

Cabinet

Tuesday 12 September 2023

11.00 am

Ground Floor West, 160 Tooley Street, London SE1 2QH

Appendices

List of Contents

Item No.	Title	Page No.
9.	Land for Good, the report of the 2023 Southwark Land Commission Appendix 1.	1 - 35
16.	Response to Health and Social Care Scrutiny Review: Care Contributions Appendices 1 - 6.	36 - 76

Contact

Email: paula.thornton@southwark.gov.uk; constitutional.team@southwark.gov.uk
Webpage: www.southwark.gov.uk

Date: 4 September 2023

Land for good

2023 Southwark
Land Commission





Contents

Foreword	5
Summary	6
Why Southwark needs a Land Commission	10
The key problems	12
Land in public ownership	14
About the Southwark Land Commission	16
Membership of the Southwark Land Commission	18
Recognising what has gone before	20
Our process	22
Community engagement	23
Our Guiding Principles	26
Seven Recommendations	28
RECOMMENDATION 1: Put social purpose at the heart of land use	30
RECOMMENDATION 2: Map what's there and what isn't	32
RECOMMENDATION 3: Take control of our land and assets	34
POTENTIAL PILOT SITES	38
RECOMMENDATION 4: Defend and extend affordable accommodation for all	44
RECOMMENDATION 5: Cherish our natural capital and decarbonise our land	49
RECOMMENDATION 6: Give the community real power and voice	52
RECOMMENDATION 7: Disrupt the status quo to unlock bigger changes	56
What happens next?	58
Glossary	62
Acknowledgements	64

Commissioned by



Supported by





Foreword

The land around us and how we use it shapes so much of our lives. Yet we rarely talk about who owns our land and who benefits most from how it is used. But people can see in their day-to-day lives that how we use land is simply not working for everyone.

The lack of homes people can afford; poor access to decent, quality workspaces and community spaces; the loss of green space; and the degradation of our environment are all symptoms of the reality that we do not use enough of our land for the benefit of our community. Yet people feel powerless to change this. I hope this commission is the first step to shifting this.

Our commission brought together a brilliant and diverse group of colleagues that came at the question of land use from very different perspectives. But we were all unified in our view that we had to put social purpose at the center of land use, and that this would require a major pivot in the way that Southwark does things. This report and its recommendations aim to chart a way forward to achieve this shift. We hope it will be the start of a conversation and new consensus that will drive the scale of change that people across the community want.

We do not underestimate how difficult this change will be to achieve. It will be hard won. But we do believe that change is necessary, and we urge everyone to play their part in making it happen. If we get this right, we have the chance to put the community at the heart of how we use the land that is the foundations upon which everything is built – and to provide a powerful blueprint for others to follow.

Dr. Miatta Fahnbulleh
Chair

Everything happens on land. It is where we live, work, and play. When utilised effectively, it creates opportunities that can transform our lives.

It holds enormous potential for the public good; however, all too often, this potential is overlooked due to a narrow focus on private profit. Despite its capacity to influence every aspect of our lives, decisions about land use are frequently made behind closed doors, without involving those most affected by it.

Southwark is one of the most densely populated parts of England. In other words, we don't have a lot of land to go around, so we must value the land we do have. It is a significant source of both wealth and power, and its uneven distribution can generate and perpetuate social injustices. Yet, here in Southwark, large portions of land are owned by the council, other public bodies, and organisations with a social purpose. What if these major landowners were to allocate more of their land for the public good? What if Southwark's diverse communities were genuinely empowered to shape the land around them? These were the questions we had in mind when we launched the Southwark Land Commission. Recognising that we didn't possess the answers ourselves, we convened an independent body comprised of experts, major landowners, and community stakeholders. Their task was to find ways to make more land available for the public good.

The following report represents the work of this Commission. I am grateful to the Commissioners and all others who contributed to it. It is ambitious and far-reaching, and its implementation will pose challenges. Nevertheless, it is a necessary and timely contribution to a much-needed conversation.

Cllr James McAsh
Vice-Chair



Summary

Land shapes every aspect of our society. Used well, it can benefit our community, future generations and the planet, providing immeasurable social benefits, from serving local priorities and needs to sustainable prosperity.



The reality is that not enough of our land is used for social purpose which benefits the local community. This creates a myriad of problems. There are not enough homes that people can afford, which can lead to gentrification that squeezes out local residents. Poor access to decent quality workspace and community spaces entrenches social injustices and inequalities. The loss of green spaces and biodiversity, the degradation of our air quality and the ceaseless carbon emissions all threaten our ability to live healthy and fulfilling lives on the planet we call home.

Despite land influencing everyone in such a range of ways, decisions concerning its use or allocation are often shrouded in secrecy, locking out the communities who are most affected. In recent years, institutions and landowners in Southwark, especially the council, have begun to recognise and address this. Nonetheless, there is much more to do.

To set a new standard in managing and safeguarding land, Southwark Council has convened the Southwark Land Commission - the first of its kind in London. It was convened by the council but is independent of it. Its members include experts, community representatives and major landowners and its mission is to find ways to “free up more land for public good.” Over the course of six months the Commission held workshops with community organisations, drew on good practice and debated how best to achieve our aims.

The Commission identified six key problems: insufficient focus on the social purpose of land, shortage of distinct types of accommodation, community disempowerment, racial injustice and wider inequalities, neglect of the natural world, and a restrictive financial and legislative framework. These are further explained in the following section.

To respond to these problems, the Commission has identified six principles which we believe should be adopted by all public sector and civic-minded landowners to guide how they use land:

- Social and environmental justice given primary consideration
- Public access to knowledge about land ownership, uses and beneficiaries
- Communities having greater local control, agency, and ownership
- Partnerships to acquire, pool and use land and property for the public good
- Joined up thinking about the impact of decisions
- Disrupting the status quo to address market and government failure

From these principles, the Commission identified seven recommendations. Under these sit 25 priority actions which make up the bulk of the report. An action plan is included at the end of the report which sets out high-level timeframes and responsibilities.

RECOMMENDATION 1:**Put social purpose at the heart of land use**

- Establish a Social Purpose of Land Framework, co-produced with Southwark's diverse communities, and applied to all land and property use decisions by participating landowners.
- Review the Southwark Plan to incorporate the Social Purpose of Land Framework, and the other recommendations that follow from it.

RECOMMENDATION 2:**Map what's there and what isn't**

- Develop and endorse 'Our land', an open access map of land use and ownership. Participating partners should allocate funding and resource to keep it up to date.
- Create an open source, accessible portal and database of rooms which can be accessed and booked by people and community groups across the borough.
- Assemble a deeper Land Use Evidence Base of unmet need for space across the borough, and integrate it into the Social Purpose Framework.

RECOMMENDATION 5:**Cherish our natural capital and decarbonise our land**

- Join up existing green spaces to create a network of Biodiversity Corridors.
- Offer opportunities to participate in the greening of our borough, through community gardening and re-wilding.
- Decarbonise existing buildings, avoid demolitions and insist on high standards for new buildings.
- Use roof space for biodiversity and the production of renewable energy.
- Redistribute street space away from private cars to uses with a positive impact on air quality and that respond to the climate emergency.

RECOMMENDATION 3: Take control of our land and assets

- Commit to no net loss of public and community owned land, and for all disposals to be considered through the Social Purpose Framework.
- Unlock at least 6 pilot sites across the borough by 2026 to test new models of community engagement and control, while demonstrating focused response to identified need.
- Produce a Community Asset Transfer policy, facilitating the community to take control of unused or underutilised sites through democratic and participative models of ownership and governance.
- Create and meaningfully resource an independent Community Empowerment Fund to support and empower our diverse communities to engage in this work, including the provision of training, engagement activities and compensation for time.
- Set up new Co-operatives, Community Land Trusts or Public-Common Partnerships to steward pilot sites and to support a bigger, broader, and more sustained drive for community land transfer.

RECOMMENDATION 6:**Give the community real power and voice**

- Bring together participating landowners into a Southwark Land Partnership, committed to freeing up land for the public good through the Social Purpose of Land Framework.
- Create a People's Land Assembly to oversee the shift in land use across the borough, set community priorities for land use and scrutinise the Southwark Land Partnership.
- Establish Local Land Forums for each neighbourhood or ward so that local people can shape land use in their area and allocate funding to improve it.
- Establish a Land Advisory Panel of experts and practitioners to advise and provide technical support to the People's Land Assembly.

RECOMMENDATION 4:**Defend and extend affordable accommodation for all**

- Ensure at least 50% of homes built on public or community land is social rent or London Living Rent.
- Ensure that all tenures and models of affordable housing are maintained as such in perpetuity as with Community Land Trusts.
- Hold developers to account for delivering on commitments for affordable provision through robust monitoring and clawback and overage policies.
- Establish affordable workspace hubs across the borough, geared to community need, and funded through private development contributions.
- Create Voluntary and Community Sector centres, providing space on low or peppercorn rents, guided by the Social Purpose Framework.

RECOMMENDATION 7:**Disrupt the status quo to unlock bigger changes**

- Landowners, institutions and community groups in Southwark and beyond should form a coalition to lobby and campaign for national and regional changes. This will include: new powers to compulsory purchase land significantly below market value; new local powers to introduce rent controls; an increased ten year housing and infrastructure funding settlement; the abolition of Right to Buy; land and property tax reform; reform of national planning policy and guidance to redefine affordability and set targets for affordable housing in new developments; limits on on-site viability assessments and a free and open access land registry.

Whilst it was beyond the scope of the Commission to consider the resourcing requirements or provide detailed plans for implementation of these recommendations, the Southwark Land Commission hopes these recommendations will contribute to a continuing conversation about land use. We request responses from major landowners regarding if and

how they will implement the recommendations. We welcome these from any landowner in the borough, but especially the four that directly participated in the Commission: Southwark Council, Transport for London, the National Health Service and the Church of England Diocese of Southwark.



Why Southwark needs a Land Commission

Land shapes everything we do. It is an enormous source of both wealth and power. Land represents **half of the UK's wealth**¹ and landowners have significant power to decide what can and cannot be done on it. As a result, land shapes every aspect of our society.



It is where we live and work, it provides the setting for our transport, local services and the context for our local economy. Despite its significance, all too often, land is reduced to nothing more than its commercial value, neglecting the enormous potential it has for public good.

Land used for social purpose benefits our community, future generations, and our planet.

In recent decades, land values across Southwark have risen more steeply than almost anywhere in the country. On the one hand, this uplift has provided significant economic benefits for landowners, including public bodies and those with a civic mission. This has generated revenue which supports the delivery of essential public services. Since 2010, urban development has contributed to 45% of Southwark Council's revenue, through developer contributions in the planning process, new council tax and business rates receipts raised on homes and businesses which would not have otherwise been there.

On the other hand, spiralling land values have created fundamental problems for the economy and for the way we live. Rising housing and property costs are leading to the **gentrification of many neighbourhoods**² across the capital, which are pushing out diverse and long-standing communities due to rising prices. In turn, these dynamics create shortages of space and affordability challenges in many parts of the economy. This impacts small and medium-sized businesses, essential community uses plus social and green infrastructures. The pressure to derive profit from land puts at risk uses which are often the most socially valuable, yet least commercially lucrative such as green or community spaces.

These challenges have affected everyone in Southwark, but they have not affected everyone equally. Communities that have historically suffered the greatest inequality continue to be the most disadvantaged. Inequitable distribution of land ownership perpetuates existing social injustices. Against this backdrop, local people can feel alienated and locked out of decisions, lacking the power and voice to shape the change around them.

Responding to this reality, Southwark Council is committed to prioritising the social purpose of land. In recent years, this commitment has seen the council invest significantly in council house building projects, with Southwark accounting for **almost a third of all of England's new council homes**³ started on site in 2022. However, there is much more that needs to be done. With this in mind, the Southwark Land Commission was convened: an independent body to take a fresh look at land in the borough and issue recommendations.

This report from the Commission calls on the council and other major landowners to free up more land for social purpose and for direct community benefit. The Commission's recommendations should inform policy decisions and guide land use in the borough to ensure that more of our land serves our diverse communities.



The key problems

Land is an increasingly precious commodity in Southwark. Following decades of intense, and largely private, development in the north of the borough, recent years have seen some socially motivated landowners attempt to shift this trajectory.

However, a series of challenges confront these efforts:

1. **Land use decisions seldom prioritise social purpose** – In a national planning system which privileges developer viability over plan compliance, all too often the outcomes that matter most to communities come second to profit. Starting with sites already under public control, we need to reset our approach to different land uses, elevating social purpose as the primary consideration.

2. **Shortage of accommodation for different uses** – Land in Southwark is in short supply, whilst demand across many sectors is high. Left entirely to the market, space will not be allocated effectively or in line with community needs. We need to defend and extend spaces for underserved uses such as community spaces, light industrial accommodation, and green spaces.

3. **The community often feels ‘locked out’ of key decisions about land use** – Decision-making processes concerning land and planning are too often technical and opaque. We need to commit resources to build greater community agency and capacity to understand and influence such decisions. Within this, particular attention should be paid to ensuring less heard voices are fully and fairly engaged.

4. **Racial injustices and wider inequalities are reproduced by unfair systems** – Communities who have historically benefited least from existing systems also face more of the negative impacts of gentrification, climate change and the cost-of-living crisis. We must ensure that land and planning contributes to reparative justice.

5. **The climate emergency is not given due weight** – Despite widespread recognition of the existential crisis we face as a planet, the climate emergency is still not properly incorporated into land and planning policy and decision-making. For instance, we are building new homes which will need to be retrofitted and continuing to pump carbon into the atmosphere. We need root and branch changes concerning the ways in which development is planned and implemented if this crisis is to be meaningfully tackled at a local level.

6. **A restrictive legislative and financial framework** – Whilst encouraging the council to deliver on its stated ambition to do more and to do better with land and assets already within its control, we recognise that barriers to achieving this aim also stem from national and regional policies. To tackle this, we need to lobby for positive change at all levels.



Land in public ownership

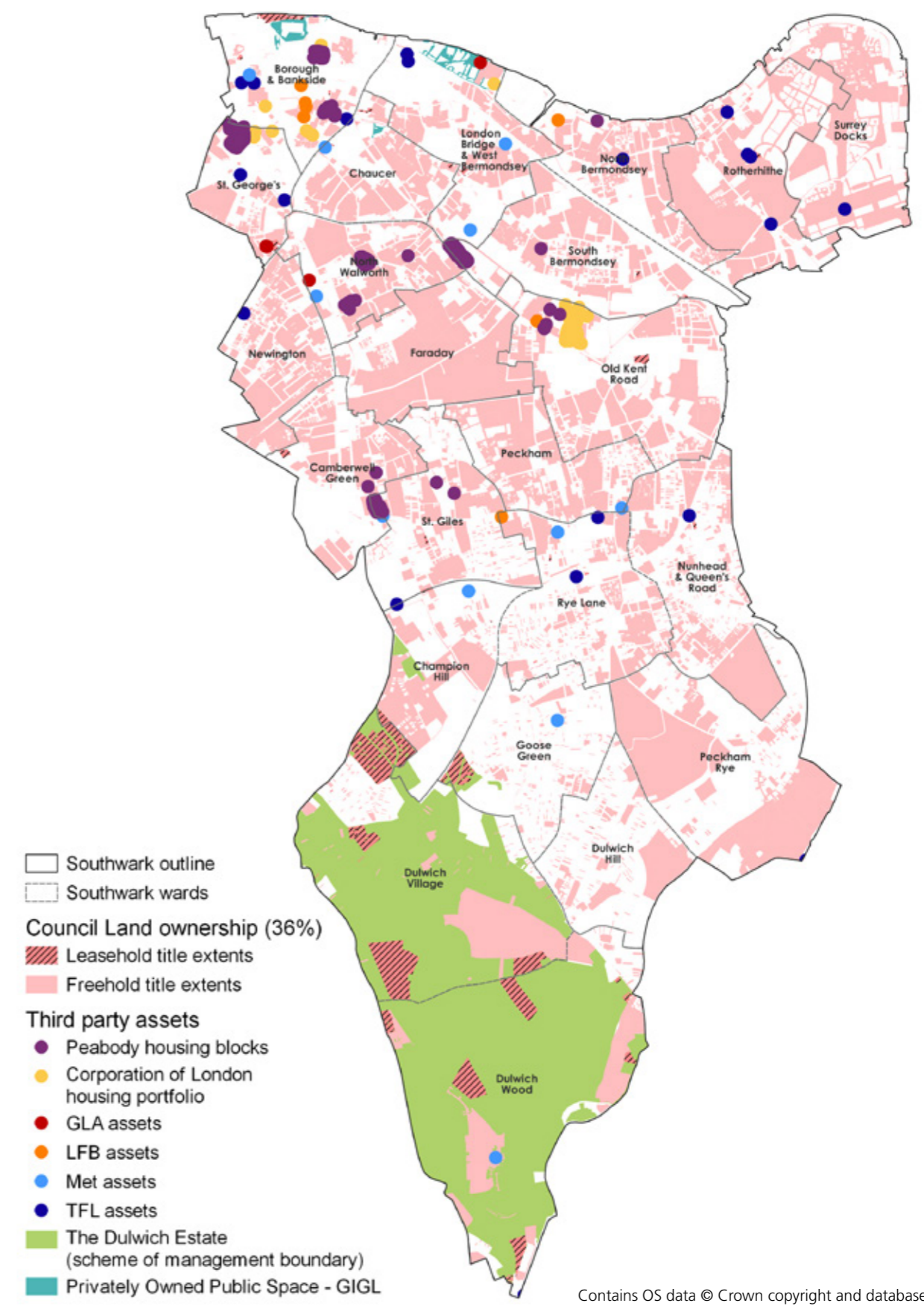
For our ambitions to be fully realised, we must consider land in all forms of ownership. Nonetheless, we recognise that public sector and socially-motivated landowners, such as faith-based institutions, are most likely to join this endeavour and to help demonstrate the benefits for everyone. We believe that the change we want to see will be led by these landowners working differently. The public sector and socially-motivated landowners, working with local people, are best placed to prove the case and provide the reassurance that others will need to follow.

The map below shows that a sizeable proportion of Southwark's land is in public hands, with approximately 36% under the council's direct control or ownership. Several other public bodies and institutions are also substantial landowners in the borough. These include the NHS; the London Mayoral family of Transport for London; the Greater London Authority; the London Fire Brigade; the Metropolitan Police and civically oriented institutions such as faith organisations and charities.

