

Executive (Special)

July 29 2009

1.30 pm

Alfred Salter Primary School, Quebec Way, SE16 7LP

Membership

Councillor Nick Stanton
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

Portfolio

Leader of the Council
Deputy Leader and Housing
Environment
Community Safety
Resources
Citizenship, Equalities and Communities
Executive Member for Health and Adult Care
Regeneration
Children's Services
Culture, Leisure and Sport

INFORMATION FOR MEMBERS OF THE PUBLIC

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Members of the committee are summoned to attend this meeting

Nick Stanton,
Leader of the Council
Date: July 21 2009



Executive

Wednesday July 29 2009
1.30 pm
Alfred Salter Primary School, Quebec Way, SE16

Order of Business

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| | PART A - OPEN BUSINESS | |
| | MOBILE PHONES | |
| | Mobile phones should be turned off or put on silent during the course of the meeting. | |
| 1. | APOLOGIES | |
| | To receive any apologies for absence. | |
| 2. | NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT | |
| | In special circumstances, an item of business may be added to an agenda within five clear working days of the meeting. | |
| 3. | DISCLOSURE OF INTERESTS AND DISPENSATIONS | |
| | Members to declare any personal interests and dispensation in respect of any item of business to be considered at this meeting. | |
| 4. | CANADA WATER PREFERRED OPTIONS REPORT | 1 - 113 |
| | To approve for consultation the Canada Water Area Action Plan Preferred Options report. | |
| 5. | APPROVAL OF CY-PRES SCHEME FOR THE LIVESEY MUSEUM | 114 - 120 |
| | To agree the Charity Commission proposals for a cy-pres scheme for the Livesey Museum and to note the progress made by Theatre Peckham towards realising the proposals for the Museum. | |

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| 6. | THE YOUTH OFFENDING TEAM - RESPONSE TO RECOMMENDATIONS OF CHILDREN'S SERVICES AND EDUCATION SCRUTINY SUB-COMMITTEE | 121 - 124 |
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To note the comments/recommendations of the assistant director for specialist children's services and safeguarding in response to the recommendations of the children's services and education scrutiny sub-committee.

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| 7. | GATEWAY 1 - PROCUREMENT STRATEGY APPROVAL: LEASEHOLDERS AND ANCILLARY PROPERTIES - BUILDING INSURANCE | 125 - 132 |
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To approve the procurement strategy for the leaseholder and ancillary properties building insurance contract.

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| 8. | AUTHORISATION OF DEBT WRITE-OFFS ABOVE £50,000 FOR HEALTH AND COMMUNITY SERVICES | 133 - 135 |
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To approve the write off of debt relating to client accommodation charges.

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| 9. | POTTERS FIELDS - HEADS OF TERMS | 136 - 153 |
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To agree terms pertaining to the development of Potters Fields and eventual disposal of the Council's interest in the land outlined in the closed report.

OTHER REPORTS

The following item is also scheduled to be considered at this meeting:

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| 10. | DISPOSAL OF SITES TO NATIVE LAND: AFFORDABLE HOUSING FOR BANKSIDE SECTION 106 AGREEMENT | |
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DISCUSSION OF ANY OTHER OPEN ITEMS AS NOTIFIED AT THE START OF THE MEETING.

EXCLUSION OF PRESS AND PUBLIC

The following items are included on the closed section of the agenda. The Proper Officer has decided that the papers should not be circulated to the press and public since they reveal confidential or exempt information as specified in paragraphs 1 – 7, Access to Information Procedure Rules of the Constitution. The specific paragraph is indicated in the case of exempt information.

The following motion should be moved, seconded and approved if the executive wishes to exclude the press and public to deal with reports

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revealing exempt information:

“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 paragraphs 1 – 7, Access to Information Procedure Rules of the Constitution.”

PART B - CLOSED BUSINESS

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| 11. | POTTERS FIELDS - HEADS OF TERMS | 154 - 176 |
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To consider the closed information relating to the Potters Fields – Heads of Terms

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| 12. | AUTHORISATION OF DEBT WRITE-OFFS OVER £50,000 FOR NATIONAL NON DOMESTIC RATES - CUSTOMER & CORPORATE SERVICES | 177 - 182 |
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To approve the write-off debts set out in the report.

DISCUSSION OF ANY OTHER CLOSED ITEMS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.

Date: July 21 2009

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|------------------------------------|--------------------------------|---|-----------------------------------|
| Item No. | Classification: Open | Date: July 29 2009 | Meeting Name: Executive |
| Report title: | | Canada Water Preferred Options Report | |
| Ward(s) or groups affected: | | Rotherhithe, Surrey Docks | |
| From: | | Strategic Director of Regeneration and Neighbourhoods | |

RECOMMENDATIONS

1. That the executive approve for consultation the Canada Water Area Action Plan Preferred Options Report as set out in appendix A.
2. That the executive note the consultation plan (appendix B), the report on consultation carried out at issues and options stage (appendix C), the representations received on the Canada Water Issues and Options Report and the council's response (appendix D), the Sustainability Appraisal (appendix E), the Equalities Impact Assessment stage 2 report (appendix F) and the Appropriate Assessment (AA) carried out under the EU Habitats Directive (appendix G).

BACKGROUND INFORMATION

3. The council is preparing an area action plan (AAP) for Canada Water and the surrounding area. The AAP is being prepared under the new planning system and will comprise localised policies which help shape the regeneration of Canada Water. Like the core strategy it must be a spatial plan and concentrate on how change will be managed and achieved. Once adopted it will be a development plan document in the council's local development framework (LDF) and will be used as the basis for determining planning applications in the area. Together with the core strategy and other local development framework documents, it will replace the Southwark Plan.
4. Preparation of an AAP takes place over a number of stages. The first stage involved preparing and consulting on the sustainability appraisal scoping report (March-April 2008) and the second stage involved consulting on issues and options (reported to Executive in November 2008).
5. We are currently at the third stage of preparing the AAP which is consultation on preferred options. The preferred options establish a clear direction for the regeneration of the area with regards to issues such as shopping and town centre uses, design and building heights, proposals for open spaces, schools and health facilities etc. Following consultation on the preferred options, at the fourth stage the council will prepare the draft AAP. The publication/submission version will be brought back to members in January 2010 for adoption for consultation and submission to the Secretary of State.
6. The preferred options report is accompanied by a consultation plan (appendix B), a consultation report setting out details of consultation carried out to date (appendix C), a table of representations received during consultation on the Issues and Options Report and the council's response (appendix D), a sustainability appraisal (appendix E), an equalities impact assessment (appendix F), and an Appropriate Assessment (AA) carried out under the EU

Habitats Directive assessing the impact of the preferred options on EU Protected wildlife habitats (appendix G).

CONSULTATION

7. Prior to commencing work on the AAP, the council prepared an overarching consultation strategy to guide the overall approach to consultation on the AAP. All consultation carried out on the AAP has been consistent with this strategy and also with the requirements of the Statement of Community Involvement (SCI).
8. The council consulted on the Canada Water Issues and Options report over a period of 4 months between November 2008 and February 2009. This is summarised below (full details are provided in the consultation report in appendix C):
 - **Publicity:** The council consulted informally on the Issues and Options Report from November 25 2008 when the document was approved by executive. Formal consultation took place over a 6 week period between January 9 2009 and February 20 2009. Consultation was widely publicised through a mailout to statutory consultees and contacts on Southwark's Planning Policy database, information on Southwark's website and the Canada Water Regeneration website, an advertisement in the Southwark News, information made available and posters displayed in libraries and council offices and a newsletter sent to most residents in the AAP area.
 - **Events and exhibitions:** Five exhibitions took place at various locations around the Canada Water Area during the consultation period. These sought feedback on the issues and options from any interested parties.
 - **Stakeholder/ community group meetings:** Officers attended various group meetings during the course of the issues and options consultation period. These included the Canada Water Consultative Forum, Rotherhithe Community Council and the Bermondsey and Rotherhithe Green Enthusiasts.
9. In all representations were received from 120 organisations and people in response to the issues and options report, as well as a petition relating specifically to the Fish Farm. Consultees were asked to select their preferred option, A or B. Option A represented growth focused on housing. Option B represented mixed regeneration with growth led by housing, retail, offices and leisure. The following is a summary of preferences and views:
 - **Boundary of the AAP:** 68 people agreed with the proposed boundaries of the AAP and core area and 17 disagreed. The exclusion of Albion Street from the core area was the main subject of disagreement.
 - **The Vision and objectives:** 48 people agreed with the vision and objectives and 37 disagreed. Of those that disagreed, some people felt that the area does not need any more development and are happy with the areas current characteristics.
 - **Town centre:** 57 people chose option B and 19 chose option A. The main concerns were the quality of any new retailers and a need for smaller, independent local retailers. Street markets were supported. With regard to

Albion street, consultees wanted the retail units to be protected and enhanced with better links to Canada Water tube station.

- Transport: Consultees agreed that the road network needs to be improved. Some favoured less parking to reduce traffic whilst others were keen to protect parking to support local businesses and retailers. There was support for improved public transport and improvements related to walking and cycling.
 - Leisure: It was felt that a swimming pool and associated facilities should be retained in the area. Tourism option B was supported; some consultees questioned whether South Dock Marina is a suitable location for a hotel due to its remote location.
 - Places: In relation to tall buildings, 43 consultees favoured a mix of heights including some tall buildings, as against 30 who wished to see more restrictive heights. The protection of existing open spaces and improvements to waterways was supported.
 - Housing: Local residents living around the Fish Farm objected to its inclusion as a potential site for new homes. Generally more consultees favoured fixing affordable housing at 35% and increasing the proportion of family units.
 - Community: There was some support for the provision of new business space. The main concerns regarding children's services were the need and location for a new secondary school with objections to St Paul's playing field being developed. Many people felt that the police station should remain as a fully operational police station and police presence should not be reduced.
 - GLA: The GLA noted that both option A and B were compliant with London plan policy and overall they broadly support option B as it would fit better with London plan policies. They noted that the delivery section of the document needs strengthening in line with the comments from Government Office for London and that a monitoring section needs to be added.
 - GOL: GOL indicated that further information would be needed on delivery and implementation in order to ensure that the AAP was robust and effective.
 - Natural England and English Heritage: These organisations generally supported the AAP and the sustainability objectives in the sustainability appraisal.
10. The council's response to all these representations is set out in the table of responses to consultation (appendix D of this report).
11. At the current stage (preferred options), the council will use a number of channels to both raise awareness of consultation on the AAP and enable people to provide comments. These will include press adverts, information being made available on the website and in libraries, public exhibitions and newsletters. These are set out in more detail in the consultation plan (appendix B). Consultation will take place informally over a 3 month period, with a formal element comprising 6 weeks in September and October.

12. The preferred options report was reported to planning committee on 28 July. Members' comments will be reported within an addendum report.

KEY ISSUES FOR CONSIDERATION

13. Canada Water Area Action Plan preferred options are attached as appendix A. The Canada Water AAP preferred options are grouped under 7 key themes which are town centre/neighbourhood facilities, transport, leisure, places, homes, social and economic opportunities and finally the delivery of the AAP. The focus of the AAP is a core area around the shopping centre, although it will also be important to ensure that impacts in the wider peninsula are addressed.
14. At issues and options stage, the council consulted on two broad options: regeneration with a focus on homes (option A) and mixed regeneration (option B). The preferred option has mainly taken forward Option B. Improvements common to both options are also taken forward. This could help claw back retail expenditure which is currently spent outside the borough, provide more choice for local people and boost the local economy.
15. Town centre: Canada Water has around 40,000 sq m of shopping floorspace and is a district town centre in the London Plan. The shopping centre would be reconfigured or redeveloped and replaced by mixed use developments that would feel much more like a town centre. The amount of shopping space would be increased significantly. This would mean that a much greater range of shops could be provided, including a new department store.
16. Improved transport links: Lower Road is very congested at peak times when there is a conflict between local and through traffic. The traffic gyratory around Lower Road, Bush Road, Rotherhithe Old Road and Rotherhithe New Road creates a poor environment for residents who live around it and the town centre area is poorly connected to the wider peninsula. The preferred option notes that the council is working with TfL to explore options to improve traffic movement in the area. These include the reintroduction of two-way traffic movement on Lower Road, the introduction of a right-hand turn into Surrey Quays Road off Lower Road and the signalisation of the roundabout at the entrance to Rotherhithe Tunnel.
17. Leisure: The peninsula has the potential to become a great leisure destination. The council will endeavor to keep the Seven Islands Leisure Centre operating and will refurbish this subject to the funding becoming available through the capital programme. There are currently no alternative sites available for building a new leisure centre so this can not be provided at the moment. The preferred option seeks to generate more activity around Greenland and South Docks. St George's Wharf (the boatyard) is identified as having the potential to provide a mix of uses, including boatyard.
18. Places: The town centre is currently characterised by bland and lifeless architecture. A key objective of the AAP is to create a centre which is more distinctive with the Canada Water basin as its focus. The AAP seeks to ensure that a range of heights are provided in the core area, generally below 10 storeys. The exception to this includes a building of comparable height to the Canada estate towers on Site A, and a building of around 10-15 storeys on the south-west corner of the shopping centre. The tall buildings would act as landmarks in the area and help mark the town centre and key locations such as the new plaza and the tube stations. They can variety to the character of an

area and help make the skyline more interesting. It is very important that they are of the highest architectural quality and that they are designed carefully to avoid overshadowing or wind tunnel effects.

19. Better homes: The preferred options largely take forward the core strategy preferred option. This includes the redesignation of much of the AAP area as suburban, a requirement to ensure that a minimum of 30% of units have three or more bedrooms and that 35% of new homes are affordable.
20. We have considered the feasibility of redeveloping John Kennedy House and the low-rise blocks on the Hawkstone estate. However, we think that refurbishing homes in these blocks is a more financially viable option. This will take place when funding becomes available through the decent homes programme.
21. Enhanced social and economic opportunities: The AAP promotes a cluster of businesses uses around Harmsworth Quays printworks. Rotherhithe Primary School is identified as the preferred location for a new secondary school in the area. This option could streamline resources for both Rotherhithe Primary School and new secondary school and provide students with access to a greater range of facilities than they could access in a single school. Both schools would work in a complementary way with the sports facilities in Southwark Park.
22. St Pauls playing field is currently allocated as a community space in the Southwark Plan. We have considered the requirement to protect this space through our open spaces strategy review, we are awaiting the final results however the initial results show that the space is not required to be protected as there is no additional need for leisure facilities in Rotherhithe. The space could be a useful community or open space if the funding can be found to manage the facilities and therefore it could be protected as such in the Canada Water Area Action Plan. The space could also be used to build housing which would contribute towards our housing targets, providing affordable and family housing and could also generate capital receipts of £2.5m. Therefore the space could be allocated for housing in the Canada Water Area Action Plan. There seems to be more of a need for housing than open space in the Canada Water area. However members have expressed a preference for the space to be protected for community facilities or as open space therefore this has been allocated in the Area Action Plan.
23. The Fish Farm is currently not allocated in the Southwark Plan. We have considered the requirement to protect this space through our open spaces strategy review. This does not meet the criteria for open space and the initial results of the open space study show that there is no need for more open space in this area as it is not an area of open space deficiency. This space could be a useful open space for allotments or recreation if the funding can be found to manage the facilities and therefore it could be protected as such in the Canada Water Area Action Plan. The space could also be used to build housing which would contribute towards our housing targets, providing affordable and family housing and could also generate capital receipts of £0.5m. Therefore the space could be allocated for housing in the Canada Water Area Action Plan. There seems to be more of a need for housing than open space in the Canada Water area. However members have expressed a preference for the space to be protected for allotments, as open space or for community uses therefore this has been allocated in the Area Action Plan.

24. Delivery: The final part of the report describes how the plan can be delivered. A number of sites in the core area have planning permission. This includes the library and Site B. The council will continue to work with landowners and developers to facilitate development on privately owned sites in the core area. Delivery is a key part of the overall plan and when the AAP is examined, the council will need to be able to demonstrate to the inspector, that it is realistic, viable and can be implemented.

RESOURCE IMPLICATIONS

Financial Implications

25. There are no immediate resource implications arising from this report in approving the consultation for the Canada Water Area Action Plan Preferred Options report. Future development schemes emerging from the final approved Canada Water Area Action Plan will be subject to separate reports which will provide detailed and robust analysis of the financial implications of the individual schemes.
26. However, as stated in paragraphs 22 and 23, the current preferred options report for consultation, proposes the retention of Fish Farm and St Pauls Playing sites as open spaces and precludes the sites for housing developments which could produce capital receipts for the Council, subject to planning policy approval.
27. Current estimates indicate that potential capital receipts that could be generated from the Fish Farm and St Pauls Playing Field sites for residential housing development are £0.5m and £2.5m respectively.
28. Currently there is funding available through Southwark Building Schools for the Future to fund the development of a secondary school in the Canada Water planning area. The choice of location for this school would appear to favour locating the new school on the site of the Rotherhithe Primary school, which is also seeking funding for re-build through the Primary Capital Programme. The co-location of the development could lead to economies of scale arising through the joint procurement of the building contract and the potential decrease in energy and maintenance costs. The location of the Secondary school on the Primary school site may also create potential increased use of sports facilities within Southwark Park, as the intention is that the school would have an underlying sporting excellence theme.
29. In developing the model for the school, attention must be paid to the timing of the project, to ensure that the funding streams complement each other and maximise the efficiency of the funding. The project must be contained within any budget identified for the financing of the scheme.

Community Impact Statement

30. The purpose of the AAP is to facilitate regeneration and deliver the vision of Southwark 2016 in a sustainable manner ensuring that community impacts are taken into account.
31. In preparing the preferred options report, the council has also completed Equalities Impact Assessment (EqIA) stage 2 report (available on the website).

This highlights a number of key issues that need to be addressed in preparing the AAP. The first of these is the need to ensure that the methods used to consult and engage people in the preparation of the AAP are open and accessible to all members of the community. To help address this issue the council has prepared a consultation strategy which sets out the principles of how it will consult and the importance of reducing barriers to consultation. This emphasises that particular needs such as access, transport, childcare and translation need to be considered, as well as a strategy to broaden the appeal of consultation and make it attractive to a diverse range of people and groups. At each stage, participation will be monitored and analysed to see whether any particular groups have not been engaged and whether this can be addressed at the next stage.

32. Other issues which the EqlA highlights, include access to housing for all groups. There are particular groups who are impacted by the size of housing and have a need for family sized units. We also need to consider the benefits of regeneration of areas versus improvements to tenants' homes to ensure that we consider the needs of current residents in addition to how areas can be improved. It will also be important to ensure that homes are adaptable and meet lifetime homes needs, and that homes which can be easily adapted to wheelchair use are provided. The latter are important considerations for the elderly and people with disabilities. It will also be important that the plans help reduce barriers to work which are experienced by those with low skills, single parent families, and people with disabilities in particular. This will have implications for a number of the council's equalities target groups, including the young and older people, people with disabilities and people in BME communities whose first language is not English.
33. Other important issues include access to facilities, to shops, jobs, schools etc. It will be important to ensure that provision is located in areas which are accessible. This can be particularly important for groups who are less likely to have access to cars, including the young and elderly. While it will be important to improve access to public transport and reduce parking requirements, it should be borne in mind that some groups rely on cars, particularly families and the elderly in accordance with representations received at the preferred options stage.
34. A sustainability appraisal has been prepared to ensure the wider impacts of development are addressed. Both the sustainability appraisal and the EqlA will be taken forward and revised at publication/submission stage.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Communities, Law and Governance

35. Under Part 3F, paragraph 7 of the Constitution, it is the Planning Committee's function to comment on successive drafts of local development documents such as the Canada Water Area Action Plan (CWAAP) and make recommendations to the executive as appropriate.
36. On July 28 2009, the planning committee considered the CWAAP Preferred Options Report together with the accompanying documents (namely the consultation plan, the consultation report, the representations received on the Canada Water Issues and Options Report and the council's response, the Sustainability Appraisal, the Equalities Impact Assessment stage 2 report and

the Appropriate Assessment carried out under the EU Habitats Directive). The comments of the planning committee and recommended changes to the AAP are set out in the Addendum Report and Table 1 for the consideration of members of the Executive.

37. The CWAAP Preferred Options together with the accompanying documents and comments of the Planning Committee are presented to the executive for consideration and approval of the CWAAP Preferred Options for consultation.
38. The council's constitution reserves the adoption of the preferred options of DPDs to the full executive (Para 20, Part 3C). The approval of a development framework document for consultation is delegated to the Individual Executive Member (IDM) for Regeneration and Housing (Para 14, Part 3D). However, the IDM has the option of taking the decision him or herself or referring it to full executive for decision. The executive member for regeneration has exercised the option to refer the matter to the full executive for a decision. The executive is accordingly requested to have regard to the contents of and the background documents appended to this report before approving the CWAAP Preferred Options Report consultation in accordance with the SCI.
39. The director of communities, law and governance has for the purposes of this report evaluated only the CWAAP Preferred Options report, the reports to planning committee and the executive. This concurrent is provided in that context, to assist members in providing their comments by keeping in mind the objectives of the CWAAP and accompanying documents.
40. The CWAAP is a development plan document (Regulation 7 of the Town and Country Planning (Local Development) (England) Regulations 2004 ("the Regulations")) and will be subject to independent examination by an inspector of the Secretary of State.

The Consultation Plan/Consultation Report

41. The production of the CWAAP is required to follow principles for community engagement in planning. In particular Regulations 24 and 25 of the Town and Country Planning (Local Development) (England) Regulations 2004 ('the Regulations') require the council to consult with the community and stakeholders during the preparation of the preferred options and publish an initial sustainability report. Regulation 26 and Section 19(3) of the Planning and Compulsory Act 2004 ("the Act") specifically require local planning authorities to comply with their adopted SCI. In so far as the SCI exceeds the consultation requirements of the Regulations, it must be complied with. The involvement of the public and stakeholders across different sectors in preparing the CWAAP must therefore follow the approach set out in the council's SCI. This means that the council and the Local Strategic Partnership should take a strategic approach to community involvement.
42. The council is required to undertake timely, effective and conclusive discussion with key stakeholders on what option(s) for a CWAAP are deliverable. This should help ensure that the CWAAP is sound and in fact deliverable.

The CWAAP Preferred Options

43. In devising its strategy the council is required to be consistent with national policy and in general conformity with the London Plan. This means that the

choices made regarding, for example where growth should take place should be consistent with national and regional policy. The CWAAP should be concentrating on establishing a clear direction for the regeneration of the area with regards to specific issues that have been identified as being of local importance such as the town centre, leisure, transport.

44. The CWAAP should align and coordinate with the Local Development Framework, the council's Sustainable Community Strategies and the Core Strategy which provides the overarching strategic objectives for the borough. In that regard it is key to delivering the corporate and community aspirations for the local area. Therefore the key spatial planning objectives for the Canada Water area should be in alignment with priorities identified in the SCS and CS. The interrelationship between the objectives of the CWAAP, the Council's other AAPs and those of neighbouring boroughs, such as Lewisham and Tower Hamlets, should also be considered.
45. The CWAAP must be justifiable. It must be founded on a robust and credible evidence base as well as **the most appropriate strategy when considered against the reasonable alternatives.**
46. The council must be able to demonstrate at the public examination that the preferred option(s) are the most appropriate when considered against reasonable alternatives delivers confidence in the strategy. It requires the council to seek out and evaluate *reasonable* alternatives promoted by themselves and others.

Sustainability Appraisal

47. The Planning and Compulsory Purchase Act 2004 requires a Sustainability Appraisal (SA) to be prepared for all emerging development plan documents and therefore this applies to the CWAAP. For the purposes of this Report, Director of Communities, Law and Governance has not had the opportunity to inspect the SA but understands that an independent consultant has been retained to prepare the document in accordance with the statutory requirements and regulations.
48. The Sustainability Appraisal required by section 19(5) of the Planning and Compulsory Purchase Act 2004 is an appraisal of the economic, social and environmental sustainability of the plan.
49. The Sustainability Appraisal performs a key role in providing a sound evidence base for the plan and is an integral part of the plan preparation process, hence it also forms part of the consultation process for the CWAAP preferred options. The SA should inform the evaluation and selection of alternatives. It will also provide a means of proving to decision makers, and the public, that the plan is the most appropriate given reasonable alternatives.
50. In summary the CWAAP must be effective. This means must be deliverable, flexible and capable of monitoring.
51. Deliverability is demonstrated by showing how the vision, objectives and strategy for the area will be delivered and by whom, and when. This includes making it clear how infrastructure which is needed to support the strategy will be provided and ensuring that what is in the plan is consistent with other relevant plans (such as other DPDs) and strategies relating to adjoining areas.

52. Flexibility is demonstrated by showing that the CWAAP can deal with changing circumstances. Area Action Plans should look over a long time frame – 10-15 years usually but more if necessary.
53. It is important to note that it may not always be possible to have maximum certainty about the deliverability of the strategy, particularly in the current economic climate. However, given the timeframe of the CWAAP it should also be borne in mind that it is likely to endure a number of economic cycles, each presenting different constraints and opportunities. The CWAAP preferred options should therefore demonstrate flexibility and the alternative strategies that have been prepared to handle this uncertainty.
54. The CWAAP Preferred Options must have clear arrangements for monitoring and reporting results to the public and civic leaders. Monitoring is essential for an effective strategy and will provide the basis on which the contingency plan(s) within the strategy would be triggered. The delivery strategy should contain clear targets or measurable outcomes to assist this process.

Equality Impact Assessment

55. The council published its Equality Scheme 2008-2011 in May 2008. This sets out the council's overall policy for addressing equality, diversity and social cohesion in the borough. This policy recognises that people may face discrimination, or experience adverse impact on their lives as a result of age, disability, ethnicity, faith, gender or sexuality.
56. The carrying out of an EqIA in relation to policy documents such as the CWAAP improves the work of Southwark by making sure it does not discriminate and that, where possible, it promotes equality. The EqIA ensures and records that individuals and teams have thought carefully about the likely impact of their work on the residents of Southwark and take action to improve the policies, practices or services being delivered. The EqIA in respect of the CWAAP needs to consider the impact of the proposed strategies on groups who may be at risk of discriminatory treatment and has regard to the need to promote equality among the borough's communities.

Soundness of the CWAAP

57. Under the Planning and Compulsory Purchase Act 2004 S 20(5)(a) an Inspector is charged with firstly checking that the plan has complied with legislation and is otherwise sound. Section 20(5)(b) of the Act requires the Inspector to determine whether the plan is 'sound'. The 'soundness test' includes in particular ensuring that the plan:-
 - (i) has been prepared in accordance with the Local Development Scheme
 - (ii) is in compliance with the Statement of Community Involvement and the Regulations;
 - (ii) has been subject to Sustainability Appraisal;
 - (iii) has regard to and is consistent with national policy;
 - (iii) conforms generally to the Spatial Development Strategy, namely the London Plan;
 - (iv) has regard to other relevant plans, policies and strategies such as other DPDs which have been adopted or are being produced by the Council, or indeed, those of neighbouring boroughs particularly on cross-cutting issues such as transport;

- (v) has regard to any sustainable community strategy for its area; and
 - (vi) has policies, strategies and objectives which are coherent, justified, consistent and effective.
58. 'Justified' means that the document must be founded on a robust and credible evidence base and that it must be the most appropriate strategy when considered against reasonable alternatives. 'Effective' means that the document must be deliverable, flexible and able to be monitored. These are the overarching principles that should be in members' minds when providing comments on the documents before them.
59. On the basis of reports reviewed there is no reason to believe that a CWAAP based on the present Preferred Options will not be sound. However, prior to the finalisation of the publication / submission draft further issues will need to be considered and developed further. These include: -
- a) cross boundary implications in light of other borough's policies (if relevant);
 - b) how the CWAAP will be flexible enough to accommodate changes in policy within the London Plan or the Council's other DPDs;
 - d) as indicated in the Preferred Options document, how the proposals will be implemented and, in particular, the infrastructure implications and tariffs. A clear strategy for delivering (and paying for) the required infrastructure will need to be developed;
 - e) the mechanisms that will be used to monitor the implementation of the CWAAP; and
 - f) approaches to be taken to address changes in circumstances or policy.

Human Rights Considerations

60. The policy making process potentially engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant. In the case of the CWAAP Preferred Options, a number of rights may be relevant: -
- **The right to a fair trial (Article 6)** – giving rise to the need to ensure proper consultation and effective engagement of the public in the process;
 - **The right to respect for private and family life (Article 8)** – for instance the selection of preferred options from a number of alternatives could impact on housing provision, re-provision or potential loss of homes as a result of re-development. Other considerations may include significant impacts on amenities or the quality of life of individuals;
 - **Article 1, Protocol 1 (Protection of Property)** – this right prohibits interference with individuals' right to peaceful enjoyment of existing and future homes. It could be engaged, for instance, if the delivery of any plan necessitates CPOs;
 - **Part II Protocol 1 Article 2 Right to Education** – this is an absolute right enshrining the rights of parents' to ensure that their children are not denied suitable education. This will be a relevant consideration in terms of strategies in the plan which impact on education provision, e.g. the proposal to provide a new secondary school at Rotherhithe.
61. It is important to note that few rights are absolute meaning they cannot be interfered with under any circumstances. Other 'qualified' rights, including the aforementioned Article 6, Article 8 and Protocol 1 rights, can be interfered with

or limited in certain circumstances. The extent of legitimate interference is subject to the principle of proportionality whereby a balance must be struck between the legitimate aims to be achieved by a local planning authority in the policy making process against potential interference with individual human rights. Public bodies have a wide margin of appreciation in striking a fair balance between competing rights in making these decisions. This approach has been endorsed by *Lough v First Secretary of State* [2004] 1 WLR 2557 and clearly shows that human rights considerations are also material considerations in the planning arena which must be given proper consideration and weight. It is acceptable to strike a balance between the legitimate aims of making development plans for the benefit of the community as a whole against potential interference with some individual rights.

Director of Finance

62. As this is for consultation purposes only, there are no immediate resource implications arising from this report in approving the consultation for the Canada Water Area Action Plan Preferred Options report.
63. At this point in time it is not possible to assess full financial implications, however when the final approved Canada Water Area Action Plan is reported to members, a full and robust financial analysis covering the whole of the Area Action Plan options will be required.

Deputy Director Childrens Services / Education

64. The Southwark Building Schools for the Future programme contains provision for two new secondary academies, including one within the Canada Water planning area. This is to take account of the increasing number of children as the area becomes home to greater numbers of families with children. Central government in consultation with Southwark Council, has identified Bacon's College as the lead sponsor of this new school.
65. The Primary Capital Programme is central government's equivalent programme to BSF but for primary schools. Rotherhithe Primary School was identified within that as a potential rebuild in the second phase. This school is single storey with large areas of flat roof giving both high energy costs and high maintenance costs.
66. With two new builds planned for the area, there is an exciting opportunity to bring them together to develop a 0-19 school for the area, incorporating a children's centre alongside provision for primary and secondary aged pupils. It is the intention of the Council to work with the governors of Rotherhithe Primary School and the trustees of Bacon's College to develop a model for the new school on the site of Rotherhithe Primary. It would also be the intention of that work to link with developments in Southwark Park to facilitate greater use of the sports facilities in the school by children and young people.
67. Further work is planned in developing youth facilities through this area plan, including establishing bespoke accommodation for our youth council in the new Rotherhithe library.

BACKGROUND DOCUMENTS

| Background Papers | Held At | Contact |
|---|--|--------------------------------|
| London Plan | Planning Policy Team Chiltern House | Sandra Warren 020 7525 5471 |
| Southwark Statement of Community Involvement | Planning Policy Team Chiltern House | Sandra Warren 020 7525 5471 |
| Southwark Local Development Scheme | Planning Policy Team Chiltern House | Sandra Warren 020 7525 5471 |
| Southwark Plan 2007 | Planning Policy Team Chiltern House | Sandra Warren 020 7525 5471 |

APPENDICES

There are many appendices that are available on request or on the internet at www.Southwark.gov.uk/ldf

| No. | Title | |
|---|--|--------------------------------|
| Appendix A Paper copy with this report | Canada Water Area Action Plan Preferred Options Report | |
| Appendix B Canada Water Area Action Plan Preferred Options Report Consultation Plan | www.southwark.gov.uk/ldf | Sandra Warren 020 7525 5471 |
| Appendix C Canada Water Area Action Plan Consultation Report | www.southwark.gov.uk/ldf | Sandra Warren 020 7525 5471 |
| Appendix D Canada Water Area Action Plan Table of representations made on the Issues and Options Report and the council's response | www.southwark.gov.uk/ldf | Sandra Warren 020 7525 5471 |
| Appendix E Canada Water Area Action Plan Sustainability Appraisal | www.southwark.gov.uk/ldf | Sandra Warren 020 7525 5471 |
| Appendix E Canada Water Area Action Plan Equalities Impact Assessment Stage 2 Report | www.southwark.gov.uk/ldf | Sandra Warren 020 7525 5471 |
| Appendix F Canada Water Area Action Plan Appropriate Assessment | www.southwark.gov.uk/ldf | Sandra Warren 020 7525 5471 |

AUDIT TRAIL

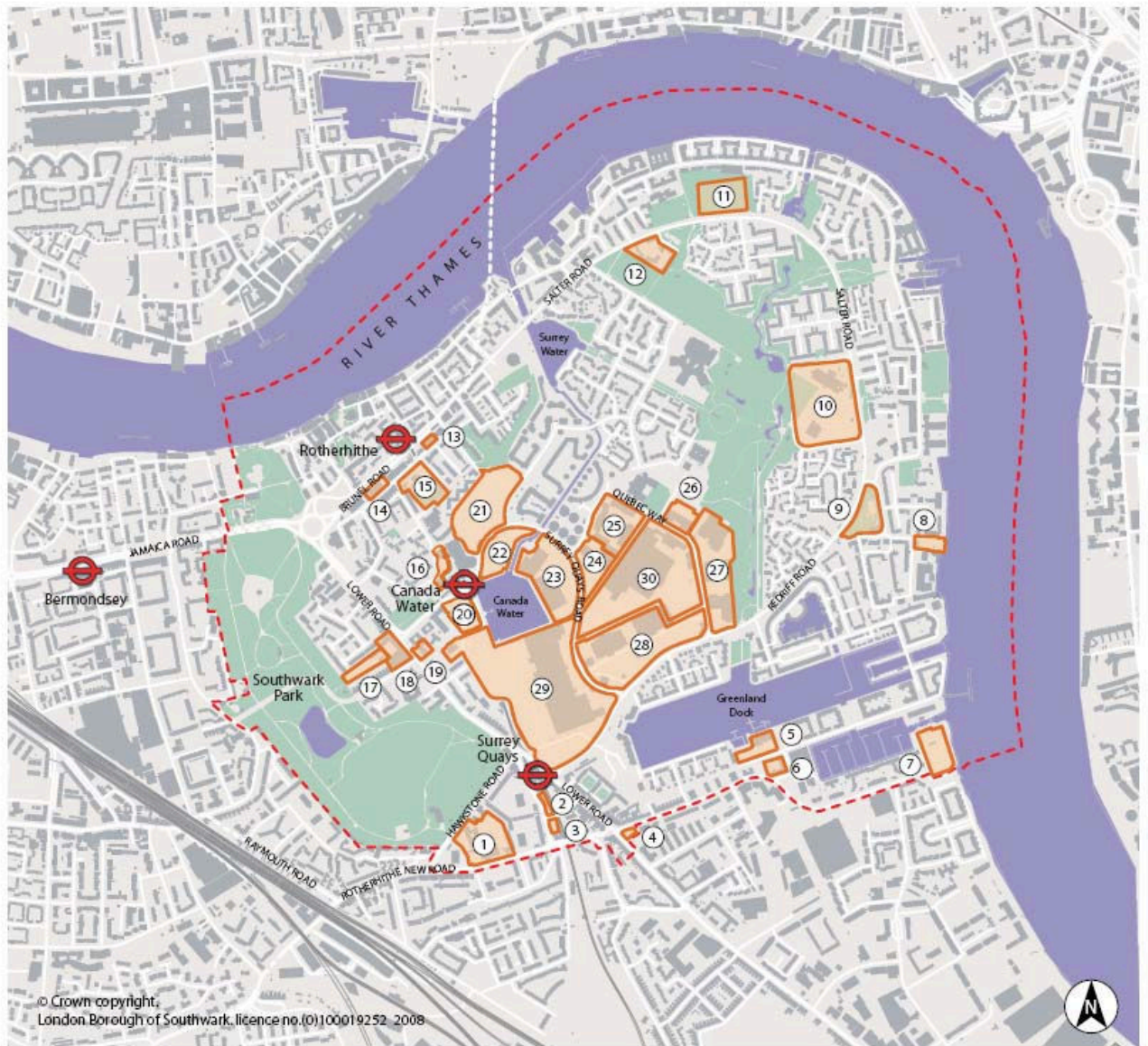
| | | |
|---|---|--------------------------|
| Lead Officer | Anne Lippitt, Strategic Director of Regeneration And Neighbourhoods | |
| Report Author | Julie Seymour, Head of Planning Policy | |
| Version | Final | |
| Dated | July 20 2009 | |
| Key Decision? | Yes | |
| CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER | | |
| Officer Title | Comments Sought | Comments included |
| Strategic Director Communities, Law and Governance | Yes | Yes |
| Departmental Finance Manager | Yes | Yes |
| Executive Member | Yes | Yes |
| Date final report sent to Constitutional Support Services | | July 20 2009 |



**Canada Water
Preferred Options report
Version 1.6**

July 2009

**Inside cover:
Map showing sites in the Canada Water AAP area**



- AAP Proposal Sites
- Wider AAP Area

- | | | |
|-------------------------------|----------------------------------|---------------------------------|
| 1. Rotherhithe Primary School | 11. St Paul's Playing Field | 21. Site A |
| 2. 23 Rotherhithe Old Road | 12. Fisher Athletic | 22. Site B |
| 3. 41-55 Rotherhithe Old Road | 13. Job Centre | 23. Decathlon Site |
| 4. 247-251 Lower Road | 14. Albion Primary School | 24. Site E |
| 5. Watersports Centre | 15. Rotherhithe Library | 25. Mulberry Business Park |
| 6. Tavern Quay | 16. Canada Towers | 26. 24-28 Quebec Way |
| 7. St George's Wharf | 17. Fish Farm | 27. Quebec Industrial Estate |
| 8. Odessa Street Youth Club | 18. Seven Islands Leisure Centre | 28. Surrey Quays Leisure Centre |
| 9. Docklands Settlement | 19. Rotherhithe Police Station | 29. Shopping Centre |
| 10. Downtown | 20. Overflow Car Park | 30. Harmsworth Quays |

How to get involved

The Canada Water Area Action Plan (AAP) is a document that will ensure real change within the Canada Water over the next 15 years. It aims to create a genuine town centre which is distinctive and reflects the area's heritage, an area which is renowned for its great open spaces and leisure facilities and a place with great schools and homes which are attractive to families.

