

Cabinet

Tuesday 6 December 2022

11.00 am

Ground Floor Meeting Rooms, 160 Tooley Street, London SE1 2QH

Appendices – Part 3

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Date: 28 November 2022



STATEMENT OF COMMUNITY INVOLVEMENT

DECEMBER 2022

HOW TO FIND OUT ABOUT PLANNING

How To Find Out About Planning Applications

1. Create an account on the [Planning Register](#)
2. Select 'advanced search'
3. Under 'application' details select the types of application or areas that you are interested in. For example: Select Ward - "Peckham Rye"; Select Type of Application - "[Prior Approval](#)"
4. Select 'search' (this will present you with all applications that fit your search criteria, present and historic)
5. Select 'save search'
6. Under 'saved search options', check the box next to 'notify me via email about new search results' and then 'save'

If you are interested in following the progress of a specific planning application, you can 'track' the application. Whenever one of your tracked applications is modified or decided, you will receive an email notification. You can stop tracking an application at any time by removing it from your Tracked Applications list.

Southwark Maps

All current and historic planning applications can be found on Southwark Maps.

1. Follow this [link to Southwark Maps](#)
2. Select 'Planning applications and appeals' layer
3. Search for the address you are interested in

How to Find Out about Plan-Making

An email will be sent to you via [MySouthwark](#) when a plan or policy document goes out to public consultation. The email will provide information on how to register comments for the consultation and the date when these comments need to be received.

How to set up a [MySouthwark](#) account:

1. Follow this [link](#)
2. Click the green 'Register' button
3. Follow the five simple steps to create your account
4. Make sure to **select 'Planning Policy Consultations'** on step 4 to receive plan-making updates

FOREWORD

Southwark is a place of fast-paced change. In just one generation, a neighbourhood can undergo a complete transformation. This change can bring vibrancy and excitement but only when residents are part of the process.

The Statement for Community Involvement (SCI) and Development Consultation Charter (DCC) set out clear standards for consultation and engagement. Written in plain English and publicly available, residents can use these documents to find out exactly what they can expect from the council and the developers.

- Who should be consulted?
- When should they be consulted?
- How should they be consulted?

When development is on the horizon, these are the questions that residents and community groups so often ask, and so justifiably. The Statement for Community Involvement and Development Consultation Charter provide the answers.

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HOW TO USE THIS DOCUMENT

1. Use the Contents Page to navigate the document.
2. Click words underlined in [Blue](#) to see further information on our website.
3. You can use the ‘Return to Table of Contents’ button at the bottom of every page return to this page

WHAT IS THE STATEMENT OF COMMUNITY INVOLVEMENT?

What is the Statement of Community Involvement?

The Statement of Community Involvement (SCI) sets out how the Council will involve everyone in planning. If you want to be involved in the change to places in Southwark then you need to know about our planning documents and planning applications. If you engage with us then you can influence place-making and make a difference.

There are many different types of planning documents and planning applications. The Statement of Community Involvement is a simple guide to how you can find out about each one. This includes when you can contribute by being involved or providing your comments.

The best way to keep up to date is to sign up to be consulted on new [planning documents](#) and [planning applications](#).

Southwark is a young, growing and diverse inner London borough where the community speaks over 120 languages and the diversity of backgrounds includes over a quarter of people who are Black and a third who are Asian or other minority ethnicities. This means that we need to think about all of the different ways to let everyone know about the changes to Southwark that might happen when the Council is preparing planning documents and making decisions on planning applications. We set out how we do this on the next page where we talk about Southwark's approach to community engagement on planning.

Southwark's diversity gives us the opportunity to promote equalities (meeting demands on us by the Equality Act and Public Sector Equality Duty¹). This will make sure that our conversations come from a wide range of perspectives and different needs to make sure that our planning actions are built on trust. We will use all of this feedback along with our research and data to consider how people will be impacted by any proposal. You can see all comments and other information that will be considered by Councillors when they are making decisions on planning documents and applications in the Equality Impact Assessment. This is part of the pack of information provided five days before the meeting making the decision.

1 The Public Sector Equality Duty (PSED) was created under the Equality Act 2010. The purpose is to integrate the consideration of equality into the decision-making of public authorities. It requires public authorities to consider:

- The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act.
- The need to advance equality of opportunity between persons sharing a relevant protected characteristic and those who do not share it.
- The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it.
- This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.

SOUTHWARK'S APPROACH TO COMMUNITY ENGAGEMENT IN PLANNING

Built on Trust

We consult on plan-making and planning applications in a clear and consistent way that is easily understood by our residents.

Reflective

We review the Statement of Community Involvement regularly to ensure that it responds to the needs of our communities.

Responsive

We provide feedback on policy documents in the 'You Said, We Did' format. Planning officers will be available for queries on planning applications.

Clear and Informative

We provide consultation materials that are clear and to the point. We ensure access to consultations are clear and straightforward.

Evidence Based

We only put forward policy or development proposals founded on transparent justification that will be made available on the Council's website.

Proportionate

We ensure that the level of engagement that takes place is proportionate to the nature and scale of the document or application that is being consulted on.

Timely

We provide the necessary information at the earliest possible stage so that the community can be fully informed before engaging with consultation. We consult the public and are clear on the time frames for submitting responses.

Inclusive

We engage with as many people as possible to reflect our diverse community. We ensure that the events we hold respond to people's different needs to enable wide participation.

Simple and Accessible

We ensure that all consultation materials are provided in plain English and that consultation events are available and accessible to all.

Collaborative

We work collaboratively with our residents and community groups throughout the plan-making process by using a variety of inclusive consultation

INFORMATION ABOUT PLANNING APPLICATIONS

There are many different types of planning application. Generally, we will put up a Site Notice and send a Neighbour Notification Letter, but for some smaller applications we may do one or the other.

Look on the [Planning Register](#) to find out information about planning applications.

Application Type	Site Notice	Neighbour Notification Letter	Press Notice
Applications subject to an Environmental Impact Assessment that are accompanied by an Environmental Statement	✓	✓	✓
Major Applications	✓	✓	✓
Reserved Matters (for outline permission)	✓	✓	-
Minor development	✓*		-
Minor Material Amendments	✓*		-
Householder	✓*		-
Advertisement Control	✓*		-
Prior Approval	✓*		-
Listed Building Consent	✓* (if external works)		✓
Applications for development which would affect the setting of a listed building or affect the character or appearance of a conservation area	✓*		✓

(*Either a site notice or a neighbour notification letter will be sent. We may use both methods of notification)

INFORMATION ABOUT PLANNING APPLICATIONS

Application Type	Site Notice	Neighbour Notification Letter	Press Notice
Applications that department or do not accord with the development plan (including an application for public service infrastructure development made on or after 1st August 2021)	✓*		✓
Applications which would affect a right of way to which Part 3 of the Wildlife and Countryside Act 1981 applies (including an application for public service infrastructure development made on or after 1st August 2021)	✓*		✓
Non-Material Amendments	No statutory requirement for public consultation.		
Lawful Development Certificate	No statutory requirement for public consultation.		
Approval/Discharge of Conditions	No statutory requirement for public consultation.		

(*Either a site notice or a neighbour notification letter will be sent. We may use both methods of notification)

Who Qualifies as a 'Neighbour' for the Purposes of a Notification Letter?

- For all application types, neighbours are people who live immediately next to the application site.
- For major applications, this will also include people who live or work within approximately 100m of the application site, or further where we think it is appropriate depending on the size of development.

HOW TO COMMENT ON PLANNING APPLICATIONS

1. Before the application is submitted

We will:

Require applicants to consult with the community. For major applications, this must be in line with the requirements of the Development Consultation Charter.

We may encourage applicants to:

Liaise with Tenants Resident Associations, Neighbourhood Forums, and local community groups.

2. Once the application is submitted

We will:

Make planning applications and supporting documents available online on the planning register.

Consult on planning applications as set out in law and this document.

Ensure developers carry out the requirements set out in the Developer Consultation Charter.

Where appropriate, we will:

Display a planning notice near the application site.

Post letters to neighbours adjoining the application site.

Publish a press notice.

Consult with other relevant organisations.

3. During the determination process

We will:

Allow public and statutory consultees 21 days to respond to consultation on an application and 30 days to respond to a consultation where an Environmental Impact Assessment is part of the application.

Take into consideration any consultation responses as part of the officer or committee report.

Take into account any relevant material considerations, such as impact on neighbours or design quality.

We will not directly respond to individual representations received on each case. You will be notified of progress on an application if you sign up to track an application on the planning register.

Where appropriate, we will:

Reconsult on an amended planning application for 14 days if there is a 'material' change to the original application.

4. When we make a decision

We will:

Publish the decision notice and officer or committee report on the planning register.

Clearly outline recommended reasons for approval or refusal in the officer or committee report

Email the applicant with the decision notice.

Publish any relevant appeal documents or decisions on our website. The Planning Inspectorate (PINS) website will also publish documents.

Monitor the developer consultation process as set out in the Development Consultation Charter.

HOW TO SIGN UP FOR NOTIFICATIONS ON PLANNING APPLICATIONS

Planning Register

If you want to receive alerts about planning applications:

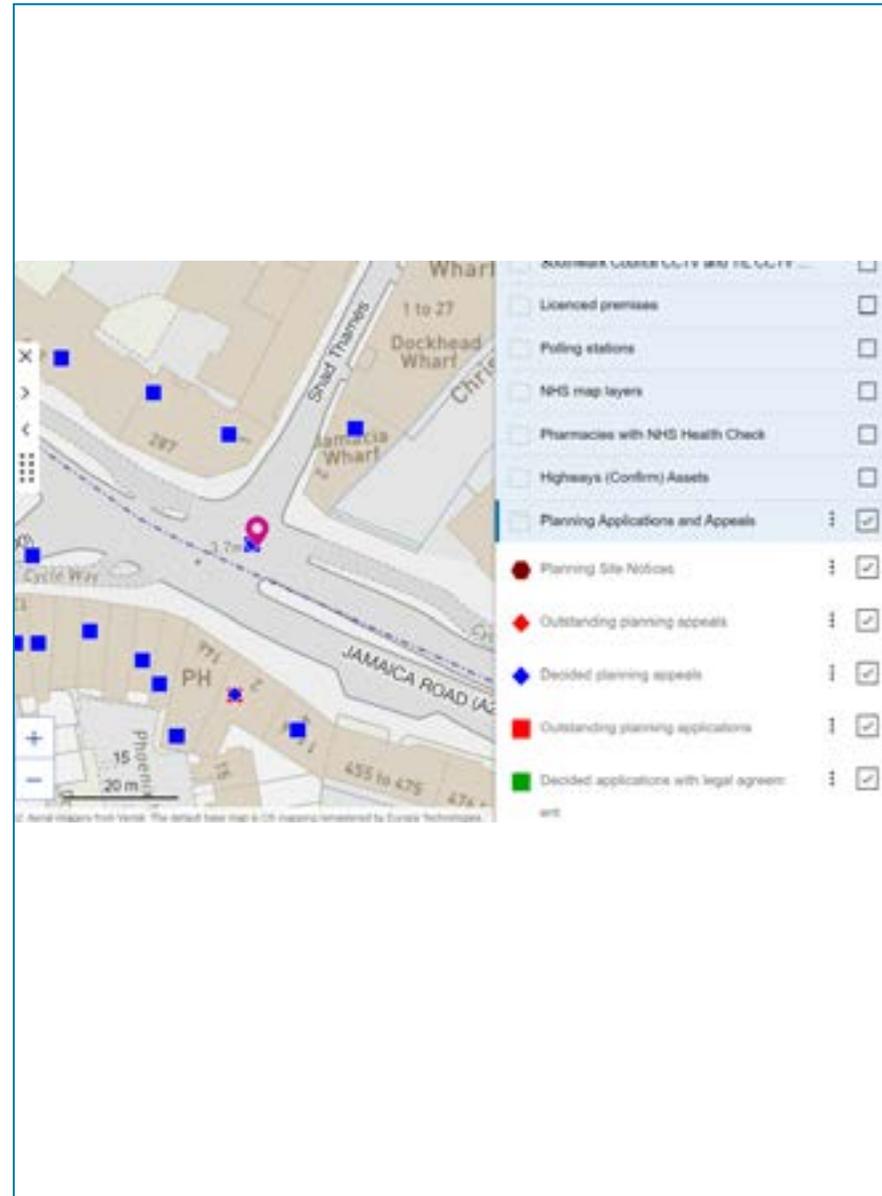
1. Create an account on the **Planning Register**
2. Select 'advanced search'
3. Under 'application details' select criteria that are important to you. For example, this could be a ward such as 'Peckham Rye' or the area as well as a certain type of application such as 'prior approval'
4. Select 'search' (this will present you with all applications that fit your search criteria, present and historic)
5. Select 'save search'
6. Under 'saved search options', check the box next to 'notify me via email about new search results' and then 'save'

If you are interested in following the progress of a specific planning application, you can 'track' the application. Whenever one of your tracked applications is modified or decided, you will receive an email notification. You can stop tracking an application at any time by removing it from your Tracked Applications list.

Southwark Maps

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2. Select 'Planning applications and appeals' layer
3. Search for the address you are interested in



HOW TO SUBMIT YOUR COMMENTS

1. On our Planning Register

The best way to submit your comments on a planning application is using the Council's [planning register](#) during the consultation period.

How to submit comments using the planning register:

1. Follow this [link](#)
2. Search the address or application number of planning application you want to comment on
3. Click make a comment
4. Complete form

2. Letters and Emails

Alternatively, you can send us your comments by email or letter.

Please email comments to the case officer or to:

planning.applications@southwark.gov.uk

Post letters to:

Planning Division
Southwark Council,
PO BOX 645529
London SE1P 5LX

3. Libraries and MySouthwark Service Points

Applications can also be viewed on computers that are available at local libraries or [My Southwark Service Points](#) if you do not have internet access. Staff will be available to help you do this.

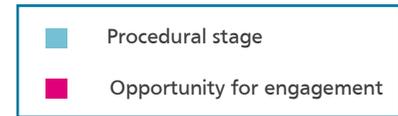
How to submit your comments

Consultation responses can support, object or suggest amendments to the proposed development. When making a decision, the Council is only able to consider factors that are 'material planning considerations'. Here are some examples:

- Design and size of the development
- The land use
- Traffic generation and parking
- Nuisance and noise
- Whether the design fits in with the character of the area
- Amenity, daylight and privacy
- Compliance with planning policy and guidance
- Changes to the development to make sure the community has been taken into account
- Any other relevant material planning or environmental issues

Any written comment you make about an application must be placed on the planning register by law. This means that your comment will be published on our website. We will remove any personal information or inappropriate language. Anonymous and 'in confidence' comments will not usually be considered.

CONSULTATION ON PLANNING APPLICATIONS

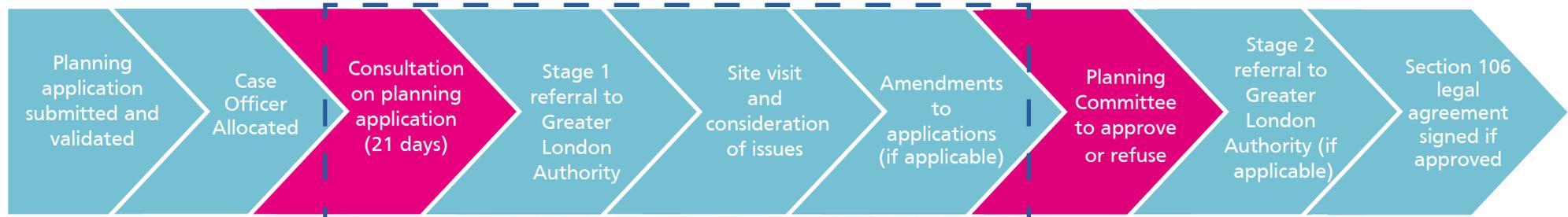


Minor planning applications



This process is repeated if necessary for 14 days if there is a 'material' change to the original application.

Major planning applications



There is reconconsultation for 14 days if there is a 'material' change to the original application, or 30 days where an Environmental Impact Assessment is part of the application.

PLANNING APPEALS

If a planning application is refused by the Council, the applicant can change the scheme and submit a new planning application or submit an appeal. Decisions on appeals are made by the Planning Inspectorate (PINS) who can either overturn the Council’s decision or accept the Council’s decision and dismiss the appeal. The Planning Inspectorate is an independent government body. Appeals can only be made by applicants.



Getting involved

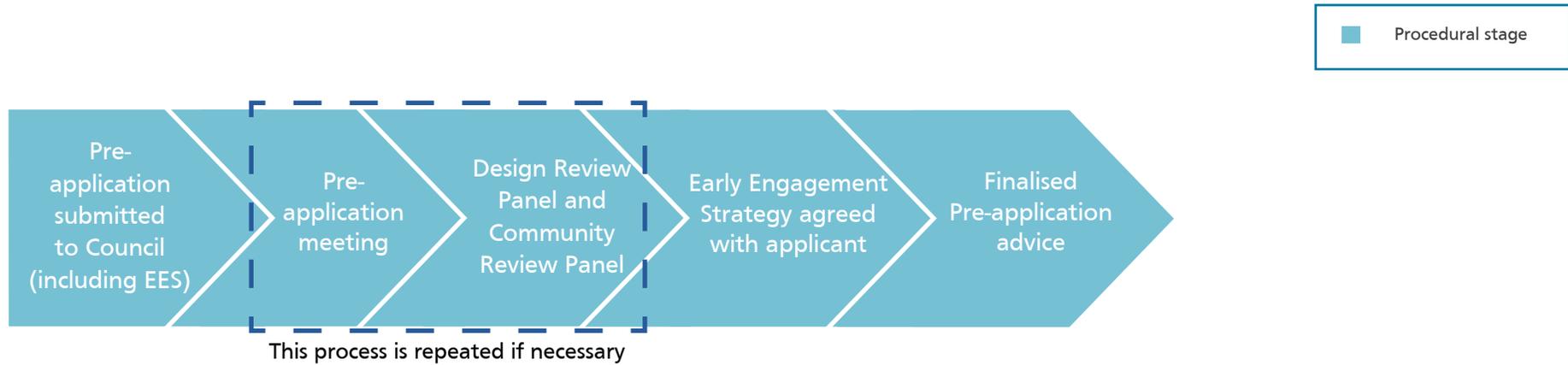
Written Representations

Most planning appeals are decided by the written representations. The Planning Inspector considers written evidence from the applicant, the Council and any member of the public who has an interest in the appeal.

If you were consulted or made comments on the planning application then you will be emailed by the Council within five days for further comments and you will then need to respond within five weeks.

If you want further information please look on the Planning Inspectorate’s [website](https://www.gov.uk).

PRE-APPLICATIONS



Pre-Application advice for planning applications

The Council provides advice for developers before they apply for planning permission. This is informal and so the conversations are not published on the planning register and the public are not consulted by the Council until a relevant application is received. Information about how we expect the developer to consult at this stage can be found in the [Development Consultation Charter](#). This includes an [Early Engagement Strategy](#) for major developments.

HOW TO COMMENT ON PLAN-MAKING

We want to hear what you support and how you think plans could be different. We will consult for at least six weeks on all of the documents.

1. On Our Consultation Hub	2. By email	3. By letter
It is quickest and easiest to send us your comments via our Consultation Hub	Please email comments to: planningpolicy@southwark.gov.uk	Post letters to: Planning and Growth, Southwark Council, PO BOX 645529 London SE1P 5LX

How to find out about plan-making

We will publicise new consultations in the following ways:

- **Press notice**

We will place a notice in Southwark News, a local newspaper.

- **Emails to our mailing list**

Further information on how to sign up to the mailing list via MySouthwark is on [page 2](#). We have over 27,000 people on our mailing list. This includes neighbouring boroughs and statutory consultees.

- **Hard copy**

A hard copy of the plan will be available at 160 Tooley Street (the Council's offices). Alternative arrangements will be made during exceptional circumstances.

- **Social media**

We will send out regular updates and reminders using the Council's social media pages when a consultation is open.

- **Council website**

The plan and all supporting documents will be available to view or download on the Council's website.

- **Consultation posters**

We will put up posters in all Southwark libraries. Assistance is available in libraries to those who need help making a comment on a plan online.

How will we respond to your feedback?

We consider all responses and produce a Consultation Report that highlights the changes we have made to the document following consultation. We report back on consultations in a 'You Said/We Did' format.

Where can I find a consultation report?

The report and all comments received are available on our website. We will send you a link to where you can find this report through [MySouthwark](#).

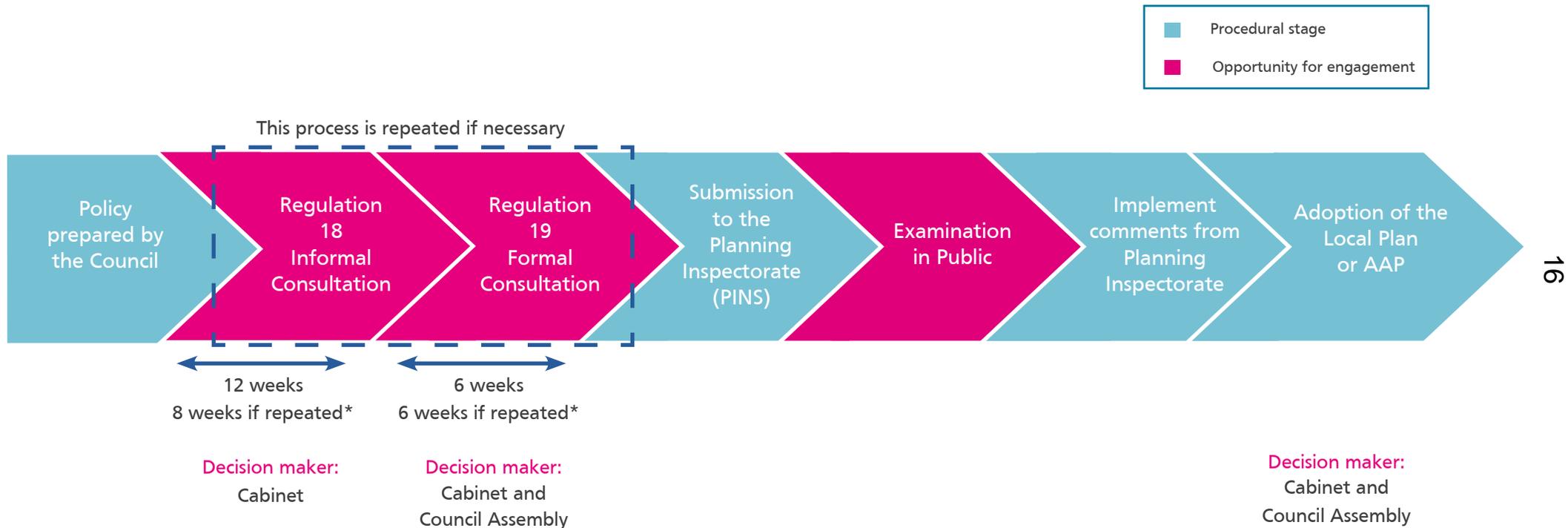
CONSULTATION ON THE LOCAL PLAN AND AREA ACTION PLANS

Getting involved

The Southwark Plan (2022) sets out how we want development to change Southwark. It sets out site allocations, area visions and policies that are used to determine planning applications.

Process of Local Plan and Area Action Plan Adoption

The flowchart below shows different policy documents and consultation stages.



*Further consultation will only take place where appropriate. We will reconsult for 8 weeks at the informal Regulation 18 stage and 6 weeks at formal Regulation 19 stage following the initial consultation, if changes are proposed that require further consultation.

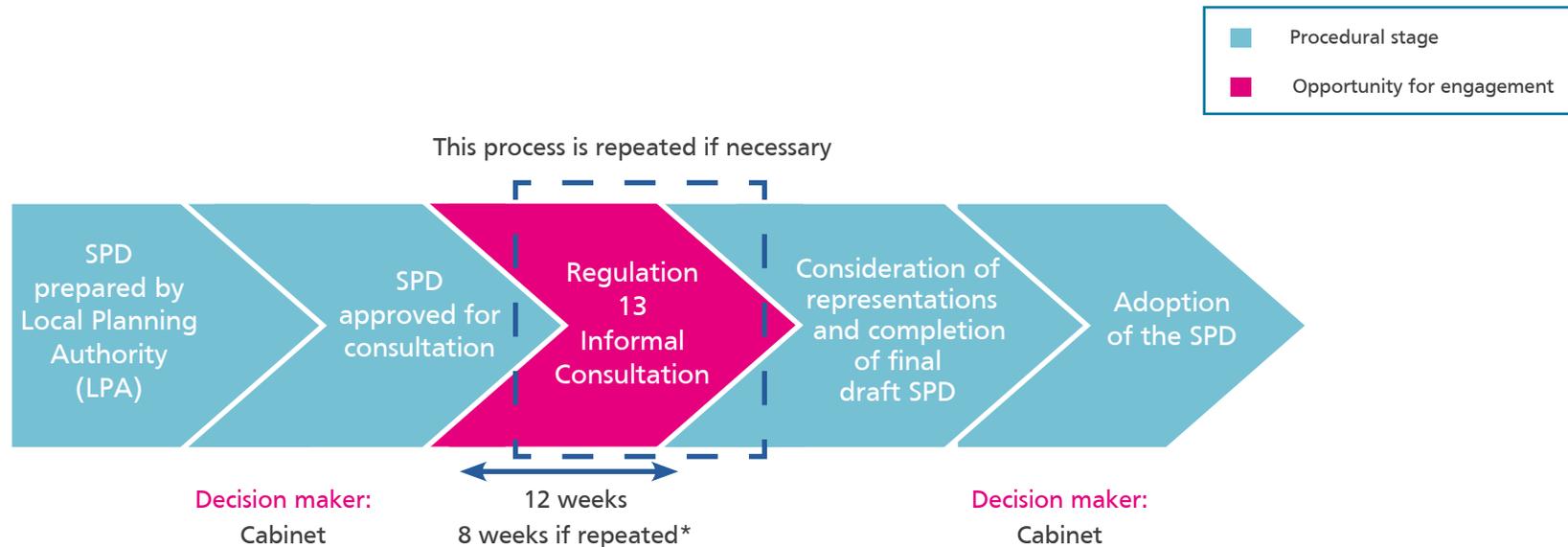
Consulting in exceptional circumstances

We might need to change our consultation when events prevent our procedures taking place to make sure that we continue communicating with people at all times.

CONSULTATION ON SUPPLEMENTARY PLANNING DOCUMENTS

What are Supplementary Planning Documents (SPDs)?

SPDs can provide guidance for development on specific sites, or on particular issues, such as design. SPDs are a material consideration in planning decisions but they are not part of the development plan. They provide additional detail to the Southwark Plan.



*Further consultation will only take place where appropriate. We will reconsult for 8 weeks following the initial consultation if changes are proposed that require further consultation.

CONSULTING IN EXCEPTIONAL CIRCUMSTANCES

Planning applications

We will:

- Be guided by central government guidance.
- Extend the formal consultation period from 21 days to 28 days to give members of the community more time to make a comment on a planning application.
- Where planning officers cannot go on site to put up a site notice, neighbourhood letters will be sent to those close to the site or a site notice will be put up by the applicant.
- Where a planning officer cannot carry out a site visit they may ask the applicant to carry out a virtual/video site visit and to take photos from specific areas of the site.
- Use satellite photography to assess the site.

The Development Consultation Charter sets out what type of consultation you can expect from a developer in exceptional circumstances.

Plan-making and policy documents

We will:

- Be guided by national guidance.
- Make all documents out to consultation available on our website. In a scenario where Council offices are closed and it is not possible for hard copies of documents to be made available, we will post a copy of the document to those who request it where they cannot access the internet.
- Advertise a consultation through [MySouthwark](#), Council social media and a newspaper notice. We will also notify our statutory consultees.
- Make an online survey available so that as many people as possible will have access to the consultation.
- Hold virtual meetings between planning officers and members of the community if necessary using digital tools.

ENGAGING WITH US: FIND OUT MORE

Planning Applications

- [When do you need planning permission](#)
- [How the pre-application process works](#)
- [How to submit a Planning Application](#)
- [How to comment on an application](#)
- [How to use the planning register](#)
- [How we make decisions: delegated decisions and Planning Committees](#)
- [Consulting in exceptional circumstances](#)

Planning Policy

- [Development Consultation Charter \(DCC\)](#)
- [Our Local Plan and Planning Policies Map](#)
- [Planning Policy documents](#)
- [Supporting documents In local plan-making](#)
- [How to comment on plan-making](#)
- [How to receive updates on plan-making](#)
- [Decision-making in the plan-making process](#)

Post Planning and Enforcement

- [Section 106 and Community Infrastructure Levy \(CIL\)](#)
- [How to report a planning breach](#)
- [Planning Enforcement](#)

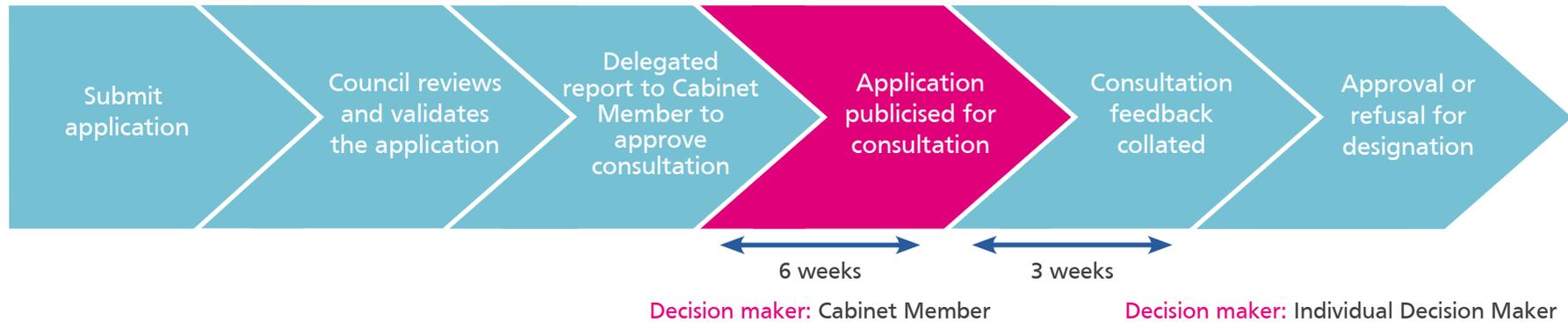
Information on Planning

- [Glossary of Planning Terms](#)
- [A Guide to Neighbourhood Planning](#)
- [Plain English Guide to the Planning System](#)
- [A Guide to Plan-Making](#)
- [A Guide to Permitted Development Rights](#)
- [Southwark Council's Movement Plan](#)
- [Planning Portal](#)
- [Equalities and Protected Characteristics](#)

NEIGHBOURHOOD PLANNING

Designating a Neighbourhood Forum and Area

To write a [Neighbourhood Plan](#) or a [Neighbourhood Development Order](#), the local community must come together and apply to the Council to be formally designated as a Neighbourhood Forum and have a Neighbourhood Area designated. Only one group can represent and prepare a plan for each neighbourhood area.



Neighbourhood Plans and Neighbourhood Development Orders

A plan for the area can be prepared by the Neighbourhood Forum. A Neighbourhood Development Order (NDO) means that certain types of development can take place in an area without the need to apply for planning permission.



Further information on neighbourhood planning can be found [here](#).

NEIGHBOURHOOD PLANNING PROCESS

Process for adopting a Neighbourhood Forum or Area

1. Submit an application.
2. The Council reviews and validates the application.
3. A delegated report is sent to the Cabinet Member to approve the consultation.
4. The Council will publicise the Plan or Order on its website
5. Consultation feedback collated.
6. Approval or refusal for designation.

The Council must determine the application within 13 weeks of the application first being publicised. If a Neighbourhood Area application falls within the areas of two or more local planning authorities (i.e. Southwark and one of its adjoining boroughs), then 20 weeks is allowed for determination.

Required application documents

- Application form (available on our [website](#)).
- The name of the proposed Forum.
- A copy of the written constitution of the proposed Forum.
- The name of the Neighbourhood Area to which the application relates and a map identifying the area.
- Contact details of one member of the Forum to be made public.
- Confirmation that the submission is by an organisation capable of becoming a Neighbourhood Forum.
- Confirmation and details of membership with at least 21 members who live or work in the area or are an elected member.
- A statement to explain how the forum meets the conditions contained in the Town and Country Planning Act 1990 as amended - This should include whether it is established for the purpose of promoting or improving the social, economic and environmental wellbeing of the neighbourhood.

Process for adopting a neighbourhood plan or development order

1. Prepare a neighbourhood plan/order.
2. Neighbourhood forum must publicise the plan/order to those who live or work in the area before submitting to the Council.
3. Submit a plan/order to the Council.
4. The Council publicise the plan/order on our website.
5. The plan/order will undergo an independent examination.
6. A referendum (or public vote) on the plan will take place.
7. Adoption of the plan/order.

Publicising the plan/order to those who live or work in the area

The Neighbourhood Forum must publicise the following to the people who live, work or use the Neighbourhood Area:

- Details of the proposals/the plan and supporting evidence.
- Details of where and when the proposals/the plan may be inspected.
- Details of how to make representations and the date by which those representations must be received (at least 6 weeks).
- Consult statutory bodies in Schedule 1 Paragraph 1 of the Neighbourhood Planning (General) Regulations 2012.
- Send a copy of the proposals/the plan to the Council(s).



DEVELOPMENT CONSULTATION CHARTER

DECEMBER 2022



Introduction

What is the Development Consultation Charter?

The Development Consultation Charter (DCC) outlines how the Council wants developers to engage with our community when preparing planning applications and applying for planning permission. The DCC forms part of our Statement of Community Involvement (SCI). The SCI is a statutory document that sets out how Southwark Council engages with our community. The SCI outlines the role of the Council in ensuring a meaningful consultation and engagement process. The DCC outlines the role of the developer in ensuring a meaningful consultation and engagement process.

We want to put the community at the heart of shaping the changes that are taking place in their neighbourhoods, and we will ensure that engagement and consultation is carried out in the ways that are required by this Charter. We have defined three key stages of participation for the community to take part in the planning process and an objective for developers at each stage:

Stage of stakeholder participation	Developer Objective
1. Engage	Engage with residents and stakeholders before submitting a planning application. This will ensure residents are included in the design of a scheme.
2. Consult	Provide opportunities for residents to feedback on the design and impact of the scheme throughout the planning process.
3. Inform	Maintain regular contact with residents throughout construction until completion and beyond.

