

Cabinet

Tuesday 17 December 2019

4.00 pm

Ground Floor Meeting Rooms, 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
Jobs, Business and Innovation
Environment, Transport and the Climate Emergency
Finance, Performance and Brexit
Social Regeneration, Great Estates and New Council Homes
Growth, Development and Planning
Housing Management and Modernisation

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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Contact

Virginia Wynn-Jones 020 7525 7055 or Paula Thornton 020 7525 4395
Or email: virginia.wynn-jones@southwark.gov.uk; paula.thornton@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Councillor Peter John

Leader of the Council
Date: 9 December 2019



Cabinet

Tuesday 17 December 2019
4.00 pm

Ground Floor Meeting Rooms, 160 Tooley Street, London SE1 2QH

Order of Business

Item No.	Title	Page No.
	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 11 December 2019.	
6.	MINUTES	2 - 11
	To approve as a correct record the minutes of the open section of the meeting held on 29 October 2019.	
7.	DEPUTATION REQUESTS	
	To consider any deputation requests. The deadline for the receipt of a deputation request is midnight Wednesday 11 December 2019.	
8.	SCHOOL STANDARDS YEARLY REPORT	12 - 17
	To note the 'Best start in life – Southwark school standards report 2018-19'.	
9.	KINGSWOOD QHIP 2018-2019 EXTERNAL WALL INSULATION PROPOSALS - REPORT FROM OVERVIEW AND SCRUTINY COMMITTEE	18 - 19
	To consider recommendations from the overview and scrutiny committee and agree a report back to cabinet within eight weeks from the relevant cabinet member in response to these recommendations.	
10.	RECOMMENDATIONS ON BRANDON ESTATE - REPORT FROM OVERVIEW AND SCRUTINY COMMITTEE	20 - 21
	To consider recommendations from the overview and scrutiny committee and agree a report back to cabinet within eight weeks from the relevant cabinet member in response to these recommendations.	
11.	LEATHERMARKET GRANT AGREEMENT	22 - 34
	To approve the overarching grant agreement with Leathermarket Community Benefit Society (CBS) to deliver 161 council homes and also approve the project grant agreement for the delivery of individual projects outlined in the overarching grant agreement.	
12.	GATEWAY 3 MAJOR WORKS FRAMEWORK EXTENSION	35 - 44
	To approve the variations to Lots 1, 2 and 3 of the major works framework.	

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13.	ANNUAL WORKFORCE REPORT 2018-19	45 - 93
	To note the workforce report.	
14.	COUNCIL TAX BASE 2020-21	94 - 107
	To approve the schedule of discounts and exemptions and agree the council tax base for 2020-21.	
15.	TREE MANAGEMENT POLICY (2020-2025)	108 - 123
	To approve the Southwark Tree Management Policy following consultation held between 6 August 2019 and 27 September 2019.	
16.	THE SOUTHWARK NATURE ACTION PLAN	124 - 192
	To approve the Southwark Nature Action Plan (SNAP) for the planning and management of biodiversity in the borough.	
17.	GARAGE COMPOUND HENSLOWE ROAD, EAST DULWICH LONDON SE22 OAS	193 - 203
	To approve the appropriation of land to facilitate the carrying out of development proposals for the area.	
18.	LAND AT BALFOUR STREET AND CHATHAM STREET, WALWORTH	204 - 214
	To approve the appropriation of land to facilitate the carrying out of development proposals for the area.	
19.	2 SEDGMOOR PLACE, CAMBERWELL	215 - 225
	To approve the appropriation of land to facilitate the carrying out of development proposals for the area.	
20.	GARAGE COMPOUND BASSANO STREET, EAST DULWICH LONDON SE22 8RU	226 - 236
	To approve the appropriation of land to facilitate the carrying out of development proposals for the area.	
21.	STRATEGIC ACQUISITION OF LAND OLD KENT ROAD SE15	237 - 243
	Authorises pursuant to s120 of the Local Government Act 1972 and s9 of the Housing Act 1985, that the Council acquires the freehold interest in the property shown edged red on the plan at Appendix A	

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OTHER REPORTS

The following items are also scheduled for consideration at this meeting:

- | | | |
|------------|---|-----------|
| 22. | INDICATIVE HOUSING REVENUE ACCOUNT (HRA) BUDGET AND RENT SETTING 2020-21 | To follow |
| 23. | POLICY AND RESOURCES STRATEGY 2020-21 TO 2022-23 | To follow |
| 24. | LEDBURY TOWERS ARUP STRUCTURAL SURVEY REPORT | To follow |
| 25. | ST. THOMAS STREET SOCIAL REGENERATION CHARTER | To follow |
| 26. | WALWORTH COMMUNITY DEVELOPMENT SUPPORT | To follow |
| 27. | ELEPHANT AND CASTLE UNDERGROUND STATION AND BAKERLOO LINE EXTENSION | To follow |

DISCUSSION OF ANY OTHER OPEN ITEMS AS NOTIFIED AT THE START OF THE MEETING

EXCLUSION OF PRESS AND PUBLIC

The following items are included on the closed section of the agenda. The Proper Officer has decided that the papers should not be circulated to the press and public since they reveal confidential or exempt information as specified in paragraphs 1-7, Access to Information Procedure Rules of the Constitution. The specific paragraph is indicated in the case of exempt information.

The following motion should be moved, seconded and approved if the cabinet wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure Rules of the Constitution.”

Item No.

Title

Page No.

PART B - CLOSED BUSINESS

28. MINUTES

29. STRATEGIC ACQUISITION OF LAND OLD KENT ROAD SE15

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

Date: 9 December 2019



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

Cabinet 17 December 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 17 December 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 29: Strategic Acquisition of land Old Kent Road SE15

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: 9 December 2019



Cabinet

MINUTES of the OPEN section of the Cabinet held on Tuesday 29 October 2019 at 4.00 pm at the Council Offices, 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Rebecca Lury (In the chair)
Councillor Evelyn Akoto
Councillor Jasmine Ali
Councillor Richard Livingstone
Councillor Victoria Mills
Councillor Leo Pollak
Councillor Johnson Situ
Councillor Kieron Williams

1. APOLOGIES

Apologies for absence were received from Councillors Peter John and Stephanie Cryan.

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

The chair gave notice of the following late items:

- Item 7: Deputation requests
- Items 19 and 21: Gateway 3 – Variation Decision – Extension of Contract: Adults Integrated Drug and Alcohol Treatment System

- Item 19a: Ledbury Towers Arup Structural Survey Report

- Item 19b: Impact of Brexit on Southwark - Progress Report.

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

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

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Councillor Victoria Mills declared a non-pecuniary interest in respect of items 16 and 17 on the agenda, as her partner works for UNISON. Councillor Mills confirmed her intention to withdraw from the meeting while these items were being discussed and decisions made.

5. PUBLIC QUESTION TIME (15 MINUTES)

There were no public questions.

6. MINUTES

RESOLVED:

That the minutes of the open section of the meeting held on 17 September 2019 be approved as a correct record and signed by the chair.

7. DEPUTATION REQUESTS

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

With regard to the deputation request received after the constitutional deadline from the Ledbury residents project group, the chair agreed to accept it as urgent, as a late and urgent item (19a) on the Ledbury Estate was on the agenda for this meeting.

RESOLVED:

1. That it be noted that the deputation request from SGTO (Southwark Group of Tenants Organisation) was withdrawn for this meeting.
2. That the deputation requests from Southwark Disablement Association (SDA) and Ledbury Residents Project group be heard.

Southwark Disablement Association (SDA)

The spokesperson for the deputation addressed the meeting and outlined a number of comments as follows in respect of item 17: Gateway 1 – Procurement Strategy Approval: Additional Care at Home Provision for Adults:

- The view that care for vulnerable people is best met by local small and medium sized enterprises (SME). It was felt that as part of the procurement process local organisations tend to lose out to larger organisations
- Query on how the council expect providers to offer permanent contracts to its care workers
- The view that supplementary providers are essential in maintaining the required level of provision of care in Southwark
- A request that the council consider contracting the additional care at home provision

in the same way it has already successfully commissioned four supplementary providers, subject to annual review of performance before renewing the contract the following year.

Councillor Jasmine Ali, cabinet member for children, schools and adult care responded to the issues raised by the deputation and confirmed that she would be happy to meet with the deputation, along with relevant officers.

Ledbury Residents Project Group (RPG)

The spokesperson for the deputation addressed the meeting to outline a number of concerns in respect to Item 19b: Ledbury Towers Arup Structural Survey report as follows:

- How the extra works will impact on refurbishment options. There was widespread support for refurbishment from existing residents and former tenants with the right to return
- The works proposed will mean a reduction in size of the homes on higher floors, and steel beams inside the existing walls
- How the impact of changing the internal room sizes fits in with leases granted to leaseholders.

The RPG have requested clarity from the council on the following:

- How long it will take to come to a decision based on this new information
- That the reopening of the option appraisal will only include the Towers, and the red line boundary will be unchanged from the one used in 2018
- A commitment that there will be at least as many council homes at the end of this process on the site of Ledbury Towers and the rented homes will be council homes for council rent
- Likely costs for tenants and the rent and service charge levels in new homes with new homes offered to right to return tenants at the same rent and service charge as their Ledbury Towers homes
- Right to stay on the estate for both tenants and leaseholders, and an idea of council tax levels in new homes
- The offer to leaseholders taking into account the likely loss of amenity recommended in the Arup Report.

Councillor Kieron Williams, cabinet member for housing management and modernisation, responded to advise that the ongoing consultation and conversation would continue with local residents.

8. DELIVERING A CLIMATE STRATEGY FOR SOUTHWARK

Councillor Leanne Werner presented the environment scrutiny commission report (Appendix 3 of the report) to cabinet. Jeremy Leach, co-opted member of environment scrutiny commission, was also in attendance to provide his input.

RESOLVED:

1. That the proposals set out in the report for developing a Southwark Climate Strategy 2020-2030 and other actions in response to the council's emergency declaration in March 2019 be noted and supported.
2. That the recommendations in the environment scrutiny commission report be noted (Appendix 3 of the report) and that the cabinet member for environment, transport and the climate emergency reports back within eight weeks.

9. RESPONSE TO HOUSING & ENVIRONMENT COMMISSION'S COMMUNITY ENERGY SCRUTINY REVIEW REPORT

Councillor Leanne Werner provided comments in respect of this report to cabinet querying the next steps and number of projects going forward. Councillor Richard Livingstone, cabinet member for environment, transport and the climate emergency confirmed that this would be addressed.

RESOLVED:

1. That the responses to the recommendations made by the housing and environment scrutiny commission be noted.
2. To proceed with the development of the corporate decarbonisation strategy to provide the framework for promoting community-led renewable energy initiatives.

10. RESPONSE TO RECOMMENDATIONS FROM COMMUNITY SAFETY SCRUTINY COMMISSION REPORT, MODERN DAY SLAVERY AND TRAFFICKING SCRUTINY REVIEW

RESOLVED:

1. That the response to the modern day slavery and trafficking scrutiny recommendations as set out in Table 1 of the report be noted.
2. That officers be instructed to bring back an annual report on modern slavery and trafficking in Southwark.

11. CYCLE HIRE EXPANSION AND SUBMISSION OF TRANSPORT FOR LONDON (TFL) GRANT APPLICATION (LIP PROGRAMME)

RESOLVED:

Decisions of the Cabinet

1. That the content of the council's proposed local implementation plan (LIP) submission to Transport for London (TfL) that identifies transport projects to be delivered using this funding in 2020-21 in Appendix A of the report be agreed and be submitted to TfL before 1 November 2019.
2. That the progress report on the Movement Plan as contained in Appendix B of the report be noted
3. That the cycle hire delivery plan as contained in Appendix C of the report be noted.
4. That the progress report on the Liveable Neighbourhood project as contained in Appendix D of the report be noted.

Decisions of the Leader of the Council

5. That authority be delegated to the cabinet member for environment, transport management and the climate emergency to amend the programme for 2020-21 should any variations to the proposed programme be required.
6. That authority be delegated to the cabinet member for environment, transport management and the climate emergency to determine the most appropriate use of the £100,000 discretionary funding allocated by TfL for 2020-21.

12. THE SOUTHWARK PUBLIC HEALTH APPROACH TO SERIOUS YOUTH VIOLENCE PREVENTION

RESOLVED:

1. That the overview of serious youth violence in Southwark be noted.
2. That the recommendations of the joint strategic needs assessment (JSNA) be accepted and the framework proposed herein for a public health approach to youth violence prevention in Southwark be adopted.

13. GATEWAY 1 PROCUREMENT STRATEGY APPROVAL - ARCHITECTURAL DESIGN SERVICES FRAMEWORK

RESOLVED:

1. That the procurement strategy for establishing an architectural design services framework, which is to be delivered by London Housing Consortium (LHC) in partnership with Southwark Council for a contract period of 4 years, commencing 8 April 2020, with the option to extend 1 year, for a forecast total contract value of

£52.5m, and £10.5m annually be approved.

2. That entering into a partnership agreement with LHC to govern the framework, commencing 10 November 2019 until a year after the end of the framework for reasons detailed in paragraphs 32 to 33 of the report be approved.
3. That the process for placing orders up to £2m under the framework once established, as detailed in paragraph 40 of the report be approved.
4. That it be noted that, subject to satisfactory review by the director of regeneration, LHC will be responsible for awarding a place on the ADS framework to successful bidders for the reasons detailed in paragraph 32 of the report.

14. HEALTHIER HIGH STREETS FRAMEWORK AND INDICATORS

Officers confirmed that the streets and roads included in recommendation 3 were not exclusive and that others could be included in the report back to cabinet.

RESOLVED:

1. That the healthier high street framework (Appendix 1 of the report) as Southwark's approach to making our high streets healthier places be agreed and the healthier high street (HHS) principles be embedded in the relevant programmes, to support both the day time and night time economy of the high street.
2. That the borough-wide indicators (Appendix 1 of the report) as the high-level indicators that will be used to monitor the progress of selected high streets be agreed.
3. That a report back be requested in twelve months to update on implementation of the HHS framework, how it supports delivery of other relevant strategies including the economic wellbeing strategy and asset management plan, as well as examples of application to key high streets (including the Blue, Borough High Street, Camberwell Church Road/Denmark Hill, Herne Hill, Lordship Lane, Lower Road, Peckham Rye, Walworth Road, and also the high street offer developing at Elephant and Castle and on Old Kent Road).

15. PUPIL PLACE PLANNING

RESOLVED:

1. That the updated forecasts of primary and secondary school places from 2019-2020 onwards set out in Appendices 8 and 10 of the report, be noted
2. That the existing supply of primary and secondary places across the council area, and the actions to continually monitor to ensure supply matches demand, be noted.

16. ANNUAL HOME CARE REPORT 2018-2019

Councillor Victoria Mills, having declared a non-pecuniary interest in respect in this item, withdrew from the meeting while this item was being discussed and a decision made.

RESOLVED:

1. That the mobilisation of contracts to providers who are compliant with the Southwark Ethical Care Charter (SECC) at a time of market fragility leading to provider failures and uncertainty about the impact of the EU Exit, be noted.
2. That it be noted that providers and the council continue to work closely together, to support continuous improvement and the whole system shift to a more inclusive partnership across the whole system and stakeholders.
3. That it be noted that the launch of the SECC (Appendix 1 of the report) care worker survey in November 2019 will establish the impact of the implementation of SECC principles on the work satisfaction of individual care workers.
4. That the proposal to procure supplementary providers as part of applying the lessons learnt from the monitoring of contracts be noted.

17. GATEWAY 1 - PROCUREMENT STRATEGY APPROVAL: ADDITIONAL CARE AT HOME PROVISION FOR ADULTS

Councillor Victoria Mills, having declared a non-pecuniary interest in respect in this item, withdrew from the meeting while this item was being discussed and a decision made.

RESOLVED:

1. That the procurement strategy outlined in the report be approved, with particular regard to:
 - a) Creating a North lot that will comprise an additional three care at home providers in the area and a South lot that will comprise an additional two care at home providers. This secures an equitable number of providers (seven) in the north and south areas of the borough. The proposed lots are to align with the Local Care Network (LCN) boundaries and the Primary Care Network.
 - b) The framework is for a period of up to four years until 2024, to align the additional five providers with the current Care at Home contracts. This alignment will provide further investment in the Southwark Ethical Charter at an estimated contract value of £7.4 million.
2. That the approval of award decisions (Gateway 2) for this be procurement be delegated to the strategic director of children's and adults' services in consultation with the cabinet member for children, schools and adult care.

18. APPOINTMENTS TO OUTSIDE BODIES 2019-20 - POTTERS FIELDS PARK MANAGEMENT TRUST

RESOLVED:

That Caroline Bruce, the council's strategic director of environment and leisure be appointed to the Potters Field Park Management Trust for 2019-20 to the one vacancy that remains for this outside body following the appointment of Councillor Rebecca Lury, deputy leader and cabinet member for culture, leisure, equalities and communities on 18 June 2019.

19. GATEWAY 3 - VARIATION DECISION: EXTENSION OF CONTRACT: ADULT INTEGRATED DRUG AND ALCOHOL TREATMENT SYSTEM

The report had not been circulated five clear days in advance of the meeting. The chair agreed to accept the report as urgent as the contract was due to expire on 3 January 2020 and there was a need to confirm the council's intentions to the provider at the earliest opportunity, prior to the current contractual expiry date. Any delay in the decision would not enable the council to provide reasonable notice to the contractor.

RESOLVED:

1. That the extension of the adult integrated drug and alcohol treatment system (AIDATS) contract with change, grow, live services limited (cgls; a wholly owned, non-charitable, trading subsidiary of change grow live; a registered charity delivering health and welfare services) for a maximum period of fifteen (15) months commencing on 4 January 2020 at a maximum contract value of £4,275,914, and including the revisions noted at paragraph 31 of the report, be approved.
2. That a monitoring report be submitted to cabinet on a quarterly basis.

19a. LEDBURY TOWERS ARUP STRUCTURAL SURVEY 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 the cabinet had made a previous commitment to residents of the Ledbury Towers that all such reports would be shared with residents on receiving them. The report was shared with residents on 24 October 2019 and residents would want to know what action the council would now be taking following its receipt.

RESOLVED:

1. That the latest position with the Ledbury Towers be noted.
2. That it be noted that as agreed at their meeting on 16 July 2019 the final report due from Arup on the investigations was published upon receipt.
3. That the options appraisal process on the future of the Ledbury Towers be reopened and a further report be received setting out the outcome of the resident consultation on the options appraisal process, based on the same red lines used for previous options appraisal.

4. That it be noted that in any option there will be no loss of housing.
5. That a report comes to cabinet at the earliest opportunity responding to the points raised by the deputation.

19b. IMPACT OF BREXIT ON SOUTHWARK - PROGRESS REPORT

It was not possible to circulate this report five clear days in advance of the meeting. The chair agreed to accept this item as urgent as cabinet had requested a further progress report on Brexit impact and preparedness ahead of a further cross-party Brexit panel which was planned to take place shortly.

RESOLVED:

1. That the progress on ongoing local work in preparing for EU exit and the latest risk register for publication set out in Appendix 1 of the report be noted and officers be instructed to keep the register under monthly review.
2. That the cross-party Brexit panel be reconvened before the end of 2019 in the light of latest information available on EU exit.
3. That the ongoing delivery of the local communications strategy and continue to encourage residents to apply for EU Settled Status as early as possible be noted.
4. That the cabinet member for finance, performance and Brexit writes to the Rt Hon Brandon Lewis MP, Minister of State for Security and Deputy for EU Exit and No Deal Preparation, requesting more timely release of borough level statistics on EU Settled Status applications.
5. That a further progress report on EU exit planning is prepared for cabinet in January 2020.

EXCLUSION OF PRESS AND PUBLIC

That the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined 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.

20. MINUTES

The minutes of the closed section of the meeting held on 17 September 2019 were approved as a correct record and signed by the chair.

21. GATEWAY 3 - VARIATION DECISION: EXTENSION OF CONTRACT: ADULT INTEGRATED DRUG AND ALCOHOL TREATMENT SYSTEM

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

The meeting ended at 6.30pm.

CHAIR:

DATED:

DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 17 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, WEDNESDAY 6 NOVEMBER 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.

Agenda Item 8

Item No. 8.	Classification: Open	Date: 17 December 2019	Meeting Name: Cabinet
Report title:		School Standards Yearly Report	
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

This is the council's sixth annual report on school standards in Southwark, setting out information covering progress in education across the borough.

It quite clearly tells us that in Southwark brilliant schools give young people the great start in life they deserve. The *Best Start in Life - Southwark School Standards Report 2018/19* provides a summary of pupil and student outcomes at published key stages, from foundation right through to key stage five (A Levels), and the picture is very positive.

The results speak for themselves, reflecting excellence in our schools and the hard work of teachers, pupils and parents right across the borough. We now are above the national average in all external examination areas.

This report helpfully sets out in chronological order, starting with the very youngest through to post 16 students, with sections on the attainment of our looked after children and pupils with SEND, special educational needs and or disabilities.

The report usefully illustrates the characteristics of significant groups across the borough within key stages and for phonics. This enables the council to share this information and discuss it with schools, in turn helping schools benchmark against others from a borough-wide perspective.

The Southwark Standards report is a snapshot of where our schools are, at a particular time, and over time. It gives us a robust starting point for discussion, innovation, collaboration and challenge. The overview is useful to school leaders, including governors, to see where they sit in the wider context of attainment, progress and improvement. It is a supportive document that shows how well students in Southwark have done.

We want all pupils to get the start that they need to meet their dreams, whichever path they choose. We are pleased to be working with all our schools to this end. The information in this report will influence the councils work with schools over the next academic year to make our schools even more inclusive as we work together to embed good mental health prevention in all of our schools and work to school reduce exclusions.

The results found here combined with the council's successful school building programme will equip parents and young people to express and secure a genuine preference when applying for a school place.

RECOMMENDATIONS

1. That cabinet note the 'Best start in life - Southwark school standards report 2018-19' attached at Appendix 1.

BACKGROUND INFORMATION

2. Members requested a report on school standards in Southwark be produced that would set out information covering progress across the borough. The attached report at Appendix 1 contains information on educational achievement ranging from Early Years Foundation Stage (5 years old), through to A-levels. The report also contains data on post-16 not in education, employment or training (NEET) performance; the achievement of different groups, including Looked After Children (LAC); and Special Educational Needs and Disability (SEND) attainment; information on attendance and exclusions.

KEY ISSUES FOR CONSIDERATION

3. The key issues for consideration are included in the report at Appendix 1 - 'Best start in life – Southwark school standards report 2018-19.
4. The 2018-19 data contained within this report is provisional. The Department for Education will provide validated results in December 2019 for primary phase and January 2020 for secondary phase.

Policy implications

5. These outline the council's continued commitment to supporting schools being good or outstanding, with children and young people being helped to achieve their full potential.
6. The report at Appendix 1 is fully aligned to local planning and policy frameworks including the Council Plan 2018- 2022. These outline the council's continued commitment to and supporting schools to be good or outstanding, with children and young people able to achieve their full potential.

Community impact statement

7. The impact on communities of the issues and recommendation within the school standards report has been considered in line with Southwark's Approach to Equality. Generally the recommendations will have a positive impact on communities through the commitment to meeting the demand for primary and secondary school places and continuing to drive up standards across our schools.
8. The school standards report at Appendix 1 includes detailed information on the attainment of different pupil groups by race and ethnicity, gender, age and disadvantage identified through pupil premium funding and/or eligibility for free school meals (including deprivation, adopted from care and children looked after). The report also includes information on what Southwark council intends to improve.

Resource implications

9. The continued delivery of universal education services and statutory functions, including early years, school improvement, school admissions, specialist

education and special educational needs services will continue to be provided via the existing education budgets both core and Dedicated Schools Grant (DSG). The latter of which is in a significant deficit position and is subject to a draft DSG budget recovery plan. Attainment and standards are also subject to individual schools budgets received via the DSG.

Legal implications

10. All legal implications are dealt with in the director of law and democracy's concurrent below.

Financial implications

11. All financial implications are dealt with in the strategic director of finance and governance's concurrent below.

Consultation

12. No consultation was required.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Head of Procurement

13. Not applicable.

Director of Law and Democracy

14. The purpose of this report is to provide an update to cabinet on Southwark school standards in 2018-19.
15. The council is the relevant authority tasked with carrying out functions in relation to education and childcare in Southwark.
16. The council has a number of general duties in relation to the provision of education, including a duty to contribute towards the spiritual, moral, mental and physical development of the community, by securing that efficient primary, secondary and further education is available to meet the needs of the population of the area. Cabinet will note that the council itself maintains the majority of the schools discussed in the report; however the council's ability to develop new school proposals is now significantly restricted, and legislation enables existing maintained schools to convert to academy status which are outside of the council's ownership and control.
17. In respect of people aged under 20 (or over 20 if the council maintains an Education, Health and Care Plan for them), the council must also exercise its education and training functions with a view to promoting high standards, ensuring fair access to opportunities for education and training, and promoting the fulfilment of learning potential by every person to whom this duty applies.
18. More generally, in respect of the well-being of children, the council is under a duty to make arrangements to promote cooperation between the council and relevant partners to promote the well-being of children in the authority's area. The council is also under a duty to improve the well-being of young children and reduce inequalities between them. "Well-being" in this context relates to education and training, amongst other things.

19. As such, the preparation of a school standards report is something that can be said to be incidental to the council's functions in these areas.
20. Besides these more general duties, the council has a number of more specific functions in relation to education. Of particular relevance to the subject matter of the report are: the duty to exercise council functions with a view to promoting the effective participation by young people aged 16-18 in education or training; a duty to promote the educational achievement of children looked after by the council; a duty to make arrangements (so far as it is possible) to identify children in Southwark who are of compulsory school age but are not registered with a school and are not receiving suitable alternative education; and powers to instigate legal proceedings for non-school attendance.
21. When making its decision, section 149 Equality Act 2010 requires that Cabinet have due regard to the need to eliminate discrimination and other prohibited conduct and advance equality of opportunity and foster good relations between people who share a relevant protected characteristic and those who do not. Information about the consideration given to equalities issues is set out in the Community Impact Statement.

Strategic Director of Finance and Governance (CAS 19/014)

22. The strategic director of finance and governance notes the recommendations in this report which sets out information on school standards including school results in external assessments, admissions, the attainment of Looked After Children, and the attainment of children from different pupil groups in Southwark.
23. As noted in the report this is primarily a retrospective performance report. Future performance is vulnerable to the growing financial stress on school budgets. There are also challenges in the budgets of individual settings given that cost pressures are increasing and that the funding system imposed by central government does not fully recognise this. Also, given the strategy in the draft DSG budget recovery plan of block transfers from schools block to high needs block, this is a risk to attainment and standards that has already been highlighted by the Local Authority in the Strategic Director of Finance and Governance's letter to Secretary of State of 16 August 2019.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Performance tables for school level and national 2018 KS2 and A level; and 2019 GCSE attainment	Department for Education (DfE) website	Terry Segarty, Assistant Director, Learning and Achievement 020 7525 7598
Link: http://www.education.gov.uk/schools/performance/		
School level and national pre 2017 KS2 and A level; and 2018 GCSE	Department for Education (DfE) website	Terry Segarty, Assistant Director, Learning and Achievement 020 7525 7598
Link: https://www.compare-school-performance.service.gov.uk/download-data		
Local authority level and national EYFSP attainment 2019	Department for Education (DfE) website	Terry Segarty, Assistant Director, Learning and Achievement 020 7525 7598
Link (please copy and paste into your browser): https://www.gov.uk/government/statistics/early-years-foundation-stage-profile-results-2018-to-2019		
Local authority level and national KS1 and phonics attainments 2019	Department for Education (DfE) website	Terry Segarty, Assistant Director, Learning and Achievement 020 7525 7598
Link (please copy and paste into your browser): https://www.gov.uk/government/statistics/phonics-screening-check-and-key-stage-1-assessments-england-2019		
Local authority level and national KS2 data	Department for Education (DfE) website	Terry Segarty, Assistant Director, Learning and Achievement 020 7525 7598
Link (please copy and paste into your browser): https://www.gov.uk/government/statistics/national-curriculum-assessments-key-stage-2-2019-provisional		

APPENDICES

No.	Title
Appendix 1	Best start in life- Southwark school standards report 2019 (circulated separately)

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	Terry Segarty, Assistant Director for Learning and Achievement	
Version	Final	
Dated	5 December 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		5 December 2019

Item No. 9.	Classification: Open	Date: 17 December 2019	Meeting Name: Cabinet
Report title:		Kingswood QHIP 18-19 External Wall Insulation Proposals	
Ward(s) or groups affected:		Dulwich Wood	
From:		Overview & Scrutiny Committee	

RECOMMENDATIONS

1. That cabinet instructs officers to commission a detailed technical report carried out by an external, industry recognised expert into the impact that external wall insulation will have on issues of damp and heat loss in properties on the Kingswood Estate, as well as the safety of the external wall insulation.
2. That cabinet considers the recommendations and request that the relevant cabinet member reports back within eight weeks.

BACKGROUND INFORMATION

3. Overview and scrutiny committee discussed the proposals for external wall insulation on the Kingswood estate at its 11 November 2019 meeting. This item had been requested by ward councillors in view of residents' concern about the cost and effectiveness of the proposed solution to problems with dampness throughout the estate. The committee heard from Councillor Andy Simmons, ward member, and the senior housing officer leading the project. Some concerns about costs to leaseholders had been allayed following legal advice which clarified that the external wall insulation would not be chargeable to leaseholders. However there continued to be doubt among some residents that the proposed insulation is the correct solution.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Kingswood QHIP 18/19 - External Wall insulation proposals	Scrutiny Team 160 Tooley Street London SE1 2QH	Fitzroy Williams 020 7525 7102
Link (please copy and paste into your browser):		
http://moderngov.southwark.gov.uk/documents/s85769/Kingswood%20QHIP%2018-19%20External%20Wall%20insulation%20proposals.pdf		

AUDIT TRAIL

Lead Officer	Shelley Burke, Head of Overview and Scrutiny	
Report Author	Fitzroy Williams, Scrutiny Team	
Version	Final	
Dated	26 November 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	26 November 2019	

Item No. 10.	Classification: Open	Date: 17 December 2019	Meeting Name: Cabinet
Report title:		Recommendations on Brandon Estate	
Ward(s) or groups affected:		Newington	
From:		Overview & Scrutiny Committee	

RECOMMENDATIONS

1. That a core group of councillors, officers and residents meets regularly to review progress against the issues. This group should undertake a holistic review to ensure that all the strands of work in hand meet residents' needs. The group should work transparently by publishing documents such as action plans with RAG rating and minutes of its meetings.
2. That a clear timetable is set out and delivered for full access to the Jack Hobbs Club by April 2020.
3. That the housing scrutiny commission's review of district heating networks should include Brandon as one of its case studies. This should include the question of how compensation for heating outages is paid – i.e. whether it can be credited to bank accounts instead of rent/service charge accounts.
4. That an investigation be undertaken into the amount of time it took to implement the new CCTV, and that a report arising from the investigation be provided to the overview and scrutiny committee.
5. That cabinet considers the recommendations and request that the relevant cabinet member reports back within eight weeks.

BACKGROUND INFORMATION

6. Overview and scrutiny committee discussed issues on the Brandon Estate at their meeting of 11 November 2019. The session had been requested by ward councillors in view of their concerns about some aspects of the council's response to 3 murders on the estate. The committee heard from ward councillors, tenants and residents association (T&RA) chairs, cabinet member Councillor Evelyn Akoto and senior council officers. The particular areas of concern were the delay in decision making around installing CCTV cameras, slowness of progress in establishing a young people's hub at the Jack Hobbs Club, the nature of the council's engagement with residents, heating outages and the system of compensation for outages.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Brandon Estate Update CCTV Decision Making Process CCTV Re-deployable Process Flow Chart	Scrutiny Team 160 Tooley Street London SE1 2QH	Fitzroy Williams 020 7525 7102
Links (please copy and paste into your browser):		
http://moderngov.southwark.gov.uk/documents/s85665/Brandon%20Estate%20Update%202.pdf		
http://moderngov.southwark.gov.uk/documents/s85734/CCTV%20decision%20making%20process.pdf		
http://moderngov.southwark.gov.uk/documents/s85735/Fig%201%20-%20CCTV%20FLOWCHART.pdf		

AUDIT TRAIL

Lead Officer	Shelley Burke, Head of Overview and Scrutiny	
Report Author	Fitzroy Williams, Scrutiny Team	
Version	Final	
Dated	26 November 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		26 November 2019

Item No. 11.	Classification: Open	Date: 17 December 2019	Meeting Name: Cabinet
Report title:		Leathermarket Grant Agreement	
Ward(s) or groups affected:		London Bridge & West Bermondsey, and Chaucer	
Cabinet Member:		Councilor 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

Southwark council's generational target towards building 11,000 council homes requires not only necessitates an expansion of our development and construction management capacity, but also entering developing new building, land, resource and community partnerships with organisations who share our values, our commitment to design excellence, and to building strong engaged communities. With over 11,000 households on our housing waiting list, the urgency of bringing forward high quality genuinely affordable in any and every way has never been greater.

To this end the council's partnership with the Leathermarket CBS has proven to be the strongest community house-building partnership in the city, with the award-winning council housing scheme of 27 council homes on the Kipling estate completed last year, and another upcoming project of 40 new council homes extending the Lawson estate on Deverill St now on site and due to complete by Spring of 2021.

We are now looking to extend this partnership onto 10 further sites, delivering over 200 additional council homes across Bermondsey and Borough over the whole programme. These include infill sites developed as part of a wider resident-centred estate improvement plan, as well as potential rooftop sites brought forward in line with the council's Rooftop development principles.

This report confirms the overarching grant agreement, the processing of GLA grant funding towards delivery of new council homes, as well as an agreement to share nomination rights between the council and Leathermarket JMB. It also confirms a ring-fencing arrangement to ensure that at least £14m of any net rental income across this initial pipeline is recycled back into the council's new homes programme. This will deliver council homes, owned by the council, managed by Leathermarket JMB, let to local people on secure lifetime tenancies on social rents.

I would like to thank the officers at the council and at Leathermarket for their work in making this partnership such a success. I look forward to continuing the mutual learning in council homes development between the council and CBS, and to seeing many more exemplary council homes projects coming forward in Bermondsey over the coming years.

RECOMMENDATIONS

1. Approves the overarching grant agreement with Leathermarket CBS to deliver 161 council homes.

2. Approves the project grant agreement for the delivery of individual projects outlined in the overarching grant agreement.
3. Delegates the approval of the grant following this report to the strategic director of housing and modernisation in consultation with the strategic director of finance and governance.
4. Notes that the council will own these properties and residents will be signed up on council tenancy agreements.
5. Notes that Leathermarket JMB will be ring-fencing the net rental income from the additional homes provided at Marklake Court and further schemes proposed for the first 10 years, which will bring additional benefits to the council and wider community, estimated at nearly £14m.
6. Notes a separate agreement will be drawn up to agree the ring-fencing of this income, its use and including claw back mechanism by the council.
7. Notes approximately £2m of this will be used to reduce the costs to the development programme.
8. The remaining £12m will be used to deliver an estimated additional 30-35 council homes. With the income accumulated from the new homes being used to start 10 of these homes by 2026/7.
9. Notes the grant of £12,897,245 construction costs plus £2,904,245 professional fees and contingency will be given under the delegated approval to complete the work started on the Joseph Lancaster estate to deliver 40 council homes.
10. Notes the council will receive £4,000,000 of Council Homes for Londoners Grant for the successful delivery of these homes at Joseph Lancaster.
11. Notes an additional grant will be required to remediate the ground condition of the Joseph Lancaster site, following recent asbestos discovery. To date, no archaeological finds have been discovered that may adversely influence programme and/or costs.

BACKGROUND INFORMATION

Leathermarket

12. In 1996 Southwark Council outsourced the management of around 1500 homes in North Bermondsey to the Leathermarket Joint Management Board (JMB). This decision proved successful as the Leathermarket JMB has had three successful continuation ballots with the latest seeing a 76% turnout and a 93% approval of secure tenants. Subsequently the council agreed to make the JMB the country's first self financing Tenant Management Organisation.
13. Leathermarket Community Benefit Society (CBS) was subsequently set up by the JMB, as a separate Company to delivery affordable homes. The CBS was established in response to local residents raising concerns about the lack of affordable homes in the Leathermarket area.

14. The JMB is seeking to support Southwark to deliver 11,000 new genuinely affordable homes, 2500 of these by 2022.

Development Opportunities

15. The JMB is working with local residents, to design homes that meet local needs, in a way that is sympathetic to the immediate neighbours and allocating a proportion of these to residents on the estate. This approach at Marklake Court has been proven to have achieved a much greater level of local support than an outside developer could achieve. This approach will enable the JMB to unlock contentious sites and hidden homes.
16. Through a process of analysis of the JMB estate, in conjunction with local residents and professional advisors, a number of potential development sites have been identified and documented in the CBS/JMB Estate Improvement Plan. This includes the Joseph Lancaster estate and several other sites outlined in this paper to deliver an estimated 161 new council homes as part of a new grant agreement estimated at a cost of around £50m. The council affords Leathermarket to develop proposals to deliver new council homes as part of its commitment to provide 11,000 new council homes.
17. In October 2018 the council was notified that the bid for Council Homes for Londoners Grant was successful and £9.3m of funding for the successful delivery of Joseph Lancaster and the Elim sites in the proposed Leathermarket Programme.
18. A grant agreement is being proposed to give a clear arrangement for the delivery of the Leathermarket programme of new homes. This is structured as an:
 - Overarching grant agreement: This agreement sets out the overarching principles upon which funding may be made available to the grant recipient and the grant recipient's role in securing the delivery of the outputs
 - Project grant agreements: Project grant agreements will set out the detailed terms and conditions upon which specific amounts of funding will be advanced to the grant recipient by the Authority.
19. The agreements set out the conditions upon which funding is provided from the council to the grant recipient. The agreement specifies the purpose for which grant is to be provided, the reporting arrangements, monitoring and evaluation, liaison and communication between the parties, and the funding provided to the grant recipient.

Delivery of Joseph Lancaster nursery site

20. The first scheme delivered under these agreements will be the Joseph Lancaster nursery site.
21. In March 2018 cabinet noted that officers carried out a due diligence exercise on the Leathermarket Community Benefit Society in connection with the application for funding of a development of 40 new council funded homes at council rents on the former Joseph Lancaster Nursery Site and authorised the director of housing and modernisation to enter into negotiation on an Agreement for the Lease or a loan and grant of a long leasehold interest of the Land on the Joseph Lancaster

Estate, with the Leathermarket Community Benefits Society (CBS) on the same basis as agreed for the first development site: undertaken by the CBS at Kipling Garages and that any variations be delegated to the Strategic Director of Housing & Modernisation.

22. In April 2019 cabinet noted that Joseph Lancaster would now be built as council homes let on council tenancies and accounted for in the Housing Revenue Account.
23. Bell Phillips Architects were commissioned in May 2017 to produce an indicative design in collaboration with local residents. The development proposal for the site is based on the construction of 40 homes, consisting of a new staggered multi-storey building consisting of 34 flats, with the highest part being eight storeys; and six three-bed two-storey mews houses. The proposed buildings form an L-shape, with a proposed communal open space in the centre, incorporating landscaping, a re-provision of car parking and children's play space.
24. The tenure mix is based on providing 40 social rented homes, comprising of six three-bed terraced houses, seven one-bed flats, twenty four two-bed flats, three three-bed flats.
25. Planning permission (17/AP/4661) was granted in 10 Jan 2019.
26. A maximum of interim grant funding of £1,583,102 has been provided by the council to progress the works pre construction works including full enabling and archeological investigations at the Joseph Lancaster site prior to having the full grant agreement in place for the main contract to start in February 2020, following delays due to the discovery of asbestos.
27. Pre-construction ground works on site have been halted due to the identification of asbestos. An archeological survey within trial pits, as well as a survey to identify any unexploded ordnance is currently being undertaken. The results will inform the final remediation strategy.
28. The total sum payable under the Joseph Lancaster Project Grant Agreement will be £15,801,474 (plus any remedial works identified). This will be funded from a combination of £4,000,000 of Council Homes for Londoners Grant and other resources supporting the Housing Investment Programme.
29. The council has ensured costs have been independently appraised through two independent external reviews from an external cost consultant, one of which had been directly appointed by LBS. Whilst considering the viability of this scheme the council recognise that the price per unit, although not the most costly in the initial 2500 target programme, do sit within the upper quartile of the spectrum. This is predominantly due to the ground conditions identified despite which the homes do still represent value for money.
30. Contract Sum Analysis (CSA) provided by Buxton Building Contractors Ltd (BBCL) has been benchmarked. Building Cost Information Service (BCIS) figures include preliminaries, overheads and profit but exclude design fees, contingencies, external works and external services. Therefore in order to make direct comparison with the BCIS rates, the CSA cost has to be adjusted to exclude external works, design fees, abnormal costs and associated overheads

and profit which provides an adjusted rate of £2,199.63/m². The BCIS apportioned median is £2,188.91/m² with the upper quartile at £2,511.75/m². The CSA compares favourably with BCIS average prices and falls between the median and upper quartiles.

KEY ISSUES FOR CONSIDERATION

31. The homes provided through this proposed development programme will contribute to the council's commitment to deliver 11,000 new homes by 2043 and to deliver 2,500 of those new homes by 2022.
32. In July 2016 Leathermarket CBS submitted a detailed business plan to the council which outlined the commitment to comply with the council's local lettings policy of 50% local lettings on all new council funded homes but was allowed up to for 100% local lettings on Marklake due this particular scheme given the level of resident involvement in design. All allocations will be council allocations, some will be local lettings in accordance with the allocations schemes. It is currently planned that 50% should be local lettings over the whole programme as outlined below.

Scheme	Total Council Homes	Local Allocations	Boroughwide Allocations	Local Percentage
Villiers Court, 167 Long Lane	21	1	20	5%
Marklake Court, Weston Street	27	26	1	96%
Joseph Lancaster Nursery, Deverell Street	40	17	23	43%
Elim Estate Ball Court	24	11	13	46%
Elim Garages	10	5	5	50%
Elim Triangle Site	12	5	9	42%
Cluny Estate	8	4	4	50%
Decima Street	2	2	0	100%
Lawson Estate	7	7	0	100%
Falmouth Road	14	7	7	50%
Whites Grounds Estate	4	2	2	50%
JMB Office site	40	18	22	44%
TOTALS	209	105	106	50%

33. Officers have also run the Joseph Lancaster development proposal through the council's appraisal model, which is used to appraise our own internal direct delivery programme of new council homes. The appraisal analysis reports that the cost to value ratio is positive as would be expected given the property values in this part of the borough. The appraisal analysis also identifies that construction costs are high but consistent with those on recent council schemes.
34. Officers will be working with officers of the Leathermarket CBS to ensure it delivers the programme as efficiently and effectively as possible. As well as regular contact, a quarterly review meeting is already in place.

Additional revenue use

35. The net rental income, after management and maintenance costs, from the additional scheme at Marklake Court and further schemes delivered through this programme will, for the first 10 years, will be used to bring additional benefits to the council and wider community. This amount is estimated at nearly £14m.
36. A separate agreement will be drawn up to agree the ring-fencing of this income, its use and include a claw back by the council if the terms are not met.
37. Approximately £2m of this will be used to directly reduce costs to the programme.
38. The remaining £12m will be used to deliver an estimated additional 30-35 council homes. With the income accumulated from the net rent from the new homes being used to start 10 of these homes by 2026/7.

The overarching agreement

39. The overarching agreement sets out that:
 - The council (in exercise of its powers) has agreed in principle to make available the project funding in an aggregate principal amount equal to the maximum amount agreed in the project agreement.
 - To make this project funding available to the grant recipient subject to and in accordance with the terms of the agreement.
40. The delivery programme will deliver a proposed 161 council homes, as well as office re-provision and community space. The programme output schedule is summarised in the below table:

Project Site	No. of Council Homes	Other	Start	Finish
Leathermarket - Joseph Lancaster	40		June 2019	February 2022
Leathermarket - Elim Estate sites (Ballcourt, Garages and Triangle site)	46	Office Provision Community Space	April 2021	March 2023
Leathermarket - Cluny estate (Garages and infill)	8		October 2021	March 2023
Leathermarket – Decima Street	2		October 2021	March 2023
Leathermarket - Lawson estate	7		December 2021	October 2023
Leathermarket - Whites Grounds estate	4		October 2021	March 2023
Leathermarket - Falmouth Road	14		December 2021	October 2023
Leathermarket - JMB Office site	40		June 2023	December 2024

41. The office provision and community space, to be delivered as part of the Elim Estates scheme are to allow for the later re-development of the JMB office site to provide an estimated 40 council homes; and due to the loss of community facilities (Ball Court) as part of a planned development.
42. In the event of failure of Leathermarket CBS to deliver or procure the delivery of any output (in whole or in part) in accordance with the timescales, the council, can amongst other terms outlined be entitled to terminate this agreement in its entirety or cancel any uncommitted payment due under the relevant Project Grant Agreement.
43. The overarching agreement takes into account key obligations around confidentiality and freedom of information and data protection as well as provision for dispute resolution.
44. The director of housing and modernisation (Senior Authority Officer) has full delegated authority to act on behalf of the Council for all purposes of the agreement.

Project Grant Agreement

45. The project Grant Agreements set out the detailed terms and conditions upon which specific amounts of Funding will be advanced to the Grant Recipient by the Authority.
46. The Grant Recipient may submit a claim for an instalment of the Grant to fund or part-fund a delivery stage upon meeting the relevant milestone, which the council must approve. These will be sent to the Delivery Programme Board and formal approval will subsequently be from the director of housing and modernisation, who will consult with the the strategic director of finance and governance.

Delivery Stage	Relevant Milestone
Feasibility Stage	Inception Report Milestone
Planning Application Stage	Feasibility Report Milestone
Detailed Design & Contract Procurement	Planning Milestone
Construction Stage	Building Contract Milestone
Final Payment Stage	Retention Milestone

47. The agreement restricts the use of grant to fund the Project in accordance with the Schedule of Costs and for no other purpose.
48. The agreement also sets out the monitoring and reporting requirements for the grant recipient including quarterly financial reports, a risk register and health and safety reports.
49. The authority has discretion to withhold or suspend payment of any grant instalment in a number of circumstances including that the grant period has expired or the authority considers that unsatisfactory progress with the Project has been made.

50. The agreement sets out observance of statutory requirements to the grant recipients including the Equality Act 2010, the Health and Safety at Work Act 1974 and the Modern Slavery Act 2015. It also requires the recipient so make sure that all Relevant Staff employed or engaged by it are paid an Equivalent Hourly Wage which is equal to or exceeds the London Living Wage.

Policy implications

51. The development of this site will provide much needed genuinely affordable housing built to the highest of standards in terms of both design and energy efficiency. In particular the architects have been careful to adhere to the council's own planning policies as well as the London Housing Design Guide and the council's Employers Requirements.
52. The properties will be built to code level 4 of the code for sustainable homes and therefore will have to reduce carbon emissions, conserve fuel and energy as set out in building regulations (Part L) Value the Environment.

Housing strategy

53. The long- term housing strategy for the borough was agreed by Cabinet on 27 January 2014. It contains a vision for the future of housing in the borough, which consists of four principles.
- Principle 1: We will use every tool at our disposal to increase the supply of all kinds of homes across Southwark.
 - Principle 2: We will demand the highest standards of quality, making Southwark a place where you will not know whether you are visiting homes in private, housing association or council ownership.
 - Principle 3: We will support and encourage all residents to take pride and responsibility in their homes and local area
 - Principle 4: We will help vulnerable individuals and families to meet their housing needs and live as independently as possible.
54. A refresh of the Housing Strategy is underway.

Community impact statements

55. The new homes created as part of this resident led programme will enable some households to move from over crowded conditions whilst others will be downsizing, allowing the release of a range of different sized units to be re-let to others in housing need. An equalities impact assessment has been carried out to assess the implications of developing the Joseph Lancaster estate and further assessments will form part of the future schemes progression through the grant milestones.
56. The development of these sites will have wider regenerative benefits for the local community. No residents will be displaced as result of these schemes.
57. Under the Public Sector Equality Duty General Duty public authorities must have 'due regard' to the need to eliminate unlawful discrimination, harassment and victimisation as well as to advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not.

58. The protected groups covered by the equality duty are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The duty also covers marriage and civil partnerships, but only in respect of eliminating unlawful discrimination.
59. The council's "Approach to Equality", which was agreed by cabinet in December 2011, outlines the council's legal duties under the PSED General Duty and its obligations under the Human Rights Act 1998. It also sets out the council's commitment to embedding equality and human rights within the day-to-day responsibilities of all members, officers and contractors, as a part of day to day business.
60. It is essential that when decisions are made they take into account the public sector equality duty's general duty (PSED General Duty) as set out in section 149 of the Equality Act 2010. Officers will undertake further equality analysis as the service works through implementation of the changes.
61. The council is an officially accredited London Living Wage (LLW) Employer and is committed to ensuring that, where appropriate, contractors and subcontractors engaged by the council to provide works or services within Southwark pay their staff at a minimum rate equivalent to the LLW rate. The grant agreement requires Leathermarket CBS and its contractors and subcontractors pay LLW and that this will result in quality improvements for the council and provides best value for the council. Anticipated benefits include a more incentivized workforce and improved staff retention. Following award, these quality improvements and any cost implications will be monitored.

Resource implications

62. The overarching grant agreement sets out the principles upon which council funding may be made available to Leathermarket CBS, and the role of the CBS in securing the delivery of new council homes, which will be managed by Leathermarket JMB on behalf of the council. It is anticipated that 161 council homes will be delivered through this agreement at an estimated cost of £50 million. Included within this will be a grant of £15,801,474 for the delivery of 40 council homes on the Joseph Lancaster site, which is underway.
63. All the future schemes approvals are subject to project agreements and milestone approvals. The non housing deliverables within the overall agreement are to enable later delivery of council homes. The grant funding provided to Leathermarket CBS will be met from resources supporting the Housing Investment Programme, including grant funding from the GLA and borrowing as appropriate.

Consultation

64. The Leathermarket CBS is carrying out an exhaustive consultation on all the schemes.
65. Given the scale and significance of the proposals, the Leathermarket CBS is making substantial efforts to engage the community around the sites. There was a significant amount of resident engagement for the Joseph Lancaster site in the formulation of the scheme design. CBS also engaged with a number of other

stakeholders throughout the preparation of the planning application including local councilors and officers.

66. This engagement resulted in a number of amendments to the proposal that are outlined in the statement of community involvement and design and access statement submitted with the planning application.
67. Extensive consultation has continued into the development of the design brief for the next sites on the Elim Estate. This development aims to deliver approximately 46 new homes, new community facilities and a new office for Leathermarket JMB (to free up the current office site for new Council housing development). CBS Officers have had well over 100 one-to-one conversations with Elim residents and 75% of residents have been directly engaged. 86% of residents engaged during the initial stage of consultation are supportive or unconcerned about new proposed development.
68. The proposed number of homes and community conversation timetable for the development sites in the overarching agreement is outlined below:

Leathermarket Rolling Programme		
Sites/Actual or potential no. homes	Total no. potential homes	Community Consultation
Joseph Lancaster Nursery site	40	Completed
Elim sites <ul style="list-style-type: none"> o Ball Court -24 o Garages - 10 o Triangle site - 12 	46	Nov 2018 – April 2020
Whites Grounds (between 2 blocks) (4 flats)	4	April 2020 – November 2020
Cluny – 2 sites – garages and gap next to block (8 flats)	8	April 2020 – November 2020
Decima Street	2	April 2020 – November 2020
Lawson Alderney Mews garages (7 houses)	7	June 2020 – April 2021
Falmouth Road	14	June 2020 – April 2021
JMB office site (40 flats)	40	July 2020 – June 2021
Total no. homes	161	

SUPPLEMENTARY ADVICE FROM OTHER OFFICIERS

Director of Law and Democracy

69. Cabinet is being asked in this report to approve the terms of the overarching grant agreement and the project grant agreement, and to note the proposal, under delegated powers, to proceed with the project at Joseph Lancaster Nursery.
70. External lawyers, Dentons UK & Middle East LLP, have been advising the council concerning the terms of the funding agreement and have ensured that the matters as set out in this report are reflected accordingly.
71. Cabinet members are responsible in accordance with paragraph 12, Part 3 of the

council's Constitution for the strategic management of the council's resources and is able to authorise the use from the Housing Revenue Account subject to the requirements as set out in paragraph 13 of the Constitution.

72. The power to provide housing accommodation on land acquired by the council (as local housing authority) is set out in Section 8 of the Housing Act 1988. The council has the power, at Section 111 of the Local Government Act 1972 to do any thing (including acts involving the expenditure of money) which is incidental to the discharge of a function. The provision of funding for the construction of housing accommodation to CBS is therefore a measure which is ancillary to the discharge of the council's housing function. In addition, the council has the general power of competence under Section 1 of the Localism Act 2011 to do anything that an individual may do. This would encompass the provision of funding to CBS for the delivery of council housing.
73. Cabinet members, when making a decision on the recommendations in this report are also required to have due regard to the public sector equality duty (PSED) in section 149 of the Equality Act 2010.
74. This duty, which is non delegable and continuing, requires the council to consider all individuals when carrying out its functions. Specifically, to have due regard to the need to eliminate discrimination, harassment, victimisation or other prohibited conduct; advance equality of opportunity and foster good relations between people with protected characteristics and those who do not. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. The PSED also applies to marriage and civil partnership, but only in relation to the need to eliminate discrimination, harassment, victimisation or other prohibited conduct.
75. We note that, as referred to in paragraph 50, an equalities impact assessment has been carried out in relation to Joseph Lancaster project. Further assessments will be required in relation to each of the additional projects referred to in this report.

Strategic Director of Finance and Governance (H&M 19/118)

76. This report seeks cabinet approval for the council to enter into an overarching grant agreement and individual project grant agreements with Leathermarket CBS to deliver 161 new council homes to be managed by Leathermarket JMB on behalf of the council. The grant agreements seek to build on the recent success of the funding arrangement with Leathermarket CBS to develop Marklake Court, except that the council will retain ownership of the new properties. The grant agreements have been developed in conjunction with external legal advisors and set out the detailed terms and conditions upon which grants will be advanced to Leathermarket CBS, which are estimated to be in the region of £50 million.
77. The strategic director of finance and governance welcomes the intention to set up a separate agreement with Leathermarket JMB to ring-fence net rental income from schemes delivered through this programme as well as Marklake Court to contribute towards additional benefits to the council and wider community as outlined in paragraphs 35 to 38 of this report.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Kipling Garages, Weston Street, Bermondsey, SE1 – Housing Grant Agreement	Housing and Modernisation, Southwark Council, 160 Tooley Street, London SE1 2QH	Richard George, Programme Manager 020 7525 1222
Link: (please copy and paste into browser) http://moderngov.southwark.gov.uk/documents/s62971/Report%20Kipling%20Garages%20Weston%20Street%20Bermondsey%20SE1%20Housing%20Grant%20Agreement		
Former Joseph Lancaster School and Land at the Lawson Estate SE1	Housing and Modernisation, Southwark Council, 160 Tooley Street, London SE1 2QH	Richard George, Programme Manager 020 7525 1222
Link: (please copy and paste into browser) http://moderngov.southwark.gov.uk/documents/s81924/report%20former%20joseph%20lancaster%20school.pdf		
Joseph Lancaster Estate, Deverell Street, SE1 – Grant of Long Lease and Housing Funding Agreement	Housing and Modernisation, Southwark Council, 160 Tooley Street, London SE1 2QH	Richard George, Programme Manager 020 7525 1222
Link: (please copy and paste into browser) http://moderngov.southwark.gov.uk/documents/s74553/Report%20Joseph%20Lancaster%20Estate%20Deverell%20Street%20SE1%20-		

APPENDICES

No.	Title
Appendix 1	Overarching Grant Agreement (circulated separately)
Appendix 2	Project Grant Agreement (circulated separately)
Appendix 3	Joseph Lancaster Scheme Overview (circulated separately)
Appendix 4	Future Scheme Overview (circulated separately)

AUDIT TRAIL

Cabinet Member	Councillor Leo Pollak, Social Regeneration, Great Estates and New Council Homes	
Lead Officer	Michael Scorer, Strategic Director of Housing & Modernisation	
Report Author	Stuart Davis, Director of Development	
Version	Final	
Dated	4 December 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		4 December 2019

Item No. 12.	Classification: Open	Date: 17 December 2019	Meeting Name: Cabinet
Report title:		Gateway 3 Major Works Framework Extension	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor Kieron Williams, Housing Management and Modernisation	

FOREWORD - COUNCILLOR KIERON WILLIAMS, CABINET MEMBER FOR HOUSING MANAGEMENT AND MODERNISATION

For the people who live in the council's 53,000 homes our work ensuring their homes are maintained to a decent standard is perhaps the most important thing the council does. Since 2010 we have made major progress, with the proportion of our homes that meet the Decent Home Standard up from 54% to 98%.

