

Cabinet

Tuesday 24 March 2020

4.00 pm

Ground floor meeting room, 160 Tooley Street, London SE1 2QH

Appendices Part 2

List of Contents

Item No.	Title	Page No.
23.	Elephant and Castle Shopping Centre Progress Report To agree the allocation additional support for Elephant and Castle Local Independent Operators that are being displaced by the development of the shopping centre.	1 - 20
24.	Elephant and Castle Centre Compulsory Purchase Order To approve a compulsory purchase order ("CPO") under section 226(1)(a) of the Town and Country Planning Act 1990 and section 13 Local Government (Miscellaneous Provisions) Act 1976 (and in accordance with the procedures in the Acquisition of Land Act 1981).	21 - 55
25.	Elephant and Castle Shopping Centre - Interference with Property Rights To approve the council entering into an agreement with Elephant Three Properties Limited ("E3") and Elephant & Castle Properties Co. Limited ("EC") for the acquisition by agreement by the council of a leasehold interest from University of the Arts, London ("UAL") in the London College of Communication ("LCC") site shown and related recommendations.	56 - 71

Contact

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Date: 16 March 2020

List of Contents

Item No.	Title	Page No.
26.	Draft Loneliness Strategy To approve the draft strategy to tackle loneliness and social isolation in Southwark.	72 - 98
31.	Draft Walworth Social Regeneration Charter To approve the draft Social Regeneration Charter as the basis for further consultation.	99 - 126
32.	Draft Social Regeneration Charter for Bermondsey & The Blue To agree the draft Bermondsey and the Blue Social Regeneration Charter (SRC) to go out for formal consultation and to agree the SRC geographies for the whole borough.	127 - 156
33.	Gateway 1: Alternative Provision Procurement Strategy To approve the recommendation to proceed with a procurement strategy that establishes a framework agreement for alternative provision in Southwark for a period of 4 years.	157 - 168

ELEPHANT AND CASTLE SHOPPING CENTRE – PROGRESS REPORT

New homes in Elephant and Castle Opportunity Area

Scheme	Total Units	For sale	Affordable			Intermediate
			Total	Social rent	Affordable rent	
<i>Heygate Replacement Housing Sites</i>						
Arch Street	52	0	52	18		34
Bolton Crescent*	103	0	103	88		15
Brandon Street	18	0	18	18		0
Comus Place	37	0	37	37		0
Library Street	40	0	40	21		19
Royal Road*	96	0	96	76		20
St George's Road	15	0	15	15		0
Stead Street	140	56	84	84		0
Symington House* (Harper Road)	72	0	72	50		22
Wansey Street	19	12	19	12		7

Notes

Total Heygate Replacement	592	68	536	419	0	117
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<i>Market provision</i>						
360 Tower	457	278	179	79		100
Eileen House	355	270	65	0		65
Meadow Row	19	12	7	3		4
7 Munton Road	29	0	29	25		4
89-93 Newington Causeway	38	27	11	0		11
134 New Kent Road	21	0	21	10		11
O Central	182	138	44	18		26
Printworks	164	97	67	24		43
St George's Circus (128 -150 Blackfriars Road)	336	275	79	56		23
South Central	113	88	25	13		12
Strata Tower	408	310	98	0		98
1 The Elephant	284	284	0	0		0
Vantage Tower	68	48	20	0		20
237 Walworth Road	54	37	17	9		8
Elephant 1 [50 New Kent Road] **	373	373	0	0		0
5-9 Rockingham Street	30	20	10	4		6
2-16 Amelia Street	55	35	20	10		10
Manor Place	270	166	104	44		60
Chatelaine House	54	37	17	7		10
87 Newington Causeway	48	32	16	8		8
Trafalger Place	235	181	54	26		28
E&C Shopping Centre [east & west sites]	979	649	330	116	214	
136-142 New Kent Road	81	59	22	12		10
111-123 Crampton Street	48	33	15	6		9

14/AP/3871

16/AP/4458 AR includes 53 LL

17/AP/3910

Market Total	4701	3449	1250	470	214	566
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Scheme	Total Units	For sale	Affordable			Intermediate
			Total	Social rent	Affordable rent	
<i>Elephant park [Lend Lease former Heygate]</i>						
MP1 [H6,10,13] ***	360	284	76	17	4	55
MP2 [H2,3] ***	595	472	123	26	39	58
MP3 [H4,]***	445	354	91	17	26	48
MP3 [H5] ***	384	309	75	9	32	34
MP4 [H11a/11b]	481	377	104	8	46	50
MP5 [H7]	421	340	81	23	18	40

subject to planning

EP Built/Consented	2686	2136	550	100	165	285
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TOTALS	7979	5653	2336	989	379	968
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APPENDIX B

ELEPHANT AND CASTLE SHOPPING CENTRE – PROGRESS REPORT

LEND LEASE PLANNING OBLIGATIONS UPDATE SEPTEMBER 2019

Appendix B Lend Lease Planning Obligations Update September 2019				Additional delivery outside planning obligations
Topic	Commitment	Status	Notes	
Affordable housing	25% affordable housing (by habitable room)	25.75% (by habitable room)	Lendlease has slightly over-delivered on its obligations to provide 25% affordable housing by habitable room, including over delivery of social rented housing and 3 bed units	
	Indicative minimum figure of 71 social rent homes at OPP stage	92 social rent homes		
	Maximum Shared ownership to be no more than 50% by hab room	50.5% rented to 49.5% shared ownership by hab room		
	Minimum 3 bed provision 18% by hab room	Cumulative three bed provision is 23.2% by hab room		
Jobs	Jobs targets set phase by phase. Main target is to provide six months employment to previously unemployed Southwark residents	Jobs targets exceeded on completed Elephant Park phases to date: South Gardens (MP1) – 54 jobs provided against target of 44 West Grove (MP2) – 115 jobs provided against target of 83	Jobs targets have also been exceeded on Trafalgar Place and One The Elephant Trafalgar Place – 32 jobs provided against target of 29 One The Elephant – 34 jobs provided against target of 33	As well as delivering on its S106 employment obligations to date, Lendlease is also supporting Southwark Council’s wider skills and employment objectives. For example, Lendlease has partnered with Southwark Council to deliver the Southwark Construction Skills Centre. Similarly, interim use projects like Artworks Elephant have delivered jobs outcomes outside of Lendlease’s S106 obligations
Community	OPP required minimum of	1,550sqm has so far been permitted	Potential for this number to rise	

APPENDIX B

ELEPHANT AND CASTLE SHOPPING CENTRE – PROGRESS REPORT

LEND LEASE PLANNING OBLIGATIONS UPDATE SEPTEMBER 2019

space	1000sqm D1 community space to be delivered	including Council Library/heritage centre	as future plots are delivered	
Affordable retail	OPP requires a minimum of 10,000 sqm of retail space to be delivered (with 10% of this delivered as affordable retail)	Up to plot H7 Elephant Park will deliver 10,025sqm of retail, with at least 10% of this delivered as affordable retail	Quantum of retail in H1 still to be determined so figure could increase.	
Trees	Deliver a 5% increase in CAVAT value by 2025	Lendlease is on track to deliver this through the below means: <ul style="list-style-type: none"> • 903 trees planted off-site • 400 trees planted on-site • 132 trees retained 	Ongoing monitoring is in place to ensure Lendlease's predictions are correct and more trees can be planted if required to meet the 5% target	
Park	0.8ha park to be delivered	0.83ha hectare park on track to be delivered by 2020 This will be 1.04ha once complete.	These figures subject to submission and approval of Park Phase 2 RMA)	Lendlease is also running a programme of events to help activate the park. So far over 50 events have been held since it opened in 2017, attracting thousands of visitors.
	0.4 hectares of park to be delivered early	Phase 1 park delivered 2017 – this achieved the 0.4ha requirement		
Transport	Northern ticket hall – circa £13m (plus indexation)	To be paid on completion of Northern Line ticket hall improvements or long stop date of 2021	Circa £2.9m (dependent on indexation) also due from Trafalgar Place, which will be due to be paid at similar time to Elephant Park	

APPENDIX B

ELEPHANT AND CASTLE SHOPPING CENTRE – PROGRESS REPORT

LEND LEASE PLANNING OBLIGATIONS UPDATE SEPTEMBER 2019

TfL bus contribution –£2.2m (plus indexation) towards upgrading bus routes	£2.2m contribution paid in five annual phased instalments, beginning in 2021		
Cycle hire spaces – 90 to be delivered	48 delivered to date. Remaining 42 to be delivered with an agreed location in the process of being agreed in conjunction with TfL		
Car club – up to 16 spaces	4 spaces to be provided across the site. This figure has been agreed with Zipcar (the car club operator) on the basis of take-up of memberships from Elephant Park residents and comprehensive Zipcar coverage in the local area.	<p>Scope to increase this provision if required, but this has been led by Zipcar’s own user requirements.</p> <p>Note that original 16 car limit was set prior to Uber becoming a major market entrant into London’s transportation network.</p>	
A series of public realm improvements required across Elephant Park	<p>All s278 highway works associated with MP1 and MP2 have been completed, including the following: Heygate Street – resurfacing, relocation of bus stops from Walworth Road, installation of two new pedestrian crossings.</p> <p>Repaving of footways to Walworth Road, Heygate Street and Wansey Street</p> <p>The creation of new pedestrian and cycle friendly streets – Sayer Street</p>	<p>Additionally, Lendlease has undertaken enhancements to Walworth Square on behalf of LB Southwark and works relating to the cycle route provision on Rodney Road / Rodney Place on behalf of TfL</p> <p>Upgrades to follow along Rodney Place associated with MP4</p> <p>Finally, enhancements to</p>	

APPENDIX B

ELEPHANT AND CASTLE SHOPPING CENTRE – PROGRESS REPORT

LEND LEASE PLANNING OBLIGATIONS UPDATE SEPTEMBER 2019

		(south and central), O’Callaghan Way, s278 works underway to New Kent Road to enhance the footway and cycle path, in line with the delivery of MP3.	Elephant Road and Walworth Road (north end) will be linked to the delivery of H1 and coordinated with the shopping centre redevelopment	
Parking	A maximum of 616 spaces allowed across Elephant Park, inclusive of 62 spaces on street	Parking predominantly at basement level only delivered on first two phases – 165 spaces provided to date. Only a further 21 spaces likely to be provided for MP3 – MP5, most of which will be disabled car parking.	Lendlease is delivering fewer parking spaces than it has permission to deliver.	
	Electric vehicle provision (20% active, 20% passive)	Policy compliant levels of active and passive EV provision have been provided.		
	Cycle parking – the OPP committed to delivering 1 space for each 1 & 2 bed unit, and 2 spaces for each 3 bed unit	1057 secure resident cycle parking spaces provided to date in MP1 and MP2 – not including visitor parking in the public realm.	This level of provision exceeds policy standards, and future plots will continue to do the same	
Energy	Requirement to deliver energy centre with enough capacity to provide heat and hot water to Elephant Park	Energy Centre delivered summer 2019, in line with planning obligations		Lendlease has agreed a partnership with the energy provider E.ON, whereby E.ON will offset carbon created by the

APPENDIX B

ELEPHANT AND CASTLE SHOPPING CENTRE – PROGRESS REPORT

LEND LEASE PLANNING OBLIGATIONS UPDATE SEPTEMBER 2019

	plus Trafalgar Place and capacity for further 1,000 homes			Energy Centre through a biomethane injection.
Education	Total of £1,436,840.26 to be paid on a per-phase basis	<p>Circa £570,000 (including indexation) paid to date in line with S106 requirements for MP1 and MP2.</p> <p>Circa £925,000 (PLUS indexation left to pay in line with occupation of future phases MP3-MP5)</p>		
Health	Total of £1,622,623.27 (excluding indexation; circa £2,000,000 including indexation) payable in stages commencing on the occupation of the 750 th unit and for each phase thereafter.	<p>£529,400 paid to date (inclusive of indexation), in line with S106 occupancy trigger of 750 units (mid-way through H2 occupancy)</p> <p>A further circa £1.5m (inclusive of indexation) payable split by phase moving forwards.</p>		
MUGA	£300,000 (plus indexation) towards the upgrade of Victory Place payable on occupancy of 1200 th unit	Likely to be payable at the end of 2020 based on current programme		

APPENDIX C

ELEPHANT AND CASTLE SHOPPING CENTRE – PROGRESS REPORT

PUBLIC BENEFITS THAT WILL ARISE FROM THE CONSENTED SHOPPING CENTRE PLANNING APPLICATION

A. *Transport*

1. The proposed development includes the construction of a station box which will become a new ticket hall for the Northern Line underground station. The Scheme provides a prominent new entrance to the new facility directly fronting on to the peninsula in Block E1 (“the UAL Building”). From here, the new ‘Station Route’ will extend into the centre of the site providing a direct surface pedestrian connection to the overground station. From the new entrance to the underground station, escalators will descend to a new ticket hall level where further escalators will link to platform level, allowing for the removal of the existing lifts and closure of the current ticket hall, which will in turn allow for redevelopment of that site, once acquired from London Underground.
2. The works proposed will increase the operational capacity, *efficiency and accessibility* of the station and greatly improve the transition from street to platform level. This represents a significant improvement in strategic transport infrastructure at Elephant and Castle and is a key part of unlocking the growth set out in the Elephant and Castle SPD.
3. The layout of the East Site has been planned to improve the transition between the national rail station, the tube station and the wider town centre, improving the efficiency of this location as a major transport interchange.
4. The removal of the existing basement ramp from Elephant Road allows for a new ground level access to be created between the shopping centre and the existing overground rail ticket hall (from which stairs go to the platforms above). The diagonal ‘Station Route’ forms an axis running from the peninsula to the heart of the site, providing a very direct link between the rail station and the Bakerloo/Northern line ticket halls and the wider town centre.
5. The proposal includes a substantial investment in cycling infrastructure within the buildings and the public realm amounting to 1,988 long-stay and 285 short-stay cycle parking spaces.
6. Cycle hire - The scheme will deliver an additional 60 cycle hire docking points, split between 2x new locations: one primarily serving the East Site and one the West.
7. Bus stop upgrades and real-time public transport information.
8. Car free development.

B. *Public Realm*

9. The scheme delivers significant public realm benefits in the form of a network of new routes through the site and completes the network of routes reknitting the centre to the surrounding neighbourhoods as required by the SPD.

10. On the east site railway arches 6/7 which front onto Elephant Road are to be knocked through to provide a pedestrian route which will directly connect the Shopping centre site to Elephant Park.
11. Within the east site itself two new routes (known as the station route and the park route) are to be formed. These will meet at a new space outside the overground station referred to in the application as “the Court”. This space is intended to be the main public / flexible event space for this part of the development.
12. A third route is also planned which would connect Walworth Road to the court along the western side of the rail viaduct.
13. On the west site the existing Pastor Street would be extended northwards to meet St George’s Road, effectively creating a new central street through the site, offering a through-route for pedestrians
14. In combination these connections – particularly the Park Route – greatly improve the permeability of the site and by improving connections with the wider town centre, fulfil a key ambition of the Elephant and Castle SPD.
15. Surveys undertaken as the proposals emerged identified that pedestrian flows reach around 3,000 pedestrians an hour on Elephant and Castle and just in excess of 2,000 pedestrians an hour on New Kent Road during the peaks and given the quantum of development proposed within this scheme and within the wider Opportunity Area, this is expected to increase.
16. The analysis has been used to inform the design of individual routes and pavement widths around both sites. Footways widths have generally increased throughout – with minimums of 5m on the East Site where activity is likely to be greatest and both the Station and Park Routes designed with a 9m width. The information presented demonstrates a significant improvement and that excellent pedestrian comfort levels will be achieved.

C *Town Centre Uses*

17. The scheme will provide 68,188m² of new town centre uses comprising retail (A1-A4) and D class floorspace. The resulting uplift in town centre uses will be 15,760m².

Retail

18. The proposed development will provide 18,234m² of retail floorspace across both sites. This will result in between 3,102 m² and 5,908m² of additional retail floorspace within use classes A1-A4, depending on whether the flexible space is fully occupied by retail uses.
19. The scheme complies with the Council’s Supplementary Planning Guidance by providing 10% affordable retail space on the site (1,823.4m²). There will also be 2,806m² of flexible floorspace which can be used for retail and office purposes. If this were all used for retail this will add a further 281m² to the affordable retail requirement, taking the total to 2,104.4m².
20. The majority of the retail and leisure floorspace will be located on the east site. As discussed in the public realm section this site will have excellent connections to Elephant Park and will therefore integrate with the retail coming forward as part of

this development including along Walworth Road where the retail frontage is being extended northwards towards the shopping centre east site to create a continuous retail high street.

21. The high quality retail space within the scheme provides an opportunity to claw back some of the comparison expenditure currently leaking out of the borough. The 2015 Southwark Retail Study) found that just under 50% of comparison goods spend is made outside the borough.
22. The Developer proposes to develop a vision for Pastor Street on the west site to provide a cluster of affordable retail and commercial spaces as part of the formal affordable retail offer. A Pastor Street advisory group will be set up to oversee this.
23. The Developer is required by condition to provide details of the public toilets to be made available as part of the scheme which will benefit the town centre as a whole.

Leisure class D1 and D2

24. At present there is 43,625m² (GIA) of D class floorspace on the site which will increase to 47,148m²; an increase of 3,523m².

London College of Communication (LCC)

25. The Scheme will deliver a new campus on the east site to house the LCC which is to be relocated from it's existing location on the west site. The provision of this facility will help to secure the College's long-term future in the area and is a significant positive aspect of the scheme.
26. The College serves over 5,800 full and part-time students and 454 (full-time equivalent) staff at its current home on the west site and specialises in creative courses in fields such as journalism, publishing, film, television and sound, graphic communication and photography. It is an important asset to the opportunity area attracting large numbers of visitors in addition to the students and forms part of a hub for the creative clustering which is apparent in the Elephant and Castle area. The numbers of staff employed at the site may increase to approximately 900 as a result of the proposal (an increase of 446 jobs).
27. The brief for the building includes making it more open and accessible to the local community. The lower floors of the education building would be publically accessible and capable of delivering a cultural function for the area, with flexible space for exhibitions, events and the Stanley Kubrick archive.
28. There is sufficient space to accommodate UAL's core university service at the site including its international language centre, training, conference and student union facilities. The building will incorporate a 3-storey exhibition space for student work and archive collections, which can also be hired by the local community

Cinema

29. The scheme incorporates a multi-screen cinema which will help contribute to the development of the town centre. There is flexibility to bring forward other leisure uses if there is demand. The proposal could add a further 8 screens which will meet the identified demand and help to retain more cinema trips in the borough

Cultural venue

30. The second element of the new D class floorspace is the proposed cultural venue which will be located on the west site. This space has been designed to be a multi-functional space that will occupy a prominent position in the area, with a frontage to Elephant and Castle and facing the Peninsula. The ground floor will comprise a lobby with ticketing and reception desk, a 300 capacity event space and ancillary spaces which can be used as recording studios and rehearsal space. At first floor level there will be a foyer, bar and entrance to the main performance space which will have capacity for 500 people.
31. The plans incorporate music rehearsal and recording studios with the potential for events to be held every night to complement the creative uses at the LCC.

Bingo

32. The Planning Committee report noted that one of the main adverse equalities impacts of the scheme was the loss of the Bingo facility which has subsequently closed. In order to mitigate the loss of this facility the s106 agreement includes an obligation on the Developer to offer first refusal to a bingo operator, on commercial terms, to lease approximately 1,850m² of the leisure floorspace within the proposed development. This will be large enough to accommodate approximately 959 seats.

Office

33. The Scheme will include 2,860m² of flexible floorspace on the west site which can be used for A1-A4 and B1 purposes. The planning submission advises that it will be flexibly designed to support new business and potential spin out companies from the LCC. The Developer has advised that up to 10% of any new B class floorspace on this part of the site will be affordable.

Housing

34. The Scheme will provide 979 residential units in a highly accessible location, on a brownfield site at the heart of the opportunity area which is a focus for new development. 979 homes equates to 36% of the borough's annual housing target and 20% of the minimum target for the opportunity area; a significant contribution to the borough's housing stock.
35. The Scheme provides 35% affordable by habitable room in perpetuity. This equates to 330 affordable units of which 116 will be social rent (38% of the affordable,) 53 London Living Rent and 161 discount market rent. The social rent units are to be provided in three mansion type blocks on the west side. The s106 agreement includes a review mechanism to claw back additional Social Rent units if the Internal Rate of Return is above the 11% which has been agreed.
36. The Scheme will be policy compliant in terms of its unit mix, with 1.6% studio units, 66% 2+ bed units and 12% 3+ bed units.
37. The scheme complies with wheelchair policy which requires ninety percent of new housing to meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and ten per cent of new housing to meet Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users.

38. The Scheme provides a good standard of accommodation in line with the Council's requirements set out in the Residential Design Standards SPD. The majority of units (60.3%) on the east site will be dual aspect. The majority of units (80.6%) on the west site will also be dual aspect. All of the units will comply with the minimum floor areas including for storage space.

D *Trees*

39. Whilst it is recognised that there will be some loss of existing trees as a result of the Scheme including 4 category B trees, the most valuable will be retained, with no category A trees requiring removal. 10 additional trees will be planted in the public realm across both sites, together with 94 new trees the communal gardens on the east site and 81 on the west site, resulting in a significant increase in the number of trees on the site.

E *Employment and Training*

40. The Scheme will create 1,230 construction jobs over the 10 year build programme.
41. The Scheme will generate between 1,813 and 1,990 gross new jobs, depending on the exact nature of the commercial uses which will ultimately come forward; this would be an increase of between 395 and 572.
42. Measures to secure jobs for unemployed borough residents are contained in the s106 agreement.

F *Environmental Assessment*

43. The EA identified the following scheme benefits;
- i. Improved population and labour market will provide a long-term benefit at both district and local level (effects ranging in significance between moderate to substantial beneficial);
 - ii. There will be an estimated overall net gain in the number of full-time equivalent jobs supported by the proposed development;
 - iii. The Scheme can generate additional household expenditure as a result of jobs created in association with the site, enhancing the local economy and supporting further direct and indirect employment;
 - iv. Increased sustainable travel as a result of the implementation of the sustainable travel patterns commitment. This includes improved pedestrian permeability, increased site wide cycle facilities and public realm improvements;

G *Economic*

44. The new residential population (approximately 1,850 people) has the potential to contribute an additional spend of £1.6m per annum in the opportunity area and £3.6m per annum in the borough.

45. The Scheme will deliver New Homes Bonus revenues of £9 million over 6 years, of which two thirds will go to the council and the remaining third to the GLA. It will also generate approximately £1.5m in Council Tax revenue per year.
46. The Scheme will generate a Mayoral CIL payment (pre-affordable housing relief) of £3,762,975 and a Southwark CIL payment of £15,804,382.

APPENDIX D

ELEPHANT AND CASTLE SHOPPING CENTRE – PROGRESS REPORT

UPDATE ON DELIVERY OF BUSINESS RELOCATION AND MITIGATION

Delivery of Business Mitigation Package

1. In May 2017, Cabinet agreed to require the Developer to implement a package of measures to support relocation and mitigate the impact of the closure of the shopping centre on local traders and residents. This package has been developed further through the planning process and significant progress has been made in delivering a comprehensive offer to traders. Progress is summarised below against the principles agreed by cabinet in 2017 and additional mitigations secured throughout the planning process are also discussed.

Database of opportunities

2. The Town Centre s106 agreement (16/AP/4458) requires the Developer to create a database of vacant retail units (including market pitches) within the Elephant and Castle Opportunity Area and to maintain the database for a period of one year following the cessation of trading in the Shopping Centre. This database went live in December 2018 and includes affordable retail units from nearby developments, high street units and market stall opportunities.
3. It includes both privately owned units and details of vacant retail units within the Council's ownership or control. This database is regularly updated and is available to all independent traders in the opportunity area. It can be accessed via a personal login issued to each trader and also at the Tree Shepherd office.

Business support and relocation advisor

4. The Town Centre s106 requires the Developer to fund a business support and relocation advisor to support traders. Tree Shepherd has been contracted by the Council to deliver this service since August 2017. Tree Shepherd is based in the Shopping Centre to provide confidential advice to independent traders on a 1:1 and group basis to support their business planning, search for relocation premises and preparations to move. As part of this process, the advisor has conducted a number of tours of alternative sites for the traders.
5. The Developer will continue to fully fund the advisor service during the closure period and for a year after the closure of the centre. During the period leading up to closure of the centre, the advisor will provide additional support as a priority to traders that are still looking to secure a relocation site for their business.
6. In addition to providing ongoing confidential advice, Tree Shepherd supported traders with their applications for the three affordable retail clusters at Elephant One, Castle Square and Elephant Arcade. The advisor has also supported with trader consultations on the administration of the relocation fund. The advisor will administer applications to the relocation fund, on behalf of the Council.

Relocation fund

7. A business relocation fund of £634,700 has been secured as part of the planning consent to support businesses with their costs of relocation.
8. The relocation fund is designed to be a contribution to eligible business's reasonable costs of relocation. The fund is not designed to be a form of compensation, nor will it replace any statutory compensation due.
9. The sum of £634,700 represents a minimum guaranteed fund. In addition, the Developer has made clear at all-trader meetings on 10 Sept 2019 and 14 January 2020 that it is open to considering meeting additional relocation costs where the fund does not extend to cover all needs and in the case of hardship. During the application process for the fund, traders will be supported to calculate their full costs of moving by the business advisor.
10. Businesses able to claim from the fund are defined in the Section 106 agreement. In that agreement, eligible businesses are called 'Local Independent Operators'.
11. 'Local Independent Operators' are defined as all existing, independently-owned, retail businesses, traders, kiosk holders restaurants, market stall holders and charitable organisations on the East Site in the redline of the E&C opportunity area that meet the three criteria below:
 - i. do not trade from more than 3 locations, and include restaurant operators, café operators and market stall holders;
 - ii. lawfully hold a lease or licence including so that any sub-letting or assignments have been with the approval of the developer or Network Rail (as appropriate);
 - iii. occupied any part of the East Site at the date of the resolution to grant Planning Permission (3 July 2018) and continued to occupy any part of the East Site at the date the Planning Permission was granted (10 January 2019).
12. Businesses can apply to the relocation fund for a period of one year following demolition of the Shopping Centre. Additionally, should the occupiers of the railway arches on the East Site remain in that location, the relocation fund shall continue to be available to them for a further six months.

Affordable Retail Units under the Elephant and Castle Opportunity Area SPD

13. The Elephant and Castle Opportunity Area SPD required local developments to set aside 10% of any retail units as affordable and for displaced traders within the opportunity area to have the first right to apply for those units.
14. The two principal sites with units available are the Lendlease development at Elephant Park and the development at 50 New Kent Road known as Elephant One or Elephant Central.
15. As of December 2019, 5 applications from businesses within the Town Centre development area were under consideration by Lendlease and one has so far entered into a lease agreement for an affordable unit.
16. The Developer's affordable units at Elephant One were allocated under the combined affordable unit process discussed under 22 - 25.

Additional Mitigations

17. The offer to traders has been further developed through the planning process and consultation with affected traders;

Elephant Arcade

18. The Council has invested in the conversion of the garages underneath Perronet House into a bespoke retail space named Elephant Arcade. The space will be managed through Meanwhile Space, a retail management specialist, to provide a permanent affordable location for displaced traders in the centre of Elephant and Castle. This site's units have been allocated under the combined affordable unit process discussed under 22-25.

Castle Square

19. The Castle Square planning consent (AP/18/2108) requires the developer to construct a bespoke site for the relocation of traders from the shopping centre during the East Site construction period, for five years or until Practical Completion (which ever is longer). The Developer was required to secure planning permission for this site before implementing the main consent.
20. Consent was granted on 9 January 2019 and it will be available for occupation from June 2020. This site's units were also allocated under the combined affordable unit process discussed under 22 - 25.
21. Those traders moving to Castle Square will have access to a dedicated business support service for the site, in addition to ongoing advice from Tree Shepherd.

Relocation of traders to affordable unit clusters

22. A single application process was conducted by the Council and Developer in March 2019 for the affordable units at Castle Square, Elephant One and Elephant Arcade.
23. There were 64 separate applications, with 36 successful applications and 28 unsuccessful applications. Successful applicants were asked to for an in-principle acceptance of the offer within 14 days, with the respective landlord#s following up after this period with a formal lease.
24. Owing to the absence of certainty over the closure of the centre between March 2019 and January 2020, landlords have been flexible in allowing potential tenants time to consider their options.
25. The distribution of businesses in each affordable cluster may change during the closure of the shopping centre, as businesses finalise their decisions on offers of units. Where units are not taken up, every effort will be made to find a new tenant from traders that have not yet secured a relocation site for their business.

Trader Panel

26. The Developer has established the Trader Panel and its membership which has been approved by the Council as required by the Town Centre s106. The panel has met monthly since January 2019. The panel is comprised of representatives from the Developer and 12 representatives from businesses within the Application Site. The

advisor and Council officers attend by invitation. Ward councillors from North Walworth and St George's wards sit as chair and vice-chair.

27. The panel has held a consultative role as well as a representational role during the implementation of the relocation strategy. The panels have been well attended and have addressed a number of issues connected with the relocation of traders, including:
- i. The affordable unit application process: Tree Shepherd ran four trader focus groups in August and September 2019 to get input into the criteria that should be used for assessing the applications, which was reported back to the panel and helped construct the process.
 - ii. The relocation fund: The panel members have helped the Council and Developer understand business's priorities for the application and administration process.
28. In addition, the panel holds an oversight and monitoring role during the implementation of the relocation strategy including to:
- i. Receive regular updates from the Developer on a database of available vacant retail premises within the town centre area suitable for traders.
 - ii. Receive regular reports from the Council and the business support and relocation advisor on the distribution of payments from the relocation fund.
 - iii. Receive regular reports from the Council and the business support and relocation advisor on successful bids and consequent allocation of affordable retail units.
 - iv. Consult with the business support and relocation advisor, the Council and the Developer on relevant issues from the Scheme which affect traders.
29. The Trader Panel is anticipated to continue to meet monthly until three months after the closure of the Shopping Centre, and thereafter quarterly until 6 months following practical completion of the retail floorspace on the West Site.

Rent Reduction for Shopping Centre traders

30. At the July 2019 trader panel, the Developer confirmed giving a rent reduction for Shopping Centre traders of 50% from June 2019 and 80% from November 2019.
31. Urban Space Management (USM) is the contracted market operator for the developer at the Shopping Centre. The Developer agreed that USM will pay £0 in rent and service charge and have requested that USM to pass on the highest possible discount to the traders.

Centre marketing initiatives

32. The Developer has set up a staffed community space at the centre to show the history and progress of the development. This space is also available for events for local community groups.
33. The Developer has also produced a brochure in September 2018 called 'The Herd' which details the traders currently in the centre who will be moving locally. This was

most recently updated In December 2019 and distributed to 30,000 homes in the immediate area and provided to traders to give to customers.

34. In addition, the Developer has instituted a number of events around holidays to keep the centre attractive for both customers and traders, including a recent 'Twelve Days of Christmas' showpiece where shop fronts were dressed and decorated for the Christmas period.

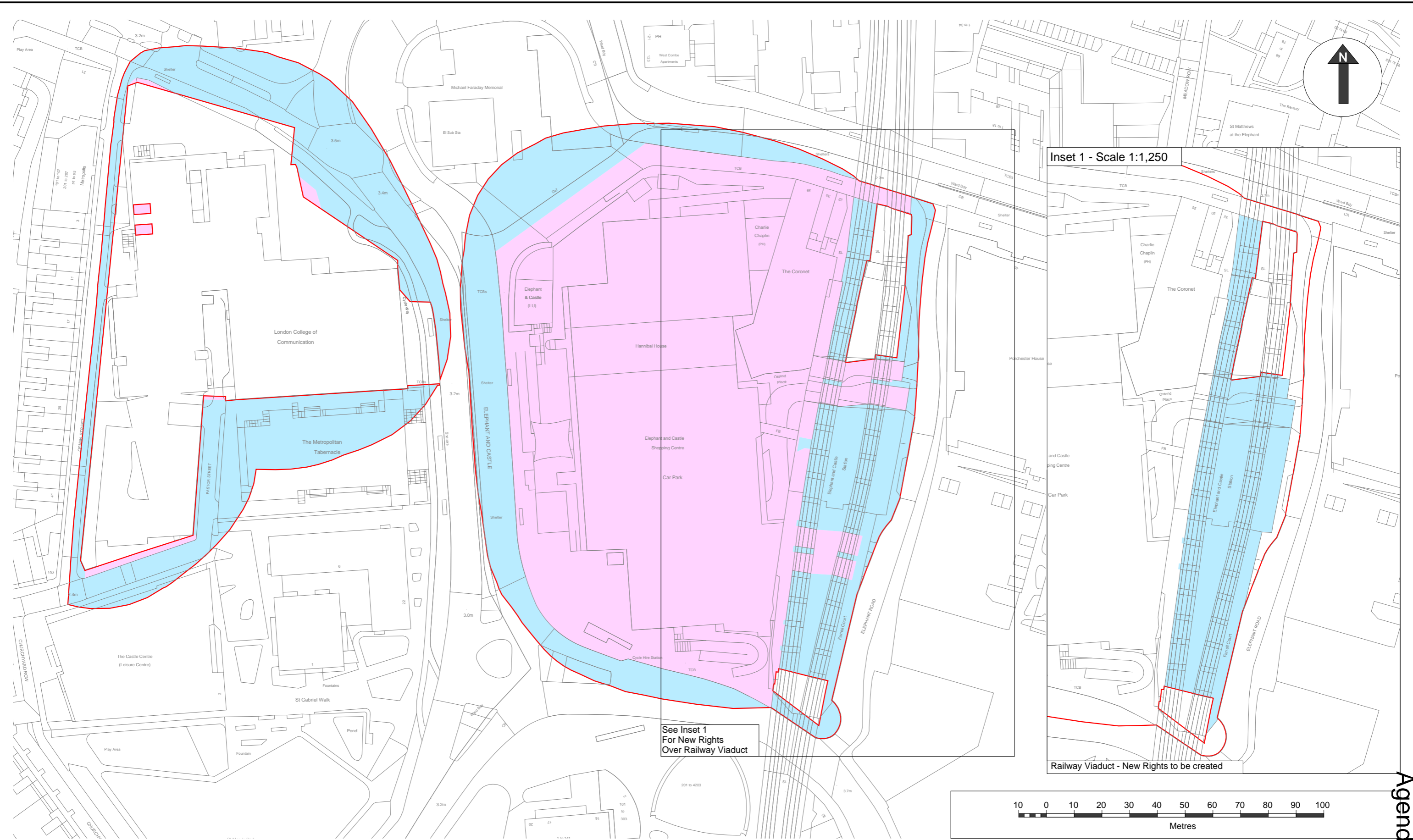
APPENDIX E

ELEPHANT AND CASTLE SHOPPING CENTRE – PROGRESS REPORT

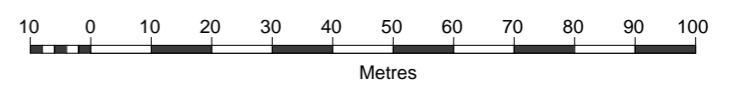
SUMMARY OF 2019 EQUALITIES IMPACT ASSESSMENT

1. When businesses were asked in 2019 whether they had participated in any consultation activities over the last year organised by the developer 81% of respondents stated that they had taken part in consultation activities and 12% stated that they had not. This is a significant change when compared with 2016 when only 27% said they had taken part in consultation activities while 73% responded that they had not participated.
2. 91% of respondents plan to relocate their businesses within the E&C area. 64% of respondents in 2016 planned to do this in 2016.
3. Only 2% of respondents stated that they would close their businesses. 11% of respondents planned to close their business in 2016.
4. 67% of businesses respondents expressed a positive level of confidence as to whether they would be able to relocate within the planned new town centre or immediate area. In 2016 only 34% of respondents expressed positive confidence.
5. Only 17% of respondents stated that they are not confident about their ability to relocate their business. In 2016 55% of respondents responded in this way.
6. The analysis notes that the concentration of BAME businesses in the centre represents a cluster of outlets which provides services to a range of ethnic groups. Around 30% of all businesses surveyed agreed that their business serves the needs of those with a shared ethnic background. This figure was much higher from specific BAME business owners where it increased to 63% of Latin American business owners, 77% of black/black British and 77% of black African and Caribbean business owners.
7. Primary research with businesses showed that 77% of employees are from BAME groups with the majority of these from Asian/Asian British backgrounds followed by Latin American employees. The report states that BAME employees are currently over represented on site and therefore may be disproportionately adversely impacted the redevelopment. The report notes however that employees working for businesses relocating within the Elephant & Castle area should be able to retain employment with their current employer and that only 2% of businesses surveyed planned to close their business. It also notes that development will create jobs through construction and end use development and that the s106 includes obligations to ensure local and unemployed people can benefit from these opportunities.
8. The on street survey results suggests that customers within a number of BAME groups (Asian/Asian British, Black African and Caribbean, Latin American) are most likely to use culturally specific shops or services in the centre and at the market. These findings suggest that the redevelopment may potentially impact on BAME groups who benefit from the provision of specialist goods and services which are currently clustered at the site. The report notes however that “the local area has a diverse mix of shops that provide a wide range of similar goods and services”.