This Development Consultation Charter sets out how we will ask the developer to prove their commitment to community engagement and show that they have taken due consideration of:

- Equalities impacts
- Social infrastructure
- Community assets
- Local demography
- Heritage and cultural assets
- Existing transport

Who is the Development Consultation Charter for?

This document is primarily aimed at developers of major development schemes to outline the engagement required to develop in Southwark. However, this document is also useful for the two other stakeholders in the development process: the Council and the community.

Developers: The DCC sets out guidelines for developers on how engagement should happen at each stage of the planning process. This will ensure that a development reflects the needs of the community.

The Community: The community includes all those who live, work, study, worship and volunteer in Southwark. The DCC shows the types of engagement the community can expect from developers throughout the planning process.

The Council: This charter outlines the requirements for developers for submitting a planning application. The Council will ensure developers of major schemes in the borough meet these requirements.

Why do we need a Development Consultation Charter?

We recognise planning and growth is not just about changes to the buildings and environment around us. It is also about improving the lives of people in the borough. It is important that everyone has a voice in the planning process and is able to influence change. The DCC is the Council's promise to the community to deliver the objectives of [Southwark Plan Policy SP2 "Southwark Together"](#).

Working together requires the Council to provide the community with:

- Guidelines for how the Council and developers will consult and engage on planning matters.
- An empowering approach to the development process where the community are at the centre.
- Accessible, online information on how engagement and feedback has shaped discussions and proposals.

This will help developers to submit a planning application that has been shaped by working closely with the community. Decision makers can then make informed, transparent decisions on the merits of the development.

Why should a developer engage with the community?

Engagement can:

- Encourage innovative ideas and design solutions inspired by local knowledge.
- Help gain support from the community as they feel valued and respected.
- Ensure the developer understands local concerns at an early stage. This helps to address issues that may arise during the application process.

Why should the community engage with the planning process?

Engagement can:

- Allow the community to have a say on how their neighbourhood changes.
- Make sure that development responds to the needs of the community.
- Empower the community and make a difference to how development happens in the borough.

How will this Charter work?

This Charter introduces a **three-stage process** to ensure meaningful engagement on planning applications: (1) Engage; (2) Consult, and (3) Inform. Below is a table that outlines the requirements and responsibilities for developers, planning officers and the community to ensure its success.

Timeline of Processes	1: Engage			2: Consult		3: Inform
	At pre-application meeting	Before submission of planning application	At submission of planning application	Consultation	Determination of Planning Application	During Construction
Documents submitted by Applicant	Early Engagement Strategy (EES)		Engagement Summary (ES) Equalities Impact Assessment (EQIA)	Updated Engagement Summary (ES) (where further engagement has been undertaken)		Construction Management Plan secured by condition or S.106
Role of Developer	Arrange a pre-application meeting with the council (Not compulsory, but recommended). Prepare EES and send to Planning Officer to review.	Undertake engagement activities with the community and relevant stakeholders.	Prepare and submit required documents with planning application .	If further engagement is undertaken post-submission, submit an updated version of the ES with evidence of further engagement.		Respond to local stakeholder concerns and feedback in a timely manner throughout construction.
Role of Planning Officer	Assess and provide feedback on the submitted EES. Confirm the required DCC processes.		Review submitted documents to ensure sufficient engagement has been undertaken. If insufficient engagement, request developer undertakes further engagement.	Comply with legal requirements for consultation.	Give a summary of engagement undertaken in officer report. Assess whether the developer has given due regard to the needs of those with protected characteristics.	
Opportunities for Residents		Engage and participate in engagement meetings.		Provide comments to developers and planning officers.	Attend or speak at Planning Committee	Contact developer to report issues.

Who should developers engage with?

This Charter aims to encourage meaningful conversations between the community and the developer. We expect developers to reach out to people in the local area who may be affected by a scheme. These people should reflect the diversity of the area where the application site is located.

Developers should research and contact the following organisations in the area of their site, including:

- Local community and faith groups
- Local heritage and amenity societies
- Tenants & Residents Associations (TRAs)
- Neighbourhood forums
- Local schools and colleges
- Multi-ward forums
- Ward Councillors
- Local businesses and Business Improvement Districts (BIDs)
- Voluntary organisations. Examples include Community Southwark and the Forum for Equalities and Human Rights in Southwark (FEHRS)
- Civic societies and amenity associations

What type of applications must consult and engage?

Public consultation and engagement should be proportionate to the scale of the development. Developers of a major application must engage the community and provide evidence of having done so. Any major application must also undertake a public meeting where people can have their say on the application.

Council Schemes	All council schemes, including housing schemes that propose one or more new homes.
Small Scale Major Applications	10 - 49 homes. 1,000 sqm - 3,499 sqm commercial floorspace.
Large Scale Major Applications Lower Range	50 - 99 homes. 3,500 - 10,000 sqm commercial floorspace.
Large Scale Major Applications Higher Range	100 + homes. over 10,000 sqm commercial floorspace.

*With the exception of council-owned Hidden Homes schemes, as these are conversions in existing developments. The impacts of this type of development on equalities issues will still be taken into consideration in the planning application process.

How should developers demonstrate a commitment to engagement?

This section outlines how we would like developers to evidence the engagement and consultation undertaken throughout the development process. We have also provided templates on our [website](#) to outline the requirements of each of the documents below.

1. Early Engagement Strategy

An Early Engagement Strategy (EES) is a requirement for pre-application discussions. The purpose of this document is to ensure that developers engage with residents and local stakeholders from the start of the development process. Early engagement is essential to ensure that residents and local stakeholders have a say in the development. It can also help to identify elements in the design of the scheme that may have a detrimental impact on certain individuals or groups.

Facts-Based Audit

The EES should begin with a Facts-Based Audit (FBA) of the proposed development site. We recognise that schemes come to pre-application meetings at a variety of stages in the design process. If the scheme is at the early stages of the design process, you should outline how you intend to undertake the FBA before finalising the design. However, if the design is at a more advanced stage, the Council expects a full Facts-Based Audit outlined below.

A Facts-Based Audit should include:

1. **Stakeholder analysis** - who are the owners, occupiers and users of the existing buildings and surrounding the site? What are the demographics of the existing occupiers and users of the site? This must include assessment of those with protected characteristics.
2. **Heritage and site layout** - give a description of the existing buildings and space surrounding the site. Is the site situated within a conservation area? Is the building listed? Is the site, or any buildings within the curtilage of the site, of wider community interest?
3. **Accessibility and movement** - how is the site currently accessed by its current users? What are the important routes and why?
4. **Climate change and sustainability** - what climate change mitigation and adaptation considerations are relevant for the site? What sustainability considerations are there?

Approach to Engagement

We want to know how you will engage with the key stakeholders that been identified, what engagement activities you intend to undertake and why you have chosen these activities in particular.

Engagement activities must enable stakeholders to participate and provide their views on what they want to see from the development. You must go into engagement activities without any assumptions of what stakeholders will want or need. Examples of engagement activities can include stakeholder meetings, workshops and feedback seminars.

You should also detail how you intend to incorporate feedback received from engagement

activities. We want to see evidence that stakeholders have had a meaningful impact on the design of a scheme. You must detail how you will achieve this.

2. Engagement Summary (ES)

You should submit an Engagement Summary (ES) with your planning application. This is a validation requirement in Southwark. The ES should provide an overview of the engagement that has taken place with local stakeholders prior to submitting the application. The Planning Officer will assess the Engagement Summary and this should include:

- A summary of the Facts-Based Audit undertaken in the Early Engagement Strategy. Please include any changes that have occurred since the EES was submitted. If you have not attended a pre-application meeting with an EES, you should provide a full Facts-Based Audit.
- A summary of stakeholder views and their vision for the future use of the site. What elements of the scheme did stakeholders like? What did they dislike? What would they like to see as part of this development?
- Outline any changes that were made to the scheme because of feedback from engagement with stakeholders in a 'You Said, We Did' format. If you were not able to make changes to the design of the scheme, provide a detailed justification.
- A Social Value Statement that describes the economic, social and environmental impacts of the development, how the development will contribute to the long-term wellbeing and resilience of existing and future residents and businesses.

If you decide to undertake further engagement after submitting your application, please provide an updated engagement summary with evidence of the further engagement undertaken.

3. Equalities Impact Assessment

We all have one or more protected characteristics with similar and different needs. Some groups with protected characteristics experience differential and sometimes negative impacts as a result of a development proposal or plan. Consultation and engagement can help find out about different needs and experiences of local communities to minimise these impacts. We require developers to undertake an Equalities Impact Assessment for their development to identify potential impacts from an early stage.

As set out in the Statement of Community Involvement (SCI), the Public Sector Equalities Duty (PSED) does not apply to developers. However, to be compliant with the SCI and this Charter, we require developers to support the Council in meeting and discharging this important duty. For you, this means producing a proportionate Equalities Impact Assessment of the impacts of the development. It must illustrate how the proposal will remove or minimise disadvantages suffered by people due to their protected characteristics, and what steps have been taken to meet the needs of people from protected groups where these are different from the needs of other people. It should also detail positive equalities impacts.

An Equalities Impact Assessment should include:

- A brief description of the development proposal.
- An overview of the users of the site and the stakeholders within the decision-making process.
- An equality impact and needs analysis that considers the potential impact to groups with protected characteristics, and provides evidence upon which this assumption is made and details of any mitigating actions to be taken as a result.

Requirements for Developers

The following table provides an overview of the activities we expect developers to undertake through the three stages of stakeholder participation to ensure meaningful engagement. We expect applicants to undertake each stage in turn.

Stage 1 - Engage Best practice that a developer should undertake <u>before</u> submitting a planning application		Minor Council-own applications*	Small scale major applications	Large scale major applications - lower range	Large scale major applications- higher range
Normal circumstances	Alternatives in exceptional circumstances				
Prepare an Early Engagement Strategy that includes a facts-based audit of the site	Prepare an Early Engagement Strategy that includes a facts-based audit of the site	√	√	√	√
Display a notice / board at the application site, which includes images of the proposed scheme and contact details of the developer	Display a notice / board at the application site, which includes images of the proposed scheme and contact details of the developer	√	√	√	√
A leaflet drop with a follow-up door-knock to those within close proximity to the site (including images of the proposed scheme, contact details of the developer and how to make comments on the proposal to the developer)	Developer to send Neighbourhood Letters to those within close proximity to the site (including images of the proposed scheme, contact details of the developer and how to make comments on the proposal to the developer)	√	√	√	√
Computer Generated Images/ 3D modelling	Computer Generated Images/ 3D modelling				
A video presentation of the site and the proposed scheme should be available on the developer's website where possible	A video presentation of the site and the proposed scheme should be available on the developer's website where possible		√	√	√

Stage 1 - Engage Best practice that a developer should undertake <u>before</u> submitting a planning application		Minor Council-own applications*	Small scale major applications	Large scale major applications - lower range	Large scale major applications- higher range
Normal circumstances	Alternatives in exceptional circumstances				
Planning officers may advise developers who will need to be consulted.	Planning officers may advise developers who will need to be consulted.	√	√	√	√
Present the proposed scheme to the Design Review Panel (if required)	Present the proposed scheme to the Design Review Panel (if required)		√	√	√
Public engagement activities as agreed in Early Engagement Strategy. Examples include workshops, interviews and meetings.	Use online surveys and digital tools to find out the views of the community. For those who do not have access to the internet and cannot complete an online survey, the developer should complete the survey over the phone with the resident. Contact details for the developer should be provided on Neighbourhood Letters/Leaflets.		√	√	√
Meetings with local residents, any relevant groups including community / resident groups, businesses and other stakeholders	Meetings with relevant groups including community / resident groups, businesses, and other stakeholders via video-conference software (e.g. Zoom, Microsoft Teams)			√	√
Developers set up website providing details and images of the proposal	Developers set up website providing details and images of the proposal			√	√

Stage 1 - Engage Best practice that a developer should undertake <u>before</u> submitting a planning application		Minor Council-own applications*	Small scale major applications	Large scale major applications - lower range	Large scale major applications- higher range
Normal circumstances	Alternatives in exceptional circumstances				
Submit an Engagement Summary	Submit an Engagement Summary	√	√	√	√
Construction boards (hoardings) displayed	Construction boards (hoardings) displayed where relevant	√	√	√	√
Leaflet drop (and/or at pre-app stage)	Neighbourhood Letters to those within close proximity of the site. This should include the contact details of the developer	√	√	√	√
Computer Generated Images/ 3D modelling	Computer Generated Images/ 3D modelling A video presentation of the site and the proposed scheme should be available on the developer's website where possible	√	√	√	√
Consider the council's Climate Change Strategy and Movement Plan	Consider the council's Climate Change Strategy and Movement Plan	√	√	√	√
Present the submitted scheme to the Design Review Panel (if required)	Present the submitted scheme to the Design Review Panel via video-conference software (if required)	√	√	√	√

Stage 1 - Engage Best practice that a developer should undertake <u>before</u> submitting a planning application		Minor Council-own applications*	Small scale major applications	Large scale major applications - lower range	Large scale major applications - higher range
Normal circumstances	Alternatives in exceptional circumstances				
Public consultation workshops and A public community meeting Attend a Multi-ward Forum if requested by the council (For Strategic Applications only)	Use online surveys and digital tools to find out the views of the community. For those who do not have access to the internet and cannot complete an online survey, the developer should complete the survey over the phone with the resident. Contact details for the developer should be provided on Neighbourhood Letters/Leaflets.		√	√	√
Feedback to people on how they have shaped development from: <ul style="list-style-type: none"> Multiple public consultation workshops; and A public community meeting 	Provide detailed feedback on how they have shaped the development: <ul style="list-style-type: none"> Update the website Where possible, use visuals and images that demonstrate changes to the development 		√	√	√
Equalities Impact Assessment	Equalities Impact Assessment	√	√	√	√
Submit a 3D model file for use in VU.CITY (FBX file, 1:1 scale and details of program modelled in)	Submit a 3D model file for use in VU.CITY (FBX file, 1:1 scale and details of program modelled in)		√	√	√

Stage 2 and 3 - Consult and Inform Best practice that a developer must undertake <u>during</u> the planning application process and <u>after</u> a planning application has been approved		Minor Council-own applications*	Small scale major applications	Large scale major applications - lower range	Large scale major applications - higher range
Normal circumstances	Alternatives in exceptional circumstances				
Provide updated engagement summary if further engagement is undertaken	Provide updated engagement summary if further engagement is undertaken	√	√	√	√
Construction boards (hoardings) displayed on site with updates on progress and contact details for the site manager	Construction boards (hoardings) displayed on site with updates on progress and contact details for the site manager Information is also to be updated on the website	√	√	√	√
Developers keep development website up-to-date	Developers keep development website up-to-date			√	√
Website with the progress updates by developer	Website with progress updates by developer			√	√
Where applicable, comply with any Construction Environment Management Plan that is secured through by condition on the decision notice or a S106 obligation	Where applicable, comply any with Construction Environment Management Plan that is secured through by condition on the decision notice or a S106 obligation		√	√	√

* With the exception of Council-owned Hidden Homes schemes, as these are conversions in existing developments, and are exempt from this level of consultation. Hidden Homes could include new homes created from unused or underused space within existing estates.

Consulting in Exceptional Circumstances

We recognise that in exceptional circumstances consultation may need to take place in different ways or use different methods so that we can continue to deliver new homes and projects within our borough.

The tables on pages 10-14 of this Charter set out best practice examples of how we expect developers to carry out consultation in Southwark, as well as alternatives to face-to-face meetings and workshops in exceptional circumstances. These alternatives should only be used when face-to-face engagement is not possible, and help us to continue working with our communities so that people can have their say and help shape their neighbourhoods.

Old Kent Road Community Review Panel

A [Community Review Panel](#) has been set up in the Old Kent Road Opportunity Area. This panel provides independent advice on planning in the area. It discusses issues including housing, transport, public and green spaces and the environment. This will help to ensure all new developments are of the highest possible quality and meet the needs of people living and working in the area.

The panel is made up of around 12 members from all backgrounds, aged 18 or over. The panel meets once a month to discuss proposals. These discussions are turned into a formal report that feeds into decisions made by the council. All of the panel's recommendations are taken seriously and are a formal part of the planning process. Experience or knowledge in planning or architecture is not required to be on the panel, and Southwark councillors and employees are not eligible to apply.

An independent company, Frame Projects, is responsible for recruiting and managing the panel. Frame Projects will ensure the panel is independent; properly briefed and able to effectively communicate its views to the council. This type of consultation is separate to this Charter. However, applicants are encouraged to consult this panel when preparing an application in the Old Kent Road, and this is something that can be mentioned in the Early Engagement Strategy.

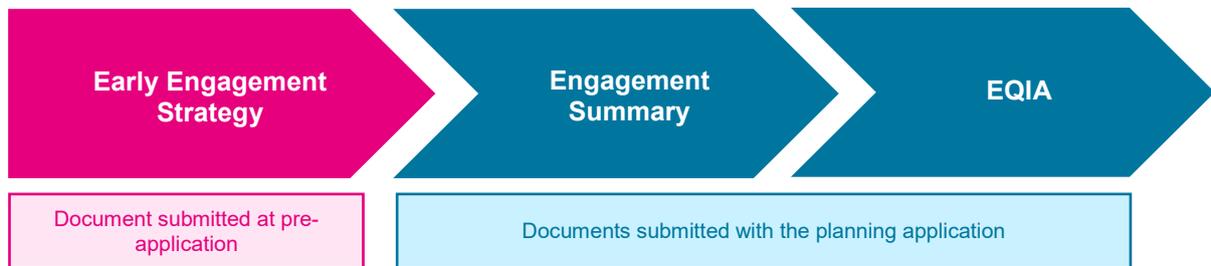
Monitoring the Development Consultation Charter

- A completed Engagement Summary must be completed by the developer and submitted with their planning application. This is a validation requirement and the planning application will remain invalid until it has been submitted. The Engagement Summary will be made public on our Planning Register website alongside the planning application.
- All Engagement Summary documents will be placed on the Planning Register with the planning application.
- We will monitor the number of Early Engagement Strategies and Engagement Summaries that we receive.
- The submission of an Early Engagement Strategy, Engagement Summary and Equalities Assessment will be monitored at validation stage.
- We will review the development consultation process including best practice guidance.



EARLY ENGAGEMENT STRATEGY TEMPLATE





An Early Engagement Strategy (EES) is a requirement for pre-application discussions with the council. The purpose of this document is to ensure that developers engage with residents and local stakeholders from the beginning of the development process. Early engagement is essential to ensure that residents and local stakeholders have a say in the development that is going on in their area. Early engagement can also help to identify elements in the design of the scheme that may have a detrimental impact on certain individuals or groups before a planning application is submitted.

Part 1 - Facts-Based Audit

Stakeholder Analysis		
1.	Who are the owners, occupiers and users of the existing buildings and surrounding the site? How did you identify these stakeholders?	
2.	What are the demographics of the existing users of the site? In particular, consider those with protected characteristics. What data did you use to determine this?	<p>We recommend using:</p> <ul style="list-style-type: none"> • The Southwark Council Joint Strategic Needs Assessment (JSNA) • The Office for National Statistics Mid-Year Population Estimates • The Office for National Statistics Census
Heritage and Site Layout		
3.	Give a description of the existing buildings and space surrounding the site.	
4.	Is the site situated within a conservation area? If so, how have you considered this in your proposed scheme?	
5.	Is the building listed? If so, how have you considered	

	this in your proposed scheme?	
6.	Is the site or any buildings on the site of wider community interest? How did you determine whether the site was of wider community interest?	
Accessibility and Movement		
7.	How is the site accessed by its current users? How did you determine this?	
8.	What are the important routes through the site and why are they important? Who currently uses these routes? What data or information did you use to come to this conclusion?	
Climate Change and Sustainability		
9.	What climate change mitigation and adaption measures are relevant for the site?	
10.	What other existing sustainability considerations are relevant for the site?	<p>For example:</p> <ul style="list-style-type: none"> • Health and social impacts • Circularity and resilience • Biodiversity and green infrastructure • Contaminated land • Trees and Tree Preservation Orders

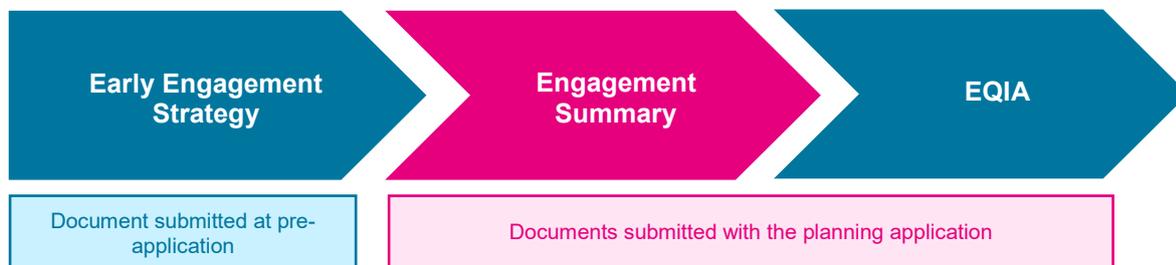
This section should also detail how you intend to incorporate feedback received from the engagement activities that take place. We want to see evidence that stakeholders have had a meaningful impact on the design of a scheme. Please detail how you will achieve this.

How will you incorporate feedback received from engagement activities into the proposed scheme?

E.g., a tracker for feedback will be set up in Excel and we will assign the feedback to be discussed at a relevant meeting (for example, design comments will be discussed in a design meeting). Once the comment has been discussed in a meeting we will update the tracker with a response to the comment that we will include in our Engagement Summary.

ENGAGEMENT SUMMARY TEMPLATE





The submission of an Engagement Summary is a validation requirement for planning applications for major or council owned schemes and must be submitted with these applications. It should provide an overview of engagement that took place with local stakeholders prior to the submission of the planning application.

Part 1 – Summary of Facts-Based Audit

Provide a summary of the Facts-Based Audit undertaken as part of your Early Engagement Strategy. Please include any changes that have occurred since the EES was submitted. If you have not provided an EES, please provide a full facts-based audit here.

Stakeholder Analysis	
1.	Who are the owners, occupiers and users of the existing buildings and surrounding the site? How did you identify these stakeholders?
2.	What are the demographics of the existing users of the site? In particular, consider those with protected characteristics. What data did you use to determine this? We recommend using: <ul style="list-style-type: none"> • The Southwark Council Joint Strategic Needs Assessment (JSNA) • The Office for National Statistics Mid-Year Population Estimates • The Office for National Statistics Census
Heritage and Site Layout	
3.	Give a description of the existing buildings and space surrounding the site.
4.	Is the site situated within a conservation area? If so, how have you considered this in your proposed scheme thus far?

5.	Is the building listed? If so, how have you considered this in your proposed scheme thus far?	
6.	Is the building locally listed? If so, how have you considered this in your proposed scheme thus far?	
7.	Is the site or any buildings on the site of wider community interest? How did you determine whether the site was of wider community interest?	
Accessibility and Movement		
8.	How is the site accessed by its current users? How did you determine this?	
9.	What are the important routes through the site and why are they important? Who currently uses these routes? What data or information did you use to come to this conclusion?	
Climate Change and Sustainability		
10.	What climate change mitigation and adaption measures are relevant for the site?	
11.	What carbon reduction measures have you included within the scheme?	
12.	What wider sustainability considerations are relevant for the site?	
Local Economy and Community Infrastructure		
13.	Are there any schools in close proximity to the site? If so, how have you considered the impact on the school within the scheme?	

14.	Are there any local businesses in close proximity to the site? If so, how have you considered the impact on these businesses?	
15.	Are there any sites of cultural importance in close proximity to the site? If so, how have you considered the impact on this cultural site?	

Part 3 – Stakeholder Views and Vision for the Site

1.	<p>What elements of the scheme did stakeholders like?</p> <p>Be clear which stakeholders you are referring to (e.g., students in the area liked the bike paths)</p>	
2.	<p>What elements of the scheme did stakeholders dislike?</p> <p>Be clear which stakeholders you are referring to (e.g., the local baby and toddler group were concerned about the lack of play facilities for infants)</p>	
3.	<p>What did the different stakeholders you spoke to want to see as part of the development?</p>	

Part 4 – You Said, We Did

Outline any changes that were made to the scheme following feedback from engagement with stakeholders. If you were not able to make changes to the design of the scheme, provide a detailed justification.

You Said	We Did
Provide a quote or summarised statement of comments made	Outline what changes you made as a result of this comment or provide a justification for why you couldn't make the changes suggested

Part 5 – Social Value Statement

1.	Describe the long-term economic, social and environmental impacts of the development.	
2.	How will the development contribute to the long-term wellbeing and resilience of existing and future residents and businesses?	

Part 6 – Monitoring Data

Monitoring Data	
How many engagement events did you hold?	
How did you advertise the engagement events?	
How many letters did you send to local residents, businesses and community groups?	
How many people attended engagement events in total?	
How many written comments did you receive?	
Where did people attending consultation events live or work? Please give an area breakdown.	

EQUALITIES IMPACT ASSESSMENT TEMPLATE





How to Fill in Your EQIA

Under the Public Sector Equality Duty (PSED) public authorities are required to have due regard to the aims of the duty when making decisions and setting policies. As set out in the Development Consultation Charter (DCC), the Public Sector Equalities Duty (PSED) does not apply to developers. However, to be compliant with the DCC, we require developers to support the council in meeting and discharging this important duty. For you, this means producing a proportionate Equalities Impact Assessment of the impacts of the development. It must illustrate how the proposal will remove or minimise disadvantages suffered by people due to their protected characteristics, and what steps have been taken to meet the needs of people from protected groups where these are different from the needs of other people. It should also detail positive equalities impacts.

Best practice guidance from the Equality and Human Rights Commission recommends that public bodies (and therefore, you as developers in Southwark):

- 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 the 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 is not available, take steps to gather it (where practical and proportionate).
- Use insights from engagement with employees, service users and others can help provide evidence for equality analysis.

Good evidence can include (but is not limited to):

- [Southwark Council Joint Strategic Needs Assessment \(JSNA\)](#) – produced by Southwark Council, we review a wide range of data and information, as well as views from those who live in the borough, to identify the key issues affecting the health and well-being of people in Southwark.
- [Office for National Statistics Census 2021 Population and Household Estimates](#) – most useful for understanding age and sex of the population of Southwark. Future publications of the Census will also include demography and migration, sexual orientation and gender identity and health, disability and unpaid care from early 2023.
- [The Office for National Statistics Mid-Year Population Estimates](#) – for gaps in data from the 2021 Census, consider using the ONS Mid-Year Estimates that are produced annually.
- [The Greater London Authority London Datastore](#) – the datastore contains a number of databases on specific topics such as demographics, employment and skills and the environment.

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. Engagement with the community is recommended as part of the development of equality analysis.

Whilst the equality analysis is being considered, Southwark Council recommends considering socio-economic and health inequality implications, as they have a strong influence on the environment we live and work in. As a major provider of services to Southwark residents, the council has a legal duty to reduce socio-economic inequalities and this is reflected in its values and aims. For this reason, the council recommends considering socio-economic impacts in all equality analyses, not forgetting to include identified potential mitigating actions.

Brief description of development proposal**Section 1 – Users and Stakeholders in the Decision Making Process****Who are the key stakeholders and users of your site?**

Please use information gathered from your stakeholder analysis submitted with your Early Engagement Strategy and Engagement Summary.

Who are the key stakeholders involved in the decision-making process for the proposed scheme?

Section 2 – Equality Impact and Needs 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, including improvement actions to promote equality and tackle inequalities. An equality analysis also presents as an opportunity to improve development to meet diverse needs, promote equality, tackle inequalities and promote good community relations. It is not just about addressing negative impacts.

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 scheme including the impact on current users	Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative) including the impact on current users
Equality information on which the above analysis is based	Socio-economic data on which above analysis is based
Mitigating actions and/or improvements to be taken	Mitigating actions and/or improvements to be taken

Disability - A person has a disability if s/he has a physical or mental impairment that 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 scheme including the impact on current users	Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative) including the impact on current users
Equality information on which the above analysis is based	Socio-economic data on which above analysis is based

Mitigating actions and/or improvements to be taken	Mitigating actions and/or improvements to be taken

Gender reassignment - The process of transitioning from one gender to another.	
Potential impacts (positive and negative) of proposed scheme including the impact on current users	Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative) including the impact on current users
Equality information on which the above analysis is based	Socio-economic data on which above analysis is based
Mitigating actions and/or improvements to be taken	Mitigating actions and/or improvements to be taken

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 scheme including the impact on current users	Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative) including the impact on current users

Equality information on which the above analysis is based	Socio-economic data on which above analysis is based
Mitigating actions and/or improvements to be taken	Mitigating actions and/or improvements to be taken

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 scheme including the impact on current users	Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative) including the impact on current users
Equality information on which the above analysis is based	Socio-economic data on which above analysis is based
Mitigating actions and/or improvements to be taken	Mitigating actions and/or improvements to be taken

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 scheme including the impact on current users	Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative) including the impact on current users
Equality information on which the above analysis is based	Socio-economic data on which above analysis is based
Mitigating actions and/or improvements to be taken	Mitigating actions and/or improvements to be taken

Sex - A man or a woman.	
Potential impacts (positive and negative) of proposed scheme including the impact on current users	Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative) including the impact on current users
Equality information on which the above analysis is based	Socio-economic data on which above analysis is based

Mitigating actions and/or improvements to be taken	Mitigating actions and/or improvements to be taken

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 scheme including the impact on current users	Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative) including the impact on current users
Equality information on which the above analysis is based	Socio-economic data on which above analysis is based
Mitigating actions and/or improvements to be taken	Mitigating actions and/or improvements to be taken

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 scheme including the impact on current users	Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative) including the impact on current users

Equality information on which the above analysis is based	Socio-economic data on which above analysis is based
Mitigating actions and/or improvements to be taken	Mitigating actions and/or improvements to be taken

Section 3 - Conclusions

Summarise the main findings and conclusions of the overall equality impact and needs analysis for this area

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Summarise any benefits and mitigation required

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APPENDIX F



**Statement of Community Involvement
Consultation Report
December 2022**

APPENDICES

No.	Title
Appendix A	Statement of Community Involvement
Appendix B	Development Consultation Charter
Appendix C	Early Engagement Strategy Template
Appendix D	Engagement Summary Template
Appendix E	EQIA Template
Appendix F	Consultation Report
Appendix G	Equalities Impact Assessment

Introduction

What is the SCI?

1. The Statement of Community Involvement (SCI) is our commitment to people about how we will consult and engage with the community throughout the planning process.
2. The Development Consultation Charter forms part of the SCI and sets out standards of consultation for developers who wish to develop in the borough.
3. We want to make planning matters more accessible and create a better experience for people around engaging during the planning application process and the preparation of planning policy.
4. In providing opportunities for people to get involved in shaping and improving the current SCI we can create more engagement and collaboration around local planning decisions and the preparation of planning and growth strategies for the future.

What is a consultation report?

5. This consultation report summarises the consultation that took place for the SCI. It sets out what events took place, how the SCI was publicised and provides a summary of the responses received throughout the consultation period.

Who was consulted and how?

6. The second round of consultation on the Statement of Community Involvement (SCI) and Development Consultation Charter (DCC) began in December 2021 and closed at the end of March 2022. The first round took place between January 2020 and May 2020 and was disrupted by the COVID-19 pandemic.
7. The SCI Engagement Plan set out a series of actions and groups of people to engage with, with a particular emphasis on engaging with people who do not usually get involved with planning.
8. To achieve this, the Council collaborated with community groups such as the Community Southwark and the Forum for Equality and Human Rights in Southwark (FEHRS) to combine resources and reach as many people as possible. Council officers also organised and attended meetings with a variety of community groups and forums. Officers were particularly keen to engage with those with protected characteristics under the Public Sector Equality Duty, who are often marginalised by the planning system. Members of

community groups were asked to encourage other members of the groups they represent to take part in the consultation.

9. The SCI was advertised through Southwark Council's social media with a Twitter update released regularly. Those signed up to MySouthwark (over 22,000 people) also received regular reminders of the consultation.
10. An online survey was published on the Consultation Hub to reach those who would not attend one of the consultation events. A link to this survey was sent to MySouthwark users and was in Twitter posts.

Consultation events summary

11. The SCI and DCC Engagement Plan sought to implement the principles set out in the council's new Approach to Community Engagement as well as engage with those who do not usually engage with planning. Engagement throughout the consultation of the SCI focused on reaching different groups of people from our diverse communities. These include older people, younger people, faith groups, developers and those already engaged in planning.
12. Officers worked with Community Southwark to attend a variety of forums that they facilitate with different groups across the borough. Additionally, Officers attended an Old Kent Road Community Review Panel who provided a response to the consultation and arranged a faith groups workshop to target a traditionally underrepresented group.
13. Officers were also keen to ensure that the consultation sought the opinion of different community groups than those that contributed to the first round of consultation to achieve a broad range of views. Officers are aware of consultation fatigue experienced by those groups who are regularly consulted by the council on a variety of matters and were keen to avoid this where possible.
14. The list below outlines the key events of the SCI consultation.

Date	Meeting	Delivery	Online or In Person
25.01.2022	The Forum for Equality and Human Rights in Southwark (FEHRS)	Delivered an informative presentation via Zoom directing participants to the consultation and provided opportunity for questions and discussion.	Online
22.02.2022	Disability Provider Network Meeting (Community Southwark)	Delivered an informative presentation via Zoom directing participants to the consultation and provided	Online

		opportunity for questions and discussion.	
24.02.2022	Sports Network (Community Southwark)	Delivered an informative presentation via Zoom directing participants to the consultation and provided opportunity for questions and discussion.	Online
28.02.2022	Mental Health Network (Community Southwark)	Delivered an informative presentation via Zoom directing participants to the consultation and provided opportunity for questions and discussion.	Online
10.03.2022	Older People's Network (Community Southwark)	Delivered an informative presentation via Zoom directing participants to the consultation and provided opportunity for questions and discussion.	Online
07.03.2022	Children, Families and Young People's Network (Community Southwark)	Delivered an informative presentation via Zoom directing participants to the consultation and provided opportunity for questions and discussion.	Online
21.03.2022	Old Kent Road Community Review Panel	Attended the panel review where officers presented the DCC and went through in detail the processes and requirements of the document. Officers then answered questions and discussed the requirements with the panel who followed up with a formal response and recommendations.	In person
16.03.2022	Faith Groups Workshop	Officers arranged with the Community Engagement team to host a workshop with local faith group leaders where the SCI and DCC were presented and opportunities were provided for comments and questions.	Online

Summary of comments received

15. Below is a summary of the comments received throughout the formal consultation period – this includes comments submitted via the Consultation Hub, emails and discussions through consultation events. A summary You Said/We Did report will be uploaded to the website with how the council has taken on board the comments received and Appendix A sets out a summary of all of the written comments received with an officer response.
16. Despite regular updates on the council’s Twitter page and reminders sent out via MySouthwark, the response rate to the Consultation Hub or responses received via email remained low. We received 16 written emails regarding the consultation and 30 responses to the online survey. However, a broad range of views and comments were also captured by attending the various group meetings as outlined above.

