

## Cabinet

MINUTES of the OPEN section of the Cabinet held on Tuesday 16 June 2020 at 4.00 pm. Online/Virtual meeting.

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

### 1. APOLOGIES

All members were present.

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

The chair gave notice of the following late item:

- Item 8a: #SouthwarkTogether: Council response to COVID-19 pandemic (June 2020 update).

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

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

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

#### **4. DISCLOSURE OF INTERESTS AND DISPENSATIONS**

Councillors Evelyn Akoto and Kieron Williams declared a disclosable pecuniary interest in respect of item 12: Gateway 3 – Variation Decision Housing Major Works (as Southwark leaseholders) and confirmed their intention to withdraw from the meeting when this item was being discussed.

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

##### **1. Public question from Phil Addison**

"Will Southwark refuse extending Dulwich Hamlet Football Club's lease and undertake an immediate risk assessment of Greendale Fields astroturf site, to ensure its maintenance and its safe use by our community."

##### **Response by Councillor Johnson Situ, Cabinet Member for Growth, Development and Planning**

The current lease over the astroturf pitch at Greendale was granted in December 2018 following discussions that unlocked the club's return to its Champion Hill stadium, from which it had previously been evicted by the stadium owners, and saved the club from the risk of extinction. The club had advised the council that it is their intention to renew the artificial grass pitch to provide a new playing surface capable of being used by both the club and wider local community, and the lease included provisions allowing for this to happen. Due to the condition of the existing pitch the lease also restricts use of the pitch to informal use until such time as a new surface has been installed. The club is party to an application to redevelop both the Champion Hill stadium and the area of the astroturf pitch covered by the above lease, however the timescale for determining this application has been severely impacted by the current emergency resulting from the coronavirus pandemic; It is now anticipated to be determined this summer.

The club's ongoing tenure at Champion Hill is, in effect, dependent upon its lease over the astroturf pitch at Greendale being in place, and the lease also included provisions for the club to apply to the council for it to be renewed for a period of one year, annually up to 2023. The council was approached by the club in March 2020 to request that the lease be renewed. While the existing lease continues to run to 31 May 2020, the club required that the renewal lease be granted by the end of March in order to meet the FA and National League's deadlines for confirming the club's league place for the 2020-21 football season. Pursuant to the club's request, the council agreed to grant DHFC the renewed lease and this was completed on 27 March 2020, and in effect extends the existing term by one year to 31 May 2021. To date, the council has not taken a decision regarding the longer term future of the astroturf pitch site, and it is intended that a decision would be taken by cabinet following resolution of the planning application for the site.

##### **Supplemental question**

Phil Addison asked to have a named Southwark councillor or officer in order to take up issues in respect of the Greendale site (to ensure that the terms of the lease in respect of maintenance are kept). Councillor Johnson Situ replied by confirming that he would be the relevant Southwark councillor and Councillor Rebecca Lury in respect of the leisure function. Councillor Situ was happy to have a discussion with Phil Addison and provide an

officer contact.

## **2. Public question from Larry Broomhead**

"Under extremely difficult & uncertain times, it's shocking that the Council is consulting with people about proposals for further development on the Dickens Estate. Please explain why the Council is pursuing feedback, surely a 'duty of care' for residents is paramount and the timing of any consultation is totally unacceptable?"

### **Response from Councillor Leo Pollak, Cabinet Member for Social Regeneration, Great Estates and New Council Homes**

The council prioritises the health, safety and wellbeing of its residents at all times, and we are particularly focused on upholding this duty of care throughout the coronavirus pandemic. We have a range of support packages to assist our residents who may be struggling during this difficult period – more information is available on our website.

One issue that has been highlighted even more starkly by this pandemic, is the need for safe, secure, good-quality housing. Southwark currently has more than 10,000 households in need of a council home, and the dedicated work undertaken by our teams to ensure temporary accommodation is safe and suitable during the pandemic, has not resolved the urgent need for these families to have a permanent home.