9. The report also found that support for the scheme amongst customers had dropped from 67% in 2016 to 42% today (while 14% opposed the scheme compared with 6% in 2016) One of the main reasons identified for the reduction in support was concerns about what will happen to businesses currently in the shopping centre. Aecom noted that to minimise the risk to businesses and customers the developer has produced the “follow the herd campaign” including a website to promote local businesses relocating in the area. They recommend that this campaign should be escalated during the six month period leading up to the closure of the centre.
10. The analysis also noted the many positive benefits of the scheme which will potentially benefit groups with protected characteristics. Positive outcomes from the scheme include 979 homes including 330 affordable units benefitting groups with high needs for access to housing with high representation amongst the local population including BAME groups, women, families with children (including single parent families) and young people. The scheme includes step free access as part of the new NLTH (with benefits for those with a disability, elderly people or families with young children), new public spaces and cultural offer.
11. The positive equalities benefits of retaining the LCC at the site should also be noted. In this regard, key LCC data is noted below;
 - LCC has 37.2% BAME students compared to an average of 20.9% for the Higher Education Institute (HEI).
 - LCC has 66.9% Female students compared to an average of 58.7% for the HEI sector.
 - LCC has 14.6% students with a declared disability compared with an average of 10.6% for the HEI sector.



See Inset 1
For New Rights
Over Railway Viaduct



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APPENDIX A

Produced by:
TerraQuest Solutions Limited
Quayside Tower
252-260 Broad Street
Birmingham
B1 2HF



- Land to be acquired
- New rights to be created
- Order Limits

Elephant and Castle CPO Acquisition and Rights Plan

Scale	1:1,250@A3	Date	13 February 2020
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TITLE.

Elephant & Castle Shopping Centre -
Compulsory Purchase Order.
APPENDIX B.



DRAWING No.

LBS_3896

DRAWN BY.

MMANKTELOW
Property Division

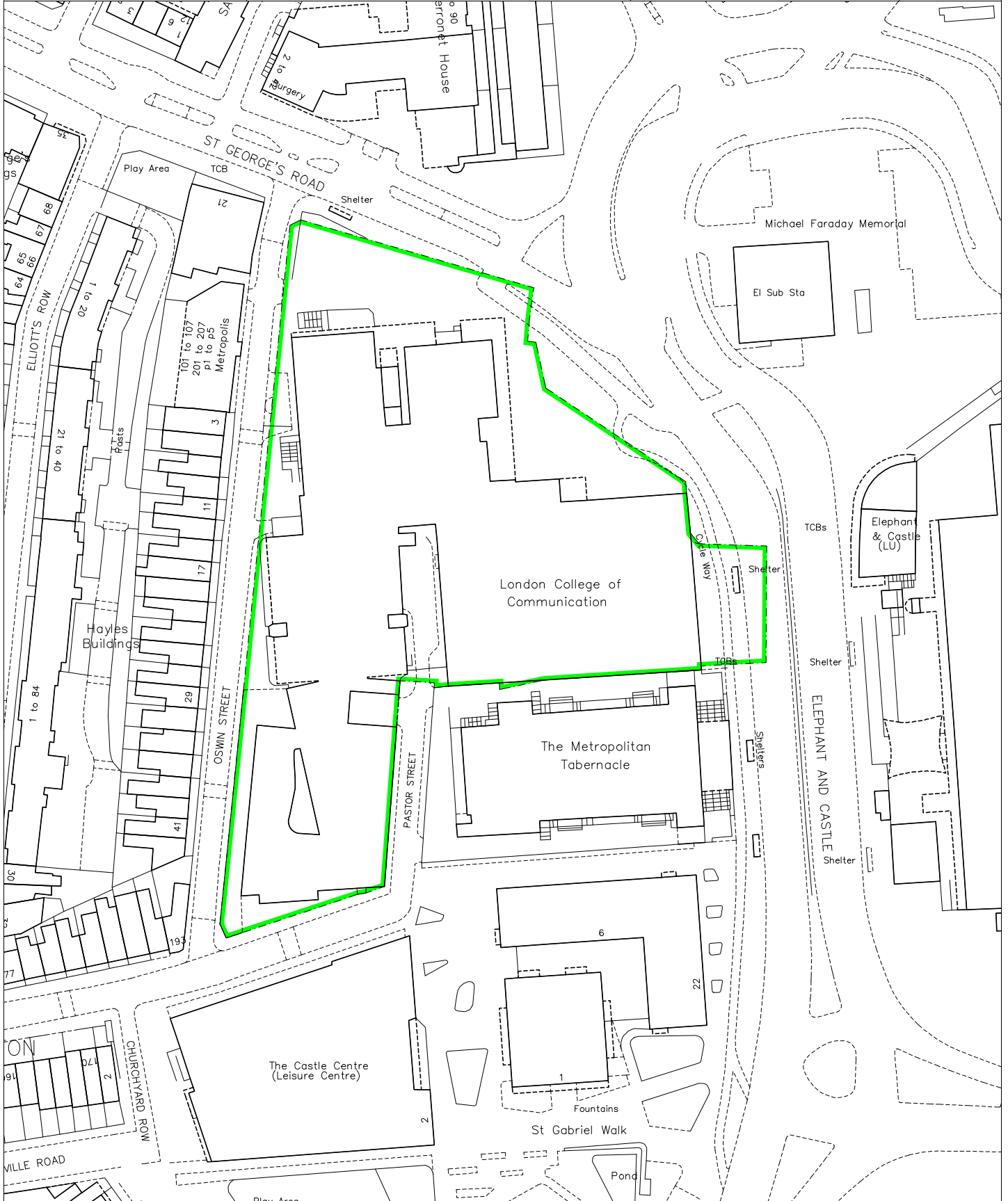
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19/2/2020

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APPENDIX C**ELEPHANT AND CASTLE SHOPPING CENTRE - COMPULSORY PURCHASE ORDER****STATUS UPDATE SUMMARY ON DISCUSSIONS WITH THIRD PARTIES****(PROVIDED BY DEVELOPER)**

1. This document provides a summary of the current status of agreements with the key third parties whose land interests need to be acquired or over whose land new rights are sought to facilitate the redevelopment.

Occupiers of the Shopping Centre and Market

2. Over the course of several years, agreements have been reached with the vast majority of the occupiers which will enable vacant possession of their units to be obtained. The market traders all have short term licences. Within the shopping centre, by agreement with many traders, short term leases with break clauses have been entered into to facilitate the redevelopment. Some longer lease interests without break clauses have also been surrendered/acquired. This process enabled the acquisition of the leasehold interests of e.g. the bingo and bowling operators and the Charlie Chaplin pub.

The tenants that remain within the shopping centre fall into the following three categories:

- a) Tenants that occupy premises at the shopping centre whose leases, by agreement, are contracted out of the security of tenure provisions of the Landlord and Tenant Act 1954 (the "Act") and the leases are due to expire after 30 July 2020. 14 tenants fall within this category. All have been served with break notices to terminate their tenancies on 30 July 2020;
- b) Tenants who have a lease which expires in advance of 30 July 2020, and that lease is also contracted out of the Act by agreement. 64 tenants fall within this category. These tenants have all been offered short term renewal tenancies (excluded from the Act) to extend their occupation until 30 July 2020; and
- c) Tenants that have security of tenure under the Act. As at the date of this note, 11 tenants (7 national multiple retailers and 4 local retailers) fall within this category and they have been served with notices pursuant to the Act terminating their tenancies on or before 30 July 2020, with the landlord opposing the grant of a new tenancy based on ground (f) (redevelopment). 3 of the 4 local retailers are in the process of taking up offers of relocation in one of Perronet House, Castle Square or Elephant One and the fourth of those local retailers was offered a place at Castle Square but has decided to relocate nationally. Of the 7 national multiple retailers, 5 have confirmed they intend to vacate and this is in the process of being documented. Confirmation has not yet been received from the remaining 2 national multiple retailer tenants that they will vacate by 30 July 2020. For those, court proceedings to terminate their tenancies may be necessary, which poses a risk to the commencement of the development.

The developer continues to comply with its relocation obligations in the section 106 planning agreement as to the “East Site” occupants.

University of the Arts, London

3. Heads of Terms are agreed with this key commercial occupier for the new scheme. Commercial terms for the sale of their existing London College of Communication site and purchase of the new building are agreed. It is the developer’s intention that these documents will be agreed and exchanged by the end of Q1 2020.

London Underground Limited

4. The section 106 agreement requires the developer to enter into an agreement with LUL. Many of the commercial terms for this agreement, which incorporates infrastructure protection, have been agreed in principle for some time. Further discussions are taking place around the delivery of a larger, new station box, to future proof the Bakerloo line extension and upgrade. It is the developer’s intention that these documents will be agreed and exchanged by the end of Q1 2020.

Transport for London

5. Areas of land owned by TfL are required for the scheme. Discussions are ongoing as to the valuation of TfL’s interests. It is the developer’s intention that these documents will be agreed and exchanged by the end of Q1 2020.

Network Rail

Asset Protection Agreement

6. A draft Asset Protection Agreement has been provided by Network Rail. The terms have been reviewed and comments returned.

Station Change

7. The administrative process for removing the bridge link to the shopping centre has commenced. The station will operate satisfactorily without the bridge link and so the formal station change process is underway, with the developer’s intention to have the agreement concluded with Network Rail and the station operator, Govia Thameslink Rail, by the end of Q1 2020.

Title matters

8. The freehold title at the boundary of the Shopping Centre and railway viaduct is proposed to be rationalised and rights granted by Network Rail to facilitate the scheme. Again, the developer’s intention is to have the agreement concluded with Network Rail by the end of Q1 2020.

The Arch Company

9. The Arch Company was granted a long lease of all of the Elephant & Castle railway arch units by Network Rail. Discussions are ongoing regarding commercial and title terms with the Arch Company. It is hoped that agreement can be reached shortly, enabling legal agreements to be exchanged in Q1 2020. The development on the shopping centre site can commence without further agreement from Arch Company

or its occupational tenants but Units 6 and 7 Farrell Court (see below) within the arches would need to be acquired to create the proposed new pedestrian link from Castle Square and Elephant Road to the new town centre redevelopment. These two arches would need to be acquired within the next 3 years; it is hoped they can be acquired by private treaty during that period but CPO powers may need to be used. Greater title to the two access arches currently held long leasehold by the developer, to the immediate north of the train station, is also required to enable those units to be brought into beneficial use.

Occupational tenancies in some of the railway arches on Elephant Road

10. The scheme envisages the use of what are currently Unit 6 Farrell Court (Distriandina) and 7 Farrell Court (Beset International) as the new pedestrian link to Elephant Road. Discussions with both occupiers are ongoing in terms of their relocation to premises in the locality.
11. Land at the rear of arch units 113/122 is occupied by Lenos & Carbon. This rear area would need to be removed as part of the development and therefore the developer needs to acquire all interests in that area. The developer wrote to the tenant in February 2020 in respect of that rear area and will seek to minimise disruption arising from the removal of that rear area.

30-32 New Kent Road

12. The freehold interests in both of these properties (newsagent and dentist) have now been acquired. The acquisition of the leasehold interest in 30 New Kent Road is imminent.

Two kiosks on New Kent Road

13. These kiosks near the railway viaduct bridge, near 30-32 New Kent Road, are likely to need to be removed. It has been established that they are held by licences granted by the Council (with consent of TfL as the highway authority) and the licences are terminable by the Council on 21 days' notice.

London Power Networks

14. The current substations on the shopping centre and LCC sites will need to be relocated. Discussions have commenced in this regard with the electricity undertaker and it is not expected that there will be difficulty in agreeing the relocation of their apparatus, as is commonplace in redevelopment.

Mobile phone operators (in respect of phone masts on buildings)

15. There are four mobile operators, all of whom are now in agreement to vacate on or before the end of February 2020.

New Rights to be acquired over land

16. These include:
 - a) Metropolitan Tabernacle – the right to “de-couple” the immediately adjacent LCC building from one façade of the Tabernacle, to scaffold over part of the property during works and to oversail with a crane during construction.

- b) Right of access through the railway train station and through the railway arch units south of the railway station to facilitate boundary works on the western edge of the railway viaduct and to the western façade of the train station, and in the case of Units 4 & 5 Farrell Court (Corsica Studios) the right to undertake the sound mitigation works discussed with Corsica during the planning application process. Rights of access to affix cabling and wiring on the sides/underneath of the viaduct.
 - c) Right of access and to carry out works to railway arch units 113c and 122. As stated above, the occupied area at the rear of this unit would need to be acquired and then removed for the scheme; a right is sought to enable access to this unit to facilitate that work and any consequential works that may be required as a result.
 - d) Crane oversail rights over some highway areas and to a small extent over The Castle Centre and Perronet House.
17. In each case the acquisition of the proposed rights either forms part of wider discussions with stakeholders (such as Network Rail) as referred to above or the developer intends to write to the relevant parties by the end of February 2020, requesting those rights by agreement.

APPENDIX D

ELEPHANT AND CASTLE SHOPPING CENTRE - COMPULSORY PURCHASE ORDER

THE COUNCIL'S POWERS AND THE LEGAL AND POLICY GUIDANCE FRAMEWORK

1. It has been made clear repeatedly by the courts over the last few decades that special care needs to be undertaken when considering the justification for compulsory acquisition of land, given the draconian nature of the process of state appropriation of private property against the will of the owner. Compulsory purchase of land involves a serious invasion of the private proprietary rights of citizens. The power to dispossess a citizen of his land against his will is clearly not a power which should be exercised lightly and without good and sufficient cause. The use of statutory authority for the destruction of property rights in this way requires must be based on the right legal principles, adequate evidence and proper consideration. A CPO can only be confirmed when it is necessary in the public interest to do so and the public interest must demand the acquisition decisively. There must a clear case to justify depriving an owner of his land in the public interest.
2. Of central importance to the issue of whether CPO powers should be used are the provisions of Section 226(1)(a) of the 1990 Act, which give the Council power to acquire compulsorily any land in their area if the Council thinks that the acquisition will "facilitate the carrying out of development/re-development, or improvement on, or in relation to, the land". In exercising this power, the Council must have regard to Section 226(1A) of the 1990 Act and must not exercise the power unless it thinks that the development, re-development or improvement is likely to contribute to the achievement of any one or more of the following objects:
 - (a) The promotion of improvement of the economic well-being of the area;
 - (b) The promotion or improvement of the social well-being of the area;
 - (c) The promotion or improvement of the environmental well-being of the area.
3. Section 227 of the 1990 Act gives the Council the power to acquire by agreement any land which it requires for any purpose for which it may be authorised to acquire land under section 226.
4. Acquisitions of land under section 226 or 227 engage the provisions of sections 203-205 of the Housing and Planning Act 2016 ("the 2016 Act"). Section 203 enables third party rights over that land (such as easements, restrictive covenants and rights of light) to be overridden so that development may proceed (provided it is carried out in accordance with planning permission), with the third parties who hold the rights being entitled to compensation under section 204 of the 2016 Act, based on the diminution in value of their property once their rights have been infringed. These provisions prevent the third party who holds the rights from preventing development from proceeding, because their right to obtain an injunction is translated into a right to compensation only.
5. Section 203 enables a development to proceed in accordance with a planning permission even though in doing so rights over the development site which benefit adjacent properties may be infringed. The pre-conditions to the engagement of section 203 are (i) there is planning consent for the development, (ii) the land on which the development takes place has at any time on or after 13 July 2016 become vested in or acquired by the local authority for planning purposes, or been

appropriated to planning purposes, (iii) the authority could acquire the land compulsorily for the purposes of the development and (iv) the work is for purposes related to the purpose for which the land was vested, acquired or appropriated. The rights which the adjacent properties enjoy over the proposed development site are overridden under section 203 and under section 204, the holders of the rights are entitled to statutory compensation based on the loss in value of their land as a result of the infringement. The claim for compensation would be against the person who infringed the rights but under section 204 the acquiring local authority has a residual liability to pay that compensation.

6. Where rights are overridden, the right to compensation for interference with the rights does not occur until the right is actually interfered with, which (depending on the nature of the right) is usually at some point in the construction process and not when the acquisition is made by an acquiring authority.
7. This is a powerful tool in enabling developments as it means that third party holders of the rights cannot prevent the development proceeding (by way of an injunction) - their right to obtain an injunction is translated into a right to compensation only. It also provides certainty for a developer in estimating the basis upon which any compensation is due, as the compensation will be based on a loss in value basis of the property which has the benefit of the right, rather than on any other basis which might fall to be negotiated i.e. it stops the developer being held to ransom or having to pay a share of the development profits.
8. Section 13(1) of the Local Government (Miscellaneous Provisions) Act 1976 provides that a local authority which may be authorised by a Minister of the Crown, by means of a CPO, to purchase any land compulsorily for any purpose may be authorised by that Minister, by means of such a CPO, to purchase compulsorily for that purpose such new rights over the land as are specified in the CPO; and "new rights" means rights which are not in existence when the CPO specifying them is made.
9. Once land has been acquired by the Council for planning purposes under section 226 or 227 of the 1990 Act, the land may then be disposed of to a third party pursuant to section 233 of the 1990 Act. Section 233(1) permits the Council to dispose of the land to such persons, in such manner and subject to such conditions as appear to the Council to be expedient in order to:
 - (a) secure the best use of that or other land and any buildings or works which have been, or are to be, erected, constructed or carried out on it (whether by the Council or by any other person), or
 - (b) secure the erection, construction or carrying out on it of any buildings or works appearing to the Council to be needed for the proper planning of its area.

In this case it is section 233(1)(a) that is relevant.

10. The consideration received by the Council for such disposals must be "the best consideration that can reasonably be obtained", unless the Secretary of State's consent is obtained to the contrary or unless the disposal is the grant of a lease of seven years or less or the assignment of a lease with seven years or less unexpired at the date of assignment. In judging what consideration can be achieved, account must be taken of the expediency as referred to in section 233(1).

11. The Council is required to exercise its powers of disposal under section 233 in a manner which, so far as practicable, secures that relevant occupiers of that land are provided with a suitable opportunity to obtain accommodation (section 233(5)). Relevant occupiers for these purposes means residents and those carrying on business on the land who wish to obtain accommodation on such land and are willing to comply with any requirements of the authority as to the development and use of such land (section 233(6)). A suitable opportunity for accommodation means, in relation to any person, an opportunity to obtain accommodation on the land in question which is suitable to his reasonable requirements, on terms settled with due regard to the price at which any such land has been acquired from him (section 233(7)).
12. As regards human rights, the Human Rights Act 1998 incorporates into domestic law the European Convention on Human Rights. Article 1 Protocol 1 Convention rights have to be considered: every natural or legal person is entitled to the peaceful enjoyment of his possessions. This can cover, for example, enjoyment of existing assets with economic value, such as the marketable goodwill of a business. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law. This does not impair, however, in any way the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties. In respect of this right under Article 1 of the Protocol, a fair balance must be struck between the public interest and private rights.
13. Article 8 Convention rights also apply and are engaged i.e. everyone has the right to respect for his private and family life, his home and his correspondence; there shall be no interference by a public authority with the exercise of this right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others. Any interference with this right must be proportionate. Article 8 covers family life and private social life enjoyed at a place of work or in professional, business or commercial activities. If children could be affected, then the best interests of the child shall be a primary consideration.
14. Article 6 Convention rights are also relevant: in the determination of his civil rights and obligations, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.
15. Consideration may also need to be given as to whether other Articles of the Convention are engaged, for example: Article 9 (freedom of thought, conscience and religion; Article 11 (freedom of peaceful assembly and association) and Article 14 (freedom from discrimination).
16. Section 149 of the Equality Act 2010 imposes a general equality duty on public sector authorities ("the PSED"), in the exercise of their functions, to have due regard to the need to:
 - Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act.
 - Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it.

- Foster good relations between people who share a relevant protected characteristic and those who do not share it.
17. Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard to the need to:
- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
18. For the purpose of the PSED the following are "protected characteristics":
- Age
 - Civil partnership
 - Disability
 - Gender reassignment
 - Pregnancy and maternity
 - Race
 - Religion or belief
 - Sex and sexual orientation.
19. Case law has distilled a number of principles as regards the PSED. The duty is a continuing one.. "Due regard" in the context of the PSED means the regard that is appropriate in all the particular circumstances, including the importance of the areas of life of the members of the protected group that are affected and the extent of the effects and such countervailing factors as are relevant to the function which the decision maker is performing. The PSED is not a duty to take specific steps - indeed the courts have warned against micro management of the PSED process - nor is it a duty to achieve results. It is a duty to have regard to the need to achieve the various objectives referred to above. A public body needs to be satisfied that it has sufficient information available to it to make informed decisions. It must be clear precisely what the equality implications are; there must be conscious directing of its mind to the obligations in the PSED, which requires consideration of the specific goals in play and consideration of the relevant materials with those goals in mind; and the "due regard" duty requires a proper and conscientious focus on the statutory criteria, which is more than simply giving consideration to the issue.
20. Policy guidance on the use of compulsory purchase powers is set out in the Minister for Housing Communities and Local Government's July 2019 Guidance on Compulsory Purchase Process and The Crichel Down Rules ("the Guidance"). In the document's General Overview it provides the following:

- Compulsory purchase powers are an important tool to use as a means of assembling the land needed to help deliver social, environmental, and economical change;
 - Acquiring authorities should use compulsory purchase powers where it is expedient to do so;
 - However, a CPO should only be made where there is a compelling case in the public interest;
 - Compulsory purchase is intended as a last resort; but
 - It may be sensible for the acquiring authority to plan a compulsory purchase timetable as a contingency measure and initiate formal proceedings to mitigate loss of valuable time and to encourage those whose land is affected to enter into meaningful negotiations; and
 - When making a CPO acquiring authorities should be sure that the purposes for which the CPO is made justify interfering with the human rights of those affected.
 - In order to reach early settlements, public sector organisations should make reasonable initial offers, and be prepared to engage constructively with claimants about relocation issues and mitigation and accommodation works where relevant.
21. The Guidance advises that the acquiring authority must be able to demonstrate that there are sufficiently compelling reasons for the powers to be sought at this time and should have a clear idea of how it intends to use the land which it is proposing to acquire. It should be able to show that all necessary resources are likely to be available to achieve that end within a reasonable time-scale.
22. The Guidance also makes clear that an acquiring authority should provide substantive information about the sources of funding for acquiring any land and new rights and for implementing the scheme for which the land is required and that funding should be available now or early in the process.
23. The Guidance advises that acquiring authorities will need to demonstrate that the scheme for which a CPO is made is unlikely to be blocked by any physical or legal impediments. These include:
- the programming of any infrastructure accommodation works or remedial works which may be required; and
 - the need for planning permission for the scheme (or where planning permission has yet to be granted an acquiring authority should demonstrate that there are no obvious reasons why it might be withheld) or other consent or licence.
24. Paragraph 106 of the Guidance also gives an indication of those factors the Secretary of State can be expected to consider if the Council made a CPO and the Secretary of State was asked to confirm it. These include:

- whether the purpose for which the land is being acquired fits in with the adopted Local Plan for the area or, where no such up to date Local Plan exists, with the draft Local and the National Planning Policy Framework
- the extent to which the proposed purpose will contribute to the achievement of the promotion or improvement of the economic, social or environmental wellbeing of the area
- whether the purpose for which the acquiring authority is proposing to acquire the land could be achieved by any other means. This may include considering the appropriateness of any alternative proposals put forward by the owners of the land, or any other persons, for its reuse. It may also involve examining the suitability of any alternative locations for the purpose for which the land is being acquired
- the potential financial viability of the scheme for which the land is being acquired. A general indication of funding intentions, and of any commitment from third parties, will usually suffice to reassure the Secretary of State that there is a reasonable prospect that the scheme will proceed. The greater the uncertainty about the financial viability of the scheme, however, the more compelling the other grounds for undertaking the compulsory purchase will need to be.

APPENDIX E

ELEPHANT AND CASTLE SHOPPING CENTRE - COMPULSORY PURCHASE ORDER

Further detail on CPO process and compensation

Background

1. The ability to make compulsory purchase orders is limited to predominantly public sector organisations. EC does not have these powers hence its approach to the Council to utilise its powers to enable the Scheme to happen.
2. Section 226(4) Town and Country Planning Act 1990 makes clear that it is a perfectly legitimate use of compulsory purchase powers for a local authority to make a CPO for planning purposes even though it is not the Council itself who is to undertake the development.
3. Since EC will be the beneficiary of the CPO it is therefore appropriate that it indemnifies the Council against all the costs arising from its making and subsequent execution.

Interaction between the CPO and the Landlord and Tenant Act 1954 and the measure of compensation available to owners/occupiers

4. As set out in the main body of the report, all the property interests in the Shopping Centre will be brought to an end using standard landlord and tenant procedures under the Landlord and Tenant Act 1954 ("the 1954 Act") or using the contractual break notices and the inclusion of these properties in the CPO is a protective measure in the event that there is any unexpected delay or problem in obtaining possession through that route.
5. Where there is no means of acquiring properties or rights through the landlord and tenant route then, in the absence of agreement with the relevant owners of the property interest, compulsory purchase will be the only available option. If compulsory purchase takes place the property or rights owner will be compensated on the basis of the statutory "land compensation code", which is a mixture of statute and case law based rules and principles for compensation in compulsory acquisition. This is different from the compensation regime under the 1954 Act set out above.
6. The statutory compensation code provides that commercial leaseholders are entitled to the following compensation following a compulsory acquisition:
 - a) The market value of the leasehold interest in the property;
 - b) Statutory loss payments based on a fixed percentage of market value and/or a formula based on the area of the property
 - c) Payment for loss of profits arising from the relocation or extinguishment of the business [as appropriate]

- d) a disturbance payment to cover the leaseholder's reasonable costs arising as a direct and natural result of the compulsory acquisition, this might include relocation costs, legal fees and surveyors fees
 - e) where the lease is held as an investment rather than for occupation the reasonable costs of acquiring a replacement investment provided that is done within twelve months of the transfer of ownership of the asset
7. The freeholders of properties subject to statutory compensation are entitled to:
- a) The market value of the freehold interest in the property;
 - b) Statutory loss payments based on a fixed percentage of market value and/or a formula based on the area of the property
 - c) Payment for loss of profits arising from the relocation or extinguishment of the business if the premises are occupied by the freeholder
 - d) Where the freeholder is in occupation, a disturbance payment to cover the reasonable costs arising as a direct and natural result of the compulsory acquisition, this might include relocation costs, legal fees and surveyors fees
 - e) Where the property is held as an investment rather than for occupation the reasonable costs of acquiring a replacement investment provided that is done within twelve months of the transfer of ownership of the asset.

Outline of Compulsory Purchase Procedure

Resolution

8. The Cabinet passes a resolution to make a CPO. This is the purpose of this report.

Land Referencing

9. Final details are assembled of all owners, tenants and occupiers that have land interests in the CPO land and of parties that may have rights over the CPO land. This is to both identify what interests need to be acquired and who is entitled to receive a notice of the publication of the CPO. These relevant interests will be set out in a Schedule that will be incorporated into the CPO. Formal requisitions for information have been served on all known owners and occupiers of each property to be subject to the CPO but with the Council having made very clear that this does not in any way pre-judge any decision by Cabinet as to the merits or otherwise of any CPO. It is important that the Council takes all reasonable steps to ensure that all interests are identified and included in the CPO. This stage will also enable the precise details of the CPO areas to be determined. The boundaries shown on the draft CPO map at Appendix A may need amendment in the light of this and it is recommended that the Director of Regeneration is delegated authority to set the extent of the CPO.

Making the CPO

10. The Council makes the CPO, to a defined format. A schedule goes with the CPO identifying ownership details of all land within it. A Statement of Reasons must also be prepared to accompany the CPO. This document sets out the Council's reasoning and justification for the CPO.

Publication of the CPO

11. The Council serves notice of making of the CPO on all freeholders, leaseholders, tenants and occupiers affected by it, which may include persons outside the CPO land who have (or potentially have) rights over the CPO land. A notice of the making of the CPO has to be published for two successive weeks in a local newspaper.
12. The notices will advise that any objections to it can be made to the relevant government minister and specify an address for this purpose. The CPO is then passed to the government minister for confirmation.

Confirmation of the CPO

13. The CPO does not become effective unless and until it is confirmed by the minister. Where there are objections to the CPO they must be considered before confirmation. This is usually done by way of a public inquiry but can sometimes be dealt with by written representations.
14. After considering the objections (if there has been a public inquiry there will be an Inspector's Report) the Secretary of State may confirm, modify or reject the CPO. If it is rejected that is the end of the process and E&C and the Council will need to revisit the Scheme, unless it is considered that the Secretary of State has erred in his decision in which case a statutory judicial review can be requested.
15. Following confirmation or if applicable, modification and confirmation, a notice advising that the CPO has been confirmed must be published in the local newspaper and served on all leaseholders, tenants and occupiers affected by the Order. A confirmed CPO can only be implemented within three years to retain its validity.

Implementation of the CPO and taking Possession

16. Implementation of the CPO can be achieved by either Notice to Treat/Notice of Entry or by using the General Vesting Declaration procedure. The latter is considered the most appropriate for the Shopping Centre as it transfers both the right to possession and title of the land to the Council. However, the creation of new rights under section 13 Local Government (Miscellaneous Provisions) Act 1976 can only be done using the notice to treat route.

Indicative Timescale

- | | | | |
|-----|---|-----------------------------------|----------|
| 17. | ■ | Resolution to make the CPO | * |
| | ■ | Making the Order to Publication | 6 weeks |
| | ■ | Publication to Confirmation | 40 weeks |
| | ■ | Confirmation to taking Possession | 18 weeks |

- * will follow completion of prerequisite documentation including the indemnity agreement

18. It is therefore likely that it will take around a year and a half between making this resolving to making a compulsory purchase order and obtaining possession but if there are complications it could be longer. It is assumed for the purpose of this indicative timescale that there will be objections to the CPO and that these will require protracted negotiations and/or a public inquiry to resolve. If a public inquiry is needed this will be called for and arranged by the Minister, with an inspector presiding over the inquiry, so the Council has little control over this process. Resource availability at the Planning Inspectorate can cause this to be scheduled rather later than preferred and is a risk to be factored into project planning. If there are no objections or ones that are quickly resolved the period between publication and confirmation may be significantly reduced.

Property Acquisitions

19. Should the recommended resolution be passed, EC will continue to endeavour to acquire all interests by agreement wherever reasonably practical. Once the CPO is confirmed the Council will have the ability to acquire properties by compulsion and any properties acquired compulsorily are vested in the Council. Again, these will be transferred to E&C or its group company. Once the land vests in the Council, it becomes responsible for the payment of compensation. Any compensation agreed or determined by the Upper Tribunal will be paid by the Council but funded by E&C pursuant to the indemnity agreement. In certain circumstances, affected owners of land included in the CPO may be able to claim that their land is "blighted" because of the CPO that has been made and serve a "blight notice" on the Council, requesting that the Council purchases their interest. It is likely to be of limited application in this instance but in any event the costs of acquiring a property pursuant to a blight notice because of the making of the CPO (if appropriate) will be covered in the CPO indemnity agreement.

APPENDIX F**ELEPHANT AND CASTLE SHOPPING CENTRE - COMPULSORY PURCHASE ORDER****ADVERSE EFFECTS SPECIFICALLY ARISING FROM PROPOSED CPO**

1. The CPO process can be used to remove occupiers of the Shopping Centre with security of tenure under the Landlord and Tenant Act 1954 if they are successful in resisting court proceedings by EC UK to obtain vacant possession on the ground of redevelopment. There are only 11 such occupiers and the majority (seven) of them are national multiple retailers rather than local independent traders. Each of the independent traders have been offered relocation options in Castle Square, Elephant 1 and Elephant Arcade. It is expected that EC UK will be successful in those 1954 Act proceedings but the CPO can be used as a safeguard in this respect. Those occupiers may therefore be relinquished of their leasehold interests in the Shopping Centre against their will. For the national multiple retailers, this is not considered to be a serious detriment to their business as they have many stores. The consequences for the independent traders in that scenario are likely to be more consequential, though, and in a worst case scenario may possibly result in them ceasing trading altogether.
2. The use of CPO powers in relation to the two railway arches to which EC already has long leasehold title, so that control can be achieved to turn those two arches into retail or other A use class units, will deprive Network Rail and Arch Co of their respective freehold and long leasehold title to those arches. Similarly the acquisition by the Council under a CPO of Arches 6 and 127/133 will deprive the same parties of their freehold and long leasehold titles to those premises. Network Rail is a very large national undertaking and it is not considered that such acquisitions will have a serious detriment to it, particularly given the fact that it has in effect disposed of much of its railway arch premises investment portfolio to the Arch Co by virtue of the grant of a long lease. Arch Co is a large, commercial concern with many railway arch units across the country pursuant to that leasehold title. It is not considered that the acquisition of (potentially) 4 arches will cause serious detriment to it.
3. The occupiers of Arches 6 and 127/133 will be displaced if their interests were compulsorily acquired. In a worst case scenario, they might cease trading as a result of an acquisition by CPO. However, the Council and the developer will continue to work with them to seek alternative premises in the locality into which to relocate. Given they are not within the Shopping Centre itself, there is more time available for their relocation than those located within the Shopping Centre, as the "knock-through" of these arches does not need to occur immediately.
4. The implementation of the CPO will see the area at the rear of Arch units 113c/122 removed to make way for the redevelopment. This will result in some disruption to the occupiers of that unit, who are currently using that rear area as part of their business premises. The Council has assumed that the rear area is a legitimate part of the occupier's leasehold area. The level of disruption will depend on whether the remaining part of the unit can be used beneficially without that rear area. In a worst case scenario, the occupier may cease trading. However, the CPO envisages rights being acquired to carry out consequential works to the remainder of the unit to assist its re-use once the rear area has been removed.
5. Local independent traders on the East Site have access to the relocation funds made available in accordance with the section 106 agreement and the Council has

allocated a further fund of £200,000 as set out in the introductory progress report. Furthermore and independent of those relocation funds, any party that has their interest acquired pursuant to a CPO are be entitled to statutory compensation for the loss of their interest.

6. The CPO covers land owned by TfL and LUL as referred to in the report, the intention is to bring this land into the Scheme by agreement but the CPO will allow for its acquisition if necessary. It is not considered that the acquisition of the TfL paved areas immediately adjacent to the Shopping Centre and the LCC Site will give rise to any significant detriment to TfL's undertaking. Indeed, the acquisition will facilitate the revised highway boundary arrangements which were expressly agreed with TfL in the section 106 planning agreement. The acquisition of the current LUL Northern Line station against the wishes of LUL is clearly something that the Council will do only as a last resort and the Council would only do so in a manner which did not affect the smooth running of the Tube network. In practice this situation is very unlikely to occur as the developer is required by the terms of the section 106 agreement to reach agreement with LUL at an early stage of the Scheme. In each case, TfL and LUL are entitled to compensation for any land acquired.
7. The CPO would also see new rights created over the land shown shaded blue on the plan at Appendix A. The new rights of access that will be sought over the railway station and the arch units to the south of it (other than those being acquired), to facilitate the works to the western boundary of the viaduct, may have the adverse effect of disruption to the occupiers of those premises. However, it is not considered that any such disruption would be long-lasting or significant. The same is true of the rights sought over the viaduct structure for cabling and wiring works.
8. As pointed out in the Planning Committee report in the background papers, the Scheme would result in a reduction in the size of a smoking area at the rear of Corsica Studios. There are no standards in relation to the size of smoking areas, therefore this impact will need to be managed, to limit the number of people using the smaller area.
9. The rights being sought over the Tabernacle, to de-couple the current LCC building, will result in some inconvenience to the Tabernacle, by way of the proposed scaffolding but the Tabernacle itself will remain open to its congregation throughout the duration of any such works and it is considered that such an adverse effect is relatively minor.
10. The acquisition of crane oversail rights over various pieces of land is considered to be relatively minor in effect.
11. The owner of any land interest affected by the new rights will be entitled to statutory compensation in respect of those new rights.
12. The implementation of a CPO will have the effect of overriding any rights of light or other property rights that apply over the CPO site (to the extent they had not already been overridden by way of the overriding arrangements referred to elsewhere on the Agenda). This will be an adverse effect of the CPO. This aspect is dealt with in detail in the interfering with rights report elsewhere on the Agenda. There are 93 registered property interests at the Land Registry which have been identified in this respect (all as to rights of light) and other unregistered interests in those properties may also exist and be affected. Many of those interests will suffer a significant infringement of their rights of light ie without the use of the Council's powers they will potentially be able to apply for and obtain an injunction against the Scheme, or to

seek to hold the developer to ransom. The use of the Council's powers will remove that ability. Again, any party suffering interference with its rights will be entitled to statutory compensation which will be on a diminution in value basis (as required by legislation) rather than a ransom or share of the profits basis.

