

Cabinet

Tuesday 19 July 2011

4.00 pm

Town Hall, Peckham Road, London SE5 8UB

Membership

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

Portfolio

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

INFORMATION FOR MEMBERS OF THE PUBLIC

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Webpage: <http://www.southwark.gov.uk>

Members of the committee are summoned to attend this meeting

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



Cabinet

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

Order of Business

Item No.	Title	Page No.
	PART A - OPEN BUSINESS	
	MOBILE PHONES	
	Mobile phones should be turned off or put on silent during the course of the meeting.	
1.	APOLOGIES	
	To receive any apologies for absence.	
2.	NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT	
	In special circumstances, an item of business may be added to an agenda within five clear working days of the meeting.	
3.	DISCLOSURE OF INTERESTS AND DISPENSATIONS	
	Members to declare any personal interests and dispensation in respect of any item of business to be considered at this meeting.	
4.	PUBLIC QUESTION TIME (15 MINUTES)	
	To receive any questions from members of the public which have been submitted in advance of the meeting in accordance with the cabinet procedure rules.	
5.	MINUTES	1 - 15
	To approve as a correct record the minutes of the open section of the meeting held on 21 June 2011.	

Item No.	Title	Page No.
6.	PETITIONS	16 - 17
	To receive a petition on "Save Our Lollipop People" in the Dulwich area.	
7.	DEPUTATION REQUESTS	
	To consider deputation requests received.	
8.	REPORTING THE OUTCOME OF STATUTORY CONSULTATION ON THE PROPOSED AMALGAMATION OF THE ALMA AND ST JAMES CE PRIMARY SCHOOLS AND RECOMMENDING THE CLOSURE OF ALMA PRIMARY SCHOOL ON 31 AUGUST 2011 AND THE ENLARGEMENT OF ST JAMES CE PRIMARY SCHOOL FROM A 1 TO A 2FE PRIMARY SCHOOL FROM SEPTEMBER 1 2011	18 - 31
	To agree to the proposals contained in the statutory notice which will effect the amalgamation of Alma Primary School and St James CE Primary School, by the closure of Alma Primary School on 31 August 2011 and the enlargement of St James CE Primary School from 1 September 2011.	
9.	VOLUNTARY SECTOR DAY SERVICES AND LUNCH CLUBS AND COMMUNITY SUPPORT	32 - 102
	For cabinet to agree:	
	<ul style="list-style-type: none"> • To end council block contracts to voluntary sector open access day services/lunch clubs • To work intensively to embed the personal budget model for users of these services with eligible care and support needs by end August 2011 as an alternative means of income for organisations • To launch an innovation fund, where organisations can bid for funding to support transformation and the development of hubs and encourage future financial self-sustainability. • To implement proposals to decommission community support services for older people (information, advice, advocacy and befriending) from April 2012 and develop a new service specification that supports the objectives of maintaining independence. 	
10.	REVENUE OUTFURN REPORT 2010/11, INCLUDING TREASURY MANAGEMENT	103 - 121
	To approve budget movements and note budget activity.	
11.	THE TRANSPORT PLAN 2011-16	122 - 128
	To agree to the adoption of the final Transport Plan.	

Item No.	Title	Page No.
12.	RESPONSE TO THE HOUSING AND COMMUNITY SAFETY SUB-COMMITTEE'S REVIEW OF UNFINISHED SECURITY WORKS ON FOUR SQUARES ESTATE	129 - 139
	<ol style="list-style-type: none"> 1. To note and agree the response to the recommendations of the housing and community safety scrutiny sub-committee's investigation into the unfinished security work on the Four Squares Estate. 2. To agree that the ongoing monitoring of action plan and progress takes place at the major works monitoring group chaired by the strategic director for housing services. 	
13.	SOUTHWARK ANTISOCIAL BEHAVIOUR STRATEGY 2011-15	140 - 181
	To agree the draft Antisocial Behaviour (ASB) Strategy for Southwark 2011-2015.	
14.	AMENDMENT TO STRATEGIC MANAGEMENT ARRANGEMENTS	182 - 185
	To agree recommendations relating to the strategic management arrangements of the council.	
15.	SOUTHWARK COUNCIL REPRESENTATION ON POTTERS FIELDS PARK MANAGEMENT TRUST	186 - 189
	To agree two representatives of the council to sit on the Potters Fields Park Trust Management.	
16.	42 SHARSTED STREET, SE17 - DISPOSAL OF FREEHOLD INTEREST	190 - 195
	To agree to dispose of the council's freehold interest in 42 Sharsted Street, SE17.	
17.	GATEWAY 1 - PROCUREMENT STRATEGY APPROVAL FOR IT MANAGED SERVICES	196 - 210
	To approve the procurement strategy outlined in the report which utilises the buying solution framework, to procure an IT Managed Service (ITMS).	
18.	DISPOSAL OF 19 SPA ROAD, BERMONDSEY, SE16	211 - 219
	To agree to the disposal of 19 Spa Road, SE16.	

Item No.	Title	Page No.
19.	SALE OF 15 HAMPTON STREET, LONDON SE1	220 - 224
	To agree to the sale of the freehold interest in 15 Hampton Street London SE17 3AN.	
20.	DISPOSAL OF 9 BLENHEIM GROVE, SE15	225 - 229
	To agree to the sale of the freehold interest in 9 Blenheim Grove, London SE15.	
DISCUSSION OF ANY OTHER OPEN ITEMS AS NOTIFIED AT THE START OF THE MEETING		
EXCLUSION OF PRESS AND PUBLIC		
The following items are included on the closed section of the agenda. The Proper Officer has decided that the papers should not be circulated to the press and public since they reveal confidential or exempt information as specified in paragraphs 1-7, Access to Information Procedure Rules of the Constitution. The specific paragraph is indicated in the case of exempt information.		
The following motion should be moved, seconded and approved if the cabinet wishes to exclude the press and public to deal with reports revealing exempt information:		
"That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure Rules of the Constitution. "		
PART B - CLOSED BUSINESS		
21.	MINUTES	
	To approve as a correct record the minutes of the closed section of the meeting held on 21 June 2011.	
22.	GATEWAY 1 - PROCUREMENT STRATEGY APPROVAL FOR IT MANAGED SERVICES	
23.	DISPOSAL OF 19 SPA ROAD, BERMONDSEY, SE16	
24.	SALE OF 15 HAMPTON STREET, LONDON SE1	
25.	DISPOSAL OF 9 BLENHEIM GROVE, SE15	

Item No.

Title

Page No.

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

Date: 11 July 2011



Cabinet

MINUTES of the OPEN section of the Cabinet held on Tuesday 21 June 2011 at 4.00 pm at Town Hall, Peckham Road, London SE5 8UB

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

1. APOLOGIES

All members were present.

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

The chair gave notice of a late deputation request received from a group of young people who wished to speak on the Teenage Pregnancy Commission report.

Additionally, notice of the following additional paperwork circulated after the main agenda despatch was given as follows:

- Officer comments on the deputation request from the Camberwell Baths campaign
- Report from overview and scrutiny committee on the Council Plan
- Additional advice from the deputy chief executive on the draft affordable housing supplementary planning document
- Amended officer comments in respect of item 14 – ‘ A responsible approach’ – Southwark Dog Strategy

3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Item 15 - Livesey Museum update and options

Councillors Catherine McDonald, Fiona Colley, Ian Wingfield and Richard Livingstone declared personal and non prejudicial interests as they were 'Friends' of Livesey Museum.

4. PUBLIC QUESTION TIME (15 MINUTES)

There were no public questions.

5. MINUTES

RESOLVED:

That the open minutes of the meetings held on 17 May and 31 May 2011 be approved as correct records and signed by the chair.

6. DEPUTATION REQUESTS

Camberwell Baths Campaign

The deputation made representations to the cabinet in respect of the proposed allocation of funding for the refurbishment of the sports hall at Camberwell Baths. The deputation requested that capital funding for this work should be considered.

The deputation tabled a document relating to the 'sports hall refurbishment strategy report' which set out the relevant detail.

RESOLVED:

That the representations of the deputation and the comments of the strategic director of environment be noted.

7. CAPITAL PROGRAMME 2010/11 OUTTURN REPORT

RESOLVED:

1. That the outturn position for 2010/11 for the general fund capital programme including the overall position of the programme from 2010-19 (appendix A of the report) be noted.
2. That the outturn position for 2010/11 for the housing investment programme including the overall position of the programme from 2010-16 (appendix B of the report) be noted.
3. That the virements and funded variations to the general fund capital programme

(appendix C of the report) be approved.

4. That the reprofiling of expenditure and resources into the 2011-19 general fund capital programme (appendix D of the report) be approved.

8. CAPITAL PROGRAMME 2011-2021

RESOLVED:

1. That the refreshed 10-year general fund capital programme 2011–2021, as detailed in appendices A and F of the report be agreed for recommendation to council assembly to be held on 6 July 2011.
2. That the Housing Investment Programme 2011–2016 as detailed in appendix B of the report be agreed.
3. That the application of New Homes Bonus over the period to 2016/17 to finance the capital programme be agreed.
4. That the application of the Local Public Service Agreement (LPSA) Reward Grant to finance the capital programme be agreed.
5. That the refreshed capital programme for 2012-22 be formally reported to cabinet in February 2012 to ensure council priorities continue to be met and following announcement of the successful Olympic legacy bids.

NOTE: In accordance with overview and scrutiny procedure rule 22.1(a) (budget and policy framework) decision 1 is not subject to call-in.

9. SOUTHWARK SCHOOLS FOR THE FUTURE (SSF): UPDATE TO CABINET AND DELEGATION OF AWARD OF CONTRACTS

RESOLVED:

Decisions of the Cabinet

1. That it be noted that phase 2 of Southwark's Schools for the Future (SSF) programme has reached financial close within the affordability parameters previously approved by cabinet (15 June 2010).
2. That the outcome of the Building Schools for the Future (BSF) Legacy Review and the current status of the BSF projects that were subject to that review be noted.
3. That the status of the New School Rotherhithe project and that a further report will be brought to cabinet in relation to proposals for the delivery of new places in Rotherhithe and the financial implications thereof be noted.
4. That it be noted that the Southwark Schools for the Future (SSF) Project Director will continue to work with children's services, finance and resources, the schools,

governing bodies & diocesan authorities to identify other budgets in order to minimise the necessary financial contribution from the council, in accordance with the executive decision 2 May 2007.

Decisions of the Leader of the Council

5. That authority be delegated to the cabinet member for children's services in consultation with the strategic director of children's services to approve the contract award for the contracts set out in table 2 of the report, subject to:
 - confirmation of funding from Partnerships for Schools;
 - the council's financial contribution being within the parameters set out in table 4 of the report.

6. That authority be delegated to the cabinet member for children's services in consultation with the strategic director of children's services to enter into the development agreements with the school counterparties set out in table 3 of the report.

DEPUTATION REQUEST FROM A GROUP OF YOUNG PEOPLE - TEENAGE PREGNANCY COMMISSION OUTCOMES AND RECOMMENDATIONS

A group of young people attended the cabinet meeting to express their support for the work of the Teenage Pregnancy Commission and confirmed their input and contribution to its work. Cabinet expressed their thanks for their efforts in this work.

RESOLVED:

That the representations of the deputation be noted.

10. TEENAGE PREGNANCY COMMISSION OUTCOMES AND RECOMMENDATIONS

Esy Oluwafemi, chair of the Teenage Pregnancy Commission presented their report to the cabinet.

Cabinet expressed their thanks to Esy Oluwafemi for her hard work and contribution to the Commission.

RESOLVED:

1. That the report of the Teenage Pregnancy Commission and its recommendations, as described in Appendix 1 of the report and the opportunities to actively support the implementation of the recommendations across all cabinet portfolios be noted.

2. That the responsibility for developing an implementation plan and accompanying governance structures for the commission's recommendations rest with the strategic director for children's services, in consultation with the cabinet member for children's services.

3. Cabinet notes the need for any future communications campaign to be balanced in its messages of delaying sex and pregnancy, and promoting the safe use of contraception, to ensure that young people are encouraged and supported to make positive choices.

11. COUNCIL PLAN

The comments received from the overview and scrutiny committee were considered in conjunction with this report.

Officers tabled portfolio schedules relating to the council plan and detail relating to the monitoring arrangements.

RESOLVED:

Decision of the Cabinet

1. That the content of the report as amended in cabinet that makes up the council plan, noting the fairer future promises be recommended for approval to council assembly on 6 July 2011.

Decision of the Leader

2. That the agreement of any final minor amendments to the report for council assembly be delegated to the cabinet member for regeneration and corporate strategy.

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

12. MEDIUM TERM RESOURCES STRATEGY 2011/12-2013/14

An amendment to fourth bullet point under housing finance (appendix 1 to the report) was also noted; the addition of leaseholders to the calculation of service charges.

RESOLVED:

That the refreshed medium term resources strategy to provide the framework for the management of the council's resources over the next three years (2011/12 to 2013/14) be agreed.

13. RE-PROVISION OF LIBRARY INCLUDING A RESOURCE CENTRE FOR CAMBERWELL

Decisions of the Cabinet

1. That the re-provision of premises for the Camberwell library, which will include a new resource centre and be located on the site in front of the Magistrates' Court be

approved.

2. That the allocation of a capital budget for this project as part of the Modernise 2 programme be noted.

Decision of the Leader of the Council

3. That the approval of a detailed business plan, within both the agreed capital budget allocation (as part of the Modernise 2 programme) and the existing revenue budget as identified in the finance director's concurrent report be delegated to the cabinet member for finance, resources and community safety.

14. 'A RESPONSIBLE APPROACH' - SOUTHWARK DOG STRATEGY 2011- 2014

Amended comments from the finance director and strategic director of communities, law & governance were circulated.

