



Executive

MINUTES of the OPEN section of the Executive held on Tuesday 23 March 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 Lewis Robinson

1. APOLOGIES

Apologies for absence were received from Councillor Lisa Rajan.

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

There were no late items.

The Chair informed the meeting that item 17 of the agenda, Gateway 2 – Contracts Award Approval – Housing Major Works Contracts would be considered at a reconvened meeting of the executive which would be scheduled for Friday 26 March 2010 (12.30pm) to be held at 160 Tooley Street, SE1 2TZ.

In addition, the Chair informed the meeting that an urgent deputation request from the Home Owners' Council relating to the Housing Major Works Contracts item would also be considered at the reconvened meeting.

3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Councillor Nick Stanton declared a personal non prejudicial interest in item 8, Southwark Secondary, Primary and In Year Admissions Schemes 2011 as one of his children was due to attend a Southwark secondary school in either 2011 or 2012.

4. PUBLIC QUESTION TIME (15 MINUTES)

The following public questions were asked at the meeting.

- **Mr Michael Hayes**

“Why do the public not get replies to the vast majority of questions asked via the environment call centre helpline and what are the council doing to correct this.

Will the council change what they publish & promise the public in regard to replies within certain timescales to reflect what happens in practice?”

Response from the executive member for resources

“Over the last year more than 230,000 customers have called on our environment line and on average 81% of calls were answered within 45 seconds. When you average out the time customers waited to get through over the past year, it falls well below a minute at 55 seconds.

The council is committed to improving to customer services as can be shown from the much improved website launched today.

Every customer enquiry is important to us and we will continue to ensure that high standards are reinforced within our customer service centre.

We are reviewing our existing performance metrics within the customer service centre and will ensure that the focus remains on quality, response times and resolution at the first point of contact where possible.

We remain committed to improving customer service and the changes to the website give us the opportunity to deliver those improvements.

The council has recently commissioned a review of customer contact for environment services & will use the review to develop effective ways of reducing avoidable contact where possible.

If there are specific examples where you have not received the high level of customer service that we expect I will be happy to discuss those with you.”

The chair, Councillor Nick Stanton thanked Mr Hayes for bringing the matter to the Council’s attention.

- **Ms Lilian Nyaga**

“How will long term partnering contractors for delivery of major works, work collaboratively with council take advantage of Government Incentives for benefit of its residents? What is the council doing in readiness for renewable heat Incentives that will start in April 2011?”

Response from the deputy leader and executive member for housing

“The new partnering contracts have been procured in a way that encourages collaboration and innovation not only in the delivery of major works, but also through securing additional resources from government and other agencies for the benefit of residents. For instance, it is intended that the new contractors will work with the Council on a range of energy efficiency bids including Carbon Emission Reduction Target (CERT), Retrofit for the Future, and Community Energy Saving Programme (CESP). A number of the proposed new contractors already have a successful history of securing and delivering incentive resources for the benefit of residents in Southwark and across London.

In respect of Renewable Heat Incentive (RHI), the Council has been closely monitoring all aspects of government energy and carbon reduction policy. It is highly likely that the council will be able to make use of both the introduction of Feed in Tariffs (FIT) this coming financial year (for electricity generating renewable technologies) and the proposed RHI (for heat generating renewable technologies).

The council note that unlike the FIT regime, the RHI will apply to all scales of heat generation and this will mean that the council's communal heating schemes could benefit from income from RHI tariffs. We believe that there is an inconsistency in government approach to large scale gas fired combined heat and power (CHP) - which would receive neither FIT nor RHI income - and less optimal domestic scale gas 'micro-CHP' which will receive FIT tariff income. The council will be responding with these concerns, and others to the current RHI consultation.

Using other existing sources of funding the council has already embarked on a number of projects which would supply heat generated by biomass (wood sourced) and waste derived fuels to communally heated estates. The aim of such projects is always to :

- reduce carbon emissions
- reduce fuel costs to the council, and hence to tenants and homeowners
- reduce dependence on use of gas (and hence being locked in to a traded commodity that is highly volatile in price with a long term trend to increase in price)

The council will take into account the predicted price impact of the RHI on these projects.”

5. MINUTES

RESOLVED

That the open minutes of the meetings held on 9 and 15 February 2010 be agreed as correct records and signed by the Chair.