The Southwark Land Commission has started to map publicly owned land in Southwark. The map below gives an early indication of the scale and location of publicly owned land. However, the data available at this stage varies significantly in quality and detail. Therefore, a key priority for the Commission is to further develop a comprehensive map of land owned publicly or by socially motivated landlords. This should become a live and open-access tool for Southwark's community and stakeholders. Its creation is therefore a key component of The Southwark Land Commission's second recommendation, outlined below.



Land ownership map produced for the Land Commission by PRD



Contains OS data © Crown copyright and database right (2023) and GLA family data from GLA Publicly Owned Land Map



About the Southwark Land Commission

The Southwark Land Commission brought together a panel of experts, community groups and major landowners. We explored issues relating to land and made ambitious but practical recommendations about how more of the borough's land can be freed up for the public good.

We have recognised that the social purpose of land should be the key priority for the borough and that current plus historic inequalities and injustices will be reproduced unless direct action is taken to bring about positive and radical change

In September 2022, the council published its **'Fairer, Greener, Safer'**⁴ Delivery Plan, setting out its priorities and delivery commitments to the people of Southwark up to 2026. Within this plan the council has committed to:

'Deliver a Land Commission to identify how more land in Southwark can be freed up for public good.'

To enable this, Southwark Council convened the **Southwark Land Commission in February 2023**⁵. The Land Commission is an independent group, invited to provide and receive evidence, and make clear, action-based recommendations for how land should be valued and used in the borough.

This is the first Commission of its kind in London and one of the first in the country. Inspired by work undertaken at the metropolitan scale in Liverpool (see below) its mission was to think big, tackle the status quo and otherwise push the envelope on land, for the benefit of the borough's diverse communities and beyond. Although convened by the council, the Commission is independent of it.

The Southwark Land Commission intends for its recommendations to help set the course for substantial positive change in Southwark, not only for the council, but for all landowners and communities in the borough. Adopted and implemented, these recommendations could position Southwark at the forefront of a municipalist moment seeking to contest the commodification of urban land in cities across the globe.





Membership of the Southwark Land Commission

Representatives from across Southwark’s major landowners and civil society were joined by leading thinkers and experts to serve as members of the Southwark Land Commission. Careful consideration of diversity of voices and experiences was a key consideration. We recognised that too little power over our land and assets is held by communities and individuals who represent the rich diversity of Southwark’s communities.

Southwark Council invited members to bring their insight, expertise and experience to shape key recommendations for the future of land use for the borough.

The Southwark Land Commission was chaired by Dr Miatta Fahnbulleh, (Chief Executive of the New Economics Foundation), Cllr. James McAsh, (Cabinet Member for the Climate Emergency and Sustainable Development) served as Vice-Chair.



Miatta Fahnbulleh (Chair)
Chief Executive, New Economics Foundation

Cllr James McAsh (Vice Chair)
Cabinet Member for the Climate Emergency and Sustainable Development, Southwark Council

Shade Abdul Director, Deft. Space
Associate Lecturer, BA Architecture, Central Saint Martins

Anood al Samerai Chief Executive,
Community Southwark

Tim Borrie
Director of Estates, NHS South East London Integrated Care Board

Prof Mark Brearley Professor of Urbanism,
London Metropolitan University Proprietor, Kaymet

Chris Brown Executive Chair and Founder,
Igloo Regeneration

Peter Elliot, Head of Property Development,
Transport for London

Dr Anna Minton Reader,
Department of Architecture & Visual Arts, University of East London

Prof Dame Henrietta L. Moore Founder and Director, Institute for Global Prosperity
Chair in Culture Philosophy and Design at University College London (UCL)

Dolly Oladini Senior Manager,
Air Quality, C40 Cities

Akwesi Osei Transport Planner,
Possible

Janine Rowe
Southwark Planning Network

Jonathan Sedgwick
Archdeacon of Southwark, Diocese of Southwark

Cedric Whilby Trustee Board Member, Community Southwark
Executive Member, Southwark Chamber of Commerce.

While this report reflects the views of the Commission as a whole it should be not be assumed that all Commissioners agree with every word or recommendation.

Recognising what has gone before

Only a handful of Land Commissions have been convened to-date and Southwark's is the first in London. In considering its approach, Southwark Land Commission reviewed the work of the Liverpool Land Commission in 2021 as well as the ground-breaking Making the Most of England's Land report published by the Land Use in England Committee in December 2022.

Liverpool Land Commission

Steve Rotheram Launches England's First Land Commission Focused on Community Wealth Building | Liverpool City Region Combined Authority - News (liverpoolcityregion-ca.gov.uk)⁶

The Liverpool Land Commission (LLC) was England's first land commission and focused on community wealth building. It was launched in September 2020, by Metro Mayor Steve Rotheram and was facilitated by the Centre for Local Economic Strategies (CLES).

The Commission gathered 13 experts on democratic land reform. These ranged from activists involved in community land trusts, makerspaces, social enterprise incubation, academics, national planning policy reformers and international campaigners for the Commons. The final report of the LLC, '[Our Land](#)'⁷ was published by CLES on 6th July 2021.

The 13 key recommendations proposed by the LLC are:

- 1: Recognise and convey the true social purpose of land (contributing to the long-term vision that all land use is progressively directed towards achieving social well-being and environmental sustainability with genuine financial return for local communities)
- 2: A local duty to consider all land in Liverpool City Region (LCR) in terms of social justice
- 3: A permanent Land Commission for LCR
- 4: A citizen observatory and participatory research process (a citizen-led body for the continued assessment, monitoring and generation of ideas for innovative policies around land - and putting them into action)
- 5: A 'new commons' for LCR, to provide a framework to bring together the Combined Authority, local authorities and a wider range of community organisations and social businesses to substantially advance the socially productive use of land across the region
- 6: Progressive use of the planning system (more use of the planning system to allocate land for socially valuable uses, greater value from land value uplift reinvested for collective benefit, explore additional forms of land value capture)
- 7: A framework for the responsible stewardship of land
- 8: Green infrastructure (retaining greenbelt, exploring the creation of market garden cities, more funding for public parks)
- 9: Social value and measurement (need for a more sophisticated and systematic way of assessing the social value of different potential forms of land use)
- 10: Set up an open access online map of publicly owned land in LCR
- 11: Publish an annual report on land ownership and use in LCR
- 12: Lobby central government to open up the Land Registry
- 13: Lobby central government to task the Land Registry with establishing a register of options over land

House of Lords report into land use in England

England needs a Land Use Framework, says Lords Committee - Committees - UK Parliament⁸

The Land Use in England Committee was appointed by the House of Lords on the 19th of January 2022 and re-appointed on the 12th of May 2022 "to consider land use in England".

The committee recognised that outside of the planning system, land use needs are not framed within an overarching structure in England and a formal advisory or coordinating body outside of government departments is required to assess these needs.

The committee proposed the creation of a Land Use Commission, which will be tasked with enabling the development and promulgation of a land use framework to help landowners, managers, and other decision makers to make the most appropriate decisions for land. Other key recommendations included:

- Addressing uncertainty around the Environmental Land Management Scheme (ELMS) and the impact this is having on landowners, managers, and other decision makers, whilst highlighting the importance of Local Nature Recovery Strategies (LNRS) in ensuring that locally appropriate environmental initiatives are encouraged on the right land with input from their communities.
- Afforestation was named as a clear priority in future to meet climate goals, and the Government must also ensure that tree planting is happening on the right land with the right species and that it is in balance with other land use targets.
- Planning rules and accompanying guidance to stress the need for sufficient green infrastructure provision and protection in new development, for the improvement and enhancement of existing infrastructure, and for maximum beneficial use to be made of it, using a multifunctional framework where possible, and incorporating green belts.
- This framework would replace the current siloed approach to land use with a deliberative and cooperative process and make greater use of opportunities and synergies, and use a multifunctional approach driven by local circumstances and priorities.

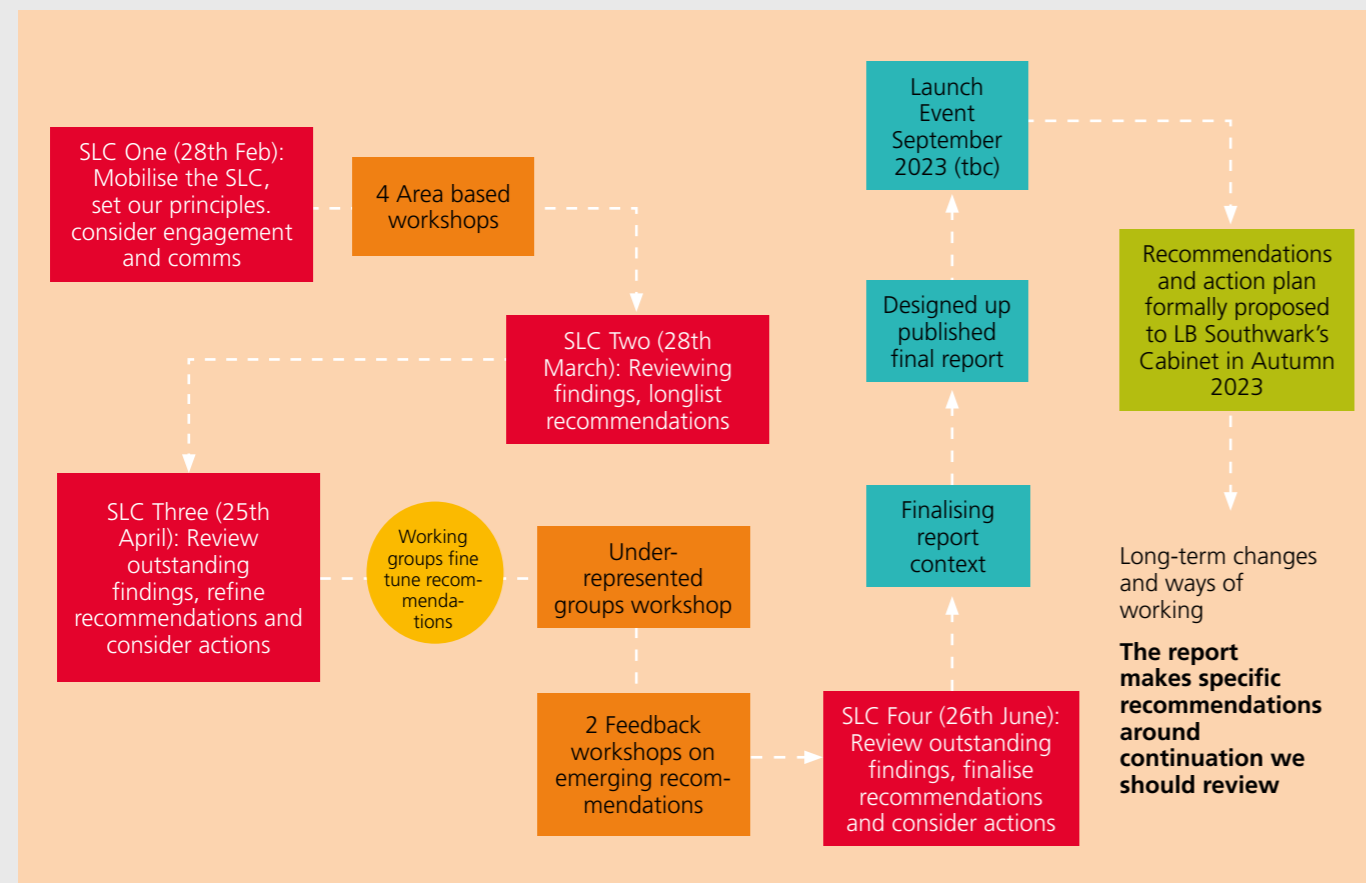
- More extensive consultation should be required around identifying opportunities for regular engagement and feedback, overseeing improvements to data collection and accessibility, and taking an open and transparent approach to information gathering and sharing.
- A Land Use Commission to be set up as an independent, statutory arms-length public body under the Cabinet Office, with commissioners representing all relevant Government departments and with a budget similar to that of the Scottish Land Commission or the Climate Change Committee.



Our process

The Land Commission met formally on four occasions. First to review challenges and existing evidence; second to reflect on the insights and views sourced from community groups and individuals reached via a parallel engagement programme; then to identify opportunities to act and to draft initial recommendations; and finally, to refine these proposals and prioritise action.

Figure 1: The Land Commission process and activities



Community engagement

As part of the process, the Commission assembled a significant body of evidence, ideas, and good practice. This included insights and guidance provided by many of Southwark’s voluntary and community groups, partners and key institutions about the issues, challenges and opportunities that matter to them. The Commission drew on the council’s broader conversations for **Southwark 2030**⁹ but also conducted its own specific engagement. This included:

- Seven engagement sessions with community groups: four area-based workshops with relevant community groups and representatives, a specific workshop for the borough’s most under-represented communities, and two sessions with previous attendees for reflection and feedback. 68 people attended one of the four area-based workshops. 13 people attended the follow-up workshops to feedback on emerging recommendations.
- To reach those from more under-represented groups, a specific workshop was held, and the Commission attended meetings of the Southwark Youth Parliament and the Southwark Black Parents Forum.
- One-to-one discussions with stakeholders (both internal within various council departments and external representatives including major landowners) within different relevant sectors.

Southwark 2030

Southwark 2030 is a project led by the council to bring major institutions together with the wider community to craft a shared vision for the borough. This will be shaped by those who live, work, study and visit Southwark and is underpinned by three elements:

1. **The borough’s strengths** – Southwark 2030 builds on what the borough has already achieved and its strengths, focusing on the future and how the borough can move forward
2. **A shared vision** – an understanding what people live, work, study and visit Southwark want Southwark to be like in 2030. This includes building on previous conversations to identify priorities for the future and enhancing trust between the population and the major institutions in the borough

3. **Shared endeavour** - bringing partners together to develop ambitions and actions that will deliver Southwark 2030 and in doing so, deepening relationships, and working collaboratively

Over the course of two months, eight in-depth conversation events were held with 262 people. 780 people participated in “listening events” hosted by stakeholders in the borough. These were mostly integrated into existing meetings. In total, 1200 people responded to the Southwark 2030 survey.

At the time of writing, the council is consulting on its 8 draft ambitions for the borough:

- 1: **Homes** - All residents in Southwark have a home they are proud of, that meets their needs and they can afford
- 2: **Neighbourhoods** - All residents will be proud of living in caring, connected and welcoming Southwark neighbourhoods
- 3: **Nature** - Southwark is a borough full of nature that residents can enjoy and be part of
- 4: **Climate** - Southwark will be an international leader in tackling the climate emergency
- 5: **Safety** - All people in Southwark feel and are safe on the streets, in their homes and at work
- 6: **Prosperity** - Southwark’s economy provides greener, fairer and good quality work, education and training opportunities for all
- 7: **Health & Wellbeing** - People across every part of Southwark’s community are living long, healthy lives with good mental health
- 8: **Culture** - Everyone in Southwark can enjoy our vibrant culture and arts scene that the borough has available

The Southwark Land Commission is the start of a journey of change, openness and collaboration. This report is not intended to solve all problems or answer all questions. Rather, it is a contribution to an ongoing conversation which must continue. The engagement summarised below is the foundation for this, and the Commission recognises the importance of a stronger local voice across its recommendations.



Illustrated notes from the Commission's community workshops



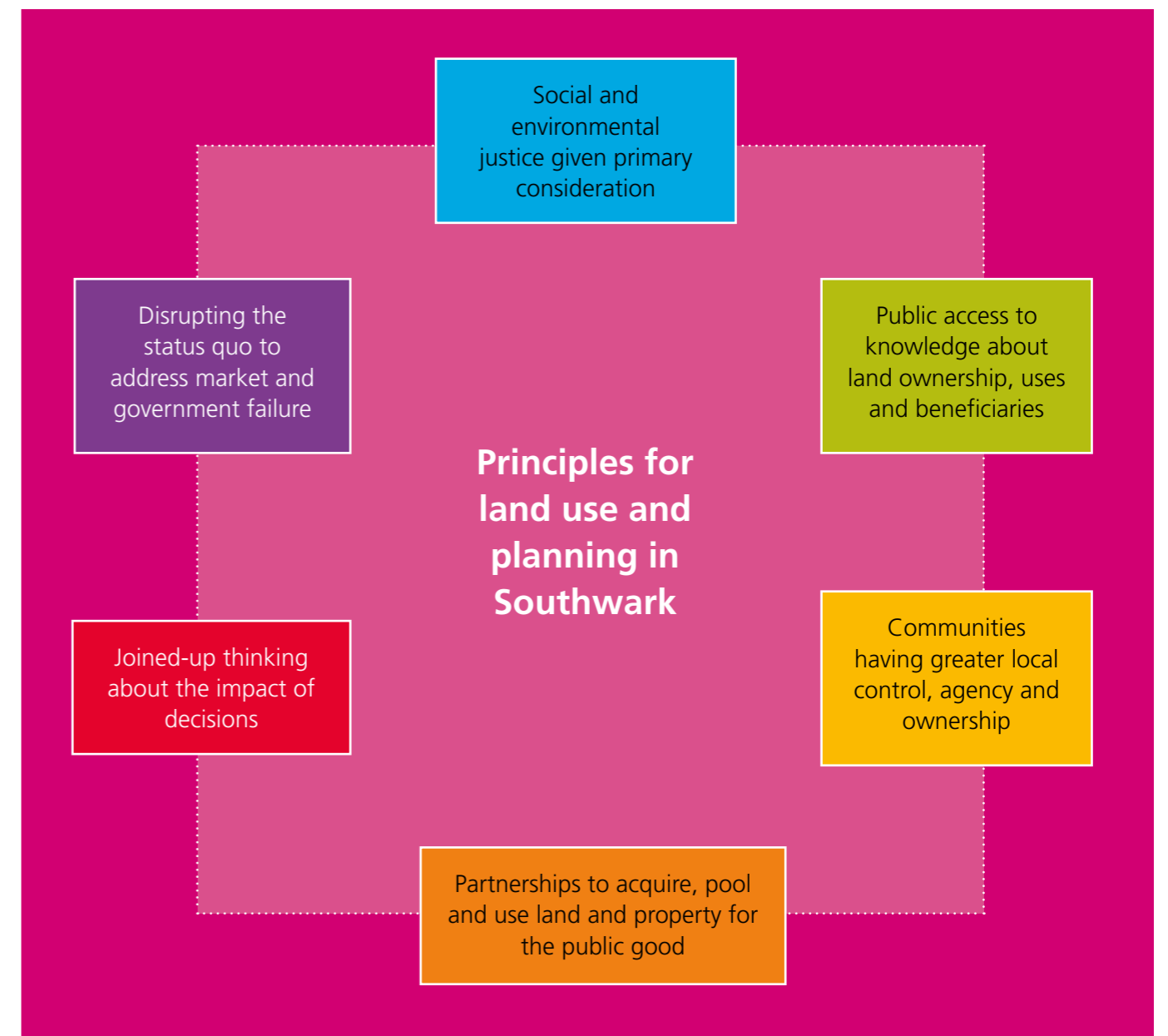
Our Guiding Principles

The Commission believes that maximising social purpose and securing long-term environmental sustainability should be the driving force behind all land use and management decisions in the borough. To achieve this, we need to think and act boldly and differently.