RESOLVED:

1. That "A responsible approach" - Southwark Dog Strategy 2011–14 and its recommendations be agreed.
2. That the possible future changes in the national policy environment as per the Home Office's current consultation on anti social behaviour (ASB) tool-kits "more effective responses to anti social behaviour- a consultation" be noted and officers return with a further report when the national guidance is issued.

15. LIVESEY MUSEUM UPDATE AND OPTIONS

RESOLVED:

1. That officers be instructed to re-open the search for an alternative user for the building within the Objects of the Trust, with the requirements that:
 - Proposals must meet the original objectives of the Trust, i.e. a free public library or any other objectives of an educational or cultural nature
 - Proposals must be financially viable with secure and robust revenue arrangements as well as funding for any associated capital works that schemes may require
2. That officers report back to cabinet on the outcomes of the search for an alternative user and options for the way forward.

16. DRAFT AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT

The deputy chief executive circulated additional advice in respect of this item.

RESOLVED:

1. That the following be agreed for consultation:
 - The draft Affordable Housing Supplementary Planning Document (SPD). (appendix A)
 - The Equalities Impact Assessment (appendix C)
 - The Sustainability Appraisal (appendix D)
2. That the consultation plan (appendix B) be agreed.

17. AUTHORISATION OF DEBT WRITE-OFFS OVER £50,000 FOR NATIONAL NON DOMESTIC RATES - REVENUES & BENEFITS SERVICE**RESOLVED:**

That approval be given for write off of the debt of £2,763,733.26 for 4 debts which are irrecoverable.

18. DISPOSAL OF SITE 19 ELEPHANT AND CASTLE**RESOLVED:**

1. That the council enters into an agreement to transfer part (parcel B on the accompanying plan to the report) of the existing leisure centre to Lend Lease or their nominated company (Elephant and Castle) Ltd ("LL") on the principal terms set out in the closed version of the report.
2. That the head of property be authorised to agree the detailed terms of the agreement for lease and subsequent lease or if appropriate freehold transfer.
3. That in accordance with section 122 of the Local Government Act 1972 the land shown edged on the plan at the appendix to the report is appropriated from the purpose of leisure to planning purposes and in particular purposes set out in section 237 of the Town and Country Planning Act 1990.

19. IMPROVED TERMS FOR THE SALE OF SITES A AND B AT CANADA WATER**RESOLVED:**

1. That the changes to the contract for the sale of site A and most of site B at Canada Water (see the plans attached as appendices 1 and 2 to the report) as set out in paragraph 6 of the report be approved.
2. That the level of planning overage to be paid to the council as detailed in the report on the closed agenda be noted.

20. COMBINED GATEWAY 1 PROCUREMENT STRATEGY - APPROVAL AND GATEWAY 2 CONTRACT EXTENSION AWARD FOR THREE PARKING AND TRAFFIC ENFORCEMENT CONTRACTS

RESOLVED:

1. That the procurement strategy outlined in the report for the parking and traffic enforcement contracts be approved.
2. That approval to allow negotiation with a single supplier in line with contract standing orders (CSO 4.3.3) be given.
3. That the award of three parking and traffic enforcement contracts to APCOA Parking UK Ltd for a period of one year (with a six month extension) be approved. The awards will be effected by way of a variation to the existing contracts. The new contract period will therefore run from 1 July 2011 to 30 June 2012.

21. GATEWAY 1 PROCUREMENT STRATEGY APPROVAL - SUPPLY OF GAS TO SITES CONSUMING LESS THAN 25,000 THERMS

RESOLVED:

1. That the procurement strategy outlined in the report for the supply of gas to all sites consuming less than 25,000 therms at an estimated value outlined in the closed version of the report be approved.
2. That the use of a Consortium to award the supply of gas to all sites consuming less than 25,000 therms for a four year period from October 2012 be approved.
3. That the evaluation of the two buying consortia for the award of the contract proposed in the report, namely LASER and Buying Solutions be approved.

22. GATEWAY 1 PROCUREMENT STRATEGY APPROVAL - SUPPLY OF GAS TO SITES CONSUMING MORE THAN 25,000 THERMS

RESOLVED:

1. That the procurement strategy outlined in the report for the supply of gas to all sites consuming over 25,000 therms at an estimated value outlined in the closed version of the report be approved.
2. That the use of a Consortium contract to award the supply of gas to all sites consuming over 25,000 therms for a four year period from October 2012 be approved.
3. That the evaluation of the two buying consortia for the award of the contract proposed in the report, namely LASER and Buying Solutions be approved.

23. APPOINTMENTS TO OUTSIDE BODIES 2011/12**RESOLVED:**

1. That appointments to the outside bodies for 2011/12 set out in appendix A be agreed as follows:

Age Concern London

Councillor Dora Dixon-Fyle

Better Bankside Board

Councillor Adele Morris

Browning Estate Management Board

Councillor Martin Seaton
Councillor Darren Merrill
Two officer representatives

Canada Water Consultative Forum

Councillor Fiona Colley
Councillor Michael Situ
Councillor Paul Noblet
Councillor Wilma Nelson

Central London Forward

Councillor Peter John

Centre for Language in Primary Education

Councillor Catherine McDonald

Creation Trust (The New Aylesbury Trust Limited)

Councillor Fiona Colley
Councillor Dan Garfield
Councillor Abdul Mohamed

Cross River Board

Councillor Fiona Colley

Crystal Palace Community Development Trust

Councillor Lewis Robinson

Cycling England (Member Champion for Cycling)

Councillor Abdul Mohamed

Greater London Enterprise Limited

Councillor Fiona Colley

Green Chain Joint Committee

Councillor Barrie Hargrove
Councillor Victoria Mills

Groundwork Borough Steering Group

Councillor Barrie Hargrove
Councillor Mark Glover
Councillor James Barber
Councillor Toby Eckersely

Groundwork South London Sub-Regional Sub-Committee

Councillor Barrie Hargrove

Guys and St. Thomas NHS Foundation Council of Governors

Councillor Dora Dixon-Fyle

Lambeth and Southwark Housing Association Limited

Councillor Ian Wingfield

Lee Valley Regional Park Authority

Councillor Veronica Ward

Local Government Association (LGA) Urban Commission

Councillor Peter John (3 votes)
Councillor Anood Al-Samerai (2 votes)

London Accident Prevention Council (LPAC)

Councillor Dora Dixon-Fyle
1 vacancy

London Youth Games Limited

Councillor Veronica Ward
Councillor Catherine McDonald (deputy)

North Southwark Environment Trust

Councillor Barrie Hargrove

South Bank Partnership

Councillor Fiona Colley
Councillor Geoffrey Thornton
Councillor Adele Morris
Councillor David Noakes

South Bank and Bankside Cultural Quarter Directors Board

Councillor Veronica Ward

South London Gallery Trustee Limited

Councillor Darren Merrill
Councillor Catherine Bowman
Councillor Robin Crookshank-Hilton

South London and Maudsley (SLaM) NHS Trust Members Council

Councillor Dora Dixon-Fyle

Southwark and Lambeth Archaeological Excavation Committee (SLAEC)

Councillor Darren Merrill
Bob Skelly (deputy)

Southwark Cathedral Education Centre

Councillor Cleo Soanes

Southwark Community Leisure Ltd. (Fusion) Management Board

Councillor Veronica Ward
Councillor Columba Blango
Councillor Michael Mitchell

Southwark Lesbian, Gay, Bi-sexual and Trans (LGBT) Forum

Councillor Catherine McDonald
Councillor Abdul Mohamed
Councillor Mark Gettleson

Southwark Police and Community Consultative Group

Councillor Althea Smith
Councillor Cleo Soanes

Councillor Kevin Ahern
 Councillor Mark Williams
 Councillor Martin Seaton
 Councillor Linda Manchester
 Councillor Eliza Mann
 Councillor Michael Bukola
 Councillor Poddy Clark
 Councillor Lewis Robinson

Team London Bridge

Councillor Mark Gettleson

Waterloo Quarter Business Alliance – Southwark (Business Improvement District)

Councillor David Noakes

2. That Southwark Local Strategic Partnership (LSP) and thematic boards (Appendix B of the report) for which cabinet member involvement is required be noted.

24. NOMINATIONS TO PANELS, BOARDS AND FORUMS 2011/12

RESOLVED:

1. That the allocation of places to the panels, boards and forums set out in appendix A of the report for the 2011/12 municipal year be agreed and members nominated as follows:

Adoption Panel

Councillor Althea Smith

Admissions Forum

Councillor Catherine McDonald
 Councillor Adele Morris

Fostering Panel

Councillor Victoria Mills

Joint Partnership Panel (Trade-Union Consultation)

Councillor Peter John
 Councillor Richard Livingstone

Leaseholders Arbitration Panel

Councillor Althea Smith

Councillor Right Reverend Emmanuel Oyewole
Councillor Norma Gibbes
Councillor Mark Glover
Councillor Martin Seaton
Councillor Victoria Mills
Councillor Andy Simmons
Councillor Wilma Nelson
Councillor Poddy Clark
Councillor Eliza Mann
Councillor Jeff Hook
Councillor Tim McNally
Councillor Michael Bukola
Councillor Linda Manchester
Councillor Geoffrey Thornton

Pensions Advisory Panel

Councillor Richard Livingstone
Councillor Tim McNally
Councillor Toby Eckersley

Secure Accommodation Panel

Councillor Patrick Diamond
Councillor Helen Morrissey (reserve)
Councillor Lisa Rajan
Councillor Wilma Nelson (reserve)

Southwark Safeguarding Children's Board

Councillor Catherine McDonald

Standing Advisory Council on Religious Education

Councillor Cleo Soanes
Councillor Right Reverend Emmanuel Oyewole
Councillor Columba Blango
Councillor Poddy Clark

Tenancy Agreement Arbitration Panel

Councillor Althea Smith
Councillor Right Reverend Emmanuel Oyewole
Councillor Rowena Davis
Councillor Norma Gibbes
Councillor Helen Morrissey
Councillor Mark Williams
Councillor Mark Glover
Councillor Victoria Mills
Councillor Andy Simmons
Councillor Wilma Nelson

Councillor Poddy Clark
 Councillor Eliza Mann
 Councillor Jeff Hook
 Councillor Tim McNally
 Councillor Michael Bukola
 Councillor Linda Manchester
 Councillor Geoffrey Thornton

Tenants Management Organisation Liaison Committee

Councillor Claire Hickson
 Councillor Darren Merrill
 Councillor Tim McNally
 Councillor Geoffrey Thornton

2. That Councillor Richard Livingstone be appointed as the chair of the Pensions Advisory Panel and Councillor Tim McNally vice-chair.

EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

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

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

25. MINUTES

The minutes of the closed section of the meeting held on 17 May 2011 were approved as a correct record and signed by the chair.

26. AUTHORISATION OF DEBT WRITE-OFFS OVER £50,000 FOR NATIONAL NON DOMESTIC RATES - REVENUES & BENEFITS SERVICE

The cabinet considered the closed information relating to this report. See item 17 for decision.

27. DISPOSAL OF SITE 19 ELEPHANT AND CASTLE

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

28. IMPROVED TERMS FOR THE SALE OF SITES A AND B AT CANADA WATER

The cabinet considered the closed information relating to this report. See item 19 for decision.

29. COMBINED GATEWAY 1 PROCUREMENT STRATEGY - APPROVAL AND GATEWAY 2 CONTRACT EXTENSION AWARD FOR THREE PARKING AND TRAFFIC ENFORCEMENT CONTRACTS

The cabinet considered the closed information relating to this report. See item 20 for decision.

30. GATEWAY 1 PROCUREMENT STRATEGY APPROVAL - SUPPLY OF GAS TO SITES CONSUMING LESS THAN 25,000 THERMS

The cabinet considered the closed information relating to this report. See item 21 for decision.

31. GATEWAY 1 PROCUREMENT STRATEGY APPROVAL - SUPPLY OF GAS TO SITES CONSUMING MORE THAN 25,000 THERMS

The cabinet considered the closed information relating to this report. See item 22 for decision.

The meeting ended at 7.12pm

CHAIR:

DATED:

DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 21 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, WEDNESDAY 29 JUNE 2011.

WITH THE EXCEPTION OF ITEMS 8 AND 11 WHICH FORM PART OF THE BUDGET AND POLICY FRAMEWORK, THE ABOVE DECISIONS WILL NOT BE IMPLEMENTABLE UNTIL AFTER THAT DATE. SHOULD A DECISION OF THE CABINET BE CALLED-IN FOR SCRUTINY, THEN THE RELEVANT DECISION WILL BE HELD IN ABEYANCE PENDING THE OUTCOME OF SCRUTINY CONSIDERATION.

Item No. 6.	Classification: Open	Date: 19 July 2011	Meeting Name: Cabinet
Report title:		Petition – Save Our Lollipop People	
Ward(s) or groups affected:		East Dulwich/Village	
From:		Strategic Director of Communities, Law & Governance	

RECOMMENDATION

1. That the cabinet consider a petition from the local community regarding the proposal to withdraw school crossing patrols on two separate junctions on East Dulwich Grove.

