



Executive

MINUTES of the OPEN section of the Executive held on Tuesday 9 February 2010 at 7.00 pm at Town Hall, Peckham Road, London SE5 8UB

PRESENT: Councillor Nick Stanton (Chair)
Councillor Kim Humphreys
Councillor Paul Kyriacou
Councillor Linda Manchester
Councillor Tim McNally
Councillor Adele Morris
Councillor David Noakes
Councillor Paul Noblet
Councillor Lisa Rajan
Councillor Lewis Robinson

1. APOLOGIES

All members were present.

2. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

The chair gave notice that the following late item would be considered for reasons of urgency, to be specified in the relevant minute:

- Outcome of the consultation process on the proposed permanent enlargement of Sacred Heart School and provision of a special needs unit.

3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Councillor Kim Humphreys declared a personal non-prejudicial interest in item 13, Draft Bankside, Borough and London Bridge Opportunity Area Supplementary Planning Document as he had a registered interest in a property within the area.

4. PUBLIC QUESTION TIME (15 MINUTES)

There were no public questions.

5. MINUTES

RESOLVED:

That the open minutes of the meeting held on 26 January 2010 be agreed as a correct record and signed by the Chair.

6. PROPOSED CHILDREN AND YOUNG PEOPLE'S PLAN 2010-13

RESOLVED:

1. That the proposed new Children and Young People's Plan (CYPP) for 2010 to 2013 and its implications for the council be noted.
2. That it be noted that this proposed Children and Young People's Plan will be subject to final partner and public consultation, as set out in paragraphs 28 and 29 of the report, with publication by April 2010.
3. That it be noted that the Children and Young People's Plan will be subject to new statutory guidance, expected later this year, which may require revisions to these proposals.
4. That council assembly be recommended following completion of partner and public consultation to formally adopt the proposed CYPP as Southwark Council's key policy framework document for children and young people.

NOTE: In accordance with the budget and policy framework this recommendation will be referred to council assembly for decision.

7. HEALTH INEQUALITIES STRATEGY

RESOLVED:

That the strategy for reducing health inequalities in Southwark as set out in the report and appendix be approved.

8. SOUTHWARK CCTV STRATEGY

RESOLVED:

1. That the Southwark CCTV Strategy (appendix 1 to the report) and the following key recommendations be agreed:
 - To establish improved measures to monitor performance and the cost effectiveness of CCTV in Southwark.
 - To work with other public space CCTV schemes to improve co-ordination and

explore potential for sharing costs.

- To seek external capital investment to provide a more effective Southwark CCTV system which will reduce revenue costs, improve performance and be able to respond more flexibly to intelligence led deployment.
- To establish independent auditing of the CCTV monitoring suite.
- To develop a CCTV communications plan to support the CCTV Strategy. This will be incorporated within the Community Safety communications plan for 2010/11.

9. GATEWAY 1: ARCHITECT AND LEAD CONSULTANT FRAMEWORK AGREEMENT

RESOLVED:

That the procurement strategy outlined in the report for the procurement of the Architect and Lead Consultant Framework Agreement be approved.

10. REVENUE FINAL OUTTURN REPORT 2008/9

RESOLVED:

1. That the following be noted:

- the favourable General Fund outturn for 2008/09 and the net contribution to reserves;
- the Housing Revenue Account's (HRA) outturn for 2008/09 being in line with budget;
- achievements of budgeted targets for the year for growth, commitments and savings; and
- the Collection Fund's year-end surplus balance.

11. POLICY AND RESOURCES STRATEGY 2010/11 TO 2012/13 -THE 2010/11 REVENUE BUDGET (THE BUDGET AND POLICY FRAMEWORK) AND MEDIUM TERM RESOURCES STRATEGY

RESOLVED:

1. That a balanced budget for 2010/11 for recommendation to council assembly on 23 February 2010 as set out in paragraph 18 and appendices A to D of the report, based on a council tax increase of 0%, which is in line with local policy priorities be agreed.
2. That the updated Medium Term Resources Strategy (MTRS) as set out in Appendix E of the report be agreed.
3. That in view of the current economic climate and uncertainty with regards future grant settlements, the finance director and other chief officers be instructed to closely monitor and review business and budget plans and processes.

NOTE: In accordance with the budget and policy framework recommendation 1 will be referred to council assembly for decision.

