



## **REGENERATION AND RESOURCES SCRUTINY SUB COMMITTEE**

MINUTES of the meeting of the REGENERATION AND RESOURCES SCRUTINY SUB-COMMITTEE held on FEBRUARY 6 2008 at 7:00PM at the Town Hall, Peckham Road, London SE5 8UB

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**PRESENT:** Councillor Lewis Robinson (Chair)

Councillor Richard Livingstone  
Councillor Mary Foulkes  
Councillor Martin Seaton

**ALSO**

**PRESENT:**

Councillor Toby Eckersley - Executive Member for Resources  
Patrick Blunt - Southwark Chamber of Commerce  
Ian Fraser - Elephant and Castle Traders' Association  
Valerie Stevens - Elephant and Castle Traders' Association  
Shammin Uddin – Committee Manager, Black and Minority Ethnic Tenants Association

**OFFICERS:**

Stephanie Fleck – principal lawyer  
Gillian Jeffrey - legal officer  
Hamish Beaton – scrutiny officer  
Graham Richards - Transport Planning Group Manager  
Simon Hughes - Assistant Finance Director  
Dominic Cain - Strategic Services Project Manager  
Stephen McDonald - Strategic Director, Major Projects  
Adeola Dada - Aylesbury Project Assistant Director

**APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Denise Capstick.

**NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT**

- The chair circulated to members copies of the meeting invitation that had been sent to the attendees of the 13 February Elephant & Castle Traders meeting.

- The chair reported that the scheduled item regarding the CRE report on Regeneration and the race equality duty had needed to be deferred until the next sub-committee meeting. The chair explained that this had been due to the lead officer not being available to present the item. The chair voiced his disappointment regarding this development, especially given the late notice of the unavailability, and apologised to committee members. The chair noted that he intended to hold a pre-meeting with lead officers before the next Regeneration and Resources Scrutiny meeting in order to examine and finalise how the item would be covered. Councillor Richard Livingstone commented that the postponement was of great concern, but appreciated that the chair was not at fault. He expressed his disappointment that the

committee had been notified at such late notice, and voiced concern that only one officer was deemed capable of discussing the item and that the officer's superiors were unable to do so. He believed that this gave a negative message to the committee, especially given the wide ranging scope of the CRE report. Councillor Livingstone reiterated his disappointment with the late notice given, but appreciated the chair's response and initiative in holding a pre-meeting to resolve and finalise the issue.

## **DISCLOSURE OF INTERESTS AND DISPENSATIONS**

None

## **MINUTES**

**RESOLVED:** That the minutes of the Regeneration and Resources scrutiny sub-committee meeting held on December 5 2007 be agreed as a correct record of proceedings and signed by the chair.

## **1. REGENERATION OF THE SOUTH BERMONDSEY TRAIN STATION**

- 1.1 Graham Richards updated members on the background of this item and referred to the discussions of the sub-committee's 31 October 2007 meeting regarding the project's delays, and the 5 December meeting regarding the public realm restructure. Graham Richards informed members that, since the October meeting, council officers had held meetings with South Bermondsey residents and that CCTV cameras had been installed in the station area and were now operational. Graham Richards added that project officers were now focussing on the shop front development and improvements phase. A public realm project manager had been appointed and was now involved in the project. Graham Richards noted that this project manager was also responsible for the Connect 2 project, and pointed out that there were two projects within close proximity of each other under the supervision of a single project manager. Graham Richards reminded members that the council had managed to win a national lottery fund and that this money would be used to fund the Rotherhithe New Road bridge development.
- 1.2 The chair thanked Graham Richards for his update and commented that the situation appeared positive. Councillor Mary Foulkes agreed with the chair and noted her satisfaction that Southwark had obtained the lottery funding. She asked about the timeframe for the project and when the new bridge could be expected to be operational. Graham Richards replied that the timeframe was still being worked on, and that the project manager was currently finalising funding and a timetable for the two projects.
- 1.3 Councillor Richard Livingstone voiced his appreciation for the work that had been conducted during the past few months, especially with regards to the engagement with residents and shop owners. He admitted that this was belated, but certainly very welcome.