BACKGROUND INFORMATION

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

KEY ISSUES FOR CONSIDERATION

5. A petition containing 3563 signatures has been received from the local community. The petition states:

"The petition is signed in protest at the proposed removal of the 3 lollipop people who work on the two schools crossings on East Dulwich Grove. One of these persons works on the crossing patrol at the junction of Village Way, Red Post Hill, East Dulwich Grove and Dulwich Village and the two lollipop people on the crossing at the Townley Road/East Dulwich Grove Junction."
6. The petitioners state that this petition contains signatures from a large cross section of the community, including a significant number from young people who are affected by the proposals.
7. The cabinet should decide how to respond to the petition at this meeting. A decision could be made to:
 - Take the action the petition requests
 - Not to take the action requested for reasons put forward in the debate, or
 - To commission further investigation into the matter.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Comments of the Strategic Director of Environment

8. The council secures through its parking enforcement contract with APCOA 52 school crossing patrol officers covering 46 locations. The costs of the school crossing patrol service were £274,578 in 2010/11. As part of the budget making for 2011/12 a saving of £50,000 has been agreed for this service.
9. Potential savings were identified at the eight locations where patrols operate in addition to signal controlled crossings and each of these locations was surveyed by the council road safety team during April 2011. As a result seven locations were identified where it was felt that the removal of the patrol would not lead to a significant reduction in road safety and in June these schools were notified that as of the autumn term 2011 the patrols would cease to operate.
10. The council has received a large number of concerns from the community about these changes to the school crossing patrol service. Having listened to those concerns and as a result of them, the council has secured funding from reserves to pay for the school crossing patrol service unchanged for another 12 months to allow time for schools and residents to develop a community response. As such, funding will not be in place beyond the end of the next school year. The schools have been informed of this.
11. Officers will be contacting the schools during the Autumn term 2011/12 to discuss how the council may assist in them in developing a longer-term solution.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Petition from the local community – “Save our lollipop people”	160 Tooley Street, London SE1 2QH	Everton Roberts 020 7525 7221 / Paula Thornton 020 7525 4395

AUDIT TRAIL

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

Item No. 8.	Classification: Open	Date: 19 July 2011	Meeting Name: Cabinet
Report title:		Reporting the outcome of statutory consultation on the proposed amalgamation of the Alma and St James CE Primary Schools and recommending the closure of Alma Primary School on 31 August 2011 and the enlargement of St James CE Primary School from a 1 to a 2FE Primary School from September 1 2011	
Ward(s) or groups affected:		Grange and Riverside	
Cabinet Member:		Councillor Catherine McDonald, Children's Services	

FOREWORD – COUNCILLOR CATHERINE MCDONALD, CABINET MEMBER FOR CHILDREN’S SERVICES

This report details the outcome of the statutory consultation on the proposed amalgamation of Alma Primary School with St James CE Primary School, which will be achieved by the closure of the former school and the enlargement of the latter. Amalgamation is the best option for supporting Alma school, which is a failing school that is subject to a Notice to Improve. It formally puts in place arrangements that have been made through a soft federation between the two schools, which has already led to improvements at Alma school. Amalgamation would have a continuing positive effect on standards because all pupils at both schools would be taught at one outstanding school.

The appropriate consultation has been carried out with all the local stakeholders, including all the parents of both schools. Both schools' governing bodies have voted in favour of the proposals. There were more comments as a result of the initial consultation and these were addressed before the statutory notice was published. There have only been two responses to the notice; one for and one against amalgamation. These responses are appraised in the report, which recommends that the amalgamation proceeds.

The number of places (excluding the bulge class) will be the same after the merger as before.

RECOMMENDATIONS

1. That the Cabinet agrees the proposals contained in the statutory notice which will effect the amalgamation of Alma Primary School and St James CE Primary School, by the closure of Alma Primary School on 31 August 2011 and the enlargement of St James CE Primary School from 1 September 2011.
2. That the Cabinet agrees to delegate authority to the Head of Property to agree terms for the disposal of an appropriate interest in the Alma school site in accordance with the provisions set out in the Strategic Director of Communities, Law and Governance’s concurrent.

BACKGROUND INFORMATION

3. On February 17 2011 the Cabinet Member for Children's Services agreed in principle to a proposal to consult on the amalgamation of Alma and St James CE Primary Schools, by the closure of the former and enlargement of the latter.
4. The outcome of the initial consultation was reported to the Cabinet Member for Children's Services in April 2011 who agreed the publication of a statutory notice proposing to close Alma Primary School on 31 August 2011 and enlarge St James CE Primary School from 1 September 2011.
5. The responses to the statutory notice have been as follows - one for and one against amalgamation. These are addressed later in this report. The Alma and St James CE Primary School governing bodies have voted unanimously in favour of the proposals at their spring term meetings.
6. Alma Primary School was a school in special measures and is currently subject to a Notice to Improve. It is part of a 'soft federation' with St James C of E Primary School under the executive headship of the substantive head of St James, which has been graded as 'outstanding' by Ofsted. The school serves the same community as Alma in the Bermondsey Community Council Area. The immediate advantage of this amalgamation would be that Alma Primary School would be merged with St James' CE, and in so doing would lose the Notice to Improve and gain the expertise and support of the outstanding school.
7. The Southwark Diocesan Board is supportive of the proposal. It is proposed that St James would take over the Alma school accommodation and all the pupils at Alma school would have a place at the newly enlarged St James CE primary. It is envisaged that the St James CE site will be used for Key Stage 1 and the Alma site will be used as Key Stage 2.

KEY ISSUES FOR CONSIDERATION

Policy implications

Effect on standards, contribution to school improvement

8. Alma Primary School is a failing school which currently has a Notice to Improve. The Council has a duty to promote high standards when carrying out its education functions and therefore reviews all its failing schools to ensure that they are turned round and become good schools.
9. In the case of Alma Primary School the Local Authority established a soft federation with St James CE Primary School, which is an outstanding school that has achieved excellent results – in 2010 100% of pupils at KS2 achieved above Level 4 in English and Maths and the school had a Contextual Value Added (CVA) KS1-2 score of 104.3, whereas Alma had 55% achieving above Level 4 in English and Maths and a CVA KS1-2 score of 99.0. St James CE was recognised by Ofsted as a very successful school particularly on account of the school management and the quality of teaching, which would continue into the new enlarged school.
10. Both schools are one form entry primary schools. Alma school currently has 197 pupils, St James has 207 pupils. St James CE Primary School is on Old

Jamaica Road SE16 and Alma Primary School is in Alexis Street SE16. The two schools are some quarter of a mile apart.

11. The St James' headteacher has already begun improving Alma Primary School. Good systems and focused learning will achieve the transformation to a single outstanding school. The staff team will work with the parents and children to achieve high standards for all children within the school community. The amalgamation would have a positive impact on standards because all the pupils at the two schools would be taught at an outstanding school, thus raising local standards and narrowing attainment gaps.
12. Alternative options to amalgamation that were considered include the closure of Alma Primary School, but, in the context of rising rolls, this would have resulted in too few primary places in the area. A change in school management would not meet the DfE requirement that the Council make arrangements to deal with the failing Alma school as soon as possible. The view was also taken that the amalgamation option was preferable to making the school an academy. It was felt that there were greater benefits to be derived for the local community as a two form entry school than as a one form entry academy. The two form entry model is considered to offer an optimum balance in terms of size, large enough to attract a budget to support an extended curriculum whilst retaining the character of a small school. The present proposals ensure that the amalgamated school remains within the local family of schools and, importantly draws immediate benefit from the outstanding practice at St. James.

Balance of denominational provision

13. St James CE 's current admission policy is determined by the governors and gives priority to 'Looked after' children and then those with a Church affiliation. The school offers places on the basis of those children whose parents worship at St James Church Bermondsey or other church affiliated to Churches Together in England and who live in the school's catchment area. All places could be denominational but in practice the school has a mix of denominational and community places. As it stands children from families who are regular attendees at Church are allocated a place first, in line with the published criteria. Remaining places are then allocated to siblings of children on the roll and then to those living nearest the school. In practice St James offers a mix of denominational and non denominational places. Alma school provides 30 community places using the Council's stated criteria.
14. The governors of St James CE Primary School have agreed to provide 20 denominational and 40 community places in each intake year when the school is enlarged to 2FE. Although this would nominally provide more community places than at present, ultimately because the school currently has a mix of denominational and community places the balance of denominational and community places in the area is likely to remain the same. As St James CE is its own admission authority, it will apply to the Secretary of State to seek an in year variation to its published admission arrangements for 2012/13.
15. Pupils from both schools will continue to have access to extended services, opportunities for personal development and measures to address barriers to participation and support for children and young people with particular needs.

Need for places

16. School roll projections are updated annually; the projections for the borough as a whole show the need for additional reception places from September 2011, including in the north of the borough. It would not be possible to simply close Alma school without making alternative arrangements. By amalgamating it into an enlarged St James CE School, it therefore provides places for all the current pupils at Alma.
17. The increasing pressure for places across the borough is being met by the provision of bulge classes at a number of primary schools across the borough, including at Alma school. It will be possible to provide a bulge class for the newly amalgamated school within the existing accommodation. St James CE and Alma have both filled up at reception this year and both schools were oversubscribed (based on all their preferences) for September 2011.
18. The bulge class at Alma school in September 2011 supports the Council's commitment to ensure that there are sufficient primary places for local children. It will also bring additional resources to the amalgamated school and mean that more parents obtain a place at a school of choice.
19. The permanent enlargement of St James CE will therefore see the expansion of a successful and popular school, which has very good performance, is oversubscribed at first preference and is an outstanding school.

Admissions policy

20. As confirmed above the governing body of St James sets its own admissions criteria and has agreed that the enlarged school would offer community places as well as denominational ones.
21. The newly amalgamated school would come into operation in September 2011 after the 2011/12 admissions round has been completed therefore places have been allocated on the basis of the current criteria.

Impact on the community and travel

22. Maintaining access to extended services in the area has been considered. The amalgamated school will provide improved extended services. The amalgamated school will also continue to play its part in achieving local community cohesion.

Travel and accessibility for all

23. The amalgamation would not unreasonably extend journey times or increase transport costs. It is proposed there will be a walking bus between the two school sites.

Funding the costs of amalgamation

24. The St James' governing body agreed to proceed with the statutory notice stage of the process on the basis that there are certain financial costs associated with the amalgamation that should be met by the authority. These include the Council agreeing to underwrite expenses incurred in respect of removal costs and redundancy costs incurred in January 2012 as a result of the new staffing

structure. In addition the governing body want the authority to carry out any necessary building works to the Alma building.

25. The Local Authority will consider whether they are able to meet the redundancy costs at the Support for Schools in Difficulty Panel. This process requires the production of a robust business case and the school having followed an agreed re-organisation procedure and is subject to available resources and the schools financial position. It would be possible to meet the costs of removals from current revenue budgets.
26. The necessary building works include refurbishing the kitchen and ground floor toilets, works to fire doors and the heating, easing windows, some internal redecoration and works to the entrance. These works have been identified by the school as a result of an inspection report. It is proposed that the urgent health and safety works, such as refurbishing the kitchen, toilets and fire doors, are carried out as soon as possible. The capital resources would be found from future capital resources which are the subject of the capital report considered by Cabinet on 21 June.

Community impact statement

27. An Equality Impact Assessment has been carried out. Both schools serve an area of deprivation. Amalgamating St James with Alma by enlarging St James and closing Alma will enable more pupils in the local community to benefit from the improved standards at an outstanding school, which will offer both denominational and more community places than are currently available.

Views of interested parties

28. In carrying out the initial consultation process in March 2011 on the amalgamation of Alma with St James by the closure of Alma school and the enlargement of St James CE from 1 to 2 FE, letters were sent to the following education stakeholders: parents and carers of pupils and staff at both schools, Headteachers and chairs of governors of all Southwark schools, Councillors, local MPs, the Southwark Diocesan Board and Commission, trade unions and Directors of neighbouring authorities.
29. Meetings for parents and carers and staff to discuss the proposal were held in March 2011 at both schools.
30. The outcome of the initial consultation in March 2011 is included in Appendix 1 with officer comments in response to the issues raised. There were more responses to the initial consultation in favour from the two school communities than against the amalgamation.
31. The responses to the statutory notice (published in May for consultation until 24 June 2011) include one from a St James CE parent who is opposed to the proposed amalgamation, and has requested a referendum of parents on the issue as he felt that the St James' parents were opposed to the amalgamation and that the initial consultation had not given the opportunity for this to be demonstrated. He also asked whether other alternatives were considered, such as the closure of Alma, providing a new headteacher, making it into an academy or phasing the enlargement of St James. He feels that the amalgamation will be a retrograde step as far as St James is concerned and would have an adverse effect on the pupils at an important time in their educational development.

32. In response, all parents were given the opportunity to comment on the proposed amalgamation as letters were sent to every home. There were a considerable number of responses, from parents from both schools. Of the total of 86 responses to the initial consultation 64 (74%) were in favour of the amalgamation. Of this total 77 responses were from the two schools, Alma and St James, community of parents, staff and governors. 56 responses from the two schools (73%) were in favour of amalgamation. Alternatives were considered as detailed in paragraph 12 above. The provision of a new headteacher would not meet the DfE requirement that the Council make arrangements to deal with the failing Alma school as soon as possible. Phasing the enlargement of St James would mean that Alma would have to remain open, as there would not be room for the displaced pupils from the older age groups in other schools in the area. Every effort is being and will be made to ensure that the proposed amalgamation does not have any adverse effect on pupils at both schools.
33. A second response has been received in support of the proposed amalgamation from the vice chair of the St James' governing body who is also chair of the Alma governing body. He confirms that the consultation process has been rigorous and exhaustive and that the schools have done everything possible to listen to concerns and implement suggestions where possible. His overwhelming impression is that the majority of parents and children are in favour of the proposals and that only a very small minority are opposed because of the impact unsettling their children but not against the principle. The impact of the executive headteacher and her team on Standards at Alma since September was judged by a lead HMI Inspector on 25 May 2011 as making 'good progress'. Continuous monitoring at St James shows that the school continues to provide an outstanding education for all its children, which the vice-chair has every confidence will be continued in the amalgamated school.
34. The vice-chair confirms both schools will gain from the proposed amalgamation as the St James site is very cramped and cannot be easily expanded. Combining the KS2 of both schools on the Alma site enables both schools to take advantage of the spare space available at the Alma site. Conversely the younger children at KS1 can then expand on the St James site and more facilities suitable for their age group can be provided.
35. Two forms of entry allow much more pupil interaction and help children to make easier transition to secondary school. Economies of scale will free up finances to provide more specialist teachers in sport, music, drama and the arts and further enrich the curriculum.
36. Staff at Alma will work alongside the outstanding team at St James thus expanding their capacity and professional capability. For all these reasons the amalgamation will greatly benefit the children at both schools.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

Cabinet is advised to agree the recommendation contained in the statutory notice and amalgamate Alma Primary School with St James CE Primary School, by the closure of the former and expansion of the latter.