There needs to be greater equity and opportunity for the community in how we use land and property; we must recognise current and historic injustices and amplify less heard voices to provide genuine equity for the community.

To underpin this mission, the Commission has identified six principles for land use. These have not only shaped the priorities of the Commission but are the principles we believe all public sector and civic-minded landlords should use to guide how they use land.

Underpinned by these principles, the Commission has developed seven key recommendations, each with several proposed actions. No single organisation or institution can implement these recommendations alone. Landowners and stakeholders will have to work in partnership with each other and the community to make them a reality.



Underpinned by these principles, the Commission has developed seven key recommendations, each with several proposed actions. No single organisation or institution can implement these recommendations alone. Landowners and stakeholders will have to work in partnership with each other and the community to make them a reality.

Seven Recommendations

Southwark Land Commission makes seven recommendations to support our aim to “identify how more land in Southwark can be freed up for public good”.

- 1: Put social purpose at the heart of land use**
- 2: Map what’s there and what isn’t**
- 3: Take control of our land and assets**
- 4: Defend and extend affordable accommodation for all**
- 5: Cherish our natural capital and decarbonise our land**
- 6: Give the community real power and voice**
- 7: Disrupt the status quo to unlock bigger changes**

Each recommendation is accompanied by a series of priority actions, designed to turn the recommendations into reality. Some of these actions can be done immediately whereas others may take more time. A proposed action plan is set out in the following section.

Upon publication, the Commission requests responses from the Council and all other participating landowners, setting out how they intend to incorporate these recommendations into their work.



RECOMMENDATION 1: Put social purpose at the heart of land use

Land is worth more than just the income it generates. We must put its social purpose at the heart of all decisions.

The prevailing market-oriented approach to land treats it as a commodity to be bought and sold, with its value solely dependent on the commercial revenue it can produce. Land is so much more than this.

Almost all human activity takes place on land – from where we live, work and play, to the production of goods and services. The way we use land has an impact on those around us, across the planet, and for future generations. As a commission, we believe that assessing land by its market value alone does not give sufficient weight to these wider considerations and unduly prioritises the potential for immediate commercial income over longer-term contributions to the public good.

For many public and civic landowners, there can be a tension between generating income from land and the provision of social goods. Whilst commercial income from land transactions can fund the provision of important services (delivering social good in other ways), in many cases land could be used more directly for community and ecological benefit. For public landowners, prioritising commercial income might be the easiest option, but this does not necessarily mean it is the best.

To help evaluate these trade-offs, the Commission recommends the establishment of a **Social Purpose of Land Framework** (Priority Action 1) based on the needs and aspirations of Southwark’s diverse communities. This is central, will guide and underpin all subsequent recommendations proposed.

What is the Social Purpose of Land Framework?

The **Social Purpose of Land Framework** will score the creation of social goods and fairly balance this value against the generation of commercial income. The full list of social goods should be co-produced with Southwark’s diverse communities, using the structures set out in **Recommendation 6**, and be dynamic and responsive to local need and shortage of accommodation, drawing on the **Land Use Evidence Base** in **Recommendation 2**. As a starting point the Commission recommends that the framework prioritises the delivery of a wide range of social goods which are under-provided for by the market: environmental stewardship, community wealth building, democratic and cooperative ownership, and local decision-making.

Once co-produced with Southwark communities, this framework should initially be applied to decisions concerning Southwark Council’s land and property holdings, with other landowners in the borough strongly encouraged to adopt the framework and apply it to all land-related decisions.

Participating landowners will use the framework to decide between competing land uses. When assessing options, the creation of social goods will be scored and balanced against potential commercial income. The Commission recognises that landowners can use commercial income to fund the creation of social goods and the framework is not intended to prevent this. Rather, it is a way of understanding the social benefit of each option, whether delivered directly from land or indirectly from the revenue it accrues. The framework must be coherent and accessible so that organisations of all sizes can use it.

Why the Social Purpose of Land?

There are several existing measures of social goods, but none are adequate:

- “Social Value” has been around for more than a decade. It was introduced by the Public Services (Social Value) Act in 2012, with the aim of using public spending to create value for society, with a particular focus on helping commissioners get more value for money out of procurement. It requires all public bodies to consider how the services they commission might improve the economic, social and environmental wellbeing of an area. Whereas social purpose concerns the broader outcomes for the community, social value is more narrowly defined, adding a social dimension to more conventional “return on investment”.
- “Public good” and “public interest” are referred to in the 1947 Town and Country Planning Act, which is the foundation of the modern planning system. These were never clearly defined and have since been largely removed from planning legislation.
- “Public benefit” was also used in the 1947 Town and Country Planning Act. It was redefined to become essentially interchangeable with economic benefit in the 2004 Planning and Compulsory Purchase Act.

The “Social Purpose of Land” is purposefully designed to balance the provision of social goods with the benefits of commercial income and to be dynamic and responsive to community needs. It will evolve over time and be applied differently in varying contexts and communities.

Applying the framework

The **Social Purpose of Land Framework** will underpin the work of the Land Commission and should apply to all decisions about land, taken by participating landowners. When landowners are looking to build on land or change its use, it should guide the process of plan-making and development. For land transfers and lettings, the framework should be used to evaluate competing offers and establish pricing. It should also be used to manage competing demands for public space and community amenities.

Without a change in legislation, the framework cannot be a “material consideration” in deciding whether to grant planning permission for land currently held privately. However, such applicants can be requested to produce an analysis of their application within the framework as part of the planning process. Moreover, the framework can already be used to guide decisions concerning existing public land and property holdings as well as the formation of key planning documents which are considered “material considerations”. Southwark Council is due to launch an “early review” of its local plan, with a focus on the climate emergency and its town centres. The Commission recommends that the **scope of this review be expanded** to consider how the **Social Purpose of Land Framework should be embedded into the Southwark Plan**. (Priority Action 2).

Our priority actions

- Establish a **Social Purpose of Land Framework**, co-produced with Southwark’s diverse communities, and applied to all land and property use decisions by participating landowners (Priority Action 1).
- **Review the Southwark Plan** to incorporate the **Social Purpose of Land Framework**, and the other recommendations that follow from it (Priority Action 2).



RECOMMENDATION 2: Map what's there and what isn't

Land ownership records in England are too often secretive and opaque. Even information about how land is used is often inaccurate or inaccessible.

Without this information, socially-motivated landowners cannot properly collaborate and communities have little hope of influencing the land and planning decisions which affect their neighbourhoods. The Commission believes that the people of Southwark deserve to know who owns our land, how it is being used and what plans already exist for its future.

Mapping our land

The Commission has started to bring together and map land ownership in the borough. Unfortunately, the information available is sparse. The Land Registry is the national body who report to the Department of Levelling Up Housing and Communities (DLUHC) which compiles land ownership across the country. However, it only has access to title deeds for 83% of the land in England and Wales and access to this information comes at a cost of £3 per deed.

There are various tools which map publicly owned land, including existing platforms hosted by both Southwark Council and the Greater London Authority (GLA). However, these are not properly integrated with one another and do not include land owned by civic organisations which are outside the public sector. These tools should be augmented or replaced by a comprehensive open access map (“**Our Land**”) which includes land owned by all participating owners and which clearly sets out how the land is currently used, identifies and plans for its future development (Priority Action 3).

The GLA's Map of Publicly Owned Land

This **open-access map of publicly owned land**¹⁰ offers useful insight into the public land ownership, including that of GLA institutions and local authorities. However, it has several limitations.

- The map identifies freeholds but not leaseholds.
- It offers no information on whether sites are available or suitable for redevelopment.
- It does not include land owned by major non-public landowners which are important to our ambitions in Southwark, such as faith groups or the Dulwich Estate.

On a smaller scale, this lack of information limits the ability of people and community groups to carry out tasks as simple as booking a room. The Commission has heard from landowners and private sector developers whose buildings include space allocated for community use, but who cannot find users to fill them. At the same time, voluntary sector groups tell us that they cannot find rooms available for them to use at prices they can afford. In addition to the creation of a map of land ownership and land use, there should also be a **database of inclusive spaces** that community groups can book (Priority Action 4).

Identifying shortage and unmet need

It is not enough to document how land is used and what space is available. It is also important to understand which needs are currently unmet or underprovided for and the types of space subject to shortages. A **Land Use Evidence Base** should be co-produced with the community, identifying what is needed across Southwark's diverse neighbourhoods and reflecting social, economic and environmental considerations (Priority Action 5). This should be designed to inform the Social Purpose Framework, with the framework prioritising land uses which meet unmet need over those which do not.

Through the **Social Purpose Framework**, the **Land Use Evidence Base** will influence all major decisions taken on land use and planning. During the plan-making process, sites should be allocated to address shortage of specific types of accommodation identified in the Evidence Base. Development briefs and planning applications should reference how they will cater to unmet need. Through its integration with the Social Purpose Framework, the council and other landowners will better understand how to use their property for the good of Southwark's diverse communities, through commercial lettings and the re-purposing assets and spaces.

Our priority actions

- Develop and endorse ‘**Our land**’, an **open access map of land use and ownership**. Participating partners should allocate funding and resource to keep it up to date (Priority Action 3).
- Create an open source, accessible portal and **database of rooms which can be accessed and booked** by people and community groups across the borough (Priority Action 4).
- Assemble a deeper **Land Use Evidence Base** of unmet need for space across the borough, and integrate it into the Social Purpose Framework (Priority Action 5)



RECOMMENDATION 3: Take control of our land and assets

Land is a precious urban resource. Yet too little is in public hands or otherwise influenced by what local communities want or need. In recent decades, public bodies across London have disposed of swathes of public land.

More recently, there are welcome indications that this is beginning to change and in the last ten years Southwark Council has become a major purchaser of land in the borough. Despite this shift, communities today still suffer the consequences of this legacy, lacking sufficient access to open spaces, community facilities and paying too much for housing in poorly regulated private rental markets. The Southwark Land Commission believes that more land should be brought under public and community ownership or stewardship and that public sector landowners should commit to no net loss of public or community land (Priority Action 6). When land is considered for disposal the **Social Purpose Framework** should shape the decision-making process.

Community Right to Buy, Scotland

Community Right to Buy allows communities throughout Scotland to apply to register an interest in land and gives the opportunity to buy that land when it comes up for sale. This mainly applies to privately-owned land or buildings.

Community bodies can register an interest in any land, such as churches, pubs, estates, empty shops, woodland, fields and more. They can also register an interest in rights such as salmon fishing rights and certain mineral rights.

A registered interest in land lasts for five years from the date of approval and can be re-registered on an ongoing basis at five-year intervals.

Communities in Scotland have, since 2018, also had a right to compulsorily purchase abandoned, neglected or detrimental land.

However, public ownership is not enough to guarantee genuine public benefit and there are countless examples of public sector landowners behaving no differently from profit-maximising corporations. More publicly owned land should be shaped by the Southwark's communities or should come under community control, empowering them to take long-term stewardship, or exercise real influence over how land is used. A new approach should be developed to empower Southwark's community to shape, steward and control land and assets in the borough. This should start by **piloting a range of projects** on land or assets in public ownership, or sites owned and put forward by socially oriented landlords (Priority Action 7).

These pilots will employ a range of governance and ownership models. For example community land trusts, worker co-operatives, housing co-operatives and community energy companies. Sites should be chosen and developed with the community to determine priorities and uses. A range of different pilots can be explored to showcase and test different opportunities to act. These can include public realm and open space, sites for development or reusing assets in different and better ways. A range of themes might be explored, such as health and wellbeing, housing, space for the local economy or voluntary and community sector services. The council should produce a **Community Asset Transfer** policy to facilitate these in the future (Priority Action 8)

There are risks with these approaches and these need to be addressed from the outset. The first is that they can exclude those without the time or resources to participate, and thereby reproduce the inequalities which they are designed to tackle. To mitigate this risk, a **Community Empowerment Fund** should be created to support and empower our diverse communities to engage in this work, including training, activities and compensation

for time. (Priority Action 9). The fund should also resource a panel of practitioners to provide the non-financial support necessary to enable local organisations to engage and intervene more directly. This should include provision around the practical aspects of managing land and buildings, as well as provision of support for design and engagement.

Bologna Civic Imagination Office

The City of Bologna has a strong record of creating processes which support devolution of decision making and civic engagement. For instance, they set up a Civic Imagination Office which engages citizens in the challenges the city face, whilst supporting them to build their capacity to act.



Image sourced from <https://www.robhoptkins.net/2019/03/04/michele-dalena-on-bologna-the-city-with-a-civic-imagination-office/>
Courtesy of Comune di Bologna Rete Civica Iperbole.



RECOMMENDATION 3: Take control of our land and assets

The second is that these processes can become insular and prioritise the needs of those involved over the voices of the rest of the community, creating a small haven in an unjust world but not the means to tackle wider structural inequalities. To avoid this, the Commission recommends that these pilots be considered within the wider drive for community empowerment through Southwark 2030. Co-operatives, Community Land Trusts or Public-Common Partnerships (Priority Action 10, detailed below) should also be created to both steward the delivery of the pilot sites and to expand and mainstream this approach to devolving more power over land and assets to the community.

What is a Public-Common Partnership (PCP)?

Public-Common Partnerships: Building New Circuits of Collective Ownership

¹¹Public-Common Partnerships (PCPs) are an approach to ‘commoning’ – establishing the common ownership and governance of assets and resources.

PCPs involve co-ownership between public sector bodies (e.g. local council) and a Commoners Association. They help to de-risk and enable the processes of commoning, and create a self-expanding circuit of democratic governance over shared assets.

A PCP is a joint enterprise that incorporates ‘common associations’, public bodies, and wider stakeholders in the ownership and governance of assets, ranging from coastal aquaculture and country farms to urban high streets.

Through creating different opportunities for democratic engagement, and through bringing profits under popular democratic control, PCPs are a vehicle for the democratisation of the economy.

Our priority actions

- Commit to **no net loss of public and community owned land**, and for all disposals to be considered through the Social Purpose Framework (Priority Action 6)
- Unlock at **least 6 pilot sites across the borough by 2026** to test new models of community engagement and control, while demonstrating focused response to identified need (Priority Action 7).
- Produce a **Community Asset Transfer policy**, facilitating the community to take control of unused or underutilised sites through democratic and participative models of ownership and governance (Priority Action 8).
- Create and meaningfully resource an independent **Community Empowerment Fund** to support and empower our diverse communities to engage in this work, including the provision of training, activities and compensation for time. (Priority Action 9).
- Set up new Co-operatives, Community Land Trusts or **Public-Common Partnerships** to steward pilot sites and to support a bigger, broader, and more sustained drive for community land transfer (Priority Action 10).

POTENTIAL PILOT SITES

Over the course of the Commission’s work, participating landowners suggested several sites which could potentially host such pilots. At the time of writing, these discussions are at a very early stage so there is no guarantee that they will be used for this function. Nonetheless, they are included here to provide a flavour for what might be possible.

Site 1: Bowley Close, SE19 1SZ

Description: The site comprises four flats, four bungalows, a two-storey house and a large retaining wall along Crystal Palace Parade. The building immediately to the south is the NHS’s Bowley Close specialist rehabilitation centre. The premises is used by Children’s and Adults’ Services to provide a range of residential support and care accommodation.

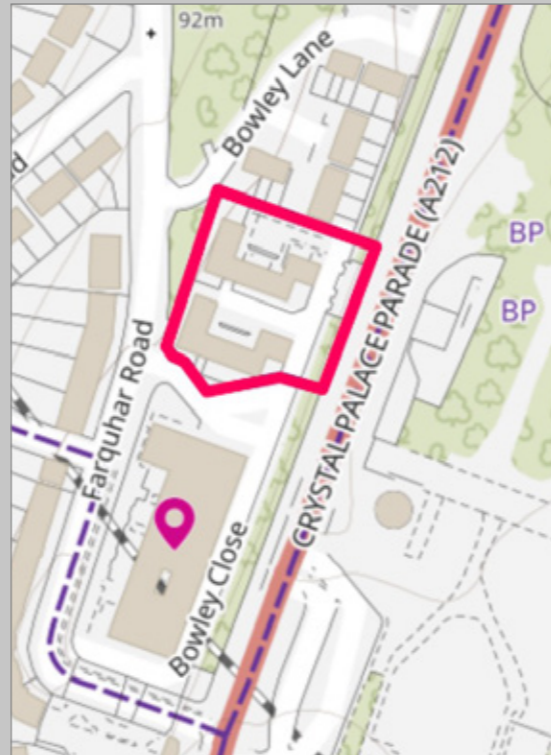
Location: Situated close to Crystal Palace Station and the A212. There may be wider strategic potential as a result of its location at the southern tip of the borough. Several local authorities share boundaries in the immediate vicinity; Southwark, Lambeth, Lewisham, Sutton, Bromley and Croydon, with Merton nearby.

History: In 2012 nine residential properties at 15 Bowley Close London SE19 were transferred from the NHS to Southwark Council to be used for individuals with mental illness/learning disabilities. One of the units is currently vacant and available for occupation. A second vacant unit is in poor condition and will need investment to bring it back into use.

Size: 0.416 hectares

Title: The council owns the freehold. However there are extensive restrictions on its use, alteration and development in favour of NHS England, as a condition of the grant.

Current planning position: Residential (and by virtue of the title restrictions) to accommodate individuals with learning disabilities and autism.



