

## Council Assembly Ordinary Meeting

Wednesday 6 April 2011  
7.00 pm  
Town Hall, Peckham Road, London SE5 8UB

---

Councillors are summoned to attend a meeting of the Council to consider the business contained herein

Annie Shepperd  
Chief Executive

---

### INFORMATION FOR MEMBERS OF THE PUBLIC

---

#### **Access to information**

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

#### **Babysitting/Carers allowances**

If you are a resident of the borough and have paid someone to look after your children, an elderly dependant or a dependant with disabilities so that you could attend this meeting, you may claim an allowance from the council. Please collect a claim form at the meeting.

#### **Access**

The council is committed to making its meetings accessible. Further details on building access, translation, provision of signers etc for this meeting are on the council's web site: [www.southwark.gov.uk](http://www.southwark.gov.uk) or please contact the person below.

#### **Contact**

Lesley John or Sean Usher on 020 7525 7228 or email: [lesley.john@southwark.gov.uk](mailto:lesley.john@southwark.gov.uk);  
[sean.usher@southwark.gov.uk](mailto:sean.usher@southwark.gov.uk)

---

Date: 25 March 2011



# Council Assembly

Wednesday April 6 2011  
7.00 pm  
Town Hall, Peckham Road, London SE5 8UB

## Order of Business

Item No.	Title	Page No.
----------	-------	----------

### **PART A - OPEN BUSINESS**

#### **1. PRELIMINARY BUSINESS**

**1.1. ANNOUNCEMENTS FROM THE MAYOR, MEMBERS OF THE CABINET OR CHIEF EXECUTIVE**

**1.2. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE MAYOR DEEMS URGENT**

**1.3. DISCLOSURE OF INTERESTS AND DISPENSATIONS**

**1.4. APOLOGIES FOR ABSENCE**

**1.5. MINUTES**

To approve as a correct record the open minutes of the council assembly meetings held on 26 January and 22 February 2011 (to be circulated separately).

#### **2. ISSUES RAISED BY THE PUBLIC**

##### **2.1. PETITIONS**

To formally receive any petitions.

##### **2.2. PUBLIC QUESTION TIME**

The deadline for public questions is Midnight, 31 Thursday 2011. Questions can be emailed to [democracy@southwark.gov.uk](mailto:democracy@southwark.gov.uk).

Questions from the public will be distributed in a supplemental agenda.

<b>Item No.</b>	<b>Title</b>	<b>Page No.</b>
	<b>2.3. DEPUTATION REQUESTS</b>	1 - 3
	Deputation requests have been received from the following groups:	
	<ul style="list-style-type: none"> <li>• Hawkstone Tenants and Residents Association: A new school in the Rotherhithe Area</li> <li>• Southwark Mediation Services</li> <li>• Friends of Geraldine Mary Harmsworth Park</li> </ul>	
<b>3.</b>	<b>THEMED DEBATE - THE FUTURE FOR SOUTHWARK - RISING TO THE COMMUNITY CHALLENGE</b>	4 - 7
	<b>3.1. CABINET MEMBER STATEMENT ON THE THEME OF THE MEETING</b>	
	<b>3.2. QUESTIONS FROM THE PUBLIC ON THE THEME</b>	
	The deadline for public questions is Midnight, 31 Thursday 2011. Questions can be emailed to <a href="mailto:democracy@southwark.gov.uk">democracy@southwark.gov.uk</a>	
	Questions from the public on the themed debate will be distributed in a supplemental agenda.	
	<b>3.3. MEMBERS' MOTIONS AND QUESTIONS ON THE THEME</b>	8 - 12
	<ul style="list-style-type: none"> <li>• Members' Questions on the Themed Debate</li> <li>• Motion on the Themed Debate - The future for Southwark-rising to the community challenge</li> </ul>	
<b>4.</b>	<b>ISSUES RAISED BY MEMBERS</b>	
	<b>4.1. MEMBERS' QUESTION TIME</b>	13 - 19
	<b>4.2. MEMBERS' MOTIONS</b>	20 - 24
	<ul style="list-style-type: none"> <li>• Motion 1 - Repayment of Major Works Charges by Leaseholders</li> <li>• Motion 2 - Secondary School in SE16</li> <li>• Motion 3 - Secure Tenancies</li> <li>• Motion 4 - Cabinet Priorities</li> </ul>	
<b>5.</b>	<b>REPORT(S) FOR DECISION FROM THE CABINET</b>	
	<b>5.1. CORE STRATEGY FINAL ADOPTION (POLICY FRAMEWORK)</b>	25 - 37

<b>Item No.</b>	<b>Title</b>	<b>Page No.</b>
	<b>5.2. CANADA WATER AREA ACTION PLAN (POLICY FRAMEWORK)</b>	38 - 64
<b>6.</b>	<b>REPORT(S) FOR INFORMATION FROM THE CABINET</b>	
	<b>6.1. REPORTS BACK ON MOTIONS FROM CABINET</b>	65 - 69
<b>7.</b>	<b>OTHER REPORTS</b>	
	<b>7.1. LICENSING ACT 2003 - EXTENSION OF BOROUGH &amp; BANKSIDE SATURATION AREA</b>	70 - 108
	<b>7.2. ANNUAL REPORT ON THE WORK AND PERFORMANCE OF THE AUDIT AND GOVERNANCE COMMITTEE 2010/11</b>	109 - 124

**8. AMENDMENTS**

Amendments will be circulated prior to the meeting.

**ANY OPEN ITEMS IDENTIFIED AS URGENT AT THE START OF THE MEETING**

**EXCLUSION MOTION (IF NECESSARY)**

The following motion should be moved, seconded and approved if the council wishes to exclude the press and public to deal with reports revealing exempt information:

“That under the access to information procedure rules of the Southwark constitution, 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 section(s) 1 – 7 of paragraph 10.4 of the procedure rules.”

**PART B - CLOSED BUSINESS**

**ANY CLOSED ITEMS IDENTIFIED AS URGENT AT THE START OF THE MEETING**

Date: 25 March 2011

<b>Item No.</b> 2.3	<b>Classification:</b> Open	<b>Date:</b> 6 April 2011	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Deputation Requests	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Strategic Director of Communities, Law & Governance	

### RECOMMENDATION

1. That council assembly considers whether or not to hear the following deputations:
  - Hawkstone Tenants and Residents Association
  - Southwark Mediation Centre
  - Friends of Geraldine Mary Harmsworth Park.

### BACKGROUND INFORMATION

2. When considering whether to hear the deputation request, council assembly 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.
3. 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 council assembly, her or his speech being limited to five minutes. The deputation spokesperson or any member of the deputation nominated by her or him shall be invited to ask a question of the leader or relevant cabinet member.
4. 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 gallery where they may listen to the remainder of the open section of the meeting.

### KEY ISSUES FOR CONSIDERATION

#### **Hawkstone Tenants and Residents Association: A new secondary school in the Rotherhithe area**

5. A deputation request has been received from Hawkstone Tenants and Residents Association. A summary of the deputation request is set out below:

We are urging the council to re-think their decision 'not to build' a much needed new secondary school in the Rotherhithe area.

The issue of where a new secondary school could/should be located will also be part of the deputation content.

We are seeking a common ground deputation. Hawkstone TRA seek the withdrawal of Canada Water Area Action Plan 21 proposal site Rotherhithe Primary School from the Area Action Plan and Rotherhithe Primary School's withdrawal as the preferred location for a new school. The use of the Rotherhithe Primary School site was part and parcel of the regeneration of the Hawkstone Estate that was abandoned for the refurbishment option. Hawkstone TRA is not against a new school in the Rotherhithe area however the Canada Water Area Action Plan 21 Rotherhithe Primary School site is not suitable. We ask that the council write to the Inspector informing him of the change and that the council is starting again to select a new site for the new school.

The common ground appears to be:

- 1) Neither Rotherhithe Primary School or St. Pauls are appropriate sites, and both to be removed from the site selection procedure
- 2) A new school in Rotherhithe Area is welcome and supported
- 3) That a new school be carefully located in the Rotherhithe area away from traffic fumes and pollution, congestion and dangerous traffic, and on higher ground that is not a flood area.

#### **Southwark Mediation Centre**

6. A deputation request has been received from the Southwark Mediation Centre. A summary of the deputation request is set out below:

To raise the financial consequences and lasting impact on the community if Southwark Mediation Centre's services are not used by the council.

#### **Friends of Geraldine Mary Harmsworth Park**

7. A deputation request has been received from the Friends of Geraldine Mary Harmsworth Park. A summary of the deputation request is set out below:

In view of the presence of the Imperial War Museum in Geraldine Mary Harmsworth Park and the problems associated with over 3 million visits to the park alongside vagrants, rough sleepers, drunks, drug dealers and those with mental conditions and the proximity of 10 hostels, we and the Imperial War Museum ask Southwark to reconsider the proposal to withdraw the Ranger/Gardeners from Geraldine Mary Harmsworth Park. They control many of these problems with their presence in a non-confrontational manner. We believe they are value for money and that the new set up will ultimately cost more because of the number of agencies that will have to be involved keeping the park a flagship for Southwark in the eyes of the world visiting the museum.

#### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Deputation Request File	160 Tooley Street, London SE1 5LX	Lesley John 020 7525 7228

## AUDIT TRAIL

<b>Lead Officer</b>	Ian Millichap, Constitutional Manager	
<b>Report Author</b>	Lesley John, Constitutional Officer	
<b>Version</b>	Final	
<b>Dated</b>	24 March 2011	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Strategic Director of Communities, Law & Governance	No	No
Finance Director	No	No
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>	24 March 2011	

<b>Item No.</b> 3.	<b>Classification:</b> Open	<b>Date:</b> 6 April 2011	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Themed Debate: The future for Southwark - Rising to the community challenge	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Strategic Director of Communities, Law & Governance	

## BACKGROUND INFORMATION

### Introduction

1. On 14 March 2011 Councillor Abdul Mohamed, cabinet member for equalities and community engagement circulated a letter to all councillors on the first themed debate at the Council Assembly meeting on Wednesday 6 April 2011 at 7.00pm in Southwark Town Hall.
2. The first theme is “The future for Southwark - Rising to the community challenge”.
3. The letter set out the theme for debate and explained how councillors and members of the public could get involved. A copy is attached as Appendix 1.

### What happens at the meeting?

4. At the meeting the agenda will be:
  - Cabinet member has 10 minutes in which to present the theme, plan or strategy
  - Public pre-submitted questions on the theme of the meeting (maximum of 15 minutes)
  - Member’s motions and questions on the cabinet theme using present principles to allow sufficient political balance and for political groups to hold cabinet to account (maximum 30 minutes).

One hour shall be allocated for the themed debate. The Mayor shall have the discretion to vary timings as appropriate.

### Public questions on themed debate

5. The deadline for public questions is Midnight, 31 Thursday 2011. Visit [www.southwark.gov.uk/democracy](http://www.southwark.gov.uk/democracy) or email [democracy@southwark.gov.uk](mailto:democracy@southwark.gov.uk) to find out more.
6. The Mayor may reject a question if it is not relevant to the theme, plan, strategy or policy under discussion.
7. The time during which public questions shall be taken at a themed meeting shall not exceed 15 minutes and shall be conducted under the existing rules for public



questions. Normal deadlines shall apply for the submission of questions from the public.

### Members' motions and questions

8. All motions and questions shall be relevant to the topic under discussion and shall be conducted under the existing rules for members' motions and questions. Normal deadlines shall apply for the submission of members' questions and motions.
9. The order of motions, questions and timings shall be determined by the Mayor.

### Themes

10. The themes for each meeting are set by the council assembly business panel.
11. The theme for the July 2011 council assembly is "Sport and Young People."

### BACKGROUND PAPERS

Background Papers	Held At	Contact
Cabinet member letter on the theme - Dated 14 March 2011	160 Tooley Street London SE1 2TZ	Constitutional Team <a href="mailto:constitutional.team@southwark.gov.uk">constitutional.team@southwark.gov.uk</a> 020 7525 7228

### APPENDICES

No.	Title
Appendix 1	Letter from Councillor Abdul Mohamed

### AUDIT TRAIL

<b>Lead Officer</b>	Deborah Collins, Strategic Director of Communities, Law & Governance	
<b>Report Author</b>	Ian Millichap, Constitutional Manager	
<b>Version</b>	Final	
<b>Dated</b>	25 March 2011	
<b>Key decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer title</b>	<b>Comments sought</b>	<b>Comments included</b>
Strategic Director of Communities, Law & Governance	Yes	Yes
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>	25 March 2011	

**Councillor Abdul Mohamed**

Cabinet Member for Equalities and Community  
Engagement

Southwark Council

Tooley Street, PO Box 64259

London SE1 5LX

Telephone 020 7525 7208

e-mail: [abdul.mohamed@southwark.gov.uk](mailto:abdul.mohamed@southwark.gov.uk)

14 March 2011

Dear Councillor,

**The future for Southwark- rising to the community challenge**

Last year, in line with our commitment to make the council more open and transparent, the council set up a democracy commission. The commission was tasked with finding ways to bring the council closer to local residents, make the council more accountable to local people and more connected with their concerns.

The first phase considered the council's primary decision-making forum: council assembly. The commission found, through consultation with local residents, experts and councillors, that council assembly should have a more consensual atmosphere and should spend more time discussing the local issues that matter to residents. One of the recommendations it made to bring this about was to change the way assembly meetings work to allow time for themed debates on issues of local concern.

I am pleased to formally announce that the first themed debate will take place as part of the next Council Assembly meeting **on Wednesday 6 April 2011 at 7pm in Southwark Town Hall**. The first theme is "the future for Southwark - rising to the community challenge".

We know that the council's role will have to change over the coming years, due to spending cuts and changing resident expectations and needs. We know that if the council is to change successfully local communities must have a greater say in and control over the future of the borough. We want to hear councillors' ideas on how we can get local people more directly involved in shaping their borough over the coming years.

Specifically, we would like councillors to bring ideas to the meeting on:

- *How can we give residents, or businesses, more control over services?*
- *What role could the community play in helping to develop and deliver services?*
- *How should we measure success and how should we communicate our progress with residents?*

Discussions through the budget consultation demonstrated that there are opportunities for communities to rise to the challenge of looking at alternative forms of service delivery across a range of areas. This included library provision, play provision, youth activities, initiatives to tackle and prevent anti-social behaviour and cross-agency activities (e.g. health). Southwark also has a vibrant voluntary and community sector and proud history of community involvement, through such bodies as tenants and residents associations, for example. Harnessing our borough's social capital will be key to getting through the challenges that lie ahead and building a fairer future for all.

I would like to encourage all councillors to:

- Speak in the debate
- Submit a motion
- Ask a question

When planning your contribution for the evening, please remember that the council's budget and administration's commitments are now fixed. This debate is an opportunity to be forward-looking and help shape the council's future plans.

Ahead of the meeting, we will also be asking residents and community groups to:

- Keep an eye on the website where they will be able to post their views, or even submit a question or raise a deputation at the April meeting from mid-March: [www.southwark.gov.uk/democracy](http://www.southwark.gov.uk/democracy)
- Attend Council Assembly on 6 April from 7pm at the Town Hall to hear the debate
- Submit a council question – Deadline: Midnight, Thursday 31 March 2011.

This is a first for the council and I think a really exciting opportunity for you to have your say and directly influence the issues at one of our most important meetings. I look forward to your involvement in this important community debate. Please don't hesitate to get in touch with me if you have any questions or suggestions.

Yours faithfully

Abdul Mohamed

Councillor Abdul Mohamed  
Cabinet Member for Equalities & Community Engagement

<b>Item No.</b> 3.3	<b>Classification:</b> Open	<b>Date:</b> 6 April 2011	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Members' Questions on the Theme: The Future for Southwark – Rising to the Community Challenge	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Strategic Director of Communities, Law & Governance	

## BACKGROUND INFORMATION

In accordance with council assembly procedure rules 2.7 (Themed Debates), the members' question and motion section of the themed meeting shall not exceed 30 minutes.

Members are limited to one question in the themed section of the meeting.

In accordance with council assembly procedure rule 2.7 (10) (order of questions) the order of questions shall be determined by the Mayor.

## QUESTIONS

### 1. QUESTION TO THE LEADER FROM COUNCILLOR ANOOD AL-SAMERAI

Does the leader agree that climate change is the biggest threat to the future of Southwark? What is he doing about it?

### 2. QUESTION TO THE LEADER FROM COUNCILLOR CATHERINE BOWMAN

Does the leader agree that the future of children in Newington ward is enriched by the Brandon Library? Will he commit to keeping this library open?

### 3. QUESTION TO THE LEADER FROM COUNCILLOR TIM MCNALLY

Does the leader agree a brand new shopping centre should be the future of Elephant and Castle? Does he wish this had been included in the regeneration agreement which he signed?

### 4. QUESTION TO THE LEADER FROM COUNCILLOR PODDY CLARK

Does the leader agree that sports facilities are vital to the future of young people on the Tabard Estate? Will he ensure that local residents have first preference use of the Tabard Astro Turf during school holidays?

### 5. QUESTION TO THE LEADER FROM COUNCILLOR ADELE MORRIS

Does the leader agree that the future of Cathedrals ward will be enhanced by better enforcement of the licensing saturation policy? What will he do about this?

### 6. QUESTION TO THE LEADER FROM COUNCILLOR GEOFFREY THORNTON

Does the leader agree that squash courts should be part of the future of the Elephant and Castle?

**7. QUESTION TO THE LEADER FROM COUNCILLOR NICK STANTON**

Does the leader believe that increasing affordable housing is important for the future in Riverside ward?

**8. QUESTION TO THE LEADER FROM COUNCILLOR GRAHAM NEALE**

Does the leader believe that Southwark residents should have a genuine say about the future of their borough? How will he achieve this outside of allowing them to ask a few questions at this meeting?

**9. QUESTION TO THE LEADER FROM COUNCILLOR JONATHAN MITCHELL**

Does the leader believe that devolving more budget decisions to community councils would improve the future of Southwark?

**10. QUESTION TO THE LEADER FROM COUNCILLOR MICHAEL BUKOLA**

How does the leader expect residents to genuinely question him about the future of Southwark when their questions have to be submitted before they have heard him speak?

**11. QUESTION TO THE LEADER FROM COUNCILLOR LISA RAJAN**

Does the leader finally accept that a new school is needed for the future of the young people in the north of the borough? Does he regret his scrutiny interview answer when he refused to look again at the figures?

**12. QUESTION TO THE LEADER FROM COUNCILLOR PAUL NOBLET**

Will the leader put party politics aside to work with the Liberal Democrats in securing a new school in SE16 for the future of our young people?

**13. QUESTION TO THE LEADER FROM COUNCILLOR WILMA NELSON**

What is the leader doing to prevent EDF ruining the future of Southwark Park?

**14. QUESTION TO THE LEADER FROM COUNCILLOR JEFF HOOK**

Does the leader believe that the old Scott Lidget school site is a good suggestion for the future of a new school in SE16?

**15. QUESTION TO THE LEADER FROM COUNCILLOR DAVID HUBBER**

Does the leader maintain that putting money into the council's contingency funds is better for the future of Southwark than supporting the Pumphouse Museum and Surrey Docks Farm?

**16. QUESTION TO THE LEADER FROM COUNCILLOR PAUL KYRIACOU**

Does the leader maintain that putting money into the council's contingency funds is better for the future of Southwark than supporting the Ellen Brown Children's Centre?

**17. QUESTION TO THE LEADER FROM COUNCILLOR DENISE CAPSTICK**

Does the leader maintain that putting money into the council's contingency funds is better for the future of Southwark than supporting the Holmhurst Centre?

**18. QUESTION TO THE LEADER FROM COUNCILLOR COLUMBA BLANGO**

Does the leader maintain that spending money on an Olympic quango is better for the future of Southwark's children than supporting the much loved community games?

**19. QUESTION TO THE LEADER FROM COUNCILLOR JAMES BARBER**

Lewisham and Greenwich successfully made the case for the extension of the Docklands Light Railway to Woolwich Arsenal. Will the leader enhance the future of Camberwell and sustainable transport by doing the same for the Bakerloo Line?

**20. QUESTION TO THE LEADER FROM COUNCILLOR LINDA MANCHESTER**

Does the leader believe that continuing the services of a local one stop shop is important for the future of Bermondsey?

**21. QUESTION TO THE LEADER FROM COUNCILLOR ELIZA MANN**

Does the leader maintain that putting money into the council's contingency funds is better for the future of Southwark than keeping our streets clean?

**22. QUESTION TO THE LEADER FROM COUNCILLOR ROSIE SHIMELL**

How much has the leader managed to save by cutting consultants and communications? Has this been enough to fund the future of universal free school meals as he promised?

**23. QUESTION TO THE LEADER FROM COUNCILLOR MARK GETTLESON**

Does the leader have any evidence that universal free school meals have any direct impact on childhood obesity (and therefore the future of their health)? Please can he quote exact sources of research?

**24. QUESTION TO THE LEADER FROM COUNCILLOR DAVID NOAKES**

Does the leader accept that day centres were treated appallingly and will he commit to their survival as part of the future of Southwark?

**BACKGROUND PAPERS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Member Questions on the Themed Debate	160 Tooley Street London SE1P 5LX	Constitutional Team 020 7525 7228

<b>Lead Officer</b>	Ian Millichap, Constitutional Manager
<b>Report Author</b>	Lesley John and Sean Usher, Constitutional Officer
<b>Version</b>	Final
<b>Dated</b>	24 March 2011

<b>Item No.</b> 3.3	<b>Classification:</b> Open	<b>Date:</b> 6 April 2011	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Motion on the Theme: The Future for Southwark - Rising to the Community Challenge	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Strategic Director of Communities, Law & Governance	

## BACKGROUND INFORMATION

In accordance with council assembly procedure rules 2.7 (Themed debates) the members questions and motions section of the themed meeting shall not exceed 30 minutes.

Members are limited to moving one motion and seconding one motion in the themed section of the meeting.

In accordance with council assembly procedure rule 2.7 (10) (order of motions) the order in which motions are debated shall be determined by the Mayor.

### 1. **MOTION FROM COUNCILLOR PATRICK DIAMOND** (Seconded by Councillor Michael Situ)

#### **The future for Southwark - Rising to the community challenge**

1. Council assembly notes the letter from the cabinet member for equalities and community engagement setting out the theme of the debate: "The future for Southwark - rising to the community challenge".
2. Council assembly notes the assertion that "the council's role will have to change over the coming years, due to spending cuts and changing resident expectations and needs." It notes the questions that the cabinet member posed to members to help them think about how they can shape that change:
  - How can we give residents more control over the services they receive?
  - What role could you and your community play in helping to deliver these services?
  - How should we measure success and how should we communicate our progress with you?
3. Council assembly calls on the cabinet to note the content of the debate and points raised.
4. Council assembly calls on the cabinet member for regeneration and corporate strategy to report back in not less than six months on which of these ideas will be pursued further with communities and neighbourhood forums.

**Note:** If the motion is agreed, any proposals will be submitted to the cabinet for consideration.

### **BACKGROUND PAPERS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Member Motions on the Themed Debate	Constitutional Team 160 Tooley Street London SE1 2TZ	Sean Usher 020 7525 7222

<b>Lead Officer</b>	Ian Millichap, Constitutional Manager
<b>Report Author</b>	Sean Usher, Constitutional Officer
<b>Version</b>	Final
<b>Dated</b>	25 March 2011



<b>Item No.</b> 4.1	<b>Classification:</b> Open	<b>Date:</b> 6 April 2011	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Members' Question Time	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Strategic Director of Communities, Law & Governance	

## BACKGROUND INFORMATION

Members' question time shall not exceed 30 minutes. During this time, members may not question any one cabinet member or committee chair for longer than fifteen minutes.

Members are limited to one question at each meeting. One councillor from each community council will be able to submit a question on behalf of their community council.

Questions to the leader will be taken first, followed by question from community council councillors followed by questions to other cabinet members. The order in which the different political groups ask questions of the leader will be rotated. Questions to cabinet members will be taken in the order of receipt and portfolio. The order of portfolios will be rotated at each meeting such that the cabinet member answering questions immediately after the leader will be the last cabinet member to answer any questions at the next meeting of council assembly.

Cabinet members and committee chairs have discretion to refer a question to another cabinet member.

Responses to member's questions will be circulated on yellow paper around the council chamber on the evening of the meeting.

The Mayor will ask the member asking the question if they wish to ask one supplemental question to the member to whom the question was asked. The supplemental question must arise directly out of the original question or the reply. Therefore, supplemental questions to the leader or other cabinet members are not free ranging.

No question shall be asked on a matter concerning a planning or licensing application.

### Notes:

1. The procedures on members questions are set out in council assembly procedure note 2.9 in the Southwark Constitution.
2. In accordance with council assembly procedure rule 2.9 (12) & (13) (prioritisation and rotation by the political groups) the order in which questions to the leader appear in this report may not necessarily be the order in which they are considered at the meeting.

**1. QUESTION TO THE LEADER FROM COUNCILLOR ANOOD AL-SAMERAI**

Does the leader believe that the voluntary sector in Southwark has been treated in an open, transparent and fair way since he became leader of the council?

**2. QUESTION TO THE LEADER FROM COUNCILLOR ANDY SIMMONS**

Could the leader please detail the total cost of the Belair community hub / Belair youth facility and provide details of the funding source(s)?

**3. QUESTION TO THE LEADER FROM COUNCILLOR COLUMBA BLANGO**

Please can the leader outline what the council has planned for the Olympics?

**4. QUESTION TO THE LEADER FROM COUNCILLOR MARK GLOVER**

Can the leader confirm what Southwark Council will do with its allocation of 100 tickets for the 2012 Olympic Games?

**5. QUESTION TO THE LEADER FROM COUNCILLOR TIM MCNALLY**

Has the leader introduced voluntary redundancies yet? If not, when is he planning to do so?

**6. QUESTION TO THE LEADER FROM COUNCILLOR NICK DOLEZAL**

Does the leader agree with the Liberal Democrats' spring conference motion that the government's Health Bill will make the NHS less democratically accountable, introduce competition based on price and make the NHS less responsive to patients' needs? Does he believe the government's reforms will improve patient care in Southwark?

**7. QUESTION TO THE LEADER FROM COUNCILLOR ROSIE SHIMELL**

As the leader will be providing free school meals for 1040 primary school children who live in Lewisham, will he be providing any assistance for the parents of Southwark children who go to schools in Labour run Lewisham who have suffered from a 20p a day price hike in school meals?

**8. QUESTION TO THE LEADER FROM COUNCILLOR SUNIL CHOPRA**

Does he believe that it is right for the council to keep its promise to deliver free healthy school meals for every child in the borough?

**9. QUESTION TO THE LEADER FROM COUNCILLOR MARK GETTLESON**

At the meeting on 31 January 2011, the leader said action would be taken within weeks for proposals on how Southwark Council could appropriately pay tribute to armed forces who are killed in action and make their final journeys from Southwark. What progress has there been?

**10. QUESTION TO THE LEADER FROM COUNCILLOR MICHAEL SITU**

Does the leader believe that his decision to march against cuts to public services which go too far and too fast reflects concerns of most Southwark residents?

**11. QUESTION TO THE LEADER FROM COUNCILLOR JONATHAN MITCHELL**

What is the leader doing with the 100 tickets provided by the London Organisation Committee for the Olympic and Para-Olympic Games (LOCOG)? Will he ensure that council tax payer's money will not be used to fund them?

**12. QUESTION TO THE LEADER FROM COUNCILLOR NEIL COYLE**

How does the leader see the Elephant & Castle and other regeneration plans as pulling the centre of London southwards and facilitating development across Southwark?

**13. QUESTION TO THE LEADER FROM COUNCILLOR WILMA NELSON**

Please will the leader provide how much is paid annually by the corporate complaints department in compensation payments? Please will he provide a figure of how much is specifically paid for delays in processing complaints and please provide what mechanisms he will use to reduce this total?

**14. QUESTION TO THE LEADER FROM COUNCILLOR DAVID NOAKES**

Can the leader confirm what Southwark Council is doing to ensure that residents in Southwark complete their census forms?

**15. QUESTION TO THE CABINET MEMBER FOR CHILDREN'S SERVICES FROM COUNCILLOR JEFF HOOK (ROTHERHITHE COMMUNITY COUNCIL)**

In response to my question at last council assembly asking about the shortages of secondary school places in Rotherhithe, the cabinet member for children's services said 'there are no acute shortages of secondary school places in the north of the borough'. However, on 15 March 2011, the council website reported that 'The council has always maintained that there is a specific need for additional places in Rotherhithe'. Please can the cabinet member confirm whether she thinks there are or are not enough secondary school places in Rotherhithe?

**16. QUESTION TO THE DEPUTY LEADER AND CABINET MEMBER FOR HOUSING MANAGEMENT FROM COUNCILLOR PAUL KYRIACOU (BERMONDSEY COMMUNITY COUNCIL)**

Why has the deputy leader and cabinet member for housing management massively increased the garage rents for the people of Bermondsey?

**17. QUESTION TO THE CABINET MEMBER FOR TRANSPORT, ENVIRONMENT AND RECYCLING FROM COUNCILLOR JAMES BARBER (DULWICH COMMUNITY COUNCIL)**

Does the cabinet member agree with residents, market traders, shop keepers and the Dulwich community council's recommendations that North Cross Road market should not open or operate on Sundays? And does he agree that the future continued success of this market relies on the continuing good will of local residents and shop keepers and that any Sunday opening will imperil such good?

**18. QUESTION TO THE CABINET MEMBER FOR CHILDREN'S SERVICES FROM COUNCILLOR DAVID NOAKES (BOROUGH AND BANKSIDE COMMUNITY COUNCIL)**

Can the cabinet member for children's services detail what council youth facilities are available and how much money is spent on youth provision in Borough and Bankside, and compare this to the level of spend in other community council areas?

**19. QUESTION TO THE CABINET MEMBER FOR TRANSPORT, ENVIRONMENT AND RECYCLING FROM COUNCILLOR MARTIN SEATON (WALWORTH COMMUNITY COUNCIL)**

What does the Burgess Park planning decision of 1 February 2011 mean for the future of the public open space, biodiversity and leisure in this borough?

**20. QUESTION TO CABINET MEMBER FOR CULTURE, LEISURE & SPORT AND THE OLYMPICS FROM COUNCILLOR NORMA GIBBES (CAMBERWELL COMMUNITY COUNCIL)**

Following the successful opening of Camberwell Leisure Centre Phase 1, what are the plans for completing Phase 2 and 3 as far as finances allow?

**21. QUESTION TO CABINET MEMBER FOR EQUALITIES AND COMMUNITY ENGAGEMENT FROM COUNCILLOR CLEO SOAMES (PECKHAM COMMUNITY COUNCIL)**

We in the Peckham community council area strongly believe in the advantages of 'learning from each other'. Therefore, what are the council doing to encourage all ethnic minority groups and the wider community to collaborate with each other and fully engage in community cohesion in the future?

**22. QUESTION TO THE CABINET MEMBER FOR TRANSPORT, ENVIRONMENT AND RECYCLING FROM COUNCILLOR VICTORIA MILLS (NUNHEAD AND PECKHAM RYE COMMUNITY COUNCIL)**

Can he confirm that the council will explore every option for future cemetery space and ensure there is proper consultation with the public, including over the future of Honor Oak Rec?

**23. QUESTION TO THE CABINET MEMBER FOR TRANSPORT, ENVIRONMENT AND RECYCLING FROM COUNCILLOR GAVIN EDWARDS**

Can the cabinet member for transport, environment & recycling comment on the latest available recycling figures for the borough?

**24. QUESTION TO THE CABINET MEMBER FOR TRANSPORT, ENVIRONMENT AND RECYCLING FROM COUNCILLOR LORRAINE LAUDER**

What progress has the cabinet member for transport, environment & recycling overseen since May 2010 in helping Southwark's street trading markets towards a more vibrant and viable offer?

**25. QUESTION TO THE CABINET MEMBER FOR CABINET MEMBER FOR TRANSPORT, ENVIRONMENT AND RECYCLING FROM COUNCILLOR DAN GARFIELD**

Does he believe the current government is doing enough to lower greenhouse gas emissions in Southwark?

**26. QUESTION TO THE CABINET MEMBER FOR TRANSPORT, ENVIRONMENT AND RECYCLING FROM COUNCILLOR CATHERINE BOWMAN**

Following from the Labour cabinet's abandonment of the MUSCo project, what steps has the cabinet member taken to restart looking at options for renewable energy in the Elephant and Castle regeneration programme?

**27. QUESTION TO THE CABINET MEMBER FOR TRANSPORT, ENVIRONMENT AND RECYCLING FROM COUNCILLOR GEOFFREY THORNTON**

Could the cabinet member explain the rationale behind proposals to remove the two park rangers from Geraldine Mary Harmsworth Park with reference to the anticipated cost of any variation or addition to the grounds maintenance contract?