## **2. EXECUTIVE INTERVIEW: COUNCILLOR ECKERSLEY [PORTFOLIO FOR RESOURCES]**

- 2.1 The chair thanked Councillor Toby Eckersley for attending the sub-committee meeting. He advised members that those who had submitted questions would be given the opportunity to ask supplemental questions to each of their respective questions, and then general questions could be taken from other members.
- 2.2 **Question 1 - Could the executive member update the scrutiny panel on the borough's Council Tax collection rate for 2007/08, providing the current performance and the anticipated performance by the close of the financial year? Could he also provide figures to estimate the anticipated level that could be collected after the close of the financial year?**
- 2.3 Councillor Livingstone thanked Councillor Eckersley for his written response to this question. He noted that this would likely be Councillor Eckersley's final scrutiny interview and commented that, despite their political differences, he had respected the good work done by Councillor Eckersley and the level of goodwill that existed between them. Turning to the written response, Councillor Livingstone noted that the figures regarding the council's anticipated collection at the close of the financial year were different to those presented at the previous week's council meeting. Councillor Livingstone asked Councillor Eckersley to clarify whether the figure was in fact 92% or 93% and whether this figure a base, or a realistic target for the end of the year. Further, Councillor Livingstone inquired as to the outcome of the council's work with Liberata, and whether it had any impact.
- 2.4 Councillor Eckersley thanked Councillor Livingstone for his kind words. He explained that the council's contractual performance target was 93%, but that the level of improvement was not as good as might have been hoped. He opined that delivery methods needed to be improved, and noted that Liberata had introduced measures for improvement. Dominic Cain also stated that there had been a concerted effort to improve performance and that this had resulted in a steady increase in council tax collection. He explained that the [...] level had been at 86% but this had increased slowly to between 92-93%. Dominic Cain added that Liberata aimed to collect £387 million year by year and that the net collectable had increased by 6%. Regarding arrears collection, Dominic Cain stated that this had improved by £1.2 million.
- 2.5 Councillor Livingstone asked if this improvement in arrears collection was because there were currently more arrears for Liberata to collect. Dominic Cain replied that this was the year to year amount. He stated that improvements were due to a number of reasons: a payment system had been installed within the council's contact centre, council officers and Liberata representatives met regularly to discuss potential methods of improvement, and council officers were now holding weekly meetings with bailiffs. Dominic Cain conceded that the situation in Southwark was a difficult one, as there were high levels of debt, and that there were only limited measures of debt collection available to the council. He explained that if the officers were unable to contact a resident, then the council would find it difficult to get them to appear in court. He pointed out, however, that recent bailiff performance appeared promising and that £500,000 had been sourced through bailiffs in the past half year with the aim now to reach a 92.5% rate of collection. Dominic Cain opined that the council needed to improve its in-year and arrear collections.

- 2.6 Councillor Livingstone asked if there had been any research conducted into why other councils were performing better or worse with regards to council tax collection. Citing Tower Hamlets as an example, he noted that statistics indicated that it did not always depend on an area's prosperity as to its level of tax collection. Councillor Livingstone asked Dominic Cain if he had any views on why Tower Hamlets was performing so well. Further, Councillor Livingstone reported complaints from residents who had claimed that, although they wanted to pay council tax, they had apparently been unable to do so. Also, citing the 2008/09 budget figures, Councillor Livingstone noted the level of saving that could be achieved by rolling the Liberata contract forward instead of renegotiating a new contract. Councillor Livingstone asked if this was a sensible idea.
- 2.7 Dominic Cain replied that this figure reflected the efficiency saving for the council if it maintained its contract with Liberata. He opined that a renegotiation would be costly, and pointed out that work thus far this year showed real signs of improvement. Further he stated that best practice methods could be learnt from other boroughs, in particular Tower Hamlets. He reported that Liberata had checked other accounts and that officers were checking housing stock to verify that the person occupying a property was the same person on the register. Dominic Cain added that another key issue for Southwark was the borough's highly transient population. He explained that 40,000 people moved in and out of the borough each year, which in turn lead a large number of arrears payments for council officers to chase. Dominic Cain advised that the establishment of a "one stop shop" would make council tax payments easier for residents, and had already led to a process improvement. He conceded that the situation was not perfect, but stated that the council was working with Liberata to improve the process. Councillor Eckersley added that the council was trying to speed up the collection process.
- 2.8 Councillor Foulkes reported that she had experienced problems with the online council tax payment system. Dominic Cain promised to look into this issue.
- 2.9 Councillor Martin Seaton reported that he spoken with officers at Tower Hamlets who had advised that many Tower Hamlets residents made council tax payments online. He asked how Southwark's systems compared. Dominic Cain replied that between 44% and 49% of payments were made online. He assessed that this was a significant improvement and added that Southwark Council was working to increase the number of residents who paid by direct debit.
- 2.10 **Question 2 - Could the executive member update the scrutiny panel on the borough's Council Tax collection rate for 2006/07 as it currently stands?**  
No supplemental questions were asked.
- 2.11 **Question 3 - At the December meeting of the executive committee, figures were shared showing the levels of overspend by department. Could the executive member provide an update of these figures, comparing:**
- a. **profiled budget expenditure to date**
  - b. **actual expenditure to date**
  - c. **budgeted expenditure for the full 2007/08 year**
  - d. **anticipated full-year expenditure?**
- 2.12 Councillor Livingstone thanked Councillor Eckersley for his written response and noted that the third quarter figures had progressed since the previous weeks' meeting of the executive committee. He assessed that this situation appeared to be moving in the right direction, but noted that there were still areas of overspend. Councillor Livingstone asked what actions were being taken to address these.