We need your help to make this change happen. This Preferred Options report describes our vision and objectives for the area and sets out our preferred options for the policies we are proposing to put in place to help achieve the vision. We would like your views on these preferred options. This will help to ensure that the final AAP meets your needs as well as those of the wider community.

Formal consultation on the Preferred Options Report begins on 1 September 2009. All comments must be received by 5pm on 13 October 2009.

This will not be your last chance to get involved. You will have the opportunity to make representations on the soundness of the plan when we reach the submission stage of the preparation of the plan.– We will welcome your input at this stage of the AAP. For more details about how to get involved in the future please contact Sukhie Chohan using the contact details provided below.

Comments should be made on the questionnaire provided. These can be returned by post, fax or email to:

Address:

Email: planningpolicy@southwark.gov.uk

Fax: 020 7525 5471

This Preferred Options Report is available to view on our website – www.southwark.gov.uk/canadawateraap - or by following Planning and Building Control > Planning Policy from www.southwark.gov.uk.

This report is also available to view in local libraries; one stop shops and the Town Hall, Peckham Road, SE5.

If you have any queries regarding this Preferred Options Report please contact Tim Cutts at the above address or telephone: 020 7525 5471.

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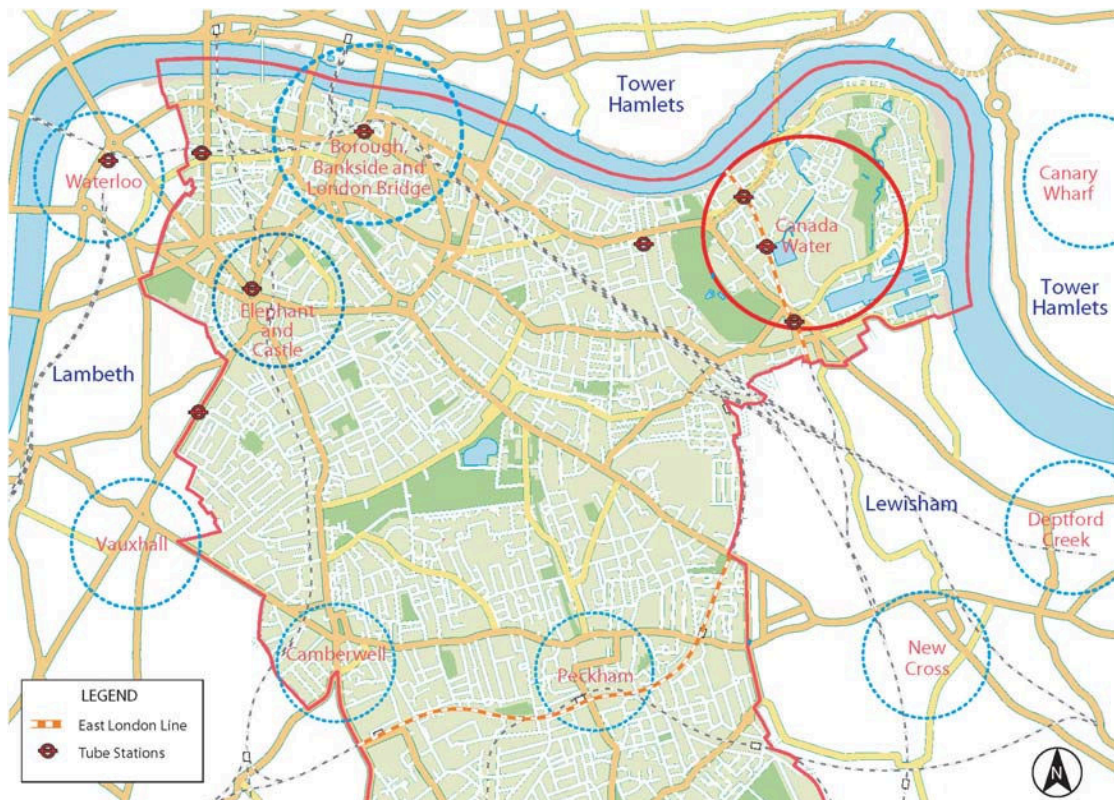
Part 1

1.1 The Canada Water Area Action Plan (AAP)

1.1.1 What is the Canada Water AAP?

The Canada Water Area Action Plan (AAP) is a plan to regenerate the area around Canada Water (see Figure 1). Looking forward to 2025, it sets out a vision which describes the kind of place that Canada Water will be and a strategy for implementing the vision.

Figure 1: The location of the Canada Water action area



The Rotherhithe peninsula was transformed during the 1980s and 1990s. As well as the shopping centre and the Harmsworth Quays print works, over 5,500 new homes were built during this period. Appendix 1 describes the characteristics of the area in more detail.

A second phase of regeneration is now underway in the area focussed around Canada Water. The substantial amounts of surface car parking, the out-of-town style shopping and entertainment facilities and the vacant sites around Canada Water tube station provide an opportunity to create a new town centre for Rotherhithe and for Southwark

The focus of the AAP will be a core area around Canada Water. However, the AAP will also look a wider set of measures that are needed help the area fulfil its potential and build on some of its key strengths, particularly its attraction for families, its fantastic leisure opportunities and with great parks, the docks and green links, the quality of its environment. We have summarised the strengths, weaknesses, opportunities and threats facing the area in appendix 2.

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The AAP is being prepared to manage this change. It will identify the measures that need to take place and crucially will set out how and when these changes will be delivered. The AAP is part of our local development framework (LDF), the folder of documents which are used to manage development in Southwark. It will guide future investment in Canada Water and will be used to make decisions on planning applications.

1.1.2 Why is the AAP important?

The AAP will affect your experience of Canada Water including:

- the look and feel of the town centre area and design of new buildings
- the type and range of shops which are provided
- improvements to the road layout and pedestrian and cycle links in the area
- access to schools and jobs on the Rotherhithe peninsula
- the leisure facilities on offer on the peninsula
- the range and quality of homes in the area
- the safety and quality of parks and public spaces

We are currently preparing the Canada Water AAP. This is your opportunity to tell us what you want Canada Water to be like in 2025. What do you like and dislike about the area? What should be changed? What should stay the same?

1.2 What is this document?

1.2.1 The preferred options report

The document you are now reading is the Canada Water AAP preferred options report. It sets out our vision and objectives for the growth and future development of the Canada Water. It also describes the policies we will put in place to achieve this vision and the reasons why we have chosen these policies.

Although we are consulting on preferred options these are not set in stone. We will take your comments on the preferred options into account as we prepare the draft AAP. If there are alternative options which you prefer, you are welcome to tell us about these and we will consider them.

1.2.2. Where does the preferred options report fit into the process of preparing the AAP?

We are preparing the AAP in several stages and this document builds on earlier work which has been carried out. Earlier this year we consulted on options for the future development of the Canada Water area. We grouped these options around two themes:

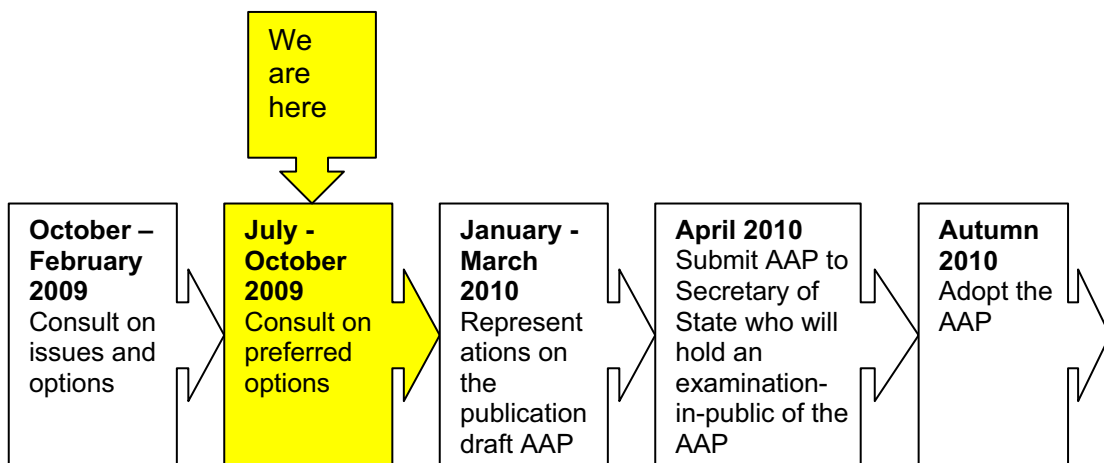
- **Regeneration with a focus on homes**
- **Regeneration with a focus on homes, shops, leisure and jobs**

We have now read all the responses to consultation we received and used these to help decide which options we prefer. Parts 3 and 4 of this report set out our preferred options. If you would like to find out more about which options we rejected and why, there is more information in appendix 3.

We will use the preferred options as the basis for preparing the area action plan itself later in the year.

The stages in preparing the AAP are shown in Figure 2.

Figure 2: Stages in preparing the Canada Water AAP



1.2.3 What is the structure of this report?

The preferred options report is arranged into different parts:

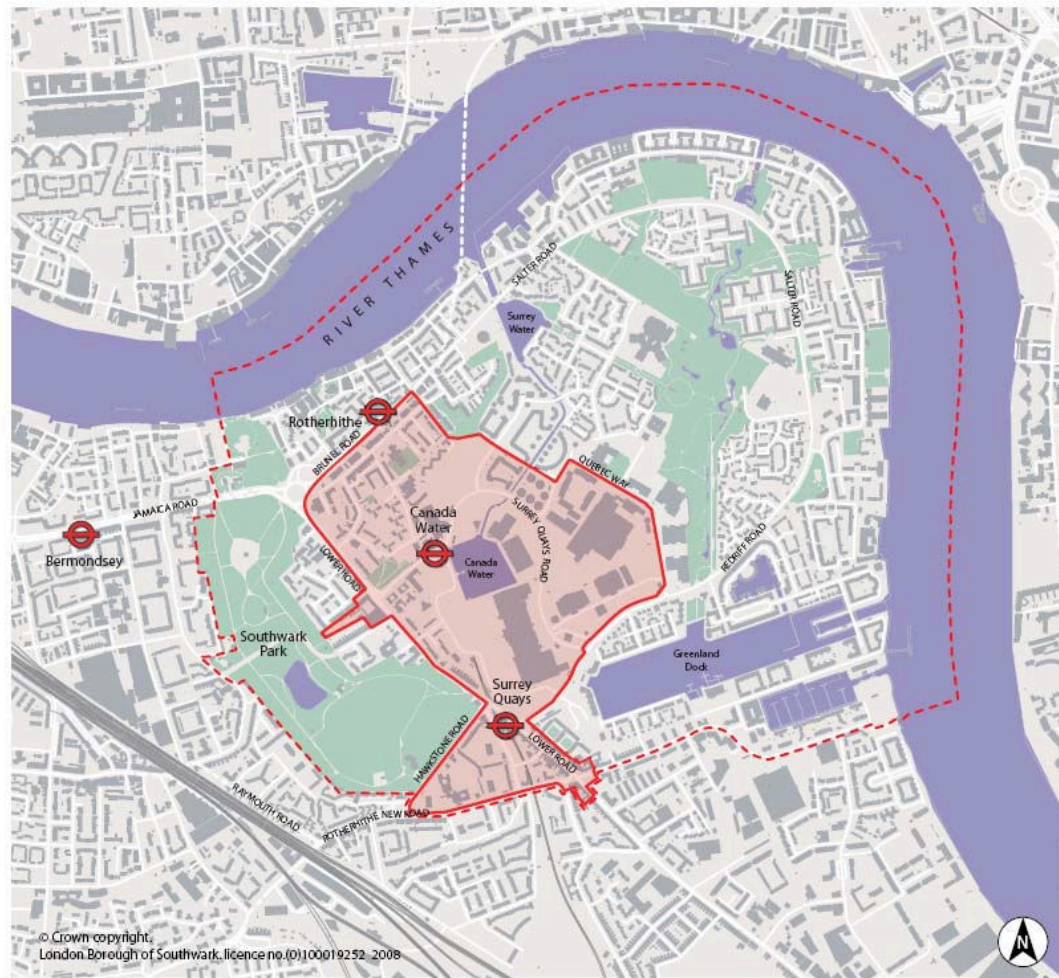
- Part 1: Explains what the Canada Water AAP is, describes the preferred options report, and provides background information about the process of preparing the AAP.
- Part 2: Describes the overall vision and objectives for the AAP
- Part 3: Describes the preferred options and our reasons for choosing them.
- Part 4: Sets our approach to specific areas and sites in the AAP area.
- Part 5: Provides more details on how the AAP will be implemented.

1.3 What important information do you need to know?

1.3.1 What are the boundaries of the AAP?

The area covered by the Canada Water AAP is shown at Figure 3.

Figure 3: The boundaries of the AAP area



- AAP Core Area
- - - Wider AAP Area

The plan area is focussed on the area where change will be the greatest. This core area includes:

- The Surrey Quays shopping centre and overflow car park
- Site A (to the north of Surrey Quays Road) and Site B (between Canada Water basin and Surrey Quays Road)
- The Surrey Quays Leisure Park
- Albion Street
- The Hawkstone Triangle

To ensure that the impacts of development in the core area are addressed, the wider AAP area also includes:

Canada Water Preferred Options Report

- Southwark Park and Russia Dock Woodland
- Greenland Dock and South Dock
- St Mary's Church and the surrounding conservation area

Most people who responded to the issues and options report told us that the boundaries of the AAP area and core area were in the right place. We have slightly reduced the size of the wider AAP area, by moving the boundary to align with the western side of Southwark Park (and exclude the area around Abbeyfield Road and Raymouth Road), We have also altered the boundary of the core area so that it includes Albion Street because of the development opportunities on Albion Street and the need to improve it.

1.3.2 How did we prepare the preferred options?

- **Public consultation**

We are not preparing the AAP from scratch. A significant amount of consultation in the area took place over the last few years and this was taken into account in preparing the issues and options paper. To prepare the preferred options we carried out further consultation gathering people views on the issues and options. The consultation that took place at issues and options stage is set out below:

- **Publicity:** Informal consultation took place over a 6 week period between 25th November 2008 and 9 January 2009. Formal consultation took place over a 6 week period between 9 January 2009 and 20 February 2009. Notification was undertaken by means of a mail out to contacts on Southwark's Planning Policy database, Southwark Council's website, a newspaper advert in Southwark News and by making sure that information was available in libraries and council offices.
- **Online consultation:** During the formal consultation period the Issues and options report was made available to interested parties on the planning policy team's online consultation web page. Here the document and consultation questionnaire were available to be view in HTML format, much like web pages. The consultation questionnaire was interactive and could be completed and submitted online in one easy process. Links from the councils/planning policy teams main Canada Water page were provided to the consultation page as well as details on other related publications (leaflets, notification letters etc)
- **Events and exhibitions:** Five exhibitions took place at various locations around the Canada Water Area during the 12 week consultation period to get feedback on the issues and options from any interested parties.
- **Stakeholder/ community group meetings:** We attended various group meeting during the course of the issues and options consultation period. Meetings attended included the Canada Water Consultative Forum, Rotherhithe Community Council and Bermondsey And Rotherhithe Green Enthusiasts.

We have prepared a consultation strategy which explains in more detail the consultation that has been carried out in the past and how we will involve local people in preparing the AAP.

- **Background research (the 'evidence base')**

It is important that there is good robust evidence to support the AAP policies. Over the last year, we have undertaken a significant amount of research. An

Canada Water Preferred Options Report

example of this is the 2009 Southwark Retail study which looks at the need for shopping floorspace in the borough over the next 15 years. The evidence that we have is described in Parts 3 and 4 where we set out our preferred options.

- **Sustainability Appraisal**

The AAP will be tested through a sustainability appraisal to make sure it will have the best environmental, social and economic outcomes possible. Sustainability appraisal allows us to compare the combined effect of different options on very broad issues such as health and climate change.

- **Equalities Impact Assessment**

Also important is the issue of equality. We will carry out an equalities impact assessment to make sure that the AAP is designed to meet the needs of the whole community and does not put any people or groups of people at a disadvantage.

An equalities impact assessment has been prepared and is available as a separate document.

1.3.3. Other important documents you should know about

The main document which is currently used to guide development in the area is the Southwark Plan (2007). We also have supplementary planning guidance (SPG) (2005) for Canada Water which explains in more detail how development should take place in the town centre.

These will be replaced by a folder of documents which Southwark will use to make decisions on planning applications and guide investment (the local development framework (LDF)). The main document in the LDF will be the Core Strategy. This is an overarching planning strategy for Southwark. The Core Strategy will be accompanied by several area action plans, including the Canada Water AAP.

Fact Box 2

Core Strategy

The core strategy is a plan that sets out how Southwark will change and develop up to 2026. It sets out an overall vision for Southwark. We will use it to make Southwark a place that people continue to enjoy and aspire to be in, with new affordable and family homes, successful shops, places to work, transport improvements, high achieving schools, effective community services and improved public spaces. The core strategy is important as it will be used to make decisions on planning applications and funding for development.

The Canada Water AAP will be consistent with the Core Strategy. It will also follow national planning guidance, and it will be in general conformity with the London Plan. It will have to consider the Mayor's priorities for sustainable development in London and will also take into account Southwark 2016, our Sustainable Community Strategy and other plans for nearby areas including the Elephant and Castle, Canary Wharf and Bermondsey Spa.

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The relationship between the AAP, the Core Strategy, the Southwark Plan and our SPDs is summarised in a table in appendix 4.

The decisions made on the Core Strategy will impact on what we can do in Canada Water as the AAP will need to be in line with the Core Strategy. We have been consulting recently on preferred options for the Core Strategy. We will be consulting on the submission version of the Core Strategy between December 2009 and March 2010.

Throughout this report we will flag up where the AAP overlaps with the core strategy.

For more information on the core strategy go to

<http://www.southwark.gov.uk/YourServices/planningandbuildingcontrol/localdevelopmentframework/corestrategy.html>

1.3.4 What happens next?

We will read and consider all the feedback we get through consulting on the preferred options report and will use this to help prepare the draft AAP. We will consult you on the draft AAP later this year before we submit it to the secretary of state.

More information on the process of preparing the AAP is provided in appendix 1.

Part 2

2.1 Vision and objectives

2.1.1 The vision

Successful places where people want to live, work and visit include good housing, safe and attractive public realm, good connections, successful schools, shops, health and leisure facilities. It is important that we develop a strong vision and set of objectives for the area. The vision and objectives have been derived from our Sustainable Community Strategy, Southwark 2016, the Southwark Plan and what local people have told us in the past. We have used the vision and objectives to guide and help assess the options for development in the area and help select the preferred options.

Vision:

Over the next 15 years, we will work with landowners and the local community to transform Canada Water into a town centre. It will have a much more diverse range of shops than at present, including a new department store and independent shops. These will be accommodated in generally mixed use developments with new homes above. As well as shops and homes, the centre will have leisure and civic facilities, offices, and restaurants and cafes. The centre will have with a distinctive identity which reflects its unique location around the former dock basin. It will have an open environment with a high street feel, and high quality public realm and open spaces. Car parking will be shared between town centre uses. The centre must reach out to the wider area, ensuring that it is accessible, particularly on foot, by bicycle and by public transport. In conjunction with this, we will work with TfL to improve the road network around Lower Road.

Outside the town centre and core area of the AAP, development will be less dense and should reflect the leafy and suburban character of much of the AAP area.

Across the AAP area, development will contribute to achieving a great network of parks and open spaces, which together with the docks and the River Thames, can help make Rotherhithe known as an attractive destination to visit, relax in and have fun. It will provide a good range of quality homes and successful schools to help make Rotherhithe a desirable place to live, particularly for families.

2.1.2 The objectives

Shopping: A genuine town centre and neighbourhood hubs

- S1: To create an accessible, distinctive and vibrant town centre at Canada Water which is well connected into the surrounding street network; which enhances the setting of Canada Water basin; and which has a range of shops, restaurants, community and leisure facilities within mixed use developments.
- S2 To ensure that the wider peninsula has access to convenient local facilities to meet day-to-day needs.

Transport: Improved connections

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- T1 To use a range of measures, including public transport improvements, green travel plans, road improvements and a restriction on car parking to ease the impact of new development on the transport network and services.
- T2 To make the area more accessible, particularly by sustainable types of transport including walking, cycling and travelling by public transport.
- T3 To use car parking in the town centre more efficiently by ensuring that shops and leisure facilities share parking facilities

Leisure: a great place to visit, to relax in and have fun

- L1 To make the area known for its excellent leisure and entertainment facilities.
- L2 To promote arts, culture and tourism in the area.

Places: Better and safer streets, squares and parks

- P1 To ensure the design, scale and location of new buildings help create streets and neighbourhoods which have a varied character and which enhance the area's green spaces and heritage, especially the River Thames, the docks and the parks to create a distinctive sense of place.
- P2 To create an attractive, safe, and secure public realm.
- P3 To link the docks, River Thames and parks in a network of open spaces which have a variety of functions, including informal recreation and children's play facilities, provision for sports and nature conservation.
- P4 To reduce the impact of development on the environment and help tackle climate change, pollution and waste.

Homes: High quality homes

- H1 To create a mixed community through the provision of high quality homes with a range of tenure and sizes, and particularly larger homes which are suitable for families.
- H2 To focus higher densities in the areas with good access to public transport and in the town centre.

Community: Enhanced social and economic opportunities

- C1 To provide more and enhanced educational, health and community facilities which meet the needs of the growing population.
- C2 To provide more local employment opportunities.

Part 3

3.1 Shopping: a genuine town centre and local facilities

We would like to improve Canada Water town centre, encouraging investment to provide a wider range of shops and services, as well as places to eat, drink and relax. It is also important that local residents have access to day-to-day convenience shops and facilities across the AAP area. This section explains our approach to shopping and the town centre.

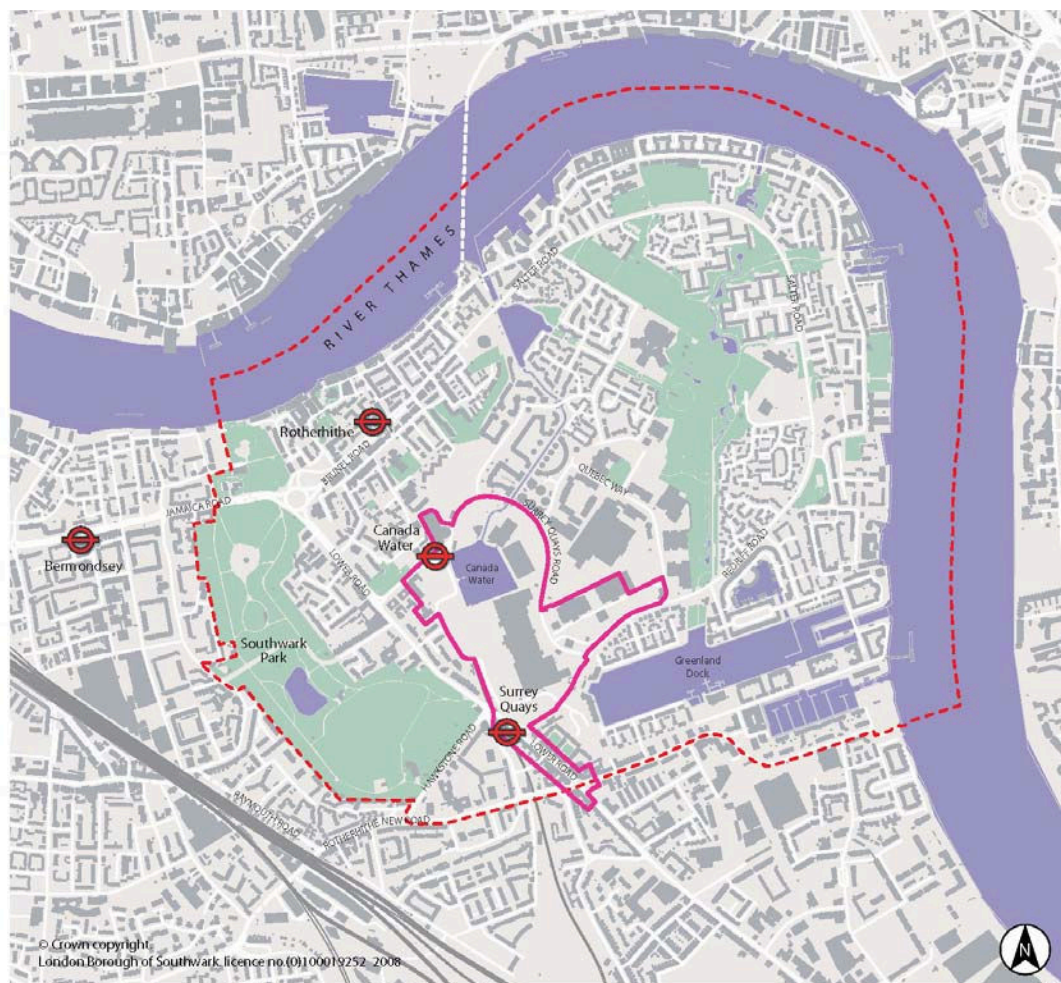
3.1.1 Shopping in the town centre

Our preferred approach is to work with landowners to improve and expand shopping floorspace in the town centre, provided that necessary improvements are made to transport infrastructure, through the promotion of new retail space on the following sites: Surrey Quays shopping centre and overflow car park, Site A, Site B, the Decathlon site, Surrey Quays Leisure Park and Site E. Canada Water would move up our hierarchy of centres to become a major town centre.

A range of shop unit sizes will be provided including small shops suitable for independent operators and a new department store.

The boundaries of the town centre are shown in Figure 4.

Figure 4: The boundaries of the town centre



- Town Centre Boundary
- - - Wider AAP Area

We are doing this because

The consultation we have undertaken shows that many people are dissatisfied with the range of shops available in the shopping centre. Earlier this year we commissioned two hundred interviews to be carried out in the shopping centre. When asked what people disliked about the shopping centre, 36% of people interviewed mentioned the limited range of shops, 27% said it had a poor range of foodstores and 19% said that department stores were poor. When asked what would persuade people to visit more often, 47% said larger retailers and 8% said a better range of independent and specialist shops. 32% said they would like to see a Marks and Spencer.

These views were also reflected in the response to consultation at issues and options stage. Overall, 64% of respondents favoured an expansion of existing retail facilities in the town centre (option B), while 15% preferred the business-as-usual or small scale increase option.

We have concerns about the business-as-usual option. Over the coming years the Canada Water will face strong competition from neighbouring centres. About 17,000 sqm of new shopping space is planned at Canary Wharf, 17,000sqm at Lewisham and around 43,000 at Elephant and Castle. Perhaps the largest threat will be 150,000sqm of new retail space planned at Stratford. The shopping facilities at Canada Water will require investment in order to maintain and improve them. There is a risk that small scale improvements to the shopping centre and its appearance will be unlikely over the longer term to provide the boost that the centre needs.

This dissatisfaction with shopping facilities was reflected in our 2009 Retail Study. This found that most people do not shop for items like clothes, shoes, music and books in Southwark. Only about 16% of the expenditure available for these kinds of goods (comparison goods) is spent in and around the borough. Over the coming years, increases in population and disposable income will increase available expenditure. There is also scope for Southwark to “claw back” some of the expenditure which is currently spent outside the borough. These factors would enable Southwark to significantly expand shopping space in the borough. The study suggests that around 30,000sqm of new floorspace for comparison goods could be provided at Canada Water without harming neighbouring centres in Southwark, Tower Hamlets or Lewisham. We are currently undertaking feasibility studies which examine how much floorspace could be provided physically on the sites.

Providing a substantial increase in the amount of shopping floorspace would mean that Canada Water becomes a major centre in our hierarchy of centres. This is consistent with our preferred option in the Core Strategy.

In order to make the preferred option workable, together with TfL, we will need to take action to improve the road network, particularly around Lower Road and Jamaica Road.

3.1.2 Cafes and restaurants in the town centre

We will support provision of new cafes and restaurants through the redevelopment of the following sites: Site A, site B, the shopping centre and overflow carpark, the Decathlon site and Surrey Quays Leisure Park.

We are doing this because

Consultation at issues and options stage found that many people would like to see more places to eat and drink in the area. We will use development opportunities to expand the choice available. It is important that these do not become too dominant and we would use our existing policies in the Southwark Plan to ensure that they do not harm the quality of life of existing or future residents.

3.1.3 Important shopping parades

The shopping parades on Albion Street and Lower Road are “protected shopping frontages” in the Southwark Plan. Our preferred option in the Core Strategy and the Canada Water AAP is to maintain this status. We will also make sure that the proportion of units which are hot food takeaways (A5 Class Use) do not rise above 15% in either Albion Street frontage or in any one of the six parades which comprise the Lower Road frontage.

We are doing this because

The shops on both Albion Street and Lower Road currently provide day-to-day convenience facilities for local people and passing trade.

Policies in the Southwark Plan try to ensure that at least 50% of the shopping units in the frontages on Albion Street and Lower Road stay in retail (A1 Class Use) and we propose to maintain that.

In both streets, there is a relatively high proportion of units in use as takeaways (A5 Class Use). In Albion Street there are two takeaway restaurants and in Lower Road there are more, including 5 units in the first section of the frontage between nos. 226 and 290 Lower Road. We would restrict further growth in takeaways as these cumulatively can impact on local residents and in the retail vitality of the parade. Our preferred option would limit the number of takeaways to a maximum of two units in any section of the protected shopping frontage.

3.1.4 Small scale shops, restaurants and cafes outside the town centre

We will permit proposals for small scale shopping (to meet day-to-day convenience needs), cafes and restaurants in the AAP area.

Developments on the following sites will be expected to provide an A class use: Odessa Street Youth Club, Docklands Settlement, the Boatyard, Tavern Quay, Surrey Docks Stadium and the Surrey Docks Farm.

We are doing this because

In the wider AAP area, there are very few facilities available for day-to-day convenience shopping. We will use development opportunities to provide more facilities, provided they are small in scale (below around 500 sqm).

3.1.5 Markets

We will support the provision of new markets in the action area, possibly at the new plaza outside Canada Water tube station, or on Albion Street.

We are doing this because

Markets can help enliven town centres, reinforce the identity of an area and help provide a more varied shopping experience. They can also have other benefits, such as giving more people access to fresh fruit and vegetables and creating a route into setting up small businesses.

A market could help bring life to the plaza which is due to be created outside the new library. A market, possibly with a Scandinavian theme could also help strengthen the vitality of shops on Albion Street. Markets are part of the overall retail economy of the area and we will consider how they work with other forms of retail to enhance the economy of the area rather than compete with it or detract from it. We aim to support market developments that demonstrate how they meet the needs of the current and future population of the area and also attract people to it.

