

Cabinet

Tuesday 19 April 2011

4.00 pm

Town Hall, Peckham Road, London SE5 8UB

Membership

Councillor Peter John
Councillor Ian Wingfield
Councillor Fiona Colley
Councillor Dora Dixon-Fyle
Councillor Barrie Hargrove
Councillor Richard Livingstone
Councillor Catherine McDonald
Councillor Abdul Mohamed
Councillor Veronica Ward

Portfolio

Leader of the Council
Deputy Leader and Housing Management
Regeneration and Corporate Strategy
Health and Adult Social Care
Transport, Environment and Recycling
Finance, Resources and Community Safety
Children's Services
Equalities and Community Engagement
Culture, Leisure, Sport and the Olympics

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Contact

Paula Thornton 020 7525 4395 or Everton Roberts 020 7525 7221
or email: paula.thornton@southwark.gov.uk; everton.roberts@southwark.gov.uk
Webpage: <http://www.southwark.gov.uk>

Members of the committee are summoned to attend this meeting

Councillor Peter John
Leader of the Council
Date: 11 April 2011



Cabinet

Tuesday 19 April 2011
4.00 pm
Town Hall, Peckham Road, London SE5 8UB

Order of Business

Item No.	Title	Page No.
	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.	PUBLIC QUESTION TIME (15 MINUTES)	
	To receive any questions from members of the public which have been submitted in advance of the meeting in accordance with the cabinet procedure rules.	
5.	MINUTES	1 - 18
	To approve as a correct record the open minutes of the meetings held on 15 February (special) and 22 March 2011.	

Item No.	Title	Page No.
6.	PETITION - GROVE VALE TRADERS ASSOCIATION	19 - 20
	To consider a petition from the Grove Vale Traders Association in respect of traffic calming measures in the area.	
7.	DEPUTATION REQUESTS	21 - 22
	To consider any deputation requests.	
8.	CONSULTATION OPTIONS FOR FUTURE SERVICE STRATEGY FOR SOUTHWARK CEMETERIES	23 - 40
	To consider a report on the proposal to create short term burial space and to agree a consultation plan for future options.	
9.	CHARTER OF RIGHTS AND VISION FOR ADULT SOCIAL CARE	41 - 71
	To adopt the Charter of Rights for adult social care services and to agree a periodical review of this Charter.	
10.	DISPOSAL OF SITE AT 117-119 IVYDALE ROAD, LONDON, SE15	72 - 75
	To authorise the head of property to dispose of the council's freehold interest in 117-119 Ivydale Road.	
11.	DISPOSAL OF 51 LORRIMORE ROAD, WALWORTH, LONDON SE17	76 - 80
	To agree 51 Lorrimore Road to be sold on the open market.	
12.	VARY TERMS OF DISPOSAL - SILWOOD PHASE 4B, ROTHERHITHE, LONDON SE16	81 - 86
	To authorise the council's head of property to agree the terms of the disposal of the site known as Silwood Phase 4B.	

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.

Item No.

Title

Page No.

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

13. MINUTES

To approve as a correct record the minutes of the closed section of the meeting held on 22 March 2011.

14. DISPOSAL OF SITE AT 117-119 IVYDALE ROAD,LONDON, SE15

15. DISPOSAL OF 51 LORRIMORE ROAD, WALWORTH, LONDON SE17

**16. SILWOOD 4B SILWOOD STREET ROTHERHITHE, LONDON SE16:
DISPOSAL OF FORMER HOUSING SIDE AND DEBNAMS ROAD
DEPOT**

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

Date: 11 April 2011



Cabinet (Special)

MINUTES of the OPEN section of the Cabinet held on Tuesday 15 February 2011 at 6.05pm at Town Hall, Peckham Road, London SE5 8UB

PRESENT: Councillor Peter John (Chair)
Councillor Ian Wingfield
Councillor Fiona Colley
Councillor Dora Dixon-Fyle
Councillor Barrie Hargrove
Councillor Richard Livingstone
Councillor Catherine McDonald
Councillor Abdul Mohamed
Councillor Veronica Ward

1. APOLOGIES

All members were present.

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

The chair gave notice that the following supplementary information would be considered:

Item 4 - Overview and Scrutiny call-in: Gateway 2 – Contract Award Approval – Home Care Services in Southwark – Supplementary Information from the Strategic Director of Health and Community Services.

Additionally, a late deputation request had also been received in respect of this item from Age Concern Southwark.

3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests or dispensations.

DEPUTATION REQUEST FROM AGE CONCERN SOUTHWARK

RESOLVED:

That the deputation request be heard.

The deputation spokesperson addressed the meeting and outlined concerns to what they felt were quality and market issues relating to the home care contract. It was explained that Age Concern had remained in the home care market and had developed a high level of understanding with regard to the delivery of services and demands arising.

4. OVERVIEW AND SCRUTINY COMMITTEE CALL-IN: GATEWAY 2 - CONTRACT AWARD APPROVAL - HOME CARE SERVICES IN SOUTHWARK

The cabinet considered written supplementary information from the council's strategic director of health and community services in respect of the concerns identified by the overview and scrutiny committee on this contract award.

The council's monitoring officer confirmed that with regard to the overview and scrutiny procedure rules 24.4 the decision was in accordance with the policy and budget framework and that the decision maker may amend the decision or not before adopting a final decision.

RESOLVED:

That the decisions of cabinet from 25 January 2011 meeting as set out below be reaffirmed. An additional resolution set out in paragraph 4 in respect of monitoring was also agreed.

1. That the award of home care service contracts to the following suppliers for a period of 3 years from 6 April 2011 with an estimated cost between £10,813,500 and £30,680,688 be approved. (Contract costs are based on calculations explained in paragraphs 8 - 12 of the report).

Contract	Supplier Name
Universal Contract 1	London Care
Universal Contract 2	Enara Community Care
Specialist Contract 5 – Continuing Drinkers and Acquired Brain Injury	Enara Community Care

2. That there be no contract award for the third universal contract, as based on current trends, the council does not consider there will be sufficient demand for council-arranged care to meet the guaranteed minimum hours for three contracts.
3. That there be no contract award for the older adult support in Southwark (OASIS) service and the intermediate care and neurological-rehabilitation (neuro-rehab) service as the bids for these services are not affordable. (Alternative service options were

discussed in the report.)

4. That regular contract monitoring reports be provided to the cabinet member for health and adult social care and six monthly reports to the cabinet.

Decision of the Leader of the Council

5. That delegated authority be given to the cabinet member for health and adult social care to approve up to 2 single year (1 + 1) extension options that can be operated at the end of the initial term of the contract subject to satisfaction with each supplier's performance and demand for services.

NOTE: This item is not subject to any further call-in and the decisions are now implementable

EXCLUSION OF PRESS AND PUBLIC

It was moved, seconded and

RESOLVED:

That the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of the exempt information as defined in category 3 of paragraph 10.4 of the Access to Information Procedure Rules of the Southwark Constitution.

5. OVERVIEW AND SCRUTINY COMMITTEE CALL-IN: GATEWAY 2 - CONTRACT AWARD APPROVAL - HOME CARE SERVICES IN SOUTHWARK

The cabinet considered the closed information relating to this item. See item 4 for decision.

6. MINUTES

The closed minutes of the meeting held on 25 January 2011 were approved as a correct record and signed by the chair. (These were originally scheduled for consideration at the earlier adjourned meeting)

The meeting ended at 7.40pm

CHAIR:

DATED:



Cabinet

MINUTES of the OPEN section of the Cabinet held on Tuesday 22 March 2011 at 4.00 pm at Town Hall, Peckham Road, London SE5 8UB

PRESENT: Councillor Peter John (Chair)
Councillor Ian Wingfield
Councillor Fiona Colley
Councillor Dora Dixon-Fyle
Councillor Barrie Hargrove
Councillor Richard Livingstone
Councillor Catherine McDonald
Councillor Abdul Mohamed
Councillor Veronica Ward

1. APOLOGIES

Apologies for lateness were received from Councillor Catherine McDonald.

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

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

Item 19 – Youth Employment Fund

Item 21 – Admission Arrangements for Community Primary Schools, Nursery Schools and Classes – September 2012

Item 22 – Southwark Coordinated Schemes for Secondary, Primary and In year Admissions 2012

3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Councillor Fiona Colley declared a personal non prejudicial interest in item 10 Canada Water Area Action Plan – Publication Submission Version as she lived within the area covered by the action plan.

4. PUBLIC QUESTION TIME (15 MINUTES)

Two public questions had been received. The questioners were not in attendance, the chair therefore read out the questions and answers were given by the relevant cabinet members as detailed below:

Public question from Mr Jerry Hewitt:

“Hawkstone Estate was informed on 17/02/2011 that the “2 year” Major Works “frameworks” programme is “on hold” after starting in June 2010 (9 months after the exclusive “launch” event!) When will the equality impact assessments be updated and when will major works to each block be completed? “

Answer of the Deputy Leader and Cabinet Member for Housing Management:

“Given the council’s range of statutory responsibilities, it is inappropriate to continue implementing a decision when new material information comes to light without fully considering that information. We find ourselves in that position at Hawkstone Estate, where pilot works by the council’s major works partnering contractor indicates that the works proposed to the maisonette blocks will be disproportionately expensive and so disruptive that they cannot be undertaken with the properties occupied.

The cabinet is due to conclude its review of the housing investment strategy in May. One of the strands under consideration is how to deal with estates that have particularly high project costs of refurbishment; where there is a need to assess whether alternative solutions may be more appropriate than straightforward investment works. Given the circumstances outlined above, it is likely that Hawkstone Estate will be worthy of consideration. We will of course use the feasibility work already undertaken for Hawkstone, which will mean we can progress fairly rapidly, and in advance of the May cabinet report.

Although I am unable to confirm when major works will be completed, I can confirm that equalities impact will be considered as part of the process described.”

Public question from Mr Adrian Smith:

“The Southwark Plan allocates the site at 525-539 Old Kent Road as within the Old Kent Road action area and indicates that ‘development within this area should seek the creation of housing and increase the range of employment uses’. How does item 16 of your agenda meet with these expectations? “

Answer of the Cabinet Member for Regeneration and Corporate Strategy:

“The questioner is quoting from the Southwark Plan Policy 7.3 ‘Old Kent Road Action Area’. This sets out a vision for the area with a number of aims for the Old Kent Road Action Area. These include the aim to create high quality housing and increase the range of employment uses but also the aim to maintain and increase small scale town centre uses including community and health uses.

It is not the intention that all developments would achieve all of these aims at once. This would, in any case, not be possible as smaller sites would not be able to accommodate the full range of uses that we are seeking to encourage in the area.

However, plans have been discussed which include employment generating workshop units on the rear part of the site.

The vision for the area set out in policy 7.3 should also be read in combination with other policies in the Plan which includes policies to encourage development of community facilities.

Policy 7.3 will be replaced by the Core Strategy Strategic Policy 2 – area vision for Old Kent Road action area. This says that, as part of the overall vision for the places within Southwark, we are aiming to balance providing as many homes as possible with growth of other activities that create successful places. This will include the provision of community facilities such as places of worship.

Strategic Policy 4 in the Core Strategy refers to 'Places for Learning, Enjoyment and Healthy Lifestyles' states that there will be a wide range of well used community facilities that provide spaces for many different communities and activities in accessible areas. This will be achieved by, among other things, facilitating a network of community facilities that meet the needs of local communities. In a 'fact box' attached to the policy we include places of worship in the list of community facilities.

Any application for planning permission made by the organisation seeking to purchase this property will be considered with regard to the development plan which will include the Core Strategy and the saved policies from the Southwark Plan and any other material considerations. The decision would be taken by the planning committee, the community council by officers under delegated powers and in any case would not be a decision of the cabinet."

5. MINUTES

RESOLVED:

That the open minutes of the meetings held on 8 February, 15 February (reconvened meeting) and 28 February 2011 be approved as correct records and signed by the Chair.

6. DEPUTATION REQUESTS

The deputation spokesperson Ms Edith Fekarurhobo addressed the meeting and outlined residents concerns relating to item 18 on the agenda 'Mid Elmington regeneration programme'.

It was felt by the deputation that the report was not robust enough, and did not put enough emphasis on regeneration and appeared to be more of a redevelopment. Concern was expressed over the procurement route as it was felt that this locked down criteria for further regeneration.

The deputation felt that the officer report did provide a clear strategy in respect of the regeneration and social elements of the programme. Concerns were expressed in respect of there being no recommendations or priorities set out in respect of vulnerable households and households where for example there were 1st – 4th generation family members living together. The deputation also felt that there was lack of reference to independent financial assessment for leaseholders. The deputation raised the issue of the current appearance of the estate and requested temporary work as an interim measure to improve the environment for local residents.

RESOLVED:

That the comments of the deputation be noted.

7. CAPITAL PROGRAMME 2010-19 QUARTER 3 MONITORING REPORT

RESOLVED:

1. That the current monitoring position for the capital programme 2010/11 – 2018/19 for the general fund and 2010/11 – 2015/16 housing investment programme (appendices A and B of the report) as at 31 December 2010 be noted.
2. That approval be given to the addition of budgets into the programme, matched by additional funding secured (appendix C of the report).
3. That given the level of reprogramming from the current financial year into 2011/12, no new capital commitments be commenced until approval of the capital programme 2011/12 – 2020/21 report by council assembly in July 2011, without prior agreement of the finance director and cabinet member for finance, resources and community safety.

8. SCRUTINY REPORT - REVIEW OF KEY PERFORMANCE INDICATORS IN THE HOUSING REPAIRS SERVICE

The chair of the Housing and Community Safety scrutiny sub-committee, Councillor Gavin Edwards presented the report.

RESOLVED:

That the recommendations of the review of key performance indicators in the housing repairs service undertaken by the housing and community safety scrutiny sub-committee (attached as appendix 1 to the report) be noted, and the deputy leader and cabinet member for housing management bring back a report to respond to the overview and scrutiny committee by 17 May 2011.

9. CORE STRATEGY FINAL ADOPTION

Comments of the planning committee held on 21 March 2011 in respect of this item were circulated at the meeting.

RESOLVED:

That council assembly be recommended to:

1. Consider the binding report of the Planning Inspector on the Core Strategy - final draft February 2011 (appendix B of the report) incorporating the binding recommendations of the Inspector.
2. Consider the final Core Strategy 2011 (appendix A of the report), sustainability adoption statement (appendix C of the report), consultation report (appendix D of the report) sustainability appraisal (appendix E of the report), equalities impact assessment (appendix F of the report) and appropriate assessment (appendix G of the report).
3. Consider the comments of the planning committee (appendix H of the report – circulated at the meeting) on the Core Strategy 2011 and the Inspector's report (appendix B of the report).
4. Adopt the Core Strategy – final 2011 (appendix A of the report) incorporating the binding recommendations of the Inspector.

NOTE: In accordance with overview and scrutiny procedure rule 22.1(a) (budget and policy framework) these decisions are not subject to call-in.

10. CANADA WATER AREA ACTION PLAN - PUBLICATION/SUBMISSION VERSION

Comments of the planning committee held on 21 March 2011 in respect of this item were circulated at the meeting.

RESOLVED:

1. That council assembly be recommended to:
 - i. Consider the further changes to the Canada Water Area Action Plan Publication/Submission Version (dwelling sizes and sites of importance for nature conservation) (appendix A of the report), including comments from planning committee, the plan for publicising the further changes (appendix B of the report), sustainability appraisal (appendix C of the report) and equality impact assessment (appendix D of the report).
 - ii. Agree to publish the further changes to the Canada Water Area Action Plan (AAP) Publication/Submission Version (dwelling sizes and sites of importance for nature conservation) before submission to the Secretary of State.

- iii. Approve the further changes to the Canada Water Area Action Plan (AAP) Publication/Submission Version (dwelling sizes and sites of importance for nature conservation) for publication and submission to the Secretary of State for Communities and Local Government provided no substantive changes are necessary following consultation.
 - iv. Delegate the approval of any minor non-substantive amendments resulting from its meeting or consultation on the further changes to the Canada Water Area Action Plan (AAP) publication/submission version (dwelling sizes and sites of importance for nature conservation) to the director for regeneration and neighbourhoods in consultation with the cabinet member for regeneration and corporate strategy before submission to Secretary of State.
2. That the update on two further factual changes in circumstances at Canada Water which may necessitate further revisions to the Canada Water Area Action Plan (AAP) as set out below be noted:
 - i. The recent announcement by Daily Mail & General Trust that it is consulting on a proposal to relocate its print works from Harmsworth Quays to a site in Thurrock;
 - ii. The Department for Education (DfE) formally wrote to the council in November 2010 informing us that a new secondary school in Rotherhithe would no longer receive funding support through Building Schools for the Future. Recently the council received further information from the DfE suggesting the government had still allocated the full £19.6m to the Rotherhithe school project. The council has written to the DfE seeking urgent confirmation about whether it is being given the funds to move forward with a new secondary school for Rotherhithe.
 3. That it be noted that officers have proposed to the Planning Inspectorate that the council publishes amendments to the Area Action Plan (AAP) which address these issues in November 2011 and that the examination-in-public be delayed to ensure that any amendments can be considered by the Planning Inspector.

NOTE: In accordance with overview and scrutiny procedure rule 22.1(a) (budget and policy framework) these decisions are not subject to call-in.

11. UPDATE TO THE RESIDENTIAL DESIGN STANDARDS - SUPPLEMENTARY PLANNING DOCUMENT

Comments of the planning committee held on 21 March 2011 in respect of this item were circulated at the meeting.

RESOLVED:

1. That the following be agreed for consultation:
 - The update to the residential design standards supplementary planning document (appendix A) including comments from planning committee

- The consultation plan (appendix B)
- The equalities impact assessment (appendix C)

2. That the comments of the planning committee be noted.

12. SOUTHWARK'S OLYMPIC AND PARALYMPIC VISION

RESOLVED:

That the existing 'Olympic Vision Statement' that was ratified on 20 August 2008 be replaced with a newly created 'Southwark's London 2012 Olympic and Paralympic Vision' as set out in Appendix 1 of the report.

13. ADOPTION OF THE LONDON 2012 OLYMPIC AND PARALYMPIC DESIGNATION

RESOLVED:

That the council enter into the Host Borough Co-operation and Licence Agreement, so that the council may utilise the London 2012 Olympic and Paralympic 'host Borough' designation.

14. GATEWAY 2: FRAMEWORK CONTRACTS TO PROVIDE BAILIFF SERVICES TO THE REVENUES & BENEFITS AND PARKING SERVICES

RESOLVED:

That the award of a place in the bailiffs framework agreement to the five suppliers named in the closed report for a period of four years, at a nominal annual cost of £1.35M between them, being a total cost of £5.4M over the four years (see paragraph 8 of the report for reasons a nominal cost is used) be approved.

15. DISPOSAL OF 13 DESENFANS ROAD, LONDON SE21 7DN

RESOLVED:

1. That the head of property be authorised to dispose of the council's freehold interest in 13 Desenfans Road, SE21 (the "Property"), for a sum that equates to the best consideration that can reasonably be obtained.
2. That the earmarking of the capital receipt for the purposes of funding the housing investment programme be approved.