- 2.13 Councillor Eckersley stated that reserves had been set out and that his written answer took this into account. He pointed out that the net result was only an overspend of £581,000 from a very large budget. He admitted, however, that there were still pressures in health and social care, and suggested that information on the relevant management actions being taken could be provided through the relevant departments. Simon Hughes added that the council was issuing directives regarding the staffing levels of agency employees. Also, further measures were being undertaken in the areas of health and social care. Simon Hughes offered to arrange for information on management actions to be distributed to members.
- 2.14 Councillor Livingstone suggested that cost pressure was still in place and that repaying past debt hindered forward progress. Councillor Eckersley replied that significant savings proposals had been formulated and the details of these would be distributed to members at the end of the week. Simon Hughes added that a report to the executive would be submitted in the March meeting. The chair assessed that information on management actions would be useful and commented that he would be glad to wait for the executive report.
- 2.15 **Question 4 - Assuming that the level of over-spend identified in the answer to the question above is still high, can the executive member set out how this shortfall will be met?**  
No supplemental questions were asked.
- 2.16 **Question 5 - Could the executive member update the scrutiny committee on discussions held with government regarding the settlement for 2008/09 and future years? What work can be done by council officers and elected representatives to strengthen the case for Southwark, either for the forthcoming year or 2009/10?**
- 2.17 Councillor Livingstone commented that a good response had been provided to this question. Regarding the follow-up meeting with the Minister for Local Government, Councillor Livingstone inquired if there were any comments or updates that could be given to sub-committee members.
- 2.18 Councillor Eckersley advised that the council leader was being very effective on this issue. He explained that a lot of research was being undertaken regarding the unfair aspects of the government's settlement. Councillor Eckersley assessed that vigorous lobbying was still required and that the government had created a painful situation for the council. With regards to the upcoming March meeting, he noted that the leader of the opposition would attend and stated that Southwark must take a cross party stance in order to maintain pressure.
- 2.19 Councillor Seaton stated that, until the sub-committee saw the council's budget proposals, it would be unable to conduct any scrutiny. Councillor Eckersley pointed out that the government had imposed significant constraints. Simon Hughes stated that the government had imposed significant cuts which equated to a cut in services. Councillor Seaton replied that, with efficiency gains each year of around 2%-3%, then surely the council's budget could "stand still" and potentially have figures for growth. Councillor Eckersley consented that, to an extent, this was true but that the situation was set to get worse.

2.20 **Question 6 - In relation to your responsibility for “management of the Council’s property portfolio, including all disposals and acquisitions”, can you provide a schedule of all vacant or under used land owned by the Council with a market value of more than £5 million and how best value and efficient use of these assets might be realised?**

2.21 The chair thanked Councillor Eckersley for his answer and stated that he had no further questions.

2.22 Councillor Livingstone asked about the council's intentions regarding Potters Field. He noted that the council had received considerable offers to develop this site and yet the council continued to turn them down. Council Livingstone asked whether this was the best use of revenue and the plot of land. Councillor Eckersley replied that the council must take steps to ensure that they do not lose the value of the land. He noted that there were drawn out steps regarding potters Field and that the chief executive would provide an update soon.