**28. QUESTION TO THE CABINET MEMBER FOR TRANSPORT, ENVIRONMENT AND RECYCLING FROM COUNCILLOR JAMES BARBER**

Can the cabinet member please explain why the Labour administration has chosen to not provide new cleaner greener safer (CGS) capital funded projects for one year but has included a new central Olympics capital fund?

**29. QUESTION TO THE CABINET MEMBER FOR TRANSPORT, ENVIRONMENT AND RECYCLING FROM COUNCILLOR NICK STANTON**

Can the cabinet tell me which streets of the borough have already moved, or are about to move, to alternate day litter picking and reduced frequency detritus sweeping?

**30. QUESTION TO THE CABINET MEMBER FOR TRANSPORT, ENVIRONMENT AND RECYCLING FROM COUNCILLOR LISA RAJAN**

What progress has the cabinet member made on bringing average speed camera technology to Southwark, particularly Salter Road?

**31. QUESTION TO THE CABINET MEMBER FOR TRANSPORT, ENVIRONMENT AND RECYCLING FROM COUNCILLOR ADELE MORRIS**

Can the cabinet member please explain how the commissioning process for the environmental grants, which are being cut by this administration, will ensure that organisations such as Bankside Open Spaces Trust can continue to look after the parks in Cathedrals ward?

**32. QUESTION TO THE CABINET MEMBER FOR TRANSPORT, ENVIRONMENT AND RECYCLING FROM COUNCILLOR PAUL NOBLET**

Can the cabinet member give an update on plans to tackle congestion and improve the streetscape on Lower Road, Jamaica Road, and around the entrance to the Rotherhithe Tunnel?

**33. QUESTION TO THE CABINET MEMBER FOR TRANSPORT, ENVIRONMENT AND RECYCLING FROM COUNCILLOR DAVID HUBBER**

Does the cabinet member believe that a new organisation can be found to run South Dock Marina before the end of the 2011/12 financial year to make the savings proposed by the labour administration's recent budget, and will he comment on whether existing berth-holders will be encouraged or assisted to prepare a bid themselves should they wish?

**34. QUESTION TO THE CABINET MEMBER FOR TRANSPORT, ENVIRONMENT AND RECYCLING FROM COUNCILLOR PAUL KYRIACOU**

Please will the cabinet member provide an update on the Connect2 project – a vital cycling and walking route for the people of South Bermondsey?

**35. QUESTION TO THE CABINET MEMBER FOR TRANSPORT, ENVIRONMENT AND RECYCLING FROM COUNCILLOR PODDY CLARK**

How many pot holes are there across the borough? Please can the cabinet member provide a breakdown by ward?

**36. QUESTION TO THE CABINET MEMBER FOR TRANSPORT, ENVIRONMENT AND RECYCLING FROM COUNCILLOR GRAHAM NEALE**

Given the parlous state of our postal delivery in SE1/SE16, was it a good idea to remove the option to buy parking permits over the counter, and rely on the post office to deliver bought and paid for permits?

**37. QUESTION TO THE CABINET MEMBER FOR TRANSPORT, ENVIRONMENT AND RECYCLING FROM COUNCILLOR JEFF HOOK**

Will the cabinet look into reorganising the placement of smart cars to more appropriate locations, such as Bacons School in Rotherhithe Community Council area?

**38. QUESTION TO THE CABINET MEMBER FOR TRANSPORT, ENVIRONMENT AND RECYCLING FROM COUNCILLOR LINDA MANCHESTER**

To ask the cabinet member how many blue badges have been:

1. lost or stolen in the last six months?
2. how long on average have they taken for them to be replaced?
3. will he be taking any further action to stop the abuse of Blue Badges?

**39. QUESTION TO THE CABINET MEMBER FOR TRANSPORT, ENVIRONMENT AND RECYCLING FROM COUNCILLOR ROBIN CROOKSHANK HILTON**

Can the cabinet member confirm when the walls of the iconic Goose Green roundabout will be repaired?

**40. QUESTION TO THE CABINET MEMBER FOR TRANSPORT, ENVIRONMENT AND RECYCLING FROM COUNCILLOR MARK WILLIAMS**

Does the cabinet member welcome the funding for Transport for London (TfL) to carry out a feasibility study on traffic and public realm in Camberwell town centre?

**41. QUESTION TO THE DEPUTY LEADER AND CABINET MEMBER FOR HOUSING MANAGEMENT FROM COUNCILLOR HELEN MORRISSEY**

Can the cabinet member comment on Southwark's allocation of decent homes funding.

**42. QUESTION TO THE DEPUTY LEADER AND CABINET MEMBER FOR HOUSING MANAGEMENT FROM COUNCILLOR ALTHEA SMITH**

Does he have the latest information regarding customer satisfaction with the council's housing repairs service?

**43. QUESTION TO THE DEPUTY LEADER AND CABINET MEMBER FOR HOUSING MANAGEMENT FROM COUNCILLOR NORMA GIBBES**

What does he believe the impact will be of government proposals to charge tenants rents of up to 80% of market rates, rather than the social rent at the moment?

**44. QUESTION TO THE DEPUTY LEADER AND CABINET MEMBER FOR HOUSING MANAGEMENT FROM COUNCILLOR MICHAEL BUKOLA**

Will the deputy leader and cabinet member for housing management clarify whether the report for ingress on the Manor Estate in South Bermondsey ward has been concluded? If so, what were the findings?

**45. QUESTION TO THE DEPUTY LEADER AND CABINET MEMBER FOR HOUSING MANAGEMENT FROM COUNCILLOR DENISE CAPSTICK**

Please will the deputy leader and cabinet member for housing management update the council on any progress he has made for the provision of social housing for ex-service men and women?

**46. QUESTION TO THE DEPUTY LEADER AND CABINET MEMBER FOR HOUSING MANAGEMENT FROM COUNCILLOR ELIZA MANN**

Will the cabinet member commit to spending the remainder of earmarked Four Squares security works funding on the Four Squares?

**47. QUESTION TO THE CABINET MEMBER FOR CULTURE, LEISURE & SPORT AND THE OLYMPICS RENATA HAMVAS**

Can the cabinet member for culture, leisure, sport and the Olympics set out the terms for the council's review of library services?

**48. QUESTION TO THE CABINET MEMBER FOR CULTURE, LEISURE & SPORT AND THE OLYMPICS FROM COUNCILLOR THE RIGHT REVEREND EMMANUEL OYEWOLE**

Can she comment on the future of the Southwark community games now that the working neighbourhoods fund (NHF) has been abolished?

**49. QUESTION TO THE CABINET MEMBER FOR CHILDREN'S SERVICES FROM COUNCILLOR TOBY ECKERSLEY**

In the light of her recent encouragement of all councillors to assist in the recruitment of suitable foster parents, can the cabinet member for children's services advise on what ethnic characteristics, if any, would preclude potential fosterers and adopters receiving placements of children with different ethnic characteristics.?"

<b>Item No.</b> 4.2	<b>Classification:</b> Open	<b>Date:</b> 6 April 2011	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Motions	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Strategic Director of Communities, Law & Governance	

## BACKGROUND INFORMATION

The councillor introducing or “moving” the motion may make a speech directed to the matter under discussion. This may not exceed five minutes<sup>1</sup>.

A second councillor will then be asked by the Mayor to “second” the motion. This may not exceed three minutes without the consent of the Mayor.

The meeting will then debate the issue and any amendments on the motion will be dealt with.

At the end of the debate the mover of the motion may make a concluding speech, known as a “right of reply”. If an amendment is carried, the mover of the amendment shall hold the right of reply to any subsequent amendments and, if no further amendments are carried, at the conclusion of the debate on the substantive motion.

The Mayor will then ask councillors to vote on the motion (and any amendments).

## IMPLICATIONS OF THE CONSTITUTION

The constitution allocates responsibility for particular functions to council assembly, including approving the budget and policy framework, and allocates to the cabinet responsibility for developing and implementing the budget and policy framework and overseeing the running of council services on a day-to-day basis. Therefore any matters that are reserved to the cabinet (i.e. housing, social services, regeneration, environment, education etc) cannot be decided upon by council assembly without prior reference to the cabinet. While it would be in order for council assembly to discuss an issue, consideration of any of the following should be referred to the cabinet:

- to change or develop a new or existing policy
- to instruct officers to implement new procedures
- to allocate resources.

Note: In accordance with council assembly procedure rule 2.10 (7) & (8) (prioritisation and rotation by the political groups) the order in which motions appear in the agenda may not necessarily be the order in which they are considered at the meeting.

---

<sup>1</sup> Council assembly procedure rule 1.14 (9)



**1. MOTION FROM COUNCILLOR LEWIS ROBINSON** (Seconded by Councillor Toby Eckersley)

Please note that, in accordance with council assembly procedure rule 2.10 (6), council assembly shall consider this motion.

**Repayment of Major Works Charges by Leaseholders**

Council assembly notes:

1. Southwark Council currently offers leaseholders a number of repayment options when major works (a charge for large one-off works to a block or an estate) are due on their property for which they are liable. These include a “voluntary charge” payable upon sale of the property, and an interest free repayment period of between 12 and 36 months. The council’s preferred option is repayment in 12 monthly instalments (Home Owners Guide)
2. The interest free repayment offer of 36 months is fairly standard across London local authorities, although some do offer a longer period of 48 months.

Council assembly believes:

3. A well planned programme of this type of work across the borough would ensure that all required works are carried out with good notice, and scheduled so that leaseholders are able to make adequate provision and plan ahead financially over a number of years.
4. There have been an increasing number of examples however, of the council failing to achieve this. For example, the council may have to carry out emergency major works following health and safety issues identified in an inspection, or a fire safety notice has been served. In some cases, the programme of works has just been poorly planned.
5. This can and has resulted in several major works programmes taking place in one financial year on an estate, and is highly likely to cause considerable financial hardship to leaseholders. Many on fixed or low incomes are unable to meet the increased costs or able to plan ahead, and given the current state of the housing market, offsetting costs against equity is an increasingly unviable option.
6. The council, while acknowledging that circumstances, and the legal position, may differ from block to block and lease to lease, also believes that further information is required about the obligation of leaseholders to make contributions towards the remedying of fire safety defects

Council assembly therefore requests cabinet:

7. That where exceptional circumstances occur, and the council is required to carry out more than one programme of major works on an individual estate in one financial year, the current repayment schedule of 36 months will be extended to 48 months so that those affected leaseholders are better placed to budget for the additional financial burden.
8. That when such a situation arises the council informs affected leaseholders this further option is available to them.

9. That definitive advice on leaseholder duties in respect of all types of request for contributions for remedying of fire safety defects be obtained.

**Note:** If the motion is agreed, any proposals will be submitted to the cabinet for consideration.

## **2. MOTION FROM COUNCILLOR ROSIE SHIMELL (Seconded by Councillor Jeff Hook)**

Please note that, in accordance with council assembly procedure rule 2.10 (6), council assembly shall consider this motion.

### **Secondary School in SE16**

1. Council assembly recognises the urgent need for more secondary school places in Rotherhithe and Bermondsey.
2. Council assembly requests the cabinet to:
  - 1) Welcome the government's funding for a new school in SE16
  - 2) Demonstrate commitment for a new school in SE16
  - 3) Work with local people, existing schools and colleges, and the local MP and councillors to make urgent progress

**Note:** If the motion is agreed, any proposals will be submitted to the cabinet for consideration.

## **3. MOTION FROM COUNCILLOR IAN WINGFIELD (Seconded by Councillor Gavin Edwards)**

Please note that, in accordance with council assembly procedure rule 2.10 (6), council assembly shall consider this motion.

### **Secure Tenancies**

1. Council assembly notes that Southwark is the largest local authority social landlord in London with 45,000 tenants and homeowners in the borough.
2. Council assembly notes the proposal in the Conservative/Liberal Democrat government's Localism Bill to end the right to a secure tenancy for council and housing association tenants, and restrict the rights of tenants to complain directly to the housing ombudsman.
3. Council assembly notes that Labour has tried to remove these provisions from the Localism Bill but that Liberal Democrat MPs voted with the Conservatives to keep them within the bill.
4. Council assembly regrets the government's proposal to issue fixed-term tenancies of just two years that will force tenants in Southwark to go through an assessment of their income and family circumstances after just eighteen months in their home which will act as a disincentive to get a better job, could force couples to leave their family home once their children leave home and do not include a right to improve homes or a right to pass on the tenancy to a child, live-in carers or siblings.
5. Council assembly is deeply concerned at the lack of clarity from the Tory-led government regarding the rights of existing social tenants in Southwark to a secure tenancy if they move to a new council or housing association property.

6. Council assembly also notes that along with their cuts to council house building, housing benefit and their plan to introduce rents of up to 80% of local market rents, and reduce funding for the decent homes programme, this is an attack on the fundamental principles of decent, secure and affordable public housing.
7. In the circumstances council assembly praises the Southwark Labour administration's ambition to make every council home warm, safe and dry.
8. Council assembly calls upon the cabinet and the relevant cabinet members:
  - To lobby Simon Hughes MP to vote against this proposal in the House of Commons and not abstain
  - To seek clarification from the government regarding the proposals to force council tenants to move if their income increases.

**Note:** If the motion is agreed, any proposals will be submitted to the cabinet for consideration.

**4. MOTION FROM COUNCILLOR ANOOD AL SAMERAI** (Seconded by Councillor Paul Noblet)

Please note that, in accordance with council assembly procedure rule 2.10 (6), council assembly shall consider this motion.

**Cabinet Priorities**

1. Council assembly is concerned that the cabinet is making the wrong choices for Southwark residents
2. Council assembly requests the cabinet to urgently address its failings in the following areas:
  - 1) The failure to deliver what residents deserve at the Elephant and Castle, including the failure to secure a green energy scheme and lower energy costs for local people, to provide comprehensive sporting facilities in the proposed leisure centre and to fully redevelop the shopping centre.
  - 2) The lack of progress towards or political interest in reducing the borough's carbon emissions and tackling climate change.
  - 3) The failure to understand and commit to a new school in SE16.
  - 4) The strategy of playing party politics with council funding, and sidelining and forcing closure of voluntary sector groups through its budget choices rather than using, then replenishing in later years, the council's sizable reserves.

Council requests that these areas form the basis of any future corporate plan.

**Notes**

1. In accordance with council assembly procedure rule 1.11 (Previous decisions and motions) parts 2(1) relating to the Elephant and Castle leisure centre and 2(4) seek to rescind a decision of council assembly within the previous six months. For council assembly to debate these parts of the motion a notice signed by 16 councillors must be received four clear working days in advance of the meeting i.e. Midnight, Wednesday 30 March 2011.
2. If the motion is agreed, any proposals will be submitted to the cabinet for consideration.

**BACKGROUND PAPERS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Member Motions	Constitutional Team 160 Tooley Street London SE1 2TZ	Sean Usher 020 7525 7222

<b>Lead Officer</b>	Ian Millichap, Constitutional Manager
<b>Report Author</b>	Sean Usher, Constitutional Officer
<b>Version</b>	Final
<b>Dated</b>	25 March 2011

<b>Item No.</b> 5.1	<b>Classification:</b> Open	<b>Date:</b> 6 April 2011	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Core Strategy Final Adoption (Policy Framework)	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Cabinet	

## RECOMMENDATIONS

That Council Assembly:

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

## BACKGROUND INFORMATION

5. The Core Strategy provides the overarching planning framework for Southwark. It is a spatial plan which delivers the vision and objectives for Southwark as set out in the sustainable community strategy 'Southwark 2016'. Looking forward to 2026 sets out the kind of place we want Southwark to be. This shows the areas where we expect growth, locations for employment uses, and Southwark's approach to maintaining a stable and balanced community through the delivery of schools, affordable housing, and protection of open space and leisure facilities. Like all development plans, the Core Strategy must be consistent with national planning guidance and in general conformity with the London Plan. It must show how Southwark will deliver its regional housing target, as well as targets set for the opportunity areas (Elephant and Castle and Bankside, Borough and London Bridge) and our area for intensification (Canada Water). The Core Strategy focuses on implementation and shows how and when development in strategic areas will be delivered. It also addresses how the transport and social infrastructure which are needed to support growth will be provided.
6. Legislation (the Planning and Compulsory Purchase Act 2004), national guidance (Planning Policy Statement 12) and local planning guidance set out the requirements for the preparation of a core strategy. We have complied with these requirements. Preparation of the core strategy has taken place over a number of stages:
  - The first stage involved preparing and consulting on the sustainability appraisal scoping report (July to September 2008).
  - The second stage involved consulting on issues and options (October until December 2008). These set out two different approaches that could be taken forward for development in Southwark.

- The third stage involved a consultation on preferred options (April to July 2009). These established a direction for policies such as the amount of new housing, tenure, transport, open spaces, schools and health facilities.
  - The fourth stage proposed the same document for both the publication and submission to the Secretary of State for examination in public. This document was then published and representations as to its soundness were made until February 26 2010. At the end of this period the same version of the document and representations received as to its soundness were submitted to the Secretary of State for independent examination. The council had consulted on all of the issues, options and the preferred option during previous stages. Council Assembly approved the Core Strategy for publication/submission following consideration of all of the consultation and evidence for consideration and deemed it sound. Representations were provided to the Secretary of State for consideration and duly considered by the Inspector as part of the examination process.
  - The submission core strategy was subject to an examination in public held by a planning inspector appointed to act on behalf of the Secretary of State. The inspector considered representations made by interested parties to test the soundness of the draft core strategy. This involved the inspector asking further questions about issues and examining relevant evidence.
  - Following the Examination in Public, the Inspector asked for clarification of the evidence in support of the proposed extension of the suburban density zones. We submitted further evidence on this and invited everyone on the Core Strategy database to comment on this further evidence. Consultees had three weeks to comment on the further evidence, and their comments were submitted to the Inspector in November 2010.
7. We received the Inspector's draft report on 29 January 2011. We completed a 'fact check' of the Inspector's Report, in accordance with paragraph 4.29 of PPS12. The fact check provided an opportunity to identify any factual errors and to ask for clarification on any conclusions that were unclear. It did not provide any scope to question the Inspector's conclusions. The fact check was forwarded to The Planning Inspectorate on 3 February 2011
  8. The Inspector issued his final report on 3 February 2011, which contained an assessment of the Core Strategy's soundness along with recommendations and the reasons for them, as required by s20 (7) of the 2004 Act. The Inspector also confirmed that the documents submitted alongside the Core Strategy (appendixes C to G) show that the requirements in the Regulations regarding consultation have been met.
  9. The Inspector has concluded that there should be three minor amendments. These binding amendments are incorporated into the final Core Strategy (appendix A). These binding amendments along with the changes proposed through our consolidated table of changes which are incorporated into the final draft of the Core strategy will make the Core Strategy sound and will satisfy the requirements of s20 (5) of the Planning and Compulsory Purchase Act 2004 and accords with the advice of PPS12.
  10. The three binding amendments are:
    - i. Minor changes to the wording of the density policy – strategic policy 5 (Providing new homes) of the Core Strategy. The Inspector did not agree the boundary of the Canada Water Action Area Core. Sites 24-28 Quebec Way and Quebec Way Industrial Estate are currently located in the urban density zone. The Canada

Water Action Area Core boundary and whether these sites should be part of the urban area or the suburban area will be decided through the Examination in Public into the Canada Water Area Action Plan. The Inspector has agreed in principle that that remainder of the area proposed as suburban through the core strategy should be suburban..

- ii. Delete the table of minimum dwelling sizes in strategic policy 7 (Family homes) as set out in the table below.
- iii. Delete the proposed changes to the proposals map for new open spaces and new Sites of Importance for Nature Conservation (SINCs). We cannot allocate new open spaces or SINCs through the Core Strategy as shown in the map and table two below.

Table one – minimum dwelling sizes. To be deleted.

<b>Number of Bedrooms</b>	<b>Minimum overall gross internal area (sqm)</b>
Studios	36
1 bedroom	50
2 bedrooms	70
3 bedrooms	86
4+ bedrooms	95

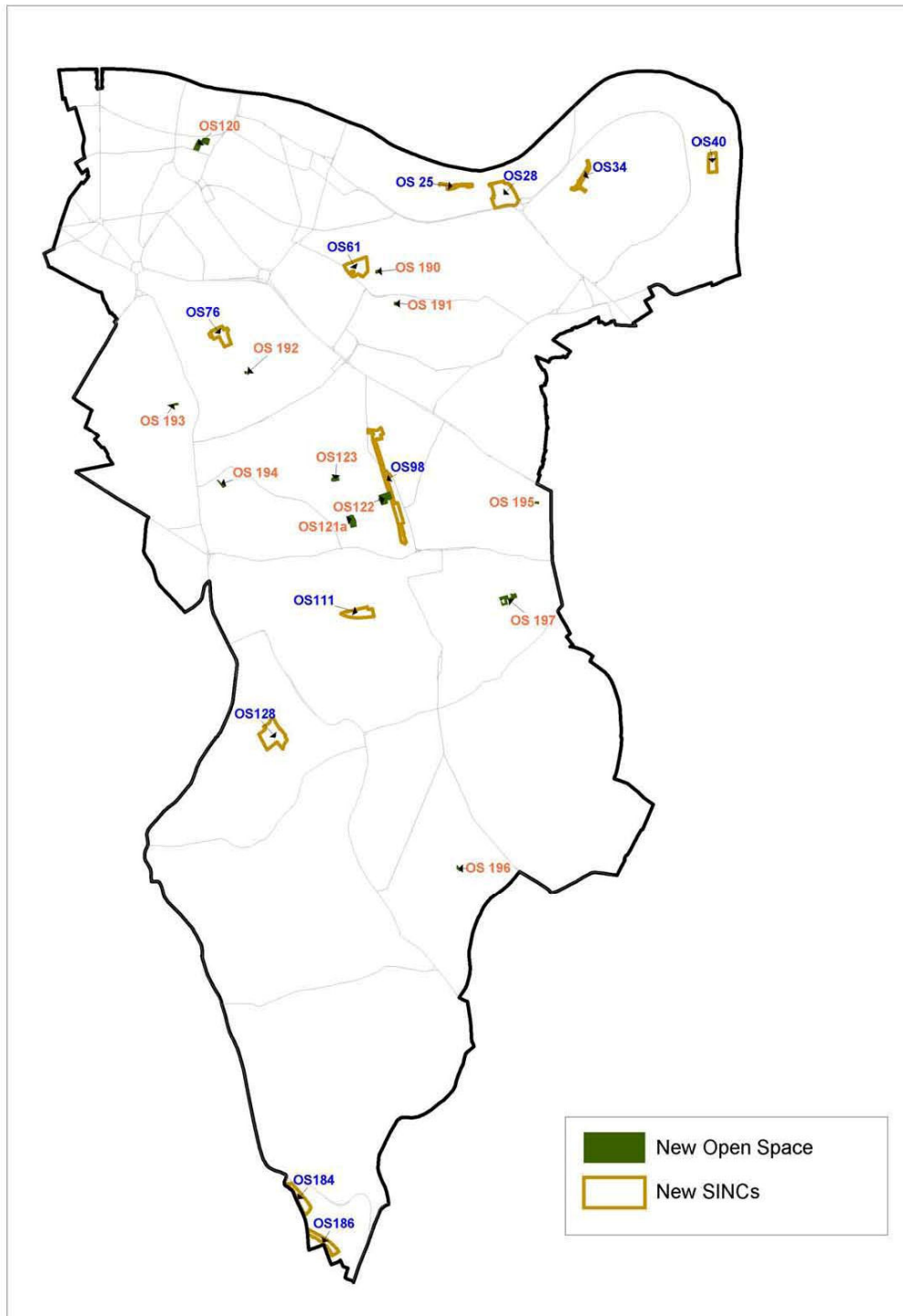
Table Two – Proposed new open spaces and SINCs to be deleted

#### **Proposed open spaces**

<b>Schedule_ID</b>	<b>Name</b>	<b>Designation</b>
OS121a	Central Venture Park	Other Open Space
OS123	Calypso Park	Other Open Space
OS 190	Alscot Road Allotments	Other Open Space
OS 191	Reverdy Road Allotment Gardens	Other Open Space
OS 192	Aylesbury Road Allotments	Other Open Space
OS 193	Fielding Street Allotments	Other Open Space
OS 194	Caspian Street Allotments	Other Open Space
OS 195	Brimmington Estate Allotments	Other Open Space
OS 196	Dunston Road Allotments	Other Open Space
OS 197	Brayards Green	Other Open Space
OS122	Jowett Street Park	Borough Open Land
OS120	Cross Bones Graveyard	Borough Open Land

#### **Proposed SINCs**

<b>Schedule_ID</b>	<b>Name</b>	<b>Designation</b>
OS 25	Cherry Gardens	Site of Importance of Nature Conservation
OS111	Warwick Gardens	Site of Importance of Nature Conservation
OS128	Greendale Playing Fields	Site of Importance of Nature Conservation
OS184	Long Meadow	Site of Importance of Nature Conservation
OS186	Gypsy Hill Railway Cutting	Site of Importance of Nature Conservation
OS28	King Stairs Gardens	Site of Importance of Nature Conservation
OS34	Deal Potters Walk	Site of Importance of Nature Conservation
OS40	Durand's Wharf	Site of Importance of Nature Conservation
OS61	Bermondsey Spa Park	Site of Importance of Nature Conservation
OS76	Nursery Row Park	Site of Importance of Nature Conservation
OS98	Surrey Canal	Site of Importance of Nature Conservation



11. These amendments are binding on the council. Appendix A shows the updated Core Strategy to take into account these binding changes. Appendix B is the Inspector's final report and sets out the reasons for these changes.

## CONSULTATION

12. The Core Strategy and appendices have been considered by Planning committee and Cabinet. Planning Committee provided the following comments:
- Where the Inspector has found that it was not appropriate to include certain policies in the Core Strategy, signpost or reference should be made in the Core



Strategy to the lower tier documents that will deal with the policies in question (e.g. area action plans, design strategy, definition of open spaces etc.).

- The Cross Bones graveyard site should be protected as part of an Open spaces DPD when it comes forward.
- No reference to Dulwich Hospital site in the Dulwich vision - note be made to cabinet of that fact that this is a significant site in Dulwich (7 hectares).
- Would have liked to have seen a saturation of student housing policy because of the effect on mixture of the community.
- Appendix A, page 45/46 map indicating Thames Crossing – officers to check if the boundary line is correct.
- Would like a policy to ensure that that 3 or 4 bedroom homes are being built for families and not then turned into homes in multiple occupation.
- Link to equalities background documents to be sent to Councillor Coyle.

### KEY ISSUES FOR CONSIDERATION

13. The Core Strategy has been examined in public by an independent inspector and we have received a binding report. The Inspector's overall conclusion is that the Core Strategy is sound and therefore there are no significant issues that need to be addressed.
14. Prior to and during the examination in public we provided the Inspector with a list of proposed changes to the Core Strategy to provide factual updates or minor amendments arising from the consultation period. These were minor changes. The Inspector agreed with the council that these changes would improve the document and has confirmed that they should be incorporated into the final Core Strategy. These are set out in appendix A of his final report (appendix B of this report).
15. The Inspector has also proposed changes that he considers are necessary to ensure that the Core Strategy is sound. The council 'is bound' to make these changes on adoption of the Core Strategy. These changes are set out in appendix B of his final report (appendix B of this report). The changes have a number of implications for the council.
16. The change to the wording of the density policy (strategic policy 5) is a minor change which does not impact on the overall strategic policy. The lack of decision on the Canada Water core area boundary and the deferral of this issue to the Examination in Public on the AAP means that sites 24-28 Quebec Way and Quebec Way Industrial Estate are currently located in the urban density zone. The Inspector has agreed in principle that that remainder of the area proposed as suburban through the core strategy should be suburban.
17. The Core Strategy sought to prescribe minimum flat sizes in order to drive up the quality and standard of residential development. However, the inspector deleted the minimum dwelling sizes, stating that the approach made no allowance for levels of intended occupancy within different dwelling types. The inspector also stated that floor space standards could be placed reasonably in a supporting development plan document. We are recommending that a table of dwelling sizes be inserted into the Canada Water Area Action Plan and Affordable Housing SPD and that there is an update to the Residential Design Standards supplementary planning document (SPD). We may also need to consider whether to include this within our planning documents such as the Elephant and Castle Opportunity Area OAF/SPD
18. In his report on the core strategy, the inspector has not accepted the council's

proposal to designate SINC's, as in the case of dwelling sizes, stating that it would be more appropriate to do this in lower tier documents such as AAP's. Three open spaces were proposed as SINC's in the core strategy: Durand's Wharf, Deal Porter's Walk and King's Stairs Gardens. The council considers that there is sound evidence to designate these as SINC's and is proposing to designate these in the AAP. Their removal will have an impact on other planning documents being prepared such as Canada Water AAP, Peckham and Nunhead AAP and the Elephant and Castle OAF/SPD as they will need to include new protection for SINC's and open spaces. We are recommending changes to Canada Water Area Action Plan to designate further SINC's.

### **Community Impact Statement**

19. The purpose of the Core Strategy is to facilitate regeneration and deliver the vision of Southwark 2016 in a sustainable manner ensuring that community impacts are taken into account.
20. Sustainability appraisals have been prepared at each stage to ensure the wider impacts of development and the strategic objectives of the Core Strategy are addressed as set out in appendix D. This is available on the website and in the members' offices.
21. Equalities Impact Assessments been prepared at each stage to ensure the wider impacts of development and strategic objectives of the Core Strategy are addressed as set out in appendix E. This is available on the website and in the members' offices. At each stage, participation has been monitored and analysed to see whether any particular groups have not been engaged and whether this can be addressed at the next stage as set out in the consultation report appendix C. This is available on the website and in the members' offices.
22. The appropriate assessment (appendix G) has been carried out under the EU Habitats Directive assessing the impact of the publication/ submission version on EU Protected wildlife habitats. This is available on the website and in the members' offices.
23. We also set out our final sustainability adoption statement (appendix C) which summarises all of the consultation and shows how we have met the Regulations.

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

#### **Strategic Director of Communities, Law & Governance**

##### **Functions and Responsibilities**

24. Under Part 3F of the Southwark Constitution, it is the function of Planning Committee to comment upon the adoption of local development framework documents (LDF's) and to make recommendations to Cabinet in relation to LDF documents such as the Core Strategy.
25. Under Part 3B of the Constitution, Cabinet has responsibility for formulating the Council's policy objectives and making recommendations to Council Assembly. More specifically, the function of approving preferred options of DPDs, which form part of the LDF, is reserved to Cabinet (Para 20, Part 3C).
26. The Core Strategy is now at the adoption stage. By virtue of Regulation 4(1), paragraph 3(d) of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 ("the 2000 Regulations") (as amended by the Local Authorities

(Functions and Responsibilities) (Amendment) (No 2) (England) Regulations 2005 - Regulation 2, paragraph 4) the approval of a DPD is a shared responsibility with Council Assembly and cannot be the sole responsibility of Cabinet.

27. Accordingly, members of Cabinet are requested to consider the content and recommendations of the binding Inspector's Report in respect of the adoption of the Core Strategy and accompanying documents, and recommend to Council Assembly that the Core Strategy be adopted together with the accompanying sustainability appraisal.
28. Under Part 3A, paragraph 9 the function of adopting development plan documents is reserved to Council Assembly. Accordingly, Council Assembly will upon recommendations from Planning Committee and Cabinet be requested to adopt the AAP with the Inspector's binding recommendations.
29. The recommendations of the Inspector are binding upon the Council. The Council must either (i) adopt the recommendations, thus the Core Strategy, in full as recommended by the Inspector or commence a process of consultation and production afresh.

### **Examination in Public**

30. Regulation 7 of the Town and Country Planning (Local Development) (England) Regulations 2004 ('the Regulations') provides that a Core Strategy must be a development plan document ("DPD"). The Core Strategy is identified in the Council's revised Local Development Scheme, which was approved in May 2008.
31. As set out in the report, the Core Strategy was subject to an examination in public (EiP) by a planning inspector appointed by the Secretary of the State in July 2010.
32. The purpose of the independent examination is set out in section 20(5) of the 2004 Act. This is required to determine whether the submitted DPD has been prepared in accordance with certain statutory requirements under s19 & s24(1) of the 2004 Act and the associated regulations (*The Town and Country Planning (Local Development) (England) Regulations 2004; SI.2004 No. 2204*); and whether it is sound.
33. In making an assessment of soundness, the Core Strategy was examined against the requirements set out in Planning Policy Statement 12 (2008) – *Local Spatial Planning* (PPS 12) – namely as to whether it is justified, effective and consistent with national policy.
34. The Inspector concluded in his binding decision dated 28 January 2010 that the Core Strategy is considered to be sound subject to his recommended amendments set out in his report. Members' are advised that the Inspector findings are binding upon the council. Therefore, the Core Strategy must be adopted in a form which incorporates the Inspector's recommendations. If members were not minded to accept the Inspector's recommendations, the entire process would need to be re-commenced and fresh consultation undertaken.