16. SITE OF 525-539 OLD KENT ROAD, LONDON SE15 5EW**RESOLVED:**

1. That the council dispose of its freehold interest in the site known as 525-539 Old Kent Road SE1 5EW ("the Site") to the Muslim Association of Nigeria (UK) ("the Association") for the consideration reported in the closed version of the report, subject to the Association obtaining a satisfactory planning consent to construct premises for religious worship purposes.
2. That the agreement between the council and Esso Petroleum in relation to the disposal of the Site and the division of the proceeds of sale as set out in paragraphs 10 and 11 of the report be noted.
3. That authority be delegated to the head of property to agree the detailed terms and appropriate mechanics to effect the transaction.

17. MOTIONS REFERRED FROM COUNCIL ASSEMBLY**Educational Maintenance Allowance****RESOLVED:**

1. That it be noted that over 20,000 young people in Southwark have benefitted from the educational maintenance allowance ('EMA') which provides financial support to young people from financially disadvantaged backgrounds and enables them to afford to remain in post-16 education.
2. That it be noted that before the 2010 general election both the Conservative and Liberal Democrat parties promised to retain the EMA.
3. That in the circumstances cabinet bitterly regrets the Conservative/Liberal Democrat coalition government's decision to withdraw the EMA to new students from January 2011 and existing students from July 2011.
4. Cabinet believes that the withdrawal of the EMA will have a significant and disproportionately adverse impact on the educational and life chances of thousands of young people in Southwark and will result in many more young people leaving full-time education at the age of 16.
5. Cabinet notes and regrets the Conservative/Liberal Democrat coalition government attacks on young peoples' education through increasing university tuition fees, ceasing Bookstart and the withdrawal of the sport in schools programme and calls on the government to reconsider its approach and to invest in our young peoples' future rather than reduce services to them.
6. Cabinet also notes that the government's Adviser on Access to High Education, Rt. Hon Simon Hughes MP, avoided the chance to prevent this attack on young people's education by voting with the government to abolish the EMA and by failing to vote

against the trebling in university tuition fees.

Cabinet agrees to and calls upon relevant cabinet members:

7. To oppose the abolition of the educational maintenance allowance by the Conservative and Liberal Democrat coalition government from the 1 January 2011.
8. To lobby the Conservative and Liberal Democrat coalition government and the newly appointed advocate for access to higher education, Simon Hughes MP, to reconsider the abolition of the education maintenance allowance.
9. To secure the support of the three Southwark Members of Parliament to oppose the abolition of the education maintenance allowance.
10. To use all appropriate means to publicise the withdrawal of the EMA to young people in higher education in Southwark, particularly those from low-income families who rely on the allowance to remain in education and to ensure Southwark's young people are informed of any alternative financial provision in place to help them to continue in post 16 education.
11. That it be noted that the Council is setting up a Youth Fund which will be aimed in part, to mitigate some of the impact of the government's abolition of the EMA.

Southwark Council tribute to Heroes

RESOLVED:

1. That the council recognises and thanks the people of Southwark for all they have done to support the armed forces and to raise funds for Help for Heroes and Homes for Heroes.
2. That it be noted that currently all servicemen and women who die in Afghanistan, are brought to Bermondsey before making their final journey to their resting places.
3. That it be agreed that the council works with the relevant parties involved to facilitate an appropriate tribute from Southwark to recognise those who lose their lives whilst serving our country and make their final journey from our borough.
4. That it be noted that some progress has been made with Mr Albin Dyer about some of his proposals.
5. That it be noted that the deputy leader and cabinet member for housing management is doing work on the homes issue and will be meeting with officers about options available. He was also meeting with a UK Homes for Heroes representative on the 4th April 2011.
6. That it be noted that the Leader of the council is making plans for a parade for Heroes in May 2011 and that discussions were taking place with Councillors Denise Capstick and Jeff Hook.

Choices that count

RESOLVED:

1. That it be noted that the London 2012 Olympics and Paralympics are now only a few months away. That it is also noted that 2012 offers our residents and particularly our young people a unique opportunity to become involved - from volunteering at a big art institution or theatre to sports and dance events and learning new skills. It is believed that 2012 is about London as a world city and that Southwark reflects the world in our communities. It is believed that it is an opportunity not to be missed.
2. That it be noted that the administration has recognised the importance of 2012 and set up a modest structure to coordinate the priority areas we have identified:
 - Engaging young people
 - Getting active, being healthy
 - Promoting volunteering and providing opportunities for business and employment
 - Offering the Southwark experience - our world class arts and culture centres linking with the community
 - Communications
 - Public services operations.
3. Cabinet believes that to succeed in setting up specific memorable projects, key organisations in the borough should be involved and that these relationships are important for the promotion of Southwark and its economy. It is noted that the Olympic Legacy Fund is being set up with the intention of raising further outside money to fund capital projects which will improve access to and increase participation in physical activity and keep Olympic values alive after 2012. It is noted that the community will be asked to submit ideas for high profile projects.
4. Cabinet believes that the community games are important for our young people and for our aspirations for 2012.
5. That it be noted that the council is determined to maximise the benefits of 2012 against a backdrop of Government cutbacks to sport – which it believes are incredible in themselves as we build up to the Olympic year. It is noted that the cuts include:
 - Working Neighbourhood Fund which funded part of the community games
 - The Schools Sports Partnership
 - The end of free swimming for young people
 - Cuts to sporting bodies.
6. That it be noted that the authority also faces unprecedented cuts to its settlement from government, forcing serious cuts across all services.

7. That it be noted however that a substantial sum has been identified to secure the games and to build up young peoples' sports for 2012 events. That it be noted that the administration will seek funding sources to secure the games for the future beyond 2012.
8. That it be noted that progress was being made on the Olympics and Community Games.

18. MID ELMINGTON REGENERATION PROGRAMME

RESOLVED:

1. That the indicative implementation programme set out at table 8 of the report for the redevelopment of sites C, D, E and G encompassing Camberwell Area Housing Office; 1-27 Benhill Road; 29-59 Benhill Road; 1-20 Houseman Way; 21-29 Houseman Way; 30-51 Houseman Way; 90-106 Benhill Road; 30-72 Lomond Grove; 1-20 Broome Way and 1-12 Flecker House, by way of a land disposal be agreed.
2. That the involvement of resident representatives to date and the future involvement in the bid evaluation as part of the land disposal process as set out at paragraph 62 of the report be noted.
3. That the allocation of housing investment programme resources to forward fund environmental improvements, leasehold acquisition, home loss and disturbance payments to council tenants and leaseholders and the costs of de-commissioning empty homes across sites D, E and G be confirmed.
4. That the following rehousing options for Elmington Council tenants displaced by redevelopment be agreed:
 - a) A permanent move via Homesearch with priority for displaced council tenants to any relets within the footprint of the Elmington estate – see appendix 1 of the report. Where replacement housing is available during the rehousing period, council tenants will be prioritised to band 1 for a permanent move to them via Homesearch.
 - b) Where replacement housing is unavailable during the rehousing period, council tenants will be offered a permanent move via Homesearch with the option to return to the estate within 5 years of their first move. The five year time period will start at the end of the identified rehousing period for each block in order to avoid penalising households who have moved early in the process. After the 5 year period is over, a review of the progress made on the scheme will be undertaken and resident rehousing opportunities will be re-examined. Band 1 priority will be given to displaced council tenants for any replacement housing forthcoming on the footprint of the Elmington estate and any relets and affordable homes for purchase (subject to qualification set by the provider) in the same area.

- c) That where households are under occupying, residents be offered the option to bid for properties one bedroom above their rehousing need.
5. That qualifying resident Elmington leaseholders displaced by redevelopment be offered:
 - a) The same range of council assistance options as has been made available to Aylesbury leaseholders, as outlined at paragraphs 47 to 53 of the report.
 - b) Priority for acquisition or part acquisition of new replacement housing forthcoming on the footprint of the Elmington Estate.
 - c) Priority for acquisition or part acquisition of any relets arising in the same area (subject to qualification criteria set by the provider).
 6. That the support to vulnerable households set out in paragraph 56 of the report be noted and approved.
 7. That it be noted that the refurbishment of Proctor House, Brisbane Street and Flatman House is underway and that programming of Drayton House and Langland House for refurbishment will be undertaken in the council's new housing investment programme.
 8. That council officers compile with the Elmington Resident Steering Group an appropriate community impact monitoring framework that can be updated regularly as part of the regeneration project.

19. YOUTH EMPLOYMENT FUND

This item had not been circulated five clear days in advance of the meeting. The chair agreed to accept the item for reasons of urgency as year 11 students (age 16 year olds) would be starting study leave around Easter time. These young people would be the primary target group for the project from September 2011. Failure to engage with them through their schools could mean that they will not be fully briefed as to the potential benefits available through this scheme. This could have a negative impact on recruitment for the council's schools and colleges for post 16 courses.

To meet the required outcomes of the Youth Fund initiative the scheme would also need to be fully embedded into established governance and administrative arrangements before September 2011.

A decision on the work streams and their applications were required at this time in order to enable appropriate lead-in time for the engagement of supportive resources and council's partner's contributions, effective communications with the target groups and establishment of the detailed administrative systems to support effective delivery.

RESOLVED:

1. That the Youth Fund is delivered through the following three initiatives to be allocated as follows in 2011/12, the distribution to be reviewed annually as part of the annual policy and resourcing strategy:
 - **Financial assistance fund for young people aged 16-18 in learning.** An allocation of £600,000 per year for the next three years to be used to provide resources such as books, equipment and travel costs for those young Southwark residents aged 16-18, in full-time education, who would have previously benefited from the Education Maintenance Allowance.
 - **Employment support for young people aged 16-19 leaving education.** An allocation of £350,000 per year for three years to provide young people in Southwark with employment support to assist the transition between secondary education and work, assist access into employment and enhance vocational learning.
 - **Financial support with university and future employment.** An allocation of up to £50,000 per year for the next three years to support young people age 18 years and over who have gained a University place but may find this difficult due to financial restraints. This will include offering paid internships in university holidays and some course require placements.

20. DEVELOPMENT OF A SOCIAL LETTINGS AGENCY SCHEME**RESOLVED:****Decisions of the Cabinet**

1. That the operation of a social lettings agency scheme set out in paragraphs 50 – 61 of the report be approved.
2. That officers be authorised to acquire on lease properties for use in a Social Lettings Agency scheme and report back to cabinet with a review of the scheme's progress after a 12 month period.

Decision of the Leader of the Council

3. That the deputy leader and cabinet member for housing management be authorised to review the scheme's progress after the acquisition of the first 25, 50 and 75 properties and use his delegated authority to extend the scheme to 100 if appropriate.

21. ADMISSION ARRANGEMENTS FOR COMMUNITY PRIMARY SCHOOLS, NURSERY SCHOOLS AND CLASSES - SEPTEMBER 2012

This item had not been circulated five clear days in advance of the meeting. The chair agreed to accept the item for reasons of urgency as the next meeting of the cabinet was scheduled for 19 April 2011 and final admission arrangements needed to be confirmed to the Secretary of State by 15 April 2011 for September 2012 admissions. Admission arrangements, including the proposed changes would need to be published for parents and carers before 1 September 2011 to enable families to make their preferences and apply for primary school places for their children for September 2012 admissions. Southwark's agreed admissions criteria for 2012, including details of the published admission number for each school must be submitted to the Secretary of State by 15th April 2011. If this was not done, Southwark's admission arrangements for community primary schools in 2011 would have to remain in place for 2012. Stakeholders have been consulted on the proposed arrangements and are expecting the changes to be in place.

RESOLVED:

That the primary community schools, nursery schools and nursery classes admissions criteria for 2012 attached as Appendix 1 to the report be agreed and a statutory notice be published to reflect the proposed reduction in Planned Admission Number at Townsend school as detailed in paragraph 12 of the report.

22. SOUTHWARK COORDINATED SCHEMES FOR SECONDARY, PRIMARY AND IN YEAR ADMISSIONS 2012

This item had not been circulated five clear days in advance of the meeting. The chair agreed to accept the item for reasons of urgency as the next meeting of the cabinet was scheduled for 19 April 2011. Coordinated admission arrangements must be confirmed and submitted to the Secretary of State by 15 April 2011 for implementation in the 2012 admission round. If this was not done, Southwark's coordinated admissions arrangements in 2011 would remain in place for 2012.

RESOLVED:

That the secondary, primary, junior and in year coordinated admissions schemes for 2012 admissions attached as appendices 1, 2, 3 and 4 of the report respectively be agreed.

EXCLUSION OF PRESS AND PUBLIC

It was moved, seconded and

RESOLVED:

That the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of the exempt information as defined in category 3 of paragraph 10.4 of the Access to Information Procedure Rules of the Southwark Constitution.

The following is a summary of the closed part of the meeting.

23. MINUTES

The minutes of the closed section of the meeting held on 15 February 2011 were approved as a correct record and signed by the Chair.

24. GATEWAY 2: FRAMEWORK CONTRACTS TO PROVIDE BAILIFF SERVICES TO THE REVENUE AND BENEFITS AND PARKING SERVICES

The cabinet considered the closed information relating to this report. See item 14 for decision.

25. SITE OF 525-539 OLD KENT ROAD, LONDON SE1 5EW

The cabinet considered the closed information relating to this report. See item 16 for decision.

26. MID ELMINGTON REGENERATION PROGRAMME

The cabinet considered the closed information relating to this report. See item 18 for decision.

The meeting ended at 6.45pm

CHAIR:

DATED:

DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 21 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, THURSDAY 31 MARCH 2011.

THE ABOVE DECISIONS (WITH THE EXCEPTION OF ITEMS 9 AND 10 WHICH FORM PART OF THE BUDGET AND POLICY FRAMEWORK AND ARE THEREFORE NOT SUBJECT TO CALL-IN) WILL NOT BE IMPLEMENTABLE UNTIL AFTER THAT DATE. SHOULD A DECISION OF THE CABINET BE CALLED-IN FOR SCRUTINY, THEN THE RELEVANT DECISION WILL BE HELD IN ABEYANCE PENDING THE OUTCOME OF SCRUTINY CONSIDERATION.

Item No. 6.	Classification: Open	Date: 19 April 2011	Meeting Name: Cabinet
Report title:		Petition – Grove Vale Traders Association	
Ward(s) or groups affected:		South Camberwell/East Dulwich	
From:		Strategic Director of Communities, Law & Governance	

RECOMMENDATION

1. That the cabinet consider a petition from the Grove Vale Traders Association in respect of traffic calming measures in the area.

BACKGROUND INFORMATION

2. A petition containing 500 signatures or more maybe presented to the leader of the council at cabinet. A petition can be submitted by a person of any age who lives, works or studies in Southwark. Petitions must relate to matters which the council has powers or duties or which affects Southwark.
3. At the meeting, the spokesperson for the petition will be invited to speak up to five minutes on the subject matter. The cabinet will debate the petition for a period of up to 15 minutes and may decide how to respond to the petition at the meeting.
4. Any relevant resource or community impact issues will be contained in the comments of the strategic director.

KEY ISSUES FOR CONSIDERATION

5. A petition containing 800 signatures has been received from the Grove Vale Traders Association expressing concern in respect of recent traffic calming measures in the area and the likely impact on local trading. The petition states:

“Keep your local shops and sign to support the Grove Vale Traders Association in our objective to the unreasonable proposal of traffic calming measures where the pavement is widened, reducing road land and consequently taking away free customer parking granted to us as a direct result of our previous petition in 2005.”
6. The cabinet should decide how to respond to the petition at this meeting. A decision could be made to:
 - Take the action the petition requests
 - Not to take the action requested for reasons put forward in the debate, or
 - To commission further investigation into the matter.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**Comments of the Strategic Director of Environment**

7. To follow

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Petition from Grove Vale Traders Association	160 Tooley Street, London SE1 2QH	Everton Roberts 020 7525 7221 / Paula Thornton 020 7525 4395

AUDIT TRAIL

Lead Officer	Ian Millichap, Constitutional Manager	
Report Author	Paula Thornton, Constitutional Officer	
Version	Final	
Dated	11 April 2011	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	No	No
Finance Director	No	No
Strategic Director of Environment	Yes	To follow
Date final report sent to Constitutional/Community Council/Scrutiny Team		11 April 2011

Item No. 7.	Classification: Open	Date: 19 April 2011	Meeting Name: Cabinet
Report title:		Deputation Requests – Southwark Cemeteries	
Ward(s) or groups affected:		All	
From:		Strategic Director of Communities, Law & Governance	

RECOMMENDATIONS

1. That the cabinet consider whether to hear a deputation from the following in respect of the item “Consultation options for future service strategy for Southwark Cemeteries “ contained elsewhere on the agenda:
 - Friends of Honor Oak Park Recreation Ground
2. That cabinet consider any further deputation requests received in respect of the Southwark Cemeteries item.

BACKGROUND INFORMATION

3. When considering whether to hear the deputation request, cabinet can decide
 - To receive the deputation at this meeting or a future meeting; or
 - That the deputation not be received; or
 - To refer the deputation to the most appropriate committee/sub-committee.
4. A deputation shall consist of no more than six people, including its spokesperson. Only one member of the deputation shall be allowed to address the meeting for no longer than 5 minutes. After this time members may ask questions of the deputation for up to 5 minutes. At the conclusion of the questions, the deputation will be shown to the public area where they may listen to the remainder of the open section of the meeting.

KEY ISSUES FOR CONSIDERATION

Friends of Honor Oak Recreation Ground

5. The deputation wish to present a deputation which will have a mix of Southwark and Lewisham residents, owing to the geographic location of the recreation ground.
6. The Friends of Honor Oak have also gathered a petition with containing in excess of 2000 signatures. They advise that they recognise the challenges facing the council in relation to current and future burial policy, but it is felt that in view of the extent of public support for Honor Oak Recreation ground, it is believed that the recreation ground should be protected in perpetuity regardless of burial needs. Schools, football clubs, children and many others have relied on and used the recreation ground for the past fifty years. The Friends request that the council recognises and supports the needs of the communities now

and into the future and gives Honor Oak Recreation Ground the protection it deserves.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Correspondence from the deputation	160 Tooley Street, London SE1 2QH	Everton Roberts 020 7525 7221 / Paula Thornton 020 7525 4395

AUDIT TRAIL

Lead Officer	Ian Millichap, Constitutional Manager	
Report Author	Paula Thornton, Constitutional Officer	
Version	Final	
Dated	8 April 2011	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	No	No
Finance Director	No	No
Strategic Director of Environment	No	No
Date final report sent to Constitutional/Community Council/Scrutiny Team	8 April 2011	

Item No. 8.	Classification: Open	Date: 19 April 2011	Meeting Name: Cabinet
Report title:		Consultation Options for Future Service Strategy for Southwark Cemeteries	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor Barrie Hargrove - Transport, Environment and Recycling	

FOREWORD – COUNCILLOR BARRIE HARGROVE, CABINET MEMBER FOR TRANSPORT, ENVIRONMENT AND RECYCLING

1. There is an urgent need for a full review of bereavement services in the borough. Burial space is almost exhausted and the Council should look to create space that will allow burials to continue for the next few years. Subject to capital funding being made available, relevant permissions being granted and full plans being worked up, some areas within the existing cemeteries have been identified which will create burial space in the short term.
2. We must also look ahead and decide upon the options for the longer term future of the cemeteries service in Southwark. I am keen that we engage with our local stakeholders and involve them in the decision about the future of the service.
3. The purpose of this report is to set out what I believe to be possible short term solutions to the issue of lack of burial space and a number of options for the future of bereavement services in Southwark. I would like the Cabinet to agree the proposals for creating short term burial space and agree the options for long term burial space in the borough on which we will seek the community's views.