2.23 Councillor Foulkes commented that the consultation meetings in September 2007 regarding the Woodene Estate development had felt like a sweet shop without any candy. She pointed out that the council's development partner was supposed to have been chosen last year. Councillor Foulkes asked if this process had begun to take place yet and whether the council had the budget available to fund this development. Councillor Eckersley promised to look into this issue and forward the information to Councillor Foulkes.

2.24 **Question 7 - Can you confirm and comment on the recent reports of an increase in fees payable to the Audit Commission of up to 22% for London authorities?**

2.25 The chair thanked Councillor Eckersley for his response. He noted that the Financial Director had made deputations and stated that councillors would make representations at the audit committee meeting. Councillor Livingstone noted his agreement with the Chair.

2.26 Councillor Eckersley suggested that it would be helpful to determine how many of the discrepancies had been a result of the audit committee's data and asked Simon Hughes if there had been a reply received to the council's email sent on 10 January. Simon Hughes reported that, as yet, the audit committee had not replied to any of the emails sent not only by Southwark, but by other local authorities as well.

2.27 Members thanked Councillor Eckersley for attending the meeting.

- Resolved:**
- 1 That information on management actions to alleviate areas of overspend be distributed to sub-committee members.
  - 2 That Dominic Cain investigate reported problems with online council tax payment systems.
  - 3 That an update on the Woodene Estate development be provided to Councillor Foulkes

### **3. BUSINESS CONTINUITY AT THE ELEPHANT AND CASTLE**

- 3.1 The chair welcomed Stephen McDonald and Adeola Dada. The chair suggested that Stephen McDonald present the Update on Business Continuity Support report and that members and traders then make comments. He suggested that the focus of discussions should be on the report, rather than wider issues.
- 3.2 Stephen McDonald introduced the item by reminding members that the last time the Elephant & Castle business continuity issue had been discussed at the Regeneration & Resources scrutiny meeting, he had explained his move to "draw a line in the sand" and produce a report on the situation. He noted that the council was still in the process of establishing a regeneration process with a preferred partner. He also noted that there had been a significant change in the development market in the last couple of months, following global economic problems. Stephen McDonald pointed out that a meeting was scheduled for 13 February between traders, the council, Lend Lease, St Modwens and the London Development Agency (LDA). The council's report would be discussed in detail at this meeting. He highlighted that it had taken a long time to arrange this meeting, but that he was delighted with this development.
- 3.3 Adeola Dada introduced herself and noted that she had previously been working on the Aylesbury regeneration project but had been tasked with looking at the Elephant and Castle as an objective observer. Her role had been to make proposals and then progress the situation to a handover position. Her report's starting point had been 30 January 2007. Adeola Dada read out her report to committee members. She made personal observations that in the course of conducting her consultation she had been made aware that, although the situation had been difficult, people's focus was on the future and there was a shared vision of being part of a regenerated area. There was a sense of urgency on one hand and an acknowledgement that process takes time. She added that the 13 February meeting was an open meeting.
- 3.4 The chair thanked Adeola Dada and Stephen McDonald for their input. He acknowledged that a report had been promised at the 31 October 2007 meeting and that this report had indeed been produced. He also welcomed the arrangement of the 13 February meeting. The chair commented that the council had been struggling with this issue for 6 months. He appreciated that this had been difficult situation but that a step forward had finally been made. The chair recognised that the London Development Agency (LDA) had a role to play in the development project but that this had not yet been pinned down. He asked if the issue required political involvement to help progress. Stephen McDonald stated that he would welcome an intervention. He assessed that there had been progress already, but that political input would be helpful.
- 3.5 Councillor Foulkes thanked Adeola Dada for her report. She expressed her disappointment, however, regarding the mention of delays due economic downturn. She pointed out that the council had been trying to deal with Lend Lease since July 2007, prior to the global economic difficulties, and that there had been no communication with traders during this entire period. Councillor Foulkes added that St Modwens was not a charity and they would not simply give up their possession of the shopping centre. Stephen McDonald replied to MF's first comment by stating that the council hadn't made formal communications with the traders, but rather only informal communications. He noted that Southwark was still a partner with Lendlease and that St Modwens still owned the Elephant and Castle. Lendlease was tasked with developing the site, but St Modwens had offered to sell the site to Lend Lease at a price which Lendlease did not want to pay. Stephen McDonald stated that the options were either for the council to take Compulsory Purchase Order proceedings which could be long and protracted, or for St Modwens to buy out the Elephant & Castle and develop.