Site 2: Land at Latona Road

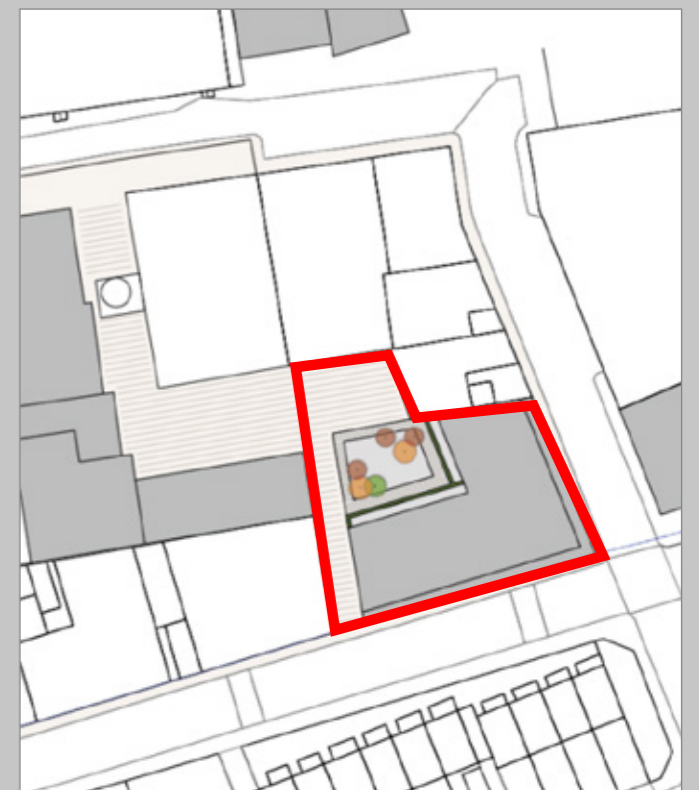
Description: Open yard currently accommodating the council’s grit store.

Location: In the vicinity of Old Kent Road.

Size: 1,300sqm

Title: Southwark Council freehold.

Current planning policy: Allocated for mixed use development comprising new homes above light industrial space. To the rear, the site would open into a new yard area which is partially delivered by developments under construction on the adjacent sites. The Latona Road site would provide vehicular access into the yard enabling off-street servicing.



Site 3: Land between Sandgate Street and Verney Road

Description: Warehouse buildings with yard space. Vehicular access from Sandgate Street to the south and Verney Road to the north. There is an office block on the west side of the site (site A) comprising of small offices and studios for Small and Medium Enterprises (SMEs).

Location: In the vicinity of Old Kent Road.

History: Southwark Council acquired sites A, B and C in 2018 as a long term strategic investment with the potential to provide new homes, a secondary school and business space. In the meantime, the leases generate an income for the council. However, in the last couple of years school rolls have dipped significantly and it is unlikely that a secondary school will be required, creating other opportunities for the site. The sites immediately to the west and north-west have been acquired for industrial redevelopment. Site D was acquired by Karma Kitchens as commercial kitchen space, predominantly serving restaurants and markets.

Size: 1.7ha

Title:

Site A - Lease expires 2027. Operated as managed workspace providing small offices and studios for SMEs.

Site B - Lease expires 2027.

Site C: - Available to let. Unit 3, 14-16 Verney Road, London, SE16 3DZ - Southwark Council.

Site D: - Not owned by Southwark Council.

Site E: Southwark Freehold. Headlease held by Nuffield College. Occupied by Southwark Council Waste and Cleaning Services.

Current planning policy: Allocated for mixed use development comprising of new homes, business space and a new secondary school. The site would also provide some open space and a new street through the centre of the site linking Verney Road with St James's Road with new pedestrian and cycle access between Verney Road and Sandgate Street. Any new homes on the site would be contingent on an upgrade in public transport accessibility.



14-16 Verney Road (Sites 2 and 3 on the plan above)



Sandgate Industrial Estate (Site 5)



53 Sandgate Street (Site 1)



POTENTIAL PILOT SITES

Site 4: 133-137 Queens Road, SE15

Description: A cleared site near Queens Road train station.

Location: Fronts Queens Road, Peckham. It is close to Peckham train station and across the road from the cluster of Southwark Council's offices.

History: Originally the site of a day centre, the old buildings were demolished to make way for new modular offices near the council's existing Queens Road hub. Plans were paused in the early part of the Covid-19 pandemic and the need for the accommodation has since receded. The site now stands vacant.

Size: Approximately 0.32 hectares.

Title: The council owns the freehold.

Current planning position: The site could lend itself to a range of uses including residential, offices, workspace or community use. Alternatively it could be sold to generate capital to fund other priorities .



Site 5: St Anne's Church, Thorburn Square, SE1 5QH

Description: St Anne's Church is a 19th century Anglican building which is much loved locally but in a poor state of repair. It has an adjoining hall to which toilet and kitchen facilities have been added. The hall is widely used for parties and community events but is badly in need of renovation.

Location: Thorburn Square, Bermondsey.

Title: The freehold is held by the Incumbent of the Ecclesiastical Benefice of Bermondsey St James and St Anne in the Diocese of Southwark and his Successors.

History: The Church had been exploring whether building private flats within the footprint using a commercial partner might unlock the funds needed for restoration however this has recently fallen through.

Current proposals: The Church is now exploring whether the site could be a pilot for the Land Commission. The hope is that by involving the wider community and local residents alongside the church it might be possible to identify a solution which could provide a sustainable future for the church, as well as delivering a community space or perhaps social housing.





RECOMMENDATION 4: Defend and extend affordable accommodation for all

Soaring land values are pricing people out of London and contributing to the growing cost of living crisis. Increasingly in short supply, more genuinely affordable space is desperately needed for a wide range of uses, from housing to workspaces, community use to open spaces.

History has shown that the market cannot be relied upon to sufficiently accommodate the full range of activities and uses needed in a diverse and thriving city, nor to sustain them.

It is important therefore, to use all levers available to curtail the influence of market forces on the allocation and pricing of land. Elsewhere in the world, municipal authorities use **rent controls** (see **Recommendation 7**) to guarantee affordable space, particularly housing, but neither local authorities in England nor the Mayor of London have this power. The council can however use its planning powers to reduce land values and the cost of space to below that which would be maintained by the market. For instance, through the requirement of affordable housing in new developments. Moreover, all landowners can choose to lease or sell their land or space at below-market rates if there is social benefit to doing so.

The Commission recognises the vital need to deliver more genuinely affordable space for Southwark’s residents, businesses, and voluntary and community organisations.

Southwark’s approach to unlocking genuine affordability for its diverse communities must be guided by the **Social Purpose Framework**. It is critical to ensure that the right provision is available in the right areas and that each neighbourhood benefits from sufficient, good quality, affordable spaces and assets that respond to local needs. The **Land Use Evidence Base** will be crucial in assessing this.

Requirements for affordability should be considered alongside these tools, so that genuinely affordable space is allocated to the uses which will most benefit Southwark’s diverse communities. Moreover, during the plan-making process, it must take a dynamic approach to the urban environment, considering not just the affordable space provided in a given development but the potential inflationary pressure the “non-affordable” space could have on land in the surrounding area. These tools will ensure that discounts to market terms are direct, measurable investments in delivering social good and meeting unmet community needs. Affordability should be measured from the “bottom up”, starting with the needs of the end-users.

Defining affordability from the ‘bottom up’

Historically, many planning, policy and strategy drivers of affordable provision have been ‘top-down’, whereby a discount to market rent is applied.

Whilst this approach is easy to apply and replicate, it does not consider genuine affordability for the end user. Buoyant or inflated market conditions can also mean that top-down discounts quickly lead to inaccessible pricing for many, especially parts of the community facing the greatest economic disadvantage. Meanwhile, when the market slumps, developers consider these discounts as reasons to not build at all.

A ‘bottom-up’ approach to setting affordability can be harder to define and more challenging to deliver viably, but this is the only approach able to identify and support genuine affordability.

Clear checks and balances are required to make this work well, including making a clear case for the measurable social and economic benefits that will be delivered in lieu of a market level return and establishing operational models that are viable within the constraints that the discount presents to income. It may be that grant funding will need to respond to different market circumstances. The Social Purpose Framework will be essential in establishing this.

While recognising the diverse uses to which genuinely affordable space can be assigned, it is worth emphasising the inherent value of affordable housing, workspace, and voluntary and community sector space share.

- Access to affordable housing is a fundamental wellbeing issue that affects residents’ mental and physical health, children’s educational outcomes and the protection and strengthening of family and community ties.
- Access to affordable enterprise space on secure tenancies can create the space for innovation and new ideas for the economy, and the provision of sustained good quality secure jobs.
- Access to voluntary and community sector space which is affordable in perpetuity will better enable Southwark’s voluntary sector to make plans for the long term.



RECOMMENDATION 4:

Defend and extend affordable accommodation for all

Genuinely affordable homes

In Southwark, planning policy requires that 35% of all new housing be “affordable”. At least 25% must be “social rent”, allocated to those on the housing waiting list and at rents determined by the **Rent Standard Guidance**¹², which is generally less than half of those of the market. The remaining 10% can be “intermediate housing”. This can include various forms of discounted market rent, subsidised or shared home ownership schemes. The Southwark Land Commission sees council housing as the gold standard and believes its delivery must be maximised. When homes are built on public or community land, at least 50% should be at social rent or London Living Rent (Priority Action 11).

Land is timeless, so “affordable” housing needs to be affordable in perpetuity – or forever in other words. Although Southwark’s intermediate policy is stricter than those of many local authorities, it does not guarantee affordability in perpetuity. For instance, once “shared ownership” buyers increase their share of a given home to 100%, the property is no longer restricted to these groups and can instead be sold on the open market. The Commission recommends that the council uses all of its available planning levers to prioritise models which are easier to maintain as affordable in perpetuity, such as Community Land Trusts (Priority Action 12). Moreover, private developers must be held accountable for their obligations under planning policy; the council must monitor them rigorously to ensure they deliver every affordable home promised in their planning application and use clawback and overage policies to drive compliance (Priority Action 13) as well as push for national policy changes to Section 106 (see **Recommendation 7**).

Vienna’s Actions for Affordable Housing

Vienna’s social housing system is one of the best in the world. It is an effective and innovative model for providing superior, affordable housing to the city’s residents.

More than 60% of the city’s 1.8 million inhabitants live in subsidised housing and nearly half of the housing market is made up of city-owned flats or cooperative apartments.

New homes are built in line with the values which characterise all their municipal housing or ‘Gemeindebauten’: appealing aesthetics, high quality materials and social diversity.

The objectives of their active land policy are: promote/defend an inclusive housing policy, strengthen the non-profit sector, work on a prospective land policy, ensure sustainable funding and foster innovation and quality.



Image Source: Reumann-Hof social housing in Vienna – Payton Chung via Flickr (CC BY 2.0)

Genuinely affordable workspace

Southwark’s planning policy requires 10% of new workspaces be “affordable” (defined as 25% less than market rent) However, in many parts of the borough a 25% discount still leaves the cost of space out of reach of those who need it most. Moreover, the type of space provided is often left at the discretion of the private developer, meaning that shortages of specific types of accommodation in specific areas are not adequately addressed.

A better approach would be to take contributions in lieu of direct affordable provision within new developments, pool them and use them to construct affordable workspace hubs across the borough (Priority Action 14). These would offer genuinely affordable rents, shaped by the **Social Purpose of Land Framework**, funded by payments secured from private developers through Section 106 contributions. The types of accommodation offered in such centres should be guided by an understanding of what is in short supply and what communities need, as outlined in **Recommendation 2**.

Redefining Affordable Workspace: International House Brixton

Affordable workspace hubs, should be about more than just providing subsidised spaces in which people can work.

Lambeth Council has evolved this approach at its former offices, International House in Brixton. Providing a lease to a charity (3Space) with a focus on social impact has allowed the council to support a new type of space which drives deeper social and community benefit alongside more traditional benefits of employment and enterprise.

The space provides workspace at various rates of subsidy (from market rate to free) and it also provides non-financial support to tenants to support collaboration.

Alongside a managed workspace, the building offers spaces for the community, a place of respite for local carers and has an events and lettable gallery space. Around 70 organisations share the space, each with social impact conditions within their leases.



Image Source: Space for Public Good, A New Economic Model for UK Town Centres. Published by 3Space (June 2023)



RECOMMENDATION 4:

Defend and extend affordable accommodation for all

Genuinely affordable community space

Southwark has a thriving community and voluntary sector. However, research by [Community Southwark](#)¹³ has identified that the lack of affordable, suitable, and high-quality premises places this crucial infrastructure at risk. Few organisations and groups currently own their own space and many voluntary groups cannot afford market rents. There is also a lack of transparency regarding both the availability and allocation of community spaces controlled by public bodies. The Commission recommends the creation of **voluntary and community sector centres** which provide space on low or peppercorn rents, allocated transparently through the **Social Purpose Framework**, and responsive to the needs of local neighbourhoods (Priority Action 15). Information and advice about existing community space should also be compiled and made freely accessible, as outlined in **Recommendation 2**.

Our priority actions

- **Ensure at least 50% of homes built on public or community land** is social rent or London Living Rent (Priority Action 11).
- Ensure that all tenures and models of **affordable housing are maintained as such in perpetuity** as with Community Land Trusts (Priority Action 12).
- **Hold developers to account** for delivering on commitments for affordable provision through robust monitoring and clawback and overage policies (Priority Action 13).
- Establish **affordable workspace hubs** across the borough, geared to community need, and funded through private development contributions. (Priority Action 14).
- Create **Voluntary and Community Sector centres**, providing space on low or peppercorn rents, guided by the Social Purpose Framework (Priority Action 15).

RECOMMENDATION 5:

Cherish our natural capital and decarbonise our land

Learning to live within our planetary boundaries may be the greatest challenge of our era. To do so, we must change our approach to land. The natural environment can regulate temperatures, mitigate flood risk, clean our air, provide thriving ecosystems and contribute to sustainable, local food production. However, instead of enabling this, the planning, development and management of land too often obstructs such objectives. This needs to change.

The Commission has heard the enthusiasm to centre the climate crisis in all decisions taken on land in Southwark. We believe that the borough can be a leader in valuing our climate and natural capital, tackling health inequalities, and decarbonising buildings and transport. Our natural environment, air quality and biodiversity have a fundamental impact upon the short, medium and long term wellbeing of everyone in Southwark and beyond.

One of the most inclusive and democratic ways in which Southwark can enable a just and more equitable environmental and ecological transition is to change its approach to land. At a time of an intense cost-of-living crisis, there is a clear need and opportunity for environmentally focussed land use and management decisions to help meet social and ecological objectives. For example, local growing projects such as the **Walworth Neighbourhood Food Model**¹⁴ should be resourced and replicated to enhance food security for Southwark's diverse communities.

In developing actions in this area, we note the complexities involved in recognising ecological value as equivalent to financial value, and that such a move would represent a fundamental change to the way land is approached. Nonetheless, the Commission feels that this is vital. The review of the Southwark Plan provides an opportunity to get this right by embedding the **Social Purpose Framework** within planning policy.

“Städte wagen Wildnis”

(“Cities Venturing into Wilderness”)

This is a concerted effort by three German cities – Hannover, Frankfurt am Main, and Dessau-Roßlau – to provide urban green spaces which allow natural succession processes. Not only does this encourage greater diversity of both species and habitat, but it also improves the quality of life for the inhabitants of these cities.

Through a more balanced view of the environmental value of land, we can elevate uses which benefit from the ecological generosity of our existing parks and green spaces, as well as prioritising natural capital and climate change mitigation and adaptation in new locations. Relatively small interventions could connect and enhance existing green spaces to create a network of **Biodiversity Corridors creating** an ecological sum which is much greater than its parts (Priority Action 16).

B-Lines

B-Lines are a solution to the problem of the loss of flowers and pollinators. They are a series of ‘insect pathways’ running through our countryside and towns, along which a series of wildflower-rich habitat stepping stones are being created and restored. They link existing wildlife areas together, creating a network, like a railway, that will weave across the UK landscape. This will provide large areas of brand new habitat benefiting bees and butterflies– but also a host of other wildlife.

The **Buglife website**¹⁵ lists B-Lines that have been cultivated in the UK.

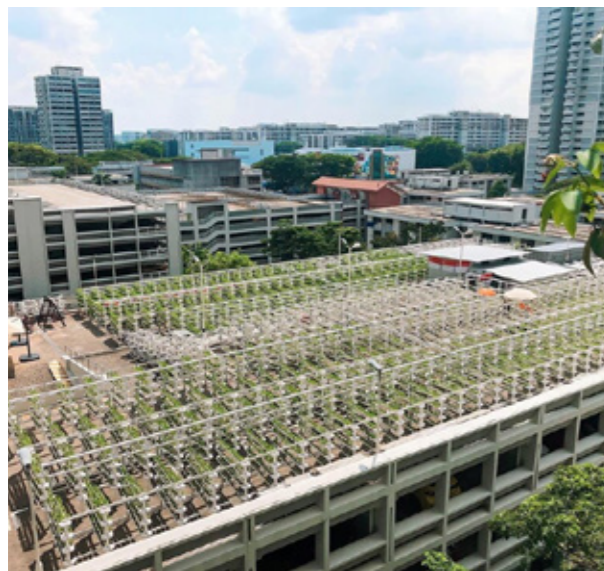
RECOMMENDATION 5: Cherish our natural capital and decarbonise our land

These changes should not be delivered from above, but by and with local people who want to shape and steward a greener future for all. Neighbourhoods should be empowered to protect green spaces (see **Recommendation 6**) and communities should be given opportunities to participate in **community gardening, friends of parks organisations and re-wilding** (Priority Action 17).

Urban rooftop farming

Singapore

Singapore Food Agency (SFA) is planning to transform the rooftops of nine multi-storey car parks into urban farms. The sites, managed by the Housing and Development Board (HDB), will be made available for urban farmers to rent the space, and grow crops.



Citiponics Car Park Roof-Top Farm (Image: Citiponics) sourced from <http://www.sedley-place.com/news/2020/11/27/reframing-the-narrative-in-our-towns-and-cities>

Brooklyn

Brooklyn Grange is a rooftop farming and intensive green roofing business in the US, operating the world's largest rooftop soil farms, located in New York City. The project promotes sustainable urban living by building green spaces, hosting educational programming and events, and widening access to locally grown produce in New York City communities. They sell their produce at farmers markets and send over 30% of the harvest to community members with limited access to wealth, at no cost.



Image Source: Brooklyn Grange Farm, sourced from <https://www.brooklyngrangefarm.com/about>

As well as protecting and enabling the natural world, we must address the problems caused by our built environment. We need to **more rapidly and ambitiously decarbonise and retrofit** our existing buildings, which contribute to 70% of the borough's carbon emissions. This should include a **programme of insulation of fuel-poor homes**, using funding from carbon offsetting (Priority Action 18), and the **better use of roofs** for greening and biodiversity or for renewable energy (Priority Action 19). Much of a building's carbon footprint is in its construction and demolition, so landowners should adopt a "retrofit-first" policy. When new buildings are necessary, more focus must be paid to minimising upfront carbon. The planning process must support these initiatives and provide disincentives for more polluting practices. Funding must be urgently sought to make this transition possible. The council and its partners must engage with institutional finance and responsible investors to accelerate the development of new financial mechanisms to deliver these interventions at scale.