RECOMMENDATIONS

4. Cabinet to agree the proposal in paragraph 21 to create short term burial space at an estimated cost of £410,000 subject to agreement within the council's capital programme.
5. Cabinet considers the longer term options, including the option to use some or all of Honor Oak Park Recreation Ground, set out in paragraph 23 to address the problem of the borough's burial space shortage and agree which options should be consulted upon.
6. Cabinet agrees the consultation plan for the longer term options for Southwark's cemeteries at Appendix 2.
7. Cabinet to agree that following consultation a report on the outcomes of the consultation and the option/s for a long term solution be prepared for a future Cabinet meeting.

BACKGROUND INFORMATION

Historical background

8. In the 1850's, the Camberwell Burial Board was established to solve the problem of Camberwell's burial shortage in its churchyards. In 1855 the board bought 12 hectares of meadow land and established it as the Burial Ground of St Giles, Camberwell and now called Camberwell Old Cemetery. By 1984, 300,000 burials had been carried out at the cemetery, and whilst the cemetery continues to bury in the occasional pre purchased plot there is no formal recognised space left in the cemetery for new burial provision.
9. When it became clear that Camberwell Old Cemetery was fast using up space Camberwell New Cemetery was opened in 1927. It currently occupies 14.85 hectares of burial space most of which is now used.
10. Honor Oak Crematorium was built in 1939. The crematorium has a chapel which can hold approximately 150 people for religious and non religious services. There is approximately 1.5 hectares of space to the north and south of the crematorium for interment and memorialisation of ashes. Over 1000 cremations take place per year at the crematorium.
11. Nunhead Cemetery occupies 20.5 hectares, was opened in 1840 and is the second largest Victorian cemetery in London. In 1975 Southwark Council took possession of the privately owned Nunhead Cemetery when its owners, the London Cemetery Company went into liquidation. The site operated as a cemetery from that time but is now considered full other than a few pre-purchased plots.
12. In 1999 Heritage Lottery funding was secured to restore the site to its former glory. The works were completed in May 2001. Because of the sites importance for nature conservation part of the site was designated as a local nature reserve in 2003.

Cemeteries service

13. The cemeteries service is responsible for, on average, 380 burials per year of which 210 are in new plots and the rest are re-openings of pre-purchased plots for family member interments.
14. Graves are most frequently sold as double depth plots (2 interments) as families are keen to purchase enough space to bury relatives together. At current rates it is estimated that double depth plots in the borough will be completely exhausted by May 2011. There are enough single plots to enable burials until late summer 2011 and then all burial space will be exhausted. Experience shows that families will only purchase single depth plots when all double depth plots have been sold.
15. Table 1 indicates the plots available in February 2011 and their location. New burial space is being created from old roadways and this space will soon run out. Cemetery staff are working hard to indentify any areas that could accommodate grave space so the figures below are subject to change. However it is not sustainable to create burial space in this way. Also it can be detrimental to the appearance of the cemetery as space is created in an unplanned way.

Table 1: Remaining Burial Space – February 2011

	Camberwell New Cemetery	Camberwell Old Cemetery	Nunhead Cemetery
For 1 Interment	15	60	4
For 2 Interments	26	50	0
TOTAL	41	110	4

16. There is now an urgent need for a full review of burial provision in the borough and for the council to decide upon a future burial policy for Southwark.

Southwark's demographic and the impact on burial provision

17. Currently the population of Southwark is one of the youngest populations in England on average 5 years younger than England as a whole. Over the past decade there has been an increase in 30 to 44 year olds and a net decrease in those aged 65 to 84.
18. Southwark has a very diverse population with just under half the population who consider themselves to be from black or minority ethnic groups. A high proportion of the ethnic population prefers burial to cremation and the Muslim faith requires burial.

Current and future demand for burial provision

19. Providing cemeteries is not a statutory duty thus there is the option of not creating new burial space which would mean that after 170 years Southwark would cease to offer this service. However there continues to be a demand for burial despite the trend being that the majority of people opt for cremation. In England the comparative average figure given for percentage cremations against burial is approximately a 70%:30% split in favour of cremation. In Southwark, the cremation figures are some 5% less than the national average.
20. Over the last 3 years death rates in Southwark and the number of burials appears to be remaining relatively static. Analysis of burial numbers shows that new purchases require approximately 0.15 hectares per annum thus for 50 years of burial provision Southwark will require 7.5 hectares of burial space. This does not take into account space for cremated remains or public burials.

KEY ISSUES FOR CONSIDERATION

Creation of short term burial space

21. There are a number of solutions that are immediately available to the Council to deal with the shorter term needs for additional burial space. These are listed below and this report recommends that action is taken to create the following burial spaces:

- Use of an area in Camberwell New Cemetery that is virgin ground. With provision of a new road, some scrub and vegetation clearance, this will provide access to sufficient space for a further 100 plots within this area.
- Use of the newly cleared site at Camberwell New Cemetery near Honor Oak Park railway station could provide around 450 new plots. This proposal would require planning consent.
- The re-use of common grave areas at Camberwell Old Cemetery. This would provide Southwark with up to 1200 plots. This proposal will require approved contractors to be appointed and may require a planning application for consent to undertake this work.

22. Table 2 below illustrates that these proposals will create around 8.3 years of burial space. Precise costs remain to be established through the procurement process but the current estimate is that works will cost £410,000. This funding is subject to future agreement.

Table 2: Short Term Burial Solutions

	Number of new plots	Years of Burial*	Capital Costs
Site A at Camberwell New Cemetery	450	2.1	£48,000
Common grave top up and rebury Camberwell Old Cemetery	1200	5.7	£332,000
Plot creation in Camberwell New Cemetery	100	0.5	£30,000
Total	1,750	8.3	£410,000

*based upon 210 new plot purchases p.a.

Options for consultation for longer term solutions to the borough's burial space shortage.

23. There is a range of options available to the Council to deliver a sustainable future for the provision of a burial service in Southwark. These include:-
- Use of virgin ground
 - Use all or some of Honor Oak Recreation Ground
 - Re-use of private graves
 - Re-use of common graves
 - Use of burial chambers.
 - Find a burial site outside of Southwark
 - Share a cemetery elsewhere or buy graves off someone else
 - Work with other local authorities to source land for a new cemetery
 - Stop burying in Southwark
24. An outline of each option is set out below and estimated costs, where available, can be found in Appendix 3.

Use of Virgin Ground

25. Virgin Ground is land within the existing cemeteries that has not previously been used for burials. All known virgin ground has been used or has been earmarked for short term burial solutions. However extensive work is being undertaken to ensure that all virgin ground has been exhausted.

Use all or some of Honor Oak Park Recreation Ground for burial space

26. Honor Oak Park Recreation Ground was purchased for burial space in 1901 but has been used as a recreation ground for some years as the land was not needed for burial space. The land is considered to be virgin ground as it has not been used for burial before.
27. The site could accommodate a high number of earthen burials at a relatively low cost and the site would allow burials to continue for a long time (over 30 years). However there is a strong body of opposition against using the recreation ground in this way. Local residents use Honor Oak Park Recreation Ground for football, the children's play area, for dog walking and general recreation. Should the site be used as burial space a number of these activities would no longer be possible on the site.
28. Whilst similar facilities do exist in the local area they may be further away for some local people to travel (particularly on the Lewisham side) and the loss of the football pitches may put additional pressure on other nearby facilities. Nearest alternative facilities are One Tree Hill, Brenchley Gardens (open space only) and Peckham Rye Park (sports facilities and children's play) in Southwark and Blythe Hill Fields (children's play area) and Hilly Fields (sports facilities and children's play area) in Lewisham.
29. It would be possible to use only part of the site as burial space rather than all of it. It would also be possible to relocate the children's play area – although this would require extra capital funding to be made available.

Re-use of private grave areas

30. Section 9 of the Greater London Council (General Powers) Act 1976 enables burial authorities in London to reclaim and then re-use a grave where the rights of interment have not been exercised for 75 years. It is best practice to wait until graves are over 100 years old and where notices and letters have not identified living relatives who can make a claim to the grave. This option only applies to Camberwell Old Cemetery due to the age of the cemeteries.
31. In the past graves some graves have been purchased to accommodate 2 or more bodies but subsequently not fully utilised. In these circumstances it is possible to reclaim and sell remaining space. This option still requires notices and every effort to be made to identify any living relative.
32. It is also possible to re-use private graves through a practice called 'dig and deepen' where the human remains are reburied at a greater depth to allow for burials on top. This allows the appropriate depth for the new burial and does not disturb the human remains already buried within the grave.

33. Re-use is considered to be the most sustainable option by industry experts however few local authorities are currently undertaking re-use schemes. The City of London, Newham and Croydon councils are undertaking the practice described in paragraph 31.
34. There are some concerns about the re-use of private graves – mainly because it remains widely un-tested. If significant human remains are found it is not considered appropriate to re-use the grave. This may be an issue in Southwark as in heavy London soil decomposition rates are slower. Administratively the process is intensive, notices must be on the site for 2 years (this is best practice and City of London put notices up for 5 years) and all efforts must be made to find living relatives. If living relatives are found and want to make a claim to the grave and purchase extended rights to the grave, the section cannot be used.

Re-use of common graves

35. It is possible to re-use common graves by making up the soil level on top of the area of graves in order to provide the appropriate depth for new burials as described in the short term proposals section of the report. This prevents the disturbance of human remains. It is also possible to use chamber systems on top of common graves to achieve the same effect. This method is particularly useful when an area is on a slope and it would not be possible to increase soil levels.
36. Raising the soil levels above common graves requires an approved contractor to construct a new area on top of the existing graves. It is generally approved development although the actual construction work may be subject to planning controls. Apart from the area identified as one of the short term solutions there may be other areas of the cemeteries where this would be a suitable option.
37. It is also possible to re-use areas of common graves on consecrated land, which is land that has been solemnly dedicated for use by a religious group. Where land is consecrated it can be re-used subject to permission by the relevant Diocesan Authority , provided that the graves are old enough (different Diocese have different lower age limits) and provided that remains are exhumed and reburied in another area of consecrated ground.
38. Exhumations need to be dealt with sensitively and as this practice is not common in Southwark it might be necessary to commission experts to clear areas of common graves on consecrated ground.

Use of burial chambers

39. There are other options that can be considered such as chamber systems or mausoleum systems. The use of burial chambers is a much more expensive option and could make this cost prohibitive (£2.5m for the area identified at Camberwell Old Cemetery as opposed to £330k for soil top up).
40. Some industry experts consider them to simply relocate the problem of lack of space to above the ground. However due to the nature of the systems it is possible to fit more graves into a space compared to earthen burials. These systems are slightly less maintenance intensive too.

Find a burial site outside of Southwark

41. It may be possible to identify land outside of Southwark that could be purchased and used as burial space. If this is possible and not cost prohibitive, residents of the borough would need to travel to wherever the site is to visit the graves of loved ones. The council does not currently own land that is suitable for this use.

Share a cemetery elsewhere or purchase buy graves from a private supplier

42. The council could seek a partner or partners who the council could work with to find an innovative solution to the lack of burial space. A local funeral director is in the process of developing land outside the Borough as a private cemetery and early discussions have been held with him with a view to pre-purchasing space within that facility which may be operational within the next two years

Work with other local authorities to source land for a new cemetery

43. As the majority of inner London Local Authorities are in a similar position to Southwark it may be possible to find solutions to this issue together. The council is working with neighbouring boroughs to think through the possible solutions to this issue.

Stop burying in Southwark

44. It is possible for the council to consider ceasing burial altogether. Providing a burial service is not a statutory responsibility. However maintaining cemeteries in its ownership is a statutory responsibility of the local authority. Ceasing to bury in the borough would mean a year on year reduction in income for Southwark, whilst the costs of maintenance would remain. If burials in the borough cease the crematorium would continue to operate and hence the council could continue to meet its statutory duties.
45. Should burials in the borough cease those whose religion, culture or family traditions dictates that cremation is not an option would be forced to go to neighbouring boroughs where they would be charged up to 3 times the normal residential rate.
46. If no new plots are made available after existing space is exhausted re-openings and interments will have to cease and burials will have to stop. The income deficit will then reach approximately £469k and increase each year from then on. Once all interments cease staffing costs are likely to reduce, however there will be an ongoing requirement to manage and maintain the sites as burial grounds. The crematorium would continue to operate.

Proposals for consultation on the options

47. As a result of the concerns raised by the community in relation to Honor Oak Park Recreation Ground, the council has given assurances that the views of all stakeholders would be sought prior to making any decisions regarding the long term provision for the service. Members are asked to consider which of the options set out above they would like to consult on. A consultation plan can be found at Appendix 2 for consideration.
48. It is proposed that, following the consultation period, officers will report back to the Cabinet with a full report on the results of the consultation which will inform the decision on the preferred option/s for the long term.

Policy implications

Provision of burial space and dealing with human remains

49. Southwark Council, in keeping with all Local Authorities, is not required to provide cemeteries and crematoriums as a statutory duty. The requirement is discretionary and the Local Authorities' Cemeteries Order 1977 (LACO77) states that a Local Authority may provide and maintain cemeteries inside or outside of its area. Article 4(1) of LACO77, requires that a Local Authority must keep any cemetery that they are responsible for in good order, including buildings and infrastructure.
50. In addition to the above, the requirements of the Public Health (Control of Disease) Act 1964 need to be met. Under this legislation, a Local Authority becomes responsible for the disposal of any person who dies within its boundary where no suitable funeral arrangements have been made.

Exclusive rights of burial

51. Article 10(1) of the Local Authorities Cemeteries Order 1977, sets out the terms and conditions a burial authority may consider in relation to granting rights of burial. The rights subsist for the period specified in the respective grants and such period is to begin from the date of the grant and must not exceed 100 years, though the burial authority may from time to time extend the period of any grant. In Southwark, in common with many other London local authorities, exclusive rights are commonly purchased for 50 years. As burial space diminishes a number of local authorities including Southwark are now offering a 25 year option.
52. Section 9 of the Greater London Council (General Powers) Act 1976 enables burial authorities in London to reclaim and then re-use a grave where the rights of interment have not been exercised for 75 years and notice has been published. More often exclusive rights are renewed or extended.
53. It is clear that there is a need for significant reform of exclusive rights of burial and re-use policy and central guidance about these issues, which in the long term is the only way to tackle the issue of lack of burial space in London. The ICCM (Institute of Cemetery and Crematorium Management) is lobbying government in this respect.

Planning Issues

54. The land upon which sits the current cemeteries and crematorium is designated as Metropolitan Open Land (MOL) in the Southwark Plan. In addition the newly cleared site adjacent to the railway line at Camberwell New Cemetery and the recreation ground are also designated as MOL. In principle burial ground is a suitable use of MOL.
55. Creation of new burial space would require planning permission and planners would consider current uses of the sites. This may, in the case of the recreation ground, trigger policy to consider protection of community use (Southwark Plan policy 2.1).
56. The Council's Open Spaces Strategy has yet to be completed. However it is clear from the emerging strategy that Nunhead and Peckham Rye community council area and generally the south of the borough has plenty of open space. Even if Honor Oak Park Recreation Ground was used for burial space in the

future it would still be considered open space as it would still be MOL and open access.

Community impact statement

57. Borough residents currently have an expectation that they will have access to a burial service in the borough. It is especially important to consider those groups for whom culture or religion dictates that they cannot be cremated. If burial space runs out completely, for these groups the only option available will be out of borough burial. This is normally three times the normal resident rate.
58. Honor Oak Park residents have expressed concern about the possibility of losing the recreation ground to burial land. A petition has been circulated and to date this has been signed by about a significant number of people. The council has widely circulated statements with the message that no decision has yet been made, and will be made, until full and in-depth consultation has been undertaken.

Resource implications

59. The costs of the immediate solutions for short term burial space are set out in table 2 and are estimated to be £410k. No provision currently exists for these costs within the Environment Department's capital programme and thus funding will be subject to agreement within the council's capital programme.
60. As part of the budget setting process for 2011/12 the cemetery and crematorium service's income target was increased by £160k. Implementing the short term solutions recommended in this report will enable the service to meet its income target of £1.29m. The revenue costs of maintaining the additional plots will be contained within existing budgets
61. The revenue costs of undertaking the consultation on the long term future provision are estimated to be less than £10k and can be met from within the Environment Department's budget for 2011/12.

Consultation

62. No formal consultation has yet taken place on these issues and options. Proposals for future community consultation are set out in paragraph 47 above.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

63. The reports correctly outlines the law including that Southwark, by virtue of the Local Government Act 1972 as a burial authorities may provide and maintain cemeteries whether in or outside their area. In exercise of their powers under Article 3(1) of the Local Authorities Cemeteries Order 1977 the Council may do all things necessary for the proper management, regulation and control of the cemeteries, under their control.

Finance Director

64. This report recommends the creation of burial space at an estimated capital cost of £408,000. The current capital programme does not yet include this project, however, this can be included for consideration in the refresh of the capital programme to be considered by Cabinet in May 2011, and Council Assembly in July 2011.
65. The creation of these plots will have revenue consequences both in terms of expenditure on maintenance, and income in terms of the sale of the plots, these costs will be contained within existing budgets.
66. The finance director notes the recommendation for consultation on longer term options for Southwark cemeteries which will have some revenue costs to complete, again these will be met from within existing resources.
67. The capital consequences of any decision on the longer term proposals will be brought forward in a separate report, when required.

