

Item No. 11.	Classification: Open	Date: 23 March 2015	Meeting Name: Peckham and Nunhead Community Council
Report title:		Cleaner Greener Safer: Funding Reallocation	
Ward(s) or groups affected:		The Lane	
From:		Head of Public Realm	

RECOMMENDATION

1. That Peckham and Nunhead Community Council approve the re-allocation of a total of £15,000 as part of the 2015/2016 programme, as set out in Appendix 1.

BACKGROUND INFORMATION

2. Cleaner Greener Safer (CGS) is part of the London Borough of Southwark's capital programme. Between 2003 and 2014, £7.85m has been made available to local residents in Peckham and Nunhead Community Council area, to apply for awards to make their local area a better place to live. The programme attracts hundreds of proposals ranging from a few hundred pounds for bulb planting to brighten up open spaces to tens of thousands of pounds to create community gardens. These projects often introduce new ideas such as outdoor gyms in public spaces, community gardens, public art and energy saving projects which not only make the borough cleaner, greener and safer but greatly contribute to a sustainable public realm by involving residents in the funding process and in the delivery of projects.

KEY ISSUES FOR CONSIDERATION

3. Appendix 1 shows two projects which cannot be implemented and recommends the two projects are cancelled.
4. It is recommended that Copleston Road, project reference [106335], is cancelled and the funding of £7,000 is reallocated to projects where additional funding is required. A traffic survey was commissioned and this showed the average traffic speeds recorded did not support the installation of speed bumps.
5. It is recommended that Atwell Road Urban Forest, project reference [106333], is cancelled and the funding of £8,000 is reallocated to projects where additional funding is required. The proposed art installation was opposed by the police who reported there was regular anti-social behaviour taking place in the area and there had been an incident of arson in the recent past.
6. It is recommended that the total of £15,000 is reallocated as part of the 2015/2016 CGS programme.

Policy implications

7. There were none.

Community impact statement

8. 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.
9. 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.
10. 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.
11. Of particular regard are issues of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.
12. 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:
13.
 - 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 to participate in public life or any other activity in which they are under-represented.

Resource implications

14. This is the reallocation of existing CGS funding of £15,000 that was originally awarded in 2014/2015. CGS funding is devolved to community councils to spend on suitable projects.
15. 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.

16. 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 scheme proceeds, in order to secure permission to implement the scheme.
17. 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.
18. The total expenditure and sources of funding for the scheme will be monitored and reported on as part of the overall capital programme.

Consultation

19. All cleaner greener safer projects require consultation with stakeholders, including the project applicant, local residents and tenants and residents associations where appropriate.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

20. The allocation of the cleaner Greener Safer capital fund ('CGS') is an executive function, delegated by the Leader to community councils.
21. Community councils are 'area committees' within the meaning of the Act and executive functions can be delegated to them by the Leader.
22. This report is recommending that the Peckham and Nunhead Community Council approve the reallocation of available funds from the 2014/2015 programme as specified at appendix 1 to the 2015-16 capital funding allocation. 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".
23. The cabinet member for Transport Environment and Recycling approved the funding for the 2010/2011 programme in October 2009, the 2012/2013 programme in October 2011, the 2013/2014 programme in September 2012 and the 2014/2015 programme in October 2013 by exercising his powers under Part 3D paragraph 2 of the constitution. Where funding needs to be reallocated the community council approval being sought here is therefore the appropriate constitutional step in the process.
24. 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.
25. 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 Services

26. The report requests the Peckham and Nunhead Community Council to approve the re-allocation of a total of £15,000 to projects as part of the 2015/16 Cleaner Greener Safer programme, as set out in Appendix 1.
27. It is noted that the re-allocation of the funding will be contained within the existing departmental cleaner greener safer capital budgets allocated as part the council's capital programme.
28. Staffing and any other costs connected with this recommendation to be contained within existing departmental revenue budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Peckham and Nunhead Community Council Meeting held on 12 February 2014	Environment and Leisure / Public Realm Projects 160 Tooley Street London SE1 http://moderngov.southwark.gov.uk/documents/g4705/Printed%20minutes%20Wednesday%2012-Feb-2014%2019.00%20Peckham%20and%20Nunhead%20Community%20Council.pdf?T=1	Andrea Allen 020 7525 0860

APPENDICES

No.	Title
Appendix 1	Peckham and Nunhead community council available cleaner greener safer capital funding 2014 - 2015

AUDIT TRAIL

Lead Officer	Des Waters, Head of Public Realm	
Report Author	Andrea Allen, Senior Project Manager	
Version	Final	
Dated	12 March 2015	
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 Services	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional Team	12 March 2015	