3.2 Transport: improved connections

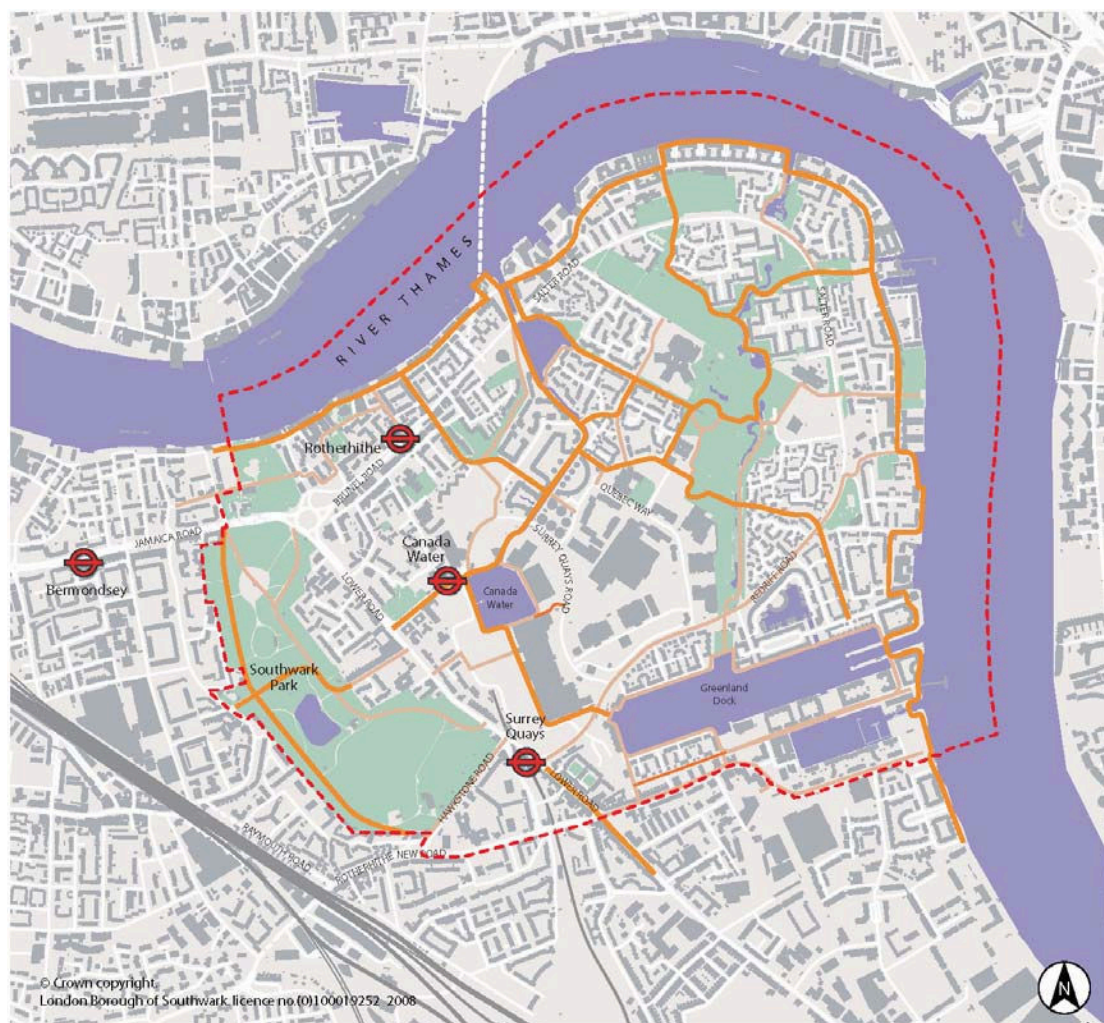
We are aiming to make sure that the area is highly accessible, particularly by sustainable types of transport, such as walking cycling and public transport and to reduce the impact of new development on the road network. This section shows how we will achieve these aims.

3.2.1 Walking and cycling

Development proposals should provide routes that are safe, direct and convenient for pedestrians and cyclists, and incorporate the links shown in Figure 6. Developments will be expected to use opportunities to enhance access to the docks and the river and provide or reinstate the Thames Path.

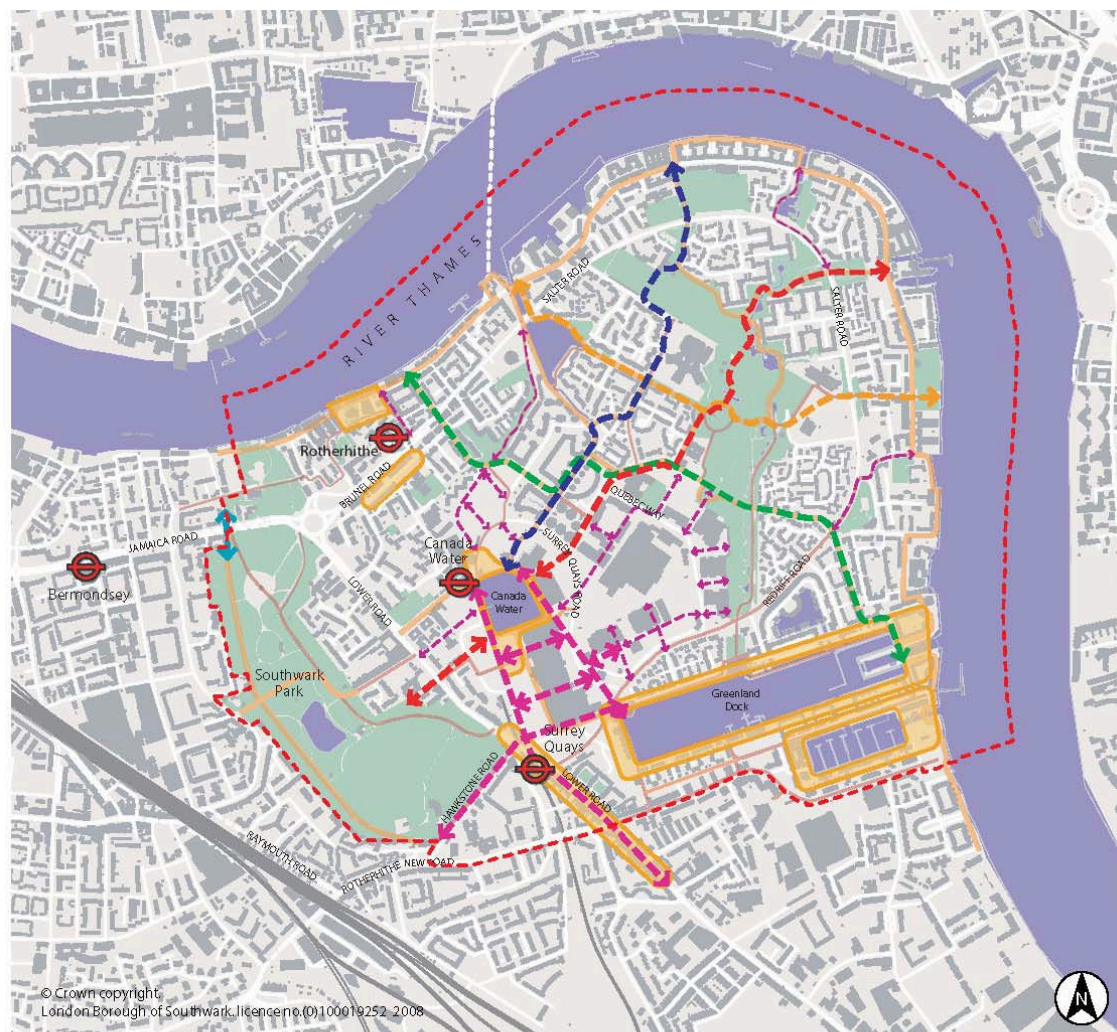
The council will try to obtain funding to implement improvements to routes shown on Figure 6 which are outside the core area.

Figure 5: The current pedestrian and cycle network



- Main pedestrian routes
- Secondary pedestrian routes
- - - Wider AAP Area

Figure 6: Improvements to the pedestrian and cycle network



We are doing this because

It is important that a safe, accessible, comfortable and attractive environment is provided for pedestrian and cyclist in order to encourage people to walk and cycle. Existing pedestrian and cycle links are shown in Figure 5.

Over the lifetime of the AAP there will be a substantial increase in people living and working in the area. Many more people will also be coming to shop and visit. In order

to accommodate this growth and minimise impacts on the road network, it will be essential that pedestrian and cycling routes which radiate out from the town centre are upgraded where necessary to meet the increased demand that will be placed on them. We will look for opportunities to fund these improvements through several means, including allocating resources in our borough transport plan (the Local Implementation Plan), Cleaner, Greener, Safer funding where relevant projects are agreed and s106 contributions.

3.2.2 Public transport

We will work with Transport for London (TfL) to improve the frequency, quality and reliability of public transport, including river transport in the area in the area.

We are doing this because

The AAP area is accessible by several types of transport and a number of improvements are planned. The Jubilee line is due to be upgraded by the end of 2009, improving capacity by 33%. The East London line is currently closed. When it reopens in 2010, it will provide access to 12 trains per hour running between West Croyden and Dalston. Phase 2, due to open in 2013, will provide a direct service to Peckham and Clapham Junction and provide access to 18 trains per hour through the AAP area.

The increased population who live and work in the core area will increase demand for public transport use. We will work with TfL to improve bus services as developments occur and demand rises. We are testing the proposals we are setting out in the AAP to make sure that they do not affect the reliability and journey time of existing bus services.

Consistent with the Southwark Plan and Core Strategy, we will require green travel plans to be submitted with all planning applications. Travel plans are designed to help boost cycling, walking and public transport. They include a range of measure from raising awareness of public transport options, cycle routes etc, to funding provision of bus services. In assessing the impact of the preferred options on traffic and trips we are investigating the potential for new bus routes, including a peninsula shuttle bus and new taxi stands, including a new stand close to Canada Water tube station.

3.2.3 The road network

Our preferred option is to work with TfL and Lewisham to explore the changes to the road network shown on Figure 7 . Our objective will be to improve traffic flows, create a safer, more attractive environment for pedestrians and cyclists that is easier to use and make sure that the reliability and frequency of buses is not affected.

Figure 7: Improvements to the road network (to be inserted)

We are doing this because

The alterations we are proposing will create a road network which is less complicated and easier to find you way around. Through-traffic travelling from south-east London to central London and the Rotherhithe tunnel will stay on Lower Road. This will reduce the pressure on Rotherhithe Old Road and create better living conditions for residents living around it. The new layout will also improve the environment for

pedestrians and cyclists, making it easier to cross Lower Road and creating more direct links to the shopping centre.

The preferred options involve the provision of a significant amount of new shopping space and homes. This will generate additional car trips, as well demand for servicing and loading. The changes we are proposing are necessary to help enable the key junctions of Lower Road with Brunel Road, Surrey Quays Road and Redriff Road to operate more efficiently and help reduce the impact of proposals on the road network.

We will agree funding for improvements to the road network through s106 planning contributions and through allocating resources in our Local Implementation Plan.

3.2.4 Parking for town centre uses

Our preferred approach is to make sure that car parking provided for town centre uses is made available to the general public as “town centre” car parking.

Car parks should be advertised by appropriate on-site signage to ensure awareness and contribute towards efficient use. The council will seek financial contributions towards provision of off-site signage.

Pedestrian access to car parks should be provided in locations which are convenient for users of town centre facilities both on-site as well as on adjacent sites. Planning applications should be accompanied by a car parking management strategy.

We are doing this because

There are currently around 2,230 car parking spaces in the town centre spread over the shopping centre and over-flow car parking sites, the Decathlon site and the Surrey Quays Leisure Park. There is evidence that these car parks are underused. For example, surveys undertaken on the Decathlon site suggest that on Saturday during peak periods, around 65% of spaces are in use. During the weekday peak, this falls to 30%. On the Leisure Park site, recent surveys indicated that that during peak periods on Saturday evening around 54% of spaces were in use. This fell to 45% during the Friday peak.

Moreover, the existing car parks are not used very efficiently. The Leisure Park car park is busiest during the evening. In contrast, the Decathlon store car park tends to be busier during the daytime.

Through providing shared car parks which are publically accessible, we will be able to balance demands for car parking more effectively, ensuring that operators are able to meet peak demands, without resulting in underused car parks during off-peak times. Given the town centre location and the good access to the tube and bus services, the alternative strategy in which each operator seeks to meet their own peak demand while leaving car parks underused at other times is not an efficient use of land and will contribute towards more pollution, noise and congestion. This policy is consistent with the London Plan which states that where on-site parking is justified, there is a presumption that it will be publically available.

We will use policies in the Southwark Plan and London Plan to negotiate the number of parking spaces which are provided.

Car parks should be advertised by appropriate signage to ensure town centre users are aware of them and to contribute towards their efficient use. In order to maximise their efficiency pedestrian access to them should be convenient for users of retail and leisure facilities both on-site and in adjacent parts of the town centre.

3.2.5 Parking for residential development in the Core Area

Residential parking should be limited to a maximum of 0.3 spaces per home. Car free developments will be permitted provided that the site is located in a controlled parking zone (CPZ).

We will manage the impact of residential parking on sites in the Core Area by extending the current CPZ.

We are doing this because

Our objective is to encourage people in the area to use sustainable types of transport, such as walking, cycling and public transport. The ease in which someone can find a parking space adds to the convenience of car ownership and usage which in turn adds to congestion, impacting on air quality and noise pollution.

The core area has good access to public transport services and therefore a maximum standard which is below the borough-wide standard is appropriate. In order to avoid car-parking over-spilling into neighbouring streets, we would extend the current controlled parking zone and would not issue on-street parking permits to future residents. This would help ensure that it will be easier for existing residents to find a place to park on the street. We would consult separately on any future extension to the CPZ.

Consistent with the Southwark Plan and Core Strategy, the car parking standards set out here will include spaces suitable for disabled users.

3.3 Leisure: a great place to visit, relax in and have fun

The AAP area has some great leisure facilities, including museums, the cinema and bowling, and the formal and informal sports and recreation opportunities in the parks and docks which make the area really distinctive. Our aim is to improve leisure facilities to provide a benefit for both existing and future residents.

3.3.1 Leisure and entertainment

We will support provision of new leisure and entertainment facilities of an appropriate scale in the town centre.

Development on the Surrey Quays Leisure Park must not result in a loss of leisure and entertainment floorpace, unless floorpace of at least an equivalent size is secured elsewhere in the town centre. The existing cinema on the Leisure Park should be re-provided on the Leisure Park site, unless a suitable alternative site in the town centre is found.

We are doing this because

Leisure and entertainment facilities are important to help create a thriving and vibrant town centre. Given that the population in the area will be increasing, we should encourage provision of more entertainment and leisure facilities and also protect those, such as the cinema that already exist in the area. The existing cinema on the Leisure Park site makes an important contribution to the leisure offer in the centre and should be retained.

3.3.2 Sports facilities

We will support improvements to sports facilities in the AAP area. This will include a refurbishment of the Seven Islands Leisure centre.

We are doing this because

There are several sites on the peninsula which provide sports facilities. These include the Seven Islands Leisure Centre, the Surrey Docks Water Sports Centre, the athletics track and sports centre in Southwark Park, the facilities at Bacon's College, and the Living Well health club in the Hilton Hotel.

There have been several recent initiatives to improve sports facilities in the area. These include:

- Funded proposals to improve the sports centre in Southwark Park which will become a training venue for the Para-Olympic games in 2012;
- A £2.3m refurbishment of the Surrey Quays water sports centre;
- The installation of new sports pitches at Mellish Fields.

In addition to these, the new secondary school which is planned for the AAP area (see section 3.6) will also have new sports facilities. There is also the potential to make better use of the docks for water-related sports activities, such as diving, provided that these do not impact on the openness of the docks.

The Seven Islands Leisure Centre provides a swimming pool as well as a gym and a sports hall. It will be retained on the current site and refurbished.

3.3.3 Arts, culture and tourism

Our preferred approach is to protect and strengthen arts, cultural and tourism facilities in the area through:

- Continuing to protect business and community uses in the strategic cultural area around St Mary's conservation area;
- Supporting the use of the docks for water related leisure and tourism activities which do not affect their openness and permitting proposals for small scale local convenience shopping, cafes and restaurants where opportunities exist.
- Providing a new hotel through development in the town centre.

We are doing this because

The Rotherhithe peninsula has many arts, cultural and tourism attractions. These include the Brunel Engine House and area around St Mary's church, the Pumphouse museum, the Café Gallery in Southwark Park, Surrey Docks Farm and of course the docks.

Our preferred approach is consistent with the Core Strategy preferred options which protect arts, tourism and cultural uses in the strategic cultural areas, and promotes new activities in the right locations. The area around St Mary's Church, has a number of arts, culture and tourism uses including, St Mary's Church itself, the Brunel Museum, the Mayflower Inn and Sands Film Studios and is designated as a strategic cultural area in the Core Strategy and Southwark Plan.

South Dock Marina and Greenland Dock provide a great opportunity for leisure and tourism related activities and the preferred option would help them meet their potential.

Development on St George's Wharf would provide an opportunity to provide facilities for both local people and visitors and would also enable the council to fund much needed improvements to the docks and the amenities for berth holders. Our proposals for St George's Wharf are set out in section 4.1.10 of this report.

Although there is a hotel in the AAP area (the Hilton) and a youth hostel, there is scope to provide new facilities. A study published by the GLA in 2006 estimated that Southwark needs to provide an additional 2,500 hotel beds by 2026 to meet growing needs in south London.

This approach would compliment the preferred options in other parts of this report, particularly the aim of improving pedestrian and cycle links, enhancing access to the docks and river and using development opportunities to provide or reinstate the Thames Path.

3.4 Places: better and safer streets, squares and parks

A central part of our vision for the area is to create a town centre which is distinctive and helps give the area a sense of place. We are also aiming to ensure that the areas network of parks is strengthened and that new development achieves high environmental standards. This section describes our preferred approach to urban design open spaces and energy.

3.4.1 Design principles

Our preferred approach is to stitch together the key development sites in and adjacent to the core area to create neighbourhoods which integrate well with surrounding areas and a town centre with character and a sense of place.

Streets and public spaces

Development on all sites in and adjacent to the core area should create clearly defined streets and spaces which:

- Make appropriate connections with existing streets in the surrounding area;
- Provide convenient, direct, safe, and attractive pedestrian and cycle links around the core area and at the same time create practical and logical access routes for motor vehicles; Pedestrian and cycle routes should be at grade;
- Create strong physical and visual links between the Canada Water basin, the shopping centre and Lower Road;
- Strengthen pedestrian and cycle links from the town centre to open spaces including Greenland Dock, Russia Dock Woodland, Southwark Park, the Thames and Deal Porter's Walk;
- Provide high quality, safe and inclusive public realm; and
- Enhance the open space network through the introduction of new spaces that act as a focus for activity and draw people through the area.

Building blocks

All development on all sites in and adjacent to the core area should:

- Ensure that new blocks have a fine grain, that is they should:
 - Present a choice of interesting routes through development; Pedestrians and cyclists should find them easy to move around;
 - Have an interesting and varied roofline;
 - Incorporate frequent shifts in architectural design; and
 - Contain frequent entrances on to the street.
- Use high quality, durable, robust and sustainable buildings materials that contribute to a sense of quality and permanence; and
- Minimise the visual impact of car parking. Car parking should be located within buildings, basements, or where appropriate above new development.

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Multi storey car parking should be designed to incorporate ground level activities and should be wrapped by other uses.

Town centre development

Development in the town centre should:

- Maximise opportunities to mix uses within blocks;
- Create strong circulatory routes which link anchor retail and leisure uses. These routes should contribute to the creation of an open street environment, rather than a covered or mall style environment;
- Provide a new high street and maximise opportunities to reconfigure or redevelop the shopping centre in phases;
- Enhance the setting of the Canada Water basin, by retaining its sense of openness, improving the adjacent public realm, activating frontages and removing blank facades. Active uses around the Canada Water basin should have a generous floor to ceiling heights;
- Maximise opportunities to redefine the character of the southern part of Surrey Quays Road as an integral part of the town centre, by providing strong pedestrian links between the shopping centre and Leisure Park, activating frontages on either side of the street and creating an environment which is comfortable for pedestrians and cyclists.

We are doing this because

Much of the development in the core area, particularly around the shopping centre site, is fragmented and suffers from bland and uninteresting architecture. Block sizes are very large which makes it more difficult to move around as a pedestrian. Land uses in much of the core area tend to be segregated. For example the shopping centre and Decathlon site are solely occupied by shops, leisure uses are confined to the Leisure Park, while Harmsworth Quays and Quebec Industrial Estate provide industrial and warehousing uses. Also, most sites were designed for car-borne users and are serviced by their own car parks. As a result of these factors, there are often few people on the streets and the area can feel rather dead, particularly when shops are closed.

Our aim is to create an area which is much more distinctive. New development should create streets which connect into the surrounding network, which are overlooked and feel comfortable to use and which make it easy to move around, particularly by pedestrians and cyclists.

The Canada Water basin is a fantastic asset which is currently ignored by the fragmented nature of the development which has taken place around it. There is an opportunity to create a destination around the basin which combines civic, shopping and entertainment uses. Shop fronts around the basin should have sufficient height to create a sense of presence and help create a strong circulatory route which draws people around it.

Development with a finer grain will help integrate key sites into the wider area. Large blocks can be overbearing unless consideration is given to the treatment of long

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building facades. The use of articulation in the design of a street facade can humanise the street, enhance the design potential of the block and add to the visual interest of the public realm as a whole.

Blocks within the town centre should have a mix of uses to help give more life to the area and ensure that there are more people on the street during the day and in the evening. Development should aim to make the area around the shopping centre feels like a town centre which has an open, rather than a covered or mall style environment. In addition to making the area feel more distinctive, this will also help integrate key sites into the surrounding area.

Our preferred options show that there is some flexibility in the way the new town centre could be laid out. While it could enable key sites to be developed independently of one another, we consider that that if landowners work together, we can achieve a better solution which would unlock opportunities to make more substantial changes to the shopping centre. These are shown and explained in Figure 14.

3.4.2 Building heights on sites in and adjacent to the core area

Our preferred option is to achieve a range of building heights on sites in and adjacent to the core area.

Prevailing building heights

Prevailing building heights on sites around the Canada Water basin should be between 5 and 8 storeys. Heights will generally be lower on sites on the periphery of the core area, in order to create a transition into the more suburban character of the surrounding area.

Appropriate general building heights are set out in Figure 8. Developments should contain variations in height and make use of the full range of buildings heights Figure 8 to add interest and variety to the development, help signify places which are more important and help relate to surrounding development.

Development around the Canada Water basin and on the frontage of Russia Dock Woodland should generally be around the lower end of the appropriate ranges.

Buildings which are taller than the prevailing heights (but below 30m in height) will only be allowed where they:

- Help define a point of local significance;
- Add interest to the skyline; and
- Relate well to surrounding development.

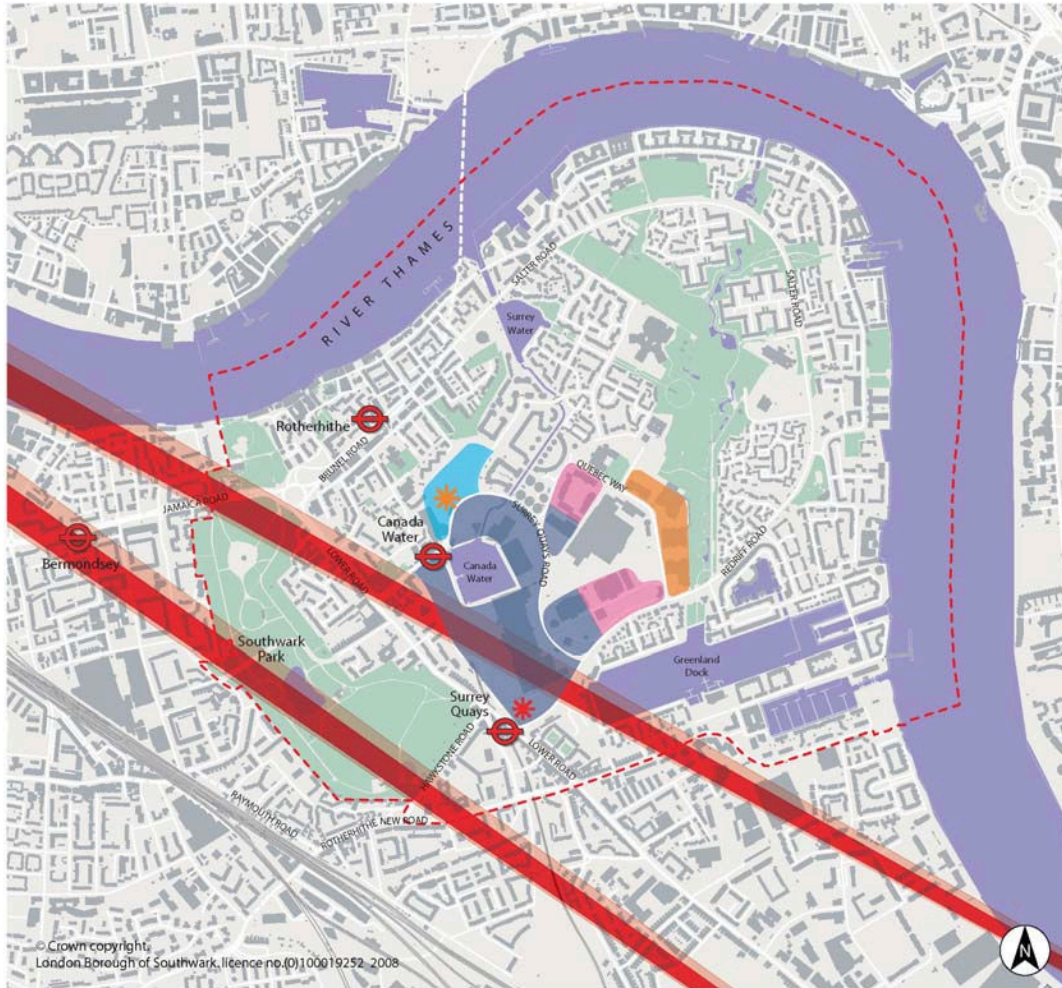
Tall buildings

Tall buildings (which are over 30m in height) should be situated in important locations, as indicated in Figure 8). These comprise one district landmark tower of comparable height to the Canada Estate towers on Site A and one local landmark up to around 15 storeys located on the south west corner of the shopping centre site.

The design of tall buildings needs careful consideration. They should be elegant and slender and careful consideration should be given to the top of the building to ensure

it adds interest to the skyline. Proposals should demonstrate that harmful effects on residents, pedestrians and cyclists, such as overshadowing and wind funnelling, will be minimised.

Figure 8: Building heights



- - - Wider AAP Area
 - * Landmark tower comparable to Canada Estate Towers
 - * Tall building around 10 - 15 storeys (30 - 45 m)
 - 3 - 5 storeys (9 - 15 m)
 - 4 - 6 storeys (12 - 18 m)
 - 4 - 8 storeys (12 - 24 m)
 - 5 - 8 storeys (15 - 24 m)
-
- London View Management Framework Overlay**
 - Viewing Corridors
 - Area of Lateral Assessment

We are doing this because

A range of building heights should be provided to help create an area which is more interesting and distinctive. General heights on the shopping centre site and around Surrey Quays Road of between 5 and 8 storeys would be appropriate for a town centre location. They would help enable mixed use developments and also make redevelopment of key sites in the town centre viable. Building heights should not be overbearing on the docks and should be lower towards the northern and eastern fringes of the core area to provide a transition to lower density development in the

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suburban zone. These heights set out here are similar to those proposed in option B at issues and options stage and received some support

Buildings which are taller than the prevailing heights (but below 30m) can help signify locally significant points, such as important road junctions, or as a focal point in an important view. To fulfill this function, they should be used very sparingly and generally only on a small part of a site.

There are also some benefits to having tall buildings (over 30m high). They can act as landmarks and would help make the area easier to navigate around by marking the town centre and key locations such as the new plaza and the tube stations. They can add variety to the character of an area and help make the skyline more interesting. However, parts of the core area are sensitive to tall buildings. There is a protected view of St Paul's Cathedral and Tower Bridge from Greenwich Park which means that buildings on the shopping centre site should not be more than 30m high (roughly 10 storeys).

There are two existing towers on the Canada Estate. A tall building located on site A would appear as part of a small cluster. A tall building on the south west corner of the shopping centre site, would create a landmark at Surrey Quays station and create gateway into the town centre.

It is very important that tall buildings are of the highest architectural quality and that they are designed carefully to avoid overshadowing or wind tunnel effects.

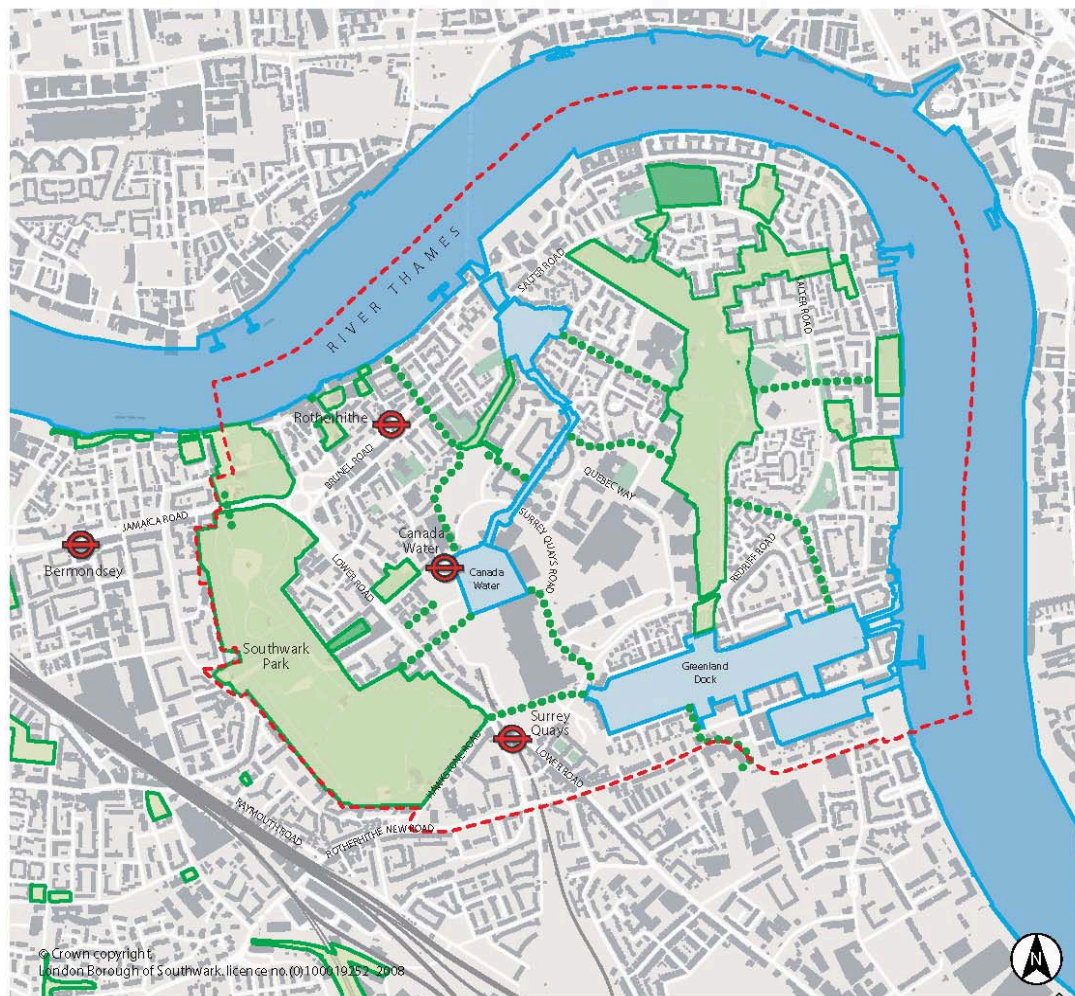
3.4.3 Open spaces

Development in the core area must provide high quality public open spaces (see guidance for individual sites in section 4). Careful consideration should be given to providing safe, direct and attractive pedestrian and cycle routes to connect open spaces and help link up open spaces in the network surrounding the core area (shown indicatively on Figure 9).

Open spaces in the core area should have variety of functions, which could include a market, children's play areas, performance space, ecological and learning areas, places to sit, relax and take part in recreational activities such as fishing. Detailed landscaping plans will be required as an integral part of development proposals.

We will make improvements to existing open space to meet the additional demand placed on these spaces by the increasing numbers of people living and working in the area. We will secure funding for these improvements using s106 planning agreements. We are currently carrying out an open spaces study and preparing an investment strategy for Southwark's open spaces. This strategy will inform the policies in the draft AAP.

Figure 9: The network of open spaces in the AAP area



- Existing open spaces protected in the Core Strategy
- Additional open spaces protected in the Area Action Plan Preferred Options
- Key links between spaces
- Docks and water bodies protected as open spaces in the Core Strategy
- Wider AAP Area

We are doing this because

It is important to create new open spaces in the town centre and core area to help support the growing population and to help provide relief in what is a built-up area.

Outside the core area, the AAP area contains a variety of open spaces. These include Southwark Park and Russia Dock Woodlands, the remaining docks and many important smaller parks, public squares and playgrounds. Some of these are protected in the Southwark Plan either as Metropolitan Open Land, Borough Open Land or Other Open Space. These parks provide a range of landscapes and leisure opportunities for both local people and people across Southwark and are part of the heritage of the area. It will be important to improve these spaces, where necessary, to cope with the increased demand from the area's growing population. Through s106 agreements, we will secure funding to make improvements. Our 106 Planning

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Obligations SPD sets out a standard charge that we apply for open space financial contributions.

There are number of sites in the AAP area, including Russia Dock Woodlands which are protected as sites of importance for nature conservation in the Southwark Plan. Our Core Strategy preferred options propose creating new SINCs in the AAP area at Durrand's Wharf, King Stairs Gardens and Deal Porters Way.

3.4.4 Energy

Our preferred option is to require all new development to reduce carbon emissions through implementing the energy hierarchy, that is:

- Reduce energy consumption through building design and efficiency measures;
- Connect to local community heating or CHP networks where possible;
- Use renewable technologies.

We are currently preparing an energy study for the area looking at the most effective way of using local energy networks. This includes the potential to link developments to SELCHP which could provide heat and also linking different sites together to create a heat and power network. We will set out a more detailed policy in the draft AAP.

We are doing this because

Our Climate Change strategy aims to reduce carbon emissions by 80% by 2050 and promote the use of CHP and district heating networks as the main means of tackling CO2 emissions from buildings. Connecting to a local energy network would enable development to meet Code for Sustainable Homes level 3 and BREEAM "very good" standard as a minimum and may facilitate achieving a higher standard, such as Code for Sustainable Homes level 4.

We will set out the energy strategy, infrastructure requirements and appropriate local target in the draft AAP. We may propose the use of s106 planning agreements to securing funding to provide energy and other infrastructure.

3.5 Homes: high quality homes

This section sets out our approach to providing high quality new homes and the links with our Core Strategy preferred options on housing.

3.5.1 Housing

We have suggested which sites would be appropriate for new homes in section 4 of this report.

Our preferred approach for the Hawkstone Estate is to refurbish homes in John Kennedy House and the low rise blocks and bring them up to Southwark's decent homes standards.

Proposals for new homes should comply with our Core Strategy preferred options in respect to density, bedroom mix and proportions of affordable housing.

We are doing this because

We need to help meet the housing needs of people who want to live in Southwark and London by providing high quality new homes in attractive environments. There are many opportunities to develop new homes at Canada Water, particularly in the Core Area. This area has good access to public transport and is close to shops and other facilities. Recognising the potential for providing new homes in the area, it is designated as an area for intensification in the London Plan with capacity to provide over 2000 homes and new jobs. We are currently undertaking a capacity study in the area to help establish how many new homes could be built. We will set out the total number in the draft AAP.

We have considered the feasibility of redeveloping John Kennedy House and the low-rise blocks on the Hawkstone estate. However, we think that refurbishing homes in these blocks is a more financially viable option. It also means that we could provide improved homes more quickly.