BACKGROUND DOCUMENTS

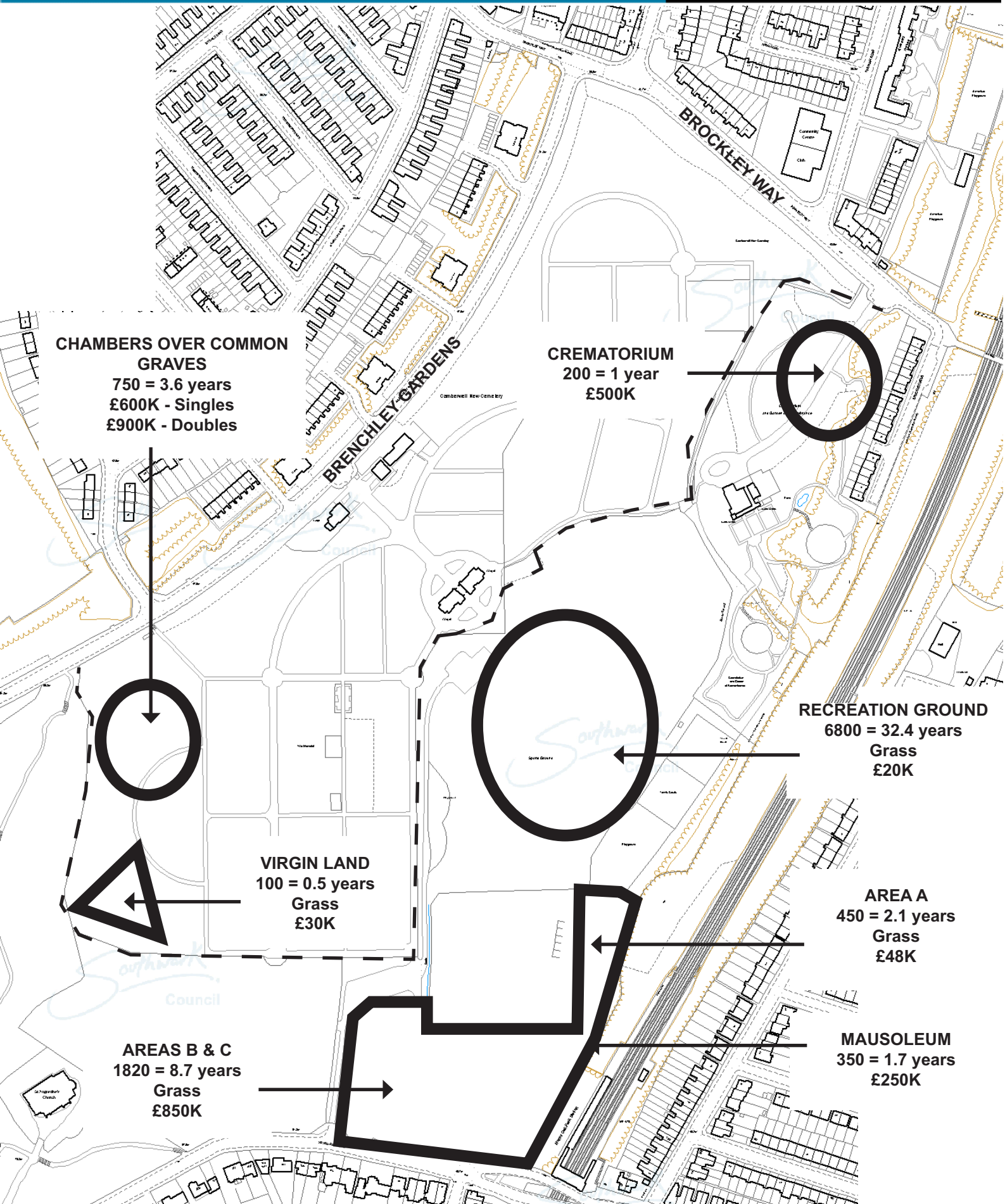
Background Papers	Held At	Contact
Southwark Cemeteries Financial Review	Parks and Open Spaces, 3 rd Floor, 160 Tooley Street, London SE1 2QH	Rebecca Towers 020 7525 0771
Strategic Review of the Requirement for New Burial Provision	Parks and Open Spaces, 3 rd Floor, 160 Tooley Street, London SE1 2QH	Rebecca Towers 020 7525 0771

APPENDICES

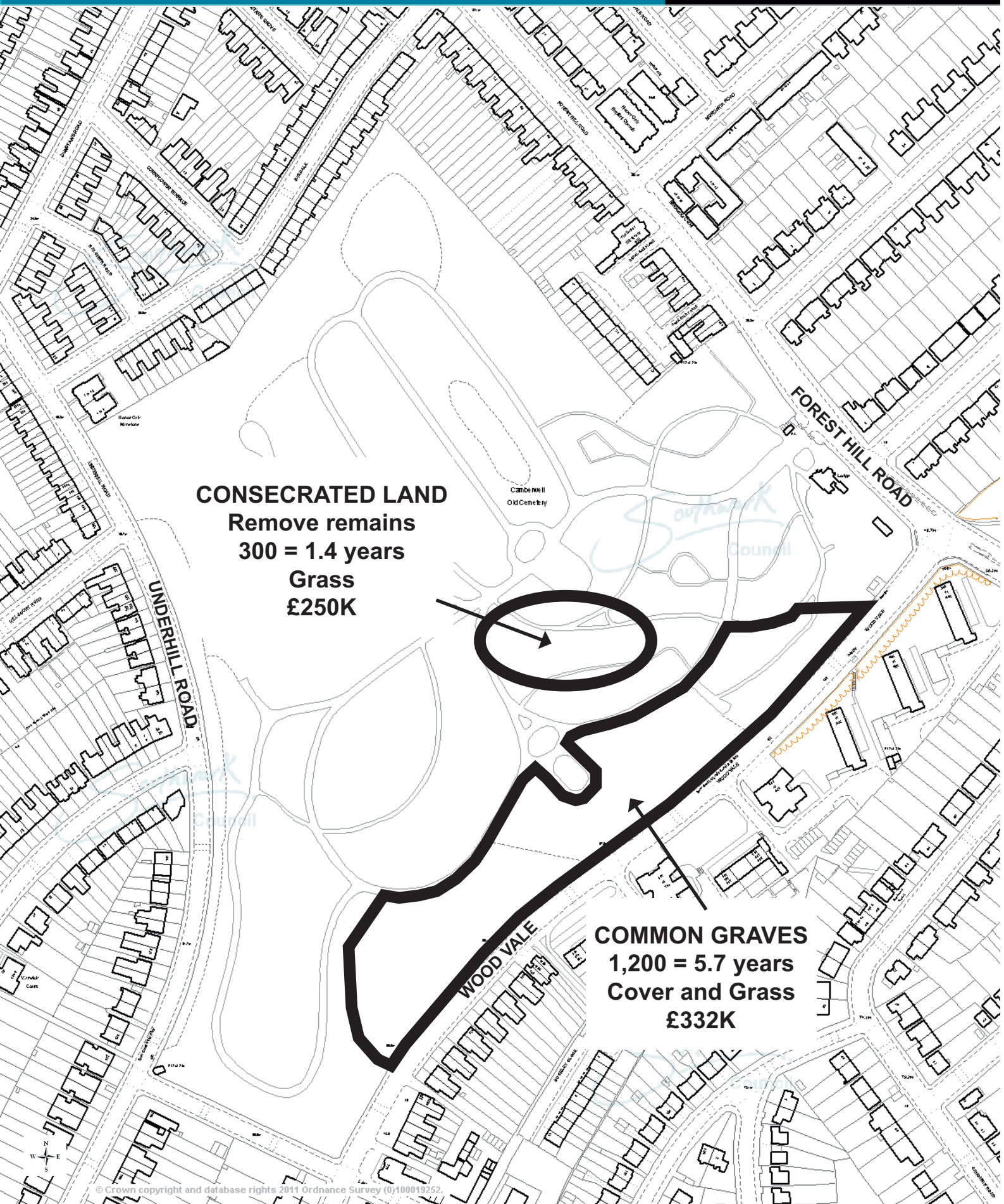
No.	Title
Appendix 1	Site maps indicating locations for new burial space
Appendix 2	Communications and Consultation plan
Appendix 3	Summary of short term proposals and long term options and costs

AUDIT TRAIL

Cabinet Member	Councillor Barrie Hargrove - Transport, Environment and Recycling	
Lead Officer	Gill Davies, Strategic Director Environment and Housing	
Report Author	Rebecca Towers, Parks and Open Spaces Manager	
Version	Final	
Dated	5 April 2011	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional/Community Council/Scrutiny Team	8 April 2011	



Date 6/4/2011



CONSECRATED LAND

Remove remains

300 = 1.4 years

Grass

£250K

COMMON GRAVES

1,200 = 5.7 years

Cover and Grass

£332K

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DRAFT Communications and Consultation plan – Long Term Options for Southwark’s Cemeteries

Introduction:

Southwark’s cemeteries are nearly full. We have an urgent situation on our hands, and we are no different to many local authorities up and down the country. We want to make the right decision for the future of the burial service in Southwark.

So Southwark Council will be undertaking a borough wide public consultation in April to gather views from residents about the future of the boroughs' cemetery service. The consultation will provide an opportunity to have a conversation with residents about the lack of burial space in the borough and consider the options for addressing it.

We are keen to hear ideas for the service and shall be using various methods to engage Southwark and Lewisham residents in the consultation and let them know about the ways to get involved.

Objectives of the consultation:

- Using a range of methods to gather a broad range of views about the future of burial services in the borough
- To see if there are any good ideas that we have not yet considered
- To enable residents’ views to shape the decision about the future of the burial service in Southwark

Timescales
Options for consultation agreed 19 th April 2011
Consultation begins end 1 st May 2011
Consultation ends 31 th July 2011
Messages
Southwark Council wants to hear your views about the cemeteries and crematorium service in the borough
The council is close to running out of burial space and the cabinet have agreed a plan to create short term burial space in Southwark
There are a number of options that might secure the long term future of the cemeteries that we want to seek people’s views on
Nothing has been decided about the long term future of burials in the borough and won’t be until a full consultation exercise has been completed

Stakeholder Groups to be consulted
Friends of Honor Oak Park
Lewisham Councillors
Southwark Councillors
Lewisham Residents within 0.5 km of the cemeteries
Site users (dog walkers, play area users)
Residents who have already contacted the council about Honor Oak Park locking at night and cemeteries (Full list being developed)
Local Tenants and Resident Associations (Southwark and Lewisham) (Full list being developed)
Southwark Residents – borough wide
Exclusive rights of burial holders
Funeral Directors (Full list being developed)
Social Services commissioning team
Voluntary Sector organisations representing the elderly and other interest groups
Network Rail
Faith leaders/groups (Full list being developed)
One Tree Hill Allotment Society
Friends of One Tree Hill
Friends of Nunhead Cemetery
Friends of Peckham Rye Park
Lewisham Parks team
London Football Association
Institute of Cemeteries and Crematorium Management
Forest Hill Society
Environment Agency
Southwark Planning

Consultation Methods	Timescales
Raising awareness of consultation	
Notice in newspaper	April, May
Information on Southwark Website	From 8 th April, to be updated once options and questionnaires are available
Notices around site	Beginning of consultation end April/beginning May
Press releases – raising awareness of consultation	
Southwark Housing News	June
E-Bulletin	May
Social media – Facebook page	May
Through existing networks i.e. Friends groups	Email in May
Southwark Life	8 th April for initial awareness raising, next edition for full questionnaire July TBC
Information leaflet with stats and facts about burial	All stakeholders in advance of public consultation
Links to consultation web page on email signatures	Parks & Open Spaces user groups
Sharing information/gathering views	
Targeted meetings	Beginning May
Public meetings	May, July
Community Council	May date to be confirmed
Local Assembly (Lewisham)	If meeting date is available May, June or July
Cllr meetings	Meetings May
Direct Mail survey	May
Web survey	May, June
Usage survey & questionnaire	Cemetery Users

Draft Questions for Surveys/Questionnaires	Reason for Question
Where do you live?	To gain an understanding if answers to questions below differ depending on where residents live
What is your own personal preference burial or cremation?	To get an up to date picture about personal preference from residents

Draft Questions for Surveys/Questionnaires	Reason for Question
What is the reason behind this preference? (Culture, religion, family tradition, other)	To understand what influences choice of burial
What would be important to you when selecting a grave space? (price, locality, environment, family links)	To understand what is important to those who do opt for burial as an option
Do you visit the cemeteries or crematorium in Southwark? (yes or no)	To understand if people have had a recent experience of the current service and whether this impacts on responses
Why do you visit the cemeteries or crematorium? (visit a relative's grave, visit a plaque, for recreation etc)	To understand what links respondents have with the cemeteries and crematorium and how this influences responses
What do you consider to be the standard of the cemeteries or crematorium infrastructure? (poor, average, good, excellent)	To understand how the cemetery environment impacts on users/visitors
What would improve the experience of visitors to the cemeteries or crematorium? (better maintenance, improved appearance, other, nothing)	To understand what we might do better in the future
Do you think that it is important to continue for the borough to supply grave space? (yes or no)	To understand how important it is to provide cemetery space
Do you think that the following is an option that Southwark should consider in order to create burial space? (each option as yes or no, with explanation of option and costs)	If residents think that it is important to continue to offer burial as an option – what options they consider to be most appropriate

Summary of short term proposals and long term options and costs

Please note that all options and costs are estimates and subject to change

	Units	Years of Space*	Total cost (£)	Cost per Unit (£)	Cost per Year (£)	Income (£)
Short term proposals						
Camberwell New Cemetery						
Site A Honor Oak	450	2.1	£48,000	£104	£21,933	£1,134,900
Plot creation in Camberwell New Cemetery	100	0.5	£30,000	£300	£63,000	£252,200
Camberwell Old Cemetery						
Common ground top up and rebury	1,200	5.7	£332,000	£276	£57,925	£5,548,400
Totals	1,750	8.3	410,000	£680	£142,858	£6,935,500
Long term options						
Camberwell New Cemetery						
Mausoleum near site A	350	1.7	£525,000	£1,500	£315,000	£882,700
Sites B&C Honor Oak	1,820	8.7	£850,000	£467	£98,077	£4,590,040
Crematorium Grounds	200	1.0	£100,000	£500	£105,000	£504,400
Sports ground - earthen burials	6,800	32.4	£1,500,000	£221	£46,324	£17,149,600
Common ground using chambers - Camberwell New Cemetery	750	3.6	£600,000	£800	£168,000	£1,891,500
Camberwell Old Cemetery						
Re-use of common graves consecrated ground	300	1.4	£250,000	£833	£175,000	£756,600
Totals	10,220	48.7	£3,825,000	£4,321	£907,401	£25,774,840

* Based on 210 new plot purchases per year

Item No. 9.	Classification: Open	Date: 19 April 2011	Meeting Name: Cabinet
Report title:		Charter of Rights and Vision for Adult Social Care	
Ward(s) or groups affected:		Staff, providers, users and carers of adult social care services in Southwark	
Cabinet Member:		Councillor Dora Dixon-Fyle, Health and Adult Social Care	

FOREWORD – COUNCILLOR DORA DIXON-FYLE, CABINET MEMBER FOR HEALTH AND ADULT SOCIAL CARE

1. A Charter of Rights for adult social care has been the missing link between the council and the community. For too long residents have stated that the service they receive from the council depends on the area that they live in. This cannot be right, and the administration vowed that it would ensure all its residents were treated equally and fairly, receiving care and support based on need, rather than postcode.
2. Our vision for adult social care can be summed up by one word – change. Change in the way we as a local authority deliver our services, change in the choices being offered to service users and a drastic change in the amount of money available to us to spend. These changes, driven by central government, have led to a major rethink of the work of the council and a shift in public perceptions to ensure that this will be deliverable.
3. Our vision is therefore aimed at focusing on prevention rather than reliance and encouraging independence for as long as possible by putting the emphasis on re-ablement to help people get back on their feet and stay within their homes and community.

RECOMMENDATIONS

4. That the Charter of Rights for adult social care services, as set out at Appendix A, be adopted.
5. That the Charter of Rights be reviewed periodically to ensure that there is consistency between the principles of the Charter and the direction for the future of adult social care.
6. That the draft Vision for the future of adult social care in Southwark, as set out in Appendix B, be agreed.

BACKGROUND INFORMATION

7. Southwark Council published a draft Charter of Rights in September 2010. This was designed to highlight what people in Southwark with adult social care needs could expect from adult social care services. People were invited to comment on the draft Charter and the feedback process lasted until 30 October 2010. A copy

of the Charter of Rights is included at Appendix A.

8. During this period responses were received from both community groups and individuals. At the same time the council was thinking about the future of adult social care services and how it can offer effective, personalised services that are based on the needs of individuals and not institutions within the context of rising demand for and expectation of services and a significantly reduced public purse.
9. A draft vision for the future of adult social care in Southwark was developed to outline the framework and context for design and delivery of services over the next three years. This is a continuation of work to implement improvements to services. Progress has already been recognised through the Care Quality Commission's annual performance assessment for Southwark in 2009/10, where delivery of outcomes was assessed as performing 'well', a significant improvement from the 'adequate' rating received in 2008/09.
10. Many of the comments made in response to the Charter of Rights have therefore been taken forward and considered as part of the next steps for planning and implementing the vision.

KEY ISSUES FOR CONSIDERATION

Policy implications

National policy drivers

11. The key national drivers for this work are:
 - the cross-government Putting People First concordat¹
 - the Department of Health's vision for adult social care²
 - the Government Spending Review³ and consequent local government financial settlement.
12. The first two documents set the national context for the design and delivery of adult social care services. The key focus is on planning services around individuals rather than institutions and giving people much more choice and control over the care and support they access, rather than being passive recipients of services. It is also about giving people the tools to do more for themselves and participate in society as active citizens.
13. The recent Spending Review and consequent local government financial settlement provide the financial context for the future of public services over the next few years. It demonstrates there will be a reduction in the overall amount of money local government can expect to receive from central government grants. It is vital that the financial context is considered when planning the future of services to deliver value for money for local residents while making sure that the council complies with its statutory responsibilities.

Work to date in Southwark

¹ HM Government (2007), *Putting People First: a shared vision and commitment to the transformation of adult social care*, London

² Department of Health (2010), *A vision for adult social care: capable communities and active citizens*, London

³ HM Treasury (2010) *Spending Review 2010*, London

14. Southwark has developed a programme of work to support the personalisation of adult social care services in the last few years. This has done much to support the shift towards effective services that support people to live the lives they want. It has begun to redesign the journey for adult social care customers so that the system tries to focus more on outcomes for people and how these can be achieved in creative ways built around the person rather than around an institution or service. It has also begun to think about the role of re-ablement as an underpinning approach for services, helping people get back on their feet and regain independence through short-term interventions, reducing reliance on statutory support.
15. However, we recognise there is more to do and the shift needs to continue with pace. The future of adult social care also needs to take into account the financial context outlined in paragraph 13. We will need to redesign and reconfigure all elements of the system if we are to be able to support people effectively and make the best use of resources so as many people as possible can get help, rather than focusing resources on a few.
16. The vision is designed to provide this longer-term strategic perspective of where we want to get to and offer a framework in which future proposals can sit.

Key objectives and aims

17. The key objective for adult social care in Southwark is to support more people to live independently and well at home and in the community for as long as possible. We want people to live independent and fulfilling lives, based on choices that are important to them. We also want a system that is sustainable for the future and can continue to operate effectively in the context of a much reduced public purse.
18. This requires services to be more effective and more personalised, focusing on individuals rather than institutions and shifting the balance of care away from residential homes and towards more personalised services in community settings.
19. It also means developing a different relationship between the council and the community, moving from a model of dependency to one where older and disabled people are seen as people who can contribute and exercise control over their lives, improving their own health and wellbeing.

What this means for services

20. The council is required to meet its statutory duty to disabled people with eligible needs (for which criteria is outlined in Department of Health guidance⁴). Currently the eligibility criteria in Southwark is set at substantial and critical needs. The vision does not propose that this should change. These services have been prioritised for council funding within this approach above discretionary services. The vision for adult social care aims to focus resources on helping people to help themselves as a means of trying to minimise potential negative impacts.
21. Frontline services have also been prioritised above buildings-based provision.

⁴ Department of Health (2010) *Prioritising need in the context of Putting People First: a whole system approach to eligibility for social care – guidance on eligibility criteria for adult social care, England 2010*, London

New technology that supports the approach of personalisation, enabling people to live independently and well at home as far as possible, means we can continue to provide services to a similar proportion of people if we reduce fixed costs associated with buildings and realise capital assets for investment.