Emerging Themes	Comments
Accessibility and Transparency	<ul style="list-style-type: none"> • The website's user interface is not friendly. It needs to be updated regularly, particularly the notifications section. • Many people feel that they should be involved at the earliest possible point for proposed developments. • The document needs to prioritise inclusivity; particular attention should be given to marginalised groups and those with protected characteristics under the Public Sector Equality Duty. • Better use of social media should be considered to provide notifications regarding applications. • Operational issues with the planning portal need to be rectified. • Need for more robust offline measures of consultations as well as digital media measures. • Request to hold consultation feedback meetings and provide consultation reports.

	<ul style="list-style-type: none"> • Use of posters for notifications and summaries of consultations on public notice boards, schools, churches, community centres and hospitals for better reach. • Redesign of existing posters to make them more legible and accessible for those who may have difficulty understanding. • It is suggested that the community of Tenant and Resident Associations on the Old Kent Road can help reach older residents and for those who do not have internet access.
<p>Language and Formatting</p>	<ul style="list-style-type: none"> • Officers must keep in mind that there is a fraction of population who necessarily do not have English as their first language • A few respondents were concerned that the council were deliberately using obscure language in order to exclude certain residents. • Careful measures should be taken to double check the data before publishing it along with the opportunity to refute misinterpretations. • The document is too long, confusing and very text heavy. • The language is unnecessarily convoluted. • Need to redefine the term 'disabled' as it could mean different things to different people and should not be generalised. • The language needs to be simplified especially for technical terms/keywords. Emphasis should be put into avoiding jargon and simplifying complex information on processes. • There should be a more flexible definition for 'community' to ensure the consultation reaches a wider demographic. • Diagrams should be used as an explanatory device for complex information and processes.

	<ul style="list-style-type: none"> • There is a need to reconsider how we define 'consultees' and 'local community groups' to include a wider range of stakeholders.
<p>Processes and Procedures</p>	<ul style="list-style-type: none"> • Developers should have to provide a facts-based audit of the development site as part of the documents required in the DCC. • There needs to be a formalised procedure for providing consultees with updates on the outcome of consultations when they supply comments. • Community members feel that they are not listened to and that decisions will be made regardless of residents' concerns. • Locals tend find out about proposed changes to their environment when it is too late - generally post Pre- App. • The EQIA (Equality Impact Assessment) template needs to be improved to make sure it is actively promoting equality. • Suggestion for Planning Policy department to forge better links with voluntary organisations and existing community networks in the borough. • People have asked for more sessions of consultation. • Requests for responses from small, local organisations and community groups should be monitored to prevent them from being overwhelmed by a succession of large developers asking for their input. • A minimum standard of consultation for developers (i.e., a minimum number of events, or minimum number of stakeholders) should be established to avoid overloading council resources. • Officers should be mandated to refuse to engage with applications that do not meet the baseline

	<p>requirements of the DCC, so that developers have no option but to resource, their engagement teams sufficiently at an early stage.</p> <ul style="list-style-type: none"> • Requests for templates for the documents required in the DCC to ensure consistency of information to be provided by developers.
Ideas and Innovations	<ul style="list-style-type: none"> • Request to create a register of innovative ideas for sustainable development in the borough • A suggestion to introduce incentive-based community involvement to encourage wider masses to take part in consultations. • Informed research of best practices and past failures (of consultation exercises) should be done in the due process of developing the new SCI/DCC • Suggestions to involve external groups, such as academic teams or charities, in generating data and carrying out research, to measure the impact of development on groups especially with protected characteristics
Any Other Business	<ul style="list-style-type: none"> • Request has been put forward to conduct a more robust examination of applicant's claims during the application process. • The weight given to noise abatement measures is insufficient to prevent nuisance. • Request to revise application charges at the pre-apps stage • Concerns over vandalism and erosion of the original indigenous street behaviour • There should be an opportunity to refute inaccuracies in planning applications at planning committee when the correction can be readily substantiated with a document or plan that is in the room.

What have we learned from the consultation?

17. A consistent theme across all methods of consultation was the need to simplify both documents to improve clarity and accessibility. The SCI and DCC should avoid the use of jargon and technical language where possible or alternatively provide explanations and definitions. We have revised the language we use throughout the SCI and DCC to try to eliminate any unnecessary jargon.
18. Furthermore, participants in the planning process often feel that their contributions are not valued because they are not provided with sufficient updates on the progress of consultations and applications. We have updated the SCI so that we commit to sending consultation reports and updates to participants of consultations where possible.

What happens next?

19. We have amended the SCI and DCC to take on board the comments received. Cabinet will then formally adopt the updated SCI and DCC.
20. Engaging with the community in an effective way is a council priority and officers are already implementing the requirements of the DCC in an efficient but effective manner, since the documents have been on our validation checklist. Once adopted, planning officers will be trained on how to deliver the requirements of the adopted SCI and DCC so that they ensure applicants carry out effective engagement with residents and our communities.

Appendix A: Officer responses to a summary of comments received via the consultation hub, email and consultation events

No.	Organisation or Individual	Comment	Officer Response
1	Individual	<p>I would like to see community responses to Planning applications taken more seriously than they are at the moment. Planning is our last defence. Southwark's enforcement is inadequately resourced. Southwark takes in enormous CIL moneys for developments that bring in crowds and drinkers, who attract buskers, drug-dealers and thieves. None of the CIL goes to enforcing on these things that bring great grief and disturbance to the residents. It feels as if Southwark is selling our community's wellbeing to the developers, who give nothing back. Some of the CIL money needs to go into enforcing the asb, litter, noise and disturbance that is created by the profitable developments. Or, if Southwark refuses to do that, more account needs to be taken of the fact that there is effectively no enforcement of the antisocial effects of the profitable developments. Southwark should stop pretending at Planning that there will be.</p>	Noted
2	Individual	<p>On a procedural basis, we were shocked at how Southwark simply let Borough Yards redefine itself from a retail and cultural hub to an eating and drinking hub, how ludicrous statements from the applicants were treated as truth: that 1564 extra drinkers and diners would bring just one extra taxi to our narrow streets - just one example. Another was that the Everyman cinema would not be treated as licensable space because 'it isn't really a bar'. Lovely as it is, every square inch of the huge premises, apart from the toilets, is a site of drinking and eating. But this lie was accepted. We would like to see more robust examination of applicants' claims on this basis. We would like the Chair of Planning to allow residents to refute mistruths in Planning Meetings.</p>	Noted

3	Individual	We would also like to be able to receive automatic notification of new planning applications that affect us. The website claims this is possible. But it is not. So it is a process of horrible surprises - and more difficult than it needs to be. Just this one notification system would make citizens' lives much easier.	Our website allows residents to sign up for updates on planning applications in their area via email by signing up for a MySouthwark account. We recognise that some users have experienced issues receiving these notifications and we will pass this feedback onto the relevant team to ensure that this is rectified as a matter of urgency.
4	Individual	We were also told in a recent Planning Committee that because we had won some conditions at Licensing, we needn't think we were going to get any more conditions at Planning. This does not feel appropriate: to meld the jurisdiction of Planning and Licensing	Noted
5	Individual	All resident must be consulted at every level of any new proposed redevelopment/ Development. Southwark councils failure to consult residents properly had had a detrimental affect on residents with Southwark council.	Planning officers work hard to ensure that the local community are represented in all application decisions. However, we recognise the need for a consistent approach across the council to including the community in decision-making. The SCI and DCC are intended as mechanisms of accountability to ensure that developers and officers alike are taking into consideration the views and needs of the local community. These documents set the standard for community engagement in the borough.
6	Individual	The consultation for the Dulwich LTN's has been completely undemocratic and I hope the new SCI will give power to the electorate and residents such that the Council will take heed of what people want and believe	The SCI and DCC are intended as mechanisms of accountability to ensure that developers and officers alike are taking into consideration the views and needs of the local community. These documents set the standard for community engagement in the borough. We are constantly striving to achieve best practice consultation. Therefore, we take these concerns very seriously and will look to ensure a consistently high standard of consultation going forward.
7	Individual	It is extremely hard to see whom this is addressed to. If members of the community, then the assumptions behind it are entirely questionable. The only members of the community who will or be able to access this are those with an excellent command of language (it is written in a peculiarly pseudo 'everyday' language which	We have reviewed the wording of both the SCI and DCC to improve clarity and remove any ambiguity. We have included alternative explanatory devices such as diagrams to improve understanding and a link to an online glossary for key terminology.

		attempts to obscure the bureaucratic function of the statement). For those for whom English is a second language or who face barriers to access due to socio-economic factors and/or access to technology this document may as well have been written in code.	
8	Individual	The document and the intention to address and involve the community need to be inclusive and accessible. This document creates an immediate barrier for the majority of Southwark residents who are not white, middle-class and are the lucky beneficiaries of a good education.	We have reviewed the wording of both the SCI and DCC to improve clarity and remove any ambiguity. We have included alternative explanatory devices such as diagrams to improve understanding and a link to an online glossary for key terminology. We have also revised and improved the accessibility of both documents.
9	Individual	Either the document has been deliberately presented in this way to prevent meaningful engagement or it has been executed incompetently. In neither case can the community have confidence in the local authority.	We have reviewed the wording of both the SCI and DCC to improve clarity and remove any ambiguity. We have included alternative explanatory devices such as diagrams to improve understanding and a link to an online glossary for key terminology. We have also revised and improved the accessibility of both documents.
10	Individual	Better use of social media to notify the public about consultation in their postcode/ ward. Not everyone buys local papers and I for one have not seen the lamppost notice referring to an application so I have been unable to comment.	We advertise all consultations for planning policy documents on the Council social media accounts. However, we have revised the communication strategy proposed in the SCI to ensure that it is clear how residents can hear about consultations the council are undertaking.
11	Individual	It's still hard to believe that council will ask for locals to say their opinions about any changes in the local area. Very strange indeed. Around me, in Walworth, I can see changes happening every day. May those changes didn't affect me, but those changes should be known to locals as well. The big question is, who's in charge to accept those changes? So many necessary things have been done in Walworth, but the main ones left behind.	The SCI and DCC are intended as mechanisms of accountability to ensure that developers and officers alike are taking into consideration the views and needs of the local community. These documents set the standard for community engagement in the borough. We are constantly striving to achieve best practice consultation. Therefore, we take these concerns very seriously and will look to ensure a consistently high standard of consultation going forward.
12	Individual	I am persuaded that the efforts to secure community engagement in planning have been sincere and considered. But there is a glaring lacuna in that the community is not	We have revised the DCC to encourage developers to engage with local stakeholders from the outset of the development process. We encourage developers to submit

		<p>given the opportunity for pre-app representations extended to applicants. I feel that the consultation provisions, though welcome, delegate too much reliance to applicants, who may not have an entirely objective approach, or comparable sincerity in heeding the views of consultees and conveying them to planning officials. I like the idea of the Old Kent Road Community Review Panel, and would like to see it extended to other major projects, not least the development of Peckham's Aylesham Centre and Library Square.</p>	<p>an early engagement strategy, which outlines how developers intend to undertake engagement with the community at the pre-application stage. The DCC also requires developers to submit an engagement summary with their planning application that gives an overview of how engagement activities have informed the proposed scheme's design.</p> <p>This will ensure developers engage with stakeholders before submitting an application and will require them to provide evidence of having done so. We have revised the wording of the DCC to ensure that this is clear. Furthermore, we will keep under review the expansion of community review panels across the borough.</p>
13	Individual	<p>I don't know what it is. Sorry. You asked for input on how you communicate with people but I didn't realise there was homework to do, first.(Perhaps that's useful input in itself)</p>	Noted
14	Individual	<p>If its the usual "Southwark Council wants to involve you".....!! ie Let us know what you think and we will then ignore you and do what we intended anyway .</p>	Noted
15	Individual	<p>Dear sirs , as a small buisness whom has been trading from the same premises for over 22 years , I've sent in various communications with yourselves LBS, you either don't respond directly take note, even when people have voted against ltns etc , so this does not seem to be a democratically run council, I await your response.</p>	Noted
16	Individual	<p>The Southwark Planning Portal is not working for planning alerts. I have reported this before. More small local organisations like our own should be stat cons.</p>	<p>Our website allows residents to sign up for updates on planning applications in their area via email by signing up for a MySouthwark account. We recognise that some users have experienced issues receiving these notifications and we will pass this feedback onto the relevant team to ensure that this is rectified as a matter of urgency.</p> <p>We have reviewed our definition of consultees in the SCI to include a wider variety of stakeholders. We</p>

			have kept this intentionally broad, so that we can reach out to as many people as possible.
17	Individual	Currently having a planning officer who says he hasn't got time to put emailed representations online, and that he plans to censor some commenting on the Cathedral precinct if the writers don't live next to it - when these are heritage and conservation comments	Noted
18	Individual	I have been in a full Planning Committee meeting where the applicant was allowed to tell two extremely egregious lies that were pertinent to the case in hand and swayed the Committee. The chair allowed no correction of factual matters. There should be an opportunity to refute misrepresentations, when the correction can be readily substantiated with a document or plan that is in the room. This was the case with the hearing in question.	Noted
19	Individual	Three minutes for all objectors in Planning meetings: insufficient. Obviously Licensing and Planning are separate, but Licensing is much fairer, giving 15 minutes to all objectors. Effectively, the objectors nominate one or two people to represent them and the process does not become longer. The chair should not allow the applicants longer to answer questions than he allows the objectors in the same situation.	Noted
20	Individual	Its impossible for me to make any valid comments because I don't know or understand what the SCI genuinely means for me or the Borough of Southwark. What I do know is that every available empty spot is being reclaimed for public housing which contributes to over density and an increased burden on antiquated infrastructures roads and transport.	We have reviewed the wording of both the SCI and DCC to improve clarity and remove any ambiguity. We have included alternative explanatory devices such as diagrams to improve understanding and a link to an online glossary for key terminology. We have also improved the accessibility of both documents.
21	Individual	I also see that in my environs the neighbourhood is daily covered in graffiti, street furniture vandalised and not repaired, rubbish and dumping everywhere, and a general erosion of street behaviours where scooters and cyclists regularly and	Noted

		unpoliced terrorise pedestrians along Tower Bridge Road. Where the historical Market in Bermondsey Square every Friday is coming to an end and tourism ignored. Where new and expensive flats being built everywhere for the profit of property speculators and not for a real concern for urban planning and Community Involvement.	
22	Individual	I feel the council give planning permission as a default and without due consideration to the community – I assume because it's easier and cheaper than challenging appeals. Also, I know of developers who do things without planning permission and bank on it being granted retrospectively, of which there is a very high chance. Plus, developers and big business have deeper pockets than the council, so just keep on appealing until the council no longer think it's financially viable to continue challenging them. Then the local community suffers and feel it has no agency.	Planning officers work hard to ensure that the local community are represented in all application decisions. However, we recognise the need for a consistent approach across the council to including the community in decision-making. The SCI and DCC are mechanisms of accountability that ensure developers and officers alike are taking into consideration the views and needs of the local community. These documents set the standard for community engagement in the borough.
23	Individual	I firmly believe that not enough consideration is given to noise abatement. Noise is a major cause of stress and issues of traffic management which on first sight might seem to improve the environment may have the opposite effect and create more noise and pollution. I am mainly speaking of the introduction of speed humps without consultation of local residents. Measures taken to create low traffic zones, one-way systems, no left or right turn, usually have the effect of creating problems elsewhere, and that is unfair to everyone.	Noted
24	Individual	A lot of resident's suggestions about proposed planning is ignored during the consultation. Councillors and council staff will need to be more helpful and informative and not just pretend to listen otherwise the SCI the engagement would be wasted. Document is too long and confusing. Needs to be more concise in its aim to see if it is followed up and will work in practice.	Planning officers work hard to ensure that the local community are represented in all application decisions. However, we recognise the need for a consistent approach across the council for including the community in decision-making. The SCI and DCC are mechanisms of accountability to ensure that developers and officers alike are taking into consideration the views and needs of the local community. These documents will therefore set a new standard for community engagement in the borough.

			<p>We have reviewed the wording of both the SCI and DCC to improve clarity and remove any ambiguity. We have included alternative explanatory devices such as diagrams to improve understanding and a link to our online glossary for key terminology. We have also revised and improved the accessibility of both documents.</p>
25	Individual	The language used is unnecessarily convoluted	<p>We have revised the wording of both the SCI and DCC to improve clarity and remove any ambiguity. We have included alternative explanatory devices such as diagrams to improve understanding and a link to an online glossary for key terminology. We have also revised and improved the accessibility of both documents.</p>
26	Individual	<p>The local community of Southwark seriously appears to be overwhelmed with Southwark Councils' new building projects policy. There is a lot of discussion around tree felling, loss of green space and 'infilling' on estates. The noise pollution and traffic increase from current building works is cause for concern. Community members feel that they are not listened too and that decisions will be made regardless of residents concerns</p>	<p>Planning officers work hard to ensure that the local community are represented in all application and policy-making decisions. However, we recognise the need for a consistent approach across the council for including the community in decision-making. The SCI and DCC are mechanisms of accountability to ensure that developers and officers alike are taking into consideration the views and needs of the local community. These documents set a new standard for community engagement in the borough.</p>
27	Individual	This sounds reasonable. it's good to consult with people.	Support noted
28	Individual	<p>The ways listed to "find out about planning" are not inclusive, nor accessible, as they are only found online. There are many homes in Southwark that do not have suitable access to computers or Wifi and you need to be considering how people from such homes will contribute. You say that you want to ensure that consultations are listening to communities with protected characteristics, but so far I can't see how you're putting plans in place to actually achieve that?? I would recommend putting in place consultation feedback meetings and a consultation telephone hotline if you want to be truly inclusive and accessible.</p>	<p>We have reviewed the SCI and DCC to ensure that the methods proposed sufficiently cater to those who do not have access to the internet. We have ensured that we provide a range of tools to communicate with the local community.</p>

29	Individual	In addition to this, the posters you currently use to advertise consultations in the local area are written in incredibly small type - I am not visually impaired, but I struggle to read them. If you are to be inclusive and accessible, as you claim to want to be, then you must increase the type size of the words in these posters.	Noted
30	Individual	Long overdue. We support it.	Support noted
31	Individual	The SCI is very clear explanation of the planning process and the way small, medium, large applications are dealt with and the planning policy framework. However, for anyone new to planning it is an enormous amount of technical detail. It is likely that people will only engage once there is a planning application and that is too late to influence developers. Far more emphasis is needed on the initial ideas and options for the site. Community groups and individuals with ideas should be encouraged to engage with developers.	<p>We have reviewed the wording of both the SCI and DCC to improve clarity and remove any ambiguity. We have included alternative explanatory devices such as diagrams to improve understanding and a link to an online glossary for key terminology. We have also revised and improved the accessibility of both documents.</p> <p>We have revised the DCC to encourage developers to engage with local residents and stakeholders prior to submitting an application. Developers are required to submit an engagement summary at the validation stage that summarises the engagement work undertaken prior to submitting an application. Officers will be able to ask developers to undertake further engagement with the community if it is not undertaken to a sufficient standard.</p>
32	Individual	In the same way as the council has S106 project ideas gathered from the community there should also be a register of other ideas that people would like to see in their area. This does not mean developers should not go out and engage with local communities and groups as appropriate for the size and scale of the development. Information from the council or Community Southwark could assist, including TRAs and other groups. There is a such a huge amount of development taking place in Southwark that groups/civic society need to keep track of it.	We will take this idea into consideration as part of our ongoing work to implement the principles of the SCI and DCC.
33	Peckham Townscape Heritage Initiative	The PHRP welcomes the empathetic tone and inclusive methods set out in the draft SCI. We have concerns from our own experiences in Peckham that local people find out about proposed changes to their	Planning officers work hard to ensure that the local community are represented in all application decisions. However, we recognise the need for a consistent approach across the council for including the

		environment when it is too late - generally post Pre- App.	<p>community in decision making. The SCI and DCC are mechanisms of accountability to ensure that developers and officers alike are taking into consideration the views and needs of the local community. These documents will therefore set a new standard for community engagement in the borough.</p> <p>We have revised the DCC to encourage developers to engage with local residents and stakeholders from the outset of development or prior to submitting an application. Developers are required to submit an engagement summary at the validation stage that summarises the engagement work undertaken prior to submitting an application and how this has influenced the proposed scheme. Officers will be able to ask developers to undertake further engagement with the community if it is not undertaken to a sufficient standard.</p>
34	Disability Provider Network	Need to be careful when using the word 'disabled' as a generalised term as this encompasses a number of different groups who will have vastly differing needs	We have revised the language used throughout the SCI and DCC to improve clarity and ensure that we are inclusive to as many stakeholders as possible in our application and planning policy adoption process.
35	Community Southwark Disability Provider Network	Concerns around accessibility for those with learning difficulties in particular. Participants offered to show the document to their clients and provide feedback.	We have revised and improved the accessibility of both documents.
36	Community Southwark Disability Provider Network	Sought clarification about when changes can't be made as a result of feedback how developers would need to respond (with regards to you said, we did document)	We have reviewed the wording of both the SCI and DCC to improve clarity and remove any ambiguity. We have included alternative explanatory devices such as diagrams to improve understanding and a link to an online glossary for key terminology.
37	Community Southwark Sports Network	Positive feedback from the group on the intention of the document (i.e., the requirement for developers to be more proactive in consulting the community). No major concerns or comments.	Support noted
38	Community Southwark	Question raised around how people are consulted earlier on in the process and whether fliers are put	We have outlined how we will let you know about planning applications in the SCI. We send

	Mental Health Network	through the door for local residents. Comments raised over accessibility of consultation for older people and those without access to internet.	neighbour notification letters, put up site notices and put out a press notice for applications in accordance with statutory requirements.
39	Community Southwark Older People's Network	EQIA – improve template – target needs better consultation more widely needs to be addressed by the council beyond planning. Need to more specifically look at needs of older people, especially internet access etc. General comments on equalities - need to improve EQIA template and make sure it is targeting needs and actually promoting equality.	We have prepared an updated EQIA template, in line with the Council's wider approach to assessing equalities impacts.
40	Southwark Council Faith Communities Workshop	Participants were concerned that too much focus is placed on online consultation methods and that this could exclude senior citizens or those that struggle to connect online. In addition to online methods, we should be producing posters to be put up on physical notice boards in schools, churches, community centres etc.	We have outlined how we will let you know about planning applications in the SCI. We send neighbour notification letters, put up site notices and put out a press notice for applications in accordance with statutory requirements.
41	Southwark Council Faith Communities Workshop	Participants also encouraged Planning Policy to forge better links with voluntary organisations and existing community networks in the borough	As part of our ongoing work to implement the key principles of the SCI and DCC, we will collaborate with our community engagement team to improve links with key community groups in the borough.
42	Southwark Council Faith Communities Workshop	It was highlighted that often communities feel reluctant to contribute to consultations because they feel that they are not given sufficient updates on how feedback has been used. They suggested following up with participants to consultation events afterwards with clear and concise feedback.	We recognise that participants in the planning process often feel that their contributions are not valued because they are not provided with sufficient updates on the progress of consultations and applications. We have revised the SCI to ensure that we include sending consultation reports and updates to consultees as part of our ongoing engagement with Southwark residents and stakeholders.
43	Southwark Council Faith Communities Workshop	Language was highlighted as an important barrier to understanding. Not just limiting the use of jargon, but also clarity and explaining processes thoroughly. Keep things simple, conversational and informative. What has been acted on? What has not been acted on?	We have revised the wording of both the SCI and DCC to improve clarity and remove any ambiguity. We have included alternative explanatory devices such as diagrams to improve understanding and a glossary for key terminology. We have also revised and improved the accessibility of both documents.
44	Southwark Council Faith	Breakdown sections to facilitate understanding of potential impact;	We have revised the wording of both the SCI and DCC to improve clarity

	Communities Workshop	communities often do not understand technical jargon. For example, simplifying environmental impact assessments so that those with no prior knowledge would be able to understand the impact of development.	and remove any ambiguity. We have included alternative explanatory devices such as diagrams to improve understanding and a link to an online glossary for key terminology. We have also revised and improved the accessibility of both documents.
45	Southwark Council Faith Communities Workshop	Openness goes a long way in service delivery.	Noted
46	Old Kent Road Community Review Panel	The panel is pleased to see the level of commitment Southwark Council shows in the draft Developer Consultation Charter (DCC) to requiring community engagement from developers. It is good to see strong minimum requirements of developers, expressed in a clear way, and standardised so they apply to all applicants in the same way. The panel supports the proposed 'Engagement Principles in Planning' as a laudable statement of intent.	Support noted
47	Old Kent Road Community Review Panel	However, the panel feels that power currently lies with developers with applications usually recommended by officers, and rarely turned down at planning committee. Although much of the work done by Southwark officers to improve applications is behind the scenes, there is little evidence that past consultations have stopped, or significantly changed, developments that are not good enough.	The documents are on our validation checklist and officers will enforce them appropriately. This will ensure that officers push back on developments, which do not meet the minimum standard of engagement we outline in the SCI.
48	Old Kent Road Community Review Panel	The panel therefore emphasises the need for the DCC to provide a tool that Southwark officers can use to stop applications progressing if they do not meet its requirements. It should be explicit that, if applications do not satisfy the DCC's requirements for community involvement, they will not be allowed to progress any further through the planning process.	The documents are on our validation checklist and officers will enforce them appropriately. The DCC requires developers to provide evidence of the engagement and consultation they have undertaken throughout the development process. If officers do not feel that sufficient engagement has taken place, they will ask developers to undertake further engagement.
49	Old Kent Road Community Review Panel	The panel also suggests that a 'People's Awards' scheme could provide an extra incentive, by recognising high quality development achieved with successful community involvement.	Noted

50	Old Kent Road Community Review Panel	The panel also emphasises the importance of requiring developers to communicate outcomes from community consultation, and to explain what changes have been made to proposals in response to local views. This should include communicating consultation outcomes to those who are not online—careful thought is needed on how best to achieve this.	We recognise that participants in the planning process often feel that their contributions are not valued because they are not provided with sufficient updates on the progress of consultations and applications. We have revised the SCI to ensure that we include sending consultation reports and updates to consultees as part of our ongoing engagement with Southwark residents and stakeholders. We have also revised the wording of the DCC to ensure that our expectations of standards of consultation are as clear.
51	Old Kent Road Community Review Panel	The panel points out the importance of using a clear but flexible definition of 'community' to ensure engagement reaches the right people, and reflects the constantly evolving nature of the area. Southwark Council's dynamic list of community groups will play an important role in helping to ensure consultation is comprehensive and current.	We have reviewed our definition of community so that it aligns with the Council's approach to community engagement and is inclusive to the wide variety of groups in Southwark.
52	Old Kent Road Community Review Panel	It is also important to avoid consultation fatigue. The requirements placed on local organisations, which are often very small, should be tracked to prevent them being overwhelmed by a succession of large developments asking for their input.	Officers are aware of consultation fatigue experienced by those groups who are regularly consulted by the council on a variety of matters and are keen to avoid this where possible. We reach out to a wide range of groups and are mindful of the contribution of those groups who we regularly consult with.
53	Old Kent Road Community Review Panel	The panel asks Southwark officers to continue making a particular effort to reach those who do not use the internet, older people in particular, as part of their consultation on the DCC and the Statement of Community Involvement (SCI). It suggests the community of Tenant and Resident Associations on the Old Kent Road can help reach older residents.	We have outlined how we will let you know about planning applications in the SCI. We send neighbour notification letters, put up site notices and put out a press notice for applications in accordance with statutory requirements. We are aware of the need to avoid a digital-only approach to consultation and aim to use a variety of methods of communication that are inclusive.
54	Old Kent Road Community Review Panel	The panel encourages Southwark Council's plans to promote equality by helping developers understand how they can better serve groups of people at risk of experiencing negative impacts from development. It points to people with disabilities and families, of whom there are many in the area, as two groups who should benefit more from	The DCC requires developers to prepare an equalities impact assessment (EQIA) for all major developments. In the EQIA, they must consider the impact of development on those with protected characteristics under the Public Sector Equalities Duty. We have revised the wording of the DCC to ensure that the

		development than is currently the case.	requirements of this document are clear and created a template for developers to follow.
55	Old Kent Road Community Review Panel	Measuring the impact of development on groups with protected characteristics is a time-consuming job. The panel suggests that external groups, such as academic teams or charities, could be involved in generating data and carrying out research, rather than relying entirely on council resources.	We have revised the requirements of the DCC so that developers have to submit a facts-based audit of the site as part of their early engagement strategy and engagement summary. This will ensure that development take into account the spatial context of the site and how the development will affect groups and existing users of the site.
56	Old Kent Road Community Review Panel	The panel suggests that developers are not necessarily qualified to hold engagement sessions with local communities, especially with groups of people who have not historically been heard in the development process. It is important that consultation does not make people feel less engaged and more alienated from what is happening in their area, which could be the result if conducted poorly. The panel therefore asks for assurances that engagement will be more than a box-ticking exercise, and that developers will be required to meet standards as part of the baseline expectation before applications are considered. The onus is on Southwark Council to understand and communicate what constitutes high quality consultation, and to be able to require developers to engage better, rather than just to engage.	<p>We recognise the need for a consistent approach across the council with regards for consulting the community on planning application decision making. This consistency must also ensure that engagement is meaningful and able to enact real change. The SCI and DCC are mechanisms of accountability that ensure developers and officers alike are taking into consideration the views and needs of the local community. These documents set a new standard for community engagement in the borough.</p> <p>The required documents are placed on our Validation Checklist and officers ensure that developments that do not meet our required standards of engagement are improved. The DCC requires developers to provide evidence of the engagement and consultation they have undertaken throughout the development process. If officers do not feel that sufficient engagement has taken place, they will ask developers to undertake further engagement.</p>
57	Old Kent Road Community Review Panel	The panel also asks whether developers could be required to provide funding for Southwark Council to carry out consultation on their behalf, to help provide assurances about the quality of the process.	We will consider this proposal as part of our ongoing work to ensure successful adoption of the SCI and DCC.
58	Old Kent Road Community Review Panel	The panel suggests that the process of developing the DCC and the SCI should be informed by research into	In the process of writing the DCC, we have engaged with our colleagues in development

		the successes and failures of past consultation exercises. Although dating back several decades, major design failures on the Old Kent Road such as the Ledbury Estate could also provide important lessons for understanding how engagement can be done better in future	management to learn from their experiences working on major developments. This has informed the requirements and standards set out in the DCC and our requirement for engagement with the community to be undertaken from the earliest possible stage of development.
59	Old Kent Road Community Review Panel	While the panel supports the prioritisation of community engagement, it notes that the new requirements of developers will also place new burdens on council officers, and will potentially require a lot of work to manage and monitor. It asks for assurances that the proposals are realistic, as well as desirable. It is important that local expectations are not raised if they cannot be met, and that the planning process is not overwhelmed and continues to function effectively.	We have written the SCI and DCC in collaboration with our development management officers to ensure that it is feasible for officers to assess this information as part of the application decision-making process. Engaging with the community in an effective way is a council priority and officers are already implementing the requirements of the SCI and DCC in an efficient but effective manner.
60	Old Kent Road Community Review Panel	The panel also recommends that Southwark Council charges more for its services at pre-application stage if at all possible, passing more of the real cost of delivering community involvement onto developers.	Noted
61	Old Kent Road Community Review Panel	The Community Review Panel asks for a further opportunity to review the Statement of Community Involvement, as there was not enough time to discuss this at the meeting	Noted
62	Balfour Street Housing Co-op & Southwark Pensioners Action Group	I would say planning is a very inaccessible process and it is easy to confuse and wear out local residents. It is hard for them to speak truth to power and for those in power to listen carefully given the pressures of time and legislation.	The purpose of the SCI is to show residents and local stakeholders how to get involved in planning decision-making. We have revised the wording of the SCI to make this as clear as possible.
63	Balfour Street Housing Co-op & Southwark Pensioners Action Group	Council has had very little resources or expertise to insist on and undertake effective consultation activities and that officers and members have generally been outflanked in negotiations by the 'wriggling' of developers as they seek to maximise their profits.	We have written the SCI and DCC in collaboration with our development management officers to ensure that it is feasible for officers to assess this information as part of the application decision-making process. Engaging with the community in an effective way is a council priority and officers are already implementing the requirements of the SCI and DCC in an efficient but effective manner..
64	Balfour Street Housing Co-op	Some of the wording is tightened up to prevent developers from wriggling	We have revised the wording of both the SCI and DCC to improve clarity

	& Southwark Pensioners Action Group	and also to enable residents to feel more involved in the development of their neighbourhoods.	and remove any ambiguity. We have included alternative explanatory devices such as diagrams to improve understanding and a glossary for key terminology. We have also revised and improved the accessibility of both documents.
65	Balfour Street Housing Co-op & Southwark Pensioners Action Group	The reference to an engagement plan on page 3 seems to contradict the reference on page 5. To avoid any ambiguity it should be very clear in both places the plan is required at the outset.	We have revised the requirements of the documents of the DCC to improve clarity and remove ambiguity. We are clear that we expect developers to undertake engagement from the outset of the development process.
66	Balfour Street Housing Co-op & Southwark Pensioners Action Group	Developers must also pay due regard to businesses and other economic assets as well as the other groups mentioned and should be added to the list	We have introduced a facts-based audit of a site that developers will have to complete as part of the early engagement strategy and engagement summary. The facts-based audit requires developers to have a detailed understanding of the existing uses of the site before finalising the design of their scheme. This includes understanding the impact of development on local businesses operating near the development site.
67	Balfour Street Housing Co-op & Southwark Pensioners Action Group	the 'community' affected by any application will depend on the size of the development and must be clearly defined and agreed at the beginning of the process.	The DCC requires developers to have a detailed understanding of the impact of their scheme and demonstrate how they have altered their design to minimise negative impacts on the local community. We have been clear that this work should be proportionate to the size and scale of development.
68	Balfour Street Housing Co-op & Southwark Pensioners Action Group	The aspirations outlined on page 4 are very welcome. However, achieving them and also putting flesh on some of the other points requires a robust fact-based audit of the neighbourhood (clearly defined based on the scale of the development) at the outset. Careful thought needs to be given to the detail of such an audit.	We have introduced a facts-based audit as a requirement of the early engagement strategy and engagement summary documents. This is to ensure that developers have a detailed knowledge of the spatial context of the site before finalising their design for submission for planning permission.
69	Balfour Street Housing Co-op & Southwark Pensioners Action Group	There may be other groups than those specified on page 5 so the list should say local groups (including TRAs, faith, schools, heritage, businesses, park friends etc.)	We revised our definition of community groups make it clear that the examples we provide are not exhaustive. We want developers to consult the groups that are most acutely impacted by the development and this will be different for every site.
70	Balfour Street Housing Co-op & Southwark	There are a number of issues with the EIA accompanying the SCI and DCC. There is a lack of proper	The EQIA prepared when writing the SCI and DCC was written in line with Council requirements. We have

	Pensioners Action Group	analysis of the equality information using baseline data, data received in previous consultations and the policies of the SCI and DCC themselves. Mitigating actions are not connected to the potential negative impacts because no concrete potential negative impacts are recorded, and lack of proper, inclusive community consultation would clearly have potential negative impacts.	revised the wording of the DCC to ensure that the requirements of this document are clear and created a template for developers to follow.
71	Balfour Street Housing Co-op & Southwark Pensioners Action Group	The categorisation of application types as outlined is difficult to comment on and needs careful explanation and rationale	We have revised our explanation of the application types to improve clarity and included them as definitions in our online glossary.
72	Balfour Street Housing Co-op & Southwark Pensioners Action Group	Meetings with local groups or neighbours should be required for all applications once the area of impact has been identified	The DCC requires developers to demonstrate they have undertaken sufficient engagement with the community prior to submitting their application. This includes providing evidence that they have met with local groups and neighbours and have considered their concerns in delivering their proposed scheme.
73	Balfour Street Housing Co-op & Southwark Pensioners Action Group	A website should be required for all applications and a newsletter circulated to all properties in a prescribed area.	The DCC requires developers to have a website for their development and to update local stakeholders regularly.
74	Balfour Street Housing Co-op & Southwark Pensioners Action Group	The requirement of a Social Value Statement is welcomed but it needs to be thought through more and its relation to the Social Impact report needs clarifying. Previous work done on Social Regeneration Charters could be highlighted and they should be built upon.	We have reviewed the requirements of social value statement to ensure that it can provide a meaningful overview of the benefits for well-being that a site can provide.
75	Balfour Street Housing Co-op & Southwark Pensioners Action Group	The various characteristics of the community listed is a very good start but some thought needs to be given to where they will be applied as they highlight the need for a fact based audit as a baseline to consider these matters. Such an audit will also inform how consultation should be taken and with whom during the application process.	We have introduced a facts-based audit as a requirement of the early engagement strategy and engagement summary documents. This is to ensure that developers have a detailed knowledge of the spatial context of the site before finalising their design for submission for planning permission.
76	Balfour Street Housing Co-op & Southwark Pensioners Action Group	Signage Boards should be displayed on the site from the moment planning permission is given keeping the community informed on the timing of the development and the fact that permission has been granted.	The DCC requires developers to display a notice or board at the application site that includes images of the proposed scheme and contact details for the developer.