6. DEPUTATION REQUESTS

Dulwich Park Friends Group

The executive agreed to hear a deputation from the Dulwich Park Friends Group. The deputation spokesperson, Mr Robert Johnson addressed the meeting to seek an assurance that Dulwich Park would continue to have a dedicated park manager with responsibility for the Dulwich Park Area only.

RESOLVED:

That the comments of the deputation be noted.

7. ADMISSION ARRANGEMENTS FOR COMMUNITY PRIMARY SCHOOLS, NURSERY SCHOOLS AND CLASSES - SEPTEMBER 2011

RESOLVED:

That the primary community schools, nursery schools and nursery classes admissions criteria for 2011 attached as appendix 1 to the report be agreed and the improvements to the school admissions process summarised at paragraph 3 of the report be noted.

These changes:

- Continue to reduce the complexity of the local scheme making it more easily understood by parents and carers;
- Meet all requirements of the required statutory frameworks; and,
- Bring admission arrangements across local boroughs in-line with one another.

8. SOUTHWARK SECONDARY, PRIMARY AND IN YEAR ADMISSION SCHEMES 2011

RESOLVED:

That the secondary, primary and in year coordinated admissions schemes for 2011 attached as appendices 1, 2 and 3 of the report be agreed. These changes:

- Reduce the complexity of the local scheme making it more accessible to parents and carers and thereby leading to fewer appeals;
- Meet all requirements of the required statutory frameworks; and,
- Bring admission arrangements across local boroughs in-line with one another.

9. REVENUE MONITORING 2009-10 - QUARTER 3

RESOLVED:

1. That the updated quarter three revenue monitoring report for the General Fund and Housing Revenue Account (HRA) as at 31 January 2010 be noted.
2. That it be noted that the ongoing and unavoidable cost pressures have been addressed through the 2010/11 budget process.

10. LOCAL AREA AGREEMENT REFRESH

RESOLVED:

That the proposed changes to the Local Area Agreement resulting from negotiations between officers and civil servants, as set out in paragraphs 10, 14, 16, 21, 24, 28 and 29 of the report be agreed.

11. SOUTHWARK'S ALCOHOL STRATEGY 2009-2012

RESOLVED:

1. That the priorities and recommendations set out in the proposed Safer Southwark Partnership Alcohol Strategy 2010/12 (appendix 1 of the report) be noted.
2. That the draft Alcohol Strategy key priority areas as follows be agreed:
 - Children and Young People (CYP) Recommendations include: Young people having access to a specialist substance misuse service and raising the profile of substance misuse treatment, training and education.
 - Health and Social Care Recommendations include: Ensuring that Southwark's "Health and Inequalities Strategy 2009-20" and the Safer "Southwark Partnership Alcohol Strategy 2010-12" have a joined up approach to identify where alcohol has a significant impact on the health priorities for Southwark.
 - Crime and Community Safety: Recommendations include: Improving the information on the extent to which alcohol is a cause of crime and anti social behaviour and using the full range of new and existing powers to address alcohol related crime and anti social behaviour while ensuring that particular groups are not targeted inappropriately.

12. SOUTHWARK CIRCLE - A BRIEF UPDATE - SCRUTINY REVIEW (HEALTH AND ADULT CARE SCRUTINY SUB-COMMITTEE)

RESOLVED:

1. That it be noted that the members of the health and adult care scrutiny sub-committee welcome the Southwark Circle project and particularly favour aspects such as its level of informality; its comparative absence of bureaucracy and its organic approach for development.
2. That the issue of expanding the membership of the Southwark Circle steering group to include active Southwark Circle members be referred to the steering group for decision.
3. That it be noted that more targeted work is being carried out, such as the promotion of the project at community councils, with the aim to involve more people from other parts of the borough.
4. That a simple method be devised for logging a realistic proxy value or average equivalent commercial charge for each service delivered within the Southwark Circle scheme, with a view to measure what savings are being achieved.
5. That Southwark Circle be requested to provide further updates either to the overview and scrutiny committee or to the health and adult care scrutiny sub-committee on a six monthly basis, in order to monitor whether project's performance targets continue to be achieved and the extent to which decisions 2 to 4 above have been implemented.

13. GATEWAY 1 - TO PROVIDE CARE AND SUPPORT SERVICES IN EXTRA CARE SHELTERED HOUSING

RESOLVED:

1. That the procurement strategy outlined in the report to provide care and support services in extra care sheltered housing in Southwark be approved.
2. That the award of the contract be delegated to the strategic director of health and community services.