- 3.6 Councillor Seaton queried the status of the relationship between the council and Lendlease, and asked if Lendlease were partners or preferred partners. He noted that the council was still negotiating with Lendlease and asked what the status of these negotiations was. Stephen McDonald replied that the major question for Elephant and Castle was what could be done with transport links. He explained that the development of bus, tube and taxi transport links would require the involvement of Transport for London (TFL). Southwark and Lendlease are operating as a partner but were still in negotiation with TFL over the development plans. He assessed that these negotiations were slowly making progress. Stephen McDonald stated that this was a commercial constraint which restricted other negotiations and signing the partnership agreement with Lendlease.
- 3.7 Councillor Seaton asked how, with regards to the shopping centre, a tri-party arrangement could work. He asked why Lendlease would agree to this. Adeola Dada replied that the structure chart in her report did not convey the relationships correctly. She advised that the chart had attempted to depict the parties as separate entities.
- 3.8 Councillor Foulkes asked whether an equalities impact had been conducted yet. She assessed that, if not, ethnic minorities were at risk of being hard done by. Stephen McDonald replied that the council had conducted an EQIA on the Elephant and Castle and across all major projects. MF asked about the stage one status and requested that the timing of this be clarified.
- 3.9 Councillor Livingstone raised his concerns regarding the charter and asked how confident officers were in being able to relaunch it. Adeola Dada replied that the council needed an implementation plan. She assessed that there would be problems along the way.
- 3.10 The chair noted that quarterly liaison meetings had been set up, and sought verification that an officer was now in place to drive this issue forward on a day by day basis. Adeola Dada confirmed that an officer would be in an advocacy role and would report back to the council. Further, she reported that at a previous day's pre-meeting, concerns had been raised that it would take the council a long time to recruit for this role. She maintained that the council was in a position to appoint an officer to this role now. The chair commented that this was a positive step forward and asked whether her report required more action. Stephen McDonald confirmed that it did not.
- 3.11 Shammin Uddin complained that the report was no different to any others produced in the past. He stated that it was a plan but had no substance. He believed that there had been no change from past documents. He criticised the comment from Stephen McDonald that Lendlease had suggested that St Modwens develop the centre themselves. He believed that a CPO would take a long time to implement and that, ultimately, the council would be unable to afford to do so. He pointed out that the council had had 8-9 months to work on this, and there had been no economic crash in 2007. He stated that the council had promised to look after the local community, but asked what the council had done to protect tenants and ensure their viability. Stephen McDonald pointed out that the council had produced a report on the situation. The council had provided 19 units on the New Kent Road for temporary accommodation for the traders. Also, the LDA would be attending the 13 February meeting, and that Shammin Uddin should pose these questions then. Stephen McDonald asked Shamim Uddin what the council could do to improve the traders' situation.