77	Balfour Street Housing Co-op & Southwark Pensioners Action Group	The Engagement Summary should be required to show how research of the facts audit and impact assessment has informed the design and development of the proposed scheme. The following factors must be considered, but are not exhaustive: neighbourhood/community, heritage and physical structures, social infrastructure, transport links, climate change and sustainability.	We have revised the requirements of the engagement summary to ensure that developers undertake a facts-based audit of the site and demonstrate how this has informed the design of their scheme. The factors listed in this comment have been included as part of the scope of a facts-based audit.
78	Bermondsey Street, London	Our comments focus on page 5 of the Developer Consultation Charter. We believe it would be much more effective to require developers to consult the community at the same time as any pre-application discussions with the Council. If the community is not involved at this formative stage, there is a clear risk that both developer and Council officials may become committed, emotionally if not formally, to a particular scheme or elements of a scheme. If later, members of the community seek to challenge those designs, the chances of achieving changes are much lower because the challenges come after the ideas have already taken root in developer and official minds. In this context we were very interested to see that Westminster has produced a consultation guide which involves the community at the pre-application stage, earlier than Southwark proposes. That sounds healthy to us and we look forward to hearing more about how that works in Westminster. It would be good to see such a requirement here in Southwark.	<p>We have revised the requirements of the DCC to require developers to provide evidence that they have undertaken extensive engagement with the community prior to submitting their planning application.</p> <p>First, we require developers to submit an early engagement strategy at a pre-application meeting outlining how they intend to engage with the community before submitting their planning application. This includes outlining any engagement activities and providing a justification for these activities.</p> <p>When submitting an application, developers will then be asked to submit an engagement summary. This should provide evidence that they have undertaken the activities outlined in the early engagement strategy. If developers have not undertaken sufficient engagement work, we will ask them to go out to go out for further engagement work.</p>
79	Bermondsey Street, London	The fact-based audit should include buildings, spaces, uses, users and their local social and economic value, agreed with all stakeholders before development plans are drawn up.	We have revised the requirements of the DCC to ensure that developers undertake a facts-based audit of the site and require them to demonstrate how this has informed the design of their scheme.
80	Bermondsey Street, London	Still on page 5, the list of community organisations to be consulted is missing two important types of group civic societies and amenity associations. Adding these in will provide a better-balanced set of examples.	We have included civic societies and amenity associations in our list of examples of community organisations.

81	Southwark Liberal Democrat Group	There needs to be better engagement with councillors and the community on preparation of all planning policy and guidance documents, with officers doing proper pro-active outreach and continuous engagement events with community groups and ward councillors. There should be a cross party, local plan working group that looks at production, amendments, updates and implementation of the local plan, as happens in other boroughs. Those meetings should be in public and recorded, with published minutes. There should be a clear and written explanation of the weight that will be given to the responses from consultees, including statutory consultees.	The SCI and DCC set a minimum standard of engagement between all stakeholders in the planning process, and aim to improve communication as a result. As a planning department, we engage a wide variety of stakeholders in our plan-making process and the SCI represents our continued commitment to consultation.
82	Southwark Liberal Democrat Group	Officers should meet at least once with residents and developers together on major applications, at the pre application stage. All parties should be in listening mode at these meetings and be prepared to hear and respond appropriately to counter arguments. There needs to be more clarity on what constitutes community engagement by applicants on major schemes (and this includes the smaller major schemes, not just the huge schemes), including setting out a more detailed minimum expectation of what level of engagement is considered sufficient. There also needs to be a system for checking that this engagement has taken place and is being reported in an unbiased way.	Officers work hard to ensure that the local community are represented in all major application decisions. The SCI and DCC are intended as mechanisms of accountability to ensure that developers and officers alike are taking into consideration the views and needs of the local community. These documents set the standard for community engagement in the borough.
83	Southwark Liberal Democrat Group	There needs to be a review of the resident notification letter process, as we are getting too many reports of letters not being received by residents. The letters also need to be written in a different style so that people actually realise what they are about, and the impact that the proposals may have on them.	We have outlined how we will let residents and neighbours know about planning applications in the SCI. We send neighbour notification letters, put up site notices and put out a press notice for applications in accordance with statutory requirements.
84	Southwark Liberal Democrat Group	There needs to be a better structure/protocol for engagement with case officers – for ward members, external stakeholders and residents.	Noted

85	Southwark Liberal Democrat Group	There needs to be consistency in how the responses from consultees, including statutory consultees, are treated by planning officers.	The SCI and DCC set a minimum standard of engagement between all stakeholders in the planning process. This includes how we will manage and respond to consultees.
86	Southwark Liberal Democrat Group	In areas where there is intensive development there should be a dedicated team leader who familiarises themselves with the full range of benefits and dis-benefits that will arise from any new development. All planning officers that work on applications in that area should familiarise themselves with the area, with any local issues, and particularly to understand where residents are living in places that might not be obvious (warehouse/office conversions, above shops etc) That way case officers should be alert to the fact that a lack of response/objection might mean information hasn't got through. Case officers should check in with ward councillors before approving applications in complex areas where there have been no responses to the consultation.	Engaging with the community in an effective way is a council priority and officers are already implementing the requirements of the SCI and DCC in an efficient but effective manner. In further training delivered to officers, we will highlight the need to undertake site visits and understand the spatial context of a site in order to assess the documents provided by developers and ensure that this is taken into consideration.
87	Southwark Liberal Democrat Group	How will engagement be measured?	The DCC requires developers to demonstrate how the engagement undertaken has influenced the proposed scheme and what steps have been taken to account for the potential impacts of the scheme. Officers will be given training on how to evaluate the efficacy of engagement and encouraged to ask developers to complete more engagement if they feel it is insufficient.
88	Southwark Liberal Democrat Group	What are the feedback channels for engagement?	<p>We accept comments on plan making through our online consultation hub, letters and emails. We also undertake engagement workshops with groups that are often difficult to reach.</p> <p>For planning applications, we accept comments on our planning register, through letters and emails. Major applications need to meet the requirements of the DCC and therefore will be required to undertake a variety of engagement activities (such as workshops or brainstorming).</p>

89	Southwark Liberal Democrat Group	What support is going to be given to groups who want to do Neighbourhood Plans, given that so far no Southwark based Neighbourhood Plan has progressed to adoption?	We have outlined the process for establishing a neighbourhood plan in the SCI and opportunities for residents to engage with the council to achieve this.
90	Southwark Liberal Democrat Group	How is post application monitoring being done? Who is checking to see whether multiple amendments end up making something far removed from what was originally consented?	The Southwark Plan 2022 monitoring framework outlines the departments approach to monitoring planning applications. In order to implement the monitoring framework, the department is working towards a digitalised monitoring platform that will allow us to review data from all applications in a more holistic way. As part of this work, we are considering how we will monitor community engagement going forward.
91	Southwark Liberal Democrat Group	Who is looking at the Authority Monitoring Reports? They used to be presented to planning committee and should be again.	These are prepared by the planning policy team and uploaded to the planning division website.
92	Southwark Liberal Democrat Group	Many other authorities report back to planning committee on appeals on a monthly basis. Why does Southwark not do this?	Noted.
93	Southwark Liberal Democrat Group	When will it be straightforward for residents and other interested parties to access information on affordable housing delivery, S106 and CiL monies?	We are currently updating and reviewing our digital strategy to improve accessibility and make the website more user friendly. This work is ongoing and is undertaken by our digital transformation team.
94	Individual	This is way too complicated and framed in obscure and bureaucratic language designed to obscure not consult.	We have revised the wording of both the SCI and DCC to improve clarity and remove any ambiguity. We have included alternative explanatory devices such as diagrams to improve understanding and a link to an online glossary for key terminology. We have also revised and improved the accessibility of both documents.
95	Individual	A table showing the draft DCC text in one column and my comment in a second column alongside. These comments are mainly to show how the fact-based audit is relevant, and what references might be appropriate in those sections. They are not intended to be prescriptive comments about presentation or text, but rather comments to illuminate the point about how the fact-based audit could work in relation to the DCC. Probably	We have revised the requirements of the DCC to ensure that developers undertake a facts-based audit of the site and require them to demonstrate how this has informed the design of their scheme.

		some such illustrations will be clearer than others.	
96	Individual	a copy and paste of Page 7 from the DCC on which I have illustrated the suggestion for a fact-based audit by indicating with that text the distinction that needs to be made between facts on the ground and assessments of the impact of development.	We have revised the requirements of the DCC to ensure that developers undertake a facts-based audit of the site and require them to demonstrate how this has informed the design of their scheme.
97	Transport for London	Although the revised Statement of Community Involvement (SCI) provides details of how local residents will be involved in the planning process, it has relatively little to say about engagement with stakeholders such as Transport for London. For completeness it may be helpful to include a brief section on stakeholder engagement including a list of organisations that will be consulted on planning policy documents and planning applications.	We have included a section on how we will notify statutory bodies about plan-making and planning applications, including TfL.
98	Transport for London	It is essential that TfL is consulted on all applications on the Transport for London Road Network (TLRN) or affecting transport assets such as London Underground or London Overground stations or tracks, bus stops, stands, stations and garages, cycle hire docking stations or where there is likely to be an impact on current or future transport projects. It is also essential that statutory safeguarding consultation requirements with TfL are observed for projects such as the Bakerloo line extension, and that there is consultation on planning applications or policies that are likely to have strategic transport policy impacts	We have included a section on how we will notify statutory bodies about plan-making and planning applications, including TfL.
99	Sydenham Hill Ridge Neighbourhood Forum	We are particularly encouraged by the aim “to bring forward effective and meaningful conversations between the community and the developer” (p5 DCC, our emphasis). Our experience over the past five years has been the reverse, so we would expect the implementation of the charter to bring about a demonstrable step-change in community outcomes.	The SCI and DCC set a minimum standard of engagement between all stakeholders in the planning process with the intention of improving communication in the planning process.

100	Sydenham Hill Ridge Neighbourhood Forum	That the reasons given for the community to get involved in planning are non-specific and difficult to measure. How will the Council ensure that these intended outcomes are met?	The Southwark Plan 2022 outlines the departments approach to monitoring the outcome of applications. In order to implement the monitoring framework, the department is working towards a digitalised monitoring platform that will allow us to review data from all applications in a more holistic way. As part of this work, we are considering how we will monitor community engagement going forward.
101	Sydenham Hill Ridge Neighbourhood Forum	How will the Council ensure that the community understands what these vague statements mean in practice?	<p>We have introduced a framework for improving participation in planning in Southwark. This is based on three key principles: (1) inform, (2) consult, and (3) engage</p> <p>Inform is a key part of ensuring the success of the SCI. Inform means keeping Southwark residents informed about plan-making and planning decisions in a timely and transparent manner.</p>
102	Sydenham Hill Ridge Neighbourhood Forum	There are glaring omissions in the topics proposed for the Engagement Plan and Summary(p7). There is no reference to the context, for example neighbouring listed buildings, trees with TPOs, wildlife, the physical geography of the proposed development site and its environs, no reference to accurate land measurements (for example, height above sea level), nor identification of ordinary water courses, natural springs, wells and the implications of the build on those passages of water on and in the environs of the site. Our experience is that these are poorly identified on Environment Agency and other maps, if at all, and local knowledge is crucial in avoiding water being dammed/diverted into other places, such as other dwellings and gardens. Our area in particular has underground streams, springs and wells, in addition to providing a significant watershed, and we ask that these omissions be corrected in checklists for developers' engagement with the community;	We have revised the requirements of the DCC to include a facts-based audit that requires developers to have a detailed understanding of the spatial context of the site. Included as part of this spatial context, is the local environment.
103	Sydenham Hill Ridge Neighbourhood Forum	Pre-application meetings with the council often appear to arrive at conclusions that are not necessarily seen as being in the community's interests by the neighbourhood.	We have revised the requirements of the DCC to require developers to provide evidence that they have undertaken extensive engagement

		<p>Once these have been discussed at pre-application meetings, developers (justifiably) do not expect to re-visit nor to adjust these decisions. We ask the Council to put in safeguards that the preapplication meetings do not compromise community engagement and result in outcomes with which the community has profound concerns</p>	<p>with the community prior to submitting their planning application.</p> <p>First, we require developers to submit an early engagement strategy at a pre-application meeting outlining how they intend to engage with the community before submitting their planning application. This includes outlining any engagement activities and providing a justification for these activities.</p> <p>When submitting an application, developers will then be asked to submit an engagement summary. This should provide evidence that they have undertaken the activities outlined in the early engagement strategy. If developers have not undertaken sufficient engagement work, we will ask them to go out to go out for further engagement work.</p>
104	Sydenham Hill Ridge Neighbourhood Forum	<p>Unless the Council supplies a template or list of questions with required answers, there will be little quality of responses nor consistency between applications, sufficient to allow both the community and planners to be sure that the responses are adequate and coherent. We ask that this be addressed by a pro forma suited to the needs of both the Council and the community;</p>	<p>We have revised the wording of the DCC to ensure that the requirements of the documents are clear and created templates for developers to follow.</p>
105	Sydenham Hill Ridge Neighbourhood Forum	<p>on occasion Councils do not make clear that a scheme must comply with equalities legislation and/or the National Planning Policy Framework, and at Planning Committee we have seen decisions taken (not necessarily by Southwark, as we cover an area of more than one borough) which knowingly set aside these considerations. We ask that there be no ambiguity, which developers must fully comply with legislative and NPPF requirements in relation to equalities.</p>	<p>We have revised the wording of both the SCI and DCC to improve clarity and remove any ambiguity. All planning officers are trained outlining their responsibilities under the Public Sector Equality Duty and NPPF. We have also extended the requirements of the PSED to developers through the DCC.</p>
106	Sydenham Hill Ridge Neighbourhood Forum	<p>Developers in our area have avoided the requirements for public consultation (and CIL payments) by proposing 9 or fewer homes. We ask the Council to consider requiring a sliding scale of consultation / CIL payments when fewer homes are proposed.</p>	<p>Noted</p>

107	Sydenham Hill Ridge Neighbourhood Forum	We ask that the developer be required to provide accurate proposals with accurate measurements, datum points and that it be made clear that the Community is relying on these measurements, that they cannot be subject to minor amendments at a later date. Our experience is that this has sometimes been neglected in the past, with the Council (including Southwark itself) and the Community left in limbo when a developer fails to adhere to their own proposals (and even has submitted inconsistent proposals within the planning application). We particularly welcome the inclusion of 3D imaging in the Requirements for developers (p11): we ask that this should be provided not only with regard to the existing site but also in relation to buildings, TPO trees and other heritage assets, including demonstrating the proposed build's impact on the surrounding landscape and landfall.	Noted
108	Southwark Law Centre	We recognise that there is a significant amount of information that must be included in the SCI, and it results in a text heavy document. However, the executive summary on page 3 would benefit from having buzzwords and a simplified summary connected to what is actually in it, and why it is important, and crucially why the community effected by a planning decision must be consulted on the planning matter.	We have revised the executive summary to improve clarity. We have also improved our online glossary to provide definitions for all key terminology used throughout the document.
109	Southwark Law Centre	The details about the approach to community engagement could be on the following page (page 4 which is titled "Community Engagement") with a digital link. Bullet points would help distil the key information. There is a link on page 5 which directs to the IDM decision on the new Approach to Community Engagement Principles. This is not particularly accessible at the moment; it will not easily provide the end-user with any more useful details.	We have provided a link to the Council's approach to community engagement webpage and simplified the information provided to improve accessibility.
110	Southwark Law Centre	the community engagement principles have been summarised without any connection to planning specifically. We are not clear what happened to the regeneration that works for all framework or the social	We have revised the wording of the engagement principles to ensure that they are connected more specifically to planning activities. We have also outlined a new framework for improving participation in

		regeneration charters, which were important planning policy objectives from Southwark Law Centre's perspective. There appears to be a lack of information about why consultation on planning is legally required and unique in terms of the consultations that a local authority carries out, and how community engagement on this is different.	planning that focuses on the activities of the planning department.
111	Southwark Law Centre	Much more detail needs to be supplied with the following paragraph: <i>"We will undertake public consultation for set periods of time depending on the type of planning document or plan. Whenever it is necessary, we may extend the time period depending on the type, size and nature of the project and who will be impacted."</i> We do not agree with reducing the consultation period for a regulation 19 planning policy to six weeks.	The department strives to take a best practice approach to consultation at all times, and this includes compliance with all statutory consultation requirements and going beyond this where necessary. We do not undertake consultation that does not meet statutory requirements.
112	Southwark Law Centre	The document should contain a link to the current local plan on adoption. There is also no working link to the facts and figures page.	We have reviewed all the links in the document to ensure that they are working and have provided a link to the Southwark Plan 2022.
113	Southwark Law Centre	In terms of consultation methods, there should be more examples of the types of consultation that could take place in the document so people are aware of what they should expect when there is a planning policy consultation.	We have now included examples of consultation and engagement methods in the DCC under the document requirements.
114	Southwark Law Centre	In respect of development management and consultation on planning applications, we think the section requires a rethink. The information should be accessible and informative. There needs to be differentiation between types of development, and detail the different criteria (e.g., what a council will do, what a developer will do, what a housing association will do, what a different public body will do etc.). These specificities could then be connected to the approach to community engagement principles. This is not clear in the <i>we will</i> , and <i>we may</i> section of what is to be done at the different stages of the planning application process.	We have revised the development management and consultation on planning applications section to improve clarity. We have also added definitions for different application types into our online glossary. Requirements for consultation for developers are included in the DCC.
115	Southwark Law Centre	In the pre-application stage, the 2020 version of the Statement of	We have revised the language in the DCC to ensure it is clear that we

		Community Involvement states the council “ <i>requires developers to carry out engagement</i> ” during the pre-application phase, whereas in the 2022 version it merely “ <i>Encourage[s] applicants to consult with the community</i> ” in this phase. This is a concerning watering down of the language in this section.	require developers to undertake extensive engagement with the community prior to submitting an application.
116	Southwark Law Centre	A link to or copies in an appendix of a model Pre-Submission Engagement Plan, Pre-Engagement Summary, a Social Value Statement and Equality Impact Assessment. Some of these were included in the 2020 version of the Development Consultation Charter.	We have produced templates for all the documents required as part of the DCC.
117	Southwark Law Centre	Community Networks should be added to the groups to be consulted with. Again, Community Southwark could detail these, and there should be an internal list updated by Southwark Council when new ones are made known. This information is continually picked up by the council and it is valuable in terms of seeking inclusive engagement on planning matters.	Noted
118	Southwark Law Centre	There should be a separate, standardised document for Southwark Council's consultations on new homes on council estates schemes. This could refer to the information available from the council on new homes, but it would differentiate the type of consultation and the collaboration involved here, such as through the Resident Project Groups.	Noted
119	Southwark Law Centre	There should be more information about what is to be expected in the Pre-Submission Engagement Plan and the Post-Submission Engagement Plan. Related to this, timelines should be included, and it should be made clear that after the submission of the plan there will be a 21-day consultation period. The DCC can refer to the SCI timelines for more detail on this	We have revised the DCC to add further clarity regarding the requirements of the documents of the DCC. We have also included a timeline that states when the documents will be required.
120	Southwark Law Centre	Accessing information at an early stage is very difficult and understanding the timescales and areas of influence are difficult. There	We have revised the wording of both the SCI and DCC to improve clarity and remove any ambiguity. We have included alternative explanatory

		should be a checklist of information to provide to the community in respect of developments.	devices such as diagrams to improve understanding and a link to an online glossary for key terminology. We have also revised and improved the accessibility of both documents.
121	Southwark Law Centre	Pre-applications processes really vary. More detail of the minimum requirements for engagement summaries (both pre and post submission) in different type of developments (council, housing association or private developer) should be provided.	We have revised the DCC to outline more clearly our expectations for developers prior to submitting a planning application. We have set a minimum standard for an early engagement strategy depending on the progress of the scheme when the developer brings it to us at a pre-application meeting.
122	Southwark Law Centre	A fact-based audit should be a requirement of pre-submission planning applications. This could include all of the details on page 6 but impacts of the proposed development should be separated from the details of what is currently on and surrounding the site and tie in with the specified current findings and assessment for the Social Value Statement.	We have revised the requirements of the DCC to ensure that developers undertake a facts-based audit of the site and require them to demonstrate how this has informed the design of their scheme.
123	Southwark Law Centre	We understand one of the significant disadvantages the community has when it comes to engaging with and influencing developments. A key reason for this is that developers or project officers can continually discuss the planning applications, and council officers regularly brief planning committee. We believe there should be dedicated space before a development is considered by planning committee for there to be community briefings from those who have submitted comments on planning applications. If it was not felt that planning committee members could attend these, they should at least be attended by the planning officers and local ward councillors. We would expect a minimum of one meeting but there may be more for larger applications.	Noted
124	Southwark Group of Tenants Organisations	When new homes are proposed to be built on existing Council estates, the Council must ensure that their consultation adheres to the principles of the SGTO New Homes Consultation Charter.	We have reviewed the SGTO New Homes consultation charter and ensured that the principles included in the SCI and DCC are aligned. Southwark Council, as a developer itself, is bound by the principles of the SCI and DCC and this will ensure compliance.

125	Southwark Group of Tenants Organisations	Where development is proposed on or near Council estates and a Tenant and Resident Association (TRA) exists, ensure that consulting with tenant and resident associations is a compulsory part of the pre-application consultation process. TRAs provide a wealth of knowledge and experience about their estate. While consulting with TRAs must not replace consultation with the general resident population, TRAs must be able to contribute.	We have revised our definition of community groups to include TRAs. We also encourage TRAs to get in contact with us to ensure that we reach out to them for consultation.
126	Southwark Group of Tenants Organisations	For the Council to commit to sending letters to all residents who would be impacted by a proposed development. These letters would invite them to take part in the planning consultation either in-person, or by email, phone, or letter.	We send neighbour notification letters, put up site notices and put out a press notice for applications in accordance with statutory requirements. We are aware of the need to avoid a digital-only approach to consultation and aim to use a variety of methods of communication that are inclusive.
127	Southwark Group of Tenants Organisations	Point 7 of our New Homes Consultation Charter sets out that “the Council must demonstrate that a proposed development responds to the genuine housing needs of residents on an estate.” This housing need could be established through a fact-based audit, made prior to the submission of the planning application. This could include all of the details on page 6 of the Developer Consultation Charter but impacts of the proposed development should be separated from the details of what is currently on and surrounding the site and tie in with the specified current findings and assessment for the Social Value Statement. The Council must ensure that any development responds to the needs identified within the audit.	We have revised the requirements of the DCC to ensure that developers undertake a facts-based audit of the site and require them to demonstrate how this has informed the design of their scheme.
128	Southwark Group of Tenants Organisations	the Council should commit to creating an equalities action plan for each development, prior to the submission of the planning application. This would be formed in partnership with community stakeholders, and would detail how the Council intends to engage harder to reach groups in consultation. This could include, for example, digitally excluded people, or people who speak English as a second language. The equalities action plan would contain mutually agreed goals for the	The DCC requires developers to prepare an equalities impact assessment (EQIA) for all major developments where they must consider the impact of development on those with protected characteristics under the Public Sector Equalities Duty. This includes how the developer will consult with these groups and incorporate their needs into the design of the development. We have revised the wording of the DCC to ensure that

		engagement of harder to reach groups.	the requirements of this document are clear.
129	Southwark Group of Tenants Organisations	Further to the above, the Statement of Community Involvement must include a commitment to work with residents to establish what is an acceptable level of resident engagement with a planning application. This includes mutually agreed goals on the quantity of responses required and the additional measures required to reach this number.	We have consulted with a wide variety of groups in writing and preparing the SCI and DCC. However, we recognise the need to engage consistently with the community and therefore we will continue to strive for improved communication with our local community.

APPENDIX G (A)



STATEMENT OF COMMUNITY INVOLVEMENT

DECEMBER 2022

APPENDICES

No.	Title
Appendix A	Statement of Community Involvement
Appendix B	Development Consultation Charter
Appendix C	Early Engagement Strategy Template
Appendix D	Engagement Summary Template
Appendix E	EQIA Template
Appendix F	Consultation Report
Appendix G	Equalities Impact Assessment



**Statement of Community Involvement
Equalities Impact Assessment
DECEMBER 2022**

Guidance notes

Things to remember:

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 effect 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		Statement of Community Involvement 2022			
Equality analysis author					
Director		Stephen Platts			
Department		Planning Policy	Division		Chief Executive
Date of analysis		October 2022			
Sign-off	Laura Hills	Position	Planning Policy Manager	Date	06 December 2022

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

Brief description of policy/decision/business plan
<p>The Statement of Community Involvement (SCI) is an important planning document that defines how and when local residents, community groups and stakeholders can be involved in the planning process. This takes place when we write new planning policy documents and when we consult on planning applications for new development. The SCI:</p> <ul style="list-style-type: none"> • Puts people at the centre of the engagement process and help to build strong relationships • Make things simpler and make sure people have a better experience when getting involved in planning matters • Gives details about the opportunities you have to help make plans, policies and decisions that can affect your community and where you live • Outlines our commitment to you and sets out how we will deliver the values in the New Approach to Community Engagement <p>The Developer Consultation Charter (DCC) forms part of the SCI. It explains what engagement applicants and developers are expected to carry out for larger scale developments (large scale is anything over 10 homes or above 3,500sqm commercial floorspace). The Charter provides the developer with guidance on how to engage effectively before, design and after the submission of a planning application</p> <p>The DCC:</p> <ul style="list-style-type: none"> • Helps developers understand community need • Provides clear guidelines for consultation and engagement • Explains how community feedback will be used in evolving the proposal

- Signposts templates for Engagement plans and Summaries

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; Chief Executive 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; Chief Executive Department.

Section 4a: Summary of EQIA

The SCI is the council's framework for consultation and engagement through the Planning process. Its successful implementation will ensure that the process better addresses the needs of those in the borough, especially those with protected characteristics. There are no direct health and wellbeing implications of the SCI or Developer Consultation Charter, but the documents encourage the consideration of the public, and their needs which includes health and wellbeing implications of plan-making and development.

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 also given special consideration, as it is the council's declared intention to reduce health inequalities in the borough.

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/decision/business plan	Potential health impacts (positive and negative)
<p>SCI The SCI is anticipated to have positive benefits for all people living and working in Southwark and who want to get involved in the planning system. Reviewing our current approach to consultation in planning and setting out new actions to make consultation more accessible would have a positive social impact for all, including those with protected characteristics.</p> <p>There are no foreseen negative impacts to people based on their Age.</p> <p>The SCI has been updated to include information on how people can expect to be consulted when face-to-face engagement is not possible – this will require a greater emphasis on digital engagement. Feedback received during the last stage of consultation suggests that older people may not have access to or have the skills necessary for digital engagement.</p>	<p>SCI There are no positive or negative health impacts identified for the above protected characteristic and the SCI.</p>

<p>Developer Consultation Charter The DCC is anticipated to have positive benefits for all people living and working in Southwark and who want to get involved in the planning system.</p> <p>The Charter sets out the expected type and extent of engagement Developer's must undertake for different types of development and the reports they must submit. By setting out these new actions and the required reports will make consultation more accessible and this would have a positive social impact for all, including those with protected characteristics.</p>	<p>Developer Consultation Charter There are no health impacts identified for the above protected characteristic and the Developer Consultation Charter.</p>
<p>Equality information on which above analysis is based</p>	<p>Health data on which above analysis is based</p>
<p>With regard to age, Southwark has a young population with 40% of the population aged 20-39. It is also recognised that there has often been a challenge around engagement particularly from young people (under 24), but also people under 45 who form a high percentage of the population. Digital consultation may help to extend our reach into the community and expand the range of people who engage with planning.</p> <p>Officers attended the Community Southwark Older People's Network to obtain feedback on the SCI and DCC. Comments made at consultation events suggest that older residents may not have digital skills or have access to the internet and those that do often do not know how to use it. Therefore the internet should not be the only way people can find out about consultations or get involved. The council must ensure that that all residents, regardless of age, are able to access consultation, there are alternatives to online consultation.</p> <p>Further information of the Southwark profile for the above protected characteristic is provided in Appendix 1 of the EQIA for the SCI - Supporting Datasets.</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>The SCI is clear that a digital only approach is only acceptable in exceptional circumstances. The SCI clearly sets out alternatives to digital consultation and communications to facilitate those who may not have access to the internet. It is important to ensure that all Consultation Plans in the future can demonstrate that there are alternatives to digital engagement to ensure as many people as possible can get involved in a consultation as set out in the SCI.</p>	

Individual Consultation Plans on different projects will set out how consultation will take place, how any negative impacts on any equalities group will be mitigated against, and follow the council's Approach to Community Engagement

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)

SCI

The SCI is anticipated to have positive benefits for all people living and working in Southwark and who want to get involved in the planning system.

Reviewing our current approach to consultation in planning and setting out new actions to make consultation more accessible would have a positive social impact for all, including those with protected characteristics. The SCI ensures that consultation events will be accessible to all.

The SCI has been updated to include information on how people can expect to be consulted when face-to-face engagement is not possible – this will require a greater emphasis on digital engagement. This may have a potential impact on how those with certain disabilities can engage.

The SCI is clear that a digital only approach is only acceptable in exceptional circumstances – individual Consultation Plans on different projects will set out how this will happen and how any negative impacts on any equalities group will be mitigated.

SCI

There are no positive or negative health impacts identified for the above protected characteristic and the SCI.