In 2006 the Council carried out a Housing Needs Assessment which confirmed that the need for affordable homes remains high. It is also the case that a high proportion of existing homes in the area are affordable, particularly in Rotherhithe ward. The Core Strategy preferred options proposes to balance these issues by ensuring that at least 35% of new homes should be affordable. 70% of these should be social rented and 30% should be intermediate homes (see fact box).

Fact box: Affordable and private housing

There are two types of housing:

1. Private (or market) housing that is available to either buy or rent privately on the open market
2. Affordable housing that is accessible to those households who cannot afford to buy or rent private housing that meets their needs.

There are two types of affordable housing:

1. Social Rented Housing is housing that is available to rent either from the council, a housing association (known as Registered Social Landlords or other affordable housing providers). Access to social housing is based on housing need.

2. Intermediate affordable housing is housing at prices and rents above those of social rented but below private housing prices or rents. It can include part buy/part rent, key worker housing and intermediate rent housing.

In order to make sure that the area is able to meet the demands of families, the Core Strategy preferred option proposes that at least 25% of new homes should have three or more bedrooms.

The character of the AAP area varies greatly. Surrey Docks ward and much of Rotherhithe ward have a suburban character with a high proportion of houses, rather than flats. In contrast, residential densities are higher around Lower Road and core area. In accordance with the Core Strategy Preferred option, much of Surrey Docks and Rotherhithe wards will be designated a suburban zone in which densities between 200 and 350 would be appropriate. The existing public transport accessibility zone will be deleted and replaced by a core area density zone (see fact box).

Fact Box: Density

Density is the measure of the amount (intensity) of development. It is calculated by dividing the number of habitable rooms in a development by the net area of the site (measured in square metres).

Different areas in the borough have different density ranges depending on their location, access to public transport, their character and planned future development. We have set out the different ranges for each area density zone below, and show the areas on maps 1 and 2. The different density zones also have different parking standards. More detail on our parking standards will be provided in our Development Management Development Plan Document.

- Central Activities Zone – 650 to 1100 habitable rooms/hectare
- Urban Zone- 200 to 700 habitable rooms/hectare. This is only if the new suburban zones north and middle are introduced.
- Suburban Zones – North, Middle and South – 200-350 habitable rooms/hectare

Within the opportunity areas and core action areas, density may exceed 700 habitable rooms /hectare when the following criteria are met:

- a. An exemplary standard of design
- b. An excellent standard of living accommodation, as set out in our Residential Design Standards Supplementary Planning Document
- c. A significant contribution is made to environmental improvements in the area, especially for pedestrian, cycle and public transport movement, safety and security and improvements to the public realm.

We have changed some of these areas from the designations in the Southwark Plan. We have put more of the borough within the suburban zone to make sure that we build homes and developments that are a similar size to those already there, in places where there will be little development.

We will no longer allow higher density in areas just because they have high levels of public transport accessibility. Instead we will only allow high densities in the opportunity areas and core action areas as this is where we want to focus the majority of our new development.

3.6 Community: enhanced social and economic opportunities

It is important that the social and community infrastructure such as new jobs, schools, health and other community facilities is put in place in the area to benefit local people and support the growing population.

3.6.1 Jobs and business space

We will promote a business cluster primarily focused around Harmsworth Quays print works, through the provision of around 12,000 sqm of new office and light industrial space (Use Class B1) through development on the following sites: the Surrey Quays shopping centre and overflow car park, Mulberry Business Park, Site E, Surrey Quays Leisure Park and Site B.

Business space should be designed flexibly to accommodate a range of unit sizes.

We are doing this because

One of our objectives is to create a wider mix of uses at Canada Water, including new office and light industrial space, to help bring more vitality to the centre. Our research suggests that there is a need to provide flexible business space to meet the demands of the local office market. Future occupiers would be likely to be public sector organisations or SMEs providing services to other local businesses, mainly in the information technology, creative industries, and professional services sectors. SMEs typically require facilities of between 200sqm to 500sqm, with public sector organisations requiring larger facilities up to 2000sqm.

Our research forecasts the need to provide between 36,000sqm and 47,000sqm of new office space in Southwark by 2026 to meet the needs of the local office market. A proportion of this could be provided at Canada Water. With good access to the tube station and buses and close to the town centre, Canada Water is a good attractive location for businesses and has the potential to improve. Provision of new business space was strongly supported during consultation at issues and options stage.

In accordance with the Core Strategy preferred option and our existing planning guidance (Supplementary Planning Documents) we would target training and employment opportunities which are created by new development towards local people and aim to maximise the proportion of goods and services procured locally and open up supply chain opportunities for local businesses.

3.6.2 Schools

We will work with partners and school governors to provide a new education campus on the site of Rotherhithe Primary school. This would comprise either an “all-through” school or separate secondary school and primary schools.

We will also continue to explore the potential to improve Albion Primary School. This could include a larger school, include youth facilities or there may be a new redevelopment including housing and shops to provide funding to improve the school.

New pre-school facilities will be provided to meet the demands of the growing population, where there is a need.

We are doing this because

We are aiming to transform teaching and learning by investing in education through the borough-wide Southwark schools for the future (SSF) initiative. This includes building a new secondary school with a sports specialism in Rotherhithe to meet the growing population in the north of Southwark. This is to take account of the increasing number of children as the area becomes home to greater numbers of families with children.

This will be a five-form-of-entry (750 pupils aged 11-16) school plus sixth form (150 pupils). Bacon's College have agreed to be the sponsor of this new school and as such has guaranteed that all children who wish it and who live on the peninsula will be offered a place at either Bacon's or this new school. This will also allow us to rebuild Rotherhithe primary school.

Our preferred site for the new secondary school is the Rotherhithe Primary School site. It is a site which is close to public transport links, is in council ownership and would contribute to the overall regeneration of the core area.

The Primary Capital Programme is central government's equivalent programme to BSF but for primary schools. Rotherhithe Primary School was identified within that as a potential rebuild in the second phase. This school is single storey with large areas of flat roof giving both high energy costs and high maintenance costs.

With two new builds planned for the area, there is an exciting opportunity to bring them together to develop a 0-19 year school for the area, incorporating a children's centre alongside provision for primary and secondary aged pupils. It is the intention of the Council to work with the governors of Rotherhithe Primary School and the trustees of Bacon's College to develop a model for the new school on the site of Rotherhithe Primary. It would also be the intention of that work to link with developments in Southwark Park to facilitate greater use of the sports facilities in the school by children and young people.

This option is subject to a suitable scheme being agreed with the governing body and potential sponsors.

Redevelopment of Albion Primary School would allow the school to provide a better education experience for its pupils in up-to-date facilities. It would also make best use of the space around the school, providing easy access to a range of co-located community and retail services and help make Albion Street more lively. However there is no public sector funding available for this, so any scheme would need to provide enough housing to make it self financing.

3.6.3 Young people

Our preferred approach is to co-locate new facilities for young people with other services. We will use opportunities provided by the development of new schools and other community and health facilities to improve access to services for young people.

We are doing this because

Our Children and Young People's Plan aims to bring services together to create a joined-up approach to meeting the needs of children and young people. It identifies significant opportunities to align planned capital investment, particularly in schools, to improve service delivery, achieve better value for money, and take advantage of major regeneration projects in Southwark.

The proposed new education campus on the Rotherhithe Primary School site will be designed to provide a range of services for young people, including learning and health, as well as sports.

In addition, the new library at Canada Water will provide exhibition and performance space and will focus strongly on facilities for and participation by young people and families, providing a base for Southwark Young People's Forum. There may also be an opportunity to improve youth facilities in the east of the peninsula by replacing the Odessa Street Youth Centre with a new facility on a nearby site such as the Docklands Settlement, where it could be co-located as part of an improvement to community facilities on that site.

3.6.4 Health facilities

We will work with the primary care trust to meet the needs generated by the increased population by providing new health facilities in the core area.

We are doing this because

Over the life of the AAP, there will be a need to improve health facilities and expand them to meet the needs of the growing population living in the area. These facilities will complement existing facilities.

3.6.5 Community facilities

Our preferred approach is to locate local facilities together so that the services required by the community including, housing services, health centres, community space and facilities for the police are provided in accessible locations in a way in which different facilities can complement and support each other. We will only ask for the provision of such facilities where there is a clear requirement and an identified body who will manage them on a viable basis.

In line with Core Strategy preferred options, we will continue to protect floorspace in community use, unless it can be demonstrated that such floorspace is surplus to requirements.

We are doing this because

Community uses tend to work well when they are located close to one another. This creates opportunities to share spaces and facilities, makes them more convenient for the public to visit, and helps make them more viable. In line with the Southwark Plan, new school facilities will be available for use by the community outside school hours, for parties, worship, meetings etc.

Retaining existing facilities would help meet current needs but give some flexibility should facilities become surplus to requirements.

Part 4

4.1 Sites and areas in Canada Water

This section sets out policies for individual sites and areas in the AAP area. For the larger sites it shows how the principles set out in Part 3 of the Preferred Options report apply to these sites.

We have estimated the residential capacity for each site. These figures are approximate. The numbers of homes to be provided on each site will depend on the amount of non-residential space provided, the bedroom mix and compliance with other planning policies such as design policies.

4.1.1 Albion Street

Our preferred options for Albion Street are set out in Figure 10 below. We will continue to consult with local people and stakeholders to explore the vision for the street and this will inform the final proposals we set out in the draft AAP.

Figure 10: Albion Street



1. Improve access to Albion Street from the town centre and from St. Mary's conservation area
2. Reinforce the viability of the shopping parade by ensuring that no more than 2 units are used as hot food takeaways
3. Explore the potential to establish a market, possibly with a Scandinavian theme
4. Improve the appearance of shop fronts
5. Work with TfL to secure funding for streetscape improvements as part of the improvements around Rotherhithe station
6. Continue to explore the potential to reconfigure Albion Street Primary School, by building a mixed use frontage providing new facilities for the school and residential flats above

We are doing this because

Albion Street could become more lively with the empty buildings providing community activities, local service delivery and shops for local people. The job centre has already closed and Rotherhithe library will soon be moving and in the longer term, the shops will face increased competition from developments in the town centre. One of the main issues for the street is that it is not easy to get there from either the town centre or from the River Thames to the north. Time and Talents and the Canada Water Consultative Forum have recently run a series of workshops looking at the future role of Albion Street and we will take account of these when we prepare the draft AAP.

Rotherhithe tube station will reopen in 2010 and we will work with TfL to improve access from Albion Street to Rotherhithe tube station and also up to the river. Through developing Site A (see Figure 14) and also making improvements to Swan Street (see Figure 6) our preferred options will provide better and more convenient links for pedestrians to Albion Street from the town centre and Canada Water tube station.

There are several opportunity sites on Albion Street. These include the vacant job centre, the library, Albion Primary School and the Little Crown pub. We will continue to consider the options for these sites and will set out the preferred approach in the draft AAP.

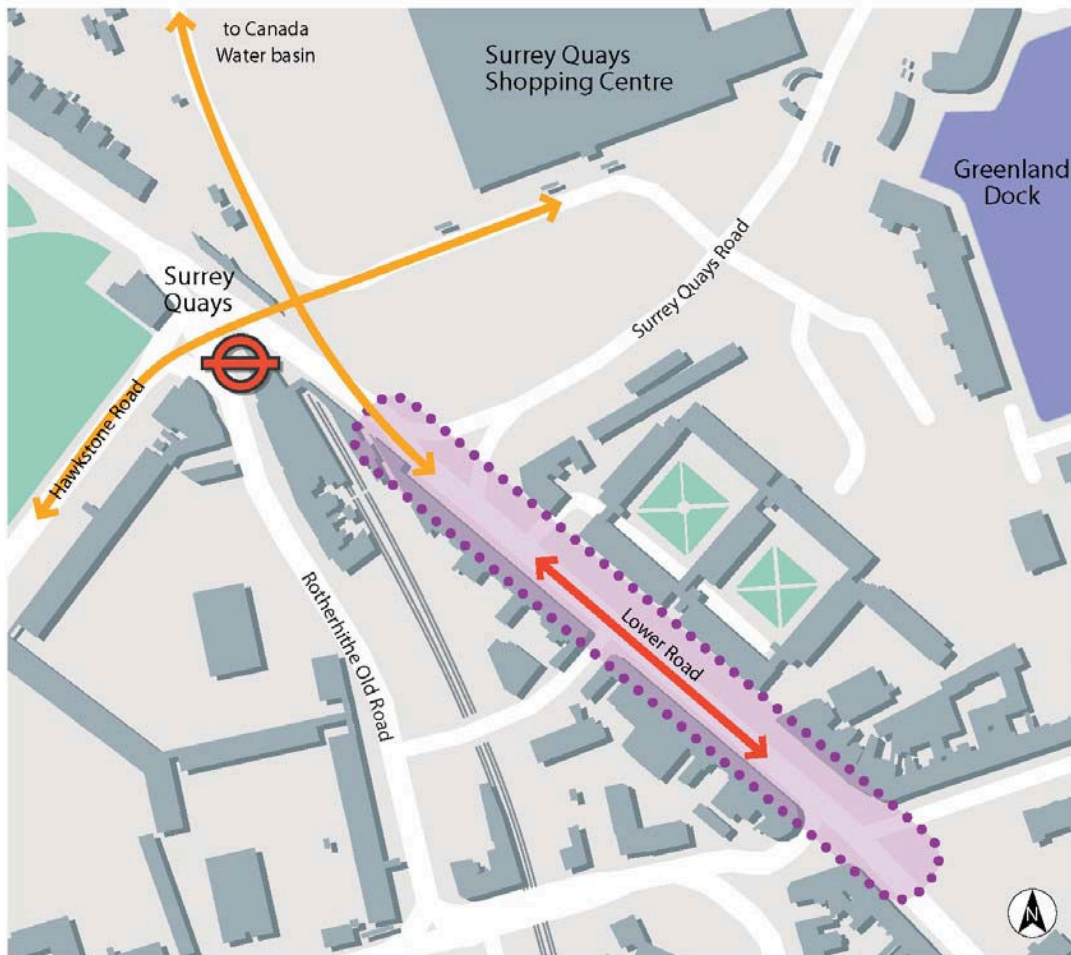
- **Library:** The current Rotherhithe library will no longer be needed when the new library at Canada Water opens in 2011. Space vacated in the building could be leased to other occupiers, including community groups. The upper floor is occupied by BEC, an educational provider who are keen to stay in the area.
- **Job centre:** Several applications have been submitted recently for proposals which include community use, possibly a health facilities, residential flats and retail.
- **The Little Crown:** This site has planning permission to convert the upper floors into self contained flats and the ground floor into a retail shop. Southwark has recently been in contact with the landowner and has been advised that a revised application involving similar uses will be submitted soon.
- **Albion primary School:** There may be scope to redevelop Albion Primary School to provide a new school, housing and shops that front on to Albion Street (see section 3.6.2 on schools).



The vitality of the parade could also be strengthened by providing a street market possibly with a Scandinavian theme. There is some funding available to improve the quality of shop fronts, and we would try to secure funding to make improvements to the public realm.

4.1.2 Lower Road

Our preferred options for Lower Road are set out in Figure 11 below.

Figure 11: Lower Road



-  Proposed 2 way traffic movement
-  Proposed public realm improvements

1. Create a new high street which links with Lower Road
2. Undertake public realm improvements on Lower Road to create a better shopping environment
3. Improve pedestrian and cycle links between Hawkstone Road, Surrey Quays station and the shopping centre
4. Reinforce the viability of the shopping parade by ensuring that no more than 2 units in any one section of the frontage are used as hot food takeaway
5. Reintroduce two-way traffic movement on Lower Road to help make traffic movement more efficient and improve the environment around the gyratory.

We are doing this because

Lower Road currently provides day-to-day convenience facilities for local people and passing trade. The pedestrian environment however is very poor. It is often difficult to cross Lower Road and links to the shopping centre are not very direct. It is a protected shopping frontage in the Southwark Plan and Core Strategy, although a

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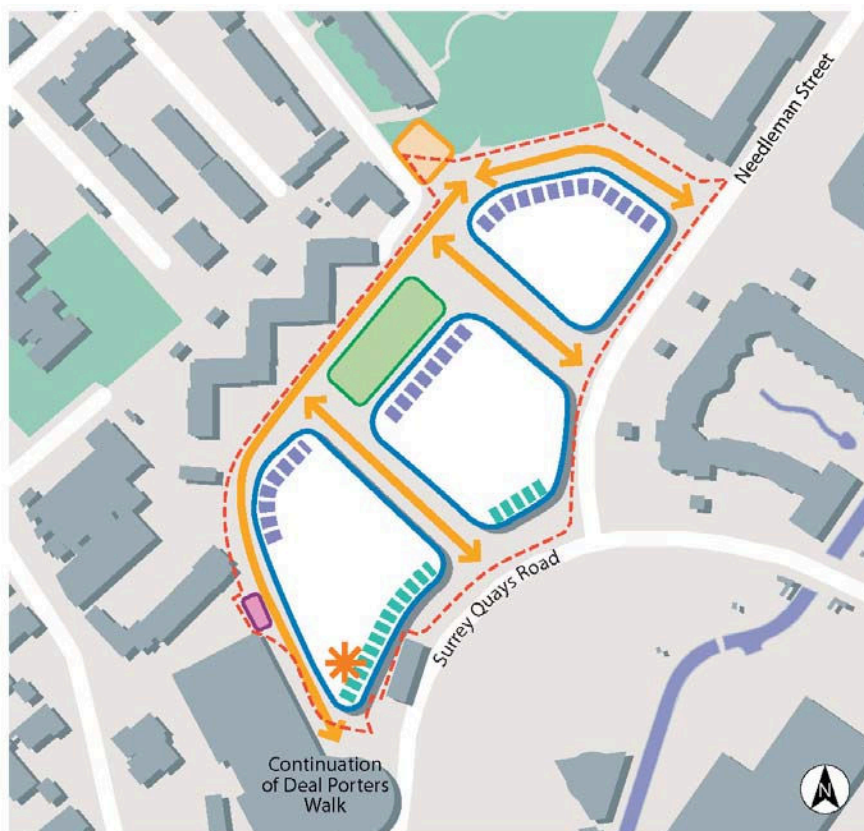
high proportion of the units are takeaways, including 5 units in the first part of the frontage between nos. 226 and 290 Lower Road. Cumulatively, hot food takeaways can create amenity problems for neighbouring occupiers and also reduce the vitality of the frontage.

In addition, Lower Road would also benefit from improvements to the road network (see Figure 7) and more convenient and direct links to the shopping centre (see Figure 6).

4.1.3 Site A (Land north of Surrey Quays Road and Needleman Street)

| | |
|---|--|
| Required land uses | Residential use (Class C3); retail uses (Classes A1/ A2/A3); bicycle station; public open space. |
| Other acceptable land uses | Business use (Class B1), community use (Class D1), Hotel (Class C1). |
| Estimated capacity (approximate) | 600 residential homes; 800sqm of retail use; 400sqm of flexible community use. |
| Phasing and implementation | 2009-2013 Barrett Homes are preparing a detailed planning application for the site and are intending to develop the site. |

Figure 12: Site A (Land north of Surrey Quays Road and Needleman Street)



- ⋄ Site boundary
- Opportunity to improve access for pedestrians and cyclists
- Active uses on Surrey Quays Road
- Building heights towards the lower end of the range
- ✱ Opportunity for tall building
- Opportunity for public open space
- Potential development blocks
- Bicycle station
- Public realm improvements at the junction of Swan Road, Deal Porter's Walk and Albatross way

We are making this designation because

Located close to the Canada Water tube and bus station, this site is suitable for a residential led-mixed use development. A landmark tower could be provided (see Figure 8) adjacent to the tube station. Building heights should be towards the lower end of the range on the northern-western and north-eastern parts of the site to help ensure a transition to existing development on adjacent sites to the north.

The layout of blocks and routes should create connections into the surrounding street network. A pedestrian and cycle link which connects with Deal Porter's Walk should be provided through the site.

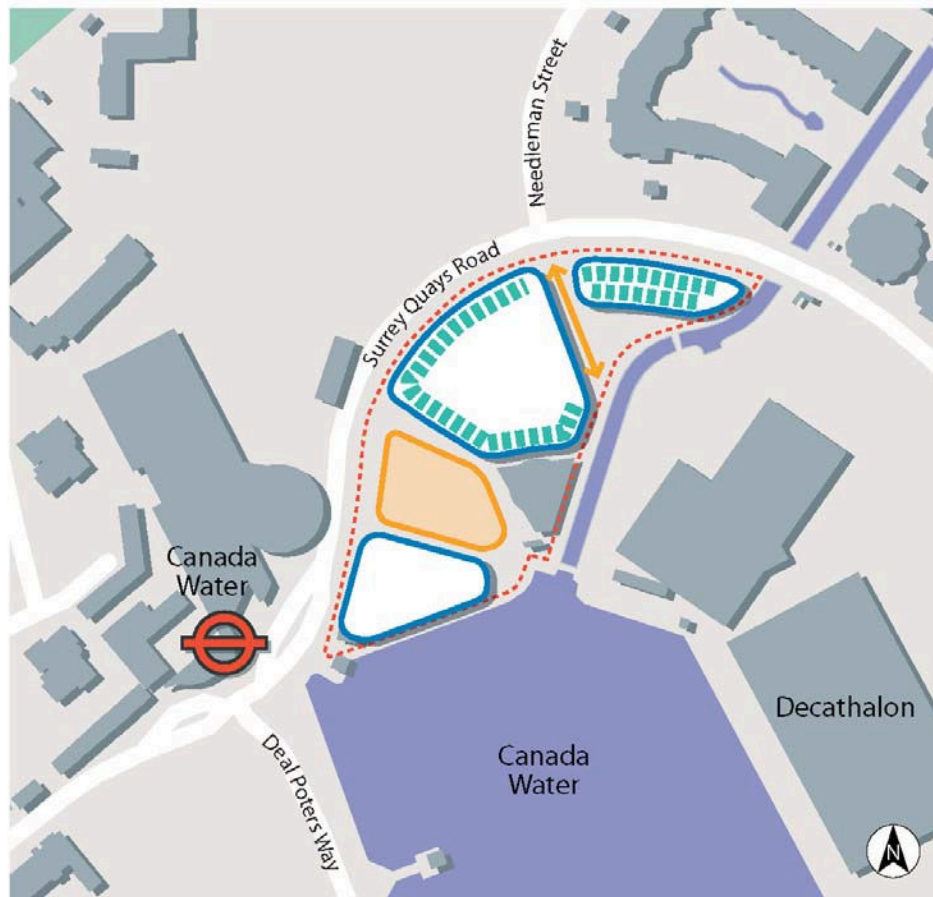
Active uses should be provided at ground floor level fronting onto Surrey Quays Road to help animate Surrey Quays Road and its importance as a pedestrian route which feeds routes radiating out from the town centre.

In order to improve access for cyclists to the tube station, a cycle station should be provided on the site.

4.1.4 Site B (Land bounded by Surrey Quays Road, the Canada Water basin and Albion Channel)

| | |
|---|---|
| Required land uses | Residential use (Class C3); retail uses (Classes A1/A3); business use (Class B1), community use (new library) (Class D1); public open space. |
| Other acceptable land uses | |
| Estimated capacity (approximate) | 241 residential homes; 2,000sqm of community use (library); 250sqm of business space; 1,150sqm of retail use. |
| Phasing and implementation | 2009-2011 This site has detailed planning permission and the first phase of development is due to complete in summer 2009. Construction of the new library started in June 2009. |

Figure 13: Site B (Land bounded by Surrey Quays Road, the Canada Water basin and Albion Channel)



- - - Site boundary
- Opportunity to improve access for pedestrians and cyclists
- ▨ Active uses onto civic plaza and Albion Channel
- ▭ Proposed new civic plaza
- ▭ Potential development blocks

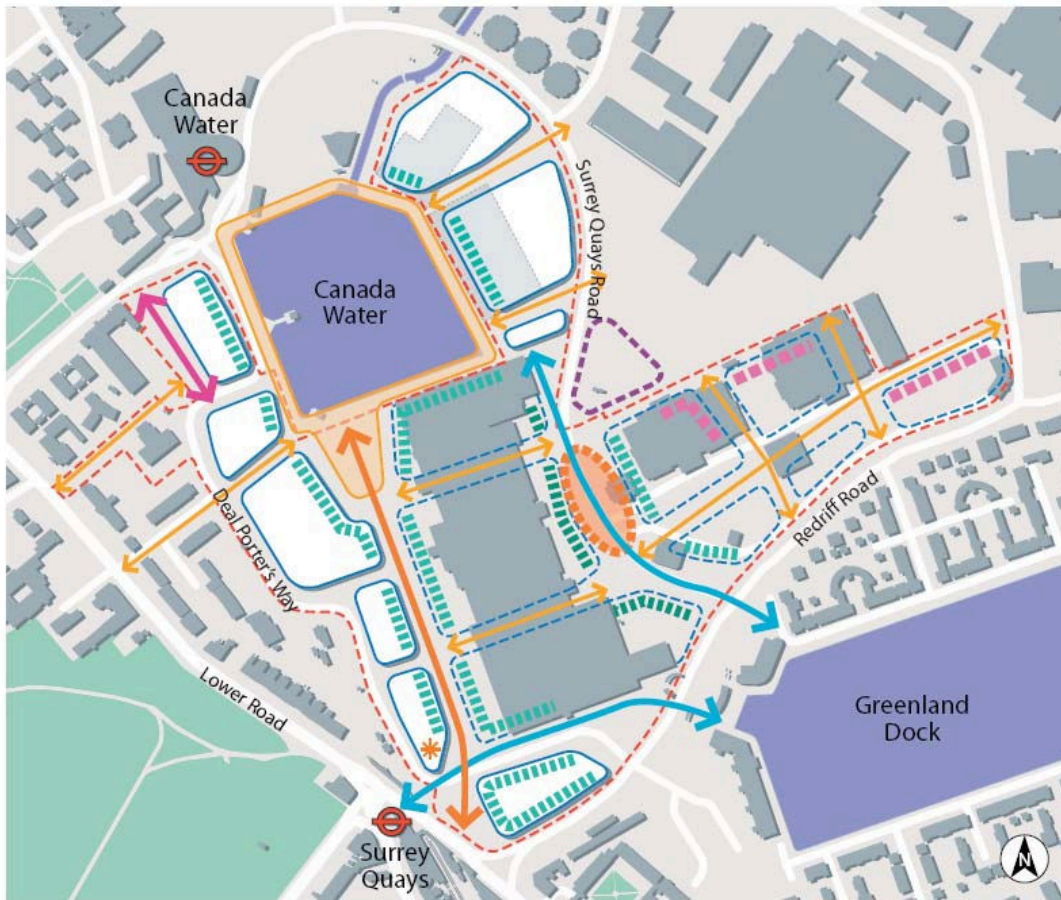
We are making this designation because

Located on the edge of the centre this site is suitable for a residential led-mixed use development, which provides a new civic plaza outside the proposed library. Active frontages should be provided at ground floor level to create more vitality in the plaza.

4.1.5 Decathlon site, Surrey Quays Leisure Park, Surrey Quays Shopping Centre and overflow car park

| | |
|---|---|
| Required land uses | Retail uses (Classes A1, A2, A3, A4); business use (Class B1); leisure uses (Class D2); residential use (Class C3); community use (Class D1); hotel use (Class C1) should be provided on this site, unless provided elsewhere in the core area; public open space; town centre car parking. |
| Other acceptable land uses | Student accommodation (sui generis use) |
| Estimated capacity (approximate) | The capacity for residential homes and retail space will be confirmed in the draft AAP; a minimum of 11,000sqm of leisure uses; a minimum of 5,000sqm of business use; health facilities (which complement rather than replace existing facilities) and other community uses. |
| Phasing and implementation | 2015-2020 Conrad Phoenix (Canada Water) and CGNU Life Assurance are preparing detailed planning applications for the Decathlon site and Surrey Quays Leisure Park respectively. The council is in discussion with Tesco/Segro about development on the shopping centre site. |

Figure 14: Decathlon site, Surrey Quays Leisure Park, Surrey Quays Shopping Centre and overflow car park



- Site boundary
- Opportunity to improve access for pedestrians and cyclists
- Create strong links between town centre and Greenland Dock
- Opportunity to relocate Deal Porters Way
- Create strong visual and physical connection between Canada Water basin and Lower Road
- Opportunity to provide active uses at rear of shopping centre
- Non residential buffer to Harmsworth Quays
- Active uses
- Opportunity for public realm improvements and new bus and taxi stand on Surrey Quays Road
- Potential development site on Harmsworth Quays
- ✱ Opportunity for tall building
- Potential development blocks
- Other potential development
- Existing buildings

We are making this designation because

Our objective is to use development opportunities provided by these sites to create a genuine town centre at Canada Water. This site designation and accompanying plans show how the guidance set out in section 3 applies to these sites.

These sites comprise a large part of the town centre and have significant capacity for growth. A new high street should connect the Canada Water basin with Lower Road and this should form the focus for provision of new shopping space. This would help integrate retail on the shopping centre site with Lower Road and provide improved connections to the tube stations. It would also enable a more effective use of the existing car parks and help give the shopping centre site a town centre character.

The layout of development and distribution of uses on the Leisure Park site requires careful consideration, given the proximity of the neighbouring Harmsworth Quays print works and the noise generated by electrical plant and vehicular trips associated with the print works. Non-residential space should provide a buffer to Harmsworth Quays print works. This can help meet the need to provide leisure or retail use or the demand for business space and enable the creation of a high quality residential environment.

Pedestrian and cycle links around the town centre are very poor. In particular routes from the town centre to Greenland Dock are indirect and unclear, while the shopping centre turns its back on the Leisure Park. The layout of the shopping centre and car parks also create a physical separation from Lower Road. Development should help create safe, direct and attractive routes through the centre for pedestrians and cyclists, to encourage more people to visit the centre on foot, by bike and on public transport.

A range of building heights should be provided across the sites to create visual interest, help ensure a transition to surrounding sites and help create an area which is easy to find your way around. General benchmark heights on the shopping centre site and around Surrey Quays Road should be between 5 and 8 storeys. Building heights should be towards the lower end of the range on the eastern side of the Leisure Park in order to provide a transition to lower density development in the suburban zone.

A taller building would be appropriate on the south-west corner of the shopping centre. This part of the shopping centre site is less sensitive as it falls outside the strategic viewing corridor between Greenwich Park and St Pauls. It could help mark the tube station and would form part of a cluster of tall buildings with the 16 storey towers on the Hawkstone Estate.

The principles set out here are core principles which should be applied to any development scheme prepared for these sites. They aim to ensure that key features, such as pedestrian and cycle links and a range of building heights within limits, are incorporated. They do not require the implementation of one particular masterplan. In this way they provide some flexibility and could be implemented in several ways.

Implementation of development on the three sites is complicated by the fact that they are in different freehold ownerships, and in addition, that existing leaseholders - Decathlon, the Odeon Cinema and leisure operators and Surrey Quays Shopping Centres Ltd - have long leases. Conrad Phoenix and CGNU Life Assurance are preparing plans for the Decathlon and Leisure Park sites respectively. The council is

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in discussion with Surrey Quays Shopping Centre Ltd about the future of the shopping centre site.

The Decathlon site and Leisure Park site could be developed independently of the shopping centre site. However, this scenario would have several disadvantages:

- It would be much more difficult to provide active uses around the rear of the shopping centre. Leisure uses alone on the Leisure Park site would be unlikely to generate enough footfall throughout the day to make a reconfiguration of the rear of the shopping centre economically viable;
- It would be difficult to change the character of Surrey Quays Road if the rear of the shopping centre cannot be reconfigured;
- It would make it more difficult to create strong links either from the shopping centre to the Leisure Park site or to Greenland Dock;
- Residential densities on the Leisure Park site would be lower as access to the bus and tube stations would be less convenient and direct. The site would essentially be located on the edge of the centre and mark a transition to the suburban character of sites to the south and east of the site; and
- It would be more difficult to meet the parking demands of operators as sharing of car parks would be more complicated.

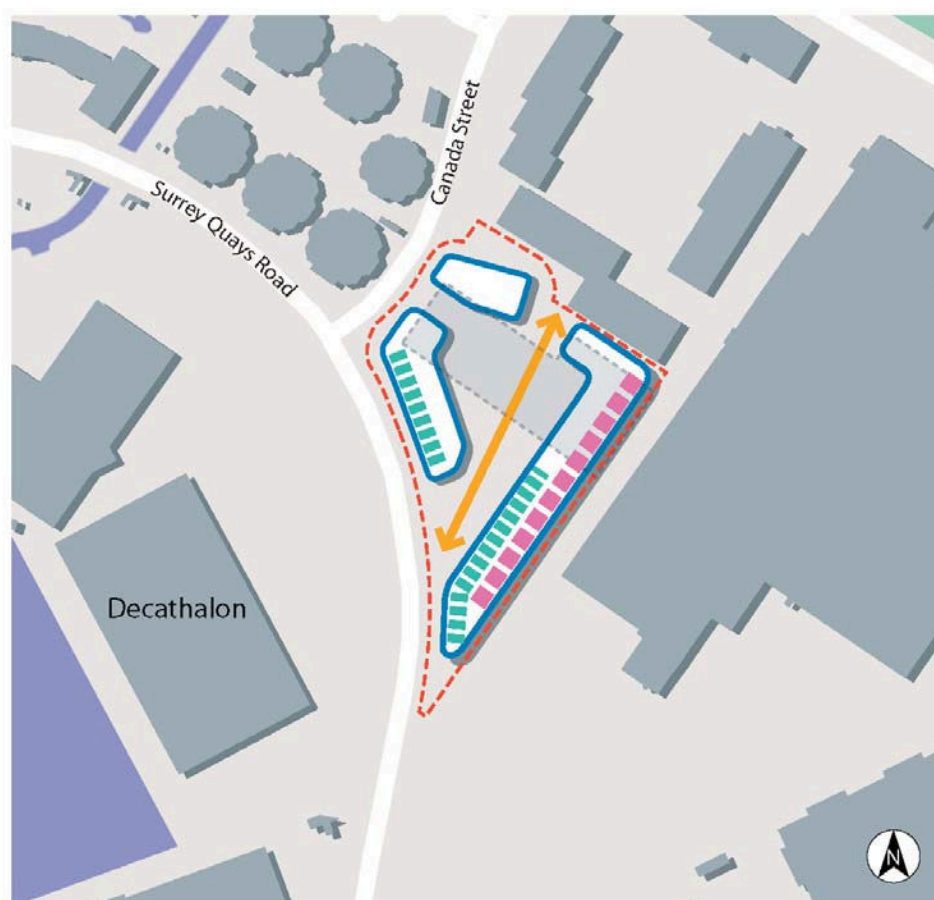
On the other hand, if landowners and leaseholders worked together, there would be a number of benefits:

- Providing more retail and leisure uses on the western side of the Leisure Park site would create the critical mass to generate more footfall on Surrey Quays Road and unlock the opportunity to make a substantial reconfiguration or phased redevelopment of the shopping centre. It would be replaced by an open street environment, which is more distinctive and which would be closer to our objective of creating a town centre;
- There would be an opportunity to change the character of Surrey Quays Road, drawing it into the town centre and possibly creating a semi-pedestrianised environment with a bus/taxi drop off area.
- The opportunity to redevelop the corner of Harmsworth Quays could be explored. This could create an opportunity to straighten Surrey Quays Road re-routing traffic to the east of the current alignment.
- Enabling a reconfiguration or phased demolition of the shopping centre would allow mixed use blocks to be built which would make the area feel more lively at all times of day and safer.
- Much stronger links to Greenland Dock could be achieved.
- Sharing of car parks would be easier New town centre car parks could be provided for all retail and leisure operators and facilitate a much more efficient use of parking spaces.