In considering ecology and environment, the Commission recognises the role that existing buildings play in addressing our climate challenge. Around 70% of carbon emissions in Southwark are associated with buildings, a figure which rises to 97% for council ownership and activities. This is a critical area where activity can not only support Southwark's wider climate mission (as set out in the council's **Climate Action Plan**¹⁶), but can also support the help to protect residents from the impact of rising energy costs.

Renewable energy can deliver cheaper power for people in fuel poverty and help deliver the energy transition. There is already good practice in Southwark of switching from polluting fossil fuels to cheaper renewable energy sources. For example, rooftop solar and ground, water or air source heat pumps. This must be expanded through support for **Community Energy** projects.

Finally, Southwark Council is responsible for 332km of streets. Much of this public space is devoted to the storage and movement of cars, despite motor vehicles creating much of London's air pollution. More of this **street space could be reconfigured** for less damaging uses, like walking, cycling, and sustainable freight or even **redistributed** for uses which actively improve our natural environment, like trees or sustainable drainage systems (Priority Action 20).

Our priority actions

- Join up existing green spaces to create a network of **Biodiversity Corridors** (Priority Action 16)
- Offer opportunities to participate in the greening of our borough, through **community gardening and re-wilding** (Priority Action 17).
- **Decarbonise existing buildings**, avoid demolitions and insist on high standards for new buildings (Priority Action 18).
- Use **roof space** for biodiversity and the production of renewable energy (Priority Action 19).
- **Redistribute street space** away from private cars to uses with a positive impact on air quality and that respond to the climate emergency (Priority Action 20).



RECOMMENDATION 6: Give the community real power and voice

The Southwark Land Commission is a partnership of land experts, major landowners and community groups. For the recommendations in this report to be taken forward, this coalition must be sustained and expanded. This report is intended to be a contribution to an ongoing conversation, not the final word. Appropriate structures must be put in place at both neighbourhood and borough level. These should support the collaboration between landowners committed to social purpose and empower Southwark's diverse communities to shape land use in the borough.

The council should convene a new body of landowners who are committed to the direction of travel set out in this report. This new **Southwark Land Partnership** will pool, coordinate, and steward the use of land and assets for the public good. It will develop shared projects, including the initial pilot sites from **Recommendation 3**, implement the **Social Purpose of Land Framework**, and collaborate on bids for funding and investment (Priority Action 21).

This partnership should be guided and held accountable by the community through a new body: the **People's Land Assembly** (Priority Action 22). This borough-wide structure should comprise of three equal sections: elected representatives nominated by wards, members of the community elected from the **Local Land Forums** (see below), and a demographically representative selection of residents chosen at random, by "sortition". This will be, in effect, the **successor to the Southwark Land Commission**, with responsibility for overseeing the shift in land use and management envisioned in this report. It will be responsible for setting the priorities that underpin the **Social Purpose of Land Framework** and hold annual progress and scrutiny meetings with the **Southwark Land Partnership**. It will be able to call on evidence from experts, witnesses, planners, council officers, cabinet members and landowners. In line with the priorities set out in Southwark Stands Together, 50% of the members of this body must be from Black and Minority Ethnic backgrounds and there should be appropriate targets for the representation of other groups facing historical or current disadvantage.

Southwark's Social Regeneration Charters

The council's Social Regeneration Framework outlines its ambitions for life opportunities, good health and wellbeing, and pride of place for all, investing in communities and reducing inequalities. This framework is implemented through social regeneration charters for the different areas in the borough and shaped together with local communities. Each Charter sets out the vision, the specific opportunities, challenges, and priorities for the area. The Charters also inform Local Community Infrastructure Levy spending. The Charters are adopted by Cabinet and subject to monitoring through specific indicators.

The three primary objectives of the framework are:

- A borough-wide approach to improving the wellbeing of all current and future generations
- A "one-council" and partnership approach to ensure all the council's assets are used and aligned effectively to bring about improved wellbeing for people and places across Southwark.
- Wellbeing as a primary outcome of all the council's work.

At a local level, every neighbourhood or electoral ward should have a **Local Land Forum**, open to everyone living or working in the community (Priority Action 23). As well as sending representatives to the **People's Land Assembly** this will have real power in the local area. Building on previous **Social Regeneration Charters**, it will set priorities for local land use, defining community benefit, and shaping the **Land Use Evidence Base** from **Recommendation 5**. Where possible, Local Land Forums should grow out of existing neighbourhood engagement structures to minimise duplication and build on existing social capital in the borough. A proportion of Community Infrastructure Levy (CIL) funding should be allocated to each Forum as an independent community development fund, to be allocated in line with the **Social Purpose Framework**. The Forums should also play a role in the allocation of the **Community Empowerment Fund** from **Recommendation 3** and fulfil all the legal requirements of a **Neighbourhood Forum**.

RECOMMENDATION 6: Give the community real power and voice

Neighbourhood Planning

The 2011 Localism Act introduced a **Neighbourhood Planning** ¹⁷ system. The structures in this Recommendation should incorporate but also go beyond the functions laid out in this legislation.

Neighbourhood Plans

In simple terms, a neighbourhood plan is:

- A document that sets out planning policies for the neighbourhood area. These are used to decide whether to approve planning applications
- Written by the local community, the people who know and love the area, rather than the local planning authority
- A powerful tool to ensure the community gets the right types of development, in the right place.

Neighbourhood forums

Neighbourhood forums are community groups that are designated to take forward neighbourhood planning in areas without parishes. It is the council's responsibility to agree a neighbourhood forum for the neighbourhood area.

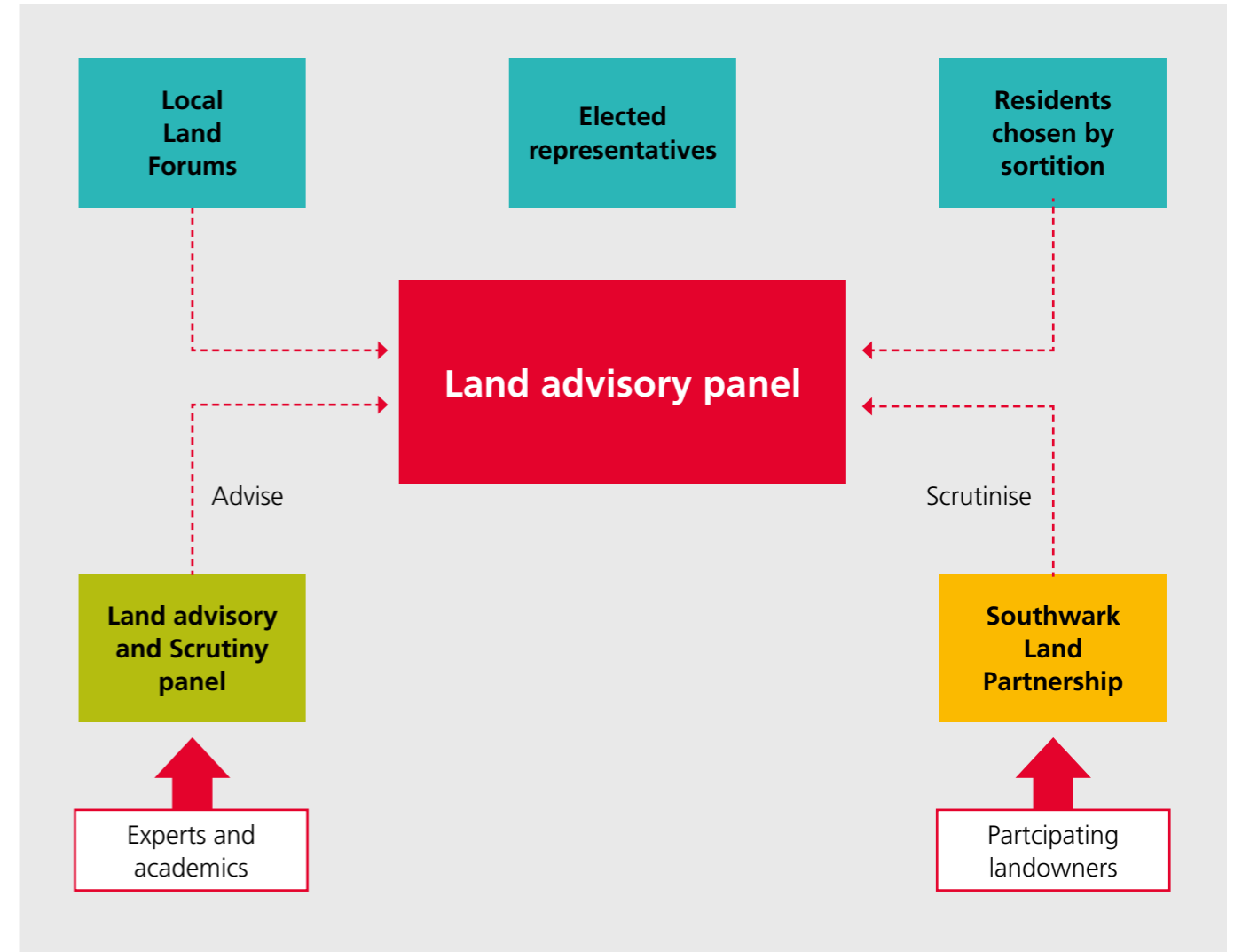
A neighbourhood area is the geographical area that a neighbourhood plan or a neighbourhood development order will cover.

Neighbourhood Development Orders

Neighbourhood Development Orders (NDOs) grant planning permission for specific development in a particular area. This could include things like specified changes of use, certain kinds of alteration or the reinstatement of historical features. An NDO could be used to outline planning permission for specified uses on allocated sites, such as housing, commercial, or recreational uses.

The Southwark Land Commission has benefited from the insights of landowners, built environment practitioners, academic experts and community representatives. The structures above are designed to enshrine both landowner collaboration and community empowerment. The Commission recommends that a third grouping comprising of experts, practitioners and some of the current commissioners form a **Land Advisory Panel** (Priority Action 24). This Panel would first support Southwark's implementation of the recommendations made in this report, before later providing advice and technical support to the **People's Land Assembly**.

In addition to these structures, there will need to be robust governance models in place for specific community-owned land and assets, such as cooperatives, community land trusts and public-common partnerships.



Our priority actions

- Bring together participating landowners into a **Southwark Land Partnership**, committed to freeing up land for the public good through the **Social Purpose of Land Framework** (Priority Action 21).
- Create a **People's Land Assembly** to oversee the shift in land use across the borough and scrutinise the **Southwark Land Partnership** (Priority Action 22).
- Establish **Local Land Forums** for each neighbourhood or ward so that local people can shape land use in their area and allocate funding to improve it (Priority Action 23).
- Establish a **Land Advisory Panel** of experts and practitioners to advise and provide technical support to the **People's Land Assembly**. (Priority Action 24).



RECOMMENDATION 7: Disrupt the status quo to unlock bigger changes

If Southwark's public and socially-motivated landowners agreed to our first six recommendations the impact would be transformational, but with changes at a national and regional level we could go much further to achieve a permanent and systemic shift towards greater fairness, transparency, and usefulness of land, to prioritise social value.

In the face of significant and sustained under-investment in public services from central Government and against a backdrop of sequential challenges that have blighted our society and economy, we know that there are few quick fixes. We must lobby for and embark upon the journey towards bigger, broader, and more transformational change.

To this end, the Commission recommends that Southwark's institutions and communities collaborate to become a recognised voice in calling for these vital changes. We have set out below what we see as the key opportunities to act:

Our priority actions

Landowners, institutions, and community groups in Southwark and beyond should form a coalition to **lobby and campaign for national and regional changes** (Priority Action 25).

- The right for local authorities to **compulsorily purchase land at existing use value** or significantly discounted market value so that it is the general public rather than individual landowners who benefit from most the uplift in land value following development of underused land.
- Increased investment and a 10-year **housing and infrastructure funding settlement** to provide stability and confidence to start building at greater pace again, with priority given to council homes and public transport.
- The **abolition of 'Right to Buy'**, or the power

for local authorities to do so in their own area, to keep council housing affordable in perpetuity. Failing this, councils should at least keep 100% of the 'Right to Buy' receipts, with no restrictions to prevent them from being used for new council homes.

- **Land and property tax reform** of business rates, council tax, and stamp duty land tax (SDLT) and the introduction of a local Land Value Tax to replace Section 106. .
- Strengthen the delivery of affordable housing through the National Planning Policy Framework and planning guidance by redefining affordability (in line with the London Living Rent) and introducing specific targets or ratios for affordable housing provision in new developments.
- Reform national planning policy and guidance to limit the use of site-level viability assessment to exceptional circumstances with the aim of removing these as obstacles to developers delivering affordable housing and affordable workspace.
- Devolve **powers** for local and regional government to implement **rent controls**.
- **Free and open access to Land Registry data** so that land ownership is no longer kept secret



What happens next?

The Southwark Land Commission is the start, not the end of a process to catalyse and embed change. Some of the recommendations can be delivered straight away, others will take time.

It was beyond the scope of the Commission to consider the resourcing requirements or provide detailed plans for implementation of these recommendations. With the exception of **Recommendation 7**, which concerns the changes needed at national or regional level, we believe that all the recommendations and actions can be taken forward by Southwark Council and other participating landowners within the existing legal framework. We have tried to take financial implications into consideration, for instance in the emphasis on “balance” in the Social Purpose of Land Framework, but nonetheless recognise that some may require substantial funding.

Others, however, do not. Above all, we believe that success will be predicated on a commitment by the council and other participating landowners to prioritise the Social Purpose of Land, work in partnership with others, and genuinely devolve power to Southwark’s diverse communities.

Following publication of the report, we request that the council and other participating landowners in the borough consider it in detail and publish a response, outlining how they will implement the recommendations. We would welcome such responses from all significant landowners in the borough but especially those that participated in the Commission: Southwark Council, Transport for London, the National Health Service and the Church of England Diocese of Southwark. We anticipate that Southwark Council will play a leading role in convening a coalition of landowners and community stakeholders to respond to the report, including the implementation of the structures set out in **Recommendation 6**. Whilst it is not solely in the gift of the council to implement the recommendations in full, it is ideally placed to convene major landowners in the borough and to set a precedent for others to follow.

Although it is ultimately the responsibility of participating landowners and other institutions to decide how to respond to the report, the Commission has nonetheless suggested a high-level indicative action plan to support this work.



S = short term, within 3 years, M = medium term, within 5 years, L = long term, within 10 years

Priority Action	Responsibility	Time
RECOMMENDATION 1: Put social purpose at the heart of land use		
1	Establish a Social Purpose of Land Framework, co-designed with the community, and applied to all land decisions by participating landowners.	All S
2	Review the Southwark Plan to incorporate the Social Purpose of Land Framework, and the other recommendations that follow from it (Priority Action 2).	Southwark Council S
RECOMMENDATION 2: Map what's there and what isn't		
3	Develop and endorse 'Our land', an open access map of land use and ownership. Participating partners should allocate funding and resource to keep it up to date.	All Landowners S
4	Create an open source, accessible portal and database of rooms which can be accessed and booked by people and community groups across the borough.	All Landowners M
5	Assemble a deeper Land Use Evidence Base of unmet need for space across the borough, and integrate it into the Social Purpose Framework.	Southwark Council S
RECOMMENDATION 3: Take control of our land and assets		
6	Commit to no net loss of public and community owned land, and for all disposals to be considered through the Social Purpose Framework.	All public and community landowners S
7	Unlock at least 6 pilot sites across the borough by 2026 to test new models of community engagement and control, while demonstrating focused response to identified need.	Participating Landowners S
8	Produce a Community Asset Transfer policy, facilitating the community to take control of unused or underutilised sites through democratic and participative models of ownership and governance.	Southwark Council M
9	Create and meaningfully resource an independent Community Empowerment Fund to support and empower our diverse communities to engage in this work, including the provision of training, activities and compensation for time.	Southwark Council, Community Southwark M
10	Set up new Co-operatives, Community Land Trusts or Public-Common Partnerships to steward pilot sites and to support a bigger, broader, and more sustained drive for community land transfer.	Southwark Council M
RECOMMENDATION 4: Defend and extend affordable accommodation for all		
11	Ensure at least 50% of homes built on public or community land is social rent or London Living Rent .	All public and community landowners S
12	Ensure that all tenures and models of affordable housing are maintained as such in perpetuity as with Community Land Trusts.	Southwark Council M
13	Hold developers to account for delivering on commitments for affordable provision through robust monitoring and clawback and overage policies.	Southwark Council S

Priority Action	Responsibility	Time
14	Establish affordable workspace hubs across the borough, geared to community need, and funded through private development contributions.	Southwark Council, Other Landowners S
15	Create Voluntary and Community Sector centres, providing space on low or peppercorn rents, guided by the Social Purpose Framework.	Southwark Council, Community Southwark, Other Landowners M
RECOMMENDATION 5: Cherish our natural capital and decarbonise our land		
16	Join up existing green spaces to create a network of Biodiversity Corridors.	All Landowners L
17	Offer opportunities to participate in the greening of our borough, through community gardening and re-wilding.	All Landowners S
18	Decarbonise existing buildings, avoid demolitions and insist on high standards for new buildings.	All Landowners L
19	Use roof space for biodiversity and the production of renewable energy.	All Landowners L
20	Redistribute street space away from motor vehicles to uses with a positive impact on air quality and the climate emergency.	Southwark Council, Transport for London M
RECOMMENDATION 6: Give the community real power and voice		
21	Bring together participating landowners into a Southwark Land Partnership, committed to freeing up land for the public good through the Social Purpose of Land Framework.	Southwark Council, All Landowners S
22	Create a People's Land Assembly to oversee the shift in land use across the borough, set community priorities through the Social Purpose of Land Framework and scrutinise the Southwark Land Partnership.	Southwark Council S
23	Establish Local Land Forums for each neighbourhood or ward so that local people can shape land use in their area and allocate funding to improve it, building on existing neighbourhood engagement structures.	Southwark Council M
24	Establish a Land Advisory Panel of experts and practitioners to advise and provide technical support to the People's Land Assembly.	Southwark Council, Southwark Land Commission S
RECOMMENDATION 7: Disrupt the status quo to unlock bigger changes		
25	Landowners, institutions, and community groups and in Southwark and beyond to form a coalition to lobby and campaign for the national and regional changes including new powers to compulsory purchase land significantly below market value; new local powers to introduce rent controls; an increased 10 year housing and infrastructure funding settlement; the abolition of Right to Buy; land and property tax reform; reform of national planning policy and guidance to redefine affordability and set targets for affordable housing in new developments; limits on on-site viability assessments; and a free and open access land registry.	All S



