



EXECUTIVE

MINUTES of the OPEN section of the meeting of the EXECUTIVE held on Tuesday January 30 2007 at 7.00pm at the Town Hall, Peckham Road, London SE5 8UB

PRESENT: Councillor Nick Stanton, Leader
Councillor Columba Blango, Citizenship, Equalities and Communities
Councillor Denise Capstick, Health and Adult Care
Councillor Toby Eckersley, Resources
Councillor Jeff Hook, Community Safety
Councillor Caroline Pidgeon, Children's Services and Education
Councillor Lisa Rajan, Environment
Councillor Richard Thomas, Regeneration
Councillor Lorraine Zuleta, Culture, Leisure and Sports

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Kim Humphreys.

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

The following items were identified as late and urgent. The leader agreed to accept the items for the reasons of urgency specified in the relevant minute: -

Item 11 – Housing Revenue Account Budget and Rent Setting 2007/08

Item 12 – Gateway 2, Contract Award Approval – East Dulwich Estate Regeneration Scheme – Works Contract Award and Land Sale.

Item 13 – Business Continuity at the Elephant and Castle.

Item 14 – Office Accommodation Programme – Strategy and Business Case

Item 15 – Motions referred from Council Assembly – January 2007

3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Councillor Nick Stanton declared a personal non-prejudicial interest in item 8, Early Years Review – Agreeing the Strategic Approach for delivery of Early Years Services as one of his children attended a children's centre in Southwark.

Councillor Lisa Rajan also declared a personal non-prejudicial interest in item 8 as her child attended a nursery in Southwark.

Councillor Richard Thomas declared a personal non-prejudicial interest in item 8, as his child was likely to attend a nursery in Southwark.

4. **PUBLIC QUESTION TIME**

Mark Mihajlovic asked the following public question to the leader.

“Clarendon Terrace is under threat from anti-social and illegal parking. Will the Executive intervene to send letters to all the shops and flats confirming that any blockage of the pedestrian right of way, including parking cars, is a crime, together with a threat of further action?”

The executive member for Environment, councillor Lisa Rajan responded to the question.

She advised Mr Mihajlovic that parts of the area mentioned in the question were either private land or came under the jurisdiction of Transport for London (TfL) and were therefore unenforceable by the council. She advised that a possible solution could be to introduce a bollard to stop cars from mounting the forecourt and that the council would be prepared to look into this, however this would require co-operation from the land owners of the street that did not come under the jurisdiction of the council as bollards would be required at both ends of the forecourt to make the proposal effective.

Councillor Rajan indicated that she would be happy to meet with Mr Mihajlovic at Clarendon Terrace to discuss the options.

The executive considered the items set out in the open agenda, a copy of which has been incorporated into the minute file. Each of the following paragraphs relates to the item bearing the same number on the agenda.

5. **MINUTES**

RESOLVED: That the open minutes of the meetings held on December 12 2006 and January 16 2007 be approved as correct records and signed by the chair.

6. **DEPUTATION REQUESTS** (see pages 1 to 2 and comments of the interim assistant chief executive circulated separately).

East Dulwich Estate Regeneration Project Team

The executive received a deputation from the East Dulwich Estate Regeneration Project Team in relation to the East Dulwich Estate Regeneration Scheme, works contract award and land sale agreement, item 12 on the agenda.

The deputation spokesperson Mr Steve Hedger, asked the executive to endorse the report. He expressed thanks to officers who had been working on the scheme.

RESOLVED: That the comments of the deputation be noted.

Southwark 2007 and Beyond Bicentenary Steering Committee

The executive received a deputation from the Southwark 2007 and Beyond Bicentenary Steering Committee in relation to the bicentenary of the Parliamentary Abolition of the Slave Trade Act.

The deputation spokesperson Ms Esther Stanford stressed that the commemoration of the parliamentary abolition of the slave trade act should be community lead and should not be seen as a series of events but as a process of community cohesion which should go beyond 2007. She advised that the steering committee wished to engage in a dialogue with the council on what the community would like to see and in relation to funding urged the executive to look at funding streams such as cleaner, greener, safer.