Adverse effects of the Scheme generally

13. It is considered the above adverse effects are relatively limited. Nevertheless, consideration has also been given to the position if all adverse impacts of the Scheme should be ascribed to the CPO and the Council's decision to pursue it. In that scenario, the adverse effects would be more numerous and more significant. As well as the adverse effects referred to above, the following adverse effects arise.
14. Despite the considerable efforts that the Council and the developer have gone to as to relocation of the traders, there are still a number of East Site traders that do not have either an allocated place in one of the three relocation premises being provided or a clear plan as to what they wish to do as regards the relocation of their business. The Council and the developer are committed to assisting these businesses, including the market traders, through the section 106 relocation arrangements and Tree Shepherd will continue to work with each of them to help them decide what they wish to do. The relocation funds will be available to assist them in relocating to other locations. Notwithstanding these points, the possibility remains that the worst case scenario is that a number of these businesses will cease to operate as a result of the Scheme generally. This would be detrimental to the business owners, their employees and customers.
15. Notwithstanding that the Council does not envisage needing to use CPO powers against the kiosks near the bridge on New Kent Road, adverse effects that may arise from the removal of those kiosks. Have been considered. Potentially this may result in the loss of those kiosk businesses but the Council is seeking to relocate those traders within the locality and they will have access to the relocation funds under the section 106 agreement and the Council's further relocation fund. The Council is seeking to relocate the kiosks onto the north side of New Kent Road, very close to where they are now.
16. Secondly, the tall buildings proposed as part of the Scheme will result in adverse day light and sunlight effects on a number of nearby properties, including residential properties, particularly those in Oswin Street, Hayles Buildings and Metro Central Heights. . Cabinet is referred to the Planning Committee report in the background papers - the Planning Committee considered light amenity and overshadowing in detail as part of the planning application process and it was considered that those adverse effects were outweighed by the benefits of the Scheme.
17. Thirdly, as set out in the Planning Committee report, there would be harm to the setting of the Metropolitan Tabernacle. Cabinet will note, though, that notwithstanding the substantial weight given to that harm, the Planning Committee concluded that such harm would be outweighed by the significant public benefits accruing from the Scheme.
18. Fourthly, there are likely to be some adverse equality impacts in relation to age and race as discussed in detail in the main body of this report and the progress report on the agenda. It is considered all that can reasonably expected to be done to mitigate impacts on traders/occupiers and the local community has been and is continuing to be done.

APPENDIX G

ELEPHANT AND CASTLE SHOPPING CENTRE - COMPULSORY PURCHASE ORDER

WHETHER THE USE OF THE COUNCIL'S POWERS IS JUSTIFIED

1. Firstly, sections 226(1)(a) and 226(1A) of the 1990 Act are considered.
2. The making of a CPO will facilitate the carrying out of development, re-development, or improvement on, or in relation to, the land. There is sufficient evidence that the Scheme is likely to proceed if CPO powers are utilised (together with the Council's other powers as envisaged by the linked reports). Notwithstanding that there will be some negative effects to those affected by the CPO, as referred to in this report and having taken those negative effects into account, the development, re-development or improvement is likely to contribute to the achievement of all of the well-being objects in section 226(1A) of the 1990 Act. The considerable economic, social and environmental benefits that are likely to arise from the Scheme are referred to earlier in this report. Accordingly the statutory tests in sections 226(1)(a) and 226(1A) are met. It has been considered whether this would be the case even if all of the adverse effects of the Scheme generally were ascribed to the CPO and have concluded that even in that scenario the significant benefits of the Scheme are compelling and outweigh those adverse effects.
3. The key paragraphs from the Guidance are now considered.

Acquiring authorities should use compulsory purchase powers where it is expedient to do so –
4. Given the benefits of the Scheme, it is clearly expedient to make a CPO to facilitate this very important development. The CPO is essential to the successful implementation of the Scheme.

However, a CPO should only be made where there is a compelling case in the public interest
5. having regard to the considerable contributions to the economic, social and environmental well-being of the area that are likely to accrue from the Scheme, which Will transform the town centre, there is a compelling case in the public interest for the use of CPO powers. The public benefits arising from the Scheme amount to sufficiently compelling reasons for powers to be sought and outweigh the loss, creation and overriding of property interests to individuals and businesses arising from the CPO. Without the use of CPO powers there is uncertainty that the necessary land assembly can be achieved in a reasonable timeframe. Accordingly it is necessary in the public interest for a CPO to be made.
6. The CPO covers land owned by TfL and LUL. As referred to in the main body of the report, the intention is to bring this land into the Scheme by agreement but the CPO allows for its acquisition if necessary. It is not considered that the acquisition of the TfL paved areas immediately adjacent to the Shopping Centre and the LCC Site will give rise to any significant detriment to TfL's undertaking. Indeed, the acquisition will facilitate the revised highway boundary arrangements which were expressly agreed with TfL in the section 106 planning agreement. The acquisition of the current LUL Northern Line station against the wishes of LUL is clearly something that the Council

would do only as a last resort and the Council would only do so in a manner which did not affect the smooth running of the Tube network. In practice this situation is very unlikely to occur as the developer is required by the terms of the section 106 agreement to reach agreement with LUL at an early stage of the Scheme. In each case TfL and LUL will be entitled to compensation for any land acquired.

Compulsory purchase is intended as a last resort; however... it may often be sensible ... for the acquiring authority to plan a compulsory purchase timetable as a contingency measure and initiate formal procedures [to mitigate loss of valuable time];

7. EC, acting in consultation with Council officers, has been making reasonable efforts to acquire outstanding land interests and new rights by agreement over a reasonable period of time. This is evidenced by the fact that it has concluded various acquisitions already. EC will be obliged to continue to negotiate for acquisitions by agreement under the CPO indemnity agreement. The Council will also take an active role, in collaboration with EC, to facilitate negotiations. The making of a CPO will assist in these negotiations as it will make all parties aware of the seriousness of the Council's intentions, as is recognised in the Guidance. The CPO is being used as a last resort to underpin the remaining negotiations that need to be concluded to enable the Scheme.

8. As regards adjacent properties which have the benefit of rights of light and other rights that would be overridden by the proposed CPO, EC has not negotiated with these parties to date. This is also explained in the linked report for interfering with rights elsewhere on the Agenda but given the sheer number of property interests which will need to be negotiated with in connection with the Scheme it will not be practicable or in any way realistic for releases to be negotiated in any sort of reasonable timeframe in this case. In addition, it will only take one of the interested parties to either not sign a release or not to engage and the entire Scheme would be jeopardised. The use of section 203 of the 2016 Act to override the rights is the only realistic way for this development to be able to proceed in any reasonable time frame and at a cost which can be identified. The holders of the rights will be compensated under section 204. In the particular circumstances of this case, it will be pointless to require EC to undertake such negotiations. There is no practical alternative to the use of statutory powers on this occasion, given the scale and complexity of the rights of light issue. The same is true of the rights sought over the viaduct structure for cabling and wiring works.

When making ... [a CPO] acquiring authorities ... should be sure that the purposes for which the CPO is made justify interfering with the human rights of those with an interest in the land affected.

9. The Council's purpose in making the CPO is to facilitate the development, redevelopment or improvement of land. The Scheme represents a vital, comprehensive redevelopment of the town centre, providing substantial improvements in the town centre's retail and leisure offer, improvements to the town centre environment and new housing. The very considerable benefits that will arise from the Scheme have been summarised above these public benefits outweigh and justify interference with, human rights and such interference is proportionate to the large level of public benefits that would arise from the Scheme. The purpose to be achieved by the CPO justifies interference with human rights even if the interference was a lot wider or more severe than considered in this report, given the benefits of the Scheme. The public benefit of the Scheme outweighs the private losses.

In order to reach early settlements, public sector organisations should make reasonable initial offers, and be prepared to engage constructively with claimants about relocation issues and mitigation and accommodation works where relevant.

10. Offers made to date by EC, are reasonable. This is evidenced by the fact that various acquisitions have taken place already. Reasonable steps have been taken to acquire the interests in land and rights by agreement. The Council has sought to engage constructively with those affected, as evidenced by Council officers addressing affected traders as to the proposals, the appointment of Tree Shepherd to assist affected parties with relocation advice and the other measures in the agreed relocation strategy under the section 106 agreement. Those relocation measure obligations are ongoing.

The acquiring authority must be able to demonstrate that there are sufficiently compelling reasons for the powers to be sought at this time... [the acquiring authority should] have a clear idea of how it intends to use the land which it is proposing to acquire and [should be able to] show that all necessary resources are likely to be available to achieve that end within a reasonable time-scale.

11. The Council plans to use the CPO acquisitions and new rights to facilitate the Scheme and the benefits derived from the Scheme are sufficiently compelling to warrant seeking the powers now, so that valuable time is not lost as recognised in the Guidance. Resources are dealt with below.

The acquiring authority should address (a) sources of funding ... available for both acquiring the land and implementing [the Scheme] ... and (b) the timing of that funding - funding should generally be available now or early in the process ... evidence should be ... provided to show that sufficient funding could be made available immediately to cope with any acquisition resulting from a blight notice.

12. The Council will be entering into a CPO indemnity agreement (and other agreements) with EC whereby the Council will receive a complete indemnity in respect of all compensation to be paid pursuant to the CPO and/or through the operation of sections 203-205 of the 2016 Act and/or through blight notices under section 137 of the 1990 Act. All other costs associated with the CPO will be borne by EC too.

13. In addition, further details of funding have been provided by EC which has been reviewed and officers are satisfied that the funding is either already available or will be available on confirmation of the CPO and the use of the Council's powers to override rights are utilised to override third party rights (as recommended elsewhere on the agenda). As regards non-financial resources, EC has procured a professional team from all disciplines to advise in respect of the Scheme. It is advised by Delancey, an experienced property development and asset management company. The Triangle partners have developed large schemes before, as referred to earlier in this report. Officers are satisfied the developer has the expertise and the ability to attract the funding to deliver the Scheme. It has already demonstrated its commitment by at considerable expense securing a planning consent and acquiring much of the land needed to deliver the scheme. This is therefore not an impediment. There are no known external factors that may frustrate delivery of the scheme.

Acquiring authorities will need to demonstrate that the scheme is unlikely to be blocked by any physical or legal impediments. These include:

- (a) *the programming of any infrastructure accommodation works or remedial work which may be required*

14. It is considered there are no such impediments. As Cabinet is aware, as well as the proposals contained in the scheme, TfL/LUL is promoting the Bakerloo Extension line proposals. This was the subject of a paper to Cabinet on 21 January 2020. If the Bakerloo Line extension goes forward, it is likely to require a larger combined, station box at Elephant & Castle than that presently proposed in the Scheme, which was designed for the Northern Line. The Council wishes to see both the Scheme and the Bakerloo Line extension progress and to that end Cabinet approved in January a contribution of £7.5 million (to be matched by TfL) towards the Bakerloo Line Extension at Elephant & Castle. Discussions are taking place between EC and LUL as to the provision by EC of a bigger new station box within the Scheme to incorporate the Bakerloo Line extension too. This will necessitate amendments to the Scheme in terms of the extent of the station box. It is also understood that LUL plans to submit a planning application shortly for connecting tunnel works, to ensure that the connecting tunnels to the new station box are as per its specific requirements. In both cases, although planning consent will be required for such changes, there is no obvious reason why such consent would not be forthcoming.

- (b) *any need for planning permission for the scheme or other consent or licence.*

15. As advised earlier, the Scheme has been granted planning permission. The judgment in the judicial review proceedings was the subject of an application for leave to appeal but this has been dismissed on all grounds by the High Court. The claimant may choose to pursue its application for leave to appeal to the Court of Appeal. Officers are satisfied that, now that the permission has the benefit of a High Court judgment in the Council's favour on all grounds, there is a low risk of that appeal succeeding. The Council is entitled to proceed on the basis, as found by the High Court, that it has acted entirely lawfully. In any event, even if the planning permission was quashed on appeal (which officers think is unlikely) there is no obvious reason why planning permission for the Scheme would not be forthcoming again, given its general fit with the development plan policy and the Council's long term policy aspirations for the Opportunity Area.

As stated above, the de-coupling works to the northern façade of the Metropolitan Tabernacle have the benefit of listed building consent. That consent has a time period of 3 years (expiring 10 January 2022) - if the works are not begun by then the consent will lapse. It is possible that those works will be begun by then, but it is fair to say that the envisaged programme of works envisages commencement on the West Site after January 2022, because the first phase of development will be on the East Site. This has been discussed with EC, who advise that they have instructed their planning consultants to prepare a further listed building consent application which will request a longer implementation date for those works. Again, there is no obvious reason why such consent would not be forthcoming, particularly in light of the current extant consent.

16. As explained earlier in the report, EC envisages that the two railway arches owned long leasehold by EC shall be brought into beneficial occupational use for A Use Classes. The current planning permission for the Scheme does not specifically

include a change of use to those purposes for those units. Again, EC advise that it has instructed planning consultants to formulate an application for such planning consent in respect of those arches. There is no obvious reason why such consent will not be forthcoming, subject to suitable conditions, as such uses will be in keeping with the current uses on Elephant Road and the planning policies for the Opportunity Area. The units would also represent a potential further relocation opportunity in the medium term.

17. The Scheme requires the stopping up of some highways. EC has made applications under section 247 of the 1990 Act to stop-up areas that are (or potentially could be) subject to highway rights. The applications were advertised in the local newspaper and London Gazette in January 2020 and interested parties had twenty-eight days in which to object. Any objections received will be for EC to endeavour to resolve. The Mayor of London has a power to dispense with a public inquiry into objections in certain circumstances but if that power is not utilised it will be necessary to arrange for a Public Inquiry. Should there be unresolved objections in respect of both the CPO and the stopping up of highways the Secretary of State may resolve that they both be considered at the same Public Inquiry. Stopping up orders are common in development scenarios and there is no obvious reason why such orders would not be made in respect of the Scheme.
18. One or more agreements under the Highways Act 1980 with TfL and the Council, as highway authorities, will be required for highway works. Agreement likely be reached on these, as they are, routinely, on many different types of development. The section 106 agreement imposes restrictions on certain milestones in the development programme until such agreements, and their respective works, are completed.
19. Licences will be required under the Highways Act 1980 for oversailing the highway, any scaffolding over the highway or hoarding affecting the highway. Again, though, such licences are routinely granted in all manner of developments.
20. There are no physical impediments which are known which will prevent the Scheme from proceeding.
21. The CPO legislation affords special protection to statutory undertakers' operational land. Statutory undertakers can make representations to their appropriate minister (i.e. the minister who is responsible for that undertaker) against the inclusion of their operational land, as well as objecting to the Secretary of State in the normal manner. If such a representation is made and not withdrawn, generally the Secretary of State will not confirm the CPO as regards that interest in land unless the appropriate minister gives a certificate that the land can be taken without serious detriment to the statutory undertaker.
22. There is some operational land of statutory undertakers within the CPO area, most notably the Northern Line tube station, TfL highway, the railway viaduct and the railway station. However, it is not the intention of EC or the Council to interfere with the operational running of e.g. the London Underground station nor the railway. Discussions are progressing between EC and London Underground and between EC and Network Rail in these respects and EC is confident that agreement shall be reached on all matters. EC has been keeping the Council apprised of progress and given confidence that agreements with these parties can be exchanged in a reasonable period, thereby bringing them into the Scheme by agreement. Nevertheless, the CPO is needed as a backstop.

23. There are also electricity sub-stations within the CPO area, held by London Power Networks. Again, this is operational land and EC envisages that agreement will be reached to bring the leases to an end but the CPO is needed as a backstop.
24. The CPO land also includes statutory undertaker and telecommunications operator apparatus and EC is already in discussions with the utility companies and the telecommunications operators to reach agreement with them.
25. There are no areas of land which attract special protection under section 19 Acquisition of Land Act 1981 (common land, open space or allotments).
26. Therefore, there are unlikely to be any impediments to the Scheme if a CPO is made (taken together with the utilisation of the Council's other planning powers as envisaged by the linked reports).

Acquiring authorities are expected to evidence that meaningful attempts at negotiation have been pursued or at least genuinely attempted.

27. This is addressed above.

Whether the purpose for which the land is being acquired fits with the adopted Local Plan for the area or, where such no up to date Local Plan exists, with the draft Local Plan and the National Planning Policy Framework.

28. The Council's purpose in making the CPO is stated above. It fits with the adopted local plan, which supports the regeneration envisaged by the Scheme. The CPO is necessary to implement the Council's objectives as specified in the Local Plan and the SPD. It also fits in with the emerging development plan policies.

The extent to which the proposed purpose will contribute to the achievement of the promotion or improvement of the economic, social or environmental well-being of the area.

29. By virtue of the very significant benefits that will arise from the Scheme as summarised earlier in this report, the Council's purpose in pursuing the CPO will contribute very significantly to all three of the well-being objects in Section 226(1A) of the 1990 Act. The Scheme will have regenerative benefits that will lead to the improvement of the economic well-being of the area. Additional jobs will be created, having social and economic benefits. Additional homes will be created, contributing to the social well-being of the area. New buildings, a new tube-station and new public realm areas will contribute to the environmental improvement of the area.

Whether the purpose for which the acquiring authority is proposing to acquire the land would be achieved by any other means. This may include considering the appropriateness of any alternative proposals put forward by the owners of the land or any other persons, for its reuse. It may also involve examining the suitability of any alternative locations for the purpose of which the land is being acquired.

30. The prospects of acquiring all the relevant land interests by agreement to enable the comprehensive redevelopment within a reasonable timescale are unlikely. It will be entirely dependent on the owners and occupiers of the outstanding land interests. Consideration has been given to whether the Council's objectives might be achieved by individual landowners within the land separately carrying out development of their land. This would be likely to result in poorly co-ordinated redevelopment of parts of the CPO land, in a piecemeal fashion, which will contrast badly with the

comprehensive vision of the Scheme. It is very doubtful if any alternative, credible redevelopment proposals are likely to come forward.

31. Consideration has been given to if the Council's objectives in making a CPO can be achieved at a different location. The scope for any alternative location in the context of the particular objectives here is very limited. There are no other sites within the town centre which can realistically achieve the objectives of the CPO.
32. A delay in the Council supporting the Scheme through a CPO and its other planning powers may give rise to the following adverse implications:
 - Significant delay to delivering the new town centre or risk it may not be delivered at all, due to the lack of certainty for EC's investors and funders;
 - Continuation of Elephant and Castle Northern Line operating at over capacity with increased overcrowding and temporary closures likely to increase;
 - A protracted period of a demolished site (on the Shopping Centre site); and
 - The risk of EC selling the Shopping Centre site to another investor that may not have the appetite for the risk involved in the current comprehensive Scheme.
33. None of the above implications is desirable. Neither is the maintenance of the status quo of the current buildings on the Scheme site - this will not deliver the vision for the town centre envisaged by development plan policy and in any event is not a realistic option as regards the Shopping Centre and the external market area within it as the developer has already decided to close it. The making of a CPO is essential to guard against the risk of the regeneration project being delayed or frustrated. EC will, however, continue to try to acquire the outstanding land interests in the CPO land by agreement.

The potential financial viability of the scheme for which the land is being acquired. A general indication of funding intentions, and of any commitment from third parties, will usually suffice to reassure the Secretary of State that there is a reasonable prospect that the scheme will proceed. The greater the uncertainty about the financial viability of the scheme, however, the more compelling the other grounds for undertaking the compulsory purchase will need to be.

34. Funding intentions are dealt with above. As regards the potential viability of the Scheme, discussion took place during the planning application process as to what the appropriate level of developer profit should be to reflect the risk and complexity of the Scheme. The relevant expression of profit level for a developer for a build to rent housing scheme is the internal rate of return ("IRR"). EC's target rate of return is 11%. Viability assessment work was carried out during the planning application process in the context of the maximum amount of affordable housing that can reasonably be supported by the Scheme. The viability experts appointed by EC concluded that the then current IRR was 7.51% but both they and the experts appointed by the Council nevertheless both agreed, as part of the viability work for the planning application, that a full target return of 11% is achievable over the lifetime of the development, having regard to market forecasts which have been adopted from residential and commercial agents, as well as costs advice from cost advisors. The advice from GVA, advising the Council, was that all current forecasts at that time suggested that this growth in IRR over the construction period is achievable and possibly conservative.

35. Some time has passed since the planning permission was granted. Accordingly, the viability position has been the subject of further expert work by DS2 (for EC) and Avison Young (for the Council). DS2 conclude that the viability position remains largely unchanged from what was previously agreed with Avison Young as part of the planning application process, but that for various reasons (including increasingly positive property market sentiment following the general election and long term trends in rental growth) the target rate of return is achievable. Avison Young advise the viability of the project has not deteriorated since the planning stage. Whilst the viability position may be challenging, EC is proceeding with the Scheme on the basis of the agreed expert advice that the target rate of return is achievable over the lifetime of the development. The Guidance points out that a CPO can still be confirmed if there is uncertainty over financial viability if the case for it is very compelling. In this case the confirmation of the CPO will still be justified because the case for the CPO is so very compelling.

APPENDIX H

ELEPHANT AND CASTLE SHOPPING CENTRE - COMPULSORY PURCHASE ORDER

Planning Policy

Background

1. The development plan comprises the London Plan, the Core Strategy, and the Saved Southwark Plan. In 2013, The Council resolved to 'save' all of the policies in the Southwark Plan 2007 unless they had been updated by the Core Strategy with the exception of Policy 1.8 (location of retail outside town centres). Paragraph 213 of the National Planning Policy Framework ("NPPF") states that existing policies should not be considered out of date simply because they were adopted or made prior to publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework.
2. Relevant policies from the Saved Southwark Plan and other Development Plan documents (which have been the subject of public consultation and are informed by evidence bases that can be viewed on the Council's website) are listed in the notes at the end of this Appendix. While a New Southwark Plan and London Plan are in the process of being brought forward for adoption these continue to have limited weight at this point in time.

Site allocation

3. The site is located within Elephant and Castle Opportunity Area, Central Activity Zone and is identified as being part of the Elephant and Castle Major Town Centre. The east site is part of proposal Site 39P 'Elephant and Castle Core Area' which is a large area at the centre of Elephant and Castle identified as being suitable for comprehensive, mixed-use redevelopment. In terms of Housing policy the site is in area where a minimum of 35% affordable and 35% private housing is required.
4. The site sits within zone 1 and has a Public Transport Accessibility Level (PTAL) of 6b (excellent). Elephant and Castle sits in the background of townscape view 23A.1 looking from the Serpentine Bridge in Hyde Park to Westminster (London View Management Framework 2012).

NPPF

5. The NPPF sets out the Government's strong commitment to delivering sustainable development. It advises that there are three elements to sustainable development; economic, social and environmental. Sustainable development is the principal theme underpinning both London-wide and Southwark plan policies, where the regeneration of areas such as the Elephant and Castle is of high priority.

Elephant & Castle Opportunity Area

6. The site is within the Elephant and Castle Opportunity Area and the London Plan considers Opportunity Areas to be *"the capital's major reservoir of brownfield land with significant capacity to accommodate new housing, commercial and other developments linked to existing or potential improvements to public transport accessibility. Typically they can accommodate at least 5,000 jobs or 2,500 new*

homes or a combination of the two, along with other supporting facilities and infrastructure” (paragraph 2.58).

London Plan

7. Policy 2.13 of the London Plan states that opportunity areas should seek to optimise residential and non-residential out-put and densities, provide necessary social and other infrastructure to sustain growth, and where appropriate, contain a mix of uses. Table A1.1 (Annex 1) of the London Plan gives an indicative employment capacity of 5,000 jobs and a minimum of 5,000 new homes to be delivered in the Elephant and Castle Opportunity Area over the plan period and table A1.1 further notes that:

“The Area is undergoing major transformation with significant investment in housing and potential for new retail provision integrated with a more efficient and attractive transport interchange. There is scope to create a series of connected public open spaces complemented by environmental and traffic management improvements. Resolution of these and rail related issues are crucial to the successful redevelopment of this southern gateway to central London.”

8. The site also sits within the central activities zone (CAZ), the strategic priorities and functions for which are set out in policies 2.10 and 2.11 of the London Plan; this includes enhancing and promoting the roles of the CAZ based on a rich mix of local and strategic uses.

Core Strategy

9. At borough level, the Core Strategy identifies the Elephant and Castle Opportunity Area as one of the Southwark’s growth areas where development will be prioritised. Strategic Targets Policy 2 seeks to deliver 4,000 net new homes and 5,000 net new jobs in the opportunity area and around 45,000m² of additional shopping and leisure space. The Council’s vision for the opportunity area is set out in the Core Strategy, and the first paragraph of the vision reads as follows:

“Elephant and Castle has potential for redevelopment into an attractive central London destination. We will facilitate regeneration of the Elephant and Castle into a more desirable place for both existing and new residents. There will be excellent shopping, leisure facilities and cultural activities. London South Bank University and London University of the Arts will develop further as important centres of learning. Elephant and Castle will continue to be highly accessible from other places in Southwark and London...”

Saved Southwark Plan

10. The saved Southwark Plan pre-dates the Core Strategy and was adopted in 2007. It identifies a number of proposal sites including 39P which includes the east site but not the west. It sets out a broad range of town centre uses which are required, including a range of D class uses, new homes, new retail, B1 floorspace and a highly efficient transport hub.

Elephant and Castle Supplementary Planning Document (“SPD”)

11. The SPD expands upon the Core Strategy and provides a framework to guide development over the next 15 years (until 2027). The opportunity area is divided into

character areas and as stated the site forms part of the central character area. The strategy for this area is to:

- Use development opportunities to redevelop or remodel the shopping centre and expand its appeal to a larger catchment.
- Provide a range of unit sizes and affordable retail units which are made available to existing occupiers displaced by development from across the opportunity area.
- Provide a range of arts, cultural, leisure and entertainment uses, including food and drink uses which make a positive contribution to the evening economy.
- Support the growth of the London College of Communication.
- Strengthen links between the shopping centre and Walworth Road ensuring that it becomes a key shopping axis.
- Require developments to be mixed use and introduce active uses at ground level wherever possible.
- Ensure that development opportunities provide opportunities for existing and future small and medium sized businesses.
- Transform leisure opportunities by building a new leisure centre.
- Make significant improvements to the interchange between buses, tube and rail and increase capacity in the Northern Line station.
- Replace subways with surface level crossings.
- Improve east-west pedestrian connections by providing direct links through the shopping centre site and railway viaduct.
- Take opportunities to activate and soften key public spaces around the central area and provide a new civic space at the front of the shopping centre.
- Ensure all development and public realm enhancements are of the highest quality to provide a positive perception of the area.
- Use tall buildings to signal the regeneration of the area, help define gateways into the central area and create an interesting skyline.
- Potential sites for tall buildings include the shopping centre and leisure centre sites. However, they must not detract from heritage assets, including the view of the Palace of Westminster from the Serpentine Bridge.
- Provide the potential to link key sites, including the shopping centre and leisure centre, within a district CHP/communal heating network.

12. With regard to land use, guidance note SPD21 advises that a redevelopment/remodelling of the shopping centre will be supported. Proposals for the shopping centre site should:
- Support the objective of consolidating the Elephant and Castle as a major town centre.
 - Improve the retail offer by providing a range of types of retail, including comparison goods floorspace.
 - Provide a range of unit sizes and affordable retail units which are made available to existing occupiers displaced by development.
 - Increase the number of employment opportunities on the site and ensure that there is no net loss of non-residential floorspace.
 - Provide a range of arts, cultural, leisure and entertainment uses, including food and drink uses which make a positive contribution to the evening economy.
 - Introduce residential use as part of mixed-use development where feasible.
 - Provide space for an increase in the capacity of the Northern Line ticket hall.

Refurbishment or Redevelopment

13. Responses to public consultation on the application suggest that the existing shopping centre could be refurbished rather than demolished and the site redeveloped. The Planning Committee report addressed this issue and concluded as follows:

“In reality however, refurbishment would be less likely to deliver the significant public realm improvements which the SPD requires in and around the site, or connections through it. Moreover, the existing shopping centre is dated and of a poor quality. There has been little investment in it in recent years, owing to the long term intention of the current and previous owners for a wholesale redevelopment of the site. The SPD anticipates significant regeneration as the best solution to the site”

New Southwark Plan

14. Work is under way to prepare a New Southwark Plan (“NSP”) that will replace the saved policies of the 2007 Southwark plan and the 2011 Core Strategy. The draft plan is now at the Submission Version Stage and no more consultation on the plan will be undertaken. An Examination in Public (“EIP”) is scheduled for later this year. As the NSP is in draft form it can only be attributed limited weight in determining planning applications.
15. Draft proposal site designation NSP47 within the NSP encompasses the east site, all of the railway arches along Elephant Road and the LCC site. The site vision requires employment uses (identified as A1, A2, A3, A4, B1 and D1) – to at least the existing level of provision, at least the same amount of education space as is currently on the site, new homes, civic space, public realm enhancements including along the railway viaduct, a new tube station entrance, and high quality active frontages. The draft site

designation also advises that a new community health hub may be provided.

16. Design and accessibility guidance provided in NSP47 includes that it is anticipated that the existing shopping centre will be demolished to facilitate a restructuring of the area's layout, walking and cycle routes should be enhanced and comprehensive, mixed-use redevelopment of the site can include taller buildings subject to consideration of impacts on existing character, heritage and townscape.

New London Plan

17. Following an EIP in 2019 the Mayor for London has recently announced the intention to publish the plan following consideration of the Panel of Inspectors recommendations. Elephant & Castle continues to be identified in the London Plan as a strategic area for regeneration with the capacity for 5,000 new homes and 10,000 jobs. The Elephant & Castle is identified as having medium commercial growth potential and high residential development potential. The plan states that the Mayor is proposing to extend the Bakerloo Line from Elephant to Lewisham which will improve the route's connectivity and capacity supporting new homes in the Old Kent Road and elsewhere in South-East London.

Conclusion

18. In conclusion, the development plan policy framework for the site summarised sets out the strong support for a high density, mixed-used development on this large brownfield site at all levels of planning policy. Across both parts of the site there will be an increase in retail floorspace in accordance with the London Plan, the Core Strategy, the Saved Southwark Plan and the SPD. The proposed development will fully accord with the principle of accommodating large-scale development within opportunity areas and will deliver many of the key objectives set out in the SPD for the central character area.

Notes

The London Plan 2016 –relevant policies

- Policy 2.9 – Inner London
- Policy 2.10 - Central Activities Zone – Strategic Priorities
- Policy 2.11 - Central Activities Zone – Strategic Functions
- Policy 2.12 - Central Activities Zone – Predominantly Local Activities
- Policy 2.13 - Opportunity Areas and Intensification Areas
- Policy 2.15 - Town Centres
- Policy 3.1 - Ensuring Equal Life Chances For All
- Policy 3.3 - Increasing housing supply
- Policy 3.5 - Quality and design of housing developments
- Policy 3.6 - Children and young people's play and informal recreation facilities
- Policy 3.7 - Large residential developments
- Policy 3.8 - Housing choice
- Policy 3.9 - Mixed and balanced communities
- Policy 3.10 - Definition of affordable housing
- Policy 3.11 - Affordable housing targets
- Policy 3.12 - Negotiating affordable housing on individual private residential and mixed use schemes
- Policy 3.13 - Affordable housing thresholds
- Policy 3.16 - Protection and enhancement of social infrastructure
- Policy 4.2 - Offices

- Policy 4.3 - Mixed use development and offices
- Policy 4.4 - Managing industrial land and premises
- Policy 4.6 - Support for and enhancement of arts, culture, sport and entertainment provision
- Policy 4.7 - Retail and Town Centre Development
- Policy 4.8 - Supporting a Successful and Diverse Retail Sector
- Policy 4.9 - Small shops
- Policy 4.12 - Improving Opportunities for All
- Policy 5.1 - Climate Change Mitigation
- Policy 5.2 - Minimising Carbon Dioxide Emissions
- Policy 5.3 - Sustainable Design and Construction
- Policy 5.5 - Decentralised Energy Networks
- Policy 5.6 - Decentralised Energy in Development Proposals
- Policy 5.7 - Renewable energy
- Policy 5.8 - Innovative energy technologies
- Policy 5.9 - Overheating and Cooling
- Policy 5.10 - Urban Greening
- Policy 5.11 - Green roofs and development site environs
- Policy 5.12 - Flood risk management
- Policy 5.13 - Sustainable drainage
- Policy 5.14 - Water Quality and Wastewater Infrastructure
- Policy 5.15 - Water Use and Supplies
- Policy 5.21 - Contaminated land
- Policy 6.9 - Cycling
- Policy 6.10 - Walking
- Policy 6.13 - Parking
- Policy 7.1 - Building London's Neighbourhoods and Communities
- Policy 7.2 - An inclusive environment
- Policy 7.3 - Designing out crime
- Policy 7.4 - Local character
- Policy 7.5 - Public Realm
- Policy 7.6 - Architecture
- Policy 7.7 - Location and design of tall and large buildings
- Policy 7.8 - Heritage assets and archaeology
- Policy 7.11 - London view management framework
- Policy 7.12 - Implementing the London view management framework
- Policy 7.14 - Improving Air Quality
- Policy 7.15 - Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- Policy 7.19 - Biodiversity and Access to Nature
- Policy 7.21 - Trees and woodlands
- Policy 8.2 - Planning obligations
- Policy 8.3 - Community infrastructure levy

Relevant GLA Supplementary Planning Guidance (SPG)

- Culture and Night Time Economy (November 2017)
- Affordable Housing and Viability (August 2017)
- Housing SPG (March 2016)
- Central Activities Zone (March 2016)
- Social Infrastructure (May 2015)
- Town Centres (July 2014)
- Sustainable Design and Construction SPG (April 2014)
- Play and Informal Recreation (September 2012)
- London View Management Framework SPG (2012)

Planning for Equality and Diversity in London (October 2007)

Relevant Core Strategy Policies 2011

- Strategic policy 1 - Sustainable development
- Strategic policy 2 - Sustainable transport
- Strategic policy 3 - Shopping, leisure and entertainment
- Strategic policy 4 - Places for learning, enjoyment and healthy lifestyles
- Strategic policy 5 - Providing new homes
- Strategic policy 6 - Homes for people on different incomes
- Strategic policy 7 - Family homes
- Strategic policy 9 - Student homes
- Strategic policy 10 - Jobs and businesses
- Strategic policy 11 - Open spaces and wildlife
- Strategic policy 12 - Design and conservation
- Strategic policy 13 - High environmental standards
- Strategic policy 14 - Implementation and delivery

Relevant Southwark Plan 2007 (July) - saved policies

- 1.1 - Access to employment opportunities
- 1.4 - Employment sites outside the preferred office locations and preferred industrial locations
- 1.5 - Small businesses
- 1.7 - Development within town and local centres
- 1.11 - Arts, culture and tourism uses
- 2.1 - Enhancement of community facilities
- 2.2 - Provision of new community facilities
- 2.3 - Enhancement of educational facilities
- 2.4 - Educational deficiency - provision of educational establishments
- 2.5 - Planning obligations
- 3.2 - Protection of amenity
- 3.3 - Sustainability assessment
- 3.4 - Energy efficiency
- 3.6 - Air quality
- 3.7 - Waste reduction
- 3.9 - Water
- 3.11 - Efficient use of land
- 3.12 - Quality in design
- 3.13 - Urban design
- 3.14 - Designing out crime
- 3.15 - Conservation of the historic environment
- 3.16 - Conservation areas
- 3.17 - Listed buildings
- 3.18 - Setting of listed buildings, conservation areas and world heritage sites
- 3.19 - Archaeology
- 3.20 - Tall buildings
- 3.21 - Strategic views
- 3.28 - Biodiversity
- 4.2 - Quality of residential accommodation
- 4.3 - Mix of dwellings
- 4.4 - Affordable housing
- 4.5 - Wheelchair affordable housing
- 4.7 - Non self contained housing for identified user groups
- 5.1 - Locating developments

- 5.2 - Transport impacts
- 5.3 - Walking and cycling
- 5.4 - Public transport improvements
- 5.6 - Car parking
- 5.7 - Parking standards for disabled people and the mobility impaired

Relevant Supplementary Planning Documents (SPDs)

Development Viability SPD (2016)
Technical Update to the Residential Design Standards SPD (2015)
Section 106 Planning Obligations/CIL SPD (2015)
Elephant and Castle Opportunity Area Planning Framework/SPD (2012)
Affordable housing SPD (2008 - Adopted and 2011 - Draft)
Residential Design Standards SPD (2011)
Sustainable Transport SPD (2010)
Sustainable design and construction SPD (2009)
Sustainability assessments SPD (2009)
Statement of Community Involvement (2008)



TITLE. Elephant & Castle Shopping Centre -
Interference with property rights.
APPENDIX A.