4.1.6 Site E (Land at the corner of Surrey Quays Road and Quebec Way)

| | |
|---|--|
| Required land uses | Residential use (Class C3) and business use (Class B1). |
| Other acceptable land uses | Community use (Class D1); hotel use (Class C1). |
| Estimated capacity (approximate) | 140 residential homes; a minimum of 3000sqm of business use; |
| Phasing and implementation | 2009-2015 The landowner, Conrad Phoenix (Canada Water), are preparing a detailed planning application for the site. |

Figure 15: Site E (Land at the corner of Surrey Quays Road and Quebec Way)



- Site boundary
- Opportunity to improve access for pedestrians and cyclists
- Active uses on Surrey Quays Road
- Non residential buffer to Harmsworth Quays
- Potential development blocks
- Existing buildings

We are making this designation because

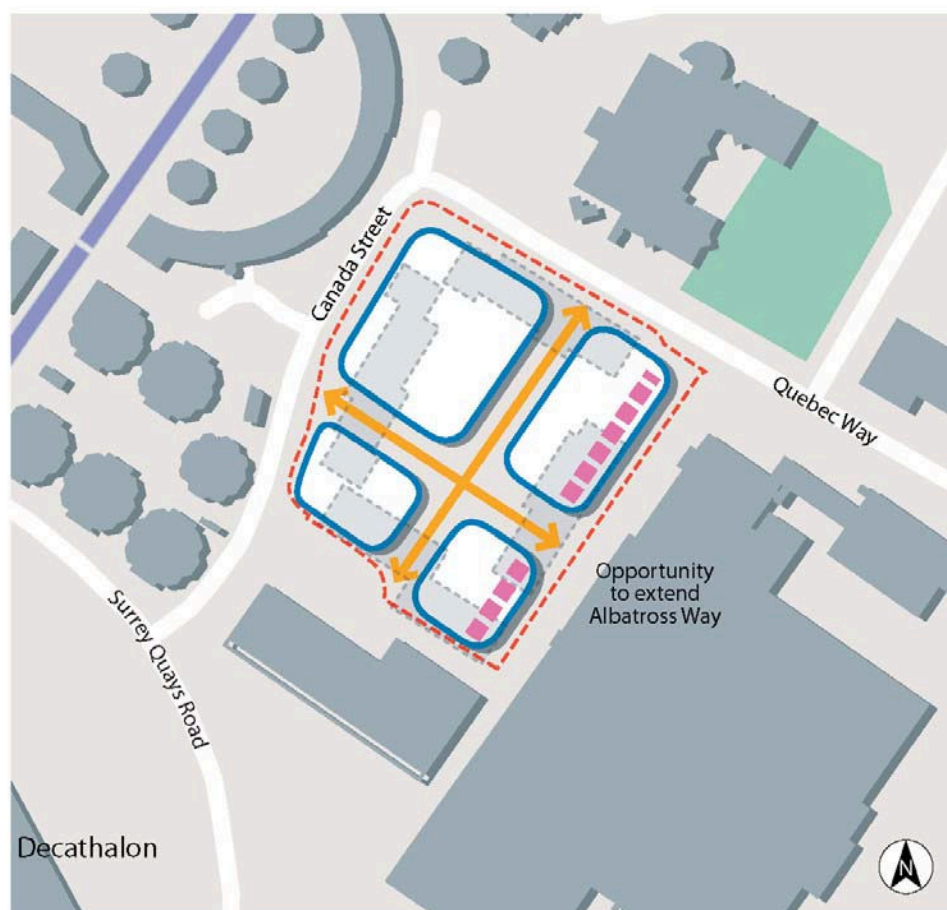
Located on the edge of the centre this site is suitable for a residential led-mixed use development. The layout of development on the site and distribution of uses requires careful consideration, given the proximity of the neighbouring Harmsworth Quays print works and the noise generated by electrical plant and vehicular trips associated with the print works. New business space should be provided to create a non-residential buffer to Harmsworth Quays print works to both help meet demand for business space and enable the creation of a high quality residential environment.

New pedestrian and cycle links through the site should be provided to help make the area easier to move around.

4.1.7 Mulberry Business Park

| | |
|---|--|
| Required land uses | Residential use (Class 3C), and business use (Class B1). |
| Other acceptable land uses | Community use (Class D1). |
| Estimated capacity (approximate) | 250 residential homes; a minimum of 3,000sqm of business use. |
| Phasing and implementation | 2009-2015 The buildings on this site have recently been demolished. The site is available for development and has detailed planning permission. |

Figure 16: Mulberry Business Park



-  Site boundary
-  Opportunity to improve access for pedestrians and cyclists
-  Non residential buffer to Harmsworth Quays
-  Potential development blocks
-  Existing buildings

We are making this designation because

This site is now cleared and is suitable for a residential led-mixed use development. The layout of development on the site and distribution of uses requires careful consideration, given the proximity of the neighbouring Harmsworth Quays print works and the noise generated by electrical plant and vehicular trips associated with the print works. New business space should be provided to create a non-residential buffer to Harmsworth Quays print works to both help meet demand for business space and enable the creation of a high quality residential environment.

Building heights should be towards the lower end of the range on the eastern side of the site in order to provide a transition to lower density development in the suburban zone.






New pedestrian and cycle links through the site should be provided to help make the area easier to move around.

4.1.8 24-28 Quebec Way

| | |
|---|---|
| Required land uses | Residential use (Class 3C); business use (Class B1) and/or community use (Class D1). |
| Other acceptable land uses | Hotel use (Class C1). |
| Estimated capacity (approximate) | 50 homes; 500 sqm of business use or community use. |
| Phasing and implementation | 2015-2020 Although no planning applications have been received for the site, it would be available for development, subject to satisfactorily relocating existing occupiers. |

Figure 17: 24-28 Quebec Way



-  Site Boundary
-  Opportunity to improve access for pedestrians and cyclists
-  Building heights at lower end of range on Russia Dock Woodlands frontage
-  Potential development blocks
-  Existing buildings

We are making this designation because

This site is suitable for a residential led-mixed use development. Some business or community use should be retained on this site as part of a business cluster and to help create some vitality in this part of Quebec Way.







This site has a medium public transport accessibility level (PTAL 2/3). Located to the east side of Quebec Way and close to Russia Dock Woodland, development on this site should have a more suburban character. Building should be lower at the rear of the site (the east side) to protect the sense of openness in Russia Dock Woodland and its nature conservation value.

4.1.9 Quebec Industrial Estate

| | |
|---|---|
| Required land uses | Residential use (Class C3); business use (Class B1) and or community use (Class D1). |
| Other acceptable land uses | Hotel use (Class C1); retail use (Class A1). |
| Estimated capacity (approximate) | 250 residential homes; 1000sqm of non-residential use. |
| Phasing and implementation | 2015-2020 Although no planning applications have been received for the site, it would be available for development, subject to satisfactorily relocating existing occupiers. |

Figure 18: Quebec Industrial Estate



-  Site Boundary
-  Opportunity to improve access for pedestrians and cyclists
-  Landscape buffer to Russia Dock Woodlands frontage
-  Building heights at lower end of range on Russia Dock Woodlands frontage
-  Potential development blocks
-  Existing buildings

We are making this designation because

This site is suitable for a residential led-mixed use development. Non-residential use could include either business use or some community facilities such as pre-school facilities if a need is identified.

This site has a medium public transport accessibility level (PTAL 3). Located to the east side of Quebec Way and adjacent to Russia Dock Woodland, development on this site should have a more suburban character. On the Russia Dock Woodlands frontage buildings should be at the lower end of the height range and a landscape buffer provided between buildings and the boundary in order to protect the sense of openness in Russia Dock Woodland and its nature conservation value.

New pedestrian and cycle links through the site should be provided to help make the area easier to move around. As Russia Dock Woodland is a site of importance for nature conservation, new paths into it should be subject to an ecological assessment.

4.1.10 Small sites in the Core Area and sites outside the Core Area

Figure 19: Development schedule small sites in the Core Area and sites outside the Core Area

| Site | Required land uses | Other acceptable land uses | Estimated capacity (approximate) | Site specific guidance | Phasing and implementation |
|---|---|---|--|---|--|
| Tavern Quay | Residential use (Class C3); business use (Class B1). | Retail use (Classes A1/A3). | 71 residential homes; 1300sqm business use; 100sqm of retail use. | | 2009-2015 |
| Downtown | Residential use (Class C3); Community use (Class D1) | | The amount of homes would depend on the amount of non-residential floorspace provided on the site. | | 2009-2015 |
| Harmsworth Quays | Business use (Class B). | Residential use (Class C3); retail use (Classes A1/A2/A3); community use (Class D). | The amount of homes would depend on the amount of non-residential floorspace provided on the site. | | The development of this site would be subject to the relocation of the printworks. |
| 247-251 Lower Road | Residential use (Class C3); retail uses (Class A1/A2/A3) or Community use (Class D1). | | 18 residential homes; up to 500sqm of non-residential use | | 2009-2015 |
| 41-55 Rotherhithe Old Road | Residential use (Class C3). | | 18 residential homes | | 2009-2015 |
| 23 Rotherhithe Old Road | Residential use (Class C3). | | 14 residential homes | | 2009-2015 |
| Rotherhithe Primary School | Education use (Class D1) | Community use (Class D). | | | 2009-2015 |
| Albion primary school | Education use (Class D1) | Residential use (Class C3); community use (Class D2) | The amount of homes would depend on the amount of non-residential floorspace provided on the site. | | |
| Rotherhithe Police Station and Landale | Sui generis (police station). | Residential use (Class C3), retail uses (Classes A1/ | The amount of homes would depend on the amount of non- | Police facilities should be retained on | Subject to providing replacement police |

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| House | | A3); business use (Class B1), community use (Class D1). | residential floorspace provided on the site. | this unless appropriate replacement facilities can be provided elsewhere in the AAP area. | facilities elsewhere in the AAP area. |
| Land adjacent to Surrey Docks Stadium | Sports facilities and car parking ancillary to the use of the adjacent playing field. | Residential use (Class C3); retail use (Class A1). | 100 residential homes; up to 500sqm of retail use. | Use of the site should not compromise the future viability and use of the adjacent playing field which is MOL. | 2009-2015 |
| Fish Farm | Open space | Community use (Class D). | | | 2009-2015 |
| St Pauls playing field | Open space | Community use (Class D). | | | 2009-2015 |
| Odessa Street Youth Club | Residential use (Class C3); retail use (Class A1/A3). | Community use (Class D1). | 25 residential homes; up to 500sqm of retail use | Development of this site is subject to appropriate replacement youth facilities being provided elsewhere to meet local needs. | 2009-2015 |
| Canada Estate towers (Regina and Columba Point) | This site is listed in the Core Strategy as part of the strategic housing land availability assessment (SHLAA). The SHLAA is a major piece of work being carried out by the GLA with the help of the boroughs. It aims to identify potential housing sites that could be brought forward over the next 20 years to enable councils to meet their obligations to increase the housing stock and meet housing need. It covers all sites over 0.25 hectares which could be available for the development of housing. This does not mean that we definitely intend to develop this site, we will set out more detail about how we could develop this site, the type of development and how much development could go on the site at the next stage of consultation. | | | | |
| St George's Wharf | Boatyard uses associated with marina including the construction, repair and storage of boats, yacht chandlery, and | Hotel (Class C1); residential use (Class C3) | The amount of homes or hotel space provided would depend on the amount of non-residential floorspace maintained and | | |

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| | toilet and shower facilities; retail uses (Classes A1 and A3). | | provided on the site. | | |
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Part 5

5.1 How will the plan be delivered?

We need to make sure that the change we want to see in Canada Water actually takes place by:

Progressing committed developments

We are not preparing the AAP from a blank sheet of paper. Work is progressing on a number of sites on the peninsula and this will continue. This includes:

- Construction of 63 new homes, including affordable homes, retail and office space is currently underway on site B1
- Planning permission has been granted for a public plaza and a new library, which includes exhibition and performance space, close to Canada Water tube station. Construction on the library commenced in June 2009.
- The council has committed £2.3m to a complete refurbishment of the Surrey Docks watersports centre and work is currently in progress
- New sports pitches and games courts have recently been completed at Bacon's College and Mellish Fields

Working with partners

To deliver the vision for Canada Water and implement the AAP, we will work in partnership with a range of public, private and voluntary sector organisations. Key partners will include:

Landowners and potential developers
 Transport for London
 Greater London Authority
 Neighbouring boroughs
 Homes and Communities Agency
 Southwark Primary Health Care Trust
 Metropolitan Police Association
 Canada Water Consultative Forum, tenants and residents' associations and other residents and interests groups in the area

As is noted in this report, planning applications are currently in preparation for several key sites in the core area and Southwark has provided pre-application advice on these schemes. We will continue to work with developers on these and other sites to enable development.

Lower Road, although not part of the Transport for London Road Network is a strategic road and any changes to Lower Road require the agreement of TfL. The preferred options have been prepared following discussions involving TfL and Lewisham council and we will continue to involve them in further testing of the options.

Identify where the funding for changes will come from

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The majority of sites in and around the core area are in private ownership and the private sector would be responsible for their development. Generally, developers would also be responsible procuring and laying out public realm within and around their sites.

In order to implement the preferred option, it will also be necessary to make improvements to the road network, pedestrian and cycle infrastructure, public open spaces, sports facilities, play spaces, new or larger health facilities, new school places and energy infrastructure.

We will seek to secure funding to implement strategic infrastructure proposals, through s106 planning obligations or a tariff scheme. Our current s106 Planning Obligations supplementary planning documents provides a set of standard charges which we make on all new large developments. Where appropriate, these charges will be tailored to ensure that all developments contribute to the cost of necessary infrastructure.

FACT BOX: Planning obligations

These are agreements made between a developer and the council to help reduce the harm caused by a development. Planning obligations can be in the form of money provided to the council to fund things like open space improvements and community facilities, or a requirement for something to be provided in a scheme such as affordable housing or business space, an exhibition space, or streetscape improvements. By law, obligations must be related to reducing the impacts that the development will have.

The law that allows planning obligations to be made is Section 106 of the Town and Country Planning Act, which is why they are sometimes called “section 106 agreements”.

Having a clear, flexible and realistic plan

In order to be successful, the Canada Water AAP must have a strong vision, back up by set out clear and unambiguous policies. This will provide more certainty for developers and land owners and encourage investment in the area.

In order to provide this certainly, we must test our policies must be tested to ensure that they would work. A significant amount of research has already been undertaken. The 2009 Southwark Retail Study has made an assessment of the potential for retail growth in the borough and at Canada Water. A similar exercise has been carried out for business uses, including offices, industry and warehousing. The impact of the development on the road network will play an important part in contributing to the success of the plan and over the summer we will be using the multi-modal traffic model to fully assess the impacts. Studies assessing energy and utilities infrastructure needs are also in hand.

By the time we publish the draft AAP the physical infrastructure, including road improvements, upgrades to walking and cycling routes, and energy infrastructure, needed to implement the plan will have been costed. In the draft AAP, we must also be able to show that the plans we are putting in place are financially viable and that the value generated by development will support the costs associated with infrastructure, the provision of affordable housing etc.

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The AAP will have a lifetime of 10-15 years and in order to be able to adapt to changing conditions, it must also provide some flexibility. The preferred options try to set out clear set of development principles, but do not prescribe any one particular masterplan. Our preference is for key landowners on the four largest town centre sites to work together in setting up a joint venture to implement proposals. This will enable the planning of these sites to be integrated more effectively. In particular, it would facilitate a shared parking strategy across the sites and enable a more substantial reconfiguration or demolition of the shopping centre itself.

In the case that this holistic approach does not come about, the AAP should ensure that the sites can be developed independently, in accordance with the development principles set out.

Regularly reviewing progress

We will set targets for the AAP and regularly monitor whether the plan is working how we want it to, and if not what can be done to put it back on track.

6 Appendices

6.1 Appendix 1: The characteristics of the AAP area

People

The AAP area mainly comprises two wards, Rotherhithe and Surrey Docks and at the time of the 2001 census had a population of around 23,000 people. Around 20% of the population is less than 19 years old, which is a lower proportion than in Southwark as a whole (25%). 52% of the population is above the age of 30, which is close to the Southwark average of 55%. There is a much higher proportion of people aged 20-29 (27%) living in these two wards compared to the rest of Southwark (19%).

The two wards have significantly higher number of people of white ethnic origin (78%) compared to the rest of Southwark (63%) and it also has fewer people of ethnic minorities living there (22%) when compared to Southwark as a whole (37%).

The religious beliefs of the people in these wards varies slightly from Southwark as a whole. There is a higher proportion of Christians in Surrey Docks and Rotherhithe (65%) than in the rest of Southwark (61%). The total non Christian population is lower in the two wards (7%) than the rest of Southwark (10%). The number of people that stated they have no religious beliefs or did not state any belief is similar in these wards in comparison to Southwark as a whole.

History

The name Rotherhithe is derived from a saxon word meaning “mariners landing place” and has long been associated with the river Thames and the docks. It was originally a port, and in 1620, the Mayflower carrying the pilgrim fathers set sail for America from Rotherhithe.

Docks and shipyards began to appear in the area from the late 17th century. These were expanded and by the second world war, 85% of the Rotherhithe peninsula, an area of 460 acres was covered by a system of docks and timber ponds. Much of the traffic in the docks was associated with timber from Scandinavia and the Baltic and foodstuffs from Canada. A distinctive working culture developed in the docks, with the deal porters – dockers who specialised in carrying huge loads of timber across their shoulders and wearing special headgear to protect themselves - being a characteristic sight.

The docks were badly bombed in the second world war and finally closed in 1969. After lying derelict for a decade, the London Docklands Development Corporation was given responsibility for developing the area and around 90% of the docks were filled in. Since 1980, over 5,500 new homes have been built, along with the Surrey Quays shopping centre and leisure park and the Harmsworth Quays print works.

Town centre and shopping

Built in 1988, the Surrey Quays shopping centre contains around 29,000sqm of shopping floorspace. There is an additional 6000sqm of space in the Decathlon retail sheds. Most of the units in the shopping centre are occupied by multiples such as Evans, New Look, River Island and Burton Menswear. There are few retail and financial service units such as travel agents, dry cleaners, opticians, banks and

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building societies and property services. Food retailing is dominated by a large Tesco foodstore, with little other provision in the centre.

Between them, the shopping centre, Decathlon store and Leisure Park, contain around 2000 car parking spaces. Most visitors to the shopping centre live relatively locally and a high proportion visit by car. Physically, the area around shopping centre feels like an out-of-centre destination, rather than a more traditional town centre.

The main shopping parades in the area are on Lower Road and Albion Street. These provide for some day-to-day convenience needs, but feel rather run-down. The eastern part of the Rotherhithe peninsula around Surrey Docks ward has relatively few shops. Most of the shops in this area are located around Rotherhithe Street and pre-date the 1980s and 1990s development.

Transport

The AAP area has three tube stations, as well as a bus station and is served by a number of bus routes. Access to public transport is high around the town centre, but drops off quickly, particularly towards Surrey Docks ward.

Some improvements to public transport are currently being carried out. The East London line is being converted into part of the overground network. Phase 1 which opens in 2010 will provide access to Croydon and Dalston, while phase 2 will connect Surrey Quays to Peckham and Clapham Junction as part of London's orbital route. These improvements will ensure trains pass Surrey Quays approximately every 5 minutes. The Jubilee line is currently being re-signalised which will increase capacity by around 33% and cut journey times by 22%.

The network of roads in the area is shown on Figure 7. Lower Road is a strategic road linking south-east London with central and east London via Jamaica road and the Rotherhithe tunnel. Lower Road is currently very congested during the morning and evening peaks

Arts, culture, tourism

The Rotherhithe peninsula has a number of arts, cultural and tourism attractions. These include the Brunel Engine House Museum, St Mary's church, the Mayflower Inn, the Pumhouse museum, the Odeon cinema, the Café Gallery in Southwark Park, the cinema, Surrey Docks Farm, the Thames Path and of course the docks.

The existing library on Albion Street is due to be replaced by a new library at Canada Water. The existing library could be let or leased to community groups. This will also provide performance and exhibition space and a venue for Southwark's Youth Forum.

Places

The urban structure of the AAP area was designed mainly with car borne trips in mind. The main loop of Brunel Road, Salter Road and Redriff Road feeds small residential blocks and cul-de-sacs. The structure of the area around the shopping centre is fragmented and is characterised by large sites occupied by single storey shed-style developments and surface car parking. Building heights and residential densities are generally higher around the periphery of the AAP area and lower in the centre of the area. Much of the area around Surrey Docks ward in particular has a leafy suburban feel.

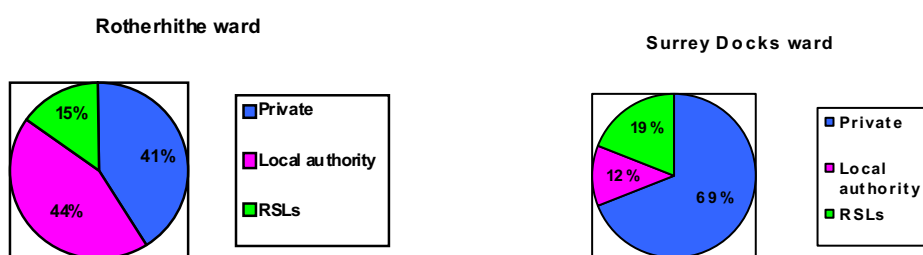
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The area has several large open spaces, including Southwark Park, Russia Dock Woodlands and the docks. These are linked by several green pedestrian and cycle links.

Homes

There are around 11,000 homes in the two wards which comprise the majority of the AAP. Surrey Docks ward has a more suburban character: around 32% of homes are houses and 67% have 3 or more bedrooms. In Rotherhithe ward, 21% of homes are houses and 68% have 3 or more bedrooms.

Both wards have a mix of housing tenures: Rotherhithe ward has a high proportion of affordable homes and 44% are owned by the council. In Surrey Docks ward, around 31% of homes are affordable.



Whilst there is a high amount of affordable housing located in the two wards within Canada Water, there continues to be an identified need for more affordable housing in Southwark.

In April 2009, the average price of a home in Surrey Docks and Rotherhithe wards was £316,000 and £306,000 respectively. This compares to the Southwark average of £321,199 and the London average of £299,613. Currently, the price of an average property is around 8 times the average earnings of someone working full-time in the Southwark (Annual Survey of Hours and Earning (National Statistics) and HM Land Registry).

Children and Young people

As is noted above, the proportion of young people in the AAP area is lower than in Southwark as a whole. The level of education, skills and training deprivation varies within the AAP area, there is more deprivation in Rotherhithe ward than Surrey Docks.

The percentage of pupils achieving 5 or more A*-C grades and GCSE level or equivalent in 2008 was 79.3% in Surrey Docks ward. This was considerably higher than the Southwark average of 56.2% and higher than the average across England which was 65.3%. This information is not yet available for Rotherhithe ward.

The percentage of pupils achieving level 4 or above at key stage 2 (age 11) was 77% for both English and maths in Surrey Docks ward and 75% for English and 73% for maths in Rotherhithe ward, which is fairly similar to the averages achieved across Southwark. Both wards are below the national averages in both English (80%) and maths (77%).

There are seven primary schools in AAP area, the majority of which have been rated either good or outstanding by Ofsted. Bacon's College is the only secondary school

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in Rotherhithe and the school performs well, achieving significantly higher than average GSCE results when compared to results for the borough and higher results than the UK average. There is a need to provide an additional secondary school in the area to meet the needs of the growing population.

Health

Health and disability deprivation varies across the AAP area. The least deprived areas are in Surrey Docks ward, nearest to the river, whereas the most deprived areas are in the Rotherhithe ward. People living in Rotherhithe report higher levels of long-term limiting illness and lower levels of self-reported 'good' health than those living in Surrey Docks ward and across Southwark as a whole.

Life expectancy for men living in Rotherhithe is almost five years shorter than that for England. Mortality from all causes is significantly higher in Rotherhithe compared with Surrey Docks and England as a whole (for all ages, as well as under 75 year olds) and Rotherhithe had significantly higher rates of cancers (all types) compared with Surrey Docks and England.

There are four GP surgeries in the study area these are the Surrey Docks Health Centre, Rotherhithe New Road, Park Medical Centre and Albion Street Health Centre. The nearest hospital is Guy's and St Thomas's in London Bridge.

Employment and enterprise

There are around 1,200 business based in the AAP area and these make up about 6% of the total number of businesses in Southwark. Around 97% of the businesses in the AAP area are small businesses and 70% employ less than 10 people. Approximately 50% of businesses in the AAP area are engaged business related activities such as real estate, advertising, architecture and IT.

With regard to employment, there are some differences between Rotherhithe and Surrey Docks wards. In Rotherhithe ward, around 40% of people in the AAP area are engaged in retail/wholesale work and 17% work in business related activities. By contrast in Surrey Docks ward business related activities are the largest employer.

The working age employment rate in Rotherhithe is higher than the average for Southwark and the UK. Of those people employed who live in the area, a higher proportion of people work in managerial and professional occupations in comparison with Southwark and the rest of the UK. (Census, 2001).

The number of people claiming benefits in the AAP area is lower than the average for Southwark although again there is a difference between the Surrey Docks and Rotherhithe wards. In Surrey Docks the number of benefit claimants is lower than the UK average whereas the total of benefits claimants in Rotherhithe ward is higher than the UK average. Of those claiming benefits, the highest proportion of claims are for job seekers allowance, incapacity and lone parents benefits. Both wards have a relatively high employment rate.

Faith premises

There are a number of faith centres in the AAP area. These include three Church of England churches: St Mary's, Holy Trinity Church, and St Katherine with St Barnabus; and three Roman Catholic churches: the Church of the Immaculate Conception, St Peter and the Guardian Angels and St Gertrude.

There are four Nordic Lutheran churches in Rotherhithe: St Olaf's is the Norwegian Church and Seaman's Mission; also in Albion Street is the Finnish Church in London. The Swedish Seaman's Mission is located on Lower Road and the Danish Seaman's Church is in Rope Street just south of Greenland Dock.

Drivers for change

South London has experienced considerable change over the last ten years. Much of the growth has been focused on the London South Central area where excellent access to the City and many sites with a very low density of development have provided opportunities for growth. Many large-scale mixed use developments have been built in this area and there are more in the pipeline, including the iconic London Bridge Tower and the extension to Tate Modern. This growth is now beginning to spread south and east. The regeneration of the Elephant and Castle is gathering pace, while to the east, in Bermondsey Spa, the gardens have recently been re-landscaped and there are currently some 600 homes either under construction or recently completed.

While the credit crunch may have an impact on development in the short term, we are confident that there are several key drivers which will stimulate further growth in the Canada Water area over the next 10-15 years. These include:

- Public transport improvements – the upgrade of the Jubilee line and the conversion of the east London line to the overground network.
- Growth in neighbouring areas: Canary Wharf is only one tube stop from Canada Water and is set to experience significant growth. An additional 110,000 new jobs and 10,000 new homes are planned for the Isle of Dogs by 2026. Looking west, London Bridge is expected to generate 30,000 new jobs in the same time period. As well as helping generate a need for more homes, business growth in surrounding areas will stimulate growth in the local economy and small and medium sized enterprises which play a vital role in providing goods and services to the major business hubs. Growth will also stimulate the need for new retail and leisure space.
- The Olympics – With two tube stations linking to east London, the Olympics will generate some growth in the Canada Water area particularly in the area of tourism. The GLA has estimated that some 2,500 additional hotel bed spaces will be needed in Southwark to help meet the need created by the Olympics and growth in tourism.
- Children's services - Good schools and leisure facilities are an essential driver in making an area attractive. Under the Southwark Schools for the Future initiative, Southwark will build a new secondary school on the peninsula with a sports specialism and a strategy to transform primary schools in greatest need of investment will see some local primary schools refurbished or rebuilt.

6.2 Appendix 2: SWOT analysis of the AAP area

| Strengths | Weaknesses |
|--|--|
| <p>The area's historic links with the docks and the River Thames help give it a strong sense of identity.</p> <p>The suburban character of much of the AAP area makes it an attractive area to live and is prized by local people.</p> <p>With two tube stations and a bus station, the town centre has good access to public transport facilities.</p> <p>The area has excellent parks and green spaces. The docks and parks provide a valuable ecological resource.</p> <p>The Thames Path, St Mary's conservation area and other tourism facilities provide valuable resources for local people and visitors.</p> <p>The cinema and bingo hall are popular and contribute to the mix of uses in the centre.</p> <p>The area has good primary schools and the secondary school, Bacon's College, also performs well.</p> | <p>The architecture in much of the town centre is bland and lifeless. The shopping centre and Leisure Park turn their backs on one another.</p> <p>The range of shops in the town centre is very limited. Most people in Southwark do not shop for things like clothes, shoes, music, books and electronic equipment in Southwark.</p> <p>There are few places to eat or drink out in the AAP area.</p> <p>Lower Road is currently very congested during the am and pm peaks. It also forms a barrier for pedestrians and cyclists.</p> <p>Much of the AAP area has been designed for car borne users. This means that currently people need to rely on their car to get around, go shopping, take children to school etc.</p> <p>There are some good pedestrian and cycle routes in the area, for example along the Albion Channel, Dock Hill Avenue and Albatross Way. Often however it is difficult to find your way around the peninsula as a pedestrian or a cyclist.</p> <p>There are several pockets in the AAP area, particularly in Rotherhithe ward in which health and education deprivation levels are higher than the Southwark and UK average.</p> |
| Opportunities | Threats |
| <p>The conversion of the east London line to the overground network will create better links north and east London, Croyden and Clapham Junction.</p> <p>Growth in neighbouring areas: Around 140,000 new jobs are planned for the Isle of Dogs and London bridge by 2026. Business growth in surrounding areas can stimulate growth in the local economy and small and medium sized enterprises the need for new retail and leisure space.</p> <p>The Olympics may generate demand for tourism facilities and hotel accommodation.</p> <p>Under the Southwark Schools for the Future initiative, Southwark will build a new secondary school in the area. Some local primary schools refurbished or rebuilt. This can help make the area more attractive for families.</p> | <p>Albion Street feels run down and a number of the shops are vacant. The job centre has already closed, Rotherhithe library will be moving to the town centre and the PCT have been considering leaving the health centre. It is currently difficult to get to Albion Street from the town centre.</p> <p>The growth in retail space and homes could increase congestion, unless car parks are used more efficiently and improvements are made to Lower Road.</p> <p>Increasing levels of through traffic on Lower Road and the gyratory create a poor environment on Lower Road and around the Hawkstone Estate.</p> <p>Neighbouring centres including Stratford, Canary Wharf, Elephant and Castle and Lewisham are planning significant growth. Unless investment is made at Canada water,</p> |

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| <p>The library under construction at Canada Water will improve civic facilities in the town centre and help give the area a new heart.</p> <p>The Canada Water basin has the potential to be a fantastic destination at the heart of the town centre.</p> <p>The need for new retail space and capacity to “claw back” expenditure from other areas will help stimulate interest in transforming the town centre.</p> <p>The large surface car parks and shed style developments in the town centre have potential for redevelopment.</p> <p>Redevelopment of town centre sites creates the opportunity to plan the way energy is provided and cut CO2 emissions.</p> <p>With sports facilities in the docks, Southwark Park, the Seven Islands Leisure Centre and plans to give the new secondary school a sports focus will help promote and encourage further sports activities in the AAP area.</p> <p>River transport is a valuable resource which could be better used.</p> | <p>facilities in the shopping centre are likely to decline in coming years.</p> |
|---|---|

6.3 Appendix 3: Rejected options

Table 1: Rejected options

| Shopping | | |
|--|---|---|
| <p>Option A: Regeneration with a focus on homes</p> <ul style="list-style-type: none"> Mainly residential development in town centre Small increase in shopping space but shopping centre would remain in place Existing shops elsewhere on the peninsula would be protected | <p>Option B: Mixed regeneration</p> <ul style="list-style-type: none"> The shopping centre would be demolished or remodelled Significant increase in shopping space including new department store Opportunities to provide additional convenience shops in area e.g. at Odessa Street and South Dock. | <p>Our preferred option is similar to option B.</p> <p>Option A received a much lower level of support during consultation at issues and options stage.</p> <p>Over the lifetime of the Plan, Canada Water will face strong competition from other centres. Unless new investment is made at Canada Water, it is likely that the centre will decline and the retail offer deteriorate.</p> <p>In order to make a significant investment in the shopping centre viable, a substantial increase in floorspace is needed. The alternatives are small scale improvements to the appearance of the shopping centre which are unlikely over the longer term to provide the boost that the centre needs.</p> |
| Albion Street | | |
| <p>Option A: Regeneration with a focus on homes</p> <ul style="list-style-type: none"> Consider protecting fewer shops on Albion Street Take advantage of development opportunities eg Rotherhithe Library, to help regenerate street Make small scale streetscape improvements | <p>Option B: Mixed regeneration</p> <ul style="list-style-type: none"> The existing parade of shops to be protected Make small scale streetscape improvements Redevelop Albion Primary to provide new education and children's services and a new mixed use frontage on Albion Street | <p>Our preferred option is similar to option B.</p> <p>Option A which involved rationalising retail uses was rejected. Although run-down, there is only 1 vacant unit in the protected shopping frontage (which excludes the two pubs) and roughly 50% of the units are in retail use. Several respondees to consultation drew attention to the lack of convenience stores in the area. Reducing the shops in Albion Street further would compound this problem. Improvements to Swan Street and the area around Rotherhithe station would improve access to the area and may help the street benefit from the increased population around the town centre.</p> |
| The road network and car parking | | |
| Option A: | Option B: Mixed | Our preferred option is similar to |

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|--|--|--|
| <p>Regeneration with a focus on homes</p> <ul style="list-style-type: none"> • Make small-scale improvements to the road network • Car parking in core area kept to a minimum using standards in the Southwark Plan • All developments required to prepare green travel plans and make spaces for car clubs | <p>regeneration</p> <ul style="list-style-type: none"> • Consider more significant changes to highway network eg. simplifying the gyratory or reintroducing two-way traffic on Lower Road • There could be more car free development in the core area | <p>option B.</p> <p>At issues and options stage, option B was supported by 58%.</p> <p>Improving and expanding retail facilities in the town centre will draw more people to the area. We will have to make improvements to the road network to ensure it cope with increased demand. Option B also provides more benefits for Lower Road including safer pedestrian and cycle crossing points and an improved shopping environment.</p> |
| Public transport | | |
| <p>Option A: Regeneration with a focus on homes</p> <ul style="list-style-type: none"> • Work with TfL to maintain the temporary bus services on Lower Rd after the East London line improvements are finished | <p>Option B: Mixed regeneration</p> <ul style="list-style-type: none"> • Work with TfL to increase the frequency of existing buses and improve bus priority facilities • Explore increasing the frequency of services on existing river routes and potential for new ferry stops | <p>Our preferred option is similar to option B.</p> <p>Increasing the number of homes, jobs and shops in the area will create more demand for public transport services. At issues and options stage, option B was supported by 77%. In contrast only 7% favoured option A.</p> |
| Cycling and walking | | |
| <p>Option A: Regeneration with a focus on homes</p> <ul style="list-style-type: none"> • Improve key routes in the town centre | <p>Option B: Mixed regeneration</p> <ul style="list-style-type: none"> • Make improvements to pedestrian and cycling routes both in town centre and in wider peninsula • Support the Sustrans bridge across the Thames and/or the reopening of the pedestrian entrance to the Rotherhithe Tunnel through the air shaft on Rotherhithe Street | <p>Our preferred option is similar to option B.</p> <p>Option B was strongly supported at issues and options stage. The introduction of a substantial number of new homes, jobs and shops will generate a substantial number of new trips. In order to maximise the number of trips which are made by sustainable types of transport, it will be necessary to make improvement to pedestrian and cycle connections in the AAP area.</p> |
| Leisure and entertainment | | |