Ms Stanford stressed that the issue of slavery was not just a matter for Afro Caribbean communities as different forms of slavery still existed today.

The chair, Councillor Nick Stanton welcomed the idea that this should be community lead and was happy for officer time to be devoted to the issue. In relation to funding the chair agreed to look into this and suggested that an article appear in the July/August edition of Southwark Life to tie in with the August commemoration of the international day for the remembrance of the slave trade and its abolition.

RESOLVED: That the comments of the deputation and the interim assistant chief executive be noted.

The executive went on to consider a motion referred from council assembly relating to the bicentenary of the abolition of the slave trade – see item 7 for decision.

7. MOTIONS FROM COUNCIL ASSEMBLY (see pages 3 to 13)

Southwark Education and Training for Adults

- RESOLVED:**
1. That it be noted that Southwark adult learning service, which includes SETAA, is entirely funded from external sources, primarily the Learning and Skills Council (LSC), and that this year's grant has seen a cut of 7.5% for adult and community learning and by 5% for further education.
 2. That the huge demand for literacy, numeracy and English classes with over 200 local residents waiting for skills for life courses at the end of the last academic year and that the LSC has strict guidelines on how their grant should be used to deliver learning also be noted.
 3. That the developing plans that will ensure that learning, as well as information and advice services, are still run out of the space at Peckham library, provided by a range of agencies including Southwark college, Southwark adult learning service, Southwark works and Next Steps be welcomed.

4. That information on Southwark's adult education and advice services be widely publicised in the new year, to ensure that local residents who need training, whether full time, part time, or flexible 'roll on roll off' courses, or job search support such as help with CVs, job applications and interview preparation, can access the services they need.

Southwark Pensioners Forum

- RESOLVED:**
1. That the valuable contributions being made by Southwark Pensioners Forum in engaging older people and improving services provided by Southwark council and other health care providers in the area is welcomed and the forum be congratulated on the publication of the Manifesto for Older People.
 2. That the executive member for health and adult care gives her commitment to incorporate the forum's manifesto recommendations into the council's policies through the work on implementing the Older People Plan and that officers prepare a briefing for members through the continuous learning development programme as quickly as possible on how these will be implemented.

Mayoral Powers

- RESOLVED:** That it be noted that for the time being the proposal for a single waste authority has been withdrawn from the parliamentary committee considering the GLA Bill.

Police Stations under threat

- RESOLVED:**
1. That the executive believes that publicly accessible and visible police stations perform a critical role in tackling crime and fear of crime, particularly in providing public reassurance and enabling the reporting of crime.
 2. That the comments from the borough commander as set out below be noted:

"Metropolitan police service building stock is out of date and not fit for purpose. The vision is to build patrol sites and custody centres across London. However, these need to be financed and the only realistic way of doing so is to sell some existing premises".
 3. That the reports that East Dulwich, Camberwell and Rotherhithe police stations are three stations likely to be threatened be noted.
 4. That executive believes that 'safer neighbourhood bases' should be used to supplement existing police station provision - not as a second rate substitute for existing police stations.
 5. That executive reaffirms its commitment to a working Police Station in East Dulwich, Camberwell and Rotherhithe, preferably open 24 hours a day, 7 days a week.

6. That officers work with the police and other enforcement officers to explore ways of making East Dulwich, Camberwell and Rotherhithe Police Stations more viable by using them in a number of both practical and imaginative ways:
 - (i) to use them as bases, not just for the local dedicated police teams, but also for the council-run community wardens scheme, the enforcement officers, the crime prevention teams and others;
 - (ii) for use by the public to report crime or other useful information so that officers can respond more effectively within the community they serve.
7. That the leader and executive member for community safety write to the borough commander and commissioner, setting out the council's view and asking them to reconsider any plans to close East Dulwich, Camberwell and Rotherhithe police stations.

Roll of Honour

RESOLVED: That following agreement at council assembly to have a roll of honour of past councillors, officers prepare a report for the executive setting out the various options and proposals for funding.