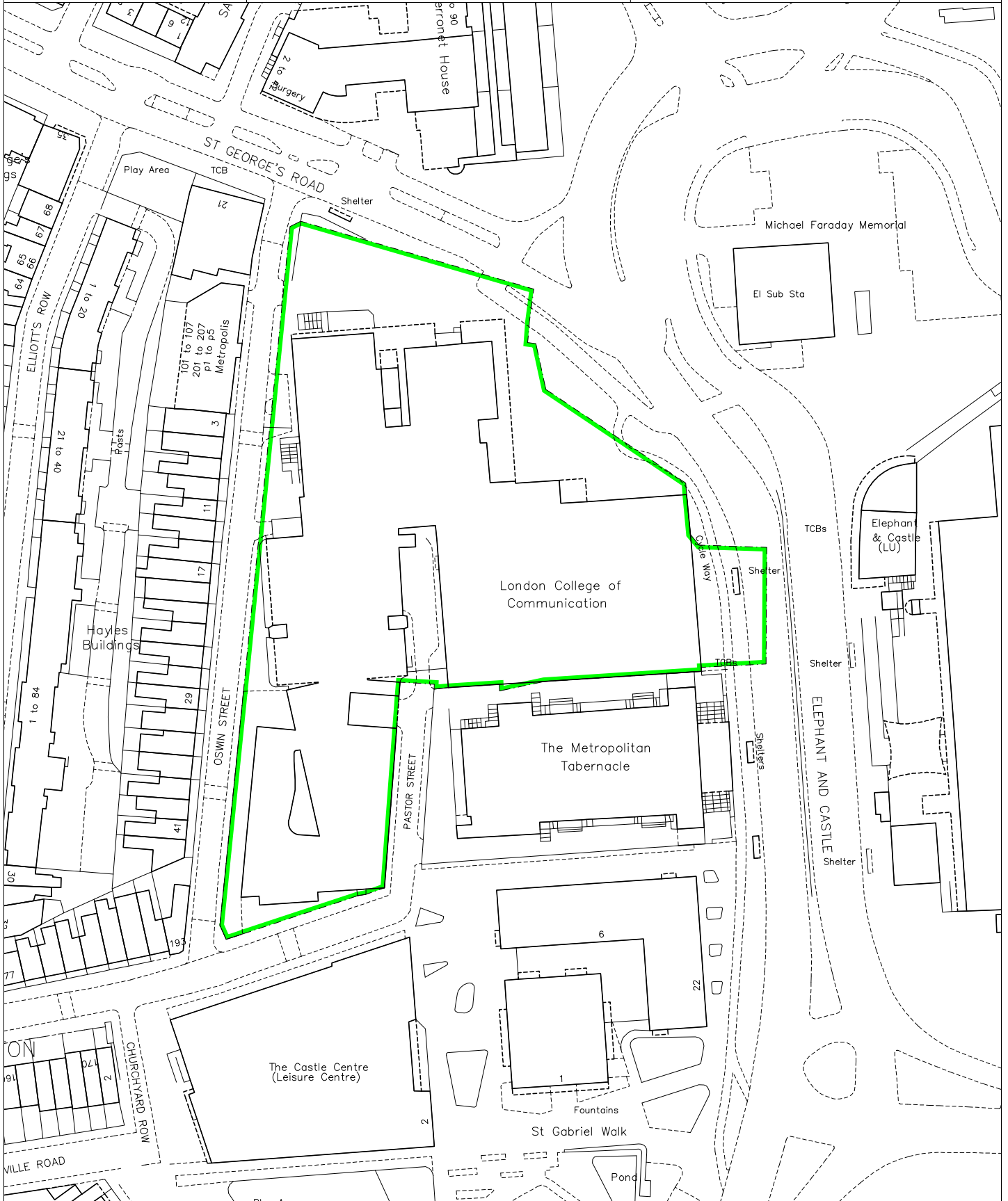
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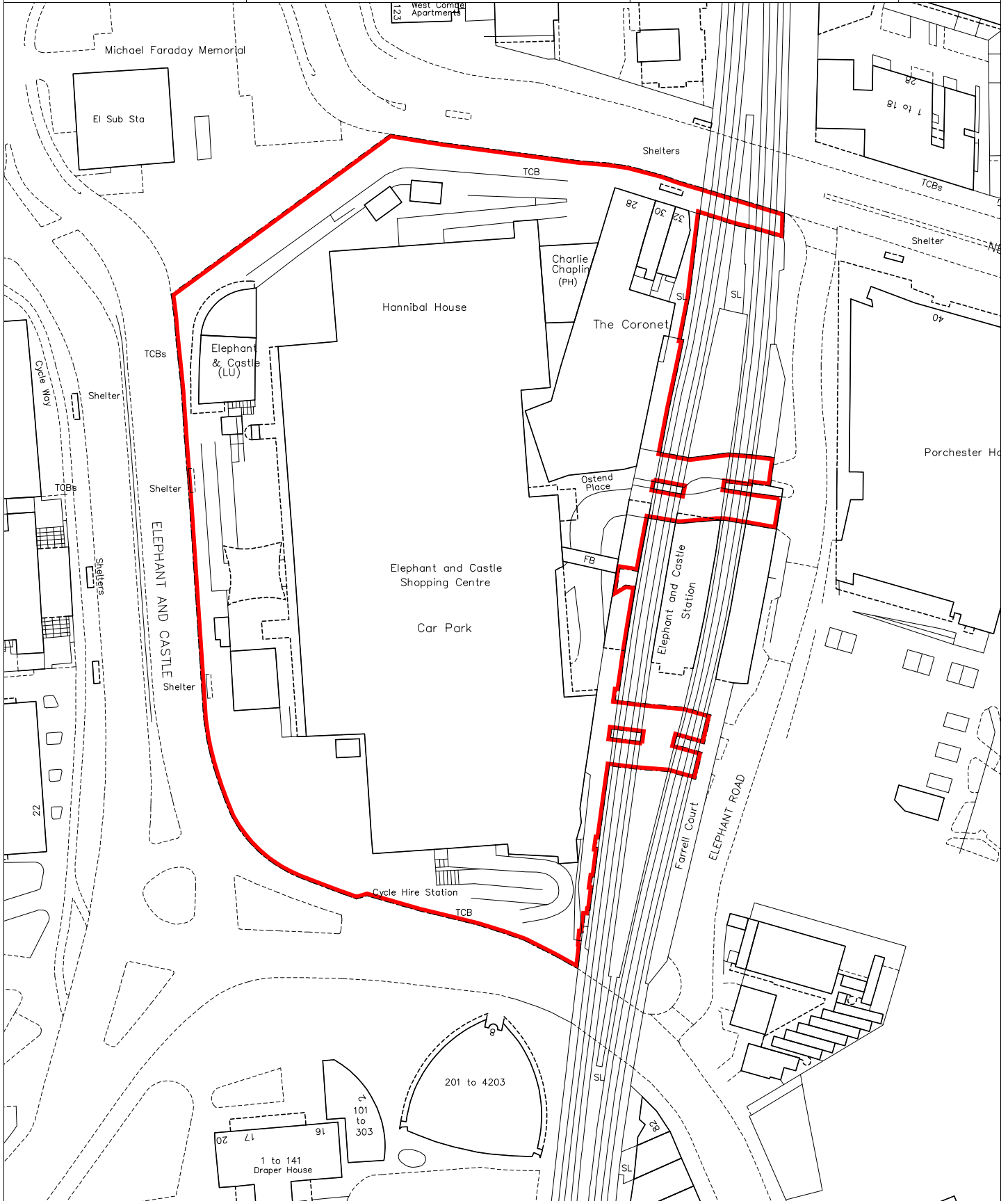
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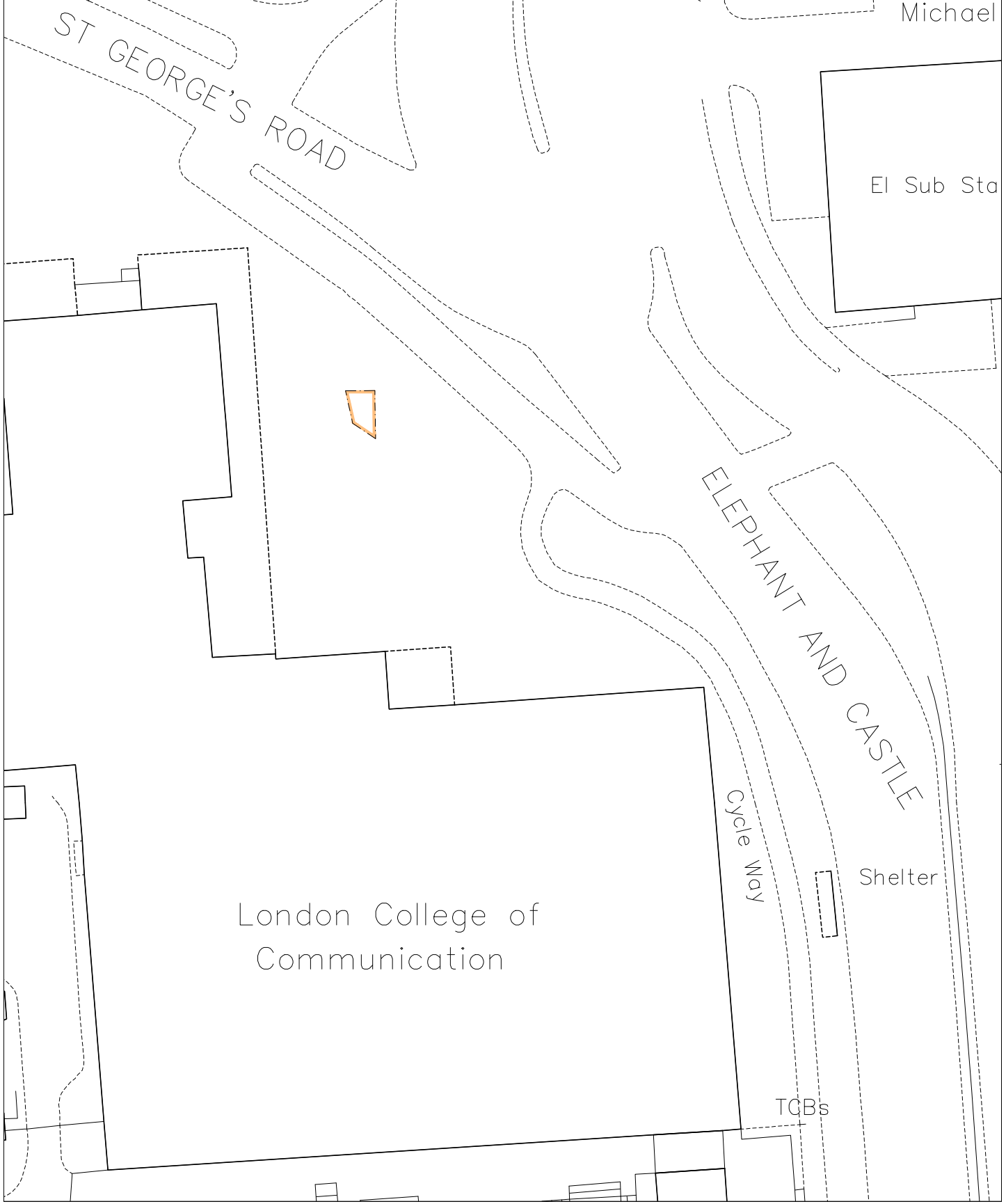
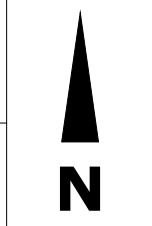
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**ELEPHANT AND CASTLE SHOPPING CENTRE
INTERFERENCE WITH PROPERTY RIGHTS**

APPENDIX D

THE LEGAL AND POLICY FRAMEWORK IN RESPECT OF OVERRIDING PROPERTY RIGHTS

1. Section 226(1)(a) of the 1990 Act gives the Council power to acquire compulsorily any land in its area if the Council thinks that the acquisition will "facilitate the carrying out of development/re-development, or improvement on, or in relation to, the land". In exercising this power the Council must have regard to Section 226(1A) of the 1990 Act and must not exercise the power unless it thinks that the development, re-development or improvement is likely to contribute to the achievement of any one or more of the following objects:
 - 1.1 The promotion of improvement of the economic well-being of the area;
 - 1.2 The promotion or improvement of the social well-being of the area;
 - 1.3 The promotion or improvement of the environmental well-being of the area.
2. Section 227 of the 1990 Act gives the Council the power to acquire by agreement any land which it requires for any purpose for which it may be authorised to acquire land under section 226. The Council can therefore acquire land interests by agreement under section 227 if it is satisfied that the tests in sections 226(1)(a) and 226(1A) are met.
3. Acquisitions of land under section 226 or 227 engage the provisions of sections 203-205 of the 2016 Act.
4. Section 203 of the 2016 Act enables building or maintenance work to proceed in accordance with a planning permission even though in doing so rights over the development site which benefit adjacent properties (such as easements, restrictive covenants or rights of light) may be interfered with.
5. The pre-conditions to the engagement of section 203 are:
 - 5.1 there is planning consent for the building or maintenance work,
 - 5.2 the land on which the work takes place has at any time on or after 13 July 2016 become vested in or acquired by the local authority, or been appropriated to planning purposes,
 - 5.3 the authority could acquire the land compulsorily for the purposes of the work and
 - 5.4 the work is for purposes related to the purpose for which the land was vested, acquired or appropriated.
6. Where property rights are overridden in this way, beneficiaries are entitled to compensation based on comparing the value of their property on the assessment day assuming no interference has taken place with its value after the interference. Compensation is the difference in value, if any, after the comparison (diminution in value). The compensation is only due when an interference of rights takes place. When this happens the claim for compensation is against the person that interfered

with the rights but under section 204 the local authority that implements the overriding provisions is liable if the infringer does not pay that compensation.

7. This is a powerful tool in enabling developments as it means that third party holders of the rights cannot prevent the development proceeding (by way of an injunction) - their right to obtain an injunction is translated into a right to compensation only. It also provides certainty for a developer in estimating the basis upon which any compensation is due, as the compensation will be based on a loss in value basis of the property which has the benefit of the right, rather than on any other basis which might fall to be negotiated i.e. it stops the developer being held to ransom or having to pay a share of the development profits.
8. From a legal perspective, the following aspects should be considered by Cabinet in whether to use acquisitions under section 227, to engage section 203 of the 2016 Act to override rights in respect of the Scheme:
 - (a) Whether the land should be acquired for planning purposes - e.g. does the Council think that the use of the powers will facilitate the carrying out of development, redevelopment or improvement on or in relation to land?

As part of this, Cabinet should consider whether planning permission has been granted or if not, whether this is likely to be forthcoming, and what are the prospects of the Scheme proceeding?
 - (b) Whether it thinks the Scheme will contribute to the achievement of one or more of the objects set out in section 226(1A) of the 1990 Act: the promotion or improvement of the economic well-being of the area; the promotion or improvement of the social well-being of the area; or the promotion or improvement of the environmental well-being of the area.
 - (c) Whether third party rights capable of being overridden by section 203 of the 2016 Act exist and whether they will be interfered with by the Scheme.
 - (d) Whether interference with those rights is necessary to achieve the benefits of the Scheme, e.g. could the Scheme realistically be adjusted to avoid interference with the rights? Will agreement to release those rights be likely to be achievable if planning powers were not used? And is overriding the rights necessary to allow the Scheme to proceed?
 - (e) Whether there is a compelling case in the public interest for the interference with the rights.
 - (f) Will there be interference with rights protected under the Human Rights Act 1998 and under the European Convention on Human Rights? Is the public interest to be achieved proportionate to, and does it justify, the infringement of the rights through the operation of section 203? Human rights are discussed further below.
 - (g) Will the exercise of the powers be consistent with the public sector equality duty ("PSED") under section 149 of the Equality Act 2010? The PSED is discussed further below.
9. Also material as regards the use of the Council's powers to acquire by agreement under section 227 of the 1990 Act to engage section 203 of the 2016 Act, in June 2016 Cabinet adopted a policy on the use of the forerunner to sections 203-205 of

the 2016 Act, section 237 of the 1990 Act. Although section 237 has since been repealed, sections 203-205 are similar in terms, so much of the information and commentary in the June 2016 Cabinet report is still relevant. That report set out principles the Council will have regard to in considering applications to utilise its powers to override third party rights. These are:

- (a) Each application to be determined on its own merits but the criteria will guide both applicants and the Council.
 - (b) There should be a planning consent that is immune from challenge.
 - (c) Is there a reasonable alternative way of developing the site to achieve the outputs of the consented scheme whilst interfering with third party rights? If there is, the Council will normally expect that option to be followed.
 - (d) The exercise of these powers should be a last resort when genuine negotiation with affected persons has failed.
 - (e)-(g) The Council to be indemnified against all costs arising as a result of the exercise of its powers, including all professional fees and any compensation to third parties.
 - (h) There must be no breach of the Council's duty to act in accordance with section 233 of the 1990 Act, i.e. any disposal must be at the best consideration that can reasonably be obtained.
 - (i) The Council must be satisfied that in exercising section 227 powers there is no breach of the PSED.
 - (j) Proportionality - taking all relevant considerations into account does the development scheme benefit the wider community to such an extent that it is reasonable to deprive beneficiaries of the rights of the ability to seek through the courts an order to stop that development?
10. In this case Cabinet must consider whether to depart from principles (b) and (d) of the policy:
- (b) *Whilst there is planning consent for the Scheme, it has been the subject of a judicial review that was dismissed but an application was made for leave to appeal that decision. The High Court refused the application for leave to appeal on all grounds but this may be the subject of a further application for leave to appeal to the Court of Appeal. This means the planning consent is not immune from challenge.*
 - (d) *The developer has not endeavoured to negotiate agreements with persons that will be affected by the overriding of rights.*
11. As regards principle (b) of the policy, it is considered appropriate to depart from that aspect of the policy and to ask Cabinet to use its powers to override rights in this instance notwithstanding the ongoing proceedings in respect of the planning permission, in order to mitigate risk and delay to the Scheme. The Scheme is an especially important scheme for the borough which should proceed as soon as possible in the public interest. The Council also has the assurance that the High Court found in its favour on all grounds. One of the reasons for the policy position was to ensure that there was sufficient certainty around any redevelopment scheme

to enable the number and nature of potentially affected rights to be ascertained. As planning permission has been granted (albeit subject to ongoing proceedings) there is that certainty. It is important to note that a decision by the Cabinet to exercise powers to override third party rights does not have any detrimental effects to those third parties unless and until rights are interfered with as a result of development taking place in accordance with planning permission. At the time the works are done, there will need to be planning permission.

12. As regards principle (d) of the policy there are so many people affected by the proposed overriding of rights that it will be unreasonable to expect agreement to be reached with them all. Delay will also defer completion of the new LCC premises and its delivery fitting in with the academic year. Without the Council's intervention, each rights holder will need to release their rights to enable the Scheme to proceed. To insist on the developer seeking to secure individual releases by agreement in this case will be to insist on a procedure that will almost certainly prove impracticable and fruitless. Having regard to the very considerable public benefits of the Scheme it is considered that there is good reason for the Council departing from principle (d) of its policy in this particular case.
13. As noted in the main body of this report, the potential departure from principles (b) and (d) of the policy has been notified to property owners and occupiers in the locality that may be adversely affected and representations were invited from them. This was done by way of a covering letter with a detailed briefing note. This was sent to around 1,600 properties.
14. Recipients of the letter were given a period of three weeks within which to make representations and discussion of them is in the main body of the report. A summary of the responses is at Appendix E.
15. All the responses received to the potential variation in policy have been given careful consideration and it is concluded none of them contain sufficient reasons not to proceed with the recommendations.
16. Once land has been acquired by the Council for planning purposes under section 226 or 227 of the 1990 Act, the land may then be disposed of to a third party pursuant to section 233 of the 1990 Act. Section 233(1) permits the Council to dispose of the land to such persons, in such manner and subject to such conditions as appear to the Council to be expedient in order to:
 - (a) secure the best use of that or other land and any buildings or works which have been, or are to be, erected, constructed or carried out on it (whether by the Council or by any other person), or
 - (b) secure the erection, construction or carrying out on it of any buildings or works appearing to the Council to be needed for the proper planning of its area.

In this case it is section 233(1)(a) that is relevant.

17. The consideration received by the Council for such disposals must be "the best consideration that can reasonably be obtained", unless the Secretary of State's consent is obtained to the contrary or unless the disposal is the grant of a lease of seven years or less or the assignment of a lease with seven years or less unexpired at the date of assignment. In judging what consideration can be achieved, account must be taken of the expediency as referred to in section 233(1).

18. The Council is required to exercise its powers of disposal under section 233 in a manner which, so far as practicable, secures that relevant occupiers of that land are provided with a suitable opportunity to obtain accommodation (section 233(5)). Relevant occupiers for these purposes means residents and those carrying on business on the land who wish to obtain accommodation on such land and are willing to comply with any requirements of the authority as to the development and use of such land (section 233(6)). A suitable opportunity for accommodation means, in relation to any person, an opportunity to obtain accommodation on the land in question which is suitable to his reasonable requirements, on terms settled with due regard to the price at which any such land has been acquired from him (section 233(7)).
19. As regards human rights, the Human Rights Act 1998 incorporates into domestic law the European Convention on Human Rights. Article 1 Protocol 1 Convention rights have to be considered: every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law. This does not impair, however, the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties. In respect of this right under Article 1 of the Protocol, a fair balance must be struck between the public interest and private rights.
20. Article Convention 8 rights also apply and are engaged i.e. everyone has the right to respect for his private and family life, his home and his correspondence; there shall be no interference by a public authority with the exercise of this right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others. Any interference with this right must be proportionate. Article 8 covers family life and private social life enjoyed at a place of work or in professional, business or commercial activities. If children could be affected, then the best interest of the child shall be a primary consideration.
21. Article 6 Convention rights are also relevant: in the determination of his civil rights and obligations, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.
22. Cabinet should also consider whether any of the following Convention rights are engaged: Article 9 (freedom of thought, conscience and religion); Article 11 (freedom of peaceful assembly and association); and Article 14 (freedom from discrimination).
23. Section 149 of the Equality Act 2010 imposes a general equality duty on public sector authorities ("the PSED"), in the exercise of their functions, to have due regard to the need to:
 - Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act.
 - Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it.
 - Foster good relations between people who share a relevant protected characteristic and those who do not share it.

24. Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard to the need to:
- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
25. For the purpose of the PSED the following are "protected characteristics":
- Age
 - Civil partnership
 - Disability
 - Gender reassignment
 - Pregnancy and maternity
 - Race
 - Religion or belief
 - Sex and sexual orientation.
26. Case law has distilled a number of principles as regards the PSED. "Due regard" in the context of the PSED means the regard that is appropriate in all the particular circumstances, including the importance of the areas of life of the members of the protected group that are affected and the extent of the effects and such countervailing factors as are relevant to the function which the decision maker is performing. The PSED is not a duty to take specific steps - indeed the courts have warned against micro management of the PSED process - nor is it a duty to achieve results. It is a duty to have regard to the need to achieve the various objectives referred to above.

**ELEPHANT AND CASTLE SHOPPING CENTRE
INTERFERENCE WITH PROPERTY RIGHTS**

APPENDIX E

**SUMMARY OF RESPONSES MADE TO NOTIFICATION OF POTENTIAL DEPARTURE
TO OVERRIDING PROPERTY RIGHTS POLICY.**

Respondent	Response Summary	Comment
Resident of Hayles Street	Wants the scheme to go ahead but be compensated if rights are compromised	Proposed variation enables scheme to proceed and provides for financial compensation if rights are compromised
Southwark Law Centre	Requested accompanying briefing to notification letter	Supplied
Two residents of St Gabriel Walk	Imperative for the Council to progress this project. Fully support the Council in progressing via use of its powers.	
Resident of Gaywood Street	In the public interest to complete the project quickly but present proposal ill-conceived. A smaller building similar to existing shopping centre should be built instead and will be completed faster. Will claim compensation if lighting infringed	The consented scheme is the subject of some controversy but it has been through an exhaustive planning process, with the Council undertaking consultation on the planning application over a prolonged period of time. The report addresses compensation.
Management Company for flats in St George's Road	Requested access to scheme details as it may impact on neighbouring properties	Directed to documents accompanying planning application.

The following comments have been received but after the closing date for responses.

Respondent	Response Summary	Comment
Resident of Princess Street	Objects to proposed policy change. If it is, there will be detriment to people, in terms of quality of life and property value terms. If the policy is changed, adequate compensation is expected.	Detriments from proposed change recognised but weighed against significant benefits arising from Scheme. Compensation will be payable for if a loss in property value arises.
Resident of Elliots Row	Concerned proposed policy change will result in reduced lighting and loss of value to home particularly in relation to the saleability of the property	Detriments from proposed change recognised but weighed against significant benefits arising from Scheme. Compensation will be payable for if a loss in property value arises.

Resident of Metro Central Heights	Concerned about impact of construction works in the vicinity	These are addressed in the planning consent's s106 agreement.
Resident of Hayles Street	Considers proposal an abuse of power. The proposed development is too high and detrimental to Elliots Row conservation area. Open sky line essential to quality of life for residents. Scheme is too dense and should be restricted in height and create more green space.	The report sets out legal basis for Council's intervention and is not an abuse of powers. The height, density of development and impact on lighting arising was addressed in report to Planning Committee as was its impact on conservation areas.
Resident of St Gabriel Walk	Lighting will be affected from scheme and outlook on to a construction site is a concern. Resident unaware of this when dwelling purchased.	St Gabriel Walk is too modern to have acquired rights of light and lighting impact was considered in the Planning Committee report. Construction work is covered in s106 agreement.

**ELEPHANT AND CASTLE SHOPPING CENTRE
INTERFERENCE WITH PROPERTY RIGHTS**

APPENDIX F

WHETHER THE USE OF THE COUNCIL'S POWERS IS JUSTIFIED

1. Firstly, sections 226(1)(a) and 226(1A) of the 1990 Act are considered.
2. The utilisation of the Council's powers to override rights will facilitate the carrying out of development, re-development or improvement on, or in relation to the land. There is sufficient evidence that the Scheme is likely to proceed if these powers are utilised together with CPO powers as envisaged by agenda item 24. Notwithstanding that there will be some negative effects to those affected by the powers, as referred to in this report, and having taken those negative effects into account, it is considered the development, re-development or improvement is likely to contribute to the achievement of all of the well-being objects in section 226(1A) of the 1990 Act. The considerable economic, social and environmental benefits that are likely to arise from the Scheme are referred to in Appendix C of agenda Item 23. Accordingly the statutory tests in sections 226(1)(a) and 226(1A) are met.
3. *Consideration (1) - whether land should be acquired for planning purposes e.g. does the Council think that the use of the powers will facilitate the carrying out of development, redevelopment or improvement on or in relation to the land?*
 - 3.1 Given the significant level of investment that is planned, EC has made it clear that it will not be able to construct the new buildings in the Scheme whilst there remains a risk of injunction as regards the rights of light in respect of any part of the Scheme site. This is a reasonable position for EC (or any developer) to take. EC also considers that funding and investment in the Scheme will be adversely affected, and improbable, whilst such a risk exists. Again, this is agreed. Whilst any infringement with the other rights referred to in this report is not clear, the fact remains that such rights exist and a large number of properties in the locality benefit from the title reservation which affects part of the LCC Site. The existence of that right and the number of rights holders in respect of it are again factors likely to adversely affect funding and investment in the Scheme.
 - 3.2 It is recognised in this particular case, without the use of the Council's powers under section 227, there is a very real and significant risk of an injunction being sought to prevent the Scheme from proceeding and the use of the Council's powers is the only way in which that risk can be removed in practice having regard to the numbers of claimants who will need to be negotiated with.
 - 3.3 The use of the powers to acquire by agreement under section 227 of the 1990 Act in respect of the LCC Site will remove the issue of rights of light injunction(s) over an integral and large part of the Scheme and will thereby facilitate the considerable benefits that development of that site will bring. It will also remove the concerns that exist in respect of the title reservation over part of the LCC Site. In addition, EC's representatives have confirmed in discussions that EC, reasonably, requires that certainty before it embarks on the first phase of developing the East Site.

- 3.4 The exercise of the powers over the LCC Site is integral to the Scheme as a whole, and will thereby facilitate the carrying out of the entire Scheme and the benefits it will bring. The entry into the leasehold acquisitions at this stage will bring certainty that this impediment is dealt with at the outset. The use of those powers in respect of the East Site and the Nib Site will give EC the comfort that rights of light will not prevent the delivery of those sites in the event that EC, in tandem with the Council, acquired all the necessary land interests in the Scheme site without recourse to implementing a confirmed CPO. The use of the powers in this instance is reasonable and necessary having regard to the need to ensure that all eventualities are covered to facilitate the Scheme.
- 3.5 EC's development team advise the developer's funders may defer the detailed design work for the construction of new buildings, costing many millions of pounds, until it has certainty that the injunction risk has been removed. This in turn will create further delay for UAL, pushing back the delivery of their new LCC premises and its fitting in with the academic year. There is a real risk that the Shopping Centre site, a prominent site in the borough, will be left unused for significantly longer than will otherwise be the case.
- 3.6 It is highly unlikely that the considerable benefits of the Scheme will be delivered while the risk of an injunction remains. The existence of the LCC title reservation is also a factor mitigating against the funding and investment in the Scheme. The proposed acquisitions of land for planning purposes will facilitate the implementation of the Scheme and the consequent and related public benefits it will bring. As long as the rights are overridden and the CPO is made and pursued as envisaged by this report, there is sufficient evidence of the likelihood of the Scheme proceeding (to justify a decision by the Council to acquire leasehold interests in the LCC Site, the East Site and the Nib Site for planning purposes, to engage section 203 of the 2016 Act).
4. *Consideration (2) the Scheme will contribute to the provision or improvement of the economic, social or environmental well-being of the area:*
- 4.1 The well-being objects in section 226(1A) of the 1990 Act are all considered to be met by way of the very significant benefits arising from the Scheme as outlined in the report for agenda Item 23. The benefits that will accrue from each part of the Scheme have been considered which will be covered by the acquisitions and these in themselves confer considerable benefits that will contribute to all of the well-being objects.
- 4.2 The public benefits of the Scheme are very significant and will outweigh the impacts on the rights of those parties who hold the rights, and any other adverse impacts arising from the Scheme and that the Scheme is in the public interest.
5. *Consideration (3) (whether rights exist which are capable of being overridden) - this is met as rights of light and the other rights and covenants referred to in this report are capable of being overridden pursuant to section 203. The work which has been done indicates that there will be infringements of rights of light and potentially other rights and restrictions too.*
6. *Consideration (4) (necessity of interference with the rights):*

- 6.1 In terms of rights of light EC has made it clear that it is not possible to amend the Scheme in such a manner so that no infringements of rights occur.
 - 6.2 The only way of ensuring no interference with the rights of light will be to limit the Scheme to the heights and massing of the existing buildings on the site, which will not deliver the quantity of much needed housing and other uses that the Council wishes to see on the site.
 - 6.3 Such a "cutback" will essentially result in an entirely new development. EC has been clear that it will not proceed with such a smaller, compromised design, as it will not be worth its while financially to do so.
 - 6.4 Even if a financially attractive alternative scheme did exist which did not infringe any rights of light which EC or another developer was willing to proceed with (which is very unlikely), such a scheme will require a totally new, full planning application to be submitted for the whole application site, creating further risks and delays for the delivery of the public benefits associated with the Scheme. Such a scheme will also not deliver the benefits sought by the development plan policy for the site.
 - 6.5 Given the number of parties who will need to be negotiated with it will not be practicable or realistic for releases to be negotiated in any sort of reasonable timeframe, or realistic to expect that in this particular case at all. This is true of both the rights of light and the LCC title reservation. Also, it will only take one of the interested parties to either not sign a release or not to engage and the entire Scheme will be frustrated. In respect of some of the historical rights and covenants affecting the Scheme site, the properties with the benefit of those rights cannot be identified, so the developer is unable to negotiate with the relevant parties in those respects. The use of section 203 to override the rights is the only way for the development to be able to proceed in practice and certainly in any reasonable time frame and at a cost which can be reasonably estimated. In these particular circumstances, it is reasonable not to require the developer to undertake such negotiations.
7. *Consideration (5) (compelling case in the public interest)*
 - 7.1 This is dealt with above. There is a compelling case in the public interest for the overriding of rights on the basis of the very significant benefits that will accrue from the Scheme.
 8. *Consideration (6) (human rights)*
 - 8.1 Human rights are discussed in their own section in the main body of the report.
 - 8.2 In determining the level of permissible interference with the enjoyment of the rights, the courts have held that any interference must strike a fair balance between the public benefits associated with development and the protection of the rights of individuals. There must be reasonable proportionality between the means employed and the aim pursued. The availability of an effective remedy and compensation to affected persons is relevant in assessing whether a fair balance has been struck.

- 8.3 Cabinet must therefore balance the impacts on human rights of the affected adjacent property owners against the overall benefits to the community which the Scheme will bring and consider whether the interference is necessary and proportionate.
- 8.4 The public benefits that will stem from the Scheme are set out in Appendix C of agenda Item 23.
- 8.5 The right of affected owners to claim compensation for the infringement of their rights is relevant to an assessment of the proportionality of the infringement. Whilst the level of compensation will not be on a ransom or development profits basis, it is nevertheless at the level which Parliament has specified as appropriate.
- 8.6 For the reasons given above, in this particular case it is not considered a realistic or practicable option for releases of the rights to be secured in any sort of reasonable timeframe and that the only realistic option to remove the risk of injunction in this case is to use the Council's powers to override rights.
9. *Consideration (7) (PSED)* is considered to be met for the reasons set out in the main body of the report.
10. As regards the principles set out in the June 2016 Cabinet policy for intervention under section 227 of the 1990 Act to enable development to proceed as referred to earlier in this report:
- (a) *Each application to the Council to be determined on its own merits but the criteria will guide applicants and the Council* - as the policy makes clear each case is to be determined on its merits. The benefits of the Scheme and the particular circumstances of this case, do warrant departing from some aspects of the policy, as explained in this report.
 - (b) *Planning consent should exist and be free of challenge* - this point has not been met yet but is discussed in Appendix D and the main body of this report. Although ideally the planning permission should already be immune from further challenge, this is not a legal requirement and the importance of the Scheme and the benefits it brings justifies the Council in seeking to facilitate it now, so that valuable time is not lost. The Scheme is an especially important scheme for the borough which should proceed as soon as possible in the public interest. To the extent that entering into the proposed arrangements is a departure from principle (b) of the June 2016 policy, it is considered the circumstances justify such a departure.
 - (c) *Is there a reasonable alternative mechanism for bringing about the development without interfering with the rights?* In this particular case, no - see the conclusion on consideration (4) above.
 - (d) *Use as a last resort - Have negotiations taken place with the relevant rights holders to release the rights by agreement?* No, but see the conclusion on consideration (4) above. .

- (e)-(g) *Indemnity* - the Council will only proceed when it has received a full indemnity in each case. This principle will therefore be satisfied.
 - (h) *No breach of section 233 duty to dispose of land at the best consideration that can be reasonably be obtained* - For the reasons set out in paragraph 35 of the report The Council will achieve the best consideration that can reasonably be obtained in respect of the underleases (including any break rights therein).
 - (i) *Public Sector Equalities Duty* - the application of this duty is discussed in the main body of the report and has been complied with.
 - (j) *Proportionality* - this is dealt with in the context of human rights and is met.
11. Accordingly, the principles of the June 2016 policy are either met or the particular circumstances of this case justify a departure from certain principles of the policy.

Southwark
Council

Loneliness Strategy

2020/21 – 2023/4

1. What is loneliness?

Loneliness and social isolation are not the same. Not everyone who is socially isolated feels lonely; and those who are not socially isolated may experience a sense of loneliness.