22. The offer of personal budgets to support flexibility and choice in accessing services will continue to develop in light of the coalition government's commitment to offering everyone with an ongoing, eligible care need a personal budget, preferably in the form of a direct payment, by 2013.
23. There is an overall drive in commissioning services to work towards ensuring that contracts obtain best value and resources are being targeted most effectively to achieve the best outcomes for people.
24. There will be an ongoing need to work closely across a range of areas, particularly housing, leisure and employment, to understand the cross-cutting impacts of the need to reduce spend in these areas with our desired outcome of helping more people to live independently and well at home and in the community.

Relationship to the Charter of Rights

25. The Charter of Rights is designed to highlight what people in Southwark with adult social care needs can expect from adult social care services. It combines some national requirements or entitlements, outlined in legislation, for example entitlement to request an assessment of adult social care needs, relevant assessment for carers and the duties on councils around safeguarding for particular individuals made vulnerable by their situations.
26. It also highlights the practice that Southwark aims to achieve when approached by people about services.
27. It is proposed that the Charter of Rights will be used as an active document, increasingly part of how social care services deal with and respond to individuals. It will also be available on the council website so that people can access the information from it. If individuals feel that the council response is not in line with the broad principles outlined in the Charter then they will be able to discuss this with adult social care services the same way as they would with any other concerns or questions about services. The Charter also includes contact details for the organisation.
28. Feedback on the Charter of Rights raised a number of points that were relevant to the wider considerations discussed previously about future service design and delivery. The adult social care vision tries to take account of this.
29. Consequently, we propose that the Charter of Rights remains an overarching document that highlights the principles of what the council is aiming to achieve, particularly as a number of respondents agreed with the focus on supporting independence and giving people choice and control over services they may access.
30. The adult social care vision then provides the framework for proposals about the design and delivery of services over the next budget period.
31. Finally, we propose that the Charter of Rights is re-visited periodically alongside any implementation of the adult social care vision in Southwark. This is to ensure

there is consistency between the principles of the Charter and the council's direction for the future of adult social care.

Community impact statement

32. People who are at risk of needing long term social care support and people who have been identified with eligible care and support needs across Southwark are the key groups on whom the adult social care vision will impact. There will also be an impact on carers of individuals with care and support needs.
33. The two equality strands that will experience major impact from proposals are older people and disabled adults with eligible care needs. Older and disabled adults without eligible needs may also experience an impact from proposals to re-shape open access services in the borough.
34. This mainly relates to services not continuing to exist or being offered in a different way. As part of our overall vision for adult social care, it is likely that, in future, there will be fewer people receiving ongoing, long-term social care support. Instead, we are looking to focus resources on time-limited interventions that help people get back on their feet, such as re-ablement services, and supporting them to understand how they can best help themselves and make key contributions to the wider community.
35. In addition, changes to services potentially could place an additional burden on carers, the majority of whom tend to be women.
36. The vision proposes a range of mitigating actions to try and minimise any potential negative impact. This includes:
 - continue progress with development of personal budgets (including direct payments in cash) so that people understand how much is to be spent on their care and support, and can then make decisions about the ways they wish to use their money
 - focus on how we can support the development of a diverse provider market in Southwark so there are appropriate services available on which people can spend their personal budgets
 - develop and improve partnerships involving individuals, communities, voluntary and private sectors, the NHS and the council's wider services to best implement proposals
 - improve procurement and commissioning processes, and streamline back office functions thereby focusing resources on frontline services
 - for open access services, explore models where a small injection of cash to 'pump-prime' services could support organisations to become financially self-sustaining, and promote community cohesion, in line with the wider corporate approach to the voluntary sector
 - develop proposals for effective, targeted interventions that can provide help and support for carers, recognising the key role that they play, both in delivering care and in preventing people's care needs from increasing.
37. The overall approach for adult social care services in Southwark may also have a positive impact on equality strands.
 - Personal budgets offer an opportunity for people to access personalised support services that take account of cultural preferences, e.g. being able to choose a carer of your own gender – evidence suggests this is particularly relevant for black and minority ethnic (BME) communities, lesbian, gay &

bisexual communities and for transgender people. It can also be relevant for women in terms of accessing personal care.

- Moving away from residential provision and to supported living in the community is designed to support people to live independently and well at home for as long as possible.
- A single point of informed contact supports better use of resources and targeted information and advice for people at an early stage, regardless of whether they receive state support for care.

38. However, this also needs to consider:

- developments in the local provider market so culturally tailored services are available
- particular support that some groups, such as older people or those with mental health needs, may require to access the benefits of personal budgets
- particular support for people who may have spent a considerable time in residential care
- appropriate support for those who continue to need respite services
- people who need to access information in different ways (e.g. website, email, telephone) and those who may not have English as a first language.

39. We recognise that we will need to work closely with partner across the council, particularly in areas like housing and employment, to understand the cross-cutting impacts of the need to reduce spend in these areas and our desired outcome of helping more people to live independently and well at home and in the community.

40. In accordance with Southwark Council's Equality and Human Rights Scheme, 2008–2011⁵ an Equality Impact Assessment (EIA) was carried out for the overall vision and budget strategy for adult social care. Further information on equality impacts can be found in this document, which is included as Appendix C. It should be noted that the EIA produced included details of proposed changes to charging policy for adult social care services in the borough. During the scrutiny process for the overall council budget report, it was recommended and agreed that this proposal should not form part of the budget strategy for the first year.

41. As highlighted in the EIA, detailed Equality Impact Assessments for specific elements of service redesign proposals arising from the vision and budget report will need to be completed and reviewed as proposals develop, in the context of the overall vision framework. This will include seeking the views of organisations, people using services and carers on whom the proposals may impact.

42. As any proposals are taken forward they will seek to include an assessment of how specific changes will impact on the adult social care workforce. This may include collecting anonymised profile data on staff subject to review and looking at whether changes (e.g. in working arrangements) or structural amendments may have an adverse impact on people from a particular group as appropriate. Data is shared with the Trade Unions as part of the formal consultation process, which will include possible measures to mitigate any adverse impact.

5

http://www.southwark.gov.uk/downloads/download/281/equalities_and_human_rights_scheme_2008_to_2011

Resource implications

43. The vision for adult social care is designed to provide a framework within which individual proposals for service change and redesign need to fit. Individual proposals will therefore need to be taken forward in line with the agreed budget for adult social care, which was accepted by the Council Assembly as part of the overall council budget on 22 February. This has previously been discussed with departmental finance and shared with corporate finance colleagues.
44. A number of individual proposals may well have an impact on the workforce as work is taken forward to understand what shape that workforce needs to take in order to implement proposals in line with the overall vision.
45. As mentioned previously, as individual proposals are taken forward they would need to consider the impact on the workforce and any workforce redesign would need to be considered in line with corporate human resources policy and consider the overall impact on staff, including equality and diversity impacts.

Legal implications

46. A copy of the vision document and draft Charter of Rights have been made available to legal colleagues. However, neither document includes specific proposals for changes to services, as they represent the overall approach and broad principles. As highlighted previously, the Charter of Rights in particular is a summary of current legal entitlements in national legislation supported by a broad set of principles as to what people can expect when they approach the council about adult social care and accessing support.
47. Any proposals that are taken forward around the future of adult social care will need to seek appropriate legal advice and take into account any legal requirements, including around consultation and engagement with people using services, carers, families, providers, etc. At present this is happening on a case-by-case basis and is likely to continue as further work is taken forward.

Consultation

48. The council is committed to ensuring that it seeks out and takes account of the views of people who use services, their families and carers as we embark on work to shift the balance of care towards personalised services in community settings to help people achieve the outcomes they want and lead independent lives.
49. As we look to implement this vision through specific proposals for services, and in the context of the agreed budget for council services, we will seek to engage with people who use services, carers and local organisations who may be affected to understand what they want from local services and how best we can plan and deliver our vision.
50. The overall vision for the future of adult social care in Southwark has been discussed with a range of stakeholder groups in draft form to help support its development and seek input on the overall approach and direction. Presentations have been given to the following groups and feedback sought:
 - Adult social care service user and carer panel
 - Adult social care managers' forum

- Health and Wellbeing Board
 - Adult social care provider market forum
 - Older People's Partnership Board
 - Carers' Strategic Forum
 - Community Action Southwark's Adult Health & Wellbeing sub-group
 - Mental Health Partnership Board
 - Physical, Neurological and Sensory Disability Partnership Board.
51. Comments were also sought from representatives of the GP pathfinder group and the future budget strategy was discussed with the Learning Disability Partnership Board.
52. In addition, a draft version of the vision was made available on the Southwark Council website to invite any further comments, although specific comments were not received through this route.
53. Feedback from these groups has been used to refine the vision but, in general, to date there has been an acceptance of the overall approach and direction for the future of adult social care.
54. In addition, many of the comments received on the draft Charter of Rights covered issues important to the vision. These were considered and noted in development of the vision document.
55. There has been a good deal of concern from respondents in all areas about the challenges of trying to implement the vision at the same time as needing to make significant budgetary savings. There has also been concern about some individual proposals that may come out of the vision and budget strategy and how these are taken forward or implemented. We recognise that this is a challenging time for everyone and this is why we are clear it is vital that the council should work with all of its partners in seeking solutions together and making the very best use of resources to improve outcomes for people with care and support needs. There has also been commitment expressed previously to consulting with people who will be affected by proposals before taking any final decisions. This will continue as individual proposals are developed in the coming months and further on in the budget period.
56. Early discussion with Trade Unions has happened in terms of the overall need for change and the fact this is likely to have an impact on the adult social care workforce. Ongoing engagement and consultation will be necessary and will continue as individual proposals develop.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Key themes from Charter of Rights feedback including council considerations	Health and Community Services / Adult Social Care 160 Tooley Street PO Box 64259 London SE1P 5LX	Becki Hemming Project Manager, Transforming Adult Social Care 020 7525 5140

APPENDICES

No.	Title
Appendix A	Southwark Council's Charter of Rights for Adult Social Care
Appendix B	Southwark's vision for the future of social services
Appendix C	Equality Impact Assessment – Vision for the future of Southwark adult social care services – 3-year budget strategy

AUDIT TRAIL

Cabinet Member	Councillor Dora Dixon-Fyle, Health and Adult Social Care	
Lead Officer	Sarah McClinton, Deputy Director, Adult Social Care	
Report Author	Becki Hemming, Project Manager, Transforming Adult Social Care	
Version	Final	
Dated	7 April 2011	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	No	No
Finance Director	No	No
Departmental Finance Manager	Yes	Yes
Principal lawyer – social services	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional/Community Council/Scrutiny Team	7 April 2011	

Appendix A

Southwark's Charter of Rights for adult social care

The Charter is designed to highlight broadly what the council aims to achieve for adult social care services, along with the type of service that people should be able to expect when they approach us about adult social care and accessing support.

The council is clear on its national legal duties and operates within the national legislative framework. This includes a range of duties, for example in the Equality Act and community care legislation. It also includes areas such as obligations in safeguarding and statutory rights for individuals around access to records, confidentiality and sharing information about individuals.

The Charter

- We will provide you with good information and advice about all the support and services that are available in Southwark.
- You should be treated with dignity and respect and be treated fairly.
- Vulnerable people, those who are at risk due to disability or frailty, have the right to be safeguarded from abuse.
- You are entitled to request an assessment of your social care needs to help you maintain your health and wellbeing and you will be encouraged to complete this yourself.
- Carers are entitled to a separate assessment of their needs to identify what support would enable them to continue in that role.
- Our aim is to assist you to regain your independence so that you do not need long term support.
- If you have longer-term eligible needs we aim to give you control over your social care support so that you can make choices about what works for you.
- We will let you know who to contact in the council if required.
- We aim to have skilled and trained staff to provide timely, clear, high quality responses.
- You will be given information about your statutory rights (for example access to your records, confidentiality, how information about you is shared with other organisations and how to feedback comments during your assessment).

If you need to contact Southwark adult social care services, you can call us on 0845 600 1287

Appendix B

Southwark's vision for the future of social services

Why the future of services needs to be different from today

Southwark Council wants people to live independent and fulfilling lives, based on choices that are important to them. We want care and support services to be more effective and focused on individuals so that they can be independent and get involved in their local communities.

We need to consider this alongside the long-term impact for services. Demand for adult social care has been growing year on year and this is also the case in Southwark. People are living longer (we expect to see an increase of 17percent in the number of people over eighty five living in Southwark over the next 10 years) and we are finding that there is an increase in the number of people with long-term conditions, including dementia. People are also living longer with very disabling conditions. We have particular pressures here with a high level of mental health and substance misuse needs. As in other London boroughs, we also have pressures from younger disabled people coming through transition with very long term needs.

Adult social care represents around one third of the council's total budget. The Coalition Government's finance settlement for Southwark means there will be large cuts to the council's budget over the next 3 years. Almost £34m will be removed in 2011/12. This could be followed by £17m in 2012/13 and further cuts, not yet quantified, in 2013/14.

We need to balance all of these elements to make sure that we have a sustainable system that puts people in control of their own care and support, makes sure that the most vulnerable people are supported and also delivers value for money for local residents. To try and achieve this, we need to create a very different set of expectations and radically change the way we do things.

We need to minimise what we spend on administrative costs and find more innovative ways of helping our residents to support themselves with fewer formal council services. A key part of this is shifting the balance of care away from costly residential homes and towards more personalised services in community settings.

This vision sets out how we propose to work towards this model in the coming years. We recognise that this is a very challenging task and we want to work with all groups locally to harness good ideas and maintain good quality services for people who access care and support.

Several measures have been taken over recent years to manage rising demand, including raising the Fairer Access to Care Services (FACS) eligibility criteria to substantial and critical needs only. It is an option to raise eligibility further to critical need only. However, some evidence suggests that this may not deliver the required level of savings as people with substantial needs who do not get support may deteriorate, leading to a spiral of higher costs. However, this may need to be revisited if the level of savings required is not delivered.

A Fairer future for older and disabled people

To create the system described above we need to develop a different relationship between the council and the community. We need to move from a model of dependency to one where older and disabled people are seen as people who can contribute and exercise control over their own lives, improving their own health and well-being. If we want to maintain the level of access that we currently have for adult social care we need to signal a different, and smaller, offer to everyone. This is within the boundaries that we do have to meet the needs of people who fulfill the eligibility criteria for access to care and support. What the council provides also needs to be of excellent quality.

We will offer people high quality, useful information that can help them to make informed choices about care and support, including what services are available locally and how to access them. This will be for everyone, including people who self-fund their care and support.

More people across the whole spectrum of support needs will be helped to live as independently as possible, through prevention, signposting and 're-ablement' – short term interventions to help people recover skills and confidence following a period of poor health or admission to hospital. Overall, fewer people will be dependent on long-term council support and more interventions will be time-limited. This support will be aimed at enabling people to access mainstream services rather than relying on specialist services.

We will continue to develop the offer of personal budgets for those people who do require ongoing care and support, including direct payments in cash. People will need information on the amount of money to be spent on their care and support needs so they can make choices on how it is spent. We recognise there is a role for the council in supporting the development of a care and support market that provides the sort of services that people want to access. This includes the availability of support for people in making those decisions and the implications of choosing to employ their own staff, for example.

We recognise the vital role that carers play both in delivering care and in helping prevent people from getting worse or needing more intensive packages of support over time. This means we must carefully consider interventions that can have a demonstrable impact in improving outcomes for people and supporting carers.

Care and support is about partnership – involving individuals, communities, voluntary and private sectors, the NHS and the council's wider services, particularly employment and housing. We will need to work closely with the NHS in addressing individuals' and carers' needs and supporting seamless pathways for care. We also need to take account of the proposals for reform of the NHS, particularly the enhanced role for GPs in terms of commissioning services, and for the council in terms of joining up commissioning across health, social care and health improvement.

Voluntary and community services have a key role to play in helping to build strong community engagement. The experience of the sector is also invaluable in thinking of new ways of doing things and helping people understand the need for change. We know that voluntary and community organisations will experience challenges in the future as the overall amount of funding available is reducing. It is important for us to work together with people using services and carers to make the best use of available resources.

Some key aspects of how the service will be different

The focus for the system is about enabling people to live independently and well for as long as possible, and not feeling restricted to traditional support options. Partnership is key here – self help, helping yourself and others as an active citizen, working with the wider community and voluntary sectors to develop social capital are all vital components of a system that provides effective care and support, and which goes beyond the traditional sense of statutory services. This means that the council also has to think differently about the wider services available to support people to make the most of these opportunities.

We recognise that many people need some intensive support at the end of their lives. What we want is to have a good balance of services in place to promote health and wellbeing and make that period as short as possible for everyone.

1. With this in mind, we are looking to re-shape our **universal offer** (open access discretionary services) that cover areas such as lunch clubs and day care services as well as befriending, information and advice. These are available to people who may not have eligible social care needs.

Services will need to think differently about how they may want to provide social and practical support to people but with a reduced level of council funding available. We are considering re-shaping the offer within the wider voluntary sector to provide a model with fewer buildings but from which services could reach out and deliver services in different ways. People could get together, have meals, access advice, signposting and support planning from buildings but there could also be more reaching out, with organisations potentially delivering services that people choose to purchase through their own resources or personal budgets, for example hot meals in the home or practical help. There will continue to be a role for the voluntary sector but different kinds of services will be needed in future, which will need to be financially self-sustaining.

Current examples of this self-sustaining approach in Southwark include the SE Village, HOurBank and Southwark Circle. Services are offered in a way that also enables people to contribute time and skills, rather than being seen as passive recipients of care.

2. We will create a **single point of informed contact** so that people can access high quality information and advice about social care services and be signposted to resources outside the council. This will be for everyone regardless of whether or not they receive support from the council for their care. There will be an expectation that practical help is funded by the individuals themselves (through benefits if eligible).

3. **Prevention** work needs to consider ways of stopping people's care and support needs from getting worse and of helping people minimise the risk of them entering the adult social care system as far as possible. It is important that we target this work based on available evidence, particularly around how investment early on can support a reduced demand for longer-term social care support. This may include help for carers and the development of telecare, enabling people to live independently at home with the use of technology and equipment, for example personal alarms, fall detectors or temperature extreme sensors. Health services also have a key role to play in helping us become more aware of the groups of people who are more likely to enter the social care system, particularly when they have long-term conditions so that we can target interventions effectively. The biggest impact of preventative action is often on health provision. We will look to engage with GP commissioners and work as part of the proposed new Health and Wellbeing Board to support this.
4. We want to focus on opportunities that support people to retain their independence for as long as possible. This may include short-term home care or **re-ablement** to help people get back on their feet, making use of technology and providing effective equipment for the home. Over time, our ambition is for this to be expanded to become the initial offer to everyone with eligible needs, either as new entrants to the system (obviously taking into account certain circumstances, for example people requiring end of life care) or, for existing clients, at the point of review where appropriate. This includes thinking about intermediate or step down care for people coming out of hospital.
5. Once a person has been through re-ablement and a longer term need is established, a **personal budget** will be the offer. People will plan ways in which their agreed goals can best be met in the most cost-effective way. They will be encouraged to plan and to manage their own budget through a direct payment and to creatively make use of existing resources within their family and community to support their plan.
6. There will be help with **support planning** only for those who need it – including local support planners, council-based social workers and, in the future web-based self service. We hope that creative support planning and smarter brokerage will lead to greater use of mainstream services and a significant shift in the balance of care so that people are better able to achieve the outcomes they want for themselves. This may include fewer people requiring high cost residential and nursing provision where this does not most effectively contribute to their identified goals.
7. We are looking to re-shape day services for people with eligible needs in support of the vision and for people who continue to choose this model. Services will be focused on offering respite and support for a smaller number of people with the most complex needs but also providing opportunities for people to gain the skills they need to live **independent lives**, including access to employment.