12. CAPITAL PROGRAMME MONITORING REPORT AND REFRESH - 10 YEAR CAPITAL PROGRAMME

RESOLVED:

1. That the current monitoring position for the capital programme 2009/10 – 2015/16 for both the General Fund (as at September 2009) and Housing Investment Programme (as at November 2009) be noted. See appendices A and B of the report respectively.
2. That the current situation with the updated primary school programme as described within paragraphs 26-35 of the report be noted.
3. That for the General Fund, the level of forecast capital resources projected for the period 2009-18 (£593m) compared to the current estimated cost of the existing programme (£490m), an increase of £103m in new resources be noted.
4. That the value of the new capital bids under review (£174m, General Fund only), see appendix C of the report be noted.
5. That the list of contractual obligations, health and safety pressures and identified high priorities including invest to save schemes (appendix C items 1-14 costing £58.2m) be funded from new capital reserves.
6. That the finance director provide more detailed options analysis and financial appraisals on the remaining bids received (items 15-34 costing £115m) for future consideration by the executive in the context of resources available and considering any additional resources which can be identified.
7. That the current position regarding the Elephant and Castle regeneration scheme and the signing of the Heads of Terms paper with the partner organisation Lend Lease be noted.
8. That the finance director submit quarterly monitoring reports to the executive in line with revenue monitoring to include regular updates on resource planning and availability to fund the programme and emerging priorities.
9. That the analysis of the overall position regarding resources and commitments be noted (see appendix D of the report) and that it also be noted that work is in progress to fully justify the position and will form part of the follow-up report in conjunction with point 6 above.
10. That the increased funding pressures for the Housing Investment Programme (outlined in paragraph 58 of the report) which have resulted in slippage to the programme in the short-term be noted and that efforts will be made to correct the slippage in the light of the longer term resourcing strategy.

13. DRAFT BANKSIDE, BOROUGH AND LONDON BRIDGE OPPORTUNITY AREA SUPPLEMENTARY PLANNING DOCUMENT

An addendum report was circulated in respect of this item.

RESOLVED:

1. That the draft Bankside, Borough and London Bridge Supplementary Planning Document (BBLB SPD) (Appendix A); and the following listed documents be noted:
 - Consultation Plan and Consultation Report (Appendix B)
 - Sustainability Appraisal (Appendix C)
 - Equalities Impact Assessment (EqIA) (Appendix D)
2. That the comments of the planning committee on the consultation report (Appendix B) be noted and the suggested changes set out in table 1 of the report and addendum be agreed with the following exceptions:
 - **Not agreed.** Recommendation to include Southwark Cathedral and environs as a priority for public realm improvements (reference page 41, 4.2.7 and page 77, 6.4.2).
 - **Not agreed.** Add at end of 1st paragraph: “and near Bankside Gallery” (reference page 31, 4.1.8).
 - **Amend.** Reconnect Upper Ground to Hopton Street/Holland Street allowing direct cycle link. Delete reference to cycle link and it be noted that this change cannot happen until development takes places (reference page 37, 4.2.3).
3. That the draft Bankside, Borough London Bridge Supplementary Planning Document be approved for consultation.

14. HEYGATE REHOUSING: COMPULSORY PURCHASE ORDERS

Appendix 4 containing additional advice was circulated in respect of this item.

RESOLVED:

1. That two compulsory purchase orders be made under section 226 (1) of the Town & Country Planning Act 1990 (as amended by section 99 of the Planning and Compulsory Purchase Act 2004) and section 13 of the Local Government (Miscellaneous Provisions) Act 1976 for the acquisition of the land and new rights within the areas edged red and shown as sites one and two on the plan at appendix one of the report for the purpose of securing the regeneration of the Heygate Estate in accordance with the provisions of the Southwark Plan.

2. That the head of property be authorised to:
 - a) take all necessary steps to secure the making, confirmation and implementation of the compulsory purchase orders including the publication and service of all notices and the presentation of the Council's case at Public Inquiry should one be called.
 - b) to acquire all interests in land within the compulsory purchase order areas either by agreement or compulsorily.
 - c) approve agreements with land owners setting out the terms for the withdrawal of objections to the Orders, including where appropriate seeking exclusion of land from the Orders and
 - d) amend the boundaries of the Sites shown edged red on the plan at Appendix One should the need arise.
3. That the resolution passed by major projects board on 30 July 2007 to make a compulsory purchase order covering a wider area be withdrawn.

15. AYLESBURY PHASE 1 COMPULSORY PURCHASE ORDERS

RESOLVED:

1. That three or more compulsory purchase orders be made ("Order[s]") under section 226 (1) of the Town & Country Planning Act 1990 and section 13 of the Local Government (Miscellaneous Provisions) Act 1976 for the acquisition of the land and new rights within the areas edged red on the plan at appendix one of the report for the purpose of securing the regeneration of the Aylesbury Estate in accordance with the provisions of the Aylesbury Area Action Plan.
2. That the head of property be authorised to:
 - a) determine and implement the optimum number of Order[s] to deliver the overall regeneration aspiration.
 - b) take all necessary steps to secure the making, confirmation and implementation of the Order[s] including the publication and service of all notices and the presentation of the council's case at Public Inquiry should one be called.
 - c) acquire interests in land within the Order[s] areas either by agreement or compulsorily.
 - d) approve agreements with land owners setting out the terms for the withdrawal of objections to the Order[s], including where appropriate seeking exclusion of from the Order[s].
 - e) amend the boundaries of the area shown edged red on the plan at appendix one of the report.