Bicentenary of the Abolition of the Slave Trade

RESOLVED: 1. That it be noted that March 25 2007 will mark the 200th year of the abolition of the slave trade by an Act of Parliament in the then British Empire. This was achieved by activists both black and white people, such as Olaudah Equiano, a former slave and William Wilberforce, MP for Hull, all working together towards a common goal.

Mindful of the significance of the transatlantic slave trade to many Southwark residents, many of whom can trace their ancestry to victims of this inhuman trade, Southwark be at the forefront of celebrating and commemorating this historic occasion.

2. That a cross-party working group of members, faith groups, community and voluntary groups and council officers be urgently convened to work up a plan for a year long series of events to commemorate this occasion.

3. That a briefing note be prepared on community council funding streams.

8 EARLY YEARS REVIEW – AGREEING THE STRATEGIC APPROACH TO DELIVERY OF EARLY YEARS SERVICES (see pages 14 to 20)

RESOLVED: 1. That the issues highlighted in the report be noted.

2. That officers work with all providers of early years services to develop options for:
 - a) payments to settings in respect of delivery of the Minimum Free Entitlement which ensure that all settings are treated fairly and equitably taking account of issues of quality and sustainability;
 - b) the commissioning of places for vulnerable children across settings in all sectors again taking account of issues of quality and sustainability.
3. That the executive member for Children's Services and Education bring forward proposals for the items identified in 2 above for consideration by the Executive in time for implementation in the financial year commencing 2008.
4. That the executive member for Children's Services and Education, through the Individual Decision Making (IDM) process, establish a way forward for the council's maintained provision to ensure the sustainability of the Children's Centre programme in the borough and to ensure that good quality provision in Community Nurseries is sustained through to implementation of changes in 2008.

9 GATEWAY 2, CONTRACT AWARD APPROVAL – INFORMATION AND COMMUNICATION TECHNOLOGY (ICT) SERVICES (see pages 21 to 30)

- RESOLVED:**
1. That the award of the ICT Services contract to Serco Ltd be approved. The commencement date to be 30th July 2007, for an initial term of 5 years.
 2. That the transfer of ICT assets to the supplier on the commencement date (as detailed in decision 1 above) be authorised.
 3. That the strategic director of customer & corporate services be authorised to agree the final terms and conditions set out in the Outsourcing Agreement and schedules.
 4. That the strategic director of customer & corporate services be authorised to agree an extension of the ICT service contract for a period of up to 2 years beyond the initial term, provided that the financial implications are no worse than those detailed in paragraph 3 of the report.
 5. That the Council cease the purchase of personal computers and laptop PCs from the date of the award decision in advance of the initial refresh of the desktop assets to be transferred to the supplier.

10 **UPDATE ON THE DECISION FROM THE LOCAL ENTERPRISE GROWTH INITIATIVE**
(see pages 31 to 39)

- RESOLVED:**
1. That the Local Enterprise Growth Initiative (LEGI) decision and the forward plan for further development of enterprise support (as detailed in appendix B of the report) be noted.
 2. That the executive thanks the economic development manager and all the people who worked on and supported the bid.

11 **HOUSING REVENUE ACCOUNT AND BUDGET SETTING 2007/08** (see pages 40 to 55 and Tenant Council recommendations and comments of Finance Director pages 110 to 112)

The report relating to this item had not been circulated five clear days in advance of the meeting. The chair agreed to accept the item as urgent so as to ensure that the Council conforms to the 28 day statutory notice period required under the secure tenancy agreement to notify tenants of variations in their rents and charges.