Glossary

A glossary of the key terms used in the report is set out below

- **“Affordable” housing** – housing provided at below the market rate, it includes a wide range of “products”, from social rent to subsidised or shared homeownership
- **Biodiversity Corridors** – pathways link existing wildlife together to create a network across the borough, in order to protect and restore vital ecosystems
- **Co-operatives** – organisations run jointly by their members, owning any assets collectively and sharing any profits or benefits
- **Commons** – shared resources, enjoyed by all regardless of their legal owner, such as clean air
- **Commoning** – the process by which assets are put under the control of the community, and put to community benefit
- **Community / Communities** – Southwark is a diverse borough, comprising many distinct neighbourhoods and people a range of backgrounds. There is not a “Southwark community”, there are many. For this report, “community” and “communities” refer to the various overlapping groups of people who live, work or spend time in Southwark
- **Community Energy** – the delivery of community-led renewable energy, energy demand reduction and energy supply projects, owned partly or wholly by communities
- **Community Land Transfer** – a mechanism to enable community ownership and management of publicly owned land and buildings
- **Community Land Trusts** – democratic, non-profit organisations that own and develop land for the benefit of the community, affordable in perpetuity
- **Gentrification** – the process usually following investment into the built environment where existing land-users are replaced by those of higher socio-economic status
- **Land** – a section of the Earth with defined spatial boundaries
- **Land Advisory Panel** – a proposed body to bring land experts together to provide advice on how land is used in the borough, set out in **Recommendation 7**
- **Land Use Evidence Base** – a proposed tool to identify shortage of accommodation and unmet need for particular forms of space across the borough. It is intended to be used in tandem with the Social Purpose Framework to ensure designs around land are responsive to the needs of the borough’s communities. It is explained in the **Recommendation 2** of this report
- **Local Land Forums** – proposed neighbourhood or ward-level structures to direct land use in the area, set out in **Recommendation 6**
- **London Living Rent** – a rental level set by the Mayor of London to be 30% of average local household income
- **Neighbourhood Planning** – a system introduced by the 2011 Localism Act which facilitates the creation of **Neighbourhood Forums** which can in turn design their own **Neighbourhood Plans** (hyper-local planning documents) and **Neighbourhood Development Orders** (planning permission granted in certain circumstances)
- **People’s Land Assembly** – a proposed body to bring different parts of Southwark’s communities to direct land use in the borough, set out in **Recommendation 6**.
- **Public ownership** – land held corporately by a public sector body, such as a government department, a local authority or a public institution like Transport for London
- **Public-Common Partnerships** – co-ownership of an asset between a public body, such as a local authority and a Commoners Association. These are explained in Recommendation 3
- **Section 106** – the part of the 1990 Town and Country Planning Act which sets out how a planning authority, such as a local council can demand legal obligations from a developer to mitigate the impact of a development proposal. For instance, the provision of affordable housing. These obligations can be delivered on site or through in lieu payments to the local authority
- **Social Purpose of Land Framework** (or the Social Purpose Framework) – a proposed tool intended to balance the creation of social goods or community benefit against the generation of commercial income from land. It is explained in the **Recommendation 1** of this report
- **Social rent** – a rental level capped nationally by the Rent Standard Guidance
- **Southwark Land Partnership** – a proposed body to bring together major landowners in the borough, set out in Recommendation 6
- **Southwark Plan** – the borough’s key planning document. It sets out the local authority’s planning policies and sets out specific requirements for particular sites. It was approved in 2022 but there is a scheduled early review considering the roles of town centres and the climate emergency



Acknowledgements

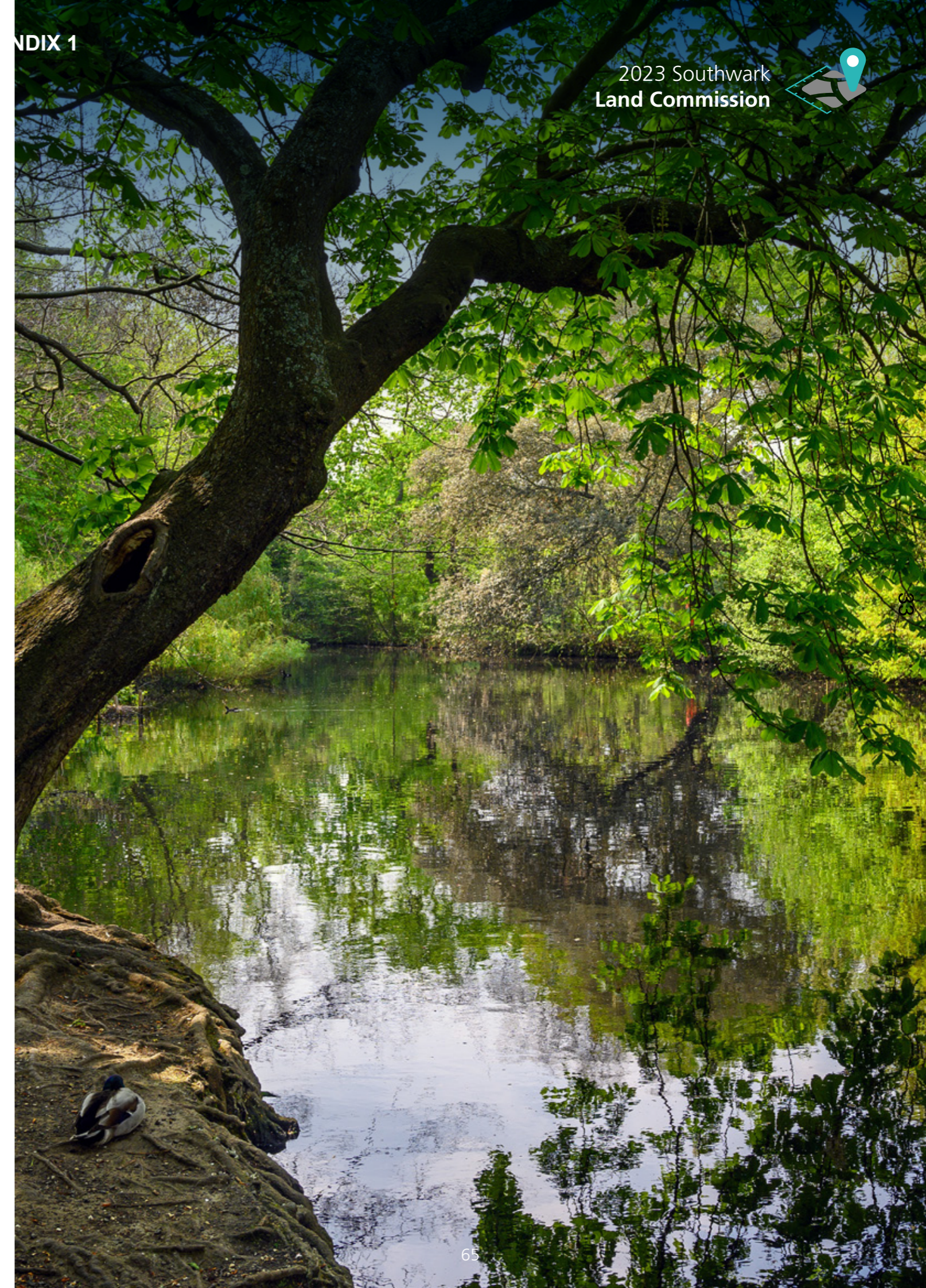
The work of the Southwark Land Commission was initiated and funded by the Southwark Council. The council officers were instrumental to its inception and functioning through their support, in particular: Danny Edwards (Head of Economy), Stephen Gaskell (Assistant Chief Executive for Strategy and Communities), Joseph Brown (Head of the Leader’s Office & Cabinet Office) and Nazmin Yeahia (Senior Strategy Officer).

We are grateful to the strong steer and leadership provided by Dr Miatta Fahnbulleh, (Chief Executive of the New Economics Foundation) and Cllr. James McAsh, (Cabinet Member for the Climate Emergency and Sustainable Development) as chair and vice-chair. We would also like to extend our gratitude to all the commission members for providing critical feedback and framing the recommendations.

The commission benefitted from the advice and ideas of many people. In particular, we would like to thank Neil McInroy of Democracy Collaborative in providing valuable provocations and insights from the Liverpool Land Commission and Phil Villars from PMV Planning for his guidance. From We Made That, we would like to thank Holly Lewis and Larry Botchway for engaging with the community stakeholders and providing valuable insights. The commission would also like to thank PRD for their support in administering the commission and coordinating the project program. At PRD, we would like to thank Daniel Partridge and Chris Paddock for their direction and lead, Malavika Krishnan for coordination, Sarah Wheale-Smith, and Israel Amoah-Norman for engagement support. The Commission is grateful to Tim Wickson for his advice and his support in drafting the report.

The commission had a strong aspiration to engage with the community in fine-tuning its recommendations. We are grateful to all the community representatives for their active role and participation in the engagement workshops and providing strong perspectives in refining the recommendations. This includes those from Assemble Studio, Blackfriars Settlement, Break the Barrier, Bridge One, British Land, Camberwell Gardens, Care Trade UK, Guys St Thomas’ Foundation, Inspire Walworth, Kaymet, Latin Elephant, Living Bankside, London Community Land Trust, Nutbrook, OKR community campaign, Pecan, Pem People, Pembroke House, Small Beer, Southwark Black Parents Forum, Southwark Living Streets, Southwark Planning Network, Southwark Travellers Action Group, Team London Bridge, Terrestrial Arch and Architecture, The Dulwich Estate, The Dulwich Society, University College London, Walworth Garden and other groups who gave their time to participate in the process.

We want to extend our thanks to Community Southwark’s Reach network and Southwark Stands together for their support. We would also like to thank the commission members for their guidance and outreach.



Endnotes

- 1 <https://www.ft.com/content/91530110-ab88-11e8-89a1-e5de165fa619>
- 2 <http://classonline.org.uk/pubs/item/pushed-to-the-margins-a-quantitative-analysis-of-gentrification-in-london-i>
- 3 <https://www.southwark.gov.uk/news/2023/may/southwark-council-is-building-one-third-of-england-s-council-homes>
- 4 <https://moderngov.southwark.gov.uk/documents/s108711/Appendix%20%20Council%20Delivery%20Plan.pdf>
- 5 <https://www.southwark.gov.uk/council-and-democracy/southwark-land-commission>
- 6 https://cles.org.uk/wp-content/uploads/2021/07/Our-Land_the-final-report-of-the-Liverpool-City-Region-Land-Commission-final.pdf
- 7 <https://www.liverpoolcityregion-ca.gov.uk/steve-rotheram-launches-englands-first-land-commission-focused-on-community-wealth-building/>
- 8 <https://committees.parliament.uk/committee/583/land-use-in-england-committee/news/175072/england-needs-a-land-use-framework-says-lords-committee/>
- 9 <https://consultations.southwark.gov.uk/corporate-strategy/about-southwark-2030/>
- 10 <https://apps.london.gov.uk/public-land/>
- 11 <https://www.common-wealth.co.uk/publications/public-common-partnerships-building-new-circuits-of-collective-ownership>
- 12 <https://www.gov.uk/government/publications/rent-standard>
- 13 <https://communitysouthwark.org/wp-content/uploads/2023/04/State-of-the-Sector-Research-Research-Findings-and-Call-to-Action.pdf>
- 14 <https://www.pembrokehouse.org.uk/transforming-the-food-system-in-our-neighbourhood/>
- 15 <https://www.buglife.org.uk/our-work/b-lines/>
- 16 <https://moderngov.southwark.gov.uk/documents/s107858/Appendix%20%20Emissions%20Report.pdf>
- 17 <https://www.gov.uk/guidance/neighbourhood-planning--2>

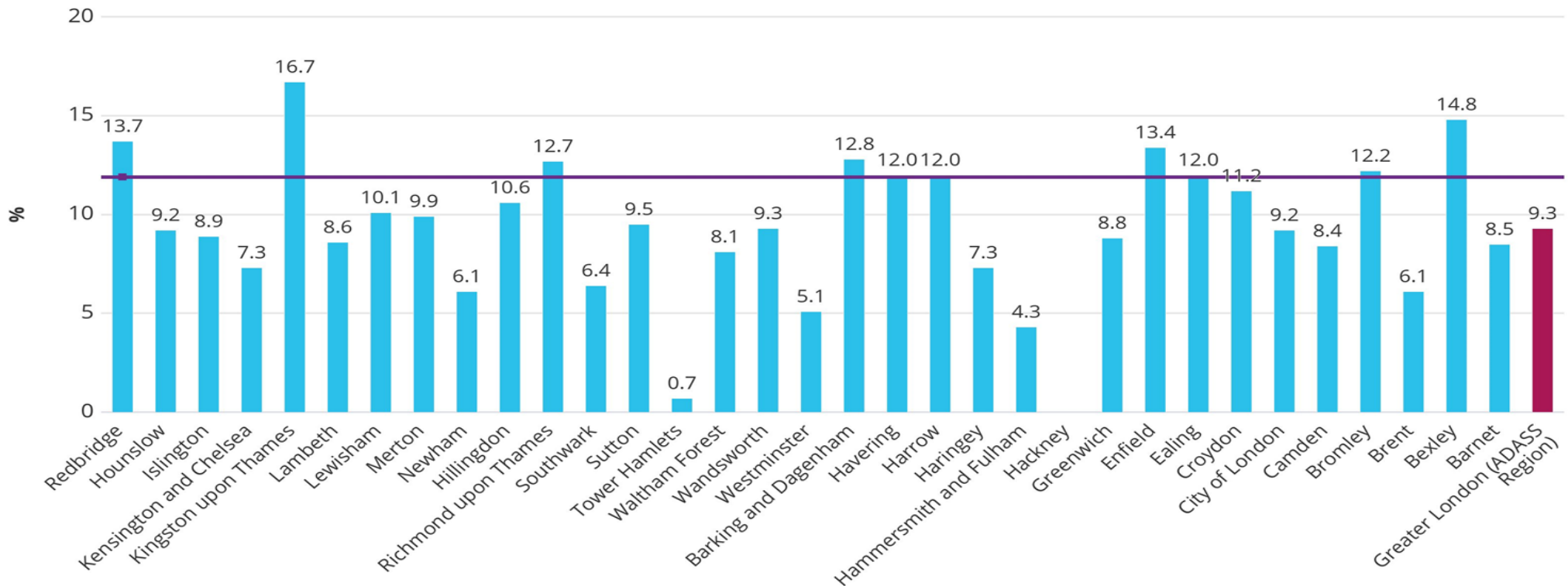
For more information

Please visit the Southwark Land Commission website at

www.southwark.gov.uk/council-and-democracy/southwark-land-commission



Income from client contributions as a proportion of revised gross current expenditure on adult social care for Greater London (ADASS Region)



- Client contributions as % of revised spend on adult social care 2021/22
- Total for England: Client contributions as % of revised spend on adult social care 2021/22
- Greater London (ADASS Region) (Lead area)

APPENDIX 2

Local Authorities which allow Disability Related Expenditure (DRE) Disregards

Local Authorities which allow Disability Related Expenditure (DRE) Disregards (Extract from Barnet Analysis 07/06/23 data collected from a Freedom of Information Request)	
Barnet	No
Camden	No
Ealing	Yes
Greenwich	Yes
Hackney	Yes
Islington	No
Kensington & Chelsea	No
Merton	Yes
Southwark	Yes
Tower Hamlets	No

Charging and paying for your social care

Non-Residential care

Who this is for

The information in this leaflet is for adults who receive non-residential care and support from the council's Adult Social Care services.

Examples of non-residential care include (but are not limited to) –

- [Home care](#) (also known as domiciliary care) includes support around the home with tasks, personal care and/or any other activity that enables you to maintain both your independence and quality of life.
- Care and Support in Extra Care Housing.
- Day care services.
- [Telecare services](#) (sensors and pendent alarms that can be fitted in your home.

These sensors can alert your family or emergency services if you are hurt and/or fall).

Do I receive non-residential care & support?	
I receive care and support and -	
Live in my own home	✓
Live in Extra-Care/Flexi-Care accommodation	✓
Live in shared living accommodation	✓
Live in a nursing home	✗
Live in residential Care home	✗
If you live in a nursing or residential care home you should read our 'Charging and Paying for Your Social Care, Residential Care' leaflet	

Services that need to be paid for (chargeable services)

The below table provides examples of care and support that must be paid for, and care and support that is free –

Chargeable Non-Residential services	Free services
Homecare Extra Care Shared lives accommodation Supported accommodation Day care services Telecare Transport	Information and advice Needs Assessments and Care and Support Planning Services of the following advocates- <ul style="list-style-type: none"> ▪ Independent Advocates ▪ Independent Mental Capacity Advocates ▪ Independent Mental Health Advocates Services provided to Carers Minor Equipment and gadgets to help you in your home (up to value of £1,000)

We also do not charge for the following care and support:

- **Rehabilitation and reablement** support if you are in hospital or at home and require support to:
 - help recover from illness or injury at home so that you do not go into hospital unless you really need to
 - settle back into living in your home if you have recently left hospital
 - improve functionality, remain independent, safe and well at home and prevent the need for you to require longer term care

Rehabilitation and reablement support generally lasts up to six weeks but may be ended earlier or even in some circumstances extended. You can find more information on the council's [Rehabilitation and reablement](#) webpages.

- **Aftercare services.** If you have been detained in hospital under the Mental Health Act for treatment or sent to hospital by a court or from prison we will not charge you for Aftercare services related to your mental disorder when you are discharged. However, we will charge you for the cost of meeting needs which arise from your physical health or for reasons unrelated to your mental disorder if we assess that these needs must be met. You can find more information on Aftercare services in our [s117 Aftercare](#) leaflet

Calculating the Cost of meeting your care and support needs

Personal budget

If we assess that you have [Care Act Eligible needs](#) that the Local Authority needs to meet we will develop a [Care and Support plan](#) with you.

We will use your Care and Support Plan to understand how much it will cost to meet your needs. The cost of meeting your needs is called a personal budget.

How a personal budget is paid for depends on your financial or personal circumstances. If you have sufficient capital, you will need to pay for all of the cost of your personal budget. Most people, however, are assessed by the council as only having to pay for part of their personal budget with the Council covering the rest of the cost. In some circumstances, the council pays the total amount of your personal budget.