### **Sustainability Appraisal**

35. Section 19(5) of the Planning and Compulsory Purchase Act 2004 requires sustainability appraisal of the economic, social and environmental sustainability of plans in DPDs. Accordingly, a sustainability appraisal was prepared to ensure the wider impacts of the Core Strategy policies are addressed. The Sustainability

Appraisal provides a sound evidence base for the plan and forms an integrated part of the plan preparation process. The iterative Sustainability appraisal in respect of the Core Strategy has informed the evaluation of reasonable alternatives namely promoting growth areas and housing growth. The Council has opted for a combined approach which the Inspector deemed “*justified and consistent with national policy*”. It will also provide a means of proving to decision makers, and the public, that the plan is the most appropriate given reasonable alternatives.

36. The iterative Sustainability Appraisal has fully informed the preparation of the Core Strategy and is recommended for adoption by Members. The SA should be expressly adopted along with the Core Strategy and must have a separate adoption statement pursuant to Environmental Assessment of Plans and Programmes Regulations 2004 (16) (3) and (4) which summarises “...*how environmental considerations have been integrated into the plan or programme... the reasons for choosing the plan or programme as adopted, in light of other reasonable alternatives dealt with, and the measures decided concerning maintaining...*” (Article 9(1), SEA Directive)

### Equalities

37. Positive equalities obligations are placed on local authorities, sometimes described as equalities duties with regard to race, disability and gender.
38. Gender equality duties were introduced by the Equality Act 2006, which amended the Sex Discrimination Act 1975. The general duties in summary require local authorities to have due regard to the need to:
- (a) “eliminate unlawful discrimination and harassment and;
  - (b) promote the equality of opportunity between men and women.”
39. Race equality duties were introduced by the Race Relations Amendment Act 2000 which amended the Race Relations Act 1976. The general duties in summary require local authorities to give due regard to the need to:
- (a) “eliminate unlawful discrimination and harassment;
  - (b) promote the equality of opportunity; and
  - (c) promote good race relations between people of different racial groups”
40. Disability equality duties were introduced by the Disability Discrimination Act 2005 which amended the Disability Act 1995. The general duties in summary require local authorities to carry out their functions with due regard to the need to:
- (a) “promote equal opportunities between disabled persons and other persons;
  - (b) eliminate discrimination that is unlawful under the Act;
  - (c) eliminate harassment of disabled persons that is related to their disabilities;
  - (d) promote a positive attitude towards disabled persons;
  - (e) encourage participation by disabled persons in public life; and
  - (f) take steps to take account of disabled person’s disabilities even where that involves treating disabled persons more favourably than other persons.”
41. Section 71 of the Race Relations Act 1976, section 49A(i) of the Disability Discrimination Act 1995 and section 76A of the Sex Discrimination Act 1975, require local authorities to act in accordance with the equalities duties and have due regard to these duties when we are carrying out our functions, which is particularly important in the context of the Core Strategy as it will be important to ensure and continue to monitor that it does foster the creation of mixed communities.

42. Throughout the production process of the Core Strategy from Issues and Options, Preferred Options to a publication / submission, the council has undertaken thorough iterative Equalities Impact Assessment (EqIA) involving the council's Equality and Diversity Panel including assessment of borough's demographics and the potential impacts of the plan on its diverse communities with particular regard to its equalities duties. The council's EqIA processes extend beyond its current statutory equalities duties to incorporate religion/belief, sexual orientation and age. It is notable that the Inspector's Report deemed the council's iterative EqIA process to be "*adequate for the strategic vision contained in the CS*".

### **General Conformity of the Core Strategy**

43. Section 24(1)(b) of the Planning and Compulsory Purchase Act 2004 requires that local development documents (LDDs) issued by the Council, such as the Core Strategy, must be in general conformity with the spatial development strategy, namely the London Plan (consolidated with alterations since 2004). On submission of the final draft of the Core Strategy to the Secretary of State for independent examination, the Council sought the Mayor's opinion in writing as to whether the Core Strategy was in general conformity (Reg 30, the Regulations). Following negotiation in relation to certain matters relating to student housing and transport, the Council and the GLA reached common ground. Accordingly the Mayor and the Inspector following examination have both confirmed that the Core Strategy is in general conformity with the London Plan and its emerging draft replacement. The purpose of the independent examination is to ensure legal compliance with the legislative framework, including consultation and soundness of the Core Strategy (Section 20(5)(b) of the Act).

### **Soundness of the Core Strategy**

44. Under the Planning and Compulsory Purchase Act 2004 S 20(5)(a) the Inspector has examined the Core Strategy on behalf of the Secretary of State to ensure that the plan complies with stature and is otherwise sound. Section 20(5)(b) of the Act requires the Inspector to determine whether the plan is 'sound' and:
- a. Has been prepared in accordance with the Local Development Scheme;
  - b. Is in compliance with the Statement of Community Involvement and the Regulations;
  - c. Has been subject to Sustainability Appraisal;
  - d. Has regard to and is consistent with national policy;
  - e. conforms generally to the London Plan;
  - f. Has regard to other relevant plans, policies and strategies such as other DPDs which have been adopted or are being produced by the Council;
  - g. Has been subject to an Appropriate Assessment pursuant to the Habitats Directive to ensure that the Core Strategy or any of its policies are not likely to have any significant discernible impacts on European protected species;
  - h. Has regard to any sustainable community strategy for its area; and
  - i. Has policies, strategies and objectives which are coherent, justified, consistent and effective.
45. Subject to his binding recommendations and amendments, the Inspector was satisfied that the Core Strategy is sound and complies with statutory requirements.

### **Human Rights Considerations**

46. The decision to adopt the Core Strategy potentially engages certain human rights

under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant. In the case of the Core Strategy, a number of rights may be engaged: -

- **The right to a fair trial (Article 6)** – giving rise to the need to ensure proper consultation and effective engagement of the public in the process;
  - **The right to respect for private and family life (Article 8)** – for instance the Core Strategy has opted for a combined growth areas and housing growth approach which impacts on housing provision, re-provision or potential loss of homes. Other considerations may include impacts on amenities or the quality of life of individuals;
  - **Article 1, Protocol 1 (Protection of Property)** – this right prohibits interference with individuals' right to peaceful enjoyment of existing and future property / homes. It could be engaged, for instance, if the delivery of any plan necessitates CPOs;
  - **Part II Protocol 1 Article 2 Right to Education** – this is an absolute right enshrining the rights of parents' to ensure that their children are not denied suitable education. This is a relevant consideration in terms of strategies in the plan which impact on education provision.
47. It is important to note that few rights are absolute in the sense that they cannot be interfered with under any circumstances. 'Qualified' rights, including the Article 6, Article 8 and Protocol 1 rights, can be interfered with or limited in certain circumstances. The extent of legitimate interference is subject to the principle of proportionality whereby a balance must be struck between the legitimate aims to be achieved by a local planning authority in the policy making process against potential interference with individual human rights. Public bodies have a wide margin of appreciation in striking a fair balance between competing rights in making these decisions.
48. This approach has been endorsed by *Lough v First Secretary of State* [2004] 1 WLR 2557. The case emphasised that human rights considerations are material considerations in the planning arena which must be given proper consideration and weight. However, it is acceptable to strike a balance between the legitimate aims of making development plans for the benefit of the community as a whole against potential interference with some individual rights.
49. Public bodies have a wide margin of appreciation in striking a fair balance between competing rights in making these decisions. The approach and balance between individual and community rights set out in the publication/submission is within justifiable margins of appreciation.
50. The council has undertaken robust public participation, iterative sustainability and equalities assessments throughout the production of the Core Strategy as well as engaging with the issue of human rights at each decision making process. Therefore the Core Strategy is not deemed to interfere with any human rights which may be engaged and strikes the appropriate balance between making strategic policies for its communities against any potential interference. In deciding upon the adoption of the Core Strategy, members are reminded to have regard to human rights considerations and strive to strike a fair balance between the legitimate aims of making development plans for the benefit of the community against potential interference with individual rights.

### **Adoption Process – Procedural Requirements**

51. Members' are advised that should the Core Strategy be adopted by Council Assembly, following the recommendation of Cabinet, a number of statutory requirements will need to be complied with by the council. These requirements are set out in Regulations 35 and 36 Town and Country Planning (Local Development)(England) Regulations 2004 (as amended by the 2008 Regulations) and must be complied with as soon as reasonably practicable after the date of adoption.
52. In summary, Regulation 35 (1) requires that the Council complies with section 20(8) of the Planning and Compulsory Purchase Act 2004 to publish the Inspectors recommendations and reasons as follows :
  - (a) That the recommendations of the Inspectors report be deposited for the purposes of public inspection at the same venue that the pre-submission proposal documents were deposited;
    1. That Inspectors recommendations be published upon the council's web-site; and
    2. That notification of publication be provided to those persons who requested to be notified of the recommendations publications.
53. Regulation 36 further provides that the council make available for inspection the following documents at the same place where the pre-submission documents were deposited:
  - a) The Core Strategy;
  - b) An adoption statement, and
  - c) The sustainability appraisal report
  - d) Publish the adoption statement on the council's web-site;
  - e) Give notice by local advertisement of the adoption statement and details of where it can be inspected
  - f) Send the adoption statement to any person who has asked to be notified of the adoption of the Core Strategy; and
  - g) Send the Core Strategy and adoption statement to the Secretary of State.

### **Application to the High Court**

54. The Core Strategy has been prepared in accordance with the relevant legislation and regulations. If adopted this final version will establish the strategic planning policy framework for Southwark. Under Section 113 of the 2004 Act, any party aggrieved by the adoption of the Core Strategy may make an application to the High Court within 6 weeks of the publication of the adoption statement. Such applications may only be made on limited grounds namely that: -
  - a) The document is not within the appropriate power and / or
  - b) That a procedural requirement has not been complied with.
55. Officers believe this risk is minimal. The Core Strategy has been prepared in accordance with the relevant regulations and guidance, due process has been followed as endorsed by the Inspector's finding of soundness.

### **Saved UDP Policies**

56. If this Core Strategy is not adopted planning applications in the council's area will continue to be assessed against saved policies of the Unitary Development Plan, namely

the Southwark Plan 2007 and such other DPDs and AAPs as have been adopted by the Council, for example the Aylesbury AAP.

### Departmental Finance Manager

57. This report asks Cabinet to consider and adopt the binding report of the planning inspector on the core strategy and agree the draft affordable supplementary planning document.
58. Although there are no financial implications directly attributable to this report, any costs arising from the implementation of this report should be reported for approval by the Cabinet.

### BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark Statement of Community Involvement 2008	Planning Policy Team	Sandra Warren 020 7525 5380
Southwark Plan 2007	Planning Policy Team	Sandra Warren 020 7525 5380
Core Strategy Issues and Options 2008	Planning Policy Team	Sandra Warren 020 7525 5380
Core Strategy Preferred Option 2009	Planning Policy Team	Sandra Warren 020 7525 5380
Core strategy Publications/Submission 2009	Planning Policy Team	Sandra Warren 020 7525 5380

### APPENDICES

No.	Title
Appendix A	Core strategy final version and proposals map changes (available on the internet and copy circulated separately to all councillors)
Appendix B	Inspector's report on the Core Strategy (available in the members offices and on the internet)
Appendix C	Sustainability adoption statement (available in the members offices and on the internet)
Appendix D	Core strategy publication/submission version consultation report (available in the members offices and on the internet)
Appendix E	Core strategy publication/submission version sustainability appraisal (available in the members offices and on the internet)
Appendix F	Core Strategy publication/submission version equalities impact assessment (available in the members offices and on the internet)
Appendix G	Core Strategy publication/ submission version appropriate assessment (available in the members offices and on the internet)



## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Fiona Colley, Cabinet Member for Regeneration and Corporate Strategy	
<b>Lead Officer</b>	Eleanor Kelly, Deputy Chief Executive	
<b>Report Author</b>	Julie Seymour, Head of Planning Policy	
<b>Version</b>	Final	
<b>Dated</b>	24 March 2011	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Communities, Law & Governance	Yes	Yes
Departmental Finance Manager	Yes	Yes
<b>Cabinet Member</b>	Yes	No
<b>Date final report sent to Constitutional Team</b>	24 March 2011	

<b>Item No.</b> 5.2	<b>Classification:</b> Open	<b>Date:</b> 6 April 2011	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Canada Water Area Action Plan - Publication/Submission Summary Report (Policy Framework)	
<b>Ward(s) or groups affected:</b>		Rotherhithe, Surrey Docks	
<b>From:</b>		Cabinet	

## RECOMMENDATIONS

That the council assembly considers the recommendations of the Cabinet to:

1. Note the comments of the planning committee on the Further Changes to the Canada Water AAP Publication/Submission Version (Dwelling sizes and sites of importance for nature conservation) (appendix A).
2. Agree the further changes to the Canada Water AAP Publication/Submission Version (Dwelling sizes and sites of importance for nature conservation) (appendix A) including any/the amendment(s) proposed by Cabinet, the arrangement for publicising these changes (appendix B), sustainability appraisal (appendix C) and equality impact assessment (appendix D).
3. Approve the further changes to the Canada Water 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 publication.
4. Delegate the approval of any minor non-substantive amendments resulting from its meeting or receiving representations on the further changes to the Canada Water AAP Publication/Submission Version (Dwelling sizes and sites of importance for nature conservation) to the Strategic Director for Regeneration and Neighbourhoods in consultation with the Cabinet Member for Regeneration and Corporate Strategy before submission to Secretary of State.
5. That Council Assembly note the update on two further factual changes in circumstances at Canada Water which may necessitate further revisions to the Canada Water AAP:
  - i. The recent announcement by Daily Mail & General Trust that it is consulting on a proposal to relocate its printworks 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.

## BACKGROUND INFORMATION

6. The council is preparing an area action plan (AAP) for Canada Water and the Rotherhithe area. The AAP comprises localised policies which help shape the regeneration of Canada Water. Like the core strategy it is a spatial plan and concentrates on how change will be managed and achieved. It will be a development plan in the council's local development framework (LDF) and will be used as the basis for determining planning applications. Together with the core strategy and other local development framework documents, it will replace the Southwark Plan.
7. The draft AAP was approved at council assembly on 27 January 2010 for publication and submission to the Secretary of State for examination in public in March 2010. This followed several stages of consultation. During the first stage, completed in February 2009, the council consulted on issues and options for the future growth of the area. At the second stage, completed in November 2009, the council consulted on the preferred options for the AAP. At the final stage, the council published the AAP and invited the public to make representations on its soundness. This took place between January and March 2010. The document was then submitted to the Secretary of State for independent examination on 26 March 2010.
8. The council is now proposing to put forward focused revisions to the AAP for consideration by the Inspector. These arise from the inspector's binding report on the core strategy, which was received on 28 January 2011.
9. The core strategy proposed minimum dwelling sizes. However, these were deleted by the inspector on the grounds that they would be more appropriate in lower tier documents such as AAPs. He also suggested that the format in which the council had presented the minimum dwelling sizes was too inflexible and was not justified by the evidence base.
10. The core strategy also sought to designate new sites of importance for nature conservation (SINCs). The inspector did not accept the proposed SINCs, as in the case of dwelling sizes, stating that it would be more appropriate to do this in lower tier documents such as AAPs.
11. These recommended changes in the inspector's report, have resulted in the need to make several focused changes to the AAP. These changes relate to:
  - Incorporating minimum dwelling sizes in the AAP in a revised format;
  - Designating new sites of importance for nature conservation (SINCs) through the AAP and providing a more detailed strategy for Open Spaces.
12. These changes, while limited in scope, are nevertheless considered to be significant changes to the plan. As a result and in accordance with Regulations 26 and 27, the council will publish these revisions and invite representations on their soundness and / or give participants the opportunity to confirm whether they maintain their existing representations, would change their representations or make new representations.
13. The January 2010 publication/submission draft AAP was accompanied by a sustainability appraisal and an equalities impact assessment. These have been updated to reflect the impacts of the further changes proposed. The council

also published a consultation report. This will be updated to incorporate the representations received on the soundness of the changes and prior to submission to the secretary of state.

14. It should also be noted that there have been two recent changes in circumstances which will impact on the AAP. These are:
  - The recent decision by Daily Mail & General Trust (DGMT) plc to consult staff on moving their printing press from Harmsworth Quays to Thurrock.
  - The Department for Education has advised the council that a new secondary school in Rotherhithe would no longer receive funding support through Building Schools for the Future.
15. These changes may necessitate further revisions to the Canada Water AAP. Officers have proposed to the Planning Inspectorate that the council consults on any revisions to the plan associated with these changes over summer 2011 and formally publishes amendments in November 2011.
16. It had been anticipated that the examination in public would take place in April 2011. However, the council has proposed to the inspector that the EIP is delayed to ensure that any amendments can be considered by the Planning Inspector. However, officers cannot at this stage confirm that the Inspector will agree to this course of action, or that it will be possible to address these issues within the period of any postponement of the examination in public of the Canada Water AAP.
17. The Inspector has scheduled an exploratory meeting with the Council on 5 April 2011 to discuss the implications of the proposed changes to the publication/submission draft AAP and the examination programme.
18. The Further changes to the Canada Water AAP Publication/Submission Version (Dwelling sizes and sites of importance for nature conservation) were reported to Planning Committee for comment on 21 March 2011 and to Cabinet on 22 March 2011.

## **CONSULTATION**

### **Representations on the further changes**

19. The council will invite the public to make representations to the Inspector on the Further changes to the Canada Water AAP Publication/Submission Version (Dwelling sizes and sites of importance for nature conservation) in accordance with the statement of community involvement and the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended in 2008). The further changes will be published for a period of 6 weeks commencing on Friday 22 April and closing on Thursday 2 June. The further changes will be made available on the website, in libraries and council offices. An advertisement will be put into the press and the council will write to contacts on the Planning Policy database to advise of the consultation. A plan for publicising the further changes is included in appendix B.

### **Previous consultation**

20. Consultation has been carried out at all previous stages of preparing the AAP in accordance with the Consultation Strategy for Canada Water and our

Statement of Community Involvement. The consultation report is available as a background paper to this report.

21. In response to the previous invitation to submit comments on the soundness of the publication/submission draft a total of 268 representations were received (Regulation 28 responses) from 29 organisations and individuals. These are summarised in the consultation report.

#### **Planning Committee comments**

22. Deal Porters Walk – used to be much longer and should go all the way around the bus garage.
23. Comment on recommendation 2.ii: The council has received conflicting information as to whether or not funding for a new secondary school in Rotherhithe would be funded through Building Schools for the Future. A further report is expected on the funding of the school since the writing of the committee report.

#### **KEY ISSUES FOR CONSIDERATION**

24. In this report, the Council Assembly is being asked to agree that the publication/submission version of the AAP is revised to incorporate minimum dwelling sizes and to identify three additional sites of importance for nature conservation.

#### **Dwelling sizes**

25. The Core Strategy sought to prescribe minimum flat sizes in order to drive up the quality and standard of residential development. However, the inspector deleted the minimum dwelling sizes, stating that the approach made no allowance for levels of intended occupancy within different dwelling types. The inspector also stated that floor space standards could be placed reasonably in a supporting development plan document. We are therefore proposing to add minimum dwelling sizes to the AAP making an allowance for the intended occupancy within different dwelling types. The dwelling sizes relate dwelling sizes to occupancy levels, which is consistent with the London Plan. The proposed dwelling sizes are set out in appendix A.
26. At Core Strategy preferred options stage the council consulted on how many homes with 2 or 3/more bedrooms should have larger unit sizes than the minimum (10% larger than: 60sqm for a 2 bed flat; 75sqm for a 3 bed property and 90sqm for a 4 or more bed property). The dwelling sizes proposed for the Canada Water AAP are broadly in line with this option and a further round of consultation on the option is not considered necessary.

#### **Sites of importance for nature conservation (SINCs)**

27. In his report on the core strategy, the inspector has not accepted the council's proposal to designate SINCs, as in the case of dwelling sizes, stating that it would be more appropriate to do this in lower tier documents such as AAPs. Three open spaces were proposed as SINCs in the core strategy: Durand's Wharf, Deal Porters Walk and King's Stairs Gardens. The council considers that sound evidence can be presented to the inspector to justify the designation

of these spaces as SINC's in the AAP. The proposed SINC's are set out in appendix A.

28. The council consulted on a proposal to designate King's Stairs Gardens, Deal Porters Walk and Durand's Wharf during the issues and options AAP consultation and also at Core Strategy preferred options stage. A further round of consultation on the proposal is not considered necessary.
29. Planning committee queried whether Deal Porter's Walk should be extended to the south. To the south, Deal Porter's Walk adjoins Site A (27P in the Southwark Plan). The majority of the trees which bounded Site A have been removed, pending implementation of the new landscaping scheme for the site. The Canada Water AAP site designation for site A requires that provision of public open space. It also shows indicatively where the open space should be provided (which is roughly in line with the approved planning application). Given that the landscaping for site A is proposed rather than existing, it would not be possible to designate as a SINC at this point in time. Moreover, as the council has not previously consulted on this, an additional round of consultation would be required prior to publication.

#### **Factual changes in circumstances affecting Canada Water**

30. The report recommendations also ask the Council Assembly to note two recent factual changes of circumstance which may affect the AAP. The Daily Mail and General Trust plc have recently announced that they will consult staff on moving their printing press from Harmsworth Quays on Surrey Quays Road to a greenfield site in Thurrock. While a final decision has not been taken, the council would like to ensure that the AAP puts sufficient guidance in place to provide a framework for the redevelopment of Harmsworth Quays if the opportunity arises.
31. A relocation of Harmsworth Quays would also provide opportunities on neighboring sites, including the Leisure Park, Mulberry Business Park and Site E. Amendments associated with the redevelopment of Harmsworth Quays are likely to affect a number of the AAP policies, including the amount of housing to be provided in the AAP core area, the amount of business space, cycling and walking routes and transport impacts.
32. The council has proposed to the Planning Inspectorate that it consults on a redevelopment option for Harmsworth Quays during summer 2011. If the Planning Inspectorate agree to this course of action, it is anticipated that the council will publish any revisions to the plan and invite representations on their soundness in November 2011, prior to submission to the Secretary of State.
33. Since the AAP was submitted 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.
34. It is still anticipated that a new school will be required in the Rotherhithe AAP area within 10 years, subject to the progress of public and private regeneration

and the associated increased school age population. The council will explore the impact on the AAP of this issue. If significant changes to the AAP are required, the council has proposed to the Planning Inspectorate that these would be brought forward on the same timeline as changes associated with Harmsworth Quays.

### **Financial Implications**

35. This report is seeking council assembly agreement to the recommendations outlined above in relation to the Canada Water Area Action Plan.
36. There are no immediate resource implications arising from this report as any additional work required to complete the final Canada Water Area Action Plan for publication will be carried out by the relevant Policy team staff resources without a call on additional funding.
37. However, future development schemes emerging from the final approved Canada Water Area Action Plan will be subject to separate reports which will provide detailed and robust analysis of the financial implications of the individual schemes.

### **Sustainability appraisal**

38. The sustainability impacts of the further changes (Dwelling sizes and sites of importance for nature conservation) have been assessed through the sustainability appraisal. By setting out minimum room size standards, the AAP will encourage a wider mix of accommodation helping to meet the needs of different residents and ensuring more people have the opportunity to live in a decent home. The designation of sites as Sites of Importance for Nature Conservation will contribute to the Sustainability Appraisal's SDO 13 'To protect and enhance open spaces, green corridors and biodiversity' as these sites will be further protected for their biodiversity value.
39. The further changes will not impact on any EU protected habitats and therefore it will not be necessary to update the appropriate assessment of impacts on such habitats undertaken with the AAP.

### **Equalities Impact Assessment**

40. The equalities impacts of the further changes (Dwelling sizes and sites of importance for nature conservation) have been assessed through the equalities impact appraisal. The EqIA found that the minimum dwelling size standards would benefit all residents, in terms of the quality of accommodation provided, but in particular those with protected characteristics.
41. Maintaining a network of well used, high quality open spaces will benefit all residents including those with protected characteristics by ensuring everyone has access to outdoor space. The designation of sites as Sites of Importance for Nature Conservation will raise the profile of these areas in terms of their contribution to biodiversity and role as an ecological resource.

### **Community Impact Statement**

42. As is noted above, the council has updated the equalities impact assessment and sustainability appraisal to take account of the changes proposed. Both the

changes relating to sites of importance for nature conservation and the incorporation of dwelling sizes scored positively.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Strategic Director of Communities, Law & Governance**

43. The main report sets out the key considerations in determining to approve focused post-submission revisions to the Canada Water AAP (Publication / Submission version). The purpose of this section is to outline the relevant procedural and legal matters for members' consideration in approving the proposed further revisions to the Canada Water AAP. Having being deemed sound, the Canada Water AAP was approved by Council Assembly to be published and submitted for examination in public on 27 January 2010.
44. The Council's Core Strategy was also subject to examination in public in July 2010, following which the Inspector's binding report was issued on 28 January 2011 ("**the Report**"). The Report has consequential policy implications resulting in the current proposed further revisions to the submission version of the Canada Water AAP. Hence members are now requested to consider and approve these further consequential changes to the submitted Canada Water AAP.
45. The Council is required by Section 20(2)(b) of the Planning and Compulsory Purchase Act 2004 ("**the 2004 Act**") to submit plan documents which it deems sound. This has been reinforced by the courts in the *Blyth Valley BC v. Persimmon Homes (North East) Ltd, 2008* case. The rationale is that the plan should be informed by early extensive public participation, justified and founded on a robust evidence base (Planning Policy Statement 12, 2008, para 4.52).
46. Regulation 7 of the Regulations provides that Area Action Plans must be development plan documents (DPDs). Accordingly, the Canada Water AAP will form part of the statutory development plan once adopted. The status of the Canada Water AAP as a DPD also means that the stringent legislative processes for the preparation of DPDs must be followed. The preparation process is divided into four stages: -
  - Pre-production – survey and evidence gathering leading to decision to include the Canada Water AAP in the Local Development Scheme;
  - Production – preparation of (i) issues and options and (ii) preferred options in consultation with the community, formal public participation on these, and preparation and submission of the Canada Water AAP and accompanying sustainability appraisal in light of the representations on the preferred options;
  - Publication and submission – this entails pre-submission publication for a period of 6 weeks to allow for soundness representations which are forwarded to the Inspectorate together with the submission AAP
  - Examination in public (EiP) – the independent examination into the soundness of the AAP; and
  - Adoption – the Inspector's binding report and followed by a decision of Council Assembly as to adoption.
47. The Canada Water AAP Submission / Publication version has been through the production process and public participation in a manner that is compliant with legislative requirements and the Council's Statement of Community



Involvement. Members should bear in mind that the Council has actually made a decision to publish and submit an AAP which it deems sound. The Canada Water AAP is now with the Inspectorate pending examination in public. However further focused changes are now proposed to the AAP as a result of factual developments. Whilst members may consider and endorse the recommended further changes, whether or not they are incorporated into the AAP and deemed sound in the overall context of the AAP will be a matter for the Inspector conducting the examination in public into the AAP.

48. The Canada Water AAP Submission/Publication as proposed by this report incorporates amendments to room sizes and Sites of Importance for Nature Conservation SINCs that arise as a result of the Inspectors Core Strategy Report. The report notes two other material changes relating to potential future redevelopment of Harmsworth Quays and Secondary School provision. At this stage it is unclear whether further amendment of the AAP is possible to reflect these changes. Until the Inspector gives a view on this officers cannot commit to any further amendment of the AAP.
49. It should be noted that there are no express provisions within the 2004 Act or the Town and Country Planning (Local Development) (England) Regulations 2004 (**'the Regulations'**) (as amended) which provide a procedure for post-submission amendments to development plan documents such as this AAP. The Planning Inspectorate responsible for examination of development plan documents, recognise in their guidance document *"Examining Development Plan Documents: Learning from Experience"*, Sept 2009 that post-submission changes do occur. However, the guidance advises that post-submission changes which necessitate further evidence gathering and a consequent delay to EIP exceeding 6 months is unlikely to be acceptable and the AAP should be withdrawn.

### Relevant Guidance

50. The Planning Advisory Service in its Plan Making Manual ("PMM") offers pragmatic guidance as to the approach to such post-submission changes. If *"focused changes"* are proposed which affect a specific part of the plan and no more than two topic areas, as is the case with the proposal to make revisions to (i) dwelling sizes and (ii) SINCs in the AAP, the PMM recommends the following approach: -
  - a. prepare an addendum to the published plan setting out the proposed changes;
  - b. review the sustainability appraisal and implications of the proposed changes;
  - c. consult people and organisations on the addendum and publish the changes to allow representation to be made on the amended draft plan.
51. The PMM further advises in the case of significant changes that: -
 

*"...Although the plan is not required to go through another Regulation 25 consultation, it would be necessary to consult the specific consultation bodies previously notified...The new material contained within the plan would be subject to a sustainability appraisal and this would form part of the submission material. Once the local authority is satisfied with the altered development plan document (incorporating the changes) it would then resolve to publish (and submit) the altered plan under new Regulation 27 for formal representations. At*

*the time that the local authority publishes the new development plan document, it would explain to those who have already made representations what the changes are (the differences between the first version and the second version). In light of these changes, the local authority would ask people to either:*

- *confirm their representation still stands*
- *indicate any changes*
- *withdraw their representation...”*

### **Soundness Considerations**

52. The key issue for members in approving the proposed revisions is to consider whether they are sound in the overall context of the Canada Water AAP. In particular in considering the issue of soundness the key questions are whether the proposed further changes: -
- i. Have previously been subject to adequate public participation in accordance with the Statement of Community Involvement and Regulation 25;
  - ii. Have been subject to and are supported by the revised Sustainability Appraisal;
  - iii. are consistent with national policy and in general conformity with the London Plan;
  - iv. have regard to other relevant plans, policies and strategies such as other DPDs which have been adopted or are being produced by the Council;
  - v. have been subject to an Appropriate Assessment pursuant to the Habitats Directive to ensure that they are not likely to have any significant discernible impacts on European protected species;
  - vi. have regard to any sustainable community strategy for the Canada Water area; and
  - vii. are coherent, justified, consistent and effective in the overall context of the Canada Water AAP

### **Consultation / Soundness Representations**

53. As the proposed further changes to the AAP are focused, as per the PMM advice, they should not materially impact the choices made (preferred options) in the AAP so as to require fresh public participation in accordance with Regulation 25 and the Council's SCI (which requires consultation for a period of 12 weeks). Furthermore, in the main body of the report it is noted that the changes in question relating to dwelling sizes and SINC's have been subject to public consultation at Issues and Options / Preferred Options Stages. In addition SINC's also formed part of the Preferred Options consultation in respect of the Core Strategy. It is now proposed that the focused changes are subject to a revised iterative sustainability appraisal and equalities impact assessment. This will be followed by a six week representations period, pursuant to Regulation 27, during which consultation bodies and members of the public will have the opportunity to consider the changes, whether these affect their existing soundness representations or whether they raise new representations.

### **Sustainability Appraisal**

54. Section 19(5) of the Planning and Compulsory Purchase Act 2004 requires sustainability appraisal of the economic, social and environmental sustainability of plans in DPDs. Accordingly, a sustainability appraisal was prepared to

ensure the wider impacts of the Core Strategy policies are addressed. The Sustainability Appraisal provides a sound evidence base for the plan and forms an integrated part of the plan preparation process. The iterative Sustainability Appraisal has fully informed the preparation of the Canada Water AAP and has been revised appropriately in the context of this round of proposed changes.

### **General Conformity**

55. Section 24(1)(b) of the 2004 Act requires that local development documents (LDDs) issued by the Council, such as this AAP, must be in general conformity with the spatial development strategy, namely the London Plan (consolidated with alterations since 2004). On submission of the Canada Water AAP to the Secretary of State for independent examination in January 2010, the Council sought and received the Mayor's opinion in writing that the AAP was in general conformity (Reg 30, the Regulations). The purpose of the independent examination is to ensure legal compliance with the legislative framework, including consultation, soundness of the AAP and general conformity ((Section 20(5)(b) of the Act). The latter is determined as a matter of law and policy practice.
56. Members should note the term general conformity is not defined anywhere within the legislative framework. However, the Court of Appeal decision of *Persimmon Homes (Thames Valley) Ltd & Oths v Stevenage Borough Council* [2005] EWCA 1365 considered the judicial construction of the term and offers authoritative guidance. The terms allows for a 'balanced approach' favouring 'considerable room for manoeuvre within the local plan'. The word 'general' is designed to allow a degree of flexibility in meeting London Plan objectives within the local development plan. The fact that the statutory regime also makes provision for the possibility of conflict between the London Plan and local plan to be resolved in favour of the latter subject to general conformity envisages that 'general conformity' requirement allows for flexibility at local level and not strict compliance with every aspect of the London Plan (Section 46(10) of the 1990 Act as substituted by the Act). This is provided that the effectiveness of the London Plan strategic objectives on housing are not compromised and there is local justification for any departure.
57. In light of the proposed changes to the CWAAP, the issue of general conformity has been considered afresh and the changes are considered to be in general conformity. It is noted the Mayor will have the opportunity to comment further on this issue.