Central to this progress is our major works programme that provides regular investment in all of our homes. Our current major works contractors are performing well against their key performance indicators and feedback from our residents about the quality of their work is increasingly positive.

However having made this progress it is also right that we now look again at how we can continue to improve the way we maintain our homes, so we can ensure our tenants' rents and homeowners service charges that fund this work are spent in ways that deliver the best possible value for their money. For this reason over the next six months we will be working with our residents to update our Housing Asset Management Strategy and to identifying the best way to procure our future major works contractors; including looking at how these new arrangement can give tenants and homeowners a stronger say.

To allow time for this review of our future arrangements, this report proposes a short extension to some of our key existing Major Works Frameworks, so we can use that time to put in place the best possible arrangement for the future.

RECOMMENDATIONS

1. That cabinet approves the variation of Lot 1 Major Works Framework to the six providers (as detailed in paragraph 4) to extend the term of the framework agreements for a period of 12 months from 16 February 2020, at an estimated cost of £50m, with no overall change to a total maximum contract value of £200m.
2. That cabinet approves the variation of Lot 2 Major Works Framework to the five providers (as detailed in paragraphs 4 and 5) to extend the term of the framework agreements for a period of 12 months from 16 February 2020, at an estimated cost of £75m, with no overall change to a total maximum contract value of £280m.
3. That cabinet approves the variation of Lot 3 Major Works Framework to the five providers (as detailed in paragraph 4) to extend the term of the framework agreements for a period of 12 months from 16 February 2020, at an estimated

cost of £10m, with no overall change to a total maximum contract value of £40m.

BACKGROUND INFORMATION

4. On 20 October 2015, Cabinet approved the establishment of the Major Works Framework (Framework) for a period of 4 years under 4 Lots. The table below lists the providers appointed under each Lot together with the works that each Lot provides:

Lot 1:	Main building works (low value schemes up to £3.5m) to six providers (A&E Elkins Ltd, Architectural Decorators Ltd, Niblock (Builders) Ltd, Saltash Enterprises Ltd, Standage & Co. Ltd and Thomas Sinden Ltd).
Lot 2:	Main building works (high value schemes over £3.5m) to six providers (Axis Europe Plc, Durkan Ltd, Engie Regeneration Ltd (formerly Keepmoat Regeneration Ltd), Lakehouse Contracts Ltd (now in liquidation), Mears Ltd and Mulalley & Co. Ltd).
Lot 3:	District mains, boilers and internal works to five providers (BSW Heating Ltd, K&T Heating Services Ltd, Mitie Property Services (UK) Ltd, Staple-Tech Ltd and Vital Energi Utilities Ltd).
Lot 4:	Communal and electrical works to five providers (Allied Protection Ltd, BCS (Electrical and Building) Ltd, Lockesleys Ltd, Swann Engineering Group Ltd and W.G.Wigginton Ltd).

5. It should be noted that as Lakehouse Contracts Ltd in Lot 2 are in liquidation, the council is currently considering seeking approval to terminate their Framework agreement. The council considers that there will be no impact on the ability to deliver works under individual schemes as Lot 2 has a sufficient number of other providers (five) to continue the delivery of work and ensure value for money.
6. The Framework has ensured that the council has achieved best possible value for money on major works programmes for council homes, for both the council and its leaseholders. In addition, the Framework has provided flexibility to ensure that the council can continue to deliver the housing programme on schedule.
7. As of 8 November 2019, £27.4m has been let for Lot 1, £7.2m for Lot 2 and £14.3m for Lot 3. The annual values that were approved by cabinet initially for these lots have not been exceeded. This is in part due to the overall capital programme being reduced, as well as the decision to extend the Partnering contracts. As a result, work which could have been under the Framework came under Partnering contracts instead, which has resulted in lower Framework expenditure, and required no change to overall contract value.
8. The Framework commenced on 16 February 2016, slightly after the proposed date of 4 January 2016 which was approved in the Gateway 2 report, as this was the first time the contract was required to be used.
9. This report is seeking approval for a 12 month extension to Lots 1, 2 and 3 only, as Lot 4 has never been used. The very limited electrical works have been absorbed within the main works contracts under Lots 1 and 2, and there is no need for a separate framework. Lots 1, 2 and 3 have sufficient resources to cover these works.

KEY ISSUES FOR CONSIDERATION

Key aspects of proposed variation

10. The nature of the proposed variation is to extend Lots 1, 2 and 3 Frameworks for a period of 12 months giving a revised completion date of 15 February 2021. The reason for the extension is to allow for the new contracts to be procured.
11. The estimated value of the proposed variation to Lot 1 is £50m, combined with the actual value of the approved contract term is £27.4m, brings the total to £77.4m. The value of this extension as a percentage of the total contract is estimated to be 25%. The estimated value of the proposed variation to Lot 2 is £75m, combined with the actual value of the approved contract term which is £7.2m, brings the total to £82.2m. The value of this extension as a percentage of the total contract is estimated to be 26.7%. The estimated value of the proposed variation to Lot 3 is £10m, combined with the actual value of the approved contract term is £14.3m, brings the total to £18.6m. The value of this extension as a percentage is estimated to be 25%.

Reasons for variation

12. There are currently three partnering contracts in place covering areas 3, 4 and 5 (the south of the borough, and street properties borough wide), running parallel to the Framework, and are the first choice for works. Both the Partnering contracts and the Framework allow council officers to use different procurement routes to deliver the council's major work programme. These schemes enable the council to meet ever changing QHIP and new homes delivery timescales. Having different lots under a framework with bespoke documents makes it quicker and easier to mini-compete and get works started on site and completed in a quicker timeframe than if individual contracts had to be procured. Key Performance Indicators (KPI) scores show how effective the contractors are in their performance. Currently, the Partnering contracts end in June 2020, at which stage the Framework will be the only source to have work procured efficiently.
13. An extension of twelve months is recommended because the new contracts will not be in place by February 2020, and major works are required to be delivered. Partnering contracts do not cover the whole of the borough, and therefore cannot be used as a complete alternative. With the completion of the partnering contracts in June 2020, there is also the option to use alternative external frameworks, although using the council's own framework where possible is the best option as the council has selected the contractors on their own framework.
14. The services delivered through the current Framework have enabled the council to deliver its housing asset management strategy and in particular the Quality Homes Investment Programme (QHIP).
15. The contractors' level of performance is covered in paragraphs 24 – 27.
16. If the extension is not approved, the council may face delays on delivering Major Works projects, including the housing programme, and meeting its Fairer Future commitments.

Future proposals for this service

17. New Major Works contracts to be procured for future works from 2020.

18. The key dates for the procurement of the new contractor contracts are as follows:

- Brief Councillor Kieron Williams on procurement options November 2019
- Cabinet GW1 January 2020
- NOI complete March 2020
- Completion of tender documents May 2020.
- PQQ return July 2020
- Evaluation of PQQs (team dependent but will have to allow 5 months) December 2020
- ITT return Feb 2021
- Evaluation of tenders (team dependent but will have to allow 4 months) August 2021
- NOPs September 2021
- Cabinet December 2021.

Alternative options considered

19. The following alternative options to this extension were considered by Asset Management:

- Do nothing; not chosen as this would have severe implications on the council's ability to deliver major works projects, including the main housing programme.
- Tendering; not chosen as it does not guarantee a consistent quality of service, as long term relationships cannot be built up with well performing contractors, and it is a major procurement exercise on each individual scheme. Furthermore, the process was deemed to take too long, particularly for contracts over the OJEU limit.
- Maximising the use of the partnering contracts until they expire; this will be done.
- Using other frameworks, such as South East Consortium (SEC); using the council's own frameworks is preferable, as the council has directly selected the contractors on the Framework.
- Bring the work in-house; there is no team in-house who could undertake this level of refurbishment work.

20. There is a solution in place of long term procurement, as highlighted in paragraph 18.

Identified risks for the Variation

21. The table below identifies the risks associated with this extension, the likelihood of occurrence and the control in place to mitigate the risks:

Risk No.	Risk Identified	Risk level likelihood	Mitigation
R1	Contractors are not able to deal with the new workload.	Low	Contractors have sufficient staff to continue the contracts.
R2	Contractors cease trading, go into administration or liquidation.	Medium	A financial check of all Lot 1 providers was undertaken on 08 November 2019. All providers are very low risk, with credit ratings ranging from 92% - 99%.

Risk No.	Risk Identified	Risk level likelihood	Mitigation
			<p>A financial check of all Lot 2 providers was undertaken on 8 November 2019. The Lot 2 providers are low risk with satisfactory credit ratings, with the exception of one provider, who has a high risk credit rating of 26%.</p> <p>This risk will be mitigated by doing a financial check if they are to win a mini competition, as well as one done prior to tender if the scheme is above £3.5m.</p> <p>A financial check of all Lot 3 providers was undertaken on 8 November 2019. The Lot 3 providers are low risk with satisfactory credit ratings, with the exception of one provider, who has a high risk credit rating of 32%.</p> <p>This risk will be mitigated by doing a financial check if they are to win a mini competition, as well as one done prior to tender if the scheme is above £3.5m.</p> <p>The financial impact would be alleviated as the council always pays contractors in arrears.</p>
R3	Possible risk of challenge for not undertaking a full procurement exercise.	Low	Regulation 72(1)(e) of the Public Contracts Regulations 2015 (EU regs) will be relied upon for this variation.
R4	Performance slipping in final 12 months of Framework.	Low	Regular contract monitoring is robust, as set out in paragraphs 24-27.

Policy implications

22. The extension of the Framework will help the council continue to deliver on one of its Fairer Future commitments, that of providing good quality, affordable homes for all residents. It will continue to help deliver the QHIP. The delivery of this programme and the housing investment programme as a whole is subject to the availability of resources to fund it.
23. Contractors are required to comply with the council's Fairer Futures procurement framework, which requires companies to report on the gender and BAME pay gap.

Contract management and monitoring

24. The performance of the contractors and any commitments made in their bids is monitored by the Investment team. As previously mentioned, all Framework contractors are performing well. There are specific KPIs in each call-off contract in the areas of time, cost and quality. KPIs are produced for asset management staff concerning their performance on a quarterly basis and these show that the Framework contractors are performing well in terms of quality, value for money, health and safety, and timeliness in particular. All of the contractors have confirmed they will be taking their inflation allowance allowed for in the contract.
25. The spend and performance on the call-off contracts is monitored by the Director of Asset Management and reported regularly to the repairs and major works core group led by the Lead Cabinet Member for Housing Management and Modernisation. Although the Framework can cover a range of projects within the council, in practice it has been mainly designed and used for the works run by the Investment team and priority will therefore be given to those programmes, although other departments within the council are able to use the Framework if capacity is available. The Framework contractors' performance will be monitored more closely as the Framework nears completion to ensure they maintain a high level of performance. Performance review reports will go to Departmental Contract Review Board (DCRB) every six months and Corporate Contracts Review Board (CCRB) annually.
26. Overall, the Framework contractors performed very well in Quarters 1 and 2 of 2019/20. There has been an issue with Lot 3 with all five contractors consistently not taking every mini-competition opportunity. All of them have been contacted, and all have confirmed that in the future they will be pricing at every opportunity. This will be monitored throughout the remaining period of the contracts to ensure in future that these promises are kept to.
27. In the first and second quarters of this financial year, all Framework contractors performed well with regards to time requirements for completing internal and external works. All have excelled as considerate contractors. None of the Framework contractors have defaulted on their call-off contracts. The contractors have confirmed they will maintain their original tender rates, or lower, with the addition of building inflation as allowed for in the contracts.

Community impact statement

28. Having a consistent set of contractors working in the borough has improved the quality of service and has also ensured that they work comprehensively with the community.
29. The Framework contractors have shown a commitment to making a positive impact in the communities in which they work. For example, A&E Elkins Ltd under Lot 1 made a donation of £1500 towards the Create and Play Zone at Bermondsey Carnival held in July 2019, and Saltash Enterprises Ltd under Lot 1 attended and contributed to D-Day Celebrations at Elmington Tenants and Residents Association (TRA) Hall in June 2019.

Social value considerations

30. 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 social value considerations included in the tender (as outlined in the Gateway 1 report) are set out in the following paragraphs in relation to the tender responses, evaluation and commitments to be delivered under the proposed contract.

Economic considerations

31. By separating the framework into different Lots, this has meant that there is a balance between small, medium and large sized firms being given the opportunity to tender for some of the work available in the Lots. The Framework contractors have brought local job opportunities for the community as well as tendering opportunities for local suppliers and sub-contractors. For example, HSS (supplier) and London Fire Solutions (sub contractor) have been contracted by A&E Elkins Ltd. Saltash Enterprises Ltd have contracted E.Smith Metal and Fabrication, and Caelum Plumbing and Heating (subcontractors), as well as Topps Tiles and The Old Southern Forge (suppliers).
32. There are parent company guarantees in place; however these have not been required to be used.

Social considerations

33. The Framework contractors are paid in accordance with the London Living Wage and have equality policies that conform to the council's standards. The application of these policies is reviewed for compliance as part of the Framework annual review. Each of them is required to employ apprentices and provide training and employment opportunities for Southwark residents. They must comply with the requirements of the Employment Relations Act 1999 (Blacklists) Regulations 2010 ("the Blacklists Regulations) and shall ensure that they will not during the Term/Contract Period/provision of the Works be a party to or concur in any discriminatory employment practice which could be construed as blacklisting or boycotting any person who has sought employment with the contractors in breach of the Blacklists Regulations.
34. All Framework contractors have achieved or exceeded the Local Employment Quota and Apprenticeship Quota, offering an apprenticeship or equivalent for every million pounds of work awarded, and will continue to do so throughout the duration of the contracts.

Environmental/sustainability considerations

35. There are no specific environmental/sustainability considerations at this stage, however, environmental and sustainability considerations are included within the design of each specific scheme as appropriate.

Financial implications

36. This report recommends the extension of the Major Works Framework until 15 February 2021. The estimated value of these contracts is £520m, which was approved in 2015. The QHIP budgets will be approximately £100m per year, and approximately £40m - £60m of this could be allocated through the Framework contracts. All of these resources are contained within currently approved housing budgets.

Legal implications

37. Please see supplementary advice from the Director of Law and Democracy.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Head of Procurement

38. This report is seeking approval to extend three of four lots of the housing major works framework (which is used to deliver the housing asset management strategy) for a period of 12 months respectively from 16 June 2020. The report confirms that the framework is capable of this extension and is required to allow officers sufficient time to procure and put in place new alternative arrangements.
39. Paragraph 18 of the report confirms that the procurement for new contracts will commence in October 2019. By extending these lots it shall allow for continuity of service whilst new contracts are procured.
40. The report confirms that performance to date across the three lots on a project by project basis has generally been good. The management and monitoring arrangements currently in place should go some way to ensuring that the required level of contract performance is maintained. It would appear that there is no reason why the council should not continue with these arrangements for the recommended extension period.
41. All of the contractors on the framework will be required to comply with the council's fairer futures procurement framework which requires companies to report on the gender and BAME pay gap. In addition as part of the extension contractors will be required to sign up to Unison's "End Violence at Work Charter" and the Mayor's Good Work Standard. Social Value and apprenticeships need to be considered when bidding in mini competitions.

Director of Law and Democracy

42. This report seeks cabinet approval to extensions to 3 major works framework Lots which are being performed by 6 providers (Lot 1), 5 providers (Lot 2) and 5 providers (Lot 3) as listed in paragraph 4 of the report. This report sets out the extent of the extensions and the reason why an extension of 12 months is necessary. As the value of the proposed variations are £15m or more for works, the decision to approve these variations are reserved to cabinet or cabinet committee after consideration by the CCRB of this report.
43. The nature of this variation is such that it is subject to the tendering requirements of the Public Contracts Regulations 2015 (PCR15). Regulation 72(1)(e) of PCR15 permits contracts to be modified, irrespective of their value, if the modification is not substantial. The justifications for relying on regulation 72 are noted in paragraphs 12 and 13. Paragraph 18 of this report confirms that a new procurement exercise will commence in May 2020 with the aim for new contract(s) to be in place from Feb 2021.
44. Cabinet is advised that when relying on any ground for exemption from the requirements of PCR15, there is a potential risk of challenge on the basis that the council does not have sufficient grounds to justify negotiations in these circumstances. However, given that a new procurement exercise will commence and the fact that the modification is not substantial coupled with the need for

continuity of service, it is considered that the risk is low.

45. CSO 2.3 requires that a variation decision may only be made if the expenditure involved has been approved. Paragraph 36 of this report confirms the financial implications of these variations.

Strategic Director of Finance and Governance

46. This report seeks approval to vary the Major Works Framework for Lots 1 to 3 by extending the terms of the contracts by a further 12 months at an overall estimated cost of £135m with no overall change to the respective maximum contract values. The Strategic Director of Finance and Governance notes the reason for the extension is to allow time for the new contracts to be procured and the need to ensure service continuity in the interim. Work undertaken during the extension period will be on existing contractual terms and the costs will be met from resources funding the Housing Investment Programme.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Gateway 2 'open' Major Works Framework Contract (item 27)	Southwark Council, 160 Tooley Street, London SE1 2QH	Everton Roberts 020 7525 7221
Link: http://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=302&MId=5140&Ver=4		
Gateway 1 'open' report Major works Contractor Framework approved by cabinet on 22 October 2013 (item 14)	Southwark Council, 160 Tooley Street, London SE1 2QH	Everton Roberts 020 7525 7221
Link: http://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=302&MId=4551&Ver=4		

APPENDICES

No	Title
None	

AUDIT TRAIL

Cabinet Member	Councillor Kieron Williams, Housing Management and Modernisation	
Lead Officer	David Hodgson, Director of Asset Management	
Report Author	Nicky Sherborne, Service Development Officer, Asset Management, Housing and Modernisation	
Version	Final	
Dated	4 December 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
Director of Exchequer (for housing contracts only)	No	No
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	5 December 2019	

Item No. 13.	Classification: Open	Date: 17 December 2019	Meeting Name: Cabinet
Report title:		Annual Workforce Report 2018-19	
Ward(s) or groups affected:		N/a	
Cabinet Member:		Councillor Kieron Williams, Housing Management and Modernisation	

FOREWORD – COUNCILLOR KIERON WILLIAMS, CABINET MEMBER FOR HOUSING MANAGEMENT AND MODENISATION

Our success as a council depends upon on our staff and the vitally important work they do. That is why we are committed to investing in our workforce; so we can attract great people and support our existing staff to develop and succeed. This report provides an update on key aspects of our progress, including information on the make up of our workforce and our recruitment, training and pay.

Over four thousand people are employed by the council. Every day they work to improve the lives of our residents - keeping our streets clean and safe, helping people find homes, providing social care, maintaining our parks, dealing with anti-social behaviour, supporting local business, providing training, maintaining our homes and so much more. Many are Southwark residents, but we also attract many talented people from further afield.

I'm pleased to say this report shows a picture of a productive and well motivated workforce, with low levels of sickness and staff complaints and good rates of staff retention. It also shows a picture of a diverse workforce that is broadly representative of the local community.

I am also delighted to say this year we were one of the first employers to be accredited to the Mayor of London's Good Work Standard and have been awarded the Excellence level. This accreditation recognises the council's commitment to supporting diversity, ensuring fair pay and conditions and investing in the wellbeing, skills and progression of our workforce. The following pages highlight some of our successes to date as well as the areas where we now aim to go further.

RECOMMENDATIONS

1. That the cabinet notes the workforce report attached as appendix one and that this report:
 - a) Demonstrates that the council continues to reflect the diversity of the borough in the overall makeup of its workforce;
 - b) Suggests a picture of a productive and well motivated staff with low levels of sickness, low levels of staff complaints and good rates of staff retention.
 - c) Suggests that the council is an attractive employer given the high numbers of applications that the council receives;

- d) Highlights how we will continue to shape our workforce equality plan and continue to implement Workforce Strategy with areas requiring further consideration, for example career development and in-work progression with a particular focus on under-represented groups.

BACKGROUND INFORMATION

2. Southwark is hugely proud of our diverse and vibrant local community and we want to reflect this at all levels within the council. We have talented, compassionate, and creative people in all of our communities and workforce. We are determined to identify and remove any barriers preventing people from enjoying the career they deserve with us. We will ensure inclusiveness, respect and dignity for all of our workers are key measures in all of the work we do. Our ability to address and meet the needs of the community is dependent on a diverse, supported, engaged and motivated workforce.
3. As stated in the Council Plan (2018-2022), 'In everything we do as a council, we will seek to promote equality. This applies internally within the council and externally with our residents. The workforce equality plan works in line with the Workforce Strategy equality and diversity outcomes which for 2018/19 were as follows:
 1. We have a diverse workforce at all levels of the council that is reflective of our local communities and helps us to have a deeper understanding of residents' needs and provides fairer and more accessible services
 2. We will create opportunities so that there are more BME staff in the more senior levels at Southwark
 3. People talk positively about Southwark as a diverse and inclusive place to work.
 4. We have zero tolerance of discrimination, harassment or victimisation in our treatment of each other and in our management practices and decisions
 5. We will retain our Disability Confident Employer status
4. Since the 2017-18 report we have been working with stakeholders including our trade unions and self-supporting employee networks to develop a workforce equality plan that is now reviewed annually to ensure it addresses the latest workforce data. Our workforce equality plan and the initiatives within it go beyond the protected characteristics and includes important social economic aspects such as literacy, numeracy and digital literacy. Within this report we will explain how the work of the Council over the last year has delivered the equality and diversity outcomes for last year.
5. The Equality Duty 2010 is supported by specific duties which require public bodies to publish relevant, proportionate information annually demonstrating compliance. Information must be published in a way which makes it easy for people to access it and, for public bodies with 150 or more employees, to consider how their activities as employers affect people who share different protected characteristics. The span of information to be published is not specified within the Duty, but it is suggested that the following could be included:

- composition of the workforce;
 - pay equality issues; in Southwark this is shown by profile at different grades and includes reporting requirements to publish gender pay gap data.
 - recruitment and retention rates;
 - learning and development opportunities;
 - grievances and disciplinary issues for staff with different protected characteristics.
 - Published information can also include plans to address equality concerns within the workforce, and information from staff surveys.
6. To meet our obligations, the council produces an annual workforce report which includes a range of Human Resources (HR) related data and is published on the council's website. This report highlights key findings and example initiatives from the workforce programme. The 2018-19 report is attached at Appendix one.
7. The Equality plan has been designed to ensure Southwark has a clear and structured plan to promote equality, diversity and inclusion authentically within the workforce. To achieve this it is important to ensure that they are included in everything we do so a targeted approach to our universal workforce development initiatives is essential. It is also recognised that there is particular value in reviewing the equalities data at a local team or service level and in key areas of under representation across the council. These initiatives are called bespoke initiatives.
8. Southwark's trade unions have been briefed on the workforce data and we will continue to work constructively with them on the development of the workforce equality plan.

KEY ISSUES FOR CONSIDERATION

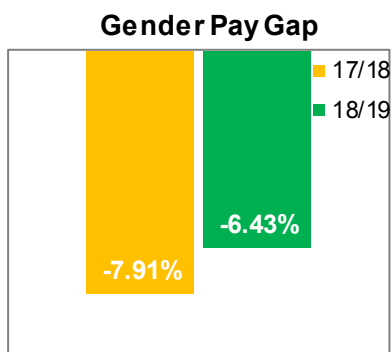
9. An analysis of the current workforce data, the identification of significant underlying trends, and the engagement of key stakeholders have identified initiatives which involve cooperation between various teams, groups and individuals across the Council. This report provides a summary of the progress undertaken in the last year to work towards improving and delivering on points 1-5 above.
10. Southwark Council has 4196 employees across a range of very diverse job roles, trades and professions. Over the last year we have seen an increase in the workforce with the return of key services from the private sector e.g. the TUPE' transfer into the Council of the Mears contract for housing repairs in to our Traded Services within the Environment and Leisure Department, making us one of the larger London Local Authorities in London. Table 1 below shows the changes to our staffing numbers over the past few years.

Table 1 Number of employees

Year	Number of employees
2018-19	4196
2017-18	4110
2016-17	4150
2015-16	4538

11. Overall Southwark Council has a diverse workforce that is broadly representative of the local community with a split of 50% women and 50% men in the workplace. Within the Southwark population 78.3% of females are economically active compared to 85.1% of males. In Southwark Council the proportion of training completed by women is higher than the proportion of women in the workforce (reference data 23) and incremental progression was equally awarded to men and women.
12. The Equality Act 2010 (Gender Pay Gap Information) Regulations 2017 place a new mandatory requirement to report annually on our gender pay gap and publish key information. This is produced as part of the workforce report and is included in paragraph 7 onwards in Appendix one. The gender pay gap is the difference in the average hourly wage of all men and women across a workforce. A positive percentage figure shows that overall, female employees receive lower pay than male employees and a negative percentage figure shows that overall, male employees receive lower pay than female employees.
13. Southwark Council has a mean gender pay gap of minus 6.43%, a reduction from minus 7.91% last year, as illustrated in Graph 1 below. This indicates that on average Southwark male employees are paid lower than Southwark female employees by approximately 6.43%. This is predominantly due to the larger number of male workers in lower paid roles within the waste and cleansing services.

Graph 1



14. To ensure that we can maintain a good balance between our male and female workforce it is important to ensure that we continue to support key initiatives and challenge stereotypes. Some of the bespoke initiatives achieved this year have been:
 - Targeted advertising and attraction campaigns have recruited more females into traditionally male dominated roles in Traded Services, where 33% new apprentices who were appointed this year are women.
 - Refurbishments of 10 staff mess rooms on our Southwark estates ensuring female members of staff were given a key so they can use the facility in private and maintain their health, wellbeing and safety. This enables staff to take their set breaks in an appropriate environment
 - Continued funding and support for the Women's Network
 - I. Events run by the Women's Network on leadership events
 - II. Advice and support on childcare options to support working parents

III. International women's day celebrations.

15. For the first time our Workforce Report also assesses the disability and ethnicity pay gaps.
16. On joining Southwark Council staff are asked to share if they do or do not have a disability and their ethnicity. They are also asked to update their electronic employee record should they develop a disability during employment.
17. Southwark Council retained its Disability Confident Employer (level 2) status this year and has run a range of awareness sessions to promote how we can support our staff with disabilities within the workplace e.g. implementing workplace adjustments, inclusive workspaces, providing support and guidance to managers enabling them to successfully support staff with a disability in the workplace and improvements to the recruitment and selection process. There is also a range of training on our learning system, My Learning Source, and the council has supported specific career development opportunities for our staff with a disability.
18. As a result, we have seen the percentage of employees formally declaring a disability has increased by 0.5% to 5% compared to the previous year. The average across London boroughs is 5.2%. This however may be higher when compared to the the economically active population, 78.2% of the Southwark population. According to the ONS within the Southwark population there is 19.7% who are economically inactive due to long term ill health aged between 16 and 65 years old. Table 2 below shows the increase in the number of staff sharing they have a disability with the council over the last few years.

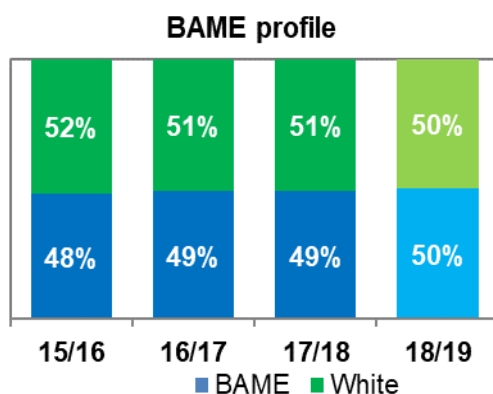
Table 2 Employees with Disability profile

Year	% Disabled
2018-19	5.0%
2017-18	4.5%
2016-17	2.7%
2015-16	3.3%
2014-15	4.0%

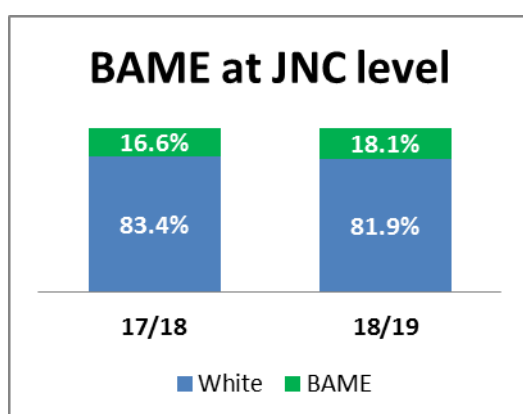
19. Southwark council has a mean disability pay gap of -0.68%. This indicates that on average, for every £10 a disabled employee earns, non-disabled employees earn £10.07. Incremental progression was equally awarded to those who declared themselves as disabled as to those who did not.
20. Raising the profile of disabilities in the workplace and the provisions for workplace adjustments through acknowledging nationally recognised days and promoting #Iamconfident across Southwark Council social media and attraction/advertising has been a priority this year. This has all contributed to an increase in the number of staff we have recruited and retained who have declared they have a disability.
21. In addition to this the Council commitment and signing of the Time to Change pledge which places a particular focus on reducing the stigma associated with mental ill-health and is designed to encourage and support employers in creating a workplace environment where mental health issues are openly discussed and employees can feel appropriately supported.

22. Further examples of some of the bespoke interventions have been:
- refreshing the disability guidance particularly around mental health
 - partnering with the Business Disability Forum to provide the Council with expertise on how best to support people with a disability into employment and retain them
 - providing paid access to career development courses specifically designed for people with a disability or long term health condition
 - promoting role models through career development stories
 - facilitating key events and news articles raising the profile of all disabilities within the work place ensuring these are reflective of visible and non visible disabilities including neurodiversity and mental health.
23. When looking at broad ethnic groups the percentages of employees from White and from BAME communities Southwark Council has 50% of employees from white and 50% BAME communities which are very similar to the percentages in the Southwark community, where 54% of the population classify themselves as White. Graph 2 below shows the Southwark profile. Across London boroughs those employees who classify themselves as White average 59%.

Graph 2



Graph 3

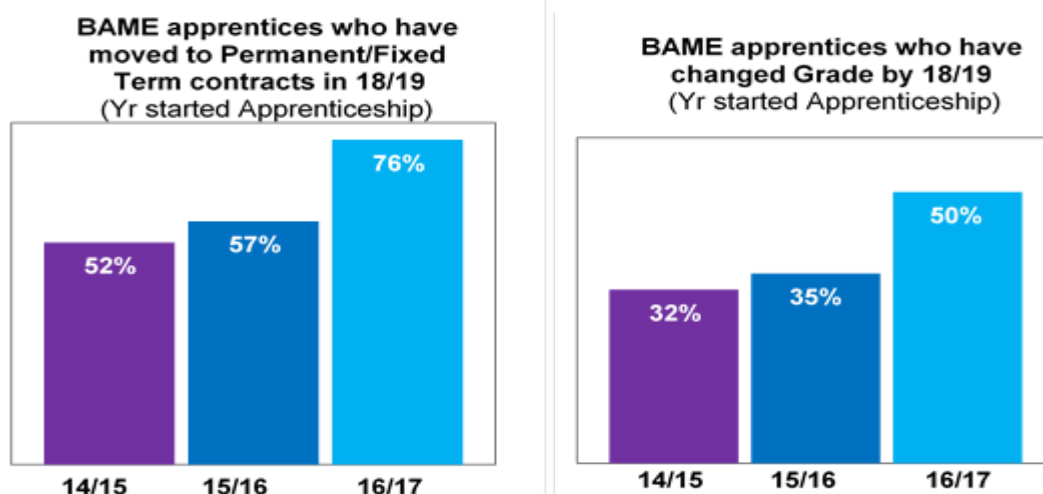


24. The percentages of White employees compared to BAME employees change through the grades. This changes at grades 10-12 and where the percentage of BAME employees are lower in grades 14 (JNC level) is shown in Graph 3 above.

Incremental progression was equally awarded to those staff from BAME communities as to those who are White.

25. We want to do more to ensure that our workforce reflect the diversity of BAME communities who live in Southwark at all levels of the organisation. So in the last year significant progress has been made to support the development of our staff through our universal initiatives like the continued provision of the ILM and managers' learning and development programme and the Professional Qualification Scheme. All of these have been designed to ensure that all our staff have the opportunity to progress their career and specifically encourages our BAME employees to seek career progression within the council.
26. We recognise that it takes time to 'grow your own' staff through to senior positions within the organisation. However early indications show some promising results with the proportion of training completed by BAME staff being in line with the proportion of BAME staff in the workforce (reference data 21 of Appendix 1). However, we also recognise the need to do more and this will be an early priority in our action plan to deliver our Workforce Strategy.
27. Attracting a diverse pool of apprentices and trainees has been a key focus for Southwark for some years and this year is not an exception. We can see 54% of apprentices/trainees were from BAME communities. In addition, we have retained and recruited into permanent or fixed term contract positions 76% of our apprentices. We have also been able to review and report that 50% of our BAME apprentices/trainees have changed grade (increasing their salary) and gained a promotion since completing their apprenticeship or training programme as illustrated in graphs 4 and 5 below.

Graph 4 and 5



28. This indicates that investing work to develop our universal initiatives e.g. the introduction or improvement of frameworks, policies and guidance that are intended to support all staff (or the majority of them), but also provide a foundation for more targeted interventions is beginning to build the talent pipeline of our staff from BAME communities.
29. Further universal initiatives which are currently being implemented in 2019/20 to enhance the opportunities for all staff but specifically those from BAME

communities and our female colleagues are:

- The launch of Empower, our BAME network, which is funded by the Council, and which has a Chief Officer sponsor
 - The launch of the ILM level 7 supporting staff to gain a management qualification (Masters/Diploma level equivalent)
 - the launch of the coaching and mentoring programme
 - the launch of the career development portal
 - increased emphasis on the importance of the career development conversation at mid-year reviews
 - continued provision for the PQS
 - relaunch of the equalities training for council staff and managers
 - review and assessment of recruitment and selection processes
 - promoting role models through career development stories.
30. Bespoke interventions arise from the scrutiny of the workforce equality data and the design of team and service based people plans. These plans identify key initiatives and interventions that are required to develop the diversity of the workforce. Some examples of bespoke interventions have been:
- support for the EMpower staff network to run bespoke CV and interview skills training for staff
 - when commissioning executive search agencies for senior appointments ensuring equalities and diversity is a key selection criteria and a diverse representation of candidates are sourced.
 - public and internal promotion of events to support staff and raise awareness e.g. Show Racism the Red Card, Black History Month.
31. With sexual orientation it is recorded by the ONS that Southwark in 2017 has a population of 5.8% who declared they were gay or bisexual. This is broadly reflective of the Southwark workforce who have 6% of staff who consider themselves to be gay, bisexual or other.
32. The creation, launch and growth of our LGBTQ+ staff Network has also seen a positive impact in the engagement of staff from the LGBTQ+ community. Key events have been run by the network to raise awareness and inclusiveness within Southwark workforce. The network is funded by the council.
33. The group has had a positive launch and attracted a good level of membership. Some of the bespoke initiatives focusing on sexual orientation this year have been:
- Formal launch of the LGBTQ+ staff network
 - Senior Management Sponsorship for the LGBTQ+ staff network
 - A series of events in February 2019 for LGBTQ+ history month
 - Public and internal promotion of events to support staff and raise awareness
 - Raising the new flag for Pride and inclusivity
 - Development of the Transgender and Gender Identity Guidance.
34. The council has seen a real dedication to support the corporate parenting agenda with the implementation of the award winning Fostering Friendly policy, which supports staff to foster for Southwark with Council tax relief and paid time off for training and key support meetings. To complement this, we have also

seen the introduction of specific roles within Customer Experience dedicated to supporting our care leavers, who are some of our most vulnerable Southwark residents, into employment.

35. The introduction of new policies such as Premature Birth have been specifically designed to improve the support for employees who are new and returning working parents in possibly the most challenging of times.
36. With an ageing workforce, and with an average age of 46 clearly the development of trainees and apprentices is essential in retaining the knowledge and skills within the organisation and supporting experienced staff to feel valued is essential.
37. We are committed to ensuring that our older staff are given access to learning and development and career progression in the same way as our younger 18 – 24 year olds. Here in Southwark we have made sure that apprenticeships are now made widely available to all ages of applicants and in fact 45 of our apprentices are in the 25+ age group with 6 apprentices over 40 years of age.
38. We are also ensuring that when our front line services are reviewed key consideration is given as to how we retain the expertise off staff, by creating career grade progression schemes. This provides for coaching and mentoring of less experienced staff within roles and a key responsibility and reduced the time spent on potentially more taxing front line work.
39. Other bespoke initiatives that are being offered to support our ageing workforce of different ages:
 - Recognition of their long public service with the Annual Long Service Awards
 - Annual Apprenticeship awards
 - A digital learning programme
 - Planning for your retirement courses
 - Pensions planning events
 - Financial planning support through the employee assistance programme
 - Workplace adjustments to retain our more mature staff who work out on our estates by providing work inside as well as outside to ensure we can retain their skills, experience within the communities they have always served.
40. All of the above coupled with the recognition that Southwark Council has been accredited with achieving liP Gold (against the harder test), being a London Living Wage employer, the Mayor's Good Work Standard and the Time to Change pledge all illustrates the continued commitment of the council to ensure Southwark is an inclusive place to work.
41. Southwark Council is not complacent and delivering the initiatives within the Workforce Strategy and the Equality Plan are key priorities across HR, OT and the wider Council for the year ahead. Plans for the next financial year are:
 - Deep dive review into the reasons behind the change of the number of successful people from our BAME communities reaching shortlisting but not appointment to help inform where bespoke initiatives need to be implemented.

- Review the numbers of BAME staff taking up the coaching and mentoring opportunities and promote specifically to these staff through the annual appraisal and mid-year review career discussions
- Explore social mobility factors in professions and how this should inform attraction and recruitment strategies to target areas of under representation
- Review flexible working practices to ensure working parents are supported on return
- Further review facilities and practices in more male dominated teams to ensure women are welcomed
- Launch of the Transgender and Gender Identity Guidance
- Launch of the Domestic Abuse Guidance
- Modernise the Respect at Work Guidance
- Monitoring sickness absence reasons to the London Councils definitions for a better understanding of our most pressing health conditions to better support workplace support
- Further exploration and guidance on non visible disabilities, especially neurodiversity and autism.
- Attain full disability confident status in 2021.

Policy implications

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

Community impact statement

43. Analysis and ongoing evaluation of the equality impact is fundamental to the Workforce Strategy. Our workforce reporting provides information demonstrating compliance with the Equality Duty and considers how the strategy affects people who share different protected characteristics. The workforce report informs the strategy and assesses the impact upon:

- composition of the workforce
- pay equality issues; reporting on profile at different grades;
- recruitment and retention rates;
- learning and development opportunities;
- grievances and disciplinary issues for staff with different protected characteristics.

44. This analysis of the reporting information informs our workforce equality action plan which sets out our proposals to address equality concerns within the workforce.

45. Any policy changes will be subject to impact assessments.

Resource implications

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

Consultation

47. Consultation has taken place with the Corporate Trades Union and the Council's Equality and Diversity Officer.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

48. The director of law & democracy notes the content of the report.
49. The report asks cabinet to note the contents of the appended Annual Workforce Report and the analysis of that as set out in the report.
50. Cabinet are reminded of the PSED General Duty under section 149 of the Equality Act 2010 to have due regard to the need to:
- a. Eliminate discrimination, harassment, victimisation or other prohibited conduct;
 - b. Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it;
 - c. Foster good relations between person who share a relevant protected characteristic and those who do not share it.

The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Marriage and civil partnership are protected in relation to (a) only.

51. Cabinet are also reminded of the requirement, under the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017, for public authorities to publish specified information relating to the gender pay gap in their organisation in addition to the existing requirements under the duty to annually publish proportionate equality information in respect of their workforce (Specific PSED Duty), to demonstrate their compliance with the General PSED Duty.
52. In producing and publishing the Annual Workforce Report as appended to this report the council is meeting that Specific PSED Duty.
53. The PSED General Duty is a continuing one; the Annual Workforce Report, and the Workforce Strategy and Workforce Equality Plan referred to in paragraph 4 of the Report, will assist the council in complying with that General Duty.

Strategic Director of Finance and Governance (H&M 19/114)

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

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Workforce Strategy Refresh 2019-2022, item 16.	Organisation Transformation	Emily Nice 020 7525 0430
Link: (please copy and paste into browser): http://modern.gov.southwark.gov.uk/documents/s83854/Report_Southwark_Workforce_Strategy_refresh_2019-2022.pdf		

APPENDICES

No.	Title
Appendix 1	Workforce Report 2018-19

AUDIT TRAIL

Cabinet Member	Councillor Kieran Williams, Housing Management and Modernisation	
Lead Officer	Michael Scorer, Strategic Director for Housing and Modernisation	
Report Author	Julie Foy, Head of Human Resources	
Version	Final	
Dated	4 December 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		4 December 2019



Workforce report 2018-19

This report looks at the profile of Southwark Council employees and at human resources management activities over financial year 2018–19.

Scope

1. It covers all departments of the council and directly employed substantive employees. It therefore excludes those under the management of schools.
2. All departmental details will relate to organisational structures as at year end 2018-19.
3. All workforce profile data will be at the end of the year 2018-19.
4. All data related to the outcomes of HR activity will cover the period April 2018 – March 2019, unless stated.
5. For completeness, information is given on the numbers of agency workers engaged. They are an important addition to our workforce resources but do not have a direct contractual relationship with the council and therefore details are limited.
6. The data used in this report is rounded up or down. It is for this reason that, on occasions, tables may not add up to 100%.

Content

The report –

1. Begins with key data. This includes an overview of the employees profile and some comparative data from previous years.
2. Looks at the profile of the council's employees against each protected characteristic where information is available (sex, ethnic origin, age, disability).
3. Includes gender pay gap data as set out in legislation. Previous reports have included gender data, but from 2017 requirements include specified formulas.
4. Will be discussed with the constituent trade unions.

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

Contents

Please click on the links below

- [Key data - Workforce 2018-19](#)
- [Workforce Numbers & Employee Profiles](#)
- [Changes in the Workforce](#)
- [Performance Management and Increments](#)
- [Sickness](#)
- [Learning & Development](#)
- [Disciplinary Investigations & Outcomes](#)
- [Capability Action & Outcomes](#)
- [Staff Complaints](#)
- [Respect at Work](#)
- [Recruitment](#)
- [Agency Workers](#)

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

Key data - Workforce 2018 - 19

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

Year 2018-19			Context																				
Number of employees (headcount)			Number of employees																				
4196			<table border="1"> <thead> <tr> <th>Year</th> <th colspan="2">No.</th> </tr> </thead> <tbody> <tr> <td>Year 2018-19</td> <td colspan="2">4196</td> </tr> <tr> <td>Year 2017-18</td> <td colspan="2">4110</td> </tr> <tr> <td>Year 2016-17</td> <td colspan="2">4150</td> </tr> <tr> <td>Year 2015-16</td> <td colspan="2">4538</td> </tr> <tr> <td>Year 2014-15</td> <td colspan="2">4847</td> </tr> </tbody> </table>			Year	No.		Year 2018-19	4196		Year 2017-18	4110		Year 2016-17	4150		Year 2015-16	4538		Year 2014-15	4847	
Year	No.																						
Year 2018-19	4196																						
Year 2017-18	4110																						
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Year 2015-16	4538																						
Year 2014-15	4847																						
Sex Profile of Employees			Sex Profile																				
	Number	%	<table border="1"> <thead> <tr> <th>Year</th> <th colspan="2">% Female Employees</th> </tr> </thead> <tbody> <tr> <td>Year 2018-19</td> <td colspan="2">50%</td> </tr> <tr> <td>Year 2017-18</td> <td colspan="2">51%</td> </tr> <tr> <td>Year 2016-17</td> <td colspan="2">51%</td> </tr> <tr> <td>Year 2015-16</td> <td colspan="2">51%</td> </tr> <tr> <td>Year 2014-15</td> <td colspan="2">52%</td> </tr> </tbody> </table>			Year	% Female Employees		Year 2018-19	50%		Year 2017-18	51%		Year 2016-17	51%		Year 2015-16	51%		Year 2014-15	52%	
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Year 2015-16	51%																						
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Male	2099	50%																					
Broad Ethnic Profile			Broad Ethnic Profile																				
	Number	%	<table border="1"> <thead> <tr> <th>Year</th> <th>% BAME employees</th> <th>% White employees</th> </tr> </thead> <tbody> <tr> <td>Year 2018-19</td> <td>50%</td> <td>50%</td> </tr> <tr> <td>Year 2017-18</td> <td>49%</td> <td>51%</td> </tr> <tr> <td>Year 2016-17</td> <td>49%</td> <td>51%</td> </tr> <tr> <td>Year 2015-16</td> <td>48%</td> <td>52%</td> </tr> <tr> <td>Year 2014-15</td> <td>49%</td> <td>51%</td> </tr> </tbody> </table>			Year	% BAME employees	% White employees	Year 2018-19	50%	50%	Year 2017-18	49%	51%	Year 2016-17	49%	51%	Year 2015-16	48%	52%	Year 2014-15	49%	51%
Year	% BAME employees	% White employees																					
Year 2018-19	50%	50%																					
Year 2017-18	49%	51%																					
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Year 2015-16	48%	52%																					
Year 2014-15	49%	51%																					
BAME employees	2028	50%																					
White employees	2027	50%																					
Total	4055	100%																					
Excludes those with no ethnic origin stated = 141 employees																							
Employees with Disabilities			Disability																				
	Number	%	<table border="1"> <thead> <tr> <th>Year</th> <th colspan="2">% Disabled</th> </tr> </thead> <tbody> <tr> <td>Year 2018-19</td> <td colspan="2">5.0%</td> </tr> <tr> <td>Year 2017-18</td> <td colspan="2">4.5%</td> </tr> <tr> <td>Year 2016-17</td> <td colspan="2">2.7%</td> </tr> <tr> <td>Year 2015-16</td> <td colspan="2">3.3%</td> </tr> <tr> <td>Year 2014-15</td> <td colspan="2">4.0%</td> </tr> </tbody> </table>			Year	% Disabled		Year 2018-19	5.0%		Year 2017-18	4.5%		Year 2016-17	2.7%		Year 2015-16	3.3%		Year 2014-15	4.0%	
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Year 2014-15	4.0%																						
Employees	208	5.0%																					
Average age of the workforce			Age																				
46 years			<table border="1"> <thead> <tr> <th>Year</th> <th colspan="2">Average age (years)</th> </tr> </thead> <tbody> <tr> <td>Year 2018-19</td> <td colspan="2">46.0</td> </tr> <tr> <td>Year 2017-18</td> <td colspan="2">45.7</td> </tr> <tr> <td>Year 2016-17</td> <td colspan="2">45.2</td> </tr> <tr> <td>Year 2015-16</td> <td colspan="2">45.1</td> </tr> <tr> <td>Year 2014-15</td> <td colspan="2">45.2</td> </tr> </tbody> </table>			Year	Average age (years)		Year 2018-19	46.0		Year 2017-18	45.7		Year 2016-17	45.2		Year 2015-16	45.1		Year 2014-15	45.2	
Year	Average age (years)																						
Year 2018-19	46.0																						
Year 2017-18	45.7																						
Year 2016-17	45.2																						
Year 2015-16	45.1																						
Year 2014-15	45.2																						

Section 1: Workforce Numbers & Employee Profiles

1. The headcount of employees was 4,196. This excludes casual workers and others who are not directly employed such as agency workers. A workforce population of 4,196 is an increase of 2% of employee numbers in 2017-18 This is predominantly due to the insourcing of some services e.g. Mears in Traded services and the expansion of others Housing. (Key Data).
2. Southwark has a similar size workforce to boroughs such as Islington, Newham, Tower Hamlets, Camden and Hackney who have similarly retained key services in-house rather than outsourcing. The average size of London boroughs for 2018/19 was 2,411, or 3,131 for just inner London boroughs.
3. The highest percentage of part time employees is in Children's & Adults' Services (18%). Overall 12% of all employees work part time. (Reference data 2)

Reference data 1

Employee numbers by department

	Numbers (headcount)	% of total	FTE
Chief Executive's Department	49	1%	48.5
Children's & Adults Services	1045	25%	973.4
Environment & Leisure	1375	33%	1296.3
Finance & Governance	537	13%	521.6
Housing & Modernisation	985	23%	960.4
Place & Wellbeing	205	5%	197.4
Total	4196	100%	3997.6

Reference data 2

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

	Male		Female	
	Full-time	Part-time	Full-time	Part-time
Chief Executive's Department	38.8%	0.0%	57.1%	4.1%
Children's & Adults Services	21.4%	1.7%	60.5%	16.4%
Environment & Leisure	74.0%	3.4%	15.4%	7.2%
Finance & Governance	43.0%	0.9%	48.2%	7.8%
Housing & Modernisation	43.4%	1.2%	48.3%	7.1%
Place & Wellbeing	45.4%	2.9%	42.9%	8.8%
Total	47.9%	2.1%	40.4%	9.6%

Sex

4. The percentages of female and male employees are equal; 50% of employees are female; 50% are male. (*Reference data 3*). The sex split shows a minor change from the previous year, (*Key Data*). The sex breakdown in council employment is similar to the female population in Southwark (50.5%) but lower than the average across London boroughs (65%). (*Appendix 1*)
5. There are greater differences in the sex breakdown when looking at a departmental level. (*Reference data 3*). In particular, Environment has a high percentage of male staff compared to the rest of the Council largely due to areas such as waste and cleansing and traded/building services.
6. There are higher percentages of male employees than female employees in the grades 1-5, amongst building workers and in the higher grade bands, although the total numbers of employees grade 17 and above are relatively small (*Reference data 4*)

Reference data 3

Sex breakdown per department as percentages

	Female	Male
Chief Executive's Department	61%	39%
Children's & Adults Services	77%	23%
Environment & Leisure	23%	77%
Finance & Governance	56%	44%
Housing & Modernisation	55%	45%
Place and Wellbeing	52%	48%
Total	50%	50%

Reference data 4

Grade distribution, sex and disability

Grade band	Total	Female	Male	Disabled staff
Grades 1-5	1023	288	735	36
% of grade band		28%	72%	4%
Building Workers	118	0	118	1
% of grade band		0%	100%	1%
Grades 6 - 9 or equivalent	1565	944	621	105
% of grade band		60%	40%	7%
Grades 10-12 + Social Work	1183	105	112	56
% of grade band		60%	40%	5%
Grades 14-16	217	105	112	10
% of grade band		48%	52%	5%
Grades 17 & above	20	6	14	
% of grade band		30%	70%	
Teacher conditions	13	11	2	
% of grade band		85%	15%	
Soulbury conditions	43	33	10	
% of grade band		77%	23%	
Other¹	14	4	10	
% of grade band		29%	71%	
Total	4196	2097	2099	208

¹ "Other" category mainly consists of employees on various TUPE conditions

7. The Equality Act 2010 (Gender Pay Gap Information) Regulations 2017 place a new mandatory requirement to report annually on our gender pay gap and publish the following information:
- the mean and median gender pay gap which is the difference between the mean and median hourly rate of pay of male full-pay relevant employees and that of female full-pay relevant employees, expressed as a percentage of the male mean.
 - the mean and median gender bonus gap which is the difference between the mean and median bonus pay paid to male relevant employees and that paid to female relevant employees, expressed as a percentage of the male mean.
 - the proportions of male and female employees who received bonus pay.
 - the proportions of male and female employees in quartile pay bands.
9. Pay includes gross full pay April 2019 pay data for all staff and includes basic pay, certain allowances and shift payments. It does not include overtime payments.
10. Bonus includes gross bonus payments in a 12 month period i.e. 6th April 18 to 5th April 19 includes bonus payments received by building and trades staff in Building Services and Asset Management. They are paid on a productive pay system (in place since 1994). It is based on output for work generated over and above the required level, over a specified period. This accumulates to a bonus payment.
11. The gender pay gap is the difference in the average hourly wage of all men and women across a workforce. A positive percentage figure shows that overall, female employees receive lower pay than male employees and a negative percentage figure shows that overall, male employees receive lower pay than female employees.
12. All organisations employing 250 or more peoples must report the mean and median pay gap data, as well as the proportion of men and women in each quartile pay band. The mean pay gap is a useful overall indication of the gender pay gap, but very large or very small pay rates can distort the figure. The median pay gap is useful indicator of the 'typical' situation in the middle of an organisation and is not distorted by very large or very small pay rates.
13. **The mean gender pay gap:** Southwark council has a mean gender pay gap of minus6.43%, a reduction –minus 7.91% last year. This indicates that on average Southwark male employees are paid lower than Southwark female employees by approximately 6.43%. This is predominantly due to the larger number of male workers in lower paid roles within the waste and cleansing services.
14. **The median gender pay gap:** Southwark council has a median gender pay gap of minus12.62% which suggests that typically Southwark male employees are paid at around 12.62% lower than Southwark female employees. The hourly median pay for females is £19.74 compared to £18.54 for males. Compared to last year, the gap between the hourly rate of pay has decreased.
15. **The average Bonus Pay:** Southwark Council has a mean bonus gender pay gap of 90%. In the period to 6 April 2019, approximately 5.02% of Southwark male

employees were paid a bonus payment compared to 1.18% of Southwark female employees. The data is based on long service awards and the only relevant operational bonus scheme for building and trades staff in Building Services and Asset Management. This is a local longstanding scheme (since 1994) rooted in national conditions. A review of how the bonus payments are awarded in this area revealed no issues of inequality or irregularity based on gender. The bonus scheme is under review.

16. **The proportion of male and female employees in each quartile pay band:** The distribution of men and women through the pay bands by quartile, as shown above, does not reflect the overall gender composition of the workforce which is 50% male and 50% female. Notably, the proportion of men and women in the lower quartile (shown as quartile1) is the *furthest* from the overall gender composition of the workforce at 31.53% female, 68.47% male. A review of the data highlights that for the quartile, there were 1031 employees, 405 of which were cleaning operatives (a male dominated job role); 372 of the 408 cleaning operatives were male.

Gender pay gap

Gender Pay Indicator	April 2018	April 2019
Difference in mean hourly rate of pay	-7.91%	-6.43%
Difference in median hourly rate of pay	-11.76%	-12.62%
Difference in mean bonus pay	93.07%	90.93%
Difference in median bonus pay	87.45%	82.83%
Proportion of male employees who were paid a bonus	4.22%	5.02%
Proportion of female employees who were paid a bonus	0.77%	1.18%

Gender Pay Indicator – Quartile Distribution	Female	Male
Quartile 1 (lowest average pay per hour)	36.97%	63.03%
Quartile 2	54.05%	45.95%
Quartile 3	53.67%	46.33%
Quartile 4 (highest average pay per hour)	54.79%	45.21%

Disabilities

17. On joining Southwark Council staff are asked to self declare if they do or do not have a disability and they are also asked to update their electronic employee record should they develop a disability during employment. The definition of disabled under the Equality Act 2010 applies if you have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities.
18. The percentage of people formally declaring a disability, 5.0% has increased by 0.5% compared to the previous year (*Key Data*). As part of our bi-annual employee survey, in 2017-18 we asked staff whether they consider themselves to have a disability. 10% said they do, which is significantly higher than our formal records and indicates that not all disabled staff are formally declaring their disability. The average across London boroughs is 5.2%, (Appendix 1).
19. The percentages of employees with declared disabilities are lowest on Building Worker grades.

Reference data 5

Staff with disabilities as percentage of departmental numbers

	Disabled
Chief Executive's Department	4.1%
Children's & Adults Services	5.7%
Environment & Leisure	3.0%
Finance & Governance	4.8%
Housing & Modernisation	6.7%
Place & Wellbeing	6.3%
Total	5.0%

20. **The mean disability pay gap:** Southwark council has a mean disability pay gap of -0.68%. This indicates that on average, for every £10 a disabled employee earns, non-disabled employees earn £10.07.
21. **The median disability pay gap:** Southwark council has a median disability pay gap of 0.87%, which suggests that typically Southwark disabled employees are paid at around 0.87% lower than Southwark's non-disabled employees. The hourly median pay for disabled staff is £18.10 compared to £18.26 for not disabled staff.
22. **The average Bonus Pay:** Southwark Council has a mean bonus disability pay gap of 45.8%. In the period to 6 April 2019, approximately 2.9% of Southwark disabled employees were paid a bonus payment compared to 3.1% of non-disabled employees. The data is based on long service awards and the only relevant operational bonus scheme for building and trades staff in Building Services and Asset Management. As previously identified this is due to the specific bonus scheme in place within Traded Services.
23. **The proportion of disabled and not disabled employees in each quartile pay band:** The distribution of disabled and non-disabled staff through the pay bands by quartile, as shown above, does not reflect the overall disability composition of the workforce which is 95.3% not disabled and 4.7% disabled. The proportion of disabled staff in the middle quartiles is higher than the overall proportion, and only slightly less in the top quartile.