Loneliness is a feeling of lack or loss of companionship. It happens when we have a **mismatch between** the quantity and quality of social **relationships that we have, and those that we want.**

Social isolation refers to the **number of relationship and social interactions** someone has, and can be measured.

Why is loneliness important to tackle?

Being often or always lonely or socially isolated may have a long-lasting and negative impact on physical and mental health and wellbeing. On the other hand, social relationships and networks can promote health and wellbeing for people at any age

Figure 1: Impact on loneliness and isolation on health and wellbeing

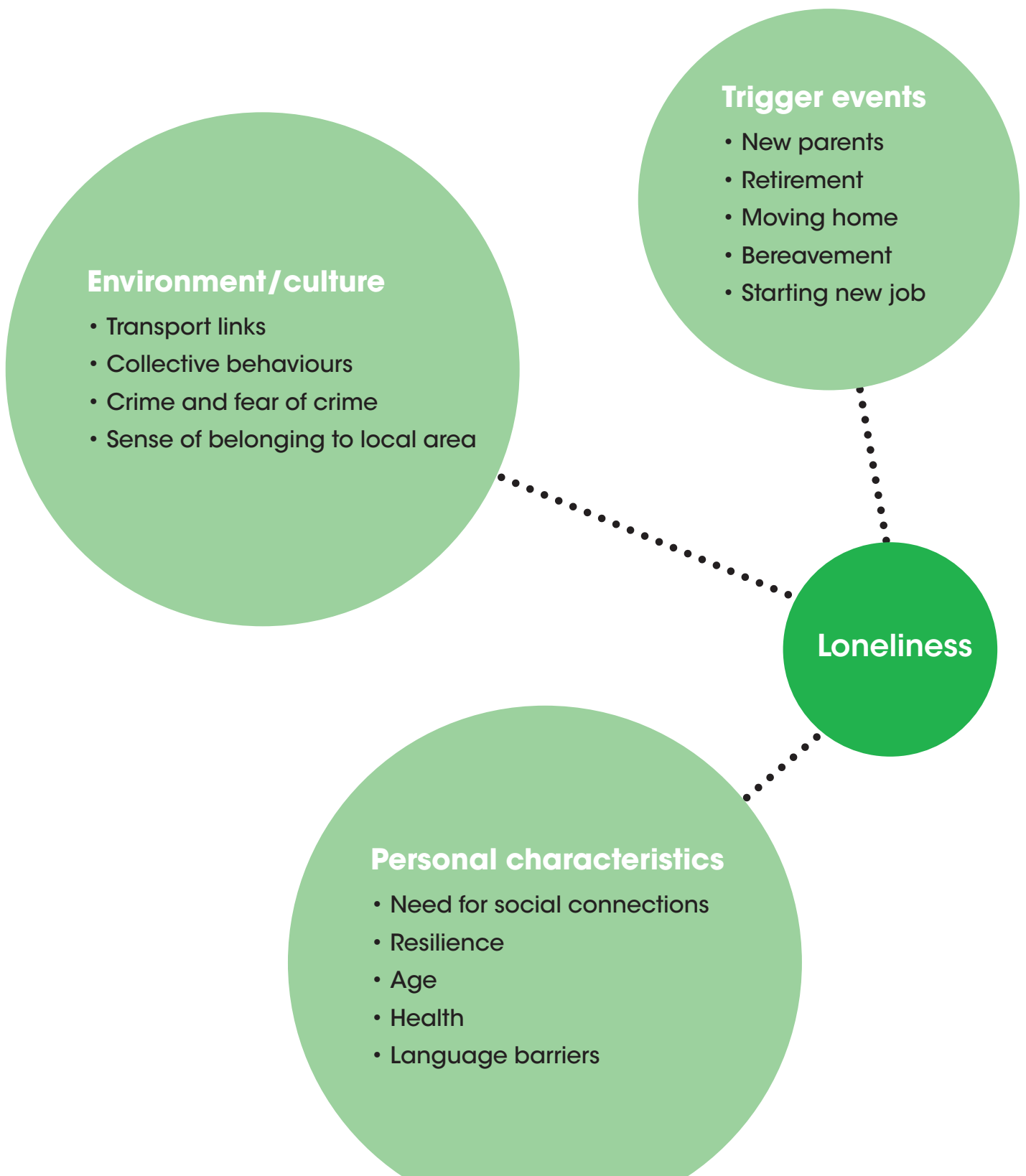


Being persistently lonely has a negative impact on both physical and mental health

Causes of loneliness

Loneliness and isolation are an individual experience; however a combination of personal circumstances, environmental factors and life events may contribute.

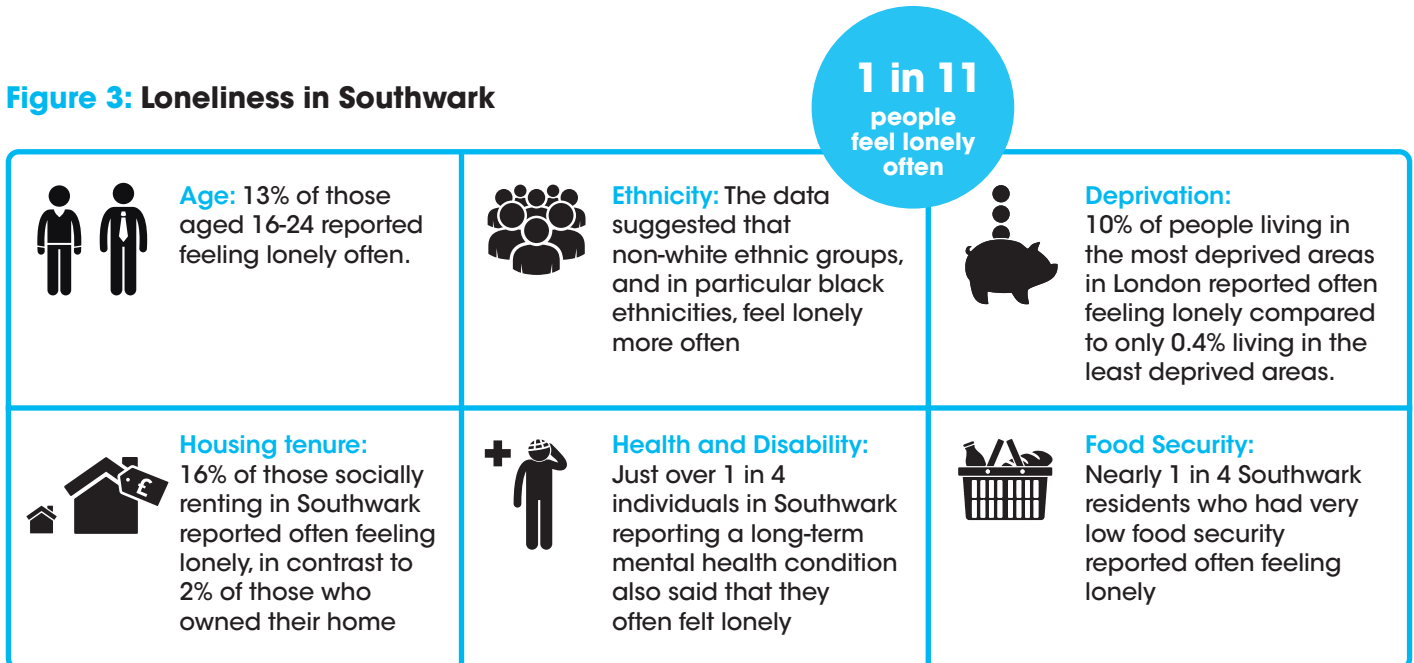
Figure 2: Causes of Loneliness



2. What does loneliness look like in Southwark?

The Survey of Londoners was conducted in 2019 and found that 8.8% of Southwark respondents reported feeling lonely often: comparable to findings in South East London and London as a whole.

Figure 3: Loneliness in Southwark



Research indicates that the following groups in Southwark are also at high risk of loneliness and social isolation:

- People in the LGBTQ community, particularly those from minority ethnic backgrounds.
- The Armed Forces Community, particularly veterans¹.
- Carers, and especially unpaid carers
- Those with limited access to transport
- Parents of young children
- Those who experienced bereavement in the last two years

Let's Talk Loneliness public consultation

In Southwark, the Let's Talk Loneliness consultation was launched in November 2019 to start a conversation on loneliness. Overall, people in Southwark felt that loneliness was a big issue, and over 84% gave it a rating or 4 or 5 out of 5.



Those perceived to be at higher risk

- Older people and pensioners
- People with a mental or physical disability
- People with one or more long-term condition
- People who are unemployed
- Migrants
- New parents

Those perceived to be at lower risk

- Young people
- People from BAME backgrounds

This indicates that work needs to be done to raise awareness of loneliness in young people and people from BAME backgrounds.

¹ Royal British Legion, 2018, Loneliness and Social Isolation in the Armed Forces Community

3. Tackling loneliness in Southwark: Our vision

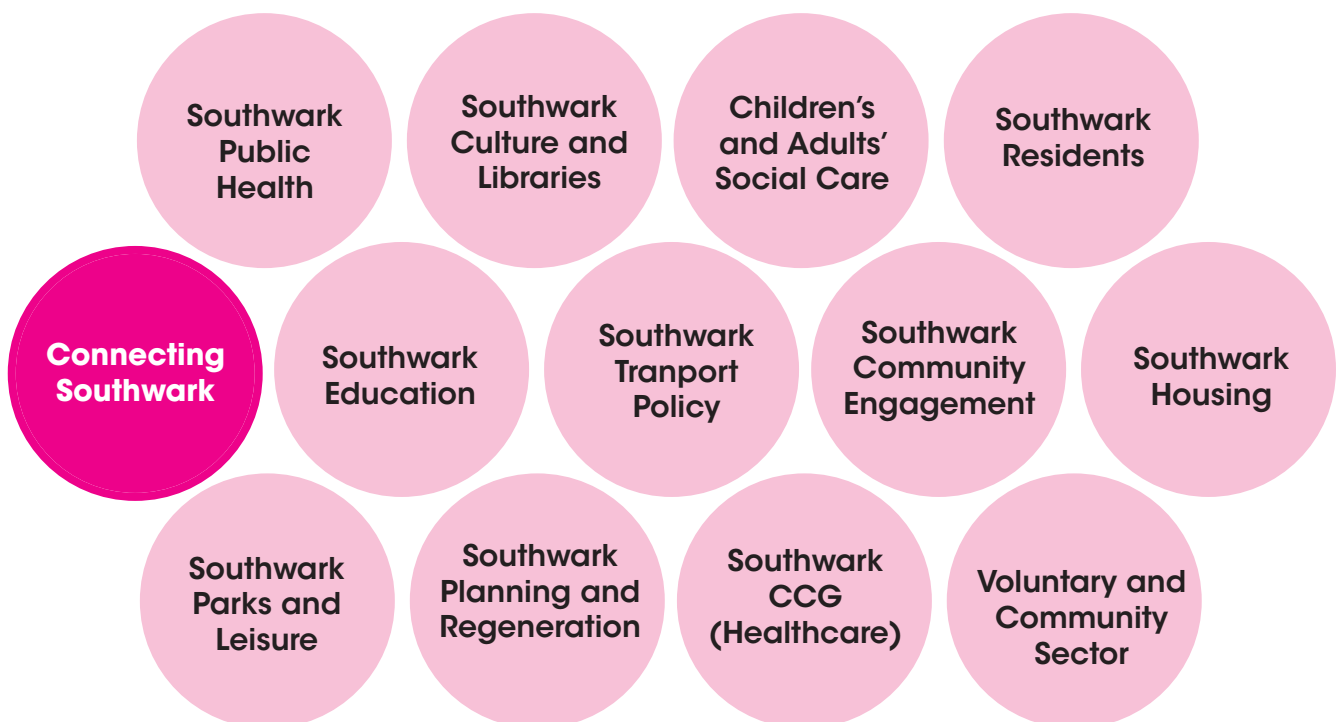
Southwark Council and its partners have developed an ambitious vision:

“Southwark is a place where everyone feels safe, welcomed, connected, included and valued, and where loneliness is tackled as early as possible. In Southwark, everyone is empowered to make all the social connections that they would like to have within their community”

Rather than focusing on a specific age group, this strategy will take a “life-course” approach, which means we will aim to tackle loneliness as early as possible, and throughout people’s lives, because loneliness can affect anyone, regardless of their age.

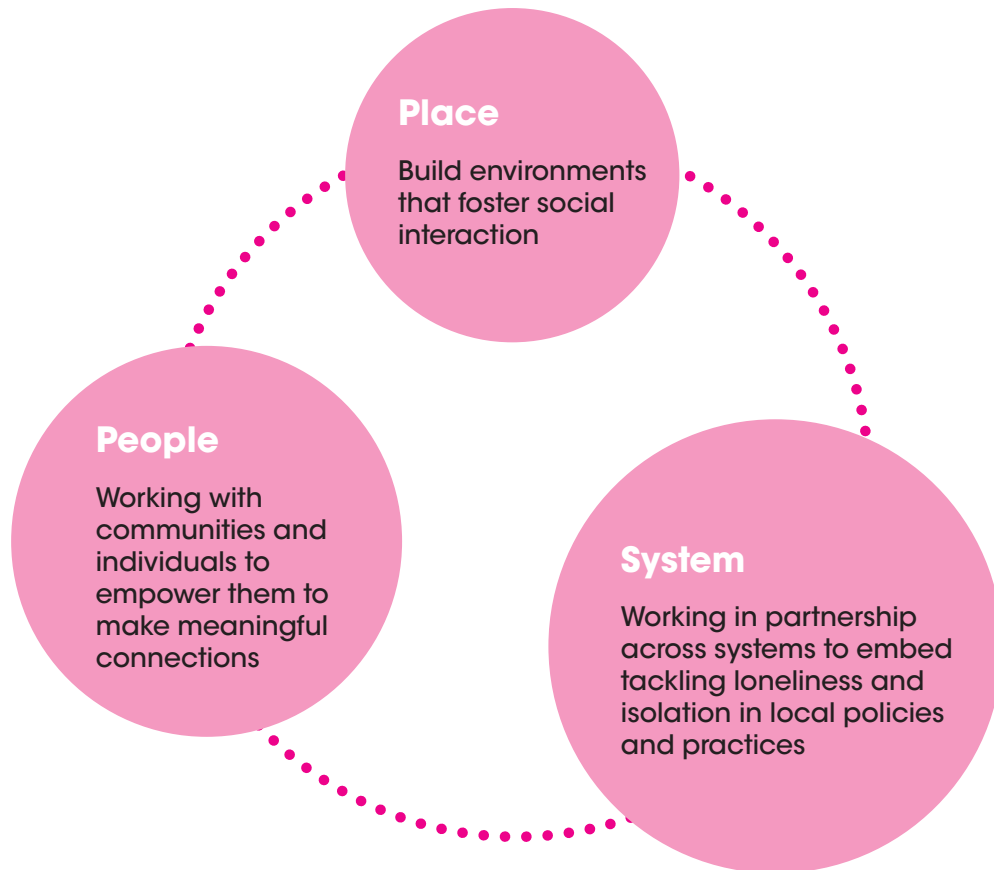
Loneliness and social isolation are very complex issues. They are linked with inequalities and have numerous health and social implications. As such, these issues cannot and should not be tackled in isolation. The diagram below summarises the key parties involved:

Figure 4: Partners involved in developing the loneliness and social isolation strategy



Addressing loneliness and social isolation: a framework

Taking into account the evidence on the causes of loneliness, the existing frameworks for tackling it and local residents' ideas and suggestions, this strategy aims to achieve its vision through three workstreams:



People Workstream

Theme 1: Facilitating new connections

We will work with local partners to ensure that we have a vibrant offer available to local people, to help them try something new and make new connections, through encouraging volunteering, helping people to keep active, and supporting intergenerational activities and identity-based groups such as faith communities, BME communities and LGBTQ+.

Theme 2: Interrupting the triggers

We will step up our support to local residents who are moving from one life phase to another, including supporting those recently bereaved, and those who have become carers, as well as welcoming new residents to the borough.

Theme 3: Finding new and innovative ways to tackle loneliness

We will look for new ways to engage with our residents and help them build local connections and a sense of belonging, harnessing new technology where appropriate. We will use behavioural insight to target those groups who are most at risk.

Place Workstream

Theme 1: Maximising use of our community assets

We currently have a wide range of community assets that are under-utilised, because people don't know about them, or are unable to access them. We will improve accessibility, as well as increasing access to transport for those who need it. We will collate a local directory of services that will allow local people to see what opportunities are available to them.

Theme 2: Fostering a positive culture in the borough

We will build upon existing work, to try to build a local sense of social cohesion. We will also map intergenerational social opportunities and foster more "eat together" projects to bring local people together over food. We will work with local employers to highlight the issue of workplace loneliness, and ask for loneliness to be recognised in the Good Work Standard.

Theme 3: Creating new spaces for connection

We will include loneliness as a key consideration when developing new neighbourhoods. We will work with developers to ensure that community hubs and spaces are thoughtfully delivered, as well as working with our existing estates to develop and activate community spaces, including spaces for growing food.

System workstream

Theme 1: Changing the narrative around loneliness

We want to raise awareness of loneliness and social isolation in our borough and tackle the stigma surrounding it. We will continue our local conversation about loneliness, and try to find new ways to enable people to ask for help without feeling awkward or embarrassed.

Theme 2: Improving system navigation

We will work with health, care, and Voluntary and Community Sector partners to develop a more coordinated model for social prescribing across the borough via the Southwark Social Prescribing Network. We will also develop and roll out training on loneliness and isolation to professionals in the borough, to ensure that opportunities to intervene are not lost.

Theme 3: Taking a whole-council approach

We, as a council, will embed this strategy within our processes, to consider loneliness and social isolation in our everyday work. We will routinely consider these issues as part of new council plans and policies, and consider loneliness and social isolation measures as outcomes for new initiatives.

4. Action plan

Principle	Theme	Action	Owner	Other stakeholders	Deadline	
<p>People: Working with communities and individuals to empower them to make meaningful connections</p>	Facilitating new connections	1.1 Work with Voluntary and Community Organisations to create a directory of local volunteering opportunities, or help them advertise their vacancies on websites such as https://do-it.org/	Southwark Consultation and Involvement Team	Community Southwark	January 2021	
		1.2 Keep abreast of any progress with the development of the Sport and Physical Activity Action Plan to ensure all opportunities for integration are exploited	Sport and Leisure Team	Southwark Public Health	Work started and ongoing	
		1.3 Increase support for faith, BME and LGBTQ+ communities activities and community projects: working at micro-level to reach those who are isolated and migrant communities	As per the Faith Strategy Action Plan, the working group for this is to be established; working with LGBTQ+ network		TBC	
	Interrupting the triggers	1.4 Pilot a project to connect a local primary/secondary school with a local Care Homes or Sheltered Housing Unit	Education / Housing			September 2020
		1.5 Further promote "Southwark Presents" with regular tweets and leaflets at key locations, such as local shops, public spaces and GP's waiting rooms	Southwark Events Team	Southwark Comms Team		March 2021
		1.6 Explore the possibility to develop a 'Welcome pack' for all new Southwark residents to be included with the first council tax statement. This should include information on local services such as leisure centres, libraries and local TRA organisations	Southwark Public Health	Housing, Benefits and Revenue Department (Council Tax)		March 2021
		1.7 When registering a death with the Council, information is offered on local support groups (or Wellbeing Hub)	Southwark Registry Service	Wellbeing Hub?		September 2020
		1.8 All new mothers giving birth at Southwark hospitals to be provided with information on local children centres and parents groups, either before being discharged or at first home visit	Local Hospitals, Health Visitors	Southwark Public Health		January 2021
		1.9 Ensure that the upcoming re-development of the Dementia care pathway takes into account loneliness and Social Isolation	Older People Services Commissioning Team	Southwark Public Health		Work started and ongoing
		1.10 Re-design the current Carer Pathway	Adult Social Care	Modernise Team		Work started and ongoing
		1.11 As part of the Digital Public Health work programme, explore the use of new technologies to help alleviate loneliness and isolation	Southwark Public Health			Work started and ongoing
Finding new and innovative ways to tackle loneliness						

Principle	Theme	Action	Owner	Other stakeholders	Deadline
Place: Building environments that foster social interactions	Maximising use of our community assets	2.1 Improve accessibility for all residents and visitors by improving access to public toilets facilities	Southwark Highways Team		Ongoing – end TBC
		2.2 Help to publicise TFL accessible travel schemes such as Dial-a-ride or Travel Mentoring through council channels like Southwark Life and our digital communications	Southwark Communication Team	Transport Policy, Highways Team	June 2020
		2.3 Make key professionals such as social workers, housing officers, GPs and Job Centres staff aware of TFL accessible transport schemes	Transport Planning Policy	Public Health, Highways Team	September 2020
	Fostering a positive culture in the borough	2.4 Understand and explore opportunities for Asset-Based Community Development (ABCD) by mapping existing community assets and develop a service directory of activities available in the Borough	Partnership Southwark ?	Community Southwark, Wellbeing Hub	TBC
		2.5 Continue to support the "Elephant Says Hi" Project with information and contacts. This project is not directly managed by the Council	Various Council department as needed	LendLease	Work started and ongoing
		2.6 Explore what the current offer is around social eating for older and isolated people in the borough including intergenerational opportunities	Southwark Public Health ?	Southwark Public Health	Work started and ongoing
		2.7 Develop an 'eat together' philosophy at the neighbourhood level which supports better social cohesion and integration. Map the kitchen, café spaces that could be used on estates and in housing associations to run community cafes, cooking groups and shared spaces for batch cooking.	SFAA, Community Southwark, SGTO, TRAs	Local Economy Team	June 2021
		2.8 Research best practice for tackling loneliness in the workplace and lobby for reference to loneliness to be included in Mayor's Good Work Standard	Southwark Public Health	Public Health	June 2021
	Creating new spaces for connection	2.9 Ensure that all the upcoming Regeneration Charters include an outcome measure relative to social isolation and/or loneliness	Southwark Regeneration Team	Public Health	Work started and ongoing
		2.10 Continue to support and activate the Old Kent Road Community Hub, as part of the Mayor's Social Integration Hub	Southwark Regeneration Team, Southwark Consultation and Involvement Team	Southwark Public Health	Work started and ongoing
		2.11 Deliver two Community Hubs for Older People and Carers and People with Disabilities and Carers	Adult Social Care and NHS Southwark		December 2020
		2.12 Support sustainable food growing projects and healthy cooking skills classes, particularly on housing estates, with at-risk communities and in areas where there is currently little provision. Identify community assets such as allotments and community gardens that can support estate and neighbourhood activity.	SFAA, Community Southwark, SGTO, TRAs Housing	Southwark Consultation and Involvement Team	TBC
		2.13 Explore opportunities for promoting social connections through the Great Estates programme			TBC

Principle	Theme	Action	Owner	Other stakeholders	Deadline
System: Working in partnership across systems to embed tackling loneliness and isolation in local policies and practices	Changing the narrative around loneliness	3.1 Build upon the "Let's Talk Loneliness" campaign to continue a community conversation on loneliness and isolation and inform the Loneliness Strategy action plan	Southwark Public Health	Southwark Consultation and Involvement Team	First campaign Nov-Dec 2019 repeated every 2 years
		3.2 Develop a "Resource pack" on loneliness and social isolation and make it available to all organisations in Southwark, so that they can run their own workshops on this topic	Southwark Public Health	Community Southwark, Wellbeing Hub, Age UK	July 2020
	Improving system navigation	3.3 Develop online training available to all Council Staff to help them identify signs of loneliness and social isolation	Southwark Public Health	Southwark Organisational Development team	September 2020
		3.4 Bid to include a presentation on loneliness and social isolation at one of the GP Protected Learning Time session in 2020-21	Southwark CCG	Southwark Public Health	March 2021
	Taking a whole-council approach	3.5 Rolling out a strength-based approach across the social care workforce	Adult Social Care		December 2020
		3.6 Work in partnership with the Healthcare sector, the Council and Community and Voluntary Organisations to develop a model of social prescribing that helps to connect local residents to relevant services that can tackle loneliness and social isolation	Partnership Southwark	Southwark Public Health	Work started and ongoing
		3.7 Train all Resident Services and Income officers in recognising signs of loneliness and isolation, and enabled them to refer residents to community organisations such as Southwark Wellbeing Hub (i.e. direct referrals forms)	Housing, Wellbeing Hub		December 2020
	Taking a whole-council approach	3.8 Change template of all Gateways reports to include the impact that a new service or proposed changes to existing services may have on loneliness and social isolation as a key issue for consideration	Southwark Commissioning and Procurement?		March 2021
		3.9 Explore the opportunity to include an outcome on isolation and loneliness as part of contract specifications for newly commissioned services, starting from Health and Social Care contracts (i.e shared spaces, data collection)	Adult Social Care Commissioning?		March 2021
		3.10 Considering adding another criteria for the awarding of the Neighbourhood funds (and/or other funding for communities) to encourage proposals that also aim at tackling loneliness and isolation	Southwark Consultation and Involvement Team		Sept 2020 for Neighbourhood Fund 2021-22
		3.11 Timely advertise new funding opportunities for tackling loneliness and isolation to local Voluntary and Community organisations	Community Southwark		Ongoing



APPENDIX 2

Equality and health analysis

Section 1: Equality analysis details

Proposed policy/decision/business plan to which this equality analysis relates		Loneliness Strategy			
Equality analysis author		Clizia Deidda			
Strategic Director:		Kevin Fenton			
Department		Place and Wellbeing	Division	Public Health	
Period analysis undertaken		January – March 2020			
Date of review (if applicable)		After public Consultation, May 2020			
Sign-off	Farrah Hart	Position	Consultant in Public Health	Date	06/02/2020

Section 2: Brief description of policy/decision/business plan

1.1 Brief description of policy/decision/business plan

Loneliness is a public health issue that impacts upon the health and wellbeing of our local residents in Southwark, preventing them from enjoying a good quality of life. It is a basic human need to feel connected to others around you: feeling lonely can pose a huge risk to an individual's health, including both mental and physical health. We also know that loneliness impacts more on those people who are most vulnerable, consolidating health inequalities amongst those who are most disadvantaged.

Southwark Council's Plan 2018/19 – 2021/22 committed the council to developing a loneliness strategy, to help reduce health inequalities and break down the barriers that prevent people from thriving in Southwark. The strategy sets out definitions of loneliness and social isolation; the causes and groups most at risk, as well as looking at both national and local data and policies relating to the scale of the issue and what should be done about it. Finally, it sets out our proposed local response to loneliness including a plan for action.

Section 3: Overview of service users and key stakeholders consulted

2. Service users and stakeholders	
Key users of the department or service	Everyone living, working or studying in Southwark
Key stakeholders were/are involved in this policy/decision/business plan	<p>Loneliness and social isolation are very complex issues. They are linked with inequalities and have numerous health and social implications. As such, these issues cannot and should not be tackled in isolation.</p> <p>Strategic Council Departments, Southwark CCG, GPs representatives and key Voluntary and Communities Organisations such as Age UK, Community Southwark and the Southwark Wellbeing Hub were invited to be part of a broad steering group and tasked with steering and overseeing the development of the strategy and its action plan.</p> <p>Taking into consideration what matters most to people living, working and learning in Southwark was also considered key to the successful delivery of this strategy: a public ‘Let’s Talk Loneliness’ consultation ran for 6 weeks until December 2019. In January 2020. The public consultation was published on the Council website and posted on Twitter and Facebook. VCS Partners and Tenants and Residents Association were also asked to circulate it to their networks. To ensure maximum representation we the distribution list was cross-checked against the nine protected characteristics. The consultation continued in January 2020 with visits to local leisure centres and libraries. Overall, 140 people responded to the consultation.</p> <p>Key professionals working across the Borough were also invited to express their professional opinion. Professionals interviewed included local GPs, Practice Nurses, Council Housing Officers, Social Workers and Team Leaders and Volunteer of relevant Community and Voluntary organisations.</p> <p>Evidence and best practice from other areas was included within the development of the strategy.</p>

Section 4: Pre-implementation equality analysis

<p>Age - Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).</p>	
<p>Potential impacts (positive and negative) of proposed policy/decision/business plan</p>	<p>Potential health impacts (positive and negative)</p>
<p>The proposed strategy is unlikely to have any negative impact on this protected characteristic.</p> <p>Rather than focusing on a specific age group, this strategy will take a “life-course” approach, which means that every effort will be made to tackle loneliness as early as possible, and throughout people’s lives. This is because, even though the research shows that younger people may be at a higher risk of becoming lonely, loneliness does not discriminate and can affect anyone, regardless of their age.</p> <p>COPSIN, Southwark Pensioners Association and Care Leavers have been invited to respond to the community engagement exercise undertaken to inform the development of the strategy, and will be consulted again once the final draft is approved.</p>	<p>As loneliness and social isolation have a significant negative impact on both physical and mental health, any action aimed at reducing them will have a positive health impact.</p>
<p>Equality information on which above analysis is based</p>	<p>Health data on which above analysis is based</p>
<p>The Office for National Statistics (ONS) identified a number of personal characteristics and circumstances that, individually, have a statistically significant link with loneliness. In terms of age, 16 to 24 years old are the most likely group to report feeling lonely often or always. This also appears to be true at local level. In Southwark, in 2019, 13% of 12-24 years old reported feeling lonely often (data from The Survey of Londoners, 2019).</p>	<p>Being persistently lonely is associated with:</p> <ul style="list-style-type: none"> ▪ Early death and increased mortality (more significant for social isolation than loneliness) ▪ Increased risk of cardiovascular disease and stroke ▪ Longer stay in hospitals and increased use of healthcare services ▪ Disability ▪ Increased stress response and diminished immunity ▪ Increased risk of adverse behaviours such as smoking, inactivity or risk-taking <p>Social Isolation and loneliness may also be both a cause and a consequence of poor mental health and are associated with:</p> <ul style="list-style-type: none"> ▪ Depression, low self esteem, sleep disorders, suicidal behaviours, dementia, personality disorders and psychoses. People experiencing an high degree of loneliness are potentially twice as likely to develop Alzheimer’s than those experiencing a lower

	<p>degree of loneliness</p> <ul style="list-style-type: none"> ▪ Poorer productivity and performance at work ▪ Adverse perception: people who are persistently lonely are more likely to perceive, expect and remember others' behaviour to be unfriendly ▪ Among mental health service users, feelings of loneliness are greater and social network size is smaller than in the general population ▪ Among people with severe mental illness, social isolation has been linked to higher levels of delusions, lack of insight, and high hospital usage
<p>Mitigating actions to be taken N/A</p>	
<p>Disability - A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.</p>	
<p>Potential impacts (positive and negative) of proposed policy/decision/business plan</p>	<p>Potential health impacts (positive and negative)</p>
<p>The proposed strategy is thought to have a positive impact on this characteristic by facilitating social interactions at local level and raising awareness among healthcare professionals.</p> <p>The proposed inclusion of a 'loneliness test' when commissioning social care services will help ensure that loneliness and social isolation will be listed as key issue for consideration when making commissioning decisions.</p> <p>Age UK, Southwark Disablement Association, Alzheimer's Society and Southwark Carers have been invited to respond to the community engagement exercise undertaken to inform the development of the strategy, and will be consulted again once the final draft is approved.</p>	<p>The proposed recommissioning should have a positive impact on health for people with disabilities. Loneliness and social isolation have a significant negative impact on both physical and mental health, any action aimed at reducing them will have a positive health impact.</p>
<p>Equality information on which above analysis is based</p>	<p>Health data on which above analysis is based</p>
<p>According to the Community Life Survey 2017 to 2019, that provides the official statistics on loneliness in England, the proportion of people feeling lonely often or always is higher among people with a limiting long term disability than in those who do not have a disability or long term condition (14% vs 8%)</p>	<p>The Survey of Londoners 2019 found that having a long-term physical and/or mental health condition or disability was strongly linked to loneliness, in Southwark, and across South-East London and London as a whole. This is also true at national level.</p>

Mitigating actions to be taken	
None	

Gender reassignment - The process of transitioning from one gender to another.	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
<p>The proposed strategy is unlikely to affect transgender access to the service.</p> <p>The Southwark LGBT Network has been invited to respond to the community engagement exercise undertaken to inform the development of the strategy, and will be consulted again once the final draft is approved.</p>	<p>The proposed strategy is unlikely to affect transgender health.</p>
Equality information on which above analysis is based.	Health data on which above analysis is based
<p>National surveys on loneliness and social isolation currently do not collect information on gender reassignment.</p>	<p>Currently there are no standard national sources of transgender statistics, nor is there standard data on the use of health services or referrals to gender identity clinics.</p>
Mitigating actions to be taken	
<p>N/A</p>	

<p>Marriage and civil partnership – In England and Wales marriage is no longer restricted to a union between a man and a woman but now includes marriage between same-sex couples. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples and must be treated the same as married couples on a wide range of legal matters. (Only to be considered in respect to the need to eliminate discrimination.)</p>															
<p>Potential impacts (positive and negative) of proposed policy/decision/business plan</p>	<p>Potential health impacts (positive and negative)</p>														
<p>The proposed strategy is thought to have a positive impact on this characteristic by facilitating social interactions at local level.</p>	<p>Loneliness and social isolation have a significant negative impact on both physical and mental health, any action aimed at reducing them will have a positive health impact.</p>														
<p>Equality information on which above analysis is based</p>	<p>Health data on which above analysis is based</p>														
<p>A recent report by British Red Cross and Co-op exploring the issue of loneliness found that 33% of those who were recently divorced or separated were lonely often or always.</p> <p>Analysis by the Office for National Statistics found that those widowed or who live alone tend to report higher levels of loneliness compared to those who are married or in a civil partnership.</p> <p>In Southwark, over half of adults in Southwark had never been married or registered in a civil partnership at the time of the Census.</p> <table border="1"> <thead> <tr> <th colspan="2">Southwark 2011 census data</th> </tr> </thead> <tbody> <tr> <td>Single</td> <td>54.7%</td> </tr> <tr> <td>Married</td> <td>28.5%</td> </tr> <tr> <td>Civil partnership</td> <td>0.9%</td> </tr> <tr> <td>Separated</td> <td>4.3%</td> </tr> <tr> <td>Divorced</td> <td>7.8%</td> </tr> <tr> <td>Widowed</td> <td>3.8%</td> </tr> </tbody> </table>	Southwark 2011 census data		Single	54.7%	Married	28.5%	Civil partnership	0.9%	Separated	4.3%	Divorced	7.8%	Widowed	3.8%	<p>The health impact of loneliness and isolation by marital status is not currently recorded</p>
Southwark 2011 census data															
Single	54.7%														
Married	28.5%														
Civil partnership	0.9%														
Separated	4.3%														
Divorced	7.8%														
Widowed	3.8%														
<p>Mitigating actions to be taken</p>															
<p>N/A</p>															

<p>Pregnancy and maternity - Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.</p>	
<p>Potential impacts (positive and negative) of proposed policy/decision/business plan</p>	<p>Potential health impacts (positive and negative)</p>
<p>The proposed strategy is thought to have a positive impact on this characteristic by facilitating social interactions at local level.</p> <p>The strategy proposes for all new mothers giving birth at Southwark hospitals to be provided with information on local children centres and parents groups, either before being discharged or at first home visit</p> <p>Parents and Communities Together (PACT Southwark) has been invited to respond to the community engagement exercise undertaken to inform the development of the strategy, and will be consulted again once the final draft is approved.</p>	<p>Loneliness and social isolation have a significant negative impact on both physical and mental health, any action aimed at reducing them will have a positive health impact.</p>
<p>Equality information on which above analysis is based</p>	<p>Health data on which above analysis is based</p>
<p>The evidence shows that certain major life events such as pregnancy and maternity, may be risk factors for loneliness and social isolation</p>	<p>The health impact of loneliness and isolation on pregnant women and new mothers is not currently recorded</p>
<p>Mitigating actions to be taken</p>	
<p>None</p>	

<p>Race - Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins. N.B. Gypsy, Roma and Traveller are recognised racial groups and their needs should be considered alongside all others</p>	
<p>Potential impacts (positive and negative) of proposed policy/decision/business plan</p>	<p>Potential health impacts (positive and negative)</p>
<p>The proposed strategy is thought to have a positive impact on all ethnic groups by increasing and facilitating opportunities for social interactions at local level. The strategy recognises the need for increasing support for BAME communities and working at micro-level to reach those who are isolated</p>	<p>Loneliness and social isolation have a significant negative impact on both physical and mental health; any action aimed at reducing them will have a positive health impact on all ethnic groups.</p>
<p>Equality information on which above analysis is based</p>	<p>Health data on which above analysis is based</p>
<p>Data from the Survey of Londoners (2019) suggested that, London-wide, those of non-EU nationalities (13%), Asian (11%) and nationalities from outside Europe and Asia (13%) may be more often lonely.</p> <p>The analysis of the responses from Southwark suggested that non-white ethnic groups, and in particular black ethnicities, feel lonely more often. In fact, a higher proportion of black people in Southwark (17%) reported often feeling lonely compared to South East London (9%) and London (9%)</p>	<p>The health impact of loneliness and isolation on different ethnic groups is not currently recorded</p>
<p>Mitigating actions to be taken</p>	
<p>None</p>	

<p>Religion and belief - Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.</p>																					
<p>Potential impacts (positive and negative) of proposed policy/decision/business plan</p>	<p>Potential health impacts (positive and negative)</p>																				
<p>The proposed strategy is thought to have a positive impact on people of all religion and believes, by increasing and facilitating opportunities for social interactions at local level. The strategy is aligned with the Southwark Faith Strategy and Action Plan.</p> <p>Southwark Faith leaders have been invited to respond to the community engagement exercise undertaken to inform the development of the strategy, and will be consulted again once the final draft is approved.</p>	<p>Loneliness and social isolation have a significant negative impact on both physical and mental health; any action aimed at reducing them will have a positive health impact on the general population</p>																				
<p>Equality information on which above analysis is based</p>	<p>Health data on which above analysis is based</p>																				
<p>Southwark's demographic information on religion and beliefs from the census is shown below.</p> <table border="1" data-bbox="368 987 730 1413"> <thead> <tr> <th colspan="2">Southwark 2011 census data</th> </tr> </thead> <tbody> <tr> <td>Christian</td> <td>52.5%</td> </tr> <tr> <td>Buddhist</td> <td>1.3%</td> </tr> <tr> <td>Jewish</td> <td>0.3%</td> </tr> <tr> <td>Hindu</td> <td>1.3%</td> </tr> <tr> <td>Muslim</td> <td>8.5%</td> </tr> <tr> <td>Sikh</td> <td>0.2%</td> </tr> <tr> <td>Other religion</td> <td>0.5%</td> </tr> <tr> <td>No religion</td> <td>26.7%</td> </tr> <tr> <td>Not stated</td> <td>8.5%</td> </tr> </tbody> </table>	Southwark 2011 census data		Christian	52.5%	Buddhist	1.3%	Jewish	0.3%	Hindu	1.3%	Muslim	8.5%	Sikh	0.2%	Other religion	0.5%	No religion	26.7%	Not stated	8.5%	<p>There is no published national data available on the impact of loneliness and social isolation on health broken down by religion or belief.</p>
Southwark 2011 census data																					
Christian	52.5%																				
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Not stated	8.5%																				
<p>Mitigating actions to be taken</p>																					
<p>N/A</p>																					

Sex - A man or a woman.	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
The proposed strategy is thought to have a positive impact on both sexes by increasing and facilitating opportunities for social interactions at local level.	Loneliness and social isolation have a significant negative impact on both physical and mental health; any action aimed at reducing them will have a positive health impact on the general population
Equality information on which above analysis is based	Health data on which above analysis is based
Analysis by the Office for National Statistics based on the results of the Community Life Survey 2016 to 2017 for England found that, at national level, women are more likely to experience loneliness more often than man. However, data from the Survey of Londoners for Southwark didn't indicate a statistical difference between the males or females with regards to feelings of loneliness	There is no published national data available on the impact of loneliness and social isolation on health broken down by sex.
Mitigating actions to be taken	
None	

Sexual orientation - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
The proposed strategy is thought to have a positive impact on this group by increasing and facilitating opportunities for social interactions at local level. The Southwark LGBT network has been invited to respond to the community engagement exercise undertaken to inform the development of the strategy, and will be consulted again once the final draft is approved.	Loneliness and social isolation have a significant negative impact on both physical and mental health; any action aimed at reducing them will have a positive health impact on the general population
Equality information on which above analysis is based	Health data on which above analysis is based

Estimates indicate that Southwark has the second largest gay or lesbian population in the UK, after Lambeth.