### **Equalities**

58. Positive equalities obligations are placed on local authorities, sometimes described as equalities duties with regard to race, disability and gender.
59. Gender equality duties were introduced by the Equality Act 2006, which amended the Sex Discrimination Act 1975. The general duties in summary require local authorities to have due regard to the need to:
  - (a) "eliminate unlawful discrimination and harassment and;
  - (b) promote the equality of opportunity between men and women."

60. Race equality duties were introduced by the Race Relations Amendment Act 2000 which amended the Race Relations Act 1976. The general duties in summary require local authorities to give due regard to the need to:
- (a) “eliminate unlawful discrimination and harassment;
  - (b) promote the equality of opportunity; and
  - (c) promote good race relations between people of different racial groups”
61. Disability equality duties were introduced by the Disability Discrimination Act 2005 which amended the Disability Act 1995. The general duties in summary require local authorities to carry out their functions with due regard to the need to:
- (a) “promote equal opportunities between disabled persons and other persons;
  - (b) eliminate discrimination that is unlawful under the Act;
  - (c) eliminate harassment of disabled persons that is related to their disabilities;
  - (d) promote a positive attitude towards disabled persons;
  - (e) encourage participation by disabled persons in public life; and
  - (f) take steps to take account of disabled person’s disabilities even where that involves treating disabled persons more favourably than other persons.”
62. Section 71 of the Race Relations Act 1976, section 49A(i) of the Disability Discrimination Act 1995 and section 76A of the Sex Discrimination Act 1975, require local authorities to act in accordance with the equalities duties and have due regard to these duties in carrying out functions, which is particularly important in producing new policies such as the Canada Water AAP. O will be important to ensure and continue to monitor that it does foster the creation of mixed communities.
63. Throughout the production process of the Canada Water AAP from Issues and Options, Preferred Options to a publication / submission, the Council has undertaken iterative Equalities Impact Assessment (EqIA) involving the Council’s Equality and Diversity Panel including assessment of borough’s demographics and the potential impacts of the plan on its diverse communities. Notably the Council’s EqIA processes extend beyond its current statutory equality duties to incorporate religion/belief, sexual orientation and age. The Council has reassessed the EqIA in the context of the proposed changes and does not consider that the proposed changes would disadvantage any group with protected characteristics. On the contrary the changes would result in improved space standards for dwellings and enhanced protection of open spaces as SINC.

## **Human Rights**

64. The decision to make submit for consideration by the Inspector further changes to the Canada Water AAP potentially engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term ‘engage’ simply means that human rights may be affected or relevant. Few rights are absolute in the sense that they cannot be interfered with under any circumstances. ‘Qualified’ rights, including the Article 6, Article 8 and Protocol 1 rights, can be interfered with or limited in certain circumstances. The extent of legitimate interference is subject

to the principle of proportionality whereby a balance must be struck between the legitimate aims to be achieved by a local planning authority in making new policies providing for growth against potential interference with individual human rights. Public bodies have a wide margin of appreciation in striking a fair balance between competing rights in making these decisions.

65. In the case of the CWAAP, a number of rights may be engaged: -
- **The right to a fair trial (Article 6)** – giving rise to the need to ensure proper consultation and effective engagement of the public in the process. It is considered that in relation to the two key issues (i) dwelling sizes and (ii) SINC's to date there has been effective public consultation in accordance with the Council's SCI. The further changes will be subject to a further opportunity to make soundness representations for a period of six weeks following Cabinet's decision;
  - **The right to respect for private and family life (Article 8)** - The proposed changes to the Canada Water AAP propose changes to dwelling sizes which impacts positively on housing provision. Other relevant considerations may include impacts on amenities or the quality of life of individuals by prospective development. These issues have been considered throughout the iterative plan making process and in the lead up to the Council's decision to submit the AAP in January 2010. The proposed further changes do not raise new matters which would amount to unlawful interference with Article 8 rights;
  - **Article 1, Protocol 1 (Protection of Property)** – this right prohibits interference with individuals' right to peaceful enjoyment of existing and future property / homes. It could be engaged, for instance, if the delivery of any aspect of the plan necessitates CPOs or as a result of particular site allocations. The revisions proposed do not raise such implications and would not result in unlawful interference;
  - **Part II Protocol 1 Article 2 Right to Education** – this is an absolute right enshrining the rights of parents' to ensure that their children are not denied suitable education. This is a relevant consideration in terms of strategies in the AAP which impact on education provision. However, whilst the main report provides an update in relation to provision of secondary education facilities at Canada Water, the changes proposed do not impact on education provision.

### Functions and Responsibilities

66. Having submitted the Canada Water AAP Submission / Publication version, members are now requested to approve further changes to the submitted plan. Members are reminded to have regard to the considerations set out in this report in coming to a decision. It should be noted that whether the changes are accepted is a matter for the Inspector tasked with the examination in public. Whilst there is no process for approving post-submission changes, members are advised to follow the same decision making processes when deciding to submit a plan for examination.
67. By virtue of Regulation 4(1), paragraph 3(d) of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 ("the 2000 Regulations") (as amended by the Local Authorities (Functions and Responsibilities) (Amendment) (No 2) (England) Regulations 2005 (Regulation 2, paragraph 4) the approval of a DPD / AAP is a shared responsibility with Council Assembly

and cannot be the sole responsibility of Cabinet. If accepted by the Inspector the proposed further changes would impact on the detailed policies in the final version of the AAP. In coming to a decision to approve the proposed changes, members of Cabinet and Council Assembly are advised to have regard to the recommendations, the relevant supporting documents and the contents of this report.

68. Under Part 3A, paragraph 10 of the Southwark Constitution agreeing Development Plan Documents which form part of the Development Plan Framework, is a matter reserved for decision to Council Assembly

#### **Finance Director**

69. Although there are no financial implications directly attributable to this report, any costs arising from the implementation of this report should be reported for approval by the Cabinet or appropriate delegated authority.

#### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Canada Water publication/submission draft	Planning and Transport	Julie Seymour
Canada Water consultation report	Planning and Transport	Julie Seymour
Canada Water AAP appropriate assessment	Planning and Transport	Julie Seymour
Core Strategy April 2010	Planning and Transport	Julie Seymour
Statement of Community Involvement	Planning and Transport	Julie Seymour

#### **APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix A	Further changes to the Canada Water AAP Publication/Submission Version (Dwelling sizes and sites of importance for nature conservation) (available on agenda)
Appendix B	Plan for publicising the Further changes to the Canada Water AAP Publication/Submission Version (Dwelling sizes and sites of importance for nature conservation) (available on the internet)
Appendix C	Canada Water AAP sustainability appraisal (available on the internet)
Appendix D	Canada Water AAP equalities impact assessment (available on the internet)

## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Fiona Colley, Cabinet Member for Regeneration and Corporate Strategy	
<b>Lead Officer</b>	Stephen Platts, (Acting) Director of Regeneration and Neighbourhoods	
<b>Report Author</b>	Julie Seymour, Head of Planning Policy	
<b>Version</b>	Final	
<b>Dated</b>	24 March 2010	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director / Departmental Finance Manager	Yes	Yes
<b>Cabinet Member</b>	Yes	No
<b>Date final report sent to Constitutional Team</b>		24 March 2011

## CANADA WATER AREA ACTION PLAN

Further changes to the Canada Water AAP Publication/Submission Version (Dwelling sizes and sites of importance for nature conservation)

No.	Title
Appendix A	Further changes to the Canada Water AAP Publication/Submission Version (Dwelling sizes and sites of importance for nature conservation)
Appendix B	Plan for publicising the Further changes to the Canada Water AAP Publication/Submission Version (Dwelling sizes and sites of importance for nature conservation)
Appendix C	Canada Water AAP sustainability appraisal
Appendix D	Canada Water AAP equalities impact assessment

London Borough of Southwark  
 Planning Policy Team  
 March 2011



REVITALISE<sup>16</sup>



## Canada Water Area Action Plan

Further Changes to the Canada Water AAP Publication/Submission Version March 2011  
(Dwelling sizes and sites of importance for nature conservation)



**How to comment**

We are proposing some focussed further changes to the Canada Water AAP Publication/Submission draft. These changes relate to policy 23 (Family Homes) and Policy 18 (Open spaces and biodiversity). The changes address the recommendations of the Core Strategy Inspectors Report on minimum dwelling sizes and sites of importance for nature conservation (SINCs). We are inviting you to comment on the soundness of these changes. Following this stage, the proposed further changes and your comments will be sent to the Secretary of State for Communities and Local Government in June 2011. An Examination in Public will be held and a government inspector will examine whether the AAP meets their standards and will provide us with a final AAP for our agreement.

You may comment on the proposed further changes to the Canada Water AAP publication/submission draft between 22 April 2011 and 2 June 2011. Your comments should relate only to the soundness of the proposed further changes to the AAP. These changes are shown in text which is either underlined or ~~scored through~~. All comments must be received by 5pm on 2 June 2011 if you wish for them to be considered as part of the inspector's examination. Comments will not be accepted after this date.

Representations should be made using the response form found on our website <http://www.southwark.gov.uk/canadawater.html> or e-mailed to [canadawater@southwark.gov.uk](mailto:canadawater@southwark.gov.uk)

Representations can also be sent to:

Tim Cutts  
 Planning policy  
 Regeneration and neighbourhoods  
 FREEPOST SE1919/14  
 London SE17 2ES

Contact Tim Cutts or Barbara-Ann Overwater with any questions you have on proposed further changes to the publication/submission version Canada Water AAP or for copies of this document by email: [canadawater@southwark.gov.uk](mailto:canadawater@southwark.gov.uk) or phone on: 0207 525 5471

When we receive your comments/ representations we will:

- Acknowledge your response by email (or letter if an email address is not provided)
- Publish your comments and our officer responses when the proposed further changes to the Canada Water AAP are formally submitted to the Secretary of State in June 2011. This will be available on our website: <http://www.southwark.gov.uk/canadawater>

**Help with your comments**

For independent help and advice on this document or for any other planning matter contact Planning Aid for London on Tel 02072474900 or by emailing [info@planningaidforlondon.org.uk](mailto:info@planningaidforlondon.org.uk).

## INTRODUCTION

The Council has prepared a draft Area Action Plan (AAP) for Canada Water. The AAP will form part of the Local Development Framework (LDF) and it sets out a vision for how the area will change over the period leading up to 2026. This is supported by a strategy with policies we will put in place to achieve this vision, the reasons we have chosen the policies, and the delivery plan for implementing the vision.

The draft AAP was approved at council assembly on 27 January 2010 and submitted to the Secretary of State in March 2010 for examination in public. This followed several stages of consultation. The first stage, completed in February 2009, involved consulting on issues and options for the future growth of the area. The second stage, completed in November 2009, involved consulting on the preferred options for the future growth of the area. Consultation on the publication/submission draft took place between January and March 2010.

In March 2010 the council also submitted its draft Core Strategy to the Secretary of State for public examination. The Core Strategy is the overarching planning policy document for the borough. All of the planning documents in the Local Development Framework need to be consistent with the Core Strategy. The examination in public for the Core Strategy was held in July 2010. The Planning Inspector's binding report was received on 28 January 2011.

In his report on the Core Strategy, the inspector stated that it was not appropriate to designate new open spaces or sites of importance for nature conservation in the Core Strategy. He also deleted the minimum dwelling sizes from the Core Strategy, stating that there were not appropriate in a strategic document.

We are proposing focussed changes to the publication/submission draft Canada Water AAP to address these recommendations of the Inspector.

### **1) Minimum dwelling sizes (Policy 23 'Family Homes')**

We propose to add a table showing minimum dwelling sizes to policy 23. Although he deleted them from the Core Strategy, the Inspector stated that they would be more appropriate in lower tier documents such as AAPs. We have adjusted the Core Strategy table so it relates more directly to occupancy, which also reflects the Inspector's recommendation. The dwelling sizes we are proposing for the AAP are broadly in line with the Core Strategy preferred option.

### **2) Sites of importance for nature conservation (SINCs) (Policy 18 'Open Spaces and Biodiversity')**

We propose to designate three new SINCs in Rotherhithe: King's Stairs Gardens, Durand's Wharf and Deal Porters Walk. As with dwelling sizes, the Inspector stated that such designations would be more appropriate in lower tier documents such as AAPs, than in the Core Strategy. We consulted widely on designating these three SINCs during the AAP issues and options stage in January and February 2009 and also during consultation on the Core Strategy preferred options between May-July 2009.

**Further changes to the Canada Water AAP Publication/Submission Version - (Dwelling sizes and sites of importance for nature conservation)**

Note: the proposed further changes to the AAP are shown as underlined and scored through. At this stage in the process of preparing the AAP, you may only comment on these changes. Comments made on other aspects of these policies have been passed to the inspector and will be considered in the examination-in-public.

**Policy 23: Family homes**

Developments must provide the following in schemes of 10 or more homes:

- a minimum of 60% of units with two or more bedrooms
- a maximum of 5% of units as studio flats
- a minimum of 20% of units with 3, 4 or 5 bedrooms with directly accessible amenity space in the core area
- a minimum of 30% of units with 3, 4 or 5 bedrooms with directly accessible amenity space in the suburban density zone

Other than studio flats which must be private, homes of all sizes should provide a mix of private, social and intermediate housing.

All developments must meet the minimum overall floor sizes set out in Table 1.

Across a scheme, the mix of unit types should cater for the full range of household sizes. We will assess this using the average dwelling sizes set out in Table 1.


**Table 1: Minimum space standards for new development**

<u>Development type</u>	<u>Dwelling type (bedroom/persons)</u>	<u>Essential GIA (sq m)</u>
<u>Flats</u>	<u>Studios</u>	<u>36</u>
	<u>1b2p</u>	<u>50</u>
	<u>2b3p</u>	<u>61</u>
	<u>2b4p</u>	<u>70</u>
	<u>2b average</u>	<u>66</u>
	<u>3b4p</u>	<u>74</u>
	<u>3b5p</u>	<u>86</u>
	<u>3b6p</u>	<u>95</u>
	<u>3b average</u>	<u>85</u>
	<u>4b5p</u>	<u>90</u>
	<u>4b6p</u>	<u>99</u>
	<u>4+b average</u>	<u>95</u>

<u>2 storey houses</u>	<u>2b4p</u>	<u>83</u>
	<u>3b4p</u>	<u>87</u>
	<u>3b5p</u>	<u>96</u>
	<u>3b average</u>	<u>92</u>
	<u>4b5p</u>	<u>100</u>
	<u>4b6p</u>	<u>107</u>
	<u>4+b average</u>	<u>104</u>
<u>3 storey houses</u>	<u>3b5p</u>	<u>102</u>
	<u>4b5p</u>	<u>106</u>
	<u>4b6p</u>	<u>113</u>
	<u>4+b average</u>	<u>110</u>
<u>When designing homes for more than six persons developers should allow approximately 10 sq m per extra person.</u>		

#### **We are doing this because**

- 4.6.12 Our Strategic Housing Market Assessment and Housing Requirements Study show that there is a need for more family housing in Southwark across all tenures. At the moment we do not have enough family housing to meet needs. The result is that families are either forced to live in overcrowded homes or unsuitable housing or they have to move out of the borough.
- 4.6.13 Throughout consultation, local people have consistently stated that providing larger homes should be a priority, and that the current Southwark Plan requirement of 10% family homes is too low.
- 4.6.14 Our approach ~~in the core strategy and AAP~~ is to provide a mix of housing sizes and types to meet the housing needs of different groups, a range of housing with more family homes of 3 or more bedrooms for families of five or more people of all incomes. This will mean that households of different sizes will people have suitable housing and do not need to move out of Canada Water. Other than for studio units, for which there is no identified need in the affordable sector, we will encourage all tenures to provide a range of dwelling sizes, to maximise the diversity of housing choice. Maximising choice of housing is one of the key objectives of the London Plan and is consistent with Policy 3A.5:Housing Choice.
- 4.6.15 We will require a higher proportion of family homes in the suburban density zone, as this would be consistent with the suburban character of the area. In this area, there is scope to provide more outside amenity space, which is particularly important for families. In the core area densities will be higher and developments will have to be imaginative about the way private outdoor space is provided. Rather than having gardens, some family homes would have access to balconies, patios or roof terraces instead. We have tested this policy in the feasibility study we have carried out on the shopping centre and overflow car park to ensure it is deliverable.

- 4.6.16 The policy will help achieve our objective of ensuring that the area is attractive for families. It will also complement the investment we are making in schools, leisure facilities and the library.
- 4.6.17 We want all new development to be high quality with good living conditions. Sufficient space is needed by everyone in the home to have space to play, work and study, and for privacy and quiet. Requiring minimum floor areas will help to achieve this by making sure that an adequate amount of space is provided to create pleasant and healthy living environments for different sizes of households. This is also a priority for the Mayor, who has set out minimum floor areas for housing in Policy 3.5 of the draft replacement London Plan. We will expect new development to meet these space standards, as set out in Table 1. These are minimum standards which developers are encouraged to exceed. They are based on the number of people expected to live in a house. This means developers should state the number of occupiers a home is designed to accommodate.
- 4.6.18 To ensure we get a mix of dwelling types and sizes for the full range of household sizes, we have set out average minimum floor areas.
- 

**Policy 18: Open spaces and biodiversity****The wider network**

Our strategy is to protect and maintain and improve a network of open spaces (shown indicatively on Figure 10), green corridors and habitat for wildlife. We will:

- Protect important open spaces as Metropolitan Open Land (MOL), Borough Open Land (BOL) and Other Open Space (OOS)
- Allocate the Fish Farm and St Pauls Sports Ground as open spaces and bring them back into active use
- Protect and designate new Sites of Importance for Nature Conservation (SINCs) and ensure that development does not result in a loss of biodiversity

**The Core Area**

Development in the core area must:

- Provide high quality public open spaces. These should have variety of functions, which could include a market, children's play areas, performance space, ecological and learning areas, places to sit, relax and take part in recreational activities such as fishing
- Provide safe, direct and attractive pedestrian and cycle routes to connect open spaces and help link space into the surrounding network
- Improve the overall greenness of the area, through planting street trees, creating living roofs and walls and providing habitats for wildlife which increase biodiversity

Detailed landscaping plans will be required as an integral part of development proposals.

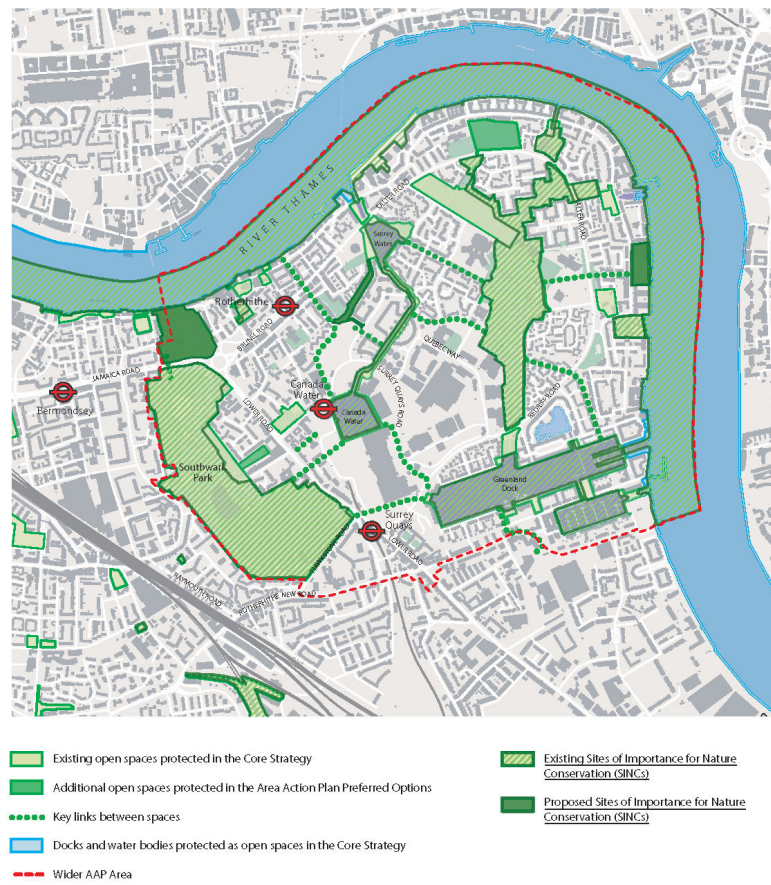
**We are doing this because**

- 4.5.18 The AAP area contains a variety of open spaces and green areas. These include Southwark Park and Russia Dock Woodlands, the remaining docks and many important smaller parks, public squares and playgrounds. Many of these are protected in the core strategy either as Metropolitan Open Land, Borough Open Land or Other Open Space.
- 4.5.19 These areas provide a range of landscapes and leisure opportunities for both local people and people across Southwark and are part of the heritage of the area. We surveyed existing open spaces in 2003 in preparing the Southwark Plan. We are currently updating this survey and preparing an open spaces strategy which will include a capital investment framework. We will work with the community including 'Friends' groups, the GLA, Groundwork UK, developers and landowners to implement the strategy within the AAP area. Improvements will be part funded by s106 contributions towards open space improvements. Our Section 106 Planning Obligations SPD sets out a borough-wide standard charge that we apply for open space contributions. In the future we will tailor this charge to carry out improvements needed to help deliver the open spaces strategy.

- 4.5.20 There are a number of sites, including Russia Dock Woodlands which are protected as sites of importance for nature conservation (SINCs). These areas provide valuable habitat and opportunities for experiencing nature. These are important in helping local plant and animal species to survive. ~~In the core strategy,~~ In addition to those designated in the Southwark Plan, we have designated new SINCs at Durrand's Wharf, King Stairs Gardens and Deal Porters Way~~k~~. These are shown indicatively on Figure 10.
- 4.5.21 It is important to create new open spaces in the town centre and core area to help support the growing population. They can help provide relief in what is a built-up area, encourage physical activity and help wellbeing. We have recently committed funding to bringing the Fish Farm into active use as an open space and will consider the most appropriate role for St Paul's Sports Ground through the preparation of the open spaces strategy.
- 4.5.22 Within the core area, new hard and soft spaces will be created. The original LDDC landscaping strategy envisaged a network of hard and soft spaces linked by roadside planting to create wildlife habitats. New development in the core area will be expected to strengthen links between spaces within the Canada Water and also improve the nature conservation value of sites through measures such as living roofs and walls, tree planting and landscaping. Improvements to the biodiversity of sites can be measured through a Code for Sustainable Homes or BREEAM assessment.

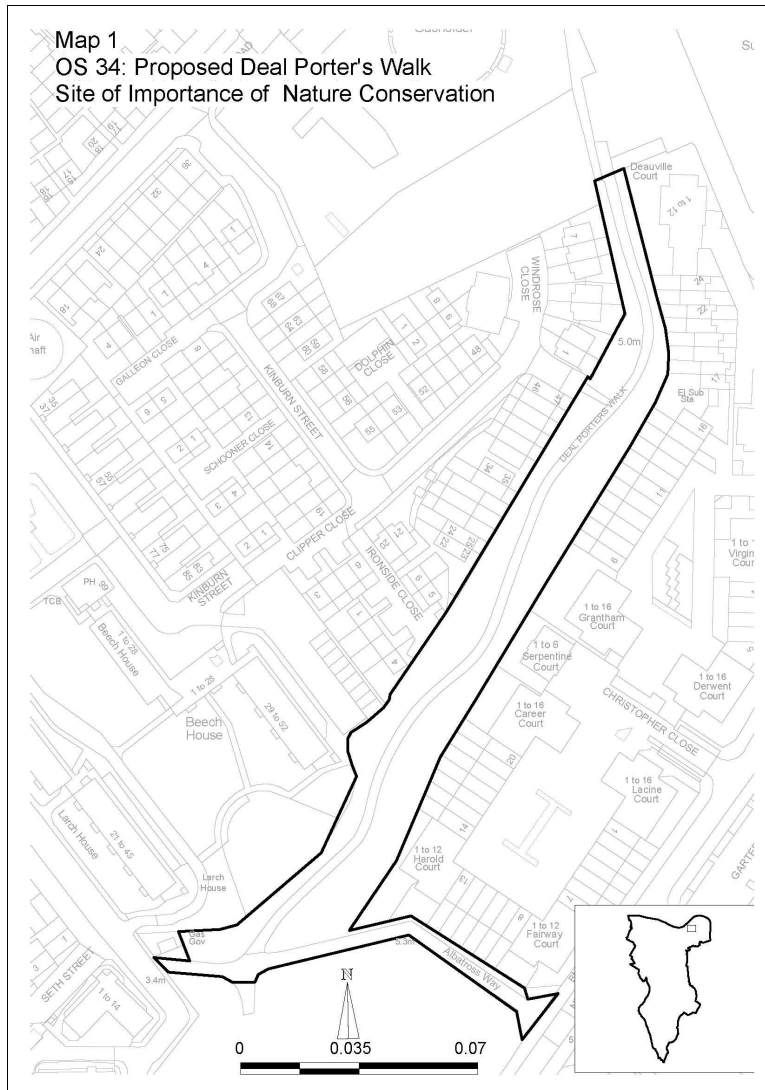


Figure 10 - The network of open spaces in the AAP area

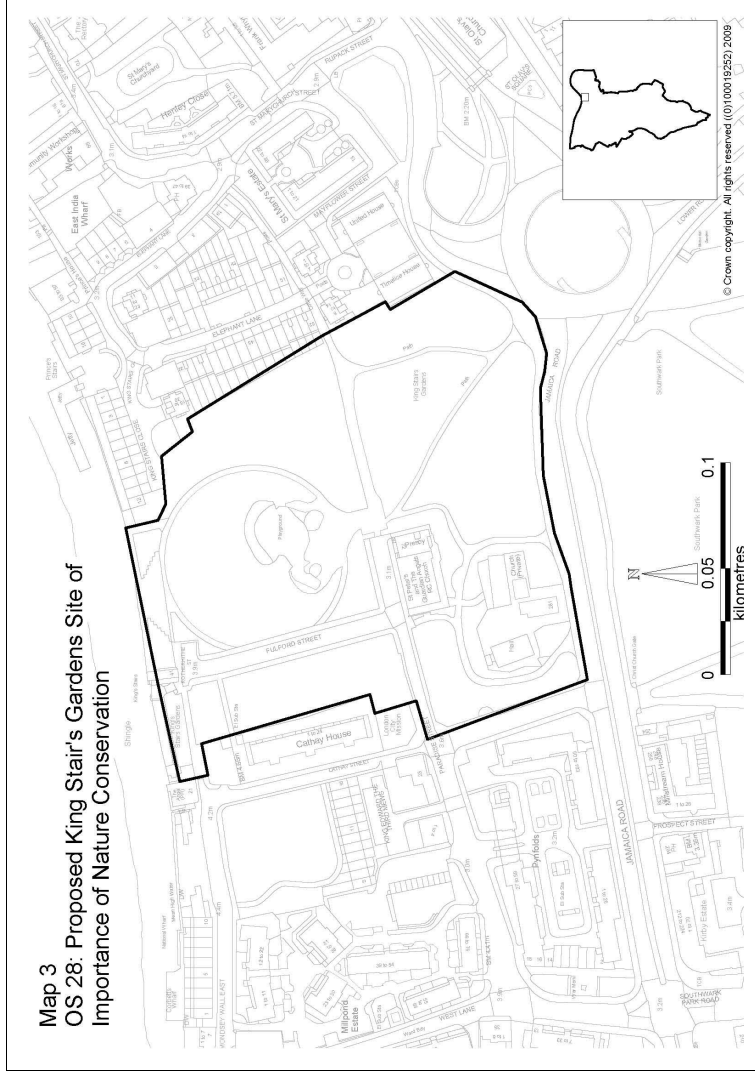
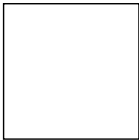


**Changes to the proposals map associated with the designation of new SINCs**

We propose the following changes to the proposals map:







<b>Item No.</b> 6.1	<b>Classification:</b> Open	<b>Date:</b> 6 April 2011	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Report back on motions referred to cabinet from council assembly	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Cabinet	

**MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 2.10 (6) – HOUSING SOLUTIONS FOR SOUTHWARK**

Cabinet on 25 January 2011 considered the following motion referred from council assembly on 1 December 2010 which had been proposed by Councillor Anood Al-Samerai, seconded by Councillor Linda Manchester and subsequently amended.

1. That council assembly regrets that too many families have been forced into often poor quality private rented accommodation by the failure over the past 25 years to build sufficient affordable social housing.
2. That council assembly notes the ever increasing and unsustainable housing benefit bill and the notes government's plans to tackle this.
3. That council assembly notes that plans to reform housing benefit were also in the Labour manifesto and notes the Mayor of London's comments that this would lead to "Kosovo style social cleansing".
4. That council assembly notes the concern of many residents about the proposed changes to social housing tenures and to some of the proposed changes to housing benefit.
5. That council assembly notes the impact on Southwark of these changes are likely that:
  - The reduction of the local housing allowance in October 2011 leads to households losing as much as £57.53 a week, and this could lead to nearly 5,000 private sector tenants looking for council accommodation
  - This reduction widens over following years as the indexation of housing benefit shifts from the retail price index to the typically lower consumer price index
  - The reduction is further compounded by the penalisation of those who have been unable to find employment for a year
  - This reduction is further compounded by deductions for non-dependents who still live in the home, the deductions being introduced despite increasing barriers to entry to the housing market for young people
  - Demand for housing in Southwark increases markedly as housing benefit claimants are forced to leave even more expensive parts of London like Westminster and Camden.

6. That council assembly believes that it is inconceivable that these changes will not lead to repossessions, homelessness and enforced home moves in Southwark, as the number of homes that are affordable for residents living on housing benefits decreases and the number of people competing for those homes increases.
7. That council assembly expresses particular concern that new tenants will not be offered traditional secure tenancies which provide stability, support family networks and can improve social cohesion.
8. That council also expresses its concern that the government grants to build future affordable homes are to be cut by some 50%.
9. That council assembly fully supports the rights of secure tenants to live in their council home for as long as they wish, but believes the council should look at new ways of tackling under-occupancy of homes to make better use of existing council stock.
10. That council assembly believes that government's aims to tackle high rents charged by private landlords through a reduction in the local housing allowance may harm families rather than unscrupulous landlords.
11. That council assembly calls on the cabinet to investigate whether rent capping in the private rented sector could be a positive way of achieving the government's aim of reducing the overall housing benefit bill.
12. That whilst council assembly supports the principle that people should work if they are able, members are concerned that in light of the current economic climate and employment market the government should rethink plans to reduce by 10% housing benefit for those claiming jobseekers allowance for more than 12 months
13. That council assembly calls on the cabinet to write to government to:
  - oppose the changes to secure tenancies
  - oppose plans to measure local housing allowance at the 30<sup>th</sup> percentile rather than the median
  - oppose plans to remove 10% of housing benefit from those who have been claiming jobseekers allowance for more than 12 months given the current state of the employment market
  - support a housing benefit solution for London, as suggested by Simon Hughes MP, which understands the particular needs and market in London
  - investigate the possibility of land value taxation or introducing rent control in some parts of the private rented sector
  - fulfill promises of allowing local authorities to make their own decisions about new housing and rents for new and existing tenancies
  - co-ordinate a cross party response to the government's housing consultation.
14. That council assembly calls upon all of Southwark's MPs to oppose the proposed changes to secure tenancies, the change in the local housing allowance measure and to specifically vote against the proposal to cut housing benefit by 10% after a year of unemployment when the Bill comes before the House of Commons

We agreed the motion and noted that the comments provided by the deputy chief executive and finance director would meet the requirements set out paragraph 13 of the motion.

**MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 2.10 (6) – SOUTHWARK LIFE**

Cabinet on 25 January 2011 considered the following motion referred from council assembly on 1 December 2010 which had been proposed by Councillor Michael Mitchell, seconded by Councillor Lewis Robinson and subsequently amended.

1. That council assembly notes that the current format of Southwark Life was determined by the previous Liberal Democrat/Tory coalition.
2. That council assembly notes that the format and frequency of Southwark Life is under review as part of the budgeting process with all other communications services.

We agreed the motion.

**MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 2.10 (6) – COMMITTING TO LOCALISM**

Cabinet on 25 January 2011 considered the following motion referred from council assembly on 20 October 2010 which had been proposed by Councillor Adele Morris, seconded by Councillor Graham Neale and subsequently amended.

1. That council assembly notes that the Localism Bill has not yet been published and believes that the coalition's proposals are as yet unclear.
2. That council assembly calls on the cabinet to fully investigate any new powers that the local authority is afforded as part of the bill and implement them as appropriate.

We agreed the motion.

**MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 2.10 (6) – WITHDRAWAL OF PRIVATE FINANCE INITIATIVE (PFI) FUNDING FOR REGENERATING THE AYLESBURY ESTATE**

Cabinet on 25 January 2011 considered the following motion referred from council assembly on 1 December 2010 which had been moved by Councillor Fiona Colley and seconded by Councillor Lorraine Lauder and subsequently amended.

1. That council assembly notes the bitterly disappointing news that the coalition government has decided to withdraw £181 million of private finance initiative (PFI) funding for building new homes for Aylesbury Estate residents.
2. That council assembly notes the continued cross-party support for the regeneration of the Aylesbury Estate.
3. That council assembly notes that the leader has written to the Prime Minister and Secretary of State for Communities and Local Government inviting them to the Aylesbury Estate to see the impact the withdrawal of funding will have.
4. That council assembly notes that the first new homes on site 1a (formerly Red Lion Close and Little Bradenham) will be complete early in the new year and that the continued development of this site and the plans to redevelop sites 7 and 10 (Amersham and North Wolverton) are unaffected by the withdrawal of PFI funding.

5. That council assembly is determined that the withdrawal of the PFI funding will not mean the end of the regeneration of the Aylesbury Estate, and reaffirms its commitment to work with local residents and Creation Trust to transform the area.
6. That council assembly requests that the cabinet calls on the government to change its decision or to provide an alternative funding mechanism.
7. That council assembly calls on the cabinet to continue to rehouse residents from sites 1b and 1c (Bradenham, Chartridge, Arlow and Chiltern) and to explore all possible alternative options for taking the regeneration of the Aylesbury forward.

We agreed the motion and noted the action taken to date.

**MOTION FROM MEMBERS IN ACCORDANCE WITH COUNCIL ASSEMBLY PROCEDURE RULE 2.10 (6) – KING'S STAIRS GARDENS SITE OF IMPORTANCE FOR NATURE CONSERVATION (SINC) STATUS**

Cabinet on 25 January 2011 considered the following motion referred from council assembly on 1 December 2010 which had been moved by Councillor Fiona Colley and seconded by Councillor Nick Dolezal.

1. That on 4 November 2009 council assembly agreed the submission version of the core strategy which included a new designation of King's Stairs Gardens as a Site of Importance for Nature Conservation (SINC). This version of the core strategy was then submitted to the planning inspector and subject to examination in public. Following this, on 27 January 2010 council assembly agreed the submission version of the Canada Water Area Action Plan for examination by a planning inspector.
2. That council assembly notes that the inspector's report and final version of the core strategy is still to be received and that there have been some indications that the inspector may not approve new site specific designations as being appropriate for inclusion in the core strategy. It has been indicated that he may be decided that such designations would be more appropriately made in development plan documents (DPDs).
3. That council assembly notes that the submission version of the Canada Water Area Action Plan (a DPD) is due to undergo examination in public in the New Year after the inspector's report on the core strategy is received.
4. That it was anticipated at the time of the submission of the Canada Water Area Action Plan that the designation of King's Stairs Gardens as a SINC would be accepted by the inspector of the core strategy. In the eventuality of King's Stairs Gardens not being designated as a SINC in the inspector's report, council assembly calls on the cabinet member for regeneration and corporate strategy to write to the planning inspector asking for King's Stairs Gardens to be designated as a SINC within the Canada Water Area Action Plan and to make similar representations for the inclusion of any other new and amended site designations within the Canada Water AAP area which were agreed by council assembly in the submission version of the core strategy.

We agreed the motion and noted the action taken to date.



**BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Cabinet agenda and minutes – 25 January 2011  Council assembly agenda and minutes – 1 December 2010	Constitutional Team, 160 Tooley Street, London SE1 2TZ	Paula Thornton 020 7525 4395

**AUDIT TRAIL**

<b>Lead Officer</b>	Ian Millichap, Constitutional Manager	
<b>Report Author</b>	Paula Thornton, Constitutional Officer	
<b>Version</b>	Final	
<b>Dated</b>	3 March 2011	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Communities, Law & Governance	No	No
Finance Director	No	No
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>	3 March 2011	

<b>Item No:</b> 7.1	<b>Classification:</b> Open	<b>Date:</b> 6 April 2011	<b>Meeting name:</b> Council Assembly
<b>Report title:</b>	Licensing Act 2003 – Extension of the local saturation policy dealing with the “cumulative impact” of licensed premises in Borough and Bankside		
<b>Ward(s) or groups affected:</b>	Cathedrals, Chaucer & Grange		
<b>From:</b>	Strategic Director of Environment and Housing		

## RECOMMENDATIONS

1. That council assembly approves the recommendation of the licensing committee that, on the basis of:
  - a) The partnership analytical report;
  - b) The report from the environmental protection team; and
  - c) The response from public consultation

it is appropriate and necessary to extend the western boundary of the current Borough and Bankside saturation area to help deal with the ‘cumulative impact’ of licensed premises within the area.

2. That, the extended boundary of the saturation policy be set as indicated in the map at appendix 2 to this report; and
3. That the classes of premises to be covered by the policy shall remain as stated in paragraph 27 to this report.

## BACKGROUND INFORMATION

4. Statutory guidance permits licensing authorities to consider the adverse cumulative impact of licensed premises on a local area and to implement a policy that seeks to restrict the further escalation of licensed premises in that area. This is known as a “special” or “saturation” policy.
5. A saturation policy may be declared where there is an evidence base showing that the concentration of licensed premises in an area, is impacting upon the licensing objectives and the addition of each further additional licence is likely to have a disproportionate impact on crime and disorder, or nuisance, in that area.
6. Essentially, the evidence base needs to:
  - Be factual, quantitative, and proximate;
  - Demonstrate a positive correlation between alcohol/entertainment/late night refreshment premises, and crime and disorder and nuisance issues within the particular areas under consideration; and
  - Examine trends over a period of time.
7. Since the introduction of the Licensing Act 2003 in November 2005, the council’s licensing committee has been monitoring available information sources that might

help to gauge the cumulative impact of licensed premises on the Southwark community, particularly in terms of crime and disorder and nuisance. Reports are provided at six-monthly intervals, following the release of the latest relevant statistical information, from the partnership analyst and the environmental protection team.

8. On 5 November 2008, council assembly approved the introduction of two saturation policies within the borough, in the Camberwell and Peckham areas.
9. On 4 November 2009, council assembly approved a third saturation area, covering Borough and Bankside and an extension of the boundary of the Peckham saturation area.
10. On 9 March 2010, the licensing committee instructed officers to consult locally on the possible extension of the Borough and Bankside saturation area to include The Cut and Isabella Street. This consultation took place through the summer of 2010.
11. On 15 March 2011, the licensing committee considered the latest statistical analysis, together with responses from the public consultation and agreed to recommend to council assembly that an extension of the Borough and Bankside area is both appropriate and necessary to assist in controlling the cumulative impact of licensed premises on the local community.
12. At the same meeting, the committee agreed to maintain saturation zones in both Camberwell and Peckham. Additionally, the current positions in the Elephant and Castle, Old Kent Road corridor and Walworth areas are to remain under monitor.

## **KEY ISSUES FOR CONSIDERATION**

### **Partnership analytical report**

13. The latest partnership analytical report was published on 6 January 2011. The analytical report provides statistical information on alcohol related “violence against the person” (VAP), together with information taken from police CAD data (dealing with alcohol related “disorder and rowdiness”). The analytical report covers the periods from April – September 2007 through to April – September 2010. The analysis also incorporates alcohol related ambulance data for the period December 2009 – May 2010. This report provides summary information. A copy of the headline analysis is attached at appendix 1. Further specific information on the Borough and Bankside area is provided in appendix 3 to this report.

### **Violence against the person**

14. VAP figures reproduced in the analytical report have attempted to capture incidents that are likely to be related to alcohol, excluding incidents of domestic violence. The category of violence against the person incorporates a number of individual crime types, each differing in their level of severity and the impact on the victim. The crime types include:
  - Assault with injury;
  - Common assault;
  - Harassment;
  - Offensive weapon;
  - Other violence;
  - Serious wounding; and

- Murder
15. Section 1.2 of the partnership analytical report at appendix 1 sets out the methodology used for capturing data and the limitations of the data provided.

#### **Alcohol related CAD data**

16. Statistics reproduced in the partnership analytical report from police CAD data collects information on calls to the police regarding:
- Rowdy / inconsiderate behaviour
  - Licensed premises
  - Street drinking
17. Again, section 1.2 of the partnership analytical report at appendix 1 sets out how the information was captured and the limitations of the data provided.

#### **Ambulance data**

18. Information contained within the partnership analysis at appendix 1, relating to alcohol related assaults reported to the London ambulance service has been extracted from the LASS website.

#### **Analysis of nuisance data provided by the environmental protection team**

19. The council's environmental protection team reported, on 1 February 2011, on the number of nuisance service requests received by the community safety environmental enforcement team, in connection with licensed premises, up to and including the period June - November 2010. Summary information is contained within the area specific analysis at appendix 3.

#### **General Southwark overview**

20. The general overall analysis of alcohol-related VAP and CAD and calls to the London Ambulance Service is provided at appendix 1. In summary, however, the latest partnership analysis shows that Southwark experienced a significant decrease in alcohol related violent crime between October 2008 and March 2009 but that levels have been rising steadily since. By the end of September 2010, levels have reached a point higher than any since April 2007. This rise is set against a background of falling violent crime overall. The proportion of violent crime influenced by alcohol in the most recent period (April – September 2010) stands at 51.6% of all violent crime.
21. CAD data has followed a consistent pattern over years, with seasonal highs in the summer months. There was a 6.2% increase in CAD between April – September 2010 and the same period in 2009. There was a particular spike in July, which was higher than any point since April 2007. Since July levels have fallen, though they are still at a higher level than at the same time last year.
22. These increases in alcohol related VAP and CAD are generally reflected through much of the area specific analysis. While the analysis anticipates seasonal increases during the April – September summer period the most recent set of figures are high. General factors contributing toward the high figures in the most recent period April – September 2010 will include the summer 2010 world cup and the good weather.

23. With regards to ambulance data, between December 2009 and May 2010, there was a much heavier focus on alcohol related assaults in the north west of the borough where figures recorded were far higher than any other area.
24. It is interesting to note that while increases are recorded in most areas, the 12 month analysis of alcohol related VAP and both the 6 and 12 month analysis of alcohol related CAD show generally lower percentage increases within saturation policy areas than within the other areas under monitor.

### **Borough and Bankside saturation area**

25. A map of the current Borough and Bankside saturation area is provided at Appendix 2 to this report. The map shows the boundary of the area is defined as follows - Blackfriars Bridge / Blackfriars Road / St George's Circus / Borough Road / Borough High Street / Long Lane / Crosby Row / Snowsfields / Bermondsey Street then heading directly north to the river frontage and then westward back to Blackfriars Bridge.
26. The current area is densely filled with shops, restaurants and bars. Many hold late licences. The London Bridge British Rail, bus and tube terminal is located within the area as is Guy's Hospital. The station acts as a 'crime attractor' as many people will socialise locally where they have good transport facilities available.
27. The Borough and Bankside saturation policy currently applies to the following classes of premises - night-clubs / public houses & bars / restaurants & cafes / off-licences, supermarkets and grocers.
28. At the time of writing of this report, there are now some 230 premises licensed under the 2003 Licensing Act for either the sale or supply of alcohol; the provision of regulated entertainment or the provision of late night refreshment trade within the boundary of the saturation area. This represents 19% of the total licensed premises in the borough. This figure includes 80 restaurants / cafes; 62 public houses / bars; 31 off-licences / supermarkets / grocers; 10 hotels; 8 theatres; and 4 night-clubs.
29. This represents a 26% rise in the number of licensed premises within the area since the introduction of the saturation policy in November 2009. This reflects the level of business growth and development that is taking place in the area. While increases are noted across most premises types the main increases have been among restaurants and off-licences / supermarkets and similar.

### **Borough and Bankside – key findings**

30. Full analysis for the Borough and Bankside saturation area is contained within the area specific analysis contained within appendix 3.
31. In summary, the most recent period has shown a slight increase in VAP offending in the evening, specifically concerned with serious wounding and assault with injury. Peak times are 0000 – 0300 on Saturdays and throughout the early hours of Sunday. Of primary importance is the increase taking place in the daytime figures, whereby levels have almost doubled compared to the previous period. All crime types increased with no exception. Repeat venues tend to be hostels, low cost supermarkets and the hospital. Peak times occur on Thursdays and Saturdays between 1900 and 2300 hours.

32. CAD calls correlate with the VAP data and show peaks during the evening and early hours of Friday, Saturday and Sunday. In the daytime period, calls are made to events on the street, or in hostels and bookmakers. In the evening, activity switches to public houses and licensed premises. CAD totals reached their highest level within the analysis in the most recent period, April – September 2010, where a 10% increase was demonstrated over the previous comparable period.
33. The environmental protection team's report on nuisance service requests shows that the level in the period June – November 2010 remained constant with the previous comparable period.
34. Ambulance data shows that between December 2009 and May 2010, Cathedral ward had the highest level of alcohol related assaults with 17.4% of the borough's total.

#### **Borough and Bankside – extended area analysis**

35. To assist with the committee's consideration of a possible extension of the western boundary of the policy area, the partnership analytical report also provides analysis of the position within the extended footprint. This includes the additional area bordered by Blackfriars Road, Waterloo Road, the Lambeth border and the river frontage (see appendix 2) incorporating The Cut.
36. The increases in both alcohol related VAP and CAD shown within the current Borough and Bankside saturation area are reflected within the extended areas also, Alcohol related CAD, in particular, is shown to have increased at a slightly greater rate (12%) in the extended area, than the current policy area.
37. On the basis of these statistics, it is considered appropriate and necessary to recommend the western extension of the Borough and Bankside saturation area.

#### **Borough and Bankside area extension- results of consultation**

38. This recommendation is supported by the response to the public consultation exercise on the proposed extension of the boundary, run within the Borough and Bankside area during the summer 2010.
39. Although the number of individual responses returned was low and limited to local residents and representative groups, strong support for an extension of the policy area was demonstrated in the submissions received. All required groups were consulted.
40. In all, seven individual responses were received from local residents (including representatives of Octavia Hill residents association and Styles House tenants and residents association); together with a joint response on behalf of the three local Cathedrals ward councillors. The response from the vice-chair of the Octavia Hill residents association also forwarded a copy of a petition in support of the extension comprising 43 names, primarily of residents in and around the immediate vicinity of the proposed extension.
41. The submissions are detailed in full in appendix 4 to this report. All submissions are in support of a western extension of the boundary of the current saturation area to the border with Lambeth. Some responses indicated there should be further amendment to the saturation zone without defining the extent.

42. On the classes of premises covered by the special policy one submission infers that convenience stores should be included. These are currently considered to fall within the existing definition of '... off-licences, supermarkets and grocers'.
43. It should also be noted that the joint response from the three ward councillors proposes hotels, theatres and vessels are also included.

**Borough and Bankside – extended area analysis – comments from the commissioner of police for the metropolis**

44. The commissioner of police for the metropolis supports the extension of the policy area, particularly in the light of recent complaints to the local authority / police regarding too many licensed premises.

**The cumulative impact of a concentration of licensed premises**

45. The cumulative impact of a concentration of licensed premises is dealt with under sections 13.24 through to 13.39 of the Guidance to the Act produced by the Home Office (HO) (last revision published October 2010). In order to be able to consider the issues around the introduction of saturation policies fully, it is important to understand the concept of cumulative impact and saturation policies. Members' attention is drawn to the key points of the guidance set out in the supplementary advice from the strategic director of law and governance in this report (paragraph 54 onward).
46. The absence of a special policy does not prevent any responsible authority or interested party making representations on a new application for the grant, or variation, of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives.

**Community Impact Statement**

47. This report considers a proposal to extend the current special saturation policy area within Borough and Bankside, to help control the direct impacts of the leisure and night-time economy on the local community.
48. Saturation policies have the potential to place a check on identified and escalating concerns relating to crime and disorder, anti-social behaviour and nuisance. In doing so a policy may also contribute toward reducing the fear of crime and making Southwark a better place to live, work and visit.
49. While, conversely, saturation policies may also impact on business growth and development of the area concerned, it should be understood that the existence of a policy does not prevent responsible operators from becoming established within the area or from developing existing businesses. Instead operators will have to demonstrate that their business proposals do not further impact on the identified concerns within the locality.
50. The existence of a special policy does not automatically mean that applications made within a special policy area will be refused. If no representations are received, it will remain the case that an application must be granted in the terms that are consistent with the operating schedule submitted.
51. Applicants will be expected to provide information in their operating schedules to address the special policy issues in order to rebut the presumption of refusal.

Applicants will need to demonstrate why the operation of their premises will not add to the cumulative impact being experienced.

### **Resource implications**

52. While it is accepted that the existence of a saturation policy may result in every relevant new licence application or variation application being considered in the light of the new policy, it is not considered that this will have any significant impact on resources.

### **Consultations**

53. Details of public consultations that have taken place in the preparation of this report are provided in paragraphs 38-43.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Strategic Director of Communities, Law & Governance**

54. The Council's statement of licensing policy may include saturation policies in respect of particular areas, which address issues relating to the "cumulative impact" of a number of licensed premises in that area.
55. Although the Licensing Act 2003 ("the 2003 Act") does not contain specific statutory provisions relating to the review and revision of saturation policies, the Council must have regard to the general requirements of the 2003 Act and the statutory guidance issued by the Secretary of State under s.182 of the 2003 Act.
56. S.5(4) of the 2003 Act states that the Council must keep its licensing policy under review and make appropriate revisions where necessary.
57. Paragraph 13.31 of the guidance goes further and states that saturation policies should be reviewed regularly to assess whether they are still needed or whether they need to be expanded.
58. If, following a review, the Council considers it appropriate to revise the saturation policies contained within the licensing policy then it must follow the statutory procedure contained in s.5 of the 2003 Act.
59. Sections 5(3) and 5(5) of the Act require that before revising any such policy the licensing authority must first consult with the local Police, fire service and representative bodies of local residents, businesses and premises licence holders. The Council must also publish details of any revisions.
60. Any decision to revise a saturation policy within the statement of licensing policy should have an evidential basis which demonstrates that the cumulative impact of licensed premises in an area is having an impact on crime and disorder and/or public nuisance.
61. If the Council wishes to extend any saturation policy within the borough, it must first be satisfied that there is sufficient evidence to show that the cumulative impact of premises in the area is having an impact on local crime and disorder and/or public nuisance.



62. The decision to expand a saturation policy should only be made where, after considering the available evidence and consulting those individuals and organizations listed in Section 5(3) of the Act, the licensing authority is satisfied that it is appropriate and necessary.
63. There are limitations associated with special policies. Most important of these are set out below.
64. It would not normally be justifiable to adopt a special policy on the basis of a concentration of shops, stores or supermarkets selling alcohol for consumption off the premises. The inclusion of such types of premises must be justifiable, having regard to the evidence obtained through the consultation process.
65. A special policy should never be absolute, i.e. cannot have a blanket policy to refuse all applications but rather a rebuttable presumption that they will be refused. Each application will have to be considered on its own merits and should only be refused if after receiving representations, the licensing authority is satisfied that the grant of the application would undermine the promotion of the licensing objectives and, that necessary conditions would be ineffective in preventing the problems involved.
66. Special policies should never be used as a ground for revoking an existing licence or certificate when representations are received about problems with those premises, i.e. by way of a review. A review must relate specifically to individual premises whereas cumulative impact relates to the effect of a concentration of many premises.
67. A special policy cannot be used to justify rejecting applications to vary an existing licence except where the proposed changes are directly relevant to the policy and the refusal is necessary for the promotion of the licensing objectives.
68. Special policies cannot justify and should not include provisions for a terminal hour in a particular area.
69. Special policies must not impose quotas that would restrict the consideration of any application on its individual merits.
70. The statement of licensing policy must not be inconsistent with the provisions of the 2003 Act and must not override the right/s of any individual as provided for in that Act. Nor must the statement of licensing policy be inconsistent with obligations placed on the Council under any other legislation, including human rights legislation. The Council also has a duty under Section 17 of the Crime and Disorder Act 1998, when carrying out its functions as a licensing authority under the 2003 Act, to do all it reasonably can to prevent crime and disorder within the Borough.

**Finance Director (Env/ET/240111)**

71. There are no financial implications as a result of accepting the proposals set out in the report. Any costs arising from implementing the proposals will be fully contained within the existing budgets of the division.

**BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Licensing Act 2003 Associated secondary regulations DCMS Guidance to the Act Southwark Statement of Licensing Policy Mayors Best Practice Guide for Managing the Late Night Economy Latest analysis reports	The Health Safety Licensing & Environmental Protection Unit, The Chaplin Centre, Thurlow Street, London, SE17 2DG	Name: Mrs Kirtikula Read Phone number: 020 7525 5748

**APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Partnership analysts report dated 6 January 2011
Appendix 2	Map of the Borough and Bankside saturation area
Appendix 3	Further analysis for Borough and Bankside
Appendix 4	Responses to consultation on the potential extension of the Borough and Bankside saturation area

**AUDIT TRAIL**

<b>Lead Officer</b>	Gill Davies, Strategic Director of Environment and Housing	
<b>Report Author</b>	Richard Parkins; Health Safety Licensing & Environmental Protection Unit Manager	
<b>Version</b>	Final	
<b>Dated</b>	24 March 2011	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	Yes	Yes
<b>Cabinet Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Team</b>	24 March 2011	

## Appendix 1



Working together for a safer London



**safer**southwark  
partnership

# Community Desk Alcohol Related Violence

Saturation Areas, April – September 2010

<b>Protective Marking:</b>	Restricted
<b>Publication scheme:</b>	Yes/No
<b>FOIA Exemption:</b>	Yes/No
<b>Title &amp; Version:</b>	Alcohol related violence in Southwark's saturation areas
<b>Purpose:</b>	To inform the SSP of changes to crime numbers and trends in the identified saturation areas within Southwark.
<b>Relevant to:</b>	SSP; MPS; Licensing
<b>Summary:</b>	
<b>Author:</b>	Kelly Wilson
<b>Business:</b>	Southwark SSP
<b>Date created:</b>	06 January 2011
<b>Ratification date:</b>	
<b>Review date:</b>	

## 1.0 Introduction

### 1.1 Objectives

The objective of this analysis is to provide an update of alcohol related violence within the saturation areas identified within Southwark, as requested by Richard Parkins, to include new geographical boundaries for Borough and Bankside as well as a new saturation area in Walworth, and the division of the Old Kent Road into two, and to give an overview of alcohol related violence for those same areas in the daytime. It was also requested that a hotspot map for both the evening and daytime alcohol related violence be created, in order to identify any emerging locations.

### 1.2 Methodology

Data was taken from MPS crime reporting system (CRIS) using WEBBI. A query was written which searched for all violent crime. All domestic violence flagged violent crimes were removed, in order to give a more accurate picture of violent crime. However this is dependant on domestic violence incidents being flagged accurately.

It is very difficult to ascertain exactly how significant a part alcohol consumption and over-consumption plays in the occurrence of violent crime. Within crime reports, it is often flagged or noted that either victims or suspects had been drinking. The three feature codes on crime reports relating to alcohol are:

MF-Suspect/Accused had been drinking before the offence.

GA-Alcohol consumes at scene by suspect/accused

MV-Victim had been drinking prior to the offence.

However this information may be recorded in a variety of ways or places within the report. Therefore another method for measuring alcohol-related violent crime is based on a free-text search for '%alcohol%' and '%drunk%' within the crime report text. Clearly this is an imprecise measure and will exclude, for instance, '*suspect was intoxicated*' while including '*suspect did not smell of alcohol*' – it is also heavily reliant on reporting standards and practices. The data in this report is based on the use of both of the above methods and is based on crime reports from 1<sup>st</sup> April 2007 to 30<sup>th</sup> September 2010.

In addition, Police CAD (DARIS) data has been used for the same period. It must be remembered that this dataset is inherently flawed, due to its lack of accuracy pertaining to the locations of incidents. In the northern half of the borough all incidents are placed to the centre of a 250m-grid square, which means that this data has not been mapped accurately. In the southern half of the borough CAD calls are mapped to specific locations. There has been a change in CAD codes, and thus the following type codes have been used:

202 – Rowdy/inconsiderate behaviour (also 26)

301 – Licensing (was 27)

209 – Street Drinking (was 34)

Finally, alcohol related incidents reported to the London Ambulance Service have been extracted from the LASS website. This data has been mapped and analysed, and is included at the end of this document.

## 1.3 Key Findings

### **Borough and Bankside**

The most recent period has shown a slight increase in VAP offending in the evening, specifically concerned with Serious Wounding and Assault with Injury, though when considering the extended saturation area, there had been little change in overall totals. Peak times are 0000 - 0300 on Saturdays, and throughout the early hours of Sunday. Of primary importance is the increase taking place in the daytime, whereby levels have almost doubled when compared to the previous period. All crime types increased, with no exception. Repeat venues tend to be hostels, low cost supermarkets and Guy's Hospital, with peak times on Thursdays and Saturdays, between 1900 and 2300 hours. CAD calls correlates with the crime data, and shows peaks during the evening and early hours of Fri/Sat/Sun. In the daytime period, calls are made to events on the street, or in hostels or bookmakers. In the evening, activity switches to public houses and licensed premises. CAD totals have not significantly increased over time in the extended area, but when looking at the original saturation zone, there were dramatic increases, both when compared to the previous period, and also the same period last year.

### **Camberwell**

Levels of alcohol related violence, in both the evening and daytime periods have remained at a similar level, though the severity of injury inflicted is lessening. Most violence occurs in the street, with very few repeat venues. There is a definite trend towards offending at the weekend in the evening, though this is not replicated in the daytime, with far more weekday offences. Similar to crime reports, CAD totals have remained at a steady level, though the peak repeat venue in the previous assessment, (including the convenience stores and late night food eateries around it) remains to be the most prominent venue.

### **Elephant and Castle**

There has been little change in alcohol related offending, either in the evening or the daytime. Of note, levels of Serious Wounding in the daytime period have increased (with a reduction in less serious offences) whilst they have dramatically decreased in the evening period.. There is a high prevalence of offending at the weekend, particularly in the evening period. CAD, though showing a decrease, indicated that alcohol related violence in the daytime was concentrated around transport hubs and the shopping centre, and in the evening towards the nightclubs and transport hubs.

### **Old Kent Road North**

There was a slight increase in alcohol related violence both in the daytime and evening periods, with offending generally occurring on Thursdays and at the weekend. CAD has increased in recent months by 16.3% (32.4% when compared to the previous year), which was typically disturbances in the street. Peak times Fri/Sat, early hours.

### **Old Kent Road South**

Very little change in this area in this period, though a shift towards daytime offending, with evening offences reducing from 11 to 8, and daytime offences increasing from 4 to 7. There is nothing of note to report from the daytime period. CAD calls have dramatically increased in this period, though no specific venues are mentioned, with calls coming in from the street, in the early hours of Sunday, and late night on Wednesday.

### **Peckham**

There has been an increase in evening offending in Peckham, specifically in 'Other Violence', with decreases in most other crime types. Peak times were at the weekend (overnight Fri/Sat). CAD calls have recently decreased, though peak times remain to be from 1500 hours onwards (all days of the week)..

### **Walworth Road**

There has been a significant increase in the amount of CAD calls, with peak areas being bookmakers and public houses during the daytime, and from the street in the evening. There were also slight increases in the amount of offending, which was typically seen in the lower level violence categories, though there was also an increase in Serious Wounding occurring in the daytime hours.

### **Ambulance Data**

Alcohol related ambulance calls remain to be principally located in the north of the borough, in Cathedrals (17.4%), Grange (7.3%) and Chaucer wards (6.5%). Camberwell Green however, is now the second highest ward, with 7.5% of calls.

There was a decrease of 0.8% when comparing FY 2009/10 with the previous year, and a decrease of 3.2% between April and September.

Peak times are overnight Fri/Sat, 2200 - 0200 hours.

Almost three quarters of patients were male, and the remainder female, yet up to the age of 19, there are consistently more females treated than males.

## 2.0 Context

### 2.1 Alcohol related Violent crime in Southwark - evening

Borough and Bankside Saturation Area (dotted line represents the extended area).

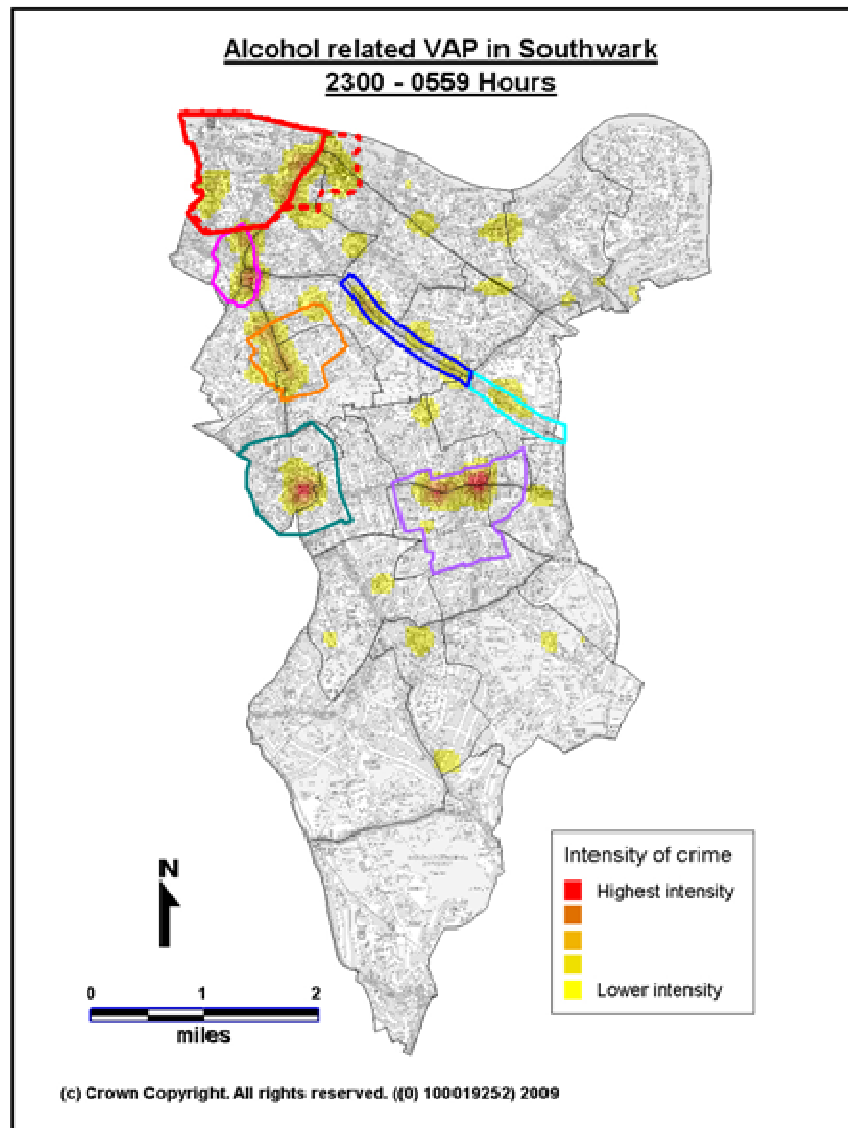
Elephant and Castle Saturation Area

Walworth Saturation Area

Camberwell Saturation Area

Old Kent Road Saturation Area, North and South

Peckham Saturation Area



**Finding:** - The Elephant and Castle saturation area does not cover the entirety of disorder generated by the MOS and others along Newington Causeway. It may be prudent to slightly extend the boundary north, to run flush with the Borough and Bankside boundary. This is mostly concerned with the night time economy, and does not seem to be such a problem in daytime hours.

## 2.2 Alcohol related Violent crime in Southwark - daytime

Borough and Bankside Saturation Area (dotted line represents the extended area).