<p>Developer Consultation Charter The DCC is anticipated to have positive benefits for all people living and working in Southwark and who want to get involved in the planning system.</p> <p>The Charter sets out the expected type and extent of engagement Developer's must undertake for different types of development and the reports they must submit. By setting out these new actions and the required reports will make consultation more accessible and this would have a positive social impact for all, including those with protected characteristics, including disability.</p>	<p>Developer Consultation Charter There are no health impacts identified for the above protected characteristic and the Developer Consultation Charter.</p>
<p>Equality information on which above analysis is based</p>	<p>Health data on which above analysis is based</p>
<p>In the 2011 census about 13.5% of residents reported a long term condition that limited them this includes those with physical and mental disability as well as illness.</p> <p>Further information of the Southwark profile for the above protected characteristic is provided in Appendix 1 of the EQIA for the SCI - Supporting Datasets.</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>Individual Consultation Plans on different projects will set out how consultation will take place, how any negative impacts on any equalities group will be mitigated against, and follow the council's Approach to Community Engagement. As people's needs are not the same we will provide a range of options to ensure participation in consultation events. The onus will be on those carrying out the consultation to use suitable engagement materials and venues with access for everyone. We will also use a reflective approach and learn from work across other council projects around mental health.</p> <p>Where necessary the council will work with community groups, Public Health and Clinical Commissioning Group (CCG) to offer the best support around engagement when necessary.</p>	

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>SCI The SCI is anticipated to have positive benefits for all people living and working in Southwark and who want to get involved in the planning system.</p> <p>Reviewing our current approach to consultation in planning and setting out new actions to make consultation more accessible would have a positive social impact for all, including those with protected characteristics. There are no foreseen negative impacts to people based on their gender.</p>	<p>SCI There are no positive or negative health impacts identified for the above protected characteristic and the SCI.</p>
<p>Developer Consultation Charter The DCC is anticipated to have positive benefits for all people living and working in Southwark and who want to get involved in the planning system.</p> <p>The Charter sets out the expected type and extent of engagement Developer's must undertake for different types of development and the reports they must submit. By setting out these new actions and the required reports will make consultation more accessible and this would have a positive social impact for all, including those with protected characteristics.</p>	<p>Developer Consultation Charter There are no health impacts identified for the above protected characteristic and the Developer Consultation Charter.</p>
Equality information on which above analysis is based	Health data on which above analysis is based
Further information of the Southwark profile for the above protected characteristic is provided in Appendix 1 of the EQIA for the SCI - Supporting Datasets.	
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.	

<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>SCI The SCI is anticipated to have positive benefits for all people living and working in Southwark and who want to get involved in the planning system.</p> <p>Reviewing our current approach to consultation in planning and setting out new actions to make consultation more accessible would have a positive social impact for all, including those with protected characteristics. There are no foreseen negative impacts to people based on pregnancy and maternity characteristics.</p>	<p>SCI There are no positive or negative health impacts identified for the above protected characteristic and the SCI.</p>
<p>Developer Consultation Charter The DCC is anticipated to have positive benefits for all people living and working in Southwark and who want to get involved in the planning system.</p> <p>The Charter sets out the expected type and extent of engagement Developer's must undertake for different types of development and the reports they must submit. By setting out these new actions and the required reports will make consultation more accessible and this would have a positive social impact for all, including those with protected characteristics.</p>	<p>Developer Consultation Charter There are no health impacts identified for the above protected characteristic and the Developer Consultation Charter.</p>
<p>Equality information on which above analysis is based</p>	<p>Health data on which above analysis is based</p>

Further information of the Southwark profile for the above protected characteristic is provided in Appendix 1 of the EQIA for the SCI - Supporting Datasets.

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.

Individual Consultation Plans on different projects will set out how consultation will take place, how any negative impacts on any equalities group will be mitigated against, and follow the council's Approach to Community Engagement

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)

SCI

The SCI is anticipated to have positive benefits for all people living and working in Southwark and who want to get involved in the planning system.

Reviewing our current approach to consultation in planning and setting out new ways of undertaking to consultation will make consultation more accessible would have a positive social impact for all, including those with protected characteristics, including race

Engagement on the SCI has aimed to reach out to people of different backgrounds. Feedback received at consultation suggests that the SCI may be too complicated for people where English is not their first language.

SCI

There are no positive or negative health impacts identified for the above protected characteristic and the SCI.

Developer Consultation Charter

The DCC is anticipated to have positive benefits for all people living and working in Southwark and who want to get involved in the planning system.

Developer Consultation Charter

There are no health impacts identified for the above protected characteristic and the Developer Consultation Charter.

<p>The Charter sets out the expected type and extent of engagement Developer's must undertake for different types of development and the reports they must submit. By setting out these new actions and the required reports will make consultation more accessible and this would have a positive social impact for all, including those with protected characteristics.</p>	
<p>Equality information on which above analysis is based</p>	<p>Health data on which above analysis is based</p>
<p>54.2% of Southwark's population is from White Ethnic backgrounds (which includes 39.7% from White British backgrounds) and 12.4% from White Other Ethnic backgrounds.</p> <p>45.8% of the population are from Black, Asian and minority ethnic backgrounds, nearly 27% from Black African and Caribbean backgrounds. 9.4% of people from Asian backgrounds with just over 6% from Mixed ethnic backgrounds and 3.3% from Other ethnic backgrounds.</p> <p>Further information of the Southwark profile for the above protected characteristic is provided in Appendix 1 of the EQIA for the SCI - Supporting Datasets.</p> <p>Feedback from consultation events and workshops suggested that people who do not speak English as their first language may struggle with complex language and long documents associated with planning.</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>Individual Consultation Plans on different projects will set out how consultation will take place, how any negative impacts on any equalities group will be mitigated against, and follow the council's Approach to Community Engagement. As people's needs are not the same we will provide a range of options to ensure participation in consultation events. The onus will be on those carrying out the consultation to use suitable engagement materials and venues with access for everyone.</p> <p>Engagement on the SCI has aimed to reach out to people of different backgrounds. In acknowledgment of the fact that English may not be the first language of everyone, we will ensure the council's website is easy to understand and clearly sets out how we will undertake community engagement to assist with this.</p>	

When planning a consultation event plain english and translation where necessary should be used for consultation and engagement content.

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)

SCI

The SCI is anticipated to have positive benefits for all people living and working in Southwark and who want to get involved in the planning system. Reviewing our current approach to consultation in planning and setting out new actions to make consultation more accessible would have a positive social impact for all, including those with protected characteristics.

There are no foreseen negative impacts to people based on their religion and belief.

Engagement on the SCI has aimed to reach out to people of different backgrounds with a specific event held for Faith communities who do not usually engage with planning although this not a problem that only people of faith experience. Feedback from this event suggested that the planning system, and by extension, the SCI is too complicated for those who have little knowledge of the planning. The council's planning website will be updated available to assist with this.

SCI

There are no positive or negative health impacts identified for the above protected characteristic and the SCI.

<p>Developer Consultation Charter The DCC is anticipated to have positive benefits for all people living and working in Southwark and who want to get involved in the planning system.</p> <p>The Charter sets out the expected type and extent of engagement Developer's must undertake for different types of development and the reports they must submit. By setting out these new actions and the required reports will make consultation more accessible and this would have a positive social impact for all, including those with protected characteristics.</p>	<p>Developer Consultation Charter There are no health impacts identified for the above protected characteristic and the Developer Consultation Charter.</p>
<p>Equality information on which above analysis is based</p>	<p>Health data on which above analysis is based</p>
<p>Census data 2011 identified the following belief make-up of the borough: 52.54% Christian; 1.35% Buddhist; 1.27% Hindu; 0.35% Jewish; 8.52% Muslim; 0.23% Sikh; 0.47% other religion; 26.74% no religion; 8.54% did not say.</p> <p>Further information of the Southwark profile for the above protected characteristic is provided in Appendix 1 of the EQIA for the SCI - Supporting Datasets.</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>Feedback from members of faith communities who do not usually engage with planning suggested that the planning system, and by extension, the SCI is too complicated for those who have little knowledge of the planning. We will ensure the council's website is easy to understand and clearly sets out how we will undertake community engagement to assist with this.</p>	

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

<p>SCI</p> <p>The SCI is anticipated to have positive benefits for all people living and working in Southwark and who want to get involved in the planning system. Reviewing our current approach to consultation in planning and setting out new actions to make consultation more accessible would have a positive social impact for all, including those with protected characteristics.</p> <p>There are no foreseen negative impacts to people based on their sex.</p>	<p>SCI</p> <p>There are no positive or negative health impacts identified for the above protected characteristic and the SCI.</p>
<p>Developer Consultation Charter</p> <p>The DCC is anticipated to have positive benefits for all people living and working in Southwark and who want to get involved in the planning system.</p> <p>The Charter sets out the expected type and extent of engagement Developer's must undertake for different types of development and the reports they must submit. By setting out these new actions and the required reports will make consultation more accessible and this would have a positive social impact for all, including those with protected characteristics.</p>	<p>Developer Consultation Charter</p> <p>There are no health impacts identified for the above protected characteristic and the Developer Consultation Charter.</p>
<p>Equality information on which above analysis is based</p>	<p>Health data on which above analysis is based</p>
<p>Census 2011 data: Female: 50.5%/ Male: 49.5%</p> <p>Further information of the Southwark profile for the above protected characteristic is provided in Appendix 1 of the EQIA for the SCI - Supporting Datasets.</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>	

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)
<p>SCI The SCI is anticipated to have positive benefits for all people living and working in Southwark and who want to get involved in the planning system. Reviewing our current approach to consultation in planning and setting out new actions to make consultation more accessible would have a positive social impact for all, including those with protected characteristics.</p> <p>There are no foreseen negative impacts to people based on their sexual orientation.</p>	<p>SCI There are no positive or negative health impacts identified for the above protected characteristic and the SCI.</p>
<p>Developer Consultation Charter The DCC is anticipated to have positive benefits for all people living and working in Southwark and who want to get involved in the planning system.</p> <p>The Charter sets out the expected type and extent of engagement Developer's must undertake for different types of development and the reports they must submit. By setting out these new actions and the required reports will make consultation more accessible and this would have a positive social impact for all, including those with protected characteristics.</p>	<p>Developer Consultation Charter There are no health impacts identified for the above protected characteristic and the Developer Consultation Charter.</p>
Equality information on which above analysis is based	Health data on which above analysis is based
<p>Southwark has the second largest gay or lesbian population in London at 5% with our neighbouring borough Lambeth as the highest.</p> <p>Further information of the Southwark profile for the above protected characteristic is provided in Appendix 1 of the EQIA for the SCI - Supporting Datasets.</p>	

Feedback from consultation events and workshops did not address issues surrounding sexual orientation.

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.

The LGTBQ Forum were specifically consulted on the SCI and will be in the future where there is a policy/project that may directly effect this community.

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)

SCI

Socio-economic disadvantage continues to be a major cause of inequality for people living in Southwark.

A person's family economic and social position can have an impact of their income, health, living conditions or occupation.

The SCI is anticipated to have positive benefits for all people living and working in Southwark and who want to get involved in the planning system. Reviewing our current approach to consultation in planning and setting out new actions to make consultation more accessible would have a positive social impact for all, including those with protected characteristics.

The SCI has been updated to include information on how people can expect to

SCI

There are no positive or negative health impacts identified for the above protected characteristic and the SCI.

<p>be consulted when face-to-face engagement is not possible – this will require a greater emphasis on digital engagement. This may have a potential impact on those from a lower socio-economic background who may not have access to the internet.</p>	
<p>Developer Consultation Charter The DCC is anticipated to have positive benefits for all people living and working in Southwark and who want to get involved in the planning system.</p> <p>The Charter sets out the expected type and extent of engagement Developer’s must undertake for different types of development and the reports they must submit. By setting out these new actions and the required reports will make consultation more accessible and this would have a positive social impact for all, including those with protected characteristics.</p>	<p>Developer Consultation Charter There are no health impacts identified for the above protected characteristic and the Developer Consultation Charter.</p>
<p>Equality information on which above analysis is based</p>	<p>Health data on which above analysis is based</p>
<p>Further information of the Southwark profile for the above protected characteristic is provided in Appendix 1 of the EQIA for the SCI - Supporting Datasets.</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>Emphasis on digital engagement may have a potential impact on those from a lower socio-economic background who may not have access to the internet. The SCI is clear that a digital only approach is only acceptable in exceptional circumstances – individual Consultation Plans on different projects will set out how this will happen and how any negative impacts on any equalities group will be mitigated. Increasing and diversifying participation in engagement is a Council priority.</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

The Statement of Community Involvement and Developer Consultation Charter aligns with the council's Approach to Community Engagement document used throughout the council that is considerate of the Human Rights Act.

Information on which above analysis is based

Further information of the Southwark profile for the above protected characteristic is provided in Appendix 1 of the EQIA for the SCI - Supporting Datasets.

Mitigating actions to be taken

We will continue to monitor and review the implementation and use of Statement of Community Involvement and Developer Consultation Charters to ensure that the likelihood of negative impacts arising is minimal.

Appendix 1: Supporting Datasets

APPENDIX G (B)

The data below sets out the need in the borough and the number of people with these protected characteristics. It provides evidence for who is impacted by the Statement of Community Involvement and Developer Consultation Charter. These are taken from the JSNA data held by public health and a range of other sources national and regional sources of data.

The table identifies where do have data, and the places we would want to have more specific equalities data, but either the data is unavailable and difficult to locate or it is unobtainable due to the nature of the protected characteristic and process of obtaining that data.

Dataset										
Southwark Profile	Age	Disability	Sex	Gender Reassignment	Marriage and Civil Partnership	Race and ethnicity	Religion and belief	Pregnancy and maternity	Socio-economic disadvantage	Sexual Orientation
Statement of Community Involvement Southwark Profile	The council has support available for homecare for the elderly and independent living and residential care. In 2018, 17.31% of the population in Southwark were over 60. In the same year, 22.56% of the	Approximately just over 15,000 residents in Southwark are considered to have a disability. ⁵ In 2016, 1550 people in Southwark were claiming benefits as a disabled person ⁶ .	Percentage of residents in the borough broken down by sex In Southwark in 2018, there were 158,418 men and 158,838 living in Southwark ⁷ . Crime rate per protected characteristic-	Percentage of residents in the borough broken down by gender reassignment – <i>Data unavailable</i> Crime rate per protected characteristic- Transgender hate https://www.met.police.uk/sd/stats-and-data/met/hate-crime-dashboard/	Not available	Under the Equality Act 2010, outside of the PPTS planning definition, we recognise Gypsy and Travellers as an ethnicity. We have acknowledged this in our EQIA. Percentage of residents in the	Percentage of residents in the borough broken down by Religion ¹²	Those who are pregnant or who live with and are responsible for a child ¹³ . Percentage of residents in the borough who are pregnant or have infant children ¹⁴ . Number of community uses accessed by pregnant women	Southwark Council has committed to delivering 11,000 new homes by 2043 ¹⁵ . The average house price in Southwark was £476,597 in 2019 ¹⁶ . Southwark residents have the spend around 15.19 times annual earnings on purchasing a home ¹⁷	Percentage of residents in the borough broken down by sexual orientation ¹⁹ The Southwark LGBTQ+ Community Consultation 2018-2019 report sets out the findings of a survey designed to assess the experience of LGBTQ+ people in the borough of health and wellbeing,

⁵ data set DWP- 2019 PIP & DLA figures

⁶ <https://www.nomisweb.co.uk/reports/lmp/la/1946157256/report.aspx?town=southwark#tabempunemp>

⁷ <https://fingertips.phe.org.uk/profile/child-health-profiles/data#page/12/gid/1938133228/pat/6/par/E12000007/ati/102/are/E09000028/iid/93203/age/174/sex/4>

¹² <https://www.southwark.gov.uk/health-and-wellbeing/public-health/health-and-wellbeing-in-southwark-jsna/southwark-profile>

¹³ <https://www.southwarkhomesearch.org.uk/Data/Pub/PublicWebsite/ImageLibrary/3889%20-%20Soutwark%20Allocations%20Policy.pdf>

¹⁴ <https://www.southwark.gov.uk/health-and-wellbeing/public-health/health-and-wellbeing-in-southwark-jsna/southwark-profile>

¹⁵ <https://www.southwark.gov.uk/housing/housing-strategy>

¹⁶ Housing in London 2019 Tables, Greater London Authority

¹⁷ NOMIS – Official Labour Market Statistics; price to residence-based earnings ratio, Office for National Statistics.

¹⁹ <https://www.southwark.gov.uk/health-and-wellbeing/public-health/health-and-wellbeing-in-southwark-jsna/southwark-profile>

<p>population were 19 and under¹</p> <p>Percentage of residents in the borough broken down by age- Southwark's average age is 33.1 years². In 2018, the percentage 16-17 year olds not in education, employment or training (NEET) or whose activity is not known, is higher than the national average at 8.7%. This is amongst the highest percentages in London.³</p> <p>Approximately 21% of Southwark's population live in communities ranked within the most deprived nationally. This</p>			<p>Domestic abuse https://www.met.police.uk/sd/stats-and-data/met/hate-crime-dashboard/</p>	<p>The Southwark LGBTQ+ Community Consultation 2018-2019 report sets out the findings of a survey designed to assess the experience of LGBTQ+ people in the borough of health and wellbeing, socialising and community safety. It makes recommendations for health and social care providers, Southwark police and voluntary organisations to improve this experience^{8, 9}</p> <p>Number of community uses accessed by gender reassignment – Currently there are no standard</p>		<p>borough broken down by race – In 2016 it was estimated that just over half (54%) of Southwark's population is of white ethnicity, a quarter (25%) black and a third of Asian (11%) or other (10%) ethnicities.</p> <p>Census data in 2011 shows 54,2% of the population of Southwark ARE White, 26.9% are Black, 9.4% ARE Asian and 6.2% are Mixed and 3.3% are Other.</p> <p>66% of the under-20 population is from black and minority ethnic communities¹⁰.</p>		<p>or women who have infant children – Currently there is no specific data held on the community groups that pregnant women access. However it is acknowledged that the total number of babies born in Southwark has been decreasing year on year since 2010. There were just under 4,400 live births in 2017, down from over 5,100 in 2010. The decline in the fertility rate in Southwark is seen across all age groups, but particularly among younger women. The average age of mothers having their first child in Southwark is 32.8 years, compared to</p>	<p>Amount of residents per ward in deprived areas¹⁸</p>	<p>socialising and community safety. It makes recommendations for health and social care providers, Southwark police and voluntary organisations to improve this experience²⁰.</p>
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¹ <https://fingertips.phe.org.uk/profile/child-health-profiles/data#page/12/gid/1938133222/pat/6/par/E12000007/ati/102/are/E09000028>

² <https://www.southwark.gov.uk/health-and-wellbeing/public-health/health-and-wellbeing-in-southwark-jsna/southwark-profile>

³ <https://fingertips.phe.org.uk/profile/child-health-profiles/data#page/7/gid/1938133228/pat/6/par/E12000007/ati/102/are/E09000028/iid/93203/age/174/sex/4>

⁸ https://communitysouthwark.org/sites/default/files/images/Southwark%20LGBTQ%2B%20Community%20Consultation%202018-19_Final.pdf

⁹ https://communitysouthwark.org/sites/default/files/images/Southwark%20LGBTQ%2B%20Community%20Consultation%202018-19_Final.pdf

¹⁰ <http://modern.gov.southwark.gov.uk/documents/s72803/Appendix%201%20Best%20start%20in%20life%20Southwark%20school%20standards%20report%202017.pdf>

¹⁸ <https://www.southwark.gov.uk/health-and-wellbeing/public-health/health-and-wellbeing-in-southwark-jsna/southwark-profile>

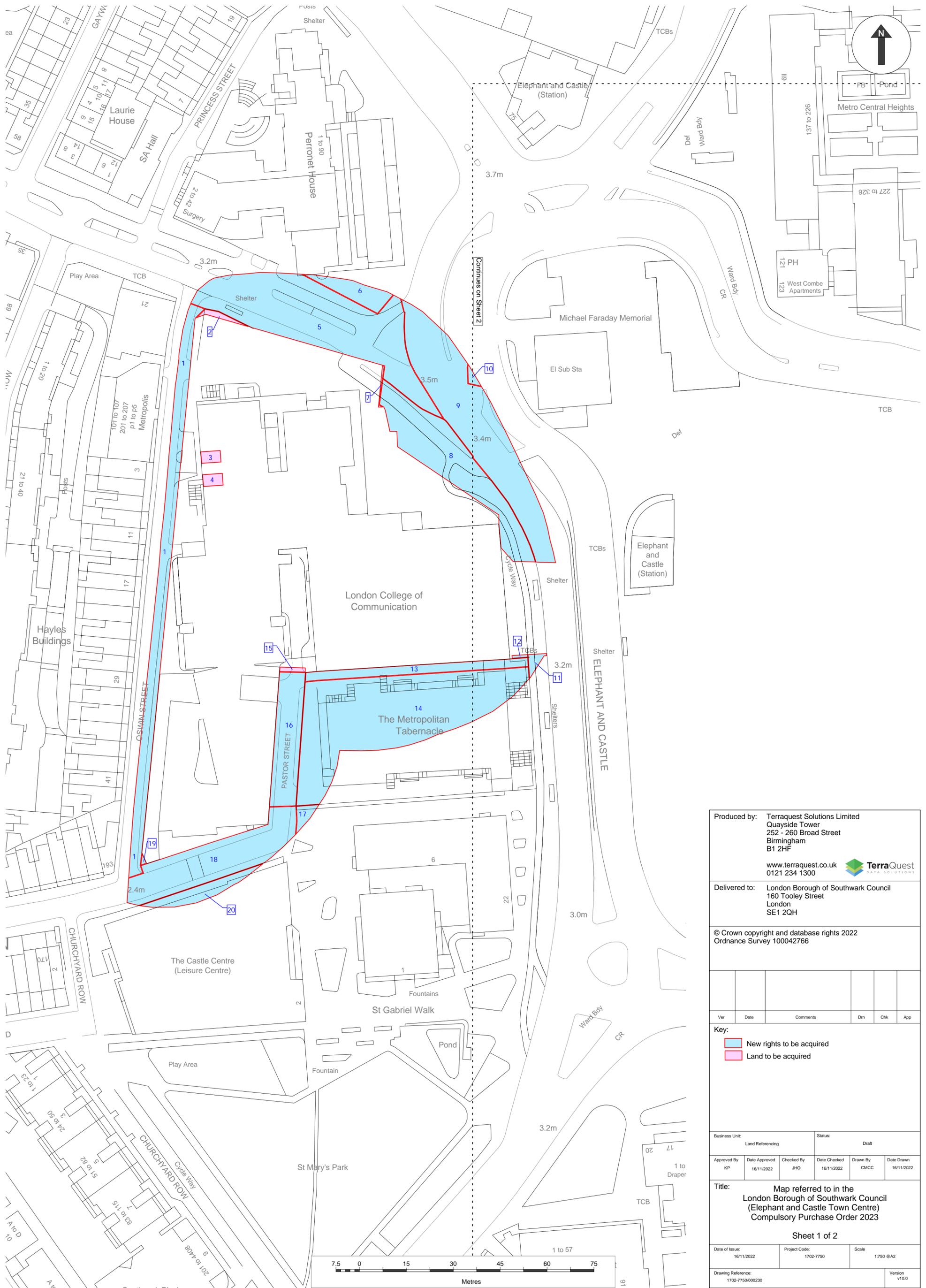
²⁰ https://communitysouthwark.org/sites/default/files/images/Southwark%20LGBTQ%2B%20Community%20Consultation%202018-19_Final.pdf

	increases to 23% among those aged under 18. ⁴			sources of transgender statistics, nor is there standard data on the use of health services or referrals to gender identity clinics. However, GIRES (the Gender Identity Research and Education Society) estimate that 0.6-1% of the population may experience gender dysphoria.		Percentage of residents in the borough broken down by race¹¹		30.5 years in England.		
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*data unavailable – data is not held on these characteristics currently and is difficult to obtain at a borough-wide level. Southwark Council is aware of the needs of these characteristics but there is a gap in specific quantitative data. This data in some cases is unobtainable.

⁴ Southwark JSNA Annual Report: 2022

¹¹ <https://www.southwark.gov.uk/health-and-wellbeing/public-health/health-and-wellbeing-in-southwark-jsna/southwark-profile>



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Ver	Date	Comments	Dm	Chk	App

Key:

- New rights to be acquired
- Land to be acquired

Business Unit:	Land Referencing	Status:	Draft
Approved By:	KP	Date Approved:	16/11/2022
Checked By:	JHO	Date Checked:	16/11/2022
Drawn By:	CMCC	Date Drawn:	16/11/2022

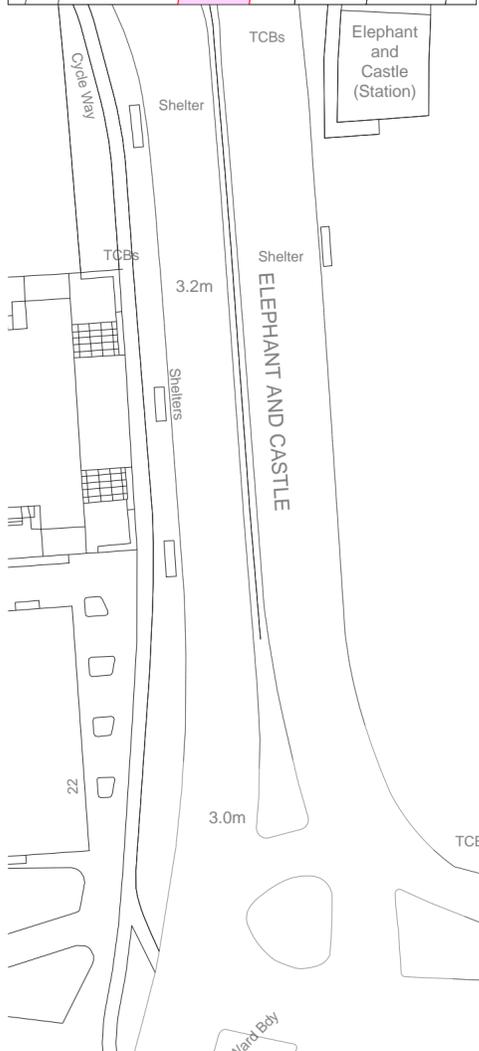
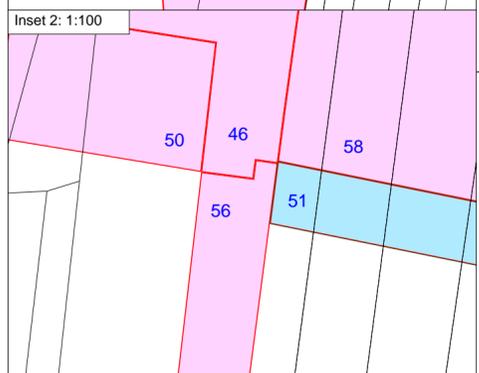
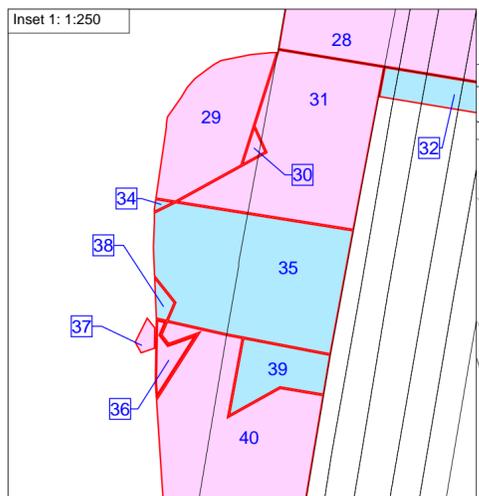
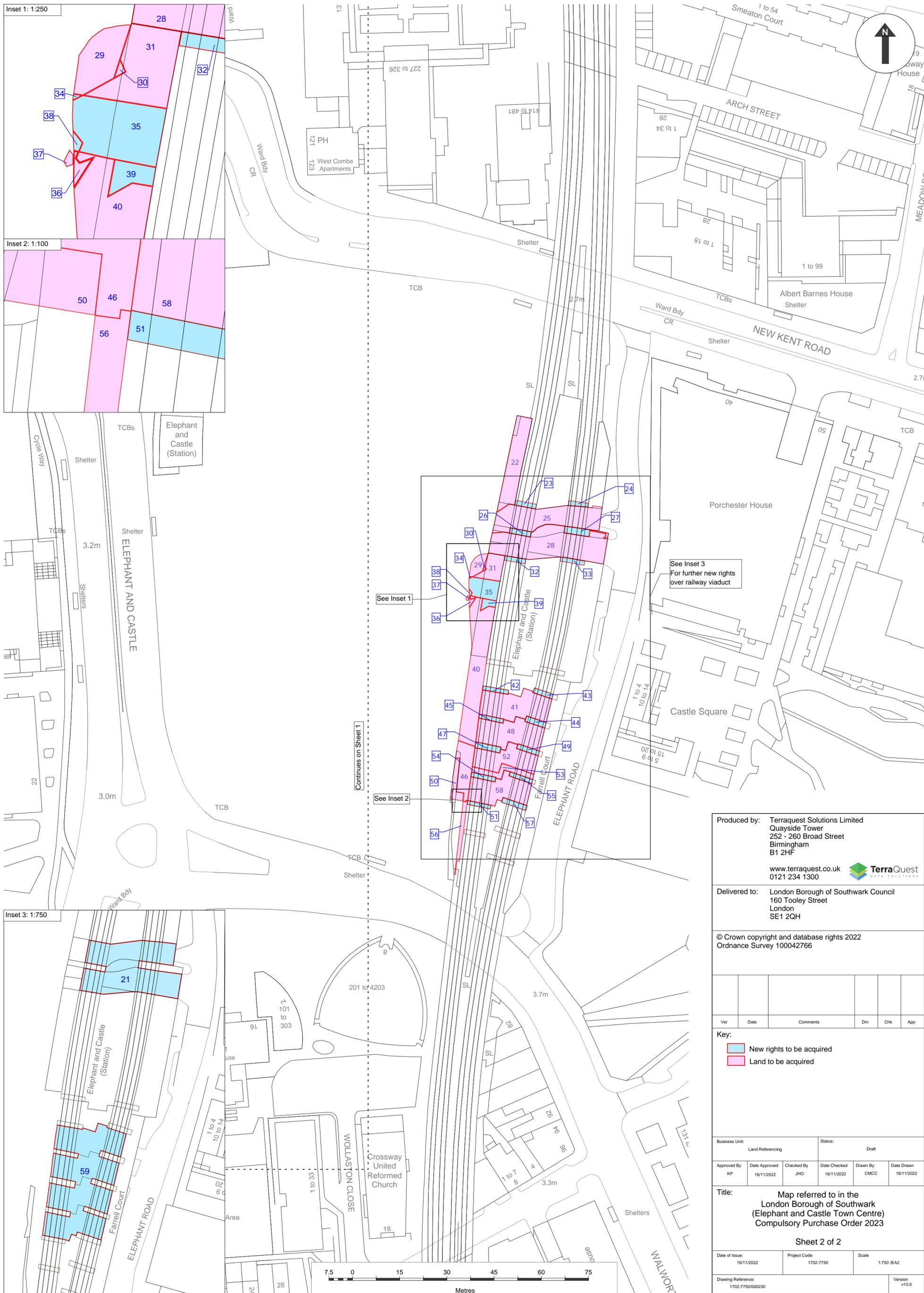
Title: Map referred to in the
London Borough of Southwark Council
(Elephant and Castle Town Centre)
Compulsory Purchase Order 2023

Sheet 1 of 2

Date of Issue:	16/11/2022	Project Code:	1702-7750	Scale:	1:750 @A2
Drawing Reference:	1702-7750/000230	Version:	v10.0		

Map referred to in the London Borough of Southwark (Elephant and Castle Town Centre) Compulsory Purchase Order 2023

APPENDIX A (2)



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Key:

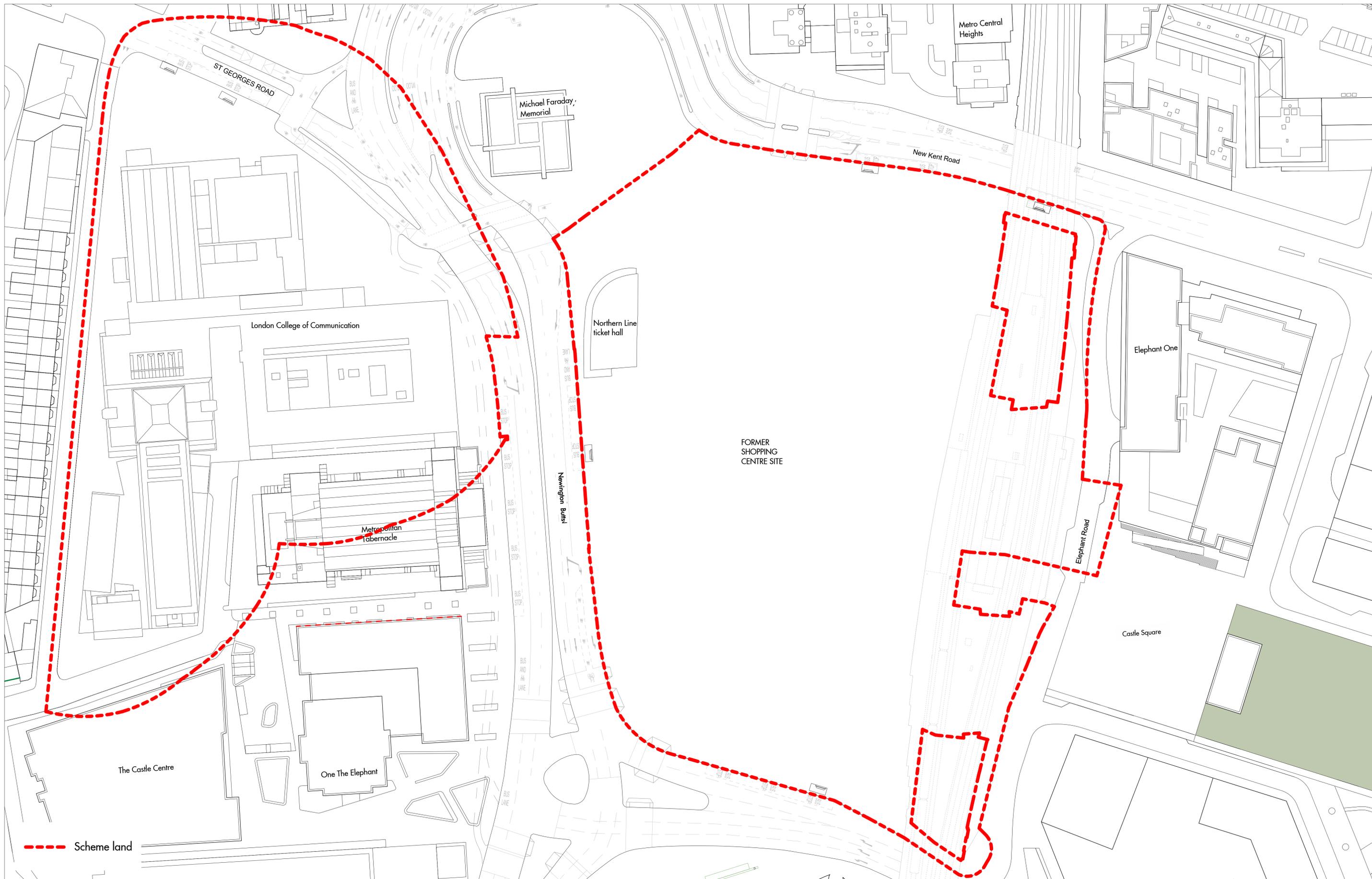
- New rights to be acquired
- Land to be acquired

Business Unit:	Land Referencing	Status:	Draft								
Approved By:	KP	Date Approved:	16/11/2022	Checked By:	JHO	Date Checked:	16/11/2022	Drawn By:	CMCC	Date Drawn:	16/11/2022

Title: Map referred to in the London Borough of Southwark (Elephant and Castle Town Centre) Compulsory Purchase Order 2023

Sheet 2 of 2

Date of Issue:	16/11/2022	Project Code:	1702-7750	Scale:	1:750 @A2
Drawing Reference:	1702-7750/000230	Version:	v10.0		



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--- Scheme land

Do not scale from this drawing. Use figured dimensions only. Figured dimensions are in millimetres. All levels are in metres. All dimensions and levels shall be verified on site before proceeding with works. Detailed site survey to be carried out to verify positions and level relationships with site features and ordnance survey. The Architect must be notified of any discrepancy. Where building components are described in the specification as Descriptive Specification - (Contractor Design) elements shown on this drawing pertaining to those components are to be read as 'Issued for Design Intent' only. Allias & Morrison LLP is not responsible for any errors caused by the transmission, translation, software or computer systems. Allias & Morrison LLP is not responsible for, nor shall be liable for, the consequences of any use made of the drawings or models, other than that for which they were produced by Allias & Morrison LLP for the Client.