8. **Transitions** from children's to adults' services will be re-shaped to minimise duplication across services and further promote the concept of whole life planning. This aims to support people to maintain independence throughout their lives and seek creative ways of making best use of resources over the long term.
9. A set of triggers and alerts will be embedded in the system with the aim of ensuring that people who are at risk are **safeguarded**. The culture will support positive risk-taking and the whole community will be responsible for picking up warning signals and will need to be part of an effective response.
10. All people receiving support through the council will benefit from regular **review** of their needs and circumstances, proportionate to the level of risk. The review process needs to be supportive of the overall direction of services, particularly in terms of supporting people to live independently and well and make the most of their own capabilities, not just passively receiving services.
11. The system as a whole will be underpinned by the ethos of independence and re-ablement. Support will be progressive and proportionate to need, **minimising bureaucracy** and duplication, and ensuring all steps along the way are timely and focused on outcomes. The resources we have for helping people arrange care and support will be increasingly focused on those who are less able to help themselves, including people without family or networks, people with cognitive impairment or a lack of mental capacity.
12. The **workforce** has a key role to play in supporting and delivering this vision and transformational change. It will be important for us to review our structure and skill mix to make sure that they best support the vision and continue to provide timely, clear and high quality responses. Our focus will be on reducing back office costs as far as possible and supporting frontline workers to operate effectively and efficiently. This includes a range of supporting elements including performance management and IT systems, for example mobile technology.
13. In addition, **providers** of care and support will need to **think differently** about the services they offer as individuals take control of their own care and support needs. The council will have a role to play here to help providers understand the changes that are happening and we will also be focused on the need for all care and support offers to be about high quality support that helps people to achieve the outcomes they want. Quality assurance will therefore need to be focused on understanding whether services available to people are effective in helping them achieve their goals and provide the degree of choice and control people want for themselves.

This is a long-term vision for the future of adult social care and we recognise it is a challenging one that requires us to look at the whole system. At the heart of the vision is the intention to support people to live independently and well for as long as possible while making best use of the resources that are available. We want to work together to develop a sustainable system so people can live the lives they want while delivering value for money for the residents of Southwark.

Annex – what does the vision mean for individuals?

This case study shows how our vision for adult social care is already being put into practice and the impact that this can have on people's lives.

Case study – re-ablement and personalisation

Following a recent spell in hospital as a result of ongoing and long-term health problems, Mr T was referred to the re-ablement team in Southwark to look at what ongoing support in the community may be required.

Following a re-ablement review and assessment of his ongoing needs Mr T began the process of support planning to look at the money that was to be spent on his care and support and how he wished to use that money to achieve the outcomes he agreed in three key areas:

- personal care
- practical care
- social needs.

Although he had not had a care package before Mr T had a lot of ideas of how he wanted to organise and manage his support and was very keen to manage things himself, including his money. He had a network of friends and neighbours who he wanted to help him with personal care, doing laundry and cleaning his house, paying expenses as appropriate.

He also chose to arrange for one of his friends to come and make home cooked African food for him that he could store in the freezer, rather than using the meals on wheels service, which he did not want.

He felt that by having his friends support him more formally he would be able to organise his life in a much better way, with control over when people worked and the tasks they did for him, rather than waiting around for someone from a care organisation to arrive. Discussion also needed to include how and whether he would require support for any help around employment issues and with payroll for people he decided to employ, and how to use money from his personal budget for this.

For social engagement and activities Mr T was keen to get back to regularly going to church and meeting up with friends through that route rather than using traditional day care services, as he felt better off with people he previously knew rather than strangers. As part of this he organised for a friend to transport him there and back, covering petrol costs.

Mr T was also very keen to learn how to use the internet so that he could be in regular contact with his family who live abroad. He chose to put his money for day care towards purchasing a laptop computer and computer lessons. Having regular contact with his family was one of the most important things for him and he felt more useful to him than attending a day centre, for example.

Through the support planning process, he was also sign-posted to a variety of voluntary organisations that could provide support and input, both relating to his interest in art and films, and for advice and support relating to his particular health conditions.

Southwark Health & Social Care

Equality Impact Assessment

Work Programme/Policy Being reviewed:

Vision for the future of Southwark adult social care services – 3 year budget strategy

Name of Responsible Manager:

Sarah McClinton

Name of Lead Director:

Susanna White

Directorate:

ASC	Service:	All
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Key aims of this work programme:

To design and implement adult social care services that deliver the Council’s statutory duties within a reduced financial envelope, in a way that achieves better value for money and promotes independence.

Who is intended to benefit from this piece of work?

People who need adult social care support.

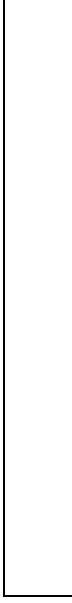
Which partners are involved in this work programme:

Early discussions have commenced with housing, children’s services, Community Action Southwark, trade unions and PCT. Further engagement will be required as programme is shaped up, including with affected organisations, people who use services and carers.

Date EIA assessment completed:

28 January 2011

Section 1: Overview Equality Impact Assessment of Proposed Work Programme/Policy



1. Description of Policy/Service Redesign	
<p>Provide an outline of the proposed change, including key drivers; how the particular approach was determined; financial implications and links to key local and national policy and strategic drivers</p>	<p>The key drivers for this change are the government Spending Review¹ and Putting People First concordat.² It also takes into account the national vision for adult social care³. The approach has been developed by working with managers through facilitated events. We have taken a diagnostic approach to understanding the current provision and performance of adult social care services in Southwark and looked at potential savings realisation if we modernise our services, focus resources on the most vulnerable and shift the balance of care for Fair Access to Care Services (FACS) eligible people toward community-based support.</p> <p>The vision for Southwark is to support people to live independent and fulfilling lives, based on choices that are important to them. This requires services to be more effective and more personalised, focusing on individuals rather than institutions and shifting the balance of care away from residential homes and towards more personalised services in community settings. This also requires a different relationship between the council and the community, moving from a model of dependency to one where older and disabled people are seen as people who can contribute and exercise control over their own lives, improving their own health and wellbeing. Proposals for the redesign of services seek to contribute to this overall vision, in line with the financial context of a reduced public purse.</p> <p>The Council is required to meet its statutory duty to disabled people with FACS eligible needs and these services have been prioritised within this approach above discretionary services. The redesign of services aims to focus resources on helping people to help themselves so as to minimise the impact on disadvantaged groups.</p> <p>Frontline services have been prioritised above buildings-based provision. New technology and the personalisation</p>

¹ HM Treasury (2010), *Spending Review 2010*, London

² HM Government (2007), *Putting People First: a shared vision and commitment to the transformation of adult social care* – HM Government (December, 2007), London

³ Department of Health (2010), *A vision for adult social care: capable communities and active citizens* – Department of Health (November, 2010), London

approach to support people to live independently and well at home as far as possible means we can continue to provide more services if we reduce fixed costs associated with buildings and realise capital assets for investment.

In addition, the offer of personal budgets to support flexibility and choice in accessing services, will continue to develop in light of the Coalition Government’s commitment to offering everyone with an ongoing, eligible care need a personal budget, preferably in the form of a direct payment, by 2013.

There is also an overall drive in commissioning services to work towards ensuring that best value is obtained from contracts and that resources are being targeted most effectively to achieve the best outcomes for people. Any work around this will need to be sensitive to the particular impact on individual equality strands and take this into account as we seek to develop a system that is focused on personalised services that people can access support from to help meet their own needs.

Detailed proposals are being developed to sit within the framework set out in our vision will seek to achieve savings in a model that is ‘front-loaded’ so that the bulk of savings are delivered earlier in the budget period. Individual proposals that are agreed to be taken forward will need individual, detailed equality impact assessments, set within this overall framework.

2. Purpose and Benefits	
Which groups are the intended to benefit from the implementation of this policy/service redesign?	People who are at risk of needing long term social care support and people who have been identified with eligible care and support needs, as outlined through FACS criteria.

3. Impact Assessment	
Outline the main issues for your policy or service change in relation to equality, diversity and social cohesion (e.g. access, cultural sensitivity, impact of service change/policy etc.)	<p>This EIA is being carried out in accordance with Southwark Council’s Equality and Human Rights Scheme, 2008–2011⁴. It seeks to consider how this programme of work around the budget strategy and vision for adult social care will impact on key equality strands highlighted in the Equality Act 2010, particularly considering the impact on proposals in terms of direct and indirect discrimination of individuals. Southwark is aware of the key issues around equalities across an array of groups and we will deliver this programme in a way that is sensitive to people’s different backgrounds and needs.</p> <p>Specific issues are set out below.</p>

4. Monitoring and reviewing the policy/service change	
Describe arrangements for monitoring or carrying out regular checks on the impact of this policy post-implementation	
<p>The overall vision for the future of adult social care in Southwark has been discussed with a range of stakeholder groups in draft form to help support its development and seek input on the overall approach and direction. Presentations have been given to the following groups and feedback sought.</p> <ul style="list-style-type: none"> • Adult social care service user and carer panel • Adult social care managers’ forum • Health and Wellbeing Board • Adult social care provider market forum • Older People’s Partnership Board <p>Further presentations are also planned with the Carer’s Forum, Disability Partnership Board and we propose making a draft version of the vision available on the Southwark Council website to invite further comments.</p> <p>Feedback from these groups has been used to refine the vision but, in general, to date there has been an acceptance of the overall approach and direction for the future of adult social care.</p> <p>This strategy and equalities impact will be reviewed at least every 12 months. We will seek to develop a range of success measures to allow us to monitor</p>	

⁴ http://www.southwark.gov.uk/downloads/download/281/equalities_and_human_rights_scheme_2008_to_2011

the impact of changes in terms of access to services, the extent to which individual outcomes are achieved and customer satisfaction levels. The profile of people using services will also be monitored and reviewed.

Individual projects that lead to staffing reorganisations will be reviewed in line with HR policy.

As highlighted previously, detailed Equality Impact Assessments for specific elements of service redesign proposals arising from the vision and proposals in the budget report will need to be completed and reviewed as proposals develop, in the context of the overall vision framework. This will include seeking the views of organisations, people using services and carers on whom the proposals may impact.

We recognise that we will need to work closely with partner across the council, particularly in areas like housing and employment, to understand the cross-cutting impacts of the need to reduce spend in these areas and our desired outcome of helping more people to live independently and well at home and in the community.

Section 2: Pre-Implementation Equality Impact Assessment

5.1 Disability (mental, physical, sensory, long term health, learning disabilities)

a. Statutory Duties: In respect of the proposed policy & service change, list key legislation in relation to this group

Disability Discrimination Act 2005
Human Rights Act 1998
Equality Act 2010
Community care legislation

The protected characteristic of disability applies to a person who has a physical or mental impairment that has a substantial and long-term adverse effect on their ability to carry out day-to-day activities, which would include things like using a telephone, reading a book or using public transport. A person's disability (physical or mental impairment) itself can often create a barrier for them accessing services. For example if a person is housebound, blind or visually impaired.

b. Likely impacts of proposed changes & mitigating actions: Describe the proposed changes that are likely to affect people in Southwark and set out mitigating actions

The key impact is around services not continuing to exist or being offered in a different way. As part of our overall vision for adult social care, it is likely that, in future, there will be fewer people receiving ongoing, long-term social care support. In addition, those eligible people entitled to personal budgets may have a reduced offer. However, this in the context of a drive to support people to live independently and well for as long as possible, with choice and control over the support they access so they can effectively use the resources available to them and achieve the outcomes they want. It is also in the context of focusing resources on time-limited interventions, such as re-ablement services, to help people get back on their feet and support people to be able to actively engage in their local community.

We are specifically looking to review current day centre provision across the borough for older people, mental health and learning disability services. Again, this may include examining the effectiveness of current services in meeting our aims of supporting independence, choice and control as well as considering the number of buildings through which services are delivered. To mitigate this, the personalised approach for services by which people have choice and control in achieving the outcomes they want, and know how much is to be spent on their care and support in the form of a personal budget should help people make decisions on the types of services they want to access to lead the lives they wish.

There are also proposals to reshape the universal offer around discretionary services available to people who do not necessarily receive support from the Council. This is about moving away from building-based services to a model of hubs in communities that enable people to access a range of support in one place at a single visit. It is likely that a number of people who access these discretionary services are disabled although they are unlikely to be eligible for Council support in terms of FACS criteria. The impact of the proposals may result in the number of people receiving such discretionary services is reduced, which could include some people with disabilities.

To try and mitigate the impact on people who currently use discretionary services, the council will investigate pump priming and small injections of cash for projects that support independence and can become financially self sustaining where possible.

Budget proposals on reviewing charging policy will also necessarily impact on disabled people who are accessing adult social care services. Any changes will need to remain in line with government guidance on this issue, and that is the approach being proposed.

Proposals to move away from residential care provision to more personalised services through community support may also have a long-term positive impact in supporting increased independence and choice for people and providing them with opportunities for supported, independent living to achieve the outcomes they want. This includes further work for those people who use supporting people services. However, it will be necessary to consider the position of people who may have spent a considerable amount of time in residential care and may require additional support during any period of transition.

Another key driver of the proposals are about the importance of partnership involving individuals, communities, voluntary and private sectors, the NHS and the council's wider services, particularly employment and housing. This is designed to create a greater focus on supporting people to help themselves and each other as active citizens, and working with the wider community and voluntary groups to build social capital within communities. Signposting and effective time-limited interventions such as re-ablement will be further developed and regularly used to work towards supporting people to live independently and well without the need for long-term interventions. This has the potential to help more disabled people through provision of appropriate and accurate information at an earlier stage, as well as support to use resources within their own families and communities.

A key aspect of this is helping people understand how much is to be spent on their care and support – their personal budget – and supporting them to make their own decisions about how their money should be used in an effective. It will be important to recognise that people with mental health needs, autism and those with complex care packages may require additional support to access personal budgets (Department of Health, 2010).

5.2 Age

a. Statutory Duties: In respect of the proposed policy & service change, list key legislation in relation to this group

Equality Act 2010

b. Likely impacts of proposed changes & mitigating actions: Describe the proposed changes that are likely to affect people in Southwark and set out mitigating actions

Adult social care services are provided to people over the age of 18. The proposals for the Southwark vision for adult social care apply to all adults who may require care and support. Frailty and disability associated with old age means that it is likely the proposals will impact on older people and indeed the majority of users of social care in Southwark are over 65.

While the proposed changes mean that fewer people are likely to receive long term support and the personal budget offer may be reduced, we are seeking to mitigate the impact of this by focusing on providing timely and accurate information earlier in the process through a single point of informed contact, signposting people to a wide range of services that are available to them in the wider community. We recognise that it will be important to consider, as part of this, the formats in which information is available locally, to ensure that everyone can make use of the information and advice provided. In addition, there will be a focus on effective time-limited interventions, such as re-ablement, that seek to help people get back on their feet after a period of ill health or trip to hospital, often with reduced or even no need for ongoing care. There is some emerging evidence to suggest that the

use of re-ablement type services can result in improved health-related and social care-related quality of life, as well as being cost effective and being associated with a decrease in subsequent social care service use over time⁵. Early re-ablement work in Southwark has also suggested that a large proportion of people using the re-ablement service have not accessed an ongoing care package afterwards although further work will be required to understand the longer-term outcomes in this area.

Proposals around targeting prevention work to where there is demonstrable impact on how investment early on can ultimately reduce demand for longer-term social care support may also have a particular benefit to older people in terms of them achieving the outcomes they want. This is a group that often places particular importance in these 'low level' type interventions as a means of supporting them to stay independent and well.

We are specifically looking to review current day centre provision across the borough for older people, mental health and learning disability services. Again, this may include examining the effectiveness of current services in meeting our aims of supporting independence, choice and control as well as considering the number of buildings through which services are delivered. To mitigate this, the personalised approach for services by which people have choice and control in achieving the outcomes they want, and know how much is to be spent on their care and support in the form of a personal budget should help people make decisions on the types of services they want to access to lead the lives they wish.

There are also proposals to reshape the universal offer around discretionary services available to people who do not necessarily receive support from the Council. This is about moving away from building-based services to a model of hubs in communities that enable people to access a range of support in one place at a single visit. The vast majority of these services, which are often lunch clubs/day services are focused on providing a service to older people, although they may not be eligible for council support in terms of meeting relevant FACS criteria. The impact of proposals may result in fewer buildings based services currently accessed by older people.

To try and mitigate the impact on people who currently use discretionary services, the Council will investigate pump priming and small injections of cash for projects that support independence and can become financially self sustaining where possible. In addition, there will be an expectation on any services that continue to be commissioned that they are able to deliver even better value, perhaps through increasing the number of placements available, extending opening hours or collaborating with other organisations to meet wider needs.

There is the potential for a positive impact on all groups as the proposals seek to promote choice and control and support people to live independently and well, and to achieve the outcomes that they want. In terms of the specific personalisation offer of personal budgets, there is currently some national evidence to suggest that older people may need a greater degree of support to access the benefits of personal budgets⁶, which can be addressed by

⁵ Glendinning, C, Jones K, et al. (2010) *Homecare Re-ablement Services: Investigating the longer-term impacts (prospective longitudinal study)* –Personal Social Services Research Unit University of Kent & Social Policy Research Unit, University of York

⁶ Glendinning, C. et al, *Individual Budgets Evaluation Network (IBSEN) (2008) Evaluation of the Individual Budgets pilot programme: final report*, IBSEN, London

ensuring the availability of appropriate support, which can be effectively provided by the third sector. This will need to be considered as the offer of personal budgets is developed across Southwark, for example in commissioning arrangements for any information and advice projects or brokerage services to support people to make decisions about spending and managing their money.

In addition, proposals to move away from residential care provision to more personalised services through community support may also have a long-term positive impact in supporting increased independence and choice for people and providing them with opportunities for supported, independent living to achieve the outcomes they want. However, it will be necessary to consider the position of people who may have spent a considerable amount of time in residential care and may require additional support during any period of transition.

The former Commission for Social Care Inspection found some evidence to suggest that young people in transition between children’s and adults’ services (particularly 16–17 year olds) may not be getting the support they need from adult social care services⁷. Mitigating actions for this group include the proposals to introduce a new approach to transition, including whole life planning and seeking creative approaches to supporting independence while reducing duplication across services.

Budget proposals on reviewing charging policy will also necessarily impact on older people in terms of them being a key group to access adult social care services. Any changes will need to remain in line with government guidance on this issue, and that is the approach being proposed.