Legislative basis

37. The Local Authority has school reorganisation duties enabled by the Education and Inspections Act 2006 and inserted into the Education Act 1996. The Local Authority is therefore enabled to effect changes to schools in its area. The regulatory provision governing school expansion is found in the School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 and the regulatory provision governing school closure is found in the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007.
38. The Local Authority has a statutory duty under s.14 Education Act 1996 to ensure there is sufficient primary provision and suitable special educational needs provision available in Southwark.
39. Alma Primary School is a community school and the Local Authority may determine proposals to close the school. St. James CE School is a voluntary aided school and its Governing Body (or the LA) may determine proposals to expand the school by enlargement. Proposals involving the closure of school and amalgamation with a more successful and popular school are normally likely to be approved subject to the LA providing sound educational evidence to Cabinet as the decision maker.
40. A consultation process has taken place, following which the Lead Member for Children's Services agreed to publish the statutory notice to close Alma Primary School and enlarge St James CE Primary School. The proposals are related to each other and therefore there was a 6 week period for representations to be made.
41. All Cabinet members in making the final decision, must take into account, the guidance "Closing a Maintained Mainstream School – A Guide for Local Authorities and Governing Bodies" updated 1 February 2010. In respect of the proposal to expand St James' CE School by enlargement, Cabinet must take into account the guidance "Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form" updated 1 February 2010. In particular, Cabinet must have regard to the statutory decision makers guidance which is set out in Stage 4 of each of the afore mentioned guidances, and copies must be made available to Cabinet Members for consideration.
42. Cabinet may reject, approve or approve the proposals with a modification or condition. A decision must be made within 2 months of the end of the representation period, and if not the decision must be referred immediately to the Office of the Schools Adjudicator.
43. If Cabinet is minded to approve the recommendation, it will effect the amalgamation from September 2011 and the proposals must be implemented by the published date. In consideration of the risk of judicial review Cabinet members are referred to the requirements of the statutory guidance and the need to ensure engagement with the views of stakeholders.
44. Cabinet is advised to note the equality implications arising from the Equality Impact Assessment in the Community Impact Statement above.

Property issues

45. The legislation for the provision of a the new site is contained in paragraph 4 of Part II of Schedule 3 to the School Standards and Framework Act 1998. This states than in the case of a voluntary aided school, the local education authority shall provide any new site which is to be provided in addition to or instead of the school's existing site. Where a site is provided, the local education authority is required to transfer their interest in the site and in any buildings on the site which are to form part of the school premises to the trustees of the school to be held by them on trust for the purposes of the school or if the school has no trustees to the school's foundation body to be held by that body for the relevant purposes. The Council is also required to pay the reasonable costs in connection with the transfer to the person to whom the transfer is made.
46. If work is required to be done for the purpose of clearing it or making it suitable for building purposes, the local education authority and the governing body may make an agreement providing for the making of such payments or of such other adjustments of their respective rights and liabilities as will secure that the cost of the work is borne by the authority. If there are buildings on site which are of value for the purposes of the school, the local education authority and the governing body may make an agreement providing for the making of such payments or of such other adjustments of their respective rights and liabilities.

Contract issues

47. Alma Primary School must review the contracts it has in place with suppliers and consider whether the contracts may need to be aligned with ones St James has in place.

Employment issues

48. The amalgamation of the two schools will be a transfer of undertaking as defined by the TUPE Regulations 2006.
49. The TUPE Regulations provide guidance on the steps that employers will need to take in exchanging employee information and consultation of staff. The employers include the Council, St James' Governing Body and any contractors engaged by them to deliver services such as cleaning. There are legal penalties for not complying with the TUPE Regulations in this respect. The Governing Body of St James and its contractors are separate legal entities to the Council and will become the new employers for transferring Alma staff.
50. At the time of the transfer, the Council's rights, powers, duties and liabilities in relation to the terms and conditions and contracts of employment of Alma' staff will transfer to the Governing Body of St James' school or their contractor/s.
51. There may be a surplus of staff for the expanded school's requirement following the transfer. All staff of both schools will have protection under the TUPE Regulations from changes to their terms and conditions of dismissal as a result of the transfer. However employees could be dismissed if the reason or principal reason (before or after the transfer) is the transfer, or for a reason connected with the transfer unless that reason for the dismissal is an economic, technical, or organisational one and the reason for the dismissal entails changes in the workforce.

52. In the event that St James and or any contractor envisages the need to reorganise or restructure the amalgamated workforce they will need to declare these as “measures” under the TUPE Regulations.
53. Any dismissals, whether following a transfer or reorganisation or not, need to be procedurally fair in all cases to prevent either the Council and/or the Governing Body and/ or their contractors being liable for automatic or normal unfair dismissal claims.
54. The transfer of council employees must be conducted and managed under the Council's TUPE policy and procedure to minimise the risk of claims in the Employment Tribunal being brought by the affected employees.
55. Further, the Council's Reorganisation, Redeployment and Redundancy Policy and Procedure must be applied, in so far as is practicably possible, to any post transfer reorganisation of the transferring Council employees.

Departmental Finance Manager CS0126A

56. Schools are currently funded by the Dedicated Schools Grant (DSG), which the local authority receives based on the number of pupils present at the January count. The level of DSG will be the same, as this is will not be affected by amalgamation. When Alma school closes, any outstanding balance held by the school would be transferred to the Local Authority, whether these balances are positive or negative as set out in the Scheme for Financing Schools. Alma reported a small surplus as at the end of 2010-11. Where schools are amalgamated it is for the Authority to decide what happens with remaining balances.
57. When the two schools amalgamate their budget will reduce - a single school will only attract single lump sum elements within the formula funding and grants. However, in turn the school benefits from economies of scale such as single management structure. To support the school through this transition the Southwark policy is to provide the amalgamated school with a double lump sum (within the formula) in the first year post amalgamation.
58. For any school that is restructuring, there is a process in place to provide financial support for the costs of school restructures via the Schools in Difficulty panel; these are considered on a case by case basis and costs are shared by the schools and DSG budget allocated for this purpose.
59. Capital works of £300,000 has been included in the proposed Children's Services 2011/12 capital programme in the capital report considered by Cabinet on 21 June and Assembly on 6 July.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Statutory Notice to close Alma Primary School and expand St James CE Primary School	160 Tooley Street, London SE1 2QH	Martin Wilcox 020 7525 5018
DfE Regulations and Guidelines	160 Tooley Street, London SE1 2QH	Martin Wilcox 020 7525 5018
Expanding a Maintained Mainstream School by Enlargement or Adding Sixth Form – Guidance dated 1.2.10	Guidance will be provided to Cabinet Members	Martin Wilcox 020 7525 5018
Closing a Maintained Mainstream School – Guidance dated 1.2.10	Guidance will be provided to Cabinet Members	Martin Wilcox 020 7525 5018
Equality Impact Assessment	160 Tooley Street, London SE1 2QH	Martin Wilcox 020 7525 5018

APPENDICES

No.	Title
Appendix 1	Responses to the initial consultation process carried out in March 2011

AUDIT TRAIL

Cabinet Member	Councillor Catherine McDonald, Children's Services	
Lead Officer	Pauline Armour, Assistant Director of Children's Services	
Report Author	Martin Wilcox, Education Planning Officer	
Version	Final	
Dated	7 July 2011	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	7 July 2011	

Responses to the initial consultation process carried out in March 2011

- 1 There were 86 responses to the initial consultation process.
- 2 56 responses from the two schools' community of parents, staff and governors in favour of the amalgamation for the following reasons:
 - Staff from the two schools are already working well together with a shared curriculum and providing mutual support.
 - The governors at Alma have unanimously voted in favour of this option.
 - A Change Team has been established to work out what problems will be faced by the merging of the two schools and ways to solve them.
 - Alma school has plenty of space which will benefit St James'.
 - Both schools draw from the same local intake, with the background of the children in both schools more or less identical.
 - The enthusiasm of the executive head and her strong commitment to both schools will play a significant part in ensuring the success of the amalgamation.
 - Both schools share a similar ethos. The amalgamation will serve the local community well and will provide an opportunity for twice the number of children to experience education in an outstanding school.
 - Excited about the enhanced prospects, every child will have the opportunity to learn, why not make it the best possible.
 - Good for Bermondsey pupils, benefits for both schools, there will be more space for St James' pupils with the Alma building and good for Alma - opportunity to reorganise itself with a new management that can deliver high standard of education; this proposal should have been made some years ago.
 - Support but the new school should have 10 denominational places and 50 community places, as the proposed ratio would unfairly reduce access to education for all when compared to the current situation. *(Officer comment: St James CE school current admission policy is for Looked after children and then Church affiliation. As it stands children from families who are regular at Church get first call. Spare places are then given to siblings and on nearness to school. Alma school provides 30 community places. St James school agreement to providing 20 denominational and 40 community places when the school is enlarged to 2FE would formally provide more community places than at present.)*
 - Some concerns about the Alma building – dark inside, poor library and meals more expensive. *(Officer comment: A review is being undertaken of the Alma building with a view to investment in the site to ensure that it will provide the appropriate environment for the pupils at the school.)*
 - In principle supportive but need more written information on the proposal and how the two schools will be integrated to make a decision; nothing to reassure that Alma's gain is not St James' loss. *(Officer comment: The two schools will be integrated into one outstanding school. The younger children will remain on the St James site and the older children will move to the Alma building, which because of its size and scale will be more suitable for their education. The staff team will continue to work to achieve high standards for all the children within the school community.)*

- 3 21 responses from the schools' community of parents, staff and governors against the proposed amalgamation because
- St James' is a small school with a close knit community and this could be lost in the amalgamation; smaller schools with fewer pupils work better than larger ones; enlarging the school to 2 FE is regressive and will impact negatively on St James' children. *(Officer comment: It is the intention that the new amalgamated school would continue to provide the same support to the pupils at the enlarged school as is the case at the current St James'. The Council's Primary Strategy for Change supported the principle of 2FE Primary Schools on the basis that they are the most appropriate size for school organisation. There is no evidence that larger schools do less well than smaller schools. The new school would continue to be on two sites and the focus will continue to be on every individual child.)*
 - It will bring the standards down; don't want to see standards drop; amalgamating an outstanding school with a failing school will result in both schools failing. *(Officer comment: Again evidence does not support this; there are already indications that joint working has benefitted the Alma school pupils and not disadvantaged the St James pupils. St James is a very successful school due among others to the school management and the quality of teaching, which it is the intention would continue in the new enlarged school. Good systems and focused learning will achieve the transformation to one outstanding school. The staff team will work with the parents and children to achieve high standards for all children within the school community)*
 - Like the church ethos and fear it will be lost in the amalgamated school. *(Officer comment: the enlarged St James school will continue to have its church ethos but will offer places to the wider local community to share in that ethos)*
 - It will be unsettling for existing pupils to go to two sites, and it is not easy to get between the two. *(Officer comment: it is not planned that the pupils would be travelling between the two sites rather that each site would accommodate a separate phase with the younger KS1 pupils on the existing St James school site and the older KS2 pupils on the larger ex-Alma school site. The two sites are some quarter of a mile apart. The Change Team is looking at how to ensure the most effective operation of the amalgamated school including a walking bus and possibly a staggered start time to ensure parents with children in both phases can deliver and pick up their children easily.)*
 - It will be too much upheaval for St James pupils for the sake of saving Alma from closure. *(Officer comment: while it is recognised that there would be a period when the two schools will be formally joining together, the two schools already have experience of working together in a soft federation. The Change Team is working to ensure that any upheaval would be kept to a minimum.)*
 - Concerned that it will unsettle the children and that parents with children in two different key stages will have to take the children to two different sites and that it will be difficult for children with confidence problems and special needs to move between school sites. Also one parent concerned that Alma has a bad reputation in the Bermondsey area. *(Officer comment: every effort will be made to avoid unsettling the children. Parents with pupils in the different key stages would need to travel to the two sites to pick up their children, but they are only a quarter of a mile apart and the school will operate a walking bus to get children between the sites and are looking at a*

staggered start time. Consideration will continue to be given to the special needs of pupils. There are already indications that joint working has benefitted the Alma school pupils; Alma school would be closed as part of the amalgamation process.)