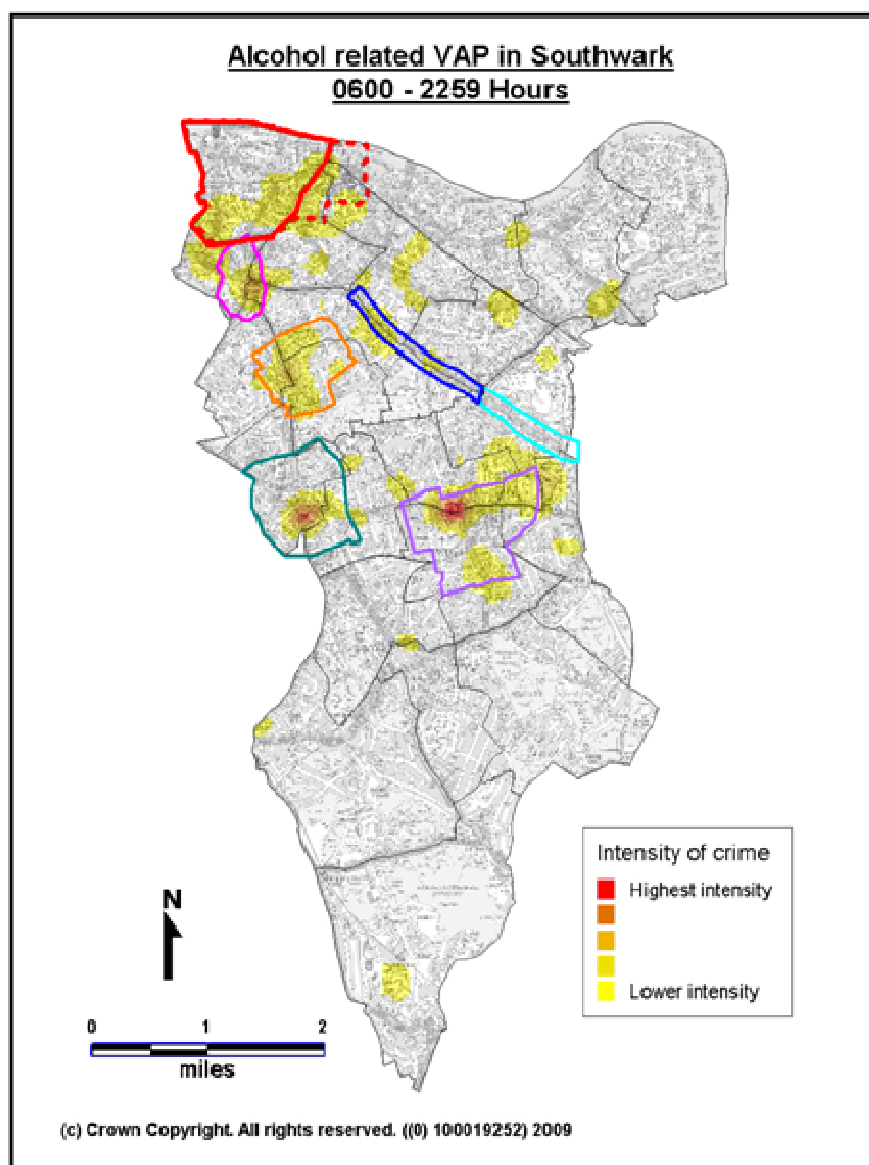
Elephant and Castle Saturation Area

Walworth Saturation Area

Camberwell Saturation Area

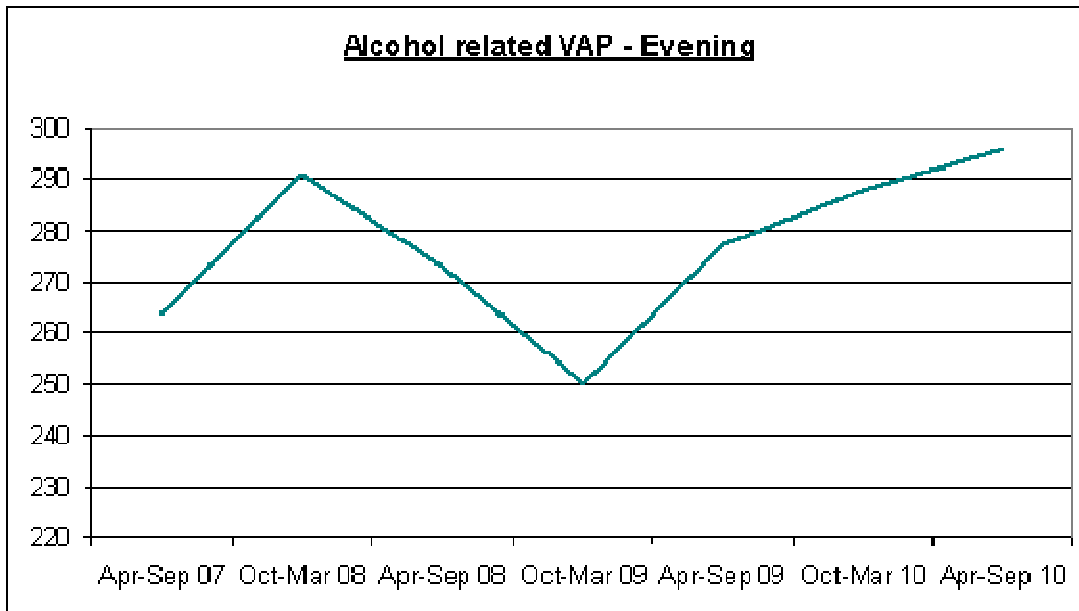
Old Kent Road Saturation Area, North and South

Peckham Saturation Area



### 3.0 Evening offences (2300 – 0559 hours)

#### 3.1 Southwark Overview



Southwark experienced a significant decrease in alcohol related violent crime between October and March 2009, yet has risen steadily ever since. By the end of September 2010, levels are higher than at any point since April 2007.

	Apr-Sep 07	Oct-Mar 08	Apr-Sep 08	Oct-Mar 09	Apr-Sep 09	Oct-Mar 10	Apr-Sep 10
No. Alcohol	264	291	273	250	277	288	296
All VAP	644	676	614	567	621	615	574
% VAP Alcohol related	41.0	43.0	44.5	44.1	44.6	46.8	51.6

The table above represents the amount of alcohol related violent crime in the borough per period, and the proportion of all violence that is alcohol related. It can be seen that even not only the level of violent crime has generally decreased, the level of alcohol related violent crime has increased. Moreover, the proportion of violent crime influenced by alcohol has increased significantly over time, and for the most recent period represented 51.6% of all violent crime.



### 3.2 Saturation Areas

The category of violence against the person incorporates a number of individual crime types, each differing in their level of severity and the impact on the victim. These include murder, grievous bodily harm, actual bodily harm, common assaults, and the possession of offensive weapons, harassment and other violent crime.

The table below gives a break down of alcohol related VAP in all saturation areas in six month blocks. Increases were seen in Borough and Bankside (though no significant change was noted in the extended area), Peckham and Walworth, whereas a decrease was experienced in the Old Kent Road (South). Camberwell, Elephant and Castle and Old Kent Road North did not experience any significant change.

Saturation Area	Apr-Sep 07	Oct-Mar 08	Apr-Sep 08	Oct-Mar 09	Apr-Sep 09	Oct-Mar 10	Apr-Sep 10
Borough and Bankside	22	17	22	18	22	18	26
Borough and Bankside Extended	34	47	40	45	37	42	39
Camberwell	13	21	17	17	16	17	18
Elephant	25	26	16	18	12	23	20
OKR North	10	10	13	8	12	12	14
OKR South	5	8	12	6	5	11	8
Peckham	30	35	27	21	34	28	36
Walworth	20	16	14	15	21	15	21

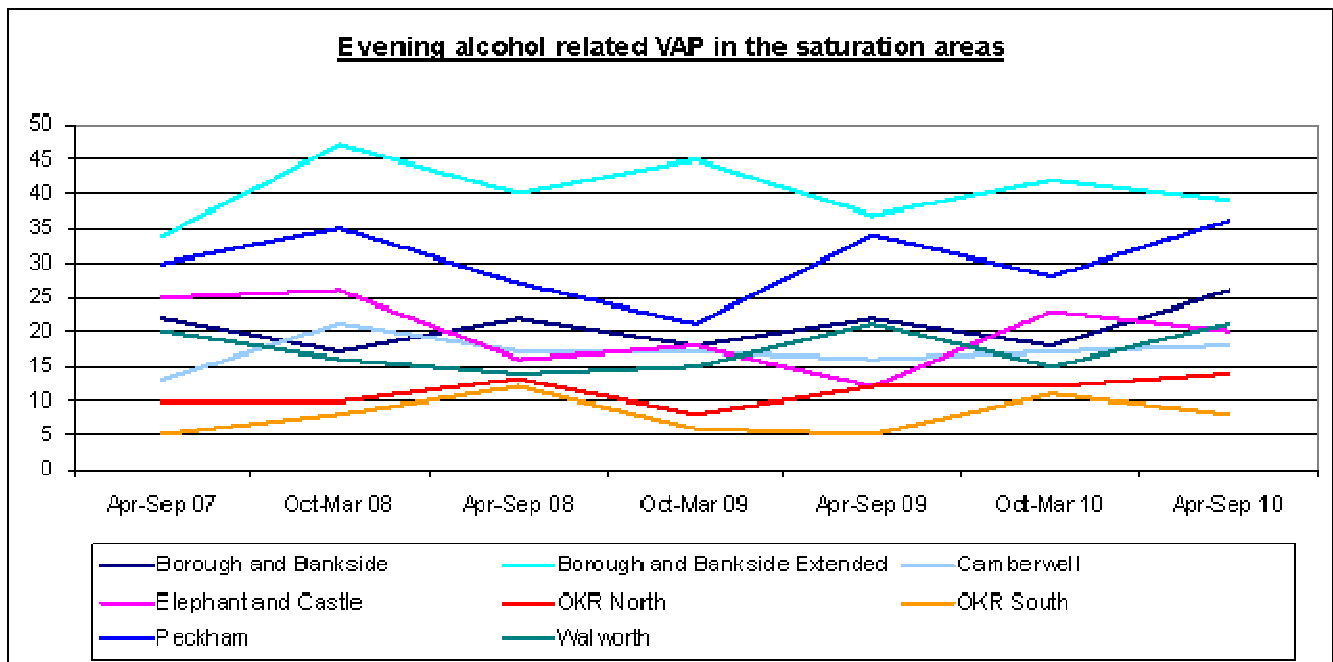
The following chart shows these numbers as a percentage of Southwark's total alcohol related violence for each time block. The proportions have changed in each of these areas. Of continuing concern is the extended Borough and Bankside Saturation Area, which regularly represents between 11 and 18% of alcohol related violent crime in the borough and Peckham, which has experienced an increase in the last period, having decreased proportionally in the period before that. The Peckham Saturation Area currently represents 12.2% of all alcohol related violence in the borough, and is an area which needs to be monitored.

Saturation Area	Apr-Sep 07	Oct-Mar 08	Apr-Sep 08	Oct-Mar 09	Apr-Sep 09	Oct-Mar 10	Apr-Sep 10
Borough and Bankside	7.4	5.8	8.1	7.2	7.9	6.3	8.8
Borough and Bankside extended	11.5	16.2	14.7	18.0	13.4	14.6	13.2
Camberwell	4.4	7.2	6.2	6.8	5.8	5.9	6.1
Elephant	8.4	8.9	5.9	7.2	4.3	8.0	6.8
OKR North	3.4	3.4	4.8	3.2	4.3	4.2	4.7
OKR South	1.7	2.7	4.4	2.4	1.8	3.8	2.7
Peckham	10.1	12.0	9.9	8.4	12.3	9.7	12.2
Walworth	6.8	5.5	5.1	6.0	7.6	5.2	7.1

In total, for the most recent period (April – September 2010), the saturation zones represent just over 60% of alcohol related violent crime. This has increased by 5% from the previous period, and by the same amount when compared to the same period last year. Prior to this, levels were around 60%. The chart below illustrates the change in ratio.

	Apr - Sep 07	Oct - Mar 08	Apr - Sep 08	Oct - Mar 09	Apr - Sep 09	Oct - Mar 10	Apr - Sep 10
% saturation	53.7	61.7	59.1	59.2	57.4	57.7	61.6
% non saturation	46.3	38.3	40.9	40.8	42.6	42.3	38.4

The following graph displays how the different saturation areas have changed (in terms of number not proportion) over time.



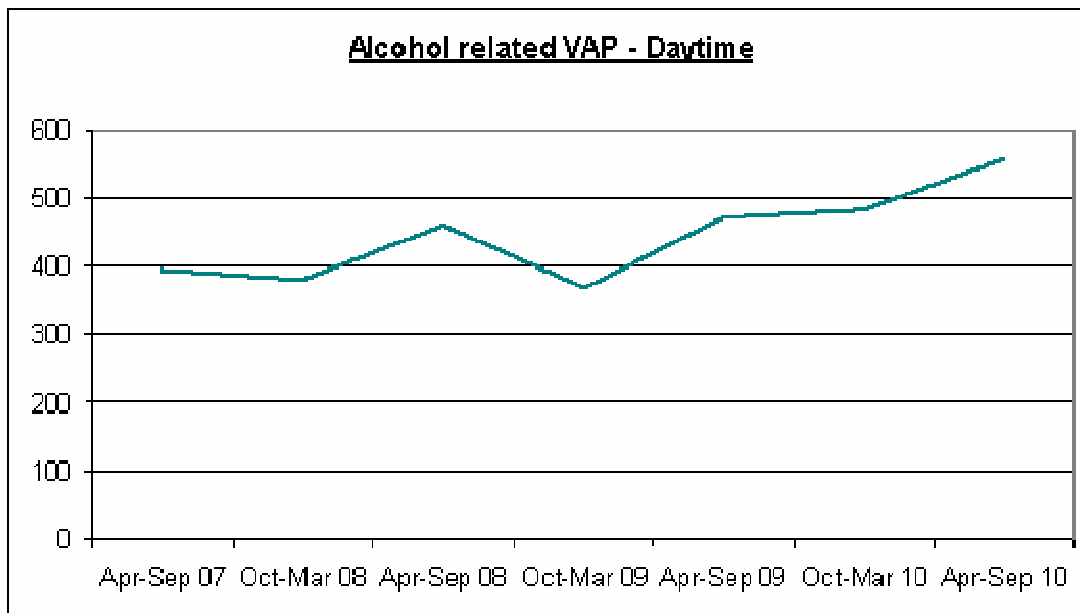
The increase in offending in Peckham is of concern, and ought to be monitored, in terms of repeat venues, and peak time periods, in order to develop a Partnership strategy to reduce the amount of alcohol related violence.

Borough and Bankside has increased, though as aforementioned, the extended area is slowly reducing, though it is the area with the highest crime statistics.

Walworth is the only other area within this period that has demonstrated an increase in alcohol related violent crime in the evening hours.

## 4.0 Daytime Offences (0600 – 2259 hours)

### 4.1 Southwark Overview



Generally, levels appear to be increasing (save a reduction between October and March 2009) and, having previously stabilised, the number offences has risen again in this period.

	Apr-Sep 07	Oct-Mar 08	Apr-Sep 08	Oct-Mar 09	Apr-Sep 09	Oct-Mar 10	Apr-Sep 10
No. Alcohol	394	381	459	368	472	484	556
All VAP	2366	2226	2586	2118	2508	2294	2362
% VAP Alcohol related	16.7	17.1	17.7	17.4	18.8	21.1	23.5

It can be seen that the proportion of violence which is alcohol related is much less in the daytime than in the evening period, and is just under a quarter of all violence. This has been steadily increasing over the last few periods, since April 2007.

## 4.2 Saturation Areas

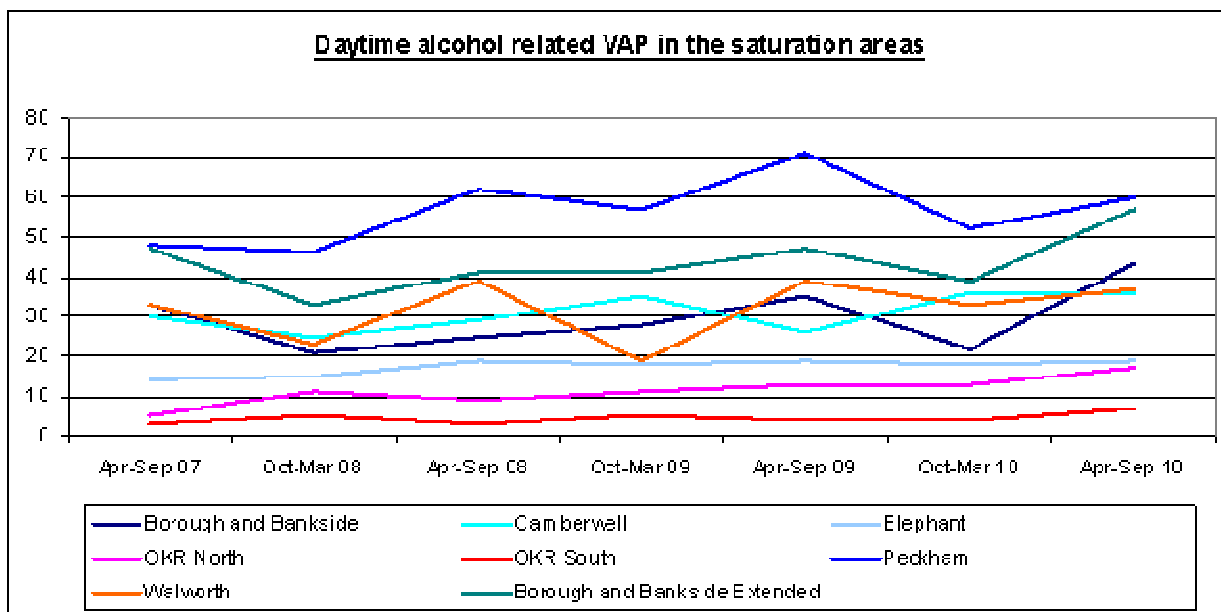
The below table displays alcohol related VAP in all saturation areas in six month blocks. Increases were seen in all areas save Camberwell, which remained at the same level, having previously increased.

Saturation Area	Apr-Sep 07	Oct-Mar 08	Apr-Sep 08	Oct-Mar 09	Apr-Sep 09	Oct-Mar 10	Apr-Sep 10
Borough and Bankside	33	21	25	28	35	22	43
Borough and Bankside extended	47	33	41	41	47	39	57
Camberwell	30	25	29	35	26	36	36
Elephant	14	15	19	18	19	18	19
OKR North	5	11	9	11	13	13	17
OKR South	3	5	3	5	4	4	7
Peckham	48	46	62	57	71	52	60
Walworth	33	23	39	19	39	33	37

As for the evening offending, the below chart shows these figures as a percentage of Southwark's total alcohol related violence for each period. Of continuing concern is the extended Borough and Bankside Area, which regularly represents between 8 and 12% of alcohol related violent crime in the borough and Peckham, which although experiencing a proportional reduction, still has very high figures. Similarly to the evening analysis, the Borough and Bankside area has a higher proportion, as well as the extended area.

Saturation Area	Apr-Sep 07	Oct-Mar 08	Apr-Sep 08	Oct-Mar 09	Apr-Sep 09	Oct-Mar 10	Apr-Sep 10
Borough and Bankside	8.4	5.5	5.4	7.6	7.4	4.5	7.7
Borough and Bankside extended	11.9	8.7	8.9	11.1	10.0	8.1	10.3
Camberwell	7.6	6.6	6.3	9.5	5.5	7.4	6.6
Elephant	3.6	3.9	4.1	4.9	4.0	3.7	3.4
OKR North	1.3	2.9	2.0	3.0	2.8	2.7	3.1
OKR South	0.8	1.3	0.7	1.4	0.8	0.8	1.3
Peckham	12.2	12.1	13.5	15.5	15.0	10.7	10.8
Walworth	8.4	6.0	8.5	5.2	8.3	6.8	6.7

The following graph displays how the different saturation areas have changed over time.



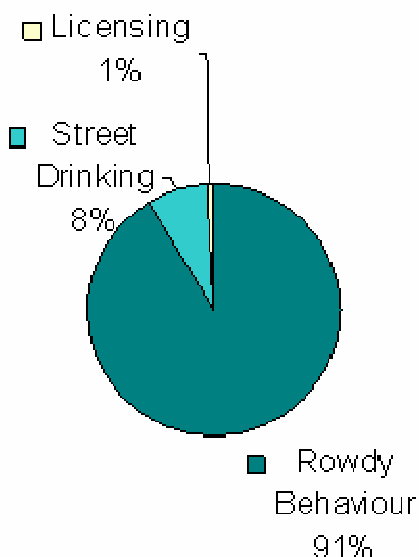
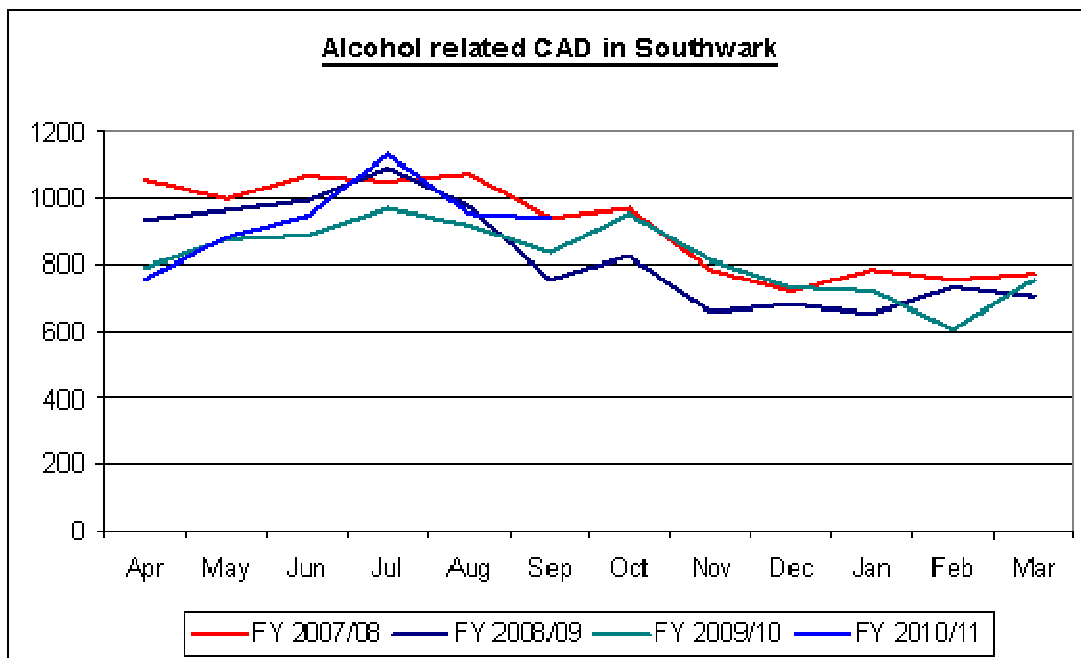
The recent increase in offending in the Borough and Bankside Extended Area is of concern, and ought to be monitored, as levels are higher now than they have been in this area since the study began. Also of concern

is Borough and Bankside, which steeply increased. Peckham continues to increase, and the danger is that levels will once more reach the peak of April – September 2009

## 5.0 Police CAD data

### 5.1 Boroughwide

Using all alcohol related CAD data, it can be seen that in all years, they follow the same pattern, with seasonal highs in the summer months, tailing off towards the end of the year. There was a 6.2% increase in CAD calls when comparing April – September 2010 with the same period in 2009, with a particular spike in July, which was higher than at any point since April 2007. Since July, levels have fallen, though are still at a higher level than at the same time last year. Should this trend continue, it is likely that there will be a significant increase in these types of CAD calls when comparing the whole year to the previous one.

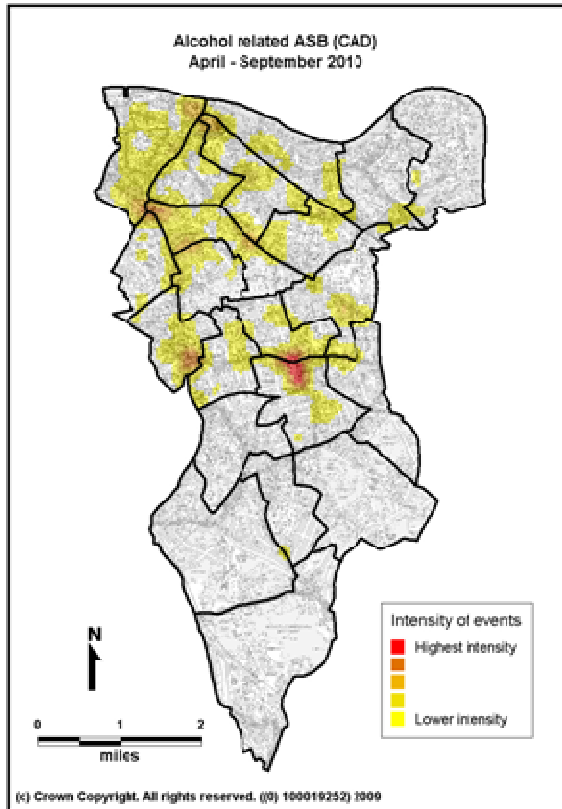


Last period, Rowdy behaviour made up 86.9% of these CAD calls. As the chart to the left shows, this has increased to 91.4% for the current reporting period.

It must be remembered that whilst Rowdy Behaviour may serve as an indication of alcohol related disorder, there is no guarantee that these calls are generated by alcohol. Calls to violence for example, are not included here, and some of these may be related to alcohol. It may be that there is a need for the MPS to develop some sort of flagging system within their CAD systems in order for operators to accurately input where they think drugs or alcohol may be involved.

There are very few calls to Licensing or street drinking, which are the only two fields directly attributable to alcohol.

## 5.2 Location



The map to the left shows that disorder related CAD calls typically take place in Peckham (specifically the High Street/Rye Lane area), and to a lesser extent in Camberwell, Elephant and Castle and Borough High Street.

Once more, these hotspots have not changed since the last assessment, and are all situated within our alcohol saturation areas.

The table below shows that even though Peckham has generated a hotspot (owing to the density of calls originating from there), the 'top' ward is in fact Cathedrals, suggesting that calls are more dispersed in this ward.

The column to the right indicates a shift in the ranking of each ward. Cathedrals and the Lane are always at the top of this chart, Faraday and Village wards are showing surprising increases.

Proportionally, it seems that disorder calls are much more spread amongst the wards.

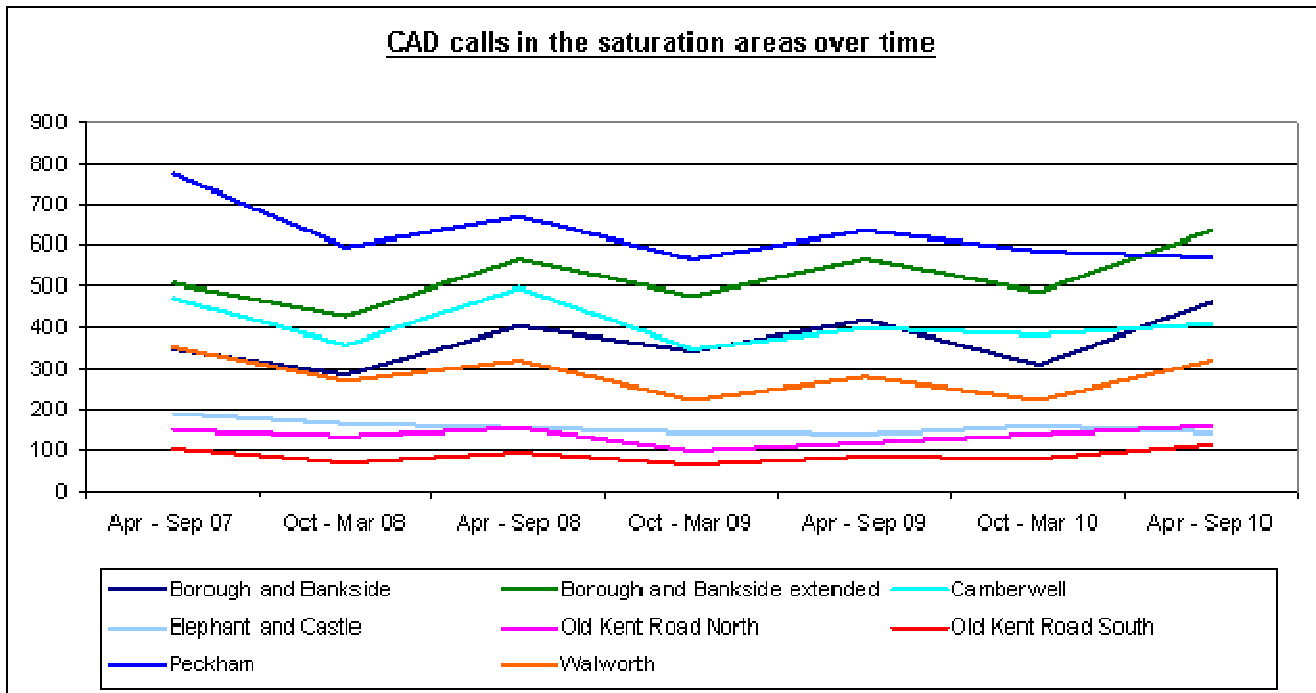
Rank	Ward	This period	% this period	Last period	% last period	Rank last period	Change
1	Cathedrals Ward	683	12.2	512	11.2	2	+1
2	The Lane Ward	535	9.5	525	11.5	1	-1
3	East Walworth Ward	449	8.0	396	8.6	3	0
4	Grange Ward	424	7.6	384	8.4	4	0
5	Livesey Ward	363	6.5	270	5.9	6	+1
6	Camberwell Green Ward	327	5.8	290	6.3	5	-1
7	Riverside Ward	296	5.3	235	5.1	7	0
8	Faraday Ward	280	5.0	174	3.8	12	+4
9	Brunswick Park Ward	251	4.5	185	4.0	10	+1
10	Chaucer Ward	233	4.2	207	4.5	8	-2
11	Peckham Ward	232	4.1	176	3.8	11	0
12	South Bermondsey Ward	224	4.0	189	4.1	9	-3
13	Rotherhithe Ward	203	3.6	152	3.3	13	0
14	Newington Ward	187	3.3	147	3.2	14	0
15	Village Ward	156	2.8	110	2.4	17	+2
16	Nunhead Ward	153	2.7	136	3.0	15	-1
17	Surrey Docks Ward	152	2.7	113	2.5	16	-1
18	College Ward	130	2.3	89	1.9	21	+3
19	Peckham Rye Ward	124	2.2	95	2.1	19	0
20	South Camberwell Ward	111	2.0	103	2.2	18	-2
21	East Dulwich Ward	96	1.7	91	2.0	20	-1

### 5.3 Saturation Areas

Alcohol related CAD calls include Street Drinking and Licensing issues, as well as rowdy behaviour. The table below gives a breakdown of alcohol related CAD calls in all saturation areas since April 2007.

Area	Apr - Sep 07	Oct - Mar 08	Apr - Sep 08	Oct - Mar 09	Apr - Sep 09	Oct - Mar 10	Apr - Sep 10
Borough and Bankside	349	282	405	343	420	308	461
Borough and Bankside extended	509	428	569	477	565	485	635
Camberwell	472	357	499	347	396	384	407
Elephant and Castle	190	162	152	143	140	159	146
Old Kent Road North	147	134	152	99	120	137	159
Old Kent Road South	103	71	93	65	86	80	115
Peckham	777	596	671	566	636	586	571
Walworth	354	269	317	222	280	222	320

The following graphs display how these areas have changed over time. Each has decreased since December 2006, though most have stabilised, and in some cases (Borough and Bankside, Camberwell and the Old Kent Road) are increasing.



Overall reduction in Peckham, though levels have recently stabilised.

Calls within the extended Borough and Bankside boundary are generally increasing, with the original area increasing at a similar rate.

Camberwell, having experienced a slight dip, has increased a little and stabilised.

Elephant and Castle has experienced a slight decrease, though levels in this area are extremely steady.

The Walworth Road area has increased since the last period, and nearly reached the same levels as April – September 2007.

Calls to the Old Kent Road fluctuate, yet in recent months have seen a slight increase.