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P1	12.07.22	ISSUED FOR INFORMATION	EJ
P2	10.10.22	ISSUED FOR INFORMATION	EM

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ELEPHANT AND CASTLE : TOWN CENTRE
 Elephant & Castle Town Centre Redevelopment - Current
 SCHEME LAND
 ETC-AAM-EX-DR-A-100024

A&M JOB No: 935_06
 SCALE 1 : 500 @A1
 SCALE 1 : XXX @A3

Revision **P2**

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APPENDIX C

ELEPHANT AND CASTLE TOWN CENTRE - COMPULSORY PURCHASE ORDER

Planning Policy

Background

1. A Development Plan sets out a local authority's policies and proposals for land use in their area. The Development Plan for Southwark consists of the Southwark Plan 2022 and the London Plan 2021.
2. Relevant policies from the Development Plan are listed in the notes at the end of this Appendix.

Site Allocation

3. In the London Plan, the site is located within the Elephant and Castle Opportunity Area, the Central Activities Zone (CAZ) and forms part of an area designated as a Major Town Centre. The site is suitable for Tall Buildings under policy P17 (Tall Buildings) of the Southwark Plan because it is in the CAZ and a Major Town Centre.
4. In the Southwark plan, the site is the subject of Proposal Site policy NSP48 (Elephant and Castle Shopping Centre and London College of Communication), 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 an area where a minimum of 35% affordable housing is required.
5. The allocation requires redevelopment to enhance connectivity to the existing cycle network and walking routes, improving the accessibility to the bus, tube and station interchange and enable the Low Line walking route along the railway viaduct.
6. The site sits within Zone 1 and has a Public Transport Accessibility Level (PTAL) of 6b - which is the best.
7. The London View Management Framework 2012 provides that Elephant and Castle sits in the background of townscape view 23A1 looking from the Serpentine Bridge in Hyde Park to Westminster.

National Planning Policy Framework (NPPF), July 2021

8. 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 policies, where the regeneration of areas such as the Elephant and Castle is of high priority.
9. The NPPF acknowledges the important role that town centres play at the heart of local communities. Paragraph 86(a) of the NPPF states that planning policies should define a network and hierarchy of town centres and promote their long-term vitality and

viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters.

10. Paragraph 92 of the NPPF provides that planning policies and decisions should aim to achieve healthy, inclusive and safe places which
 - (a) promote social interaction for example through street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;
 - (b) are safe and accessible – for example through the use of attractive, well-designed, clear and legible pedestrian and cycle routes, which encourage the active and continual use of public areas; and
 - (c) enable and support healthy lifestyles – for examples through the provision of safe and accessible green infrastructure and layouts that encourage walking and cycling.
11. With regards to public realm and pedestrian connectivity, NPPF paragraph 112 states that development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas, and create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards.
12. Paragraph 119 of the NPPF states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.
13. Paragraph 121 of the NPPF recognises that local planning authorities should take a proactive role in identifying and bringing forward land that may be suitable for development needs, using the full range of powers available to them. This includes identifying opportunities for land assembly, supported where necessary by compulsory purchase powers, where this can help to bring more land forward for meeting development needs and/or secure better development outcomes.
14. Paragraph 187 of the NPPF provides that planning decisions and policies should ensure that new development is integrated effectively with existing businesses and community facilities, which should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or facility could have a significant adverse effect on new development in its vicinity, the applicant (or “agent of change”) should be required to provide suitable mitigation before the development has completed.

Elephant & Castle Opportunity Area

15. The site is located within the Elephant and Castle Opportunity Area. The London Plan considers Opportunity Areas to be “*significant locations with development capacity to accommodate new housing, commercial development and infrastructure (of all types), linked to existing or potential improvements in public transport connectivity and*

capacity. Opportunity Areas typically contain capacity for at least 5,000 net additional jobs or 2,500 net additional homes or a combination of the two. When developing policies for Development Plans, allocations and frameworks, boroughs should use the indicative capacity figures as a starting point, to be tested through the assessment process” (Paragraph 2.1.1).

16. Table 2.1 (Opportunity Area Indicative capacity for new homes and jobs) of the London Plan provides that Elephant and Castle has an indicative capacity of 5,000 homes and 10,000 jobs based on the 2017 SHLAA capacity from 2019-2041.

Southwark Plan 2022

17. The adopted site designation NSP48 (Elephant and Castle Shopping Centre and London College of Communication) in the Southwark Plan encompasses the East Site, all of the railway arches along Elephant Road and the LCC site. The site vision requires employment uses including new offices (E(g)(i) use class), retail, cafes and bars 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 site designation also advises that a new community health hub may be provided. The site designation plan shows two improved pedestrian connectivity routes: one linking the Elephant and Castle peninsula and underground station with the railway station and out onto Elephant Road, and the other providing a link from Elephant Road through arches to the south of the railway station into the East Site and beyond, towards the open space of St Mary’s Churchyard Newington.
18. Policy ST1 of the Southwark Plan provides the targets for the distribution of jobs, which for the Elephant and Castle Opportunity Area is 10,000. Policy ST2 sets out the development targets:

Table A: Delivery in Vision Areas

Site Area	Employment floorspace (sqm)		Retail, leisure and community uses floorspace* (sqm)		Approximate housing capacity within the borough through site allocations by area (net, units)	Net open space provision within site allocations in GIA (sqm)	
	Proposed provision (gross)	Uplift (net)	Proposed provision (gross)	Uplift (net)			
Elephant and Castle	Site Allocations	27,309	-2,884	30,946	2,261	1,686	1,640
	Elephant Park	60,000	60,000	6,014	6,014	683	8,000
	Planning applications	47,792	27,542	0	0	0	0
	Total	135,101	84,658	36,960	8,275	2,369	9,640

19. Policy SP4 (Green and Inclusive Economy) sets out town centre employment and jobs targets. For Elephant and Castle Opportunity Area the target for jobs is 10,000. The policy also sets targets for the distribution of the retail floorspace, which for the Elephant and Castle Major Town Centre is 10,000 sq.m.
20. Design and accessibility guidance in NSP48 provides 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 a comprehensive mixed-use redevelopment of the site can include taller buildings, subject to consideration of impacts on existing character, heritage and townscape.

21. Policy AV.09 sets out the vision for Elephant and Castle Area, which is to provide an attractive destination for visitors with a strong daytime and night-time economy which provides a range of cultural and entertainment spaces alongside a lively and diverse retail environment for local residents. The policy requires that development in Elephant and Castle should provide as many homes as possible at a range of different tenures including second housing. Development should also provide opportunities for existing small businesses, particularly those from minority ethnic groups, to relocate and continue trading; and should support the creation of a distinctive environment through a mix of innovative and enduring new architecture, heritage buildings, open spaces and quality public realm that provides greenery, safety, connectivity and reduces exposure to air pollution, whilst enabling new transport infrastructure links with the surrounding areas by providing safe and accessible walking, cycling and public transport routes.
22. Policy P33 provides that where small or independent businesses or small shops may be displaced by development, a business relocation strategy, written in consultation with affected businesses, must be provided. The strategy must set out viable relocation options.
23. Policy P34 supports the use of railway arches within the borough for commercial or community uses.
24. Policy P35 notes that town centres should be the main focus for new developments providing new shops, education, healthcare and community facilities, offices and workspaces, leisure facilities and entertainment venues. This includes encouraging a diverse night-time economy with a range of appropriate activities throughout the evening and night-time.
25. With regards to pedestrian connectivity, Policy P51 states that development must enhance the borough's walking networks by providing footways, routes and public realm that enable access through development sites and adjoining areas. Similarly, Policy P49 requires development to improve accessibility to public transport by creating and improving walking and cycling connections to public transport stops or stations.

London Plan 2021

26. The London Plan was adopted in March 2021 following extensive consultation and an Examination in Public in 2019.
27. Policy SD1 (Opportunity Areas) of the London Plan states that the designated Opportunity Areas should maximise the delivery of affordable housing and create mixed and inclusive communities.
28. The London Plan allocates Elephant & Castle as an Opportunity Area. In addition, Policy SD6 (Town Centres and High Streets) applies to Elephant and Castle Town Centre and requires the vitality and viability of London's varied town centres to be promoted and enhanced through appropriate town centre development.
29. Table A1.1 - Town Centre Network of the London Plan sets out the vision for the Elephant and Castle Town Centre.
30. Elephant & Castle has a Major centre classification in the Town Centre Network. The London Plan defines Major centres as "*Major centres – typically found in inner and*

some parts of outer London with a borough-wide catchment. They generally contain over 50,000 sq.m of retail, leisure and service floorspace with a relatively high proportion of comparison goods relative to convenience goods. They may also have significant employment, leisure, service and civic functions.”

31. Elephant and Castle is classified as an NT2 in the night-time economy classification. The town centre is of regional or sub-regional significance with regard to the night-time economy.
32. Elephant and Castle is classified as Medium under the commercial growth potential. The London Plan defines Medium growth as “Medium growth – includes town centres with moderate levels of demand for retail, leisure or office floorspace, and with physical and public transport capacity to accommodate it.”
33. The London Plan provides that town centres are likely to be able to accommodate high or medium levels of residential growth, or incremental residential development and boroughs should be planning proactively to seek opportunities for residential growth in and around town centres. Elephant and Castle is classified in the London Plan as High under residential growth potential.
34. Elephant and Castle is classified as A/B and part CAZ. The CAZ areas have significant potential for an office function. Classification A establishes that the town centre has “*Speculative office potential – These centres have the capacity, demand and viability to accommodate new speculative office development.*” Classification B establishes that the town centre has “*Mixed-use office potential – These centres have the capacity, demand and viability to accommodate new office development, generally as part of mixed-use developments including residential use.*”
35. The site sits within the CAZ, the strategic priorities and functions for which are set out in policies SD4 and SD5 of the London Plan; this includes enhancing and promoting the roles of the CAZ based on a rich mix of local and strategic uses.
36. 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. The Bakerloo Line Extension has been delayed.
37. Policy GG1 (building strong and inclusive communities) requires those involved in planning and development to (among other things): seek to ensure changes to the physical environment to achieve an overall positive contribution to London; provide access to good quality community spaces and infrastructure that accommodate, encourage and strengthen communities, increasing active participation and social integration; ensure that streets and public spaces are consistently planned for people to move around and spend time in comfort and safety; ensure that new buildings and the spaces they create are designed to reinforce or enhance the identity, legibility, permeability and inclusivity of neighbourhoods; and support and promote the creation of a London where all Londoners, including those with protected characteristics, can move around with ease.
38. Policy GG2 (making the best use of land) states that those involved in planning and development must (among other things): enable the development of brownfield land, particularly in Opportunity Areas; and plan for good local walking, cycling and public transport connections to support a strategic target of 80% of all journeys using sustainable travel, enabling car free lifestyles that allow an efficient use of land, as well

as using new and enhanced public transport links to unlock growth.

39. In relation to the relocation of Corsica Studios and the night-time economy, Policy HC6 states that the night-time economy should be promoted, where appropriate, particularly in the CAZ, strategic areas of night-time activity, and town centres where public transport such as the Night Tube and Night Buses are available. It states that boroughs should improve access, inclusion and safety, and make the public realm welcoming for all night-time economy users and workers. The policy seeks to protect and support evening and night-time cultural venues such as pubs, night clubs, theatres, cinemas, music and other arts venues.
40. Also relevant in this context is Policy D13 (The Agent of Change). This places the responsibility for mitigating impacts from existing noise emitting activities or uses on the proposed new noise-sensitive development. This means that the responsibility for mitigating the impact of noise is on the proposer of eg the new residential development. As a consequence, the developer of residential units close to a noise emitting activity (such as a music venue like Corsica Studios) may need to design them in a more sensitive way to protect the new occupiers from noise impacts and/or to pay for soundproofing of the existing music venue.
41. Regarding public realm and pedestrian connectivity, Policy D8 states that development should ensure that public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain. Proposals should maximise the contribution that the public realm makes to encourage active travel and ensure its design discourages travel by car. In particular, they should demonstrate an understanding of how people use the public realm, and the types, location and relationship between public spaces in an area, identifying where there are deficits for certain activities, or barriers to movement that create severance for pedestrians and cyclists. Desire lines for people walking and cycling should be a particular focus, including the placement of street crossings, which should be regular, convenient and accessible.
42. Policy T1 (Strategic approach to transport) requires Development Plans to support, and development proposals to facilitate the delivery of the Mayor's strategic target of 80% of all trips in London to be made by foot, cycle or public transport by 2041, requiring all development to make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated.
43. In accordance with the Mayor's Healthy Streets initiative, Policy T2 states that development proposals should deliver patterns of land use that facilitate residents making shorter, regular trips by walking or cycling. Part D of the policy states that development proposals should be permeable by foot and cycle and connect to local walking and cycling networks as well as public transport.

Elephant and Castle Supplementary Planning Document ("SPD")

44. The SPD provides a framework to guide development until 2027. The Opportunity Area is divided into character areas and 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 site 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.
45. 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 floor space.

- 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 floor space.
 - 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.
46. SPD 6 of the SPD states that proposals involving arts, cultural, leisure and entertainment uses which contribute towards consolidating Elephant and Castle and Walworth Road as a major town centre will be supported. Paragraph 4.3.5 of the supporting text acknowledges that the development of the evening and night-time economy in the area will help keep the town centre lively and safe at different times of the day and provide more leisure opportunities for local people, visitors and people working in the area.
47. SPD 11 seeks to provide a high-quality network of pedestrian and cycle routes in the opportunity area. Development in the opportunity area should provide convenient, direct, safe, and attractive pedestrian and cycle links which follow desire lines, whilst facilitating east-west pedestrian and cycle movement through the opportunity area and reducing severance created by the railway viaducts and main roads.

Conclusion

48. In conclusion, the development plan and national policy framework confirms strong support for a high density, mixed-use development on this brownfield site. Across both East and West Sites there will be an increase in retail floorspace in accordance with the London Plan, the 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 development plan and the SPD for the central character area, including extensive public realm improvements and significant enhancement to pedestrian experience and connectivity. The permeability of development sites for pedestrians is a key aspect of development plan policy, and the proposed development would create such permeability. The development will also include a new and enhanced home for the cultural electronic and dance music venue on Elephant Road, in line with policy to protect the night time economy; and relocation opportunities for the displaced occupiers of 6 and 7 Farrell Court, in accordance with policy to offer opportunities to displaced small businesses to relocate and continue trading.

Notes

The London Plan 2021 – relevant policies

Policy GG1 - Building strong and inclusive communities

Policy GG2 – Making the best use of land

Policy SD1 - Opportunity Areas

Policy SD4 - The Central Activities Zone (CAZ)

Policy SD5 - Offices, other strategic functions and residential development in the CAZ

Policy SD6 - Town centres and high streets
 Policy SD7 - Town centres: development principles and Development Plan Documents
 Policy SD8 - Town centre network
 Policy SD9 - Town centres: Local partnerships and implementation
 Policy SD10 - Strategic and local regeneration
 Policy D1 - London's form, character and capacity for growth
 Policy D2 - Infrastructure requirements for sustainable densities
 Policy D3 - Optimising site capacity through the design-led approach
 Policy D4 - Delivering good design
 Policy D5 - Inclusive design
 Policy D6 - Housing quality and standards
 Policy D7 - Accessible housing
 Policy D8 - Public realm
 Policy D9 - Tall buildings
 Policy D10 - Basement development
 Policy D11 - Safety, security and resilience to emergency
 Policy D12 - Fire safety
 Policy D13 - Agent of Change
 Policy D14 - Noise
 Policy H1 - Increasing housing supply
 Policy H4 - Delivering affordable housing
 Policy H5 - Threshold approach to applications
 Policy H6 - Affordable housing tenure
 Policy H7 - Monitoring of affordable housing
 Policy H9 - Ensuring the best use of stock
 Policy H10 - Housing size mix
 Policy H11 - Build to Rent
 Policy S1 - Developing London's social infrastructure
 Policy S2 - Health and social care facilities
 Policy S3 - Education and childcare facilities
 Policy S4 - Play and informal recreation
 Policy S5 - Sports and recreation facilities
 Policy E1 - Offices
 Policy E2 - Providing suitable business space
 Policy E3 - Affordable workspace
 Policy E8 - Sector growth opportunities and clusters
 Policy E9 - Retail, markets and hot food takeaways
 Policy E11 - Skills and opportunities for all
 Policy HC1 - Heritage conservation and growth
 Policy HC3 - Strategic and Local Views
 Policy HC4 - London View Management Framework
 Policy HC5 - Supporting London's culture and creative industries
 Policy HC6 - Supporting the night-time economy
 Policy HC7 - Protecting public houses
 Policy G1 - Green infrastructure
 Policy G4 - Open space
 Policy G5 - Urban greening
 Policy G6 - Biodiversity and access to nature
 Policy G7 - Trees and woodlands
 Policy G8 - Food growing
 Policy G9 - Geodiversity
 Policy SI 1 - Improving air quality
 Policy SI 2 - Minimising greenhouse gas emissions
 Policy SI 3 - Energy infrastructure

Policy SI 4 - Managing heat risk
 Policy SI 5 - Water infrastructure
 Policy SI 6 - Digital connectivity infrastructure
 Policy SI 7 - Reducing waste and supporting the circular economy
 Policy SI 12 - Flood risk management
 Policy SI 13 - Sustainable drainage
 Policy T1 - Strategic approach to transport
 Policy T2 - Healthy Streets
 Policy T3 - Transport capacity, connectivity and safeguarding
 Policy T4 - Assessing and mitigating transport impacts
 Policy T5 - Cycling
 Policy T6 - Car parking
 Policy T6.1 - Residential parking
 Policy T6.2 - Office Parking
 Policy T6.3 - Retail parking
 Policy T6.4 - Hotel and leisure uses parking
 Policy T6.5 - Non-residential disabled persons parking
 Policy T7 - Deliveries, servicing and construction
 Policy T9 - Funding transport infrastructure through planning

Relevant GLA Supplementary Planning Guidance (SPG)

Character and Context SPG (October 2014)
 Fire safety LPG (draft)
 Characterisation and Growth Strategy LPG (draft)
 Housing Design Standards LPG (draft)
 Optimising Site Capacity: A Design-led Approach LPG (draft)
 Small Site Design Codes LPG (draft)
 Housing SPG (May 2016)
 Large scale purpose built shared living LPG (draft)
 Play and Informal Recreation SPG
 Social Infrastructure SPG (May 2015)
 London View Management Framework (March 2012)
 Urban Greening Factor SPG (September 2021)
 Be Seen Energy Monitoring SPG (October 2021)
 Circular Economy Statement SPG (March 2022)
 Whole Lifecycle Carbon Assessment SPG (March 2022)
 Energy Assessment Guidance (2020)
 Control of Dust and Emissions (July 2014)
 Air Quality Neutral Guidance (AQN) (draft)
 Air Quality Positive SPG (draft)
 Sustainable Transport, Walking and Cycling guidance (September 2021)
 Affordable Housing and Viability Supplementary Planning Guidance (August 2017)

Relevant Southwark Plan Policies 2022

ST1 - Southwark's Development Targets
 ST2 - Southwark's Places
 SP1 - Homes for all
 SP2 - Southwark Together
 SP3 - Great start in life
 SP4 - Green and inclusive economy
 SP5 - Thriving neighbourhoods and tackling health inequalities
 SP6 - Climate Emergency

AV.09 - Elephant and Castle Area Vision

- P1 - Social rented and intermediate housing
- P2 - New family homes
- P3 - Protection of existing homes
- P4 - Private rented homes
- P8 - Wheelchair accessible and adaptable housing
- P13 - Design of places
- P14 - Design quality
- P15 - Residential design
- P16 - Designing out crime
- P17 - Tall buildings
- P18 - Efficient use of land
- P19 - Listed buildings and structures
- P20 - Conservation areas
- P21 - Conservation of the historic environment and natural heritage
- P22 - Borough views
- P23 - Archaeology
- P26 - Local list
- P27 - Education places
- P28 - Access to employment and training
- P30 - Office and business development
- P31 - Affordable workspace
- P32 - Small shops
- P33 - Business relocation
- P34 - Railway arches
- P35 - Town and local centres
- P36 - Development outside town centres
- P37 - Protected shopping frontages
- P38 - Shops outside protected shopping frontages, town and local centres
- P39 - Shop fronts
- P42 - Pubs
- P43 - Outdoor advertisements and signage
- P44 - Broadband and digital infrastructure
- P45 - Healthy developments
- P46 - Leisure, arts and culture
- P47 - Community uses
- P48 - Hot food takeaways
- P49 - Public transport
- P50 - Highways impacts
- P51 - Walking
- P53 - Cycling
- P54 - Car Parking
- P55 - Parking standards for disabled people and the physically impaired
- P56 - Protection of amenity
- P57 - Open space
- P58 - Open water space
- P59 - Green infrastructure
- P60 - Biodiversity
- P61 - Trees
- P62 - Reducing waste
- P64 - Contaminated land and hazardous substances
- P65 - Improving air quality
- P66 - Reducing noise pollution and enhancing soundscapes
- P67 - Reducing water use

P68 - Reducing food risk
P69 - Sustainability standards
P70 - Energy

Relevant Supplementary Planning Documents (SPDs)

Heritage SPD (2021)
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)

APPENDIX D**THE PROGRESS OF THE SCHEME SINCE APRIL 2020**

1. On 29 July 2020, planning permission 20/AP/0681 was granted for some connecting London underground tunnels. The construction of the connecting tunnels by LUL will be required to successfully bring into operation the new underground station box as part of the Scheme. The need for this planning permission was expressly referred to in the April 2020 Cabinet report (Agenda Item 24).
2. Highways stopping-up orders under the Town and Country Planning Act 1990 in respect of the Scheme were also made in summer 2020, one for the East Site (30 July 2020) and one for the West Site (4 June 2020). Those orders came into effect when demolition began on site (as to which see below). No challenge was brought to the orders.
3. On 27 July 2020, EC's group company, Elephant and Castle Development UK Limited ("EC Dev UK"), entered into an asset protection agreement with Network Rail, with EC guaranteeing its group company's obligations. This was a requirement of Network Rail, to safeguard the railway infrastructure during the redevelopment.
4. On 5 August 2020 EC and its group companies entered into conditional agreements with UAL for (i) the relocation of UAL to a new university campus building to be built on the East Site and (ii) the purchase of the current LCC site by Elephant Three Properties Ltd (EC's group company). UAL is the anchor tenant for the East Site and without the acquisition of the current LCC site the West Site cannot be delivered. The entry into such agreements was a pre-requisite to the Council making any CPO or entering into any arrangements to override third party rights under the April 2020 CPO resolution.
5. The overriding rights mechanism approved by Cabinet as Agenda Item 25 in April 2020 was put in place for the large majority of the Scheme on 6 August 2020. The Council took interests in both the LCC site (from UAL) and in the large majority of the East Site (from EC). On 30 April 2021, the remaining areas to be built upon as part of the Scheme, owned by LUL and TfL, were also the subject of similar transactions. On each occasion, public notices were published in the Southwark News, advertising the intention and effect of the process. No complaint or challenge was raised to the use of those procedures. The interests held by the Council have been surrendered. As required by the Cabinet resolution, prior to the arrangements being entered into, indemnities were given in favour of the Council by EC with Get Living Plc providing a guarantee for any default liability the Council may have to pay compensation to affected parties. Accordingly, the objective of the Cabinet in overriding third party rights which may otherwise frustrate the Scheme has been achieved.

6. EC procured the discharge of the pre-demolition conditions on the 2019 permission and any pre-demolition obligations under the related section 106 planning agreement during 2020.
7. In September 2020 the affordable replacement retail units in Elephant One (50 New Kent Road, owned by a group company of EC), Perronet House (owned by the Council) and the temporary retail units at Castle Square (adjacent to 50 New Kent Road, on Elephant Road) were opened.
8. Following the opening of the Perronet House, Castle Square and other replacement retail units, on 24 September 2020 the Shopping Centre and the adjacent external market area within its grounds closed to the public.
9. The section 106 relocation fund (provided by EC) and the additional £200,000 fund made available by the Council to local independent traders from the East Site have largely been expended. The Council concentrated its additional £200,000 fund on making grants in 2020 to eligible local independent traders from the East Site without an offer of an affordable unit.
10. At the time of the April 2020 Cabinet meeting the High Court had dismissed (on all grounds) a judicial review claim against the Council's grant of the January 2019 planning permission for the Scheme. It was noted in the Cabinet report, though, that there might be an appeal of that decision by the claimant. On 22 October 2020 the Court of Appeal gave permission to appeal to the claimant on all grounds. The substantive appeal was heard by three Court of Appeal judges on 16-17 March 2021. The Court of Appeal judgment was given on 28 May 2021 and it unanimously rejected all grounds of the claim, upholding the High Court's decision. The unanimous decision of the Court of Appeal further vindicated the Council's (and EC's) position on the matter. The Council's consideration of the planning application was entirely lawful.
11. On 29 October 2020, EC and the Council agreed a variation to part of the section 106 agreement, so that EC would be allowed to demolish the existing buildings on the Shopping Centre without first entering into a development agreement ("DA") with LUL. The requirement to enter into the DA with LUL was left in place in the section 106 agreement but was relaxed so that demolition could take place beforehand. This variation of the section 106 agreement meant that no "Implementation" of the Scheme (ie works of piling or other substantive construction works) could take place pursuant to the section 106 agreement until the DA with LUL was in place, and that the DA had to contain (among other items) a requirement on LUL to enter into a further section 106 obligation, prior to Implementation, as to the fit-out of the station box and an agreed programme for the phasing and completion of the station box works. As explained below, this position was further amended.
12. On 1 October 2020, EC Dev UK entered into a funding and co-operation agreement with the Thameslink train operator, Govia Thameslink, to fund the required operational changes to the railway station, including the provision of a new surface level access to the new town centre scheme on the western boundary of the railway station.

13. In October 2020, a demolition contractor took possession of the Shopping Centre and the immediately surrounding land owned by EC. Demolition work on the Shopping Centre and the immediately surrounding buildings began in January 2021, implementing the 2019 permission.
14. On 27 October 2020, EC entered into an agreement with Network Rail to release existing easements over the Shopping Centre site. This allowed EC to remove the then existing footbridge from the railway station into the Shopping Centre.
15. On 1 December 2020, EC entered into an agreement with London Power Networks PLC, the electricity undertaker, for the surrender and re-grant of electricity sub-station leases on the East Site. The existing sub-station leases on the East Site were surrendered pursuant to that agreement on 27 September 2021.
16. In December 2020, a further planning application was submitted to amend the permitted Scheme under the 2019 permission, to allow for an enlarged station box, with enough capacity to potentially accommodate both Bakerloo and Northern Lines. This application, made by EC, was agreed in advance with LUL. The Council granted the permission (reference 20/AP/3675) on 12 March 2021. Again, the need for such a permission to further the Scheme was expressly envisaged in the April 2020 Cabinet report.
17. On 8 April 2021, a non-material amendment approval (reference 21/AP/1064) to the 12 March 2021 planning permission was granted. This simplified the description of development and removed references to building heights and unit numbers in that description. The purpose of this approval was to pave the way for a further planning application, for further minor material amendments to the East Site of the Scheme (reference 21/AP/1104), submitted on 25 March 2021. Those further amendments can be summarized as follows:
 - Additional office accommodation within Building E2;
 - Reduction in cinema area and provision of additional leisure area at basement level;
 - Reduction in retail area in East Site, offset by an increase in retail area in West Site;
 - Four additional residential units (representing a 0.4% increase);
 - Reconfiguration of residential unit mix to provide additional 2-bed and 3-bed units;
 - Amendments to residential communal amenity space;
 - Provision of additional UAL floorspace;

- Minor alterations to building heights (reduction of up to 670 mm) and positioning (up to 700 mm);
 - Alterations to pedestrian routes and walkways; and
 - Reconfiguration of internal layouts and elevational changes.
 - Amendments to conditions 1 (approved drawings – to reflect revised drawings), 19 (detailed construction drawings of the East Site), 20 (detailed construction drawings of the proposed new UAL building on the East Site), 25 (green roof –condition deleted as there is no green roof on Building E1), 26 (basement access design), 27 (western railway viaduct boundary –condition deleted as there is no proposed boundary treatment along the west-facing viaduct), 29 (public toilet), 31 (landscaping scheme), 45 (sound insulation in the proposed UAL building – condition deleted), 48 (external noise levels in private amenity areas – condition deleted), 51 (opening hours of cafes/restaurants/bars) and 54 (wind microclimate).
18. Some of these changes were the result of further discussions with UAL as to their requirements and had been discussed with the Council's planning officers and the GLA prior to submission. All of the changes are minor in nature. All of the main constituent parts of the Scheme (as envisaged in April 2020) are still present. The 35% affordable housing provision by habitable room was maintained. On 6 July 2021 the Council's Planning Committee resolved to grant planning permission for these changes, subject to completion of a section 106 deed of variation and no call-in by the Mayor. This further planning permission was granted on 29 July 2021. Works pursuant to this permission have now been implemented on the East Site.
19. On 7 May 2021 the Council received an application from EC (reference 21/AP/1581), supported by TfL, to further amend the section 106 agreement to remove the requirements for details of the timescales for the fit out and opening of the station box to be provided in the development agreement with LUL. TfL had advised in writing that owing to the long term funding uncertainty that TfL faces as a result of the global pandemic, which has had a significant impact on TfL revenue, TfL/LUL were unable to commit to the funding of the fit-out (and consequently the opening) of the new underground station box. That means that the DA could not be entered into, which would mean that Implementation of the Scheme could not take place once demolition had finished. EC therefore requested, with TfL support, that the terms which LUL could not commit to at this stage were removed from the section 106 agreement, thus enabling the DA to be entered into and EC to proceed with works beyond demolition.
20. This request was carefully considered by the Council's planning officers and they concluded that: the changes remove the certainty as to the fitting out and opening of the new station box; there is no guarantee that LUL will have the necessary funds in the future; it is possible that the entire site could be occupied without the new station box being opened, and if that happened it is likely that access to the existing underground station would need to be

managed more frequently; whilst the delivery of the new station box was a factor in the grant of planning permission, EC has no control over LUL funding; if the Scheme cannot be Implemented that will lead to a vacant site at the heart of the town centre, which would not bring the various other benefits of the Scheme; TfL/LUL do have funding for the enlarged station box (but not fit-out) and connecting tunnels; and when all of these factors are considered in the round, including the unprecedented situation that LUL finds itself in due to the pandemic, the amendment to the section 106 agreement was acceptable. The deed of variation to implement these changes was completed on 29 June 2021.

21. On 18 December 2021, EC Dev UK entered into a building contract with the major building contractor Multiplex for the substantive construction (ie beyond demolition phase) of the East Site.
22. On 23 December 2021 a further important milestone was reached when EC and EC Dev UK entered into the DA with LUL and TfL, with Get Living Plc providing a guarantee of the development obligations. The DA deals with the construction of the enlarged Underground station box on the East Site by EC Dev UK, which when completed will be handed over to LUL for fit-out. As can be seen from the preceding paragraphs, there is not absolute certainty that TfL/LUL will have the funds to fit-out the station once it is handed over, though there is a high likelihood that the station will be fitted out within a reasonable timescale of handover. In addition, the DA brings TfL's landholdings adjacent to the Shopping Centre site on the East Site into the Scheme by agreement, with EC having acquired several plots from TfL.
23. Also on 23 December 2021, EC entered into a debt facility agreement with Starwood Property Trust Inc, to provide the necessary debt funding (£365 million) to continue and complete the East Site redevelopment. This gives further confidence that the funding of the East Site is secured.
24. Following the entry into the facility agreement, notice to proceed with the substantive construction of the East Site redevelopment was given to Multiplex under the building contract on 23 December 2021.
25. On 18 January 2022, T3 Residential Limited, a group company of EC which has been set up to become a for profit registered provider of the affordable housing on the Scheme, entered into an affordable housing grant funding agreement with the GLA. This secured £9,631,750 of grant funding from the GLA to facilitate the provision of the 172 affordable housing units on the East Site.
26. On 17 March 2022, piling works began on the East Site, marking the commencement of the substantive construction of the East Site redevelopment. This also triggered the payment of the East Site grant funding to T3.
27. In May 2022, LUL and TfL granted crane oversail licences to facilitate works on part of the East Site.

28. In late 2021 and during 2022 the Council has granted several non-material amendment approvals under the July 2021 planning permission, permitting non-material amendments in respect of submissions under conditions 10, 24, 25 and 28 of that planning permission.
29. On 10 June 2022, the Council granted planning permission (reference 21/AP/4628) for the installation of underground heating pipework and associated works, to run from 50 New Kent Road to the East Site under Elephant Road and the railway station. The proposed connection will enable the East Site to benefit from heating produced at the 50 New Kent Road site. On 5 August 2022, Network Rail granted an easement in favour of EC to allow the heating pipework to run under the railway station.

