

Cabinet

Tuesday 21 July 2015

4.30 pm

Ground Floor Meeting Room GO2A, 160 Tooley Street, London
SE1 2QH

Supplemental Agenda No. 1

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Contact

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Date: 17 July 2015

Item No. 7.	Classification: Open	Date: 21 July 2015	Meeting Name: Cabinet
Report title:		Deputation Requests	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

RECOMMENDATION

1. That cabinet consider whether to hear deputations as set out in paragraphs 4-8 from:
 - a. local residents in Camberwell in respect of a car wash operating within Parkhouse Street, Camberwell, London SE5
 - b. residents of Highshore Road and the surrounding area in respect of the Rye Lane conservation area
 - c. Homeowners Council in respect of item 15, proposal to implement the extension of licensing powers under the Housing Act 2004.

BACKGROUND INFORMATION

2. When considering whether to hear the deputation request, cabinet can decide
 - To receive the deputation at this meeting or a future meeting; or
 - That the deputation not be received; or
 - To refer the deputation to the most appropriate committee/sub-committee.
3. A deputation shall consist of no more than six people, including its spokesperson. Only one member of the deputation shall be allowed to address the meeting for no longer than five minutes. After this time cabinet members may ask questions of the deputation for up to five minutes. At the conclusion of the questions, the deputation will be shown to the public area where they may listen to the remainder of the open section of the meeting.

KEY ISSUES FOR CONSIDERATION

Local residents – Car Wash in Parkhouse Street, Camberwell

4. The deputation would like to address cabinet on behalf of the local community to request that a local car wash business operating within Parkhouse Street, Camberwell be required to apply for planning permission. The deputation claims that the car wash is causing a nuisance in terms of noise, parking, ambience, and environmental pollution for local residents.
5. The deputation have also had a deputation request heard at a Camberwell Community Council meeting on 4 February 2015 on the same issue.

Residents of Highshore Road and the surrounding area

6. The deputation would like to address cabinet on behalf of the local community. They have made the following statement:
- a. “We, the residents of Highshore Road, Peckham and Nunhead wish to preserve the special character of Rye Lane Conservation Area, neighbouring Conservation Areas and the protected shopping frontages of the borough. We strongly support development (economic and social) but suggest that it needs to be very actively managed in Peckham, so as not to put at risk a successful micro-economy that keeps money within the vicinity and clearly meets the needs of specific clientele. We are concerned that recently relaxed planning laws will threaten local businesses and the well being of the community - restricting the council's powers to manage change of use from shops and other use classes, to financial and professional services such as estate agents. Estate agents tend to cluster together – when one moves to a new location, others follow – with an immediate impact on local rents, which has already started – threatening to cause catastrophic disruption of the very idiosyncratic local economy. This goes much deeper than any particular brand but is about recognising the way that estate agents and chains work as a sector and parallels can be drawn to similar harm that betting shops, mobile phone and pound shops, or any chains, can cause to the high street if not controlled.
 - b. There is a requirement for elected members to have real foresight and care as they plan the development of Peckham, particularly Rye Lane. We support the improvement of the area but believe the special character of the locality and its economy requires much more nuanced and careful thought than looking to bring big name national chains to 'lift' the high street. We strongly urge that council cabinet members support the invocation of an Article 4 Direction, that will withdraw permitted development rights from estate agents and brand name chains with Immediate effect, so that they must submit planning applications for change of use, to help ensure the long term protection of the local economy.”

Homeowners Council

7. The deputation would like to address cabinet on behalf of the local community, in respect of item 15, proposal to implement the extension of licensing powers under the Housing Act 2004. They have made the following statement:

Purpose

- a. To consider the proposal to introduce selective licensing and additional licensing to the private rental sector (PRS) borough wide.
- b. To provide a response as part of the council's consultation of homeowners to get their view in the proposal to introduce selective licensing and additional licensing to the PRS.

Recommendations

- c. That the council note the response from Homeowners council to the proposed proposal to introduce selective licensing.
- d. That the council work with the Homeowners council to review the proposal.

Community impact statement

8. The Southwark Constitution allows for deputations to be made by groups of people resident or working in the borough.

REASONS FOR URGENCY

9. The deputation requests were received in line with the constitutional deadline for the receipt of deputation requests and are therefore eligible for consideration by cabinet as to whether or not to hear the deputations at this meeting.

REASONS FOR LATENESS

10. The deadline for the receipt of deputation requests was midnight on Wednesday 15 July 2015, after the main cabinet agenda despatch on Friday 10 July 2015. It has therefore not been possible to send out this report five clear days in advance of the meeting.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Cabinet procedure rule 2.11 on deputations (page 163)	Southwark Council, 160 Tooley Street, London SE1 2QH	Virginia Wynn-Jones 020 7525 7055 or Paula Thornton 020 7525 4395
Link: http://modern.gov.southwark.gov.uk/ecSDDisplay.aspx?NAME=04.6%20Cabinet%20Procedure%20Rules&ID=50000039&RPID=536134161&sch=doc&cat=13459&path=13459		

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Ian Millichap, Proper Constitutional Officer	
Report Author	Paula Thornton / Virginia Wynn-Jones, Constitutional Officers	
Version	Final	
Dated	15 July 2015	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Legal Services	No	No
Strategic Director of Finance and Corporate Services	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	15 July 2015	

Residents Steering Group

Draft Terms of Reference

1. PURPOSE

The [estate/block name] Residents' Steering Group (RSG) is established to ensure meaningful resident consultation and effective participation in decision-making on all aspects of appraising and implementing the redevelopment proposal for the [estate/block name]. This is in accordance with Charter of Principles which sets out the basis upon which the council will engage with residents, particularly around the 11,000 new homes programme.