- The current children at St James will suffer as a result of the staff concentrating on the Alma children; the existing children should not suffer to help a failing school. Why not disperse the children from Alma to other schools around Southwark? How will parents arrange for children in different years to get to two different sites in time for school each day? *(Officer comment: again evidence does not support this; there are already indications that joint working has benefitted the Alma school pupils and not disadvantaged the St James pupils. Staff will continue to focus on every individual child. Alternatives to amalgamation were considered but would be more radical and would not offer the local solution currently being pursued. The Change Team is considering staggered starting times to make it easier for parents with children at both sites.)*
 - The consultation process is a token gesture; no other alternatives have been offered; more information needed on the structure of the new school; *(Officer comment: the consultation process is not a token gesture as it involves the circulation of a letter to all parents asking for their views and parents and Change Team meetings at both schools. Alternatives to amalgamation were considered but would be more radical and would not offer the local solution currently being pursued. The Change Team has been established and is working with parents to establish what problems will be faced by the merging of the two schools and ways to solve them.)*
 - It does not matter what parents think; you are going to go ahead with it anyway. Dismayed by the way the whole process has been handled – little consideration being given to the pupils and parents. *(Officer comment: this is not a foregone conclusion because there is a two stage consultation process the outcome of which will be considered by the school governing bodies and Council's elected members before final decisions are made. It is not true that little consideration is being given to the pupils and parents; the consultation letter, parents' and Change Team meetings are all evidence of real consideration being given to parents' and pupils' views)*
 - There should have been an initial newsletter circulated to all parents asking for their view on amalgamation as it will not be possible for the majority of parents to attend the meetings and the resounding response would have been no. *(Officer comment: There has been a lot of consultation including through the Change Team. The consultation process has shown differing opinions but the majority who have responded are in favour of the amalgamation.)*
 - Now getting contrary responses to issues raised at earlier consultation meetings - is it now proposed that classes will be a mixture of St James and Alma pupils? Is it now proposed the school will have a new name? Is it now proposed that there will be a change of uniform? *(Officer comment: it is not proposed that classes would be a mixture of the two schools pupils. The Change Team is working on the questions of whether to have a new name or school uniform, they are working with the pupils, parents and staff to come up with the best solutions for the amalgamated school.)*
- 4 1 response critical of consultation process - why are you lying that you are consulting when the decision has already been made? *(Officer comment: again this is not true; the consultation process is being undertaken to establish the views of the local community before decisions are taken)*

- 5 4 Southwark headteachers in favour; one qualifying in their response that the amalgamated school should offer 30 denominational places as a minimum, not 20. (*Officer comment: see above*)
- 6 4 Southwark Chairs of governors in favour; one qualifying that having the school on two sites could be problematic. (*Officer comment: see above*)
- 7 At the two school meetings the following issues were raised. There was support for the amalgamation with comments such as loved atmosphere at Alma; outstanding school taking lead but maintaining ethos of small school; reassuring that children will stay in same classes; Change Team has been established to support the transition and is looking at simple solutions to operating on two sites like staggered start and finish times; good that 400 children can have what 200 children have – but the two sites community will stay the same as there will be similar numbers of children as now; in future schools will need to group together more anyway.
- 8 There was also concern about the proposed amalgamation; that it would mean that a small school would become larger; that parents were not being listened to; that there would be a loss of church places from 30/30 to 20/40; that this change is being done for the government not the children; it is being rumoured that Alma staff will have to reapply for their jobs; difficulties of operating on two sites; if same staff and same pupils how will standards rise? If both sets of parents say no what then? It will happen whether we like it or not. Will classes be mixed with pupils from Alma and St James'? Will Alma governors remain? What will happen to uniforms? Will the school be renamed? (*Officer comment: many of these issues are considered above – staff will be protected initially by TUPE and there will be a separate consultation process for them; the Alma school governing body would be dissolved but there would be scope for governors to serve on the amalgamated school governing body. The Change Team is considering issues such as school uniform and name and will look for solutions that can be supported at a local level*)

Item No. 9.	Classification: Open	Date: 19 July 2011	Meeting Name: Cabinet
Report title:		Voluntary Sector Day Services & Lunch Clubs and Community Support	
Ward(s) or groups affected:		Older people and people with disabilities	
Cabinet Member:		Councillor Dora Dixon-Fyle, Health and Adult Social Care	

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

Following the reduction to council funding by central government, Adult Social Care has had to find savings of £8 million. To do this we have in Southwark sought to protect our most vulnerable people and put them first. Which is why we provided from our reserves £0.5m to cover the period from April to August 2011 in order to give providers extra time to re-shape and re-model their provision.

In order to make the savings imposed on us by central government we have looked at services which are discretionary; and where we are reducing funding have sought to enable the providers to re-structure and find innovative ways to continue to operate as a re-modeled and more cost-effective service.

The department has already increased the take-up of personalised budgets and we will, in keeping with our new vision for adult social care, ensure that we maximize this further, thus allowing users of these services, who are eligible for support, to have the choice over how and where they spend their money.

RECOMMENDATIONS

1. That Cabinet agrees:
 - 1) To reduce the council contribution to voluntary sector open access day services/lunch clubs by ceasing block contracting arrangements and funding eligible individuals through personal budgets
 - 2) Work intensively to embed the personal budget model for users of these services with eligible care and support needs by end August 2011 as an alternative means of income for organisations
 - 3) Launch an innovation fund, where organisations can bid for funding to support transformation and the development of hubs and encourage future financial self-sustainability
 - 4) Implement proposals to re-commission community support services for older people (information, advice, advocacy and befriending) from April 2012 by inviting bids against a revised service specification that supports the objectives of maintaining independence, health and wellbeing and effective personalised services.

BACKGROUND INFORMATION

2. On 13 December 2010, the Secretary of State for Communities and Local Government announced the 2011/12 and 2012/13 provisional local government settlement. The result of this in Southwark was an 11.3% reduction in funding for 2011/12, which means a loss of formula grant in cash terms of £29.7m from April 2011. There is a further reduction of £17.2m for 2012/13 and the combined loss amounts to the highest cash reduction of all London boroughs.
3. In this context, Council Assembly agreed the council's three year Policy & Resources strategy on 22 February 2011, including the budget for 2011/12, which required savings across the council. Savings in Health and Community Services of £7.75m in 2011/12 were agreed, including savings of £1m for open access services.
4. Open access services refer to a range of services, predominantly aimed at older people that are discretionary and not subject to eligibility assessment. These include a number of lunch club and day services run by the voluntary sector.
5. The services have operated discretely, most dealing with specific groups and are on the whole based on fairly traditional care models. Although they are open to people without assessment, some people who attend may have eligible adult social care needs. These services reach a relatively small proportion of the overall older people's population and some individuals attend for very many years.
6. The current block contracting arrangements were due to end 31 March 2011.
7. A list of organisations is attached at Appendix 1.
8. The council's approach to re-shaping services is considered within the context of wider service transformation across adult social care and the financial position of the council over the next few years. It aligns with our overall approach to day services. This means less focus on individual buildings but enabling people to come together to access a range of support in one place, using creative ways of meeting their assessed needs within available resources and promoting social inclusion and use of mainstream services.
9. We want to support a more self-sustaining set of open access services that can deliver the council's vision by responding to personalisation and promoting health, wellbeing and independence for people at risk of needing adult social care support.
10. Proposals were published in January 2011 and outlined a phased approach to re-shaping services – stage 1 involved changes to block contracts with day services/lunch clubs and stage 2 was about changes to the commissioning of community support services, such as information, advice and befriending. The consultation process was designed to enable local organisations to engage with the council and develop robust alternative proposals to deliver the necessary savings and support the principles outlined above.

11. Proposals were published in advance of the budget being agreed by Council Assembly in February to give organisations time to engage and respond as overall timescales for delivery of savings were very tight.
12. The consultation period closed on 19 April 2011. As part of this process, a high-level alternative proposal was submitted by some of the affected organisations. In addition, a meeting of the scrutiny committee on 4 May discussed future considerations for older people's services including day services. A summary of the scrutiny committee's recommendations and council responses is found at Appendix 2. Further information on the consultation process can be found on page 13 of this report. A summary of key themes from the consultation is on pages 4–6 of this report and a separate report is attached as Appendix 3.

KEY ISSUES FOR CONSIDERATION

Context

13. These recommendations are being made in the context of the unprecedented reduction in the level of funding received by the council from central government.
14. The council's proposal, in the light of its financial position and the statutory requirement to meet eligible needs, was to significantly reduce the number of groups that received a block council funding contribution and to concentrate services on three hubs. Of the 12 services currently running, two were identified to receive future council contributions at the same level with the potential to operate as 'hubs'. These two were:
 - Golden Oldies Community Care Project (approx £90,000 p.a.)
 - Goose Green Lunch Club (approx £5,000 p.a.)
15. It was also proposed that the Age Concern Yalding Healthy Living Centre would continue to operate as a third hub with PCT funding.
16. In addition, the council would invite all groups to bid for part of an Innovation Fund, worth £200,000 in 2011/12 to support them to change their business model, and offer small injections of cash to support them to be financially self-sustaining in the longer-term.
17. The second phase of the proposal was to reshape open access community support services, such as advice, information and befriending projects. The council proposed to decommission current services from April 2012 and invite local organisations to bid against a new service specification, in line with the principles outlined above, to a value of £700,000 (saving a further £300,000).
18. The proposals recognised that there would be some people with eligible care needs who may be accessing services from affected organisations. The paper noted that, as proposals were developed and assessments/reviews took place, those eligible would be offered personal budgets to enable them to make decisions about the care and support they wanted to access in the future.

Additional support already provided to affected organisations

19. At the 22 February Council Assembly meeting, councillors voted to provide some transitional support to the day services/lunch clubs affected by the savings

requirement. An amount of £0.5m has been made available from council reserves to cover the period April to August 2011. This was designed to acknowledge the concern of organisations about the speed of change and provide 'breathing space' for organisations to discuss further with their members and explore alternative options.

20. The expectation is that groups will work with each other and the council to use this period of short-term funding to develop cost-effective, sustainable ways of operating within the council resources available, and to explore other avenues.
21. Council officers from the adult commissioning and community engagement teams are working intensively with day service and lunch club providers to support them to develop more self-sustaining business models.

Key themes from the consultation

22. Direct feedback on the proposals was received from providers of the services, some service users and families/carers and some other stakeholders.
23. Key themes from the consultation feedback received focused on:
 - response to the overall savings requirements
 - terminology used to describe services
 - hub model proposal
 - Innovation Fund.
24. A summary of the issues raised is included below. Further detail on the feedback received can be found at Appendix 3. In addition, officers completed some scoping work with organisations to look at the potential number of eligible service users, which is highlighted later in this section.
25. It should be noted that little objection was raised to the stage 2 approach for the information, advice and befriending type projects, and the importance of these services which tend to have much greater reach was indeed highlighted by stakeholders.

Response to overall savings requirements

26. A number of consultation responses (particularly from providers directly affected) didn't want to see a cut in the council contribution to services at all, or felt the cuts were too quick and too deep. However, this was alongside acceptance that the council did need to think differently about services in the future, including the way they were provided, due to the reduced funding available from central government.
27. It is important to note that all of the affected day services/lunch clubs have access to organisational reserves, to which council funding is likely to have contributed. In informal conversations with organisations as part of this process, several organisations have suggested they would be able to continue to operate for a further period after current council funding arrangements ceased by making use of some of their reserves, as they continued to work to develop future business models. In addition, there may be additional opportunities for organisations to explore alternative, external funding sources to help them develop future models, for example we are aware that Age Concern has been successful in a bid for funding from a national transition fund to the value of

£355,000.

Terminology used to describe services

28. There was concern expressed by a number of the stage 1 providers that the term 'lunch clubs' does not encompass the full extent of the support provided by many of the organisations.
29. The consultation paper deliberately used broad terms such as 'day services' and 'lunch clubs' in an attempt to prevent too narrow an interpretation of the services on offer. Some organisations are only open for specific periods of time or days of the week, so not universally accessible. During face to face meetings held during the consultation process officers and councillors were able to speak to organisations directly around the types of services available.
30. There were some requests for clarity over the terminology and language used in the consultation document. Regular conversations and engagement meetings during the consultation process were used to clarify and explain key issues through face to face discussion.

Response to hub model proposal

31. There was a mixed response to the hub approach. While some organisations supported the hub model, many affected organisations were keen to retain their own services if possible. It was highlighted that a reliance on the Lattice Foundation model from Community Action Southwark (CAS)¹ may be difficult due to the fact it was still being developed. There was a desire for any hub models to be considered alongside changes to other day services (particularly in-house) in the borough to ensure a good fit. In addition, any organisation that supported the hub model also felt that it should be the hub for the borough.
32. Age Concern/CAS presented an alternative proposal as part of the consultation process, which they had discussed with a number of affected organisations. This highlighted the potential for services with a number of people attending with eligible care needs to change their business models and generate income through a combination of personal budgets and fundraising.
33. It suggested created two hubs in existing centres, developing them to provide shared space and exclusive use for certain groups on some days. However, it was not clear that all partners had come together to support this approach and there was little detail on the financial and business case.

Innovation fund

34. There were no negative comments regarding the proposal for an Innovation Fund. Some of the feedback noted some points around alternative opportunities for people that already offer relevant support activities, for example registered social landlord sites.

Scoping work on number of users potentially with eligible needs

¹ The consultation document suggested that the hub model could be supported by a new approach being developed by CAS called The Lattice Foundation, which provided a mechanism for organisations to share back office/support functions, operating more collaboratively and having to rely less on specific buildings.

35. During the period of consultation officers undertook scoping work to obtain more detailed estimates of the number of people visiting the day services with eligible care needs. This was done in collaboration with affected organisations. Information provided by the groups themselves suggested there may be more people than anticipated with eligible needs. It is suggested that up to 240 people using services may be eligible for personal budgets. Although this is a higher figure than initially anticipated, it is important to remember at a maximum this represents only around 7% of older people who use adult social care services (based on 2010/11 annual performance data on community service use).
36. In line with our overall approach to moving towards more personalised, effective services that give people choice and control over their care and support, it will be important to enable people with eligible needs to move onto personal budgets in a timely way. A process of re-assessment is underway and is aimed to complete by the end of August 2011.

Way forward

37. In the light of feedback received the proposals have been further developed to support transformation and encourage a diverse market of services as people increasingly use personal budgets for the purchase of their care and support.
38. There are four key elements to the proposals. The key development in response to consultation is around the approach to developing a hub model for services.

i) Retain the approach to reduce council contributions by ceasing council block contracts to voluntary sector day services/lunch clubs (but from September 2011 instead of April 2011)

39. Council block contracts for voluntary sector open access day services/lunch clubs were due to cease 31 March 2011. All day service and lunch club organisations have been aware, prior to and throughout the consultation period, that their block contracting arrangements may come to an end.
40. Organisations have been offered transitional support from council reserves until end August 2011.

ii) Focus departmental resources on supporting transition to personal budgets as soon as possible for customers with eligible care needs

41. Organisations may have a greater number of eligible users than previously anticipated. All organisations could develop an income stream around charging people with personal budgets for their services in the future. In view of the consultation feedback and considering the equalities analysis, the council would therefore invest the £100,000 previously assigned to continue funding two groups, to support the transition and cost pressure for personal budgets.
42. Conversations with Goose Green (initially proposed as a hub) during this process have highlighted they feel they will be able to continue to operate regardless of any ongoing council contributions, and have healthy reserves to assist.