Arches 113A, 120, 113B and 121 (vacant, required for relocation opportunity for nightclub)

FORMER SHOPPING CENTRE SITE

6 and 7 Farrell Court (in mixed use, required for the approved Park Route)

4 and 5 Farrell Court (nightclub, required for relocation opportunity for occupiers of 7 Farrell Court)

CASTLE SQUARE

ELEPHANT ROAD

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REV	DATE	DESCRIPTION	OID
P1	12.07.22	ISSUED FOR INFORMATION	EJ
P2	10.10.22	ISSUED FOR INFORMATION	EM
P3	07.11.22	ISSUED FOR INFORMATION	EM

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ELEPHANT AND CASTLE : TOWN CENTRE
ELEPHANT & CASTLE RAILWAY ARCHES
INDICATIVE LOCATION PLAN
ETC-AAM-EX-ZZ-DR-A-100023
SCALE 1 : 250 @A1
SCALE 1 : 500 @A3

P3
Revision

APPENDIX F

ELEPHANT AND CASTLE TOWN 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.

Transport for London (as regards crane oversail rights on the West Site)

2. TfL and LUL's land interests generally are brought into the Scheme by way of the December 2021 agreement with the developer; crane oversail licences were also granted in May 2022 to facilitate works on part of the East Site. It is hoped that similar crane oversail rights will be granted in respect of the West Site by TfL - EC has approached TfL to provide these and negotiations are ongoing.

Network Rail - new rights to be granted

3. Station change proposals and asset protection agreements are already in place. EC has sought additional new rights to be granted by Network Rail to facilitate the Scheme. These are considered to be minor in nature. Network Rail owns the viaduct structure. EC is therefore seeking new rights from Network Rail, including: the right to remove the existing shopfronts and rear elevations from 6 and 7 Farrell Court to create the Park Route pedestrian walk-through and the carrying out of various minor works to the sides and undersides of the relevant viaduct arches, including the affixing of a kiosk within the walk-through; the right to affix apparatus and frontages and rear elevations to the sides and undersides of Arches 113A/120 and 113B/121 to bring them into beneficial use as a relocation premises for the cultural electronic and dance music club); the ability to carry out works to facilitate the conversion of 4 and 5 Farrell Court into relocation premises for the tenant and occupiers of 7 Farrell Court; and a right of way across the Network Rail station entrance to ensure that users of the East Site can access to and from the railway station, with a related right to pave and maintain that area. Again, EC's intention is to reach agreement with Network Rail by private treaty if practicable and discussions with Network Rail are ongoing.

The Arch Company

4. Arch Co was granted a long lease of all of the Elephant & Castle railway arch units by Network Rail in 2019. Discussions are ongoing regarding commercial and title terms with the Arch Co, having commenced in 2019. EC began by offering for the arch units and adjacent land envisaged by the CPO, but following a specific invitation from Arch Co, EC then offered to acquire Arch

Co's long lease for the entire run of arch premises in the railway viaduct at Elephant & Castle, with three offers having been made for that larger area. Although that larger area is not required for the Scheme, EC offered for it in the hope that would avoid the need for compulsory acquisition of Arch Co's land, due to Arch Co's desire to deal with all of the arch units at Elephant & Castle. The parties remain apart in their valuations on that and in relation to the smaller area required for the Scheme as envisaged by the CPO. Offers have also been made in respect of that smaller area.

5. A further proposal was put to Arch Co in June 2022 which would involve the collaborative working together of EC and Arch Co to redevelop the arch units and land adjacent to the viaduct in Arch Co's ownership covered by the CPO, without the need for compulsory acquisition. That proposal, if taken forward, would however rely upon all parties, including Arch Co, Network Rail and the affected tenants, agreeing matters and so it is envisaged that the CPO would still be pursued even if such an agreement was to be reached, because if any one of the parties defaulted on their contractual commitments the proposal could unravel. In that scenario, the Council could undertake not to use confirmed CPO powers in respect of the arches if all relevant parties comply with their obligations. It is not clear to the Council and EC whether Arch Co will engage with that proposal. Since it was submitted to Arch Co there has been no positive engagement on it and Arch Co have again referred to the possibility of an outright sale.

Occupational tenancies in some of the railway arches on Elephant Road

6. The Scheme envisages the use of what are currently 6 Farrell Court (DistriAndina) and 7 Farrell Court (Beset International) as the new pedestrian link to Elephant Road. In addition, the Scheme envisages the redevelopment of 4 and 5 Farrell Court (currently occupied by Corsica Studios) for use as a relocation opportunity within the Scheme for Beset and their occupiers displaced from 7 Farrell Court (with the proposal to relocate DistriAndina within the Scheme, to a new unit within one of the new blocks on the East Site).
7. An offer from EC had been accepted by DistriAndina in 2020 but the requisite agreement was not completed. No offer has been accepted by Beset and there has been difficulty finding a relocation opportunity which is suitable for their requirements. 4 and 5 Farrell Court would, however, be a suitable relocation opportunity for them and their occupiers.
8. Discussions with Corsica Studios for some time focussed on retro-fitting 4 and 5 Farrell Court with noise insulation and consequential remodelling of the units, but through the detailed discussions that ensued it became clear this was not feasible and would in any event require Corsica to close for a significant period of time whilst the works were undertaken. Discussions are progressing with Corsica Studios in respect of the proposed relocation to the northern arches 113A/120 and 113B/121, though no commitment or agreement in principle to move has been reached.
9. Discussions are ongoing with all of these tenants.

London Power Networks (surrender of electricity substations)

10. The leases of the current substations on the LCC Site will need to be surrendered and the substations relocated in due course. Discussions have commenced in this regard with the electricity undertaker and it is hoped that this will be done by private agreement but the CPO is necessary as a backstop should this fail.

Metropolitan Tabernacle (new rights to be acquired)

11. The Tabernacle has appointed a surveyor to act on its behalf and the parties are in discussion to address various practical aspects that the Tabernacle has raised in respect of EC's request to obtain some relatively minor new rights to facilitate the demolition of the adjacent LCC building and crane oversail. Whilst it is hoped that these discussions will result in an agreement by private treaty, and EC is working towards that objective, the CPO is required in case agreement cannot be reached.

Other crane oversail (West Site)

Crane oversail rights over some highway areas and to a small extent over The Castle Centre and Perronet House. The highway areas are unregistered but some of them are presumed to be owned by the Council. Perronet House is owned by the Council.

APPENDIX G**ELEPHANT AND CASTLE TOWN 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". Not only must this test be met, but in addition the Council must have regard to and apply Section 226(1A) of the 1990 Act so the Council must not exercise the power under section 226(1)(a) 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 or improvement of the economic well-being of their area;
 - (b) The promotion or improvement of the social well-being of their area;
 - (c) The promotion or improvement of the environmental well-being of their 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. Under section 66(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in the exercise of its powers of disposal under section 233 of the 1990 Act, a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, listed buildings. The Metropolitan Tabernacle is a listed building and some minor works to that building are required and have received listed building consent. Those works would be the subject of the acquisition of new rights by the Council under the proposed CPO and those rights could be utilised by EC to undertake the redevelopment. The Faraday memorial is also a listed building and lies close by, though no works are planned to it and no new rights or acquisition of title by the Council are envisaged in respect of it as part of the CPO (and hence no disposal by the Council to EC of any such title or rights will occur). The same is true of Metro Central Heights (former Alexander Fleming House). Other designated heritage assets in the locality include listed buildings at West Square, and the West Square and Elliott Row Conservation Areas, though again no new rights over or acquisition of title to those areas is envisaged by the CPO and the Council will not be exercising powers of disposal over them under the CPO.

13. 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, and this must be done in pursuit of a legitimate aim. 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.
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. Article 8 Convention rights may also apply and may be 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.
16. 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).
17. 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.

18. 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.
19. 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.
20. 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.

21. 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"). The document's General Overview includes 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;
 - The Secretary of State, as confirming authority for the CPO, will expect the acquiring authority to demonstrate that they have taken reasonable steps to acquire all of the land and rights included in the CPO by agreement.
 - 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.
22. 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.
23. 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. Evidence should also be provided to show that sufficient funding could be made available immediately to cope with any acquisition resulting from a blight notice.

24. 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.
25. The Secretary of State, as confirming authority, has to be satisfied that the statutory procedures in respect of the CPO have been followed correctly, and so the Council will need to ensure these have been followed.
26. 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 H

ELEPHANT AND CASTLE TOWN CENTRE - COMPULSORY PURCHASE ORDER

Further detail on CPO process and compensation

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 facilitate the Scheme.
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.

The measure of compensation available to owners/occupiers

4. 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. Disputes about compensation can be resolved by referring the matter to the Upper Tribunal (Lands Chamber).
5. 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
6. 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.
7. Where part only of an interest in land is acquired the owner of the land has the opportunity to claim compensation under section 7 of the Compulsory Purchase Act 1965 for severance or injurious affection.
 8. Where new rights over land (as opposed to the title to the land) are acquired, such as an easement, the owner of the land over which the new right is acquired is entitled to compensation. For this purpose, section 7 of the 1965 Act is adapted so that in assessing compensation, regard shall be had not only to the extent, if any, to which the value of the land over which the right is purchased is depreciated by the purchase but also to the damage, if any, to be sustained by the owner of the land by reason of injurious affection of other land of the owner by the exercise of the right.

Outline of Compulsory Purchase Procedure

Resolution

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

Land Referencing

10. 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

11. 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

12. 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.
13. 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

14. The CPO does not become effective unless and until it is confirmed by the Secretary of State. 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.
15. 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 EC 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.
16. 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 freeholders, leaseholders, tenants and occupiers affected by the Order. A confirmed CPO can only be implemented within three years to retain its validity, though if there is a statutory judicial review this time period is extended by (a) a period equivalent to the period beginning with the day the review challenge is made and ending on the day it is finally withdrawn or finally determined or (b) if shorter, one year.

Implementation of the CPO and taking possession

17. Implementation of the CPO can be achieved by either Notice to Treat/Notice of Entry or by using the General Vesting Declaration procedure under the Compulsory Purchase (Vesting Declarations) Act 1981. The creation of new

rights under section 13 Local Government (Miscellaneous Provisions) Act 1976 can only be done using the notice to treat route.

18. Section 8 and Schedule 2A of the Compulsory Purchase Act 1965, and section 12 and Schedule A1 of the Compulsory Purchase (Vesting Declarations) Act 1981, address circumstances where the acquiring authority propose to acquire part only of a house, building or factory under confirmed CPO powers. Broadly, these provisions allow a landowner to instigate a process whereby it can seek for the acquiring authority to acquire the whole of the house, building or factory. In the event of a dispute on that point, the Upper Tribunal (Lands Chamber) has jurisdiction to resolve such a dispute. The Tribunal must determine whether the severance of the land proposed to be acquired would in the case of a house, building or factory cause material detriment to the house, building or factory. If the Tribunal determines that the severance of the land proposed to be acquired would have that consequence it must determine how much of the additional land the acquiring authority ought to be required to take in addition to the land proposed to be acquired. If the Tribunal does determine that additional land is required to be taken, the CPO has effect as if it included the owner's interest in that additional land. In certain circumstances the acquiring authority may be able to withdraw any notice to treat in respect of (and any vesting declaration is to have effect as if it did not include) the land proposed to be acquired together with the additional land required to be taken.

Indicative Timescale

- 19.
- 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.
20. It is therefore likely that it will take, say, around a year and a half between resolving to make 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 Secretary of State, 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

21. Should the recommended resolution be passed, EC will continue to endeavour to acquire all interests by agreement. 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 EC 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 Tribunal will be paid by the Council but funded by EC 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. 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 I**ELEPHANT AND CASTLE TOWN CENTRE - COMPULSORY PURCHASE ORDER****ADVERSE EFFECTS ARISING FROM PROPOSED CPO**

1. The use of CPO powers in relation to the two railway arches to the north of the railway station to which EC already has long leasehold title, so that control can be achieved to turn those two arches into a relocation premises for Corsica Studios and retail kiosk units, will deprive Arch Co of its long leasehold title to those arches. Similarly the acquisition by the Council under a CPO of 4 and 5 Farrell Court, and 6 and 7 Farrell Court, and the corridor of land to the immediate west of the railway viaduct, will deprive Arch Co of its long leasehold title to those premises. Arch Co is a large, commercial concern with many railway arch units across the country. It is not considered that the acquisition of these areas will cause serious detriment to it.
2. The occupiers of 6 and 7 Farrell Court will be displaced if their interests were compulsorily acquired to facilitate the creation of the Park Route. In a worst case scenario, they might cease trading as a result of an acquisition by CPO. However, the Council's and EC's intention is that 4 and 5 Farrell Court will be acquired and developed as a relocation opportunity within the Scheme for the tenant and occupiers of 7 Farrell Court, thus mitigating adverse impacts on them. The tenant of 6 Farrell Court, DistriAndina, is also being offered the opportunity to relocate within the Scheme, to a new unit on the East Site. Again, it is envisaged this would mitigate the adverse impact of the CPO on them.
3. The tenant of 4 and 5 Farrell Court, Corsica Studios, will be displaced if its interest was compulsorily acquired and in a worst case scenario might cease trading as a result of the CPO. However, the Council and EC's intention is that they should be offered the opportunity to relocate to the arches to the north of the railway station, which would be converted into a new space for them, thus safeguarding the future of this cultural electronic and dance music club in the locality.
4. Any party that has their interest acquired pursuant to a CPO is entitled to statutory compensation for the loss of their interest. Where only part of the land is taken, there is the opportunity to claim compensation for severance or injurious affection in respect of the retained part. Furthermore, and independent of statutory compensation, the section 106 agreement has a relocation fund for eligible local independent traders on the East Site.
5. 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 to carry out works to the sides and undersides of the viaduct in connection with the creation of the walk-through in what is currently 6 and 7 Farrell Court (including removing the existing shopfronts) would apply against Network Rail but are considered to be relatively minor in nature. No works would be carried out which would affect the operation of the railway. The same is true of the new rights that are

sought in respect of (i) a right of way to/from the East Site over Network Rail's adjacent land to the railway station (and related right to pave hand maintain that area), (ii) the sides and undersides of the viaduct arches currently owned long leasehold by EC, so that they can be brought into beneficial use as a nightclub (including the right to install frontage and rear elevations) and (iii) the sides and undersides of the arches enclosing 4 and 5 Farrell Court for physical works associated with the change in use of those units to accommodate the tenants and occupiers of 6 and 7 Farrell Court. A right is also sought to pave under an external staircase adjacent to the railway station and to maintain such paving.

6. The rights being sought over the Tabernacle will result in some minor inconvenience to the Tabernacle for a relatively short period, as explained elsewhere in the report, but the Tabernacle will remain open to its congregation throughout the duration of any such works and disabled access will be maintained at all times whilst the Tabernacle is being used. It is considered that such an adverse effect (if mitigation cannot fully remove it) is minor.
7. The acquisition of crane oversail rights over various pieces of land is considered to be relatively minor in effect.
8. The owner of any land interest affected by the new rights will be entitled to statutory compensation in respect of those new rights.
9. As explained in Appendix D, in accordance with the Cabinet resolution of April 2020, the Council has already conducted a process which overrides rights of light and other rights held by third parties in respect of all areas of the East and West Site on which new buildings will be erected. This removes the ability of eg rights of light holders to obtain an injunction or to hold the developer to ransom, with the rights holders entitled to compensation on a diminution in value basis. It is not considered that there are any such rights in respect of the areas that will now be subject to acquisition under the CPO which would be problematic, but any such rights as exist will be overridden by way of the implementation of the CPO in any event.
10. 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. The tall buildings on the East Site can be constructed without the CPO but the CPO is required to build those on the West Site. 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.
11. 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.

12. Without mitigation, there are likely to be some adverse equality impacts as discussed in detail in Appendix K of this report in respect of the tenants and occupiers of the affected railway arches and the Tabernacle. However, as explained in Appendix K, mitigation is proposed by way of the proposed relocations for the affected arch tenants and measures will be taken to mitigate the effects of construction on the Tabernacle, including maintenance of disabled access. It is considered all that can reasonably expected to be done to mitigate impacts on these parties has been and is continuing to be done.

APPENDIX J**ELEPHANT AND CASTLE TOWN 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. Section 226(1)(a) gives 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". The making of a CPO will facilitate the carrying out of development, re-development, or improvement on, or in relation to, the land covered by the CPO. The Scheme has already begun on part of the East Site, adjacent to the CPO land, and EC has shown through all of its progress its continued intention to proceed with the Scheme so as to complete the East Site redevelopment and then carry out the West redevelopment if CPO powers are utilised. Without the use of the CPO powers, it will not be possible to deliver key areas of public realm on the East Site, nor to complete the East Site redevelopment of the Scheme, which will mean that EC could not comply with the approved phasing plan under the July 2021 planning permission to move onto the West Site redevelopment. Moreover, as explained in the main body of the report, the title and new rights sought in respect of the West Site are necessary to enable demolition and construction in respect of the West Site. Also as explained in the main body of the report, the acquisition of title to certain railway arch premises and related new rights over the viaduct structure is required to deliver the new home for Corsica Studios and the relocation opportunity for the tenant and occupiers of 7 Farrell Court. So the CPO will facilitate the carrying out of redevelopment on, or in relation to, the land included in the CPO and thus the test in section 226(1)(a) is satisfied.
3. In addition to section 226(1)(a), section 226(1A) applies, so the Council must not exercise the power under section 226(1)(a) 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 or improvement of the economic well-being of their area; (b) the promotion or improvement of the social well-being of their area; and (c) the promotion or improvement of the environmental well-being of their area. In this case, the Council thinks the development, re-development or improvement is likely to contribute to the improvement of all three well-being objects.
4. The Scheme is likely to result in *economic* well-being improvements, including a material increase in the quantity and quality of town centre uses, including providing additional and better quality retail, leisure, education and office provision, consistent with the long term strategy to regenerate the Town Centre and enhance its vitality and viability. The Scheme will create enhanced linkages, and assist in the regeneration of the wider centre. The Scheme includes the provision of affordable retail and office floorspace. The education facility will secure LCC's long-term future in the area.

5. The Scheme will create 1,230 construction jobs per year over the 10 year build programme. The completed Scheme will generate up to 2,085 gross new full time equivalent jobs, depending on the exact nature of the commercial uses which will ultimately come forward, an increase of over 600 when compared with the estimated 1,418 full time equivalent jobs on the East and West Sites before the development commenced. Measures to secure jobs for unemployed borough residents are contained in the section 106 agreement and will deliver significant economic benefits to the local population.
6. The Scheme will secure key new transport infrastructure, including a new station entrance, create enhanced linkages between existing transport provision, and provide a comprehensive package of measures to enhance the connectivity of the new town centre. These measures will make the town centre more competitive, better able to retain and attract trade from within its catchment, including meeting the needs of the additional local residents, workers and students, and encourage the use of sustainable means of transport.
7. As regards the fitting out and opening of the underground station box, the amendments made to the section 106 agreement due to TfL's funding position means that there is an increased chance (as compared to the position in April 2020) that the new station box will not be fitted out and come into operation, but the likelihood of the new station being fitted out and becoming operational at a reasonable point in the future is still high. Even if reduced weight was given to the new station box due to the TfL funding uncertainty, the CPO would still be justified for all the other economic, social and environmental well-being improvements that the Scheme would bring.
8. The new residential population (up to 1,880 people) is expected to have a total household expenditure in excess of £28 million per annum, some of which would be spent locally on goods and services, thereby contributing to the local economy and supporting new jobs locally. It is estimated that Council Tax revenue could be up to £2.1 million per annum, based on 2020-21 Council Tax bands and assuming all units are fully occupied and no rebates or discounts are offered. The Scheme will generate estimated CIL payments (assuming social housing relief is applied) of £4,278,679 Mayoral CIL and at least £11,230,308 Southwark CIL.
9. The Scheme will deliver significant *social* well-being improvements. These include the creation of a more balanced mix of uses, creating quality homes, offices, education and community facilities, including the provision of affordable retail, workspace and homes. The Scheme includes the provision of cultural and community facilities, including new and enhanced public realm and public toilets which will benefit all sections of the community. It will include a new home for Corsica Studios, thus giving the opportunity to safeguard the longer term future of this cultural electronic and dance music club on Elephant Road. It will also include relocation premises for the small, local businesses which will be displaced by the creation of the Park Route.

10. The Scheme will also deliver significant *environmental* well-being improvements. In addition to providing well designed buildings and well connected spaces, the Scheme will contribute to securing more sustainable travel patterns, by better serving the needs of current and future residents, workers and students. The Scheme includes improved pedestrian permeability, increased site wide cycle facilities and public realm improvements, including additional landscaping and tree planting. The Scheme also includes a new home for Corsica Studios which will have better sound insulation than the current premises, thus alleviating noise amenity concerns.
11. 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 accordance with section 226(1A) of the 1990 Act.
12. The specific economic, social and environmental well-being improvements that the CPO will deliver directly are in themselves sufficient to satisfy section 226(1A) of the 1990 Act. Firstly, without the CPO, the Park Route as shown in the planning permission approved drawings cannot be delivered. It has been a key aspect of the Council's planning vision for a long time that the redeveloped Shopping Centre site should be opened up for pedestrians to what is now Elephant Park, thus facilitating the connection of these two key sites. EC is under an obligation in the section 106 agreement to use reasonable endeavours to open the Park Route prior to the East Site opening. Although the section 106 agreement allows for an alternative route for the Park Route through one of the arches that EC has some long leasehold to, or such other alternative route that the Council may approve, the July 2021 planning permission only shows the route through 6 and 7 Farrell Court, so that is the approved route under the permission. That route was chosen for the planning application, after analysis of likely pedestrian footfalls, and what would be the optimum route through the East Site because it forms a natural pedestrian "desire line", as it aligns with a boulevard from Elephant Park and so represents the optimum connection to Elephant Park and Lendlease's new redevelopment around it. From the chosen Park Route, pedestrians will be able to continue west through the new town centre to Elephant & Castle highway with its bus services (and Brook Drive beyond), or to move northwest to the new Underground station. This route is also close to Castle Square and Walworth Road. By contrast the arch EC has some long leasehold title to is situated further away from Walworth Road and Elephant Park and so would be inferior as a direct pedestrian link to those areas. In addition, it is located close to (and opposite) the proposed new building for the LCC, Building E1, and for pedestrians to emerge opposite Building E1 and close to the railway station, when considered along with users of the rail station, risked creating a pinchpoint. Building E1 would likely have had to have been smaller to accommodate additional pedestrian circulation space, losing mass from its south eastern corner. Reduced footprint of that building would be problematic, due to UAL's requirements for the new educational facility to achieve critical mass in order to retain the LCC at Elephant & Castle. Shifting

Building E1 to the west would have impacted on the Station Route, making it too narrow and affecting the clear and permeable route through the East Site to the Elephant & Castle peninsula.

13. Secondly, areas of new public realm adjacent to the railway viaduct are also at risk of not being delivered without the CPO, including the ability to complete the Station Route from the new Underground station box to the railway station for pedestrians, via the new right sought in that respect. Again, this is a key aspect of the East Site.
14. Thirdly, the use of the CPO powers will facilitate the only practical solution for the retention of the electronic and dance music use in this location, as explained in more detail in the main body of the report.
15. Fourthly, the use of the CPO powers will facilitate the redevelopment of 4 and 5 Farrell Court to provide a suitable and immediately adjacent relocation opportunity for the tenant and occupiers of 7 Farrell Court, thus mitigating adverse impacts on them.
16. Fifthly, without the use of CPO powers there is now a significant risk that the East Site will not be completed. The approved phasing plan under condition 3 of the planning permission requires the East Site to be completed prior to the West Site redevelopment taking place, save for the redevelopment of the current LUL Underground station, which will only be redeveloped after the new station box has been opened (so as to ensure continuity of Underground provision). So the completion of these areas of the East Site is necessary for the West Site to proceed in accordance with the approved phasing, thus the CPO unlocks all the benefits associated with the West Site, including 498 residential units (165 of which are to be affordable), new retail floorspace (including affordable retail) and a new cultural venue.
17. Sixthly, the CPO elements being sought in relation to the West Site itself are all necessary for the West Site redevelopment to proceed, as explained in the main body of the report.
18. The CPO is therefore essential to the successful implementation and completion of the Scheme and many of the well-being improvements it will bring.
19. Accordingly the statutory test in 226(1A) is met.
20. The key paragraphs from the Guidance are now considered.

Acquiring authorities should use compulsory purchase powers where it is expedient to do so

21. Given the conclusions in relation to the tests under section 226(1)(a) and section 226(1A) above, it is clearly expedient to make a CPO to facilitate this very important redevelopment. For the reasons explained above, the CPO is essential to the successful implementation and completion of the Scheme. The only change as to expediency (as compared to April 2020) is the fact that

redevelopment has begun, which makes it even more expedient than was previously the case that the CPO is made so that the Scheme can continue and be completed.

However, a CPO should only be made where there is a compelling case in the public interest

22. The Scheme will transform the town centre. Although there are some adverse effects, as referred to elsewhere in this report, it is considered that these are relatively minor and in any event need to be weighed against the very significant and numerous public benefits that will accrue from the Scheme. This is considered to be the case even in relation to the specific benefits that would be directly delivered through the use of the CPO powers (as detailed above). The CPO is necessary to unlock these benefits of the Scheme. The public benefits arising from the use of the CPO powers amount to sufficiently compelling reasons for powers to be sought and outweigh the loss and any overriding of property interests to individuals and businesses arising from the CPO. As vacant possession of most of the East Site was obtained by agreement, confirming the CPO will not have many of the potentially adverse impacts it could have caused as originally envisaged in April 2020, so there is now less private loss to be outweighed by the public benefits. There is an increased need for the redevelopment to proceed and be completed given that the large majority of the East Site has been demolished and cleared and the early stages of construction are underway. So, the case for a CPO is now more compelling than ever.

The acquiring authority will be expected to demonstrate that it has made reasonable offers to acquire land and rights by agreement

23. It is considered that this part of the Guidance has been satisfied to date and will continue to be so. EC, acting in collaboration with Council officers, has been making reasonable efforts to acquire outstanding land interests and new rights by agreement over a significant period of time. Council officers have been kept regularly apprised of, and have been consulted in respect of, the ongoing negotiations. The Council's officers have also been directly involved with discussions with Arch Co, seeking agreement. This approach has generally worked well, as evidenced by the fact that EC has concluded various acquisitions and agreements with third parties already, thus avoiding the compulsory acquisition of various interests, but as explained below a CPO is now required to give impetus to negotiations with the remaining affected parties. EC is continuing its attempts to acquire by agreement and will be obliged to continue to do so under the CPO indemnity agreement. The Council will take an active role, in collaboration with EC, to take those negotiations forward and in making offers to the remaining parties.

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

24. The making of a CPO will assist in the remaining 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 genuine last resort to ensure the land assembly needed to continue and complete the Scheme. The CPO will underpin the remaining negotiations that need to be concluded to enable the Scheme. The use of CPO as a last resort is evidenced by the considerable reduction in land that has been included in the CPO as compared to that in April 2020 (because much of the necessary land has been acquired by agreement). The fact that development has commenced makes it all the more important to have the CPO to complete the development. Delaying the CPO risks being unable to complete the Scheme in accordance with the development programme, or at all.

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.

25. The Council's purpose in making the CPO is to facilitate the development, redevelopment or improvement on or in relation to the CPO land, namely the Scheme. The Scheme represents a vital, comprehensive redevelopment of the town centre. The very considerable benefits that will arise from the Scheme have been summarised elsewhere in this report. 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 benefits of the Scheme outweigh the private losses. This is the case even if the specific benefits that would be directly delivered by the CPO are considered in isolation and weighed against the interference with the human rights of the affected parties.

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.

26. Please refer to paragraph 23 above as to offers to date and the intention for the Council and EC to actively pursue further negotiation. 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. The Council and EC are also seeking to constructively work towards 4 and 5 Farrell Court being redeveloped as a relocation opportunity for displaced occupiers of 7 Farrell Court as part of the Scheme, and to facilitate the relocation of Corsica Studios within the Scheme into a new home in Arches 113A/120 and 113B/121.

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.

27. The Council plans to use the CPO acquisitions and new rights to facilitate the carrying out of the Scheme to enable the Scheme to continue and be completed. The powers need to be sought now, otherwise the East Site will not be able to be completed in accordance with the development programme, or at all, and thus the West Site redevelopment could not begin in accordance with the approved phasing. The Council and EC, with the best of intentions, have sought to be patient in allowing time for private treaty negotiations to bear fruit but the CPO is needed to ensure the Scheme can continue and be completed. 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.

28. The Council will be entering into a CPO indemnity agreement with EC (backed by a guarantee from Get Living Plc) whereby the Council will receive a complete indemnity in respect of all compensation to be paid pursuant to the CPO 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 (again, guaranteed by Get Living Plc). The Council is satisfied that Get Living Plc has good covenant strength to meet its obligations in the unlikely event that EC defaulted.
29. 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, for East Site, or is likely to be available in good time to commence the West Site redevelopment as envisaged. It is anticipated that around 40% of the West Site redevelopment cost (including land acquisition) will be financed by equity payments from the Triangle partners and a further affordable housing grant in respect of the West Site, with around 60% being provided through debt funding. Understandably, the developer will not seek that debt funding for the West Site until closer to the time that the West Site redevelopment is begun, otherwise it would incur significant and unnecessary interest charges in the interim period. (By way of example, the East Site debt funding for the construction of new buildings on East Site was put in place in December 2021, and piling began in March 2022.) As to whether the West Site debt funding is likely to be obtainable on reasonable commercial terms to the developer, it is considered that this is likely to be the case given: the identity of EC's backers; the central London location and prestige of the redevelopment, with which lenders are likely to wish to be associated; that Delancey, who advise EC, are experienced in and have obtained significant debt funding on other large scale redevelopment projects for their clients; and

the fact that EC was able to procure debt funding to fully fund the East Site redevelopment.

30. 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 (EC's backers) have developed large schemes before, as referred to in the April 2020 Cabinet report. Officers are satisfied the developer has the expertise and the ability to attract the funding to deliver the West Site. It has already demonstrated its commitment by at considerable expense securing a planning consent, acquiring much of the land needed to deliver the Scheme, securing funding for the construction phase of the East Site and commencing on the East Site. 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

31. It is considered there are no such impediments. LUL has planning permission for its connecting tunnel works for the new station box and the revised planning permission allows for the new station box to be larger, thus accommodating the Northern and potentially the Bakerloo Line too.

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

32. The vast majority of the Scheme has been granted planning permission. The new relocation premises for Corsica Studios and retail kiosk use envisaged for the arch units to the north of the railway station do not yet have the requisite consents. Subject to the imposition of suitable conditions, there is no reason why such consents would not be granted, as this would be in keeping with the current uses on Elephant Road and the policies applicable to the Opportunity Area. The proposed change in use of 4 and 5 Farrell Court to a commercial, business and services use as a relocation opportunity, with associated physical works, will also require planning permission. Given the proposed relocation of Corsica Studios further up Elephant Road as described, again, there is no reason why such planning permission would not be granted. In each case, EC has advised that it has instructed its planning consultants to prepare the necessary planning application.

33. The April 2020 Cabinet report stated that the listed building consent for the minor works to the façade of the Tabernacle only had a 3 year period in which to begin works. This was an error, the consent has, in fact, a 10 year implementation period and so there is no need to seek a longer consent as was envisaged in that report. This is beneficial.

34. Planning permission has also been obtained by EC on 10 June 2022 in respect of a heating network pipe which will run from 50 New Kent Road (owned by EC's group company) under Elephant Road into the East Site. An easement has been completed with Network Rail to facilitate this.
35. Highway stopping-up orders in respect of both East and West Sites have already come into operation and so there are no further stopping-up orders required in respect of the Scheme.
36. One or more agreements under the Highways Act 1980 with TfL and the Council, as highway authorities, will be required for highway works. Agreement will very 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 the highways agreements, and their respective works, are completed. The Council's consent, as highway authority, would also be required if the highway layer is to be disturbed to facilitate the heating pipe network works referred to above. Again, there is no reason why that consent should not be forthcoming.
37. 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. Such licences are already in place in respect of the works to date on East Site.
38. There are no physical impediments which are known which will prevent the Scheme from proceeding.
39. 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.
40. There is some operational land of statutory undertakers within the CPO area, notably the railway viaduct and the area of land immediately to the west of the railway station over which a new pedestrian right of way (and related right to pave and maintain that area) is sought. However, it is not the intention of EC or the Council to interfere with the operational running of the railway. Discussions are progressing 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 agreement can be reached, thereby bringing Network Rail into the Scheme by agreement. Nevertheless, the CPO is needed as a backstop. Although crane oversail will take place over some highway areas administered by TfL

and the Council, there should be no operational impact on TfL and the Council as highway authorities.

41. There are also electricity sub-stations within the CPO area, held by London Power Networks. Again, this is operational land and EC will work towards procuring their agreement to bring the leases to an end but the CPO is needed as a backstop.
42. 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.
43. There are no areas of land which attract special protection under section 19 Acquisition of Land Act 1981 (common land, open space or allotments).
44. Therefore, there are unlikely to be any impediments to the Scheme if a CPO is made.

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

45. 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.

46. The Council's purpose in making the CPO is stated above. It fits with the adopted development plan, which supports the regeneration envisaged by the Scheme. The CPO is necessary to implement the Council's and the Mayor's objectives as specified in the New Southwark Plan 2022 and the London Plan 2021. Both of these documents had been envisaged by the Cabinet report in April 2020 and the policies in both were considered by the Council at Planning Committee for the revised planning application on 6 July 2021.

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.

47. This is addressed at paragraphs 3 -19 above.

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.

48. The prospects of acquiring all the relevant land interests by agreement to enable the comprehensive redevelopment within a reasonable timescale are

unlikely. The Council has already, with the best intentions, allowed time for negotiations to reach fruition. If the Council does not act now then the completion of the East Site, and the West Site redevelopment, will be entirely dependent on the owners and occupiers of the outstanding land interests.