- 3.12 Shammin Uddin stated that he wanted to know the timeline for the development project. Stephen McDonald replied that this would be provided at the 13 February meeting. Shammin Uddin stated that out of the 80 tenants in the Elephant & Castle , only 8 still possessed their leases. He therefore assessed that a CPO would be of no benefit to the majority of traders. Further he stated that the traders had been given no information prior to the 13 February meeting regarding the meeting's content. Stephen McDonald replied that this was untrue and that he had held a meeting with Shammin Uddin and other traders the previous day during which information for the 13 February meeting had been provided. The chair commented that the scrutiny sub-committee was not the correct forum to chase or debate the agenda for the 13 February meeting.
- 3.13 Shammin Uddin asked how the traders would be able to accept the report, especially given that Lendlease was now proposing that St Modwens should develop the Elephant and Castle. The chair stated that he had not been happy with the continual stalling that had taken place with the Elephant and Castle business continuity issue, but that he was happy to at last see some forward movement. He hoped that the charter could begin to be implemented and further progress be made.
- 3.14 Shammin Uddin complained that there had been no negotiations prior to the economic crash in early 2008 and that the council has had three years to improve the situation. He stated that even though CRE examinations had taken place, the council had still not worked to improve the situation. He believed that the council's stance was a "cop out", and criticised the suggestion to form a new charter. He explained that he had been through this process several times in the past. He believed that the council was unable to keep records of its efforts.
- 3.15 Valerie Stevens opined that the situation had a sense of deja vu and that the latest report did not give traders any new options. With regards to the proposed charter, she pointed out that she had already attended numerous meetings regarding the charter. She added that, although the council said that it had formulated a plan, the council did not listen to the traders. She stated that a proposal to hold three monthly meetings to address the charter was unrealistic. Stephen McDonald replied that there was no silver bullet to fix the situation. He pointed out, however, that there would be a business development officer made available for traders to liaise with regularly who would be convening between Lendlease, St Modwens and the council.
- 3.16 Valerie Stevens stated that Elephant & Castle landlords were trying to make as much money as possible. Traders already faced huge surcharges, and bills for cleaning, security etc and yet rents were still increasing. She stated that the centre is on the decline, and questioned the wisdom behind Lendlease wanting St Modwens to develop the centre. Stephen McDonald replied that this was as far as the council could go. Shammin Uddin reiterated that the council could not act to the detriment of its residents. The chair countered that the report was operating within the framework as set out by the executive.

- 3.17 Ian Fraser stated that, if the report did not progress the situation and if market conditions affected negotiations, then there would be more delays. Additionally, there now appeared to be a new relationship between Lendlease, St Modwens and the council, as well as significant issues relating to negotiations with TFL. Ian Fraser believed that of this would contribute to further delays. He noted that a timeline had still not been produced and asked when the traders could expect to receive a timeline. Stephen McDonald replied that this would be made available at the 13 February meeting. He stated that there were several reasons for the delays such as market changes and negotiations between St Modwens and Lendlease. He stated that the only recourse would be a CPO which would require planning applications, which in turn required planning agreement with TFL. He therefore suggested that the best option, which Lendlease has proposed, was this new development with St Modwens.
- 3.18 Shammin Uddin asked what control the council would have over St Modwens. He asked if they would be contractually obliged in any way. Stephen McDonald replied that Southwark was the planning authority.
- 3.19 Councillor Seaton commented that all traders reported that they were experiencing blight. He assessed that if Tesco's were to leave the shopping centre, then the centre would collapse. He pointed out that Southwark-based businesses were taxpayers and that the charter should be in force to protect these current traders. Councillor Seaton stated that the charter was still in limbo and that the 13 February meeting should seek to address the finalisation of the charter. Also, he hoped that ward councillors would be able to attend the 13 February meeting as well as independent observers. He assessed that the meeting structure may create anxiety. The chair agreed that ward councillors should attend the meeting. With regards to having an independent chair, he believed that the council leader would be suitable. He pointed out that to now debate the chairmanship of the meeting may create more delays. The chair suggested that the sub-committee would keep a watching brief on the situation, but would be unable to make any recommendations until after the meeting.
- 3.20 Patrick Blunt suggested that local traders who were not represented by Elephant & Castle traders organisations should also be present at the meeting. He suggested that the university of arts and traders along the Walworth Road attend, and pointed out that the CRE report had recommended wider consultation take place. Valerie Stevens countered that she had always advocated restricting the meeting to only include Elephant & Castle traders as they all had the same landlord. Stephen McDonald added that the council was engaging with all stakeholders, separate to discussions with Elephant & Castle traders. Shammin Uddin retorted that some of the local businesses had the same interests as the Elephant and Castle traders. The chair countered that this was the first time such a suggestion had been made to broaden the circle of discussions. He stated that it was a specific issue and that to broaden it now would be counterproductive. Patrick Blunt suggested that, therefore, the title of the report should be amended to "Elephant & Castle traders" as its current form indicates all traders. Councillor Livingstone commented that this was a good point. He noted that there were wider issues, but agreed with the chair regarding the scope of the 13 February meeting. He asked if Stephen McDonald could assure the committee that an undertaking regarding this wider meeting would take place. Stephen McDonald assured Councillor Livingstone that he could do so.