The Office for National Statistics has published experimental statistics on estimates of sexual identify among adults in the UK. The statistics are based on results from the Annual Population Survey and provide estimates of the number of people identifying as heterosexual, gay, lesbian, bisexual or other.

Only estimates of the heterosexual or straight and gay or lesbian population are considered robust for Southwark. Estimates of those identifying as either bisexual or other are not considered reliable enough for practical use. These are:

Experimental ONS statistics	
Heterosexual/straight	88.0%
Gay or lesbian	5.0%
Bisexual	0.8%
Other	0.9%
Don't know / refuse	5.2%

Some research, including a recent review carried out by Healthwatch Southwark, identified people in the LGBTQ community at an increased risk of loneliness.

There is no published national data available on the impact of loneliness and social isolation on health broken down by sexual orientation

Mitigating actions to be taken

<p>Socio-economic disadvantage – although the Equality Act 2010 does not include socio-economic status as one of the protected characteristics, Southwark Council recognises that this continues to be a major cause of inequality in the borough. Socio economic status is the measure of an area's, an individual's or family's economic and social position in relation to others, based on income, education, health, living conditions and occupation.</p>	
<p>Potential impacts (positive and negative) of proposed policy/decision/business plan</p>	<p>Potential health impacts (positive and negative)</p>
<p>The proposed strategy is thought to have a positive impact on this group by increasing and facilitating opportunities for social interactions at local level</p>	<p>Loneliness and social isolation have a significant negative impact on both physical and mental health; any action aimed at reducing them will have a positive health impact on the general population</p>
<p>Equality information on which above analysis is based</p>	<p>Health data on which above analysis is based</p>
<p>The Community Life Survey for England 2017 to 2018 found that those living in the most deprived area, where 8% of respondents said they feel often or always lonely compared to 4% of those living in the least deprived quintile. This is also the case in London, where those in more deprived deciles were more likely to report loneliness: in fact, 10% from most deprived deciles in London reported often feeling lonely compared to only 0.4% from the least deprived decile (data from the Survey of Londoners, 2019).</p> <p>Loneliness and social isolation are a health inequality issue because many of the associated risk factors mentioned above are more prevalent among socially disadvantaged groups (including unemployed, disabled, and minority groups).</p>	<p>There is no published national data available on the impact of loneliness and social isolation on health broken down by sexual orientation</p>
<p>Mitigating actions to be taken</p>	
<p>N/A</p>	

Human Rights

There are 16 rights in the Human Rights Act. Each one is called an Article. They are all taken from the European Convention on Human Rights. The Articles are The right to life, Freedom from torture, inhuman and degrading treatment, Freedom from forced labour, Right to Liberty, Fair trial, Retrospective penalties, Privacy, Freedom of conscience, Freedom of expression, Freedom of assembly, Marriage and family, Freedom from discrimination and the First Protocol

Potential impacts (positive and negative) of proposed policy/decision/business plan

There are no assessed impacts of the proposed strategy on Human Rights articles.

Information on which above analysis is based

Mitigating actions to be taken

N/A

Section 5: Further actions and objectives

5. Further actions			
Based on the initial analysis above, please detail the key mitigating actions or the areas identified as requiring more detailed analysis.			
Number	Description of issue	Action	Timeframe
n/a	n/a	n/a	n/a

Draft Walworth Social Regeneration Charter

Summary and Illustrative Indicators

Southwark Council

March 2020

Walworth

Social Regeneration Charter | Summary

A summary of our vision, goals, objectives and deliverables for the Walworth Regeneration area and how we will work together to make them a reality.

Southwark's Values

We want Southwark to be a healthy, clean, green and safe borough, where everyone has a great place to live, with excellent schools, parks and community facilities; where everyone has the opportunity to play a full part in the economy, to thrive and meet their potential; and where a person's background does not determine their life chances.

Walworth Now

Walworth is a well connected inner city neighbourhood sharing local infrastructure and services with new and existing communities on the Old Kent Road, Elephant and Castle, Camberwell and Newington. Walworth, some of its adjacent neighbourhoods, is experiencing significant levels of physical development and social change. These developments bring investment, infrastructure and a new population. All of positive influences however need to be managed and coordinated to ensure they benefit the local community and promote cohesion among existing and new residents. Southwark Council is committed to ensuring that any future developments are integrated and inclusive. The Council will look to achieve this through committing to partnership working with the community and focus on achieving widespread benefits for both the existing residents and new residents.

The Vision for Walworth

We want Walworth to build on existing strengths. Walworth will be a welcoming and resilient inner city neighbourhood where facilities and services encourage: growth in employment and training opportunities; high quality homes, estates, places and spaces which foster greater wellbeing and health; participation in the community by local people; a sustainable neighbourhood with good connectivity which prioritises walking, cycling and travel by public transport.

The Approach

We want to work collaboratively and collectively with those who live and work in Walworth (East and West) and build a culture of participation in Walworth and the surrounding area. Participation should directly result in influence and decision making that guides, coordinates and responds to, new development, change and opportunity in Walworth. Influence will be used to maximise benefits for the area and its' people as well as addressing the most acute needs of the area and its people alongside reduce inequalities in the area.

Since Mid – 2018, a small working group of local service providers, community interest organisations and housing providers in Walworth have come together to work collaboratively to discuss priorities, identify needs, share resources and learning. This small working group will continue to meet and support the goals and priorities of the Walworth Social Regen Charter. Continued engagement will extend to Tenants and Resident's Associations across

each ward.

The Social Regeneration Charter is a living document and will be monitored against the social regeneration indicators and updated and refined to align with emerging data and best practice.

Our Goals & Priorities

To build on the existing strengths within the community, support the growth of a cohesive neighbourhood and meet needs in the existing and new populations. Priorities have been established collectively through working with the working group identified above and research undertaken in Autumn 2018 exploring 'Community needs, assets and networks in the East Walworth' area undertaken by Social Life. Four Goals and thirteen promises have been identified. These will be refined through consultation and a baseline research study of the area that will run alongside the consultation period. The four goals for the Walworth Area are:

1. **Homes and places for communities to thrive.** Ensure new homes meet local need and invest in places and spaces that can bring the community together, build upon its existing strengths and encourage participation, cohesion and sharing of community stories.
2. **A high quality, healthy environment. A place** for living, working, learning, playing, exercising and relaxing with and integrated network of social infrastructure and open spaces which prioritise healthy and active travel and walking cycling and using public transport and reducing road danger
3. **A resilient economy with good employment opportunities.** An attractive business and employment environment that creates and sustains jobs, training and opportunities as well as supporting new initiatives and a more coordinated and participatory approach to investment in Walworth the builds resilience in our community and leads to a self-sustaining neighbourhood.
4. **A safe neighbourhood:** Improve safety for residents, businesses and users of Walworth and improve the perception of safety.

The vision, approach and goals and priorities outlined all draw upon and work in tandem with Southwark Council's eight Fairer Future themes and the vision for Walworth in the New Southwark Plan.

Tracking our progress

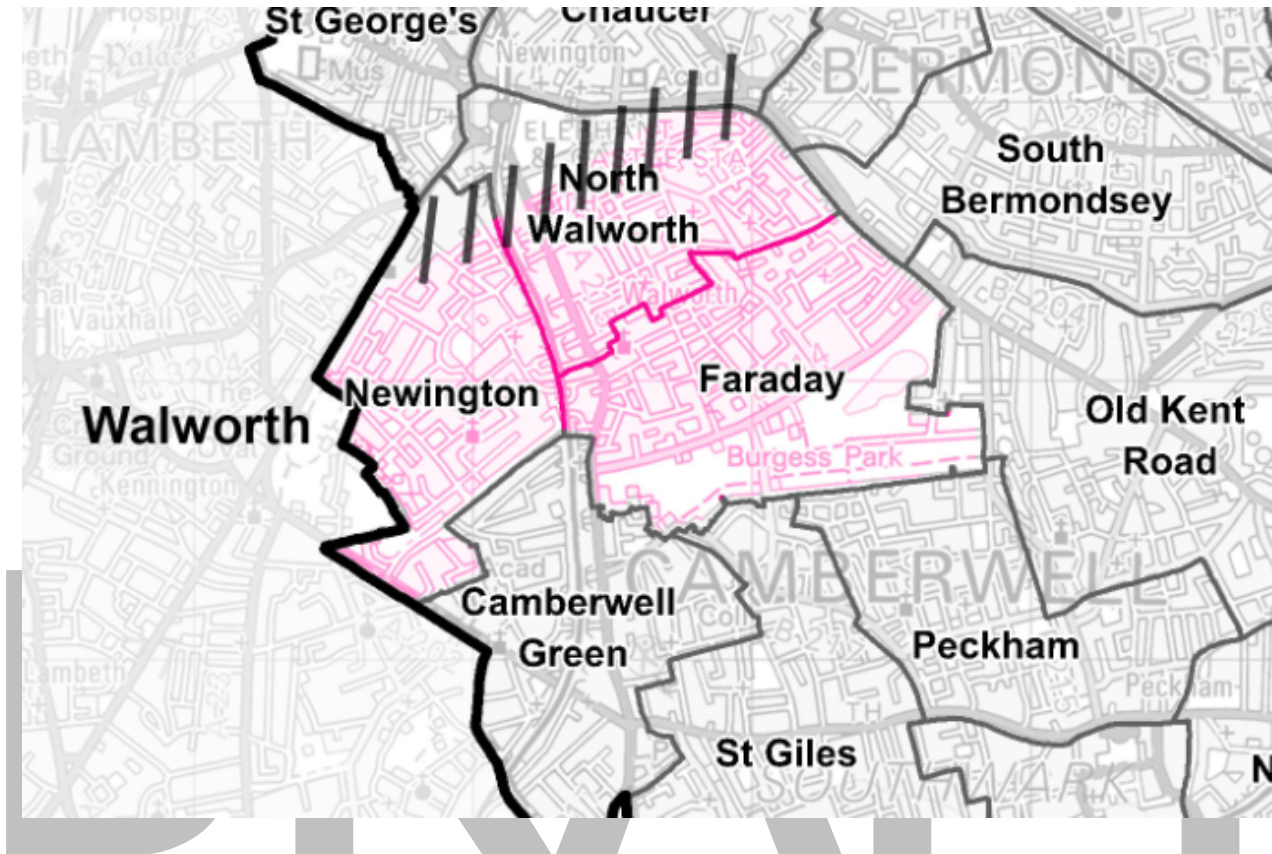
We will measure our progress using standardised and agreed indicators (see indicators to the rear of the document) taken from data sets that are regularly reported and baseline research (see research findings). Indicators will have different timeframes for measurement dependant on when the data becomes available including agreed timelines. Engaging local residents, communities and those across the borough to seek their views and understanding will be a key part of tracking progress and updating this 'live document'.

With research taking place at the same time as the consultation on this draft document, the research will not only examine the goals and promises that have been identified in this document but also establish a baseline for many of the indicators.

We will also track the investments into the local area, both directly from the new developments, as well as investments from Community Infrastructure Levy and Section 106. We set out how this money will be spent in Local Place Plans and Community Investment Plans.

Map of the area

The Walworth Social Regeneration Area covers the area is pink below. The hatched area to the north of North Walworth and Newington denotes an area of cooperation.



Our Promises

Homes and places for communities to thrive in.	A high quality, healthy environment.	A resilient economy with good employment opportunities.	A safe neighbourhood.
<p>Promise 1 Meet the registered housing needs of Walworth through developing and maintaining social rented and affordable homes and neighbourhoods.</p> <p>Promise 2 Invest in places where communities can come together, participate in events and foster improved cohesion and a sense of belonging.</p> <p>Promise 3 Supporting local residents and families through life's transitions and access to services.</p> <p>Promise 4 Recognising the value of heritage in the people and buildings of Walworth's and protecting and promoting it.</p>	<p>Promise 5 Promote initiatives to improve the public spaces where walking, cycling and public transport are the clear priorities.</p> <p>Promise 6 Support development and investment that tackles the climate emergency.</p> <p>Promise 7 An inclusive community conversation regarding the places, spaces, buildings and development that the local community need.</p>	<p>Promise 8 Support a diverse and resilient economy and workforce.</p> <p>Promise 9 Develop opportunities for community assets that are managed locally and support local procurement initiative</p> <p>Promise 10 Support a diverse, resilient and healthy high street and market the serves the local community.</p>	<p>Promise 11 Reduce the level of anti-social behaviour and the perception of it.</p> <p>Promise 12 Support improved coordination between relevant partners and agencies.</p> <p>Promise 13 Support a thriving community and voluntary sector with coordination and collaboration at its heart</p>
<p>What we will do:</p> <p>Ensure the delivery of new community assets on the Aylesbury Estate and in Burgess Park respond to the strengths of the community and the needs within the community.</p> <p>Increase youth provision opportunities throughout the area including Burgess Park.</p>	<p>What we will do:</p> <p>Support the work of the Walworth Low Emission Zone Neighbourhood and the completion of the Walworth Road project along with the development of Low Traffic Neighbourhoods across the Walworth area.</p> <p>Support the delivery of the Low Line south of E&C.</p> <p>Support Walworth historic</p>	<p>What we will do:</p> <p>Support enterprise with workshops, studios and workrooms, small depots and yards.</p> <p>Support local shopping parades across Walworth and East Street Market.</p> <p>Promote contracts that support the local economy and social value.</p> <p>Continue to work with and</p>	<p>What we will do:</p> <p>Work with the Community Safety Partnership team to confirm promises and actions.</p> <p>Work with relevant agencies and the voluntary sector to tackle to anti-social behaviour.</p> <p>Continue to respond to and enforce licensing, noise and nuisance regulations.</p>

Support active leisure opportunities including leisure based spaces for all.

Utilise the Southwark Resource Centre.

Work with local Tenants and Residents Associations.

Support work of healthy school superzones.

buildings and conservation area through the Walworth Heritage Action Zone.

Improve the Albany Road and Thurlow St for pedestrians and cyclists.

Establish a wildlife conservation volunteer scheme.

Work with Guys and St. Thomas on West Walworth Healthy Streets

support the Walworth Group and align these promises with the workstreams of this group. Work with local stakeholders to coordinate and align investment spending to target areas of need and inequality.

Create a culture of participation to direct decision making and investment.

Work within the framework of Healthy High Streets.

Support work on the Healthy Catering Commitment.

Continue to implement Alexandra Rose Vouchers.

Promote the Where Walworth Eats work.

Communicate the relocation of Southwark Works hub from E&C to Walworth Road.

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Research: existing & forthcoming

Much is known about Walworth. This understanding has been gained through research undertaken in Walworth in recent years, discussions with the Walworth Group over an 18 month period and through the practical experience of the council's work in Walworth. The following two pieces of research undertaken in Walworth have informed the council's understanding as well as informing discussions with other stakeholders in the area:

- Walworth Road Economic Vision Towards 2030, Hatch, February 2020.
- Mapping community assets, needs & networks in east Walworth, A report for Notting Hill Genesis by Social Life. January 2019.
- Multi-Ward Profiles 2019 West Central Southwark Southwark's Joint Strategic Needs Assessment
- What Walworth Wants, We Made That.
- Walworth Road Vitality, Viability and Vulnerability Study, GVA, December 2014.

Baseline research that builds upon these pieces of work and which will inform the Social Regeneration Charter will be conducted by Social Life between April and May. The purpose of this research is to better understand the social and economic conditions of the local communities and how the communities perceive these themselves, with respect to current and future change in their area. The research methods will include street surveys and household surveys in the council's estates.

The findings of the research will be used to inform the draft charter and refine the goals, promises and indicators. In future iterations of this document, the most up to date research will be summarised here.

AREA

Social Regeneration Charter | Indicators

Goal 1: Provide homes & places for communities to thrive in.

Ensure new homes meet local need and invest in places and spaces that can bring the community together, build upon its existing strengths and encourage participation, cohesion and sharing of community stories.

Promise	Measure/Indicator	Where are we now?	Where do we want to be?	Frequency of monitoring
Promise 1 Meet the registered housing needs of Walworth through developing and maintaining high quality social rented and affordable homes and neighbourhoods.	1.1 The number of households in housing need in Walworth.	TBC	A decrease in the number of households on the housing register.	Annually.
	1.2 The number of new social rented and affordable homes built in Walworth.	TBC	A net increase in the number of social and affordable homes.	Annually.
	1.3 The level of satisfaction of residents in new homes	To be determined by baseline research.		3 to 5 years
	1.4 The level of resident satisfaction in the management and condition of homes and estates.	To be determined by baseline research.		3 to 5 years
	1.5 Number of rogue landlord reported and listed on the GLA rogue landlord & agent checker.	TBC		
Promise 2 Invest in places where communities can come together, participate in events and foster improved cohesion and a sense of belonging.	2.1 £ of invested in existing and new community spaces in the local area through CIL contributions, developers and partnerships.	TBC		Annually
	2.1 Delivery of community hub adjacent to the Southwark Resource Centre.	Due to be delivered Spring 2021		
	2.2 Delivery of a community hub on Thurlow Street intergrated with other community facilities including a new library and health centre	Due to be delivered Winter 2021		
	2.3 Delivery of a community facility at Walworth Town Hall.	Date for delivery to be confirmed.		
	2.4 Delivery of new and improved community facilities in	Date for delivery due to be confirmed.		Every year

	Burgess Park.			
	2.5 % of resident's participating in a local cultural or neighbourhood event.	To be determined by baseline research.		Every three to five years
	2.6 % of residents who think the area is changing for the better.	To be determined by baseline research.		Every three to five years
	2.6 A perception of belonging in the neighbourhood.	To be determined by baseline research.	The majority of people feel a sense of belonging.	Every three to five years
	2.7 Satisfaction with the services on offer in the area.	To be determined by baseline research.	The majority of people are satisfied with the area.	Every three to five years
	2.8 A perception that the change in the area is positive	To be determined by baseline research.	The majority of people perceive the changes in the area as positive.	Every three to five years
	2.9 A perception that the change in the area is bringing benefits to everyone.	To be determined by baseline research.	The majority of people feel the changes benefit them.	Every three to five years
	2.11 A sense of community cohesion in the area.	To be determined by baseline research.	The majority of people feel a community cohesion in the area.	Every three to five years
Promise 3 Supporting local residents and families through life's transitions and access to services.	3.1 Satisfaction with the services on offer in the area.	To be determined by baseline research.	The majority of people are satisfied with the area.	Every three to five years
	3.2 School performance			
	3.3 Number of Children living in households claiming out of work benefits	TBC		
	3.4 A perception of ease of access to services and opportunities.	To be determined by baseline research.		Every three to five years
	3.5 A perception that local services meet local need.	To be determined by baseline research.		Every three to five years
	3.6 % of young people that are satisfied by the facilities in the area.	To be determined by baseline research.		Every three to five years
	3.7 % of older people that are satisfied by the facilities in the area.	To be determined by baseline research.		Every three to five years
Promise 4 Recognising the value of heritage in the people and buildings of Walworth's and protecting and	4.1 Removal from the Walworth Road Conservation Area from the Historic England At Risk register.			
	4.2 % of residents who feel pride in the heritage of Walworth.	To be determined by baseline research.	The majority of people feel a sense	Every three to five years

promoting it.			of identify and pride in the area.	
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Goal 2: Ensure a safe high quality, healthy environment.

A place for living, working, learning, playing, exercising and relaxing with and integrated network of social infrastructure and open spaces which prioritise healthy and active travel and walking cycling and using public transport and reducing road danger.

Promise	Indicators	Where are we now?	Where do we want to be?	Frequency of monitoring
Promise 5 Identify and promote initiatives to improve the public spaces where walking, cycling and public transport are the clear priorities.	5.1 Net increase in public realm in sqm	TBC	An increase in public realm where it is derived from underutilised space.	
	5.2 Perceptions of the quality of public realm	TBC	The majority of people perceived the quality of the public realm to be high.	
	5.3 Reduction in the number of local journeys made by motor vehicle.	TBC	Lower number of local car trips	
	5.4 Increase in the mode share of walking, cycling and public transport.	TBC		
	5.5 % of residents walking or cycling to work.	To be determined by baseline study		Every three to five years
Promise 6 Support development and investment that tackles the climate emergency and improves health.	6.1 Net increase in trees	TBC		
	6.2 Improvement in Air Quality	TBC		
	6.3 % of residents doing more than 30 minutes exercise a week	To be determined by baseline study		
	6.4 £ of investment in measures to tackle climate change	TBC		
Promise 7 An inclusive community conversation regarding the places, spaces, buildings and development that the local community need.	7.1 Perception of understanding how to influence local decision making	To be determined by baseline research.		Every three to five years
	7.2 Perception of the ability to influence local decision making.	To be determined by baseline research.		Every three to five years

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Goal 3: Encourage a self-sustaining neighbourhood:

An attractive business and employment environment that creates and sustains jobs, training and opportunities as well as supporting new initiatives and a more coordinated and participatory approach to investment in Walworth the builds resilience in our community and leads to a self-sustaining neighbourhood.

Promise	Indicators	Where are we now?	Where do we want to be?	Frequency of monitoring
Promise 8 Support a diverse and resilient economy and workforce.	8.1 Number of businesses who are living wage employers	TBC	Increasing number	
	8.2 % of residents of working age in paid employment.	TBC	Increasing %	
	8.3 % of residents earning below the London Living wage.	To be determined by baseline research	Decreasing %	
	8.4 % of residents satisfied with their job	TBC	Increasing %	
	8.5 Number of businesses producing living wage and gender pay audits	TBC	Increasing %	
	8.6 Number of businesses signed up to the Mayor's Good Work Standard	TBC	Increasing %	
	8.7 Net increase in affordable workspace	TBC	Increasing %	Annually
Promise 9 Develop opportunities for community assets that are managed locally and support local procurement initiative	9.1 No of companies supporting contracts with clauses regarding local procurement.	TBC		
	9.2 No of community assets managed by local community organisations.	TBC		
Promise 10 Support a diverse, resilient and healthy high street and market the serves the local community.	10.1 Number of vacant high street units.	TBC		Annually
	10.2 Perception that the high street and market meets local needs.	To be determined by baseline research		
	10.3 £ invested in shopfronts	TBC		

Goal 4: A safe community

Improve safety for residents, businesses and users of Walworth and improve the perception of safety.

Promise	Indicators	Where are we now?	Where do we want to be?	Frequency of monitoring
Promise 11 Reduce the level of anti-social behaviour and the perception of it.	11.1 The number of reported crimes in the area.		Reduced numbers.	
	11.2 The number of reported instances of anti-social behaviour.		Reduced numbers	
	11.2 The perception of safety amongst residents		Improved perception	
	11.3 The perception of safety amongst businesses		Improved perception	
	11.4 The perception of safety amongst park users.		Improved perception	
Promise 12 Support improved coordination between relevant partners and agencies.	12.1 Work with Community Safety Partnership.			
Promise 13 Support a thriving community and voluntary sector with coordination and collaboration at its heart	13. 1 Increased partnership working amongst stakeholders			
	13. 2 A perception of ease of access to services.			

APPENDIX 2

Share your thoughts: influence and improve the Walworth Social Regeneration Charter (WSRC)

Over the last two decades, Southwark has seen a variety of regeneration programmes delivered. Southwark has risen from the 12th most deprived Borough in the UK (out of 326) to the 41st. We want to continue this improvement, and to continue to explore with residents, businesses, users of Walworth and community and voluntary sector organisations in Walworth the best possible ways of improving the life chances for our residents and our local businesses.

The Walworth Social Regeneration Charter seeks to meaningfully engage with the community, encourage participation and create a shared set of local priorities to drive change in Walworth. It will be a 'live' document that is updated and monitored by Southwark Council and the Walworth Group.

The charter will establish the goals for Walworth. These goals will be used to decide how local Community Infrastructure Levy (CIL) (a financial charge that local authorities collect from developers to spend on local infrastructure) monies are spent in Walworth.

What is a social regeneration charter?

A social regeneration charter is a tool for creating a common vision and programme to improve the wellbeing of residents in and around an area. In the Autumn of 2017 the council carried out our largest ever community engagement exercise, the [Southwark Conversation](#) (see feedback report and further analysis) to explore local perceptions and experiences of the regeneration that has taken place in the Borough over the last decades. We had almost 3,000 responses which has guided the creation of the [Regeneration That Works for All Framework](#) and the [Social Regeneration Indicators](#) which was approved by Cabinet in January 2019 and paves the way for a series of social regeneration charters for areas with

concentrations of development activity. The first charter has been created for [Canada Water](#) in December 2018 after a detailed research exercise with the local community. All areas within Southwark will sit within a social regeneration charter.

Why Walworth?

Walworth was identified as one of the early areas for a social regeneration charter because of the significant level of development in the area and in neighbouring areas. The development is resulting in new homes being built, new members of the community moving in, investment in schools, parks, libraries and public spaces as well as new businesses emerging, as well as opportunities to enhance local socio-economic prospects. Walworth has a strong community and identity as well as a strong community and voluntary service sector which we want to support. A social regeneration charter in Walworth will enable us to come together to better influence decision making and inform the direction on investment so that regeneration has positive benefits for those who live and work in Walworth. The aim and key purpose of the charter is to identify, with the community, a number of projects and initiatives which can be delivered to improve outcomes in Walworth and create lasting change in Walworth. Projects can be delivered either using Community Infrastructure Levy (CIL) funds or through imaginative partnership working to affect change which will be monitored over time

Research to inform the charter

To maximise the regeneration benefits available from new developments for local people, Social Life are undertaking baseline research in the area on behalf of the Council to develop a set of baseline indicators for the area. This research will be carried out between April and May 2020 and May 2020 with stakeholders in Walworth and culminate in a baseline research report which will be presented to stakeholders as part of the consultation process (where feasible) and alongside the final version of the Walworth Social Regeneration Charter.

The research methodology includes street interviews, stakeholder interviews and walking ethnographies / observations.

Research will build upon existing research in the area including:

- Walworth Road Economic Vision Towards 2030, Hatch, February 2020.
- Mapping community assets, needs & networks in east Walworth, A report for Notting Hill Genesis by Social Life. January 2019.
- What Walworth Wants, We Made That, 2017.
- Walworth Road Vitality, Viability and Vulnerability Study, GVA, December 2014.

Consulting on the draft charter

Consultation on the draft charter will be carried out with residents and community and voluntary sector organisations from March 25th 2020 to June 30th 2020.

The aim of the consultation is to engage with as many residents, businesses, Tenants and Residents Associations (TRAs), users of Walworth and community and voluntary sector organisations in Walworth as possible. Each event will be open to all participants. The feedback we receive will be used to develop the charter further so it reflects local goals and priorities.

This consultation plan sets out the steps and creative suggestions for community involvement – if you have any suggestions on the charter or the consultation plan please contact Sophie Hall-Thompson, Regeneration Manager, sophie.hall-thompson@southwark.gov.uk.

CONSULTATION PLAN			
Stage	Method of Consultation	Consultees	Dates
Preparation of Draft Social Regeneration Charter including the drafting of the document.	Data gathering & research	<ul style="list-style-type: none"> • 1st Place • 55 East Street • Burgess Sports • Community Southwark • Creation Trust • East Street Traders • Guys & St Thomas' charity • InSpire • Inter-faith project • L&Q • Latin American Cultural Group • Liverpool Grove TRA • Notting Hill Genesis community investment team • Pecan • Pembroke House • Somali Integration and Development Association • Southwark Council regeneration team • Southwark Council resident services team • Surrey Square school • St Peter's, Walworth • Villa Street Health Centre 	Summer 2019

		<ul style="list-style-type: none"> • Walworth Society 	
	Discussions with Walworth Group	<ul style="list-style-type: none"> • 1st Place • Burgess Sports • Cambridge House • Community Southwark • Creation Trust • InSpire • L & Q • Pembroke House • Notting Hill Genesis • Walworth Society 	November 2019 – Feb 2020
	Discussions with Walworth Society	<ul style="list-style-type: none"> • Walworth Society 	February 6 th 2020
Consultation on Draft Charter	Stakeholder Meetings (TBC by the following)	Available to all on a drop in basis to all residents and those employed in Walworth. Meetings to be organised and advertised by these stakeholders.	April & May 2020
	<ol style="list-style-type: none"> 1. 1st Place 2. Creation Trust 3. Pembroke House 4. Inspire 5. Walworth Society 		
	Council led goal based Workshops as below:	<ol style="list-style-type: none"> 1. Homes and places for communities to thrive. Tue 7th April, 16:30 – 17:30 @Walworth Living Room, All Saints Hall, Surrey Square. 2. A high quality, healthy environment. A place. Wed 15th April, 16:30 – 17:30 @55 East Street 3. A resilient economy with good employment opportunities. Mon 20th April, 16:30 – 17:30 @55 East Street 4. A safe neighbourhood Tue 28th April, 16:30 – 17:30 @Walworth Living Room, All Saints Hall, Surrey Square. 	April 2020
	Ward Forum Discussion		June 2020
	Walworth's TRA Discussion	Mon 8 th June, 16:30 – 17:30 @55 East Street	June 2020
	Online information at: www.southwark.gov.uk/	Available to all residents and those employed in Walworth.	
Research carried out by Social Life	Household Surveys Street Surveys	April & May 2020	
	Discussions with Walworth Group		May 2020
Adoption of the First Charter	Approval at Cabinet	Councillors	June 2020

Annual Review of Charter	Southwark Council & Walworth Group	The document is a live document and will be developed and refined over time as more consultation, engagement takes place.	2020 2021 2022
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APPENDIX 3

**Walworth Social Regeneration Charter
Equalities Impact Assessment
March 2020**

Guidance Notes

The requirement for a Equalities Impact Assessment

Under the Public Sector Equality Duty (PSED) public authorities are required to have due regard to the aims of the general equality duty when making decisions and when setting policies. Understanding the affect of the council's policies and practices on people with different protected characteristics is an important part of complying with the general equality duty. Under the PSED the council must ensure that:

- Decision-makers are aware of the general equality duty's requirements.
- The general equality duty is complied with before and at the time a particular policy is under consideration and when a decision is taken.
- We consciously consider the need to do the things set out in the aims of the general equality duty as an integral part of the decision-making process.
- We have sufficient information to understand the effects of the policy, or the way a function is carried out, on the aims set out in the general equality duty.
- We review policies or decisions, for example, if the make-up of service users changes, as the general equality duty is a continuing duty.
- We take responsibility for complying with the general equality duty in relation to all their relevant functions. Responsibility cannot be delegated to external organisations that are carrying out public functions on their behalf.
- We consciously consider the need to do the things set out in the aims of the general equality duty not only when a policy is developed and decided upon, but when it is being implemented.

Best practice guidance from the Equality and Human Rights Commission recommends that public bodies:

- Consider all the protected characteristics and all aims of the general equality duty (apart from in relation to marriage and civil partnership, where only the discrimination aim applies).
- Use equality analysis to inform policy as it develops to avoid unnecessary additional activity.
- Focus on understanding the effects of a policy on equality and any actions needed as a result, not the production of a document.
- Consider how the time and effort involved should relate to the importance of the policy to equality.
- Think about steps to advance equality and good relations as well as eliminate discrimination.
- Use good evidence. Where it isn't available, take steps to gather it (where practical and proportionate).
- Use insights from engagement with employees, service users and others who can help provide evidence for equality analysis.

Equality analysis should be referenced in community impact statements in Council reports. Community impact statements are a corporate requirement in all reports to

the following meetings: the cabinet, individual decision makers, scrutiny, regulatory committees and community councils. Community impact statements enable decision makers to identify more easily how a decision might affect different communities in Southwark and to consider any implications for equality and diversity.

The public will be able to view and scrutinise any equality analysis undertaken. Equality analysis should therefore be written in a clear and transparent way using plain English. Equality analysis may be published under the council's publishing of equality information, or be present within divisional/departmental/service business plans. These will be placed on the website for public view under the council's Publications Scheme.

Equality analysis should be reviewed after a sensible period of time to see if business needs have changed and/or if the effects that were expected have occurred. If not then you will need to consider amending your policy accordingly. This does not mean repeating the equality analysis, but using the experience gained through implementation to check the findings and to make any necessary adjustments. Engagement with the community is recommended as part of the development of equality analysis. The council's Community Engagement Division and critical friend, the Forum for Equality and Human Rights in Southwark can assist with this (see section below on community engagement and www.southwarkadvice.org.uk).

Whilst the equality analysis is being considered, Southwark Council recommends considering health and wellbeing implications, as health and health inequalities are strongly influenced by the environment we live and work in. As a major provider of services to Southwark residents, the council has a legal duty to reduce health inequalities and this is reflected in its values and aims. For this reason, the council recommends considering health and wellbeing impacts in all equality analyses, not forgetting to include identified potential mitigating actions.