We are taking every measure in our power to protect our residents and staff and reduce the spread of the virus. Our site operations and construction consultations are being undertaken in line with government social distancing regulations, and we are making use of digital channels to connect with people virtually. The council has risk assessments and method statements in place to ensure that all health and safety procedures are being followed correctly.

As part of our residents engagement process for potential rooftop homes project we do not issue any letters to residents until we've had an opportunity to fully engage with the tenants and residents association (T&RA), and this has been confirmed for the Dickens estate T&RA and Wrayburn House TMO. We can also confirm that any communications with TMOs will be made in tandem with any constituted T&RAs, and opportunities given for comment on any mass communications before they are issued.

### **Supplemental question**

We understand the need for more housing for people and acknowledge that the council has targets of new homes to build. We welcome the news that officers have now delayed sending letters, about Roof Top proposals, to residents until lockdown is over for all members of the community.

Moving forward, can the council give an assurance that officers will fully engage with all community representatives, and work with us to agree the contents and timing of any communications to all residents, and only after initial consultations have taken place including an estate walkabout and a formal meeting with the Dickens tenants and residents association (TRA) committee at Wade Hall, once it is allowed to re-open? We wish to work with your Officers.

Councillor Leo Pollak responded by giving this assurance and the intention for consultation to be meticulous and take as much time as necessary. This consultation will be informed

and involve personalised communication.

### **3. Public question from Mr Beedell**

Can you tell the public what's happening with regards to the covenant of this building, as it's been agreed between general projects, the council and the public at meetings. That the public will have time to examine this covenant before any planning application.

#### **Response by Councillor Johnson Situ, Cabinet Member for Growth, Development and Planning**

The covenant relates to the community space within the Walworth Town Hall (WTH) complex of buildings and is distinct from other publically accessible areas of the building during opening hours.

The wording to secure the community space in the lease is noted in point 17 of the cabinet report

*Council and General Projects are committed to the provision of a distinct community space within the Walworth Town Hall complex. The community provision is secured in the lease as '240m2 internal area on the ground floor of the premise' and is identified in an attached plan as covering the former adults and children's library and connecting hallway. The lease period is 150 years and the community space is therefore secured for this period and its use can be renewed at the end of that period.*

The lease is only to be signed on completion of the works to the buildings and is included as annexure 1 in the Agreement to Lease under which the works are carried out.

Mr. Beedell was not present. A copy of the response had been sent to him in advance of the cabinet meeting.

### **6. MINUTES**

#### **RESOLVED:**

That the minutes of the meetings held on 7 April and 5 May 2020 be approved as a correct record and signed by the chair.

### **7. DEPUTATION REQUESTS**

None were received.

### **8. #SOUTHWARK TOGETHER: COUNCIL RESPONSE TO COVID-19 PANDEMIC - RECOMMENDATIONS OF OVERVIEW AND SCRUTINY COMMITTEE**

Councillor Ian Wingfield, chair of overview and scrutiny committee presented this report to cabinet.

**RESOLVED:**

That it be noted that cabinet have responded to the recommendations from overview and scrutiny committee in respect of the council response to Covid-19 Pandemic (as set out in item 8a on the agenda).

**8a. #SOUTHWARKTOGETHER: COUNCIL RESPONSE TO COVID-19 PANDEMIC (JUNE 2020 UPDATE)**

The report had not been circulated five clear days in advance of the meeting. The chair agreed to accept the report as urgent so that the council could put in place any further, necessary next steps on policy and resource direction for the council with regards the ongoing response to, and planning for renewal from, the COVID-19 pandemic and its impact on the borough.