## 5.4 When

Time Range	MON	TUE	WED	THU	FRI	SAT	SUN	Total
0000 - 0100	42	36	26	31	31	50	54	270
0100 - 0200	36	19	30	20	34	55	64	258
0200 - 0300	26	16	22	17	22	54	47	204
0300 - 0400	15	18	15	19	9	43	40	159
0400 - 0500	20	11	11	11	11	20	49	133
0500 - 0600	8	8	7	12	10	29	36	110
0600 - 0700	10	6	8	8	4	14	25	75
0700 - 0800	9	11	4	6	8	17	22	77
0800 - 0900	13	8	11	10	8	11	10	71
0900 - 1000	17	15	17	19	13	12	9	102
1000 - 1100	14	15	22	25	19	11	10	116
1100 - 1200	20	23	20	27	24	29	20	163
1200 - 1300	27	23	35	35	31	21	29	201
1300 - 1400	20	31	24	32	37	22	27	193
1400 - 1500	35	30	24	21	24	44	22	200
1500 - 1600	47	43	36	48	56	41	30	301
1600 - 1700	54	37	49	46	52	43	43	324
1700 - 1800	52	63	37	58	50	52	40	352
1800 - 1900	64	56	52	51	59	57	53	392
1900 - 2000	51	50	64	56	76	66	48	411
2000 - 2100	60	46	59	63	59	55	38	382
2100 - 2200	47	50	47	52	77	73	41	387
2200 - 2300	43	49	54	67	56	59	43	371
2300 - 0000	46	35	38	59	66	62	51	357
<b>Grand Total</b>	<b>776</b>	<b>701</b>	<b>712</b>	<b>793</b>	<b>836</b>	<b>940</b>	<b>851</b>	<b>5609</b>

Key



0 - 14 15 - 29 30 - 44 45 - 59 60 - 74 75 - 89

Generally, peak times for calls are between 1800 and 2300 hours, with peak days of Saturday, Sunday and Friday.

‘Absolute’ peak times are:

Friday, from 1900 – 2200 hours.

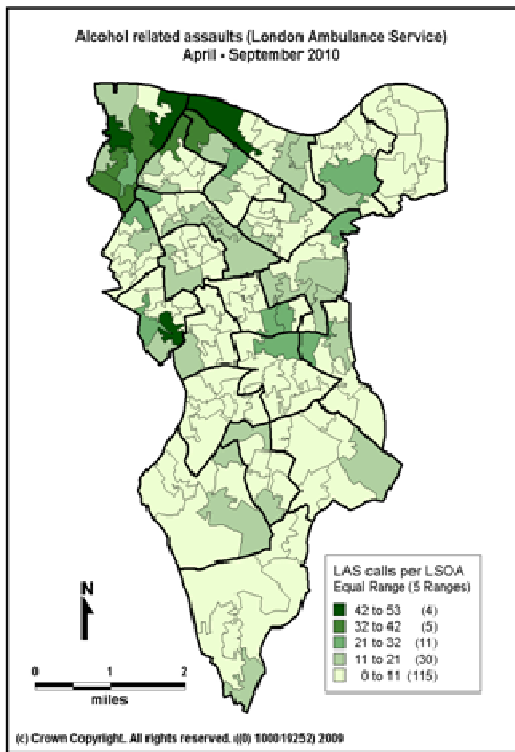
Overnight, from Friday night to Saturday morning, 2300 – 0600 hours.

Overnight from Saturday night to Sunday morning, 1900 – 0200 hours.

The amount of calls rises by a third from 1500 hours onwards, and continues to increase until 2000 hours, from which point they gradually decrease. After 0300, there is a rapid ‘dropping off’ of calls.

## 6.0 Ambulance data

### 6.1 Location



Ward	Total	% total
Cathedrals	274	17.4
Camberwell Green	118	7.5
Grange	115	7.3
Chaucer	103	6.5
Riverside	100	6.3
East Walworth	95	6.0
Livesey	89	5.7
Newington	72	4.6
Peckham	68	4.3
The Lane	67	4.3
Faraday	59	3.7
Rotherhithe	56	3.6
Nunhead	52	3.3
Village	52	3.3
South Bermondsey	50	3.2
Peckham Rye	44	2.8
East Dulwich	42	2.7
College	38	2.4
Brunswick Park	29	1.8
Surrey Docks	28	1.8
South Camberwell	24	1.5

Between December 2009 and May 2010, there was a much heavier focus on alcohol related assaults in Cathedrals, to the north. In this period, other areas seem to be becoming slightly more prominent, most specifically, Camberwell Green, Peckham, Rotherhithe and Livesey.

Previously, Cathedrals represented 16.4% of all calls, so this has clearly gone up, but Grange, which was the second highest (8.9%) has fallen, as has the previous third highest, Chaucer (was 7.2%).

Proportionally, increases have been seen in Camberwell Green (rising from 5.6% to 7.5%).

There are four areas which have had more calls between April 2010 and September 2010 than others.

**E01003929 (52 calls)** is located in Cathedrals ward, and is the LSOA marked A on the map. This is the area to the west of Borough High Street and includes many licensed premises.

Peak month: May (10 calls). Calls to this LSOA average 8-10 per month.

Peak times: 2100 – 2300, Wednesday – Thursday night

Age Range	Male	Female	Unknown	Grand Total
15 - 19	1			1
20 - 24		1		1
25 - 29	4	6		10
30 - 34	4	1		5
35 - 39	6	2		8
40 - 44	12	2		14
45 - 49	7			7
55 - 59	1	1		2
Unknown	3		1	4
<b>Grand Total</b>	<b>38</b>	<b>13</b>		<b>51</b>

Patients are predominantly male here, and aged 40 – 44. Where females were treated, they were typically aged 25-29 (more females than males in this age group here).

Very few young people being treated here.

**E01004027 (49 calls)** is also one of this cluster, and the section taking over the greatest part of the riverfront, located in Riverside ward (marked B on the map).

Peak month: July; August (11 each).

Peak times: Thursday, 1400 – 1700; Sunday, 0000 – 0500; Monday, 1600 - 2000

Age Range	Unknown	Female	Male	Grand Total
15 - 19		1	3	4
20 - 24		3	4	7
25 - 29		2	1	3
30 - 34		1	2	3
35 - 39			5	5
40 - 44		3	5	8
45 - 49			2	2
50 - 54			2	2
55 - 59			3	3
60 - 64			2	2
65+			1	1
Unknown	1		8	9
<b>Grand Total</b>	<b>1</b>	<b>10</b>	<b>38</b>	<b>49</b>

Again, few female patients, predominantly males, aged between 35 and 44.

Of interest however, is the fact that there are more young people here than any of the other peak areas, especially those aged 15 – 24. Though few females were treated, the two peak ages for those that were, was 20-24 and 40-44

**E01003928 (47 calls)** is located within Cathedrals ward, and comprises a portion of Blackfriars Road and the Cut, and forms the boroughs boundary with Lambeth. This area is labelled C on the map.

Peak month: July (13); Jun (11).

Peak times: Saturdays from 1300 – 1700, early hours of Wednesday, and late evening on Sunday.

Age Range	Female	Male	Grand Total
15 - 19	2		2
20 - 24		1	1
25 - 29		2	2
30 - 34		3	3
35 - 39		5	5
40 - 44	1	4	5
45 - 49		5	5
50 - 54		7	7
55 - 59		4	4
60 - 64		5	5
65+		4	4
Unknown	1	3	4
<b>Grand Total</b>	<b>4</b>	<b>43</b>	<b>47</b>

Overwhelmingly more males than females, and again, very few seem to be young people, with a variety of ages, spanning 20 to over 65. The peak age range was 50-54, though there were other peaks between 35 – 39; 45 – 49 and 60-64.

**E01003921 (53 calls)** is an LSOA in Camberwell Green ward, and comprises the actual park itself, as well as the Butterfly Walk Shopping Centre. It is marked D on the map.

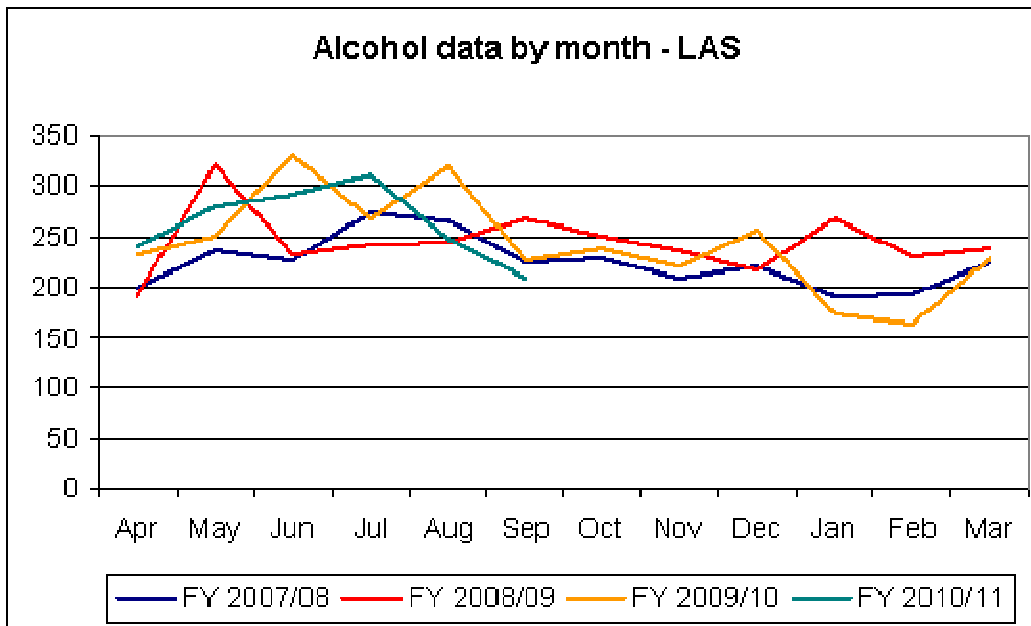
Peak month: June (18); July (13).

Peak times: Thursday, 1000 – 1500; all evenings from 2000 hours onwards

Age Range	Female	Male	Unknown	Grand Total
15 - 19	1	2		3
20 - 24		2		2
25 - 29	2	2		4
30 - 34	1	1		2
35 - 39	2	7		9
40 - 44		2		2
45 - 49	2	3		5
50 - 54		5		5
55 - 59	1	7		8
60 - 64		3		3
65+	2	1		3
Unknown	2	4	1	7
<b>Grand Total</b>	<b>13</b>	<b>39</b>	<b>1</b>	<b>53</b>

Again, few female patients, and those females who were treated were of a variety of ages. Peak ages for males are 35 – 39 and 50 – 59 years old. There are more young people treated in Camberwell Green than in the area surrounding Borough High Street.

## 6.2 Borough Statistics



**Decrease of 0.8% when comparing FY 2009/10 with the previous year. (23 calls)  
Decrease of 3.2% FYTD (53 calls).**

Time Range	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Grand Total
0000 - 0100	14	10	16	12	11	29	26	118
0100 - 0200	12	3	9	8	9	27	15	83
0200 - 0300	8	7	4	4	6	18	15	62
0300 - 0400	4	6	5	3	6	10	10	44
0400 - 0500	4	3	4	1	2	13	11	38
0500 - 0600	3	5	1	2	3	4	4	22
0600 - 0700	6	2	5	6	2	3	11	35
0700 - 0800	4	1		1	5	7	6	24
0800 - 0900	9	2	5	2	5	9	6	38
0900 - 1000	5		3	4	3	10	8	33
1000 - 1100	7	5	6	6	9	1	8	42
1100 - 1200	6	6	6	5	8	11	8	50
1200 - 1300	9	8	7	15	5	7	8	59
1300 - 1400	11	10	4	10	9	8	8	58
1400 - 1500	4	8	8	11	7	20	10	68
1500 - 1600	10	8	13	17	16	11	15	90
1600 - 1700	16	7	10	17	11	9	11	81
1700 - 1800	14	9	15	13	14	20	10	95
1800 - 1900	18	8	13	21	15	15	5	95
1900 - 2000	5	9	16	7	13	14	6	70
2000 - 2100	11	8	10	9	13	12	13	76
2100 - 2200	9	17	9	21	14	14	9	93
2200 - 2300	9	28	12	11	15	12	13	100
2300 - 0000	8	14	8	18	22	23	8	101
Grand Total	206	184	189	224	223	305	244	1575

Ambulance data appears to corroborate both Police CAD and crime data, with peak times being overnight Friday – Saturday morning, and Saturday – Sunday morning.

Overall peak time is between 2200 and 0100 hours, which is the same as the previous assessment.

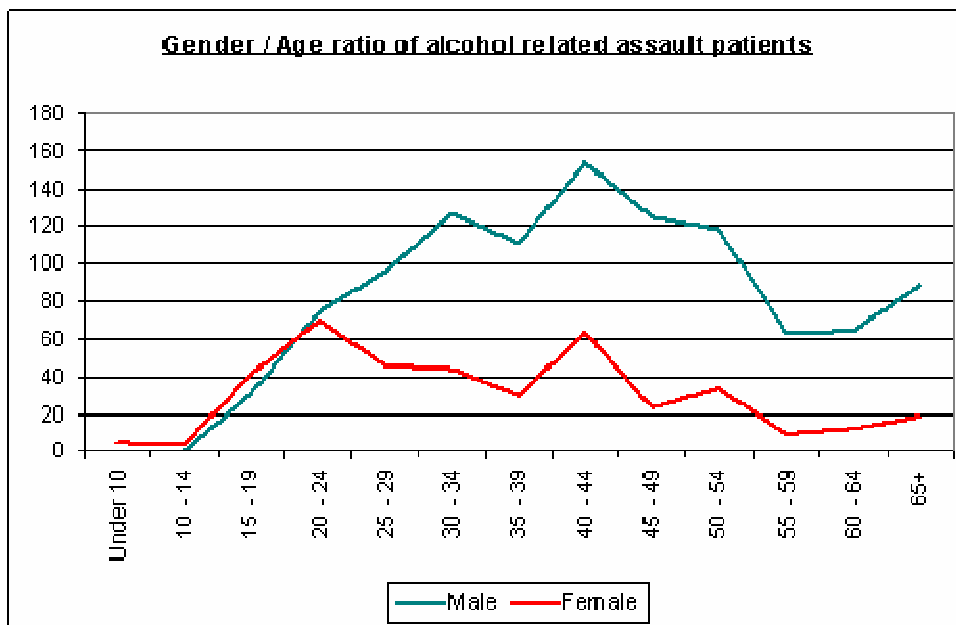
Peak days: Saturday and Sunday, with slightly higher levels on Thursday and Friday.

Age Range	Male	% male	Female	% female	Grand Total
Under 10	0	0.0	5	100.0	5
10 - 14	0	0.0	4	100.0	4
15 - 19	31	43.1	41	56.9	72
20 - 24	75	51.7	70	48.3	145
25 - 29	96	67.6	46	32.4	142
30 - 34	127	74.3	44	25.7	171
35 - 39	111	78.7	30	21.3	141
40 - 44	154	71.0	63	29.0	217
45 - 49	125	84.5	23	15.5	148
50 - 54	118	77.6	34	22.4	152
55 - 59	63	87.5	9	12.5	72
60 - 64	64	84.2	12	15.8	76
65+	89	82.4	19	17.6	108
<b>Grand Total</b>	<b>1053</b>	<b>72.5</b>	<b>400</b>	<b>27.5</b>	<b>1453</b>

Almost three quarters of patients attended to re alcohol related assaults are male, with 27.5% female.

Legend
0 - 19.9%
20 - 39.9%
40 - 59.9%
60 - 79.9%
80 - 100%

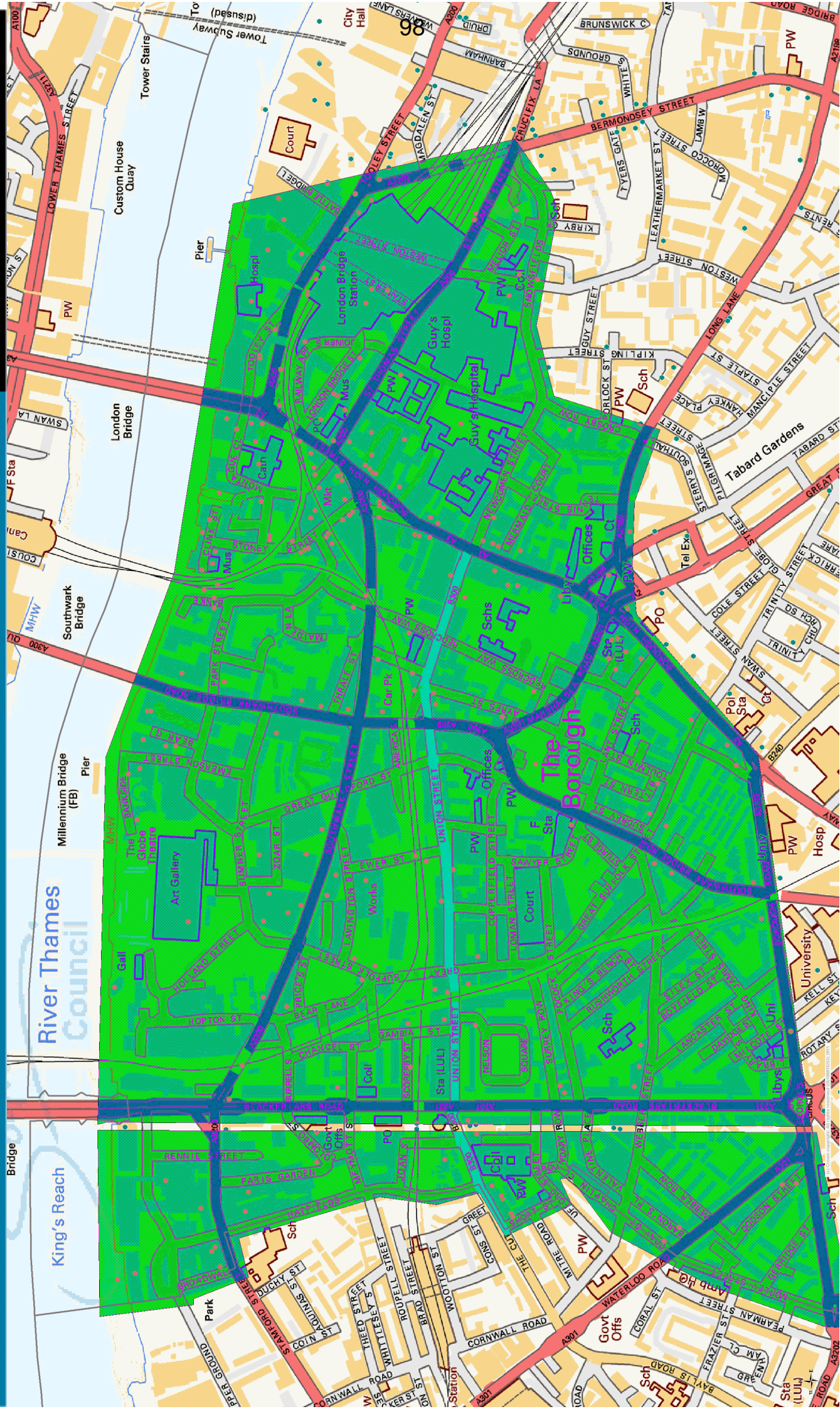
The peak age range is 40-44, followed by 50-54. It must be remembered that DV victims will not have been removed from this search, which therefore may skew the figures.



As stated above, just over a quarter of patients attended to for alcohol related calls are female. As in the previous two assessments, and still being monitored by the Divisional Business Team, up until the age of 19, there are more females treated than males. Indeed, 48.3% of those seen aged 20-24 were female, and just under a third of those aged 20-29 were female. From this point onwards, there are far more males than females. The graph above depicts this link.

# Borough & Bankside Saturation Area with proposed extension

Date 24/3/2011

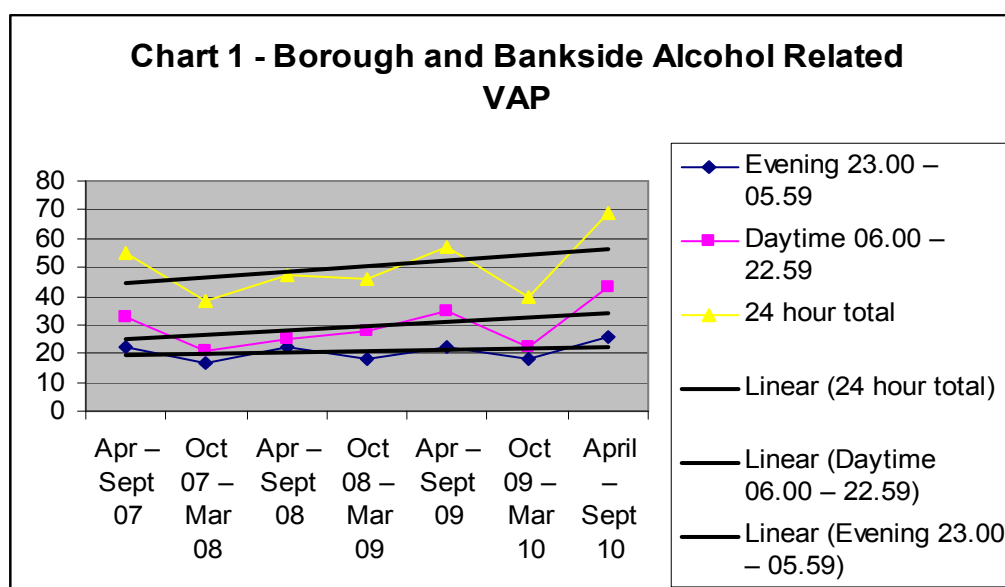


## Appendix 3

**Borough and Bankside analysis****Current Saturation Area - Alcohol related violence against the person (VAP)**

1. Table 1 / chart 1 below provides comparative figures for alcohol related VAP within the current Borough and Bankside saturation area, for the past seven, six-month periods commencing April – September 2007 through to April – September 2010.

<b>Table 1 - Borough and Bankside alcohol related VAP</b>	<b>Apr – Sept 07</b>	<b>Oct 07 – Mar 08</b>	<b>Apr – Sept 08</b>	<b>Oct 08 – Mar 09</b>	<b>Apr – Sept 09</b>	<b>Oct 09 – Mar 10</b>	<b>April – Sept 10</b>
<b>Evening 23.00 – 05.59</b>	22	17	22	18	22	18	26
<b>Daytime 06.00 – 22.59</b>	33	21	25	28	35	22	43
<b>24 hour total</b>	55	38	47	46	57	40	69



2. Table 2 below provides a breakdown of VAP offences.

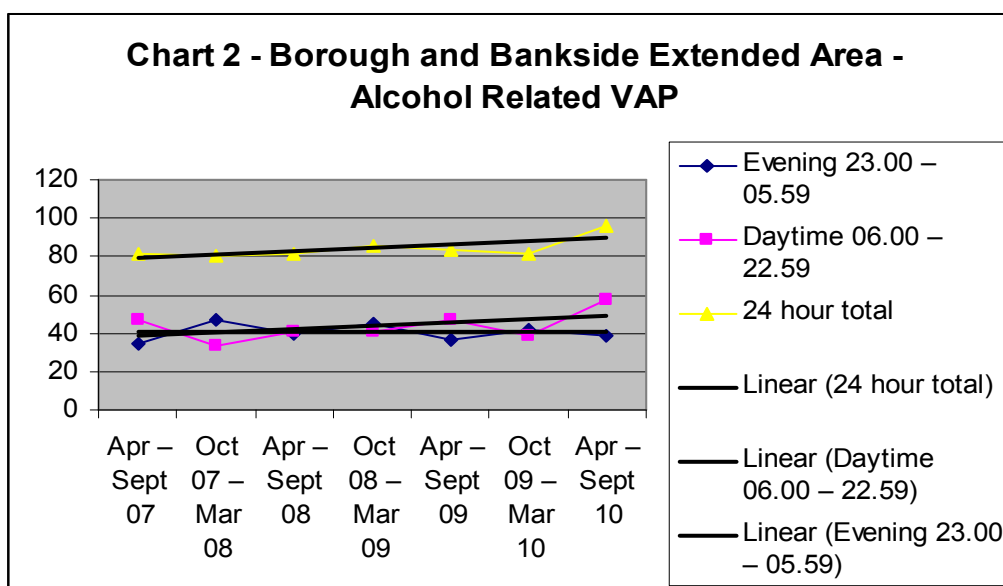
<b>Table 2</b>	<b>Apr-Sep 07</b>	<b>Oct-Mar08</b>	<b>Apr-Sep 08</b>	<b>Oct-Mar 09</b>	<b>Apr-Sep 09</b>	<b>Oct-Mar 10</b>	<b>Apr-Sep 10</b>
<b>Assault with injury</b>	19	14	11	7	19	15	25
<b>Common assault</b>	5	8	4	7	9	11	13
<b>Harassment</b>	25	11	25	20	18	8	15
<b>Offensive weapon</b>	4	1	0	0	3	0	2
<b>Other violence</b>	1	3	2	0	0	3	3
<b>Serious wounding</b>	1	1	5	12	8	3	11
<b>Grand total</b>	55	38	47	46	57	40	69

3. The analysis shows a rising trend of alcohol related VAP within the Borough and Bankside saturation area. Figures for April – September 2010 are the highest under the monitor, indicating a 21% increase on the previous comparable period (April – September 2009).
4. The primary crime type of concern is assault with injury. The level of increases in assault with injury and serious wounding are of particular concern being the two most severe categories.
5. During the daytime period, peak times for violence are from 1900 – 2300 indicating that issues are likely to be connected with the night-time economy. In the evening period, just under half the offences occur on a Saturday or Sunday. Peak times on a Saturday are 0000 – 0300, whereas offending continues to slightly later on Sunday, up to 0600 hours.

**Extended area - Alcohol related violence against the person**

6. Table 3 / chart 2 below provides comparative figures for alcohol related VAP within the extended Borough and Bankside area, for the past seven, six-month periods commencing April – September 2007 through to April – September 2010.

<b>Table 3 - Borough and Bankside extended area alcohol related VAP</b>	<b>Apr – Sept 07</b>	<b>Oct 07 – Mar 08</b>	<b>Apr – Sept 08</b>	<b>Oct 08 – Mar 09</b>	<b>Apr – Sept 09</b>	<b>Oct 09 – Mar 10</b>	<b>Apr – Sept 10</b>
<b>Evening 23.00 – 05.59</b>	34	47	40	45	37	42	39
<b>Daytime 06.00 – 22.59</b>	47	33	41	41	47	39	57
<b>24 hour total</b>	81	80	81	86	84	81	96



7. Table 4 provides a breakdown of VAP offences.



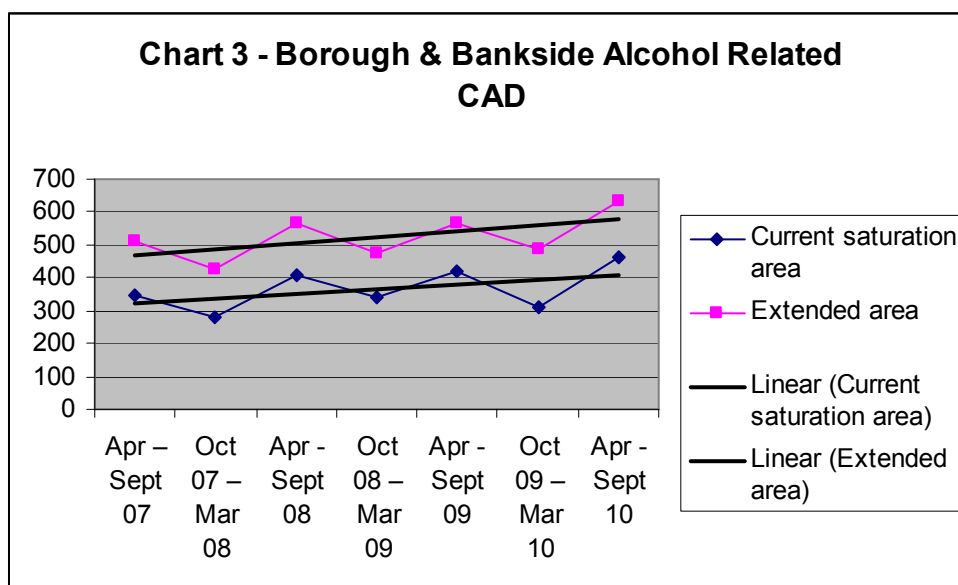
Table 4	Apr-Sep 07	Oct-Mar08	Apr-Sep 08	Oct-Mar 09	Apr-Sep 09	Oct-Mar 10	Apr-Sep 10
<b>Assault with injury</b>	24	25	21	17	28	27	36
<b>Common assault</b>	7	11	4	12	17	19	17
<b>Harassment</b>	39	38	47	40	25	16	22
<b>Offensive weapon</b>	6	1	0	1	4	2	2
<b>Other violence</b>	2	3	2	1	2	6	3
<b>Serious wounding</b>	3	2	7	15	8	11	16
<b>Grand total</b>	81	80	81	86	84	81	96

8. When examining VAP figures across the extended Borough and Bankside area, the increase shown within the most recent 6-month period (April – September 2010) is notable given the consistent figures across earlier periods.

**Alcohol related CAD calls**

9. Table 5 / chart 3 provides comparative data regarding alcohol related CAD calls received by the police concerning the Borough and Bankside area, for the past seven, six-month periods commencing April – September 2007 through to April – September 2010.

Table 5 - Borough and Bankside alcohol related CAD calls (24 hours)	Apr – Sept 07	Oct 07 – Mar 08	Apr – Sept 08	Oct 08 – Mar 09	Apr – Sept 09	Oct 09 – Mar 10	Apr – Sept 10
<b>Current saturation area</b>	349	282	405	343	420	308	461
<b>Extended area</b>	509	428	569	477	565	485	635



10. Tables 6 provides a breakdown of CAD offences by ASB code within the current saturation area.

<b>Table 6</b>	<b>Apr-Sep 07</b>	<b>Oct-Mar 08</b>	<b>Apr-Sep 08</b>	<b>Oct-Mar 09</b>	<b>Apr-Sep 09</b>	<b>Oct-Mar 10</b>	<b>Apr-Sep 10</b>
<b>Licensing</b>	14	9	5	3	14	4	12
<b>Rowdy behaviour</b>	265	228	317	284	320	243	396
<b>Street drinking</b>	70	45	83	78	86	61	53
<b>Total</b>	349	282	405	343	420	308	461

11. Table 7 provides a breakdown of CAD offences by ASB code within the extended saturation area.

<b>Table 6</b>	<b>Apr-Sep 07</b>	<b>Oct-Mar 08</b>	<b>Apr-Sep 08</b>	<b>Oct-Mar 09</b>	<b>Apr-Sep 09</b>	<b>Oct-Mar 10</b>	<b>Apr-Sep 10</b>
<b>Licensing</b>	17	12	14	4	16	10	16
<b>Rowdy behaviour</b>	388	344	440	369	431	379	539
<b>Street drinking</b>	104	72	115	104	119	96	80
<b>Total</b>	509	428	569	477	565	485	635

12. Examination of CAD figures identifies increases in total figures within both the current and extended areas. Increases are more noted within the extended area. Rises are mainly attributable to increases in the 'rowdy behaviour' category. Figures for street drinking are falling.
13. In the daytime period (Between 0600 and 2259) alcohol related disorder typically takes place in the street, predominantly Borough High Street, Blackfriars Road and Southwark Bridge Road. Where premises are involved, this is usually hostels, bookmakers, convenience stores and the hospital. Disorder is also centred around public transport, such as the BR / bus station at London Bridge. As the period draws on, there is an increase in calls from/to licensed premises and food eateries, such as chicken and kebab shops.
14. In the evening period, disorder shifts primarily toward the public houses, nightclubs and late night eateries, although the station remains of note. In this period there is an increased frequency of calls made to/by mini-cab premises.

#### **Nuisance service requests**

15. Table 7 shows the number of service requests attributed to licensed premises within the saturation area alongside the number of different premises that were subject of complaint.

<b>Table 7</b>	<b>Dec-May 07</b>	<b>Jun-Nov 07</b>	<b>Dec-May 08</b>	<b>Jun-Nov 08</b>	<b>Dec-May 09</b>	<b>Jun-Nov 09</b>	<b>Dec-May 10</b>	<b>Jun-Nov 10</b>
No. of service complaints	8	19	0	14	3	22	5	22
No of licensed premises subject of complaint	6	11	0	6	2	9	4	11

16. The figures show that the level of service requests received in June – November 2010 remains constant with that in the previous comparable period June – November 2009.

**Ambulance data**

17. Between December 2009 and May 2010, Cathedral ward is recorded as having the highest number (274) of alcohol related calls. This represents 17.4% of the total number of calls received by the London Ambulance Service. An increase from 16.4% in the previous figures.

