

Item No. 10.	Classification: Open	Date: 29 January 2014	Meeting Name: Dulwich Community Council
Report title:		Cleaner Greener Safer 2014/15: Capital Funding Allocation	
Ward(s) or groups affected:		College, East Dulwich, Village	
From:		Head of Public Realm	

RECOMMENDATION

1. To approve the allocation of funds for the 2014-15 cleaner greener safer capital programme in the Dulwich community council area from the list of applications set out in appendix 1.

BACKGROUND INFORMATION

2. The council's cleaner greener safer (CGS) capital programme has been running since 2003.
3. In the first eleven years of the CGS programme, £28,513,000 has been allocated to community councils leading to 1,758 projects being approved.
4. In the Dulwich community council area, £3,148,759 has been allocated to 342 projects, 306 of which have been completed to date.
5. For 2014/15, community councils have also been able to allocate CGS revenue and applications were invited for both capital and revenue ideas. The allocation of revenue is dealt with by a separate report on this meeting's agenda.
6. Examples of the types of projects that have been funded include:
 - Parks, community gardens, landscaping, tree planting and wildlife areas
 - Children's playgrounds, youth facilities, ball courts and cycle tracks
 - Lighting, security measures, pavements, streets, and tackling 'grot spots'
 - Grants to local groups to self-deliver projects

KEY ISSUES FOR CONSIDERATION

7. There is £268,571 available for the 2014/15 CGS capital programme for new projects in the Dulwich community council area.
8. Eligible proposals must bring about a permanent improvement and make an area cleaner, greener or safer.
9. Proposals with revenue costs, including salaries or computer equipment, feasibility studies, costs for events, festivals, workshops or other one-off events are not eligible for capital funding. CCTV proposals, internal improvements to housing property, works on schools where there is no access to the general public are also not eligible. Works on private property are not eligible unless

there is a long-term guarantee of public access or a demonstrable public benefit.

10. The application form invited expressions of interest for the applicants to deliver projects themselves. A due diligence exercise to ensure that this is both practical and realistic has been undertaken as part of the feasibility process. In such cases, the council would give the funding allocation to the applicant in the form of a capital grant, with appropriate conditions attached.

Policy implications

11. The cleaner greener safer programme is fully aligned with the council's policies around sustainability, regeneration and community engagement.

Community impact statement

12. The roles and functions of community councils include the promotion of involvement of local people in the democratic process. community councils take decisions on local matters including environmental improvement and community safety as well as consultation on a wide range of policies and strategies that affect the area.
13. An explicit objective within community councils is that they be used to actively engage as widely as possible with, and bring together, Southwark's diverse local communities on issues of shared or mutual interest. The cleaner greener safer programme is an important tool in achieving community participation.
14. In fulfilling the above objectives that community councils have of bringing together and involving Southwark's diverse local communities, consideration has also been given to the council's duty under The Equality Act 2010 which requires the council to have due regard when taking decision to the need to:
 - a. Eliminate discrimination, harassment, victimisation or other prohibited conduct;
 - b. Advance of equality of opportunity between persons who share a relevant protected characteristics and those who do not share it;
 - c. Foster good relations between those who share a relevant characteristic and those that do not share it.
15. Of particular regard are issues of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.
16. Having due regard to the need to advance equality of opportunity is further defined in s.149 as having due regard to the need of:
 - a. Remove or minimise disadvantages connected with a relevant protected characteristic;
 - b. Take steps to meet the different needs of persons who share a relevant protected characteristic;
 - c. Encourage persons who share a relevant protected characteristic participate in public life or any other activity in which they are under-represented.

17. All ideas for CGS projects come directly from the local community via a simple project nomination form available in electronic and paper format.

Resource implications

18. The funding for the 2014/15 CGS capital programme was approved by the cabinet and is part of the council's overall capital programme as detailed in the launch of cleaner greener safer capital programme 2014/15 report dated September 2013.
19. All professional fees related to the project are also treated as the capital costs of the project. Where projects are awarded as a grant to organisations, the community council award letter will not include the professional fees which will be charged direct to project costs.
20. CGS projects must be completed within two years of award of funding. Projects that are unlikely to be completed within two years will be reported to community council and available budgets may be reallocated to other projects. Revenue costs not covered by maintenance or the contractual liability period will fall upon the asset owner. The business unit will be notified of the likely costs before the schemes proceeds, in order to secure permission to implement the scheme.
21. After the defects and liability period, or three year maintenance period in the case of planting works, all future maintenance is assumed by the asset owner, for example Housing, Parks, Highways, or in some cases external asset owners. Therefore, there are no revenue implications to the public realm projects business unit as a result of approving the proposed allocation.
22. The total expenditure and sources of funding for the scheme will be monitored and reported on as part of the overall capital programme.

Consultation

23. All cleaner greener safer projects require consultation with stakeholders, including the project applicant, local residents, Tenants and Residents Associations and local community groups where appropriate.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

24. The Local Government Act 2000 [as amended] ('the Act') gives the Leader the power to delegate any executive function to whoever lawfully can undertake the function. The allocation of the cleaner, greener, safer capital fund ('CGS') is an executive function.
25. Community councils are 'area committees' within the meaning of the Act and executive functions can be delegated to them by the Leader.
26. This report is recommending that the Dulwich community council approve the allocation of funds to the individual projects specified at appendix 1. The power for this function is derived from Part 3H paragraph 11 of the Constitution which states that Community Councils have the power of "Approval of the allocation of funds to cleaner, greener, safer capital and revenue schemes of a local nature,

using the resources and criteria identified by the cabinet”.

27. The Cabinet Member for Transport Environment and Recycling approved the funding for the 2014/2015 programme in October 2013 by exercising his powers under Part 3D paragraph 2 of the constitution; and the community council approval being sought here is therefore the next constitutional step in the process.
28. Community council members also have powers under paragraph 12 of Part 3H of the Constitution to oversee and take responsibility for the development and implementation of the local schemes.
29. In allocating funding under the CGS community councils must have regard to the council's equality duty set out in section 149 of the Equality Act 2010. The report author has demonstrated how those duties need to be considered in the body of the report at paragraphs 14 to 17 in the Community Impact Statement.

Strategic Director of Finance and Corporate Resources

30. This report recommends approval of the allocation of funds for the 2014/15 cleaner greener safer programme in the Dulwich community council area from the list of applications set out in appendix 1.
31. The strategic director of finance and corporate resources notes the resource implications contained within the report, and confirms that the capital funding for the CGS programme has been approved as part of the overall council capital programme.
32. Officer time and any other costs connected with this recommendation will be contained within existing budgeted revenue resources.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Launch of Cleaner Greener Safer Capital Programme 2014/15 - September 2013	http://modern.gov.southwark.gov.uk/ieDecisionDetails.aspx?ID=4040	Michelle Normanly 020 7525 0862

APPENDICES

No.	Title
Appendix 1	Dulwich Community Council Cleaner Greener Safer Capital programme 2014/15: Applications

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Environment and Leisure	
Report Author	Michelle Normanly, Senior Project Manager	
Version	Final	
Dated	17 January 2014	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Legal Services	Yes	Yes
Strategic Director of Finance and Corporate Resources	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional Team	17 January 2014	