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| <p>Option A: Regeneration with a focus on homes</p> <ul style="list-style-type: none"> • Seven Islands Leisure Centre would need to be refurbished when funds are available | <p>Option B: Mixed regeneration</p> <ul style="list-style-type: none"> • New leisure facilities including a new swimming pool would be provided on a new site • The Seven Islands Leisure site could be developed for other uses | <p>Our preferred option is a combination of options A and B.</p> <p>Although the option to move the leisure centre received support at issues and options stage, the council has not been able to find a new site for it and therefore will refurbish the existing Seven Islands Leisure Centre.</p> |
| Tourism | | |
| <p>Option A: Regeneration with a focus on homes</p> <ul style="list-style-type: none"> • Carry out enhancements to St Mary's conservation area • Investigate option of building a new hotel in the town centre | <p>Option B: Mixed regeneration</p> <ul style="list-style-type: none"> • In addition to option A, promote tourism activities around South Dock Marina | <p>Our preferred option is similar to option B.</p> <p>Option</p> |
| Building heights | | |
| <p>Option A: Regeneration with a focus on homes</p> <ul style="list-style-type: none"> • Range of heights in the core area (up to 10 storeys) and including one tall building up to 15 storeys • Heights at the lower end of the range around the basin and edge of core area • No change to existing heights in other parts of the peninsula | <p>Option B: Mixed regeneration</p> <ul style="list-style-type: none"> • Heights generally up to 10 storeys on sites in core area and at the lower end of the range around the basin and edge of core area • Some carefully located taller buildings • No change to existing heights in other parts of the peninsula | <p>Our preferred option is a combination of A and B.</p> <p>At issues and option stage, around 47% of respondees favoured option B against 34% of preferred A.</p> <p>A range of building heights will help create an area which is more interesting and distinctive. The benefits of some taller buildings are described in section 3 above. Taller buildings can also help make development more viable and generate increased funding for infrastructure improvements.</p> |
| Network of open spaces | | |
| <p>Option A: Regeneration with a focus on homes</p> <ul style="list-style-type: none"> • Southwark Park Sports facilities to be refurbished • Improved links between parks • Make habitat | <p>Option B: Mixed regeneration</p> <ul style="list-style-type: none"> • In addition to option A, make further improvements to all the waterways in the area eg by extending the Thames Path | <p>Our preferred option is similar to option B.</p> <p>Development on the scale which is proposed will increase the pressure on open spaces and require an upgrade of open spaces in the area.</p> |

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| improvements to Canada Water basin | <p>where possible</p> <ul style="list-style-type: none"> • Make improvements to Russia Dock Woodlands | |
| Energy and water | | |
| <p>Option A: Regeneration with a focus on homes (low investment)</p> <ul style="list-style-type: none"> • All new development would minimise energy and water consumption. • All developments required to reduce CO2 by 20% through on-site measures | <p>Option B: Mixed regeneration</p> <ul style="list-style-type: none"> • Develop a local heat and power network to maximise efficiency • Reduce CO2 by 20% through off-site measures eg. linking to SELCHP • Use water very efficiently and aim to significantly reduce storm water run off | <p>Our preferred option is similar to option B.</p> <p>Creating an energy network is consistent with Southwark's Climate Change Strategy and would be a more cost effective way of reducing CO2 emissions.</p> |
| Housing | | |
| <p>Option A: Regeneration with a focus on homes</p> <ul style="list-style-type: none"> • New homes in mixed use developments would be built on most sites in the core area • Work with landowners to identify other potential development sites outside the core area • No redevelopment of council estates | <p>Option B: Mixed regeneration</p> <ul style="list-style-type: none"> • The low rise accommodation on the Hawkstone estate and possibly John Kennedy house would be demolished and redeveloped • If there are other estates which you think could be considered for redevelopment please tell us in the box to the right. | <p>We have explored the potential to provide housing on a number of sites in the AAP area. The reasons why we have decided to redevelop the low rise accommodation and John Kennedy House on the Hawkstone Estates are set out in Part 4 of the report above.</p> |
| Affordable housing | | |
| <p>Option A: Regeneration with a focus on homes</p> <ul style="list-style-type: none"> • Maximise affordable housing on all sites and aim to ensure that 50% of new homes across the area are affordable | <p>Option B: Mixed regeneration</p> <ul style="list-style-type: none"> • Aim to ensure that 30% of new homes across the area are affordable • At least 35% of housing on each site to be affordable • Some loss of | <p>Our preferred option is similar to option B.</p> <p>Option A received low levels of support at issues and options stage consultation.</p> <p>Option A would not be consistent with the Core Strategy which seeks to create more mixed areas. The</p> |

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| | <p>affordable housing might be allowed in estate renewal schemes</p> <ul style="list-style-type: none"> Require a higher proportion of intermediate homes (we currently require 30% of affordable homes to be intermediate and 70% to be social rented) | <p>AAP area and particularly Rotherhithe ward already has a high proportion of affordable housing.</p> <p>Moreover, seeking 50% affordable housing is not viable in the current economic climate.</p> |
| Bedroom mix | | |
| <p>Option A: Regeneration with a focus on homes</p> <ul style="list-style-type: none"> Negotiate the proportion of family homes on a site by site basis | <p>Option B: Mixed regeneration</p> <ul style="list-style-type: none"> At least 25% of homes in developments would be family sized homes | <p>Our preferred option is similar to option B.</p> <p>Setting out a policy requirement for the bedroom mix is likely to provide a more effective way of ensuring that family housing is provided. Option B is also more consistent with the AAP vision which aims make sure that the area is attractive for families.</p> |
| Business floorspace and jobs | | |
| <p>Option A: Regeneration with a focus on homes</p> <ul style="list-style-type: none"> Reprovide business space on existing employment sites in mixed use developments Target training and employment opportunities created by development towards local people | <p>Option B: Mixed regeneration</p> <ul style="list-style-type: none"> New business space would be provided on mixed use developments in the town centre. This would include flexible space suitable for small and medium sized enterprises (SMEs) Training and jobs will be targeted to local people Aim to maximise the proportion of goods and services procured locally | <p>Our preferred option is a combination of options A and B.</p> <p>Several sites within the core area, such as the Quebec Industrial Estate contain a significant amount of employment space. Our 2009 Employment Land Review has indicated that there would not be sufficient demand if all the existing space were to be reprovided.</p> <p>However because office and studio space have far greater employment densities than warehousing, the preferred option will significantly increase the number of jobs in the area.</p> |
| Children's services | | |
| <p>Option A: One regeneration option</p> <ul style="list-style-type: none"> New secondary school to be built on the peninsula. Possible sites are: <ul style="list-style-type: none"> St Paul's Playing Field Quebec Industrial Estate Rotherhithe Primary School Build new primary school on the site of | | <p>At issues and options stage, we set out one option for schools.</p> <p>We rejected St Paul's Playing Field as a site for a school because it is some distance from the core area and would have minimum</p> |

Canada Water Preferred Options Report

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| <p>Rotherhithe Primary School if a secondary school is built on the same site</p> | <p>investment benefit for the regeneration of the town centre. It is also currently an open space and the council would need to demonstrate that the site was surplus to open space requirements in order to build a school on it.</p> <p>The Quebec Industrial Estate is large enough to provide the necessary education facilities. It would have easy access to Russia Dock Woodland and the watersports facilities in Greenland Dock. However, Southwark does not own the site and would have to purchase the land which would impact on the funding available to build the school.</p> |
| <p>Health</p> | |
| <p>Option A: One regeneration option</p> <ul style="list-style-type: none"> • Work with the PCT to identify sites for new health facilities | <p>At issues and options stage, we set out one option for health facilities.</p> <p>We will continue to work with the PCT to ensure that new facilities can be provided in the core area at an appropriate time. This must be complementary new floorspace rather than replacement floorspace.</p> |
| <p>Police</p> | |
| <p>Option A: One regeneration option</p> <ul style="list-style-type: none"> • Redevelop the police station to provide a mix of uses. The Safer Neighbourhood team would also occupy new accommodation on the site | <p>At issues and options stage, we set out one option for police facilities.</p> <p>Our preferred option provides some flexibility to ensure that appropriate police facilities are maintained on the peninsula.</p> |
| <p>Faith premises, youth facilities and meeting halls</p> | |
| <p>Option A: Regeneration with a focus on homes</p> <ul style="list-style-type: none"> • New and improved schools will provide space for hire to the community in the evening and at weekends for sports, faith meetings etc. • Existing community facilities such as meeting halls and | <p>Option B: Mixed regeneration</p> <ul style="list-style-type: none"> • Consider best use of existing community facilities with a view to sharing by voluntary organisations • Youth provision to be maintained either on the site of the Odessa Street Youth Centre or possible on a nearby site such as <p>Our preferred option is a combination of options A and B.</p> |

Canada Water Preferred Options Report

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| youth clubs to be protected | Docklands Settlement | |
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6.4 Appendix 4: Relationship between the AAP, the Core Strategy, the Southwark Plan and Southwark supplementary planning documents

The main document which is currently used to guide development in Southwark is the Southwark Plan which was adopted in 2007.

In 2004 the Government made changes to the planning system and required all councils to produce a new set of planning documents, called the local development framework (LDF). The local development framework contains a number of different planning documents and is illustrated in Figure 20 below.

The local development framework will eventually replace the Southwark Plan. One of the most important documents in the local development framework is the Core Strategy, which sets out the overall vision and objectives for new development in Southwark. You can find out more information about the Core Strategy at www.southwark.gov.uk/corestrategy

The Canada Water AAP needs to be consistent with the core strategy and both documents are being prepared on the same timescale.

The Canada Water AAP also needs to follow national planning guidance and be consistent with the London Plan, which is the planning strategy for all of London. The relationship between the policies in the AAP and those in the Core Strategy, The Southwark Plan and the London Plan is shown in Table 2 below.

The AAP will also take into account Southwark 2016, our Sustainable Community Strategy and other council plans and strategies.

Figure 20: The local development framework

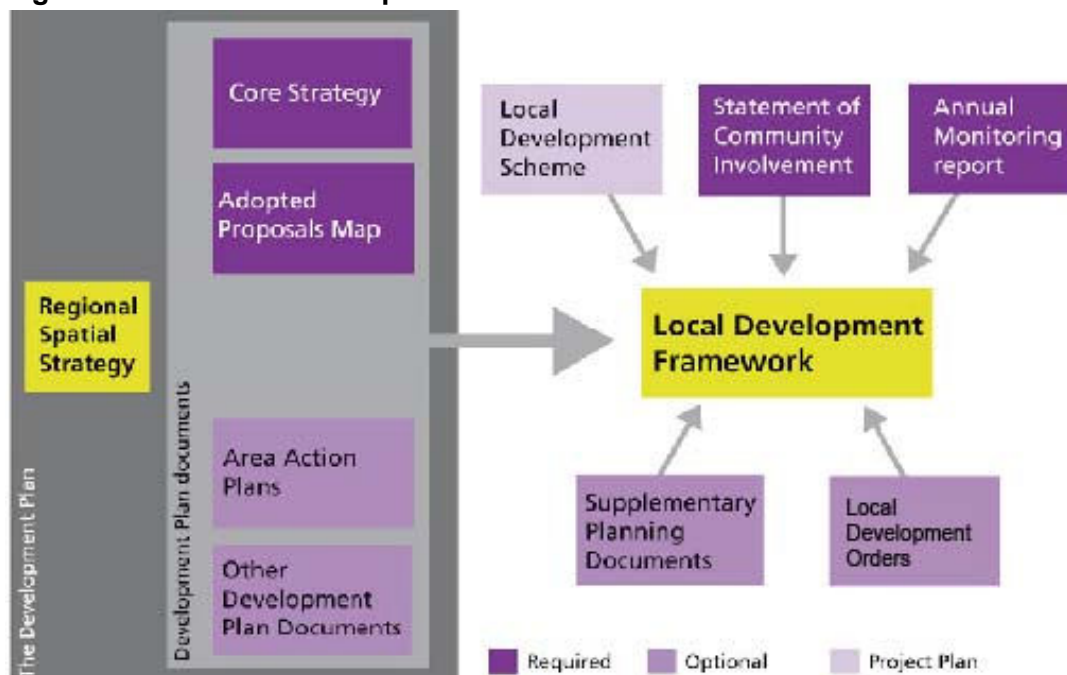


Table 2: Relationship between the Canada Water Area Action Plan and regional and local planning policies

| Canada Water Area Action Plan Preferred Options | London Plan policies | Core Strategy policies | Southwark Plan policies |
|---|--|--|---|
| Vision | 2A.6 Areas for intensification 5D.3 Areas for intensification in South East London | Canada Water (and Rotherhithe) Action Area | Policy 7.2 Canada Water Action Area |
| Shopping in the town centre | 2A.8 Town centres 3D.1 Supporting town centres 3D.3 Maintaining and improving retail facilities | Policy 3 – Shopping, leisure and entertainment | Policy 1.7 Development within town and local centres Policy 1.8 Location of developments for retail and other town centre uses |
| Cafes and restaurants in the town centre | 3D.1 Supporting town centres 3D.3 Maintaining and improving retail facilities | Policy 3 – Shopping, leisure and entertainment | Policy 1.7 Development within town and local centres Policy 1.8 Location of developments for retail and other town centre uses |
| Important shopping parades | 3D.3 Maintaining and improving retail facilities | Policy 3 – Shopping, leisure and entertainment | Policy 1.9 Change of use within protected shopping frontages |
| Small scale shops, restaurants and cafes outside the town centre | 3D.3 Maintaining and improving retail facilities | Policy 3 – Shopping, leisure and entertainment | Policy 1.10 Small scale shops and services outside the town and local centres and protected shopping frontages |
| Markets | 3D.3 Maintaining and improving retail facilities | Policy 3 – Shopping, leisure and entertainment | |
| Walking and cycling | 3C.21 Improving conditions for walking 3C.22 Improving conditions for cycling | Policy 2 – Sustainable transport | Policy 5.3 Walking and cycling |
| Public transport | 3C.1 Integrating transport and development 3C.4 Land for transport 3C.14 Enhanced bus priority, tram and busway transit schemes Policy 3C.20 Improving conditions for buses | Policy 2 – Sustainable transport | Policy 5.4 Public transport improvements |
| The road network | 3C.2 Matching development to transport capacity | Policy 2 – Sustainable transport | Policy 5.2 Transport impacts |

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| Parking for town centre uses | 3C.23 Parking strategy 3C.24 Parking in town centres | Policy 2 – Sustainable transport | Policy 5.6 Car parking Policy 5.7 Parking standards for disabled people and the mobility impaired Policy 5.8 Other parking |
| Parking for residential developments in the town centre | 3C.23 Parking strategy | Policy 2 – Sustainable transport | Policy 5.6 Car parking Policy 5.7 Parking standards for disabled people and the mobility impaired Policy 5.8 Other parking |
| Leisure and entertainment | 3D.1 Supporting town centres | Policy 3 – Shopping, leisure and entertainment | Policy 2.1 Enhancement of community facilities Policy 2.2 Provision of new community facilities |
| Sports facilities | 3D.6 The Olympic and Paralympic Games and sports facilities | Policy 4 – Places to learn and enjoy | Policy 2.1 Enhancement of community facilities Policy 2.2 Provision of new community facilities |
| Arts, culture and tourism | 3D.4 Development and promotion of arts and culture 3D.7 Visitor accommodation and facilities 4C.17 Thames Policy Area | Policy 10 – Numbers and places for people to work | Policy 1.11 Arts, culture and tourism uses Policy 1.12 Hotels and Visitor accommodation Policy 3.29 development within the Thames Policy Area Policy 3.30 Protection of riverside facilities |

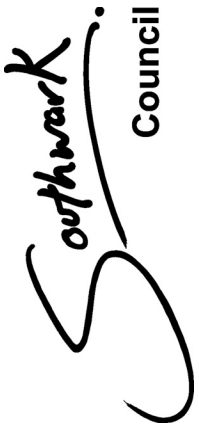
Canada Water Preferred Options Report

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|---|--|--|---|
| Design principles for sites in and adjacent to the core area | 4B.1 Design principles for a compact city 4B.11 London's built heritage 4B.12 heritage conservation | Policy 12 – Design and conservation | Policy 3.12 Quality in design Policy 3.13 Urban design Policy 3.14 Designing out crime Policy 3.15 Conservation of the historic environment Policy 3.16 Conservation areas Policy 3.17 Listed buildings Policy 3.18 Setting of listed buildings, conservation areas and world heritage sites Policy 3.19 Archaeology |
| Building heights in the core area | 4B.9 Tall buildings – location 4B.10 Large-scale buildings – design and impact 4B.16 London View Management Framework | Policy 12 – Design and conservation | Policy 3.20 Tall buildings Policy 3.31 Strategic views |
| Open spaces | 3D.10 Metropolitan open land 3D.11 Open space provision in DPDs 3D.11 Open space provision in DPDs 3D.14 Biodiversity and nature conservation | Policy 11 – Open spaces and wildlife | Policy 3.25 Metropolitan open land Policy 3.26 Borough open land Policy 3.27 Other open space Policy 3.28 Biodiversity |
| Energy | 4A.1 Tackling climate change 4A.3 Sustainable design and construction 4A.4 Energy assessment 4A.5 Provision of heating and cooling networks 4A.6 Decentralised energy: Heating, Cooling and Power 4A.7 Renewable energy 4A.16 Water supplies and resources | Policy 13 – High environmental standards | Policy 3.4 Energy efficiency Policy 3.5 Renewable energy Policy 3.9 Water |
| Housing | 2A.6 Areas for intensification 5D.3 Areas for intensification in South East London | Policy 5 – Providing new homes Policy 6 – Homes for people on different incomes | SP20 Development site uses Policy 3.11 Efficient use of land Policy 4.1 Density of |

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| | 3A.1 Increasing London's supply of housing 3A.2 Borough housing targets 3A.3 Maximising the potential of sites | Policy 7 – Family homes Policy 8 – Student homes Policy 9 – Homes for gypsies and travellers | residential development Policy 4.2 Quality of residential accommodation Policy 4.3 Mix of dwellings Policy 4.4 Affordable housing Policy 4.5 Wheelchair affordable housing Policy 4.6 Loss of residential accommodation Policy 4.7 Non-self contained housing for identified user groups Policy 4.8 Travellers and gypsies |
| Jobs and business space | 2A.6 Areas for intensification 5D.3 Areas for intensification in South East London 3B.2 Office demand and supply 3B.8 Creative industries 3B.11 Improving employment opportunities for Londoners | Policy 10 – Numbers and places for people to work | Policy 1.1 Access to employment opportunities Policy 1.4 Employment sites |
| Schools | 3A.24 Education facilities 3A.25 High and further education | Policy 4 – Places to learn and enjoy | Policy 2.3 Enhancement of educational establishments Policy 2.4 Educational deficiency |
| Young people | 3A.18 Protection and enhancement of social infrastructure and community facilities | Policy 4 – Places to learn and enjoy | Policy 2.1 Enhancement of community facilities Policy 2.2 Provision of new community facilities |
| Health facilities | 3A.21 Locations for health care | Policy 4 – Places to learn and enjoy | Policy 2.2 Provision of new community facilities |
| Community facilities | 3A.18 Protection and enhancement of social infrastructure and community facilities | Policy 4 – Places to learn and enjoy | Policy 2.1 Enhancement of community facilities Policy 2.2 Provision of new community facilities |

NB: This table shows the relationship between the Canada Water Area Action Plan and regional and local planning policies however is not intended to be exhaustive.



LOCAL DEVELOPMENT FRAMEWORK

CONSULTATION PLAN

Canada Water Area Action Plan
Preferred Options

July 2009

INTRODUCTION

The Council is preparing an Area Action Plan (AAP) for Canada Water. The AAP will form part of the Local Development Framework (LDF) and it will set out a vision for the future of Canada Water and provide planning policies that will help achieve this vision.

This document sets out the consultation process involved in the second stage of the preparation of the AAP. This is referred to as the **Preferred Options** stage and documents produced include:

| | |
|---|--|
| The Preferred Options Report | This identifies the preferred options that will be taken forward to guide development in the area as a result of consultation on the issues and options stage of the Canada Water AAP and the gathering of more evidence and background information. |
| A Sustainability Appraisal | This assesses the social, economic and environmental impacts of the options presented. |
| An Equalities Impact Assessment | This identifies the main issues in relation to equality, diversity and social cohesion that the AAP will have an impact on. |
| A Preferred Options Statement of Compliance - Consultation Report | This sets out who we consulted on the AAP at the issues and options stage, when they were consulted and how. |
| Officer comments on the representations received on the Issues and Options report. | This sets out the officer responses to each representation received on the issues and options stage and how we have taken them into consideration when drafting the preferred options report. |
| Consultation Strategy | This sets out how we will consult on the AAP, who will be involved and when. |
| Appropriate Assessment Screening | This report presents the findings of a screening exercise undertaken to determine whether stages 2 and 3 of the Habitats Directive Appropriate Assessment (AA) process are needed for the Canada Water Area Action Plan preferred options. |
| A Consultation Plan (THIS DOCUMENT) | This sets out the timetable for consultation relating specifically to the preferred options stage of the AAP. |

The purpose of this document is to set out the consultation plan for this stage in the process. This plan elaborates on the overarching consultation strategy for the Canada Water AAP. This document should therefore be read in conjunction with the consultation strategy.

The Consultation Plan is structured as follows:

- Canada Water AAP: this section sets out the purpose and scope of the Canada Water AAP;
- Consultation Strategy: this section summarises the consultation principles and approach outlined within the Consultation Strategy;
- Consultation Plan; this section outlines the consultation approach for the preferred options stage of the AAP.
- Appendix 1: List of Consultees

- Appendix 2: List of Statutory Consultees and Locations to find documents

THE CANADA WATER AAP

The Canada Water Area Action Plan (AAP) is a plan to regenerate the area around Canada Water. Looking forward to 2026, it sets out a vision which describes the kind of place that Canada Water will be and a strategy for implementing the vision.

It will build on the work we have done in preparing the 2007 Southwark Plan and supplementary guidance for Canada Water. Like those documents, the focus of the AAP will be a core area around Canada Water. However, the AAP will also look at a wider set of measures that are needed to help the area fulfil its potential and build on some of its key strengths, particularly its attraction for families, its fantastic leisure opportunities and ~~with~~ great parks, the docks and green links and the quality of its environment.

The AAP is being prepared to manage this change. It will identify the measures that need to take place and crucially, unlike the Southwark Plan, it will set out how and when these changes will be delivered. It will guide future investment in Canada Water and will be used to make decisions on planning applications.

The core area identified in the preferred options will be the main focus for transformation. The wider AAP area extends beyond this core area to ensure future development within the area is well integrated with its surroundings.

THE CONSULTATION STRATEGY

The consultation strategy provides a framework for consultation and public engagement in the preparation of the AAP. It sets out the principles which will be used to guide consultation on the AAP. These are:

- Empower local people to participate in the Canada Water Area Action Plan
- Recognise the diversity of the Canada Water area community and make sure everyone who may be affected is encouraged to have their say. This includes reaching out to people we may not have heard from in the past and holding events at accessible times and locations.
- Make sure our consultation promotes good community relations and positive feelings about the future of the Canada Water area and the planning process.
- Communicate clearly, openly and honestly and keeping people informed at all stages of the process. Making information easily to access and understand.
- Avoid asking questions local people have already answered in recent consultation.
- Work with local groups and organisations to tailor consultation exercises and where possible make use of existing planned events, meetings and communication channels.
- Make consultation relevant and interesting to those who will be affected by the Canada Water Area Action Plan.
- Exceed the minimum legal requirements for involving people and making sure we follow Southwark's Statement of Community Involvement

It also states that the council will be clear about:

- How feedback will be used to make decisions and what has already been decided.
- What the outcomes of the Canada Water Area Action Plan will be; how these affect local people and change the local area (the wider Rotherhithe area is covered, not just Canada Water).
- The limitations of the Canada Water Area Action Plan and what it cannot do.
- How the Canada Water Area Action Plan differs from previous planning documents and the Canada Water Masterplan. It is about pulling together projects to improve the Canada Water area and making sure what's planned happens.
- How previous consultation has been taken into consideration in preparing the Canada Water Area Action Plan.
- How agreed or proposed developments yet to be built will be affected. The Area Action Plan will build on change that is already happening in the area, such as the new Canada Water library.
- How consultation on the area action plan will feed into preparing the core strategy for Southwark which is being prepared at the same time.

The strategy outlines how consultation will meet statutory minimum requirements. In accordance with our Statement of Community Involvement, it also sets out our ambition to go beyond the statutory requirements, to engage more continuously and intensively and enable those people with a stake in the area to be able to participate and influence the preparation of the AAP.

The strategy emphasises that to help break down barriers to consultation, particular needs such as access, transport, childcare and translation will be considered, as well as a strategy to broaden the appeal of consultation and make it attractive to a diverse range of people and groups. At each stage, participation will be monitored and analysed to see whether any particular groups have not been engaged and whether this can be addressed at the next stage.

At the end of the process, we will also prepare a "statement of compliance" showing what consultation has taken place and how this has influenced the preparation of the AAP.

PREFERRED OPTIONS CONSULTATION PLAN:

Consultation timeframe

We have found that the statutory six weeks consultation period is too short for planning policy documents. We will therefore carry out a period of **six weeks informal** consultation in addition to the statutory **6 week formal** consultation period. We will do this in order to make sure there is enough time for you to submit comments and understand the information prior to the commencement of the formal consultation period. This means that we will carry out a 3 month consultation period for the AAP at the preferred options stage.

The six week informal period is from 21 July 2009 – 1 September 2009. **The six week formal consultation period runs from 1 September 2009 – 13 October 2009.**

The following table outlines all of the consultation methods that will be undertaken at the preferred options stage of the Canada Water AAP. It also sets out the different groups that we will be consulting and the consultation methods that are applicable to those groups.

CONSULTATION TIMETABLE

| Stage in preparing the AAP– Preferred Options Report | Method and Objective of Consultation | Consultee | Date |
|--|---|--|---|
| <p>Consultation on the Preferred Options:</p> <p>This identifies the preferred options that will be taken forward to guide development in the AAP area as a result of consultation on the issues and options stage of the AAP.</p> | <p>Present all documents to Planning committee</p> <p>Objective: To obtain comments from members of the Planning Committee to inform the decision of the Executive member for Regeneration. To comply with Southwark' constitution.</p> <p>Present all documents to Executive</p> <p>Objective: To obtain approval from the Executive to commence formal consultation on the preferred options. To comply with Southwark's constitution</p> | <p>Planning committee members</p> <p>Executive committee members</p> | <p>28 July 2009</p> <p>29 July 2009</p> |
| <p>Statutory Requirement</p> | <p>Display the preferred options report and accompanying documents on the council's website.</p> <p>Objective: To comply with statutory requirements, inform local residents and stakeholders</p> | <p>ALL</p> | <p>21 July - 13 October 2009</p> |

| CONSULTATION TIMETABLE | | | |
|---|---|---|--------------------------------|
| Stage in preparing the AAP– Preferred Options Report | Method and Objective of Consultation | Consultee | Date |
| | <p>Mail out to statutory consultees, planning policy mailing lists for planning policy documents and affected properties. This mail out will use the consultation database that has been compiled by the Council over the course of the plan preparation process.</p> <p>Objective: To comply with statutory requirements, inform local residents and stakeholders about the preferred options.</p> <p>Statutory Requirement</p> | ALL on planning policy consultee database | Week commencing 31 August 2009 |
| | <p>Display the preferred options documents and a statement of the representations procedure in the council's offices, libraries, the one-stop shops and neighbourhood housing offices. A list of these locations is shown in Appendix 2.</p> <p>Objective: To comply with statutory requirements, inform local residents and stakeholders of the preferred options documents.</p> <p>Statutory Requirement</p> | ALL | Week commencing 31 August 2009 |
| | <p>Press notice in local newspaper to indicate the start of the formal consultation period on the proposed preferred options and supporting documents.</p> <p>Objective: To comply with statutory requirements, inform local residents and stakeholders about the preferred options</p> <p>Statutory Requirement</p> | ALL | Week commencing 31 August 2009 |

CONSULTATION TIMETABLE**Stage in preparing the AAP–
Preferred Options Report****Method and Objective of Consultation****Consultee****Date**

Planning Officers will present information at Rotherhithe Community Council and Rotherhithe Area Housing Forum.

21 July – 13 October 2009

Objective: To update the progress being made on the AAP to a wide audience and to explain how and when individuals can get involved in the formal consultation.

Workshops and on-going meetings with internal staff

Objective: To ensure that the preferred options are supported and that any issues are addressed at an early stage.

Staff from Major Projects Team, Economic Development, Environment, Transport, Housing, Development Management, Children's Services

Throughout the consultation period
21 July – 13 October 2009

Planning Officers and Major Projects team officers will hold several public exhibitions at local events and in widely used public spaces across the AAP area such as Surrey Quays Shopping Centre

ALL

Throughout the consultation period
21 July – 13 October 2009

Objective: To ensure that information about the preferred options is widely available at convenient times and in convenient locations to the wider public. To update the progress being made on the AAP to a wide audience and to explain how and when individuals/groups can get involved in the formal consultation.

| CONSULTATION TIMETABLE | | | |
|--|---|--|---|
| Stage in preparing the AAP – Preferred Options Report | Method and Objective of Consultation | Consultee | Date |
| | <p>Inform the Willowbrook Centre (independent local charity offering free, professional advice on planning, regeneration and development issues) of the consultation process. Willowbrook Centre to engage with Equality Target Groups and consult on the preferred options.</p> <p>Objective: To ensure Equalities Target Groups are consulted and appropriate engagement is undertaken.</p> | <p>Equalities Target Groups - identified in our Statement of Community Involvement (SCI)</p> | <p>Throughout the consultation period 21 July – 13 October 2009</p> |
| | <p>Advertise consultation through other Publications, Websites & Local Radio across Southwark: Publish the Canada Water newsletter (prepared by Major Projects team)</p> <p>Objective: To publicise the preferred options and period of consultation</p> | <p>ALL - including Equalities Target Groups identified in our Statement of Community Involvement (SCI)</p> | <p>Throughout the consultation period 21 July – 13 October 2009</p> |
| | <p>Posters and Leaflets displayed and / or distributed across the AAP area.</p> <p>Objective: To publicise the preferred options and period of consultation</p> | <p>ALL</p> | <p>Throughout the consultation period 21 July – 13 October 2009</p> |

CONSULTATION TIMETABLE

| Stage in preparing the AAP – Preferred Options Report | Method and Objective of Consultation | Consultee | Date |
|--|---|--|--|
| | <p>Planning Officers will present information to Community groups, Schools and Equality Target Groups within the AAP area and facilitate workshops as and where appropriate</p> <p>Objective: To engage key community and under represented groups in the regeneration of the area. To ensure that information about the preferred options is widely available. To update the progress being made on the AAP to a wide audience and to explain how and when individuals/groups can get involved in the formal consultation.</p> | ALL - including Equalities Target Groups identified in our Statement of Community Involvement (SCI) | Throughout the consultation period 21 July – 13 October 2009 |

CONSULTATION PLAN: Canada Water AAP: Preferred options

| Individual/ Organisation Name | Method of Consultation | When consulted | Contact |
|--|--|--|---|
| Local groups | <ul style="list-style-type: none"> - Preferred options report and accompanying documents on website - Mail out advising of consultation on the Preferred Options report to those groups on our consultation database - Press notice - Display at council offices/libraries etc - Planning Officer presentations at community group meetings | <ul style="list-style-type: none"> - 21 July – 13 October 2009 - w/c 31 August 2009 - w/c 24 August 2009 - w/c 31 August 2009 - 21 July – 13 October 2009 | All local groups in Canada Water database |
| Councillors | <ul style="list-style-type: none"> - Planning Committee - Executive Committee - Community Councils - Preferred options report and accompanying documents on website - Mail out advising of consultation on Preferred options report and accompanying documents - Press Notice | <ul style="list-style-type: none"> - 28 July 2009 - 29 July 2009 - 21 July – 13 October 2009 - 21 July – 13 October 2009 - w/c 31 August 2009 - w/c 31 August 2009 | All Councillors in Southwark |
| Statutory consultees | <ul style="list-style-type: none"> - Mail out advising of consultation on preferred options report and accompanying document - Meetings as required | <ul style="list-style-type: none"> - w/c 31 August 2009 | See list of statutory consultees in Appendix 2 |
| Consultees on planning policy database | <ul style="list-style-type: none"> - Mail out advising of consultation on preferred options report and accompanying documents to all consultees on the planning policy database | <ul style="list-style-type: none"> - 21 July – 13 October 2009 - w/c 31 August 2009 | All consultees on planning policy database |
| General public | <ul style="list-style-type: none"> - Preferred options report and accompanying documents on website - Mail out advising of consultation on Preferred Options and accompanying documents to all consultees on the planning policy database - Display documents at council offices/libraries etc - Press notice | <ul style="list-style-type: none"> - 21 July – 13 October 2009 - w/c 31 August 2009 - w/c 31 August 2009 - w/c 31 August 2009 | All consultees on planning policy database |

| | | | |
|--------------------------|--|---|---|
| | <ul style="list-style-type: none"> - Community Councils & Area Housing Forums - Website - Posters & Leaflets - Other Publications, websites and local radio - Planning Officer presentations at community groups etc - Exhibitions | <ul style="list-style-type: none"> - 21 July – 13 October 2009 - 21 July – 13 October 2009 - 21 July – 13 October 2009 - 21 July – 13 October 2009 - 21 July – 13 October 2009 | |
| Staff | <ul style="list-style-type: none"> - Email preferred options report to internal council officers and invite comments - Meet with specialist officers if required - Organise workshops - Internal publications and website | <ul style="list-style-type: none"> - 21 July – 13 October 2009 - 21 July – 13 October 2009 - 21 July – 13 October 2009 - 21 July – 13 October 2009 | Relevant officers involved in the Canada Water AAP |
| Equalities Target Groups | <ul style="list-style-type: none"> - Willowbrook Centre to engage with Equality Target Groups and attend forums - Publications & Websites - Planning Officer presentations at community groups | <ul style="list-style-type: none"> - 21 July – 13 October 2009 - 21 July – 13 October 2009 - 21 July – 13 October 2009 | All Equality Target Groups within the Canada Water database |

Where possible we will link our consultation on the AAP with other consultation events happening in the borough at the same time as the AAP consultation. As well as this AAP we will also be consulting on an AAP for Peckham and Nunhead and the over-arching planning document for the borough, the Core Strategy.