Your personal budget amount will change over time. This is because –

- We may not be able to immediately provide you with an accurate personal budget. We will only be able to provide you with our best guess of how much it will cost to meet your needs. This best guess is called an indicative budget. We may not be able to provide you with an exact personal budget until we -
 - Identify available and suitable care and support providers to meet your specific needs
 - Agree with the care and support provider how much support you need and how much this will cost
 - Determine how much you should pay towards the cost of your personal budget
- Your needs may change over time. If your needs worsen you may need additional care. If your needs reduce we may be able to purchase less care.
- The providers of care services may increase or lower the cost of the services they provide.
- Alternative means for meeting your needs may become available, for example –
 - Suitable free services may become available
 - We may arrange for you to access equipment or gadgets which mean you are able to manage your needs without additional support
 - An alternative provider may offer more cost effective services
 - Your carer may take on additional responsibilities
- Your contribution towards the personal budget changes.

Arranging and purchasing your care and support

Council purchased care

The council has expertise in purchasing care and support and long standing relationships with providers of care and support services. Because of this many people ask us to arrange and purchase care and support on their behalf.

If you decide that you would like the council to arrange your care and support we will arrange and pay for your care and support upfront. If we assess that you must pay for some or all of the care and support you receive we will invoice you on a 4 weekly basis. You can pay your contribution using a range of methods (see ***Paying your Contribution***).

Direct payments

You may decide that you (or a trusted party acting on your behalf) would prefer to arrange and pay for your own care and support.

We can pay you the value of your personal budget through a Direct Payment. If for example we calculate that it will cost £500 a week to meet your care needs (your personal budget), we will make a direct payment to you of £500 per week less the value of your contribution (see **Paying your Contribution**). If your contribution is £30 per week, we will pay £470 and you will pay £30.

If you opt for a direct payment we will create a pre-paid card account for you and credit our payments to this account. You can then use your pre-paid card to purchase services.

You are responsible for paying your contribution to the care provider. If you fall behind in your contributions we may terminate your direct payment.

Mixed option (council purchased care and direct payments)

If you decide that you would like us to purchase some of the services you need, but you would like a direct payment to arrange certain care and support this is also possible. If we assess that you must contribute towards your personal budget we will pay you the direct payment minus

Direct payments

Direct payments can be paid to you or someone you consent to manage the payment on your behalf (a family member, friend, carer or even some care providers). We will not be able to provide you with a direct payment in some circumstances (for example, you are an offender and subject to court orders or you have been detained under mental health legislation). We can advise you on this

Direct Payments can be used to pay for services to meet your eligible needs, such as care and support to help you live in your own home, to employ a personal assistant to help you with activities, or short breaks and leisure activities.

Direct Payments cannot be used to pay for household bills, residential care, health services, gambling or anything illegal.

Mixed Option Personal Budgets

You have a personal budget of £500 per week. We assess that you must contribute £30 towards your personal budget.

You arrange care that costs £200 per week. You pay for this using a direct payment. Because you must pay £30 towards your personal budget we make a weekly payment of £170 to you. You top this payment up by £30 per week to bring the total payment to the provider up to £200 per week.

Meanwhile the council arranges and pays for care that costs £300 per week using the remainder of your personal budget.

your contribution (as with the above example, if your contribution is £30 per week, we will pay £470 to you).

Third Party Managed Service

A third party managed service may benefit you if you want the benefits of receiving a direct payment but you do not want to take on all the responsibilities of administering the account. If you opt for a third party managed service we will make the direct payment to a Third party who will manage the account on your behalf.

Using your direct payment

If you purchase care and support using a direct payment you must keep up to date records of the services you purchase. On occasion we will ask you to provide proof that you are using the direct payment to purchase the care and support set out in your care and support plan.

If you are not using your direct payment to pay for appropriate services we may terminate your direct payments and opt to arrange/purchase care on your behalf. We may also refer any misuse of direct payments to the council's Anti-Fraud and Internal Audit Service to investigate, this could result in the council taking legal action against you to recover any misused funds.

Self Funders

If you are responsible for fully funding your care and support we can still support you in identifying care providers and negotiating care packages on your behalf. Alternatively you can make your own arrangements. We do not need to be involved at all if you prefer.

If we arrange care and support on your behalf you will need to pay an arrangement fee of £200 for the service. You will need to pay another arrangement fee if we need to arrange new services for you at a later date as a result of a significant change in your circumstances.

You will need to pay for your own care and support if you have access to capital in excess of the upper capital limit (currently £23,250). Over time the value of your capital may fall below the upper capital limit. If the value of your capital falls below this threshold we can assess your income to determine how much the council should pay for meeting your needs and how much you must contribute.

You are responsible for letting us know when the value of your capital has fallen to close to the upper capital limit of £23,250. The sooner you let us know the sooner we can arrange to assess how much we can pay towards meeting your care and support. We will only pay towards the cost of meeting your care and support at the point we complete the financial assessment with you. If you approach us when your capital falls below the capital limit (for example you approach us when the value of your capital falls to £15,000) we will not consider how much we would have paid for your care if you had approached us earlier.

For more information see *Income and Capital*.

Calculating how much you will need to pay for your care and support

Financial assessment

You must complete a financial assessment to determine if you need to pay for some or all of your assessed care and support.

You should complete the financial assessment as soon as possible. This is to ensure that you know if you need to contribute to meeting the costs of your care and support, and if so, how much you must pay. If we are unable to calculate your contribution in a timely fashion we will backdate any money that you owe us to the time that you first received the care and support. This may mean that you are owed money for costs going back weeks or months.

We will ask you to complete a full financial assessment if it appears that you may not have to pay for any of your care and support or you may be required to make a contribution.

If it is likely that you will need to pay for all of your care and support (because your income and capital clearly exceeds the thresholds set by the government) we may conduct a light touch assessment with you. This is so that we do not ask you unnecessary additional questions and have on record information about your finances that we do not need to have.

You will need to pay for all of your care and support if you do not complete a financial assessment or if we cannot complete a light touch financial assessment with you.

It is important that you provide accurate information about your income and capital so that we are able to correctly calculate if – and how much – you must pay for your

assessed care and support. We will increase your charges retrospectively if we learn that we have undercharged you because –

- You provided us with incorrect information.
- Your circumstances change and you do not tell us.
- You gave your assets to other parties in order that the assets are not included in your financial assessment. For example you transfer the title deeds of your property to a family member or make significant financial gift or purchase for a friend.

Capital and Income

Capital refers to most types of savings and investments. For the purpose of the financial assessment for non-residential care the home you live in is not counted as capital. However, other properties and land that you own will be included.

Income refers to money that comes to you on a regular basis, for example benefits and pensions. If you earn a wage/salary, this is not included as income in your financial assessment. Any wages you earn are yours to keep.

You will need to fully fund the care and support that you need if you own capital in excess of £23,250 (the upper capital limit. This figure is set by the government).

It is likely that you will need to contribute towards the cost of your care and support if the value of the capital that you own is less than £23,250. We will consider your income levels to determine how much you must contribute. We will also apply a tariff income of £1 for every £250 worth of capital you own between £14,250 (the lower capital limit threshold, also set by the government) and £23,250. We won't apply a tariff income if you own capital worth less than the lower capital limit, but will still assess your income.

Examples of income and capital

Capital includes (but is not limited to):

- Property (but not the home you live in).
- Bank, building society and post office savings
- Savings certificates
- Stocks, bonds and shares
- Premium bonds
- Trust funds
- ISAs

Income includes (but is not limited to):

- Employment and Support Allowance
- Universal Credit
- Attendance Allowance
- Disability Living Allowance (care)
- Personal Independence Payment (daily living)
- Pension Credit
- State Retirement pension
- Severe Disablement Allowance
- Rental income from property

The below table provides an example of how we calculate the tariff income:

You receive benefits of £100 per week (your income), and own capital worth £16,000. This means that you own capital of £1,750 above the lower capital limit of £14,250.

Value of capital in excess of the lower capital limit		Tariff charge
£250		£1
£250		£1
£250		£1
£250	equal to	£1
£250		£1
£250		£1
£250		£1
Total	£1,750	£7

We will apply a tariff charge of £7 against your capital, giving you an income of £107 per week.

When considering your income we will not include income from the following sources in your financial assessment –

<ul style="list-style-type: none"> ▪ Wages ▪ Savings Credit of Pension Credit ▪ Working Tax Credits ▪ Child Tax Credits and Child Benefit ▪ Disability Living Allowance (mobility) ▪ Personal Independence Payment (mobility) 	<ul style="list-style-type: none"> ▪ Armed forces Independence Payment (mobility component) ▪ War Disablement Pensions ▪ War Reparations Payments (the first £10 is disregarded) ▪ War Widows Supplementary payments ▪ Certain charitable and voluntary payments ▪ Christmas bonus and Winter Fuel Payments
---	---

Protected income – the Minimum Income Guarantee

You will always be left with a certain level of income. This figure is referred to as the Minimum Income Guarantee. The Minimum Income Guarantee is the amount that the government says you can live on.

How much you are left with depends on your circumstances and could range anywhere between £72.40 per week and £232.25 per week if you are single and have no children.

Your Minimum Income Guarantee is calculated using figures provided by the Department of Health and Social Care and takes account of:

- Your age
- What benefits you get or could get
- If you are single or part of a couple
- If you live alone or with somebody else
- If you get, or could get, certain premiums in your state benefits such as Enhanced Disability Premium and Carers Premium
- If you care for a child who lives with you

Disability related expenditure

Disability related expenditure refers to the additional money that you need to spend on items/services that are specifically related to your disability. For example your electricity costs are higher because you charge an electric scooter, you pay someone for domestic tasks that you are unable to do yourself, or you need to buy specific foods/supplements due to your dietary requirements.

You will need to provide information about your Disability Related Expenditure (if you have any) in your financial assessment. How we calculate your Disability Related Expenditure depends on the need/cost in question:

Cost	Such as	How we calculate it
Regular ongoing costs	Domestic help or window cleaning	These costs are converted to weekly amounts, and usually allowed in full. Some expenses may be capped if cheaper alternatives are available.
One-off equipment purchases	Wheelchairs, disability aids, adaptations to your home	We will spread the cost of the equipment over its expected lifetime. If the equipment is expected to last one year, we will spread the allowance over 52 weeks (one year). So if the equipment cost £520 we will allow £10 per week in the financial assessment ($£520 \div 52 \text{ weeks} = £10 \text{ per week}$). If cheaper alternatives are available we will only make an allowance for the lower cost.

Cost	Such as	How we calculate it
Utility costs	Gas, electricity and water charges above what is considered 'normal' usage.	<p>Electricity and gas costs</p> <p>We compare how much you spend over a whole year with the average cost for your type of property. If you spend more than the average cost we will allow the difference between what you spend and the average cost.</p> <p>Water charges</p> <p>Excess water costs, perhaps because you have to do more loads of laundry, can be taken into account if you are on a metered water connection. If you are on a metered connection, this means you pay for water you use and the amount you spend can go up or down. We will compare how much you are charged with the average for your household and allow the difference between the two.</p> <p>If you are not on a meter, you are charged a standard amount and the amount of water you use does not affect how much you pay. Normal water costs are an everyday expense and are not allowed as disability related costs.</p> <p>If there is more than one adult receiving care living in the same property, the excess amount is usually shared equally between each adult. If there is a cheaper tariff available to you, the council will calculate the excess based on the cheaper tariff and not on what you are paying.</p>
Future costs	Plans to replace a piece of equipment at some point in the future	<p>An example of a future cost is if you want to replace your wheelchair next year, you have not incurred any costs yet, so nothing can be allowed in your financial assessment.</p> <p>We will not make an allowance for future costs (items or services that have not yet been paid for) unless there are exceptional circumstances. These costs will only be allowed as part of the appeals process.</p>

Paying your contribution

We recommend that you pay your contributions by **direct debit** (this is often the preferred and easiest method of payment), however you can also pay using the following methods:

- **Debit or credit card** either over the phone or online at our website. Please see the back of your invoices for information on how to pay.
- **Standing order** which you set up with your bank. You are responsible for changing the amount of your standing order if your charge changes. This method of payment is not recommended unless you have online banking and are being charged the same amount each month.
- A **swipe card** is similar to a gas or electric card or key. You must contact us to request this method of payment. We can only agree to this method if you meet certain criteria (for example you must have a Post Office account).
- **Cheque** payments should be crossed and made payable to Southwark Council.

Useful contacts

If you require further information about how to pay your assessed charges, contact the **Collections Team** on **020 7525 1111** or by email at collections@southwark.gov.uk.

If you have questions about the financial assessment process or the amount you are asked to pay, contact the **Charging Team** on **0800 358 0228** or by email at ChargingTeam.adultsocialcare@southwark.gov.uk.

The below table includes the details of independent financial advisors or organisations that you might find helpful.

Organisation	Contact details
Age UK	Tel: 020 7701 9700 Website: https://www.ageuk.org.uk/lewishamandsouthwark/
The Money Advice Service (now called Money Helper)	Tel no: 0800 138 7777 Typetalk: 18001 0800 915 4622 Website: https://www.moneyhelper.org.uk/en
Citizens Advice Southwark	Tel: 0344 499 4134 Website: https://www.citizensadvice.org.uk/southwark/
Southwark Disablement Association (for adults with physical disabilities)	Tel no: 020 7358 7744 Website: www.sdail.org
Southwark Wellbeing Hub (for adults with a mental illness)	Tel no: 020 3751 9684 Website: https://www.together-uk.org/southwark-wellbeing-hub/directory
Society of Later Life Advisors	Tel no: 0333 2020 454 Website: https://societyoflaterlifeadvisers.co.uk/
Southwark Information and Advice Team (for adults with special educational needs and disabilities)	Tel no: 020 7525 3104 Website: https://localoffer.southwark.gov.uk
Department for Work and Pensions	Website: https://www.gov.uk/government/organisations/department-for-work-pensions

Charging and paying for your social care

Residential care

Who this leaflet is for

The information in this leaflet is for adults who receive residential care and support from the council's Adult Social Care services. This includes care and support in a residential care home or nursing home.

How we decide who we support

If you are entitled to receive care and support from the council it is most likely you will need to contribute to the cost of your care. We will complete a financial assessment with you to find out if you need to make a contribution, and if so how much. **If you do not provide information to allow us to complete the financial assessment you will need to pay the full cost of your care.**

A social worker will assess your needs to see whether you are eligible to receive care and support from the council. In order to receive support from the council you must meet the criteria set out in the Care Act 2014. You can find more information about eligibility criteria by going to the following website:

<https://www.southwark.gov.uk/social-care-and-support/adult-social-care/care-and-support-from-the-council/adults-with-care-needs/can-we-help-with-your-care-and-support-needs>

Temporary and permanent care home placements

If your stay is intended to be less than a year and you have a set date to return home, your placement will be treated as temporary. If your home is empty, we will normally make allowances for you to continue to pay certain costs. If you make long term arrangements, your placement will be considered to be permanent. This matters because your charge can differ depending on the type of placement.

Who can get financial support

Once your needs have been identified we will carry out a financial assessment to work out what you need to pay towards the cost of your care. You will not be asked to pay more than you can afford. If you do not qualify for help from us, we will provide you with information and advice and tell you about other help available to you.

If you have eligible needs and meet the capital and income requirements (see below) you will be entitled to financial support to pay for care.

Capital limits

The first stage in a financial assessment involves looking at how much money or other assets you have. Collectively, this is called Capital. If you have capital valued at over £23,250 you will not be entitled to financial support from the Council and you will need to make your own arrangements with the care home. We will still assist you with this process by providing you with information, sourcing a care home and telling you the things you need to take into account.

If your capital gets near to or falls below £23,250, you will need to apply for financial assistance. You are advised to make contact four months before your capital drops below the limit, as it can take this long to assess (or reassess) your eligibility for care services and to conduct a financial assessment. If you make contact after your capital drops below the limit, we will not put your capital back up to the limit. Once your capital drops below the capital limit, you will still need to make a contribution towards your care.

If your total amount of capital is valued at under £14,250, it is ignored for financial assessment purposes. We still need to know how much capital you have even if it is under £14,250. Please note that you will still be assessed to pay towards your care based on the amount of income you have.

Disposing of your savings, capital or income

If you have disposed of savings, capital or income in order to avoid or reduce your charge for care, we can by law still treat you as having that asset, or in some cases ask the recipient of the asset to make payment instead.

This means that you may be charged up to the full cost of your care. We reserve the right to take civil legal action against anyone who has disposed of their asset or received the asset.

Disposing of assets can include, but is not limited to:

- Transferring the title deeds of a property to another person or into a trust
- Spending money on a valuable possession such as jewellery or art
- Making large or unusual gifts to relatives
- Paying off a debt that is not due to be paid by you

When deciding whether you have deprived yourself of assets in order to avoid or reduce care home charges, we will take into account your circumstances.

This includes:

- The reason for the disposal
- The date it took place
- Whether the person could reasonably foresee the need to move into a care home

It will be for the person to prove that they no longer own the asset and to satisfy the council that the disposal of the asset was not done to avoid or reduce care charges.

Paying for residential or nursing care services where we arrange your placement

If following a social care assessment we agree that residential care is needed to support you, we will help you find suitable accommodation.

Nursing Care

If you get Funded Nursing Care, the NHS pays the contribution directly to the care home.

Third Party payments

If the accommodation you choose costs more than the amount we usually pay for someone with similar care needs, a third party (or more than one) will be asked to pay the difference. This additional payment is usually referred to as a Top Up arrangement or a Third Party Top Up. This will require entering into a legal agreement, and failure to fund could put your placement at risk.

You are not allowed to top up your own care fees, except in very limited circumstances. For more information, please see further information about top up payments which is included within this pack.

Using your property to help pay for care

If you own or partly own your property and if that property is being considered in your financial assessment, you will be responsible for the full cost of your care (after any disregard, such as the 12 week property disregard described on page 8).

If you do not want to sell your property or are unable to sell your property straight away we offer a Deferred Payments scheme to help you pay for your care.

This is a loan from us, using your home as security. They are different to conventional loans and you do not receive a lump sum of money when you join the scheme. We pay part of your care bills for as long as necessary. You will need to repay all of the funds paid on your behalf.

Please be aware that interest is charged from the start of the loan

Before you can get financial support under this scheme a social care worker will need to assess your eligibility for the service. We will also need to carry out a financial assessment of your ability to contribute towards your care. You will still need to make a contribution towards your care costs. We will lend you the weekly fee (less any NHS contribution) less your charge. The money borrowed under the Deferred Payment Agreement is then repaid when the money tied up in your home is released or if you find another source of funds to pay back the debt.