43. Golden Oldies (initially proposed as a hub) has engaged with the council and, with support, is considering how to develop its business model, to generate income from personal budgets, other fund raising activities and reduce costs, rather than rely on historical block contracting arrangements.
44. In line with our approach to developing personal budgets, the focus is on the council working to review/re-assess named users with a view to supporting them to take personal budgets that can fund the support they choose. The aim is to complete this by the end of August 2011, using a dedicated team with a clear framework to ensure consistency. People can then decide if they wish to purchase services from the relevant organisations.
45. All day services/lunch clubs would need to ensure they had developed charging mechanisms during this period to obtain income through this route. As noted, some groups have already done this work and council support is targeting groups that need more help.

iii) Supporting innovation and hub model

46. Having considered the consultation feedback, it is clear that there is not wide support for the three hub sites outlined. It is therefore proposed that the hub model is developed via the Innovation Fund.
47. We propose to retain an innovation fund of £200,000 open to any local voluntary and community provider. This would be a one-off opportunity. Criteria for the fund would focus on innovative ways of developing ongoing financial self-sustainability, supporting prevention and inclusion in mainstream services, etc.
48. We would be particularly interested in innovative solutions to developing a hub model, which would support community cohesion and include a focus on outreach and inclusion rather than just buildings-based provision, whilst allowing for some culturally-tailored services that meet the needs of the diverse population in Southwark.

iv) Stage 2 – ensuring information/advice/befriending service

49. This proposes to re-commission such services by April 2012 as set out in the original proposal.
50. Proposals in the Health and Social Care Bill and the potential requirement for local authorities to commission a single, separate advocacy service, mean the final specification will need to reflect this.

Timescale: August 2011–March 2012, in line with original proposals (subject to Cabinet decision)

Additional support to organisations around planning for the future

51. We recognise that this is a challenging time for our partners in the voluntary sector. We have been encouraging groups to examine their future business models and work through how they can become increasingly self-sustaining, while still offering personalised, effective support.

52. The council is offering support in particular areas that groups would find helpful to assist them in future planning. For example, financial and business planning, marketing or fundraising, utilising volunteers, etc. A named council officer is available from the community engagement team to provide support for groups over the next couple of months as they work through this.
53. In addition, the council already commissions Community Action Southwark, which has been providing some support to voluntary organisations, including business planning, fundraising advice and information. It can also act as a point around which groups can come together and collaborate on future planning, for example on preparing for personalisation.
54. Overall, organisations are already aware of the indicative number of people who would be entitled to personal budgets and there have been ongoing discussions about the implications of this for each organisation. This should allow them to plan and develop charging mechanisms, as well as planning for bids to the Innovation Fund.
55. This proposal could also give organisations the opportunity to look at potentially attracting customers from a wider area. We are aware that several services already have users from outside Southwark, which they may want to develop further.

Community impact statement

Overview

56. This community impact statement is an overview of the current position and situation.
57. We are committed to ensuring that equality impacts are considered in making recommendations and to support the decision-making process. More detailed equality analysis, looking at each equality strand outlined in the Equality Act 2010 is being developed alongside this, and an equality impact assessment is attached as Appendix 4. A draft version was also shared with affected organisations as part of an update on the consultation process on 17 June.
58. It is important to note that, as these are not council-run services, it is not wholly the council's decision as to whether or not they should continue to operate. Mitigating actions are focused around providing organisations with appropriate support to enable them to collaborate and transform to offer personalised approaches, while recognising that there is a need for such services to be able to operate in a more financially self-sustainable way in the future.
59. As we seek to move to embed the personal budget model for people with eligible care and support needs across adult social care services, individuals will take greater charge of their purchasing decisions. It may happen that services that do not offer people the opportunities they want to achieve their needs and outcomes find that their services are no longer viable in the local marketplace. The council will continue to ensure that key statutory elements are part of commissioning arrangements and seek to work with people using services and providers to support development of a vibrant and effective marketplace in Southwark. However, this does not mean that services may not have to change over time.

60. Finally, although this analysis is focused on considering these proposals specifically, it is acknowledged that services across adult social care and wider departments are needing to consider a range of options for making savings and reducing budgets, as a consequence of the reduction in central government funding available to local authorities. Proposals are at different stages of implementation and development. We recognise the need to work closely with partners across the council, both within adult social care and in areas such as housing and employment, to understand the cross-cutting impact of the need to reduce spend in these areas and our desired outcome of helping more people to live independently and well at home and in the community.
61. The council's overall statement on equalities as part of the budget strategy acknowledged that many of the savings proposals across areas would impact on disabled people, older people and women, as these groups tend to have greater need of public services. This is also the case for these specific proposals. Mitigating actions are focused on trying to support organisations to think about ways in which they can become more self-sustaining and support people to live independently and well at home, connecting with their local communities.

Summary of key affected groups

62. Overall, the proposals are likely to have greatest impact on **older and disabled people in Southwark**, both with and without eligible care needs, due to the focus of services. In addition, there is the need to consider the impact on black and minority ethnic (**BME**) **communities** as a number of services currently receiving council contributions are for specific individual communities, and a number are specific Afro-Caribbean communities.
63. For those people with eligible care needs, there is also the potential for an impact on **carers**, the majority of whom tend to be **women**. Women also represent the larger proportion of people currently accessing the voluntary sector day services/lunch clubs.
64. Considering the scoping work with organisations on attendance at services and the population projections for people aged 65+ in Southwark, only around 2% of the Southwark 65+ population is represented within the day services/lunch clubs. When looking at 2010/11 performance data for the number of people receiving adult social care services aged 65+, this suggests up to around 7% of users are accessing these services. Therefore, this relates to only a small proportion of both the overall older population in Southwark and older adult social care clients. Community support projects are also open access and available to all. Although being re-commissioned, we do not propose for this open access element to change. We will also continue to commission key statutory elements of such services.
65. As part of our overall vision for adult social care, it is likely that, in future, there will be fewer people receiving ongoing, long-term social care support. Instead, we are looking to focus resources on time-limited interventions that help people get back on their feet, such as re-ablement services, and supporting them to understand how they can best help themselves and make key contributions to the wider community. This means the key impact for people will relate to services not continuing to exist or being offered in a different way.

66. The current lunch club/day services offered by the voluntary sector include provision for a number of specific communities. Of the 12 lunch clubs/day services currently receiving some form of council funding, one third (4) are open to all communities, one quarter (3) are specifically for Afro-Caribbean communities and the remaining five are for specific individual communities. This clearly represents a diverse range of provision in the borough. However, the exact spread of provision does not completely reflect the ethnicity profile for service users 65+ in the borough, in that it focuses far more on specific individual communities (excluding Afro-Caribbean communities), which together make up less than 5% of clients.
67. Data for people who received services during 2010/11 also suggests that the ethnicity profile for service users is as below (where ethnicity information was given/known)².

Ethnicity	Proportion of clients who received services
White (inc. White British, Irish, Traveller, Gypsy/Roma, other White background)	75%
Black or Black British	18%
Mixed ethnicity	<1%
Asian or Asian British	2%
Chinese or other ethnic group	2%

68. This is broadly in keeping with the ethnicity profile for Southwark as a whole, although it would appear that a **slightly larger proportion** of people who consider themselves to be **Black or Black British use adult social care services** when compared with the overall population for people aged 65+³.
69. It is recognised that any reduction in the council contribution to these groups could possibly have an impact on the discretionary services available to people in those communities, particularly around the availability of culturally-sensitive services.
70. During the consultation period we worked with organisations to scope out the number of users at each service with eligible care needs. The result was a higher figure than originally anticipated. This has supported our decision to focus on a move to a personal budget model as fast as possible to enable people to choose culturally appropriate services that best meet their needs, recognising the diverse range of provision in the borough, rather than selecting one or two specific groups to receive ongoing council block contract funding.

Action taken to mitigate any possible negative impacts

71. A move to fewer discrete buildings, although potentially posing some challenges and areas for consideration in terms of supporting a wide range of community groups' and individuals' needs, does not have to mean that it is not possible for a range of different types of services, with particular focus, cannot be available through a smaller number of sites.
72. In addition, for those with eligible care needs, our wider proposal in Southwark is

² Southwark annual performance data 2010/11

³ Compared with 2007 data on whole population ethnicity in Southwark from www.poppi.org.uk

to give people choice and control over the care and support they access through a personal budget, which can include a direct payment in cash. As people increasingly manage their own care and support needs in this way, services will need to be able to respond to what people want. Services will need to look at how they can make best use of these individual purchasing arrangements to provide their services. Evidence suggests personal budgets can be particularly beneficial for people from BME communities, lesbian, gay & bisexual communities and for transgender people in terms of accessing culturally-appropriate services. It can also be relevant for women in terms of accessing personal care.

73. In fact, in Southwark, of those older people who use personal budgets a higher proportion are from BME communities than compared with the overall ethnicity profile of service users (26% of people 65+ with PBs are from BME communities, compared with 17% of service users from BME communities overall. This figure increases further when we focus on people using direct payments or wholly self-managed personal budgets, to 41%⁴.)
74. Our proposal to include an innovation fund, supporting organisations to become financially self-sustaining, and promote community cohesion, in line with the wider corporate approach to the voluntary sector could also support organisations to refine their business model and continue to operate effectively. The Innovation Fund criteria could also be developed to have a view to the diverse range of provision in the borough and how this can best be supported, whilst recognising the need to become financially self-sustaining and potentially consolidate further.
75. In wider work, the adult social care department is planning to develop proposals for effective, targeted interventions that can provide help and support for carers, recognising the key role that they play, both in delivering care and in preventing people's care needs from increasing. It is working with carers' representatives to target commissioning activity through a carers' hub. This is anticipated to provide a more effective service and place greater emphasis upon locating and supporting carers who are in crisis and in greatest need.
76. The council is aware of the importance of effective, evidence-based preventative interventions, particularly around supporting social inclusion, reducing isolation and preventing depression. Our vision highlights the importance of ongoing work with partners, particularly health, to make sure prevention activity is targeted where it can bring most benefit. In addition, the proposal to commission an information/advice/befriending service that is focused on helping people to help themselves is a further mitigating action to support people to remain independent and well for as long as possible.
77. It is important to note that there are a range of services available to individuals in Southwark that operate in this way and can support people to engage with their local communities and access social and practical support. The SE Village, HourBank and Southwark Circle are all self-sustaining models that are open to all for social, practical support, which people can choose to access if they wish. While there are some charges associated with some services in terms of provision of practical support, it is generally envisaged that people would make use of appropriate benefits in support of this (and indeed is broadly the intention

⁴ Based on annual performance information 2010/11 – ethnicity information included where given.

of those nationally-available benefits). Local information also suggests that people are prepared to pay an appropriate charge for these services if necessary.

78. A survey of social care service users in Southwark, undertaken by DEMOS in Autumn 2010, indicated that although older people wanted to socialise and decrease isolation, they were less likely to actually use personal budgets to fund traditional day services than they originally thought – a reduction of 12% in numbers of people who took up the personal budget option (or who stated how they believed they would spend their personal budget in the future)⁵. These findings are consistent with those found nationally by DEMOS.
79. Finally, the additional funding made available to voluntary sector lunch clubs/day services is designed to give them additional time and space to consider how they can look to manage effectively and sustainably in the future with reduced amounts of council funding being available to them.
80. We do recognise that work to evaluate individual budgets and direct payments has outlined that some groups, such as older people or those with mental health needs, may require particular support to access the benefits of personal budgets⁶. It is therefore vital that the right mechanisms are in place to make sure that they can make the most of the opportunities for personal budgets.
81. This includes:
- focus on how we can support the development of a diverse provider market in Southwark so there are appropriate services available on which people can spend their personal budgets;
 - access to good quality advice and information for people that recognises they may need to access information in different ways so that they can understand and make decisions around care and support and make best use of resources, regardless of whether they receive state support for care;
 - a focus on support planning so that people can identify how best to meet their needs and achieve the outcomes they want, with the development of an effective brokerage service that people can use to then access services;
 - availability of support and advice on the implications of managing their own money (through a range of providers and support organisations), including payroll and employment requirements, etc.
82. During the consultation process there was feedback from some provider groups that a number of services offered translation/interpretation services to their customers (not necessarily as part of their contractual obligation) and they felt there was a risk that this could be lost with reduced funding, with a corresponding negative impact.
83. As stated previously, our approach to develop criteria for an Innovation Fund will need to include recognition in the bid of the diverse communities in the borough and how they can be supported in a way that also promotes community cohesion and fosters better relationships between groups with and without relevant characteristics (as highlighted in the Public Sector Equality duty from the Equality

⁵ The sample is based on initial findings of the 156 DEMOS respondents in Southwark who answered both before and after questions on the survey.

⁶ *Evaluation of the Individual Budget pilot programme: final report*, Glendinning et al., 2008

Act 2010⁷). Organisations will have the opportunity to bid for the re-developed service specification for open access community support projects. Furthermore the council continues to offer all residents the benefit of a translation and interpretation service to enable them to access council services⁸. For individuals who are adult social care users translation/interpretation is available during assessment or review processes.