5.3 Race/Ethnicity

a. Statutory Duties: In respect of the proposed policy & service change, list key legislation in relation to this group

Race Relations Act 1976, 2000
Equality Act 2010

For the purposes of the Equality Act ‘race’ includes colour, nationality and ethnic or national origins. A racial group can be made up of two or more different racial groups (e.g. Black British or White Irish).

b. Likely impacts of proposed changes & mitigating actions: Describe the proposed changes that are likely to affect people in Southwark and set out mitigating actions

⁷ Commission for Social Care Inspection (CSCI) (2008) *State of Social Care in England 2007-08*

<p>It is not anticipated that this strategy will have a significantly differential impact on race and ethnicity for people entitled to statutory services. The personalised approach to service delivery gives people who are entitled to long term care more choice and control over their support. This enables individual culturally sensitive responses to be agreed with individuals. There is also some evidence to suggest that personal budgets have the potential to offer greater independence and flexibility in support arrangements for black and minority ethnic (BME) groups in terms of improved access to culturally sensitive, tailored support. However, this needs to be seen in the context of the importance of there being sufficient options in the local market place to offer the type of support that people want. Southwark’s role as market shaper and its approach to quality assurance in the future will need to take account of this need in ongoing work.</p> <p>Furthermore, our work to shift the balance of care away from residential provision and towards more community-based support will need to take account of particular requirements for culturally-tailored provision, in terms of the role of the council in developing an effective and robust market place for services.</p> <p>Proposals being considered to reshape resources available for discretionary services, for example lunch clubs, available to people who do not necessarily receive support from the Council, may have an impact on a number of ethnic groups as currently a number of projects commissioned are culturally specific.</p> <p>To try and take account of this, we are proposing that continued funding for any projects will be dependent on them looking at how they can deliver better value, perhaps through extending the number of places available or opening hours, or working collaboratively with organisations who will not receive council funding in the future. We would expect this to take account of the wide range of different communities that we have in Southwark and seek to promote community cohesion, bringing people together. In addition, proposals are being considered for a small amount of resource to be available to offer pump priming or small injections of cash as part of a process to support financially self-sustaining models of care.</p>
<p>5.4 Gender/Gender Identity (inc. gender reassignment)</p>
<p>a. Statutory Duties: In respect of the proposed policy & service change, list key legislation in relation to this group</p> <p>Equality Act 2010</p>
<p>b. Likely impacts of proposed changes & mitigating actions: Describe the proposed changes that are likely to affect people in Southwark and set out mitigating actions</p>

As a result of longer life expectancy more women than men use adult social care services and this is also true for Southwark where a majority of adult social care service users are women. In addition, older women tend to be less well off than older men. There is some evidence to suggest that, from a national perspective, there are nearly five times as many women as men in institutional care but they are less able to afford it⁸ (Mayhew, 2009). This all suggests that there is potential for proposals to have a greater impact on women in terms of changes to the number and type of services that will be available in the future as a result of proposals.

Mitigating actions to support this include the specific proposal on re-ablement as a means of helping people get back on their feet and living independently and to attempt to prevent further deterioration and a requirement for ongoing intensive support. The single point of informed contact should also provide clarity about the system of adult social care, how people can engage and the range and types of support available.

Women are more likely to be carers than men (58 percent of carers were women according to the 2001 Census). There is a risk that, if proposals do lead to fewer people receiving long term support this may place a further burden on carers and impact particularly on women. However, the vision for Southwark recognises the key role that carers play, both in delivering care and in preventing people's care needs from increasing. We are seeking to investigate proposals for effective interventions that can provide help and support for carers. In addition, proposals will also need to be carefully considered in the context of the importance of care and support being about partnership between individuals, families, communities, the voluntary and private sector, the wider council and NHS. This means that we are particularly interested in developing social capital within communities and encouraging people to help themselves and each other as active citizens.

There is also some evidence to suggest that personal budgets have the potential to offer greater independence and flexibility in support arrangements for transgender people (for example even in just being able to select for themselves the gender of their carer). However, this needs to be seen in the context of the importance of there being sufficient options in the local market place to offer the type of support that people want. Southwark's role as market shaper and its approach to quality assurance in the future will need to take account of this need in ongoing work..

5.5 Religion/Belief

a. Statutory Duties: In respect of the proposed policy & service change, list key legislation in relation to this group

Equality Act 2010. The Equality Act protects people with or without religion or belief from unlawful discrimination. Belief means any philosophical belief or a lack of such belief. For example, Humanism is a protected philosophical belief but political beliefs would not be protected.

⁸ Mayhew L. (2009) *The Market Potential for Privately Financed Long Term Care Products in the UK* – Faculty of Actuarial Science and Insurance, CASS Business School

<p>b. Likely impacts of proposed changes & mitigating actions: Describe the proposed changes that are likely to affect people in Southwark and set out mitigating actions</p>	<p>As with some other areas considered above, the drive towards personalised services and responses for people, combined with the personal budget offer, can provide opportunities for people to purchase services that are culturally sensitive for their needs. As in other areas, Southwark will need to take a lead role in shaping the market and quality assurance so that providers understand and are in a position to offer the types of services that support these choices for local people. It will also be important to ensure that people using services, carers and organisations affected have the opportunity to engage with and shape future proposals, which in turn should help support a drive towards personalised services for people.</p>
<p>5.6 Sexual Orientation</p>	
<p>a. Statutory Duties: In respect of the proposed policy & service change, list key legislation in relation to this group</p>	<p>Equality Act 2010</p> <p>We know that some people have issues with homosexuality because of misinformation, general prejudice or because of religion or belief. Basic human rights principles and case law makes it clear that no one can be unlawfully discriminated on the basis of their sexual orientation. The Equality Act protects bisexual, gay, heterosexual and lesbian people from unlawful discrimination.</p>
<p>b. Likely impacts of proposed changes & mitigating actions: Describe the proposed changes that are likely to affect people in Southwark and set out mitigating actions</p>	<p>We are aware the former CSCI found that people from lesbian, gay and bisexual communities may find themselves in an assessment process that fails to correctly identify their needs, which is likely to result in the provision of services that inadequately meet the needs of individuals⁹. The personalised approach to service delivery gives people who are entitled to long term care more choice and control over their support. This should enable personalised responses to be agreed with individuals, and should take into account any needs arising specifically as a result of an individual's sexual orientation.</p>
<p>5.7 Carers</p>	
<p>a. Statutory Duties: In respect of the proposed policy & service change, list key legislation in relation to this group</p>	

⁹ CSCI (2008) *Putting People First: equality and diversity matters – providing appropriate services for lesbian, gay and bisexual and transgender people* CSCI, London

<p>The Equality Act 2010 covers the issue of discrimination by association, which may have an impact on those caring for people with an adult social care need.</p>	<p>b. Likely impacts of proposed changes & mitigating actions: Describe the proposed changes that are likely to affect people in Southwark and set out mitigating actions</p> <p>There is a risk that, if proposals do lead to fewer people receiving long term support this may place a further burden on carers. However, the vision for Southwark recognises the key role that carers play, both in delivering care and in preventing people’s care needs from increasing. We are seeking to investigate proposals for effective interventions that can provide help and support for carers. In addition, proposals will also need to be carefully considered in the context of the importance of care and support being about partnership between individuals, families, communities, the voluntary and private sector, the wider council and NHS. This means that we are particularly interested in developing social capital within communities and encouraging people to help themselves and each other as active citizens.</p> <p>All proposals will need to be considered in the light of how they impact on carers and seek to promote equality. Individual EIAs will need to undertake further detailed analysis on this as appropriate and seek to engage with carers about the impact of proposals on them.</p>
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Note: for adult social care it is not expected that proposals will have a differential impact on the equality strand of pregnancy and maternity (as outlined in the Equality Act 2010), consequently it has not been considered in detail here.

Section 3: Equality Impact Assessment, Conclusions & Further Actions

6. Resource Implications	
<p>Will there be any financial or HR implications in ensuring policy/service redesign are non-discriminatory?</p> <p>Provide specific detail where applicable</p>	<p>Individual projects to identify details and work within corporate HR policy. Proposals to workforce redesign will also need to take into account equality and diversity impacts on/for the adult social care workforce.</p> <p>As any proposals are taken forward they will seek to include an assessment of how specific changes will impact on the workforce. This may include collecting anonymised profile data on staff subject to review and looking at whether changes (e.g. in working arrangements) or structural amendments may have an adverse impact on people from a particular group as appropriate. Data is shared with the Trade Unions as part of the formal consultation process, which will include possible measures to mitigate any adverse impact.</p>

7. Further EIA Actions		
<p>Based on the Initial Assessment above. Please detail key areas identified as requiring more detailed analysis or key mitigating actions. Please be explicit about actions and provide the name or supporting documents</p>		
Number	Description of Issue	Action & Output
1	Continued engagement to ensure that a wide range of people are able to feed into the thinking around the vision for adult social care.	Deputy Director to complete presentations for outstanding groups. Publication of adult social care vision on website to seek comments.
2	Individual projects to ensure that more detailed equality impact analysis is undertaken on proposals	Project leads to complete detailed EIAs on individual proposals

3	Organisations affected by proposals, service users and carers provided with opportunity to comment on proposals and participate in suggestions for future services	Project leads to develop process for engagement as part of EIA development
4	Baseline information on user profiles available to inform ongoing work and proposals	Performance team to collect and collate user profile baseline information
5	Understanding of impact of national policy changes on approach to adult social care	Senior management and project leads to review proposals in light of central government proposals on impact for democratic legitimacy and work of the Law Commission on the statutory underpinning of adult social care, as well as proposed social care White Paper, likely to be published following the report of the independent Commission on Funding for Care and Support.
6	Ongoing review of equality impact on policies	Following consultation and engagement, and otherwise at regular intervals, proposals to be reviewed by project leads to ensure that equality impact is well understood and up to date

8. Publication

All EIAs will be published on an annual basis. Please send a copy to: harinder.bhara@southwarkpct.nhs.uk or tod.hayder@southwark.gov.uk and the Assistant Director or Director responsible for this programme.

9. Review & Sign Off

Detail governance process for this EIA, including any sign-off

Signed-Off by Director, Assistant Director or SRO

Name: Sarah McClinton

Date: 19.01.11

Item No. 10.	Classification: Open	Date: 19 April 2011	Meeting Name: Cabinet
Report title:		Disposal of 117-119 Ivydale Road, SE15	
Ward:		Nunhead	
Cabinet Member:		Councillor Richard Livingstone - Finance, Resources and Community Safety	

FOREWORD – COUNCILLOR RICHARD LIVINGSTONE CABINET MEMBER FOR FINANCE, RESOURCES AND COMMUNITY SAFETY

1. This report proposes authorising the sale of the council's freehold of 117-119 Ivydale Road in Nunhead, in line with the decision made by the previous executive to dispose of the site. This will enable five new houses to be built of a similar size to the homes elsewhere in the road. The receipts from this property will be usable in the Housing Investment Programme to contribute towards the council's commitment to make every council home warm, safe and dry.

RECOMMENDATIONS

That Cabinet agrees:

2. To authorise the Head of Property to dispose of the council's freehold interest in 117-119 Ivydale Road ("the Land"), for the consideration set out in the closed version of this report.
3. To delegate authority to the Head of Property to agree any variation to the terms agreed.

BACKGROUND INFORMATION

4. 117-119 Ivydale Road is shown edged red at Appendix 1 and comprises a derelict vacant prefabricated dwelling and vacant land.
5. The council holds the freehold interest of the Land. The interest is not subject to any leases or licenses.
6. The then Executive resolved to sell the Land together with the site opposite (122-148 Ivydale Road) for a phased development. Owing to this Land becoming vacant earlier than anticipated it can now be disposed of independently.
7. The Land was declared surplus on 16 November 2010 by the Strategic Director of Regeneration and Neighbourhoods.
8. The Land was marketed for sale and attracted significant response from interested parties.

9. In order to achieve best consideration it is proposed to transfer the Land by way of a contract conditional on planning permission being granted. The purchaser will pay a deposit and on receipt of a satisfactory planning consent the balance of the consideration will be paid. The freehold interest in the Land will then be transferred to the purchaser unconditionally.
10. The Land will be sold with the existing derelict structure in place and the purchaser will be responsible for its demolition and removal.
11. The Land is held in the council's housing revenue account.

KEY ISSUES FOR CONSIDERATION

12. In accordance with the principles and policy of good asset management laid down by government together with local authority regulations, councils are required to dispose of surplus property assets subject to best consideration requirements.
13. The disposal of the Land will ensure that it is bought back into beneficial use through regeneration. In addition, it will alleviate the council of the costs of security and ongoing management

Policy implications

14. The recommendation will produce a capital receipt that will be available to supplement the capital programme.

Community Impact Statement

15. The recommendation should result in a derelict site being brought back into use as housing.
16. It is considered that the disposal will have no effect on the council's agenda for age, disability, faith/religion, gender, race and ethnicity and sexual orientation.
17. The local community will be consulted through the planning process and any negative impacts of development will be managed in this way.

Resource implications

18. These are set out in the closed version of the report.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

19. As the Land falls within the council's housing portfolio, the disposal can only proceed in accordance with Section 32 of the Housing Act 1985, for which purposes the consent of the Secretary of State is required. Consent E3.1 of the General Consent for the Disposal of Part II Land 2005 enables the Council to dispose of any land held for the purposes of Part II for the best consideration that can reasonably be obtained, provided that any dwelling house included in the disposal:

- (a) Is vacant.
 - (b) Will not be used as housing accommodation; and
 - (c) Will be demolished.
20. Paragraph 4 of this report confirms that the dwelling on the site is vacant, and at paragraph 10 the report confirms that the dwelling will be demolished.
21. The closed report confirms that the consideration to be obtained for the disposal is the best consideration that can reasonably be obtained.
22. If the Cabinet is satisfied that the disposal satisfies the requirements of the general consent and that the consideration as set out in the closed report represents the best consideration that can reasonably be obtained, they may proceed with approval of the recommendation.

Finance Director

23. These are set out in the closed report.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Correspondence file	Property Services 160 Tooley Street, SE1	Tim Surry 020 7525 5378

APPENDICES

No.	Title
Appendix 1	Land ownership plan

AUDIT TRAIL

Cabinet Member	Councillor Richard Livingstone - Finance, Resources and Community Safety	
Lead Officer	Eleanor Kelly, Deputy Chief Executive	
Report Author	Tim Surry, Property Services	
Version	Final	
Dated	8 April 2011	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	Yes	In closed report
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	8 April 2011	

Draft pdf source

TITLE.

117-119 Ivydale Road, SE15 3DT.

Appendix 1



DRAWING No.

LBS_1391

DRAWN BY.

MMANKTELOW
Property Division

DATE.

19/1/2011

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Item No. 11.	Classification: Open	Date: 19 April 2011	Meeting Name: Cabinet
Report title:		Disposal of 51 Lorrimore Road, Walworth, SE17 3LX	
Ward:		Newington	
Cabinet Member:		Councillor Richard Livingstone - Finance, Resources and Community Safety	

FOREWORD – COUNCILLOR RICHARD LIVINGSTONE, CABINET MEMBER FOR FINANCE, RESOURCES AND COMMUNITY SAFETY

1. This report proposes the sale of the old Duke of Sutherland pub on Lorrimore Road. The council owns the freehold on this property as an investment property on the housing revenue account. However the property has been vacant for over a year and is unlikely to be let again as a pub and as a result is now a drain on the housing revenue account. Sale of the premises will provide a return that the council will be able to invest in helping to make every council home warm, safe and dry.

RECOMMENDATIONS

That Cabinet agrees:

2. 51 Lorrimore Road (The Property) be sold on the open market subject to the council discharging its obligation to obtain the best consideration that can be reasonably obtained.
3. To delegate authority to the Head of Property to market the Property and agree detailed terms for its sale.

BACKGROUND INFORMATION

4. The Property is shown edged red on the plan at Appendix A. It comprises a former public house known as the Duke of Sutherland. It is a two (rear) and three storey (Lorrimore Road frontage) building dating from Victorian times. There is a basement that extends to the full footprint of the building. There is a small rear yard. As well as providing ground floor bar accommodation there are six bedrooms, a kitchen and ablution facilities on the upper floors. It is however generally in a run down condition and in need of substantial investment to meet current day aspirations in both public house and living accommodation terms.
5. The council holds the freehold interest of the Property. The interest is not subject to any leases or licences. It is currently occupied by guardians that secure it whilst vacant. These guardians will vacate at short notice enabling vacant possession to be readily provided.
6. The Property has not been used as a public house for over a year when the tenant became insolvent.

7. The Property is situated at the corner of Lorrimore Road and Draco Street and forms the end of a terrace of Victorian houses many of which have been converted to flats. This is a mixed neighbourhood comprising privately and publically owned housing between Kennington and Walworth.
8. In the current economic climate small non town centre public houses find it very difficult to make a profit. Some are sustainable because they provide food and attract custom through the cuisine they provide. These are sometimes referred to as *gastropubs*. The location of the Property is such as to make this unlikely here because it is a complex route by car and not on a bus route. Furthermore, the kitchen is on the first floor and there is no scope to relocate it to the ground floor without substantial structural works that will reduce the bar area.
9. The Property is held by the council's housing revenue account.

KEY ISSUES FOR CONSIDERATION

10. The council therefore faces a choice to endeavour to re-let the Property as a public house or to dispose of it.
11. The location of the Property and the need for extensive modernisation work limits the amount of rent that can be achieved from it being re-let as a public house. The closed version of this report sets out the investment return such a letting would generate. If it were sold on the market a prospective public house operator would be able to bid for it but it is anticipated that the likely successful bidder is likely to want to convert it to flats.
12. Should the recommendation to dispose be approved the Head of Property will select the method most likely to achieve a certain sale and to discharge the council's obligation to obtain the best consideration that can be reasonably obtained.

Policy implications

13. The recommendation will produce a capital receipt that will be available to supplement the capital programme.

Community impact statement

14. The recommendation could result in a substantial vacant property coming back into use as residential accommodation.

Resource implications

15. These are set out in the exempt version of the report.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

16. Cabinet is recommended to agree the disposal of the Property on the open market for the best consideration that can reasonably be obtained and to delegate authority to the Head of Property to market the Property and agree detailed terms for its disposal. Cabinet will note from paragraph 9 of this report

that the Property is held by the council's Housing Revenue Account and therefore held for housing purposes. Disposal of housing land can only proceed in accordance with Section 32 of the Housing Act 1985 (as amended) ("the 1985 Act"), for which purposes the consent of the Secretary of State for Communities and Local Government is required ("the CLG"). However, a number of general consents have been issued in The General Housing Consents 2005 which permit the sale of housing land, provided that certain conditions are met.

17. General Consent A5.3.1 provides that a local authority may dispose of a building held for the purposes of Part II (housing land) to any individual for the best consideration that can reasonably be obtained, where:
 - (a) The building was not constructed by or for any local authority for the purpose of providing housing accommodation; and
 - (b) The building consists of residential accommodation and non-residential accommodation; and
 - (c) All or most of the ground floor consists of non-residential accommodation; and
 - (d) The residential accommodation is vacant or let with the non-residential accommodation under a tenancy to which Part II of the Landlord and Tenant Act 1954 applies.

18. This consent permits the sale of buildings which include both business and residential accommodation but all of the above (a)-(d) must be satisfied to fall under this consent.