As a formal consultation and stakeholder engagement group for the Council, the role of the RSG is to represent the interests of tenants and leaseholders affected by the redevelopment proposals ('affected residents').

The RSG is not a decision making body; rather it is expected to make recommendations to the Council relating to the redevelopment proposals for [estate/block name].

2. STRUCTURE AND COMPOSITION OF THE RESIDENTS STEERING GROUP

The membership of the RSG will be from those residents volunteering as members from [estate/block name]. The membership selection is to be updated within 3 months of Southwark Council making a formal decision to proceed with the redevelopment proposal. If the decision is not to proceed, the group will be disbanded.

Where there is an active and recognised tenants and residents association (TRA), there will be at least one representative from the TRA.

Others invited to RSG Meetings in a non-voting capacity:

- Ward Councillors, Officers from LBS,
- independent advisors as required
- Other local stakeholder bodies to be decided by the RSG

The members of the RSG shall elect from their own voting membership a Chair and a Vice Chair.

RSG Members will be able to resign from the RSG by giving a month's notice.

The RSG will be able to co-opt residents to become members of the RSG. Co-opted members will have the same rights and responsibilities as other members.

The RSG is a genuine partnership with all members having equal rights. Votes will be taken on contentious issues or where consensus is not achieved. In the

case of an equality of votes, the Chair of the meeting shall have a second or casting vote.

At every meeting of the RSG the Chair (or in his or her absence, the Vice Chair) shall preside. If neither the Chair nor Vice Chair is present within fifteen minutes of the time appointed for the meeting then the members of the RSG present shall appoint one of their number to act as Chair, whose function it shall be to conduct the business of the meeting in an orderly manner.

The quorum necessary for the transaction of the business of the RSG shall be a third of voting members of the RSG.

The RSG will have the authority to set up specific task and finish groups as it considers relevant to ensure the delivery of the redevelopment proposals and associated issues. These groups will be required to report back to the RSG.

The term of the RSG will be one year and will be renewable for the life of the redevelopment proposal and the subsequent regeneration programme.

On completion of the regeneration programme, the RSG in consultation with the TRA and Resident Engagement officers will determine whether to disband or to become a subgroup of TRA (thereby enabling the continued benefit of the RSG's experience in delivering major works).

Where a TRA does not exist, the RSG in consultation with Resident Engagement officer will determine whether to reconstitute as a recognised TRA.

3. RESPONSIBILITIES OF THE [ESTATE/BLOCK] RESIDENTS' STEERING GROUP

The RSG shall be responsible for:

- Representing the interests of affected residents in their consideration of the redevelopment proposals.
- Representing the diversity of the affected residents.
- Promoting equality in the work of the RSG and in the redevelopment proposals.
- Working with the Council and other stakeholders to implement the redevelopment proposals.
- Providing information and sign posting assistance to affected residents.
- Making representations to the Council on issues associated with the consideration of the redevelopment proposal and the implementation of the subsequent regeneration programme.

In carrying out its functions the RSG will have access to Council Officers and other advisors throughout the duration of the programme and will be encouraged to comment upon, challenge, influence and shape the proposals prior to formal Council decisions being made. The Council will make available, on request, background documents and information to aid the process of consultation.

RSG Members will be expected to:

- Attend meetings - if they have not attended 3 meetings without sending apologies the RSG can end their membership
- Read papers before each meeting
- Represent the interests of all affected residents
- Use their best endeavours to work together to enable the RSG to meet its responsibilities.
- Treat others at the meeting with respect.
- Uphold the confidentiality of information provided to them.

4. PROCEEDINGS AT MEETINGS

Notice of Meetings

The Agenda and papers for discussion shall be circulated 7 working days prior to the meeting, and only in matters of urgency shall papers be circulated 3 working days in advance

Late items will be accepted at the discretion of the Chair, and shall only be matters that are urgent and could not be included in the Agenda

Servicing of Meetings

Servicing of meetings will be arranged by the Council, which will include taking minutes, sending out papers to RSG members and circulating information to other relevant parties.

Conduct of Meetings

Agenda planning will be the responsibility of the Chair and the relevant council officer.

Items for the Agenda shall be notified to the Chair at least 14 days before each meeting.

A public record will be maintained of the decisions of the RSG. Approved minutes will be posted on the Council website.

Confidential business items will be clearly indicated on the agenda. No member shall disclose the content of, or discussions relating to confidential business items. Papers relating to confidential items will be numbered, tabled at the meeting and retained at the end of the meeting when necessary.

The first 30 minutes of RSG meetings will be open to all affected residents from to attend to make representations to the RSG. Representations to the RSG or the opportunity to address the meeting will be considered, at the discretion of the chair.

Only members of the RSG will be able to vote at RSG Meetings.

The Chair will be able to vote on resolutions of the RSG.

If the vote is tied the Chair will have a second and casting vote. In the case of the post of Chair being jointly held, the joint post holders must agree how to use the casting vote.

Frequency of Meetings

The RSG will agree a timetable for regular meetings at the beginning of each term. The Chair, after consultation with the Vice-Chair, may convene an urgent meeting outside the agreed schedule to discuss any urgent issues that cannot wait until the next regular meeting.

Properties Covered by the [Estate/Block]RSG

- [list properties]

[insert catchment map]

CABINET AGENDA DISTRIBUTION LIST (OPEN)**MUNICIPAL YEAR 2015/16**

NOTE: Original held by Constitutional Team; all amendments/queries to
Paula Thornton/Virginia Wynn-Jones Tel: 020 7525 4395/7055

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