Section 1: Equality analysis details

Proposed policy/decision/business plan to which this equality analysis relates	Walworth Social Regeneration Charter
Equality analysis author	Sophie Hall-Thompson
Strategic Director	Kevin Fenton
Department	Regeneration, Place & Wellbeing
Date on analysis	February 2020

Section 2: Brief description of policy/decision/business plan

The Walworth Social Regeneration Charter sets out the vision, goals and promises that seek to deliver against Southwark Council's objectives for the 'Regeneration for All' taking place across the Walworth Area. The charter sets out a number of indicators which will be used to monitor the progress of the council in achieving 'Regeneration for All'. The charter will be referred to on an ongoing basis to ensure that the council is making progress in achieving the stated ambitions and objectives. An annual monitoring report will be produced to ensure that the objectives within the charter are still being met.

Section 3: Service users and stakeholders

Service users and stakeholders	
Key users of the department or service	Members of the public; Developers; Local Authorities; Housing Associations; Environment and Leisure Department; Flood and Drainage Department; Children's and Adult's Services Department; Housing and Modernisation Department; Councillors; Finance and Governance Department; Place and Wellbeing Department; Greater London Authority; Transport for London; Thames Water; Metropolitan Police; Chief Executive's Department.
Key stakeholders were/are involved in this policy/decision/business plan	Members of the public; Housing Associations; Local Authorities Environment and Leisure Department; Children's and Adult's Services Department; Housing and Modernisation Department; Councillors; Finance and Governance Department; Place and Wellbeing Department.

Section 4: Pre-implementation equality analysis

This section considers the potential impacts (positive and negative) on groups with 'protected characteristics', the equality information on which this analysis is based and any mitigating actions to be taken.

The first column on the left is for societal and economic issues (discrimination, higher poverty levels) and the second column on the right for health issues, physical and mental. As the two aspects are heavily interrelated it may not be practical to fill out both columns on all protected characteristics. The aim is, however, to ensure that health is given special consideration, as it is the council's declared intention to reduce health inequalities in the borough. The Public Health Team can assist with research and data.

Age - Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).	
Potential impacts (positive and negative) of proposed policy/ decisions / business plan.	Potential health impacts (positive and negative)
<p>The charter is anticipated to have positive social benefits for people of all ages living and working in London Bridge.</p> <p>Promise 3 relates to supporting people of all ages. Promise 8 seeks to support employment and training. Together they seek to provide relevant services for residents as necessary and when necessary. It includes provision for new-borns, toddlers, children, young people, those in training and employment, those who are out of employment, for carers and elderly members of the community. The indicators related to this promise are:</p> <ul style="list-style-type: none"> • School performance • Satisfaction with community facilities • Employment numbers • Apprenticeships <p>Promise 13 relates to improved coordination between service providers operating in the area and ensuring a collaborative approach to supporting residents through life's transitions to avoid gaps in service provision, maximise reach into the community and meet needs arising in the community. The indicators for this promise are:</p> <ul style="list-style-type: none"> • Perceptions of ease of access to service provision amongst residents 	<p>The charter is anticipated to have positive health impacts for all different groups in the area. There are no foreseen negative health impacts to people based on their age.</p> <p>Promise 5 seeks to improve the environment and promote sustainable modes of travel and improve air quality across the area – this will benefit all ages, especially the vulnerable young and old. The indicators relating to this promise are:</p> <ul style="list-style-type: none"> • Perceptions of impact of air pollution • Perceptions of impact of construction • Air quality • Tree planting • Local trips via car, bicycle, walking <p>Promise 6 seeks to support a healthy lifestyle and will support measures that improve air quality, access to nature, and an inclusive community.</p>
Equality Information on which the above analysis is based	
2016 London Atmospheric Emission	

	Inventory
Mitigating actions to be taken	
We will continue to monitor and review the charter to ensure that the likelihood of negative impacts arising is minimal.	

Disability - A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-today activities.	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
The charter is anticipated to have positive social impacts for all different groups in the area. There are no foreseen negative social impacts to people who have a disability. Promise x seeks to improve movement in Walworth. Promise x seeks to ensure housing quality. These two promises require that improvements to the existing public realm, shopfronts and existing and new homes are inclusive.	The charter is anticipated to have positive health impacts for all different groups in the area. There is not foreseen negative health impact on the health of people who have a disability.
Equality Information on which the above analysis is based	Health data on which above analysis is based
Mitigating actions to be taken	
We will continue to monitor and review the charter to ensure that the likelihood of negative impacts arising is minimal.	

Gender reassignment - The process of transitioning from one gender to another.	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
The charter is anticipated to have positive social impacts for all different groups in the area. There are no foreseen negative social impacts to people who have undergone gender reassignment.	The charter is anticipated to have positive health impacts for all different groups in the area. There is not foreseen negative health impact on the health of people who have undergone gender reassignment.
Equality Information on which the above analysis is based	Health data on which above analysis is based
Mitigating actions to be taken	
We will continue to monitor and review the charter to ensure that the likelihood of negative impacts arising is minimal.	

Pregnancy and maternity - Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential negative impacts of proposals

The charter is anticipated to have positive social impacts for all different groups in the area. There are no foreseen negative social impacts to people who have are pregnant or have recently given birth.	The charter is anticipated to have positive health impacts for all different groups in the area. There are no foreseen negative health impacts to people who have are pregnant or have recently given birth.
Equality Information on which the above analysis is based	Health data on which above analysis is based
Mitigating actions to be taken	
We will continue to monitor and review the charter to ensure that the likelihood of negative impacts arising is minimal.	

Race - Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins. N.B. Gypsy, Roma and Traveller are recognised racial groups and their needs should be considered alongside all others.	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
The charter is anticipated to have positive social impacts for all different groups in the area. There are no foreseen negative social impacts to people of differing races.	The charter is anticipated to have positive health impacts for all different groups in the area. There are no foreseen negative health impacts to people of differing races.
Equality Information on which the above analysis is based	Health data on which above analysis is based
Mitigating actions to be taken	
We will continue to monitor and review the charter to ensure that the likelihood of negative impacts arising is minimal.	

Religion and belief - Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
The charter is anticipated to have positive social impacts for all different groups in the area. There are no foreseen negative social impacts to any faith group.	
Equality Information on which the above analysis is based	Health data on which above analysis is based
Mitigating actions to be taken	
We will continue to monitor and review the charter to ensure that the likelihood of negative impacts arising is minimal.	

Sex - A man or a woman.	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)

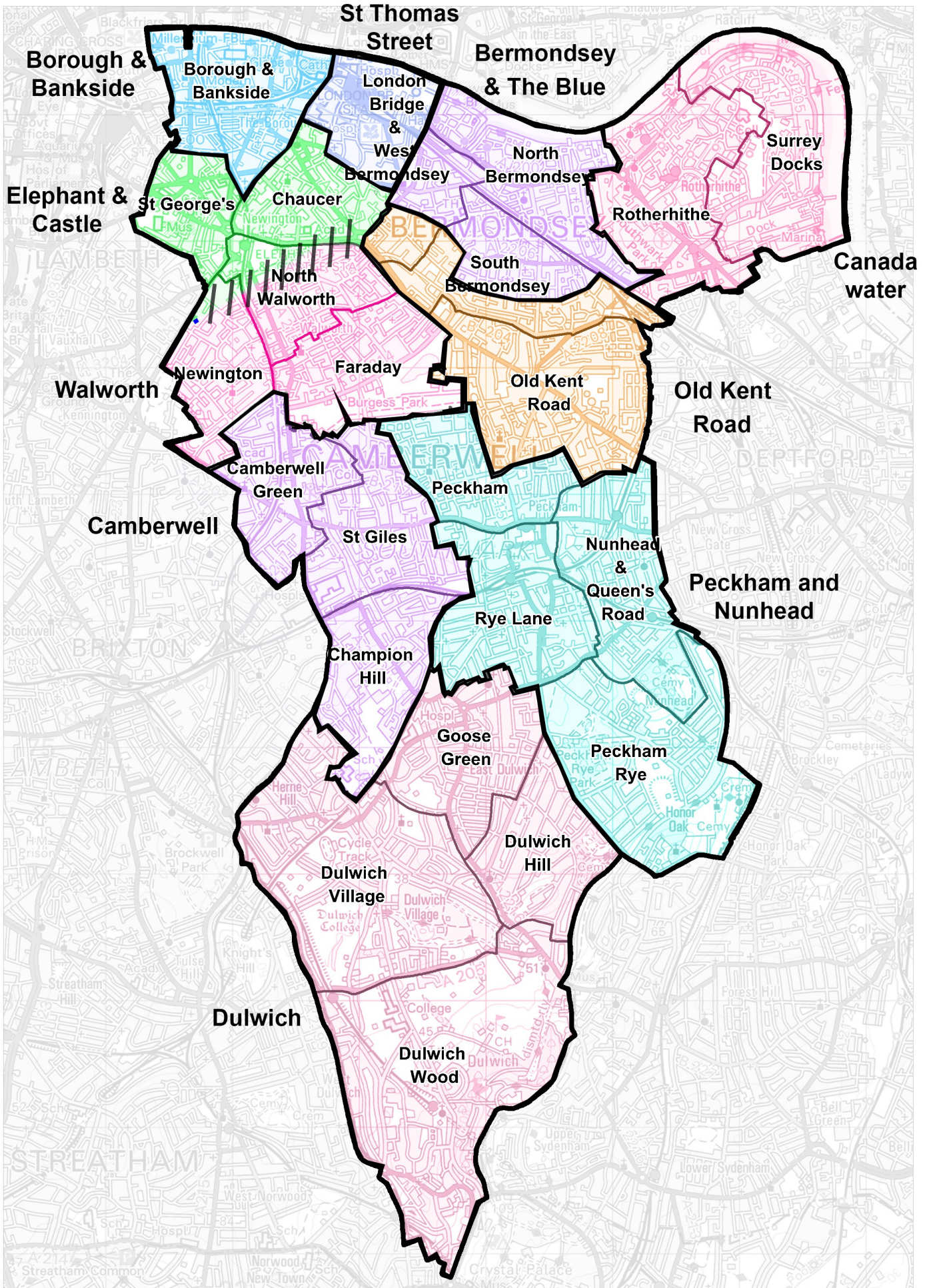
The charter is anticipated to have positive social impacts for all different groups in the area. There are no foreseen negative social impacts to people based on their gender.	The charter is anticipated to have positive health impacts for all different groups in the area. There are no foreseen negative health impacts to people based on their gender.
Equality Information on which the above analysis is based	Health data on which above analysis is based
Mitigating actions to be taken	
We will continue to monitor and review the charter to ensure that the likelihood of negative impacts arising is minimal.	

Sexual orientation - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
The charter is anticipated to have positive social impacts for all different groups in the area. There are no foreseen negative social impacts to people which is based on their sexual orientation.	The charter is anticipated to have positive health impacts for all different groups in the area. There are no foreseen negative health impacts to people which is based on their sexual orientation.
Equality Information on which the above analysis is based	Health data on which above analysis is based
Mitigating actions to be taken	
We will continue to monitor and review the charter to ensure that the likelihood of negative impacts arising is minimal.	

Socio-economic disadvantage – although the Equality Act 2010 does not include socioeconomic status as one of the protected characteristics, Southwark Council recognises that this continues to be a major cause of inequality in the borough. Socio economic status is the measure of an area's, an individual's or families economic and social position in relation to others, based on income, education, health, living conditions and occupation.	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
<p>The charter is anticipated to have positive social benefits for people regardless of their socio-economic status who are living and working in the area.</p> <p>Promise 1 seeks to build more council homes and invest in estate improvement plans. Indicators include:</p> <ul style="list-style-type: none"> • Delivery of new homes • Perception of quality of new homes • Investment in council estates • Satisfaction with condition of estates <p>Promise 3 seeks to ensure residents can readily access high quality services. Indicators include:</p>	The charter is anticipated to have positive health benefits for people regardless of their socio-economic status who are living and working in the area. There are no foreseen negative health impacts to people based on their socio-economic status.

<ul style="list-style-type: none"> • Satisfaction with services in the area • Ease of access to services • School performance • Households claiming out of work benefits <p>Promise 8 seeks to ensure residents can readily access local training and employment opportunities. Indicators include:</p> <ul style="list-style-type: none"> • London Living Wage opportunities • Delivery of workspaces • Delivery of training • Employer standards 	
Equality Information on which the above analysis is based	Health data on which above analysis is based
Mitigating actions to be taken	
<p>We will continue to monitor and review the charter to ensure that the likelihood of negative impacts arising is minimal.</p>	

Human Rights <p>There are 16 rights in the Human Rights Act. Each one is called an Article. They are all taken from the European Convention on Human Rights. The Articles are The right to life, Freedom from torture, inhuman and degrading treatment, Freedom from forced labour, Right to Liberty, Fair trial, Retrospective penalties, Privacy, Freedom of conscience, Freedom of expression, Freedom of assembly, Marriage and family, Freedom from discrimination and the First Protocol</p>
Potential impacts (positive and negative) of proposed policy/decision/business plan
<p>The charter is anticipated to have a range of positive impacts on people living and working in the area. The proposals presented in the charter do not threaten the human rights of anyone living or working in the area.</p>
Information on which above analysis is based
Mitigating actions to be taken
<p>We will continue to monitor and review the charter to ensure that the likelihood of negative impacts arising is minimal.</p>

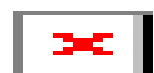


Bermondsey & The Blue Social Regeneration Charter

Summary and Illustrative Indicators

Southwark Council

March 2020



Bermondsey & The Blue

Social Regeneration Charter | Summary

A summary of our vision, goals, objectives and deliverables for the Bermondsey area and how we will work together to make them a reality.

Our Values

We want Southwark to be a healthy, clean, green and safe borough, where everyone has a great place to live, with excellent schools, parks and community facilities; where everyone has the opportunity to play a full part in the economy, to thrive and meet their potential; and where a person's background does not determine their life chances.

Why Bermondsey & The Blue

Bermondsey was once an important site for London's trade due to its proximity to the Rotherhithe Docks and it emerged as a centre for food processing and production. After the Second World War much of the area declined following the closure of the docks and factories. Since then, transformation has come to parts of Bermondsey, with the emergence of an artisanal food and drink scene and a growing creative industry in the area around Bermondsey Street. But change has come more slowly to other parts of Bermondsey, and some areas, particularly those around the Blue, are amongst the most deprived in the country. The Blue used to be Bermondsey's main shopping district with a thriving street market, but the inaccessibility of the area from the tube station and the construction of Surrey Quays shopping centre has directing footfall away from the Blue and caused the market to dwindle over the last decade. There will be significant changes to the physical environment in the coming years, with a potential redevelopment of the Biscuit Factory, the Low Line development and the Old Kent Road & Canada Water regenerations right next door. We want to ensure that the investment in the area is directed to those who need it most, to reduce deprivation and improve life opportunities for all of Bermondsey's communities and to continue to improve and revitalise the Blue Market as the historic town centre of Bermondsey

The Vision for Bermondsey & The Blue

We want Bermondsey to be a safe and resilient neighbourhood where everyone has access to the opportunities that enable them to live long, healthy and happy lives; including secure housing, excellent education and training, affordable nutritious food and good quality green space. We want to celebrate Bermondsey's rich history and promising future by investing in The Blue so it can serve the community as a thriving town centre with a diverse and affordable retail offer and infrastructure and events that bring people together and promote community cohesion.

Our Approach

We collected and collated research and information about the area that has been done over the last few years. We ran meetings and workshops to take this information to community stakeholders to discuss what the priorities of this charter should be. This research and engagement has informed the identification of four overarching goals for Bermondsey where partnership working and expenditure of Community Infrastructure Levy (CIL) and other investment could unlock further improvements to the well being and life chances of residents. We believe that the key to this charter's success is in close and effective partnership working with those who know the area best to understand and address the needs of those who need it most. We want to build on the culture of participation that exists in the area by ensuring that input from stakeholders and communities influences activity and local decisions.

Our Goals &

We hope that addressing these goals will deliver our regeneration for all vision that the places where people live, now and in the future, create new life opportunities, promote wellbeing and reduce inequalities so that people have better lives in stronger communities. We hope these

Promises

goals will realise our ambition to reduce health, housing, social and economic inequalities in Bermondsey. These goals are:

- Goal 1:** High-quality, affordable homes and estates that promote a sense of pride in their communities
- Goal 2:** Improve the facilities and retail offer at the Blue Market to strengthen the local economy & tackle the causes of poverty & support for people experiencing it
- Goal 3:** Improve health & wellbeing by improving green infrastructure, making healthy choices easier and ensuring everyone has access to excellent health services
- Goal 4:** Enhance community and leisure infrastructure and provide more opportunities for people to come together

We have identified 10 promises to the local community in order to achieve these goals. For each promise, we have identified key deliverables and indicators to monitor our progress. These promises are:

- Promise 1:** Build on and secure funding for more affordable homes in the area and investment in estates through estate improvement plans.
- Promise 2:** Ensure all PRS homes are secure, have predictable rents and are fit for human habitation
- Promise 3:** Improve the education, employment and training offer and help local people access good quality, local jobs and self-employment opportunities, with a focus on parents, carers people with disabilities and the long-term unemployed.
- Promise 4:** Improve the retail and leisure offer at The Blue by improving market facilities, promoting social enterprise and supporting more businesses to open.
- Promise 5:** Support those experiencing poverty to tackle issues including benefits problems, food insecurity, insecure housing and debt
- Promise 6:** Make healthy living easier by improving the green infrastructure, reducing air pollution and improving access to healthy food.
- Promise 7:** Improve access to and utilisation of healthcare services in the area
- Promise 8:** Improved leisure and culture offering, particularly for families and young people
- Promise 9:** Support community events and initiatives that bring existing and new communities and people from different backgrounds together
- Promise 10:** Improve the design and connection of public spaces to reduce crime and improve perception of safety

Resources

To develop this charter we have drawn on a number of different sources of evidence, data and sources of information for the area. The resources we have used have helped us develop an understanding of what the needs and issues are in the area to help develop the charter goals. They have also been used to obtain baseline information for tracking the impact of this charter. The resources include:

- Multi-Ward Profiles for the three wards included in the charter area. These can be found [here](#).
- The Southwark Conversation which can be found [here](#).
- The Social Life Bermondsey Neighbourhood Study Grosvenor's draft Local Legacy Strategy. The research involved speaking to over 400 residents and stakeholders in the area surrounding the former Biscuit Factory site in North Bermondsey. The research can be found [here](#) and the local legacy strategy [here](#).
- Research and consultations to inform the Good Growth Fund programme, including two community consultations done in 2017 and 2019. Details on this programme can be found [here](#)
- Footfall study of the Blue (Quod, 2017)
- A Bermondsey specific data report from CAB Southwark.
- Indices of Deprivation 2019. Southwark's JSNA. This can be found [here](#)

Tracking our progress

Monitoring and tracking change in the area is a key part of our approach to social regeneration. In order to ensure that the major changes planned and proposed in and around the Bermondsey area and working for everyone and that we improve the livelihood of existing and future generations, we will work differently and better with developers and local communities to ensure all activities are aligned to the ambitions and objectives of this charter and to achieve the shared outcomes.

We will measure our progress using standardised and agreed indicators, engaging local residents, communities and those across the borough to understand, measure and maximise the positive impact of regeneration and mitigate where there are challenges.

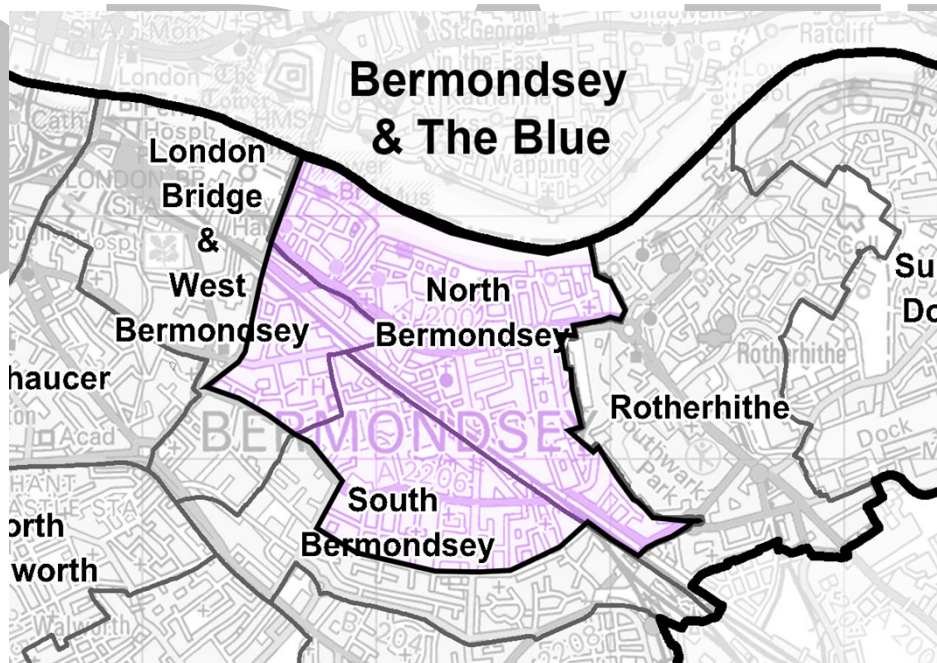
In this document we set out the key indicators we will measure for each social regeneration goal.

In order to deliver on the goals and promises sets out, a diverse range of projects and programmes will be delivered through the social regeneration charter. We will seek to record the impact of these activities through targeted monitoring and evaluation activities which will be additional to the overarching indicators set out in this document.

Alongside recording quantitative data through a survey and other monitoring activities, we will also be speaking to residents and local stakeholders to help build a more detailed picture of how people are faring and the impact of investments and development in the area.

We will also track the total investments into the local area, both directly from the new developments, as well as investments from Community Infrastructure Levy and Section 106. We set out how this money will be spent in Local Place Plans and Community Investment Plans.

Map of Bermondsey SRC Area



Map of Bermondsey SRC area

Our Promises

Goal 1. High-quality, affordable homes and estates that promote a sense of pride in their communities

Promise 1: Build on and secure funding for more affordable homes in the area and Investment in estates through estate improvement plans.

Promise 2: Ensure all PRS homes are secure, have predictable rents and are fit for human habitation

Potential projects

Work with TRAs and local residents to produce estate improvement plans for all estates In the area (common place)

New council homes projects at Macks Rd,

Goal 2. Improving the facilities and retail offer at the Blue Market to strengthen the local economy & tackle the causes of poverty & support for people experiencing it

Promise 3: Improve the education, employment and training offer and help local people access good quality, local jobs and self-employment opportunities, with a focus on parents, carers people with disabilities and the long-term unemployed.

Promise 4. Improve the retail and leisure offer at The Blue by improving market facilities, promoting social enterprise and supporting more business to open.

Promise 5: Support those experiencing poverty to tackle issues including benefits problems, food insecurity, insecure housing and debt

Potential Projects

Implement the Good Growth Fund scheme to improve market facilities, increase traders, improve signage & attract more people to the area

Open up railway

Goal 3. Improve health & wellbeing by improving green infrastructure, making healthy choices easier and ensuring everyone has access to excellent health services

Promise 6. Make healthy living easier by improving the green infrastructure, reducing air pollution and improving access to healthy, affordable food.

Promise 7. Improve access to and utilisation of healthcare services in the area

Potential Projects

Good Food Retail Plan expansion into more shops in the Blue

Improve green infrastructure around riverside stretch in North Bermondsey to

Goal 4. Enhance community and leisure infrastructure and provide more opportunities for people to come together

Promise 8. Improve the leisure and culture offering, particularly for families and young people,

Promise 9. Community events and initiatives that bring existing and new communities and people from different backgrounds together

Promise 10. Improve the design and connection of public spaces to reduce crime and improve perception of safety

Potential projects

Build on and expand the events programme at the Blue

Invest in youth facilities and programme through Salmon Centre &

Alexis St, Linsey St, Tenda Rd, Galleywall Rd, Fort Rd, Alscot Rd, Southwark Park Rd, Fendall St, Maltby St, Cathay St, Slippers Place, Abbeyfield Rd and elsewhere.

Increase the number of community gardens on estates - work with the new community gardening coordinator

Invest Thames Tideway money into estate improvement in North Bermondsey

MORE IDEAS PLEASE

arches to improve access to the Blue.

Implement the Low Line Strategy in Bermondsey

Build on existing training and skills programme at Bermondsey Community Kitchen & The Blue

Become a Living Wage neighbourhood

Build & increase resource of local organisations to enhance support offer for the most disadvantaged

Improve childcare options for parents attending employability training.

Audit of local skills offering vs local employer needs & provide programme to match local people local jobs

Support mixed-use economy in area which provides jobs for people who live in area and goods and services that meet local resident needs

Deliver affordable shared spaces for business incubation, social enterprise, charities, community

Build on and expand schools engagement programme

Increase attendance by local people at youth construction

encourage walking along this route

Tree planting

Improving cycle lanes & bike hire provision

Implement more play streets and school streets in the area to improve air quality around schools

Work with CCG to address primary care issues in the area

Support access to healthy cooking training at Bermondsey Community Kitchen

Strengthen the connection between Spa Terminus and the town centre to improve access to fresh food production in the Larder of London

Use TFL healthy street indicators to review and improve the environment for health and wellbeing

MORE IDEAS PLEASE

Bede House, and developing the programme for the new youth club at the Blue.

Increase youth provision opportunities throughout Southwark park.

Supporting more local people/ groups to bid for funding and run community initiatives e.g. mixer events for community groups with ideas & organisations with experience of running community projects

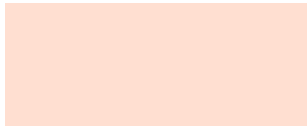
Explore options for a community-led social support project for parents

Build on the community development programmes, events and investment associated with the Thames Tideway project

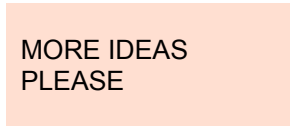
Invest in a community youth hub at 223 Southwark Park Road which will bring community groups together & increase footfall to the area

Review, improve and maintain street lighting in the area

Address crime and anti-social behaviour issues in Shad Thames and surrounding areas



centre
MORE IDEAS
PLEASE



MORE IDEAS
PLEASE

Bermondsey & The Blue

Social Regeneration Charter | Indicators

DRAFT

Goal 1: High-quality, affordable homes and estates that promote a sense of pride in their communities

Key evidence & intelligence

- CAB data shows that housing is the 2nd most common issue that people seek help with across these three wards. This included issues for people that were homeless, people that were in Council homes and people in private rented homes.
- In the Bermondsey Neighbourhood Study, more affordable housing came up as something that local people want to see more of in the area. Housing was highlighted as significant concern for residents, particularly among long-term residents who have experience the displacement of families due to lack of social housing.
- Stakeholders noted issues on some estates in the borough and the need to improve facilities there.
- VCS stakeholders told us that housing conditions and issues such as overcrowding, especially in the private rental sector, are a major issue for many of the residents they work with.

Indicators

Area	Detail	Where are we now?	Where do we want to be?	Frequency & method of monitoring
Promise 1: Build on and secure funding for more affordable homes in the area and Investment in estates through estate improvement plans				
Investment in council estates	£ invested through CIL, developer contributions, or other partners to upgrade and refurbish infrastructure and surroundings in local council estates <i>Local defined as in or adjacent to the focus area</i>	N/A	TBD	Annual <i>Council Tracking</i>
Satisfaction with condition of estates	% respondents who are satisfied with condition of their estate	No baseline data	TBD	Every 3 - 5 years <i>Local estates residents survey</i>
Number of new affordable and social rent homes built in the area	Number of new homes built in the charter area that are: 1) Affordable 2) Social	TBD	TBD	Annually <i>Council Tracking</i>
Promise 2. Ensure all PRS homes are secure, have predictable rents and are fit for human habitation				
Rogue Landlords	Number of rogue landlords reported and listed on the GLA rogue landlord & agent checker	TBD	0	Annually <i>Council Tracking</i>
Housing notices	Number of licenses & housing act notices complied with	TBD	100% complied with	Annually <i>Council Tracking</i>
PRS housing conditions	Information from PRS housing conditions	TBD	100% decent homes	Annually <i>Council Tracking</i>

Goal 2: Improve the facilities and retail offer at the Blue Market to strengthen the local economy & tackle the causes of poverty & support for people experiencing it

Key evidence & intelligence

- Quod study showed that the Blue is under performing significantly and high levels of locally generated expenditure is currently being directed to centres and facilities elsewhere. Study showed that the Blue is one of the most vulnerable centres in the borough to retail improvements coming forward across the borough, so its retail market share is due to decline even further despite a growing population and expenditure in the area.
- Bermondsey neighbourhood study showed that only 18% of people agreed that there are good employment opportunities in Bermondsey.
- Many Stakeholders noted the inadequate retail offer at the Blue as an issue.
- Child poverty is significantly above Southwark and London average in North Bermondsey and South Bermondsey
- IMD shows high levels of deprivation in this area, with parts in the 10% most deprived nationally
- CAB data shows that benefits issues are the most common reason that people come to them for advice.
- The Bermondsey Neighbourhood study noted a reported increase in the use of the local foodbank.
- VCS stakeholders noted the number of people that suffer from issues related to poverty including benefits issues, food insecurity, debt, housing issues.

Indicators

Area	Measure/Indicator	Where are we now?	Where do we want to be?	Frequency and method of monitoring
Promise 3. Improve the education, employment and training offer and help local people access good quality, local jobs and self-employment opportunities, with a focus on parents, carers people with disabilities and the long-term unemployed.				
School performance	Primary school Ofsted rating for local schools. <i>Local defined as in or adjacent to the focus area</i>	All primary schools in the focus area are good or outstanding	Maintain	Every 3 - 5 years <i>Official data monitoring</i>
Apprenticeships	Number of apprenticeships created through development in the area and taken up by local young people <i>Local defined as Southwark residents.</i>	N/A		Every 3- 5 years <i>Council and partner monitoring</i>
Parent friendly employment initiatives	Number of parents taking part in employment initiatives run by local groups in the area	TBD	Increase	TBD

Employer standards	Number of local businesses signed up to the Mayor's Good Work Standard / LLW employers <i>Local defined as in or adjacent to the focus area</i>	TBD	Increase	Every 3 - 5 years <i>Council monitoring</i>
Job satisfaction	% of in-work respondents who feel secure in employment	81%	Increase	Every 3- 5 years <i>Partner monitoring</i>
Satisfaction with local job opportunities	% of residents who agree that there are good employment opportunities in Bermondsey	18%	Increase	Every 3- 5 years <i>Partner monitoring</i>
Training opportunities	% of residents who agree there are opportunities to develop skills in Bermondsey	29%	Increase	Every 3- 5 years <i>Partner monitoring</i>
Promise 4. Improve the retail and leisure offer at The Blue by improving market facilities, promoting social enterprise and supporting more business to open				
Business start-ups	Number of supported business start-ups	9 ('19-'20)	Increase	Annual <i>GGF monitoring</i>
Footfall	% increase in footfall to the Blue	TBD	Increase	Annual <i>GGF monitoring</i>
Vacant units	Number of vacant units in the area	TBD	Increase	Annual <i>Council Tracking</i>
Promise 5. Support those experiencing poverty to tackle issues including benefits problems, food insecurity, insecure housing and debt.				
Investment into poverty support	Amount of investment into orgs/ programme providing advice and support for local residents	TBD	TBD	Annual <i>TBD</i>
Employment support	<i>% of not in work residents who agree there is support to find work from agencies or other organisations</i>	34%	Increase	3 – 5 years <i>Partner Tracking</i>
Child poverty	<i>% of children living in households claiming out of work benefits</i>	SB: 24.2% NB:22.4% LB&WB: 24.1%	decrease	Annual <i>Council Tracking</i>

Goal 3: Improve health & wellbeing by improving green infrastructure, making healthy choices easier and ensuring everyone has access to excellent health services

Key evidence & intelligence

- Levels of childhood obesity higher than the London average in all three wards
- Lower than SWK average life expectancy in South Bermondsey and London Bridge and West Bermondsey (SB is the lowest in the borough)
- Higher rates of A&E attendance for 0-4 year olds
- Stakeholders noted a lack of affordable, healthy food provision at the Blue
- Bermondsey neighbourhood study showed residents and stakeholders worried about long waiting times for GP appointments and a concern that health infrastructure is not keeping up with development. Local GPs report a lack of suitable sites available locally for expanding their services.

Area	Measure/Indicator	Where are we now?	Where do we want to be?	Frequency of monitoring
Promise 6. Make healthy living easier by improving the green infrastructure, reducing air pollution and improving access to healthy food				
Air quality	Air pollution levels in the local area. Atmospheric emissions of: • Nitrogen Dioxide (NO ₂) • Particulate Matter (PM ₁₀ & PM _{2.5}) <i>Local area defined as monitoring points in the area</i>	NO ₂ - CHECK µg.m ⁻³ PM ₁₀ - CHECK µgm ⁻³ PM _{2.5} – not currently measured but will be available in Spring 2020.	By 2030: NO ₂ reduced emissions by 50% PM _{2.5} emissions reduced by 20% PM ₁₀ emissions reduced by 5%	Every 3- 5 years <i>Council monitoring</i>
Tree planting	Number of new trees planted in the charter area	TBD	TBD	Every 3- 5 years <i>Council monitoring</i>
Physical inactivity	% residents who agree it's easy to be physically active in Bermondsey	85%	Increase	Every 3- 5 years <i>Partner monitoring</i>
Childhood excess weight	% children who have excess weight in Year 6 at local schools.	NB: 42.5% SB:43.6% LB & WB: 39.2%	Decrease	Annual <i>Official data monitoring</i>
Satisfaction with parks and green spaces	% residents who feel good parks & outdoor spaces help them be physically active	42%	Increase	Every 3-5 years <i>Partner monitoring</i>
Health and Wellbeing	% of residents who described their health as very good or good	72%	Increase	3 -5 years <i>Partner monitoring</i>
Promise 7. Improve access to and utilisation of healthcare services in the area				
A&E attendance	Emergency department for 0-4 year olds attendance rates (per 1000 population)	SB: 887.5 NB: 775.5 LB&WB: 584	Decrease to SWK levels	Every 3 -5 years <i>Council monitoring</i>
Primary care investment	Investment in healthcare facilities in the local area	N/A	Increase	TBD

Goal 4: Enhance community and leisure infrastructure and provide more opportunities for people to come together

Key evidence & Intelligence

- Bermondsey study found that relationships between people of different background and social trust was weaker with socio-economic and ethnic divisions reported to be key features of the area.
- ASB & crime was the most common mentioned response to the question of what is not so good about the area.
- Overall crime levels in South Bermondsey and North Bermondsey are lower than the Southwark average but levels in London Bridge & West Bermondsey are higher.
- Stakeholders noted lack of activities for young people and community facilities as a major issue in the area.

Area	Measure/Indicator	Where are we now?	Where do we want to be?	Frequency and method of monitoring
Promise 8. Improved sports, leisure and culture offering, particularly for families and young people				
Investment in existing and new public spaces	£ invested in existing and new public spaces in the local area through CIL contributions, local developers or other partners <i>Local defined as in or adjacent to the focus area</i>	N/A		Every 3- 5 years <i>Partner and council monitoring</i>
Investment in sports facilities and activities	£ invested in sports facilities and activities in the local area through CIL contributions, local developers or other partners <i>Local defined as in or adjacent to the focus area</i>	N/A		Every 3 -5 years <i>Partner and council monitoring</i>
Promise 9. Community events and initiatives that bring existing and new communities and people from different backgrounds together				
Use of culture and leisure assets	Number of users of community, culture and leisure spaces	930	Increase	Annual GGF
Community Cohesion	% respondents who feel people from different backgrounds get on	67% (2019 baseline survey)	Increase	Every 3-5 years <i>Partner monitoring</i>
Trust	% of respondents who trust people in their neighbourhood	58%	Increase	3 -5 years <i>Partner monitoring</i>
Feeling of belonging	% of respondents who feel they belong	71%	Increase	3 – 5 years <i>Partner monitoring</i>
Promise 10. Improve the design and connection of public spaces to reduce crime and improve perception of safety				
Crime rates	Overall crime rate (per 10000 residents)	NB: 97.1 SB: 84.7 LB & WB: 231.1	Decrease	3 – 5 years <i>Council Monitoring</i>

Perception of crime	% of residents who feel safe in the area	Day: 89% Night: 61%	Increase	3-5 years Partner monitoring
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APPENDIX 3

We want your ideas to make a difference: influence and improve the Bermondsey & The Blue Social Regeneration Charter (BTBSRC).