49. 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. Any proper redevelopment needs the interests/rights covered by the CPO and certainly any redevelopment in line with planning policy does. The Scheme, as per planning policy, is an holistic concept which cannot be delivered on a piecemeal basis and any attempt by third parties to redevelop parts of the land on a piecemeal basis without the use of CPO powers would destroy the additional benefits that come from a co-ordinated, holistic regeneration in line with planning policy.
50. The Council has considered whether there are alternative proposals for this land and whether such proposals would be appropriate. There are no known alternative proposals that the Council is aware of, and even if there were, such alternatives would not (1) meet the objectives of planning policy for a comprehensive redevelopment of the Scheme Land and (2) provide the benefits of the Scheme.
51. 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 absent. The Scheme is to regenerate this area of land, which cannot be achieved on another area of land.
52. Consideration has also been given as to whether an alternative alignment for the Park Route, through Arches 113A/120 and 113B/121, to the north of the railway station, would have avoided the need to acquire the leasehold title to 6 and 7 Farrell Court and associated new rights. For the reasons given at paragraph 12, that alternative alignment would have been significantly inferior to the chosen route, such that 6 and 7 Farrell Court do need to be acquired. Consideration has also been given to whether it would have been practicable to retain Corsica Studios within 4 and 5 Farrell Court, thus avoiding the need to acquire Arch Co's long leasehold title to Arches 113A/120 and 113B/121 to relocate Corsica Studios. For the reasons explained in paragraphs 32 to 38 of the main body of the report, the only practical solution for retention of the venue on Elephant Road is to relocate it to Arches 113A/120 and 113B/121, and EC does not have the necessary title to bring that about, so the acquisition of greater leasehold title and associated new rights is necessary to achieve this. Consideration has also been given to whether it is necessary to acquire 4 and 5 Farrell Court to accommodate Beset and their occupiers. No suitable alternative relocation opportunity which meets Beset's requirements has been found. 4 and 5 Farrell Court would become vacant once Corsica move to the northern arches and they represent a suitable relocation premises for Beset and their occupiers.

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.

53. Funding intentions are dealt with above. The potential viability of the Scheme has been examined as part of the planning application process in the context of the maximum level of affordable housing the Scheme can provide. Discussion took place during the original 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 (now Avison Young), 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.
54. In June 2021, as part of consideration of the revised planning application, DS2 (advising EC) concluded that there had been a notional increase in viability so that the ungeared IRR had risen to 10.23% but pointed out this was derived only from the fact that the East Site value had reduced due to the demolition of buildings, and that in real terms there was a reduction in retail values due to the COVID-19 pandemic, and the general decline in high street retailing, increased construction costs and the pandemic's effect meant that development economics were extremely challenging. Avison Young concurred that the target level of profit was not predicted to be met with the requisite level of affordable housing.
55. Some time has passed since the revised planning permission was granted in July 2021. Accordingly, the viability position has been the subject of further expert work by Avison Young for the Council. Avison Young have carried out a high level review of the viability of the Scheme. The exercise took the form of a review of the updated proposed Scheme appraisals and commentary upon whether the inputs are reasonable at this point in time. This high-level review has been undertaken on a desktop basis to inform the Council's decision making. Avison Young advise that this exercise would likely have to be reviewed again in the run up to a CPO inquiry. The review also included a sensitivity analysis of the IRR, commercial rents and yields.

56. On the basis of their high level analysis, Avison Young have concluded that the Scheme is viable. Avison Young advise that the following points further reinforce their conclusion that the Scheme is viable: the East Site works have been procured under a fixed price Design and Build Contract with a major building contractor, Multiplex; full funding for the East Site has been secured; the existence of the contractual agreement with UAL/LCC; the Scheme has commenced and is proceeding; whilst the current macro-economic situation is challenging, there nevertheless remains underlying demand for high quality professionally managed residential stock, and rental forecasts remain positive.
57. Viability is a moot point in respect of the East Site because EC has chosen to proceed, has funded it and has a contractor appointed and on site to build it (subject in the case of the CPO areas to being able to do so). As regards the West Site, the reality is that once the new university campus building has been completed on the East Site for UAL, the completion of the sale of the LCC site is triggered, albeit UAL will have some time in which to move across to the East Site. So, having paid a very considerable sum to acquire the West Site at that point, it is highly likely that EC's group company, Elephant Three Properties Limited, would then proceed with the West Site redevelopment (subject to the CPO enabling it to do so), to recoup a return on its investment. 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 Council has the benefit of Avison Young's updated expert advice that they believe the Scheme is viable. Moreover, officers do not consider there is any real uncertainty that the West Site will proceed given the factors above but, even if there was such uncertainty, the confirmation of the CPO will still be justified because the case for the CPO is so very compelling.
58. In terms of the CPO indemnity agreement, all interests to be acquired by the Council, whether by agreement or by CPO, will be acquired for planning purposes. Under section 233(3) of the 1990 Act, the Council needs to achieve best consideration when disposing of land under this provision. This however needs to be judged in the context of the totality of the arrangements for the transfer of interests pursuant to the CPO indemnity agreement. The Council will only be acquiring interests from third parties or creating rights over their land on the basis that funding for the initial acquisitions or rights (at market value) is coming from EC and on the basis that it will thereafter dispose of any acquired land to EC or EC's group company. As such, there is no realistic prospect of the Council obtaining consideration in respect of the disposals to EC (or its group company) under the CPO indemnity agreement beyond the indemnity arrangements, such that these arrangements are the best consideration that can reasonably be obtained in the circumstances.
59. The Council is required to exercise its power 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 on the land in question (section 233(5)). Relevant occupiers for these purposes means residents and those carrying on business on the land that wish to obtain accommodation. As explained in the main body of the report, the Council

and EC's intention is to offer relocation opportunities to the affected occupiers of 4 and 5 Farrell Court (Corsica Studios), and 7 Farrell Court (Beset), to relocate within the arch units which are the subject of the CPO. It is not practicable to relocate both DistriAndina and Beset into 4 and 5 Farrell Court as the units will not fit both of them, and in any event DistriAndina are being offered the opportunity to relocate elsewhere within the Scheme, in a new unit on the East Site. As explained in the main body of the report, it is envisaged that none of the existing occupiers will need to cease trading nor suffer any material delays in re-opening. The indemnity agreement between the Council and EC will require EC to offer relocation opportunities in accordance with section 233 in respect of any land that is acquired by the Council and disposed of to EC pursuant to the CPO arrangements. Accordingly it is concluded that the duty under section 233(5) will be satisfied.

60. In addition, the section 106 agreement relocation strategy requires that 10% of the new retail floorspace pursuant to the July 2021 planning permission will be affordable retail floorspace and will be offered in the first instance to eligible businesses displaced from the East Site. Similarly, 10% of the commercial floorspace pursuant to the July 2021 permission will be provided as affordable workspace, again offered in the first instance to eligible businesses from the East Site displaced by the redevelopment.
61. In respect of the statutory duty under section 66(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have regard to the desirability of preserving features of special architectural or historic interest, and in particular listed buildings, in the exercise of the powers of disposal under section 233, the Metropolitan Tabernacle is a listed building and some minor works to that building are required and have received listed building consent. The Council will acquire new rights over the land under the CPO and EC will be able to utilise those new rights. Cabinet will note that notwithstanding the substantial weight given to harm to the setting of the Tabernacle, the Planning Committee concluded that such harm would be outweighed by the significant public benefits accruing from the Scheme. Any effects the Scheme may have on the other designated heritage assets in the locality, including the Faraday Memorial and Metro Central Heights listed buildings, listed buildings at West Square and the West Square and Elliott Row Conservation Areas, and any undesignated heritage assets, were fully considered by the Planning Committee. Officers consider that there is no breach of this statutory duty by reason of the proposals set out in this report.

That the correct statutory procedures have been correctly followed

62. It is considered that the relevant statutory procedures have been correctly followed to date. It will be necessary for the Council to follow the correct statutory procedures in making the CPO and publicising the same and serving notice of it on the affected parties, and to follow the Guidance policy on (among other things) providing a Statement of Reasons to affected parties. Thereafter the Council will need to adhere to the statutory procedures as regards the proposed confirmation of the CPO, including adhering to the inquiry rules.

APPENDIX K

Elephant & Castle Town Centre Redevelopment Proposed Compulsory Purchase Order Equalities Impact Assessment (EqIA)

1. Background

The Public Sector Equality Duty (PSED) created by the Equality Act 2010 imposes a continuing duty on the Council to consider equalities impacts to inform its decision making. Previous EqIAs were produced by AECOM in June 2016 prior to approval of the planning application for the development of the Elephant & Castle Shopping Centre and Town Centre area. Additional analysis was carried out by AECOM in March and August 2017 relating to the potential redevelopment of the Bingo Hall and Bowling Alley within the Shopping Centre and which helped to formulate the business relocation strategy and compensation package for affected businesses, which was put in place under the section 106 agreement. The developer (EC) has also carried out its own analysis as part of the planning application process.

A further report was commissioned by the Council in August 2019 with a detailed report being provided by AECOM in January 2020, to inform the Council's decision-making as to a Compulsory Purchase Order (CPO) at that time.

In line with the continuing duty, this report addresses the equalities impacts that may arise in the context of the now proposed CPO. It does not seek to duplicate the work done in connection with earlier reports. Rather, it addresses the potential equalities impacts on those businesses and stakeholders likely to be affected by the making and implementation of CPO should the Council's Cabinet resolve to approve this.

2. Legislative background

The Equality Act 2010, section 149 (Public Sector Equality Duty) sets out that a public authority must, in the exercise of its functions, have due regard to the need to –

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics for the purposes of the Act are –

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race

Religion or belief
Sex
Sexual orientation.

The EqIA aims to consider the effects of the Council's decision making (in this case to make a CPO) and whether these effects are likely to have a disproportionate or differential impact. A disproportionate impact will arise if an impact has a proportionately greater effect on groups who share a protected characteristic than on other members of the general population in a location. A differential impact will arise where members of a group sharing a protected characteristic are affected differently from the rest of the population because of specific needs, or a recognised sensitivity or vulnerability associated with their protected characteristic.

3. Current decision

The Council is proposing to make a CPO in order to acquire the remaining title and new rights required to facilitate the town centre redevelopment scheme. Further details of the remaining title and new rights required are set out in the main report to Cabinet seeking approval to the making and implementation of the CPO. The compulsory acquisition of these properties and new rights will directly impact the owners of the businesses and organisations thereby affected, their employees and their customers and clients. Mitigation measures will seek to reduce these impacts as far as possible.

The businesses and organisations that will be directly affected by the making and implementation of a CPO are those that currently occupy parts of the proposed order land who will need to relocate in order to enable redevelopment to take place, or, in the case of the Metropolitan Tabernacle, whose land will be the subject of new rights to facilitate the redevelopment. These have been identified as follows:

Units 4 & 5 Farrell Court – Corsica Studios

The business currently carried out in units 4 & 5 is that of a cultural venue hosting electronic and other genres of music and club nights and creative events, including techno and live alternative rock and art installations.¹ The business has a well-articulated inclusivity, equality and diversity policy whereby it aims to promote a positive environment where differences are respected and valued. It also aims to redress the gender, racial and sexuality balance within the industry. The venue welcomes disabled customers and aims to be accessible and inclusive.

The developer's proposal is to relocate the business to the railway arches to the north of the station, a short distance up Elephant Road, which will have been fitted out and soundproofed prior to the relocation taking place. In a worst case scenario of the business closing if the confirmed CPO does not include the acquisition of all necessary rights and interests in those northern arches for them to relocate to, it is not considered that any one group with protected characteristics would be disproportionately affected.

¹ Source : www.corsicastudios.com accessed 7 November 2022

The clear intention, though, is that Corsica would be relocated as envisaged. The replacement premises would be better designed and would benefit from better access internally (which would benefit all users, including those with disabilities) whilst still being in very similar arch premises. The proposal, if implemented, would mean that the business would not need to close, even temporarily. It is considered that the likely equalities impact of the proposed relocation would be positive in terms of disability due to accessibility improvements, but otherwise neutral as the changes would help secure the future of Corsica Studios and overcome the uncertainties in relation to the extent of their current demise and the use of the fire escape.

It should also be noted that compensation is available under the CPO legislation for costs/losses of needing to relocate, so that the effect with the proposed mitigation would not affect Corsica Studios financially.

To the extent that any adverse equalities impacts could arise, the proposed mitigation is relocation as proposed above. As to the prospects of that proposed mitigation occurring, discussions are underway with Corsica and it is considered that there are good prospects that the proposed relocation will take place.

Unit 6 Farrell Court – DistriAndina

Unit 6 Farrell Court is occupied by DistriAndina which operates as a café, delicatessen and a Latin American supermarket which sells groceries both retail and wholesale and also delivers around England, Scotland and Wales. They describe themselves as “Serving the UK’s Latin American Community”² which previous EqlAs have identified as being a section of the population likely to be disproportionately affected by redevelopment at the Elephant & Castle, as there are several Latin American businesses in the area serving a large local population. DistriAndina themselves are part of that Latin American community, and therefore the protected characteristic of race is relevant. Redevelopment may potentially impact disproportionately and differentially on groups who benefit from the provision of specialist goods and services.

The worst case scenario is the closure and loss of this Latin American business. However, the developer’s proposal and clear intention is to relocate DistriAndina into one of the affordable retail units being constructed as part of the redevelopment and fronting Walworth Road. The unit envisaged for the relocation would be of a similar size to their existing unit and would benefit from a large shopfront onto Walworth Road, where there is high footfall and a large number of bus stops, thereby enabling the unit to be easily accessed both on foot and by public transport. Although not in Elephant Road itself, the replacement unit is within the scheme and would be located only a short distance away from the current unit, in an area with other Latin American businesses nearby. It is considered that this would provide adequate mitigation from the closure of unit 6.

² www.distriandina.co.uk accessed 7 November 2022

Again, relocation of the business would be organised such that the business did not have to close and there would be continuity of operation.

As referred to in the context of Corsica Studios above, compensation is available under the CPO legislation for costs/losses of needing to relocate, so that the effect with mitigation would not affect DistriAndina financially.

Accordingly, the proposed mitigation is relocation as proposed above. As to the prospects of that proposed mitigation occurring, discussions are underway with DistriAndina and it is considered that there are good prospects that the proposed relocation will take place. It is considered that the likely equalities impacts would be neutral with that mitigation (ie relocation) taken into account.

Unit 7 Farrell Court – Beset International Limited

Beset International Limited occupies unit 7 and operates a shipping and air freighting business as well as providing business space for a number of small businesses of varying types which occupy areas within the railway arch. These include hairdressing, international money transfer, assorted retail and a café. In the survey undertaken on behalf of the Council, the proprietor of Beset identified as being of Black African ethnic minority. The other business owners within the arch identified as being Latin American. The worst case scenario of a closure of this unit and the loss of the businesses would be likely to disproportionately affect these BAME groups.

However, again, the developer's proposal is to relocate these businesses into units 4 & 5 once these have been vacated by Corsica Studios. This would enable the businesses to continue to trade in the same immediate locality as currently, in very similar premises, as part of the scheme, but in a newly fitted-out unit. As with the other proposals for relocation, the intention is to ensure continuity of provision so that no interruption to the businesses would occur.

As referred to in the context of Corsica Studios above, compensation is available under the CPO legislation for costs/losses of needing to relocate, so that the effect with mitigation would not affect Beset financially.

Accordingly, the proposed mitigation is relocation as proposed above. As to the prospects of that proposed mitigation occurring, discussions are underway with Beset and it is considered that there are good prospects that the proposed relocation will take place. It is considered that the likely equalities impacts would be neutral with that mitigation (ie relocation) taken into account.

Metropolitan Tabernacle

The Metropolitan Tabernacle is an independent reformed Baptist church which occupies the Grade II listed Tabernacle building on the west side of Elephant & Castle. It holds services on Sunday mornings and evenings, prayer meetings on Monday evenings, bible study on Wednesday evenings, and a Sunday School on Sunday afternoons for children and teenagers, as well as hosting a bookshop. That the Tabernacle serves a wide group of people and nationalities is evidenced by the fact that simultaneous translations of its Sunday services are available via

headsets into Spanish, French, Portuguese, Chinese and Farsi³. The numbers of people using the building vary according to the time of day and the events taking place but can be as many as 1,000 including 500 children attending the Sunday school.

The building has disabled access to the front (in one of the side arches) which can be accessed either from the Elephant & Castle highway to the front or from the rear parking area along the north flank of the building. Some of the members of the church's congregation are mobility impaired.

Information about the congregation and staff was requested, in order that any groups sharing protected characteristics can be identified and their needs met as far as practicable. Effects of the CPO on the congregation and staff of the Tabernacle could potentially disproportionately affect groups sharing the protected characteristics of religion, age, race, pregnancy and maternity, and disability.

However, the effect of the CPO on the Tabernacle and its congregation is limited to the need to carry out demolition works to the adjoining London College of Communication building, and the Tabernacle is only included in the CPO in order to secure rights to carry out that work, to erect scaffolding on part of the Tabernacle site and to oversail a crane. Any effects of the CPO will be temporary and works will be carried out in such a way that the Tabernacle can remain open at all operational times.

Some disruption will be caused by the erection of scaffolding which is necessary to carry out the works to de-couple the LCC building from the Tabernacle and to demolish the LCC building, which is immediately adjacent to the Tabernacle. This may need to stay in place for up to three months. However, it will be erected in such a way as to ensure that access to the front side entrance of the building (which contains the disabled entrance) is still available, with access to the disabled entrance being maintained during operational hours. It is possible that persons with mobility impairments or parents pushing pushchairs may not be able to use the side accessway under the scaffolding to reach the disabled entrance at the front side entrance if they approach from Pastor Street, and instead would need to go round the other side of the Tabernacle to reach it from Elephant & Castle highway. This would cause inconvenience to disabled persons, the elderly and families with young children. It might also hinder, and cause inconvenience to, pregnant women. As to the scale of such inconvenience, it is considered that this would be minor.

It is likely that the scaffolding will also have an impact on vehicular parking to the rear and side of the building, within the Tabernacle grounds. It is understood that the vehicles parking there include minibuses which are used to facilitate travel to the venue for (among others) those with mobility impairments, whether through disability or age. Therefore the loss of those spaces, though temporary and for a relatively short period, may give rise to inconvenience, particularly to disabled persons, the elderly, families with young children and possibly to pregnant women.

³ www.metropolitantabernacle.org accessed 7 November 2022

The developer is content to pay for alternative parking provision within the locality for the duration that spaces are not available due to the scaffolding. It may be that the minibuses would still be able to drop off visitors to the rear of the Tabernacle, without parking there, before then moving to the alternative parking provision, with drivers then returning to pick up later, in that way ensuring that those with mobility impairments would not need to move from the alternative parking to the Tabernacle. The movement of visitors dropped off at the rear of the Tabernacle to the disabled entrance in the front side arch would be as discussed above. Again, the scale of inconvenience arising is considered to be minor.

In terms of mitigation, the developer will need to submit a demolition management plan for the West Site in due course and so the Council will be able to assess and approve the detailed demolition methodology at that time. The Council will be seeking to ensure that disruption to the Tabernacle is kept to a minimum as part of that plan. Moreover, the developer will agree in the CPO indemnity agreement to procure that (a) the disabled entrance in the front side arch is available at all times when the Tabernacle is in operation and (b) reasonable endeavours are taken to keep open the side accessway route from the rear of the Tabernacle to that disabled entrance in the front side arch, under the scaffolding, for persons with (and without) mobility impairments if it is safe and practicable to do so.

The Council and the developer will continue to take steps to ensure that the adverse effects of the works on the Tabernacle building and its users are kept to a minimum. If it proves not practicable and safe to keep open the side accessway for those with (and without) mobility impairments during the period when the scaffolding will be in place, the residual equalities impacts of the temporary works are considered to be minor adverse. It is considered that, if the mitigation referred to above is put in place with the side accessway kept open, residual equalities impacts are unlikely to arise.

4. Other impacts arising from the CPO

East Site

There will be benefits to all users of the East Site from the creation of surface level public access to create the Station Route, the Park Route and further public realm adjacent to the railway viaduct. This is likely to be particularly beneficial to the elderly, disabled persons, pregnant women and families with young children. It will also ensure the permeability of the site for visitors to all parts of the East Site, including the replacement affordable retail floorspace and proposed replacement bingo facility, both of which are included in the East Site at least in part to address adverse equality impacts identified at the planning permission stage.

West Site

The approved phasing plan under the July 2021 Permission requires the East Site (other than the current LUL Underground station) to be completed prior to works beginning on West Site. So the CPO will unlock the ability to develop West Site, including the affordable retail floorspace, new dwellings (including affordable housing units, and 10% wheelchair accessible units) and job opportunities

associated with that phase of the Scheme, all of which are considered to have positive equality impacts.

It is not considered that the daylight and sunlight impacts which could arise from the construction of tall buildings on the West Site would disproportionately affect any one group with protected characteristics.

Consideration has been given to the potential adverse impacts on the local community during the demolition and construction phase on the West Site, particularly to those people with protected characteristics who may be more sensitive to safety, security and accessibility construction impacts, including people with disabilities, children, older people and pregnant women. Similarly, consideration has also been given to the potential noise impacts that the demolition and construction of the West Site may have on groups with protected characteristics, who may be more sensitive to noise increases including people with certain disabilities, children and older people. Whilst the scale of any such impacts is considered to be minor, the Council has already sought to mitigate these impacts through securing demolition management plans and construction environmental management plans in the section 106 agreement.

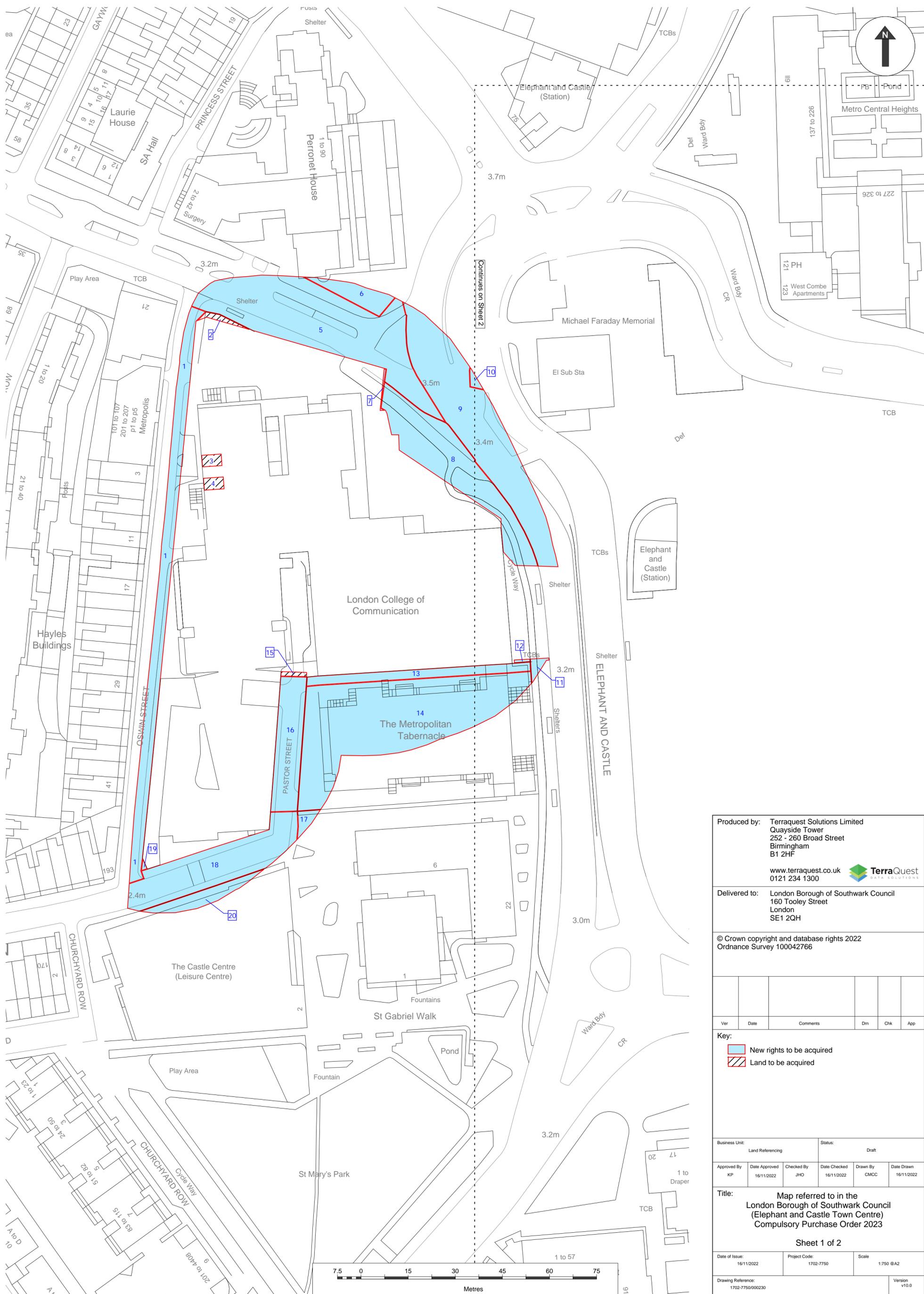
5. Summary

The making and implementation of a CPO, following a resolution of Cabinet to do so, will have effects on those directly affected by it, details of which are summarised above. The provisions of the Equality Act are engaged, in that certain groups sharing protected characteristics are potentially disproportionately affected by the proposals.

However, the mitigation measures that are proposed, as detailed above, will play a significant role in minimising the effects of the CPO on those groups such that any negative impacts on them are minimised as far as possible. With the proposed mitigation in place, any residual effects would be limited.

Previous EqIAs have concluded that the mitigation measures proposed by the Council and the developer were likely to prove effective in minimising residual negative effects, and pointed out that the scheme facilitated by the CPO will enable affected businesses to share in the benefits to be delivered, in particular the creation of jobs, new retail space, improved transport links, the new campus for the London College of Communication and the provision of affordable housing.

The Council will need to ensure that the developer commits to and implements the mitigation measures outlined above and that these are monitored in order to help minimise the adverse effects and realise the positive benefits of the redevelopment proposals.



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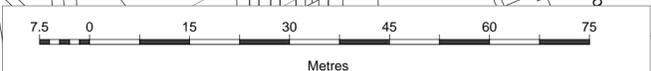
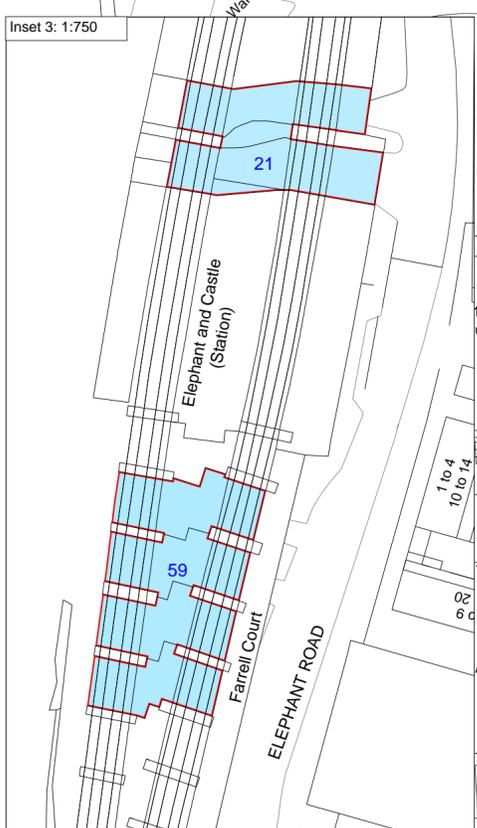
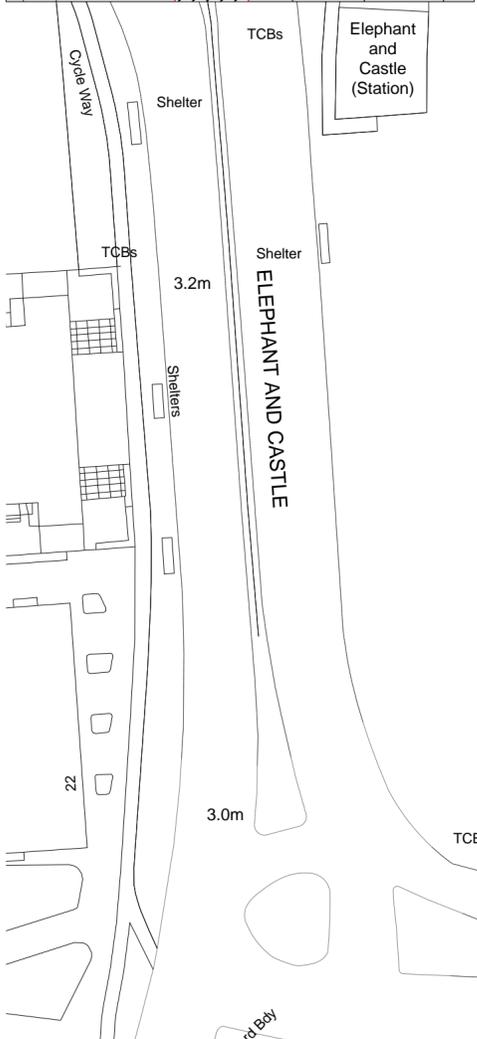
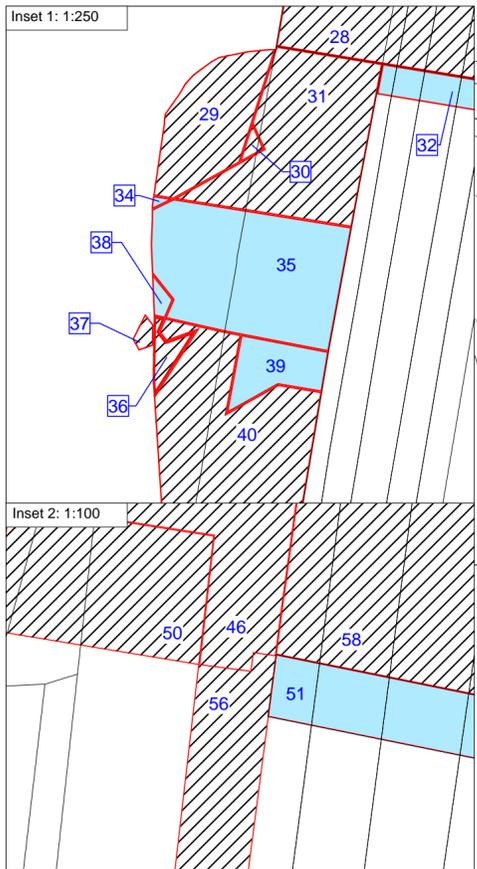
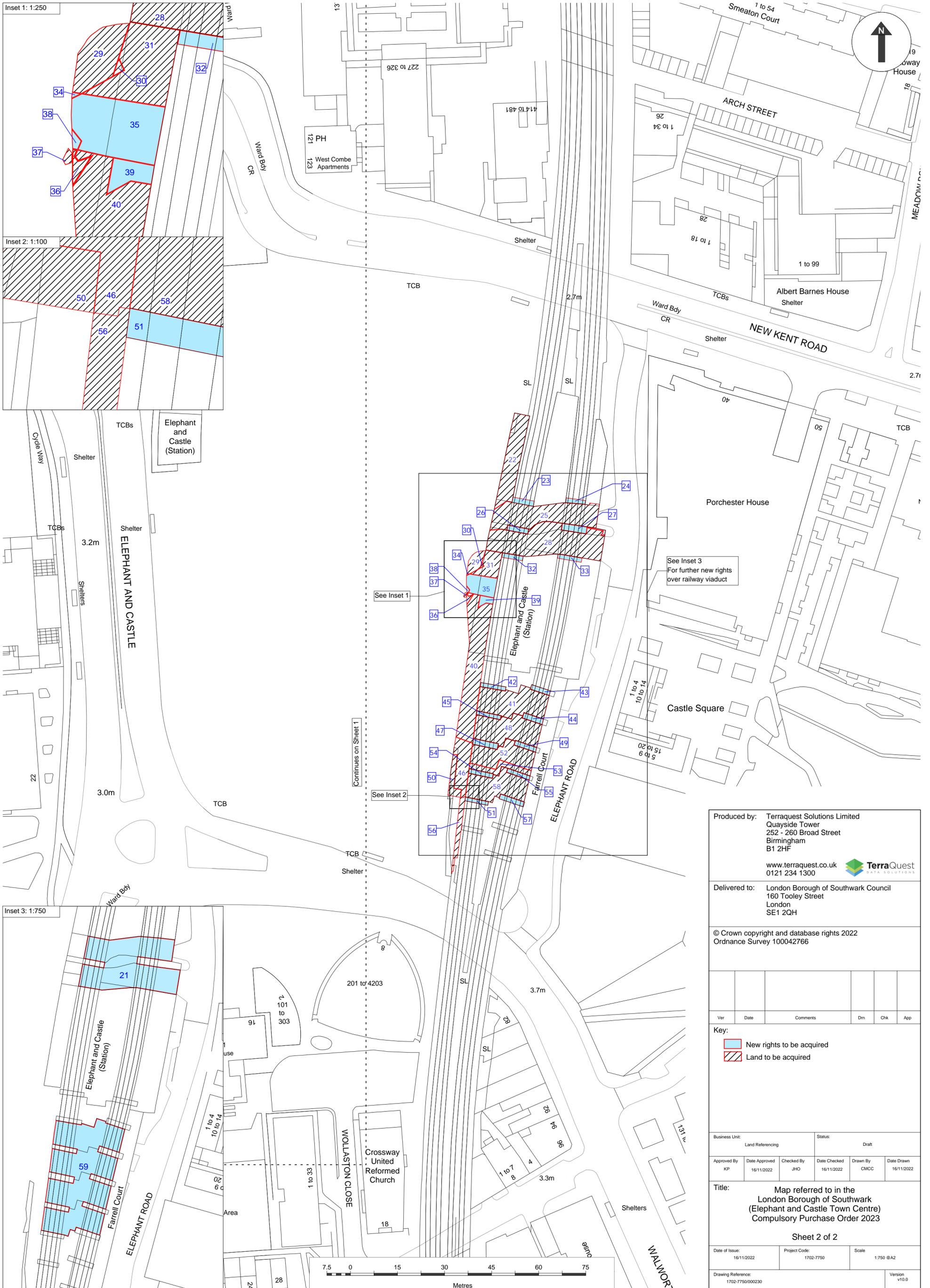
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Sheet 1 of 2

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Sheet 2 of 2

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