14. NEW AYLESBURY TRUST

RESOLVED:

1. That the winding up of the Aylesbury Regeneration Steering Group ("Steering Group") with effect from 1 April 2010 be agreed.

2. That the following councillors be appointed to The New Aylesbury Trust Limited (“New Aylesbury Trust”):

Executive Member for Regeneration (Councillor Paul Noblet)
Councillor Lorraine Lauder
Councillor Abdul Mohammed

15. MOTIONS REFERRED FROM COUNCIL ASSEMBLY 27 JANUARY 2010

Social Care in Southwark

RESOLVED:

1. That executive is grateful for the hard work and dedication of both the council’s own social care staff and those of partner organisations providing care in the borough.
2. That executive regrets the publication of the recent draft report from the Care Quality Commission (CGC), without any input from the council because of the commission’s refusal to discuss their findings with the council and notes the significant flaws, inaccuracies and factual errors including:
 - a) criticism of the the council’s customer service centre based on a small sample survey which ignored evidence from the council’s own customer service surveys showing increasing satisfaction. The executive also notes that the inspector failed to visit the dedicated and specialist call centre dealing with the most vulnerable residents.
 - b) contradictory assumptions about the council’s spending on adult social care including the claim that “the proportion of council spend directed to adult social care was in the lowest quartile nationally”, when the Audit Commission confirms that the council spends in the highest quartile nationally and the social care component of the council’s formula grant as calculated by the Department for Communities and Local Government (DCLG) is in fact £22 million less than actual spending.
 - c) failure to recognise the council’s beacon status for promoting cohesion, equality and driving out discrimination.
3. Executive welcomes the statement by Labour Minister of State for Care Services, Phil Hope, who in his letter to the council on 2 December acknowledges that the council is not a poor performer.
4. Executive believes that if the CQC report was a true reflection of a deterioration in service that this would have been picked up through complaints, MPs casework and council questions and motions. Executive notes that Harriet Harman states in her most recent annual report that social care issues were just 1.5% of the total, for Simon Hughes these were just 2% of the total caseload and that opposition members asked not a single question on the quality of social care in the last two years.

5. Executive supports the call for the findings to be subject to independent scrutiny to establish the facts, to allow the council to agree where improvement is actually needed and take action to improve services.
6. Executive registers its extreme concern about the implications of Southwark NHS' 5 year strategic plan.

Local Rail Services

RESOLVED:

1. That in light of the potentially detrimental effect on the amenity of the Herne Hill and Elephant and Castle area, it is viewed with serious concern the proposals by Network Rail and/or First Capital Connect to terminate the Thameslink Wimbledon loop services at Blackfriars. It is noted with concern amongst residents over adequate consultation and calls upon the executive and officers to liaise with other affected London boroughs to explore alternative options for the continuation of the current service providing through trains to Farringdon (for Cross Rail), to Kings Cross St Pancras (for Eurostar and other mainline services) and points north to Bedford.
2. That the recent extension of SouthEastern services from Nunhead, Peckham Rye, Denmark Hill and Elephant & Castle stations through the Thameslink tunnel from Blackfriars to Kentish Town, providing through trains for residents in Nunhead, East Dulwich, Peckham Rye and Camberwell to City Thameslink, Farringdon, Kings Cross St Pancras and Kentish Town be welcomed. The proposal that these services should be retained on completion of the Thameslink programme in 2015 be supported and the executive agrees to lobby to protect these services and indeed for additional services and destinations to be added for these stations when the increased capacity through the Thameslink tunnel is available
3. That the abysmal service currently being provided by First Capital Connect (FCC) be noted and the executive agrees to support local MPs and London Assembly members are supported in lobbying to ensure that a full service is restored, including removing the franchise from FCC if services do not improve rapidly, and to ensure that commuters are properly compensated for the disruption.

Improving Public Transport on the River

Executive notes:

1. That the River Thames is an integral part of the London Borough of Southwark, not just as a landmark, but as part of our transport system.
2. The recent publication of the report "At a Rate of Knots – Improving Public Transport on the Thames", that contains a number of proposals to improve river transport.