Appendix 1 LIST OF CONSULTEES

It is proposed to include ALL individuals, groups and organisations in the Planning Policy Consultation Mailing List. These comprise:

| Type of organisation | Numbers of consultees |
|------------------------------------|-----------------------|
| Businesses | 493 |
| Community and voluntary groups | 896 |
| Residents | 234 |
| Tenants and residents associations | 141 |
| Health related organisations | 23 |
| Statutory | 37 |
| Government and local authority | 10 |
| Libraries | 18 |
| Members | 62 |
| Schools | 68 |
| Council offices | 14 |
| Neighbourhood housing offices | 10 |
| Others | 227 |
| Total | 2233 |

Appendix 2

STATUTORY CONSULTEE*

* Please note this list is not exhaustive and also relates to successor bodies where re-organisations occur.

We must consult the following specific consultation bodies in accordance with The Town and Country Planning (Local Development) (England) Regulations 2004 and The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008.

- British Telecommunications
- Bromley Council
- Corporation of London
- English Heritage (London Region)
- Environment Agency
- Government Office for London
- Greater London Authority
- Lambeth Council
- Lewisham Council
- LFEDA
- London Development Agency
- Natural England
- Secretary of State
- Secretary of State for Transport
- Thames Water Property Services
- The Coal Authority
- Southwark Primary Care Trust

Any of the bodies from the following list who are exercising functions or a function in the borough:

1. Person to whom a licence has been granted under section 7 (2) of the Gas Act 1986
2. Sewage undertakers
3. Water undertakers.

Any person to whom the electronic communalisations code applies by

- virtue of a direction given under Section 106 (3)(a) of the Communications Act 2003
- Any person who owns or controls electronic communications apparatus situated in any part of the borough

Local consultees

- All Councillors
- Liberal
- Labour
- Conservatives
- Green Party

LIST OF LOCATIONS IN WHICH YOU CAN FIND THE DOCUMENTS

Council offices (Opening times 9am-5pm Monday-Friday)

- Town Hall - Peckham Road, London, SE5 8UB
- Chiltern House - Portland Street, London, SE17 2ES

Libraries (Opening times listed individually below)

- Blue Anchor Library - Market Place, Southwark Park Road, SE16 3UQ
(Monday, Tuesday and Thursday 9am to 7pm, Friday 10am to 6pm, Saturday 9am to 5pm)
- Brandon Library - Maddock Way, Cooks Road, SE17 3NH
(Monday 10am to 6pm, Tuesday and Thursday 10am to 7pm, Saturday 10am to 5pm)
- Camberwell Library - 17-21 Camberwell Church Street, SE5 8TR
(Monday, Tuesday and Thursday 9am to 8pm, Friday 10am to 6pm, Saturday 9am to 5pm)
- Dulwich Library - 368 Lordship Lane, SE22 8NB
(Monday, Thursday and Friday 9am to 8pm, Tuesday 10am to 8pm, Saturday 9am to 5pm Sun 12pm to 4pm)
- East Street Library - 168-170 Old Kent Road, SE1 5TY
(Monday and Thursday 10am to 7pm, Tue 10am to 6pm, Sat 10am to 5pm)
- Grove Vale Library - 25-27 Grove Vale, SE22 8EQ
(Monday and Thursday 10am to 7pm, Tuesday 10am to 6pm, Saturday 10am to 5pm)
- Kingswood Library - Seeley Drive, SE21 8QR
(Monday and Thursday 10am to 2pm, Tuesday and Friday 2pm to 6pm, Sat 1pm to 5pm)
- Newington Library - 155-157 Walworth Road, SE17 1RS
(Monday, Tuesday and Friday 9am to 8pm, Thursday 10am to 8pm, Saturday 9am to 5pm Sunday 10am to 2pm)
- Nunhead Library - Gordon Road, SE15 3RW
(Monday, Tuesday and Thursday 10am to 7pm, Friday 10am to 6pm, Saturday 10am to 5pm)
- Peckham Library - 122 Peckham Hill Street, SE15 5JR
(Monday, Tuesday, Thursday and Friday 9am to 8pm, Wednesday 10am to 8pm, Saturday 10am to 5pm, Sunday 12pm to 4pm)
- Rotherhithe Library - Albion Street, SE16 7HY
(Monday and Thursday 10am to 7pm, Tuesday 10am to 6pm, Saturday 10am to 5pm)

Area Housing Offices (Open 9am-5pm Monday - Friday)

- Nunhead and Peckham Rye - 27 Bournemouthe Road, Peckham, SE15 4UJ
- Dulwich - 41-43 East Dulwich Road, SE22 9BY
- Borough and Bankside - Library Street Borough, London, SE1 0RG
- Camberwell - Harris Street, London, SE5 7RX
- Rotherhithe - 153-159 Abbeyfield Road, Rotherhithe, SE16 2LS

One Stop Shops (Open 9am-5pm Monday – Friday)

- Peckham one stop shop - 122 Peckham Hill Street, London, SE15 5JR
- Walworth one stop shop - 151 Walworth Road, London, SE17 1RY
- Bermondsey one stop shop - 17 Spa Road, London, SE16

| | | | |
|------------------------------------|--------------------------------|---|-----------------------------------|
| Item No. | Classification: Open | Date: July 29 2009 | Meeting Name: Executive |
| Report title: | | Approval of cy-pres scheme for the Livesey Museum | |
| Ward(s) or groups affected: | | All | |
| From: | | Strategic Director of Environment and Housing | |

RECOMMENDATIONS

1. That the Executive, acting as Trustees, agree the Charity Commission proposals for a cy-pres scheme for the Livesey Museum as set out in paragraphs 11-19 below and at appendix 1.
2. That the Executive notes progress made by Theatre Peckham towards realising the proposals for the Museum, agreed at the Executive Meeting of December 16th 2008.
3. That the Executive notes the next steps in taking this scheme forward, specifically, the programme of consultation with key stakeholders set out in section 16 below.

BACKGROUND INFORMATION

4. The London Borough of Southwark is the Trustee of the Livesey Museum for Children on the Old Kent Road. The Museum was bequeathed by George Livesey a local benefactor to the Commissioners for public libraries and Museums for the Parish of Camberwell in 1890 as a free public library for the beneficiaries of the Trust. The conveyance states that “the said commissioners shall hold the said hereditaments and premises upon Trust to permit the same to be used for the purposes of a public free library for the benefit of and by the ratepayers inhabitants and residents of the Parish of Camberwell”. Southwark becomes the legal owner and Trustee of the building by means of statutory devolution.
5. The Council relocated its library provision to a nearby site in 1966 and the building closed to the public. The use of the building then changed from a public library to a Museum for Children when it re-opened in 1974. The Council has been in breach of the Trust since then.
6. The Trust did not provide any revenue support for the running of the library. At the Executive meeting of February 2008, considering the budget the Council took the decision to close the Livesey Museum for Children alongside a series of other service reductions.
7. Following closure of the Museum an exercise was undertaken to identify potential future uses of the building following a consultation plan approved through the Individual Decision Making (IDM) process. This included consulting with appropriate statutory and sectoral organisations, appropriate Community Councils, other sections of the Council and the Friends of the Livesey Museum for Children.

8. Three potential providers came forward and at its meeting of December 16th 2008. Acting in its role of Trustee, the Executive agreed the transfer of the assets of the Livesey Trust to Theatre Peckham.
9. Theatre Peckham's proposal is to redevelop the building to be able to offer theatre, dance and other activities aimed primarily although not exclusively at young people, including activities leading to formal work based qualifications. The proposals will include upgrading the building and developing additional facilities including changing rooms, rehearsal spaces and the provision of refreshments.
10. A requirement of the Executive decision taken on December 18th 2008 was that Theatre Peckham and the Friends of the Livesey Museum should explore ways of working together to further enhance work at the Livesey.
11. Following careful consideration and selection of the Theatre Peckham proposals, the Council, as Trustee, was required to approach the Charity Commission with a cy-pres scheme seeking to alter the objectives of the Trust which would allow the building to be used as a Museum for Children or other associated educational or cultural use. It is known as a cy-pres scheme because the Charity Commission expects the Council to produce a scheme which is as near to the original objectives of the Trust as possible.

KEY ISSUES FOR CONSIDERATION

Cy-pres scheme and feedback from the Charity Commission for England and Wales

12. Since the December 2008 Executive meeting, officers have been working with the Charity Commission to progress an application for a cy-pres scheme based on Theatre Peckham's proposals. The Charity Commission has indicated that the proposals are acceptable to them under their proposed scheme and objects.
13. The full draft scheme is set out at Appendix 1, but the key features of the Charity commission proposals are as follows.

Definitions

14. "The area of benefit" means the Parish of Camberwell as in 1890. This means that there would be no change to the area of benefit which includes the areas now known as Peckham, Camberwell, Dulwich and parts of Rotherhithe.

Name of the Charity

15. The original name of the Charity was "George Livesey for a Public Library". The Charity Commission proposes that the Trust be renamed "The Livesey Trust".

Object of the Charity

16. The Charity Commission proposes that "the object of the charity is the advancement of education of persons in the area of benefit for the provision of a library or library services for the public benefit." The Charity Commission has advised that the Theatre Peckham proposals are acceptable under this object but do not wish to change the definition of the object to a wording that reflect a more general educational purpose as it wishes to give the Council the opportunity to re-provide library services from the building if it so wishes at some time in the future.

17. It has been made clear to the Charity Commission that this is extremely unlikely given the very close proximity of Peckham Library, which opened in 2000 and which has been the recipient of several awards and is the most visited library in Southwark.

Trustee

18. Southwark Council will remain the Trustee of the charity and will retain powers of Trustee including making rules and regulations consistent with the cy-pres scheme for the management of the charity.

Charity Property

19. The Council, as Trustee must retain land identified in the schedule produced by the Charity Commission to the scheme for use of the object of the charity. However, this does not preclude the future disposal of all or part of the land if:

- The Trustee decides the land is no longer required for use of the object of the charity; or
- The disposal is for the purpose of acquiring a new site on which to carry out the object of the charity.

20. The Charity Commission also sets out requirements for the use of income and capital relating to the charity requiring any such monies to first be applied to administering the costs of the charity and managing its assets and if after these costs have been met using any remaining monies to further the object of the charity.

Progress with Theatre Peckham's proposals

21. Since the December 2008 Executive meeting, Theatre Peckham have been progressing various funding bids to secure monies to carry out capital works at the Livesey. This includes approaching the appropriate Community Councils where with the support of the Executive Member, the following sums have been secured from Cleaner Greener Safer funding:

- Camberwell Community Council £5,000
- Dulwich Community Council £5,000
- Peckham Community Council £24,000 (allocated for capital works)

22. These funds will enable a feasibility study of the building to be carried out Theatre Peckham has already commissioned architects to do this work.

23. In addition to this, Theatre Peckham has been successful in securing funding from the Sainsbury Trust towards the cost of capital works. Other funding bids are also being progressed.

NEXT STEPS

24. Should the Executive agree to the proposals set out by the Charity Commission, further consultation will need to be undertaken on the new objects of the Charity. The Council is required to take note of responses received to further consultation before implementing any new scheme. The required duration of the consultation is one month.

COMMUNITY IMPACT STATEMENT

25. The implementation of Theatre Peckham's proposals will benefit the local Community through providing resources and activity particularly for young people and Children. This includes educational and diversionary activity that will be of interest to a diverse audience. Theatre Peckham currently serves a regular audience of over 5,000 young people, 70% of which are from Black Minority Ethnic (BME) communities.
26. Theatre Peckham has an excellent track record in supporting local young people to gain high quality arts education including Trinity Guildhall grade qualifications, improving the employability of participants.
27. The Theatre Peckham proposals also support key Council priorities relating to improving educational attainment, supporting young people into employment and providing diversionary activity as an alternative to crime and anti-social behaviour.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Comments from Head of Finance (Env/MW/29/06/09)

28. As the conditions set out by the Charity Commission for a cy-pres scheme for the Livesey Museum do not commit the Council to any revenue expenditure there would be no financial implications for the Council resulting from the approval of this document.

Comments from Director of Communities, Law and Governance

29. The Charity Commission has proposed an amendment to the cy-pres scheme replacing the Council's previous proposal to include in the new objects "cultural or culturally related activities" with "a preference for the provision of a library or library services for the public benefit". This is in order to ensure the charity remains as closely as possible within the original aims of the charity as stated in paragraph 4 above. The commission has assured the Council that this does not in any way fetter the Council's discretion with regard to the general object of "advancement of education of persons in the area of benefit" and more specifically has no effect on the resolution to approve the Theatre Peckham proposals.

APPENDICES

| No. | Title |
|------------|--|
| 1. | Draft cy-pres scheme for the Livesey from the Charity Commission for England and Wales |

AUDIT TRAIL

| | | |
|---|--|--------------------------|
| Lead Officer | Gill Davies, Strategic Director of Environment and Housing | |
| Report Author | Adrian Whittle, Head of Culture, Libraries, Learning and Leisure | |
| Version | Final | |
| Dated | July 2009 | |
| Key Decision? | Yes | |
| CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER | | |
| Officer Title | Comments Sought | Comments included |
| Director of Law, Communities, Law and Governance | Yes | Yes |
| Finance Director | No | No |
| Executive Member | Yes | Yes |
| Date final report sent to Constitutional Team | | 10 July 2009 |



CSD-ST1(B)

Application for a Scheme under the Charities Act 1993

Notes

Before completing PART 1, please read these notes

Who should complete this form? This form should be completed on behalf of a charity which has been incorporated, or which is controlled or managed by a body corporate (eg a trustee body which has been incorporated). The custodian trustee(s) of an unincorporated charity should also complete this form. This does not apply where the charity property is held by the Official Custodian for Charities.

How should this form be completed? One way requires completion of PART 1 and PART 2 of this form. This applies only to bodies acting under seal. The body corporate will need to affix its seal to the application form.

The other way requires completion of PART 1 and PART 3 of this form. This applies to bodies not acting under seal. This way requires the body corporate to act in accordance with its usual procedure and direct two persons to apply for a Scheme.

What if the charity is unincorporated? A separate form, ST1(A), should be completed if the charity is unincorporated.

Part 1

Charity Details – complete in all cases

Name of charity or charities

THE LIVESCY TRUST

Place

PECKHAM (within the former Parish of Camberwell)

County

London Borough of Southwark

Charity Commission reference number

HEH 673969 A&O(T)

Part 2

To be completed by bodies corporate acting under seal

Application is hereby made for a Scheme of the Charity Commission for the charity or charities described in PART 1.

The seal is affixed in the presence of

Affix Seal
Here

If you have completed PART 1 and PART 2, this form is now ready to be returned. If not, please turn over and complete PART 3.

Part 3(a)

To be completed by Parochial Church Councils, Parish Councils or other bodies corporate not acting under seal

The body corporate named below, acting in accordance with its usual procedure, authorises the persons named below to apply for a Scheme on the charity's behalf

Name of body corporate

| |
|--|
| |
| |
| |

Resolution passed at a meeting of the trustees

We hereby authorise

| |
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| |

to apply to the Charity Commission on our behalf for a Scheme for the charity or charities described in PART 1.

Part 3(b)

To be completed by the authorised signatories stated in Part 3(a)

In accordance with the above resolution, we hereby apply to the Charity Commission for a Scheme for the charity or charities described in PART 1.

Signed

| |
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| |
|--|

Name (in BLOCK CAPITALS)

| |
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Signed

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| |
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Name (in BLOCK CAPITALS)

| |
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Part 4

Where to send the completed form

This form is now ready to be sent to the Charity Commission at the address below:

Charity Commission Direct
 PO Box 1227
 Liverpool
 L69 3UG

| | | | |
|------------------------------------|--------------------------------|---|-----------------------------------|
| Item No. | Classification: Open | Date: July 29 2009 | Meeting Name: Executive |
| Report title: | | The YOT Inspection– Response to Recommendations of Children’s Services and Education Scrutiny Sub-Committee | |
| Ward(s) or groups affected: | | All | |
| From: | | Romi Bowen, Strategic Director Children’s Services | |

RECOMMENDATION

1. That the Executive notes the comments/recommendations of the Assistant Director – Specialist Children’s Services and Safeguarding, in response to the recommendations of the Children’s Services and Education Scrutiny Sub-Committee as set out in the report.

BACKGROUND

2. In 2008 the Children’s Services and Education Scrutiny Sub-Committee looked at the outcome of the inspection of the work of the Youth Offending Team by Her Majesty’s Inspectorate of Probation. The inspection was undertaken in February 2008, and made 12 recommendations which were incorporated in an action plan and endorsed by the lead inspector. Action has been taken to address all 12 recommendations, although some, like the quality of assessments require ongoing training Members considered the findings of the inspection report and questioned officers about what measures were being put in place to address the weaknesses identified.

KEY ISSUES FOR CONSIDERATION

3. The scrutiny sub-committee made a number of recommendations which have been addressed individually below and appear in bold type throughout the report. The sub-committee was particularly concerned by the poor grading for the category: Work with young people who offend. An action plan was drawn up and approved by the Inspectorate in July 2008, and the majority of the actions have now been completed. The report summarises some of the key recommendations from the inspection in bold type, and the proposed actions from the Assistant Director Specialist Children’s Services and Safeguarding to address the issues appear under each recommendation.
4. **The quality of both Onset and Asset is improved**
5. The Onset assessment tool is undertaken by staff working in preventative services and includes staff in voluntary sector organisations which have been commissioned by the YOT to undertake preventative work (Youth Inclusion Programmes) with young people at risk of offending. Refresher training on Onset completion has been provided for staff in the YOT early intervention team and other commissioned services. An Asset quality improvement plan has also been put in place which provides refresher training for all managers on Asset completion and quality assurance. Supervision sheets have been

embedded on Careworks (the YOT database and case management system) to audit Asset and Onset quality and identify improvements through the reviewing process. This will be monitored through audits, supported by the Specialist Children's Services Quality Assurance Unit.

6. **The recording of safeguarding issues and the subsequent actions taken to address identified individual needs is improved and documented where necessary in a vulnerability management plan**
7. The Asset is a structured assessment tool used by all YOTs. The information gathered from Assets can be used to draw up court reports, and it will also highlight any particular needs or difficulties the young person may have. Embedded in the Asset tool is a specific section which addresses the vulnerability of the young person. Staff within the YOT have received refresher training to enable them to complete this important document and address all the key issues in relation to the young person. The quality of the assessments is then monitored through supervision and case audits. A new protocol has been developed with children's social care to improve the interface between services, and ensure that there is effective integrated team working with these vulnerable young people. The effectiveness of these changes is monitored through regular meetings between the services, and the development of a shared understanding of service thresholds. An escalation process has also been implemented to ensure that any disagreements are resolved quickly.
8. **Risk of Harm to others is thoroughly assessed and recorded, with appropriate timely actions taken and documented where necessary in a risk management plan.**

A risk of serious harm assessment is triggered by an Asset, and provides an opportunity to look more closely at some of the concerns that have been identified regarding the possible risk of harm to others. The risk management plan sets out how these risks are to be managed by the YOT and its partner agencies. The YOT holds regular multi-disciplinary risk management panel meetings chaired by the YOT manager, so that medium to high risk cases and their management plans can be monitored and progress checked. YOT managers review risk of harm assessments in their regular staff supervision sessions, and this is supported by the audit programme which checks the quality of practice.

9. **A sufficient number of appropriately trained staff have access to all relevant information on the social care database relating to children and young people engaged with the YOT.**
10. A number of key personnel within the YOT already have access to the social care database to enable YOT staff to check whether young people are known. Work is underway to widen access to more staff in the YOT, and allow them to view assessments which may be held on social care files. This will inform the YOT's assessment of the young person's risk and vulnerability.
11. **Education, training and employment staff have agreed record keeping systems for assessment purposes, target setting or monitoring progress together with robust quality assurance systems.**
12. The YOT's education worker and Connexions staff complete monthly records of young people's access to education training and employment, monitor

attendance and note any corrective action required. This is shared with Connexions link manager to ensure that the wider Connexions Service is aware of these young people, and their progress can be tracked when they move on from the YOT. Hard to engage young people are referred to bi-monthly joint YOT/Connexions Panel for review and action.

13. **Victim work is an integral component of case management and is effectively communicated between the relevant staff**
14. Victims should receive a high standard of work from the YOT. While no single organisations has the sole responsibility to support every victim, the Youth Justice Board's code of practice aims to ensure that all victims have access to appropriate and timely support suited to their individual needs. A restorative justice manual has been completed by the YOT, and this has helped to ensure that all victims are invited to take part in the restorative justice process. Further work has been undertaken within the team to ensure that victims' staff are more fully integrated in the service, and that this work is given a priority by case managers.

FURTHER DEVELOPMENTS

15. The inspection highlighted the fact that there were weaknesses in use of the assessment tools, and that there needed to be greater supervision of case managers to ensure they were complying with national standards. A recent internal review of the YOT has highlighted the need for fundamental changes in the structure of the service to meet the challenges posed by the new approach to managing young offenders in the community. The scaled approach aims to ensure that interventions are tailored to the individual and based on an assessment of their risks and needs. This will increase the amount of contact time YOT workers must have with young people and the service will have to be restructured to cope with the supervisory requirements. The purpose of the restructure is to increase the number of case managers available to supervise young offenders in the community, and to strengthen the management structure to ensure all staff are regularly supervised, and work is quality assured.

COMMENTS FROM THE FINANCE DIRECTOR

16. Sufficient resources have been identified from within existing core budgets and additional grant allocations to meet these costs during 2009/10.

COMMENTS FROM THE STRATEGIC DIRECTOR OF COMMUNITIES, LAW & GOVERNANCE

17. The report provides a response from Children's Services to the report provided by the Children's Services and Education Scrutiny subcommittee. The report sets out how the service has responded to the specific recommendations of the scrutiny committee. The report is therefore for the Executive to note.

| Background Papers | Held At | Contact |
|--|---|--|
| Scrutiny Sub-Committee - minutes and reports | Scrutiny Team Room 3.16 Town Hall Peckham Road London | Scrutiny Project Manager Tel: 020 7525 7224 |

AUDIT TRAIL

| | | |
|--|---|--------------------------|
| Lead Officer | Romi Bowen, Strategic Director Children's Services | |
| Report Author | Rory Patterson Assistant Director Specialist Children's Services and Safeguarding | |
| Version | Final | |
| Dated | 29 th June 2009 | |
| Key Decision? | No | |
| Consultation with other officers / directorates | | |
| Officer Title | Comments Sought | Comments Included |
| Strategic Director of Communities, Law & Governance | Yes | Yes |
| Finance Director | Yes | Yes |

| | | | |
|-----------------------------------|--|------------------------------|-----------------------------------|
| Item No.: | Classification: Open | Date: July 29 2009 | Meeting Name: Executive |
| Report title | Gateway 1 - Procurement Strategy Approval Leaseholders and Ancillary Properties – Buildings Insurance | | |
| Ward(s) or groups affected | All | | |
| From | Strategic Director of Environment and Housing | | |

RECOMMENDATIONS

1. That the Executive approve the procurement strategy outlined in this report for the leaseholder and ancillary properties building insurance contract.
2. That the Executive delegate award of the contract to the Strategic Director of Environment and Housing, subject to consultation with the Executive Member for Housing Management as appropriate in order to meet the tight time constraints.
3. That the Executive delegate any decision on exercising the option to extend the contract to the Strategic Director of Environment and Housing.

BACKGROUND INFORMATION

4. At today's prices the cost of the contract is £2.75m per annum. The contract is for a period of three years, making a total contract value of £8.25m. If the option to extend is taken the potential contract value would be a value of £13.75m.

Reason for this procurement

5. The leaseholders and ancillary properties buildings insurance relates to flats and maisonettes sold by the Council under lease terms. It also includes a requirement to insure some under-leased properties on a comprehensive basis. Also attached to the policy is a much smaller contract relating to mortgaged housing properties - currently less than ten premises - where the Council is still providing a mortgage.
6. The lease requires the Council as the freeholder to insure its leasehold properties and the building. The most advantageous way to do this is by placing the contract with a single insurer.
7. The contracts were last awarded in 2005 when Zurich Insurance Ltd were awarded the contract with a commencement date of 1st April 2006. The contract was for an initial period of three years with the option to extend the contract for two years following annual reviews.
8. Leasehold representatives have been involved in the decision to extend the contract for an additional year and to re-let it so as to have a new contract in place from 1st April 2010. Approval was given for the extension by the Finance Director on 16 April 2009, thus the current end date of this contract is 31 March 2010.

Market Considerations

9. The insurance market is currently volatile due to the present worldwide financial crisis. The present contractor Zurich was apprehensive about offering renewal from 1 April 2009 under the current terms and it has been decided not to extend this contract beyond April 2010. The Council cannot allow the situation to arise where there is no insurance cover for its leasehold portfolio. It is therefore prudent to secure a new contract for the next financial year for a longer fixed term period.

Summary of the business case/justification for the procurement

10. Under the terms of the lease, the Council has to insure its leasehold properties. The easiest and most advantageous way to do this is by insuring the portfolio with a single insurer. This ensures a standard approach can be followed for both the leaseholders and the Council.
11. The Council's leasehold portfolio is one of the largest for local authorities in the country. Although there is a limited market for these contracts, the size of the portfolio will attract international insurers and leaseholders should benefit from economies of scale in the premiums payable.
12. The current contract has been in effect from 1 April 2006 and expires on 31 March 2010. During this period, the Council has compiled three years detailed data of the claims experienced and amounts paid out. Now that this data is available it will form the basis of the tender document and the prime factor in determining new premiums.
13. Although the contract sum is large it is not possible to join in with other authorities in letting a new contract as Southwark's lease does not allow this and other authorities will have different expiry dates for their contracts.
14. Leaseholder representatives were closely involved in procurement of the current contract and the decision to tender again for a contract to commence on 1 April 2010. Home Owner Council has agreed this course of action and has appointed two leaseholders to assist in the tender process.
15. Leasehold representatives requested ten items to be included in the policy that commenced from 1 April 2006. These were all incorporated in the 2006 contract and will be included in the 2010 contract as follows;
 - (a) Premium for each flat to be quoted by bedroom size or type.
 - (b) An agreed "£x per £1,000 reinstatement value".
 - (c) Agreement as to how to treat leaseholder improvements.
 - (d) Agreement over the rate of commission payable to the Council.
 - (e) Agreement over communal claims to be made by the Council.
 - (f) Agreement that leaseholders can make a claim for internal works only through the Home Ownership Unit.

- (g) Agreement that the contractor will be the nominated insurer for houses sold on leases.
 - (h) No excess apart from claims made for subsidence, when a maximum excess per block would apply.
 - (i) A separate schedule and rates for where the whole block has to be insured.
 - (j) Participation in compiling a leaseholder's insurance handbook.
16. The present contract has met with the approval of elected leaseholders on the Home Owners Council. With the involvement of the Home Ownership Unit in the administration procedure, the number of complaints and members' enquiries has reduced considerably from the previous contract, which had been administered by the contractor's own helpline.

Identified risks and how they will be managed

17. Risks identified with the tendering process include;

| Risks identified | How they will be managed |
|---|---|
| Failure to consult with leaseholders under Section 151 of the Commonhold and Leasehold Reform Act 2002. | Meet dates set out in the procurement project plan |
| Failure to meet the European procurement regulations. | Meet dates set out in the procurement project plan Ensure that the procedures are transparent and comply with legislative requirements. |
| Failure to have all the information available at the required times. | Keep leaseholder representatives informed and liaise with relevant Council officers. |
| Changes to internal procedures and processes should a new contractor be appointed. | Frequent communications with the contractor at a senior level. Ensure there is a smooth transition from one contractor to another Communications to tenants and 'old' supplier, if relevant', to ensure client team have processes in place to cover situation where both old and new claims are being processed by different suppliers during transition period. |

KEY ISSUES FOR CONSIDERATION

18. It is unlikely that many contractors will be interested in tendering as there is a limited market for this type of local authority scheme. Due to the size of the contract, the legislation requires the Council to consult with all leaseholders. A Notice of Intention must be served advising leaseholders of the nature of the contract. Leaseholders have a period of 30 days to make comments. As this contract will be subject to an OJEU notice, leaseholders are not entitled to nominate contractors. However, the Council will give leaseholders the opportunity to nominate contractors to whom the Council will confirm that the OJEU notice is to be published. This first stage of the consultation process has to be undertaken before the contract can be advertised.
19. Following the award of the contract, Notices of Proposal have to be sent to all leaseholders advising them of the successful tenderer with details of the premiums they will pay from the commencement of the contract.

Development of the tender documentation

20. The tender will be based on the previous tender documentation, but amended as necessary following comments by leaseholders. The Insurance Manager (FMS), Departmental Procurement Manager and Legal Services will be involved in finalising the tender documentation to ensure compliance with best practice.

Advertising the contract

21. The contract will be advertised in OJEU and relevant insurance journals recommended by the Insurance Manager (FMS). Where individual leaseholders nominate insurers, they will be directed to the OJEU notice.

Evaluations

22. The contract will be awarded on the basis of MEAT (Most Economically Advantageous Tender) based on a price/quality ration of 70/30, using the EU Open procedure
23. A higher weighting has been given to the price due to the highly specialised nature of the contract and limited market for bidders to be in a position to submit a tender. The leasehold representatives will be fully involved in the assessment process;
24. Consultation will take place between the Insurance Manager, Departmental and Corporate Finance, Departmental Procurement and Communities, Law and Governance Department to finalise the evaluation methodology and this information will be detailed in the tender documentation accordingly. Leaseholder representatives will also be fully involved in the assessment process.

Community Impact Statement

25. The buildings insurance contract applies to all leaseholders and a small number of freeholders in the borough that still have a Council mortgage. The Council has no data on the make up of the leaseholders and freeholders in relation to equality issues. However, there is less likelihood that leaseholders and freeholders, as home owners, are from disadvantaged groups.

Sustainability Considerations

26. There are no sustainability issues.

Other Implications or Issues

27. There are no other implications or issues.

Resource Implications

28. There are no additional resource issues as the Home Ownership Unit already has an Insurance Officer who is responsible for the administration of the contract.

29. All revenue costs incurred by LBS on behalf of leaseholders are recharged to the leaseholders as a part of their service charges. The work required managing the contract and its procurement will not require extra resources as the Home Ownership Unit has a responsible officer who will absorb the work. The contract price includes a commission payable to the Council to cover the cost of the managing the contract in the Home Ownership Unit. There are therefore no budgetary consequences as a result of this contract procurement.

30. The buildings insurance premiums charged to leaseholders are recovered in full through the annual service charges. There will be a nil effect on the Housing Revenue Account.

Consultation

31. There will be a full consultation with all leaseholders in accordance with legislative requirements. In addition, two leaseholder representatives have been appointed and will assist in drawing up the tender documentation and the tender evaluation process.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Communities, Law and Governance

32. The Director of Communities, Law and Governance, acting through the Contracts Section notes the content of this report. The nature and estimated value of the contract is such that it is necessary for the Council to invite expressions of interest through the publication of a contract notice in the Official Journal of the European Union ("OJEU") in line with current EU Procurement Regulations, and the report confirms that this requirement will be satisfied. The proposed procurement strategy will also comply with the relevant requirements of the Council's Contract Standing Orders ("CSOs").

33. The procurement of the proposed contract is treated as a "strategic" procurement within the definition contained in CSOs, and this means that the decision to approve the procurement strategy is one which falls to be taken by the Executive or executive committee, after taking advice from the Corporate Contract Review Board. As the contract will involve expenditure in excess of £500,000 in a single year, the decision to award the contract will be a key decision and subject to call-in, and the report indicates that the matter has been noted on the Forward Plan in line with the requirements of the Council Constitution.

Finance Director

34. The Finance Director notes the content of this report and is satisfied that all arising financial implications have been addressed under Resource Implications.

Corporate Procurement

35. With an advised total potential value of £13.75m, this procurement meets the criteria of an EU Part A strategic procurement requiring that all reasonable steps are taken to obtain at least five tenders following a publically advertised competitive tendering process. This report confirms the intention to comply with both CSOs and relevant legislation. It is noted that due to the limited market, there is a possibility that five tenders will not be received, however this is not expected to impact on the council's ability to achieve best value.
36. The report advises that award will be made on the basis of the most economically advantageous tender (MEAT), applying a price/quality ratio of 70/30 for the reason given.
37. The project plan indicates the expectation that the procurement process will be completed in time to ensure continuity of service. The report author has been advised to monitor this and seek advice for procurement and legal services accordingly should any issues arise.

BACKGROUND PAPERS

| Background Papers | Held At | Contact |
|---|--|----------------------------------|
| Statutory notices, leaseholder responses, claims experience details | Home Ownership Unit 160 Tooley Street London Bridge SE1 2TZ | Dave Coombs Tel 020 7525 1424 |

APPENDICES

| Appendices number | Title of appendix |
|--------------------------|--------------------------|
| 1 | Procurement Project Plan |

AUDIT TRAIL

| | | | |
|---|--|--|----------|
| Lead Officer | Gill Davies, Strategic Director of Environment and Housing | | |
| Report Author | Martin Green, Head of Home Ownership | | |
| Version | Draft | | |
| Dated | July 2009 | | |
| Key Decision? | Yes | If yes, date appeared on forward plan | May 2009 |
| CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER | | | |
| Officer Title | Comments Sought | Comments included | |
| Director of Communities, Law and Governance | Yes | Yes | |
| Finance Director | Yes | Yes | |
| Corporate Procurement | Yes | Yes | |
| Executive Member | Yes | Yes | |
| Date final report sent to Constitutional Support Services | | | |

Ancillary Properties – Buildings Insurance

Appendix 1 Procurement Project Plan

| Activity | Complete by: |
|---|--------------|
| Gateway 1 - Report to DCRB | 30/04/09 |
| Notice of Intention | 15/05/09 |
| Report to CCRB | 28/05/09 |
| Closing date for observations on NOI (30 days) | 15/06/09 |
| Closing date for response to observations (14 days) | 29/06/09 |
| Report to Executive | 21/07/09 |
| Call in Period | 7/8/09 |
| Advertise the contract (OJEU) | 28/08/09 |
| Completion of tender documentation | 27/08/09 |
| Closing date for return of tenders (52 days) | 20/10/09 |
| Completion of evaluation of tenders | 30/10/09 |
| Completion of any post-tender clarification meetings/interviews | 6/11/09 |
| Gateway 2 – Report to CCRB | 26/11/09 |
| End Call in period | 16/12/09 |
| Publication of decision under alcatel | 17/12/09 |
| Expiry of alcatel period | 8/01/10 |
| Contract award | 11/01/10 |
| Issue Notice of Proposal | 12/01/10 |
| Closing date for observations (30 days) | 11/02/10 |
| Closing date for response to observations (14 days) | 25/02/10 |
| Contract start | 01/04/10 |

| | | | |
|------------------------------------|--------------------------------|--|-----------------------------------|
| Item No. | Classification: Open | Date: July 29 2009 | Meeting Name: Executive |
| Report title: | | Authorisation of Debt Write-offs above £50,000 for Health & Community Services | |
| Ward(s) or groups affected: | | All | |
| From: | | Strategic Director of Health and Community Services | |

RECOMMENDATION(S)

1. That approval is given for write-off of the debt detailed below.

BACKGROUND INFORMATION

2. Under the Council's Constitution write-off of debts above £50,000 must be considered by the Executive. The debt is more than £50,000.
3. The debtor is deceased and there is no likely settlement from the estate or next of kin.