**RESOLVED:**

1. That the update on the council's overall response to COVID-19 pandemic, following the report to cabinet on 5 May, working together with all our communities as part of our #SouthwarkTogether response (see Appendix 1 of the report for departmental summaries) be noted.
2. That further condolence be expressed to all those who have lost loved ones at this time and welcomes the work underway with partners and the community to support the humanitarian aspect of this pandemic as set out in paragraphs 43 to 46 of the report.
3. That the risk of COVID-19 related death according to national data among Black ethnic groups is almost twice than among those of white ethnicity and agrees that COVID-19 has exposed some of the most entrenched inequalities in our society be noted.
4. That it be agreed that racism, injustice, and inequality have no place in Southwark, and commits all in the council to work with our communities to challenge ourselves and others to be better at every opportunity.
5. That a programme of work to respond to the inequalities exposed by COVID-19 and other recent events, and articulated by the Black Lives Matter protests, reporting back to cabinet in September 2020 is taken forward.
6. That all residents, staff, partners, volunteers, providers, suppliers and all in our community who continue to patiently observe guidance during lockdown and for their ongoing dedication in supporting our residents through this crisis safely be thanked.
7. That schools, and parents, carers and guardians, be thanked for their work to support those children who have returned safely to classroom settings in recent weeks whilst also continuing to support learning at home for the vast majority of children.
8. That local business be thanked for their continuing support to local communities at this time, welcoming back to our town centres and high streets those establishments that are able to safely re-open; and continues to encourage those in greatest need and not eligible for other government support to apply for a share of the additional

£3.4m discretionary funding made available by the council for business hardship

9. That the effort of all those involved in the community hub in assisting vulnerable residents during the worst impact of the pandemic be supported and officers be instructed to bring forward a report on learning and the longer term approach to cabinet in September 2020.
10. That the the establishment of a member led COVID-19 oversight board as a sub-board of the health and wellbeing board to monitor the delivery of the Southwark COVID-19 Outbreak Control Plan, as part of our Test and Trace arrangements be supported.
11. That the thirty-four recommendations from overview and scrutiny committee 7 May 2020, as set out at Appendix 2 of the report be agreed and the committee thanked for their findings.

**9. POLICY AND RESOURCES STRATEGY CAPITAL MONITORING REPORT OUTTURN 2019-20**

**RESOLVED:**

1. That the outturn and resources for 2019-20 and future years for both the general fund and housing investment programmes as detailed in Appendices A, B and D of the report be noted.
2. That the virements and variations to the general fund and housing investment capital programme as detailed in Appendix C of the report be approved.
3. That the substantial funding requirement of £394m for future years which needs to be identified for the general fund programme in order for this to be fully delivered, as summarised in Appendix A of the report be noted.
4. That the substantial funding requirement of £88m required for future years which needs to be identified for the housing investment programme to be fully delivered over the remaining term of the programme, as detailed in Appendix B of the report be noted.

**10. POLICY AND RESOURCES STRATEGY: REVENUE MONITORING OUTTURN, INCLUDING TREASURY MANAGEMENT 2020-21**

**RESOLVED:**

1. That the general fund outturn position for 2019-20 (Table 1 of the report) be noted.
2. That the initial tranche of Covid-19 emergency grant funding of £11.1m, received on 27 March 2020 be noted.
3. That authority be delegated to the strategic director of finance and governance in consultation with the cabinet member for finance, performance and Brexit, to determine the most appropriate allocation of Covid-19 emergency funding, including future tranches, to council priorities.

4. That the key adverse variations and budget pressures underlying the outturn position be noted:
  - (i) The dedicated school grants (DSG) outturn position of an £18m deficit and the significant pressures on the high needs budgets (paragraphs 35-36 of the report)
  - (ii) the continuing budget pressures on temporary accommodation (paragraphs 52-53 of the report)
  - (iii) the costs of implementing the tree recovery plan (paragraphs 39-40 of the report)
  - (iv) emerging financial issues and claims associated with the leisure management contract (paragraph 41 of the report).
5. That the utilisation of £4m contingency (paragraph 66 of the report) to offset adverse variances on temporary accommodation, tree maintenance and leisure contract be noted.
6. That the housing revenue account outturn for 2019-20 (Table 2, paragraphs 62-71 of the report) be noted.
7. That the detailed movements of earmarked reserves as set out in Appendices B, C and D of the report be noted.
8. That treasury management activity in 2019-20 (paragraph 90-98 of the report) be noted.
9. That the interdepartmental budget movements that exceed £250k, as shown in Appendix A of the report be approved.
10. That the interdepartmental general fund budget movements that are less than £250k as shown in Appendix A of the report be noted.
11. That the outturn position implications for the 2020-21 budgets and beyond (set out in paragraphs 85-89 of the report) be noted.