- 3.21 Patrick Blunt expressed his dismay regarding the involvement by St Modwens in the project. He reported strong complaints from solicitors that St Modwens was deliberately delaying proceedings and that smaller traders were being downtrodden by landlords as they were not given the same financial breaks as larger traders. He assessed that surveyors, solicitors, barristers were all engaged in dealings with St Modwens, and asked how the 13 February meeting would affect these individual negotiations. Councillor Seaton added that he was aware of St Modwens' combative approach and that St Modwens was waiting for smaller traders to fail. He asked that the committee make a recommendation that ward councillors attend the 13 February meeting and that charter negotiations be completed as a matter of extreme urgency. Further, Councillor Seaton opined that, since the charter had not yet been finalised, the council leader could not be an objective chair as he could not be empowered by the charter. The chair stated that since the meeting was open, there would be no problem for ward councillors to attend. He pointed out, however, that ward councillors should not dominate the meeting as it was being held to benefit the traders.
- 3.22 Councillor Seaton reiterated that the charter was critical and needed to be resolved. He asked members to urge Adeola Dada and Stephen McDonald to resolve the issue of the charter. The chair replied that this was unlikely to happen in the 7 days remaining before the 13 February meeting. He stated that the council was continuing to negotiate with regards to the charter. He noted that the framework for the charter was set by the executive. He stated that there had been a positive development in that the situation was moving forward again and assessed that developments with the charter would follow in due course. The chair voiced concern over where Councillor Seaton's recommendations would lead. Councillor Seaton argued that the charter was critical and of benefit to the local residents.
- 3.23 Adeola Dada explained that the charter comprised of 26 items. She added that this had taken a long time to construct and still required further development over time. She commented that the council would use the 13 February meeting to remind people of the current status of the charter and try to push it forward. She added that the council would be unable to make the amount of movement suggested by Councillor Seaton in such a short space of time. Patrick Blunt interjected that the traders' charter had been agreed in 6 hours in their own time. Shammin Uddin added that he and other traders had already presented their own charter, thereby telling the council what they wanted.
- 3.24 The chair suggested that discussions were beginning to stall. He pointed out that a meeting had been scheduled and that a report was now on the table. He maintained that these were positive developments. He advised Councillor Seaton that he would be able to call a vote on how to proceed with the charter and pointed out the vote would most likely carry. The chair suggested to Councillor Seaton, however, that this would be a disappointing development. Councillor Seaton opined that the leader of the council should be empowered by the charter. He suggested therefore that, since the council had not finalised the charter, a representative from the Southwark Chamber of Commerce should instead chair the meeting. The chair suggested that this comment be minuted and sent to the leader ahead of the 13 February meeting. Councillor Seaton reiterated that the leader would not represent local tenants unless he was empowered by the charter, and asked Stephen McDonald to clarify whether ward councillors would be allowed to attend the meeting. Stephen McDonald assured Councillor Seaton that this was so. He pointed out, however, that the meeting was designed for traders and that he hoped as many traders as possible would attend.

- 3.25 The chair advised that the committee would re-examine this issue at the next meeting. All members agreed and requested that an update be given following the 13 February meeting. Shammin Uddin requested that the minutes from the 13 February meeting be made available at the next scrutiny meeting.
- 3.26 Separately, Councillor Foulkes noted that in the CRE report there had been a recommendation for staff training on race equality. She asked Stephen McDonald whether this had been carried out. Stephen McDonald replied that at present 80% of staff had been trained, and that the target was to reach 100%.
- 3.27 Councillor Livingstone requested that a comment or update be given at the sub-committee's April meeting regarding the Potters Field project, in respect to the chief executive meeting that would be held in coming days.

- Resolved:**
- 1 That the timing and the status of the Equalities Impact Assessment on the Elephant and Castle development project be clarified.
  - 2 That Councillor Seaton's concerns regarding the 13 February traders meeting be relayed to the council leader ahead of the meeting..
  - 3 That an update on the outcome of the 13 February meeting, as well as meeting minutes, be provided at the next Regeneration & Resources Scrutiny meeting.

The meeting closed at 9:40 pm.

**CHAIR:**

**DATE:**