Resource implications

84. This proposal is being presented in order to achieve savings outlined in the Policy & Resources Strategy, agreed by Council Assembly on 22 February 2011. The proposed savings are outlined in the table below:

	2010/11 Base Budget (£000s)	2011/12 Saving (£000s)	2012/13 Saving (£000s)	2012/13 Base Budget (£000s)
Older People day centres and lunch clubs	1,300	(1,000)	-	300
Befriending, advocacy and support (excluding statutory advocacy services) ⁹	1,200	-	(300)	900
	2,500	(1,000)	(300)	1,200

NB. Figures do not include the £500k transition funding available from council reserves. This is one-off funding in 2011/12.

85. A key challenge for this recommendation is the intensive resource requirements to complete the necessary reviews to support a move to the personal budget model for relevant customers. This will incur additional staff costs as there is no capacity within existing teams to conduct these reviews.
86. The estimated cost of a team consisting of 1 x senior practitioner and 5 x social workers is £7,000 per week. Expected duration of the work is eight weeks giving a total estimated cost of £58,000. This will be funded from budget identified to support transfer clients to new home care contracts.

Consultation

87. The consultation process was launched in January 2011 and closed on 19 April (following an extension).
88. All day service and lunch club organisations were already aware that their block contracting arrangements were due to end 31 March 2011 – although this was extended to 19 April 2011.
89. Copies of the proposals were sent directly to affected organisations and proposals were made publicly available via the Southwark Council website. Organisations were asked to discuss the issues directly with people who used their services, plus families and carers, and incorporate these views into any

⁷ Equality Act 2010 – Part 11, Chapter 1, ‘Public Sector Equality Duty’, 149(1)

http://www.legislation.gov.uk/ukpga/2010/15/pdfs/ukpga_20100015_en.pdf

⁸ http://www.southwark.gov.uk/a_to_z/service/134/translation_service

⁹ This also includes some other support services that are not considered as part of this proposal.

feedback submitted for the consultation.

90. The leader of the council invited all affected organisations to meet with him, other Cabinet members and the council's finance director to discuss concerns. Individual meetings were also held between senior officers in adult social care, the Cabinet member for Health and Adult Social Care and voluntary sector organisations.
91. In addition, future options for all day services for older people was raised as a topic for the health scrutiny committee on 4 May 2011.
92. Consultation responses were received from a range of affected organisations, other partners and people who use services and their families. Further detail on the process can be found within the consultation report, at Appendix 2.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS:

Finance Director

93. Main financial implications are considered in this report and highlighted in paragraphs 84 to 86. There are no further financial comments to add.

Strategic Director of Communities Law & Governance

94. The report seeks Cabinet approval to reduce the council's funding to the voluntary sector open access day services/lunch clubs to achieve savings of £1m for the financial year 2011/12. The report sets out proposals to work intensively to identify eligible service users and embed the personal budget model, so that those with eligible needs can use their personal budgets to fund the support they choose. This will provide alternative income for the provider organisations. The report also proposes organisations interested in providing day services will be able to bid for funds from an Innovation Fund. The aim of the fund will be to support the transformation of services and development of the hub model for delivery of financially self-sustaining services.
95. Finally Cabinet is being asked to implement proposals for the re-commissioning of community support services for older people from April 2012 against a new service specification that supports specified objectives.

Legislative framework

96. The provision of day services is a discretionary service which the authority can provide directly or they can fund other organisations to deliver this service. Under adult social care legislation, the council has a duty to ensure that where a service user is assessed as requiring day service/lunch club, that adequate services are available to meet the assessed needs of service users.
97. This report is concerned with day services operated by voluntary organisations which receive funding from the council. As the service is open access, eligibility through council assessment is not a prerequisite for attendance. The report proposes that the council ceases direct funding of these providers and that those users who have assessed eligible needs will be able to purchase services and support using their personal budgets. The report notes that there are a number of people currently using these services who are likely to have eligible needs but

have not been assessed. The report proposes that a team is established to undertake assessments of these potentially eligible service users so that they can be provided with a personal budget in order to fund the support they choose

Equalities legislation

98. In making a decision Cabinet Members are required to have due regard to the Public Sector Equality Duty (PSED). The Equality Impact Assessment (EQIA) informs the council of the impact that its decision will have on the community and specifically if there are any groups with protected characteristics in the community who will be disproportionately affected by these changes. It requires the identification of any issues needing further analysis and/or actions being taken to mitigate that impact.
99. The Equality Act 2010 provides that public authorities must have regard to their equalities duties and specifically the need to:
- i. eliminate discrimination, harassment, victimisation or other prohibited conduct
 - ii. advance of equality of opportunity between persons who share a relevant protected characteristic and those who do not
 - iii. foster good relations between those who share a relevant characteristic and those that do not.
100. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. It also applies to marriage and civil partnership, but only in relation to (i) above.
101. The EQIA is appended to this report. It specifically addresses the impact of the proposed changes are likely to have on the voluntary sector organisations and users of these services. It identifies that the groups primarily affected by the proposal as being older and disabled people both with and without eligible care needs. The impact on BME communities is also considered. There is also the potential for women to be affected more than men.
102. Both the EQIA and the report set out the steps being taken to mitigate the impact. The focus of these steps is around identification and assessment of eligible service users and provision of personal budgets, so that they can have greater choice about which providers to approach to receive this service. Providers will also be able to bid for financial support to help them develop the hub model via the use of an Innovation Fund. The second and third recommendations of the report reflect these key actions.

Service changes and consultation

103. The proposals detailed in the report will result in a change in the way lunch clubs/day services are funded; it will also result in the withdrawal or reduction in funding to providers. To reduce the risk of a legal challenge, the council has a legal duty to consult with those that will be affected by the changes in service provision and funding.

Consultation

104. The courts have provided guidance on what constitutes effective consultation. The courts will also be keen to ensure that consultation has been done fairly so that organisations and service users have the opportunity to give their views on the proposals. For effective consultation to take place there are four requirements;
1. *consultation must be conducted when proposals are at a formative stage;*
 2. *the decision maker must give sufficient reasons for it's proposals to permit intelligent consideration and response;*
 3. *adequate time must be given for consideration and response; and*
 4. *the product of consultation must be conscientiously taken into account before making the relevant decision.*
105. Each of these elements must be considered separately, evidenced and documented.
106. The report notes that consultation started on 25 January and ended on 19 April (following an extension). The consultation therefore lasted 12 weeks; this is in line with Government guidance and good practice recommendations. The focus of the consultation was how the council should reshape open access day services taking into account the need to modernise the way these services are provided and meet required budgetary savings.
107. The report explains in detail the consultation process which was undertaken with providers, who were asked to obtain feedback from their service users, or ask them to feedback to the council. The consultation was also published on the council website. At Appendix 1 is a list of organisations consulted and further details of the consultation events. In addition the Leader and Lead Member for Health & Adult Social Care met with some of the providers. Officers also invited providers to meet with them. The proposals were also considered by the Health & Social Care Scrutiny Committee which then provided its response to the proposal. This is set out in Appendix 2. Appendix 3 sets out the feedback received from providers and service users. The report demonstrates that providers were given a fair opportunity to comment on the proposals and had adequate time to provide their response to the proposals.
108. Following consultation the report notes that there were no negative comments about the proposal to establish an Innovation Fund. That proposal has been retained. The fund will enable organisations to bid for funding to support the transformation and development of hubs and encourage future self sustainability. The council has power to provide this support under well being powers contained in the Local Government Act 2000.
109. The report states that in light of the responses to the consultation, the proposals relating to the reshaping of the hub model have been revised. Previously the proposal was to develop three existing hubs. There was not wide support for this proposal. There were proposals from some organisations about how they could develop services in other ways.

110. The revised proposals still aim to support the development of a more self-sustaining set of open access services; it is the means by which this is achieved has changed. The proposal has shifted from supporting three named hubs to focusing resources on supporting the transition to personal budgets as soon as possible for customers with eligible care needs through review/re-assessments of named service users. This will enable organisations to develop an income stream around charging people with personal budgets when block contracts cease at the end of August 2011.
111. Having taken into account the responses to the consultation one of the proposals has been revised. Further consultation on the revised proposal was not considered a legal requirement because the proposals are not substantially different. The difference lies in the way that organisations will be supported during the transition phase.
112. In deciding whether to agree the recommendations contained in this report, members must be satisfied that adequate and effective consultation has taken place.
113. Proposals detailed in this report are also consistent with the personalisation agenda and Government policy to promote more choice among service users to select who provides a service to them.
114. In accordance with Part 3D of the Constitution this decision can be taken by IDM, however in this case, that matter is referred to Cabinet for a decision.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
The Southwark vision for the future of adult social services: open access services – supporting people to be active citizens	Adult Social Care Commissioning	Taylor Jakks 020 7525 0374

APPENDICES

No.	Title
Appendix 1	List of affected voluntary sector day service/lunch club organisations
Appendix 2	Scrutiny recommendations and council responses
Appendix 3	Consultation outcome report
Appendix 4	Equality Impact Assessment

AUDIT TRAIL

Cabinet Member	Councillor Dora Dixon-Fyle, Health and Adult Social Care	
Lead Officer	Sarah McClinton, Deputy Director, Adult Social Care	
Report Author	Becki Hemming, Programme Manager – Adult Social Care Transformation	
Version	Final	
Dated	6 July 2011	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	Yes	Yes
Legal team	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional/Community Council/Scrutiny Team	6 July 2011	

List of directly affected organisations**Stage 1 – lunch clubs & day services**

Age Concern – Stones End Day Centre
Age Concern – Black Elders
Age Concern – Long Weekenders
Age Concern – Healthy Aging
BEGs
BEGs Somali Group
Cypriot Day Centre
Golden Oldies Community Care Project
Goose Green Lunch Club
South Asian Elderly Organisation
Southwark Irish Pensioners Project
Southwark Vietnamese/Chinese Community

Stage 2 – community support services

Age Concern – Community Support
Alzheimer's Society
Cambridge House
Dulwich Helpline
Southwark Churches
Time & Talents
SDA – Community Support
Blackfriars Settlement

Health and Adult Social Care Scrutiny Committee – Wednesday 4 May 2011Future of Day Care Services – suggested recommendations and council response

	Recommendation	Response
1.	That the Sub-Committee recognises the context of national Government cuts and late notification of Southwark funding in 2010, but that future changes to service provision should aim to involve providers and service users at the earliest possible stage. Engagement and consultation should not be less than three months where possible, in accordance with national consultation guidance.	Southwark is committed to engaging and consulting with providers and service users at the earliest possible stage, and whilst there is no legal requirement for three month consultations we recognise this to be good practice. As noted by the committee, the consultation period was introduced early and initially set at two months because of the late notification of Southwark's funding from central government and the fact that options to reduce spending had to be done very quickly, due to the front-loaded nature of the reduction. However, we listened to initial feedback from providers who had concerns the timescale may make it difficult to share the information with their service users, and obtain meaningful feedback from them to feed into responses. Following this, the period was extended to three months.
2.	That older people using services should have the option of continuing to use existing services, which they are happy with and which continue to be available and financially viable. Where such provision is no longer available service users, particularly older people, should receive sufficient support to make an appropriate transition to an alternative system – including, for example, through a local advocacy and brokerage service run by users.	Assessments for individuals are focused on outcomes. People with eligible care needs (set at substantial and critical needs in Southwark) will be offered a personal budget to achieve identified outcomes. Within this there are a range of options for people as to how they manage their money and access or purchase services. People are also enabled to create a support plan, which identifies how they would like to meet their eligible needs. This can be done by the individual, their family and friends, etc, though

	Recommendation	Response
		<p>support is also available from social workers or accredited providers. Where people choose to retain current services, where it meets their needs and is affordable, they will be supported to work out how they can achieve this.</p> <p>Currently, a range of community support services, including advocacy information and advice, are commissioned by the council. They, along with an in-house support planning and brokerage team are supporting people in making the transition to personal budgets.</p> <p>Advocacy, information and advice, and support planning and brokerage services are also noted in the proposals, suggesting that these will be remodelled for April 2012 as part of Stage 2.</p>
3.	That the future of council-run services and resources should always be considered in conjunction with the review of voluntary sector services to ensure an integrated review and outcome for all services in Southwark. This is relevant to older people's day care services currently, but is an important principle for services generally	To inform strategic commissioning decisions, the council considers voluntary sector services in conjunction with in-house services, health funded options and services provided by the entire market.
4.	That Southwark adult social care staff should be "active facilitators and partners" in supporting interested voluntary sector providers to identify sustainable business plans including current and potential providers.	The Council commissions services from Community Action Southwark (CAS) to support voluntary sector providers to develop sustainable business plans – including current and potential providers. The council's community engagement team also deals with the voluntary and community sector and can signpost to a wide range of advice and support.