Disability pay gap

Disability Pay Indicator	April 2019
Difference in mean hourly rate of pay	0.68%
Difference in median hourly rate of pay	0.87%
Difference in mean bonus pay	45.79%
Difference in median bonus pay	81.90%
Proportion of Not Disabled employees who were paid a bonus	3.07%
Proportion of Disabled employees who were paid a bonus	2.87%

Gender Pay Indicator – Quartile Distribution	Declared disabled	Not declared as disabled
Quartile 1 (lowest average pay per hour)	3.48%	96.52%
Quartile 2	6.49%	93.51%
Quartile 3	5.08%	94.92%
Quartile 4 (highest average pay per hour)	4.51%	95.49%

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Ethnic Origin

20. There are a small number of employees who do not have an ethnic origin record, 171 employees (3%). This compares with an average of 13.7% across London boroughs who do not have an ethnic origin (*Appendix 1*).
21. There is a small change in the percentages of employees who classify themselves as white (50%) or from black and minority ethnic groups (50%) compared to the previous year. (*Key Data*).
22. When looking at broad ethnic groups the percentages of employees from White and from BAME communities are very similar to the percentages in the Southwark community, where 54% of the population classify themselves as White. (*Appendix 1*). Across London boroughs those employees who classify themselves as White average 59%. (*Appendix 1*).

Reference data 6

Broad ethnic origin of employees as percentage of departmental headcount

	Asian	Black	Mixed	Other	BAME employees	White
Chief Executive's Department	9%	9%	0%	0%	17%	83%
Children's & Adults Services	6%	39%	4%	3%	52%	48%
Environment & Leisure	4%	33%	3%	3%	44%	56%
Finance & Governance	8%	32%	4%	3%	48%	52%
Housing & Modernisation	7%	47%	5%	3%	62%	38%
Place & Wellbeing	11%	17%	3%	5%	37%	63%
Total across the council	6%	37%	4%	3%	50%	50%

23. The percentages of White employees compared to BAME employees change through the grades. Apart from those in Building Worker grades, up to grade 9 there are higher percentages of BAME staff than percentages of White staff. This changes at grades 10-12 and the percentages of BAME employees are lower in grades 14 and above. (Reference data 7)
24. **The mean ethnicity pay gap:** Southwark council has a mean ethnicity pay gap of -15.15%. This indicates that on average, for every £10 a BAME employee earns, white employees earn £11.52.
25. **The median ethnicity pay gap:** Southwark council has a median ethnicity pay gap of 12.02%, which suggests that typically Southwark white employees are paid at around 12% more than Southwark's BAME employees. The hourly median pay for white staff is £19.58 compared to £17.22 for BAME staff.
26. **The average Bonus Pay:** Southwark Council has a mean bonus ethnicity pay gap of 50%. In the period to 6 April 2019, approximately 4.1% of Southwark white employees were paid a bonus payment compared to 2.7% of BAME employees. The data is based on long service awards and the only relevant operational bonus scheme for building and trades staff in Building Services and Asset Management.
27. **The proportion of white and BAME employees in each quartile pay band:** The distribution of white and BAME staff through the pay bands by quartile, as shown above, does not reflect the overall ethnicity composition of the workforce which is

50.1% white and 49.9% BAME. In the lower two quartiles, there are more BAME staff than the overall ethnicity composition. In the third quartile (the second highest), it is the closest, with 51.4% BAME staff. In the top quartile, 32.7% of staff were BAME and 67.3% were white.

Ethnicity pay gap

Ethnicity Pay Indicator	April 2019
Difference in mean hourly rate of pay	15.15%
Difference in median hourly rate of pay	12.02%
Difference in mean bonus pay	49.96%
Difference in median bonus pay	69.59%
Proportion of White employees who were paid a bonus	4.14%
Proportion BAME employees who were paid a bonus	2.26%

Ethnicity Pay Indicator – Quartile Distribution	BAME	White
Quartile 1 (lowest average pay per hour)	56.64%	43.36%
Quartile 2	58.72%	41.28%
Quartile 3	51.41%	48.59%
Quartile 4 (highest average pay per hour)	32.66%	67.34%

28. Reference data 7

Grade distribution, broad ethnic origin

Grade band	BAME employees	White	Total staff with declared ethnic origin	Staff with Not Stated ethnic origin
Grades 1-5	547	452	999	24
% ¹	55%	45%		
Building Workers	24	47	71	47
% ¹	34%	66%		
Grades 6 - 9 or equivalent	909	614	1523	42
% ¹	60%	40%		
Grades 10-12 +SW's	494	667	1161	22
% ¹	43%	57%		
Grades 14-16	39	173	212	5
% ¹	18%	82%		
Grades 17 & above	3	17	20	0
% ¹	15%	85%		
Teacher conditions	3	10	13	0
% ¹	23%	77%		
Soulbury conditions	6	37	43	0
% ¹	14%	86%		
Other ²	1	10	11	3
% ¹	7%	72%		
Total	2026	2027	4053	143
%	50%	50%		

¹ Percentage split of grade band excluding staff with Not Stated status.

² "Other" category mainly consists of employees on various TUPE conditions

Age

29. The average age of employees is 46 years. (*Key Data*). There is not a significant range (43-48) across London but our average is the same as the median age of 46.1 years and younger than the majority of London boroughs (*Appendix 1*).
30. The largest staff group is in the 40-54 years banding (40.5%) (*Reference data 8*) although we are in the upper quartile in London for the 25-39 age group, which has increased once more last year.

Reference data 8

Employees per age band as percentage of total workforce numbers

Age band	%
16 to 24	3.8%
25 to 39	28.8%
40 to 54	40.5%
55+	26.9%

Length of Service

31. Employees' length of service is on average 10 years. The average service will be impacted by the large percentage of employees who have over 10 years' service. (*Reference data 9*)

Reference data 9

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

Average (mean) length of service	10 years
Length of service – bands	% of employees
Less than 1 year	9.6%
1 to <2 years	8.7%
2 to <3 years	4.7%
3 to <5 years	10.2%
5 to <10 years	20.7%
10 to <15 years	19%
15 to 20 years	11.1%
20+ years	16.0%
Total	100%

Gender Reassignment, Religion or belief and Sexual Orientation

32. Whilst our employee monitoring data now includes gender reassignment, religion or sexual orientation, we do not hold enough data for it to be statistically significant. For the first time in 2016-17, our bi-annual employee survey carried out asked staff to respond to questions relating to these protected characteristics.

33. In the survey less than 0.5% of staff indicated that their gender identity does not match the gender assigned at birth. Over the last five years, the proportion of the UK population identifying as lesbian, gay or bisexual (LGB) has increased from 1.5% in 2012 to 2.0% in 2017, regionally, people in London were most likely to identify as LGBT which is 2.6% of the national population according to the ONS. Southwark has the second highest gay or bisexual population in London with 5.8% of the population sharing their sexuality in the 2017 according to the ONS, which is broadly reflective of our workforce position.

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

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

Section 2: Changes in the Workforce

Starters

34. There were 509 people who started work with the council within the year. The table below shows the person's department at the end of the financial year not necessarily the department at commencement. (*Reference data 10*)
35. Those starting during this period have not resulted in any notable changes to the profile of the workforce in terms of sex, age, ethnic origin or disability (*Key data*).

Reference data 10

Number of starters & department

	Numbers of starters (headcount)
Chief Executive's Department	13
Children's & Adults Services	122
Environment & Leisure	168
Finance & Governance	55
Housing & Modernisation	121
Place & Wellbeing	30
Total	509

Leavers

36. This section provides a detailed look at the reasons why people leave the organisation and their profile.
37. The dominant reasons for people leaving were on a voluntary basis, i.e. voluntary redundancy, resignation, retirement. Other reasons attracted relatively small numbers of employees.
38. The most common reason for leaving during 2018-19 was resignation.
39. Further scrutiny of those who left on the basis of dismissal, e.g. disciplinary or capability, appears in the relevant sections later in this report.

Reference data 11

Leavers by reason, sex and disability

Reason for Leaving	No. of Leavers	Female %	Male %	Total	Of those disabled %
Career Break	8	88%	12%	100%	0%
Deceased	6	17%	83%	100%	17%
Capability Dismissal	7	71%	29%	100%	14%
Disciplinary Dismissal	9	44%	56%	100%	0%
Dismissal - Other	2	100%	0%	100%	0%
Expiration of Contract	32	50%	50%	100%	0%
Redundancy	113	56%	44%	100%	4%
Resignation	305	56%	44%	100%	5%
Retirement Age	17	35%	65%	100%	0%
Retirement Early	0	0%	0%	0%	0%
Retirement Ill Health	8	37%	63%	100%	25%
Total	507	55%	45%	100%	5%

Reference data 12

Leavers by reason, BAME employees, White employees

	No. of leavers	BAME employees %	White employees %	Not stated %	Total
Career Break	8	38%	50%	13%	100%
Deceased	6	33%	67%	0%	100%
Capability Dismissal	7	57%	43%	0%	100%
Disciplinary Dismissal	9	44%	56%	0%	100%
Dismissal - Other	2	50%	50%	0%	100%
Expiration of Contract	32	53%	41%	6%	100%
Redundancy	113	58%	42%	0%	100%
Resignation	305	44%	56%	1%	100%
Retirement Age	17	24%	76%	0%	100%
Retirement Early	0				
Retirement Ill Health	8	0%	100%	0%	100%
Total	507	46%	53%	1%	100%

Reference data13

Leavers by reason & age bands

	No. of leavers	16 - 24	25 - 39	40 - 54	55 +	Total
Career Break	8	0%	63%	25%	13%	100%
Deceased	6	0%	17%	50%	33%	100%
Capability Dismissal	7	0%	29%	29%	43%	100%
Disciplinary Dismissal	9	11%	0%	89%	0%	100%
Dismissal - Other	2	50%	50%	0%	0%	100%
Expiration of Contract	32	28%	31%	38%	3%	100%
Redundancy	113	2%	23%	41%	35%	100%
Resignation	305	7%	51%	28%	14%	100%
Retirement Age	17	0%	0%	0%	100%	100%
Retirement Early	0	0%	0%	0%	0%	100%
Retirement Ill Health	8	0%	0%	38%	63%	100%
Total	507	7%	40%	32%	22%	100%

Section 3: Performance Management & Increments

This monitor looks at incremental awards primarily through the performance management scheme but will also include increments awarded as part of any career or qualification progression in 2018.

40. 68% of the workforce were eligible for an incremental award for 2018/19 performance i.e. were not at the maximum increment for their grade. Figures in the reference data below relate only to staff who were eligible for an increment.
41. 65% of eligible staff (or 44% of all staff) were awarded an increment, slightly less than last year. (*Reference data 14*)

Reference data 14

Incremental awards – Council wide position

Incremental awards	Increment given	No increment given
2013 % of employees	56%	44%
2014 % of employee	74%	26%
2015 % of employees	58%	42%
2016 % of employees	55%	45%
2017 % of employees	67%	33%
2018 % of employees ¹	65%	35%

¹ Data for incremental awards 2018 as at 10th September 2019

Reference data 15

Incremental awards by sex

Sex	Increment Given	No Increment Given
Female	66%	34%
Male	64%	36%

Reference data 16

Incremental awards by disability

Disability Status	Increment Given	No Increment Given
Disabled	65%	35%
Not Disabled	65%	35%

Reference data 17

Incremental awards by broad ethnic origin

Broad Ethnic Origin	Increment Given	No Increment Given
Asian	63%	37%
Black	65%	35%
Mixed	60%	40%
Not Stated	45%	55%
Other	66%	34%
White	66%	34%

Reference data 18

Incremental awards by age band

Age Band	Increment Given	No Increment Given
16 to 24	50%	50%
25 to 39	67%	33%
40 to 54	65%	35%
55+	62%	38%

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Section 4 – Sickness

42. Average sickness per person of 7.1 days, showed an increase of 0.6 days per person (Reference data 19). This is lower than the average sickness across London boroughs of 8.6 days. (Appendix 1). Of note is the significant proportion of staff who had no sickness absence during the year (51%).
43. There are multiple recorded reasons for sickness which are grouped as shown (Reference data 20). The “internal disorders” grouping alone covers over a hundred conditions, but will include chronic health disorders such as angina, chest infections, stroke etc.
44. At present a high percentage of sickness absence does not have a recorded reason and it is likely that this is resulting in underreporting of stress, depression and anxiety related absence.
45. According to the Health and Safety Executive in 2017/18 stress, depression or anxiety accounted for 44% of all work-related ill health cases and 57% of all working days lost due to ill health within the UK. Stress, depression or anxiety is more prevalent in public service industries, such as education; health and social care; and public administration and defence. Changes have been made to our systems to improve data capture in the coming years.
46. Occupational health data shows us that a high proportion of referrals (22%) are related to mental health conditions.

Reference data 19

Annual average days' sickness per person over five years

Year	Average sickness absence
2018-19	7.1
2017-18	6.47
2016-17	6.20
2015-16	6.63
2013-14	7.77

Reference data 20

Recorded reasons for sickness absence 2018-19

Reason ¹	%
Minor conditions	45.4%
Muscular skeletal	24.8%
Medical conditions	19.3%
Stress/ depression/ anxiety/ mental health	9.2%
Back problems	1.2%

¹) Excludes where not stated

Reason	%
Internal disorders	24.9%
Muscular skeletal	19.6%
Nervous system	9.1%
Infectious diseases	6.2%
Stress	6.0%
Injury, fracture	5.2%
Cold, cough, flu	4.5%

Ear/nose/throat-ENT	4.3%
Pregnancy related	2.9%
Chest & respiratory	2.4%
Gastrointestinal	2.4%
Disability related	2.3%
Anxiety/Depression	1.7%
Mental health	1.5%
Cancer	1.4%
Genitourinary/gynae	1.3%
Back	1.2%
Headache/migraine	1.1%
Heart/blood pressure	0.8%
Eye related	0.3%
Dental & oral	0.3%

¹⁾ Excludes where not stated

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Section 5 – Learning & Development

Introduction

47. Southwark Council remains committed to supporting the continued development of its workforce in line with our Fairer Future principles which shape everything we do. This means a Learning and Development programme focused on providing quality, flexible and accessible learning opportunities to all our staff.
48. Our programme is designed in line with the 70:20:10 learning model and provides opportunities for our staff to learn by doing (70%), learn from others (20%) and learn through for formal training. It covers technical, IT, business management, people management, professional and personal development training. It also supports skills for life development, with an overall focus on skills and talent development to meet organisational needs.

Learning and Development in 2018/19

49. The Learning and Development programme is delivered through our well established and engaging Learner Management System (LMS). The system is used to manage, accurately report on and evaluate all the learning and development activities coordinated or supported by the corporate Learning and Development (L&D) team.
50. It should be noted that the data below only relates to training activities that have been coordinated and recorded in the council's LMS, My Learning Source. Training organised locally is also recorded on the LMS, where known. However, managers and staff do still record additional training/learning and development locally. We have made good progress in using the council's LMS as a central source for all learning and development information and will continue to do so, moving forward.
51. In 2018/19, a total of 914 learning and development sessions were delivered (and 111 e-learning modules made available) with 2511 members of staff attending (this includes completion of e-learning courses). Out of 9078 learning activities completed, 3715 (41%) were delivered face to face and 5363 (59%) were delivered online. As mentioned before, this data only relates to learning and development activities coordinated or supported by the L&D team so there will still be some local learning/development activities that cannot be reported on, at this time.
52. The data suggests that, when looking at training completion (classroom-based and e-learning):
 - The proportion of training completed by BME staff is in line with the proportion of BME staff in the workforce (reference data 21)
 - The proportion of training completed by disabled staff is lower than the proportion of disabled staff in the workforce (reference data 22)
 - The proportion of training completed by women is higher than the proportion of women in the workforce (reference data 23)
 - The proportion of training completed by grade groups is in line with the grade distribution in the workforce (reference data 24)

*Reference data 21***Training completed by employee ethnic group**

	No. of completions	% of overall completion
BAME	4510	49.7
White	4361	48
Not stated	207	2.3
Total	9078	100

*Reference data 22***Training completed by employee who declared a disability**

	No. of completions	% of overall completion
Did not declare as disabled	8469	93.3
Declared as disabled	609	6.7
Total	9078	100

*Reference data 23***Training completed by employee sex**

	No. of completions	% of overall completion
Female	5696	62.7
Male	3382	37.3
Total	9078	100

*Reference data 24***Training completed by employee grade group**

	No. of completions	% of overall completion
Grades 6-9 + DSO + NC01 + RCO	4396	48.4
Grades 10-12 +SW's	3068	33.8
Grades 1-5	1092	12.0
Grades 14-16	420	4.6
Soulbury Conditions	52	0.6
Grades 17 & above	20	0.2
Building Workers	9	0.1
Other Grade	6	0.1
Teacher Conditions	5	0.1
Total	9068	100

Growing our own

53. We continue to deliver our well-established 'growing our own' programmes to support the development and progression of our workforce within the council. The first, our Apprenticeship and First Entry Trainee programme, provides opportunities to join the council and the second, our Southwark Leadership Development programme, delivered as through the Institute of Leadership and Management (ILM).

Apprentices and First Entry Trainee Programme

54. Southwark has a council plan target to have 3% of our workforce who are apprentices or first entry trainees. The total of individuals on this programme was 129, with 106 being apprentices and 23 trainees. This equates to 3.1% of our workforce of 4,196, 21% of our total new joiners for the year and a slight decrease for 0.4% from 2017/18.

Development Pathway	2016/17	2017/18	2018/19
Apprentices	98	111	106
Trainees	28	35	23
Total	126 (3.1%)	146 (3.5%)	129 (3.1%)

Apprentices and trainees by employee ethnic group

	Apprentices	% of apprentices	Trainees	% of trainees
BAME	57	54	11	48
White	49	46	10	43
Not stated	0	0	2	9
Total	106	100	23	100

Apprentices and trainees by employee disability status

	Apprentices	% of apprentices	Trainees	% of trainees
Not Disabled	90	85	22	96
Disabled	16	15	1	4
Total	106	100	23	100

Apprentices and trainees by employee sex

	Apprentices	% of apprentices	Trainees	% of trainees
Female	60	57	10	43
Male	46	43	13	57
Total	106	100	23	100

Apprentices and trainees by employee grade group

	Apprentices	% of apprentices	Trainees	% of trainees
Grades 1-5	96	90	6	25
Grades 6-9 + DSO + NC01 + RCO	9	9	17	74
Grades 10-12 +SW's	1	1	0	0
Total	106	100	23	100

Apprentices who secured a promotion or employee grade increase on completion

	Total (109)	% of apprentices
Ethnic group		
BME	54	49.5
White	55	50.5
Disability status		
Not Disabled	2	2
Disabled	107	98
Sex		
Female	66	61
Male	41	38
Age on entry group		
16 to 24	60	55
25 to 39	43	39
40 to 55	6	6
Grade on completion group		
Grades 2 to 3	4	4
Grades 4 to 5	20	18
Grades 6 to 7	40	37
Grades 8 to 10	45	41

Professional Qualification Scheme

55. Our long standing Professional Qualification Scheme (PQS) application process transitioned to My Learning Source. A parallel application process still exists for staff with limited access to technology.

PQS approvals by employee ethnic group

	No. of approvals	% of overall approvals
BAME	63	44.1
White	79	55.2
Not stated	1	0.7
Total	143	100

PQS approvals by employee disability status

	No. of approvals	% of overall approvals
Not Disabled	136	95.1
Disabled	7	4.9
Total	143	100

PQS approvals by employee sex

	No. of approvals	% of overall approvals
Female	73	51
Male	70	49
Total	143	100

PQS approvals by employee age group

	No. of approvals	% of overall approvals
25 to 39	70	48.9
40 to 55	52	36.4
55+	15	10.5
16 to 24	6	4.2
Total	143	100

PQS approvals by employee grade group

	No. of approvals	% of overall approvals
Grades 10-12 +SW's	64	44.7
Grades 6-9 + DSO + NC01 + RCO	53	37.1
Grades 1-5	12	8.4
Grades 14-16	11	7.7
Soulbury Conditions	3	2.1
Total	143	100

PQS approvals by employee department

	No. of approvals	% of overall approvals
Environment & Leisure	46	32.1
Housing and Modernisation	39	27.3
Finance & Governance	27	18.9
Children's and Adults' Services	24	16.8
Place and Wellbeing	6	4.2
Chief Executive's Department	1	0.7
Total	143	100

PQS 2018-19 approvals who secured a promotion since their approval

	Total (15)	% of overall approvals
Ethnic group		
BME	7	4.9
White	8	5.6
Disability status		
Not Disabled	14	9.8
Disabled	1	0.7
Sex		
Female	7	4.9
Male	8	5.6
Age group		
25 to 39	8	5.6
40 to 55	7	4.9
55+	0	0
16 to 24	0	0
Grade group		
Grades 10-12 +SW's	4	2.8
Grades 6-9 + DSO + NC01 + RCO	7	4.9
Grades 1-5	1	0.7
Grades 14-16	3	2.1
Soulbury Conditions	0	0
Department		
Environment & Leisure	6	4.2
Housing and Modernisation	5	3.5
Finance & Governance	2	1.4
Children's and Adults' Services	1	0.7
Place and Wellbeing	1	0.7
Chief Executive's Department	0	0

Southwark Leadership Development Programme

56. As part of PQS, our managers are encouraged to apply for sponsorship to attend one of our ILM accredited leadership and management qualifications which are offered at levels 2, 3, 5 and 7. It is worth noting that the level 7 programmes were introduced in 2017.
57. In 2018/19, 89 managers and aspiring managers have started a new ILM management qualification at levels 2, 3, 5 and 7. There are currently 34 managers partly through their studies.
58. These ILM programmes continue to be well received across the council and since the programme in 2014, 327 managers have completed a programme.

Southwark Manager Learning Programme

59. Last year Southwark Council saw the launch of a blended learning programme for people managers, covering the areas of people management, business management, personal impact, resilience and wellbeing. So far 279 (32%) out of 862 people managers set up on My Learning Source have started this programme.

Section 6 - Disciplinary Investigations & Outcomes

60. Note – two separate activities are described in this section; staff subject to disciplinary investigation and the outcomes of disciplinary hearings. The information below is not necessarily linked, i.e. some of the cases that are captured in “investigations” would not have reached the stage of a completed disciplinary hearing.
61. The number of staff who were subject to disciplinary investigation and/or disciplinary action is a very small percentage of all employees, 1% (*Reference data 24 & Key Data*).
62. On 29 occasions disciplinary actions resulted in either a warning or dismissal. (References data 26 & 27). Those subject to such actions are 0.7% of all employees, (key data). Where there are such small numbers drawing conclusion based on more detailed levels, e.g. sex, ethnic profile or disability is questionably statistically valid.
63. It is difficult to draw conclusions from relatively low numbers when considered against the overall workforce. However, we do carry out analysis and monitoring of individual cases to ascertain whether more detailed action is necessary.

Reference data 24

Investigations by sex & by disability

	Female	Male	Total	Of those - disabled
Disciplinary Action Pursued	7	35	42	0
Investigations in Progress	6	2	8	0
Total¹	13	37	50	0

¹ Note in addition 5 investigations resulted in a guidance interview; on 4 occasions there was no further action; on 1 occasion the employee left before the investigation concluded.

Reference data 25

Investigations by broad ethnic origin

	BAME employees	White employees	Not stated	Total
Disciplinary Action Pursued	20	20	2	42
Investigations in Progress	8			8
Total¹	28	20	2	50

¹ Note in addition 5 investigations resulted in a guidance interview; on 4 occasions there was no further action; on 1 occasion the employee left before the investigation concluded.

Reference data 26

Disciplinary action by sex & by disability

	Female	Male	Total	Of those - disabled
Dismissal	4	12	16	0
Final written warning	0	8	8	0
Written warning	2	3	5	0

Guidance Interview	0	4	4	0
Total²	6	27	33	0

² Note in addition

- On 5 occasions the employee left during a disciplinary process
- 4 still in progress

Reference data 27

Disciplinary action by broad ethnic origin

	BAME employees	White employees	Not stated	Total
Dismissal	6	9	1	16
Final written warning	2	6		8
Written warning	3	2		5
Guidance Interview	3		1	4
Total²	14	17	2	33

² Note in addition

- On 5 occasions the employee left during a disciplinary process
- 4 still in progress

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Section 7 - Capability Action & Outcomes

64. The numbers subject to capability action, including performance and sickness, are a small percentage of all employees (*References data 28 & 29*), 17 concluded cases represents 0.4% all employees, (key data). Where there are such small numbers drawing conclusion based on more detailed levels, e.g. gender, ethnic profile or disability is questionably valid.

Reference data 28

Capability action by sex & by disability

	Female	Male	Total	Of those - disabled
Dismissal	3	2	5	0
Written warning	0	1	1	0
Monitoring	0	8	8	0
Other outcomes	1	1	2	0
No Action	2	1	3	0
Total	5	12	17	0

- On 2 occasions the employee left during the capability process
- 1 case still in progress

Reference data 29

Capability action by broad ethnic origin

	BAME employees	White employees	Total
Dismissal	3	2	5
Written warning	0	1	1
Monitoring	5	3	8
No action	2	1	3
Total	10	7	17

- On 2 occasions the employee left during the capability process
- 1 case still in progress

Section 8 - Staff Complaints

65. Note this data relates to individual employee complaints that require a formal process to resolve. Many complaints can be resolved informally or through mediation; all parties are encouraged to pursue such actions as a first step.
66. The numbers of staff that submit a formal complaint at stage 1 are very few. (Reference data 30 & 31); 27 employees represent 0.6% of the workforce. (Key data).
67. Stage 2 complaints are those where the employee is not satisfied with the outcome at stage one and identifies grounds for appeal.
68. Where there are such small numbers drawing conclusions at a more detailed level, e.g. sex, ethnic profile or disability is questionably valid.

Reference data 30

Stage 1 complaints by sex & by disability

	Female	Male	Total	Of those - disabled
Not upheld	6	2	8	1
Partially upheld	1	5	6	1
Upheld	0	1	1	0
In progress	6	6	12	1
Total¹	13	14	27	3

¹ In addition 11 stage 1 registered complaints were withdrawn.

Reference data 31

Stage 1 complaints by broad ethnic origin

	BAME employees	White employees	Not Stated	Total
Not upheld	2	5	1	8
Partially upheld	3	3	0	6
Upheld	0	1	0	1
In progress	9	3		12
Total¹	14	12	1	27

¹ In addition 11 stage 1 registered complaints were withdrawn.

Reference data 30A

Stage 2 complaints by sex & by disability

	Female	Male	Total	Of those - disabled
Partially upheld	0	1	1	0
Total¹	0	1	1	0

Reference data 31A

Stage 2 complaints by broad ethnic origin

	BAME employees	White employees	Total
Partially upheld	1	0	1
Total¹	1	0	1

Section 9 - Respect at Work

Note; the procedure will cover complaints on all forms of harassment and bullying.

69. The numbers of employees making a formal complaint are few; 23 employees represents less than 0.5% of the workforce.
70. Where there are such small numbers drawing conclusions at a more detailed level, e.g. sex, ethnic profile or disability is questionably valid.

Reference data 32

Complaints by sex & by disability

	Female	Male	Total	Of those - disabled
Not upheld	6	6	12	1
Upheld	2	0	2	0
Partially upheld	5	1	6	0
In progress	3	0	3	0
Total¹	16	7	23	1

¹ In addition 4 complaints were withdrawn.

Reference data 33

Complaints by broad ethnic origin

	BAME employees	White employees	Total
Not upheld	10	2	12
Upheld	2	0	2
Partially upheld	4	2	6
In progress	3	0	3
Total¹	19	4	23

¹ In addition 4 complaints were withdrawn.

Section 10 - Recruitment

71. The following looks at recruitment projects over the year 2018-19. A recruitment project is an advertised job(s) with a defined closing date. More than one media (advertisements) may be used in each project. The following looks at 423 recruitment projects; of these

- There were 34 with 50 or more applicants.
- There were 163 with 5 or fewer applicants.

72. Some jobs have been the subject of more than one recruitment project. For example, Project Support officer and Customer Services officer appear several times and each project is counted separately. Only those projects that attracted an applicant response are shown. Applicants who withdrew from the process are excluded completely from the details below.

73. Overall there were 6,714 people who pursued an application.

74. Looking at sex and disability the success of people at the hired stage of the recruitment process are in line with the percentages of people who applied, i.e. female / male, not disabled / disabled, (*Reference data 34 & 35*).

Reference data 34

Sex

Female applicants, 3,662; Male applicants, 2,936; Not stated or prefer not to say, 116

Status	Female	Male	Not stated	Total
Hired	56%	42%	2%	100%
Shortlisted	59%	40%	2%	100%
Applicants	55%	44%	1%	100%

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

Reference data 35

Disability

Disabled applicants, 817; not disabled applicants, 5,800; Not stated, 97.

Status	Disabled	Not Disabled	Not stated	Total
Hired	11%	87%	2%	100%
Shortlisted	14%	85%	2%	100%
Applicants	12%	86%	1%	100%

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

75. When looking at broad ethnic origin, (*Reference data 36*), the success of people at the shortlisting stage is in line with the percentages of people who applied.

Reference data 36

Broad Ethnic Origin

BAME applicants, 4,839; White applicants, 2,130; Not stated, 195.

	BAME	White	Not stated	Total
Hired	47%	51%	2%	100%
Shortlisted	63%	35%	2%	100%
Applicants	65%	32%	3%	100%

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

Section 11 – Agency Workers

76. Agency workers are not employees of the Council but are an important resource in the delivery of the council's services. On the first working Monday of each month a snapshot is compiled of agency workers in use.
77. Monitors over the financial year 2018-19 show that numbers ranged from 412 to 480. (Reference data 37)

Reference data 37

Agency Workers – numbers via monthly snapshot 2018-19¹

	No. Headcount
April	439
May	450
June	462
July	464
August	437
September	412
October	424
November	444
December	448
January	438
February	466
March	480

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

54. The average numbers in use fluctuates monthly and over the year was 447 workers. This is slightly lower to last year with 458.

Appendix 1

Information on the community in Southwark & other London Boroughs

Southwark's workforce is drawn from across London & the South-east of England approximately 25% of our staff were Southwark residents. It is however interesting to look at how the profile of the workforce compares to the Southwark community and where possible across London.

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

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

Some key data is as follows.

Census data - Southwark borough

All data drawn from ONS census 2011 – key statistics

1. Population figures, sex & economically active comparisons

	Southwark borough information	England Country
2011 Population: All Usual Residents	288,283	53,012,456
2011 Population: Males	142,618	26,069,148
	49.5%	49.2%
2011 Population: Females	145,665	26,943,308
	50.5%	50.8%
Economically Active; Employee; Full-Time	42%	39%
Economically Active; Employee; Part-Time	9.9%	13.7%
Economically Active; Self-Employed	10.0%	9.8%
Economically Active; Unemployed	6.0%	4.4%
People aged 16 and over with 5 or more GCSEs grade A-C, or equivalent	10.2%	15.2%
People aged 16 and over with no formal qualifications	16.3%	22.5%

2. Occupations of all people in employment, March 2011

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

3. Ethnic Origin

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

Other Boroughs

The following information relates to year 2018/19. The data that is shown is based on no fewer than submissions from 30 London boroughs although not every borough will have submitted data for every area.

In considering this information –

- The London mean (average) data is shown.
- It must be re-emphasised that there are significant differences in the organisations presenting data, e.g. Islington has around 4,393 directly employed staff (headcount), Sutton 1,117 directly employed staff (headcount).
- Organisations collect and define data in different ways, e.g. some councils extrapolate from survey information others such as Southwark rely on actual declarations.
- Only data which links to Southwark's statistics shown in the body of this report is shown.

1. Average Headcount of employees

- 2,400 staff

2. Average age

- 46.12 years. Across London boroughs those in 16-24 years age band are 3.25% of the workforce and those aged 65 and older are 3.3% . (Note there are significant variations in data submitted by boroughs in response to this question, one borough's return being 1.1%, another 6.21% and 1.52% - 4.71% respectively - which is out of step with all other responses)

3. Sex profile

- Male 38%
- Female 62%

4. Disabled staff

- 5.22% of the workforce

5. Broad Ethnic Origin

Not known – 13.49% of remainder

Broad Ethnic Origin	%
Asian (inc Chinese)	12.52%
Black	22.74%
Mixed	3.68%
White	59.92%
Other	2.14%

6. Length of Service

Range	%
Less than a year	11.69%
1 - < 2 years	10.61%
2 - < 3 years	8.28%
3 - < 5 years	11.77%
5 - < 10 years	17.04%
10 - < 15 years	15.85%
15 - < 20 years	11.35%
20 years & above	13.40%

7. Sickness Absences

- Average sickness days per person 8.16 days

8. Turnover

- All 14.81%
 - Resignations 9.40%
 - Leavers with less than 1 years service 16.89%
-

DRAFT

Item No. 14.	Classification: Open	Date: 17 December 2019	Meeting Name: Cabinet
Report title:		Council Tax Base for 2020-21	
Ward(s) or groups affected:		All wards	
From:		Councillor Victoria Mills, Finance, Performance and Brexit	

FOREWORD – COUNCILLOR VICTORIA MILLS, CABINET MEMBER FOR FINANCE, PERFORMANCE AND BREXIT

In this report cabinet is asked to agree the council tax base and assumed collection rate upon which we will estimate our council tax income for next year's budget. I am delighted to say that thanks to the hard work of the council the number of homes has yet again increased considerably and that we are recommending an increase of 2.5% in the band D equivalent dwellings to use as the base. Whilst collection remains strong, the introduction of Universal Credit (UC) presents a risk to council tax collection and so we are recommending that the collection rate assumption remains unchanged at 97.2%.

I am pleased to confirm a continuation in the local discretionary increase in the council tax premium on long-term empty homes from 1 April 2020. The premium remains at the maximum permitted -100% for those dwellings empty for 2 years and less than 5 years and at 200% for dwellings empty for at least 5 years. Southwark will benefit from the raising of more income to support services and as a deterrent to homes being left empty for significant periods.

I am also pleased to announce no significant changes in the council tax reduction scheme for 2020-21 for our pension age or vulnerable and least well off households. It is more important than ever that we continue to support these groups against a background of Government welfare reform impacts highlighted elsewhere in this report.

There is emerging evidence that the introduction of UC is reducing take up of the council tax reduction scheme (CTRS) because unlike previous benefits a separate application for CTRS needs to be made. In order to address this issue a minor change to the application process for CTRS is being introduced. This removes the need for new UC claimants to make a separate application for CTR and will support low income residents who may otherwise fail to seek support. This proposed change does not affect those residents of pensionable age whose CTR awards are subject to separate Government prescribed legislation.

Finally, we are delighted to announce the continuation of the exemption from council tax for young people leaving Southwark's care and for Southwark foster carers. Both of these exemptions have been successful in supporting our care leavers as they make the often challenging next move in life, and in recruiting and retaining vital local foster carers as well as recognising the hugely important commitment these individuals and families make to Southwark. It is our assumption that these exemptions will continue long into the future but we are currently required to renew these commitments annually.

RECOMMENDATIONS

1. Cabinet approve the schedule of discounts and exemptions in paragraph 12, which remains unchanged, with an exception for long-term empty dwellings effective from 1 April 2020 onwards.
2. Cabinet agree the council tax base for 2020-21 is set at 106,284 (103,662 in 2019-20) band D equivalent dwellings.
3. Cabinet agree the assumed council tax collection level should remain at 97.20% for 2020-21 (97.20% in 2019-20), noting the risks outlined in paragraphs 23, 24 and 25.
4. Cabinet note the council tax base for 2020-21 for St. Mary Newington parish is set at 11,994 (12,129 in 2019-20) band D equivalent dwellings.
5. Cabinet note the council tax base for 2020-21 for St. Saviour's parish is set at 1,346 (1,259 in 2019-20) band D equivalent dwellings.
6. Cabinet note that:
 - a minor change be made to the council tax reduction scheme for 2020-21, as set out in paragraphs 18 to 22.
 - any minor and consequential amendments to the CTRS written policy are to remain delegated to the Strategic Director of Finance and Governance, in consultation with the monitoring officer.
7. Cabinet note, the NNDR1 return for 2020-21 showing the national non-domestic rates base will be approved by the Strategic Director of Finance and Governance in January 2020.
8. Cabinet to note the proposed extension of the current council tax section 13a policy¹ covering discretionary relief (refer to paragraph 17):
 - to continue the council tax discretionary relief (0% to 100%) for young people leaving Southwark council's care aged 18 to 24 years, for the period 1 April 2020 to 31 March 2021 (a third year for this scheme).
 - to continue foster carers discretionary relief (0% to 100%), for the period 1 April 2020 to 31 March 2021.

BACKGROUND INFORMATION

9. Regulations require the council to inform its preceptors of the council tax base by 31 January 2020.
10. This report sets out the statutory information that is needed in order to set the council's council tax base for 2020-21. A further report will be presented to council assembly in February 2020 setting out the level of council tax needed to meet the council's net expenditure for the year 2020-21.

¹ Southwark Council Tax Section 13a (1)(c) policy for 2020-21

KEY ISSUES FOR CONSIDERATION

11. There are a number of factors which impact the council tax base calculation and these are discussed in the sections below:

- Council tax discounts, exemptions and premiums
- Southwark council tax section 13a policy – discretionary relief
- Council tax reduction scheme
- Council tax collection rate
- Calculation of the council tax base
- Non-Domestic Rates (NDR)
- Revenue budget implications 2020-21

Council tax discounts, exemptions and premiums

12. All council tax discounts, exemptions and premiums from 2019-20 remain unchanged for 2020-21, with an exception for long-term empty dwellings, which have been empty for at least 5 years. The overall position effective from 1 April 2020² is as follows:

Type of Council Tax Discounts, Exemptions and Premiums	Para	Local / Statutory	Discount/ Premium
Single person discount	13	Statutory	-25%
All except one person in household disregarded	13	Statutory	-25%
All persons in household disregarded	13	Statutory	-50%
Second home discount	14	Local	0%
Empty dwelling (unoccupied) but furnished		Local	0%
Empty dwelling for greater than 2 years ³ and less than 5 years – continuing premium	15	Local	+100%
Dwellings empty for at least 5 years – new premium	15	Statutory	+200%

13. Occupants may be disregarded for the purposes of establishing the billable amount. Qualifying students, for example, are disregarded, and households containing only students are fully exempt. If all but one of the occupants is disregarded, a 25% discount is awarded. If all occupants are disregarded, but no exemption is applicable, a 50% discount is awarded.

14. Second home discount schemes are left to local discretion, between a statutory minimum of 0% and statutory maximum of 50%.

15. A higher council tax premium for long-term empty dwellings was introduced by the government⁴ in 2018. From 1 April 2020, the maximum percentage increase for long-term empty properties is 100% for empty dwellings greater than 2 years and less than 5 years; for dwellings empty for at least 5 years, the premium is 200%.

² Future years' changes are summarised in the foreword

³ Local Government Finance Act 2012, section 11B

⁴ Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018

16. The change stated in paragraph 15 has effect for financial years beginning on or after 1 April 2020, and it does not matter whether the “empty” period begins before the Council Tax (Empty Dwellings) Act 2018 came into force.

Southwark council tax section 13a policy – discretionary relief

17. The council's 2020-21 section 13a policy allows for local council tax discretionary relief to be awarded to council tax payers falling into prescribed categories.

There is no change in 2020-21 for the council's section 13a policy, which continues with the initiative to include council tax discretionary relief for young people leaving Southwark council's care aged 18 to 24 years, who are liable for council tax.

Currently, foster carers are able to claim discretionary relief in 2019-20. The proposed extension of the current council tax section 13a policy covering discretionary relief is as follows:

- to continue council tax discretionary relief (0% to 100%) for young people leaving Southwark Council's care aged 18 to 24 years, for the period 1 April 2020 to 31 March 2021.
- to continue foster carers discretionary relief (0% to 100%), for the period 1 April 2020 to 31 March 2021.

The decision to amend the s13a policy was taken by the Strategic Director of Finance and Governance, as authorised under the council constitution.

Council tax reduction scheme

18. Since 2013-14 there has been a significant change in the calculation of the council tax base. The localisation of council tax support has resulted in a substantial reduction in the number of band D equivalent properties in the tax base. Instead of council tax benefit claimants having council tax paid for through council tax benefit, from 1 April 2013, through the council's localised council tax reduction scheme (CTRS) claimants receive a discount, up to a maximum 100% discount for pension age claimants, to a maximum 85% discount for working age claimants.
19. The actual amount of CTRS discount applied is monitored monthly and an adjustment has been made to forecast these figures to obtain a more representative estimate for 2020-21. The CTRS caseload has continued to reduce gradually during 2019-20, leading to an increase in the tax base. Analysis shows that the greatest reduction has been amongst those claimants in receipt of passported benefits and, increasingly Universal Credit (UC). There is emerging evidence that the introduction of UC is reducing take up of the council's local CTRS because unlike previous benefits a separate application for CTRS needs to be made. This is in spite of efforts to encourage those claiming UC who may need help to apply.
20. In order to address this issue a minor change to the application process for CTRS to accept notifications of new UC awards from the Department for Work and Pensions (DWP) is being introduced. This removes the need for new UC claimants to UC to make a separate application for CTR and will support low income residents who may otherwise fail to seek support. This proposed change

does not affect those residents of pensionable age whose CTR awards are subject to separate Government prescribed legislation.

21. A 12 week public consultation was carried out from the 19 August 2019 to 11 November 2019 via the Council's online Consultation Hub, with 92% agreeing with the proposal to accept DWP notifications as an application for CTR.
22. The CTRS replaced statutory council tax benefit and is passed on to claimants through a discount, after a means test has been carried out. Current estimates show that for 2020-21 this will reduce the overall council tax base by 16,066 properties before adjustment for collection rate.

Council tax collection rate

23. The collection performance as at 30 November 2019 was 72.8% (30 November 2018 was 73.8%).
24. Arrears collection as at 30 November 2019 was £2.3m compared with the annual target of £3.6m, (on 30 November 2018 this was £2.8m against an annual target of £3.6m).
25. The Strategic Director of Finance and Governance recommends that, based on collection performance in previous years and to date in 2019-20, a 97.2% assumed collection rate in 2020-21 would give the best estimate of the likely value to be obtained from the demands issued in April 2020 (appendix B). However, there are still considerable uncertainties arising from the accumulated effects of welfare reform.
26. The impact of Universal Credit (UC) will continue to be felt as increasing numbers of residents and council tax payers' transition or migrate to the new system. According to Government's own figures, many UC claimants experience significant delays in receiving first payments and face uncertainty as to the level of their first or subsequent payments. These factors appear to be implicated in rising level of non-payment of both rent and council tax among those claiming UC. Some are finding it increasingly difficult to clear their arrears in-year and are falling into a cycle of debt which may take several years to clear. We continue to monitor and analyse these trends closely.
27. In addition to the above, other welfare reforms such as the benefit cap, the benefit freeze and the social size criteria reduction (bedroom tax) are affecting the ability of those on the lowest incomes to meet their obligations to the council.
28. The 2019-20 collection fund forecast surplus or deficit will be reported in the Policy and Resources Strategy 2020-21 balanced revenue budget report to cabinet in January 2020. Any collection fund estimated surplus or deficit must be accounted for in the council tax calculations for 2020-21.

Calculation of the council tax base

29. Calculation of the council tax ("the tax") is governed by the Local Government Finance Act 1992 ('the Act') and various regulations thereunder. In particular, Section 31B of the Act requires the basic (band D) tax to be calculated by applying the formula: The council tax requirement divided by the council's "tax base."

30. Although the council's net budget requirement for 2020-21 has not yet been determined, the "tax base" can be set and is subject to the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, made under section 33 of the Act and subsequent amendments. Regulation 8 of the 2012 Regulations requires the calculation for 2020-21 to be made between 1 December 2019 and 31 January 2020.
31. The proportions applicable to the various council tax bands (the "basic" band being D) are as follows:

Band	Proportion (ninths)
A	6/9
B	7/9
C	8/9
D	9/9
E	11/9
F	13/9
G	15/9
H	18/9

32. There is an additional band -A (5/9 of band D). This only arises where a person in a band A property receives a band reduction through disability related relief (appendix A).
33. The council's basic tax is calculated in respect of band D. The bands are based on the above proportions, so band A properties pay 6/9 of the basic tax, band B pay 7/9 of the basic tax and so on, up to band H where the tax is 18/9, or twice the tax at band D.
34. The calculation of the tax base is summarised below - refer to appendix A(i):

Total of the relevant amounts	109,346
Estimated collection rate	97.20%
2020-21 council tax base	106,284

35. Additional earmarked income may be available from trust funds, which can subsidise the council tax in the former parishes of St. Mary Newington and St. Saviour's. Separate calculations have to be made for these specific areas (appendix A). The subsidy to St Mary Newington is taken from interest earned on the Walworth Common Trust capital sum, divided by the tax base to give a band D equivalent subsidy. The subsidy to St Saviour's comes from contributions from the Borough Market trustees, again divided by the tax base.

Non-Domestic Rates (NDR)

36. The NNDR⁵ government statistical return will be authorised by the council's Strategic Director of Finance and Governance.

Revenue budget implications 2020-21

37. Subject to cabinet approval, the tax bases recommended in this report and the projected surplus / deficit on the collection fund as at 31 March 2020 will be used

⁵ National Non-Domestic Rates

in the calculation of the level of council tax that will be recommended to council assembly in February 2020.

Consultation

38. Calculation of the council tax base forms an integral part of the revenue budget setting process for 2020-21. The budget is supported by the council's medium term resource strategy as agreed by cabinet.

Community / equality impact statement

39. This report contains technical calculations relating to the council's tax base for 2020-21.
40. There is no direct community impact at this stage. The impact on the community of any potential change in service design, outcomes or access arising from recommendations relating to the 2020-21 revenue budget will need to be addressed and identified as part of the final budget submission to council assembly in February 2020.
41. A separate equality analysis was carried out on the change to the CTR policy. Of particular issue is age and barriers to accessing technology. The change to the CTR policy introduces a new application route that doesn't require a new UC claimant to fill out an eform, and therefore they do not have to access the internet to now get CTR. The change is also only applicable to those who are working age and claim UC, and therefore older persons of pensionable age are not affected. The net impact of the policy change is to widen access to CTR.
42. Southwark's Digital Strategy (cabinet report dated February 2016). "For all major existing and future digital projects, service areas will be required to carry out an impact assessment to fully understand how various part of our communities will be affected by the introduction of a digital service. Greater emphasis will be placed on those projects looking to phase out and close traditional engagement methods, the implications of such changes and the measures to be put in place to support the vulnerable in our communities to continue to access services."

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

43. The Director of Law and Democracy advises that decisions relating to the setting of council tax base are reserved to cabinet under part 3B of the council's constitution. Therefore the cabinet is enabled to agree all of the recommendations in this report.
44. Members are reminded that Section 106 of the Local Government Finance Act 1992 ("the Act") places restrictions on the ability of members in arrears of council tax to vote in meetings on certain financial matters.
45. Where a member has at least two months' arrears of council tax he or she must not vote on any matter which:
- relates directly to the setting of the next year's council tax; or
 - recommends income or expenditure forming part of the next year's levy; or

- relates to income or expenditure in the current year which is in excess of the current budget.
46. When a matter as described in paragraph 45 is to be considered at a meeting the member affected must declare that section 106 of the Act applies to him or her. The member may remain in the meeting and may speak, but he or she may not vote on the matter.
47. The legal basis for agreeing the recommendations relating to the setting of the council tax base is found under section 31B of the Act which imposes a duty on a billing authority to calculate its council tax by applying a formula laid down in that section. This relies on calculating a figure for the council tax base for the year. The Local Authority (Calculation of Council Tax Base) (England) Regulations 2012 require a billing authority to use a given formula to calculate the council tax base.
48. On 23 January 2013 council assembly (then the appropriate decision maker) adopted the CTRS written policy which had been developed by officers. At the same meeting also approved that decision-making on any minor and consequential amendments to the CTRS written policy be delegated to the Strategic Director of Finance and Corporate Services (now the Strategic Director of Finance and Governance) in consultation with the monitoring officer.
49. Cabinet is reminded that the council is subject to the public sector equality duty in section 149 Equality Act 2010, and attention is drawn to the community impact section of the report in this regard. The duty requires the council, in the exercise of all its functions, to have due regard to the need to
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The duty is a continuing one.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council tax base 2020-21 working papers	Southwark Council 160 Tooley Street, London SE1 2QH	Revenues and Benefits Team Norman Lockie Finance and Governance Jade Cheung
Link: http://moderngov.southwark.gov.uk/ieListDocuments.aspx?CIId=302&MIId=6086 (item 9 The Council Tax Base for 2019-20)		

APPENDICES

Appendix	Title
Appendix A (i)	Council Tax Base for 2020-21 for London Borough of Southwark (All Wards)
Appendix A (ii)	Council Tax Base for 2020-21 for the parish of St Mary Newington
Appendix A (iii)	Council Tax Base for 2020-21 for the parish of St Saviour's
Appendix A (iv)	Council Tax Base for 2020-21 for the London Borough of Southwark, excluding the parishes of St Mary Newington and St Saviour's
Appendix B	Council Tax – Collection achieved and projected

AUDIT TRAIL

Lead Officer	Duncan Whitfield, Strategic Director of Finance and Governance	
Report Authors	Norman Lockie, Finance and Governance Jade Cheung, Finance and Governance	
Version	Final	
Dated	6 December 2019	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
	Officer Title	Comments Sought
	Director of Law and Democracy	Yes
	Strategic Director of Finance and Governance	Yes
	Cabinet Member	Yes
	Date final report sent to Constitutional Team	6 December 2019

APPENDIX A (i)

COUNCIL TAX BASE FOR 2020-21 FOR LONDON BOROUGH OF SOUTHWARK ALL WARDS - FOR COUNCIL TAX SETTING¹

	LONDON BOROUGH OF SOUTHWARK (ALL WARDS)	COUNCIL TAX BAND									TOTAL
		- A	A	B	C	D	E	F	G	H	
1	Number of Chargeable Dwellings	13	11,218	36,227	33,930	25,428	18,315	6,958	4,429	770	137,288
2	Adjustment for the number of dwellings subject to a discount	(2)	(1,673)	(4,104)	(2,674)	(1,766)	(1,038)	(342)	(188)	(29)	(11,816)
3	Adjustment for the number of dwellings subject to a premium	-	197	336	123	105	39	23	40	16	879
4	Adjustment for the localised council tax support scheme	(6)	(2,093)	(6,073)	(4,134)	(2,246)	(1,237)	(222)	(54)	(1)	(16,066)
5	Adjustment for forecast changes in the tax base	-	12	30	97	200	106	14	14	7	479
6	Total in band (1+2+3+4+5)	5	7,661	26,416	27,342	21,721	16,185	6,431	4,241	763	110,765
	Multiply by band factor	5/9	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9	
7	Number of Band D Equivalents	3	5,107	20,546	24,304	21,721	19,782	9,289	7,068	1,526	109,346
8	Estimated Collection Level										97.2%
9	Estimated 2020-21 TAX BASE (7) x (8)										106,284

¹ Minor roundings may exist due to formulas

APPENDIX A (ii)

COUNCIL TAX BASE FOR 2020-21 FOR ST MARY NEWINGTON - FOR COUNCIL TAX SETTING

	ST. MARY NEWINGTON PARISH	COUNCIL TAX BAND									TOTAL
		- A	A	B	C	D	E	F	G	H	
1	Number of Chargeable Dwellings	1	2,583	6,767	4,987	1,945	1,451	392	68	23	18,217
2	Adjustment for the number of dwellings subject to a discount	-	(368)	(710)	(345)	(139)	(71)	(16)	(3)	-	(1,652)
3	Adjustment for the number of dwellings subject to a premium	-	94	94	23	6	2	1	1	2	223
4	Adjustment for the localised council tax support scheme	(1)	(475)	(1,141)	(707)	(251)	(182)	(15)	(6)	-	(2,778)
5	Adjustment for forecast changes in the tax base	-	-	-	-	-	-	-	-	-	-
6	Total in band (1+2+3+4+5)	-	1,834	5,010	3,958	1,561	1,200	362	60	25	14,010
	Multiply by band factor	5/9	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9	
7	Number of Band D Equivalents	-	1,223	3,897	3,518	1,561	1,467	523	100	50	12,339
8	Estimated Collection Level										97.2%
9	Estimated 2020-21 TAX BASE (7) x (8)										11,994

COUNCIL TAX BASE FOR 2020-21 FOR ST SAVIOUR'S - FOR COUNCIL TAX SETTING

	ST. SAVIOUR'S PARISH	COUNCIL TAX BAND									TOTAL
		- A	A	B	C	D	E	F	G	H	
1	Number of Chargeable Dwellings	-	92	270	306	189	236	148	140	50	1,431
2	Adjustment for the number of dwellings subject to a discount	-	(30)	(30)	(34)	(15)	(18)	(10)	(9)	(1)	(147)
3	Adjustment for the number of dwellings subject to a premium	-	-	-	1	-	1	-	1	2	5
4	Adjustment for the localised council tax support scheme	-	(11)	(40)	(53)	(18)	(19)	(2)	-	-	(143)
5	Adjustment for forecast changes in the tax base	-	-	-	-	10	10	14	14	7	56
6	Total in band (1+2+3+4+5)	-	51	200	220	166	210	150	146	58	1,201
	Multiply by band factor	5/9	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9	
7	Number of Band D Equivalentents	-	34	156	196	166	257	217	243	116	1,385
8	Estimated Collection Level										97.2%
9	Estimated 2020-21 TAX BASE (7) x (8)										1,346

APPENDIX A (iv)

COUNCIL TAX BASE FOR 2020-21 FOR LONDON BOROUGH OF SOUTHWARK EXCLUDING THE PARISHES OF ST. MARY NEWINGTON AND ST. SAVIOUR'S - FOR COUNCIL TAX SETTING

	LONDON BOROUGH OF SOUTHWARK (excl. St. Mary Newington & St. Saviour's)	COUNCIL TAX BAND									TOTAL
		- A	A	B	C	D	E	F	G	H	
1	Number of Chargeable Dwellings	12	8,543	29,190	28,637	23,294	16,628	6,418	4,221	697	117,640
2	Adjustment for the number of dwellings subject to a discount	(2)	(1,276)	(3,364)	(2,296)	(1,612)	(948)	(316)	(176)	(27)	(10,017)
3	Adjustment for the number of dwellings subject to a premium	-	103	242	99	99	36	22	38	12	651
4	Adjustment for the localised council tax support scheme	(5)	(1,607)	(4,892)	(3,374)	(1,977)	(1,036)	(205)	(48)	(1)	(13,145)
5	Adjustment for forecast changes in the tax base	-	12	30	97	189	95	-	-	-	423
6	Total in band (1+2+3+4+5)	5	5,775	21,206	23,163	19,993	14,775	5,919	4,035	681	95,552
	Multiply by band factor	5/9	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9	
7	Number of Band D Equivalents	3	3,850	16,494	20,589	19,993	18,058	8,550	6,725	1,362	95,624
8	Estimated Collection Level										97.2%
9	Estimated 2020-21 TAX BASE (7) x (8)										92,946

COUNCIL TAX - COLLECTION ACHIEVED & PROJECTED

	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20
	£000	£000	£000	£000	£000	£000
Total debit	152,021	153,987	156,174	166,778	180,525	190,977
Exemptions	(7,068)	(6,731)	(6,852)	(7,443)	(8,122)	(7,411)
Disabled relief	(54)	(56)	(59)	(61)	(68)	(71)
Discounts	(14,450)	(13,908)	(12,751)	(13,279)	(13,807)	(13,692)
Locally defined discount foster care	(30)	(30)	(35)	(36)	(127)	(166)
Collectable debit	130,420	133,263	136,478	145,960	158,402	169,636
Council tax collected to date	(105,761)	(109,432)	(113,257)	(121,750)	(134,637)	(105,628)
Less credit balances	408	503	578	702	1,118	2,528
Council tax collection to date	(105,353)	(108,929)	(112,679)	(121,048)	(133,519)	(103,100)
Future collection adjustment	0	0	0	(1,168)	(934)	(41,391)
Total projected council tax collection	(105,353)	(108,929)	(112,679)	(122,215)	(134,453)	(144,491)
Benefits and council tax reduction	(21,944)	(20,942)	(19,772)	(19,713)	(20,076)	(20,341)
Total projected income	(127,297)	(129,871)	(132,451)	(141,929)	(154,529)	(164,832)
Actual collection to date (as at 30 November 2019)	97.6%	97.5%	97.0%	96.4%	97.0%	72.8%
Projected final collection level	97.6%	97.5%	97.0%	97.2%	97.6%	97.2%

Item No. 15.	Classification: Open	Date: 17 December 2019	Meeting Name: Cabinet
Report title:		Southwark Tree Management Policy	
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 management of trees forms a key part of our broader approach to tackling the climate emergency agenda.

