferes with certain private rights such as restrictive covenants and easements. The effect of triggering section 203 is that private rights are effectively overridden and converted into a claim for compensation pursuant to s 204. The level of compensation for interference with rights or breach of restrictive covenant is assessed on the basis of the loss in value of the claimant's land as a consequence of the interference or breach of covenant. An important consequence of the operation of Section 203 is that a claimant cannot secure an injunction, to prevent the development from going ahead - as indicated above, their remedy is a claim for compensation.
4. Prior to developing land it is usual practice to make prudent enquiries of what rights might exist over the land, this will involve inspecting the land to see if there are any obvious rights and checking land ownership information. However, some rights may not be apparent from inspection and historic ones may not always be recorded at the Land Registry. The application of the power to override rights contained in s203 therefore mitigates this risk.
5. The right to claim compensation for the depreciation in value caused by the loss of right is enforced against the owner of the land which in this case is the Council.

Rationale for appropriating the subject sites to planning purposes

6. The former nursery, estate garages and amenity land are under utilised in land use terms and the need for new housing at affordable rent levels greatly exceeds the existing use need. In pursuance of the adopted Council Plan and to address a need for new affordable housing, the site has been identified to be redeveloped for this purpose. Planning consent has been secured for the scheme outlined in paragraph 11 of the main report. Although it is extremely unlikely that there will be impact on the rights of light to nearby residents from the consented scheme appropriation will eliminate any risk of one or more of them may applying to the court for an injunction. If an injunction is granted, the scheme will not be able to proceed. In any event, the risk of an application for an injunction is such that it will defer prospective builders from bidding to construct the new housing or result in a substantial risk contingency that undermines the viability of construction. In these circumstances it is appropriate to utilise the powers of section 203 to overcome this risk and enable the much needed new homes to be built.
7. As indicated above, the land is now required to be held for planning purposes to facilitate the redevelopment proposals associated with the planning permission for new housing. When land has been appropriated for section 203 purposes it will continue to benefit from its over-riding provisions even when the land is no longer held for planning purposes.
8. The land shown hatched red at Appendix A is no longer required to be held for education purposes and the land shown hatched green is no longer required for housing purposes. As indicated above, these lands are now required to be held for planning purposes to facilitate the redevelopment proposals associated with the planning permission.

Rationale for appropriating the subject site to back to housing purposes

9. Once the land is appropriated for planning purposes it should be appropriated back to housing purposes as this will be its ultimate usage and the cleansing effect of s203 means that it can be developed in confidence that the works won't be at risk of an application for an injunction to frustrate the development.
10. Section 9(1)(a) of the Housing Act 1985 provides a local housing authority may provide housing accommodation by erecting houses on land acquired. It is therefore apt that following the s203 appropriation the land is in accordance with section 122(1) of the Local Government Act 1972 appropriated for purposes within section 9(1)(a) of the Housing Act 1985.
11. The appropriation of the land whilst denying the beneficiaries of any third party rights over the land the ability to frustrate the regeneration of the land will not take away their ability to claim for compensation in respect of any diminution in the value of their land as a result of their rights being overridden.

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