KEY ISSUES FOR CONSIDERATION

Policy implications

4. The proposed write-off set out in this report is recommended in accordance with the Council's agreed write-off policies and procedures. The reason for the recommendation to write-off is stated in appendix 1 attached.
5. The following actions have been taken to recover this debt:
 - a. The matter has been pursued by the Charging Team.
 - b. Legal advice has been sought from Communities, Law and Governance and external counsel.
 - c. Executors of the estate have been contacted & pursued.
6. From a review of the papers, it is clear that the Council was right to have supported this client financially in residential care, pending the sale of her main asset. However, it should have put a charge on the property at this time, to ensure recovery of funds. This is now standard procedure and a review of the operation of this, to monitor compliance, is underway.

Commentary

7. The Client was a resident at The Elms 1997-2001. The debt outstanding is for unpaid client accommodation charges. Mrs X placed herself in Elms prior to 1997. When her funds became exhausted LBS became responsible. A financial assessment revealed she was a property owner and would become a 'full cost' client. At this time there was no legal process for '*deferred payments*' so interim funding was agreed until the sale of the property.

8. The property was sold in December 1997 and the solicitors dealing advised the LBS rating office. However Social Services was not aware of the house sale until a review picked up on this in 2001.
9. There was correspondence between LBS and The Elms after Mrs X's death in 2001. It appears that the proceeds from Mrs X's estate were passed to her sister. What is unclear is whether the proceeds from the property were available at the time. Further letters to the sister were sent. Barclays (the executors) were also written to regarding the proceeds of the sale of the property. A visit was made to Elms in November 2005 to investigate the files.
10. Advice was obtained on the possibility of recovery of the fees from the family or Barclays Bank, but the conclusion was that there was insufficient evidence to bring a successful action.
11. All reasonable efforts have been taken to recover this debt which is now considered to be absolutely irrecoverable due to a combination of factors.
12. On reflection it is apparent that system weaknesses did exist at the time but since then new and more robust operating procedures have been put in place.

Resource implications

13. The total debt recommended for write off is £58,348.20 relating to a debt arising from Residential care provided between 1997 and 2001.
14. The debt will be contained within the Health and Community Services bad debt provision.
15. The debt is recommended for write-off, as it is considered irrecoverable.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Legal Comments

16. We agree that the sum should be written off as it is time-barred under the Limitation Act 1980.

Finance Comments

17. As per paragraph 4 to 6 above the schedule of write-offs has been compiled in accordance with the Council's agreed policy and procedures.
 - The debt is recommended for write-off because it is deemed irrecoverable.
 - The recommended write-off will be contained within the Council's relevant bad debt provision and as such will not impact on the revenue accounts adversely.

| Background Papers | Held At | Contact |
|---|---|---------------------------------------|
| <i>Title of document(s)</i> | <i>Title of department / unit Address</i> | <i>Name Phone number</i> |
| <i>Abacus Debt System reports</i> | <i>Central Finance Team</i> | <i>C/of Derrick Bennett ext 53746</i> |
| <i>Individual case file</i> | <i>Central Finance Team</i> | <i>C/of Derrick Bennett ext 53746</i> |
| <i>Barclays Bank (executors) correspondence</i> | <i>Central Finance Team</i> | <i>C/of Derrick Bennett ext 53746</i> |
| <i>Legal correspondence</i> | <i>Central Finance Team</i> | <i>C/of Derrick Bennett ext 53746</i> |
| <i>Appointee correspondence</i> | <i>Central Finance Team</i> | <i>C/of Derrick Bennett ext 53746</i> |
| <i>Legal Counsel's Report</i> | <i>Central Finance Team</i> | <i>C/of Derrick Bennett ext 53750</i> |

Audit Trail

| | | |
|---|------------------------|--------------------------|
| Lead Officer | <i>Mike Watson</i> | |
| Report Author | <i>Jim Lo</i> | |
| Version | <i>FINAL2</i> | |
| Dated | <i>08/07/09</i> | |
| Key Decision? | Yes | |
| CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER | | |
| Officer Title | Comments Sought | Comments included |
| Strategic Director of Communities, Law and Governance | Yes | Yes |
| Finance Director | Yes | Yes |
| Date final report sent to Constitutional Support Services | | 080709 |

| | | | |
|------------------------------------|--------------------------------|---------------------------------|-----------------------------------|
| Item No. | Classification: Open | Date: July 29 2009 | Meeting Name: Executive |
| Report title: | | Potters Fields – Heads of Terms | |
| Ward(s) or groups affected: | | Riverside Ward | |
| From: | | Chief Executive | |

RECOMMENDATIONS

1. That Executive agree the terms in this report pertaining to the development of Potters Fields and eventual disposal of the Council’s interest in land as outlined in the closed report.
2. That Executive delegate authority to the Chief Executive to enter into an agreement for the development of Potters Fields in accordance with the terms outlined in the closed report.
3. That if the proposed development agreement is not substantially in accordance with these terms, the matter will be referred back to the Executive for decision.

BACKGROUND INFORMATION

4. The history of Potters Fields is long and detailed and is subject to various reports to the Executive, the most recent and relevant being the 19th and 31st March 2008. At the meeting on 31st March 2008, the Executive agreed to enter into a Cooperation Agreement with Berkeley Homes (BH) with the aim of creating a joint venture/development agreement for the development of the site at Potters Fields. The decision was based on objectives agreed by the Executive at the meeting on 16th October 2007 to deliver:
 - *best consideration for the Council’s assets*
 - *an iconic arts / cultural / entertainment facility*
 - *an architectural proposal consistent with the Council’s aspirations*
5. It is important to note that these objectives form the basis of the Cooperation Agreement and underpin the principles of the Heads of Terms.
6. The report to Executive on 19th March 2008 addressed the key historical issues associated with Potters Fields which had been investigated thoroughly at that time. It is worth noting the background to the various issues briefly in this report as they affect the value of the site and have affected the Council’s negotiating strength with BH.
7. Firstly, under the 1982 agreement, St Martins imposed a positive covenant on the land requiring the Council to use best endeavours to build a residential development on the land comprising of 450 – 456 habitable rooms. Secondly, in the 2003 transfer of the land to the Council, there is a restrictive covenant requiring that the land must not be used for any purpose other than residential. Thirdly, there is a restrictive covenant placed on the park land (which is adjacent to the Council’s land) requiring that it may only be used as a park. The combined effects of: the stopping up of

Potters Field Road, the restrictive covenant on the park and the way that the boundaries were drawn when the land was transferred to the Council, means that the Council's land has been left land-locked to vehicular access. This complicated legal framework was created by the LDDC (London Docklands Development Corporation) and St Martins in 1982 to control development on the site once it had transferred over to the ownership of the Council as successor to the LDDC. BH are the beneficiaries of the various covenants relating to the site and the ransom strip following the acquisition of the site from St Martins.

8. The Executive report explained that all of the inter-relating complex issues were now more fully understood. The Council considered a number of options to bring forward a development on the site and following advice from Counsel, its legal and property consultancy teams it became clear that a joint venture arrangement with BH was the best way forward. It is also worth noting that the Mayor of London was threatening CPO action¹ in relation to the Council's land which was an additional factor in determining the decision of the Executive at that time. In considering this advice, the Executive agreed to enter into a Cooperation Agreement to work with BH on developing a joint venture.

The Cooperation Agreement

9. On 1st April 2008, the Cooperation Agreement was entered into and the Council and Berkeley Homes have been working together to develop plans for the site since then. A steering group between BH and the Council has coordinated the project's development and an internal management board was set up to advise the Chief Executive in her role at the steering group. The management board is chaired by the Deputy Chief Executive and involves all relevant departmental representatives as well as external advisors².
10. The Cooperation Agreement set out how both the Council and BH would work together towards creating a new planning application and what the quantum of the development should be, based on the existing planning consent. Operational matters were subsequently delegated to a working party involving the Deputy Chief Executive in order to bring the scheme forward. As matters progressed, a separate meeting group was convened to negotiate the Heads of Terms involving the Head of Property and the Deputy Chief Executive.
11. The Cooperation Agreement set out a list of key milestones that both parties would work towards in order to reach a planning application within a specific timeline. One of the principal milestones and the first step towards drafting a new planning application was to appoint a new architect. BH prepared a specification in consultation with the steering group in accordance with agreed parameters set within the Cooperation Agreement and requested three architectural firms to tender for the new scheme design. Make, Allies and Morrison, and Squire and Partners were the three firms who tendered and pitched for the job. The steering group members and a representative from the LDA attended the presentations and decided unanimously that Squire and Partners had met the key criteria in the brief most successfully.
12. BH instructed Squire and Partners to prepare more detailed plans for consultation in preparation for a planning application. At the same time, other issues relating to the

¹ However, with the change of Mayor, this has now been rescinded, as was evidenced in an answer to a question at Mayor's Question Time on 15th September 2008; The Mayor of London responded to a question asking whether the threat of CPO action would be lifted saying "I look forward to seeing the new scheme in due course, and in the meantime there is no threat of a CPO."

² The governance of the project team was reported to Overview and Scrutiny Committee in January 2009 – see Potters Fields Update Report to OSC – 12/01/09.

key milestones began to be resolved; this included the resolution of outstanding boundary issues and BH commencing the foundation and slab work on their site.

13. Soon after their appointment, Squire and Partners began to consult on the plans for the scheme involving a wide section of key stakeholder groups who were identified at an early stage. Stakeholders included ward councillors, the local MP, CABE, GLA, GOL, the Mayor of London, English Heritage, London Borough of Tower Hamlets, ICIMOS (representing UNESCO), Southwark Heritage Association, local religious leaders, the local school and the planning authority as well as the Potters Fields Park Trust and local residents and business groups.
14. Consultations took place in summer 2008 and then again in November 2008 at which updated and amended plans were fed back based on comments previously received. A public exhibition was then held at Lambeth College over three days in December to exhibit the plans and model for the proposed scheme which were showcased on the BBC and in the local and national press. Since then consultations have continued with the Local Planning Authority in pre-application discussions as well as further consultation with statutory stakeholders.
15. The cultural user is a key element to the scheme and a requirement of the local plan. It is an agreed objective of the Cooperation Agreement and the Heads of Terms. As far as the contractual arrangements are concerned, the objective is to secure “a full open market price for the arts/cultural facility”. The Council and BH have been working in partnership to progress the issue, going to the market to advertise the space, placing advertisements in the national and international press in September 2008 seeking expressions of interest.
16. A wide range of expressions of interest were received and potential bidders were requested to respond to a cultural brief outlining the key requirements of the site. At this point, specialist consultants from PwC were engaged to advise on the short listing process. PwC also provided a report contextualising each of the bids, offering a high level assessment of the validity of the financial assumptions from each of the shortlisted parties in order to inform the selection process.
17. Once a short list had been agreed on, bidders were invited to give a presentation to an evaluation panel including both BH and the Council, PwC, and an advisor from the Tate where bidders outlined the key aspects of their scheme and responded to a Q&A session. Following the presentations, the panel met again to consider the merits of each organisation and to receive reports from the architects and PwC and also to receive the advice from the Tate in order to inform deliberations. Unanimously, the panel decided that discussions should continue with two of the three short listed bidders and that one group should be removed from the process.
18. In agreeing to continue discussions further with only two bidders, the group felt that further clarity was required around the planning application and the final details of the scheme. It was agreed that once a planning application had been submitted, further referencing and due diligence of both organisations would be needed in order to inform decision making.

KEY ISSUES FOR CONSIDERATION

19. This section of the report will seek to highlight the key elements of the Heads of Terms and to explain the nature of the relationship we are proposing between the Council and Berkeley Homes.

THE PARTIES AND THE OBJECTIVE

20. The Council will be entering into Heads of Terms with Berkeley Homes (South East London) Ltd.
21. The Heads of Terms refer back to the objectives set out in the cooperation agreement and where they are expressed as being :

The joint venture will comprise 'a high quality mixed use development which includes:

- a minimum of 27,216 gross square metres of private residential space,
- retail, commercial, A3; and,
- leisure and an arts and/or cultural facility of a maximum size of 8,122 square metres (of London, national or international importance) capable of being used flexibly (its use not being limited to a specialist owner or occupier) and,
- affordable housing'

In addition, there are specific objectives to both the developer and the Council set out in the co-operation agreement:

'The Council's Objective is to meet its requirement under the Local Government Act 1972 to secure the best consideration reasonably obtainable in the event that it sells the Council land and the Council is of the view that best consideration should be achieved by an agreement with its adjoining owner BH and securing a full open market price for the arts/Cultural facility to form part of the development.'

'BH's objective is to maximise the development value and commercial viability of the BH land and is of the view that this should be achieved by agreement with its adjoining owner the Council'

22. These are the general objectives of the parties and will be reflected in the development agreement.
23. The Site includes the Council's land adjacent to and to the south of Potters Fields Park and BH's land to the north of Lambeth College these are marked on the site plan attached at Appendix 1.

Heads of Terms

24. The Heads of Terms address the key fundamental principles of the development agreement in relation to the value of the site, associated costs and receipt of funds and are set out below.

Profit Share Agreement

25. The value of the interests of both parties has been assessed externally (by Drivas Jonas) to take into consideration the ransom strip, covenants, location and size. The Council has received advice that the split of the development profit is reasonable and represents best consideration even when the performance payment paid to BH is taken into consideration.

Minimum Land Payment

26. Based on the valuation of the site by Drivers Jonas, the Council and BH have agreed a minimum land payment for the combined sites at Potters Fields to be split between both parties. This provides a Base Land Payment for the Council's asset. The Base Land Value will be paid out to both parties once the development has become cash positive and will be a priority payment after debt funding in accordance with the schedule of payments (42B) – the Council's payment being in priority to BH's payment. This will ensure that both parties benefit from reduced interest charges from earlier payment of costs which will in turn generate greater profit from the scheme.
27. In the event that the development does not become cash positive the minimum payment will still be due to the Council from BH and is in effect a guaranteed return (i.e. BH are required to pay this sum to the Council irrespective of whether the scheme makes a profit). This means that BH will be accepting the risk associated with the development on commencement, this payment is to be guaranteed by BH Group. Start on site however will not commence until a viability assessment is undertaken to ensure the profitability of the scheme which will demonstrate that the scheme can produce the minimum land payment. If this viability assessment is not met the scheme will not progress until such time as a payment of the minimum land payment can be forecast .

Funding the Works

28. BH have agreed to fund the development at Potters Fields in its entirety in order to ensure as swift a start on site as possible. The Council accepts that in the current economic climate, access to funding on this scale is challenging despite the fact that interest rates are currently set at 0.5%. In recognition of the difficult economic climate, the Council has sought advice from both Drivers Jonas (the Council's valuers) and PwC (consultancy support) on an appropriate fee for the funding of the works and both support the Council's negotiated position in reaching agreement with BH on a funding fee across the lifetime of the debt made up of arrangement fee, utilisation fee and a market rate over LIBOR.
29. It has also been agreed that interest will be charged on costs from the date of signing the Cooperation Agreement (1st April 2008). Interest will not be charged on costs incurred prior to this date nor on the costs already paid under the cooperation agreement as outlined in paragraph 57.

Management of Works

30. BH will manage the works on site directly and engage sub-contractors to carry out the development. The management of works will be subject to a fee based on the end sale value of each unit (both residential and commercial). The Council has sought advice again from both Drivers Jonas and PwC which supports its negotiated

position of a charge on end sale values. This fee is however capped on the residential element of the scheme on sales over an upper limit. The total fee (subject to the cap) is then charged to the Development Account. It is worth noting that as part of the Development Agreement BH are not seeking a developer's profit and an element of this management fee can be seen as being in effect a developer's return.

Pre-development Costs

31. The Executive report of 19th March 2008 outlined a number of scheme development and holding costs and how these costs would be shared between both parties in the event that a joint scheme did not proceed. Further details of these costs are highlighted in paragraph 57 and are excluded from the Development Agreement. It is however recognised that additional costs have been incurred by BH which are beneficial to the current scheme. These comprise of two main elements, construction costs and professional fees.
32. As advisors to the Council on the Potters Fields development PwC engaged a quantity surveyor and a cost consultant to audit the pre-development costs and assess them for reasonableness. PwC have now reported on those costs and given their signed off evaluation to the Council. This evaluation forms the basis of agreement with BH in which the Council have negotiated that relevant costs are to be charged to the development account and paid out in accordance with the schedule of payments as "development costs" (42D). For the avoidance of doubt these costs do not include abortive costs associated with the Ian Ritchie scheme.

Cultural Building

33. Both parties are committed to the aims of the Cooperation Agreement and the cultural building is a key objective of that agreement as well as an obligation required for planning consent. The full scope and design solution to meet this objective is currently subject to negotiation and options are being considered. A preferred solution will be agreed by both parties prior to a planning application being submitted. The current proposal is for a ground and lower ground facility under the main part of the site with access direct from the River Walkway. The detailed design work and due diligence is being undertaken to ensure that this proposal is deliverable. The final solution will be agreed prior to the submission of a planning application.
34. It has been agreed by both parties that the costs of the cultural building and any income derived from it will be dealt with in the same manner as any other costs/income associated with the scheme. It is still the intention of both parties to maximise potential revenues from the cultural element and paragraphs 15-18 summarise work to date on marketing the opportunity.

Affordable Housing/Section 106

35. The quantum of Section 106 payments and level of Affordable Housing is a planning matter and will be subject to the normal statutory planning process and viability assessments utilising the Three Dragons Model. It has however been agreed that the costs and any income derived from it will be dealt with in the same manner as any other costs/income.

Performance Payment

36. As previously stated it would be normal for a developer to seek an element of developers profit as part of any development agreement. BH have agreed to forego this in return for the Council agreeing to a performance payment to BH based on end sale values of the residential element. This will be taken as a priority payment from the development account based on sales values once the criteria has been met. Once this has been paid any additional profit will be split in accordance with the normal profit share arrangements.

Heads of Terms Summary

37. The Heads of Terms address each of the key principles as outlined in the rationale and also sets out the scheduling of payments and the responsibilities of each party. The first key aspect of the agreement is that the parties agree to assist each other in the deduction of title, removal of covenants and land assembly to ensure the development can proceed including any land swap associated with the adjoining Potters Field Park.
38. The Council in its lease to Potters Field Park Trust has a legal right to vary the boundaries of the park in order to facilitate the development therefore legal consent from the Trust will not be required. A key principle will however be that there is no net loss of Open Space. The current plans propose giving back to the park additional land over and above that required for the development together with landscaping. The Trust has been fully consulted throughout the development of the scheme. The Council and BH will consider further future options for the management of the park in consultation with the Trust as part of the detailed drafting of the development agreement and Section 106 strategy.
39. BH will prepare the planning application (working with the Council) so as to optimise the development value of the Site. There will be a cut-off date in the development agreement before which time planning consent has to have been obtained after which the parties will be able to rescind the development agreement. The Steering Group will approve any application prior to submission, with the Council acting in its role as development partner not statutory planning authority.
40. BH will provide such security as the Council reasonably require over land owned or controlled by BH so as to enable the Council to step into the scheme (or procure that a third party does so) in the event of default by BH.
41. Once planning consent has been obtained through the statutory planning process, the development proposal needs to be tested to ensure that it satisfies the viability test - The test being that the development (after repayment of finance) is likely to generate sufficient income to pay the minimum land payment. If the viability test is satisfied the development will commence in line with an agreed programme. It is anticipated that the development will be carried out in (previously agreed) phases; BH will manage the development process, procuring warranties (with step-in rights) on behalf of the Council, as well as the marketing and sales process. BH will also be responsible for procuring any development finance required in order to fund the development.

Schedule of Payments

42. BH will set up a development account on an open book basis. Receipts will be paid into the development account and will be applied in the following order:
- A in payment of any debt and equity funding together with interest
 - B in payment of the notional value of the site to the Council

- C in payment of the notional value of the site to BH.
- D in recovering development costs to include pre-development costs as outlined in paragraph 31 - 32;
- E any positive sums in the development account will be shared between BH and the Council;
- F performance payment to BH once the criteria has been reached; and
- G any sums remaining will be shared between BH and the Council.

43. The Development Costs include:

- all the various costs incurred in developing the Site including pre-development costs; as well as,
- a management fee on sales revenue capped;
- an interest charge to finance the development funding over the lifetime of the debt (until repaid) to accrue on costs from the date of the cooperation agreement
- the cost of all Section 106 obligations, including the provision of cultural space
- Development/Construction Costs (insofar as not covered above).
- Professional fees
- Marketing

44. Income produced from the development will be credited to the development account with payments made in accordance with the schedule of payments as outlined in the Heads of Terms. Any revenue stream attributed to the scheme at the point of completion of the development agreement will be capitalised which will then be paid out as a receipt in accordance with the schedule of payments. Such income will include :-

- Residential sales
- Commercial rents/sales
- Ground rents
- Cultural Space
- Grants

DELEGATED POWERS FOR THE CHIEF EXECUTIVE

45. The Chief Executive will take a decision to enter into a Development Agreement on the basis of recommendations in a formal delegated report by the Head of Property to her as long as there are no substantial variations to the Heads of Terms outlined in this report. Examples of substantial variations which would mean that it would not be within the delegated authority of the Chief Executive to come to a decision would include.

- Change in principal parties
- Variations to the terms which have a substantial financial impact
- Changes to the scope of the project including site boundaries
- Changes to the principal objectives as outlined in paragraph 4.

FINANCIAL CONSIDERATIONS

46. The Council has appointed independent valuers, Drivers Jonas (DJ) to advise on the financial considerations and assist the Head of Property to ensure that the Council is meeting the requirements of Section 123 of the Local Government Act 1972 which is also one of the key objective's of the cooperation agreement.

47. The Head of Property is satisfied that the transaction proposed is likely to meet the requirements of section 123 when all factors pertaining to the site are taken into consideration. This issue will be kept under review during the further discussions of the Development Agreement; a final view will be taken on that issue at the point the Development Agreement is concluded and if best consideration is not achieved, then no Development Agreement will be entered into.
48. To assist in the negotiation process, a series of valuations were requested. The basis of valuation considered a number of scenarios:
- The Council's site in isolation;
 - Berkeley Homes site in isolation;
 - Combined Council and Berkeley Homes sites; and,
 - The proposed Squire and Partners proposals.
49. In relation to the return for its asset, the authority is guaranteed to receive a minimum land payment. Further to this, a full financial model has been developed jointly with BH, which has been checked and will be continually monitored by DJ up to signing a development agreement. In BH's current financial model, the authority would receive the unconditional land receipt in three lump payments
50. Those payments are BH's estimates based on current market conditions, and the scheme will be subject to a viability test. The nature of the viability test has not yet been agreed by the parties. The timing and amount of these payments could therefore be subject to change.
51. In addition to the above payment, the authority is entitled to a share of the profit generated from the scheme. However, this is only after all costs have been repaid, including the minimum land payment. The exact timing of these payments is still to be agreed.
52. As with any joint venture arrangement, both parties are sharing the risk in relation to the future profits. As it is generally accepted that we are currently at the bottom of the property cycle, the Head of Property deems that these risks are acceptable. It is likely that both parties will benefit from an uplift in residential value which would have a significant impact on profits to be shared by both parties.
53. DJ have undertaken a sensitivity analysis of the financial model looking at the effects of:
- a. increase in value; and
 - b. increase in build costs.
- Changes to the sales values and build costs are likely to have the most significant effects on the financial model, rather than other variables, such as programme.
54. The results of which are enclosed in the closed report.
55. In summary, in the current financial model, the Council could receive the minimum land payment with no profit subject to the development proceeding.
56. However, if the market increases according to current projections, the authority could expect to receive the minimum land payment of plus a potential profit.

Costs

57. As part of the cooperation agreement the Council agreed to share costs of developing the planning consent 50/50 with BH. These costs are excluded from the development agreement and have already been incurred. PWC have provided an audit of these cost to ensure they are fair and reasonable and to ensure there is no “double counting” in the development agreement. The Council has now received this reassurance.
58. Following signing of the development agreement, the Council will continue to incur additional cost in terms of legal fees, external advisors and ongoing officer time and monitoring and auditing of the development. These will be charged to the usual ongoing revenue budgets once the development agreement has been signed and top sliced from the capital receipts.

Next Steps

59. There are several key elements that will follow the agreement of the Heads of Terms, these are:
- a. Submission of a planning application
 - b. Agreement of a programme
 - c. Negotiation and completion of the development agreement
 - d. Planning consent achieved
 - e. Start on site 2010

TERMINATION

60. The Heads of Terms will be non-binding so either party will be able to pull out at any time; if this occurs then the termination provisions relating to the co-operation agreement will come into play.

POLICY IMPLICATIONS

61. This development will contribute a capital receipt towards the Council’s capital programme which will be used in line with Council priorities.

RESOURCE IMPLICATIONS

62. Officer time and external advisors will continue to be a resource implication to the Council; however, all costs associated with the development going forward will be covered by either the existing arrangements under the Cooperation Agreement or top sliced from the capital receipt once the Development Agreement has been completed.

SUPPLEMENTARY ADVICE

Consultation

63. The proposed plans for the development at Potters Fields have been consulted on with a wide range of community interests such as the Potters Fields Park Trust, Shad Thames residents association, South Bank Cultural Quarter, the local MP and ward councillors. In addition, key and statutory and non-statutory stakeholders have been consulted on the plans and designs such as GOL, GLA, the City of London, Tower Hamlets, Historic Royal Palaces, CABE and the Environment Agency among many

others. In view of the commercial sensitivity of the project, there has been no community consultation on this report, however, statutory officers have been consulted and their advice is below.

Concurrent Report - Legal Issues (Field Fisher Waterhouse)

64. Attached at Appendix 2 is a legal report considering the main terms of the current form of the draft Heads of Terms in the context of the potential legal risks to the Council and its potential exposure as a result of those risks. It does not consider any financial or other risks.
65. Whilst the Heads of Terms, when agreed, will not be legally binding, they will form the basis of any development agreement that is entered into between the parties.

Concurrent Report - Legal Issues

66. The report sets out the legal and other risks in the proposal. This concurrent is restricted to comment on the EU procurement regulations position, and on the statutory requirements for obtaining best consideration.
67. Procurement issues: The report to the Executive of 19th March 2008 commented in relation to the cooperation agreement and procurement issues that “the co-operation agreement’s primary objective is in our view a land transaction, even though it contains ancillary works objectives. Therefore the EU procurement regulations do not apply to it. It will be important as the later development agreement is negotiated to consider whether it too is a land agreement rather than a works agreement. This will depend upon the content of the agreement.” This has been kept under review and advice has been obtained from our external legal advisors that the transaction as it currently stands could be seen either as a land agreement, or as a transaction within the scope of the EU procurement regulations but one which falls within the terms of Regulation 14(1)(a)(iii) and hence does not need to be advertised but can be negotiated directly with and awarded to a single supplier. Regulation 14(1)(a)(iii) applies where there is only one supplier which can meet the contracting authority’s needs either because only that supplier possesses the necessary technical (or artistic) means or because that supplier has exclusive legal rights which mean that the authority must contract with them (for example the supplier might be the owner of intellectual property rights which were crucial to the contract). In this case, Berkeley Homes’ possession of the benefit of restrictive covenants over the Council’s land, and its ownership of the only means of physical access to the Council’s land, mean that the Council has no other choice of developer. This argument is not completely risk-free. The European Commission is hostile to direct award by authorities on this ground and it is acknowledged that the provision in the Directive was not aimed at these kinds of circumstances. Nevertheless it does appear clear that the Council really does not have a choice and the plain words of the Regulations apply. Our external advisers have advised that they think that the balance of risk justifies applying that Regulation 14(1)(a)(iii), given that the alternative would appear to be not to proceed with any scheme on the land in question and risk being in breach of our covenant.
68. The position will continue to be kept under review during the remaining period of discussion and implementation of the Heads of Terms and a final view will be given in the report to the Chief Executive under her delegated authority. However, the position currently remains that while the position is not risk-free, the advice to the Executive is that the transaction is one which may legitimately be regarded as exempt from the EU procurement regulations; and further that even if the Regulations do have application, the transaction is covered by Regulation 14 and need not therefore be competitively advertised.

69. Best consideration issues: The report to the Executive of March 2008 commented that the cooperation agreement had “the potential through the release of “marriage value” to achieve best consideration for the Council”. The comments in the report indicate that this remains the position and indeed that a position substantially in accordance with the Heads of Terms would achieve the statutory requirements of best consideration. This will be kept under review and any final decision to dispose (which would be made by the Chief Executive under the authority delegated to her by this report) would need to be satisfied that this requirement was met.

Concurrent Report - Finance Issues

70. This report seeks approval for the Chief Executive to enter into an agreement for the development of Potters Fields in accordance with the terms in this report.

71. Professional advice has been received from Drivers Jonas and PwC on the costs, market value of the site, and financial model, and this advice has been relied upon in the preparation of this report.

72. In the case that the the viability test (paragraph 41) is not satisfied and the development does not proceed the council retains its site, and is responsible for relevant costs arising from the co-operation agreement, and as incurred to date.

73. If the viability test is satisfied and the Development starts, then the council should receive a minimum guaranteed land payment. The report outlines circumstances in which the receipt may increase. Appendix 2 presents potential risks including the insolvency of the developer which could put this guaranteed land payment at risk. The council will also be responsibility for its own legal and other fees (as in paragraph 58) which are to be met from this receipt.

74. The Head of Property will keep the terms within the Development Agreement under review, and a final review will be completed immediately prior to the Development Agreement being entered into. The Head of Property will have to be satisfied at that point that the transaction proposed is likely to meet the "not less than best consideration" test of s.123 of the Local Government Act 1972.

75. If the Development Agreement is not concluded the council may be liable for abortive costs under the co-operation agreement.

BACKGROUND DOCUMENTS

| Background Papers | Held At | Contact |
|--|--------------------------|-------------|
| Overview and Scrutiny report – Update on Potters Fields | Chief Executive’s Office | Tom Branton |
| Executive Report – Potters Fields Site – Decision on Future Options (19.03.09) | Chief Executive’s Office | Tom Branton |
| Executive Report – Potters Fields Site – Decision on Future Options – (31.03.09) | Chief Executive’s Office | Tom Branton |
| Executive Report – Potters Fields site – Update on current position (16.10.07) | Chief Executive’s Office | Tom Branton |

Audit Trail

| | | |
|---|----------------------------------|--------------------------|
| Lead Officer | Annie Shepperd – Chief Executive | |
| Report Author | Stephen Platts | |
| Version | Final | |
| Dated | 20 th July 2009 | |
| Key Decision? | Yes | |
| CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER | | |
| Officer Title | Comments Sought | Comments included |
| Director of Communities, Law and Governance | YES | YES |
| Finance Director | YES | YES |
| Executive Member | YES | YES |
| Date final report sent to Constitutional Support Services | | |

APPENDIX 1

SITE PLAN

APPENDIX 2

LEGAL RISKS

| Event | Risks | Exposure | Commentary |
|--|---|---|--|
| Insolvency of the developer and/or the guarantor. | <p>The effect would be to delay the development and add to the cost.</p> <p>Could be triggered by exposure due to other developments failing.</p> <p>Could also put at risk the guaranteed land price (and any other monies due) if the developer had insufficient monies to pay them.</p> <p>There would be a similar risk (at least as to part of the payment) if the development did not satisfy the Viability Test in the end – i.e. the finance costs took all the receipts and the developer/guarantor was unable to cover the guaranteed minimum payment</p> | <p>Solvency to be confirmed by PWC; the Council has have the operating company as the principal and the parent company as the guarantor (PWC to confirm).</p> | <p>The guarantee has yet to be agreed; the principal is an established company (not an off-the-shelf company); there is a commercial risk that either, or both, may become insolvent; there will be “step in rights” in the development agreement enabling the Council to take control in the event of insolvency – subject to any lender’s prior interest.</p> <p>Developer’s bank may step in, in any event.</p> <p>Bank bond could be provided to cover the guaranteed payment but this has not been agreed – Council could consider insuring against the risk.</p> |
| Title matters such as covenants and easements. | <p>Add to cost as these will need to be resolved to allow the development to progress.</p> | <p>Very unlikely in that the developer is unlikely to have bought its part of the site with title issues, but due diligence yet to be completed.</p> | <p>Not a major issue on the face of it and one to be resolved swiftly once the heads of terms have been signed. Many of the potential risks can be covered by insurance.</p> <p>Known issues on Council land will fall away once development agreement unconditional.</p> |

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| Park boundary not realigned | Smaller scheme on the site; reduced profitability. Delay as the plans will need to be adjusted. | No material issue anticipated with the Park Boundary, but no assumption that will be delivered. | Figures are based on the site as controlled by the parties, with the exception of the park land. If the park land is land not exchanged, a smaller scheme will be developed. |
| Planning not obtained in time or granted subject to onerous conditions. | Termination of the Development Agreement. | Abortive costs under the co-operation agreement – capped. The Council's own Professional fees and other costs for the project to that stage. | The indications are that an acceptable planning consent can be achieved. |
| Ground conditions and archaeological and other like issues. | Cost and delay | Unknown, but nothing material apparent so far. | Insurance could be considered to cover this risk to an extent. This point will be reviewed during detailed negotiations on the Development Agreement itself. |
| Judicial review of the planning decision. | Delay and possible termination – see termination above. | To be determined but as no challenge to the previous consent and the Council would be a party to the new consent, this is considered to be unlikely. The principle of development appears to be accepted. | To be kept under review; the Development Agreement will anticipate a challenge, within reason. |

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| Dispute with the developer during development | Delay and cost – the development may not progress during the dispute. | Counter productive, but possible. To be dealt with by way of a dispute mechanism prescribed in the Development Agreement. | |
| Contractor insolvency | Delay and additional costs – this assumes that the contractor is a different party to the developer (if they are the same, see above). | To be kept under review. | Council has to approve the team and neither party will want to use insubstantial consultants. Due diligence on the team will reduce the chances of exposure. |
| Sales at undervalue and cost over runs and other financial manipulation | Cost and delay. | Possible but can be minimised through drafting and professional monitoring of the development accounts and process. | This can never be totally removed due to the fact that the developer ultimately leads on the expenditure and sales. The Development Agreement will address these issues and the developer will need to be actively managed – this will be done by regular audits, even if no obvious issues. |
| Financial and market issues | Could result in the development becoming uneconomic or part of it being mothballed. | | These are covered elsewhere in the report to the executive, but may well have an effect on how some of these legal issues could play out. They could also fluctuate over time due to the fact that the market is likely to move during the course of the development. |

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| The unknown | Various | | Can be addressed to an extent by transparency, communication, constant monitoring and vigilance during the development process and ensuring that there is a sound relationship with the developer – within the parameters of the development agreement and given the fact that one party is a Council. |
| Development Agreement not being agreed/ development being aborted | <p>Risks include:</p> <ol style="list-style-type: none"> 1. Abortive costs under the co-operation agreement – capped. 2. The Council's own Professional fees and other costs for the project to that stage. 3. Losing the potential profit from the proposed scheme. 4. Losing the cultural/affordable housing benefits from the scheme. 5. Having an undeveloped site with access and covenant issues (see Report and previous reports). | The resulting costs and loss of benefits referred to in the 'risks' column. | The Development Agreement offers an opportunity to the Council to realise some value (both in financial and other) from its part of the site. However, the site could be 'mothballed', albeit that this would, technically, breach the positive covenant (see the Report) – however, practically, BH are unlikely to be able to require compliance. The possibility of a CPO of the site seems to have subsided for the time being. |

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