Trees form a significant part of Southwark’s landscape and in addition to their environmental benefit they also impact on the quality of life of local residents.

Managing and protecting these valuable assets for both current and future generations is a key outcome and links with many cross cutting corporate themes. This suite of policy and risk documentation provides the core principals on which the future service will be based. The detail outlines how we intend to manage our existing population and plant new trees, together with our approaches to protecting trees.

Public safety is very important so robust processes and ways of working have been introduced to ensure we maintain council owned trees in accordance with our duty of care and limit our exposure to property damage claims.

We are proud of Southwark’s commitment to the “green agenda” and aspire to delivering innovative and ongoing service improvements in this area.

The policy sets out a clear approach and provides guidance for the public and stakeholders alike. Working with the community will form a key part of our approach moving forward and build further on the interest generated through the consultation exercise undertaken to inform our approach.

RECOMMENDATIONS

Recommendation for Cabinet

1. That cabinet approve the Southwark Tree Management Policy following consultation held between 6 August 2019 and 27 September 2019.

Recommendation for the Leader of the Council

2. That the leader of the council delegates the responsibility for the monitoring of progress of delivering the Tree Management Policy to the deputy leader and cabinet member for culture, leisure, equalities and communities.

BACKGROUND INFORMATION

3. Trees have long been valued for their beauty, marking the seasons and providing sanctuary for wildlife. The environmental benefits of urban trees within ecosystem services including reducing pollution, cooling air, providing shade and protection from ultraviolet light, intercepting and absorbing rainfall and storing carbon are also now increasingly well understood. Trees are also considered as an integral and historic component of the urban landscape and its architecture, where they contribute to local character and can define a sense of place, frame views and vistas and strengthen our heritage and culture. The sum of all these benefits is often defined as the amenity value of trees.
4. Southwark's bold and exciting regeneration ambitions are changing the borough's built environment and it is ever more important that trees, and all of the benefits that they provide, are protected and enhanced.
5. There are approximately 120,000 trees in Southwark excluding areas designated as woodland. Southwark Council is responsible for the direct management, maintenance and care of over two thirds (80,000) of the borough's tree population as follows:
 - Housing Estates: 17,000
 - Parks & Open Spaces: 44,000
 - Highways: 16,000
 - Schools: 3,000
6. In terms of geographical distribution, the northern part of Southwark is densely urbanised with less open space and fewer trees, however the many parks in these parts of the borough make a significant contribution to existing canopy cover levels. In this area, the trees for which Southwark Council is responsible are concentrated along roadsides and on housing estates.
7. The southern part of Southwark is more suburban and includes large open spaces, large private gardens and some large areas of woodland. The largest being Dulwich & Sydenham Hill Woods (Dulwich Wood being owned by the Dulwich Estate). The much smaller Dulwich Upper Wood also makes a significant ecological contribution to the area (Sydenham Hill Woods and Dulwich Upper Wood are managed by two of Southwark's third sector partners).
8. Trees not managed by Southwark include those managed by Transport for London, trees located within residential gardens and those on other private land.
9. The last Tree Management Strategy was adopted in January 2013. The strategy set out the Council's vision, described the current tree stock and how it is managed, identified the organisations and individuals who have an interest in trees and specified the actions the Council would take to realise its vision. Although the policy detailed the Council's vision for the maintenance and management of Southwark's trees it was not explicit around the risks around managing and extensive tree stock and how these could be mitigated. It was also felt that the policies could have been made more accessible to residents and other interested parties.
10. To address these concerns a new Tree Management Policy (TMP) was drafted in

March 2019 which clearly details the Council's policies around ensuring the protection and enhancement of the borough's trees. The policy also includes a Tree Risk Management Strategy. The Tree Risk Management Strategy makes clear all legal responsibilities, assesses how Southwark operates to mitigate the risk which trees present, and sets out detailed associated procedures and methodologies for the minimisation of any risk that trees in the borough may present.

11. A public consultation ran from 6 August 2019 and 27 September 2019 to gather the public's view on the new policy along with feedback from local partners. The findings of the consultation and feedback from local organisations are detailed in this report.

KEY ISSUES FOR CONSIDERATION

Aims and objectives of the Tree Management Policy

12. The aims of the Tree Management Policy are to:

Recognise the positive impact that urban trees have on the environment and the lives of people in Southwark and aim to protect its current trees and woodlands. The Council aims to maintain a healthy, protected and sustainably managed treescape that contributes significantly to the health safety and well being of Southwark residents.

13. In order to realise these aims the following Strategic Objectives (SO) are set out within the policy:

- To manage the existing tree stock in accordance with good arboricultural and silvicultural practice.
- To maintain a general presumption against the removal of trees, allowing felling only in accordance with good arboricultural and silvicultural practice, and to ensure that adequate and appropriate replacement planting takes place where planting is desirable, aesthetically necessary and sustainable. Natural regeneration will also be allowed if the site circumstances are appropriate.
- To recognise the relationship between trees and the built environment and their role in helping to combat air pollution and climate change. Also, promoting the 'Right tree, right place' philosophy for new and replacement planting.
- To continue to ensure protection of trees and woodlands subject to Tree Preservation Orders, in Conservation Areas and Sites of Importance for Nature Conservation, with trees to be retained on development sites and to require high standards of replacement tree planting. Southwark will also initiate prosecution where unauthorised tree work has taken place, or to take enforcement action where breach of planning permission has occurred where it is expedient to do so.
- To promote the value of trees to residents, businesses and developers through good management and education, and explore ways for greater involvement, consultation and protection of trees and woodlands.

Environmental benefits of trees

14. The environmental benefits of trees are increasingly now well understood. The

policy document sets these out in order to convey their importance and the necessity to protect and enhance them accordingly:

Climate change mitigation

15. Trees play a crucial role in mitigating climate change. Over a year a mature tree can remove approximately 22kg of carbon dioxide from the atmosphere whilst soil around a tree can provide durable carbon stores.
16. As summer temperatures increase through climate change the importance of trees and other vegetation in reducing the 'heat island effect' through shading and evapotranspiration during the day and cooling the built environment at night time has become ever more apparent. In the winter trees lower wind speeds reducing heat loss from buildings.

Improving air quality

17. Trees are effective agents in enhancing air quality by producing oxygen (via the process of photosynthesis), and also through the capture of urban pollutants e.g. sulphur dioxide, nitrogen oxides, ozone, particulate matter, carbon monoxide and lead and heavy metals. Some air pollutants such as dust, ash, pollen and smoke are absorbed by leaves and bark or are temporarily intercepted from the air and washed in to the ground or collected by drainage systems.

Reducing noise and calming traffic

18. Trees can help reduce noise pollution through the absorption of sound waves muting noises from building facades and canyonised street configurations.
19. The presence of roadside trees significantly increases driver perception of spatial edge. The evidence that the presence of trees by the roadside has a positive impact on driver behaviour is apparently sufficiently compelling that, at the operational level, the Department for Transport has reported a number of schemes aimed at using tree planting to reduce speeds and hence accidents.

Sustainable urban drainage and bioremediation

20. Trees play a vital role in reducing the runoff associated with flash flooding by slowing down the rate of flow through interception and also through the active process of evapotranspiration. Some tree species also help to ameliorate soil and water conditions through bioremediation by absorbing, processing or neutralising a wide range of pollutants.

Biodiversity

21. Urban trees and woodlands are intrinsic to biodiversity through their contribution to creating green corridors, enhancing the ecological permeability of the built environment. Trees provide habitat and a food source for a diverse variety of flora and fauna species both in densely built up areas as well as urban woodlands. Woodlands in the borough provide some of the most important habitats in Southwark and the ancient woodland components of these assets are irreplaceable and subject to stronger protection.

Tree policies

22. Southwark proposes to adopt the following tree policies implemented in order to deliver its vision and strategic objectives as set out in the following sections:
- Tree maintenance, removal and planting
 - Managing Tree Risk
 - Trees and built environment
 - Planning and development
 - Tree Management
 - Trees in Private Ownership
 - Biodiversity.

Tree maintenance, removal and planting

23. The criteria for pruning and removing trees are clearly set out in order to define Southwark's approach to tree management.
24. Tree planting will be a key focus for Southwark in the coming years therefore provisions for replacement planting and the importance of providing new planting in the context of the climate change emergency are set out.

Managing Tree Risk

25. The new Tree Risk Management Strategy (Appendix 2 and paragraph 31) sets out Southwark's responsibilities and how it manages risk within its own tree stock in a technical document and also describes how the risk associated with trees in private ownership is managed.

Trees and the built environment

26. On-going maintenance of the highway, service routes and street furniture is essential to ensuring that the Borough's transport and infrastructure network continues to operate effectively. This brings considerable potential disturbance to the Borough's trees as work often requires excavation and construction within the root zone of trees. Therefore it is essential that when undertaking excavation works near to street trees all Council operatives and private contractors will be required to adhere to the guidelines as set out in the revised National Joint Utility Guidelines as set out in the Excavations and utilities policy.
27. The Managing trees and subsidence policy sets out how Southwark will continue to manage its tree stock to minimise the risk of tree-related subsidence, whilst maintaining a healthy and sustainable tree stock. Location and species for new tree planting will be selected to minimise the risk of future tree-related subsidence.
28. Southwark will seek to continue to retain trees on shrinkable clay subsoil, where sustainable, in order to maintain the value of the amenity. The Council will continue to manage a robust programme of pruning in order to mitigate subsidence damage to buildings: regrowth on all risk trees will be removed on a 2 yearly cycle in order to manage water demand.

Planning and development

29. Policies reflecting Southwark's statutory duties in terms of tree protection in the form of Tree Preservation Orders and Conservation Areas are set out as well as the determination to ensure replacement tree planting is promoted and undertaken (as with Council built homes), whilst unauthorised works prosecutions are pursued.

Biodiversity

30. The Biodiversity policy section sets out policies to aid the management of encouraging biodiversity (with links to the new Southwark Nature Action Plan), pests and diseases, woodlands, veteran and ancient trees.
31. The importance of supporting partnerships is also a key development policy that reflects the important contribution stakeholders make to Southwark's environment. Trees have become increasingly important as a learning resource for children. This is reflected in the growing numbers of schools that have signed up to the Forest Schools programme. Southwark will provide arboricultural advice for schools hoping to utilise their outdoor space as a learning resource.

Tree risk management strategy

32. As a local authority the London Borough of Southwark has a duty to ensure public safety whilst maintaining an environmentally diverse and valuable landscape. Residents and visitors to the borough have a reasonable expectation that they can enjoy the benefits of the environment assured that associated risks presented by trees are managed to acceptable and balanced levels.
33. The tree risk management strategy (TRMS) identifies key management issues and sets out a system in mitigation which is intended to manage risk at a level as low as reasonably practicable whilst retaining the benefits of Southwark's valuable and diverse tree stock. Initially the document sets out the purpose of the Strategy, its context within Southwark's policy framework and the legal background within which it has been developed. Southwark's corporate responsibilities are also set out at this stage in order to clearly define the hierarchy of support required to ensure the success of the Strategy.

Proactive tree management system

34. In order to operate a robust tree management system it is necessary that adequate resources are allocated to appropriate inspection regimes and resulting programmes of remedial works. Proactive management of the tree stock enables resources to be focused where needed and reduces risks to acceptable levels.
35. The Council currently manages the tree stock through the Client Team consisting of six officers which sits within the Parks and Leisure Division (Leisure Directorate). The Tree Works Team sits within the Waste and Cleansing Division (Environment Directorate) and consists of 15 operatives plus a manager, and provides a tree surgery and tree felling service, programmed and ad hoc, plus both in hours and out of hours emergency cover.
36. The in house works team are supported by external contractors as they currently do not have the capacity to deliver all the tree works that are generated and this work is currently procured under backlog recovery arrangements.

37. Due to concerns around the need to clear an ongoing backlog of works during 2018/19 financial year it was identified that the tree service was significantly under resourced to carry out the required maintenance for the many ageing and growing tree population across the borough. At this time significant progress had been made on addressing priority tree backlog maintenance works through the procurement of services from external contractors, however, in order to move to a safer tree inspection and maintenance programme, additional ongoing revenue funding will be required from 2019/20. From 1 April 2019 the budget was uplifted by £300k.
38. Since this year's budgetary uplift the team have cleared a large backlog of tree inspections which has identified a large number of tree works (creating a new backlog) plus a significant number of trees that were not previously mapped – increasing the tree stock from 57,000 trees to 80,000 trees in Southwark's management since the last Tree Management Strategy. Since April 2019 officers have been working on a strategic review of the service to identify the best way of managing the tree stock in the borough. The strategic review covered:
- Productivity review of in house team
 - Benchmarking (In house and commercial providers)
 - Works requirement of tree stock and future affordability.
39. The review has identified that, despite the recent budgetary uplift, the current works resources are not sufficient to meet the requirement of the stock and meet risk management obligations. In order to avoid the ongoing creation of a backlog of works it is vital that sufficient works provision is put in place. The exact cost of the works requirement will depend on how the works are delivered (what proportion, if any, is delivered by external contractors) and officers are working on a full options appraisal to determine the preferred option and this will be taken to Cabinet as a Gateway 0 in early 2020.
40. All additional remedial works generated from the backlog of tree inspections have been incorporated in to an Emergency Tree Recovery Plan (ETRP) deliverable by in house and external supplier provision by the end of May 2020.

Climate Emergency

41. The Council declared a climate emergency in March 2019 and vowed to “*do all it can to make the borough carbon neutral by 2030.*” A draft report has been written which sets out the plan for the emerging Southwark Climate Strategy 2020-2030 which suggests approaches to support the Council and communities to achieve carbon neutrality by 2030.
42. The targets set out in the Climate Emergency Declaration are challenging. To deliver these will require a significant change to the way the Council operates and will affect every business and resident in Southwark. This is also in the context of delivering borough wide carbon neutrality 20 years in advance of the current London wide target of 2050.
43. Tree management is part of the emerging Southwark climate strategy and as such an effective tree management policy is vital.
44. Tree planting is one of the most effective ways of reducing the impacts of climate

change. In 2015 capital funding of £600k was agreed for a 5 year term to service annual tree planting programmes. During this period 450 trees were planted on average per annum (2,247 overall) as well as additional trees associated with community planting and developments, however over this time and for several years previously more trees were removed than planted resulting in a net loss of approximately 1200 trees since 2010. The capital funding allocation is now coming to an end with the 2019/20 tree planting programme therefore proposals will be brought forward to Cabinet in the new year that seek to address the net loss of trees and increase canopy cover across the borough.

45. The proposed new Tree Management Policy recognises the positive impact that urban trees have on the environment and the lives of people in Southwark. The Council aims to protect and maintain a healthy, protected and sustainably managed treescape that contributes significantly to the health safety and well being of Southwark's residents in the following ways:
- Promote awareness of the value of trees in our environment. The document identifies the benefits of the treescape and its impact on the environment, biodiversity, health and wellbeing and their heritage value along with the impact of trees on future urban landscapes.
 - Interpret the policy framework on trees at a European, national, regional and local level. Southwark's 17 Tree Policies are also set out. These are themed around; tree maintenance, removal and planting, managing tree risk, trees and built environment, planning and development and biodiversity.
 - Set out our policies to enable us to protect and enhance Southwark's treescape. Further technical information is included in the appendices which cover the Tree Risk Management Strategy, Southwark's treescape, policy framework, tree planting, managing trees and subsidence, biosecurity and the new Southwark Nature Action Plan (SNAP).

Policy consultation process

46. The first stages of the consultation plan were undertaken by contacting internal departments seeking comments on the draft documents. Useful feedback was received from officers in:
- Planning
 - Environment
 - Parks and Leisure
 - Housing
 - Legal
 - Insurance.
47. Amendments were worked in to the documents prior to seeking comments from third sector partners and members of the public.
48. The following third sector partners were contacted seeking their technical comments and asking them to encourage participation of their visitors in the forthcoming online public consultation:
- Quadron Idverde – The council's grounds maintenance contractor

- London Wildlife Trust
 - Bankside Open Spaces Trust (BOST)
 - The Conservation Volunteers (TCV)
 - Friends of Groups and residents associations.
49. During the public consultation period four drop in sessions were attended by officers at Dulwich Park, Southwark Park, Burgess Park and Geraldine Mary Harmsworth Park (GMH). The key areas of feedback and discussion during the sessions were:
- ambitious tree planting programs to tackle air pollution and climate change
 - community groups set up to help officers care for trees in streets and parks
 - greater protection for trees in proposed developments
 - enhanced scrutiny of young tree maintenance
 - greater consultation with stakeholder groups for tree maintenance programs.
50. In addition to the drop in sessions, officers attended Peckham Rye Park Fete in order to encourage participation in the online consultation. Also a presentation of the proposed policy document was given to the Dulwich Village and Dulwich Wood Forum meeting as part of engagement with Empowering Communities (previously Community Councils) network.
51. An online consultation was undertaken using the Southwark Consultation hub website which provided an opportunity for residents and the wider community to have their say on the draft Tree Management Policy. The online consultation ran between 6 August 2019 and 27 September 2019 and 242 residents responded.

Consultation results

52. The majority of respondents strongly agree with Southwark Council's vision and long term objectives, our assessment of the benefits of trees, the assertion that trees have an important role to play in tackling climate change and that it is necessary to protect Southwark's treescape.
- **88%** of respondents either agreed or strongly agreed with Southwark's vision and long term objectives in the Tree Management Policy.
 - **96%** of respondents either agreed or strongly agreed with Southwark's assessment of the benefits of trees.
 - **95%** of respondents either agreed or strongly agreed that trees have an important role to play in tackling climate change.
 - **94%** of respondents agreed or strongly agreed that it is necessary to protect Southwark's treescape.
53. Respondents supported a wide range of methods to communicate the benefits of trees; the most popular methods were social media messaging and community events.
54. The most popular areas respondents wanted Southwark to focus on in terms of managing its urban treescape were tree planting, tree protection and climate change.
55. Many respondents provided additional comments on the policy; the key findings have been summarised below:

- Increase the number of trees planted.
- Engage with community groups e.g. involve communities in tree planting programmes to encourage a sense of ownership.
- Engage effectively with partner organisations e.g. London Wildlife Trust, Bankside Open Spaces Trust, 'Friends of' groups etc.
- Work with schools to ensure children understand the importance of trees.
- Ensure all new developments are designed and built around current trees. The greening of the environment must be an essential part of any new development (rather than something desirable).
- Pollarding should not take place during the spring/summer as this is when the urban canopy is most needed.
- Additional checks should be undertaken on trees in residential areas to ensure the health and safety of residents.
- Trees that are felled should be replaced in the same area.
- The policy should reference woodlands e.g. the Great North Wood, and it should set out how the Council intends to support and enhance such areas.
- The document should expand on how the tree management policies could improve biodiversity.
- Educational signs could be added to new trees that are planted.

Demographic of respondents

56. The majority of respondents were aged between 45 – 64 years olds. Most respondents are above the average age in Southwark, which is 32.9 years.¹
57. The majority of respondents (56.61%) were White British, with respondents identifying as English, Welsh, Irish and Scottish making up another 11%. Respondents from other ethnic groups included other European (7.4%), black British (0.4%), Asian British (0.4%), Indian (1.2%) and 2.5% from other ethnicities. 10.74% did not answer this question. Just over half (54%) of Southwark's population is of White ethnicity, a quarter (25%) are Black and a third (11%) are Asian or other (10%) ethnicities.
58. The majority of respondents were from the north of the borough.

Feedback from partner organisations

59. Friends of Burgess Park, London Wildlife Trust, Friends of Sunray Gardens and Woodland Trust all provided feedback on the new Tree Management Policy. They are in general agreement with the policy and welcome its development. A summary of their key suggestions are listed below:
- A distinction should be made between the management of street trees and trees in parks.
 - Trees should be given the same status as existing buildings.
 - Statements such as 'desirable', 'right tree, right place', 'in accordance with good arboricultural practice' should be defined as they are open to different interpretations.

¹ <https://www.southwark.gov.uk/assets/attach/5718/JSNA-Factsheet-2017-Protected-Characteristics-20171130.pdf>

- The impact and value of partnerships should be referenced in the document.
- A commitment should be made to prevent the loss of woodland habitat and to increase woodland cover in the borough. The Great North Wood should also be mentioned.
- Sites of Importance for Nature Conservation (SINC) should be referenced.
- 'Adopt a Tree' and 'Memorial Tree' initiatives should be implemented.
- Additional tree planting should be added as a further objective.
- Local stakeholders should be informed of any proposed tree removals.

Changes to the draft Tree Management Policy as a result of consultation

60. The following key amendments have been made to the draft policy documents as an outcome of the consultation. Please see Appendix 1 for the updated draft policy document.
- a) A greater emphasis made to the contribution and potential of woodlands and Sites of Importance for Nature Conservation (SINC's) throughout the document.
 - b) Policy 2 Tree removal – (page 10), Extending the notice period for removing trees from 10 to 15 days.
 - c) Policy 1 - Tree pruning - (page 8), Reference the importance of retaining the natural form of trees when undertaking pruning operations.
 - d) Policy 3 – Tree Planting – (page 10), has been divided in to 2 sections in order to distinguish between replacement and new tree planting, reflecting Southwark's aim to support an ambitious tree planting programme which contributes to the organization's climate change mitigation plan.
 - e) Policy 3 - Tree planting – (page 10), reference the use of eco-system service reports analysis.
 - f) Policy 3 - Tree planting – (page 10), reference woodland and orchard creation.
 - g) Policy 3 - Tree planting – (page 10), utilisation of a wide range of species in order to build in future resilience to specific tree related pests and diseases.
 - h) Policy 10 - Tree protection – (page 13) distinction made between legal protection for privately owned trees and Council protection of Southwark owned trees.
61. Following the adoption of the TMP, further work will be undertaken in association with the proposed tree planting programme in terms of engaging and managing a network of tree community groups and working with schools in order to communicate the benefits of trees to children across the borough.
62. In the context of climate change it is becoming increasingly important that our young residents become engaged with their environment. This will be addressed by creating classroom materials to be used by schools in association with the benefits of trees and making nature accessible for all following through on action associated with the Southwark Nature Action Plan (SNAP).

Governance, reporting and key performance indicators

63. An annual report in association with the Tree Management Policy will be generated to assess key areas of activity. The tree team will govern the plan with the resulting report presented to the cabinet member in the form of a briefing

paper. A version of the report will also be made available to stakeholders.

64. KPIs for the annual report will be developed to measure effectiveness of the TMP in the following key areas:

- Tree planting
- Tree removal
- Statutory protection
- Community engagement
- Education
- Communications.

65. The following Key Performance Indicators have been designed to test the on going effectiveness of the Tree Management Risk Strategy following the implementation period (January – March 2020):

Tree Risk Management Strategy (TRMS)		
KPI Number	Key Performance Indicator	Target Completion Date
1	Annual reports following review (to include details from the failure log as well as near miss incidents, cyclical inspection frameworks etc.) to be generated by the Arboricultural Services Manager	Annually (first report March 2021)
2	Full internal audit to test the effectiveness of the Plan to be made with adjustments implemented and recorded	Annually (first report April 2021)
3	Continual review of legal judgments relating to tree risk management to ensure Tree Risk Management Plan adjusts to emerging case law	Annually
4	External audit is to be carried out after 5 years either by the Tree Section of a Borough with a comparable level of tree risk management in a reciprocal arrangement, or by an external Arboricultural Consultant registered by the Arboricultural Association	March 2025

Promotion of Tree Management Policy

66. The new Tree Management Policy will be promoted in the following ways:

Education and engagement plan – Tree Management Policy

What	How	When	Who
Launch: Information on relevant Southwark Council webpages	Specific Council Webpage providing relevant information on the new Tree	February 2020	Parks & Leisure / Communications Team

What	How	When	Who
	Management Policy		
Launch: Information on social media	Links to information on the new Tree Management Policy via Southwark's Facebook and Twitter pages	February 2020	Parks & Leisure / Communications Team
Launch: Residents e-bulletin (about 6,000 residents) including link to relevant webpages	Educational piece highlighting the new Tree Management Policy	February 2020	Parks & Leisure / Communications Team
Launch: Email to friends of parks groups	Educational piece highlighting the new Tree Management Policy	February 2020	Parks & Leisure / Communications Team
Launch: Internal communications with officers and ward councillors	Educational piece highlighting the new Tree Management Policy	February 2020	Parks & Leisure / Communications Team
Create classroom materials to be used by schools	Posters / documents created to explain the benefits of trees in the borough for young people	March/ April 2020	Tree Team

Policy implications

67. Whilst the policy is a document intended for use by all it is also important to note that it directly links to the Council's commitment to a 'Fairer future for all' particularly in the areas of:

- The best start in life: clean air, great schools and opportunities to thrive;
- A great place to live with clean, green and safe communities;
- A healthy borough where your background doesn't determine your life chances.

68. 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.

69. An effective Tree Management Policy is linked to a number of themes in the Council Plan through specific commitments set out below.

- Make Southwark carbon neutral by 2050

- Protect Southwark's biodiversity and make nature accessible for all
 - Give residents the tools to garden and improve their estate
 - Make walking fun, safe and accessible by developing a green walking network.
70. As noted, The Tree Management Policy also supports the recent declaration on 27 March 2019 in which the Council said it would do 'all it can' to make the borough carbon neutral by 2030. A Climate Emergency Strategy is currently being drafted.
71. The Southwark Nature Action Plan 2020 (SNAP) directly links to the Tree Management Policy. The SNAP is a tool kit which provides guidance on the protection, enhancement and promotion of the natural environment. The SNAP shares similar aims to the Tree Management Policy such as: improving access to high quality green spaces, improving environmental management, increasing access and engagement with nature, increasing educational opportunities through events and training and increasing natural habitats and populations of species.
72. The Tree Management Policy also supports a number of other key Council plans, statutory documents and strategies:
- Air Quality Strategy and Action Plan 2017 - 2022
 - The Movement Plan.

Community impact statement

73. 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 policy. The policy has no clear, detrimental impact to any group or protected characteristic as outlined in the Equalities Act or the PSED.
74. Trees benefit our communities and the environment in a number of ways: improving air quality, reducing urban temperatures through shading and evapotranspiration, mitigating climate change, reducing noise and calming traffic, managing flood risks, supporting biodiversity and improving health and wellbeing.
75. As such, the policy is likely to have a positive impact on communities. The policy supports the increased use of open spaces which have clear positive impacts on physical and mental health. By maintaining a healthy, protected and sustainably managed tree stock the Tree Management Policy will contribute significantly to the health, safety and wellbeing of Southwark residents and visitors.
76. It is recognised that trees must be well maintained to ensure they do not have a detrimental impact on the community. Risks and concerns include: falling trees, obstructed pavements and obstructing light from windows.
77. To ensure the above risks and issues are mitigated all trees planted must adhere to the Southwark Streetscape Design Manual (SSDM). This manual details the requirements for street trees, such as, the above and below ground design of planting spaces, spacing and locating of trees, the levels of canopy cover that need to be provided in streets and spaces, and general maintenance requirements.

Resource implications

78. Staffing and any other costs connected with the delivery of the policy will be contained within existing departmental revenue budgets.

Legal implications

79. Please see the concurrent report of the director of law and democracy below.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**Director of Law and Democracy**

80. Cabinet is requested to approve the Tree Management Policy which forms Appendix 1 to this report.
81. The preparation of this new Policy is consistent with the council's statutory obligations and with relevant European, national and corporate strategy and policy, the details of which are listed at Appendix 2 of the document.
82. The report provides a full account of the consultation process which has been undertaken in relation to the new Policy and, in particular how the Policy has been informed and developed in response to the feedback from that exercise.
83. The report also confirms that an equality analysis has been carried out in conjunction with the preparation of the Policy, in order to assess the likely effect and impact of the Policy upon any individuals and groups having a protected characteristic under the Equality Act 2010. It is recommended that the equality analysis should be reviewed periodically in order to demonstrate the council's compliance with the Public Sector Equality Duty under the Act.
84. The decision to approve the report recommendation in paragraph 1 is expressly reserved to Cabinet under the council Constitution.

Strategic Director of Finance and Governance (FC19/022)

85. This report is requesting cabinet to agree The Tree Management Policy and associated technical appendices and also for the Leader to delegate the responsibility for the monitoring of progress of delivering the Tree Management Policy to the Cabinet Member for Culture, Leisure, Equalities and Communities. Full details are contained within the main body of the report.
86. The strategic director of finance and governance notes the financial implications and understands that any additional on going cost implications will be considered as part of the council's policy and resourcing strategy.
87. Staffing and any other costs connected with this report to be contained within existing departmental revenue resources.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Consultation report	Southwark Council 160 Tooley St SE1 2QH	Julian Fowgies 0207 525 3438
Link: http://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=302&MId=6571&Ver=4		

APPENDICES

No.	Title
Appendix 1	Tree Management Policy (circulated separately)
Appendix 2	Tree Risk Management Strategy (circulated separately)

AUDIT TRAIL

Cabinet Member	Councillor Rebecca Lury, Deputy Leader and Cabinet Member for Culture, Leisure, Equalities and Communities	
Lead Officer	Rebecca Towers, Director of Leisure	
Report Author	Julian Fowgies, Tree Service Manager	
Version	Final	
Dated	5 December 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	5 December 2019	

Cabinet Member Briefing

Leisure Directorate – Tree Management Policy
consultation

Cllr Lury - 23 Oct 2019

1 Summary

The briefing is an update following the consultation of the new Tree Management Policy (TMP) and Tree Risk Management Strategy (TRMS). It presents the outcomes of the consultation and amendments made to the draft documents.

2 Recommendations

That the Cabinet Member:

- notes the content of the report
- notes the amendments made to the draft documents following the consultation
- notes the Tree Management Policy and associated appendices be brought to Cabinet December 2019.

3 Background

A new Tree Management Policy was drafted in March 2019 which aims to ensure the protection and enhancement of the borough's trees. A public consultation ran from 6 August 2019 and 27 September 2019 to gather the public's view on the new policy along with feedback from local partners. The findings of the consultation and feedback from local organisations are detailed in this report.

4 Key issues

The Council declared a climate emergency in March 2019 and vowed to "*do all it can to make the borough carbon neutral by 2030.*" A draft report has been written which sets out the plan for the emerging Southwark Climate Strategy 2020-2030 which suggests approaches to support the Council and communities to achieve carbon neutrality by 2030. Tree Management is part of the emerging Southwark Climate Strategy and as such an effective Tree Management Policy is vital.

The proposed new Tree Management Policy aims to:

- Promote awareness of the value of trees in our environment.
- Interpret the policy framework on trees at a European, national, regional and local level.
- Set out the Council's policies to enable us to protect and enhance Southwark's treescape.

5 Policy consultation

The first stages of the consultation plan were undertaken by contacting internal departments seeking comments on the draft documents. Useful feedback was received and amendments were worked into the documents prior to seeking comments from third sector partners and members of the public.

The following third sector partners were contacted seeking their technical comments and asking them to encourage participation of their visitors in the forthcoming online public consultation:

- Quadron Idverde
- London Wildlife Trust
- Bankside Open Spaces Trust (BOST)
- The Conservation Volunteers (TCV)
- Friends of Groups and residents associations

Cabinet Member Briefing

During the public consultation period four drop in sessions were attended by officers at Dulwich Park, Southwark Park, Burgess Park and Geraldine Mary Harmsworth Park (GMH). The key areas of discussion during the sessions were:

- ambitious tree planting programs to tackle air pollution and climate change
- community groups set up to help officers care for trees in street and parks
- greater protection for trees in proposed developments
- enhanced scrutiny of young tree maintenance
- greater consultation with stakeholder groups for tree maintenance programs

Officers also attended Peckham Rye Park Fete in order to encourage participation in the online consultation and a presentation of the proposed policy document was given to Dulwich Village and Dulwich Wood Forum meeting as part of engagement with Empowering Communities.

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 Southwark Tree Management Policy. The online consultation ran between 6 August 2019 and 27 September 2019 and 242 residents responded.

6 Consultation results

Please see Appendix 1 for the consultation questions and responses.

The majority of respondents strongly agree with Southwark Council's vision and long term objectives, our assessment of the benefits of trees, the assertion that trees have an important role to play in tackling climate change and that it is necessary to protect Southwark's treescape.

- **88%** of respondents either agreed or strongly agreed with Southwark's vision and long term objectives in the Tree Management Policy.
- **96%** of respondents either agreed or strongly agreed with Southwark's assessment of the benefits of trees.
- **95%** of respondents either agreed or strong agreed that trees have an important role to play in tackling climate change.
- **94%** of respondents agreed or strongly agreed that it is necessary to protect Southwark's treescape

Respondents supported a wide range of methods to communicate the benefits of trees; the most popular methods were social media messaging and community events.

The most popular areas respondents wanted Southwark to focus on in terms of managing its urban treescape were tree planting, tree protection and climate change.

Many respondents provided additional comments on the policy; the key findings have been summarised below:

- Increase the number of trees planted.
- Engage with community groups e.g. involve communities in tree planting programmes to encourage a sense of ownership.
- Engage effectively with partner organisations e.g. London Wildlife Trust, Bankside Open Spaces Trust, 'Friends of' groups etc.
- Work with schools to ensure children understand the importance of trees.

- Ensure all new developments are designed and built around current trees. The greening of the environment must be an essential part of any new development (rather than something desirable).
- Pollarding should not take place during the spring/summer as this is when the urban canopy is most needed.
- Additional checks should be undertaken on trees in residential areas to ensure the health and safety of residents.
- Trees that are felled should be replaced in the same area.
- The policy should reference woodlands e.g. the Great North Wood, and it should set out how the Council intends to support and enhance such areas.
- The document should expand on how the tree management policies could improve biodiversity.
- Educational signs could be added to new trees that are planted.

Demographic of respondents

The majority of respondents were aged between 45 – 64 years olds. Most respondents are above the average age in Southwark which is 32.9 years. ¹

The majority of respondents (56.61%) are White British. Just over half (54%) of Southwark's population is of White ethnicity, a quarter (25%) are Black and a third (11%) are Asian or other (10%) ethnicities. ²

The majority of respondents are from the north of the borough.

7 Feedback from partner organisations

Friends of Burgess Park, London Wildlife Trust, Friends of Sunray Gardens and Woodland Trust all provided feedback on the new Tree Management Policy. Please see Appendix 2 for their full responses. They are in general agreement with the policy and welcome its development. A summary of their key suggestions are listed below:

- A distinction should be made between the management of street trees and trees in parks.
- Trees should be given the same status as existing buildings.
- Statements such as 'desirable', 'right tree, right place', 'in accordance with good arboricultural practice' should be defined as they are open to different interpretations.
- The impact and value of partnerships should be referenced in the document.
- A commitment should be made to prevent the loss of woodland habitat and to increase woodland cover in the borough. The Great North Wood should also be mentioned.
- Sites of Importance for Nature Conservation (SINC) should be referenced.
- 'Adopt a Tree' and 'Memorial Tree' initiatives should be implemented.
- Additional tree planting should be added as a further objective.
- Local stakeholders should be informed of any proposed tree removals.

¹ <https://www.southwark.gov.uk/assets/attach/5718/JSNA-Factsheet-2017-Protected-Characteristics-20171130.pdf>

² <https://www.southwark.gov.uk/assets/attach/7379/JSNA-Factsheet-2018-19-Demography-20180725.pdf>

8 Proposed changes to the Tree Management Policy

Outcomes

The following key amendments have been made to the draft policy documents as an outcome of the consultation. Please see Appendix 3 for the updated draft policy document.

1. A greater emphasis made to the contribution and potential of woodlands and Sites of Importance for Nature Conservation (SINC's) throughout the document.
2. Policy 2 Tree removal - Extending the notice period for removing trees from 10-15 days.
3. Policy 3 Tree Planting – (page 10), Replacement Tree Planting, Changing the tree planting commitment from: “The Council will seek to plant at least one tree for every tree it removes” to “The Council will plant at least one tree for every tree it removes.”
4. Policy 1 Tree pruning - (page 8), Reference the importance of retaining the natural form of trees when undertaking pruning operations.
5. Policy 3 Tree Planting – (page 10), reference the use of eco-system service reports analysis.
6. Policy 3 Tree Planting – (page 10), reference woodland and orchard creation.
7. Policy 3 Tree Planting – (page 10), utilisation of a wide range of species in order to build in future resilience to specific tree related pests and diseases.
8. Policy 10 Tree protection – (page 13) distinction made between legal protection for privately owned trees and Council protection of Southwark owned trees.

All of the significant recommendations have been worked in to the policy documents (Appendix 3 with highlighted changes).

Following the adoption of the TMP further work will undertaken in association with the proposed tree planting programme in terms of engaging and managing a network of tree community groups and working with schools in order to communicate the benefits of trees to children across the borough.

9 Next steps

A cabinet report will be presented at CMB on 6th November 2019.

Southwark tree policy review: shape how we manage trees : Summary report

This report was created on Tuesday 29 October 2019 at 12:15.

The consultation ran from 06/08/2019 to 27/09/2019.

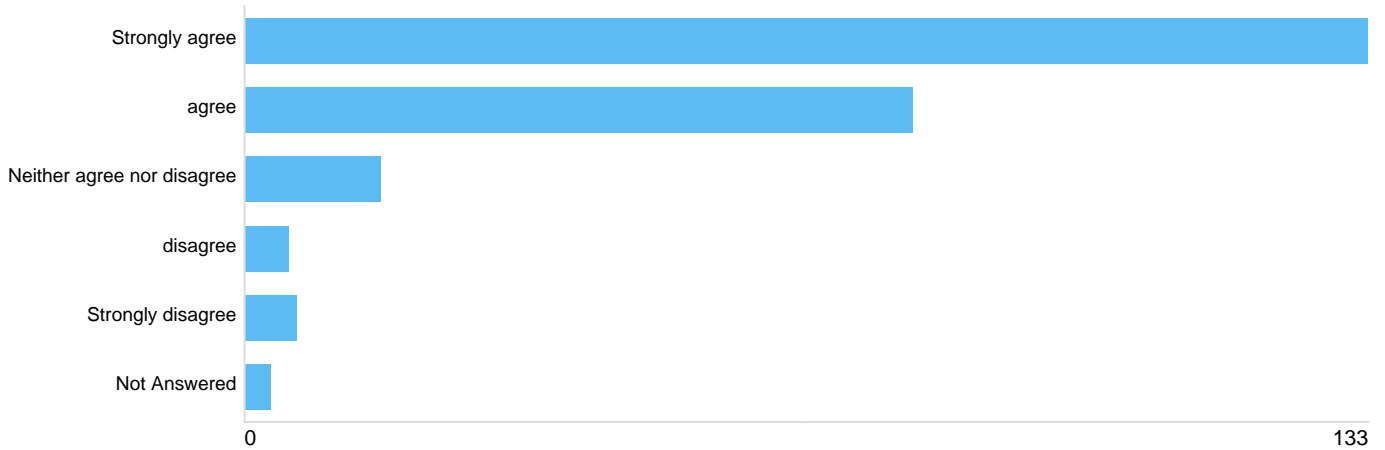
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Question 2: Do you agree with our assessment of the benefits trees provides residents, workers and visitors of Southwark?	2
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Question 1: Having read the relevant section, how much to you agree with our vision and long term objectives?

Vision and long-term objectives



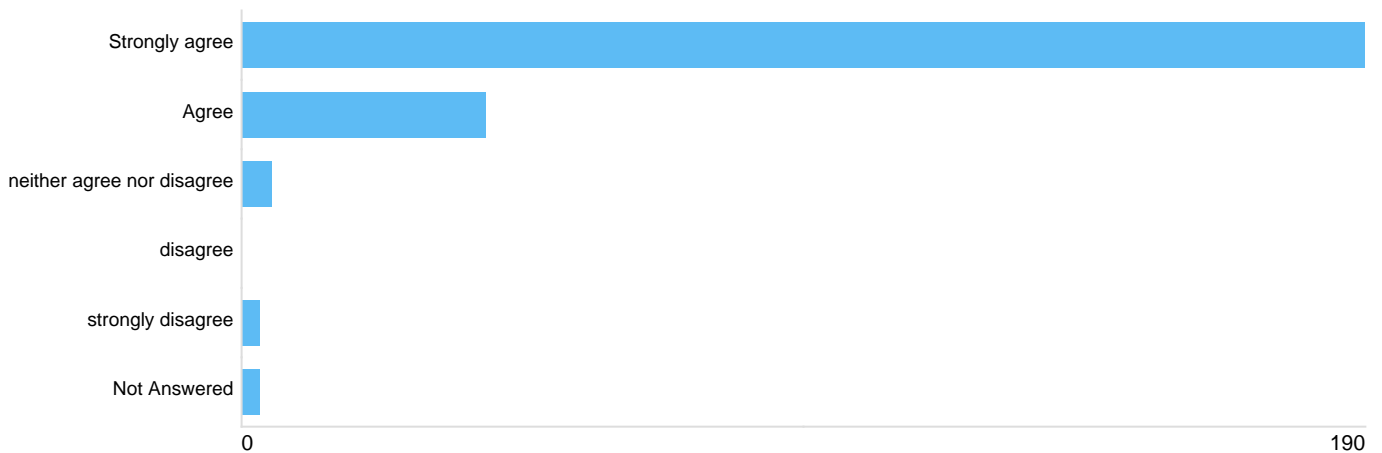
Option	Total	Percent
Strongly agree	133	54.96%
agree	79	32.64%
Neither agree nor disagree	16	6.61%
disagree	5	2.07%
Strongly disagree	6	2.48%
Not Answered	3	1.24%

From what you have selected, please explain

There were **149** responses to this part of the question.

Question 2: Do you agree with our assessment of the benefits trees provides residents, workers and visitors of Southwark?

Importance of protecting Southwark's tree landscape



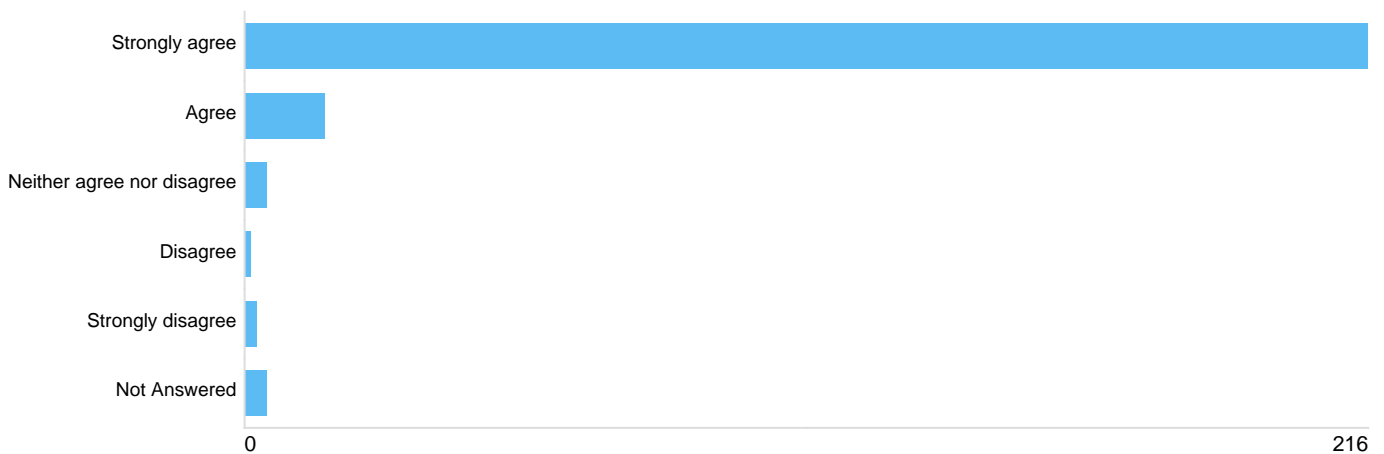
Option	Total	Percent
Strongly agree	190	78.51%
Agree	41	16.94%
neither agree nor disagree	5	2.07%
disagree	0	0%
strongly disagree	3	1.24%
Not Answered	3	1.24%

From what you have selected, please explain

There were **108** responses to this part of the question.

Question 3: Do you believe trees have an important role to play in tackling climate change?

Vision and long-term objectives



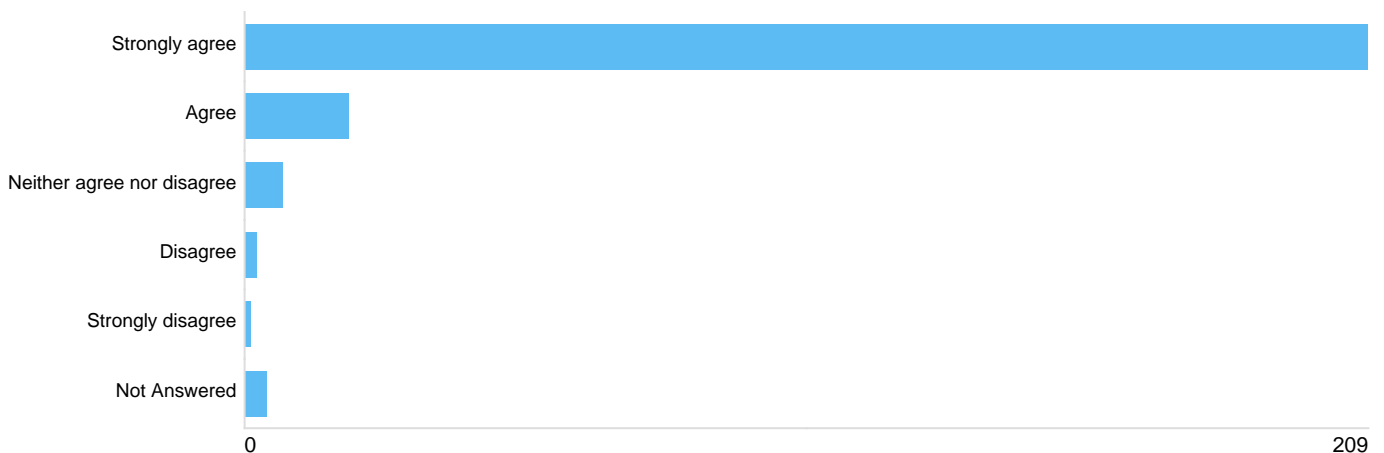
Option	Total	Percent
Strongly agree	216	89.26%
Agree	15	6.20%
Neither agree nor disagree	4	1.65%
Disagree	1	0.41%
Strongly disagree	2	0.83%
Not Answered	4	1.65%

From what you have selected, please explain

There were **91** responses to this part of the question.

Question 4: Do you agree that it is necessary to protect Southwark's treescape?

Area people would like to see managed.



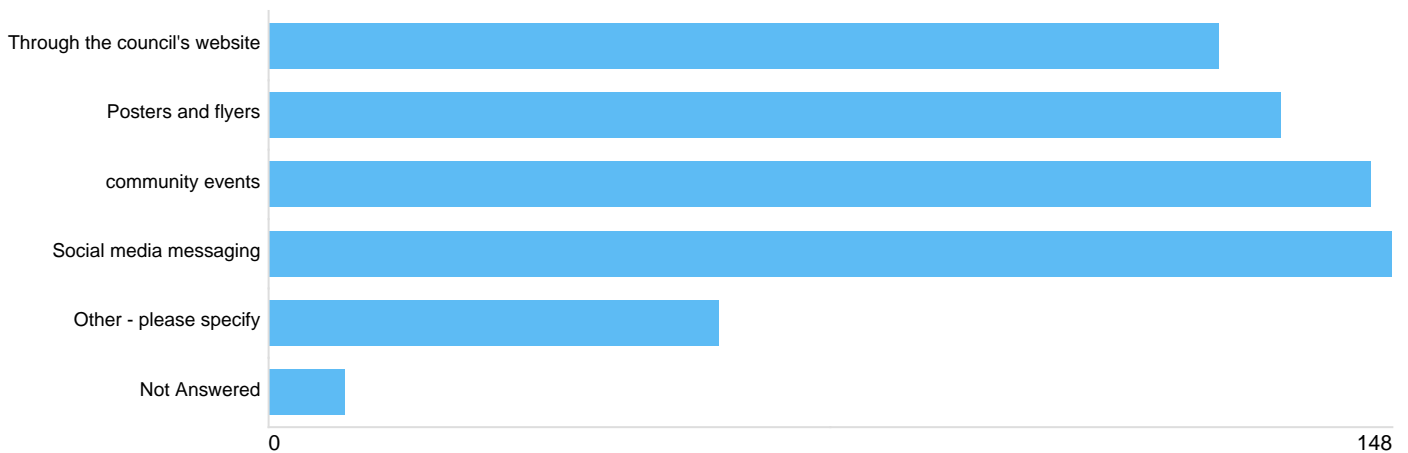
Option	Total	Percent
Strongly agree	209	86.36%
Agree	19	7.85%
Neither agree nor disagree	7	2.89%
Disagree	2	0.83%
Strongly disagree	1	0.41%
Not Answered	4	1.65%

From what you have selected, please explain

There were **104** responses to this part of the question.

Question 5: Which of the following methods do you think are the best ways of communicating the benefits of trees in our borough?

Best communication messages



Option	Total	Percent
Through the council's website	125	51.65%
Posters and flyers	133	54.96%
community events	145	59.92%
Social media messaging	148	61.16%
Other - please specify	59	24.38%
Not Answered	10	4.13%

Other - please specify

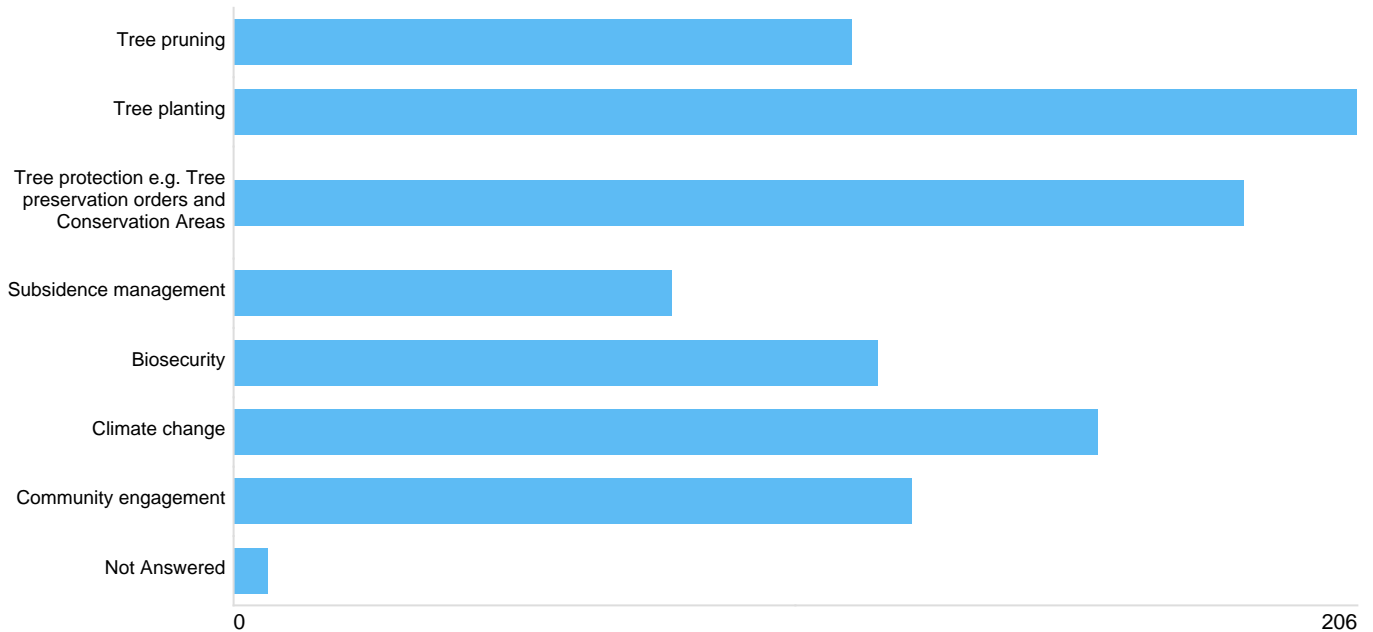
There were **77** responses to this part of the question.

Please tell us more about the option you've selected

There were **95** responses to this part of the question.

Question 6: Which of the following areas would you like to see Southwark focus on managing its urban treescape?

urban forest management



Option	Total	Percent
Tree pruning	113	46.69%
Tree planting	206	85.12%
Tree protection e.g. Tree preservation orders and Conservation Areas	185	76.45%
Subsidence management	80	33.06%
Biosecurity	118	48.76%
Climate change	158	65.29%
Community engagement	124	51.24%
Not Answered	6	2.48%

From what you have selected, please explain

There were **127** responses to this part of the question.

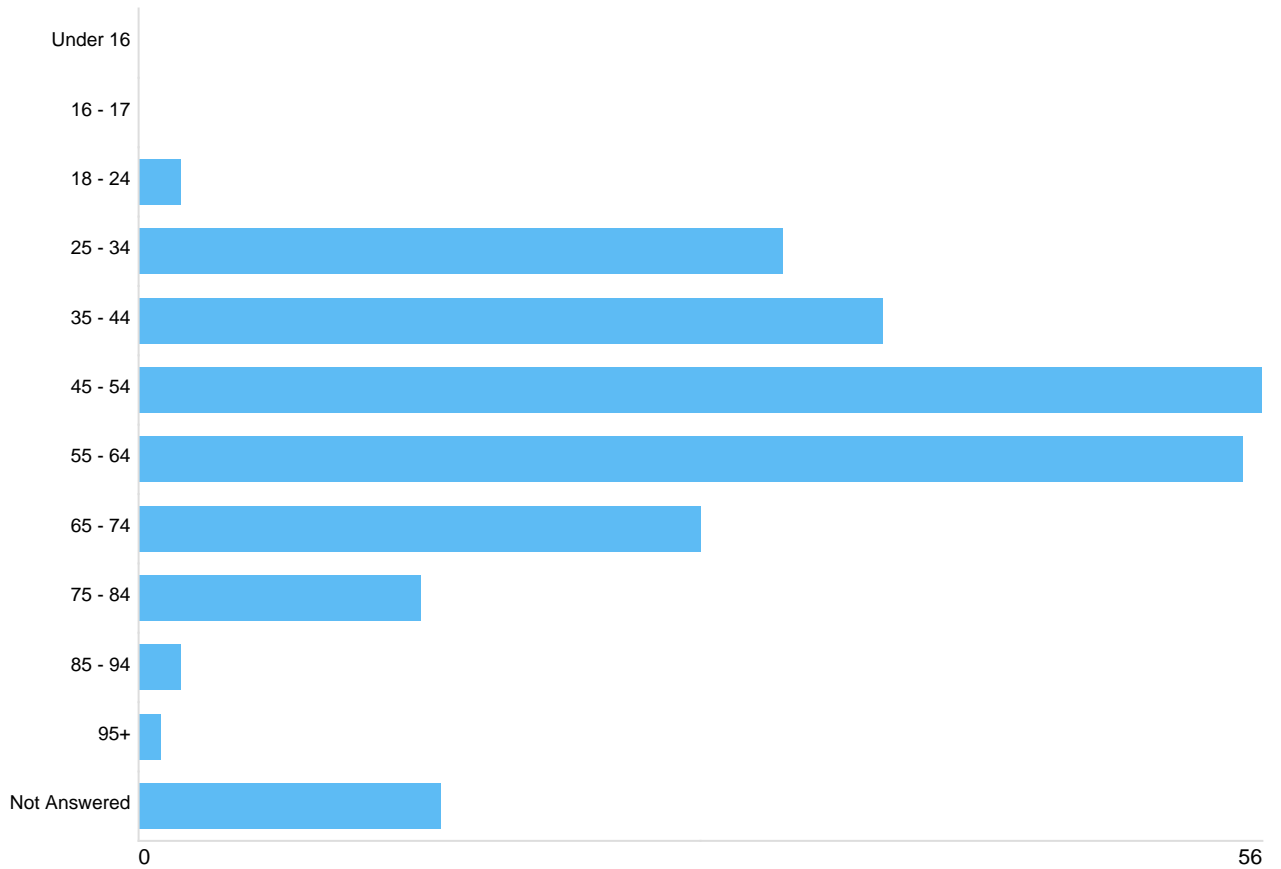
Question 7: Having read our draft policies, is there anything you believe we should add that will aid the management of Southwark's treescape?