## Appendix 4

**Licensing Act 2003 – Responses to consultation on the potential extension of the Borough and Bankside saturation area**

**Key:**  
**Q1 – Having considered the information provided, do you consider it is appropriate and necessary to extend the western boundary of the current saturation area to the Lambeth border taking in The Cut and Isabella Street?**  
**Q2 – If you answered yes to Q1, what would you suggest the new boundary should be?**  
**Q3 – Do you consider there should be any other amendment to the current boundary?**  
**Q4 – Do you consider there should be any amendment of the classes of premises to which the policy should apply?**

Respondent	Status	Q1	Q2	Q3	Q4	Comments	Notes
Respondent 1	Local resident. Also Vice-Chair of the Octavia Hill RA stated to represent some 300 properties in the area of Waterloo (membership crosses Southwark and Lambeth)  <u>A petition comprising 43 names was submitted in support of the submission, comprising primarily residents in the immediate local vicinity of the proposed extension area.</u>	Yes	See comment	No	No	Q2 – Right up to boundary with Lambeth.  General - The small corridor that you left off your present saturation zone already has far too many licensed premises. We are already suffering a large amount of nuisance and noise from all the licensed premises in Isabella Street.  We feel that it was not right that a public consultation meeting was not held in the area, as we are sure that you would have clearly seen the support for this extension.  Signatories to the petition have signed up to the following statement “I am in support of the proposal for the western extension of the Southwark Borough and Bankside Saturation Zone up to the border with Lambeth. The residents of this area (Western extension) have suffered greatly from a large number of licensed premises which has severely affected our quality of life. This has been caused by blocking of pavements and disturbances caused by patrons leaving in the early hours.”	Submission notes that most of the members of the RA are in support of the western extension.
Respondent 2	Local resident and member of the Octavia Hill RA.	Yes	See comment	Yes – see comment	Yes – see comment	Q2 – Extended to The Cut by the boundary with Lambeth, Hatfields / Short Street.  Q3/4 – This area is flooded with licensed premises, cafes, restaurants and corner shops. Most of these corner shops have 24 hour licenses and seem to cater exclusively for the street drinking community. This has led to a vast increase in violence and anti-social behaviour. Streets have now become their toilets. The(y) urinate and defecate in full view of the public and residents. Please extend the zone and give residents a modicum of quality of life.	
Respondent 3	Local resident and member of the Octavia Hill RA	Yes		No	Yes	Extend zone to include The Cut to the boundary with Lambeth.	

Respondent	Status	Q1	Q2	Q3	Q4	Comments	Notes
Respondent 4	Local resident	Yes	See comment	Yes – see comment	Yes – see comment	<p>Q2/3 – Extend west to Lambeth / Southwark border. Hatfields – The Cut – Short Street – Ufford Street.</p> <p>Q4 – No more licences issued to convenience stores.</p>	
Respondent 5	Tenant of Christ Church, Blackfriars Road, SE1 8NY. Local resident involved in a local charity.	Yes	See comment	No	No	<p>Q2 – Anecdotal evidence: Urination in streets / Rochester estate Fridays / weekends, evenings and nights.</p> <p>In my view the gap between the western edge of the Southwark saturation licensing area and the eastern edge of the Lambeth saturation/control area leaving a tempting area for business to exploit an inconsistency in legislation, which could lead to an even greater density of licensed premises in a small area.</p> <p>Additionally there are many unknown and uncertain developments still to take place – Kings Reach Tower, 1 Blackfriars, 20 Blackfriars, Hatfields (Ballet school site) in the area – the area would have an added degree of 'protection' if the saturation zone were to be extended.</p> <p>The current position is not 'joined up' thinking.</p>	
Respondent 6	Local resident	Yes	See comment	Yes – see comment	Yes – see comment	<p>Q2 – I believe the saturation boundary should follow the mutual borough boundary of Southwark / Lambeth</p> <p>Q3 – Yes as above particularly The Cut and Isabella Street</p> <p>Q4 – The policy should apply to all premises that seek to sell alcohol, restaurants, cafes, bars, shops or any premises that sell alcohol wholesale / retail.</p> <p>Living on Hatfields opposite Isabella Street I suffer the horrendous noise from (nearby) premises most evenings and particularly from Wednesday – Saturday. Women shrieking, screaming, swearing, laughing hysterically. Men trying to be macho demonstrating how loud and obscenely they can shout. All to the background of music. Followed at closing time by extremely noisy congregation outside my bedroom window with their noisy farewells and cab door slamming all as I predicted in my original objections to the licensing of these premises.</p> <p>What I did not envisage at that time was the vandalism to parked cars – it has cost me £670 so far for graffiti removal and re-spray, new electric wing mirror and bodywork damage all occurring late at night, and witnessed on two occasions by people too afraid to remonstrate with the drunks involved.</p>	

Respondent	Status	Q1	Q2	Q3	Q4	Comments	Notes
						The legal or illegal sale of alcohol by the mini-supermarkets 24 hours a day also contributes to this late night problem of drunks passing through Hatfields until 2-3am.	
Respondent 7	Local resident. Indicates represents local residents through Styles House TRA	Yes	See comment	Yes – see comment	Yes – see comment	<p>I live between The Cut and Isabella Street, and strongly support the extension of the saturation zone. While it clearly won't stop the granting of new licences it will give the licensing committee the ability to question new licence applications further, which we require in our area as we really are saturated by noisy and intrusive establishments.</p> <p>While the statistics do not necessarily show that there is a lot of violent crime in the proposed extension zone, this is actually a tiny area of land covering just a few streets and I regularly have to call the police, ambulances or Southwark's noise nuisance service due to incidents in the area. There are regular violent incidences on Isabella Street, as we are a high rise block we can see it very well, and I've reached the stage where I don't bother to call the police unless it appears to be a very violent fight or a weapon is used, drunken arguments are so common I'd have to call them several times a week and I'm not willing to do this. I have also sopped bothering to call the noise nuisance team, as it's clear they are pretty powerless to act.</p> <p>The noise from the establishments near us is unbelievably loud. Isabella Street can have several hundred people outside in the street drinking, and even when they aren't singing or shouting at each other (which they do regularly) the noise is incredibly intrusive, with the normal sounds of clinking of plates and cutlery, and people talking. My family and friends won't stay in my flat anymore as they say they find it too stressful with the amount of noise we get. Thursday, Friday and Saturday are particularly bad, and it's noisy until after 1am, as people will stand around in the street even after the bars have closed.</p> <p>Generally, after milling about, large groups of people leave Isabella Street late at night, after 1am, and talk loudly, shout, laugh hysterically, and screech at each other. Unfortunately we seem to have a design that means that even though we are high up we can hear what people are saying at street level (for example I can hear what people are saying in mobile phone conversations in the street below, and I'm on floor 7). I regularly see things like people putting cones on cars, walking on them, throwing glasses at each other, and other similar types of anti-social behaviour. People leave glasses on our estate wall or in the street, and they aren't collected by the bars when they close, leading to lots of broken glass in the street. My dogs have cut their feet several times over</p>	

Respondent	Status	Q1	Q2	Q3	Q4	Comments	Notes
						<p>the years after walking over broken glass on Hatfields (on the plus side I have an excellent collection of glasses as I often pick up those I find).</p> <p>I've also witnessed people having sex on Isabella Street in the section behind the top of the tube station. This isn't prostitution, they appear to be people in suits who have been to work that day, and who are incredibly drunk. We also have an endemic of people coming into our estate and peeing against our garages. I'm aware it's people from the bars as I watch them leave. It's really quite annoying having to wash the garage door before I can get my car out. We equally have a problem with people vomiting in the street, which is pretty nasty.</p> <p>It isn't only the bars that cause a problem. We have two (shops) next to us, and after midnight it's like a party inside as it fills with drinkers. At any time of the day or night street drinkers congregate around .... and often go to the toilet in our estate (and it's not urine). Having a 24 hour off-licence attracts people who want to drink and leads to a lot of fighting and trouble around them.</p> <p>It used to be that The Cut was a busy road during the day but was peaceful after everyone went home after work. Now we suffer noise pollution, anti-social behaviour from the effects of drinking and a sense that we can't do anything about the problem and just have to live with the problems we face. An expansion of the zone would at least help the situation not get any worse.</p> <p>The tenants and residents group at Styles House have also supported the extension of the zone.</p>	
Councillors 1-3	Liberal Democrat Councillors for Cathedral Ward	Yes	See comment	No	Yes – See comment	<p>Q.2 – We support the proposed western extension of the existing Borough and Bankside cumulative saturation zone to take in the remaining area of Cathedrals Ward to the west of the saturation zone.</p> <p>Q.4 – We believe hotels, theatres and vessels should also be included.</p> <p>General - In support of the proposed western extension we would make the following points</p> <p>-that although violence against the person (VAP) figures for the past six, six month periods show a welcome reduction, the reduction is not dramatic in terms of offences</p> <p>-that the figures for alcohol related CAD calls do not show a consistent reduction having increased on 3 occasions from the previous 6 month</p>	

Respondent	Status	Q1	Q2	Q3	Q4	Comments	Notes
						<p>period. Furthermore, the decrease given for the most recent period (June-November 2009) is only 1% compared to the previous comparable period (June-November 2008)</p> <p>-that the majority of the saturation zone, including the proposed extension area, appears to be in the highest category for London Ambulance Service data relating to alcohol related behaviour calls between June 2009 and October 2009.</p> <p>Furthermore, as ward councillors we continue to receive a steady level of verbal and e-mail complaints and reports about alcohol related ASB in the area covered by the proposed extension with hotspots being around The Cut and Isabella Street and the area around Webber Row and the lower area of Waterloo Road. These reports predominately come from residents in Styles House and The Cut and residents from Webber and Quentin TRA and Dodson and Amigo TRA.</p> <p>These complaints and reports relate to the impact of nuisance/ASB/crime impact on local residents of customers visiting a growing number of bars, restaurants, cafes and other licensed premises in The Cut/Joan Street and those coming and going via the southern end of Waterloo Road.</p> <p>There also remains a significant problem with street drinkers congregating and causing nuisance/ASB and crime, which impacts on residents living on The Cut and surrounding residential estates and streets in and around the lower end of Waterloo Road.</p> <p>An extension would also ensure that if Lambeth were to introduce a zone in Bishops Ward the residents of area to the west of existing saturation zone would not be left in a "no man's land" area that wasn't covered.</p> <p>For these reasons we strongly support the proposed western extension of the Borough and Bankside Cumulative Saturation Zone.</p>	



<b>Item No.</b> 7.2	<b>Classification:</b> Open	<b>Date:</b> 6 April 2011	<b>Meeting Name:</b> Council Assembly
<b>Report title:</b>		Annual report on the work and performance of the Audit and Governance Committee in 2010/11	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Audit and Governance Committee	

### RECOMMENDATION

1. That council assembly notes the work and performance of the audit and governance committee in 2010/11.

### BACKGROUND INFORMATION

2. The purpose of this report is to report on the audit and governance committee's work and performance in 2010/11. The audit and governance committee considered its annual report on 9 March 2011 and subject to an update to take account of the meeting on 9 March and minor amendments, all of which have been incorporated, agreed to refer it to council assembly.
3. The audit and governance committee's terms of reference include a requirement to report annually to council assembly on its work and performance during the year.
4. The aims of the report are to make council aware of the audit and governance committee's work in relation to its audit, regulatory and financial reporting responsibilities and to provide assurance on areas covered or to identify any concerns.
5. This report also considers the effectiveness of the audit and governance committee which forms a part of the review of the system of internal audit required under the Accounts and Audit Regulations and which will in turn be reported as part of the review of the system of internal control.
6. In previous years, the report has been considered at the audit and governance committee's June meeting but it has been brought forward at the committee's request in order to ensure that the report can be presented to council assembly within this year by the current chair.

### KEY ISSUES FOR CONSIDERATION

#### Role of the committee

7. The purpose of the audit and governance committee is to provide
  - Independent assurance of the adequacy of the council's governance arrangements, including the risk management framework and the associated control environment
  - Independent scrutiny of the authority's financial and non-financial performance to the extent that it affects the authority's exposure to risk and

- weakens the control environment
- Oversight of the financial reporting process
- Scrutiny of treasury management strategy and policies.

8. In line with the above, the committee's terms of reference are structured by reference to its four key functions in terms of audit activity, the regulatory framework, the accounts and treasury management.

### **Work programme since April 2010**

9. The following paragraphs summarise the matters considered by the committee at its meetings since April 2010.

#### Meeting on 30 June 2010

10. The committee received the following reports:

- progress report from the Audit Commission
- annual fee letters for 2010/11 for the council and for the Southwark pension fund from the Audit Commission
- audit opinion plans for 2009/10 for the council and the Southwark pension fund audits from the Audit Commission
- report on expenditure arising from the fire at Lakanal House
- draft strategy for internal audit 2010/11 to 2014/15
- report on compliance with the CIPFA code of conduct for internal audit (peer review of effectiveness of internal audit)
- statement of accounts 2009/10 (including follow up on annual governance reports 2007/08 and 2008/09)
- annual governance statement 2009/10
- annual report on the work of internal audit, anti-fraud and risk management for 2009/10
- annual report to council assembly on work and performance in 2009/10
- draft work programme for 2010/11.

11. In considering the follow up report on issues raised in the annual governance reports of 2007/08 and 2008/09, members noted the progress made but requested a further report on the non-accounts issues.

12. The committee reviewed the annual governance statement for 2009/10 and, after discussion about the issue of strategic directors' responsibility for compliance with policies and procedures in their own departments, agreed that further consideration of appropriate reporting and monitoring of compliance was required.

13. Following questions about the annual report on the work of internal audit, members asked officers to communicate to Serco the committee's concern over the lack of IT risk assurance.

#### Meeting on 23 September 2010

14. The committee received the following reports:

- progress report from the Audit Commission
- annual governance reports for 2009/10 for the council and for the Southwark pension fund from the Audit Commission

- progress report on the work of internal audit completed between 1 April 2010 and 31 July 2010
  - report on expenditure arising from the fire at Lakanal House
  - report on retrospective contract-related decisions.
15. In reviewing minutes from the previous meeting, there was some discussion about engaging strategic directors with the committee and the chair undertook to discuss this with the finance director. At a subsequent meeting between them, it was agreed that consideration should be given to inviting strategic directors to attend future meetings with a view to reporting on governance arrangements in their departments.
  16. In considering the annual governance report, members asked a number of questions about the move to International Financial Reporting Standards (IFRS) and asked officers to bring back a report to the next meeting.
  17. Members raised a number of questions about the progress report on the work of internal audit, following which officers agreed to bring back an update on the data quality arrangements in children's services and also to follow up with Serco a response to the letter previously requested at its meeting in June by the committee.
  18. Following consideration of the report on Lakanal, members asked officers to include an explanation of insurance arrangements in the report to the next meeting.
  19. In considering the report on retrospective contract-related decisions, members asked questions of the officers responsible for the decision reports and requested that further information about employee rights for the careers education information advice and guidance contract be circulated to them via email.

#### Meeting on 25 November 2010

20. The committee received the following reports:
  - in-year review of work programme for 2010/11
  - revised whistleblowing policy
  - report on expenditure arising from the fire at Lakanal House
  - progress report from the Audit Commission
  - progress report on the work of internal audit completed between 1 August 2010 and 31 October 2010
  - follow up report on annual governance reports 2008/09 and 2009/10
  - report on treasury management – scrutiny and review of policy and strategy.
21. The report on the in-year review of the committee's work programme set out proposals to increase the number of meetings and to 'theme' future meetings, where possible, on an alternating 'audit' and 'governance' basis, in order to accommodate the attendance by strategic directors at the committee to report on governance arrangements within their departments. These changes were agreed.
22. After considering the report on the whistleblowing policy, members requested a number of amendments to be made to the policy and also asked officers to take it to the trades unions for their comments. The committee agreed also that it would wish to add an annual item into its work programme on the policy.
23. As requested at its previous meeting, the committee received information about the council's insurance arrangements in the report about Lakanal and, having considered this, members asked officers to include in the next report information

about advice given to leaseholders and an indication of timescales in relation to the future of Lakanal House after the inquest.

24. Members asked a number of questions of officers about the internal audit progress report and requested that an update on sickness absence reporting be included in the next report. In addition, officers undertook to provide information via email on queries relating to data security and access controls.
25. In relation to the follow up of recommendations agreed in the annual governance report 2008/09, members sought clarification by email of the green buildings programme and of the technical solution which would limit the use of data storage devices.
26. Members received a report on treasury management and, having reviewed the policy and strategy, made several proposals relating to the investment criteria for officers' further consideration.

#### Meeting on 25 January 2011

27. The committee received the following reports:
  - annual audit letter 2009/10 from the Audit Commission
  - follow up audit report on internal audit recommendations
  - internal audit plan for 2011/12 and strategy for internal audit for 2011/12 – 2015/16.
28. In considering the annual audit letter, members asked officers to bring monitoring reports on the recommendations raised by the audit Commission back to future meetings.
29. Members asked a number of questions in relation to the follow up report on internal audit recommendations and requested officers to review one of the key performance indicators and to provide additional commentary on all KPIs in the future.
30. In considering the internal audit plan, the committee raised a number of areas for further consideration and also asked for a report on housing management and unauthorised occupancy to be brought to a future meeting.

#### Meeting on 9 March 2011

31. The committee received the following reports:
  - report on retrospective contract-related decisions
  - update on Lakanal House
  - annual report to council assembly on work and performance in 2010/11
  - draft work programme for 2011/12.
32. In considering the report on retrospective contract-related decisions, members asked a number of questions of the officers attending before making recommendations to help improve future decision making.
33. Members considered the annual report and asked for a number of amendments to be made to the self-assessment checklist to clarify the role of the committee in some areas.
34. The work programme for 2011/12 was agreed, but members noted that it may be

necessary to review it once the outcome of the government's consultation on the Accounts and Audit Regulations is known.

### **Effectiveness of the audit and governance committee**

35. The Accounts and Audit Regulations require a review of the system of internal audit to be carried out, including consideration of the effectiveness of this committee. This will be carried out later in the year and the results will be brought to a future meeting of the committee.
36. To complement this however, the audit and governance committee assesses itself using a checklist produced by CIPFA. The committee considered this on 9 March 2011 and requested some amendments which have been made. The completed checklist is attached at appendix A. The committee was advised that the checklist should be considered as part of the review of the system of internal audit and the annual governance statement.
37. The completed checklist confirms that there are no significant areas of concern in relation to the committee's effectiveness. However, it highlights that training is an area which members may wish to continue to keep under review. Following last year's self-assessment, a training needs assessment was undertaken in June and this has been used during the year to help determine training provided. It is suggested that this continue to be taken into account when considering future training.

### **Training**

38. An induction course for members was held in June 2010 and the training materials were made available to those who were unable to attend. Members were asked to indicate areas in which they would welcome training in order to help focus future provision.
39. The committee's responsibilities were extended in 2010/11 to include scrutiny of treasury management policy and strategy and a half day training session was held in November 2010 on treasury management and internal audit. This provided members with an overview of these areas and also provided an opportunity for members to comment on an early draft of the internal audit plan for future years. Those attending included the chair of this committee and the cabinet member for finance and resources, and training materials were again made available more widely.
40. Following this, the chair and vice-chair attended a one-day workshop on best practice in treasury management and pensions presented by CIPFA's Treasury Management Network and Pensions Network. Future opportunities will be made available to members as they become available.
41. The self-assessment checklist (see above) identified that training will be provided as required and as the role of the committee continues to be developed, other areas may also become relevant. Officers would be happy to arrange training as needs are identified.

### **Development opportunities**

42. The audit and governance committee has now been in place for four years. One of the key challenges for the future continues to be management of the committee's agenda to ensure that it can devote its resources in an appropriate way in order to

satisfy an ever expanding brief.

43. In deciding to increase the number of meetings held during the year and to focus individual meetings on either 'audit' or 'governance' matters wherever possible, the committee has put in place arrangements which should help to meet its objectives.
44. The year saw the following principal achievements:
- further strengthening of the external audit relationship with the chair and committee members
  - recognition by the District Auditor of improvements in the quality of information supporting the financial statements, resulting in part from member scrutiny
  - ongoing constructive challenge from members in respect of reports received by them
  - establishment of new role in relation to scrutiny of treasury management strategy and policies.
45. For the coming year, the following are areas where the committee has the opportunity to effect further development or to which it may wish to give consideration:
- embedding of relationship and reporting formats of internal audit service providers
  - ongoing planning and monitoring of the implementation of International Financial Reporting Standards (IFRS)
  - impact of revised Accounts and Audit Regulations
  - further development of arrangements for scrutiny of treasury management
  - review of committee membership and remit in context of emerging issues
  - role of the committee in relation to public accountability and greater local transparency, in light of greater disclosure of financial dealings and recommended practice for local authorities on data transparency
  - future training needs.

## **Conclusion**

46. The committee's work programme aims to ensure that the committee is able to carry out its functions effectively. To this end, the programme is structured so as to cover the key areas of audit activity, the regulatory framework and financial reporting, and following a decision by council assembly in May 2010, scrutiny of the treasury management strategy and policies. The programme for 2011/12 is the subject of a separate report on this agenda.
47. During the committee's fourth year of operation, it continued to ask questions on matters before it in a challenging yet constructive way. In some cases, this has resulted in further information being provided to the committee to provide the assurance sought; in others, it has resulted in increased focus on the implementation of action plans.
48. The committee has kept its work programme under review and made changes when appropriate. It agreed at its meeting in November to revise its work programme to 'theme' future meetings wherever possible to enable them to focus on 'audit' or 'governance' related matters, in order to help ensure appropriate focus and attention on key issues. This will be kept under review. It also requested the inclusion in future years' work programmes of an item on the whistleblowing policy. The programme will be kept under review.

49. Through its work, the committee is able to confirm that

- the council's system of risk management is adequate to identify risk and to allow the authority to understand the appropriate management of those risks;
- there are no areas of significant duplication or omission in the systems of governance in the authority that have come to the committee's attention and not been adequately resolved.

50. The work programme for the committee for 2011/12 was included elsewhere on the 9 March 2011 agenda for consideration and agreement, and this will be reviewed and amended on an ongoing basis if necessary to help to ensure that the committee can continue to provide assurance of the adequacy of the council's governance arrangements.

### **Policy implications**

47. There are no policy implications in the proposals in this report.

### **Community impact statement**

48. This report is not considered to contain any proposals which would have a significant impact on any particular community or group.

### **Resource implications**

49. There are no direct resource implications in this report.

### **Consultation**

50. There has been no consultation on this report.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Finance Director**

51. The finance director is mindful of the important role of the audit and governance committee and is pleased that it continues to function in line with its terms of reference. He notes that its remit will remain under review as circumstances change.

## **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Financial Governance files	Finance and Resources, Second Floor, Tooley Street	Jo Anson 020 7525 4308

## **APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix A	Measuring the Effectiveness of the Audit and Governance Committee – Self-assessment Checklist

**AUDIT TRAIL**

<b>Lead Officer</b>	Duncan Whitfield, Finance Director	
<b>Report Author</b>	Jo Anson, Head of Financial Governance	
<b>Version</b>	Final	
<b>Dated</b>	11 March 2011	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director for Communities, Law & Governance	No	No
Finance Director	Yes	Yes
<b>Cabinet Member</b>	<b>No</b>	<b>No</b>
<b>Date final report sent to Constitutional Team</b>	24 March 2011	



## Appendix A

### Measuring the Effectiveness of the Audit and Governance Committee – Self-assessment Checklist

Priority	Issue	Yes	No	N/A	Comments/action
<b>ESTABLISHMENT, OPERATION AND DUTIES</b>					
<b>Role and remit</b>					
1	Does the audit committee have written terms of reference?	✓			
1	Do the terms of reference cover the core functions of an audit committee as identified in the CIPFA guidance?	✓			
1	Are the terms of reference approved by the council and reviewed periodically?	✓			
1	Has the audit committee been provided with sufficient membership, authority and resources to perform its role effectively and independently?	✓			
1	Can the audit committee access other committees and full council as necessary?	✓			
1	Does the authority's statement on internal control include a description of the audit committee's establishment and activities?	✓			
2	Does the audit committee periodically assess its own effectiveness?	✓			
2	Does the audit committee make a formal annual report on its work and performance during the year to full council?	✓			
<b>Membership, induction and training</b>					
1	Has the membership of the audit committee been formally agreed	✓			

Priority	Issue	Yes	No	N/A	Comments/action
	and a quorum set?				
1	Is the chair independent of the executive function?	✓			
1	Has the audit committee chair either previous knowledge of, or received appropriate training on financial and risk management, accounting concepts and standards, and the regulatory regime?	✓			In part – training has been and will continue to be provided as required
1	Are new audit committee members provided with an appropriate induction?	✓			
1	Have all members' skills and experiences been assessed and training given for identified gaps?	✓			
1	Has each member declared his or her business interests?	✓			
2	Are members sufficiently independent of the other key committees of the council?	✓			
<b>Meetings</b>					
1	Does the audit committee meet regularly?	✓			
1	Do the terms of reference set out the frequency of meetings?		✓		As for other committees, these are determined each year and reviewed as needed
1	Does the audit committee calendar meet the authority's business needs, governance needs and the financial calendar?	✓			
1	Are members attending meetings on a regular basis and if not, is appropriate action taken?	✓			
1	Are meetings free and open without political influences being displayed?	✓			

Priority	Issue	Yes	No	N/A	Comments/action
1	Does the authority's S151 officer or deputy attend all meetings?	✓			
1	Does the audit committee have the benefit of attendance of appropriate officers at its meetings?	✓			
<b>INTERNAL CONTROL</b>					
1	Does the audit committee consider the findings of the annual review of the effectiveness of the system of internal control (as required by the Accounts & Audit Regulations) including the review of the effectiveness of the system of internal audit?	✓			
1	Does the audit committee have responsibility for review and approval of the SIC (AGS) and does it consider it separately from the accounts?	✓			
1	Does the audit committee consider how meaningful the SIC (AGS) is?	✓			
1	Does the audit committee satisfy itself that the system of internal control has operated effectively throughout the reporting period?	✓			
1	Has the audit committee considered how it integrates with other committees that may have responsibility for risk management?	✓			
1	Has the audit committee (with delegated responsibility) or the full council adopted "Managing the Risk of Fraud – Actions to Counter Fraud and	✓			As reported to Committee in November 2010 an assessment of the Council's arrangements against red book 2 demonstrates a good

Priority	Issue	Yes	No	N/A	Comments/action
	Corruption”?				level of compliance against this best practice guide. Some areas for improvement, were identified which are included within the 2011/12 proactive plan
1	Does the audit committee ensure that the “Actions to Counter Fraud and Corruption” are being implemented?	✓			The proactive plan for Counter Fraud is reported annually, including a report on progress
2	Is the audit committee made aware of the role of risk management in the preparation of the internal audit plan?	✓			
2	Does the audit committee review the authority’s strategic risk register at least annually?	✓			Not yet reviewed in 2010-11 – awaiting report to corporate management team
2	Does the audit committee monitor how the authority assesses its risk?	✓			
2	Do the audit committee’s terms of reference include oversight of the risk management process?	✓			
<b>FINANCIAL AND REGULATORY MATTERS</b>					
1	Is the audit committee’s role in the consideration and/or approval of the annual accounts clearly defined?	✓			
1	Does the audit committee consider specifically: <ul style="list-style-type: none"> <li>• The suitability of accounting policies and treatments</li> <li>• Major judgements made</li> <li>• Large write-offs</li> <li>• Changes in</li> </ul>	✓			In relation to write-offs, the constitution requires write-offs above £50,000 to be approved by the full cabinet, those from £5,000 to £50,000 to be approved by the individual decision maker and those below £5,000 to be approved in

Priority	Issue	Yes	No	N/A	Comments/action
	accounting treatment <ul style="list-style-type: none"> <li>• The reasonableness of accounting estimates</li> <li>• The narrative aspects of reporting?</li> </ul>				accordance with departmental schemes of management
1	Is an audit committee meeting scheduled to receive the external auditor's report to those charged with governance including a discussion of proposed adjustments to the accounts and other issues arising from the audit?	✓			
1	Does the audit committee review management's letter of representation?	✓			
2	Does the audit committee periodically review the accounting policies of the authority?	✓			Considered as part of approval of accounts
2	Does the audit committee gain an understanding of management's procedures for preparing the authority's annual accounts?	✓			
2	Does the audit committee have a mechanism to keep it aware of topical legal and regulatory issues, for example by receiving circulars and through training?	✓			
<b>INTERNAL AUDIT</b>					
1	Does the audit committee approve annually and in detail, the internal audit strategic and annual plans including consideration of whether the scope of	✓			

Priority	Issue	Yes	No	N/A	Comments/action
	internal audit work addresses the authority's significant risks?				
1	Does internal audit have an appropriate reporting line to the audit committee?	✓			
1	Does the audit committee receive periodic reports from the internal audit service including an annual report from the Head of Internal Audit?	✓			
1	Are follow-up audits by internal audit monitored by the audit committee and does the committee consider the adequacy of implementation of recommendations?	✓			
1	Does the audit committee hold periodic private discussions with the Head of Internal Audit?	✓			When required
1	Is there appropriate cooperation between the internal and external auditors?	✓			
1	Does the audit committee review the adequacy of internal audit staffing and other resources?	✓			
1	Has the audit committee evaluated whether its internal audit service complies with CIPFA's Code of Practice for Internal Audit in Local Government in the United Kingdom?	✓			
2	Are internal audit performance measures monitored by the audit committee?	✓			
2	Has the audit committee considered the information it wishes to receive from	✓			

Priority	Issue	Yes	No	N/A	Comments/action
	internal audit?				
<b>EXTERNAL AUDIT</b>					
1	Do the external auditors present and discuss their audit plans and strategy with the audit committee (recognising the statutory duties of external audit)?	✓			
1	Does the audit committee hold periodic private discussions with the external auditor?	✓			When required
1	Does the audit committee review the external auditor's annual report to those charged with governance?	✓			
1	Does the audit committee ensure that officers are monitoring action taken to implement external audit recommendations?	✓			
1	Are reports on the work of external audit and other inspection agencies presented to the committee, including the Audit Commission's annual audit letter?	✓			Where relevant
1	Does the audit committee assess the performance of external audit?	✓			
1	Does the audit committee consider and approve the external audit fee?	✓			Considers but does not approve explicitly
<b>ADMINISTRATION</b>					
<b>Agenda management</b>					
1	Does the audit committee have a designated secretary from Committee/Member Services?	✓			
1	Are agenda papers circulated in advance	✓			

Priority	Issue	Yes	No	N/A	Comments/action
	of meetings to allow adequate preparation by audit committee members?				
2	Are outline agendas planned one year ahead to cover issues on a cyclical basis?	✓			
2	Are inputs for Any Other Business formally requested in advance from committee members, relevant officers, internal and external audit?	✓			Any Other Business may be added to an agenda within 5 clear days of the meeting; in exceptional circumstances, an item may be notified to the chair at the start of the meeting and accepted by the chair as urgent
<b>Papers</b>					
1	Do reports to the audit committee communicate relevant information at the right frequency, time, and in a format that is effective?	✓			
2	Does the audit committee issue guidelines and/or a proforma concerning the format and content of the papers to be presented?	✓			In line with corporate requirements
<b>Actions arising</b>					
1	Are minutes prepared and circulated promptly to the appropriate people?	✓			
1	Is a report on matters arising made and minuted at the audit committee's next meeting?	✓			
1	Do action points indicate who is to perform what and by when?	✓			



This page is intentionally blank.

**COUNCIL ASSEMBLY AGENDA DISTRIBUTION LIST (OPEN) (FULL LIST)  
MUNICIPAL YEAR 2010/11**

**NOTE:** Original held by Constitutional Team; all amendments/queries to  
Lesley John Tel: 020 7525 7228

<b>ONE COPY TO ALL UNLESS OTHERWISE STATED</b>	Copies	To	Copies
<b>Councillors (All)</b>	1 each	<b>Officers</b>	<b>4</b>
<b>Group Offices</b>		Ian Millichap	1
John Bibby, Cabinet Office	1	Sonia Sutton	1
Steven Gauge, Opposition Group Office	1	Robin Campbell	1
		Doreen Forrester-Brown	1
<b>Libraries</b>	<b>4</b>	<b>Constitutional Team</b>	<b>40</b>
Albion / Dulwich / Newington / Local Studies Library	1 each	(6 copies to Lesley John , 2 <sup>nd</sup> Floor, Hub 4, Tooley Street and 34 copies to Lesley John, Town Hall, Peckham)	
<b>Press</b>	<b>2</b>	<b>Trade Unions</b>	<b>9</b>
Southwark News	1	Roy Fielding, GMB	1
South London Press	1	Euan Cameron, Unison	1
<b>Corporate Management Team</b>	<b>8</b>	Tony O'Brien, UCATT	1
Annie Shepperd	1	Michael Davern, NUT	1
Eleanor Kelly	1	James Lewis, NASUWT	1
Deborah Collins	1	Pat Reeves, ATL	1
Gill Davies	1	Miss Sylvia Morris, NAHT	1
Romi Bowen	1	Irene Bishop, ASCL	1
Duncan Whitfield	1	Mick Young TGWU	1
Susannah White	1	<b>Local M.P.</b>	<b>1</b>
Gerri Scott	1	Simon Hughes M.P.	
		<b>Others</b>	<b>2</b>
		Shahida Nasim, Audit Commission, Ground Floor, Tooley Street	1
		Mr. Mark Roelofsen	1
		<b>Total:</b>	<b>140</b>