19. As the Head of Property confirms that all of the criteria set out in (a)-(d) are satisfied and the Strategic Director of Housing Services has declared the property surplus to housing requirements Cabinet may approve the recommendations.

Finance Director

20. These are set out in the closed version of the report.

BACKGROUND DOCUMENTS

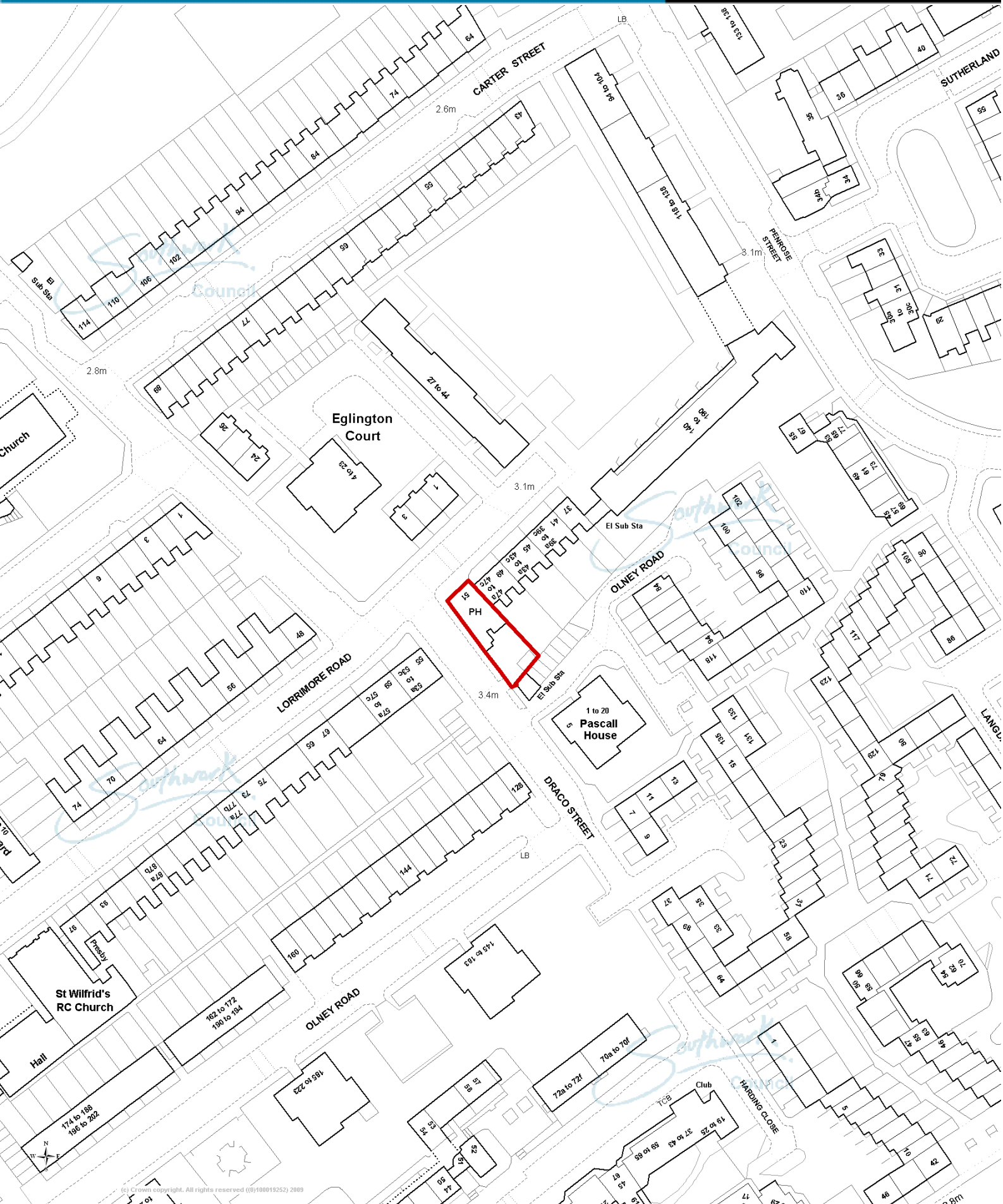
Background Papers	Held At	Contact
Correspondence file	Property Services 160 Tooley Street SE1 2QH	Patrick McGreal 020 7525 5626

APPENDIX

No.	Title
Appendix A	Land ownership plan

AUDIT TRAIL

Cabinet Member	Councillor Richard Livingstone - Finance, Resources and Community Safety	
Lead Officer	Eleanor Kelly, Deputy Chief Executive	
Report Author	Patrick McGreal Property Services	
Version	Final	
Dated	7 April 2011	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	Yes	In closed report
Cabinet Member	Yes	Yes
Date final report sent to Constitutional/Community Council/Scrutiny Team	7 April 2011	



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Item No. 12.	Classification: Open	Date: 19 April 2011	Meeting Name: Cabinet
Report title:		Vary terms of disposal – Silwood Phase 4B, Rotherhithe SE16	
Ward(s) or groups affected:		Livesey	
Cabinet Member:		Councillor Richard Livingstone - Finance, Resources and Community Safety	

FOREWORD - COUNCILLOR RICHARD LIVINGSTONE, CABINET MEMBER FOR FINANCE, RESOURCES AND COMMUNITY SAFETY

1. This report recommends a variation in the terms of disposal of the last remaining part of the Silwood Estate scheduled for regeneration. Gillam House and 11-33 Debnams Road have been vacated for a considerable time and are a blight on the area. This disposal will enable new homes to be built by Higgins Housing, including much needed social housing, and will also generate a substantial receipt for the council to invest in helping to make every council home warm, safe and dry. The variation is needed as a result of the loss of the availability of social housing grant from the Homes and Communities Agency.

RECOMMENDATIONS

That the Cabinet

2. Authorises the Head of Property to vary and agree the terms of the disposal of the site known as Silwood Phase 4B in accordance with the terms set out in the closed cabinet report.
3. Agrees to the earmarking of the net receipts from the disposals into the Housing Investment Programme.

BACKGROUND INFORMATION

4. The subject property is approximately triangular in shape and is occupied by two local authority former residential blocks (Gillam House and 11-33 Debnams road), a council yard and an electricity substation. The site is situated in Rotherhithe close to London Borough of Lewisham borders, and is bounded by Silwood Street to the east, by Corbett's Lane and the railways viaduct to the southwest, and by Debnams Road to the north. (The property is edged red on the attached plan at Appendix 1).
5. The tenants of Gillam House have been re-housed and the leasehold interests purchased by the council. The council depot was used for housing maintenance purposes but it is now surplus to requirements and is used for temporary storage.
6. The Silwood Estate regeneration programme was a joint partnership between Southwark and Lewisham councils. The programme has seen the demolition of local authority housing, the refurbishment of some housing and the provision of

new build residential accommodation, community facilities and childcare facilities as well as providing local people with employment and training opportunities.

7. The Silwood Estate regeneration programme is in its tenth year and Phase 4B is the final phase within the boundaries of the London Borough of Southwark. The disposal of Silwood Phase 4A site to Presentation Housing Association, which is within the boundaries of London Borough of Southwark, was approved by the Executive on the 14 February 2006.
8. The Silwood Phase 4B site was marketed in the property press and interested parties were invited to contact the council in order to obtain a copy of the detailed development brief for the site. The development brief outlined the council's objectives/expectations for development of the site.
9. After an exhaustive selection process Higgins Homes with Genesis Housing Association were selected as the council's preferred developers by the Executive on March 6 2007.
10. Heads of terms were agreed and lawyers instructed however the scheme very quickly ran into planning difficulties due to the conflict with the Greater London Authority (GLA) policies on no net loss of affordable housing and density.
11. The implications of the GLA policy were that all the affordable rented flats in the existing block on site had to be replaced and that 35% of the remainder of the scheme had to be affordable housing.
12. To compound this, the density of any new development on the site was to be capped by the PTAL (public transport accessibility level) which was set by the GLA at level 3 for this location. This meant that the maximum density allowed for the site was 450 habitable rooms per hectare.
13. The proposed scheme was at a density of 700 habitable rooms per hectare and the existing Gillam house block was already providing almost 550 Habitable rooms per hectare.
14. The effect of these two constraints was to make regeneration of the site undeliverable on these terms.
15. Following lengthy discussions with the GLA regarding the affect these constraints were having on development of the Silwood 4B site and other Southwark regeneration sites a way through this was found enabling a new scheme to progress.
16. In the interim Genesis Housing Association have withdrawn their interest and they have been replaced by Notting Hill Housing Trust who will now take the S106 affordable housing provided in the scheme.
17. It was intended that a planning application would be submitted by the end of 2009. However the proposal ran into planning difficulties, in particular a direction to refuse the application from the Environment Agency as they identified the site as being at risk of a one in a thousand year flood event.
18. No other viable use for the ground floor could be found and under croft parking would not be allowed by planning as they were seeking an active frontage to

Silwood Street. A compromise with the Environment agency has now been agreed so that the scheme can once again progress.

19. The Homes and Community Agency (HCA) however has now withdrawn all grant for social housing development and despite this scheme being pre-approved by the HCA for grant, this is no longer available. The impact of this upon the value of the site is substantial.
20. An application will be made for the stopping up of the southern end of Debnams road, Silwood Estate under S247 of the Town and Country planning Act 1990 to enable development to be carried out in accordance with any planning permission granted under Part iii of the Act.
21. The strategic director of regeneration and neighbourhoods has declared the subject property surplus to their requirements.

KEY ISSUES FOR CONSIDERATION

22. Gillam House and 11-33 Debnams road have been vacated and are to be demolished by the developer. They are secured by the use of sheet metal barriers.
23. Silwood site 4b will be sold with vacant possession. There were a total of 57 affordable rented flats and 6 leasehold flats on the site at a density of 515 habitable rooms per hectare. The buildings will not be re-used as housing accommodation and will be demolished.
24. Higgins Homes plc were selected as the preferred bidder and although the council is not contractually obliged to continue with them, independent valuations have confirmed that the revised terms continue to represent best consideration in the current market. The Head of Property believes that nothing is likely to be gained by re-submitting the property to the market again in the present economic conditions. It would further delay any development of this site for no certainty of any extra capital receipt.
25. Seven of the affordable units are to be developed for Presentation Housing Association. These 7 units are required in order to fulfil obligations to Presentation Housing Association from earlier regeneration phases in Silwood. This obligation was stated in the development brief, so that the condition was known to the bidders. Presentation Housing Association have now become part of the Notting Hill Housing Trust group and it is intended that Presentation HA will manage all Notting Hill Housing Trust's properties south of the river.
26. The market for both residential development sites and for the houses and flats developed upon them has declined substantially from the peak of late 2007. The new terms agreed with Higgins homes reflect this decline and the loss of social Housing grant at the present time.
27. A planning application for 128 homes was submitted in February 2011 by Higgins homes at their risk so that should Cabinet agree to dispose of Silwood 4b on the revised terms to Higgins Homes, the development agreement is ready to be signed and the planning application may be determined in April 2011.

28. In accordance with current planning policy 13 of the 128 units are designed to be wheelchair accessible. 8 of these units will have two bedrooms whilst the remaining 5 will have three bedrooms. All the units have also been designed to meet the Lifetime Homes standard.
29. The Head of Property will require the developer to commit to an early demolition and clearance of the site in the contract.

Policy implications

30. The disposal of this site will generate a substantial capital receipt, which will be recycled to provide funding for the housing investment programme. This helps the council meet its commitment to housing refurbishment and sustainability as stated in the 2005-2010 Southwark Housing Strategy.

Community impact statement

31. The impact of the proposed development on the local community will be that a housing block that did not meet 'Decent Home' requirements will be demolished and the site redeveloped as new accommodation and there will be an increase in the private and intermediate affordable housing in the area, which is dominated by social housing for rent.
32. There are no direct negative implications of the report's recommendations on the council's Managing Diversity and Equal Opportunities Policy.

Consultation

33. There has been extensive consultation with tenants and leaseholders throughout the first 7 years of the Silwood Regeneration project and the scheme went out to public consultation with residents in 2010.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

34. As the property falls within the council's housing portfolio, the disposal can only proceed in accordance with Section 32 of the Housing Act 1985, for which purposes the consent of the Secretary of State is required. Consent E3.1 of the General Consent for the Disposal of Part II Land 2005 enables the council to dispose of any land held for the purposes of Part II for the best consideration that can reasonably be obtained, provided that any dwelling house included in the disposal:
 - (a) Is vacant.
 - (b) Will not be used as housing accommodation; and
 - (c) Will be demolished.
35. The report confirms in paragraph 23 that the buildings on the site are vacant, will not be used as housing accommodation and will be demolished.
36. Paragraph 24 of this report confirms that the sum being paid for the site as set out in the closed report represents the best consideration that can reasonably be obtained.

37. If the Cabinet is satisfied that the terms of the general consent are fulfilled, and that the price being paid for the Property represents best consideration, they may proceed with approval of the recommendations.

Finance Director

38. Set out in the closed report.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Property Division File	Southwark Property 160 Tooley Street London SE1 2QH	Marcus Mayne 020 7525 5651

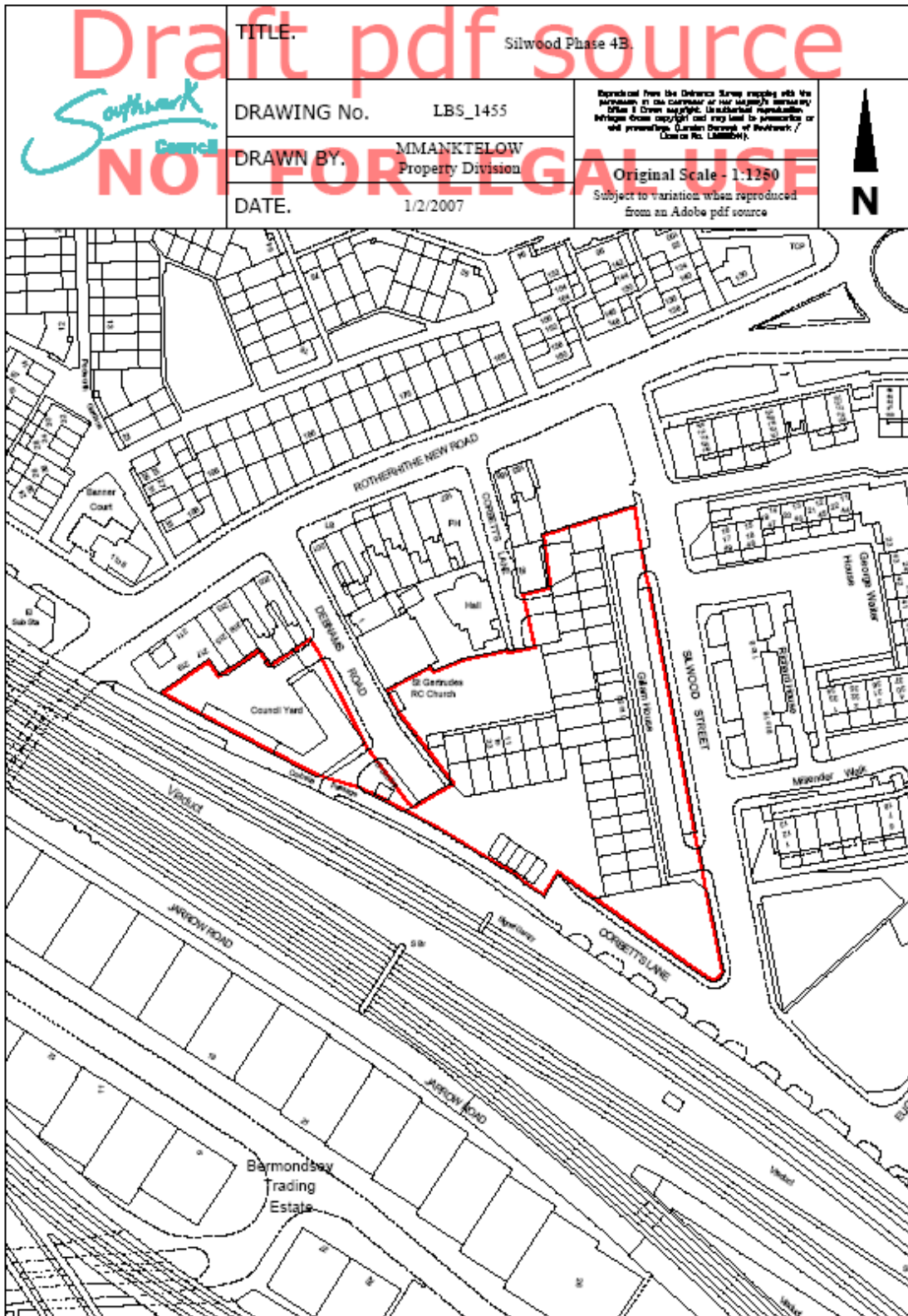
APPENDICES

No	Title
Appendix A	Site Plan

AUDIT TRAIL

Cabinet Member	Councillor Richard Livingstone, Finance, Resources and Community Safety	
Lead Officer	Eleanor Kelly, Deputy Chief Executive	
Report Author	Marcus Mayne, Principal Surveyor	
Version	Final	
Dated	7 April 2011	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	Yes	In closed report
Cabinet Member	Yes	Yes
Date final report sent to Constitutional/Community Council/Scrutiny Team	7 April 2011	

APPENDIX A



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CABINET AGENDA DISTRIBUTION LIST**MUNICIPAL YEAR 2010-11**

NOTE: Original held by Constitutional Team; all amendments/queries to
Paula Thornton/Everton Roberts Tel: 020 7525 4395/7221

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P John / I Wingfield / F Colley / D Dixon-Fyle / B Hargove / R Livingstone / C McDonald / A Mohamed / V Ward		Constitutional Team, Tooley Street	4
		Doreen Forrester-Brown	1
		Jennifer Seeley	1
Other Councillors	1 each	Trade Unions	
N Coyle / T Eckersley / G Edwards / D Hubber / M Glover / T McNally / H Morrissey / P Noblet / E Oyewole / L Rajan / A Simmons / L Robinson		Roy Fielding, GMB	1
		Mick Young, Unite	1
		Chris Cooper, Unison	1
		Tony O'Brien, UCATT	1
		Michael Davern, NUT	1
		James Lewis, NASUWT	1
		Pat Reeves, ATL	1
Group Offices		Sylvia Morriss, NAHT	1
Alex Doel, Cabinet Office	1	Irene Bishop, ASCL	1
Steven Gauge, Opposition Group Office	1		
Press		Others	
Southwark News	1	Shahida Nasim, Audit Commission	1
South London Press	1	Robin Campbell, Press Office	1
		Constitutional Officer	20
Members of Parliament		Total:	73
Harriet Harman, MP	1		
Tessa Jowell, MP	1		
Simon Hughes, MP	1		
Corporate Management Team			
Annie Shepperd	1		
Romi Bowen	1		
Deborah Collins	1		
Gill Davies	1		
Eleanor Kelly	1		
Gerri Scott	1		
Susanna White	1		
Duncan Whitfield	1		
Stephen Platts	1		
		Dated: 15 March 2011	