Please explain

There were **143** responses to this part of the question.

Question 8: Age

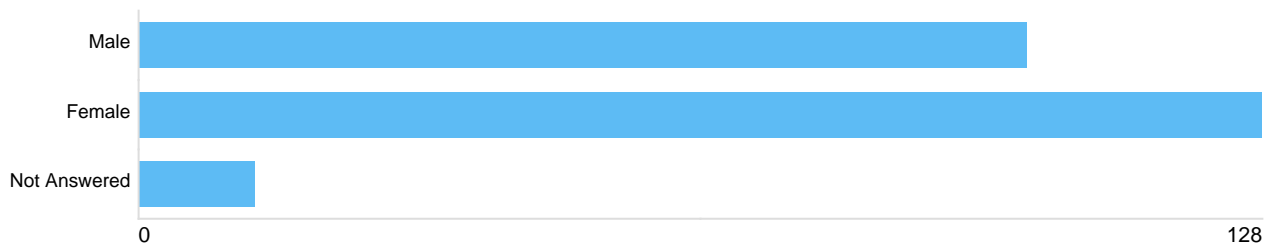
Age



Option	Total	Percent
Under 16	0	0%
16 - 17	0	0%
18 - 24	2	0.83%
25 - 34	32	13.22%
35 - 44	37	15.29%
45 - 54	56	23.14%
55 - 64	55	22.73%
65 - 74	28	11.57%
75 - 84	14	5.79%
85 - 94	2	0.83%
95+	1	0.41%
Not Answered	15	6.20%

Question 9: Sex

Sex



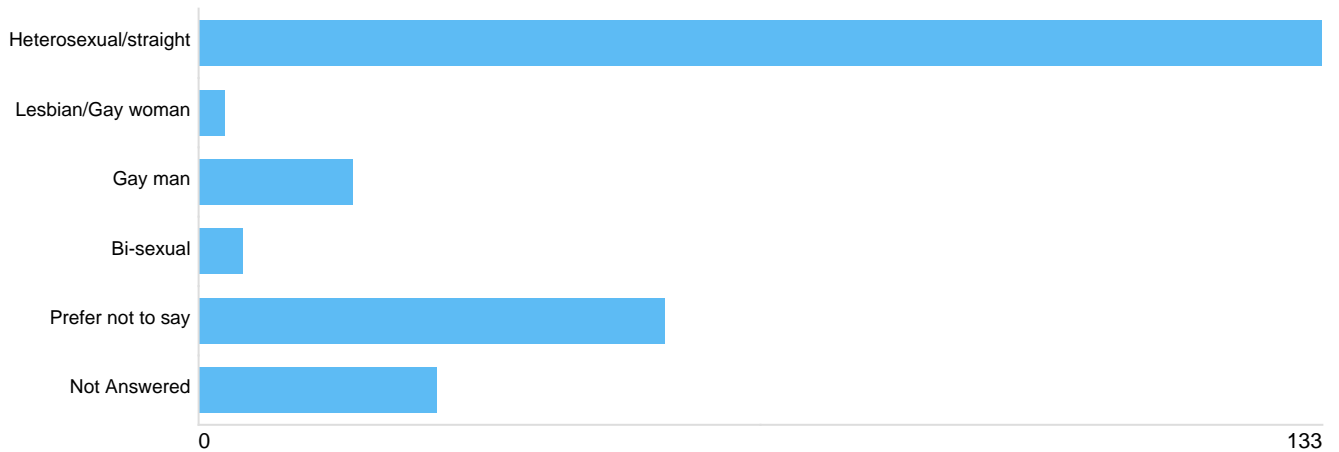
Option	Total	Percent
Male	101	41.74%
Female	128	52.89%
Not Answered	13	5.37%

Question 10: Sexual orientation

Please select only one item

There were 4 responses to this part of the question.

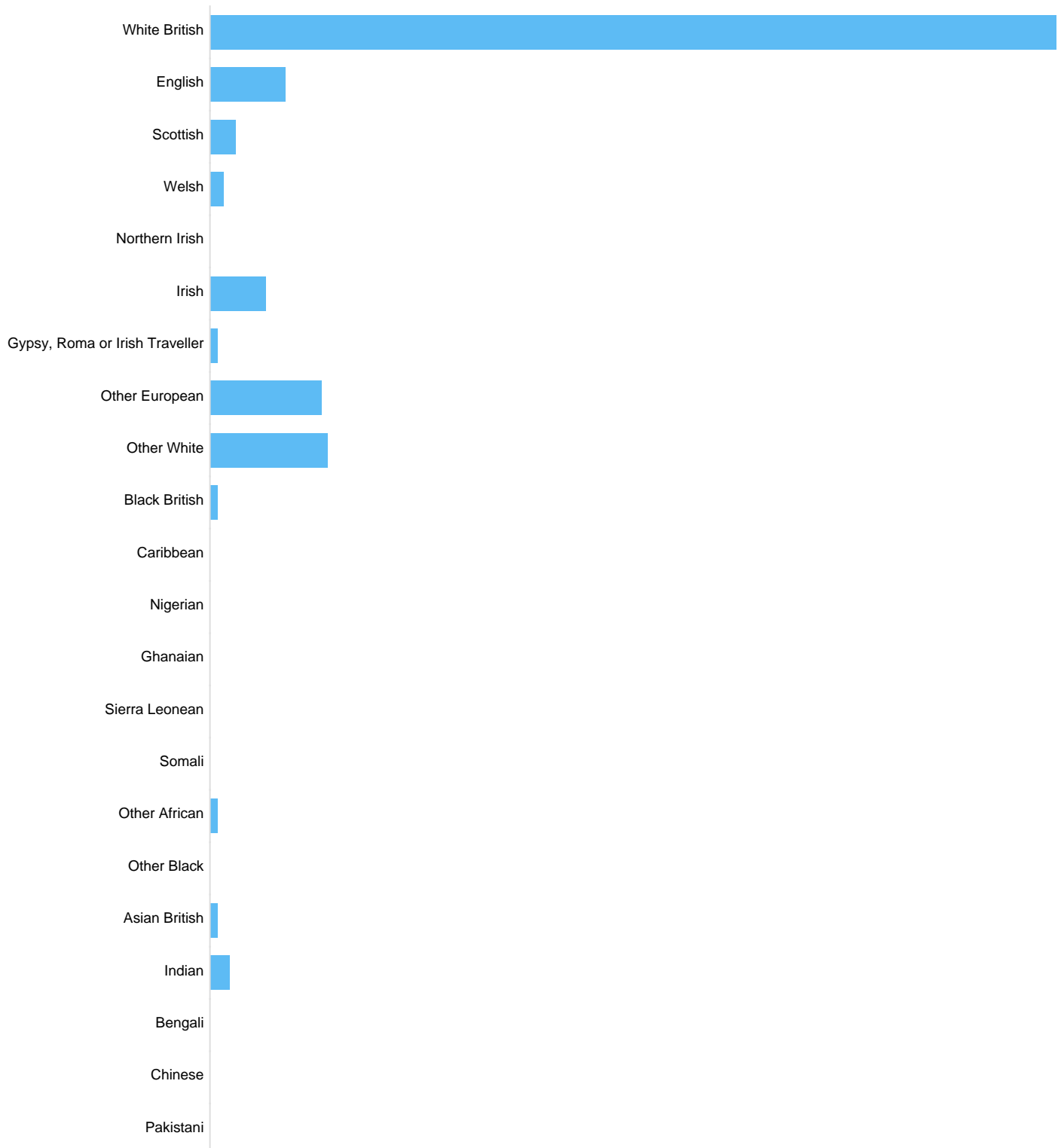
Sexual orientation

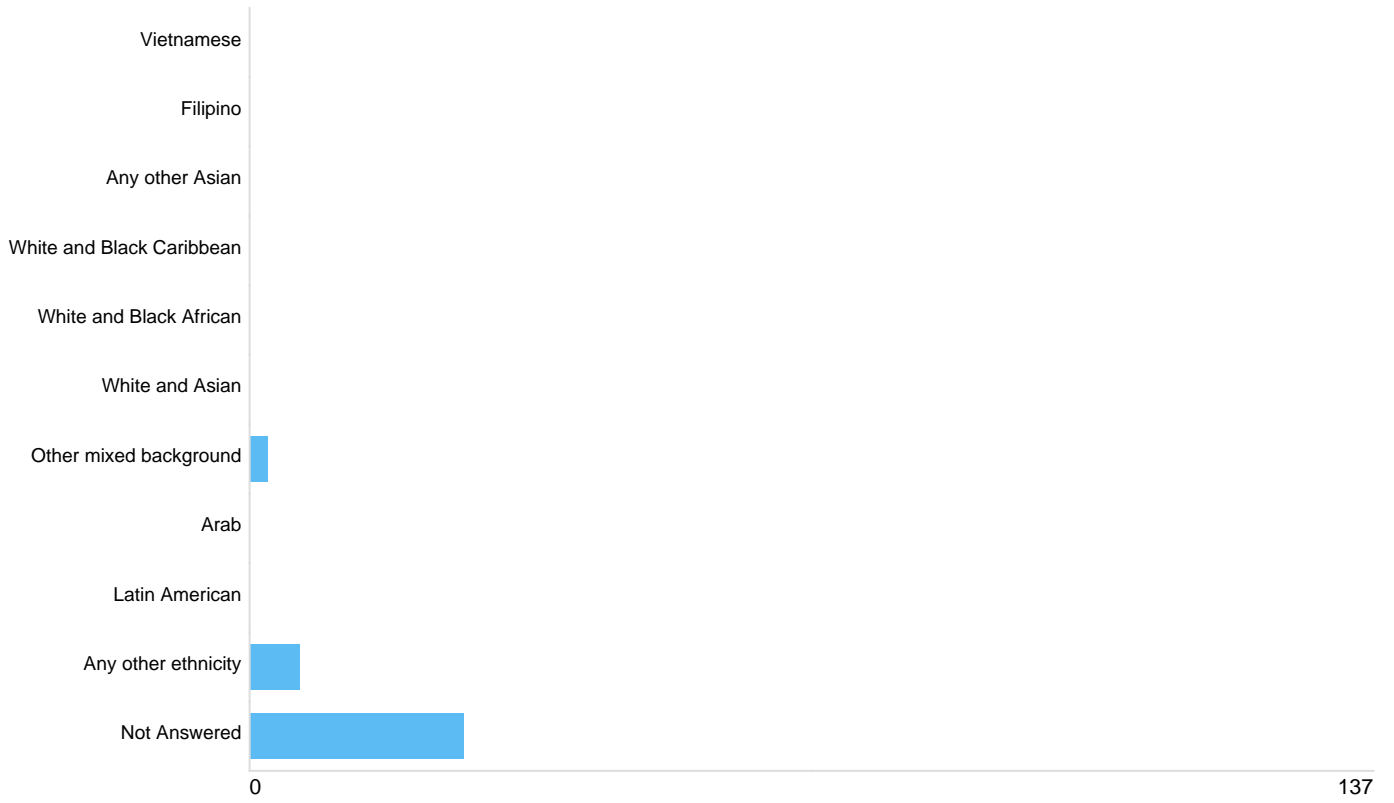


Option	Total	Percent
Heterosexual/straight	133	54.96%
Lesbian/Gay woman	3	1.24%
Gay man	18	7.44%
Bi-sexual	5	2.07%
Prefer not to say	55	22.73%
Not Answered	28	11.57%

Question 11: Ethnicity

Ethnicity





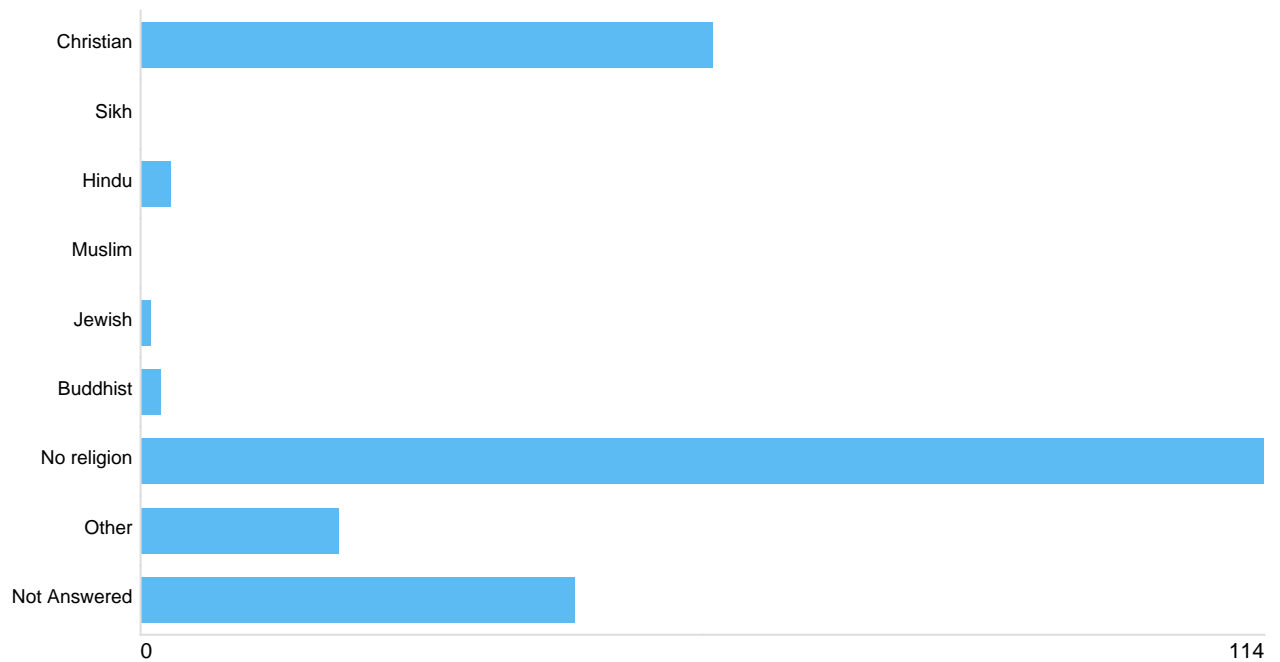
Option	Total	Percent
White British	137	56.61%
English	12	4.96%
Scottish	4	1.65%
Welsh	2	0.83%
Northern Irish	0	0%
Irish	9	3.72%
Gypsy, Roma or Irish Traveller	1	0.41%
Other European	18	7.44%
Other White	19	7.85%
Black British	1	0.41%
Caribbean	0	0%
Nigerian	0	0%
Ghanaian	0	0%
Sierra Leonean	0	0%
Somali	0	0%
Other African	1	0.41%
Other Black	0	0%
Asian British	1	0.41%
Indian	3	1.24%
Bengali	0	0%
Chinese	0	0%
Pakistani	0	0%
Vietnamese	0	0%
Filipino	0	0%
Any other Asian	0	0%
White and Black Caribbean	0	0%
White and Black African	0	0%
White and Asian	0	0%
Other mixed background	2	0.83%
Arab	0	0%
Latin American	0	0%
Any other ethnicity	6	2.48%
Not Answered	26	10.74%

Any other Asian specify

There were **10** responses to this part of the question.

Question 12: Religion or belief

Please select your answer from the drop down list



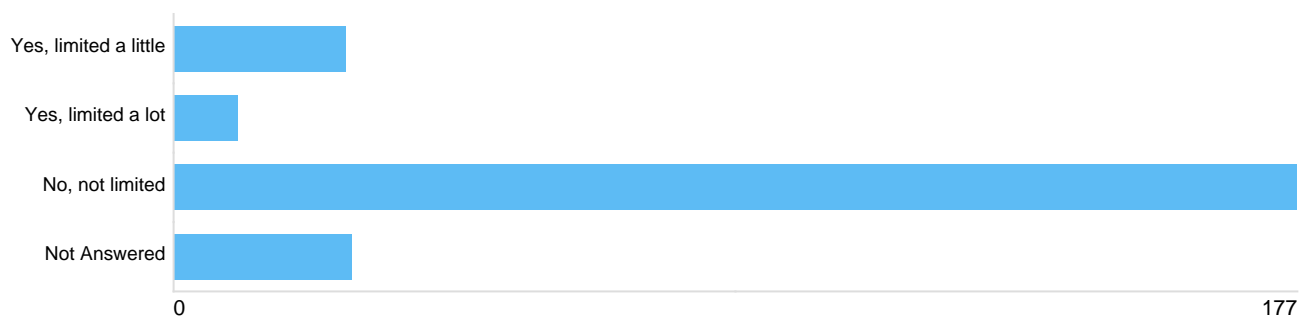
Option	Total	Percent
Christian	58	23.97%
Sikh	0	0%
Hindu	3	1.24%
Muslim	0	0%
Jewish	1	0.41%
Buddhist	2	0.83%
No religion	114	47.11%
Other	20	8.26%
Not Answered	44	18.18%

Religion other

There were 10 responses to this part of the question.

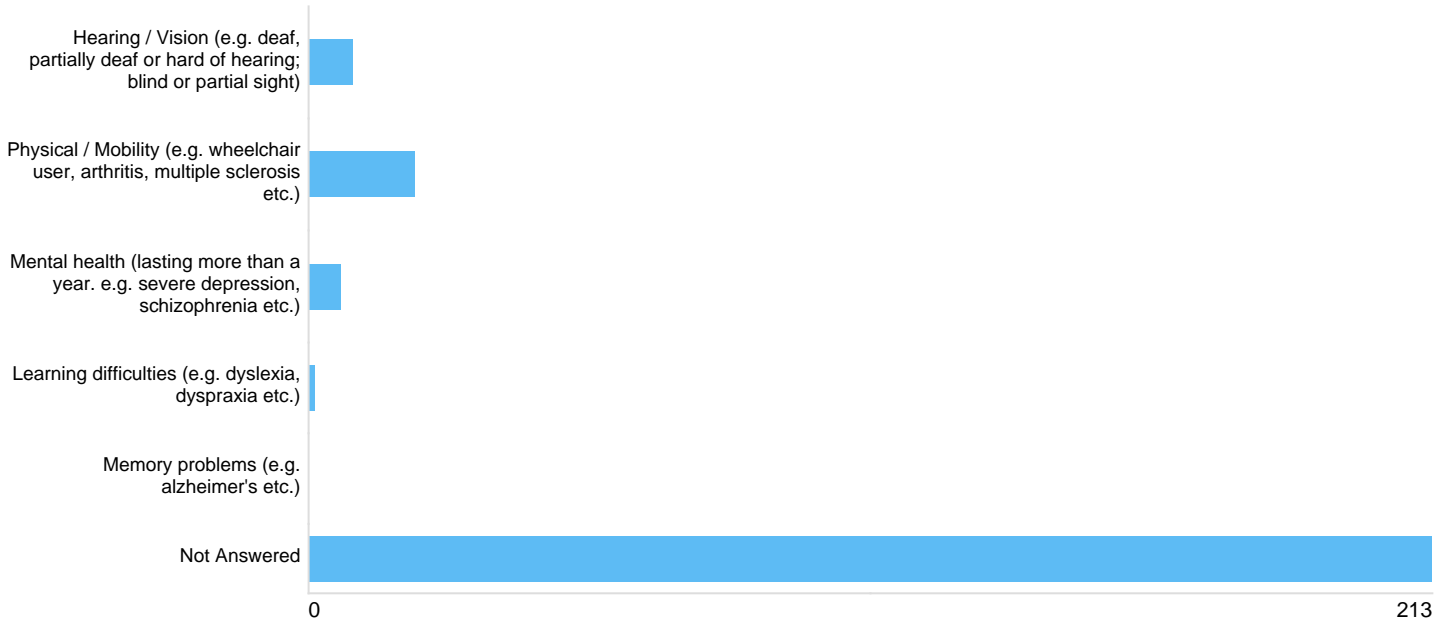
Question 13: Disability and health

Disability and health



Option	Total	Percent
Yes, limited a little	27	11.16%
Yes, limited a lot	10	4.13%
No, not limited	177	73.14%
Not Answered	28	11.57%

Type of disability



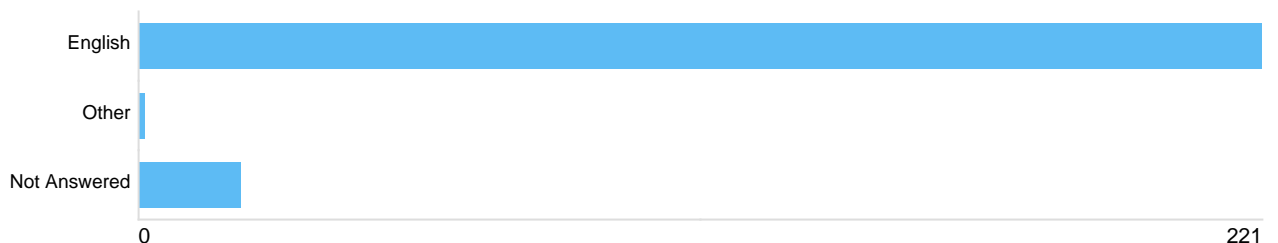
Option	Total	Percent
Hearing / Vision (e.g. deaf, partially deaf or hard of hearing; blind or partial sight)	8	3.31%
Physical / Mobility (e.g. wheelchair user, arthritis, multiple sclerosis etc.)	20	8.26%
Mental health (lasting more than a year. e.g. severe depression, schizophrenia etc.)	6	2.48%
Learning difficulties (e.g. dyslexia, dyspraxia etc.)	1	0.41%
Memory problems (e.g. alzheimer's etc.)	0	0%
Not Answered	213	88.02%

Specific disability

There were 8 responses to this part of the question.

Question 14: Preferred language

Language



Option	Total	Percent
English	221	91.32%
Other	1	0.41%
Not Answered	20	8.26%

Other language

There was 1 response to this part of the question.

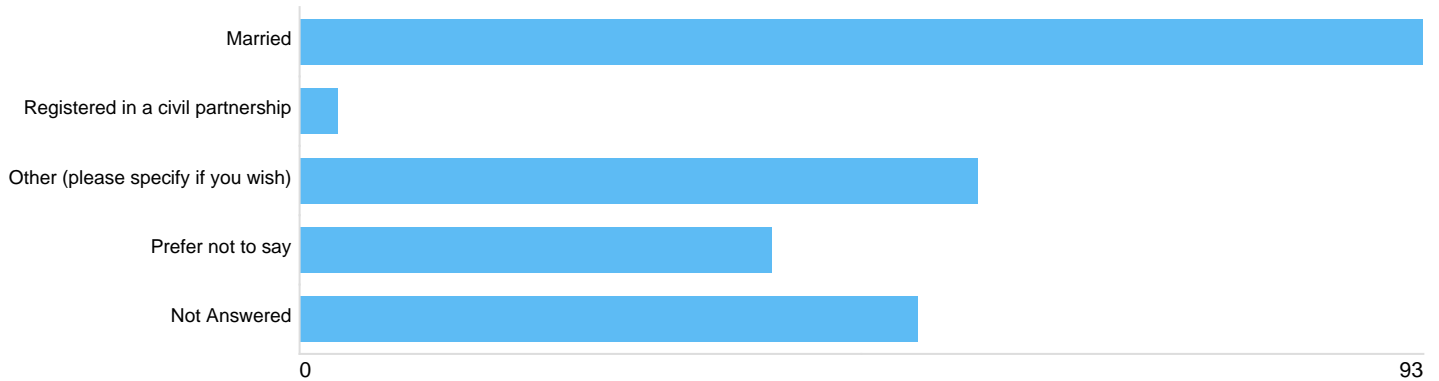
Question 15: Nationality

Nationality

There were **186** responses to this part of the question.

Question 16: Marriage or civil partnership status

marriage



Option	Total	Percent
Married	93	38.43%
Registered in a civil partnership	3	1.24%
Other (please specify if you wish)	56	23.14%
Prefer not to say	39	16.12%
Not Answered	51	21.07%

other

There were **26** responses to this part of the question.

Question 17: Pregnancy or maternity

Pregnant



Option	Total	Percent
Yes	3	1.24%
No	192	79.34%
Not Answered	47	19.42%

Question 18: Gender reassignment 1

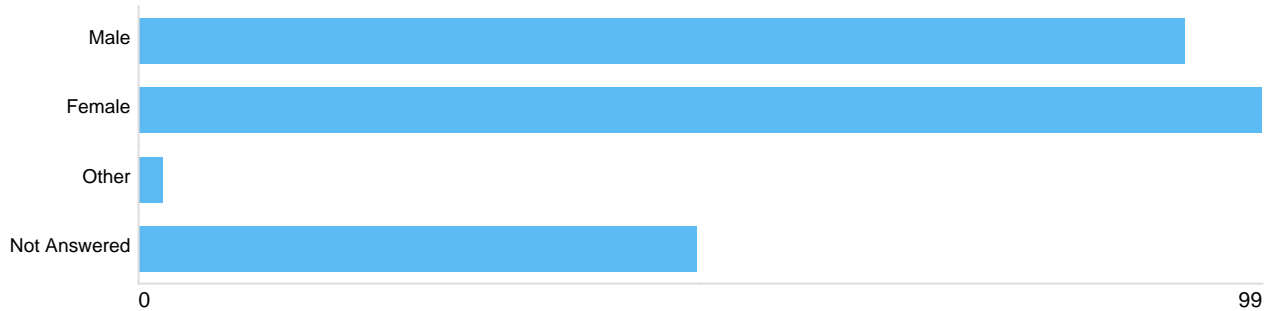
Gender reassignment



Option	Total	Percent
Yes	161	66.53%
No	34	14.05%
Not Answered	47	19.42%

Question 19: Gender identity

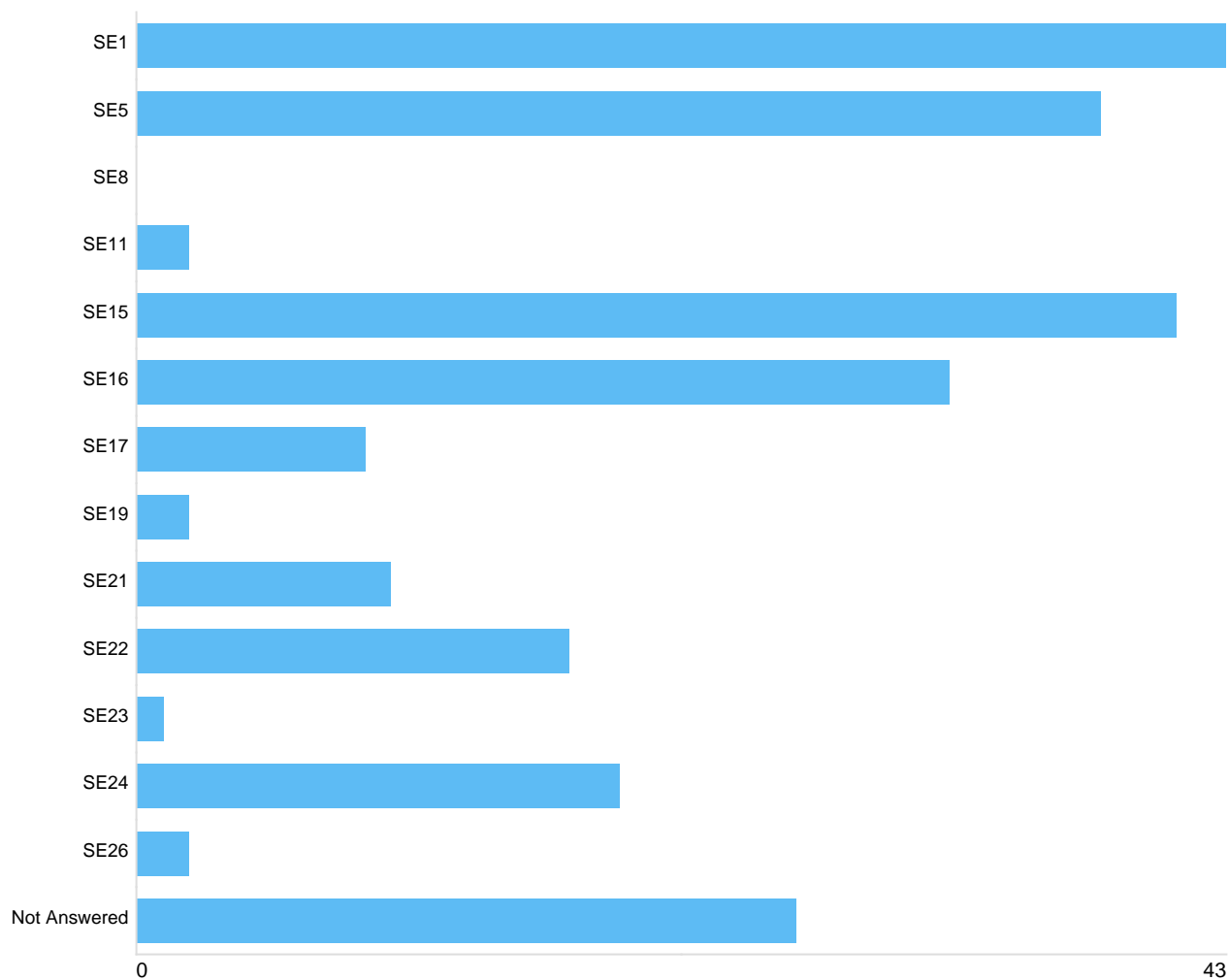
Gender identity



Option	Total	Percent
Male	92	38.02%
Female	99	40.91%
Other	2	0.83%
Not Answered	49	20.25%

If you have selected other, please specify

There were **3** responses to this part of the question.

Question 20: If you live in Southwark, what is your postcode?
Postcode


Option	Total	Percent
SE1	43	17.77%
SE5	38	15.70%
SE8	0	0%
SE11	2	0.83%
SE15	41	16.94%
SE16	32	13.22%
SE17	9	3.72%
SE19	2	0.83%
SE21	10	4.13%
SE22	17	7.02%
SE23	1	0.41%
SE24	19	7.85%
SE26	2	0.83%
Not Answered	26	10.74%

Item No. 16.	Classification: Open	Date: 17 December 2019	Meeting Name: Cabinet
Report title:		The Southwark Nature Action Plan	
Ward(s) 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 LEISURE, EQUALITIES AND COMMUNITIES

Protecting biodiversity and providing access to nature are paramount to the health and wellbeing of the borough.

Alongside the Climate Emergency it is well documented that there is a biodiversity crisis with many species and habitats suffering global decline.

Taking action to protect these valuable assets and broadening engagement with nature at all levels is at the core of this Southwark Nature Action Plan (SNAP), and the council’s ambitions for nature conservation in the borough. Whilst we have continued to protect nature we have also extended protection of Sites of Importance for Nature Conservation with 17 new sites proposed in the emerging Southwark Plan.

The previous Biodiversity Action Plans have produced gains in natural habitats and species. This includes 2 hectares of wildflower meadow, 4 new ponds, the restoration of Benhill Road Nature Garden and 1 km of native hedgerow.

We are proud of Southwark’s long legacy for delivering innovative nature conservation project, through the creation of urban nature gardens, new parks and woodland such as Russia Dock Woodland and Burgess Park and supporting third sector groups who manage nature reserves and provide community engagement.

Building on the successes of the previous Biodiversity Action Plans, This plan sets out clear expectations for residents, businesses, developers and land managers such as housing and schools and third sector groups on how they can contribute towards helping wildlife in Southwark.

Along side this plan we are striving for greater engagement. Making nature accessible to all and community engagement is at the heart of this plan with future development of a Young SNAP and a cultural SNAP and a nature recovery plan.

This plan has been developed by the council in collaboration with the Southwark Biodiversity Partnership and I would like to thank them for their contribution and ongoing support.

RECOMMENDATIONS

Recommendation for the Cabinet

1. That the cabinet approve the Southwark Nature Action Plan (SNAP) for the planning and management of biodiversity in the borough.

Recommendation for the Leader of the Council

2. That the leader delegates the monitoring of the progress of the SNAP to the deputy leader and cabinet member for culture, leisure, equalities and communities.

BACKGROUND INFORMATION

3. This is the council's third biodiversity action plan for Southwark. This plan builds on the successes of the two previous biodiversity action plans started in 2005, and sets out a vision for the continued protection, conservation and enhancement of nature across the borough.
4. The council's previous biodiversity action plans "Making Space for Natural Neighbours" 2013 - 2019, and "Work for Wildlife" 2006 - 2010, delivered considerable gains for nature in Southwark. The plans delivered a number of key actions including: creation of new habitats, conservation of flora and fauna, improved management of parks and open spaces and increased engagement with nature.
5. Southwark Council has a long legacy of nature conservation. In 1976 The William Curtis Ecological Park, Britain's first urban ecological park was created in Southwark by the Thames near Tower Bridge. In 1982 London Wildlife Trust's first Nature Reserve was established at Sydenham Hill Wood. In the north of the borough Burgess Park, Russia Dock Woodland and Stave Hill Ecological Park were created from ambitious regeneration projects on brownfield sites. The Centre for Wildlife Gardening in Peckham was created in 1989.
6. On 27 March 2019, Southwark Council declared the Climate Emergency and committed to do all it can to make the borough carbon neutral by 2030 – twenty years earlier than the previous target.
7. Following this, Southwark is developing a single, overarching "Southwark Climate Strategy 2020 - 2030" that sets out our plans, activities, milestones and targets for the next decade. The strategy will be developed through a dozen work streams to shape how the council will approach housing, planning, energy, transport, biodiversity, waste and many other issues.
8. Achieving carbon neutrality in this timeframe will be a massive challenge for the council, and will mean that we fundamentally need to change both the council's and our communities' approaches to many aspects of our lives and activities.
9. The council is doing all it can to engage, consult and empower our local communities in the process, and protecting and encouraging biodiversity and the aims set out in the Southwark Nature Action Plan are central to the success of this strategy.
10. The Council Plan 2018-2022 includes the following commitments:

- a) To launch a Great Estates guarantee so that every estate is clean, safe and cared for
 - b) To give residents the tools to garden and improve their estate - In this commitment tools refers not simply to the provision of physical tools, but also the Estate Improvement Plans framework for agreeing the improvements needed.
11. The council has selected seven estates across the borough as pilots. The SNAP will support these pilots and the wider programme through engagement and provision of expert advice and services.
 12. A toolkit on creating habitats and biodiversity features is available on the Southwark ecology pages. This will be refreshed and relaunched as part of the SNAP.

A global issue

13. The recent Global Assessment Report on Biodiversity and Ecosystem Services (by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services) reported that the abundance of native species and major land based habitats have decreased by at least 20% since 1900.
14. The quality of habitats which support this biodiversity have suffered a 30% reduction in habitat integrity. The main reasons identified are; climate change, habitat loss, fragmentation, and deterioration.

The national picture

15. The latest State of Nature Report by the National Biodiversity Network found 13% of species in England are threatened with extinction. 26 plant species have become extinct. Also species in England have decreased by 35% since 1970 and they are found in 31% fewer places.

The council's role in improving biodiversity in an urban area

16. However, urban environments can support high levels of biodiversity and offer opportunities for some species.
17. London supports over 1500 species. Urbanisation can increase species richness for some groups, which has been associated with the mosaic of habitats available. Urban areas have been shown to support higher bee species richness than non-urban habitats and a recent study found that residential gardens and allotments are pollinator hotspots.
18. Green infrastructure such as parks, sustainable drainage systems, green roofs and walls can also provide habitats for a wide range of species, including amphibians (newts, frogs and toads) and invertebrates (mason bees, bumble bees and stag beetles).
19. The council has statutory duty under the Natural Environment and Rural Communities Act 2006, 'Every public body must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'.

20. The SNAP provides the framework to increase biodiversity in Southwark and also directly relates to policies in the Council Plan, emerging Southwark Plan and the Open Spaces Strategy and informs the protection, enhancement and promotion of the natural environment.
21. The SNAP also contributes to national and regional targets for conserving and enhancing biodiversity which are detailed in the plan (Appendix 1).
22. This year the International Charter for a National Park City was signed on One Tree Hill. Becoming a National Park City brings opportunities to engage Londoners and London institutions to create a common vision of the environmental, social and economic benefits of London's green infrastructure.
23. The National Park City is a place, a vision and a city-wide community that is acting together to make life better for people, wildlife and nature. A defining feature is the widespread commitment to act so people, culture and nature work together to provide a better foundation for life. The SNAP will support the vision and objectives of the National Park City.

KEY ISSUES FOR CONSIDERATION

24. The SNAP has been developed in partnership with the Southwark Biodiversity Partnership (SBP) and outlines how the public, private and voluntary sectors will work together to deliver quantifiable results for biodiversity and the environment.
25. The Southwark Biodiversity Partnership, (SBP) is formed of the following organisations:
 - Southwark Council
 - The Conservation Volunteers - (Third sector ecology service provider)
 - The London Wildlife Trust - (Third sector ecology service provider)
 - Bankside Open Spaces Trust - (Third sector ecology service provider)
 - Better Bankside – (Business Improvement District)
 - Team London Bridge– (Business Improvement District)
 - Walworth Garden – (Garden education facility)
 - Surrey Docks Farm – City Farm
 - Idverde – (Parks Grounds Maintenance Contractor).
26. This SNAP includes three key themes and habitat and species focused action plans incorporating key environmental policy in development by the UK Government.
27. The three themes are:
 - Making Nature Accessible for all
 - Biodiversity Net Gain
 - Nature Recovery Network.
28. The habitat action plans are:
 - Built Environment Habitat Action Plan
 - Gardens and Grounds Habitat Action Plan
 - Parks and Open Spaces Habitat Action Plan
 - Woodland Habitat Action Plan.

29. The Species Action Plans are:
- Bats Species Action Plan
 - Hedgehog Species Action Plan
 - Stag Beetle Species Action Plan
 - Amphibians and Dragonflies and damselflies (Odonata Inc. sub-order Zygoptera) Species Action Plan
 - Birds Inc. House sparrow, Swift and Raptors Species Action Plan
 - Native trees, woodland flora and fungi Species Action Plan
 - Pollinators Inc. bees and butterflies Species Action Plan.
30. The delivery of the SNAP actions will lead to more effective planning and more efficient service delivery through proactive cyclical maintenance of wildlife areas.
31. This SNAP will produce tangible results and result in the following benefits for Southwark:
- Improved, more biodiverse, open spaces and parks
 - Increased educational opportunities through events and training
 - Increased health through promotion of walks and volunteering activities
 - Increased greening of the borough through habitat creation and management
 - Improved environmental management
 - Increased awareness of wildlife and conservation
 - Increased populations of endangered species
 - Increased sustainability of the built environment.
32. This plan sets out clear expectations for residents, businesses, developers and land managers such as housing and schools and third sector groups on how they can contribute towards helping wildlife in Southwark.
33. The SNAP will guide and support the following elements of ecological management provided by the council.
- Support development management through assessment of planning applications and advise on appropriate mitigation and ecological enhancement as required
 - Maintain a database of species and habitats in Southwark in partnership with the London biological records centre, Green Space Information for Greater London (GiGL)
 - Improve green space management through production of management plans for all Sites of Importance for Nature Conservation in Southwark's management
 - Inform planning policies in protecting and enhancing nature.

Consultation

34. A number of consultation methods were used to engage with residents, key partner organisations and other stakeholders in the development of the SNAP.
35. The renewal of the strategy was started by consulting the Southwark Biodiversity Partnership who are involved in biodiversity and management of natural green

space and discussing and developing emerging themes which would shape the new action plan. A workshop was held as part of the Friends of Parks conference on 22 September 2018.

36. An online consultation was also undertaken using the Southwark Consultation hub website to allow residents and the wider community to have their say on the draft action plan. The consultation was open from 12 September 2019 until 27 October 2019. Internal consultation was undertaken with council departments. We received 170 responses to the online consultation. The full results of this consultation are in Appendix 2. A summary of key findings are as follows:

- A clear majority felt that nature was important in their daily lives. 98% felt it was important
- Parks are the most popular destination of choice for accessing and enjoying nature with 98% of respondents selecting this
- The main things respondents thought were important in making nature accessible for all were better facilities in green spaces 60% and improved footpaths and gateways 60%
- The preference of opening of nature areas was for controlled access either through booking, open by appointment, restricted access and set opening times. Only 10% wanted nature areas open all the time
- 68% of respondents said they were doing something to support nature in their area
- Of the barriers faced, 70% felt awareness of where wild spaces are was the biggest obstacle. 62% felt awareness of how people can get actively involved was the second largest obstacle. Site access and facilities were seen as obstacles for just under half of all respondents.

37. External consultation was also held with the GLA, London Borough's Biodiversity Forum and other external stakeholders. Comments from all the different elements of the consultation that contributed to the shaping of the SNAP are set out below.

- Awareness, skills, time and location were factors in helping wildlife -this will be addressed by partners who are best placed to work towards increasing awareness and skills
- More wild areas in parks and public places – we will develop the nature recovery plan and review habitat in parks
- Link the SNAP to the 'Climate Emergency' – the SNAP supports the Council's commitment to the 'Climate Emergency'. Many actions in the plan will help offset or provide adaptation for the impacts of climate change
- More green infrastructure in new and existing developments – this is addressed through the development management process and emerging climate adaptation plans

- Ensure there are revenue budgets to maintain habitat creation and provide funding for biodiversity and urban greening – a funding workshop with the biodiversity partnership will be held once the plan is adopted and we will develop a proactive approach to funding so we are ready to act when new funding streams become available
- Reduce light pollution – development management seeks to reduce light pollution in new developments on a case by case basis
- Access to nature areas is an issue where some respondents expressed their views that nature sites should not be open or closed all the time. The preferences expressed were for access to nature areas to be bookable by schools, other user groups or have restricted access – we will review access to nature sites in parks as part of the SNAP.

Policy implications

38. Whilst the action plan is a document intended for use by all organisations and residents of Southwark for the management of nature. It also important to note that it directly links to the council's commitment to a 'Fairer future for all' particularly in the area of;
 - Protecting biodiversity and making nature accessible for all.
39. Southwark Council like all local authorities has a number of statutory obligations in relation to biodiversity policy and legislation. The Natural Environment and Rural Communities Act 2006 places a duty on all public bodies to have regard for biodiversity.
40. The SNAP includes species which are afforded legal protection under the Conservation Regulations 1994. In Southwark bats fall into this category. Breeding birds and other flora and fauna are covered by the Wildlife and Countryside Act 1981 (as amended).
41. The 25 year environment plan sets out key targets for mandatory biodiversity net gain and producing a nature recovery network based on Lawton's principals set out in the 'Making space for nature' report 2011. Local authorities are expected to play a key role in the delivery of these policies.
42. The SNAP contributes to the delivery of the national and regional biodiversity targets. The SNAP contributes to delivery of the London Plan, particularly chapter eight: Green Infrastructure and Natural Environment, policies G1 to G8.
43. 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.

44. The Council Plan objective of 'protecting biodiversity and making nature accessible to all' is woven into each of the habitat and species action plans. The Southwark Biodiversity Partnership (SBP) will lead on the community engagement in line with the Ecology management agreements and their ability and capacity to engage with all aspects of the community.
45. The Southwark Nature Action Plan also supports a number of other key council plans, statutory documents and strategies:
- Emerging New Southwark Plan 2019
 - The Movement Plan – setting a direction for transport 2018
 - Cultural strategy 2017
 - Southwark Strategic Flood Risk Assessment 2017
 - Climate Change Strategy 2010
 - Air Quality Strategy and Action Plan 2017
 - Tree Management Policy 2019
 - The Council Plan 2018-19 – 2021-22
 - The Community Strategy 2016
 - Open Spaces Strategy 2013
 - The Old Kent Road Area Action Plan
 - Canada Water Area Action Plan
 - Peckham and Nunhead Area Action Plan
 - Elephant and Castle Area Action Plan
 - Food Strategy 2019
 - Southwark Physical Activity and Sport Strategy 2014 - 2017
 - Housing Strategy to 2043
 - The Great Estates Programme 2018
 - Sustainable modes of transport strategy 2009 – 2019
 - New homes design standards 2015.

Governance and delivery

46. The plan will be monitored through out its life and progress will be reported back to the cabinet member annually.
47. The Biodiversity partnership will continue to deliver the core of the plan and be instrumental in the development of the key themes and subsequent plans.
48. Working groups will be set up for our action plans with a single working group covering the Built Environment and Gardens & Grounds Habitat Action Plans and a single working group covering the Parks and Open Spaces and Woodland Habitat Action Plans
49. The plan has built in flexibility and will respond to any changes that arise in the borough or across the biodiversity landscape.
50. The plan will have a policy update after 2 years or earlier if there is significant policy development, and a themes and actions review and update after 5 years.

Community impact statement

51. 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 departments, 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.

52. 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.
53. The SNAP has a positive impact on the community. The plan promotes community cohesion through connecting people with nature and raising awareness of the natural environment. Many of the wildlife assets in Southwark are in parks and public places which are free to all users and assessable all year.
54. Corporate and community volunteering are vital in delivery of the plan. Southwark has developed regular volunteering with corporate volunteers and will continue to promote volunteering in our open spaces.
55. An equalities analysis was undertaken and it was found that the SNAP would have no negative impact on:
 - Faith/religious belief
 - Gender
 - Sexual orientation
 - Age
 - Disability.

Resource implications

56. The costs connected with delivery of the SNAP will be contained within existing revenue and capital budget of the Council. Where the need for additional funding arises this will be sought from external sources and applied for by members of the SBP.
57. The council has allocated £114,756 revenue funding per year for the Ecology management agreements for four years from 2019.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

58. This report seeks approval of the Southwark Nature Action Plan (SNAP) for the purposes of planning and management of biodiversity in the borough.
59. Paragraph 4 of this report notes that the preparation of the SNAP is consistent with the council's statutory obligations and with the Council plan and associated strategy and policy. Paragraph 1.5 of the draft SNAP sets out an extensive range of European, national, regional and local legislation and policy which binds the council in exercising its functions in relation to biodiversity and the environment.
60. The report explains (from paragraph 20 and in Appendix 2) the consultation

process which has been undertaken and the feedback from that exercise which has informed the development of the SNAP. The report also confirms that an equality analysis has been carried out as part of its development, in order to establish the extent to which any individuals and groups having a protected characteristic under the Equality Act 2010 might be adversely affected. The equality analysis should be reviewed periodically in order to assist the council to demonstrate compliance with the Public Sector Equality Duty imposed by the Act.

61. The decision to approve the SNAP is one which is expressly reserved to cabinet under the council Constitution.

Strategic Director of Finance and Governance (FC19/023)

62. This report is requesting cabinet to approve the Southwark Nature Action Plan (SNAP) for the planning and management of biodiversity in the borough and to delegate the monitoring of the progress of the SNAP to the Deputy Leader and Cabinet member for Culture, Leisure, Equalities and Communities. Full details are contained within the main body of the report.
63. The strategic director of finance and governance notes all related costs will be contained within existing departmental revenue and capital resources.
64. Staffing and any other costs connected with this report to be contained within existing departmental revenue budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark Biodiversity Partnership Terms of reference	Parks and Open Spaces Business Unit, Southwark Council, Tooley Street	J Best 020 7525 0876
Web link: http://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=302&MId=6571&Ver=4		

APPENDICES

No.	Title
Appendix 1	Southwark Nature Action Plan
Appendix 2	Southwark Nature Plan Consultation report

AUDIT TRAIL

Cabinet Member	Councillor Rebecca Lury, Deputy Leader and Cabinet Member for Culture, Leisure, Equalities and Communities	
Lead Officer	Caroline Bruce, Strategic Director Environment and Leisure	
Report Author	Jon Best, Ecology Officer	
Version	Final	
Dated	5 December 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
Director of Planning	Yes	No
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team		5 December 2019

APPENDIX 1

Southwark Nature Action Plan 2020

Protecting Biodiversity and Making Nature Accessible for All



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Foreword

Protecting biodiversity and providing access to nature are paramount to the health and wellbeing of the borough.

Alongside the Climate Emergency it is well documented that there is a biodiversity crisis with many species and habitats suffering global decline.

Taking action to protect these valuable assets and broadening engagement with nature at all levels is at the core of this Southwark Nature Action Plan (SNAP), and the council's ambitions for nature conservation in the borough. Whilst we have continued to protect nature we have also extended protection of Sites of Importance for Nature Conservation with 17 new sites proposed in the emerging Southwark Plan. The previous Biodiversity Action Plans have produced gains in natural habitats and species. This includes 2 hectares of wildflower meadow, 4 new ponds, restoration of Benhill Road Nature Garden and 1 km of native hedgerow.

We are proud of Southwark's long legacy for delivering innovative nature conservation project, through the creation of urban nature gardens, new parks and woodland such as Russia Dock Woodland and Burgess Park and supporting third sector groups who manage nature reserves and provide community engagement.

Building on the successes of the previous Biodiversity Action Plans, This plan sets out clear expectations for residents, businesses, developers and land managers such as housing and schools and third sector groups on how they can contribute towards helping wildlife in Southwark. Along side this plan we are striving for greater engagement. Making nature accessible to all and community engagement is at the heart of this plan with future development of a Young SNAP and a cultural SNAP and a nature recovery plan.

This plan has been developed by the Council in collaboration with the Southwark Biodiversity Partnership and I would like to thank them for their contribution and support.

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

1. Introduction

This is the third Biodiversity Action Plan (BAP) for Southwark. This Southwark Nature Action Plan (SNAP) builds on the successes of the two previous Biodiversity Action Plans, and sets out a vision for the continued protection, conservation and enhancement of nature in the borough.

Southwark has a long legacy of nature conservation. In 1976 The William Curtis Ecological Park, Britain's first urban ecological park was created in Southwark by the Thames near Tower Bridge. In 1982 London Wildlife Trust's first Nature Reserve was established at Sydenham Hill Wood. In the north of the borough Burgess Park, Russia Dock Woodland and Stave Hill Ecological Park were created from ambitious regeneration projects on brownfield sites. In Peckham the Centre for Wildlife Gardening was created in 1989. This year the International Charter for a National Park City was signed on One Tree Hill.

Nature conservation in cities is very important in the context of the global trend of biodiversity decline. The loss of natural habitats in the wider countryside means that wildlife is increasingly reliant on the urban environment for its survival. In Southwark the mosaic of parks, open spaces, gardens and green infrastructure linked by wildlife corridors provides the opportunity for wildlife to flourish and for all to experience nature.

Southwark Council declared a climate emergency in March this year; this is inexorably linked to the biodiversity crisis. Creation of green infrastructure can help adaptation and to mitigate the impacts of climate change. We also face other environmental issues such as; air quality, pollution, habitat fragmentation and health and wellbeing. Southwark Council believes that the conservation and enhancement of the natural environment and biodiversity is vitally important and can make a valuable contribution to meeting these challenges.

This plan has a revised format from the last BAP with a combination of crosscutting themes and Habitat and Species Action Plans.

The Key themes are:

- Making Nature Accessible for all
- Biodiversity Net Gain
- Nature Recovery Network

The habitat action plans are:

- Built Environment Habitat Action Plan
- Gardens and Grounds Habitat Action Plan
- Parks and Open Spaces Habitat Action Plan
- Woodland Habitat Action Plan

The Species Action Plans are:

- Bats Species Action Plan

- Hedgehog Species Action Plan
- Stag Beetle Species Action Plan
- Amphibians and Dragonflies and damselflies (*Odonata* Inc. sub - order *Zygoptera*) Species Action Plan
- Birds Inc. House Sparrow, Swift and Raptors Species Action Plan
- Native trees and woodland flora and fungi Species Action Plan
- Pollinators Inc. bees and butterflies Species Action Plan

The Council Plan objective of ‘protecting biodiversity and making nature accessible to all’ is woven into each of the habitat and species action plans. The Southwark Biodiversity Partnership (SBP) will lead on the community engagement in line with the third sector ecology management agreements and their ability and capacity to engage with all aspects of the community.

This plan sets out clear expectations for residents, businesses, developers and land managers such as housing and schools and third sector groups on how they can contribute towards helping wildlife in Southwark.

Biodiversity Net Gain (BNG) will become mandatory in the planning process. Southwark Council will develop a system for delivering BNG based on future guidance from central government.

The emerging London Plan includes a key policy on urban greening (Policy G5). This requires developers to assess the Urban Greening Factor at the onset of the development process. Southwark Council will seek evidence that this policy has been considered for all major developments.

Creating a Nature Recovery Network is a key objective of the 25 year Environmental Action Plan. Southwark will develop an urban nature recovery network for the borough, in line with the urban nature recovery network under development by Natural England.

The plan will be delivered by Southwark Council in partnership with the Southwark Biodiversity Partnership and the wider community. Partners and community groups manage some of our Local Nature Reserves and Sites of Importance for Nature Conservation.

1.1 What is biodiversity?

Biodiversity is the variety of all living things on Earth, from micro-organisms to mammals. It includes all fungi, plants, animals, the genetic information they contain, the ecosystems they form and the habitats in which they live.

In Southwark we refer to biodiversity as ‘wildlife’: this includes mammals, plants, invertebrates, amphibians, birds, lichens, and fungi. The places where wildlife lives, such as woods, rivers, lakes, parks and buildings, are what we refer to as ‘habitats’.

1.2 Why a Nature Action Plan for Southwark?

Nature needs our help. The SNAP helps meet legal commitments and contributes to national targets for conserving biodiversity. The plan provides strategic direction for all council departments, specifically those responsible for the management of parks and open spaces, development and the public realm. The SNAP will provide the foundation of nature conservation for the Southwark Biodiversity Partnership.

This Biodiversity Action Plan is a toolkit providing guidance on the protection, enhancement and promotion of the natural environment. Biodiversity Action Plans are material documents in development management for determining planning applications. The plan underpins policies in the Core Strategy 2011 and the emerging Council Plan. Southwark has a number of sites important to birds of passage, and provides wildlife corridors and connectivity to neighbouring boroughs. The Southwark SNAP will inform regional and national bodies of our aims and objectives in protecting biodiversity and making nature accessible to all.

1.3 Southwark Nature Action Plan Format

The Southwark Nature Action Plan is a partnership document that identifies the priorities for biodiversity in Southwark and sets out a programme of actions to conserve, promote and increase biodiversity across the borough. The plan contains three key crosscutting themes which provide the foundation for our work. The plan sets out a series of Habitat and Species Action plans that can be delivered by the public, private, individuals and third sector alike.

Habitat Action Plans (HAPS) are plans that focus on specific habitats present within Southwark some of these habitats are national priority habitats identified in Section 41 of the Natural Environment & Rural Communities Act 2006.

Species Action Plans (SAPS) are plans that focus on specific species present within Southwark, some of these species are nationally scarce and listed in Section 41 of the Natural Environment & Rural Communities Act 2006 and some species are listed on schedules 1, 2, 3, 5 and 6 of the Wildlife and Countryside Act 1981 (as amended).

1.4 Biodiversity Policy and Legislation

Southwark Council has statutory obligations in relation to biodiversity policy and legislation. As a public body Southwark Council is required to comply with the 'Biodiversity Duty' as set out in the Natural Environment and Rural Communities Act 2006, (NERC act). For local authorities this means that biodiversity must be considered in all aspects of how the organisation functions.

The Biodiversity Duty

Every public body must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.

Fact Box 1, the Biodiversity Duty

1.5 Relevant plans programmes and strategies

The table below sets out the legislation and policy base which binds the council in exercising its functions with regards to biodiversity and the environment.