16. AUTHORITY TO PURCHASE LEASEHOLD INTERESTS IN LAKANAL HOUSE, SCEAUX GARDENS, CAMBERWELL

RESOLVED:

1. That the acquisition by agreement of all residential leaseholds in Lakanal House Camberwell be authorised.
2. That the head of property agree terms for the purchase of the individual properties.

17. APPOINTMENT OF DEVELOPMENT PARTNER AND DISPOSAL OF COUNCIL LAND AT WOODDENE SE15

RESOLVED:

1. That the disposal of the Wooddene site on the main terms and conditions that are set out in the closed report be approved.
2. That the head of property be authorised to agree any variations to these terms that may be necessary to achieve the successful regeneration of the Wooddene Site.
3. That in the unlikely event that this proposed sale to the recommended developer does not proceed to exchange, the head of property be authorised to agree the terms of a sale with the under-bidders set out in the closed report or failing such to re-market the site within such further timetable as deemed necessary, provided that such terms conform with the council's legal obligation to achieve the best consideration reasonably obtainable.
4. That the capital receipt from the sale of the property be recycled into the council's housing investment programme.

18. ABBEYFIELD ESTATE - OPTIONS FOR INVESTMENT REPORT

It was agreed to consider this item at a reconvened meeting of the executive on Monday 15 February 2010 at 5pm to be held at 160 Tooley Street, London SE1 2TZ.

19. DISPOSAL OF THE COUNCIL'S FREEHOLD INTEREST IN SITES ELMINGTON A AND B, EDMUND STREET, CAMBERWELL, LONDON SE5

RESOLVED:

1. That the disposal of Elmington sites A and B on the main terms and conditions that are set out in the closed report be approved.
2. That the head of property be authorised to agree any variations to these terms *that*

may be necessary to achieve the successful regeneration of Elmington sites A and B.

3. That in the unlikely event that this recommended sale does not proceed to exchange, the head of property be authorised to agree the terms of a sale with any one or combination of the under bidders set out in the closed report and/or any other third party, provided that these terms conform with the council's legal obligation to achieve the best consideration reasonably obtainable.
4. That the capital receipt from the sale of the property be recycled into the council's Housing Investment Programme.

20. OUTCOME OF THE CONSULTATION PROCESS ON THE PROPOSED PERMANENT ENLARGEMENT OF SACRED HEART SCHOOL AND PROVISION OF A SPECIAL NEEDS UNIT

This item had not been circulated 5 clear days in advance of the meeting. The chair agreed to accept the item as urgent because the statutory notice needed to be determined before two months from the end of the notice period i.e. 25 February 2010 or the decision would be passed to the Adjudicator.

RESOLVED:

1. That the proposal to permanently enlarge Sacred Heart RC Secondary school from four to five forms of entry by an increase in its admission number from 120 to 150 from 1 September 2013 be agreed.
2. That the proposal to provide a 25 place Special Education Needs (SEN) resourced unit at Sacred Heart RC Secondary school from 1 September 2013 be agreed.

21. ELEPHANT AND CASTLE REGENERATION AGREEMENT - UPDATE REPORT

RESOLVED:

That the progress made in connection with the Elephant and Castle Regeneration Project be noted.

EXCLUSION OF PRESS AND PUBLIC

It was moved, seconded and

RESOLVED:

That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in category 1,2, 3, & 5 of paragraph 10.4 of the Access to Information Procedure Rules of the Southwark Constitution.

The following is a summary of the decisions taken in the closed section of the meeting.

22. MINUTES

The closed minutes of the meeting held on 26 January 2010 were agreed as a correct and signed by the Chair.

23. AUTHORITY TO PURCHASE LEASEHOLD INTERESTS IN LAKANAL HOUSE, SCEAUX GARDENS, CAMBERWELL

The executive considered closed information in respect of this item. The open decision is set out in item 16 above.

24. APPOINTMENT OF DEVELOPMENT PARTNER AND DISPOSAL OF COUNCIL LAND AT WOODDENE PECKHAM HIGH ST / QUEENS ROAD PECKHAM SE15

The executive considered the closed information relating to this item. See item 17 above.

25. ABBEYFIELD ESTATE - OPTIONS FOR INVESTMENT

It was agreed to consider this item at a reconvened meeting of the executive on Monday 15 February 2010 at 5.00pm to be held at 160 Tooley Street, London SE1 2TZ.

26. DISPOSAL OF THE COUNCIL'S FREEHOLD INTEREST IN SITES ELMINGTON A AND B, EDMUND STREET, CAMBERWELL, LONDON SE5

The executive considered the closed information relating to this item. See item 19 above for decision.

CHAIR:

DATED:

The meeting ended at 9.10pm

DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 21 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, 17 FEBRUARY 2010.

THE ABOVE DECISIONS WILL NOT BE IMPLEMENTABLE UNTIL AFTER THAT DATE. SHOULD A DECISION OF THE EXECUTIVE BE CALLED-IN FOR SCRUTINY, THEN THE RELEVANT DECISION WILL BE HELD IN ABEYANCE PENDING THE OUTCOME OF SCRUTINY CONSIDERATION.