The executive believes:

3. That the restoration of the River Thames on the next edition of the standard tube map, recognising its potential as part of London's transport network, should be welcomed.
4. Improved river transport will attract more visitors to the borough, as demonstrated by the successful shuttle service which runs between Tate Modern and Tate Britain.
5. The council's plans to complete the Thames Path in Southwark will provide greater accessibility to river transport and enable visitors to explore the borough with greater ease.
6. That the potential for the expansion of river services exists, although it would wish to be assured that increased public subsidy for river services (as recommended by "At a Rate of Knots") could be achieved without a knock-on effect on subsidy levels for those transport modes on which a wider range of Southwark residents rely, including buses, underground and mainline rail.
7. That improving cross-river links is of equal importance to the borough. The executive therefore regrets the indications from the Mayor of London that Transport for London (TfL) is unlikely to contribute towards the development of a foot and cycle bridge over the Thames at Rotherhithe.

Executive agrees:

8. To consider how Southwark can promote greater awareness amongst our residents of existing river services and how they can use them.
9. To request that Southwark's transport policy team consider the proposals in the report, liaise with Transport for London (TfL) and the London Mayor's office, produce a report to executive on their viability and how Southwark could support them.
10. To request that Southwark's transport policy team also consider as part of this report any public realm improvements associated with the completion of the Thames Path.
11. To re-iterate support for a new foot and cycle river crossing in the east of the borough and writes to the Mayor of London asking him to reconsider his position on such a project.

16. SOUTHWARK SCHOOLS FOR THE FUTURE: BUILDING SCHOOLS FOR THE FUTURE (BSF) PHASE 3

RESOLVED:

1. That the submission of the Phase 3 Stage 0 submission to Partnerships for Schools be approved.

2. That the revised strategy for the Phase 3 investment including the separation of the Bredinghurst (behavioural, emotional and social difficulties) BESD School and the pupil referral units be noted.
3. That the reprogramming of Sacred Heart to Phase 2 and the delivery of this project as a joint private finance initiative (PFI) with St. Thomas the Apostle College be noted.
4. That the outline programme dates for the Phase 3 projects be noted.
5. That it be noted that a financial update report will be submitted for executive approval following financial close of Phase 2 in Autumn 2010.
6. That the proposed timings of Gateway 1 and Gateway 2 decision making through the development of the Phase 3 programme be approved.
7. That authority be delegated to the finance director to sign certificates under the Local Government (Contracts) Act 1997 which are required to be given to the LEP for Phases 2 and 3, and which certify that the local authority has the power to enter into these contracts (further details of which are given in paragraphs 42-43 of the report).

17. GATEWAY 2 - CONTRACTS AWARD APPROVAL - HOUSING MAJOR WORKS CONTRACTS

Consideration of this item was deferred to a meeting of the executive to be reconvened on Friday 26 March 2010 at 12.30pm.

18. ELEPHANT AND CASTLE REGENERATION AGREEMENT - UPDATE REPORT

RESOLVED:

1. That the significant progress made in connection with the Elephant and Castle Regeneration Project in that the principal commercial terms have now been agreed with Lend Lease subject to legal drafting be noted.
2. That officers be instructed to complete the negotiation of the Regeneration Agreement (RA) with Lend Lease (LL) in order that the finalised terms can be reported in June 2010 for consideration and approval.
3. That progress made in relation to negotiations with St Modwen be noted and officers report back in June 2010 on the outcome of those negotiations.

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 3 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.

19. MINUTES

The closed minutes of the meetings held on 9 and 15 February 2010 were agreed correct records and signed by the chair.

20. SOUTHWARK SCHOOLS FOR THE FUTURE - BSF PHASE 3

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

21. GATEWAY 2 - CONTRACTS AWARD APPROVAL - HOUSING MAJOR WORKS CONTRACTS

Consideration of this item was deferred (see item 17 above).

22. ELEPHANT AND CASTLE REGENERATION AGREEMENT - UPDATE REPORT

The executive considered the closed information relating to this item. See item 18 above for decision.

The meeting adjourned at 7.55pm and will reconvene on Friday 26 March 2010 at 12.30pm at 160 Tooley Street, London SE1 2TZ.

CHAIR:

DATED:

DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 21 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, WEDNESDAY 31 MARCH 2010.

WITH THE EXCEPTION OF ITEM 16 (WHICH IS BEING DEALT WITH BY WAY OF URGENT IMPLEMENTATION AND THEREFORE NOT SUBJECT TO CALL-IN) 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.