- RESOLVED:**
1. That an average rent increase of 5.00% (in accordance with the Government's required ceiling – see paragraph 9 of the report) be approved. This is equivalent to an increase of £3.49 per week on average, to be applied to all HRA dwellings, with effect from 2nd April 2007. Average budgeted dwelling rent for 2007/08 will be £73.26 per week.
 2. That the tenant service charges for 2007/08 as set out in paragraph 21 of the report be approved. This is equivalent to an increase of 27 pence per week for a tenant in receipt of all chargeable services, with effect from 2nd April 2007.
 3. That a rent increase of 4.10% be approved to be applied to all non-residential property as set out in paragraph 22 of the report. This is equivalent to an average increase of 35 pence per week for a garage, with effect from 2nd April 2007. Officers to prepare a report for Tenant Council advising them on how the money is being used.
 4. That a single increase of 46.6% in district heating charges for 2007/08 and no subsequent increase for 2008/09 be approved (see paragraphs 23–27 of the report). This is equivalent to an average increase of £3.92 per week for 2007/08 with effect from 2nd April 2007 and no subsequent increase for 2008/09.
 5. That the base budget set out in Appendix B of the report be noted.

12 **GATEWAY 2, CONTRACT AWARD APPROVAL – EAST DULWICH ESTATE REGENERATION SCHEME – WORKS CONTRACT AND LAND SALE AGREEMENT**
(see pages 56 to 66 and appendices pages 113 to 120)

The report relating to this item had not been circulated 5 clear days in advance of the meeting. The chair accepted the item as urgent as in recent times, residents of the East Dulwich Estate had been made aware of the milestone of formal contract award being reached by the end of the month of January 2007. The process leading up to the executive meeting had been followed with considerable interest. Also the Project Team and the Tenants and Residents Association had made arrangements to announce the decision being taken at an event scheduled for February 1 2007. Any delay in taking the decision at this stage in the process may have damaged the confidence around the scheme.

- RESOLVED:**
1. That the award of the East Dulwich Estate Regeneration Scheme contract in the tendered sum detailed in the closed report be approved.
 2. That approval be given to the acceptance of the Form of Offer for the purchase of land for the purpose of constructing new build housing for private and shared ownership in partnership with Hexagon Housing Association. In the event that the development proposal changes as a result of changes demanded by the Local Planning Authority and revised bids are required, that a decision to accept any revised bid be delegated to the deputy leader and executive member for housing management (see paragraph 61 of the report).

13 **BUSINESS CONTINUITY AT THE ELEPHANT AND CASTLE** (see pages 67 to 100)

The report relating to this item had not been circulated 5 clear days in advance of the meeting. The chair accepted the item as urgent to avoid prolonging uncertainty over the council's proposals to use its powers to support businesses.

The executive received a deputation from representatives of the Elephant and Castle traders. The deputation spokesperson Ms Valerie Stevens outlined the issues of concern for the traders.

- RESOLVED:**
1. That it be noted that substantial efforts have been made to deal with the concerns raised by Traders in discussions with officers and through the Scrutiny process and the actions proposed in the report in response to the recommendations of scrutiny sub-committee also be noted.
 2. That the executive reaffirms its commitment to the importance of securing a long term diverse trading base within the Elephant area and of facilitating the transfer of existing businesses to new trading locations.

3. That executive affirms the Council's willingness to negotiate with other parties to develop a "business continuity charter" as a statement of the principles by which the Council and partners will seek to ensure continuity of trade throughout the development of the shopping centre and until new provision has been developed, and to use this charter as a basis for development of proposals to be agreed between the Council, the traders, the shopping centre landlord and the development partner (if different to the latter), with support from the London Development Agency.
4. That the advice relating to the proposed "compensation mechanism" developed by Business Extra on behalf of the Shopping Centre Liaison Group be noted.
5. That it be noted that all proposals for assistance will continue to need to take into account the statutory and contractual compensation available to businesses deriving from their existing tenancy or lease agreements.

14 **OFFICE ACCOMMODATION PROGRAMME – STRATEGY AND BUSINESS CASE** (see pages 101 to 109)

The report relating to this item had not been circulated 5 clear days in advance of the meeting. The chair agreed to accept the item for reasons of urgency as approval of the strategy was required in order for officers to conclude negotiations for the acquisition of property to deliver the short-term strategy. A delay in receiving that approval might have jeopardised the negotiations resulting in the property being lost to another potential lessee.