Deferred Payment Scheme

You can apply to join this scheme if you do not want to sell your home during your lifetime. You are able to rent out your home to generate income to help pay your care fees, but you must tell us before you do this as there are some conditions to be met. You will be expected to use most of the rental income to help pay your ongoing care fees, which means the amount we lend you under the scheme is reduced. Please be advised that tenancies must be made under an Assured Shorthold Tenancy.

Please note there are certain conditions which must be met before you can join the Deferred Payment Scheme. We will tell you if you qualify when we have completed a financial assessment. Nobody is entitled to join the scheme if we cannot register a legal charge with HM Land Registry.

Important information to note before applying for funding assistance

Please ensure you seek independent legal and financial advice before applying for funding assistance from the council under the deferred payment scheme. The council is not responsible for any fees you incur as a result of obtaining this advice.

Interest is charged on a daily rate and is compounded monthly. The rate changes every January and July and is based on the cost of government borrowing. If you join one of the schemes, we will notify you of the interest rates whenever they are due to change.

If you use either of these schemes then Attendance Allowance or the care element of DLA or the daily living element of PIP can become payable again.

How we calculate your contribution

The Financial Assessment

We will need to confirm your income, outgoings and assets (including savings). We ask for evidence such as bank statements, pension payslips and letters from the Department for Work and Pensions (DWP) or Jobcentre Plus to support your assessment.

It is important that we get correct information as soon as possible. Any delay can result in you being required to pay the full cost of your care. Once we receive the information we need, we will make any adjustments needed.

When completing a financial assessment, we will make sure you are left with the statutory Personal Expenses Allowance which is **£24.90** per week.

The capital we take into account includes the value of your share in buildings and land in this country and abroad. In certain circumstances the value of your main home (if you own it) will be disregarded.

Capital - including savings, shares and premium bonds

The amount of capital we take into account is added together:

- If the total amount of your capital is less than **£14,250**, your capital will not affect your financial assessment
- If your capital is valued at more than **£14,250**, but less than **£23,250**, the national charging rules allow the council to include £1 per week for every £250 of savings you have above £14,250 - but less than £23,250 - when it works out the weekly contribution you will have to pay towards the cost of your care. This is called tariff income
- If your capital is valued above **£23,250**, you will need to pay the full cost of your care.

Tariff Income is meant to represent an amount a resident with capital over a certain limit should pay towards their care, not the interest earning capacity of that capital.

An example – Thomas

Thomas is 71 and has savings of £15,000. This is £750 above the £14,250 limit – or 3 x the £250 levels of savings.

So the council will include £3.00 per week as income when working out Thomas' assessed charge.

The income we take into account when working out your charge includes:

- Most state benefits, including the State Retirement Pension
- Widowed parent's allowance
- Occupational (works) personal pensions or retirement annuity contracts (see below)
- Most annuity incomes
- Property rental income (we do make some allowances so that you can pay any tax on the income and keep the property maintained)
- Other income not specifically disregarded by regulations

Occupational (works) or personal pensions or retirement annuity contracts

If you move into a care home without your partner, spouse or civil partner and if they are not better off claiming benefits in their own right, you can choose to pass on half of your occupational pension, personal pension or retirement annuity to them. If you do so, we will disregard that amount from your assessment when working out your charge. We are only able to disregard exactly 50% of this income and not more or less than this amount. We are unable to disregard any other income (such as State Retirement Pension) for these purposes.

Income not included:

Most charitable or voluntary payments

- Child Tax Credits
- Guardians allowance
- Christmas Bonus and Winter Fuel Payments
- Disability Living Allowance (Mobility Component)
- Personal Independence Payment (Mobility Component)
- Gallantry awards
- War Disablement Pensions
- War Widows supplementary payments

Income we include in part:

- War widow's or widower's pensions
- The Savings Credit element of Pension Credit (we only take into account amounts above £5.75 per week)

How the charge is worked out:

- We add up the amount of income we can take into account (this includes Tariff Income described above)
- We deduct certain household allowances (in limited circumstances)
- We deduct certain allowances on rental income you receive
- We deduct Personal Expenses Allowance of £24.90
- We deduct up to £5.75 per week if you have savings credit

The amount that is left over is your Maximum Assessed Contribution

The value of your home (if you own it)

The value of your share of your main home will not normally be taken into account for the first 12 weeks of your permanent placement in a care home. This period is called the 12 week property disregard. The disregard may not apply in certain circumstances. For instance, it does not apply where you have already been paying the full cost of your care for more than 12 weeks or for property that you own but were not living in prior to going into care.

Additionally, the value of your property will continue to be ignored for as long as it is occupied by:

- Your partner / a relative or a member of your family who is aged 60 or over, or who is incapacitated (someone who receives an incapacity or disability benefit or would qualify for such benefits) or who is a child under 18 who you are required to maintain.

In these circumstances, it must be clearly evidenced that the relative was living at your home before residential care was considered and you did not foresee the need for a move to residential accommodation when they moved in.

If your main residence is or becomes unoccupied or is occupied by someone who is not listed above the value of your share of that property will normally be taken into account when we work out your charge. You may need to contact your insurance provider to check that your policy still covers a vacant property.

If your total assets, **excluding** the value of your home, are more than £23,250, you will have to pay the full cost of your care home placement.

When the financial assessment has been completed, we will tell you in writing how we worked out your charge and you will be advised on what you can do if you think the charge is wrong.

What to do if you think your charge is wrong

We calculate your charges based on information in the Care Act 2014, *Care and Support Statutory Guidelines*, and charging regulations. The rules behind calculating charges can sometimes be complex, so if you feel your charge is incorrect, please call the charging team on 0800 358 0228 or email us at ChargingTeam.AdultSocialCare@southwark.gov.uk.

Your initial financial assessment

Your very first financial assessment will be conducted by the charging team, you will need to return the financial assessment form to them. When you return the form you will need to provide documentary evidence to support your claim. Please note that if you are unable to supply evidence, and if we cannot obtain evidence elsewhere (for instance from the DWP), then you will be charged for the full cost of your care.

Annual reassessment

Each year we reassess the amount you will have to pay and let you know of any change to your charge. This is a good time to check your assessment and see if your details are up to date.

Changes in circumstances

You must tell us of any changes to your circumstances that may affect your charge. This includes changes to your income, savings or other capital. If your property is being disregarded, we need to know of any changes that will affect that disregard. For instance, if the property is being disregarded because your spouse is living there and your spouse subsequently leaves the property, this will affect your disregard and we must therefore be told about it. If you are unsure, please let us know anyway.

Reviews

You can ask us to review your financial assessment at any time by writing to the charging team giving reasons for your request.

Please note that if we have applied a Tariff Income in your financial assessment, we will usually only review the tariff income amount once a year unless there are special circumstances, such as an unavoidable expense you have incurred.

What care home fees cover

Care home fees should cover all the normal things a care home would be expected to provide, including your meals, laundry and heating. The care home should not ask you for more money, except to pay for any extras you may choose, such as buying

newspapers, going for outings or hairdressing.

Please note that if you go into hospital while in residential care, you will normally be expected to continue paying towards your placement. We will be paying to keep your room available to you in your absence, so you will need to continue contributing towards that fee, even while in hospital. Your charges will continue for as long as your room is kept open for you. If you are getting Attendance Allowance or the care element of DLA or the daily living element of PIP because you are self-funding, these will stop after 28 days in hospital.

State Benefits and care home accommodation

Going into a care home, whether temporarily or permanently, may affect your entitlement to certain state benefits. You should seek advice to ensure you, your partner or your carer are claiming all the benefits you / they are entitled to.

If you pay for your care home yourself

If you lived with a partner before you moved into permanent residential care, your state benefits will be reassessed as though you were both single. Both you and your partner will need to claim benefits in your own rights, as single people, even if you are still married, were living together as a couple or in a civil partnership.

If you pay the full cost of your accommodation without help from us or if you receive help under the Deferred Payment Scheme or the Letter of Undertaking Scheme, then your benefits will be paid at the same rates as if you were still living at home but as a single person. You should let the DWP or Jobcentre Plus know of your change of address and circumstances. If you were not already getting one of the benefits listed below, you should apply for them as soon as possible:

- Attendance Allowance (for those who are over pension age if not getting either of the below benefits) Disability Living Allowance (care component) - please note that you cannot make new claims for DLA, so if you were not already receiving

DLA or PIP (see below), then you should apply for PIP.

- Personal Independence Payment (daily living component)
- The mobility element of DLA and PIP can be paid even if we are paying care costs.

If you do not pay for the full cost of your care

If we pay towards your placement (regardless of whether the placement is temporary or permanent), Attendance Allowance, Disability Living Allowance (Care Component) and Personal Independence Payment (Daily Living Component) will all stop. They will also stop being paid 28 days after a hospital stay, a care home placement, or a combination of hospital and care home placement. If the DWP are not informed of your change in circumstances, these benefits will be overpaid and you will be expected to return the overpaid amounts.

If these benefits stop being paid, it may lead to a reduction in the amount of Income Support, Employment Support Allowance, Pension Credit or Universal Credit you receive. If this happens, your charge for care will also reduce.

If your carer is paid Carer's Allowance

If someone who looks after you is paid Carer's Allowance or the Carer's Premium of some means tested benefits, they should inform the relevant benefits office of your move to a care home. Their own entitlement to benefits may be affected if you lose Attendance Allowance, Disability Living Allowance or Personal Independence Payment, or if they stop being your carer (except for temporary periods).

If you give half your Occupational (works) pension, personal pension or retirement annuity contract to your spouse

If this is given to your spouse and if they get means tested benefits in their own right (such as Income Support, Employment Support Allowance, Pension Credit, Universal Credit, Housing Benefit or Council Tax reduction), they may wish to seek independent advice as their benefit entitlement will be affected. The DWP must be informed of this

extra income if they are in receipt of a means tested benefit.

If you rent as a tenant

Permanent admission to a care home may lead to immediate loss of entitlement to housing benefit or the housing costs element of Universal Credit. If your move to a care home is temporary and you intend to return to live in your home (and if it is not being sublet in your absence), you may continue to be entitled to help with your housing costs for some or all of your absence. You should speak to your local district or borough council for advice on housing benefit and to the DWP about universal credit.

Useful Contacts

If you require further information about how to pay your assessed charges, contact the Collections Team on 020 7525 1111 or by email at collections@southwark.gov.uk.

If you have questions about the financial assessment or the amount you are asked to pay, contact the Charging Team on 0800 358 0228 or by email at ChargingTeam.AdultSocialCare@southwark.gov.uk.

Disablement Association (for adults with physical disabilities)

Tel no: 020 7358 7744

Website: <https://www.sdail.org> (*Internet Explorer not supported - use different browser*)

Southwark Wellbeing Hub (for adults with a mental illness)

Tel no: 020 3751 9684

Website: www.together-uk.org/southwark-wellbeing-hub

Lewisham and Southwark Age UK (for older people)

Tel no: 020 7701 9700

Website: <https://www.ageuk.org.uk/lewishamandsouthwark>

Southwark Information and Advice Team (for adults with special educational needs and disabilities)

Tel no: 020 7525 3104

Website: <https://localoffer.southwark.gov.uk> (*Internet Explorer not supported*)

Citizens Advice Southwark

Tel no: 0344 499 4134

Address: 8 Market Place, London SE16 3UQ

Website: <https://www.citizensadvice.org.uk>

Money Helper (formerly called Money Advice Service)

Tel no: 0800 138 7777

Typetalk: 18001 0800 915 4622

Open: Monday to Friday, 8am to 6pm

Website: <https://www.moneyhelper.org.uk/en>

Department for Work and Pensions

Advice and contact details for the Pension Service and Jobcentre Plus

<https://www.gov.uk/government/organisations/department-for-work-pensions>

Paying for your care and support





This page explains how we work out how much you could pay for your care.



Click here to download a leaflet about organisations providing independent advice: [Independent Financial Advisors](#)



Financial assessments

To find out if you need pay for your care, we will carry out a **financial assessment**.










We will work out what you can afford to pay by finding out:









- how much it costs to provide care and support to meet your needs



- what your **personal expenses allowance** or **guaranteed minimum income** is.

	<p>The government sets the personal expenses allowance.</p>
	<p>This allowance is the money everyone needs to spend on other things every week.</p>
	<p>If you give us information about your money quickly,</p>
	<p>we can decide what you need to pay quickly too.</p>
	<p>Working out what you need to pay</p>
	<p>So that you only pay for the care you can afford, the charge is based on your income.</p>
	<p>The financial assessment tells us:</p> <ul style="list-style-type: none"> • your income • your capital <p>We explain these terms on the next page.</p>

	<ul style="list-style-type: none"> any costs you have because of your disability.
	<p>Income</p> <p>Your income includes benefits such as:</p> <ul style="list-style-type: none"> Personal Independence Payments
	<ul style="list-style-type: none"> Attendance Allowance
	<ul style="list-style-type: none"> Income Support.
	<p>If you have a job, we do not include your salary in the financial assessment.</p>
	<p>Capital</p> <p>Your capital includes: Property – houses, flats and offices</p>



- stocks and shares



- premium bonds



- savings



- land.









You will have to pay the total cost of your care and support if your **capital** is more than **£23,250**.








You will have to pay towards your care and support if your **capital** is from **£23,250** to **£14,250**.



To work out your income we add a tariff of **£1** for every **£250** of capital you have that is **more than £14,250**.

	<p>We do not add a tariff of £1 if your capital is less than £14,250.</p>
	<p>Here is an example of how we work out the tariff:</p>
	<ul style="list-style-type: none"> Your benefits are £100 per week
	<ul style="list-style-type: none"> Your capital is worth £16,000.
	<ul style="list-style-type: none"> So your capital is £1,750 more than £14,250.
	<p>This means your tariff will be £7 giving you an income of £107 per week.</p>

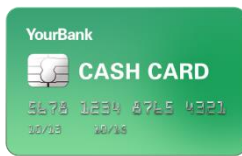
	<p>Other care and support</p> <p>You will not pay for other types of care and support, such as home care, if your income is less than the Minimum Income Guarantee.</p>
	<p>If your income is more than the Minimum Income Guarantee you will pay for your care and support.</p>
	<p>You will not pay for your care and support if your weekly charge is less than £3.</p>
	<p>Financial assessments are carried out,</p>
	<p>using the guidelines in the Care Act 2014 Statutory Guidance.</p>



Paying for care and support

If you have to pay for your care and support you can use:

- a cheque.



- a swipe card.



You can use **deferred payments** if you get care and support at a care home.



The best and easiest way to pay for your care and support is Direct Debit.



Deferred payments



If you move into a care home or a nursing care home, and you qualify for **deferred payments** you can pay the costs later on.



For more information go to the [Deferred payments](#) page.



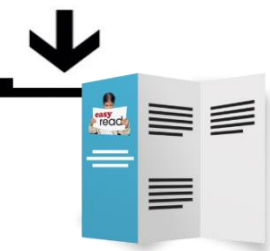
Reviewing what you pay

We will carry out a **financial assessment** every year to check that you are paying the right money.



If your income or savings change, you should tell us as soon as possible.

Useful information








Click this link to download our leaflet about paying for care and support:

[Fairer contributions policy summary and FAQ](#)



Get in touch

	<p>If you have questions about the financial assessments, you can.</p> <p>Call 0800 358 0228</p>
	<p>or email ChargingTeam.adultsocialcare@southwark.gov.uk</p>
	<p>We use the income we collect to carry on providing services for people with support needs,</p>
	<p>so it is important that your payments are made on time.</p>
	<p>Call 020 7525 1111 for information about making payments</p>
	<p>Email collections@southwark.gov.uk .</p>

Appendix 4

**Minimum income Guarantee (MIG)
(Extract from Government Guidelines)**

People receiving local authority-arranged care and support other than in a care home need to retain a certain level of income to cover their living costs. Under the Care Act 2014, charges must not reduce people's income below a certain amount, but local authorities can allow people to keep more of their income if they wish. This is a weekly amount and is known as the MIG.

For the next financial year (2023 to 2024), the rates of the MIG will increase in line with inflation as follows, where the adult concerned is:

- responsible for, and a member of, the same household as a child, the amount of £94.90 in respect of each child
- a single person and—
 - is aged 18 or older but less than 25, the amount of £82.15
 - is aged 25 or older but less than pension credit age, the amount of £103.65
 - has attained pension credit age, the amount of £214.35
 - is a lone parent aged 18 or over, the amount of £103.65
- is a member of a couple and—
 - one or both are aged 18 or over, the amount of £81.40
 - one or both have attained pension credit age, the amount of £163.65
- is a single person who is in receipt of, or the local authority considers would, if in receipt of income support, be in receipt of—
 - disability premium, the amount of the applicable premium is £45.75
 - enhanced disability premium, the amount of the applicable premium is £22.35
- is a member of a couple and one member of that couple is in receipt of, or the local authority considers would, if in receipt of income support, be in receipt of—
 - disability premium, the amount of the applicable premium is £32.60
 - enhanced disability premium, the amount of the applicable premium is £16.05
- is in receipt of, or the local authority considers would, if in receipt of income support be in receipt of, carer premium, the amount of the applicable premium is £49.05

Full Government Guidelines - [Social care - charging for care and support: local authority circular - LAC\(DHSC\)\(2023\)1 - GOV.UK \(www.gov.uk\)](#)

CABINET APPENDICES DISTRIBUTION LIST (OPEN)**MUNICIPAL YEAR 2023-24**

NOTE: Original held by Constitutional Team; all amendments/queries to
Paula Thornton Tel: 020 7525 4395

Name	No of copies	Name	No of copies
Cabinet Members		Officers	
Kieron Williams	1	Althea Loderick	1
Jasmine Ali	1	Doreen Forrester-Brown	1
Dora Dixon-Fyle MBE	1	Allan Wells	1
		Caroline Bruce	1
		David Quirke-Thornton	1
Electronic Versions (no hard copy)		Others (electronic)	
Evelyn Akoto		Paula Thornton, Constitutional Officer	5
Stephanie Cryan			
Helen Dennis			
James McAsh			
Darren Merrill			
Catherine Rose			
Martin Seaton			
Ian Wingfield			
Irina Von Wiese			
Suzanne Abachor			
Victor Chamberlain			
Ellie Cumbo			
Jon Hartley			
Laura Johnson			
Sunny Lambe			
Margy Newens			
Chloe Tomlinson			
Bethan Roberts			
		Total: 13	
		Dated: 4 September 2023	