## **11. FORMER WALWORTH TOWN HALL**

### **RESOLVED:**

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

1. That a management body for the community space comprising council, developer and community membership be established.
2. That a £50,000 grant p.a. towards funding the community space management for an initial three-year period be agreed and to then be reviewed.

3. That officers be instructed to recruit the community membership through an open selection process.
4. That officers be instructed to work with the management body to develop the principles set out in the report into an appropriate constitution prior to receiving council funding.
5. That the management body once constituted selects an operator for the community space based on the principles in the report and is responsible for managing and monitoring the agreement with the operator.
6. That it be noted that the community arts and culture provision within the Walworth Town Hall and new Southwark Heritage centre and Walworth Library combine to deliver 1,248m<sup>2</sup> of publically accessible space which exceeds the pre-fire figure of 660m<sup>2</sup> (these figures are based on current available information). This equates to an 89% increase of publically accessible space.

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

7. That authority be delegated to the cabinet member for growth development and planning, in consultation with the relevant chief officer, to make any final decision necessary in relation to the establishment of the management board, in terms of its format and composition.

## **12. GATEWAY 3 – VARIATION DECISION HOUSING MAJOR WORKS CONTRACTS**

Councillors Evelyn Akoto and Kieron Williams having declared a disclosable pecuniary interest in respect this item (as Southwark leaseholders) withdrew from the meeting while this item was being discussed.

#### **RESOLVED:**

1. That the variation of contract area 3, Camberwell and Peckham contract to Engie Regeneration Ltd (formerly Keepmoat Regeneration (Apollo) Ltd) (Engie), to extend the term of the contract for a period of two years from 14 June 2020 at an estimated maximum cost of £50m per annum, making a revised contract value of £550m for twelve years be approved.
2. That the variation of contract area 4, Nunhead, Peckham Rye and Dulwich contract to A&E Elkins Ltd (A&E Elkins) to extend the term of the contract for a period of two years from 14 June 2020 at an estimated maximum cost of £25m per annum, making a revised contract value of £290m for twelve years be approved.
3. That the variation of contract area 5, Borough-wide street properties, temporary accommodation and major voids contract to Saltash Enterprises Ltd (Saltash) for a period of two years from 14 June 2020 at an estimated maximum cost of £15m per annum, making a revised contract value of £90m for twelve years be approved.

**13. GATEWAY 2 - AWARD FOR PRECONSTRUCTION SERVICES ABBEYFIELD ESTATE HINE (MAYDEW HOUSE) WORKS**

**RESOLVED:**

1. That the award of the pre-construction services for Abbeyfield Estate High Investment Need Estate (MaydeW House) works to Bouygues UK Ltd for a period of 12 weeks from July 2020 be approved.
2. That it be noted that a separate gateway 2 report will be presented in autumn 2020 for the award of the main works contract which is highly likely to be the same contractor as detailed in paragraphs 18-19 of the report.

**EXCLUSION OF THE PRESS AND PUBLIC**

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

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

**14. MINUTES**

**RESOLVED:**

That the closed minutes of the meeting held on 7 April 2020 be approved as a correct record and signed by the chair.

**15. GATEWAY 2 - AWARD FOR PRECONSTRUCTION SERVICES ABBEYFIELD ESTATE HINE (MAYDEW HOUSE) WORKS**

The cabinet considered the closed information relating to this item. Please see item 13 for the decision.

The meeting ended at 5.20pm.

**CHAIR:**

**DATED:**

**DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 17 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, WEDNESDAY 24 JUNE 2020.**

**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.**