Biodiversity legislation, strategies and policies relevant to Southwark	
European	European legislation
	The Conservation (Natural Habitats, &c.), Regulations 1994
	Conservation of Wild Birds Directive 2009/147/EC
National	National Legislation, Strategies and policies
	Natural Environment and Rural Communities Act 2006
	Revised National Planning Policy Framework 2019
	'A green future' 25 Year Environmental Plan 2018
	Making Space for Nature: A review of England's Wildlife Sites and Ecological Network 2010
	ODPM Circular 06/2005 Biodiversity and Geological Conservation - Obligations and their Impact within the Planning System
	Wildlife and Countryside Act 1981 (as amended)
	Countryside and Rights of Way Act 2000
	The Natural Environment White Paper 2011
	National Pollinator Strategy 2014
	Clean Air Strategy 2019
	Biodiversity 2020: A strategy for England's wildlife and ecosystem services 2011
	Emerging Environmental Bill 2019
Regional	London regional Policies and strategies
	Emerging London Plan 2019
	The All London Green Grid, Supplementary Planning Guidance (SPG)
	London Environment Strategy 2018
Southwark	Southwark Strategies, plans and policies
	Emerging New Southwark Plan 2019
	The Community Strategy 2016
	The Council Plan 2018-19 – 2021-22
	Supplementary Planning Document, Sustainable Design and Construction SPD 2008
	Cultural Strategy 2017
	Climate Change Strategy 2010
	Southwark Open Spaces Strategy 2013
	Emerging Tree Management Policy 2019
	Food Strategy 2019
	Air Quality Strategy and Action Plan 2017
	Common Outcomes Framework 2018
Southwark Physical Activity and Sport Strategy 2014-2017	

Biodiversity legislation, strategies and policies relevant to Southwark	
	Southwark Strategic Flood Risk Assessment 2017
	The Great Estates Programme 2018

Table 1, Biodiversity legislation and policies relevant to Southwark Council

1.6 Relationship of this plan with national, regional and local BAP's and strategies

National

An overarching environmental strategy for the UK (BAP) 'A green future' 25 Year Environmental Plan (DEFRA 2018) has been adopted and contains key targets for biodiversity including creating a nature recovery network. The National Biodiversity Strategy for England, Wales and Scotland has shifted focus from the habitat - and species - based approach where action plans focused on United Kingdom priority habitats and species to a landscape-scale conservation strategy, with an overall target of no net loss of biodiversity by 2020. Guidance on national priority habitats and species now comes from the list of habitats and species of principal importance in England, identified under Section 41 of the Natural Environment & Rural Communities Act 2006.

London

The London Environment Strategy sets habitat creation targets for priority habitats by 2025 and 2050. A review of priority habitats found that some previous targets for habitat creation in London had been met. However, for many habitats it was not possible for the Greater London Authority to make strong conclusions about progress because data on many habitats was inconsistent or incomplete. These targets below relate to habitats with the greatest opportunities to create new areas across much of London, and for which progress can be accurately monitored to 2050. The targets link to the European Union Water Framework Directive for rivers and streams and reedbeds.

Habitat	By 2025	By 2050
Species-rich woodland	20 ha	200 ha
Flower-rich grassland	50 ha	250 ha
Rivers and streams	10 km	40 km
Reedbeds	5 ha	30 ha

Table 2, Habitat creation targets for London

The emerging London Plan contains a number of policies to for conservation of natural habitats and linked to ecological management and enhancement:

- London Plan policy G1 Green infrastructure
- London Plan policy G9 Geodiversity
- London Plan policy G5 Urban greening factor
- London Plan policy G5 Urban greening factor
- London Plan policy SI 13 Sustainable drainage
- London Plan policy G4 Local green and open space
- London Plan policy G6 Biodiversity and access to nature
- London Plan policy G7 Trees and woodlands
- London Plan policy G8 Food growing
- London Plan policy SI 14 Waterways

Policy G1 Green Infrastructure recommends the implementation of green infrastructure to achieve multiple objectives including biodiversity conservation, environmental education, climate resilience, as well as promoting mental and physical wellbeing.

Policy G5 the Urban Greening Factor provides a tool for integrating urban greening into the development process. This can contribute to increased biodiversity because urban greening provides habitat opportunities for wildlife.

London Plan Policy G5 the Urban Greening Factor

The Major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage.

Boroughs should develop an Urban Greening Factor (UGF) to identify the appropriate amount of urban greening required in new developments. The UGF should be based on the factors set out in the London Plan, but tailored to local circumstances. In the interim, the Mayor recommends a target score of 0.4 for developments that are predominately residential, and a target score of 0.3 for predominately commercial development.

Fact box 2, emerging London Plan Policy G5 the Urban Greening Factor

Policy G6 Biodiversity and access to nature, calls for protection of Sites of Importance for Nature Conservation (SINC's) and for boroughs to develop policies and plans to increase habitats and the protection and conservation of priority species and habitats and opportunities for increasing species populations.

To meet policy requirements to map and protect SINC sites Southwark undertook a review of SINC sites in 2015 this review is covered in more detail in section 1.17.

1.7 What this plan contributes to in Southwark

This SNAP will deliver a number of outputs that benefit Southwark's residents, visitors and the environment. The SNAP will contribute to:

- Improved open space quality and safer parks
- Increased access and engagement to nature
- Increased educational opportunities through events and training
- Increased health and wellbeing through promotion of walks and volunteering activities and access to high quality green spaces
- Improved mental health through access to natural environments and nature
- Increased greening the borough through creation of habitats and green infrastructure
- Increased cultural and leisure opportunities
- Improved environmental management
- Increased awareness of wildlife and conservation
- Increased natural habitats
- Increased populations of species
- Increased sustainability of the built environment through green roofs and other Sustainable drainage schemes
- Increased offsetting of climate change impacts

The SNAP will guide and support the following elements of ecological management provided by Southwark Council.

- Support development management through assessment of planning applications and advise on appropriate mitigation and ecological enhancement as required
- Maintain a database of habitats and species recorded in Southwark
- Contribute to continuous improvement of council service delivery
- Improve environmental management through production and delivery of management plans for all SINC sites in Southwark's management
- Support planning policy in developing policies for protecting and enhancing the natural environment and increasing green infrastructure
- Monitor SINC sites in positive management and report annually to Defra on performance
- Promote biodiversity partnership working and community engagement
- Promote access to nature through ecology contracts and support of partners

1.8 Climate Change

The Council declared a climate emergency in March 2019 and vowed to “*do all it can to make the borough carbon neutral by 2030.*” The Biodiversity crisis is inexorably linked to the Climate Emergency. Actions within this plan contribute to mitigation and adaptation of the possible impacts of climate change.

1.9 The Southwark Biodiversity Partnership

The Southwark Biodiversity Partnership (SBP) was formed in 2004. The partnership developed and delivered the two preceding BAP's 'work for wildlife' 2006 – 2010 and 'Making Space for Natural Neighbours' 2013 – 2019.

Partners in the Southwark Biodiversity Partnership are:

- Southwark Council
- The Conservation Volunteers - (Third sector ecology service provider)
- The London Wildlife Trust - (Third sector ecology service provider)
- Bankside Open Spaces Trust - (Third sector ecology service provider)
- Walworth Garden – (Garden education facility)
- Surrey Docks Farm – City Farm
- Idverde – (Parks Grounds Maintenance Contractor)
- Business Improvement Districts (Better Bankside, Team London Bridge & the Blue)
- Greenspace Information for Greater London CIC (GiGL) – London Biological Records Centre

Southwark Council Departments:

- Environment & Leisure
- Chief Executive's
- Housing & Modernisation
- Children & Adult Services

The Southwark Biodiversity Partnership has been working to protect, enhance, and promote biodiversity across the borough. The partnership has successfully raised the profile of

biodiversity in Southwark and has delivered many conservation projects, all the while engaging with the residents and businesses of Southwark. There have been numerous contributions by volunteers, societies, residents and businesses and friends groups. This highlights the regard with which the Council and community holds biodiversity in Southwark.

1.10 Nature in Southwark

Southwark has a rich ecological resource with 516 hectares natural greenspace within the borough, including the Thames. Southwark has over 215 parks and open spaces. Of these sites 65 are designated as Sites of Importance for Nature Conservation (SINC) including 7 Local Nature Reserves (LNR's). Not all are publically accessible as railsides, golf courses, allotments and private land are included.

Southwark has a history of urban nature conservation. In 1976 The William Curtis Ecological Park, Britain's first urban ecological park was created in Southwark by the Thames near Tower Bridge. To replace the original site that was lost to development, Stave Hill Ecological Park was created in the 1980's. The Trust for Urban Ecology was formed to manage this site. They are now known as The Conservation Volunteers and manage 2 other Local Nature Reserves in Southwark (Lavender Pond and Dulwich Upper Wood). The London Wildlife Trust (LWT) manages a very important LNR, Sydenham Hill Wood which contains the largest remnant of ancient woodland in the Borough. LWT also manage the unique Centre for Wildlife Gardening in Peckham. Bankside Open Spaces Trust manages Red Cross Gardens and is actively engaging with Bankside residents to promote community engagement through gardening and greening the environment.

Southwark is home to important populations of nationally and internationally scarce flora and fauna. Bats, reptiles, stag beetles, birds, butterflies and flora such as orchids and Corky fruited water dropwort are all found in Southwark. Habitats present include; ancient woodland, secondary woodland, lakes, reedbeds, native hedges and meadows. All of these coexist within densely populated environment of the urban inner city.

1.11 Local Sites of Importance for Nature Conservation in Southwark

Local Sites are sites of substantive nature conservation value and although they do not have any statutory status, many are equal in quality to the representative sample of sites that make up the series of statutory Sites of Special Scientific Interest (SSSIs). The Sites of Importance for Nature Conservation (SINC's) provide wildlife refuges for most of the UK's fauna and flora and through their connecting and buffering qualities.

Within the context of a changing climate and urbanisation, SINC's represent some of the best opportunities to conserve habitats and species as well providing opportunities for monitoring change. Local Sites play an important part in the natural processes that maintain air, soil and water quality and that reduce the effects of flooding and pollution. They also represent an important mechanism in providing places for education and community engagement. They represent local character and distinctiveness, and contribute to the quality of life and well-being of local communities. The emerging Southwark Plan identifies

and protects these sites. The emerging Southwark Plan has identified 17 new sites for designation as SINC's.

The London Plan policy G6 requires boroughs to protect sites of nature conservation value (SINC's), including those of Metropolitan, Borough or Local importance. There are 65 SINC sites in Southwark, 4 are of Metropolitan Importance, 10 are of Borough Grade 1 importance, 21 are of Borough Grade II importance and 30 are of Local Importance. Saved Southwark Plan policy 3.28 protects SINC sites from inappropriate development and seeks enhancements for these sites. The emerging Southwark Plan proposes to revise and merge the SINC designations of Borough Grade I and Borough Grade II to the new designation of 'Borough Importance'.

1.12 Local Nature Reserves

Southwark has 7 Local Nature Reserves (LNR's) totalling 50.93ha, these are listed below.

- Sydenham Hill Wood
- Nunhead Cemetery
- Lavender Pond
- Dulwich Upper Wood
- One Tree Hill
- Stave Hill Ecological Park
- Russia Dock Woodland

1.13 Key Habitats

A variety of natural habitats are present in Southwark. Habitats are important because they provide the opportunities for species to exist and also provide environmental regulation and provide a recreational and educational resource. Further information is available in the SINC review report 2015.

The habitats present in Southwark are:

- Woodland (ancient and secondary)
- Wildflower meadows
- Parks and urban greenspace, including churchyards and cemeteries
- Reedbeds and typhus swamp
- Standing water, including ponds, lakes and docks
- Rivers and streams
- Brownfield open mosaic habitat
- Private gardens
- Wildlife corridors
- Scrubland
- Deadwood
- Veteran Trees
- Green roofs and green walls

1.14 Key Species

A number of UK BAP priority species and notable species are found in Southwark. All are endangered species or species of conservation concern and many are uncommon in Inner London. Bats are covered in more detail in section 1.15.

Notable species in Southwark:

- Bats
- Stag beetle
- Common lizard
- Slow-worm
- Hedgehog
- Common frog
- Common toad
- Smooth newt
- Black poplar
- Mistletoe
- White Letter Hairstreak butterfly
- House Sparrow
- Swift
- Fungi
- Peregrine Falcon
- Bumble Bees
- Corky Fruited Water Dropwort
- Native Bluebell

1.15 Bat species in Southwark

There are 17 species of bat in the UK, of these 9 are recorded in Southwark. Three of the species have been added to our records since 2004. Bats are a national priority species and protected under the European Habitats Directive. Bats make up a quarter of the mammal species found in the UK.

Bats are considered a good indicator of the health of the natural environment because they are sensitive to environmental change and because of their relationship with flora and fauna. Several of the species found in Southwark are known to roost in buildings.

Bat species recorded in Southwark are:

- Common pipistrelle *Pipistrellus pipistrellus*
- Soprano pipistrelle *Pipistrellus pygmaeus*
- Nathusius pipistrelle *Pipistrellus nathusii*
- Daubenton's bat *Myotis daubentonii*
- Noctule *Nyctalus noctula*
- Brown long eared bat *Plecotus auritus*
- Leislers bat *Nyctalus leisleri*
- Natterer's bat *Myotis nattereri*
- Serotine Bat *Eptesicus serotinus*

1.16 Birds of conservation concern recorded in Southwark

The table below lists all the birds of conservation concern recorded in Southwark.

The Red List species are birds that have suffered severe decline in breeding population or are globally threatened. The Amber List species are birds that have suffered moderate decline or are of European concern.

Red and Amber list bird species recorded in Southwark	
Red List	
Bullfinch UKBAP	Woodcock
Herring gull UKBAP	Black redstart
House Sparrow UKBAP	Nightingale
Lesser spotted woodpecker UKBAP	Redwing
Linnet UKBAP	Grasshopper warbler
Fieldfare	Ring ouzel UKBAP
Spotted flycatcher UKBAP	Yellowhammer
Starling UKBAP	Spotted flycatcher
Song thrush UKBAP	Lesser redpoll UKBAP
Mistle thrush	Cuckoo UKBAP
Pochard	
Amber List	
Shoveler	Mute swan
Stonechat	Grey wagtail
Swallow	Dunnock UKBAP
Redwing	Willow Warbler
Tufted duck	Peregrine falcon
Greylag goose	Kingfisher
Green woodpecker	Little grebe
Nightingale	Black headed gull
Reed bunting	Common Tern
Whitethroat	Goldcrest
Stock dove	Mallard
Swift	Mistle Thrush
Kestrel	House martin
Tawney owl	Lesser black backed gull
Short eared owl	Firecrest
Teal	

Table 2, important bird species recorded in Southwark.

*Species with suffix UKBAP are UK BAP priority species.

1.17 SINC review and ecological Survey for Southwark 2015

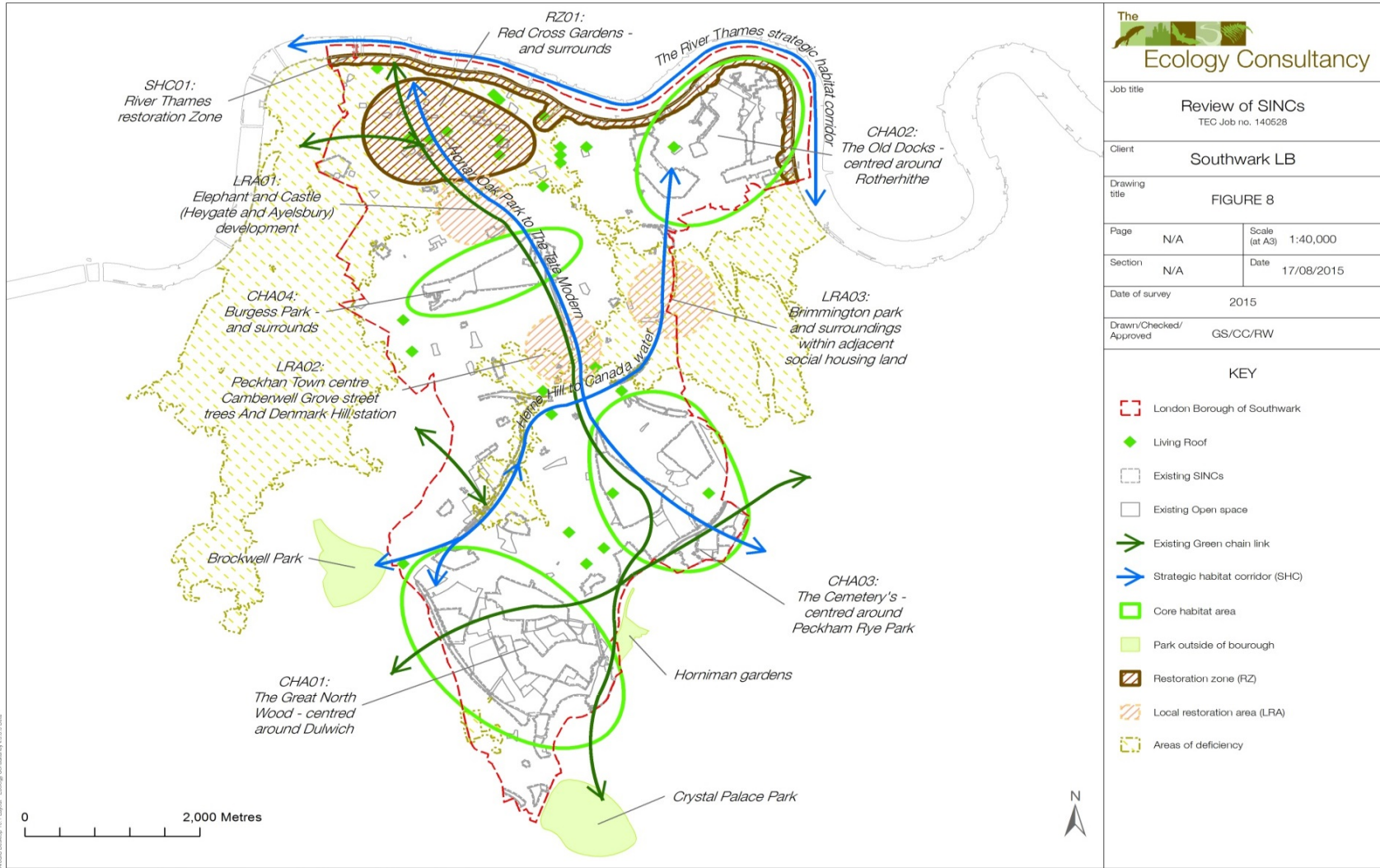
In 2014/15 Southwark Council commissioned a Borough SINC review and ecological survey. This survey supersedes the previous ecological survey that was undertaken 20 years ago in 1994/5 by the London Ecology Unit.

In all 112 sites were surveyed with 65 being existing SINC sites. These sites were surveyed for habitats present and notable flora. From this review we established that we had not lost any SINC sites since 1995. The report identified 17 new sites which were recommended for designation as Local SINC Sites. Furthermore 4 SINC sites of local importance have been recommended to be upgraded to Borough importance. The emerging Southwark Plan has set these proposals out in appendix 5: Preferred options 'new and amended Sites of Importance for Nature Conservation'.

The report showed that habitats such as meadow and wetland have increased and our green spaces network remains intact.

The report also proposed a strategic overview of the ecological networks in Southwark shown in image 1. This map identifies our core habitat areas and local restoration areas in line with the principals set out in the Lawton Report 'Making Space for Nature' 2010. The Old Kent Road AAP has identified a 'greener belt' which follows the line of the strategic wildlife corridor; Herne Hill to Canada Water. See Image 1.

Image 2 is an Infographic which illustrates that there have been positive habitat increases since the 1994 survey.



AP052 Dwrkgs 101 Layout - Ecology Consultancy 4.3.13 Bates

This plan is provided solely for the purpose of supporting the description of the ecological features of the site as contained in the accompanying report

Image 1, strategic overview of the habitat conservation in Southwark

Southwark is **greener** than you think

Informed by a review of Sites of Importance for Nature Conservation (SINCs) in 2016

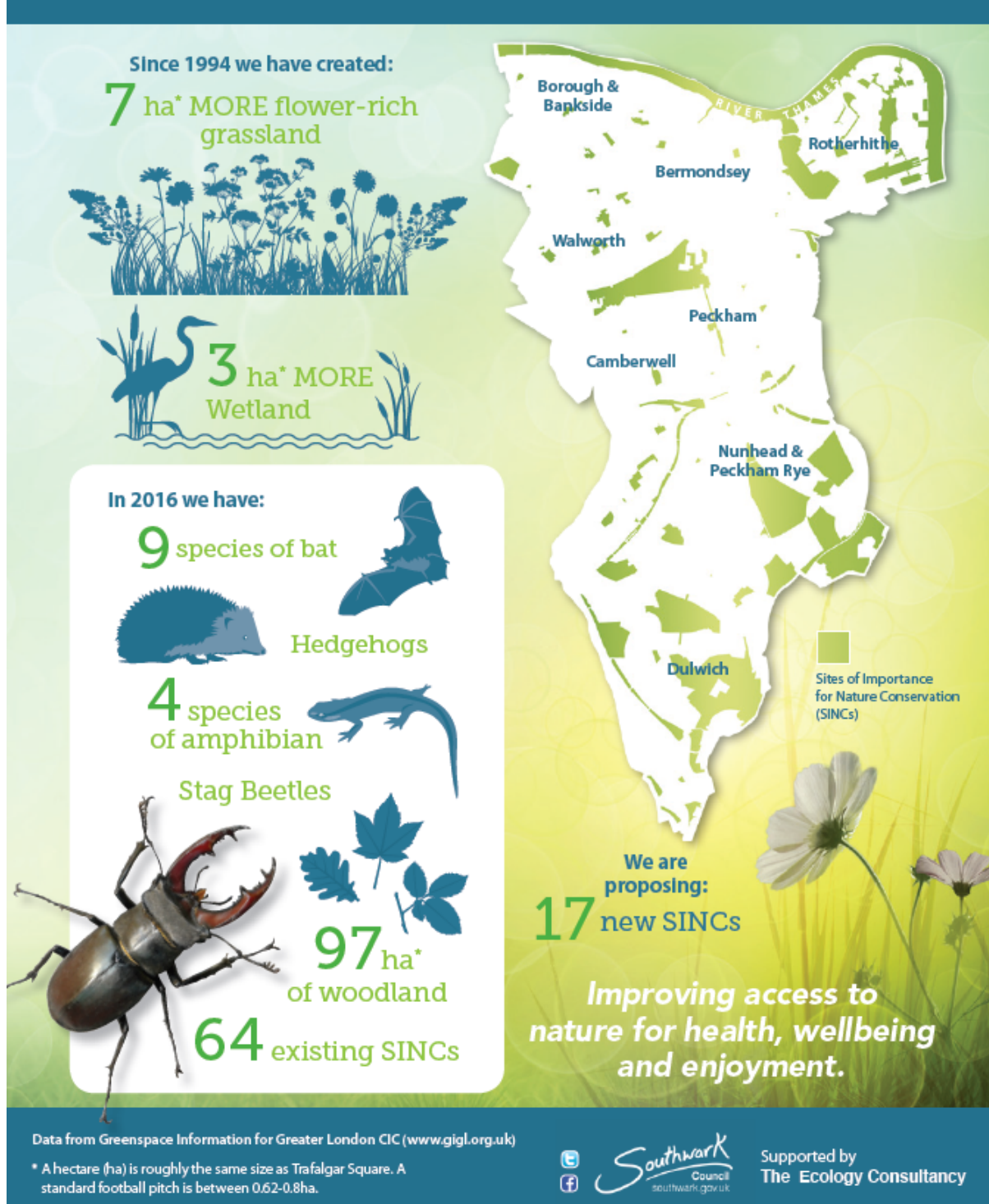


Image 2, Southwark infographic highlighting changes to habitats and species in 2016

1.18 Biodiversity and Trees

Trees have long been valued for their beauty, marking the seasons and providing sanctuary for wildlife. The environmental benefits of urban trees within ecosystem services including reducing pollution, cooling air, providing shade and protection from ultraviolet light, intercepting and absorbing rainfall and storing carbon are also now increasingly well understood. Trees are also considered as an integral and historic component of the urban landscape and its architecture, where they contribute to local character and can define a sense of place, frame views and vistas and strengthen our heritage and culture. The sum of all these benefits is often defined as the amenity value of trees.

Southwark Council recognises the positive impact that urban trees have on the environment and the lives of people in Southwark and aims to protect its current trees and woodlands. The Council aims to maintain a healthy, protected and sustainably managed treescape that contributes significantly to the health safety and wellbeing of Southwark's residents.

Southwark will maintain a general presumption against the removal of trees, allowing felling only in accordance with good arboricultural and silvicultural practice, and to ensure that adequate and appropriate replacement planting takes place where planting is desirable, aesthetically necessary and sustainable. Natural regeneration will also be allowed if the site circumstances are appropriate.

Southwark recognises the relationship between trees and the built environment and their role in helping to combat air pollution and climate change. Urban trees and woodlands are intrinsic to biodiversity through their contribution to creating green corridors, enhancing the ecological permeability of the built environment. Trees provide habitat and a food source for a diverse variety of flora and fauna species both in densely built up areas as well as urban woodlands. Woodlands in the borough provide some of the most important habitats in Southwark and the ancient woodland components of these assets are irreplaceable and subject to stronger protection.

Southwark will continue to ensure protection of trees and woodlands subject to Tree Preservation Orders, in Conservation Areas and Sites of Importance for Nature Conservation, with trees to be retained on development sites and to require high standards of replacement tree planting.

2.0 Key Themes

The SNAP focuses on three key themes that provide broad work streams that will contribute to continued improvement for the natural environment while allowing flexibility to develop these themes as national and local policy develops.

The key crosscutting themes are:

- 1. Making Nature Accessible for all**
- 2. Biodiversity Net Gain**
- 3. Nature Recovery Plan**

2.1 Key Theme 1, Making Nature accessible for all plan

Making nature accessible for all is a council commitment in the council plan. Southwark will work in partnership with stakeholders to deliver this key theme.

The ecology management services provided by London Wildlife Trust, The Conservation Volunteers and Bankside Open Spaces Trust deliver a range of community engagement and educational actions in Southwark. Other organisations and partners such as: The Centre for Wildlife Gardening, Surrey Docks Farm, Walworth Garden Business Improvement Districts (Better Bankside, London Bridge & the Blue) and Idverde (Southwark's parks grounds maintenance contractor).

Southwark Council will:

- Create a young SNAP following adoption of this plan;
- Create a cultural SNAP following adoption of this plan.

Southwark Council residents and the partners can:

- Promote nature events in Southwark;
- Improve access and disabled access to nature sites.

Partners will be encouraged to use the 'Southwark Presents' resource to do this.

The link to Southwark Presents is below. Southwark Presents has added a new category for nature events. <https://www.southwark.gov.uk/events-culture-and-heritage/about-southwark-presents>

Raise the profile of the importance of nature and partners ecology work:

The section below contains a number of collective actions that were developed from engagement with partners and identify ways of raising the profile and importance of the partners work for nature.

- I. Share information via social media to promote partnership work and good news; Using the #Southwarknature;
- II. Stakeholder attendance at Southwark's big events such as Bermondsey Carnival;
- III. Seek attendance of partners at Friend's events such as Nunhead open day and Peckham Fair;
- IV. Run events & regular activities;
- V. Provide interpretation and education;
- VI. Promote nature at health centres, libraries & heritage centres and schools;
- VII. Seek new venues to reach new audiences;
- VIII. Signpost nature sites.

Engage with residents, visitors and community groups:

The actions listed below set out ways of increasing engagement in nature for all

- I. Hold and promote events;
- II. Raise awareness of the natural resources in the Borough;
- III. Engage with Friends of Parks Groups;
- IV. Develop Forest schools and after school nature clubs with third sector partners;
- V. Provide interpretation and education for all;
- VI. Promote volunteering opportunities and social prescribing;
- VII. Support landscape scale projects such as Great North Wood, The Low Line and the emerging Big City Butterflies;
- VIII. Engage with Southwark's everyone active programme – walking, volunteering etc;
- IX. Use community Southwark resources; <https://www.southwark.gov.uk/engagement-and-consultations>
- X. Develop cultural opportunities to promote nature such as delivering a festival of nature and art installations.

Engagement through delivery:

The actions listed below on focus on more strategic engagement and targeting specific sectors of the community. This will support the creation and development of the nature recovery plan.

- I. Undertake scoping of the nature restoration zones identified in the SINC review and set up partnerships to engage with stakeholders within the area to deliver natural restoration on estates;
- II. Engage with residents through the Great Estate Programme;
- III. Engage with schools to green school grounds;
- IV. Seek engagement with residents, businesses and developers through creation of green infrastructure such as; green roofs, green walls and rain gardens.

Engagement through education:

A study of schools in Greenwich, Lambeth, Lewisham, and Southwark in 2008 found that only half of the schools surveyed took students out of the classroom, with Key Stage 3 students making predominant use for the school grounds, and Key Stage 4 students making greater use of their local parks. The study found that ecology was thought to be the most appropriate way to link the use of parks in to the curriculum.

The Natural Environment White Paper 2011 noted that Children are becoming disconnected from the natural environment and spending less and less time outdoors. It was found that the likelihood of children visiting any green space at all had halved in a generation.

The natural environment also offer opportunities for life long learning.

The SNAP will support education by;

- Providing educational key stage self guides and interpretation for parks and open spaces
- Developing a children's educational toolkit as part of the young SNAP
- Providing forest school opportunities within our capacity
- Providing environmental education through third sector ecology management agreements
- Provide 'after school nature clubs' through the third sector ecology management agreements
- Provide ecological monitoring training for all
- Hold walks and talks.

2.2 Key Theme 2, Biodiversity Net Gain

Biodiversity Net Gain is set to become mandatory in the planning process.

Biodiversity Net Gain is a mechanism within the planning system to obtain ecological gains, either on new developments or elsewhere in the borough.

The Council will develop how this policy is delivered in Southwark following publication of guidance from Defra.

The National Planning Policy Planning Framework, 2019 sets out the policy for protecting habitats and biodiversity by:

- Minimising impacts on and providing net gains for biodiversity, through establishing coherent ecological networks that are more resilient to current and future pressures;
- Identifying, mapping and safeguarding components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation;

- Promoting the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species, and identifying and pursuing opportunities for securing measurable net gains for biodiversity and continuing to deliver ongoing and long term management.

2.3 Key Theme 3, Nature Recovery Plan

Southwark's environment could be healthier, happier and greener – if we develop a nature recovery network now.

The 25 year Environmental Plan sets out key targets for the UK which Southwark will contribute to;

- Establish a Nature Recovery Network;
- Create/restore 500,000 ha of habitat outside protected areas;
- Restore 75% of terrestrial and freshwater protected sites to favourable condition;
- Action to recover threatened iconic or economically important species;
- Planting 180,000 ha of woodland by 2042.

In Southwark, for nature to recover we have to look beyond our Local Nature Reserves, SINC's and parks and take action to extend and link our existing sites, both to support wildlife and to recover the range of economic and social benefits that nature provides.

Key to developing the recovery network is to ensure the plan is;

- Integrated environmental delivery – primary aim to recover nature but assist in the delivery of a wider range of environmental benefits;
- For nature and people – ecologically driven but supporting benefits for people such as health and wellbeing, recreation and securing greater environmental equity across communities;
- A shared endeavour – developed in partnership from the outset and aiming to become the primary framework for planning and delivering nature recovery.

This network will be driven by strategic goals for nature. Act as a strategic spatial planning and prioritisation framework for the borough. Adopting the Lawton Principles covered in the report 'Making Space for Nature' 2010 is key to the recovery plan as is measured success.

Southwark Council will:

Develop a nature recovery plan once we have received guidance by Defra.

This will include:

- The Great Estates Programme;

- Linking with local or regional projects such as the Great North Wood or Big City Butterflies project;
- Developing an ecological network map;
- Integration into the Boroughs Area Action and Neighbourhood Plans
- Developing a Pollinator Strategy - We will develop a Bee Line for Southwark and work with neighbouring boroughs to link this across South London;
- Supporting the Low Line project.

2.4 National Park City

In July 2019 London became the first National Park City. Making London a National Park City brings opportunities to engage Londoners and London institutions to create a common vision of the environmental, social and economic benefits of London's green infrastructure. It provides a framework to promote investment in London's natural capital and green infrastructure. This will ensure effective coordination, better valuation, and more innovation from all those involved in protecting and enhancing London's environment. National Park City is a place, a vision and a city-wide community that is acting together to make life better for people, wildlife and nature. A defining feature is the widespread commitment to act so people, culture and nature work together to provide a better foundation for life.

The seven action areas of the National Park City are:

- lives, health and wellbeing
- wildlife, trees and flowers
- places, habitats, air, water, sea & land
- time outdoors, culture, art, playing, walking, cycling and eating
- locally grown food and responsible consumption
- decisions, sharing, learning and working together
- relationships with nature & with each other

Southwark Council and stakeholders will work together to contribute to the charter for the London National Park City.

3.0 The Habitat and Species Action Plans

3.1 Built Environment Habitat Action Plan:

Southwark is a densely built-up Inner London borough; over 75% of its area occupied by buildings, streets and car parks. However, the built environment can support a number of iconic species and be surprisingly rich in wildlife.

Buildings provide roosts for bats, and nest sites for birds; including raptors such as the, Peregrine falcon, and Kestrels. Swifts, House sparrows, and the Black Redstart all nest in or on buildings and Starlings have been found nesting in the air vents of housing blocks.

We can all enhance the built environment for wildlife and help conserve these species. Green roofs offer a good alternative to brownfield (open mosaic) habitats which are

declining. Nesting and roosting sites can be incorporated into new or existing buildings to provide places for bats and birds. These features can be built into the fabric of new buildings or retrofitted to existing ones. Climbers and other forms of green walls can provide nectar for bees and nesting sites for House Sparrows, and other birds. Streets can be greened with trees, hedges and planters full of nectar-rich flowers and have flood alleviation, sustainable drainage systems and traffic calming schemes incorporated into the public realm.

Built Environment priority habitats

Open mosaic habitats
 Biodiverse roofs and green roofs
 Sustainable drainage systems
 Green and living walls
 Nature rich amenity space

Built Environment priority species

Bats
 Black redstart
 House martin
 House sparrow
 Peregrine falcon
 Swift
 Kestrel
 Hedgehog
 Brimstone butterfly
 Common Blue butterfly
 Bumblebees including; Brown-banded Carder Bee
 Corky fruited water dropwort

3.2 How we will promote, conserve and enhance habitats and species for the Built Environment HAP:

Southwark Council will:

- Ensure that potential harm to species and habitats is given due consideration in the assessment of planning applications;
- Share biological information, new habitat Inc. tree planting and changes to boundaries with GiGL;
- Through the planning process, seek biodiversity enhancements which contribute to the built environment priority habitats and species;
- Implement and promote sustainable drainage systems to manage storm water;
- Plant nectar-rich flora on road verges, hanging baskets and other suitable locations;
- Protect and retain mature and veteran trees where applicable;
- Work with stakeholders and Tenants and Residents Associations to advise on improving biodiversity on estates;
- Work with partners to review core and local nature restoration areas identified in Image 1, to deliver partnership based SNAP actions and enhancements;
- Update and refresh the online toolkit and guidance on creating features for habitats and species.

https://www.southwark.gov.uk/assets/attach/2359/Guidance_on_creating_habitat_and_biodiversity_features_for_parks_and_open_spaces.pdf

Southwark Council Homes, other social housing providers and schools can:

- Include biodiverse green roofs which meet the definition of open mosaic habitats in all new build and estate regeneration schemes;
- Retrofit biodiverse green roofs which meet the definition of open mosaic habitats on existing buildings;
- Retrofit sustainable drainage systems to create enhanced wildlife habitats and green spaces;
- Include commitments to provide biodiversity net gain in the 'Great Estate Programme' and the 'new homes design review'.
- Grow ivy and other nectar-rich climbers up suitable walls;
- Plant native hedges along boundaries;
- Plant trees with wildlife benefit such as the Elm 'New Horizon';
- Relax mowing frequency to create daisy lawns and seasonal long grass areas;
- Install planters with nectar-rich flowers and/or plant nectar-rich flowers in existing planters;
- Install and retrofit bat boxes, bumblebee boxes and nest boxes for Peregrines, Swifts, House sparrows, House martins and other birds in appropriate places on buildings;
- Maintain populations of Corky fruited water dropwort through appropriate management on housing sites;
- Avoid removing old House martin, Starling or Swift nests from buildings.

Developers and Businesses will be encouraged to:

- Include biodiverse green roofs which meet the definition of open mosaic habitats on all new development;
- Include living walls with nectar-rich climbers in new development;
- Include green sustainable drainage systems in new development to avoid reliance on hard engineered drainage infrastructure;
- Protect and retain mature and veteran trees;
- Provide nature rich amenity space in new development;
- Provide planters with nectar-rich flora in new development;
- Incorporate roost sites for bats within the design of new buildings;
- Install internal and external nest boxes for Peregrines, Swifts, House sparrows, House martins and Black redstarts in appropriate places on new buildings;
- Use native plants and trees in landscaping schemes;
- Engage with appropriate stakeholders;
- Survey for fauna before undertaking maintenance or development.

Residents can:

- Grow nectar-rich flowers in window boxes and planters;
- Avoid disturbing bird nests in buildings;
- Install bat boxes, bumblebee boxes and nest boxes for House sparrows and other birds in appropriate places on buildings;
- Grow nectar-rich climbers such as ivy, honeysuckle and jasmine up walls;
- Seek estate greening via the Cleaner Greener Safer scheme;
- Seek green infrastructure as part of estate regeneration;

- Form friends groups and get involved with Tenants and Residents Associations;
- Volunteer;
- Monitor wildlife and submit wildlife sightings to Southwark or GiGL.

3.3 Gardens & Grounds Habitat Action Plan:

In Southwark the emerging Southwark Plan states that 21% of the borough is occupied by open space. This includes gardens and the landscaped areas around housing estates, schools, road verges, businesses and other premises. The majority of this land is housing amenity land. In the last few years, social housing providers and residents in Southwark have created good quality wildlife habitats, such as ponds, meadows, copses, hedges, orchards and nectar-rich community gardens, around housing estates. This has been supported by the Cleaner Greener Safer Programme and other funding streams.

Many schools contain wildlife gardens or greening, these features are wonderful educational resources. The Centre for Wildlife Gardening is a unique resource run by the London Wildlife Trust in Peckham, which promotes wildlife gardening and community engagement. Private gardens are important supporting a wealth of birds, insects, as well as amphibians and small mammals. Private gardens may also be the last refuge for our disappearing population of Hedgehogs.

Gardens & Grounds priority habitats

Neutral grassland
 Open mosaic habitats
 Native broadleaved woodland
 Orchards
 Mixed native hedgerows
 Ponds and rain gardens
 Allotments

Gardens & Grounds priority species

Bats
 Hedgehog
 House sparrow
 Amphibians
 Brimstone butterfly
 Holly Blue butterfly
 Common Blue butterfly
 White Letter Hairstreak butterfly
 Bumblebees including Brown-banded Carder Bee
 Stag Beetle
 Black Poplar
 Damselflies and Dragonflies

3.4 How we will promote, conserve and enhance habitats and species for the Gardens and Grounds HAP:

Southwark Council will:

- Seek biodiversity enhancements which contribute to these targets in the landscaping of all new developments;

- Deliver the Air Quality Action Plan;
- Protect mature and veteran trees where applicable;
- Develop and deliver the Climate Emergency Action Plan;
- Ensure that community gardens created or enhanced through its community volunteering scheme include features which contribute to the objectives in the SNAP;
- Work with Southwark Council homes and social housing providers to advise on managing their land for biodiversity, identify enhancement projects and help to find funding sources to implement these;
- Support the work of the Centre for Wildlife Gardening;
- Update and refresh the online toolkit and guidance on creating features for habitats and species.

Schools can:

- Green school grounds;
- Create meadows, orchards, ponds and hedges within their grounds;
- Install bat boxes and nest/habitat boxes for birds and bumblebees;
- Plant Alder buckthorn, Birds-foot trefoil and other food plants for butterfly caterpillars;
- Plant nectar-rich flora to provide food for bumblebees and other insects;
- Create loggeries and insect hotels;
- Plant native trees;
- Install and maintain ponds;
- Undertake species surveys and monitoring;
- Educate pupils about nature and wildlife conservation.

Southwark Council Homes and other social housing providers (and groups of residents managing community gardens) can:

(Note: all of these can be included within estate regeneration schemes and Great Estates Programme, but most of these actions can also be delivered in existing amenity space and community gardens).

- Create wildlife habitats such as meadows, small areas of woodland, orchards, and hedges within the landscaping around estates, and enhance existing habitats;
- Install bat boxes, nest boxes for birds, bumblebee boxes and hedgehog homes in suitable places on estates;
- Plant native trees;
- Remove paving around trees;
- Create loggeries and insect hotels;
- Create sustainable drainage systems on suitable land;
- Review mowing regimes to benefit spring flowers and wildlife;
- Plant Alder buckthorn, Birds-foot trefoil and other food plants for butterfly caterpillars;
- Plant nectar-rich flora to provide food for bumblebees and other insects;
- Plant Black poplars in suitable sites away from buildings and paths.

Developers and businesses can:

- Create wildlife habitats such as meadows, small areas of woodland, orchards and mixed native hedges within the landscaping around developments;
- Create open mosaic habitat within the landscaping around industrial developments;
- Install bat boxes, nest boxes for birds, bumblebee boxes and hedgehog homes in suitable places within the landscaping around developments;

- Ensure that lighting of new development (during construction and operation) does not adversely impact on foraging and commuting bats and other wildlife;
- Create loggeries and insect hotels within the landscaping around developments;
- Plant Alder buckthorn, Birds-foot trefoil and other food plants for butterfly caterpillars within the landscaping around developments;
- Plant native trees;
- Create and manage native hedgerows;
- Plant nectar-rich flora to provide food for bumblebees and other insects, within the landscaping around developments;
- Partner and provide financial support for local charities delivering conservation projects.

Third Sector groups (TCV, LWT, BOST, Walworth Garden, Surrey Docks Farm, Better Bankside, Team London Bridge, Bermondsey Blue Business Improvement District and others) can/will:

- Provide advice and training to individuals and community groups;
- Contribute to the Great Estates Programme;
- Work with Friends of groups and engage with residents on housing estates;
- Run and promote events;
- Provide educational sessions for residents, schools, and visitors;
- Provide accessible green space on sites;
- Deliver improvements for the priority habitats;
- Provide Interpretation on sites;
- Focus on what residents can do;
- Manage and report non native species;
- Undertake wildlife surveys;
- Hold regular volunteer session Inc. weekends;
- Secure greening investment aligned with urban ecology;
- Raise awareness and promote green infrastructure value;
- Provide maintenance of green space;
- Broaden participation in urban ecology;
- Deliver pilot projects for urban greening;
- Undertake fundraising;
- Provide lobbying and advocacy services;
- Run free community learning days on sustainable gardening techniques;
- Deliver workshops on organic and wildlife gardening.

Residents can:

- Create wildlife ponds and small meadows in their gardens and grounds;
- Plant mixed native hedges;
- Get involved in the Great Estates Programme;
- Plant native trees;
- Plant flowering shrubs, annuals and perennials in gardens to provide a year-round nectar source for bees and other insects;
- Install bird and bat boxes, hedgehog homes, bumblebee boxes, insect hotels, loggeries and other habitat features in gardens;
- Provide bird feeders, bird baths and make small container ponds;
- Ensure garden fences have gaps or holes which allow hedgehogs/small mammals to pass between gardens;

- Report non native species;
- Promote Hedgehog highways through social media;
- Fundraise;
- Volunteer.

3.5 How we will raise awareness of biodiversity in gardens?

Southwark Council will:

- Provide news and information on wildlife gardening and landscaping for wildlife on the website, social media and press;
- Support the Centre for Wildlife Gardening;
- Develop estate gardening as part of the Great Estates Programme;
- Seek to facilitate the creation of training programmes with partners, providing opportunities for people, including residents, staff of local landlords and others, to better understand how gardens and grounds can be developed and managed to promote biodiversity.

Southwark Council Homes and other social housing providers can:

- Encourage residents to get involved in improving their estates for wildlife with events such as community planting days;
- Provide biodiversity gain through the Great Estates Programme and new homes design review;
- Provide information about local wildlife and events in newsletters and on noticeboards.

Cleaner Greener Safer can:

- Provide grants to schools and community groups for enhancements to school grounds and community gardens which contribute towards objectives and targets in the SNAP;
- Record and map habitat creation so we have a record of positive change.

3.6 Parks and Open Spaces Habitat Action Plan:

Introduction

Southwark Council manages over 130 parks and open spaces. These include four major parks; Dulwich Park, Peckham Rye Park and Common, Burgess Park and Southwark Park, Nunhead Cemetery, (a Victorian Cemetery) and woodland in Rotherhithe created on brownfield land which is quite unique in inner London. Of the 105 parks in managed by the Environment and Leisure department, 5 are designated Local Nature Reserves and 34 parks are designated SINC sites.

All our parks and open spaces contain habitats that support wildlife. See the bar charts below from the 2016 Borough ecological survey.

There are opportunities for further habitat creation and enhancement. Many parks could accommodate new meadows, ponds and hedges, as well as increasing the amount of nectar-rich flowers. Suitable locations for new woodland, orchards, open mosaic habitats and ponds are more challenging, but opportunities should be explored to create these habitats where suitable.

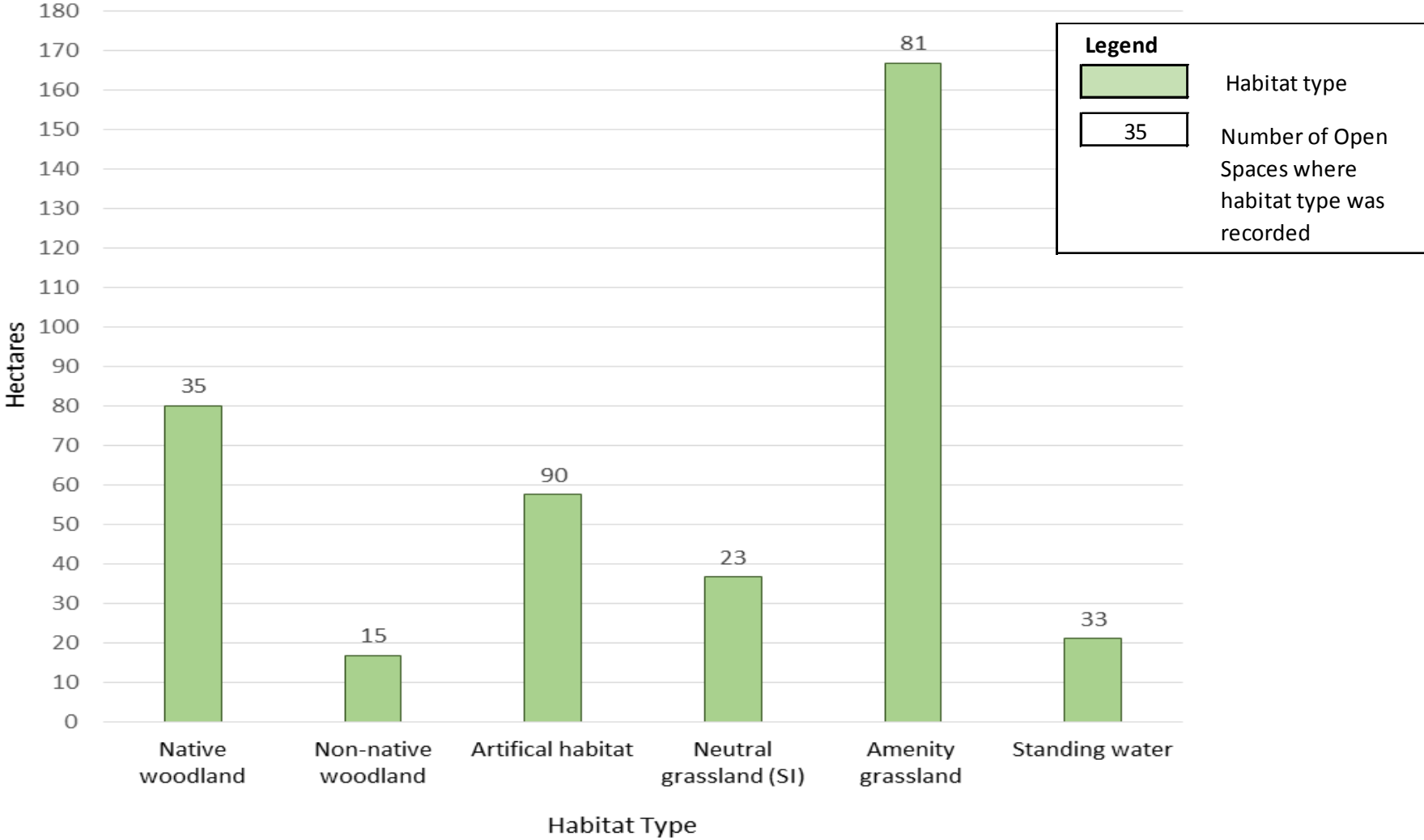
Parks and open spaces priority habitats

Parkland with scattered trees
 Neutral grassland
 Open mosaic habitats
 Native broadleaved woodland
 Orchards
 Flower rich meadows
 Mixed native hedgerows
 Ponds and lakes
 Reedbed
 Veteran trees

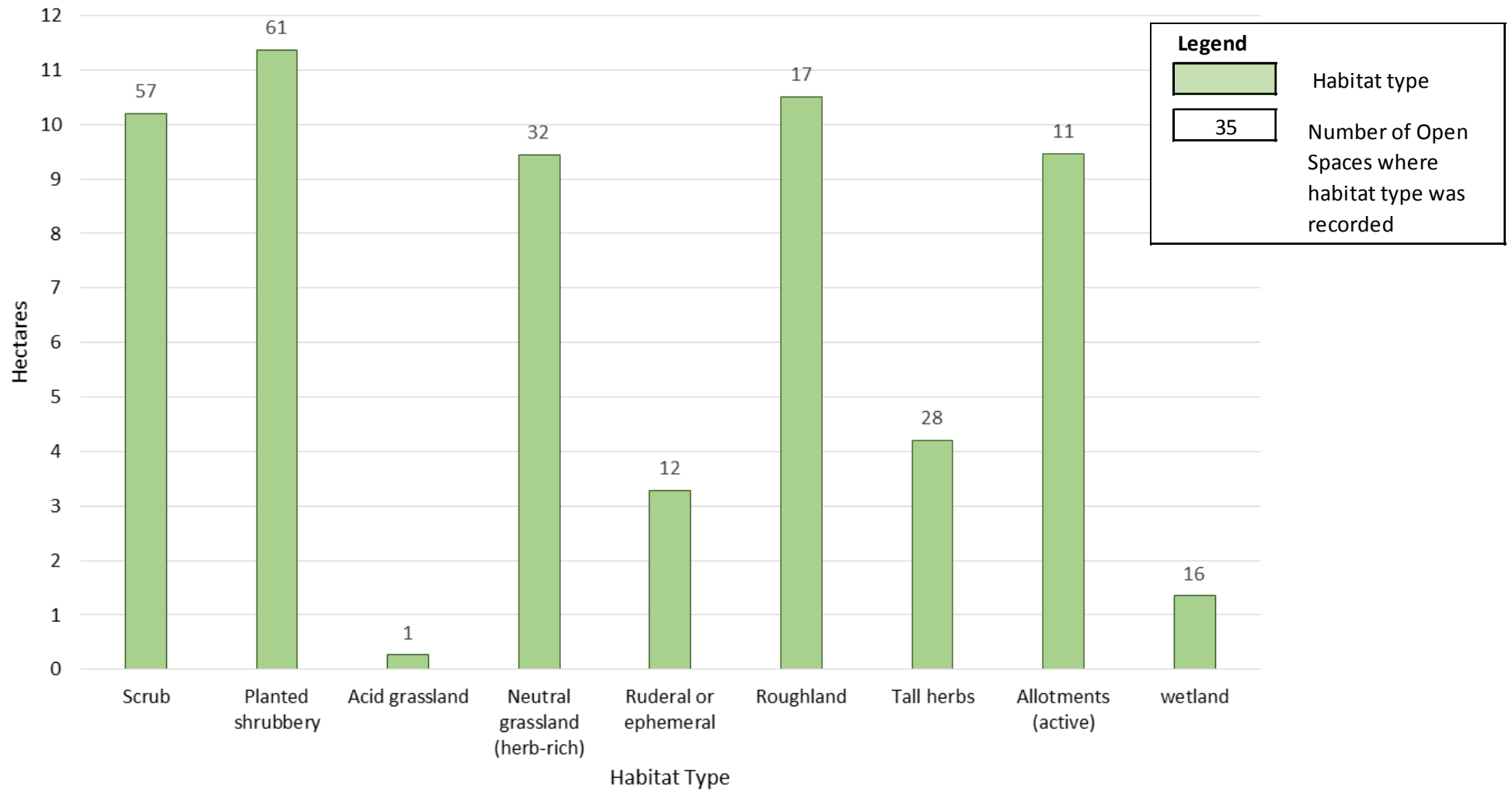
Parks and open spaces priority species

Bats
 Hedgehog
 House sparrow
 Amphibians: - frogs, toads and newts
 Black Poplar
 Brimstone butterfly & Common Blue butterfly
 Bumblebees including Brown-banded Carder Bee
 Stag Beetle
 White Letter Hairstreak butterfly
 Green woodpecker
 Greater spotted woodpecker
 Fungi

Bar Chart showing widespread and abundant habitats in Southwark



Bar Chart showing other habitats in Southwark



3.7 How we will promote, conserve and enhance habitats and species for the Parks and Open Spaces HAP:

Southwark Council will:

- Manage existing wildlife habitats in parks to maintain and, where appropriate, enhance their biodiversity value;
- Create new natural habitat where applicable;
- Install habitat features such as nest boxes, insect refugia and bat boxes;
- Manage and control invasive species;
- Produce and maintain up to date management plans for SINC sites in its ownership;
- Identify appropriate locations to create and enhance priority habitats in its parks and open spaces;
- Seek funding from a variety of sources to implement the enhancements identified;
- Collaborate on fund-raising with third sector groups managing public open spaces;
- Ensure biodiversity is considered in all capital schemes in parks, and biodiversity enhancements which contribute to these targets are included where possible;
- Update and refresh the online toolkit and guidance on creating features for habitats and species;
- Support third sector groups managing key ecological sites in the borough.

The Third sector partners will:

- Run a programme of wildlife-related events in the sites they manage and Southwark's parks and open spaces;
- Provide regular volunteer opportunities in the sites they manage and Southwark's parks and open spaces;
- Provide training on species monitoring;
- Develop engagement plans that focus on nature conservation with specific key performance indicators for measurable outputs on a site by site basis;
- Provide news and information on wildlife and events in the sites they manage, Southwark's parks and on their websites incorporating social media and other mediums;
- Broaden information sharing and provide onsite interpretation;
- Facilitate the creation of training programmes which will enable friends of parks, parks staff, and residents and stakeholders to learn new skills relevant to managing and developing for biodiversity in public open spaces;
- Improve the knowledge base within maintenance contract services;
- Create and enhance habitats;
- Produce management plans for management and enhancement of habitats;
- Obtain Community Green Flag awards for all sites managed by the third sector;
- Develop tools to support residents and stakeholder involvement in nature conservation in an independent capacity.

Residents can:

- Monitor wildlife in their local park and report sightings to the Council's Ecology Officer via the wildlife reporting tool on the website;
<https://geo.southwark.gov.uk/connect/analyst/mobile/#/main?mapcfg=Wildlife%20sightings%20and%20reporting>
- Volunteer for nature conservation work at Southwark's parks and open spaces.

3.8 Woodland Habitat Action Plan:

Introduction

Southwark contains several wonderful woodlands that are spaced from Rotherhithe to Crystal Palace. Woodland is the natural habitat of much of London and woodland and scrub make a vital contribution to the biodiversity of the borough. Almost all have public access, affording Southwark's residents a retreat from the urban environment. Southwark's woods also have interesting historical connections the Great North Wood is a great example of this.

This action plan covers plant communities dominated by trees and/or shrubs; it includes woodland regardless of origin or species, but excludes street trees. Woodland is a rare habitat in Inner London. Southwark has 4 % of its area covered by woodland; this compares favourably with London overall where woodland accounts for only 2% of land cover. No lower limit has been put on how small a 'wood' can be.

There are only two unequivocal ancient broadleaf woodlands in Southwark: Dulwich Wood and Hitherwood (an outcrop of the former). Parts of Sydenham Hill Wood, Dulwich Upper Wood and small parts of One Tree Hill are also classed as ancient woodland.

Sydenham Hill Wood, Nunhead Cemetery, Russia Dock Woodland and Dulwich Upper Wood are designated as Local Nature Reserves. Nunhead Cemetery, (52 Acres) is the largest secondary wood near to the centre of London. Russia Dock Woodland is an important ecological site created on brownfield land. This woodland incorporates several ponds and meadows which provides a rare mosaic of habitats for Southwark.

Because of their longevity veteran trees within parks are of major ecological importance, providing a largely untouched habitat many feet above the ground. These require special protection and management to ensure their continued contribution to biodiversity.

