

<b>Item No.</b> 10.	<b>Classification:</b> Open	<b>Date:</b> 16 September 2015	<b>Meeting Name:</b> Borough, Bankside and Walworth Community Council
<b>Report title:</b>		Cleaner Greener Safer: change of scope for existing projects	
<b>Ward(s) or groups affected:</b>		Chaucer, Newington	
<b>From:</b>		Public Realm Programme Manager	

### RECOMMENDATIONS

1. That Borough, Bankside and Walworth Community Council approve the change of scope for Betsham House play area and garden project reference [106643].
2. That Borough, Bankside and Walworth Community Council approve the partial change of scope for Greener Draper 2015 grant project reference [106628].

### BACKGROUND INFORMATION

3. Cleaner Greener Safer (CGS) is part of the London Borough of Southwark's capital programme. Between 2003 and 2014 £8.07m has been made available to local residents in Borough, Bankside and Walworth 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

4. It is recommended that a change of scope for Betsham House play area and garden project reference [106643] be approved. The tenants' and residents' association (TRA) (applicant) has carried out further consultation about creating a new play area at Betsham House and this is opposed by some residents living there. The TRA has considered these objections and also complaints about local anti-social behaviour received from residents living at Mermaid Court. The garden at Mermaid Court looks neglected and the TRA would like a change of scope to spend the cgs award on a landscaping project at Mermaid Court. Any remaining funds could be spent on upgrading the play area at Balin/Brenley.
5. It is recommended that a partial change of scope for Greener Draper 2015 grant project reference [106628] be approved. Following approval of the grant, the Draper House Tenants and Residents Association was informed that S106 monies will be available to fund some of the grant proposals. The Greener Draper group has requested that a shed is bought with remaining CGS grant funding.

## **Policy implications**

6. None.

## **Community impact statement**

7. 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.
8. 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.
9. 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.
10. Of particular regard are issues of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.
11. 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 to participate in public life or any other activity in which they are under-represented.

## **Resource implications**

12. CGS funding is devolved to community councils to spend on suitable projects.
13. 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.

14. 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.
15. 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.
16. The total expenditure and sources of funding for the scheme will be monitored and reported on as part of the overall capital programme.

### **Consultation**

17. 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**

18. The allocation of the Cleaner Greener Safer capital fund ('CGS') is an executive function, delegated by the Leader to community councils.
19. Community councils are 'area committees' within the meaning of the Act and executive functions can be delegated to them by the leader.
20. This report is recommending that the Borough, Bankside and Walworth Community Council approve the change of scope of two approved schemes as noted in paras 4 and 5. 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".
21. The cabinet member for transport environment and recycling approved the funding for the 2015/2016 programme in September 2014 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.
22. 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.
23. 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.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Borough, Bankside and Walworth Community Council Meeting held on Saturday 7 February 2015, Minutes item 15 <a href="http://modern.gov.southwark.gov.uk/ie/ListDocuments.aspx?CId=350&amp;MId=4819&amp;Ver=4">http://modern.gov.southwark.gov.uk/ie/ListDocuments.aspx?CId=350&amp;MId=4819&amp;Ver=4</a>	Environment and Leisure / Public Realm Projects 160 Tooley Street	Andrea Allen 020 7525 0860

## APPENDICES

No.	Title
None.	

## AUDIT TRAIL

<b>Lead Officer</b>	Matthew Hill, Public Realm Programme Manager	
<b>Report Author</b>	Andrea Allen Senior Project Manager, Public Realm Projects	
<b>Version</b>	Final	
<b>Dated</b>	2 September 2015	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Legal Services	Yes	Yes
Strategic Director of Finance and Corporate Services	No	
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>	3 September 2015	