- RESOLVED:**
1. That a strategy for the council's office accommodation as set out in paragraphs 8 to 21 and the governance arrangements set out in paragraphs 39 and 40 of the report be agreed.
 2. That officers be authorised to proceed with negotiations for the detailed terms and heads of agreement for a suitable medium-term property (or properties).
 3. That the strategic director of customer & corporate services be authorised to determine office space standards and flexible working arrangements and procedures.
 4. That it be noted that a project delivery board will be set up in accordance with the executive's decision on strategic management arrangements, to oversee the office accommodation programme, reporting into the Major Projects Board.

15 **MOTIONS REFERRED FROM COUNCIL ASSEMBLY – JANUARY 2007**
(see pages 121 to 128)

The report relating to this item had not been circulated 5 clear days in advance of the meeting. The chair agreed to accept the item for reasons of urgency as the closure of the Maudsley 24 Hour Clinic and the Herne Hill sorting office were due to take place in the near future and the final reading of the Sustainable Communities Private Members Bill were due to be heard soon.

Maudsley 24-Hour Clinic

- RESOLVED:**
1. That the executive notes:
 - That the government estimates that one in four people will suffer from some form of mental illness at some point in their lifetime;
 - That the South London and Maudsley Trust submitted plans to close the emergency clinic at the Maudsley Hospital which currently offers an 'open all hours' emergency service for people with mental health problems;
 - That the Lambeth and Southwark Statutory Joint Health Committee referred this decision to the secretary of state for health to make the final decision on the grounds that they did not believe that the closure was in the best interests of local health services;
 - That the chief executive of the South London and Maudsley Trust has admitted that there will be an increased reliance on the voluntary sector as a result of this cut;
 - That the secretary of state has confirmed the decision to close the Maudsley emergency clinic.

 2. That executive believes:
 - That the Maudsley clinic is a vital service which helps to save lives and should remain open 24 hours a day, seven days a week, 365 days a year;
 - That the closure of the Maudsley clinic will have a detrimental impact on neighbouring emergency health services and especially on the accident and emergency department of King's College Hospital;
 - That whilst the proposed changes to the community services are noted, these alone will not be a sufficient replacement for the loss of the emergency provision;
 - That the current proposal for a new designated space adjacent to the A&E department of King's College Hospital is inadequate to replace the current provision, even when combined with the extension of the community service;
 - That there are significant questions still to be answered about the proposed new King's A&E service, including the funding of staff, the waiting area for patients, the area provided for the service, security and overnight accommodation.

3. That executive recognises the impact that the strategic health authority's financial adjustments and "top-slice" of the PCT budget increases has had on the South London and Maudsley health trust and calls for this policy to be reviewed.
4. That executive congratulates the many individuals and organisations who have campaigned to keep the Maudsley Clinic open and the South London Press for helping to organise the campaign and notes that support for the campaign has been cross party and included local MPs.
5. That the executive supports the campaign to keep the Maudsley emergency clinic open 24 hours per day and the leader write to the secretary of state for health seeking an urgent meeting with her to ask her to reconsider her decision and keep the clinic open.

Post Offices

RESOLVED:

1. That the executive regrets the loss of three post offices in North Southwark and Bermondsey, seven post offices in Dulwich and West Norwood and two post offices in Camberwell and Peckham between 1999 and 2006, representing almost one in three of the total services available.
2. That executive notes:
 - that on the December 14 the government announced plans for post office 'restructuring' that they expect to lead to the closure of a further 2500 post office branches by 2009;
 - that 4000 post office branches have been closed nationwide since the government came to power in 1997;
 - that the government announced in March 2006 the phasing out of the post office card account (POCA) on which many pensioners relied to receive their state pension and on which thousands of branches depended to keep them in business;
 - that closure of smaller post offices around the country has led to the closure of other local shops and businesses and the disintegration of local communities;
 - that on the December 14, in the face of huge criticism of this decision, the government backed down and announced a replacement for POCA;
 - that the government has directly or indirectly overseen the post office losing TV licences, vehicle excise duty and passport authentication work;