Woodland priority Habitats

- Ancient woodland
- Secondary Woodland
- Deadwood Inc. tree stumps
- Veteran Trees
- Pocket woodland
- Scrubland with trees
- Hedgerows
- Railway linesides

Woodland priority Species

- Stag beetle
- Greater spotted woodpecker
- White letter hairstreak butterfly & Purple Hair Streak butterfly
- English Oak
- Hornbeam

English Elm
 English Bluebell
 Cowslip
 Brown Long Eared bat and Bats species
 Hedgehog
 Fungi

3.9 How we will promote, conserve and enhance habitats and species for the Woodland HAP:

Southwark Council will:

- Manage existing woodlands in parks, cemeteries and open spaces to maintain and, where appropriate, enhance their biodiversity value;
- Ensure that potential harm to woodland and woodland species is given due consideration and protection in the assessment of planning applications;
- Specify buffer zones adjacent to developments to protect ancient woodland and SINC's;
- Inspect the trees on a cyclical basis (between 3 – 5 years depending on site usage), to ensure we meet health and safety requirements;
- Produce woodland management plans for all woodland sites;
- Protect trees subject to a Tree Preservation Orders and Woodland Tree Preservation Orders;
- Enforce bylaws and manage the Public Space Protection Order where applicable in our woodlands.

Private landowners can:

- Develop woodland management plans;
- Undertake condition assessments
- Maintain their woodland and ensure they are litter free
- Display signs about the woodland ownership and any applicable bylaws.

LWT, TCV will:

- Engage with residents to deliver woodland management;
- Provide volunteer opportunities and training;
- Hold events in woodlands to engage with residents and visitors;
- Provide formal and informal training opportunities;
- Provide interpretation in woodlands;
- Attract new audiences to woodlands;
- Ensure site accessibility;
- Survey and monitor woodlands;
- Produce and maintain up-to-date management plans;
- Deliver the Great North Wood project and leave a lasting project legacy.

3.10 Species Action Plans

1. Bats
2. Hedgehog
3. Stag beetle
4. Amphibians, Dragonflies and damselflies (*Odonata* Inc. sub - order *Zygoptera*)
5. Birds Inc. House sparrow, Swift and Raptors
6. Native trees, woodland flora and fungi
7. Pollinators Inc. bees and butterflies

Partner	Species	Stag Beetle	Bats	Hedgehog	Amphibians	House sparrow	Swift	Raptors	Woodland Flora	Damsel and Dragonflies	Bees	Butterflies	Native Trees
Southwark Council		✓	✓	✓	✓	✓	✓				✓	✓	✓
TCV		✓	✓	✓	✓			✓	✓	✓		✓	✓
LWT		✓	✓	✓	✓			✓	✓	✓	✓	✓	✓
BOST		✓			✓	✓				✓	✓	✓	
Idverde		✓			✓						✓	✓	
Surrey Docks Farm					✓	✓					✓		
Walworth Garden		✓			✓	✓							
Better Bankside			✓								✓	✓	
Team London Bridge		✓				✓					✓	✓	

Table 3, The Southwark Biodiversity Partnerships commitments to the species action plans

3.11 Bats Species Action Plan:

Introduction

All UK Bats are European Protected Species. Southwark has recorded 9 species of bat present in the borough. Bats make up almost a quarter of the mammal species found in the UK. Bats are excellent indicators of a healthy environment; their complex ecological requirements leave them highly sensitive to environmental changes, therefore their decline should be of major concern to us all.

Objectives for Bats

To provide roost sites for bats, such as bat boxes or bat tubes/bricks, in new developments, housing estates, parks and schools in parts of the borough where bats are likely to use them **[Target: 10 sites by 2022 and 30 sites by 2025]**

To encourage nocturnal insects by planting night-scented plants in landscaping schemes in parts of the borough where bats are likely to forage **[No specific target]**

Southwark Council will:

- Ensure bats are protected and given due consideration in development management;
- Seek bat friendly lighting in new developments;
- Review lighting in parks and open spaces;
- Install bat boxes and tubes in parks and open spaces and on new developments;
- Protect linear natural features (hedges and trees) for bat commuting and foraging;
- Create and maintain forage areas in parks and open spaces;
- Develop the disused railway tunnels as bat roosts.

Private landowners, developers and residents can:

- Check lofts/roofs for bats prior to any work if your house is pre 1960 detached house within 200m or woodland or wetland or Pre 1914 building within 400 m of water or woodland or Pre 1914 building with gable ends or slate roof regardless of location;
- Plant night scented plants to attract insects;
- Avoid installing lighting to the exterior of buildings and gardens;
- Install bat tubes or bat bricks/boxes;
- Report bat sighting to Southwark Council, the London Bat Group or GiGL.

Third sector partners can/will:

- Undertake bat surveys where applicable;
- Lead bat walks and talks in Southwark;
- Install bat boxes;
- Promote bat conservation through habitat enhancement;
- Maintain the Sydenham Hill tunnel bat roost;
- Maintain a relationship with the London Bat Group.

3.12 Hedgehogs Species Action plan:

Introduction

The hedgehog *Erinaceus europaeus* is unique; it is the only spiny British mammal. A fully grown adult male may have as many as 5000 spines. Hedgehogs are found throughout Europe and Asia, and are widespread throughout the UK. Hedgehogs are largely nocturnal and have a broad diet, including earthworms, slugs and caterpillars as well as frogs, young mice and Voles.

Hedgehogs typically travel between 1 and 3km each night. Males travel further than females, ranging behaviour varies with habitat but the seasonal home range size is surprisingly large. For females it is around 10 hectares (25 acres) and about three times that (30ha) for males. Hedgehogs usually rest in a nest of leaves during daytime.

Hedgehogs are a UK SNAP priority species. Although nationwide extinction is unlikely, current evidence suggests that hedgehogs are in decline. They are relatively scarce in Southwark.

Objective for Hedgehogs

- Improve access for hedgehogs in gardens [**Target 15 gardens by 2022 and 40 gardens by 2025**]
- Ensure suitable habitat is retained in parks and open spaces [**Target 5 sites by 2023**]
- Install Hedgehog homes in appropriate places in parks, housing estates, schools and community gardens in parts of the borough where Hedgehogs still occur. [**No specific target**]

Southwark Council will:

- Undertake surveys for hedgehogs;
- Work with grounds maintenance contractors to raise awareness of hedgehogs;
- Plant new native hedges;
- Seek to connect grounds and gardens for small mammals.

Private landowners, developers and residents can:

- Create access for small mammals to neighbours gardens;
- Create hibernation areas in gardens/sites;
- Undertake surveys for hedgehogs;
- Avoid using slug pellets.

The Third sector partners can/will:

- Undertake hedgehog surveys;
- Promote hedgehog conservation;
- Promote sustainable gardening;
- Hold events;
- Provide Hedgehog nest boxes in Sydenham Hill Wood and Dulwich Woods;
- Promotion of hedgehog friendly gardening;
- Engage children with slugs, snails and other invertebrates;

- Improve access and habitats for Hedgehogs.

3.13 Stag beetles Species Action Plan:

Introduction

The Stag beetle *Lucanus cervus* is Britain's largest terrestrial (ground living) beetle. The males have large antler shaped mandibles, which are used for fighting other males. The female has smaller mandibles. The beetle can reach 8cm in length and have shiny chestnut-violet wing cases.

The Stag beetle requires dead wood to complete its life cycle. Vertical dead tree trunks are their preferred habitat. The eggs are laid underground in the soil next to logs or dead trees and the larva will spend between five and ten years in the dead wood. Timber can also be utilised, notably sunken fence posts.

The adults emerge from mid May until late July and can be seen flying on summer evenings an hour or two before dusk.

The adults feed on fruit and the sap of trees and though short lived (they often die after mating) some may over-winter in sites such as compost heaps.

London has a nationally significant population of stag beetle. A 1998 survey of London recorded over 3,000 about 30% of the national population. Southwark and south London is a stronghold for the beetle. They are partially protected from capture and exchange under the Wildlife and Countryside Act 1981, (as amended).

Objectives for Stag Beetle

To increase the available habitat for Stag Beetles and other deadwood invertebrates by creating loggeries in parks, housing estates and community gardens [**Target: 7 sites by 2022 and 15 sites by 2025**]

Southwark Council will:

- Build loggeries in parks and open spaces;
- Host wildlife reporting tool;
- Promote the conservation of the beetle and dead wood species
- Retain dead wood and tree stumps where applicable.

Private landowners, developers and residents can:

- Report sightings of the beetle to LWT or the Ecology Officer;
- Retain dead wood and tree stumps where applicable;
- Build loggeries.

The Third sector partners can/will:

- Create demonstration loggeries;
- Promote to Schools and families;
- Raise profile of beetles in Southwark;
- Host reporting tool;

- Monitor beetle populations.

3.14 Amphibians and Dragonflies and damselflies (*Odonata* Inc. sub - order *Zygoptera*) Species Action Plan:

Amphibians; Inc. Common Frog, Common Toad, Smooth Newt and palmate Newt.

Introduction

The State of Nature Report 2016 by the National Biodiversity Network recorded national declines in species associated with wetlands and fresh water. The report found the over the long-term, 53% of freshwater and wetland species had declined and 47% had increased. Over the short term, 51% of species declined and 49% increased. The index of change in the abundance and occupancy of freshwater and wetland species has declined by 21% over the long term, and by 4% over the short term. 13% of freshwater and wetland species are threatened with extinction from Great Britain.

Ponds, lakes and aquatic marginal plants provide a shared resource and the principal habitat in the borough for amphibians and dragonflies and damselflies.

The Common Frog

The Common Frog *Rana temporaria* is easily our most recognisable amphibian. They're found throughout Britain and Ireland, in almost any habitat where suitable breeding ponds are near by. Common Frogs have smooth skin and long legs for jumping away quickly. Garden ponds are extremely important for common frogs, particularly in urban areas.

The common frog breeds in shallow water bodies such as puddles, ponds, lakes, and canals. Tend to be most active at night when they feed on a wide variety of invertebrates. During winter they hibernate under rocks, in compost heaps, or underwater buried in mud and vegetation. Deposit 'rafts' of spawn, often containing up to 2000 eggs. Each small black egg is surrounded by a clear jelly capsule around 1 cm across. Common Frog tadpoles are black when they hatch but develop light bronze speckles as they mature.

The Common Toad

The common toad *Bufo bufo* is one of the UK's most charismatic animals and for many of us it is one of our earliest wildlife memories.

It is a widespread amphibian found throughout Britain. Common Toads prefer deeper water bodies in which to breed. They have rough, 'warty' skin and tend to crawl rather than hop. Common Toads produce a toxin from a pair of glands on their back which makes them distasteful to would-be predators.

Optimal terrestrial habitats include woodland, scrub and coarse grasslands. They are largely nocturnal. They produce long jelly-like strings of spawn. Strings contain a double row of eggs. Tadpoles look similar to Common Frog tadpoles but can be distinguished by their shorter tail and bulkier head. They remain uniformly dark in colour throughout development. Feed on a variety of invertebrates and even small vertebrates.

Smooth Newt & Palmate Newt

Smooth Newts *Lissotriton vulgaris* look very similar to palmate Newts but are more widespread; Smooth Newts cannot tolerate as dry conditions as Palmate Newts. On land, their skin takes on a velvety appearance and they are sometimes mistaken for lizards. Like Common Frogs they are usually quite quick to colonise garden ponds. They're found throughout Britain. They are most active at dusk and dawn. They feed on a wide variety of invertebrates. The eggs are deposited individually on leaves of aquatic plants.

Palmate Newts *Lissotriton helveticus* look very similar to smooth Newts but they have more of a preference for shallow ponds on acidic soils. They are common in southern England but absent from much of central England. Palmate Newts can tolerate drier conditions than Smooth Newts and so can be found further from water.

Dragonflies and Damselflies

Dragonflies and Damselflies are a distinct group of insects belonging to the order Odonata and placed in the Families Anisoptera ("different wings") and Zygoptera ("paired wings") respectively.

Dragonflies and Damselflies are among the most ancient land-living species on the planet, having been in existence for almost 300 million years. They live in freshwater and wetlands such as ponds, lakes, rivers, marshes, fens and bogs. There are 38 species that regularly breed in Britain

Dragonflies and Damselflies usually lay their eggs under the water. The larvae live underwater for several weeks (or years, depending on the species) and go through a series of moults as they grow. The larvae eat almost any living thing that is smaller than they are. They emerge from the water when they are ready to go through their final moult where the 'skin' disappears to reveal the winged adult. Adult dragonflies mainly eat other flying insects, particularly midges and mosquitoes. They will also take butterflies, moths and smaller dragonflies.

Dragonflies and Damselflies are very sensitive to changes and pollution in their environment, which makes them very good indicators of the quality of wetland habitat.

Objectives for amphibians

To ensure that existing and new ponds are connected with suitable terrestrial habitat for amphibians **[No specific target]**

Southwark Council will:

- Create and maintain ponds;
- Host the wildlife reporting tool;
- Monitor ponds;
- Provide advice to residents and businesses on pond creation and maintenance.

Private landowners, developers and residents can:

- Create and maintain ponds;
- Create habitat piles close to ponds to provide refugia;
- Check long grass for amphibians before cutting.

The Third sector partners can/will:

- Create and maintain ponds;
- Create habitat piles close to ponds to provide refugia;
- Survey ponds Inc. Freshwater invertebrate surveying;
- Promotion of damselfly and dragonfly friendly gardening;
- Engage children and adults with damselflies, dragonflies and their prey;
- Water for Wildlife project increasing dragonfly knowledge;
- Hold events to promote pond life;
- Provide advice to residents and businesses on pond creation and maintenance.

3.15 Birds Inc. House Sparrow, Swift and Raptors Species Action Plan:

Introduction

Many bird species are now residents or seasonal visitors in urban areas. In Southwark there are 52 recorded bird species that are listed on the red or amber list of conservation concern.

Some birds such as swifts, black redstarts, peregrine falcons and House sparrows have become urban specialists often nesting in buildings or utilising green infrastructure.

The following birds are priority species for Southwark.

House Sparrow

The house sparrow's *Passer Domesticus* distribution mirrors the pattern of human settlement. As a native species it extends from North Africa, throughout Europe and Central Asia and northwards beyond the Arctic Circle. It has also become established in a number of other countries as a result of introduction by man.

House sparrows have traditionally taken bread and scraps from garden bird tables as well as the seeds of grasses and flowers in parks and gardens and open spaces. The young are fed with insects such as aphids and caterpillars once fledges they rely on seeds as an important staple of their diet.

The birds nest mainly in buildings – in roofs, cracks and crevices – or amongst creepers and climbers on walls and sometimes in dense shrubbery or trees. Under good conditions, sparrows can produce up to five broods per year, although two or three is more typical. They are sensitive to air pollution and will avoid crossing busy carriageways.

Following a decline in populations of around 50% since the 1970's they are on the red list of birds of conservation concern.

Objectives for House Sparrow

To increase the availability of nest sites for House Sparrows by installing sparrow terrace nest boxes or growing dense climbers on walls **[Target: 10 sites by 2022 and 25 sites by 2025]**

Black redstart

The Black restart *Phoenicurus ochruros* is a recent arrival from Europe where it nests on cliffs and mountains. In Britain it has colonised urban areas often found on brownfield or industrial sites. They are found nesting and foraging on Power stations, gasworks, railsides, industrial units and dilapidated wharves are their preferred habitat. For this reason the species' conservation requirements are unique for a British bird.

In London, the black redstart is concentrated on both industrial sites and post-industrial brownfield land along the River Thames East of the River Wandle and along the River Lee. Isolated pairs are still found in central London, which was the bird's stronghold after the second-world war and they breed on at least one mainline station in central London.

The boroughs of Havering, Newham, Tower Hamlets, Hackney, City of London, Islington, Camden, Wandsworth, Southwark, Lewisham, Greenwich and Bexley regularly host breeding birds. A combination of stony bare ground, sparsely vegetated areas and a complexity of structures, whether they are cranes, old jetties, piles of scrap metal cars or disused building complexes, appear to be its preferred habitat or disused building complexes, appear to be its preferred habitat.

On average there are between 8 and 12 pairs breeding in Greater London each year with a further 6-10 singing males present. One pair breeding in a London Borough would therefore amount to approximately 3% of the national population.

Conservation of Black redstarts is linked to the provision of open mosaic habitats, including on green roofs, for which the species is a flagship in London. Specific interventions involve providing nest sites in suitable places. The Black redstart is strictly protected under Schedule 1 of the Wildlife & Countryside Act 1981, and is a priority species in London. It is also listed as a Red Data Book species and is on Appendix II of the Berne Convention on the Conservation of European Wildlife and Natural Habitats, 1979.

In recent years biodiverse brown or green roofs have been installed on many new buildings. This new habitat provides ideal conditions for this bird.

Objectives for Black redstart

To ensure that the possible presence of Black Redstarts is considered in the assessment of planning [**No specific target**]

To provide suitable nest sites for Black redstarts in areas where open mosaic habitats are created or retained [**Target: 3 sites by 2023 and 6 sites by 2025**]

Common Tern

Common Terns *Sterna hirundo* are wholly reliant on the provision of artificial floating nest sites, ideally shingle-covered rafts. A few pairs of Common Terns nest in Southwark, all on rafts provided for them in the docks. In 2018 and 2019, nesting took place on newly installed rafts at Surrey Water. There are plenty of good feeding habitats in the docks, but limited nesting spaces. Rafts should have new gravel installed each year.

Objectives for Common Tern

To ensure that, where new developments reduce the value of an existing breeding site for Common Terns, this is compensated for by the provision of rafts in suitable places nearby.

To increase the available nesting habitat for Common Terns through the provision of additional rafts on suitable water bodies **[Target: 5 additional rafts by 2023 and 10 additional rafts by 2025]**

Peregrine Falcon

The Peregrine falcon *Falco peregrinus* is the largest resident falcon in the UK, it is traditionally associated with rugged mountains and steep sea cliffs. This versatile raptor has recently begun to colonise urban environments, including London, where it is using tall buildings and other structures as substitutes for the traditional crags and cliff-ledges nesting sites. Urban areas also provide a plentiful supply of prey species, pigeons and other medium sized birds ranging from starlings to black-headed gulls are all predated by the Peregrine.

Peregrines are a success story as they are regularly seen hunting over London. They have been sighted roosting on the Tate modern chimney for a number years and utilise other tall buildings in Southwark.

In the UK the Peregrine falcon is afforded full protection as a Schedule 1 breeding species under the Wildlife and Countryside Act, 1981 (as amended). It is also listed as a Red Data Book species and is on Appendix II of the Berne Convention on the Conservation of European Wildlife and Natural Habitats, 1979.

Objectives for Peregrine

To increase the availability of nest sites for Peregrines by providing nest boxes on tall buildings **[Target: 2 sites by 2025]**

Swift

Swifts *Apus apus* have declined across Britain in recent years, and one of the reasons attributed to their decline is the lack of suitable nest sites in modern buildings. Nest boxes for Swifts can easily be installed on buildings, or incorporated into the design of new buildings. Being colonial nesters, Swifts can be encouraged to use nest boxes by playing recordings of their calls from the buildings where the boxes are sited.

Swifts return to the same nesting sites year after year. They are however sensitive to change so if a nesting site is disturbed or altered they may reject it resulting in the loss successful breeding for that location.

Objectives for Swift

To increase the availability of nest sites for Swifts by providing nest boxes on suitable buildings, including in new developments **[Target: 10 sites by 2022 and 20 sites by 2025]**

Southwark Council will:

- Install nest boxes for Peregrines, Swifts, House sparrows, House martins and Black redstarts in appropriate places on new buildings;
- Include biodiverse green roofs which meet the definition of open mosaic habitats in all new build and estate regeneration schemes;
- Install tern rafts in our docks and lakes;
- Seek to retrofit nesting features onto existing buildings;
- Ensure contactors take the nesting season into account when planning and undertaking vegetation clearance and building maintenance works.

- Seek evidence of appropriate surveys for nesting birds where applicable;
- Install nesting features in parks and open spaces.

Private landowners, developers and residents can:

- Install nest boxes for Peregrines, Swifts, House sparrows, House martins and Black redstarts in appropriate places on new buildings;
- Protect existing nest sites;
- Survey sites for evidence of nesting;
- Seek to retrofit nesting features onto existing buildings;

The Third sector partners can/will:

- Hold events such as dawn chorus walks;
- Undertake surveys;
- Promote raptors such as the Peregrine falcon and Tawny Owl;
- Promote ethical bird feeding;
- Work with Friends of groups and engage with residents on housing estates;
- Provide Interpretation on sites.

3.16 Native trees, woodland flora and fungi Species Action Plan:

Introduction

Native trees are found in our woodland and parks and open spaces, by lakes and along highways verges and rail-sides. Many of the trees are planted and a number are self set and have colonised areas of land which have been left unmanaged. Native trees support many species of wildlife because they have been present for thousands of years and flora and fauna has adapted to the resources native trees offer. Native trees are at risk from introduced pests and diseases Dutch Elm disease and Ash dieback are examples of this. Native trees do not do well as street trees so are not planted in this environment.

Woodland flora has developed to flourish in the woodland environment. Woodland flora often flowers early. Many plants are considered indicators of spring. Lesser celandine, bluebells, Cow parsley, Wild garlic and Cowslips are found in our woodlands and often seen in our parks and gardens. Fungi are also important in our woodlands with many rare species recorded.

Southwark Council will:

- Review estate management in areas that were once wooded;
- Manage mowing to allow native woodland flora to bloom and seed;
- Promote planting native trees where applicable;
- Provide volunteer opportunities to help manage specimen native trees and flora;
- Protect trees subject to a Tree Preservation Orders and Woodland Tree Preservation Orders;
- Survey, report and manage pest species and tree diseases.

Private landowners, developers and residents can:

- Plant native trees where suitable;
- Survey, report and manage pest species and tree diseases.
- Manage mowing to allow native woodland flora to bloom and seed.

The Third sector partners can/will:

- Protect woodland flora;
- Survey for ancient woodland indicators;
- Survey, report and manage pest species and tree diseases.
- Plant native woodland flora where applicable
- Promote planting native trees in gardens;
- Lead wildflower walks.

3.16 Pollinators Inc. bees and butterflies Species Action Plan:

Introduction

There are at least 1,500 species of pollinating insects in the UK. Most are native species of bumblebees, solitary bees, wasps, moths, butterflies, beetles and flies. The honey bee *Apis mellifera* is considered domestic stock managed in hives by beekeepers. When plant pollen sticks to the bodies of flower visiting insects, it gets transferred between the flowers they visit. This fertilises the plants, allowing them to reproduce and produce fruits and seeds.

Pollinators are essential for biodiversity and our wider environment. They maintain the diversity of wild flora and support healthy ecosystems, particularly by helping plants to produce fruits and seeds which birds and other animals (including humans) rely on.

Pollinators are of enormous value to human's thorough agriculture, but are also valued and appreciated by the public and, as part of our natural world, and contribute to our health and wellbeing. Pollinators face many pressures, including habitat loss and fragmentation, pests and diseases, extreme weather, competition from invasive species, climate change and pesticide use.

Buglife have identified the following national trends for pollinators:

- Half of our 27 bumblebee species are in decline
- Three of these bumblebee species have already gone extinct
- Across Europe 38% of bee and hoverfly species are in decline
- Two-thirds of our moths are in long term decline
- 71% of our butterflies are also in decline

In the London area loss of natural and semi-natural habitat to urban and suburban development over many years has caused negative impacts on biodiversity and has reduced the availability of food, shelter and nest sites for pollinators. However, studies indicate that provision of forage in the form of flower-rich habitats, such as meadows, within the landscape can help maintain pollinator diversity. Trees, scrub and hedges also play an important role in supporting pollinators and provide shelter and nest sites. Conserving our

remaining flower rich habitats also brings other benefits including protecting threatened plant populations and the wildlife that depends on such habitats.

Southwark Council will:

- Plant trees, shrubs and flora that are known larval food plants or provide forage for butterflies and moths;
- Map existing pollinator habitat;
- Develop a bee line or pollinator strategy;
- Ensure bee keeping agreements are in place for all bee keepers on Southwark's Land;
- Review Southwark's land management looking for opportunities to manage land for the benefit of pollinators - (for example reducing frequency of grass and hedgerow cutting regimes, removal of cut grass from wildflower-rich grasslands etc.);
- Include Great Estates programme in the actions to help pollinators;
- Work with schools to create pollinator-friendly habitats on school grounds and educate schoolchildren about pollinators;
- Seek biodiversity enhancements which contribute to pollinators needs in new developments through the planning process;
- Reduce pesticide use and avoid using new planting containing neonicotinoids;
- Improve habitats for nesting and overwintering pollinators by providing refugia;
- Acknowledging the importance of bare ground areas for ground-nesting species;
- Ensure that not all paths and desire lines are hard surfaced or re-turfed, as these are important nesting area;
- Keep some areas of long grass throughout the winter as a refuge for insects. Cutting should be carried out in rotation to ensure that the uncut areas do not become rank and lose floral diversity;
- Where possible, install suitable bee 'hotels' to encourage mining and leafcutter bees to nest;
- Leave patches of nettles and other larval food plants for breeding butterflies and moths.

Private landowners, developers and residents can:

- Plant trees, shrubs and flora for pollinators;
- Plant trees, shrubs and flora that are known larval food plants or provide forage for butterflies and moths;
- Keep some areas of long grass throughout the winter as a refuge for insects. Cutting should be carried out in rotation to ensure that the uncut areas do not become rank and lose floral diversity;
- Where possible, install suitable bee 'hotels' to encourage mining and leafcutter bees to nest;
- Avoid using pest control for bee, wasp and hornets nests unless absolutely necessary;
- Reduce pesticide use and avoid new planting containing neonicotinoids.

The Third sector partners can/will:

- Plant trees, shrubs and flora for pollinators;
- Plant trees, shrubs and flora that are known larval food plants or provide forage for butterflies and moths;
- Undertake bee, butterfly and pollinator surveying;

- Create and maintain glades in woodlands;
- Hold events to promote pollinators and bee keeping;
- Provide advice and demonstrations for pollinators;
- Provide insect hotels.

4.0 Governance

4.1 Implementation and monitoring

The Implementation and monitoring of the plan will be led the steering group (which is the Southwark Biodiversity Partnership). This is chaired by the Council and includes representatives from relevant council departments.

The steering group will publish an annual report detailing progress on implementation of the SNAP.

We will set up working groups for the habitat action plans with a single working group covering the Built Environment and Gardens & Grounds Habitat Action Plans and a single working group covering the Parks and Open Spaces and Woodland Habitat Action Plans. Species will be covered by all members of the SBP.

A national indicator on SINC sites in positive management will be reported to Defra annually. The emerging Environment Bill puts a duty on local authorities to produce biodiversity reports. Southwark will do this within three years of the bills passing.

4.2 Southwark Nature Action Plan review

The SNAP will be subject to a policy review in its second or third year and a full review after 5 years. The SNAP will be updated following these reviews as required. The reviews will address changes to policies and priorities at a national, regional and local level. It is expected to retain the current habitat and species actions plans.

4.3 Finance and Funding

Funding is vital for delivery of this SNAP. Many of the actions are inexpensive and easy to deliver. Specialist services are required for professional monitoring and surveys and habitat creation. Maintenance of habitats and wildlife features requires revenue. Delivering these actions is often not factored into mainstream budgets and is often an add-on to financial systems. Southwark Council funds the ecology contracts with the London Wildlife Trust, The Conservation Volunteers and Bankside Open Spaces Trust. Southwark Council grant funds other partners such as Surrey Docks Farm and the Centre for Wildlife Gardening.

- Southwark Council will support development of partnership grant applications and third sector grant applications;
- Residents and third sector groups can apply for funding from The Council's Cleaner Greener Safer Fund;
- Southwark Council will disseminate funding opportunities as applicable.

Biodiversity Net Gain could contribute monies to delivery of this SNAP depending on the procedures and guidance produced by Central Government. The Greater London Authority also provides funding via the Greener City Fund.

4.4 Wildlife recording

Understanding what species are present is important in managing habitats and measuring success. To enable individuals and groups to share wildlife sightings Southwark Council has an interactive mapping tool. See link.

<https://geo.southwark.gov.uk/connect/analyst/mobile/#/main?mapcfg=Wildlife%20sightings%20and%20reporting>

Citizen science can also contribute to recording specific species.

Southwark Council has a Service Level Agreement with the London records centre, Greenspace Information for Greater London CIC (GiGL), which provides up to date data on species and habitats and land designations.



Southwark Nature Action Plan (SNAP)

Consultation Summary Report

12th November 2019

Consultation Summary Report

Introduction

This report is a summary of information and findings from a range of engagement that has taken place across Southwark over the last three months. We had 170 responses to the online consultation. We would like to take the opportunity to thank everyone who took time to participate. Your valuable comments and feedback have helped shape the next version of our Southwark Nature Action Plan and how we deliver nature conservation and make nature more accessible across Southwark.

Background Information

A local Biodiversity Action Plan sets out how Southwark Council will meet its legal duties and council plan targets on protecting biodiversity and making nature accessible for all. A new Southwark Nature Action Plan (SNAP), was drafted in August 2019. The plan aims to ensure the protection of biodiversity and make nature accessible for all.

There have been quite a few policy changes since the last Biodiversity Action Plan was produced. The Council has declared a Climate an Emergency and this is inexorably linked to nature conservation and the pressures wildlife faces.

The Government has pledged to introduce mandatory biodiversity net gain and nature recovery. London became the world's first National Park City in July 2019.

How we engaged with the community and stakeholders?

Workshops with the Southwark Biodiversity Partnership began in late 2018 and have continued with regular meeting through out this year.

The public consultation ran from the 12th September to the 27th October 2019 to gather the public's view on the new plan and engagement with nature, along with feedback from internal departments, stakeholders and local partners. The findings of the consultation and feedback from local organisations are detailed in this report.

The public consultation was advertised widely to residents and partner groups.

The public consultation results

Question 1: Do you live or work in Southwark?

The majority (90%) of respondents lived in the borough.

Question 2: Do you think nature is important to your daily lives?

A clear majority felt that nature was important in their daily lives.

98% felt it was important.

Question 3: Where do you go in Southwark to enjoy/access nature?

The responses show that parks with 98%, are the main destination of choice for residents wanting to enjoy or access nature. Gardens, the Thames and woods were the next most popular choices.

Question 4: Are you taking part in any activity to help wildlife in Southwark?

Just over 56% said they were doing something to help wildlife. Some examples were;

'Created a pond in my garden and was part of a successful bid to increase wildlife planting in Burgess Park Lake'.

'Bird Feeder on balcony for Gold Finches - often visited by at least 16 or more per day and encouraging 3+ sets of chicks per annum per breeding pair. Local Squirrel also enjoys'.

'I manage my garden carefully. I help to record birds in Rotherhithe. I have written a wildlife blog'.

About 20% of respondents said they volunteered with one of our partner organisations.

40% said they were not. Some of the reasons given were;

'I am not aware of many things I can do to improve wildlife in Southwark, and also I am under the impression that these activities take place during core working hours so it would be impossible to commit to if that was the case'.

'Would like to if there were super-local opportunities to get involved, or suggestions as to how I can help wildlife while living in a 4-storey block of flats!'

'Yes, I would like to do it; I sometimes struggle to find the time and not sure to have the skills to do it'

Question 5: How regularly do you visit green spaces in Southwark?

The responses show that the respondents regularly visit green spaces. 43% said they visited a green space every day, 33% said they visit more than once a week.

Question 6: Why do you visit green spaces?

The majority of respondents said they visited green spaces for Nature, exercise and mental health. Nature scored highest with 84%. 43% said they were commuting through and 68% said gave exercise as the reason.

Question 7: One of the Council's aims with the new Southwark Nature Plan is to 'make nature accessible for all'. What does this statement mean to you?

The consultation listed 8 options. The main things respondents thought were important when making nature accessible for all were better facilities in green spaces and improved footpaths and gateways. Volunteering opportunities and training were the 3rd and 4th highest things. Only 36% said events and activities were important. Results for this question are below:

- Better facilities in green spaces 60%
- Volunteering opportunities 53%
- Education & training opportunities 53%
- More events and activities 41%
- Improved footpaths and gateways 60%
- Transport options 21%
- Signage 45%
- Other 14%

Question 8: Some of our nature sites are closed or have areas closed to the public to help protect the wildlife living there. Some of these areas are open to schools and other user groups by appointment. Do you agree that nature sites should be restricted as described above?

This question listed 6 options, results to the options were:

- Open 10%
- Open by appointment 45%
- Have set opening times 40%
- Restricted access 54%
- Closed 10%
- Able to be booked for schools and other user groups 56%

The responses show a clear preference of nature sites not being open all the time with only 10% supporting this

option. Being closed was also unpopular with only 10% opting for this. There was no clear majority on the other options. The most popular choices were for nature areas being able to be booked or schools and other user groups or have restricted access.

Question 9: Do you agree that it is necessary to protect wildlife in Southwark?

The response to this question was 100% or respondents thought it was necessary to protect wildlife in Southwark.

Question 10: Are you doing anything to support nature in your area or a Southwark Community?

68% of respondents said they were doing something to support nature in their area or Southwark Community. Below are examples of things people said they were doing:

*'We are using a community centre garden as an area where people can come socialise, relax, plant, and exercise and so on The Green Community Centre'.
'Providing bird feeders, nesting boxes, wild areas in garden, longer grass, water for birds, no pesticides'
'Volunteering, organic gardening'*

'Volunteer regularly at Galleywall Nature Reserve. Encourage local schools and community groups to use the reserve'.

'I feed birds, and remove rubbish from nature areas to protect wildlife'.

'We have a TRA committee for caring for the pond garden. We plant and weed as needed. We protect it to keep it wild'.

'Local green space growing edible food to tackle food security. Soon to be delivering introduction to horticulture courses for local residents. Planting to beautify existing unused borders or raised beds'.

Question 11: Have you attended any events in Southwark run by any of the following organisations?

Respondents were given 10 options, results to the options were:

London Wildlife Trust 34%
The Conservation Volunteers 16%
Bankside Open Spaces Trust 13 %
Walworth Garden 16%
Bee Urban 14%
Surrey Docks Farm 36%
Better Bankside 7%
Team London Bridge (Potters Field) 12%
Southwark Events Team 21%

Other 11%
Not Answered 24%

Surrey Docks Farm and London Wildlife Trust were the most attended providers of events. 21% have visited events run by Southwark Events Team.

Question 12: We believe engagement with nature is important in Southwark. What would you like to see more of in Southwark?

Consultees were given 7 options, results to the options were:

- Volunteering opportunities 52%
- Nature trails 70%
- Signage about nature 63%
- Events on nature 64%
- Training about nature 58%
- Children's nature clubs 62%
- Other 9%
- Not Answered 3%

Nature Trails were the most popular choice with 70% identifying this as something they would like to see more of. Children's nature clubs, signage, Events and Training were the next most popular choices.

Selected comments under 'Other' included:

'More wild areas - e.g. native tree planting/meadows in parks and public spaces'.

'Changing management plans to place ecology at centre of green spaces. Educating garden management teams on wildlife practices e.g.: not mowing amenity grassland to an mms of its life, increasing wildflower/long grass/meadow areas. Improving health of water bodies, investing in infrastructure to allow these improvements: machinery and people, providing education and training opportunities for general public and community bird feeders'.

'More trees and flowers could be planted - there cannot be too many - and more schools could use nature sites for forest school sessions and ready-made outdoor classrooms to learn about nature's role in the world they live in'.

'Green roofs and walls as part of new developments, which provide habitat, energy saving and also visual delight'.

'More information sent to each household about how to get involved in events, and about the local spaces they can visit on their own if events don't appeal (not everyone wants to be organised into a group)'.

'Engage corporates. Talk with companies to do like 'gardening during lunch time' activities'.

'Celebrity hosted activities on nature in our urban environment. A naturalist who will inspire the next generation by seeing the fascination and importance of nature on our doorsteps, even in London'.

Question 13: How would you like to find out about future nature activities, events and projects?

Consultees were given 7 options. Posters in parks (67%), Southwark Website and Social media were the most popular options selected. The results are below:

- Southwark website 58%
- Social media 63%
- Posters in parks 67%
- E-newsletter 53%
- Local press 43%
- Other websites (please specify below).... 9%
- Other printed materials (please specify below).... 9%

Several respondents noted; 'Advertising via societies such as the Dulwich or Peckham Societies' as an option.

Question 14: What barriers do you think people face to accessing nature?

Consultees were given 7 options, results to the options were:

- Physical accessibility of paths 46%
- Mobility issues 46%
- Ramps 17%
- Toilets 45%
- Awareness of where wild spaces are to visit in the borough 70%
- Awareness of how people can get more actively involved (e.g. through volunteering or taking part in workshops) 62%
- Other 10%

Awareness of where wild spaces are (70%) was considered the biggest obstacle and awareness of how people can get actively involved (62%) was seen as the second largest obstacle. Site access and facilities were seen as obstacles for just under half of all respondents.

Question 15: Please use the box below to make any other comments

This is a selection of comments provided for this question:

'Thank you for this consultation. I'm proud to live in Southwark partly due to its green spaces and libraries'.

'Ponds and Meadows although of great importance for wildlife can be expensive and difficult to maintain. They

should not be created unless there is infrastructure and funding to maintain them'

'I think it's fantastic that Southwark are asking these questions. I hope that something is taken forward - each little step counts and so in terms of wildlife and nature, it's better to start doing anything now'.

'Spend money, invest in nature and reduce the amount you spend combatting poor mental health and obesity. All the evidence is available. Use it'.

'If you are serious about making nature accessible reverse the decision to introduce parking charges - it will stop people using the parks and put-up a barrier to volunteers'.

'I believe dog walkers should be barred from habitats'.

'The BAP is very interesting it needs some short, medium and long-term goals and some specific metrics and more focus on funding'.

'Thank you for offering this survey. I very much something positive does come of it. The watchword for me is AWARENESS. How much are people aware of what they already have and what they could potentially lose'.

'Funding to projects that are greening urban spaces'.

A budget for bio-diversity is needed and it is not enough to have only one ecology officer.

Pesticides and neonicotinoids should be banned throughout the Borough. Spraying with weed killers of any type must be stopped at once.

Contractors hired by the Council such as Quadron Idverde must be compelled to stop unnecessary and excessive strimming of grassy areas.

Light pollution in all areas of Southwark must be drastically reduced.

Planning permission should not be granted to any developer who is not prepared to protect nature and someone must enforce this'.

'A narrow-minded consultation focussing on activities and space - this shows you don't value nature for what it is intrinsically'.

'The council must prevent large developments on the borders of parks to stop them from affecting the wildlife in the park'.

'I think its really important Southwark Council continue to maintain, enhance and protect (with the community) the fantastic array of green space and wildlife we have, not just for local residents and future generations who live in Southwark but for the rest of London and its wildlife. That includes when money is short and the developers flash their cash to build that 6 story block on top of a nature reserve - it needs to be protected or we will loose our city's amazing biodiversity, once its gone we may not get it back again'.

'I would welcome more information about biodiversity in the local area. May be the local TRA would be a good point of contact for information to be disseminated to local people and other groups'.

'I welcome the biodiversity plan and the efforts that Southwark has made in encouraging wildlife. As a resident of Rotherhithe I think there are further steps that it could take. One of the biggest problems in TCV, Stave Hill and Russia Dock Woodland is dogs off leads. These woods are home birds - sometimes on passage that spend much of their time on the ground. Such as Woodcock, Green Woodpecker, Snipe, and Water Rail. I have seen fewer of these birds in Rotherhithe over the last few years. The sign on the entrance to Stave Hill says no more than 6 dogs per person with no more than three off the lead. It beggars belief that Southwark can allow this in a Nature Reserve. Dogs disturb ground nesting birds and should be kept on leads in Nature Reserves. You should insist on this. Perhaps with a dog run in the main field. Also the woods need to be managed better for wildlife. Cutting down trees in Stave Hill to plant hops in the middle of a wood makes no sense at all in terms of nature and biodiversity. Stave Hill holds rare Firecrest. Their main habitat is evergreen laurel. Yet much of this has been hacked away over the last year and Firecrest have declined in number'.

'More attention needs to be given to the species of trees planted in the woodland and roadsides. Fieldfare and Redwing are winter visitors that feed on berries. More attention should be given to planting trees such as Sorbus, rather than replacing London Plane with more London Plane that are ecologically barren and reduce biodiversity'.

'Southwark are doing a good job with the nature - but more needs to be done at Southwark Park Lake which looks awful at the moment. There was a dead duck on one of the lake islands that stayed there until it decomposed, despite the staff being alerted by myself. It is also full of duck weed and looks terrible - it can't be good for the ducks or the fish -and the cormorants went up into the trees. I also have to register my dismay that two of the weeping willows were felled for the new cafe. Last summer there was no shade for the ducks, just for a cup of coffee! You need to do more!'

Demographics

The majority of respondents were aged between 25 – 74 years old none were under 18 years old.

The majority of respondents (61%) were White British. 8% were European.

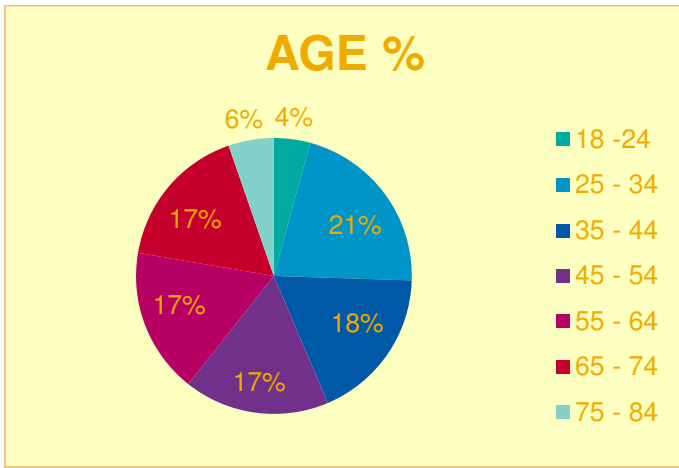


Fig 1, age of respondents

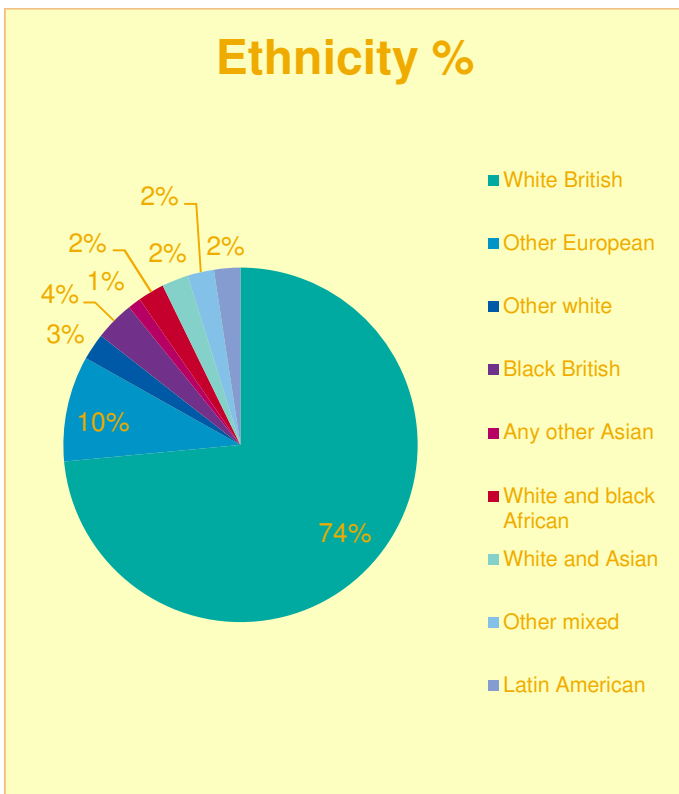


Fig 2, Ethnicity of respondents

Next Steps

The results have been reviewed and incorporated in the Southwark Nature Action Plan. A revision will incorporate the points raised along with comment from within Council departments. This report will be published online.

Where comments fall outside the policy area of the Southwark Nature Action Plan these will be disseminated to the relevant departments and teams. We have incorporated goals with a timeframe into the species action plans.

A funding workshop with the biodiversity partnership will be held once the plan is adopted and we will develop a proactive approach to funding so we are ready to act when new funding streams become available.

Q14 suggests that awareness of where the natural spaces in was an obstacle. We will develop resources to raise awareness of where wildlife sites are and promote the flora and fauna present.

Comments on the role of developers protecting and enhancing biodiversity are addressed in the theme of Biodiversity net gain and through local and regional planning policy.

The Southwark Nature Plan (SNAP) will produce a series of new mini plans and policies. A cultural SNAP and a Young SNAP will be developed.

Guidance on how residents and stakeholders can help nature will be refreshed. The Nature Recovery plan will widen the restoration of biodiversity to all parts of the council.

The Southwark Biodiversity Partnership

Terms of reference

Introduction;

The Southwark Biodiversity Partnership was set up in 2004.

Partners in the Southwark Biodiversity Partnership are:

- The Conservation Volunteers, formally the Trust for Urban Ecology
- The London Wildlife Trust
- The Bankside Open Spaces Trust
- Team London Bridge
- Better Bankside
- Walworth Garden
- Surrey Docks Farm
- Idverde
- Thames Estuary Partnership

Southwark Council Departments:

- Environment & Leisure
- Chief Executive's
- Housing & Modernisation
- Children & Adult Services

Since its formation in 2004 the Southwark Biodiversity Partnership successfully works to protect, enhance, and promote biodiversity.

The partnership has successfully raised the profile of biodiversity in Southwark and has delivered many nature conservation projects, all the while engaging with the people of Southwark. There have been numerous contributions by volunteers, trusts, societies and friends groups. This highlights the importance with which stakeholders and the wider public hold for biodiversity in Southwark. The partnership has produced and delivered 2 Biodiversity Action Plans (BAP).

Core responsibilities;

The partnerships core role is to protect and promote and enhance biodiversity in Southwark.

This includes:

- Delivering projects for habitats and flora and fauna in Southwark
- Promoting biodiversity
- Improving access to nature
- Delivering community engagement for biodiversity
- Providing volunteer opportunities
- Providing educational opportunities
- Delivering habitat management
- Fund raising

One of the partnerships key functions is to produce and deliver a Local Biodiversity Action Plan for the London Borough of Southwark.

The partnership works collectively on delivery of the Local Biodiversity Action Plan. The BAP is a borough wide plan of the council and aims to deliver Regional and National Biodiversity objectives at the borough level.

The partnership will guide management of biodiversity in the Borough of Southwark and include conservation, enhancement and promotion of biodiversity. There are a number of internal and external influences impacting on this partnership.

The Southwark Biodiversity Action Plan contributes to key council policies including the Fairer Future promises, Council Plan and Health and wellbeing.

Limitations;

The focus of the partnership is biodiversity, ecology and nature conservation. The partnership does not attempt to address the wider environmental and sustainability issues such as Climate Change although actions for biodiversity may benefit the wider sustainability agenda or visa versa.

Membership to the partnership is voluntary.

The partnership has no budget allocation.

The partnership does not act as a formal body responding to Local, regional or national consultations.

Item No. 17.	Classification: Open	Date: 17 December 2019	Meeting Name: Cabinet
Report title:		Garage compound Henslowe Road East Dulwich SE22 0AS	
Ward:		Dulwich Hill	
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 start of this month, more than 11,000 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.

Next year, we will begin construction on three new family council houses at Henslowe Road, 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 highlighted land from housing to planning and back to housing, an administrative process that will enable construction of the approved scheme to proceed with confidence.

RECOMMENDATIONS

1. That cabinet confirms that the land shown edged red 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.
2. That cabinet confirms that following completion of the appropriation at paragraph 1 the land shown edged red 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

3. The land in question is shown edged red on the plan at Appendix A to this report and comprises sixteen single storey lock up garages dating from around the 1960s. Prior to that, part of the site was vacant for many years and part contained a house. It is adjacent a pair of semi-detached Victorian houses and a terrace of houses that appear to have been built in the 1950s. To the rear, stand two detached bungalows one of which has been altered to provide accommodation in its loft and has a dormer window at first floor level. The Council holds the freehold interest in the land. The use of the land for vehicle parking or storage is not optimising its potential particularly in regard to the need to build new affordable housing to rent.
4. On 1 October 2019 Planning Sub-Committee A resolved to grant consent for the demolition of the garages and the provision of new housing on the site.
5. 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.
6. In pursuit of this commitment, a number of sites throughout the borough have been identified as providing capacity for additional new homes. Once identified, the development of those sites is consulted upon with the local community, a planning application is made and if appropriate planning consent is granted for the proposed new homes. Thereafter, if there are any third party rights that present a risk to the development Cabinet has been asked on a number of occasions to appropriate the site to mitigate such risk. This report is another to enable the de-risking of a development that will provide new additional housing for social rent.
7. The consented scheme referred to above will provide for:

3	x	Three bedroom houses
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8. All of these dwellings will have front and rear gardens and will be let at Council rent levels.
9. The contract for the construction will shortly be procured and it is intended for construction to commence early next year.

KEY ISSUES FOR CONSIDERATION

10. The consented scheme will be provided by a terrace of houses of three stories in height. This is a predominantly an area with two storey housing so a lighting report was obtained from a specialist surveyor. This is considered in the planning report and for daylighting and sunlighting and identifies some interference with the lighting enjoyed by some neighbouring properties. The report concludes:

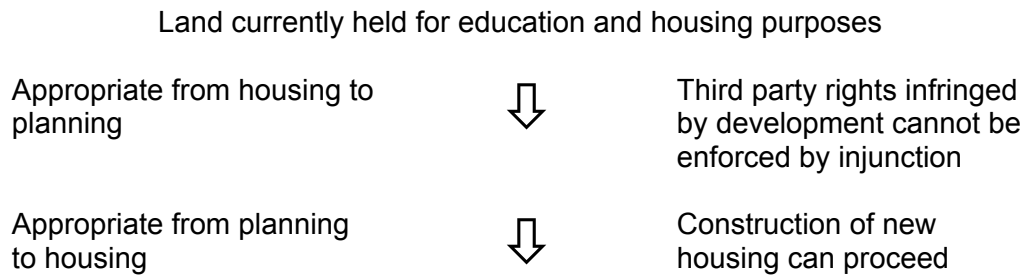
“Overall, the impact of the proposed scheme on the neighbouring properties is minimal and should be regarded as acceptable.”

11. The daylighting/sunlighting report whilst very positive does recognise there will be a minor impact to neighbouring properties. 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.
12. The determined planning application has taken into account daylighting and sunlighting issues. As part of the planning process 78 nearby properties were consulted and 7 (9%) responses were received. These, were all objections. The objections concerned from a planning perspective were:
 - Construction management
 - Parking
 - Privacy impacts
 - Loss of garage space
 - Daylight/sunlight impacts
 - Design
 - Air quality
 - Equalities impacts

Appropriations

13. 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.
14. 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).
15. In this case it is recommended that the land edged red on the plan be appropriated from housing purposes to planning purposes. This will mitigate the risk of legal action designed to frustrate the development being instigated. Thereafter it is recommended the land appropriated to housing purposes as to hold the land for planning purposes will not be consistent with the ultimate use of the land.
16. 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.

17. The appropriation stages is summarised below:



18. 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

- 19.
- 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

20. 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.
21. 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.
22. 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.

23. 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.
24. If the recommendations set out are approved, the council will be able to proceed with the construction of three new houses. It will also result in the demolition of sixteen garages. During consultation it became known that two lock garages are being used for storage by persons with protected characteristics. Measures to mitigate the impact on the affected persons have been agreed by the Housing Department. Having regard to these mitigation measures and the wider benefits arising from the provision of three new family homes, the recommendations are considered proportionate and comply with the Equalities Act 2010.

Financial implications

25. The demolition of the existing garages and 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. The budget will be reviewed when the procurement process mentioned at paragraph 9 has been completed.
26. Where land is appropriated from the housing revenue account to the general fund there is a transfer of debt between the accounts. When land is appropriated from general fund to the housing revenue account this debt transfer is reversed. As both appropriations will take place on the same day there will be no net transfer of debt, and there are, therefore, no financial implications arising directly from the recommendations made in this report.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

27. The report recommends the appropriation of council-owned land for planning purposes, and thereafter, the appropriation of that land for housing purposes.
28. 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.
29. The land must already belong to the council. Paragraph 3 of the report confirms that the land to be appropriated is in the council's freehold ownership.
30. 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 land is no longer required for housing purposes.
31. 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.

32. 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, the majority are council homes for rent and the remainder are intermediate, is capable of falling within all three categories.

33. 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).”

34. 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.

35. 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.
36. 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 (H&M19/103)

37. The Strategic Director of Finance and Governance notes the recommendation to appropriate land as described in order to facilitate regeneration and the building of new homes at Henslowe Road. This land appropriation is proposed to occur in such a way that it will have a neutral financial impact. This scheme forms part of the Council's new homes direct delivery programme and any associated costs will be contained with the Housing Investment Programme.

Strategic Director of Housing and Modernisation

38. This report ensures that the proposed development of the Henslowe Road garage 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 tenants in housing need leads the way in which social housing can be developed in inner cities. The scheme contributes to the Council's target to build 2,500 new homes by 2022 and its pledge to build 11,000 new homes by 2043.

BACKGROUND DOCUMENTS

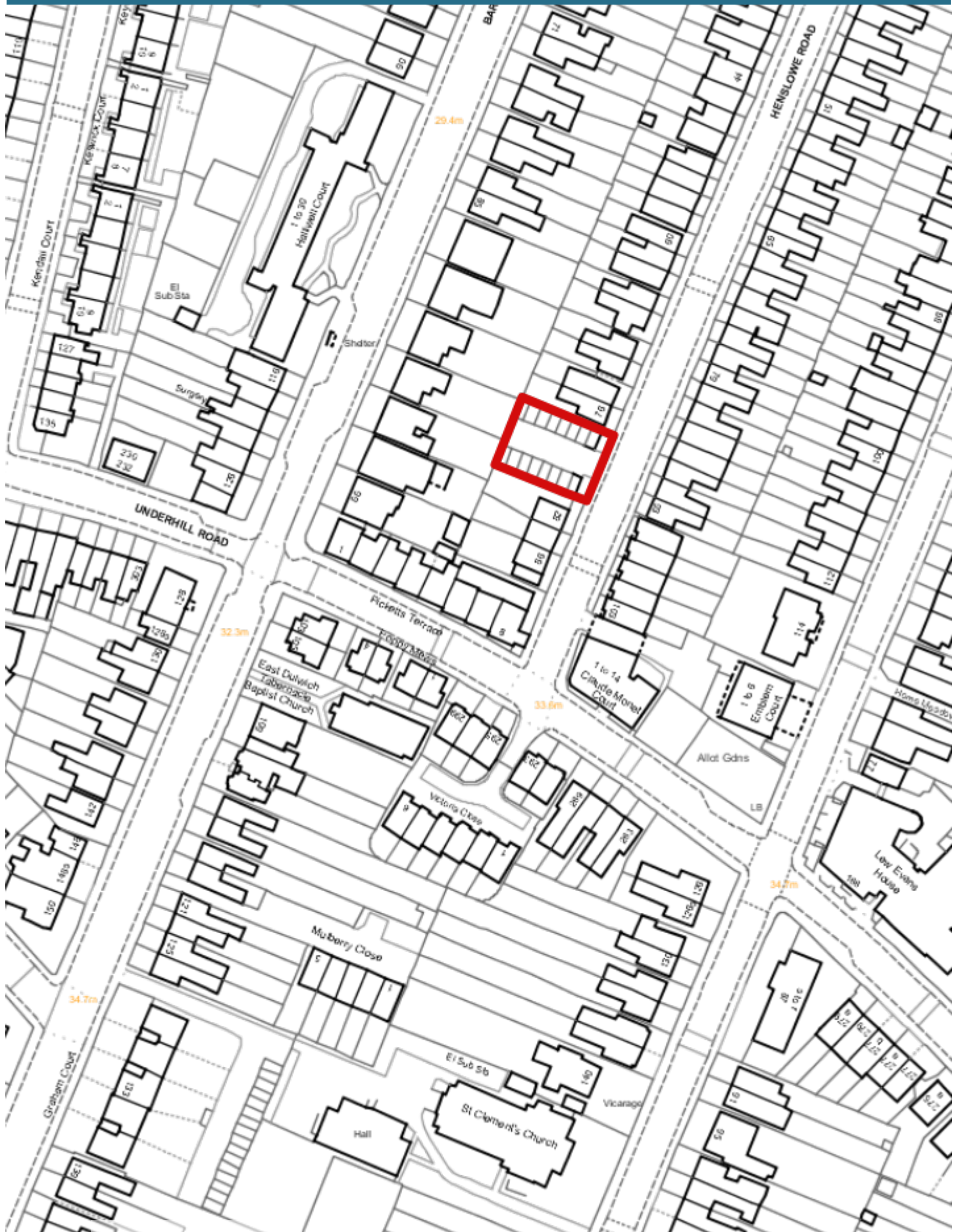
Background Papers	Available at	Contact
Council Plan 2018/9 – 2021/22	160 Tooley Street London SE1 2QH	Patrick McGreal
Web link: http://moderngov.southwark.gov.uk/documents/s78763/Report%20Council%20Plan.pdf		
Planning documentation	160 Tooley Street London SE1 2QH	Patrick McGreal
Web link: https://planning.southwark.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=ZZZV0JKBWR559		
1 October 2019 report to Planning Sub Committee A	160 Tooley Street London SE1 2QH	Patrick McGreal
Web link: http://moderngov.southwark.gov.uk/documents/s84774/Report%20-%20Henslowe%20Road.pdf		

APPENDICES

Appendix	Title
Appendix A	Garage Compound Henslowe Road East Dulwich SE22 0AS
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	4 December 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	4 December 2019	



Scale = 1250

15-Oct-2019

GARAGE COMPOUND HENSLOWE ROAD EAST DULWICH SE22 OAS***Appendix B***

Appropriation of the land (shown edged red 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 garages. 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 Henslowe Road lock up garage compound identified on the plan at Appendix A 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 in question 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 new housing development 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 site to planning purposes

6. The subject land is 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 7 of the main report. Although it is unlikely that there will be a significant 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 edged red at Appendix A is no longer required to be held for housing purposes. As indicated above, the land is 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.