Over the last two decades, Southwark has seen a variety of regeneration programmes delivered. Southwark has risen from the 12th most deprived Borough in the UK (out of 326) to the 41st. We want to continue this improvement, and to continue to explore with residents, businesses and community and voluntary sector organisations in the Bermondsey area the best possible ways of improving the life chances for our residents, businesses and communities.

The BTBSRC seeks to meaningfully engage with the community, encourage participation and create a shared set of local priorities to drive change in Bermondsey. The charter establishes the goals for Bermondsey which will be used to decide how local Community Infrastructure Levy (CIL) (a financial charge that local authorities collect from developers to spend on local infrastructure) monies are spent in Bermondsey.

What is a social regeneration charter?

A social regeneration charter is a tool for creating a common vision and programme to improve the well-being of residents in and around an area. In the Autumn of 2017 the council carried out our largest ever community engagement exercise, the [Southwark Conversation](#) (see [feedback](#) report and [further analysis](#)) to explore local perceptions and experiences of the regeneration that has taken place in the Borough over the last decades. We had almost 3,000 responses which has guided the creation of the [Regeneration That Works for All Framework](#) and the [Social Regeneration Indicators](#) which was approved by Cabinet in January 2019 and paves the way for a series of social regeneration charters to embed our regeneration for all principles throughout the borough and facilitate implementation of the framework's commitments at a local level. Charters have been created for [Canada Water](#) and Old Kent Road.

Why Bermondsey & The Blue?

Bermondsey was once an important site for London's trade due to its proximity to the Rotherhithe Docks and it emerged as a centre for food processing and production. After the Second World War much of the area declined following the closure of the docks and factories. Since then change has come to parts of Bermondsey, with the emergence of an artisanal food and drink scene and a growing creative industry in the area around Bermondsey Street. But change has come more slowly to other parts of Bermondsey, with some areas, particularly those around the Blue, experience high-levels of deprivation. There will be significant changes to the physical environment in the coming years, with a potential redevelopment of the Biscuit Factory, the Low Line development and the Old Kent Road & Canada Water regenerations right next door. We want to ensure that the investment in the area is directed to those who need it most, to reduce deprivation and improve life opportunities for all of Bermondsey's communities and to continue to improve and revitalise the Blue Market as the historic town centre of Bermondsey

Resources to inform the charter

To develop this charter we have drawn on a number of different sources of evidence, data and sources of information for the area. The resources we have used have helped us gather an understanding of what the needs and issues are in the area to help develop the themes. It has also been used to obtain baseline information for tracking the impact of this charter. The resources include:

- Multi-Ward Profiles for the three wards included in the charter area. These can be found [here](#).
- The Southwark Conversation which can be found [here](#).

- The Social Life Bermondsey Neighbourhood Study Grosvenor’s draft Local Legacy Strategy. The research involved speaking to over 400 residents and stakeholders in the area surrounding the former Biscuit Factory site in North Bermondsey. The research can be found [here](#) and the local legacy strategy [here](#).
- Research and consultations to inform the Good Growth Fund programme, including two community consultations done in 2017 and 2019. Details on this programme can be found [here](#)
- Footfall study of the Blue (Quod, 2017)
- A Bermondsey specific data report from CAB Southwark.
- Indices of Deprivation 2019. Southwark’s JSNA. This can be found [here](#)

Consulting on the draft charter

Consultation on the draft charter will be carried out with residents and community and voluntary sector organisations from March 25th 2020 to May 20th 2020.

The aim of the consultation is to engage with as many residents, businesses, and community and voluntary sector organisations in Bermondsey as possible. Each event will be open to all participants. The feedback we receive will be used to develop the charter further so it reflects local goals and priorities.

This consultation plan sets out the steps and suggestions for community involvement – if you have any suggestions on the charter or the consultation plan please contact Tizzy Keller, tizzy.keller@southwark.gov.uk

CONSULTATION PLAN			
Stage	Method of Consultation	Consultees	Dates
Preparation of Draft Social Regeneration Charter	Data gathering, research and stakeholder engagement through workshops, meetings and phonecalls	<ul style="list-style-type: none"> • Bermondsey BID • Community Opportunity • Big Local Works • CAB Bermondsey • Southwark Children’s Centres • Age UK (Yalding Centre) • Southwark Council regeneration team • Southwark Council parks and leisure team • Southwark Council resident services team • STAMP • Tenants and Residents Associations • Southwark Planning Network • STGO • United St Saviours • Bede House • Salmon Centre 	December 2019 to February 2020
DRAFT CHARTER	Online: Information available	Available to all residents and stakeholders.	25 March – 20 May

CONSULTATION STAGE Gathering feedback on draft charter and ideas for projects which can improve social regeneration outcomes	online consultation hub	Published on: 25 March 2020 Available to view in public libraries in digital and printed format.	2020
	Goal specific workshops or walking tours	Available on a sign up basis. Relevant stakeholders will be invited to each workshop/walking tour. Goal 1: Housing (see section below) Goal 2: Local economy, education and employment and poverty Goal 3: Health and wellbeing Goal 4: community infrastructure and cohesion	April and May 2020
	TRA engagement	Reaching out to all TRAs in the area through the Resident Involvement Team and Southwark Group of Tenants Organisations (SGTO). Using a range of methods to engage: <ul style="list-style-type: none"> - A workshop and drop in sessions to discuss Goal 1 (housing) - Attending TRA meetings and local housing forums - Online via the local housing forums webpages 	April and May 2020
	Drop-in sessions	Available to all on a drop in basis for anyone who wants to comment on and give feedback on the draft charter.	April and May 2020
	Ward forum workshops	Workshops at ward forums for relevant wards	April and May 2020
	Local community Infrastructure Levy (CIL) ideas workshop	Available to on a sign up basis	April 2020
	Adoption of the Charter	Approval at Cabinet	Councillors

APPENDIX 4

**Bermondsey & The Blue Draft Social Regeneration Charter
Equalities Impact Assessment
March 2020**

Guidance Notes

The requirement for a Equalities Impact Assessment

Under the Public Sector Equality Duty (PSED) public authorities are required to have due regard to the aims of the general equality duty when making decisions and when setting policies. Understanding the affect of the council's policies and practices on people with different protected characteristics is an important part of complying with the general equality duty. Under the PSED the council must ensure that:

- Decision-makers are aware of the general equality duty's requirements.
- The general equality duty is complied with before and at the time a particular policy is under consideration and when a decision is taken.
- We consciously consider the need to do the things set out in the aims of the general equality duty as an integral part of the decision-making process.
- We have sufficient information to understand the effects of the policy, or the way a function is carried out, on the aims set out in the general equality duty.
- We review policies or decisions, for example, if the make-up of service users changes, as the general equality duty is a continuing duty.
- We take responsibility for complying with the general equality duty in relation to all their relevant functions. Responsibility cannot be delegated to external organisations that are carrying out public functions on their behalf.
- We consciously consider the need to do the things set out in the aims of the general equality duty not only when a policy is developed and decided upon, but when it is being implemented.

Best practice guidance from the Equality and Human Rights Commission recommends that public bodies:

- Consider all the protected characteristics and all aims of the general equality duty (apart from in relation to marriage and civil partnership, where only the discrimination aim applies).
- Use equality analysis to inform policy as it develops to avoid unnecessary additional activity.
- Focus on understanding the effects of a policy on equality and any actions needed as a result, not the production of a document.
- Consider how the time and effort involved should relate to the importance of the policy to equality.
- Think about steps to advance equality and good relations as well as eliminate discrimination.
- Use good evidence. Where it isn't available, take steps to gather it (where practical and proportionate).
- Use insights from engagement with employees, service users and others who can help provide evidence for equality analysis.

Equality analysis should be referenced in community impact statements in Council reports. Community impact statements are a corporate requirement in all reports to the following meetings: the cabinet, individual decision makers, scrutiny, regulatory committees and community councils. Community impact statements enable decision makers to identify more easily how a decision might affect different communities in Southwark and to consider any implications for equality and diversity.

The public will be able to view and scrutinise any equality analysis undertaken. Equality analysis should therefore be written in a clear and transparent way using plain English. Equality analysis may be published under the council's publishing of equality information, or be present within divisional/departmental/service business plans. These will be placed on the website for public view under the council's Publications Scheme.

Equality analysis should be reviewed after a sensible period of time to see if business needs have changed and/or if the effects that were expected have occurred. If not then you will need to consider amending your policy accordingly. This does not mean repeating the equality analysis, but using the experience gained through implementation to check the findings and to make any necessary adjustments. Engagement with the community is recommended as part of the development of equality analysis. The council's Community Engagement Division and critical friend, the Forum for Equality and Human Rights in Southwark can assist with this (see section below on community engagement and www.southwarkadvice.org.uk).

Whilst the equality analysis is being considered, Southwark Council recommends considering health and wellbeing implications, as health and health inequalities are strongly influenced by the environment we live and work in. As a major provider of services to Southwark residents, the council has a legal duty to reduce health inequalities and this is reflected in its values and aims. For this reason, the council recommends considering health and wellbeing impacts in all equality analyses, not forgetting to include identified potential mitigating actions.

Section 1: Equality analysis details

Proposed policy/decision/business plan to which this equality analysis relates	Bermondsey & The Blue Social Regeneration Charter
Equality analysis author	Tizzy Keller
Strategic Director	Kevin Fenton
Department	Public Health, Place & Wellbeing
Date on analysis	February 2020

Section 2: Brief description of policy/decision/business plan

The Bermondsey & The Blue Social Regeneration Charter sets out the vision, goals and promises that seek to deliver against Southwark Council's objectives for the 'Regeneration for All' taking place across in this area. The charter sets out a number of indicators which will be used to monitor the progress of the council in achieving 'Regeneration for All'. The charter will be referred to on an ongoing basis to ensure that the council is making progress in achieving the stated ambitions and objectives. An annual monitoring report will be produced to ensure that the objectives within the charter are still being met.

Section 3: Service users and stakeholders

Service users and stakeholders	
Key users of the department or service	Residents in the charter area; Businesses in the charter area; VCS groups in charter area, Local healthcare services; local schools; Developers; Housing Associations; Environment and Leisure Department; Flood and Drainage Department; Children's and Adult's Services Department; Housing and Modernisation Department; Councillors; Finance and Governance Department; Place and Wellbeing Department; Greater London Authority; Transport for London; Metropolitan Police; Chief Executive's Department.
Key stakeholders who are involved in this policy/decision/business plan	VCS, health, business, housing stakeholders and residents in the local area, a range of departments within the council, Councillors

Section 4: Pre-implementation equality analysis

This section considers the potential impacts (positive and negative) on groups with 'protected characteristics', the equality information on which this analysis is based and any mitigating actions to be taken.

The first column on the left is for societal and economic issues (discrimination, higher poverty levels) and the second column on the right for health issues, physical and mental. As the two aspects are heavily interrelated it may not be practical to fill out both columns on all protected characteristics. The aim is, however, to ensure that health is given special consideration, as it is the council's declared intention to reduce health inequalities in the borough. The Public Health Team can assist with research and data.

Age - Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).	
Potential impacts (positive and negative) of proposed policy/ decisions / business plan.	Potential health impacts (positive and negative)
<p>The charter is anticipated to have positive social benefits for people of all ages living and working in Bermondsey and the Blue. There is no foreseen negative impacts on people based on their age.</p> <p>Local data from multi-ward profiles for wards covered by the charter tells us that child poverty in this area is higher than the Southwark average, indicating that this is an age group who we need to focus on to improve their circumstances. This charter sets out plans to tackle the causes of poverty, which will have a positive impact on all ages especially children and young people, through increasing the number of and improving conditions of housing in the area (Goal 1) and by strengthening the local economy, increasing employment and providing support for those experiencing poverty (Goal 2). Promise 3 related to improving the education, employment and training offer, with a focus on parents with young families. This will have a positive impact on young people in education and children and young people whose parents are currently unemployed.</p> <p>The indicators that track the impact of this charter on specific age groups are:</p> <ul style="list-style-type: none"> - Child poverty rates - School Ofsted rating - Parent friendly employment initiatives 	<p>The charter is anticipated to have positive health impacts for all different groups in the area. There are no foreseen negative health impacts to people based on their age.</p> <p>Local data from multi-ward profiles shows that childhood obesity in this area is higher than the London average and levels of A&E attendance for under 5s is higher than the borough average in North Bermondsey and South Bermondsey. Goal 3 aims to improve the health and wellbeing of all age groups in the area. Promise 6 seeks to make healthy living easier by improving the environment including air quality, this will benefit all ages and especially groups who are particularly vulnerable - the young and old. Promise 7 seeks to improve utilisation and access to healthcare services; this will benefit all age groups. The indicators relating to these promises that monitor impact on specific age groups:</p> <ul style="list-style-type: none"> • Air quality • Childhood obesity • A&E attendances (under 5s)
Equality Information on which the above analysis is based	

Multi-Ward Profiles 2019: North West & North East Southwark. Southwark's JSNA. Southwark Council: London. 2019	Multi-Ward Profiles 2019: North West & North East Southwark. Southwark's JSNA. Southwark Council: London. 2019
Mitigating actions to be taken	
We will continue to monitor and review the charter to ensure that the likelihood of negative impacts arising is minimal.	

Disability - A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
<p>The charter is anticipated to have positive social impacts for all different groups in the area. There are no foreseen negative social impacts to people who have a disability.</p> <p>There is not disability data available at a local level but data shows that approximately 13% of residents in inner-London have disability, equating to 40,700 people in Southwark.</p> <p>National data shows that disabled people are more likely to be unemployed than people without disabilities. 53.2% of people with disabilities were in employment, compared to an unemployment rate for people without disabilities was 81.8%, up from 81.4%. Promise 3 aims to improve the education, employment and training offer for local people, this should have a greater positive impact on people with disabilities as they are more likely to be unemployed.</p> <p>Indicators used to measure this include:</p> <ul style="list-style-type: none"> - Support to find work <p>We will ensure that all projects delivered as part of this charter, including improvements to the physical infrastructure and community events and initiatives are accessible for people with a disability.</p>	<p>The charter is anticipated to have positive health impacts for all different groups in the area. There is not foreseen negative health impact on the health of people who have a disability.</p> <p>People with learning disabilities have much poorer health than the general population, which is partly due to challenges in accessing services. Promise 7 aims to increase access to and utilisation of healthcare services which will have a positive impact with people with disabilities.</p>
Equality Information on which the above analysis is based	Health data on which above analysis is based
<p>Protected Characteristics in Southwark. Southwark's JSNA. Southwark Council: London. 2017.</p> <p>House of Commons Research Briefing, People with disabilities in employment, 2020</p>	<p>Learning Disabilities in Southwark. Southwark Council: London, 2018.</p>
Mitigating actions to be taken	
We will continue to monitor and review the charter to ensure that the likelihood of negative impacts arising is minimal. We will collect disability information on the people taking part in training	

and being supported into employment in the local area to ensure this group are benefitting from this charter.

Gender reassignment - The process of transitioning from one gender to another.

Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
<p>The charter is anticipated to have positive social impacts for all different groups in the area. There are no foreseen negative social impacts to people who have undergone gender reassignment.</p> <p>We do not have reliable data on the number of people who have undergone gender reassignment in Southwark.</p>	<p>The charter is anticipated to have positive health impacts for all different groups in the area. There is not foreseen negative health impact on the health of people who have undergone gender reassignment.</p>
Equality Information on which the above analysis is based	Health data on which above analysis is based
<p>Protected Characteristics in Southwark. Southwark's JSNA. Southwark Council: London. 2017.</p>	
Mitigating actions to be taken	
<p>We will continue to monitor and review the charter to ensure that the likelihood of negative impacts arising is minimal.</p>	

Pregnancy and maternity - Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential negative impacts of proposals
<p>The charter is anticipated to have positive social impacts for all different groups in the area. There are no foreseen negative social impacts to people who have are pregnant or have recently given birth.</p>	<p>The charter is anticipated to have positive health impacts for all different groups in the area. There are no foreseen negative health impacts to people who have are pregnant or have recently given birth.</p> <p>Promise 6 of the charter aims to improve access to healthy affordable food, this will have a positive impact by reducing the risk of unhealthy weight for mother and babies.</p>
Equality Information on which the above analysis is based	Health data on which above analysis is based
Mitigating actions to be taken	
<p>We will continue to monitor and review the charter to ensure that the likelihood of negative impacts arising is minimal.</p>	

Race - Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins. N.B. Gypsy, Roma and Traveller are recognised racial groups and their needs should be

considered alongside all others.	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
<p>All three of the wards included in the charter area are less ethnically diverse than Southwark as a whole. In Southwark 46% of residents are non-white, in London Bridge & West Bermondsey 39.7% of residents are non-white, in North Bermondsey 31% are non-white and In South Bermondsey 41.2% are non-white. However CAB data for Bermondsey for these three wards shows that 55% of people who seek help from them are BAME. The fact that BAME are over represented in a support service in this area indicates that BAME groups are more likely to face issues that relate to poverty (benefits, debt, housing and employment issues being the most common)</p> <p>Therefore Goal 2 of the charter which aims to strengthen the local economy, increase good quality local employment for local people and provide support for those experiencing poverty, which should have a positive impact on BAME communities.</p> <p>The charter is anticipated to have positive social impacts for all different groups in the area. There are no foreseen negative social impacts to people of differing races.</p> <p>Goal 4 aims to improve community cohesion between people of different backgrounds in Bermondsey, which should improve relations between people of different races. We will monitor this.</p>	<p>The charter is anticipated to have positive health impacts for all different groups in the area. There are no foreseen negative health impacts to people of differing races.</p>
Equality Information on which the above analysis is based	Health data on which above analysis is based
<p>Multi-Ward Profiles 2019: North West & North East Southwark. Southwark's JSNA. Southwark Council: London. 2019.</p> <p>CAB Bermondsey data</p>	
Mitigating actions to be taken	
<p>We will continue to monitor and review the charter to ensure that the likelihood of negative impacts arising is minimal. Organisations involved in delivering this charter will continue to collect information on the race of people they work with.</p>	

Religion and belief - Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
The charter is anticipated to have positive social impacts for all different groups in the area. There are no foreseen negative social impacts to any faith group.	The charter is anticipated to have positive health impacts for all different groups in the area. There are no foreseen negative social impacts to any faith group.
Equality Information on which the above analysis is based	Health data on which above analysis is based
Mitigating actions to be taken	
We will continue to monitor and review the charter to ensure that the likelihood of negative impacts arising is minimal.	

Sex - A man or a woman.	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
<p>The charter is anticipated to have positive social impacts for all different groups in the area. There are no foreseen negative social impacts to people based on their gender.</p> <p>The gender pay gap means that women are likely to be on lower incomes than men. Women are also more likely to be the heads of single parent families. Both of these economic factors can increase a woman's risk of food insecurity. However, single men are the group most at risk of destitution in the UK, making this demographic vulnerable, too.</p> <p>Therefore of both genders will benefit from Goal 2 of the charter which aims to strengthen the local economy, improve the quality of local jobs and tackle the causes of poverty.</p>	The charter is anticipated to have positive health impacts for all different groups in the area. There are no foreseen negative health impacts to people based on their gender.
Equality Information on which the above analysis is based	Health data on which above analysis is based
Destitution In The UK 2018 – Joseph Rowntree Foundation – 2018	
Mitigating actions to be taken	
We will continue to monitor and review the charter to ensure that the likelihood of negative impacts arising is minimal.	

Sexual orientation - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes	
Potential impacts (positive and negative) of proposed policy/decision/business	Potential health impacts (positive and negative)

plan	
<p>The charter is anticipated to have positive social impacts for all different groups in the area. There are no foreseen negative social impacts to people which is based on their sexual orientation.</p> <p>We do not have local data, sub-borough level data on sexual orientation but estimates for the borough indicate that Southwark has the second largest gay or lesbian population of any London borough.</p> <p>Evidence suggestions that the LGBTQ population, in particular gay men, are more likely to experience poverty than their heterosexual counterparts. Therefore Goal 2 of the charter should have a have a positive impact on LGBTQ people.</p>	<p>The charter is anticipated to have positive health impacts for all different groups in the area. There are no foreseen negative health impacts to people which is based on their sexual orientation.</p> <p>Evidence suggests that people identifying as LGBTQ are also at higher risk than the heterosexual population of experiencing poor mental health. Therefore Goal 3 to improve the health and wellbeing of Bermondsey's communities should have a positive impact on LGBTQ people.</p>
Equality Information on which the above analysis is based	Health data on which above analysis is based
<p>Protected Characteristics in Southwark. Southwark's JSNA. Southwark Council: London. 2017.</p> <p>http://www.poverty.ac.uk/editorial/poverty-and-sexual-orientation</p>	<p>http://www.poverty.ac.uk/editorial/poverty-and-sexual-orientation</p>
Mitigating actions to be taken	
<p>We will continue to monitor and review the charter to ensure that the likelihood of negative impacts arising is minimal. Reaching out to LGBTQ organisations in the borough to make them aware of the charter and work with them to increase uptake of the charter projects by the LGBTQ community.</p>	

Socio-economic disadvantage – although the Equality Act 2010 does not include socioeconomic status as one of the protected characteristics, Southwark Council recognises that this continues to be a major cause of inequality in the borough. Socio economic status is the measure of an area's, an individual's or families economic and social position in relation to others, based on income, education, health, living conditions and occupation.	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential health impacts (positive and negative)
<p>The charter is anticipated to have positive social benefits for people regardless of their who are living and working in the area.</p> <p>Almost all the charter area is within the 2nd most deprived quintile nationally and parts of it are within the 10% most deprived quintile. This indicates that the charter will have a positive impact on those who face income, housing and education deprivation. In particular goal 1 and 2 aims to positively impact those facing</p>	<p>The charter is anticipated to have positive health benefits for people regardless of their socio-economic status who are living and working in the area. There are no foreseen negative health impacts to people based on their socio-economic status.</p> <p>Deprivation, including housing and income deprivation, has a negative impact on health and wellbeing and therefore goals 1 and 2 of this charter should have a positive impact on the health</p>

<p>deprivation.</p> <p>Goal 1 seeks to build more council homes, invest in estate improvement and improve the conditions of the private rented sector where some of the most deprived residents live.</p> <p>Goal 2 of the charter aims to strengthen the local economy, improve the quality of local jobs and tackle the causes of poverty.</p> <p>Both these goals will have positive impacts for the people</p> <p>Indicators to monitor these goals include:</p> <ul style="list-style-type: none"> • Delivery of new homes • Investment in council estates • Satisfaction with condition of estates • PRS housing conditions • Employment support • Child poverty • LLW employers 	<p>of groups facing socio-economic disadvantage and should help reduce health inequalities.</p>
<p>Equality Information on which the above analysis is based</p>	<p>Health data on which above analysis is based</p>
<p>Mitigating actions to be taken</p>	
<p>We will continue to monitor and review the charter to ensure that the likelihood of negative impacts arising is minimal.</p>	

<p>Human Rights</p> <p>There are 16 rights in the Human Rights Act. Each one is called an Article. They are all taken from the European Convention on Human Rights. The Articles are The right to life, Freedom from torture, inhuman and degrading treatment, Freedom from forced labour, Right to Liberty, Fair trial, Retrospective penalties, Privacy, Freedom of conscience, Freedom of expression, Freedom of assembly, Marriage and family, Freedom from discrimination and the First Protocol</p>
<p>Potential impacts (positive and negative) of proposed policy/decision/business plan</p>
<p>The charter is anticipated to have a range of positive impacts on people living and working in the area. The proposals presented in the charter do not threaten the human rights of anyone living or working in the area.</p>
<p>Information on which above analysis is based</p>
<p>Mitigating actions to be taken</p>
<p>We will continue to monitor and review the charter to ensure that the likelihood of negative impacts arising is minimal.</p>

Alternative Provision (AP) Equality Analysis October 2019

Section 1: Equality analysis details

Proposed policy/decision/business plan to which this equality analysis relates	Procurement Strategy for Alternative Provision
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Equality analysis author	Hannah Moorhouse, Senior Commissioning Officer – Children, Adults & Families Commissioning		
Strategic Director:	David Quirke-Thornton		
Department	Children and Adults Services	Division	Commissioning
Period analysis undertaken	October 2019		

Section 2: Brief description of policy/decision/business plan

1.1 Brief description of policy/decision/business plan

This Equalities Analysis (EA) relates to the decision to approve the procurement strategy for Alternative Provision (AP) in Southwark. The EA will inform the development of the procurement strategy and commissioning process for the procurement, including the tender documentation, service specification and service delivery model. It is anticipated the service will commence in September 2020.

Southwark has an estimated population of 317,256 of which 100,836 are aged between 0-25, representing a significant 31% of the total population.

Local Authorities have a statutory responsibility for arranging suitable education for all compulsorily school aged pupils. Children can require Alternative Provision for a wide range of reasons, including:

- Behaviour which results in a permanent or fixed-period exclusion, or an off-site direction by a school;
- Health reasons – including physical or mental health needs, or a disabled child
- Where a child is awaiting placement in a mainstream school; and
- Interim or supplementary education for a Looked after Child (LAC).

The procurement strategy put forward will have a positive impact on these pupils by increasing choice, access and quality of services. It will provide for different mechanisms to be put in place to ensure a better range of educational provision, improved quality assurance processes and better enhancement for transition to further education and employment.

These services will provide educational support to some of the Borough's most vulnerable young people. Children with special educational needs and/or disabilities often experience poorer outcomes than their peers, in health, education and in the transition to adulthood. It is vital that we ensure that these children, who are often some of the most disadvantaged, are offered equal opportunities to make the most of their talents and become successful adults. AP can play a critical role in making this happen.

The decision maker is the Strategic Director of Children's and Adults' Services.

Section 3: Overview of service users and key stakeholders consulted

2. Service users and stakeholders	
<p>Key users of the department or service</p>	<p>Users of the service will be school aged children and young people who are residents of Southwark. They will have a range and sometimes combination of needs which can include; physical health, mental health, behavioural, or in relation to being a Looked After Child, or and Asylum seeking child.</p> <p>These documents provided challenges to this age group and their mental wellbeing in terms of the following protected characteristics:</p> <ul style="list-style-type: none"> • Age • Disability • Race • Sex • Sexual orientation <p>The data indicates there are a number of key characteristics of residents within this age group that could be future users of the proposed service. However, the data did not capture each of the protected characteristics and there is currently no systematic monitoring across all service areas.</p>
<p>Key stakeholders were/are involved in this policy/decision/business plan</p>	<p>A project board is in place to oversee this project and is a vehicle for key stakeholders to provide valuable input. This includes representatives from across Council departments including from:</p> <ul style="list-style-type: none"> • Virtual School • Looked After Children • SEND • Education Access • Youth Justice • Finance • Procurement • Commissioning <p>Ongoing engagement will take place with key stakeholders to gather their input for the tender documents</p>

Section 4: Pre-implementation equality analysis

<p>Age - Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).</p>
<p>Potential impacts (positive and negative) of proposed policy/decision/business plan</p>
<p>Southwark has an estimated population of 317,256 of which 100,836 are aged between 0-25, representing a significant 31% of the total population.</p> <p>The recommended procurement strategy will have a positive impact for young Southwark residents</p> <p>Alternative provision can promote a range of positive outcomes for pupils, including getting them back on track when they have become disaffected with school. To maximise their chances of success when they leave school, these pupils, like any others, need to gain the best possible qualifications that they can in English, mathematics and a range of other relevant subjects, as well as developing their personal, social and employability skills as part of progression to adulthood.</p>
<p>Equality information on which above analysis is based</p>
<p>ONS Population estimates (mid-2018) Children and Young People's Mental Health and Wellbeing (June 2019)</p>
<p>Mitigating actions to be taken</p>
<p>The service providers will be required to understand the profile of needs in Southwark and ensuring the service addresses inequalities and increases accessibility.</p> <p>The providers will be required to provide ongoing monitoring data on take-up of the service against this protected characteristic. They will be required to address any significant areas of under-representation if deemed relevant.</p> <p>In order for providers to keep pupils safe, the providers need to have a good understanding of child protection procedures, to be alert to any concerns that may arise and to know what they should do if this happens.</p>
<p>Disability - A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.</p>
<p>Possible impacts (positive and negative) of proposed policy/decision/business plan</p>
<p>Nationally, there is a disproportion of the number of students excluded who have special educational needs.</p> <p>Southwark has the 5th highest prevalence out of 33 London boroughs). In 2017 approximately 1,343 or 16.5% of children with SEND have a statement or EHC plan</p>

Children who attend AP have a diverse range of needs .Nationally a high proportion of children in AP academies, AP free schools and PRUs have identified special educational needs compared to those in mainstream schools: 77.1% of children have a SEN or disability, and 10.4% have SEN statements or EHC plans. This compares to 14.4% and 2.8% in all schools respectively.

Many of these children also have a social, emotional or mental health (SEMH) need, which has implications for their behaviour. Children receiving 'SEN support' (i.e. those with SEN but not an EHC plan) are almost four times more likely to be permanently excluded compared to those without a SEN.

The procurement strategy put forward will have a positive impact on these pupils by increasing choice, access and quality of services. It will provide for different mechanisms to be put in place to ensure a better range of educational provision, improved quality assurance processes and better enhancement for transition to further education and employment.

Equality information on which above analysis is based

Department for Education. Special Educational Needs: January 2017
Southwark Council. School Census Data, January 2017
Creating opportunity for all; Our vision for alternative provision, Department for Education, 2018

Mitigating actions to be taken

The service provider will be required to understand the profile of needs in Southwark and ensuring the service addresses inequalities and increases accessibility.

A SEND specialist lot is available within the procurement strategy in order to meet the needs of children with special educational needs.

The providers will be required to have an Equalities & Diversity policy in place, and ensure accessibility of services for all children with a disability.

The provider will be required to provide ongoing monitoring data on take-up of the service against this protected characteristic. They will be required to address any significant areas of under-representation if deemed relevant.

Gender reassignment - The process of transitioning from one gender to another.

Possible impacts (positive and negative) of proposed policy/decision/business plan

No specific impacts have been identified or raised in relation to this characteristic which is not monitored though information about the number of service users will be available where there is self-disclosure. No particular changes have been made to the service specification relating to this.

Equality information on which above analysis is based.
<i>Joint Review of Emotional Wellbeing and CAMHS Services (November 2018)</i>
Mitigating actions to be taken
The service provider will be required to understand the profile of needs in Southwark and ensuring the service addresses inequalities and increases accessibility.
The provider is required to have an Equalities & Diversity policy in place.

Marriage and Civil Partnership - In England and Wales marriage is no longer restricted to a union between a man and a woman but now includes a marriage between a same-sex couple. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples and must be treated the same as married couples on a wide range of legal matters. (Only to be considered in respect to the need to eliminate discrimination).
Possible impacts (positive and negative) of proposed policy/decision/business plan
No specific impacts have been identified or raised in relation to this characteristic which is not monitored though information about the number of service users will be available where there is self-disclosure. No particular changes have been made to the service specification relating to this.
Divorce, separation and custody issues may be a factor in a child's wellbeing and the service will provide support where within their remit, signposting as appropriate.
Equality information on which above analysis is based
Not applicable.
Mitigating actions to be taken
The service provider will be required to understand the profile of needs in Southwark and ensuring the service addresses inequalities and increases accessibility.
The provider is required to have an Equalities & Diversity policy in place.

Pregnancy and maternity - Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Possible impacts (positive and negative) of proposed policy/decision/business plan
<p>The service can be accessed by school aged females who, due to pregnancy and maternity cannot attend mainstream school. This may be before or after the child is born.</p> <p>The procurement strategy will have a positive impact for pregnancy and maternity by supporting young parents with reintegration into a school environment.</p>
Equality information on which above analysis is based
Data from current services
Mitigating actions to be taken
<p>The service providers will be required to understand the profile of needs in Southwark and ensuring the service addresses inequalities and increases accessibility.</p> <p>The provider is required to have an Equalities & Diversity policy in place.</p>

Race - Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.
Possible impacts (positive and negative) of proposed policy/decision/business plan
<p>Approximately two thirds of Southwark children and young people are of Black, Asian and minority ethnic (BAME) origin. BAME children are more likely to be exposed to other risk factors for poor mental wellbeing, such as poverty and acting as a young carer.</p> <p>Nationally, there is a disproportion of the number of students excluded from minority ethnic backgrounds.</p> <p>The procurement strategy put forward will have a positive impact by increasing choice, access and quality of services. It will provide for different mechanisms to be put in place to ensure a better range of educational provision, improved quality assurance processes and better enhancement for transition to further education and employment.</p>
Equality information on which above analysis is based
Joint Review of Emotional Wellbeing and CAMHS Services (November 2018)
Mitigating actions to be taken

Some residents who fall into this protected characteristic may have limited English. An English as a Second Language (ESOL) lot is proposed as part of the procurement to ensure specialist educational support is available.

The service provider will be required to understand the profile of needs in Southwark and ensuring the service addresses inequalities and increases accessibility.

The provider will be required to provide services in the most commonly used community languages in Southwark. The provider is required to demonstrate that the number of languages provided will meet community needs.

The provider is required to have an Equalities & Diversity policy in place.

The provider will be required to provide ongoing monitoring data on take-up of the service against this protected characteristic. They will be required to address any significant areas of under-representation if deemed relevant.

Religion and belief - Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Possible impacts (positive and negative) of proposed policy/decision/business plan

No specific impacts have been identified or raised in relation to this characteristic. No particular changes have been made to the service specification relating to this.

Due to the nature of the service being open access and not needing referrals, this is expected to be more flexible and not put up barriers to access services owing to their particular religion or belief. For example, accessing services on particular days / times.

Equality information on which above analysis is based

Not applicable.

Mitigating actions to be taken

The provider is required to have an Equalities & Diversity policy in place.

The provider will be required to provide ongoing monitoring data on take-up of the service against this protected characteristic. They will be required to address any significant areas of under-representation if deemed relevant.

Sex - A man or a woman.

Possible impacts (positive and negative) of proposed policy/decision/business plan

No specific impacts have been identified or raised in relation to this characteristic. No particular changes have been made to the service specification relating to this.

The service will ensure that user's preferences are responded to in terms of who they wish to talk to in the service; this may include different gender identities.

Equality information on which above analysis is based

Not applicable.

Mitigating actions to be taken

The provider is required to have an Equalities & Diversity policy in place.

The provider will be required to provide ongoing monitoring data on take-up of the service against this protected characteristic. They will be required to address any significant areas of under-representation if deemed relevant.

Sexual orientation - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes

Possible impacts (positive and negative) of proposed policy/decision/business plan

In Southwark, 10% of secondary school pupils self-identify as lesbian, gay, bisexual, transgender, queer (or questioning), and intersex (LGBT QI+). Although social acceptance and attitudes towards LGBTQI+ persons have improved, they remain at higher risk for bullying, discrimination, and abuse.

The procurement strategy put forward will have a positive impact on these pupils by increasing choice, access and quality of services. It will provide for different mechanisms to be put in place to ensure a better range of educational provision, improved quality assurance processes and better enhancement for transition to further education and employment.

Equality information on which above analysis is based

Joint Review of Emotional Wellbeing and CAMHS Services (November 2018)

Mitigating actions to be taken

The provider is required to have an Equalities & Diversity policy in place.

The provider will be required to provide ongoing monitoring data on take-up of the service against this protected characteristic. They will be required to address any significant areas of under-representation if deemed relevant.

<p>Human Rights</p> <p>There are 16 rights in the Human Rights Act. Each one is called an Article. They are all taken from the European Convention on Human Rights. The Articles are The right to life, Freedom from torture, inhuman and degrading treatment, Freedom from forced labour , Right to Liberty, Fair trial, Retrospective penalties, Privacy, Freedom of conscience, Freedom of expression, Freedom of assembly, Marriage and family, Freedom from discrimination and the First Protocol</p>
<p>Possible impacts (positive and negative) of proposed policy/decision/business plan</p>
<p>Everyone has the right to privacy and dignity and service users need to be treated with dignity and respect. The service specification will incorporate meeting requirements of the Human rights and Equality Act 2010.</p>
<p>Information on which above analysis is based</p>
<p>Not applicable.</p>
<p>Mitigating actions to be taken</p>
<p>None.</p>

Section 5: Further actions and objectives

5. Further actions			
Based on the initial analysis above, please detail the key mitigating actions or the areas identified as requiring more detailed analysis.			
Number	Description of issue	Action	Timeframe
1	Under-representation from particular groups	The provider will be required to monitor take up of their services against a number of the protected characteristics and will be required to address areas of under-representation, if deemed to be relevant.	Ongoing

5. Equality objectives (for business plans)

Based on the initial analysis above, please detail any equality objectives that you will set for your division/department/service. Under the objective and measure column please state whether this objective is an existing objective or a suggested addition to the Council Plan.

Objective and measure	Lead officer	Current performance (baseline)	Targets	
			2020/21	2021/22

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