- the plans by Royal Mail to close the Herne Hill sorting office leading to delays in postal delivery times, the loss of local knowledge among postal delivery workers and inconvenience for local residents who have to pick up mail from a sorting office.
3. That executive further notes the social importance of post offices to the well being of both communities and individuals in Southwark.
 4. That executive believes that the recently announced closure programme is unnecessary and seeks to persuade the government to:
 - end the branch closure programme;
 - remove the Royal Mail restrictions on the post office to open up further business opportunities for the network;
 - stop removing government business from post offices;
 - carry out a review of which additional government functions could be carried out through post offices;
 - invest in the post office network.
 5. That executive further believes that the interests of residents are best served by the retention of the Herne Hill sorting office.
 6. That executive welcomes the decision of the government to withdraw its previous proposals to scrap completely the post office card account (POCA) and calls on ministers to ensure that any replacement POCA should be open freely to all pensioners and benefit recipients who wants one.
 7. That the executive call on the government to avoid putting pressure on current and future POCA users to switch to having benefits and pensions paid directly into bank accounts.
 8. That the executive asks the MPs for Southwark to lobby ministers to save the post office from gradual demolition and to protect this vital service for the people. Executive further asks the MPs to report back to this council on their actions and asks the overview and scrutiny committee to undertake a scrutiny investigation into the impact of the closure of the Herne Hill sorting office.
 9. That the executive urge Royal Mail to reconsider plans to close the Herne Hill sorting office.

Sustainable Communities Bill & Post Offices

- RESOLVED:**
1. That executive notes the Sustainable Communities Private Members Bill proposed by Nick Hurd MP, which received its first reading in Parliament on Wednesday December 13 2006.

2. That the Bill successfully secured a second reading on Friday January 19 2007 by 175 votes to 17 and that Simon Hughes MP was one of those who supported it. Executive regrets that Harriet Harman MP and Tessa Jowell MP failed to support the Bill and the government has indicated its opposition to it.
3. That executive believes:
 - The Sustainable Communities Bill is a welcome step towards returning power to local communities, and ensuring that money be spent by government on services provided for the benefit of local communities is to be spent in the way local communities wish, rather than central government determines.
 - That the closure of community based services such as local post offices or counter services at police stations will have a detrimental effect on the wider community.
4. That the executive agrees:
 - To support the Sustainable Communities Bill, and to urge the borough's MPs to demonstrate their support through the bill's remaining parliamentary stages.
 - To affirm its commitment to the devolution of further powers to local communities by bringing forward proposals to strengthen the powers of Southwark's community councils.
 - To continue to play an active role in the renewal of local community service provision, such as the work to reopen disused shop units on the Kingswood Estate for community use.

EXCLUSION OF PRESS AND PUBLIC

RESOLVED: 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 to 7 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 section of the meeting.

1 MINUTES

The executive approved as correct records, the closed minutes of the meetings held on November 28 and December 12 2006.

2 GATEWAY 2, CONTRACT AWARD APPROVAL – INFORMATION & COMMUNICATION TECHNOLOGY (ICT) SERVICES

The executive considered the closed information relating to the Gateway 2, Contract Award Approval relating to ICT Services. See item 9 above for decision.

3 **GATEWAY 2, CONTRACT AWARD APPROVAL – EAST DULWICH ESTATE REGENERATION SCHEME – WORKS CONTRACT AWARD AND LAND SALE AGREEMENT**

The executive considered the closed information relating to the Gateway 2, Contract Award Approval relating to the East Dulwich Estate Regeneration Scheme. See item 12 above for decision.

4 **OFFICE ACCOMMODATION PROGRAMME – STRATEGY AND BUSINESS CASE**

The executive considered the closed information relating to the Office Accommodation Programme, Strategy Business Case. See item 14 above for decision.

CHAIR:

DATED:

The meeting ended at 9.07pm

DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 18 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, THURSDAY FEBRUARY 8 2007

THE ABOVE DECISIONS WILL NOT BE IMPLEMENTABLE UNTIL AFTER THAT DATE. SHOULD A DECISION OF THE EXECUTIVE BE CALLED-IN FOR SCRUTINY, THEN THE RELEVANT DECISION WILL BE HELD IN ABEYANCE PENDING THE OUTCOME OF SCRUTINY CONSIDERATION.