Item No. 18.	Classification: Open	Date: 17 December 2019	Meeting Name: Cabinet
Report title:		Land at Balfour Street and Chatham Street, Walworth	
Ward:		North Walworth	
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 start of this month, more than 11,000 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.

Next year, we will begin construction on twenty-six new council homes at Balfour Street, 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 highlighted land from housing to planning and back to housing, an administrative process that will enable construction of the approved scheme to proceed with confidence.

RECOMMENDATIONS

That Cabinet:

1. confirms that the land shown edged red 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.
2. confirms that following completion of the appropriation at paragraph 1 the land shown edged red 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

3. The land in question comprises an area of open surfaced land that provides carparking for residents of the adjacent Salisbury Estate. It is shown edged red on the plan at Appendix A to the report. The Council holds the freehold interest in the land. It adjoins an area of landscaped housing amenity land. The adjacent estate was constructed in the late 1970s on the site of former Victorian houses (examples of which remain in Chatham Street) at a time when motor vehicle use in central London was more prevalent and the environmental impact of their use less well understood.
4. On 4 September 2019 Planning Sub-Committee B resolved to grant consent for new housing on the subject land.
5. 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.
6. In pursuit of this commitment, a number of sites throughout the borough have been identified as providing capacity for additional new homes. Once identified, the development of those sites is consulted upon with the local community, a planning application is made and if appropriate planning consent is granted for the proposed new homes. Thereafter, if there are any third party rights that present a risk to the development Cabinet has been asked on a number of occasions to appropriate the site to mitigate such risk. This report is another to enable the de-risking of a development that will provide new additional housing for social rent.
7. The consented scheme referred to above will provide for:

10	x	One bedroom flats
11	x	Two bedroom flats
5	x	Three bedroom flats
2	x	Parking spaces for wheelchair users
		Amenity land for the new housing
		Improvements to adjacent housing amenity land
		Improved pedestrian link with Chatham Street to existing amenity land
8. All of these consented twenty-six dwellings will provide housing to be let at council rent levels.
9. The contract for the construction will shortly be procured and it is intended for construction to commence early next year.

KEY ISSUES FOR CONSIDERATION

10. Implementation of the consented scheme will result in a loss of carparking for residents of the Salisbury Estate and as result of displacement arising, increased pressure for parking in the area. However, this is a central London location that

benefits from very good public transport. Indeed, a survey carried out prior to submission of the planning application indicated only a 25% usage. An open area used for carparking is not considered an efficient or environmentally friendly usage of land in this location. Such is the need to provide more affordable housing in the borough and with a paucity of sites to satisfy this need, it is considered appropriate to change the usage of the subject land to new housing. Providing sub-surface parking on the land is not economically feasible nor in keeping with *Greener Borough* commitment in the current Council Plan and in particular the undertaking to cut carbon emissions.

11. The consented scheme will be provided by a 'block of five stories in height. 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 and identifies some interference with the lighting enjoyed by some neighbouring properties. The report concludes:

“Overall the impact of the proposed development is small and fully compliant with the default BRE (Building Research Establishment) criteria. Whilst there are impacts to two small flank wall secondary windows in 2 & 6 Chatham Street, the principal windows serving the rooms are not impacted and retain very good daylight and sunlight levels. There will be borderline proportional reductions to the Livingroom windows of 30 Salisbury Close, however, the retained daylight levels will be very good for an urban location. All properties will continue to receive good amounts of sunlight as measured by APSH (annual probable sunlight hours). Within the proposed development each unit will have good daylight levels as measured by ADF (average daylight factor). All living rooms will have very good sunlight levels, especially those with a southerly aspect. Overall, the proposed development accords with the BRE guidelines and should be regarded as acceptable.”

12. The daylighting/sunlighting report whilst generally positive does recognise there will an adverse impact to the properties identified. 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.
13. The determined planning application has taken into account daylighting and sunlighting issues. As part of the planning process 470 nearby properties were consulted and 12 (2½%) responses were received. Of these, nine were objections, two supportive and one was neutral. The objections concerned
- Impact on parking
 - Loss of daylight and sunlight
 - Height, scale and massing
 - Design and impact on the setting of a listed building
 - Loss of recycling facilities.

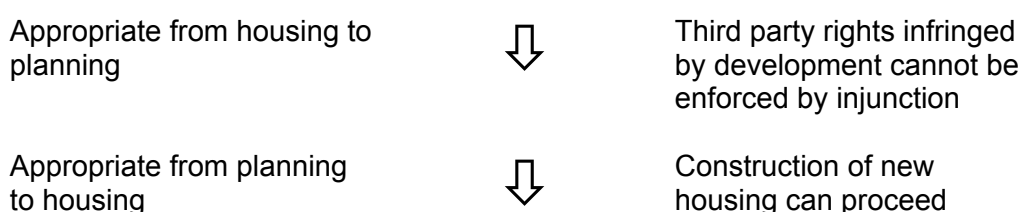
Appropriations

14. 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.

15. 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).
16. In this case it is recommended that the land edged red on the plan be appropriated from housing purposes to planning purposes. This will mitigate the risk of legal action designed to frustrate the development being instigated. Thereafter it is recommended the land appropriated to housing purposes as to hold the land for planning purposes will not be consistent with the ultimate use of the land.
17. 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.
18. The appropriation stages is summarised below:

Land currently held for education and housing purposes



19. 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

20.
 - 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

21. 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.
22. 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.
23. 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.
24. 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.
25. If the recommendations set out are approved, the council will be able to proceed with the construction of twenty-six new homes and to make enhancements to the Salisbury Estate. These new homes may ultimately house some people with protected characteristics (two of the new homes will be able to accommodate wheelchair users and these will have allocated parking spaces). There may be a dis-benefit to persons if any, on the Estate with a disability arising from the reduction in parking as a consequence of the scheme but this can be mitigated by managing the remaining estate parking space to accommodate them. There are no other known dis-benefits to protected characteristics arising from the proposed scheme.

Financial implications

26. 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. The budget will be reviewed when the procurement process mentioned at paragraph 9 has been completed.
27. Where land is appropriated from the housing revenue account to the general fund there is a transfer of debt between the accounts. When land is appropriated from general fund to the housing revenue account this debt transfer

is reversed. As both appropriations will take place on the same day there will be no net transfer of debt, and there are, therefore, no financial implications arising directly from the recommendations made in this report.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

28. The report recommends the appropriation of council-owned land for planning purposes, and thereafter, the appropriation of that land for housing purposes.
29. 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.
30. The land must already belong to the council. Paragraph 3 of the report confirms that the land to be appropriated is in the council’s freehold ownership.
31. 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 land is no longer required for housing purposes.
32. 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.
33. 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, the majority are council homes for rent and the remainder are intermediate, is capable of falling within all three categories.
34. 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).”

35. 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.
36. 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.
37. 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 (H&M19/100)

38. The strategic director of finance and governance notes the recommendation to appropriate land as described in order to facilitate regeneration and the building of new homes at the Salisbury Estate. This land appropriation is proposed to occur in such a way that it will have a neutral financial impact. This scheme forms part of the Council’s new homes direct delivery programme and any associated costs will be contained with the Housing Investment Programme.

Strategic Director of Housing and Modernisation

39. This report ensures that the proposed development of the parking area at the Salisbury Estate 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 tenants in housing need leads the way in which social housing can be developed in inner cities. The scheme contributes to the Council's target to build 2,500 new homes by 2022 and its pledge to build 11,000 new homes by 2043.

BACKGROUND DOCUMENTS

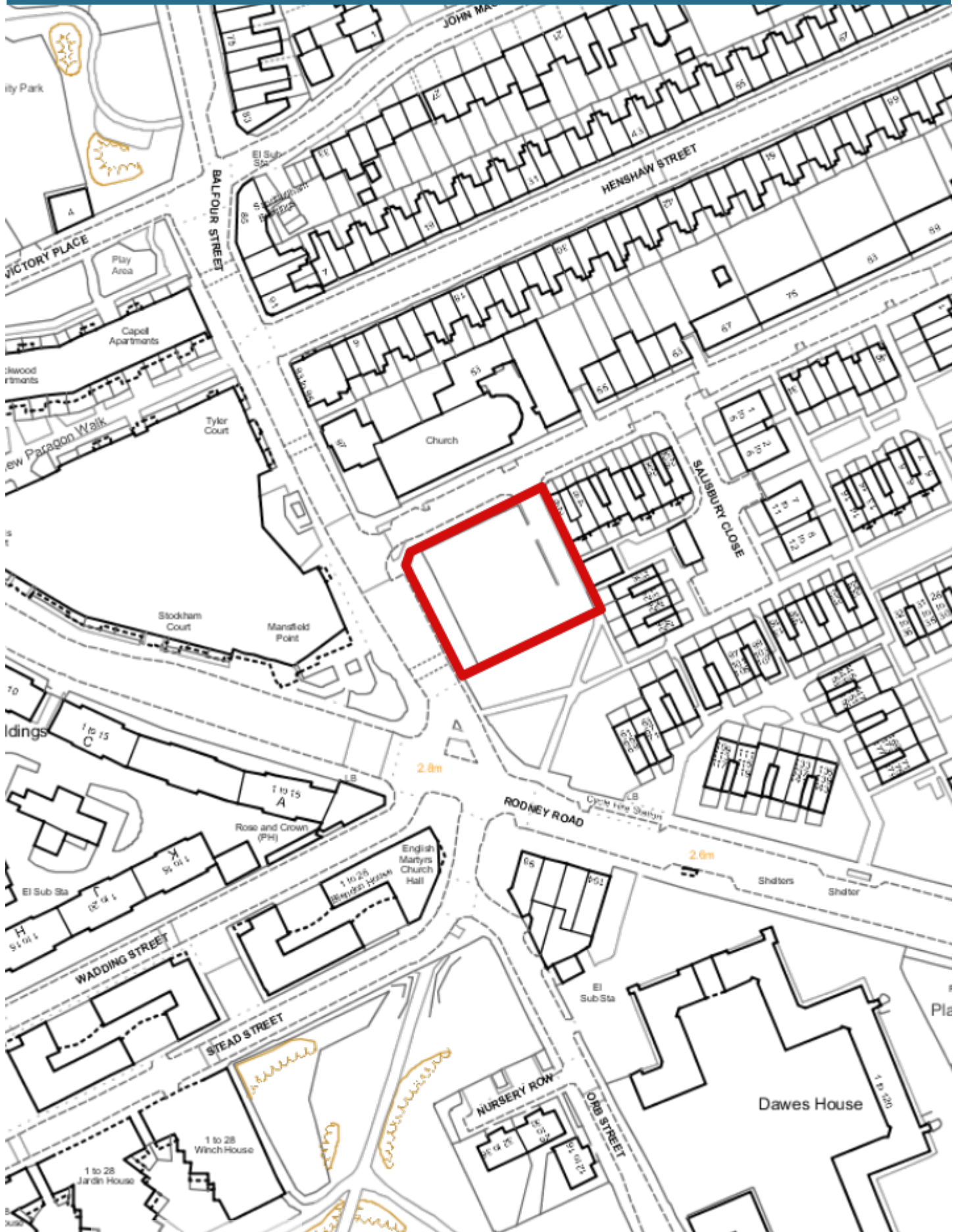
Background Papers	Held at	Contact
Council Plan 2018/9 – 2021/22	160 Tooley Street	Patrick McGreal
Copy and paste into browser: http://modern.gov.southwark.gov.uk/documents/s78763/Report%20Council%20Plan.pdf		
September 2019 planning determination and associated documents	160 Tooley Street	Patrick McGreal
Copy and paste into browser: https://planning.southwark.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=ZZZV0KKBWR184		

APPENDICES

Appendix	Title
Appendix A	Land at Balfour Street and Chatham Street Walworth
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	4 December 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	4 December 2019	



LAND AT BALFOUR AND CHATHAM STREETS WALWORTH***Appendix B***

Appropriation of the land (shown edged red 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 garages. 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 parking area of the Salisbury Estate identified on the plan at Appendix A 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 in question 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 new housing development 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 site to planning purposes

6. The subject land is 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 7 of the main report. Although it is extremely unlikely that there will be a significant 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 edged red at Appendix A is no longer required to be held for housing purposes. As indicated above, the land is 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.

Item No. 19.	Classification: Open	Date: 17 December 2019	Meeting Name: Cabinet
Report title:		2 Sedgmoor Place Camberwell SE5 7SE	
Ward:		St Giles	
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 start of this month, more than 11,000 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.

Next year, we will begin construction on thirteen new council homes at Sedgmoor Place, 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 highlighted land from housing to planning and back to housing, an administrative process that will enable construction of the approved scheme to proceed with confidence.

RECOMMENDATIONS

1. That cabinet confirms that the land shown edged red 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.
2. That cabinet confirms that following completion of the appropriation at paragraph 1 the land shown edged red 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

3. The land in question comprises a one and two storey prefabricated building that has been used as temporary accommodation unit and is situated on the corner of Sedgmoor Place and Southampton Way. It is shown edged red on the plan at Appendix A to the report. The building appears to be around forty years old. The council holds the freehold interest in the land. It adjoins an area of housing amenity land. The age and form of building construction together with the realignment of the way homeless services are provided means the building currently on site is obsolete.
4. In summer 2019 the planning consent was granted for the demolition of the existing building and the provision of new housing on the site.
5. 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.
6. In pursuit of this commitment, a number of sites throughout the borough have been identified as providing capacity for additional new homes. Once identified, the development of those sites is consulted upon with the local community, a planning application is made and if appropriate planning consent is granted for the proposed new homes. Thereafter, if there are any third party rights that present a risk to the development cabinet has been asked on a number of occasions to appropriate the site to mitigate such risk. This report is another to enable the de-risking of a development that will provide new additional housing for social rent.
7. The consented scheme referred to above will provide for:

4	x	One bedroom flats
5	x	Two bedroom flats
1	x	Two bedroom maisonette
3	x	Three bedroom maisonettes
		Refuse storage
		Landscaping
		Bicycle parking
8. All of these consented thirteen dwellings will provide housing to be let at council rent levels.
9. The contract for the construction will shortly be procured and it is intended for construction to commence early next year.

KEY ISSUES FOR CONSIDERATION

10. The consented scheme will be provided by a block of two and four stories that has been designed to sympathise with surrounding architecture. It will be brick faced and have a flat roof. 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, it identifies some interference with the lighting enjoyed by some neighbouring properties. The report concludes:

“The daylight and sunlight impact to the majority of the neighbouring properties will fully comply with the Building Research Establishment (BRE) guidelines. Whilst there will be isolated noticeable impacts, in each case, the retained daylight levels are good for an urban location and should be considered acceptable. The overshadowing to the neighbouring properties is generally small and should be considered acceptable in an urban location”.

11. The daylighting/sunlighting report whilst generally positive does recognise there will be some impact to neighbouring properties. 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.
12. The determined planning application has taken into account daylighting and sunighting issues. As part of the planning process 83 nearby properties were consulted and three (3.6%) responses were received. These were all objections. The objections concerned:
 - Privacy and overlooking
 - Materials to be used in development
 - Noise and disturbance during demolition and building
 - Loss of daylight and sunlight.

Appropriations

13. 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.
14. 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).
15. In this case it is recommended that the property edged red on the plan be appropriated from housing purposes to planning purposes. This will mitigate the risk of legal action designed to frustrate the development being instigated. Thereafter it is recommended the property be appropriated to housing purposes as to hold it for planning purposes will not be consistent with the ultimate use of the land.

16. 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.
17. The appropriation stages is summarised below:

Land currently held for education and housing purposes

Appropriate from 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

18. 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

19. The reasons for these recommendations are:
- 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 deliver a current Council Plan commitment.

Community impact statement

20. 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.
21. 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.
22. 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.
23. 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.
24. If the recommendations set out are approved, the council will be able to proceed with the construction of thirteen new homes providing twenty-five bedrooms. It will also result in the demolition of a temporary accommodation unit that is at the end its useful life. The new homes will provide more bedspaces than in the existing property. Persons currently using the existing unit may have protected characteristics as may the ultimate tenants of the new housing that will be provided. The Council's policy to build additional housing for rent is designed to mitigate homeless in the Borough and this is allocated having regard to policies that have been designed to address the Equality Act 2010. Therefore the recommendations in this report will not be detrimental to persons with protected characteristics.

Financial implications

25. The demolition of the existing building and 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. The budget will be reviewed when the procurement process mentioned at paragraph 9 has been completed.
26. Where land is appropriated from the housing revenue account to the general fund there is a transfer of debt between the accounts. When land is appropriated from general fund to the housing revenue account this debt transfer is reversed. As both appropriations will take place on the same day there will be no net transfer of debt, and there are, therefore, no financial implications arising directly from the recommendations made in this report.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

27. The report recommends the appropriation of council-owned land for planning purposes, and thereafter, the appropriation of that land for housing purposes.
28. 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.
29. The land must already belong to the council. Paragraph 3 of the report confirms that the land to be appropriated is in the council's freehold ownership.

30. 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 land is no longer required for housing purposes.
31. 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.
32. 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, the majority are council homes for rent and the remainder are intermediate, is capable of falling within all three categories.
33. 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).”

34. 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.
35. 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.
36. 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 (H&M19/101)

37. The strategic director of finance and governance notes the recommendation to appropriate land as described in order to facilitate regeneration and the building of new homes Sedgmoor Place. This land appropriation is proposed to occur in such a way that it will have a neutral financial impact. This scheme forms part of the Council’s new homes direct delivery programme and any associated costs will be contained with the Housing Investment Programme.

Strategic Director of Housing and Modernisation

38. This report ensures that the proposed development of the Sedgmoor Place hostel 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 tenants in housing need leads the way in which social housing can be developed in inner cities. The scheme contributes to the council’s target to build 2,500 new homes by 2022 and its pledge to build 11,000 new homes by 2043.

BACKGROUND DOCUMENTS

Background Papers	Held at	Contact
Council Plan 2018/9 – 2021/22	160 Tooley Street	Patrick McGreal
Web link: http://moderngov.southwark.gov.uk/documents/s78763/Report%20Council%20Plan.pdf		
September 2019 planning determination and associated documents	160 Tooley Street	Patrick McGreal
Web link: https://planning.southwark.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=ZZZV0JKBWR932		

APPENDICES

Appendix	Title
Appendix A	2 Sedgmoor Place Camberwell SE5 7SE
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	4 December 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	4 December 2019	



Scale = 1250

14-Oct-2019

2 SEDGMOOR PLACE CAMBERWELL***Appendix B***

Appropriation of the land (shown edged red 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 garages. 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 obsolete hostel identified on the plan at Appendix A 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 in question 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 new housing development 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 site to planning purposes

6. The subject land is 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 7 of the main report. Although it is unlikely that there will be a significant 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 edged red at Appendix A is no longer required to be held for housing purposes. As indicated above, the land is 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.

Item No. 20.	Classification: Open	Date: 17 December 2019	Meeting Name: Cabinet
Report title:		Garage compound Bassano Street East Dulwich SE22 8RU	
Ward:		Goose Green	
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 start of this month, more than 11,000 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.

Next year, we will begin construction on four new council family homes at Bassano Street, 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 highlighted land from housing to planning and back to housing, an administrative process that will enable construction of the approved scheme to proceed with confidence.

RECOMMENDATIONS

1. That cabinet confirms that the land shown edged red 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.
2. That cabinet confirms that following completion of the appropriation at paragraph 1 the land shown edged red 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

3. The land in question comprises fourteen single storey lock up garages and is shown edged red on the plan at Appendix A to this report. The garages date from around 1960; previously the site had contained a hall that was used with the adjacent former Epiphany Church. The council holds the freehold interest in the land. It adjoins an area of housing amenity land.
4. On 1 October 2019 Planning Sub-Committee A resolved to grant consent for the demolition of the garages and the provision of new housing on the site.
5. 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.
6. In pursuit of this commitment, a number of sites throughout the borough have been identified as providing capacity for additional new homes. Once identified, the development of those sites is consulted upon with the local community, a planning application is made and if appropriate planning consent is granted for the proposed new homes. Thereafter, if there are any third party rights that present a risk to the development Cabinet has been asked on a number of occasions to appropriate the site to mitigate such risk. This report is another to enable the de-risking of a development that will provide new additional housing for social rent.
7. The consented scheme referred to above will provide for:

4	x	Three bedroom houses
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8. All of these consented four houses will provide housing to be let at council rent levels.
9. The contract for the construction will shortly be procured and it is intended for construction to commence early next year.

KEY ISSUES FOR CONSIDERATION

10. The consented scheme will be provided by a terrace of three stories that has been designed to sympathise with surrounding architecture. It will be brick faced and have a flat roof. The second floor of the terrace will be recessed along the Bassano Street frontage. 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 and identifies some interference with the lighting enjoyed by some neighbouring properties. The report identifies borderline impacts on two properties but concludes:

“Overall, the impact of the proposed development accords with the BRE (Building Research Establishment) guidelines”.
11. The daylighting/sunlighting report whilst generally positive does recognise there will be some impact to neighbouring properties. 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.

12. The determined planning application has taken into account daylighting and sunlighting issues. As part of the planning process 88 nearby properties were consulted and 15 (17%) responses were received. One was supportive of the scheme, one neutral and thirteen were objections. The objections from a planning perspective concerned:
 - Design
 - Parking strain
 - Construction management
 - Density
 - Air quality
 - Bulk, scale, and massing
 - Noise
 - Access to daylight/sunlight
 - Impact on trees
 - Impact of neighbouring church
 - Sizes of proposed gardens
 - Undersized units
 - Inappropriate backland development (not a backland scheme).

Appropriations

13. 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.
14. 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).
15. In this case it is recommended that the land edged red on the plan be appropriated from housing purposes to planning purposes. This will mitigate the risk of legal action designed to frustrate the development being instigated. Thereafter it is recommended the land appropriated to housing purposes as to hold the land for planning purposes will not be consistent with the ultimate use of the land.

16. 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.
17. The appropriation stages is summarised below:

Land currently held for education and housing purposes

Appropriate from 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

18. 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

19. The rationale for these recommendations is:
- 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

20. 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.
21. 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.
22. 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.
23. 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.
24. If the recommendations set out are approved, the council will be able to proceed with the construction of four new family houses. It will also result in the demolition of fourteen garages. Based on the information available it is not considered there are any particular groups sharing a protected characteristic that will be adversely impacted by the proposals. Indeed the new housing should be beneficial across the range of protected characteristics.

Financial implications

25. The demolition of the existing garages and 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. The budget will be reviewed when the procurement process mentioned at paragraph 9 has been completed.
26. Where land is appropriated from the housing revenue account to the general fund there is a transfer of debt between the accounts. When land is appropriated from general fund to the housing revenue account this debt transfer is reversed. As both appropriations will take place on the same day there will be no net transfer of debt, and there are, therefore, no financial implications arising directly from the recommendations made in this report.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

27. The report recommends the appropriation of council-owned land for planning purposes, and thereafter, the appropriation of that land for housing purposes.
28. 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.
29. The land must already belong to the council. Paragraph 3 of the report confirms that the land to be appropriated is in the council’s freehold ownership.
30. 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 land is no longer required for housing purposes.
31. 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.

32. 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, the majority are council homes for rent and the remainder are intermediate, is capable of falling within all three categories.
33. 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).”

34. 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.

35. 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.
36. 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 (H&M19/102)

37. The Strategic Director of Finance and Governance notes the recommendation to appropriate land as described in order to facilitate regeneration and the building of new homes at Bassano Street. This land appropriation is proposed to occur in such a way that it will have a neutral financial impact. This scheme forms part of the Council's new homes direct delivery programme and any associated costs will be contained with the Housing Investment Programme.

Strategic Director of Housing and Modernisation

38. This report ensures that the proposed development of the Bassano Street garage 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 tenants in housing need leads the way in which social housing can be developed in inner cities. The scheme contributes to the Council's target to build 2,500 new homes by 2022 and its pledge to build 11,000 new homes by 2043.

BACKGROUND DOCUMENTS

Background Papers	Held at	Contact
Council Plan 2018/9 – 2021/22	160 Tooley Street London SE1 2QH	Patrick McGreal
Web link: http://moderngov.southwark.gov.uk/documents/s78763/Report%20Council%20Plan.pdf		
Planning documentation	160 Tooley Street London SE1 2QH	Patrick McGreal
Web link: https://planning.southwark.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=ZZZV0JKBWR560		
1 October 2019 report to Planning Sub Committee A	160 Tooley Street London SE1 2QH	Patrick McGreal
Web link: http://moderngov.southwark.gov.uk/documents/s84768/Report%20-%20Basson%20Street.pdf		

APPENDICES

Appendix	Title
Appendix A	Garage compound Bassano Street East Dulwich
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	4 December 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	4 December 2019	



50 m

Scale = 1250

15-Oct-2019

GARAGE COMPOUND BASSANO STREET EAST DULWICH SE22 8RU

Appendix B

Appropriation of the land (shown edged red 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 garages. 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 garage compound in Bassano Street identified on the plan at Appendix A 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 in question 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 new housing development 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 site to planning purposes

6. The subject land is 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 7 of the main report. Although it is unlikely that there will be a significant 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 edged red at Appendix A is no longer required to be held for housing purposes. As indicated above, the land is 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.

Item No. 21.	Classification: Open	Date: 17 December 2019	Meeting: Cabinet
Report title:		Strategic Acquisition of land Old Kent Road SE15	
Ward:		Old Kent Road	
Cabinet Members:		Councillor Victoria Mills, Cabinet Member for Finance, Performance & Brexit	

FOREWORD – COUNCILLOR VICTORIA MILLS, CABINET MEMBER FOR FINANCE, PERFORMANCE & BREXIT

Southwark Council is committed to building on the Old Kent's Road central location, unique character and its strong communities and is investing to ensure it's a great place to live, work and do business.

An opportunity has arisen on the Old Kent Road to make an acquisition that will support the huge potential for jobs, businesses and homes in the area and particularly our ambitious target of building 11,000 new council homes across Southwark by 2043.

Our vision for any new housing is that it is of the highest quality in terms of design, architecture, materials, public realm and build quality and this site will be no exception. Alongside this vision is the opportunity for much needed affordable business space as well as the new shops that will help form a revitalised high street for Old Kent Road. The revenue from this will provide a much needed income stream for the Council.

RECOMMENDATIONS

That Cabinet:

1. Authorises pursuant to s120 of the Local Government Act 1972 and s9 of the Housing Act 1985, that the Council acquires the freehold interest in the property shown edged red on the plan at Appendix A.
2. Authorises the principal purchase terms set out in full in paragraph 4 of the closed version of this report and substantially in paragraph 19 of this report.
3. Delegates to the Director of Regeneration authority to agree the detailed terms of the acquisition.

BACKGROUND INFORMATION

4. The site has been largely unoccupied for approximately 15 years although more recently has been partly let on a commercial lease. There is also an advertising hoarding at the property, generating additional income.
5. Part of the site includes a Victorian warehouse building facing the Old Kent Road which will be retained in accordance with the Old Kent Road AAP and could be used for either commercial or community use subject to refurbishment.

6. The Council is developing a new Area Action Plan for the Old Kent Road where it is proposed that an additional 20,000 homes are built within the next 20 years. There are plans for the extension of the Bakerloo Line from Elephant and Castle along the Old Kent Road.
7. We have taken external advice and commissioned an architectural massing exercise for the site taking into account the planning guidance within the AAP which proposes in excess of 200 flats with circa 16,500 sq ft of new commercial space on the site once vacant possession can be obtained and a planning application is submitted.
8. The opportunity to purchase the property has arisen and the Council submitted a bid subject to Cabinet approval that has been accepted by the vendor. Contracts have been exchanged subject to approval by Cabinet.
9. The Old Kent Road Area Action Plan identifies the area for long term redevelopment and this site presents an opportunity for a strategic purchase of an income producing asset where there are opportunities including residential development.
10. Southwark's housing strategy to 2043 pledges to use every tool at the council's disposal to increase the supply of all kinds of homes across the borough and to build 11,000 new council homes by 2043.

Factors for consideration

11. The inclusion of the property within the Old Kent Road Opportunity Area means it offers scope to deliver a mixed use scheme in pursuit of the Council Plan undertaking. Discussions have taken place with planning officers and these suggest the site may accommodate around 200 new homes and approximately 16,500 sq ft of new commercial space. Cabinet should bear in mind these outputs are indicative and in no way fetter the Planning Committee's ability to determine any application it receives on its own merits.
12. Assuming the property is acquired, a decision can subsequently be taken as to how the property is redeveloped. Any housing developed as part of the scheme could be a mix of 50% affordable homes and 50% for market sale to assist funding subject to the design of the scheme which is in the Area Action Plan.
13. The property is to be acquired subject to a lease that expires in July 2022. This means the Council cannot obtain possession of the entire site before then. Bringing new schemes forward inevitably takes time in design, planning and commissioning terms so the existence of the lease is not an issue. Indeed it means the property will yield an income and should remain occupied whilst plans for the site are formulated and taken forward ready to build. In addition, there is a larger area of open space on the site which is not currently utilised. In the short-medium term the Council can let this space for open storage to further generate an income until plans to develop the site further are progressed, or can be occupied by LBS.
14. In the light of the planning status, the property's location and its strategic benefit it is appropriate that the Council seek to acquire the property.
15. Section 120 of the Local Government Act 1972 enables the Council to acquire land for any of the Council's functions under the Local Government Act or any

other enactment, or for the benefit, improvement or development of their area.

16. Section 9 of the Housing Act 1985 provides that a local housing authority may provide housing accommodation by erecting houses or by converting buildings into houses or by acquiring houses. The Housing Act therefore gives the Council power to build houses itself on land acquired for that purpose.
17. Terms for the purchase of the property have been agreed with the vendor and contracts exchanged subject to Cabinet approval and these are set out in the next paragraph. If further detailed issues arise over the contract it is recommended that authority be delegated to the Director of Regeneration to agree such matters in consultation with the Strategic Director of Finance and Governance.

PRINCIPAL PURCHASE TERMS

18. a) The Council pays the consideration set out in the closed version of this Report.
- b) On exchange of contracts the Council paid a fully refundable deposit of £100,000 as set out in the closed version of this report. Therefore in the event that the purchase is not agreed by Cabinet the contract falls away and the deposit is returned.
- c) On completion, the property to be subject to a lease and separate licence referred to in paragraph 4.
- d) The parties to meet their own costs of the transfer.

Commentary on principal purchase terms

19. a)-b) Refer to closed version of report.
- c) See paragraph 13.
- d) A standard provision.

Rationale for recommendations

20. a) To assist the Council making strategic purchases of sites for its long term use.
- b) To further a commitment within the new Council Plan.
- c) To enhance the Council's asset base.

Community impact statement

21. 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.
22. 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.

23. 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.

24. 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.

25. If the recommendations set out are approved, the Council will purchase an industrial site which will be redeveloped for mixed use. When the time comes to terminate the occupational lease, it will be necessary for regard to had to any possible effects on groups with a protected characteristic arising from the action.

Financial implications

26. The acquisition of the property will incur substantial capital expenditure and this is considered in detail in the closed version of the report.

27. As set out in paragraph 13 the property will generate an income between acquisition and termination of the lease that exists. This income will more than cover the Council's holding costs for the property.

28. Submitting the bid for the property and processing the legal documentation necessary to complete the purchase, has and will incur revenue costs but these will be met from existing budgets.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law & Democracy

29. As set out in this report the property will be acquired pursuant to s120 of the Local Government Act 1972 which gives the Council power to acquire land by agreement for the purposes of (a) any of the Council's functions under the Local Government Act or (b) the benefit, improvement or development of the area. The report sets out at paragraph 11 how these requirements are met.

30. Section 9 of the Housing Act 1985 states that a local housing authority may provide housing accommodation by erecting houses or converting buildings into houses on land acquired by them for the purposes of the Housing Act.

31. Section 120(2) of the Local Government Act 1972 further provides that where land is acquired for a purpose and it is not immediately required for that purpose, it may be used for the purpose of any of the council's functions until it is required for the purpose for which it was acquired. This provision would authorise an "investment" use as envisaged by this report.
32. Taken together these provisions give the Council adequate legal powers to acquire the property for housing and to use it for investment purposes in the interim period prior to construction of housing.

Strategic Director of Finance & Governance (H&M19/119)

33. Acquisition of this site is of strategic benefit to the council, offering the opportunity for mixed use development on the Old Kent Road. The Strategic Director of Finance and Governance is satisfied that officers have taken appropriate steps to ensure the consideration offered represents market value.
34. As set out in the financial implications section of the report, the cost of the acquisition including associated fees will be will be financed in a way that will have the most beneficial impact to the council. Staffing and any other costs associated with the acquisition will be contained within existing departmental budgets. The site will remain occupied until July 2022, allowing time for the council to progress its plans for development and providing a small rental stream.

BACKGROUND DOCUMENTS



Background Papers	Held At	Contact
Council Plan 2018/19 – 2021/22	Southwark Council, 160 Tooley Street, London SE1 2QH	Marcus Mayne
Link: http://modern.gov.southwark.gov.uk/documents/s78763/Report%20Council%20Plan.pdf		

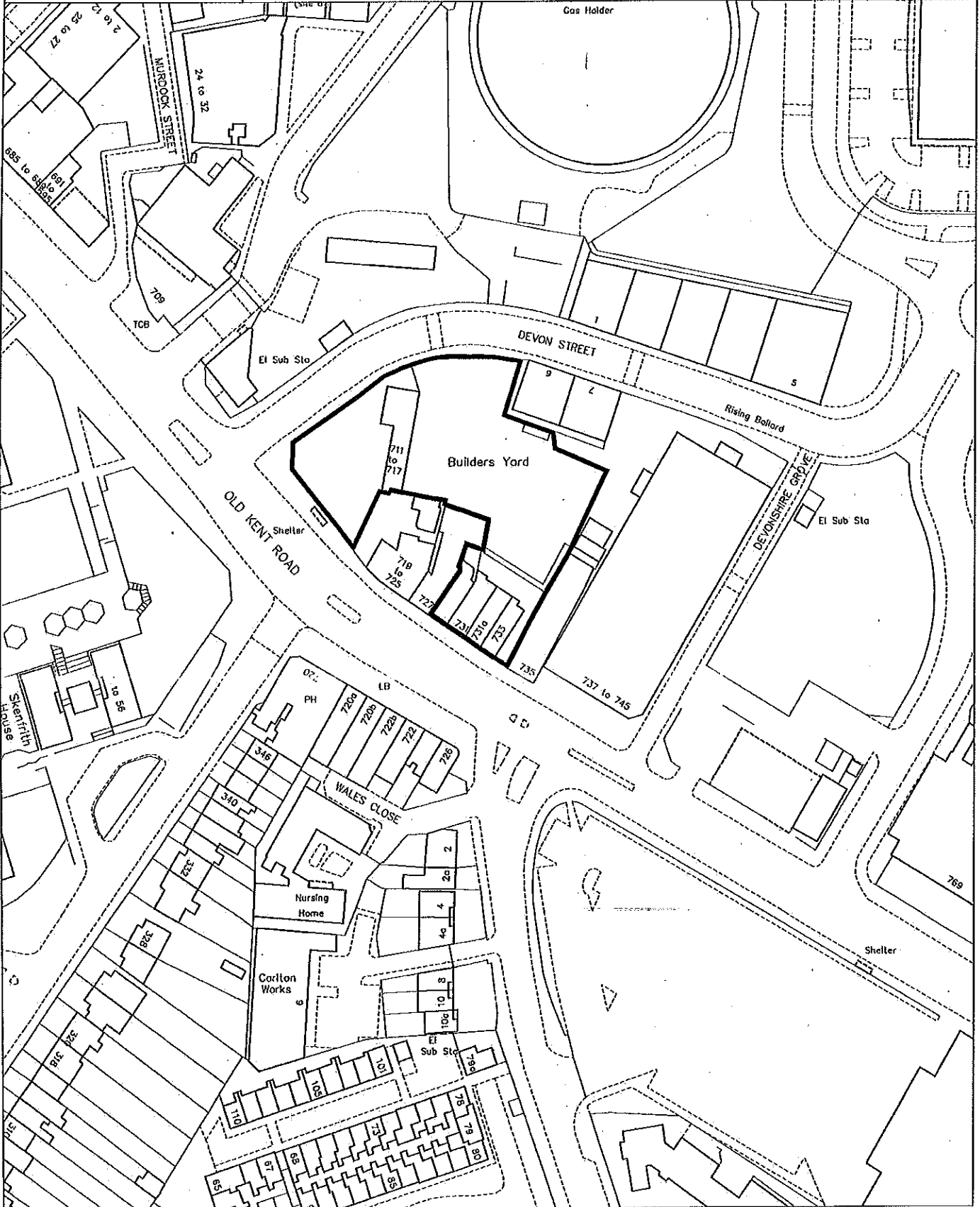
APPENDICES

Appendix	Title
Appendix A	Site Plan

AUDIT TRAIL

Cabinet Member	Councillor Victoria Mills, Cabinet Member for Finance, Performance & Brexit		
Lead Officer	Kevin Fenton; Strategic Director Place and Wellbeing		
Report Author	Marcus Mayne Principal: Regeneration South.		
Version	Final		
Dated	6 December 2019		
Key Decision?	Yes		
CONSULTATION WITH OTHER OFFICERS / CABINET MEMBER			
Officer Title	Comments Sought	Comments included	
Director of Law & Democracy	Yes	Yes	
Strategic Director of Finance & Governance	Yes	In closed version	
Cabinet Member	Yes	Yes	
Date final report sent to Constitutional Team			6 December 2019

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Item No. 25.	Classification: Open	Date: 17 December 2019	Meeting Name: Cabinet
Report title:		St Thomas Street Social Regeneration Charter	
Ward(s) or groups affected:		London Bridge and West Bermondsey	
Cabinet Member:		Councillor Leo Pollak, Social Regeneration, Great Estates and New Council Homes	

FOREWORD - COUNCILLOR LEO POLLAK, LEAD MEMBER FOR SOCIAL REGENERATION, GREAT ESTATES AND NEW COUNCIL HOMES

This report presents the consultation draft of the St Thomas Street social regeneration charter, the third such charter following the recently adopted charters for Canada Water, and the draft Old Kent Road charter. The purpose of the 'social regeneration' approach is to not only ensure that regeneration in our borough is properly working for all, reducing health housing and economic inequalities in our borough, and ensuring that the top-down strategies and plans of the council, CCG, developers and other large institutions are properly aligned with the bottom-up needs and initiatives of the community, captured in one common vision.

This report presents a draft charter for St Thomas St and the wider London Bridge area where a series of developments have been completed over the last two decades, migrating from the river to the station southwards. Following the successful completion of the station in 2018, the focus of regeneration is now along the St Thomas Street corridor where several projects have the potential to bring significant benefits to our residents.

Social regeneration charters are all about action and making positive differences to the life chances of our residents, and this strategy identifies a set of goals, promises, and projects following a detailed baseline research project which was carried out through over 300 household surveys, walkabouts, workshops and interviews with all of the key stakeholders in the area. Whilst residents report a relatively strong sense of satisfaction with recently completed developments, areas for further improvement are identified, with a focus on wellbeing, better amenities for young people, improvements to community spaces where different groups can come together, as well as access to new and more flexible employment opportunities.

This charter proposes eight draft promises which include an investment of local community infrastructure levy funding into a variety of existing and new community facilities, new open spaces, amenities for young people, as well as securing sums for new council homes and develop new estate improvement plans for neighbouring estates. In addition to physical investment, partnership working with key service providers will seek to create new training, education and employment opportunities so that residents can benefit from as many new jobs in the new developments as possible. The St Thomas St social regeneration charter provides the council and residents with a means of measuring what positive impacts against and if necessary adapting plans to ensure our residents are the primary beneficiaries of change in the London Bridge area.

RECOMMENDATION

1. That Cabinet agrees to commence formal consultation on the St Thomas Street Social Regeneration Charter attached as Appendix 1 to this report.

BACKGROUND INFORMATION

2. The council's ambition, as expressed through the Council Plan, is of "a fairer future for all" where everyone can achieve their potential, and be more than the sum of our parts in a borough that they are proud of. This ambition provides the basis for *The Regeneration That Works For All* Framework which outlines our vision that "the places where people live, now and in the future, create new life opportunities, promote wellbeing and reduce inequalities so that people have better lives in stronger communities." The framework is shaping the development of social regeneration charters to embed our regeneration for all principles throughout the council and facilitate implementation of the framework's commitments at a local level.
3. The New Southwark Plan Proposed Submission Version has recently concluded a final round of consultation on amended policies in May 2019. The New Southwark Plan sets out a strategic policy SP2 on Social Regeneration and a vision, policies and site allocations for London Bridge.
4. London Bridge has experienced waves of change over the last few decades, with a number of projects having been completed including Hay's Galleria, More London, 160 Tooley Street, The Shard Quarter, London Bridge Station, Guys Cancer Centre, One Tower Bridge, The Dixon, and Science Gallery London. Following the completion of the London Bridge station in 2018, a number of new developments are now proposed along St Thomas Street, to maximise the opportunity presented by the increase in public transport capacity (which has grown from 55 to 90 million passengers a year). The New Southwark Plan vision for London Bridge seeks to create a globally significant central London business district with centres of academic and health excellence whilst also creating a distinct local destination and town centre. The vision seeks to extend the cultural district, protect the rich heritage, and maximise the opportunity from one of the UK's busiest and fastest growing transport hubs.
5. A report was taken to cabinet on 18 June 2019 that followed the 11 December 2018 Cabinet report titled "Allocation of Local Community Infrastructure Levy funding" on how we could improve the allocation of local Community Infrastructure Levy. Cabinet approved the introduction of Community Investment Plans (CIPs), which create a programme for how local CIL is spent. CIPs will be strategically developed to ensure local CIL supports growth and tackles inequalities. CIPs will contain four strategic priorities, three of these will come from the social regeneration charters and each ward area will develop an additional theme to guide key areas of need within the ward(s) The plan would be refreshed every three years and applications will be submitted and matched against the following suggested criteria:
 - Meets one of the proposed themes of the community investment plan
 - Is a one-off scheme that does not require additional revenue funding from the council in its delivery or subsequent operation.
 - Relates to a council plan commitment

- Identifies how any revenue funding will be generated– offering value for money
 - They should address the impact of new development
 - Should explain who will benefit the local community and how it tackles inequalities.
6. In 2017 the council undertook the biggest community engagement exercise of recent times, the Southwark Conversation, the outcomes of which are shaping plans for place-making and improving overall well-being. This has been followed by the *Southwark Approach to Community Engagement* which set out the council's vision and principles for engagement and was adopted by Cabinet in April 2019, with further developments to be made over the summer. As the borough grows and changes, the council's aim is to make sure that our communities have the opportunity to take part in the decisions which affect their lives and communities.
7. The Development Consultation Charter was developed and approved by Cabinet in April 2019. It is currently in the process of being implemented on all new planning applications submitted within the London Bridge Bankside Opportunity Area. This Charter forms part of the Statement of Community Involvement which sets out how we consult on planning and is an agreed way of working with developers and the community. The Charter requires the submission of an Engagement Plan, describing what the developer will do to involve those affected by their proposals as part of the validation stage of submitting their planning application at pre-application stage. The summary of the activity and the outcomes of local engagement will be a validation requirement for any planning application, and is expected to set out how the community has shaped the proposed development and where it was not possible to provide evidence, a justification for this reasoning.

Developing the Charter

8. The first wave of social regeneration charters have been developed in areas of concentrated development activity. Given the recent completion of a national infrastructure project at London Bridge Station, there is now a focus of development activity around the south side of the station along St Thomas Street, and this was identified by members as an early priority for the creation of a charter.
9. The first step in the process of developing the charter was to identify what existing baseline social research existed, and to commission any additional analysis that might be required. A brief to obtain additional survey work in line with the indicators set out in the council's framework was developed in February 2019 and tendered to research organisations with an expertise and track record in carrying out social research. Interviews were carried out and Social Life were appointed in March 2019. Organisations proposing new development projects along St Thomas Street agreed to fund the research, including the hospital campus. The council controlled the independent research process, and Team London Bridge kindly offered to coordinate the contributions from the stakeholders.
10. The research was carried out between March and June 2019, and included household surveys in 329 homes, in depth interviews with key resident organisations, community partners, and local stakeholders. Walking

ethnographies, or detailed walking tours were carried out with local people who know the area well.

11. A draft report which summarised the research was shared with contributors to the research, and presented to the London Bridge and West Bermondsey ward forum on 25 September 2019. The survey work, together with other baseline statistics set out in the social research form the basis of this charter, with a number of themes identifying where the focus of investment should be made to further improve the well being of residents and workers at London Bridge.

KEY ISSUES FOR CONSIDERATION

12. A Social Regeneration Charter (SRC) is a high-level, area-specific document informed by the Southwark Regeneration Framework. The intention is that there will be an SRC for every area in Southwark developed with a methodology that is contextually appropriate. The St Thomas Street Social Regeneration Charter attached as Appendix 1 to this report sets out:
 - A summary of the values, vision, priorities and goals of the area
 - Methodology for tracking our progress
 - Map of the area
 - Four strategic goals and their eight underlying promises
 - Indicators to implement and monitor each of these ten promises.
13. The summary sets out:
 - LB Southwark's Values;
 - The vision statement which builds on the London Bridge New Southwark Plan vision for a place which has *Regeneration that works For All*;
 - Priorities developed from the social research and;
 - The emergent goals for the charter.
14. The map of the area outlines the geographical area for the research, and the key area of impact for those developments along St Thomas Street. Whilst the focus of the developments which will have an impact at London Bridge is along St Thomas Street, the area which could benefit from investment and infrastructure improvements is much wider.
15. The key research findings and the linked goal and priorities for each of the themes. The four Strategic Goals and their underlying Ten Priorities are based on the *Fairer Future Promises* and *Regeneration that Works for All* commitments. They work together to ensure that the regeneration will invest in communities, reduce inequalities and improve life opportunities, good health and wellbeing for all and pride of place. The Three Strategic Goals are to:
 - Create opportunities for young people (A great start in life)
 - Bring communities together by building shared amenities and affordable housing (A place to belong)
 - Coordinate local employment opportunities (A full employment Borough)
 - Provide opportunities for recreation and active lifestyles to reduce obesity (A healthier life).
16. The eight achievable and actionable underlying promises that fall under the four goals include:

- **Promise 1.** Invest in existing and new facilities for young people
 - **Promise 2.** Programme of enrichment activities and training opportunities for young people linked to cultural facilities or businesses at London Bridge
 - **Promise 3.** Investment in existing and new community spaces and well designed inclusive public spaces where all groups can mix
 - **Promise 4.** Build more council homes and invest in estate improvement plans
 - **Promise 5.** Ensure residents can access good quality employment opportunities locally
 - **Promise 6.** Improve the quality of work locally.
 - **Promise 7.** Invest in existing and new public open space, sports facilities and activities, and sustainable transport initiatives to encourage active lifestyles
 - **Promise 8.** Improve the environment and air quality across the area
17. Each promise has indicators which will help measure how successfully we are implementing the ambitions of the charter. These will be tracked at different intervals and published on our website.

Impacts of the St Thomas Street regeneration

A great start in life

18. The social research identified a clear desire for more activities for young people, especially teenagers after school given the rise in knife crime across London and the cuts to public services. Whilst Downside Fisher and the Salmon Centre youth clubs are both available, Charterhouse-in-Southwark closed and more support is needed. Many residents are visiting the new cultural facilities but more could be done to help cultural facilities engage with longstanding residents. Many schools have developed partnerships with cultural venues for enrichment visits but the capacity of schools to arrange visits has been affected by cuts to public services.
19. Promises 1 and 2 have been designed to maximize investment in existing and new facilities for young people and to create a programme of enrichment activities for young people linked to cultural facilities at London Bridge. The charter will help to focus and direct local CIL expenditure towards the delivery of new infrastructure such as youth and community facilities. In addition, a key mechanism for making projects happen will be through partnership working. For example, a programme of enrichment activities, perhaps through an enrichment coordinator embedded with local schools and cultural attractions will require strong collaboration and partnership working. An emerging vehicle for partnership working is the medi-cultural district, an initiative between the hospital campus and the network of cultural attractions to create a shared space for schools, and a coordinator to programme activities.

A place to belong

20. The research found that whilst 81% think that changes in the area over the past five years have benefited their families, there is fear that new commercial developments will not be accessible and will have public spaces which are not inclusive. 86% felt a strong sense of belonging in the area but there a clear sentiment that there are several different “micro-communities” which don’t often mix. While good neighbourly relationships are reported, there are perceptions

among longer-term residents that community is weaker than in the past, this was linked to housing affordability and availability, and the break-up of some families as people move away.

21. Promise 3 has designed to ensure new investment is focused on existing and new community spaces and well designed inclusive public spaces where all groups can mix. As well as new physical spaces, partnership working will focus on building on the success of the Bermondsey Street Festival which is enjoyed by all, with other events and festivals which are able to bring the whole community together. Promise 4 seeks to build more council homes and invest in estate improvement plans. Whilst most of the developments along St Thomas Street will be commercial given their proximity to the station, the recent planning approval for student housing at Capital House provides a significant section 106 payment towards delivering new affordable housing in the area. A number of new council housing schemes are in the pipeline in the local area including Beormund school, Elim Estate, Falmouth Road, and Leroy Street.

Full employment

22. 76% are economically active and working in 14 London Boroughs but there is a clear interest in working locally, and there are employers locally who are struggling to find staff. There is a need for better publicity and coordination of employment opportunities and more options for flexible working locally.
23. Promise 5 and 6 seek to ensure that residents can more readily access employment opportunities locally, and that the quality of local work improves. Currently local people find out about new job opportunities in developments through the council's job brokerage service, Southwark Works working with local agencies and partners. Two key mechanisms are proposed to amplify the work of Southwark Works and to achieve these promises include the creation of a workplace coordinator for the area, similar to the recent Shard Jobs coordinator which placed 447 local people into a variety of different sector jobs in both the Shard and the News Building. For London Bridge there is a real opportunity for local people to access jobs and training in the emerging biomedical and clean technology sectors, both of which are of national and international significance. To help improve the quality of work, a London Living Wage Neighbourhood could be introduced to improve working pay and conditions.

A healthier life

24. One quarter of residents reported difficulty accessing opportunities for exercise or sport, with 42% doing less than 30 minutes of exercise a week. Use of active travel as a way of getting around (walking and cycling) is much lower compared to other areas. Childhood obesity rates are high locally and there could be scope to improve obesity levels whilst providing activities for young people. Two thirds of people reported concerns with air pollution as an impact on their health and wellbeing. People also expressed concerns about noise pollution, especially linked to construction and the need to coordinate any new developments to minimise impact.
25. To help residents access opportunities for exercise and wellbeing, promise 7 looks to invest more funding in existing and new public open space, sports facilities and activities, and sustainable transport initiatives to encourage active lifestyles. An exciting resident-led opportunity has arisen to create a new

community garden and open space on the two large garage rooftops within the Kipling Estate. Imaginative projects like this can create new green space, as well as investing in existing parks and open spaces which will be more intensively used as a result of population growth. Promise 8 seeks to improve the environment and air quality across this busy central London area with potential projects to reduce traffic, such as the closure of St Thomas Street to non-essential vehicles.

Next steps

26. A formal consultation event programme is planned in early 2020, with theme specific walking tours for each part of the charter. For young people, a tour visiting each of the existing facilities including Downside Fisher Youth Club, Salmon Youth Club, Primary schools, Globe Academy, HMS Belfast and London City Runners. To look at the theme of belonging, a tour of key community facilities and spaces such as Bermondsey Village Hall, Manna Centre, and Unicorn Theatre. For the employment theme, specialist agencies will be convened with residents to discuss as many routes into creating new quality employment opportunities, including Southwark Works, and Employ SE1. Finally for the health theme, key organisations working locally to improve health and well being will be brought together to discuss new ideas for projects with site visits. Organisations will include Bankside Open Spaces Trust, Tabard Growers, the Parks department, Guys Hospital / charity, and GP surgeries.

Community impact statement/Equalities considerations

27. The Equality Act 2010 imposes a general equality duty on public authorities (the Public Sector Equality Duty – PSED) in the exercise of their functions, to have due regard to the need to:
- Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act
 - Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it
 - Foster good relations between people who share a relevant protected characteristic and people who do not share it.
28. For the purposes of the PSED the following are “protected characteristic” considerations:
- Age
 - Marriage and civil partnership
 - Disability
 - Gender reassignment
 - Pregnancy and maternity
 - Race
 - Religion or belief
 - Sex
 - Sexual orientation.
29. The purpose of charter is to set out how the communities in the London Bridge area will be able to have positive experiences of living through the regeneration and the benefits that they will receive due to the developments that are going to take place. An Equalities Assessment is attached at Appendix 3. The charter will

be an evolving document. The PSED duty and implications for groups with protected characteristics will be considered further as the emerging priorities are developed in more detail as the regeneration progresses and at review points.

Resource implications

30. There are none specifically arising from this report. Any new projects/initiatives that arise through the charter which require additional or reallocation of council funding would need to be considered through the normal budget, monitoring and governance processes.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

31. This report seeks authority to commence formal consultation in relation to the proposed Social Regeneration Charter for the St Thomas Street area. Some initial work has already been carried out with a social research project being undertaken and a summary of the results of these was presented to Ward Councillors. The Charter provides a closer focus and develops on the principles contained within the Development Consultation Charter which was approved by cabinet in April 2019.
32. The report refers to the significant changes in the London Bridge area over the past few years including the rebuilding of the new London Bridge station with the focus of development activity on the southern side of St Thomas Street.
33. An Equalities Impact Assessment is attached as Appendix 3 and the report acknowledges that the Public Sector Equality Duty is a continuing obligation for the Council and, as a result, the Duty will be considered further. The aim of the Charter is for residents to have positive experiences during the period of regeneration within the area and this should result in any harmful impact on those with protected characteristics being minimized
34. The cabinet is authorised under Part 3B of the Council's Constitution under paragraph 6 to approve this Charter once the process of preparation has been completed and the preliminary decision to agree to a formal consultation is therefore clearly within its powers.

Strategic Director of Finance and Governance (FC19/024)

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

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Social & economic benchmark of the residential areas most affected by the St Thomas St developments	160 Tooley Street London SE1 2QH	Dan Taylor 020 7525 5450
Link: https://www.southwark.gov.uk/regeneration/borough-bankside-and-bermondsey?chapter=10		

APPENDICES

No.	Title
Appendix 1	Social Regeneration Charter
Appendix 2	Baseline report
Appendix 3	Consultation Plan
Appendix 4	Equalities Impact Assessment

AUDIT TRAIL

Cabinet Member	Councillor Leo Pollak, Social Regeneration, Great Estates and New Council Homes	
Lead Officer	Kevin Fenton, Strategic Director of Place and Wellbeing	
Report Author	Dan Taylor, Programme Manager	
Version	Final	
Dated	9 December 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
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	9 December 2019	

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