	Recommendation	Response
		Finally, a market forum has been established by adult commissioning. Open to all current and potential providers in the care and support market, it promotes shared learning and best practice – with guests from various service areas discussing alternative business models.
5.	That any new model of services should seek to maintain the valued and recognised benefits of existing day care services and uphold best practice as far as possible and economically feasible.	As service users with eligible care needs express their choice about how to meet their needs and achieve their outcomes, those services that are valued and good value should benefit. As providers develop their business models to become attractive to ALL service users as self-sustaining businesses, personal choice should continue to have an increasing influence on the shape of the market with people acting more and more as individual commissioners of services.
6.	That assessments of existing older service users to identify potential personal budget users should be carried out face to face and prioritised to ensure that service users are able to exercise genuine choice and independence in regards to how their future needs are supported. This may include providing a support service to help manage the budget and information on becoming an employer for example.	As part of the work to support more people to take advantage of personal budgets, the council is planning to prioritise the assessment/reviews of the existing service users within this approach. Where the service users have eligible care needs, they will be supported to understand the amount to be spent on their care and support and can choose how to meet their outcomes.
7.	To consider the opportunities of maintaining “open access” services to bring in additional financial resources to support viable business models for voluntary providers and maximise volunteering opportunities. The sub-committee does not approve of limiting the use of personal budgets for example – service users should be able to purchase the support they require from a range of appropriate providers.	Adult commissioning is working with organisations to maintain and develop a flexible and vibrant market place that is responsive to people’s choices. This includes services that are ‘open access’. The council’s proposal for an Innovation Fund suggests allocating funding according to criteria that includes the development of self-sustaining business models. This will encourage

	Recommendation	Response
		<p>collaborative working – where there is potential for organisations to reduce costs and maximise income. Opportunities for a network approach to maximising volunteering opportunities can also be taken into account.</p> <p>Business planning and fundraising advice is available from the community engagement team in partnership with CAS, as highlighted in recommendation 4.</p> <p>As noted in the response to recommendation 2, people with eligible care needs have a range of options they can choose in terms of using their personal budgets that offer choice and control over their care and support.</p> <p>This includes managing their own personal budget and the money directly, purchasing services from any provider they choose, providing it meets the identified outcomes from their assessment.</p> <p>People can nominate a third party to manage the personal budget on their behalf, in line with their choices and identified needs and outcomes, if they are unable to manage it themselves.</p> <p>People can also choose to have a council-managed budget. This means that they choose services from providers that the council contracts with directly.</p> <p>Finally, people can also ask to have a ‘mixed’ budget, where some of the budget is council managed (choosing services from</p>

	Recommendation	Response
		council contracted providers) and some is self-managed (choosing any provider or service that meets the identified needs and outcomes in their assessment).
8.	That work to build and develop the market in personalised services and support and advice structures is crucial in ensuring genuine choice and support for service users and carers as services change. The sub-committee hopes to examine the council's role as a market stimulator at a future stage.	<p>The council acknowledges the value of an effective and vibrant market to support personalised services and advice and information. Work to build and develop the market in personalised services is on-going. The market forum noted in the response to recommendation 4 was set up with exactly that in mind and has been running since August 2010.</p> <p>New market provision has been developed for support planning and brokerage, including offering budget management options. A carers' 'hub' model of service is currently being developed that seeks to offer effective information and support to carers – supporting them to maintain and improve the quality of their lives as carers.</p> <p>Stage 2 of the proposals will involve the development of specifications to deliver further support and advice to service users.</p>
9.	To recognise the importance of a co-ordinated and “joined up” Council response from other departments, such as property, in maximising the opportunities for existing voluntary service providers to be sustainable. The sub-committee also acknowledges the importance of service providers developing their own sustainability and ensuring services are run on a full cost recovery basis for non-council supported users (i.e. people	The council has an agreed framework and set of principles for managing the relationship with the voluntary and community sector (VCS). Senior officers from each council department meet quarterly together with VCS representatives and there is a Commissioning Officers' Group which crosses all commissioning departments to co-ordinate at the implementation level. Community engagement leads on managing the relationship

	Recommendation	Response
	not meeting FACS eligibility criteria).	<p>overall.</p> <p>CAS is commissioned to (among other things) operate Southwark Voice and Southwark Forum (with sub-groups) that coordinate for the VCS.</p> <p>The council has established a Commissioning Task and Finish group with the VCS to look at how we improve and streamline our commissioning.</p> <p>The council works with CAS on new models for community premises (the lattice, hubs and spokes) and encouraging sharing of back-office costs. Community engagement also has a VCS Premises Officer to work with the sector in conjunction with property services.</p>
10.	To investigate the value and importance of local authority funding for voluntary sector partners in successfully attracting additional match funding from alternative external funding sources, and consider any role the Council can play to influence or change funding criteria.	Community engagement is (with CAS) mapping the added value the councils investment brings and will then do more work with the larger funders (e.g. Big Lottery) to improve success rates and maximise the value and leverage of our investment.
11.	That the council seek to ring-fence any 'additional' revenue received from the Government's pledge to ensure an extra £2 billion nationally reaches social care services in this Parliament.	<p>New funding, rising to £2bn by 2014/15, is to be delivered through two separate streams.</p> <p>The first stream involves £1bn for social care, which has been added nationally to the formula grant for local authorities. Southwark received an 11.3% reduction to this grant in 2011/12 with a further 7.4% reduction coming in 2012/13. Allocations are</p>

	Recommendation	Response
		<p>unconfirmed for 2013/14 and beyond.</p> <p>The second funding stream of £1bn nationally will be shared with local authorities through local NHS bodies. This funding is for support in specific areas:</p> <ul style="list-style-type: none"> • Integrated Community Equipment (ICES) to facilitate people to live at home with the aid of supportive equipment • Rapid response and assessment services • Assistive technology to maximise potential for keeping clients out of care and hospital services • 'Step down' service to facilitate prompt discharge from hospitals. <p>The council has an agreement with NHS Southwark to ensure funds are spent on the areas outlined above.</p> <p>Again, grant allocations have only been confirmed for 2011/12 and 2012/13.</p>
12.	That Southwark council maximise the benefits of carers week and day and utilises the Carers UK resources and Carers Direct to support the families of people needing care and support.	<p>The council is promoting key events staged by Southwark Carers during Carers' Week.</p> <p>The council is currently liaising with Southwark Carers, Carers' UK and Carers' Direct in relation to improving the dissemination of information to carers throughout the borough. The carers' hub service, outlined in the response to recommendation 8, is expected to be involved in actively promoting information. The council is also seeking to ensure that such information is made available at public facing venue (one stop shops etc).</p>

	Recommendation	Response
13.	That the council review the age and carers' strategies, including to reflect changes in national policy and funding, and engages with service users, representative organisations, providers, the sub-committee and other departments and stakeholders to ensure a long-term vision for adult care in Southwark is developed.	<p>Cabinet agreed a vision for adult social care in April 2011¹. The Health and Community Services department also has commissioning strategies for Older People and Carers that have been developed with the Older People's Partnership Board and Carers' Forum.</p> <p>The council's Independence and Well Being For Life strategy and action plan expired in April 2011. Similarly, the health and wellbeing board no longer operates in its current form but is being considered in light of national legislative developments in the Health and Social Care Bill, currently before Parliament. Subject to the outcome of the Bill, it would be a matter for any future health and wellbeing board to make decisions on future strategy.</p>
14.	That the council review the contract with Anchor Care and seeks to renegotiate terms if possible due to funding changes and national policies, including on benefits for care home residents, shifting.	<p>The council has reduced its block contract with Anchor by 20% in October 2010.</p> <p>The council is also currently undertaking complex contractual negotiations with Anchor regarding the future scope and remit of the remaining 15 years of contract. These negotiations reflect the changing financial and strategic context in which the homes are operating, and are covering a wide range of potential options, service models and degree of utilisation. These negotiations are mindful of the potential financial liability the council may face if it unilaterally changes the contract without the agreement of Anchor.</p>

¹ http://www.southwark.gov.uk/info/100010/health_and_social_care/2086/vision_for_adult_social_care_in_southwark

APPENDIX 3

FINAL	Title CONSULTATION RESPONSES KEY THEMES FOR: “Open Access Services – Supporting People to be Active Citizens”.
Date 6 July 2011	Author and key contact Taylor Jakks – Commissioning Officer 020 7525 0374

INTRODUCTION

1. This purpose of this paper is to highlight the key themes of feedback received during the consultation on “Open Access Services – Supporting People to be Active Citizens”.
2. The paper gives a brief overview of the proposals followed by a summary of key themes arising from the consultation process. It goes on to provide additional information on the ways in which feedback was received.

SUMMARY OF PROCESS TO DATE

3. There are a number of day and community support services run by the voluntary sector for older people, particularly day centres and lunch clubs (see Appendix A). Although a number of people who attend may have eligible adult social care needs, the services are also open to those without eligible needs.
4. The council’s approach to re-shaping these open access day services is considered within the context of wider service transformation across adult social care and the financial position of the council over the next few years. It aligns with our overall approach to day services, focusing on people coming together to access support in one place, using creative ways of meeting their assessed needs within available resources, rather than a focus on individual buildings.
5. We want to support a more self-sustaining set of open access services that can deliver the council’s vision for personalisation and promoting health, wellbeing and independence for people at risk of needing, or accessing, adult social care support.
6. Initial proposals for re-shaping day services to support this and deliver savings, given the financial position of the council, were published in January 2011. They outlined a phased approach. Proposals were published in advance of the budget being agreed by Council Assembly to give organisations time to engage and respond as overall timescales for delivery of savings were very tight.
7. The consultation period closed on 19 April 2011 (following an extension). During this period formal responses were received from a number of organisations, including a very high level alternative proposal from the voluntary sector day services providers’ forum, supported by Community Action Southwark (CAS). A range of meetings were also held with affected organisations with council officers, senior council officers and members of the Cabinet. Affected organisations were asked to work with their customers and families in forming responses.

8. In addition, a scrutiny meeting held on 4 May 2011 sought to discuss the overall council approach and the future of day services for older people, including these proposals.

OVERVIEW OF INITIAL PROPOSALS

9. Below is a brief summary of the consultation paper *Open Access Services: Supporting People to be Active Citizens*¹ published in January 2011.
10. In 2010/11 Southwark spent £2.3 million on voluntary sector community support services that include:
 - day support and lunch clubs
 - information and advice
 - befriending
 - advocacy
4. The council's agreed Policy and Resources Strategy mean that savings of £1m are required for open access services in 2011/12 and then a further £300,000 in 2012/13. This is part of a total of £7.75m savings required across health and community services in 2011/12 alone.
5. The council issued initial proposals for re-shaping services to achieve the required savings, in line with the principles for more effective, personalised services that enabled people to live independently and well for as long as possible. A brief summary of the proposals is below.
6. The proposals recognised that there would be some people with eligible care needs who may be accessing services from affected organisations. The paper noted that, as proposals were developed and assessments/reviews took place, customers would be offered personal budgets to enable them to make decisions about the care and support they wanted to access in the future.

Stage 1: Re-shaping day support and lunch clubs

7. Reduce the council contribution towards this provision from £1.3m to £300,000.
8. This would be achieved by reducing the number of groups that received a block council funding contributions and concentrate services on three hubs, working with other organisations to make best use of resources and offer personalised, effective and innovative services to local residents. Of the 12 services currently running, two were identified to receive future council contributions at the same level with the potential to operate as hubs. The two sites were:
 - Golden Oldies Community Care Project, Camberwell
 - Goose Green, East Dulwich
9. It was also proposed that the Age Concern Yalding Health Living Centre in Bermondsey would continue to operate as a third hub with PCT funding.

¹ http://www.southwark.gov.uk/info/200308/current/2082/adult_social_care_service_consultation

10. In addition, the council would invite all groups to bid for part of an Innovation Fund of £200,000, in 2011/12, to support organisations in changing and adapting their business models through small injections of cash to support them to be financially self-sustaining in the longer-term.

Stage 2: A new approach to community support services

11. Decommission current contracts for advice, information befriending and advocacy projects (to take effect from April 2012) and invite local organisations to bid against a new specification for services that support delivery of personalisation and health and well being to a value of £700,000 (saving a further £300,000).

KEY THEMES FROM CONSULTATION RESPONSES

12. Direct feedback on the consultation was received from various sources

Source of feedback	Number of responses
Service users and family	4
Stage 1 providers	10
Stage 2 providers	1
Stakeholders	7

13. Feedback was received directly from a small number of services users and carers/family members. However, all provider organisations were asked to gather feedback from service users and families or carers and use it to shape their response.
14. Feedback considered was sent to the consultation email address, discussed at the providers' consultation event and providers' meetings with senior council officers and discussed at the Older People's Partnership Board.
15. Further information on the consultation process, including a timeline, can be found in Appendix B.
16. A summary of the key themes arising from this feedback is outlined below. Appendix C provides some more detail on the key feedback themes and clarifies any issues of accuracy or action from the council perspective.
17. In addition, consideration of the equality impacts is continuing to be developed and will be used to inform final decision-making. This will include consideration of any key equality issues raised through consultation feedback.

Overall response to proposed savings requirements

18. There was general recognition that the council has less money available to spend on services and that therefore there would need to be some element of change. (All stage 1 and stage 2 providers that responded as well as three stakeholders)
19. However there was some concern from many of the day services/lunch club providers and some stakeholders, about the timescale for implementing the changes. The key concerns were around not having sufficient time for organisations to change and develop their business models and come up with

alternative proposals by the time contracts had ended (which was due to be by the middle of April 2011). (All stage 1 providers that responded, plus three stakeholders)

20. In addition, a number of stage 1 providers (4) and all the service users/family responses (4) asked for there to be no cuts in funding at all. A number of stakeholders (3) requested that the savings required were reduced and to be delivered over a longer timescale, including making use of council reserves for ongoing support.
21. The council has already taken steps to respond to this. At the Council Assembly meeting on 22 February, councillors voted to provide some transitional support to the day services/lunch clubs affected by the savings requirement. An amount of £0.5m has been made available from council reserves to cover the period April to August 2011. This was designed to acknowledge the concern of organisations and give them some 'breathing space' to discuss further with their members and explore alternative options.
22. The expectation is that groups would work with each other and the council to use this period of short-term funding to develop cost-effective, sustainable ways of operating within the resources available, and to explore other avenues.
23. In light of this, the consultation period was also extended until 19 April to ensure that further work could be done by organisations in forming their responses.
24. It is important to recognise that all of the affected day services/lunch clubs have access to organisational reserves, to which council funding is likely to have contributed. In informal conversations with organisations as part of this process, a number have suggested that they would be able to operate for a further period after current council funding arrangements ceased by making use of some of their reserves, as they continued to work to develop future business models.
25. The council recognises the key role that carers play both in delivering care and in preventing people's needs from increasing. The council is planning to develop proposals for effective, targeted interventions that can provide help and support for carers. It is also working with carers' representatives to target commissioning activity through a carers' hub. This is anticipated to provide a more effective service and place greater emphasis upon locating and supporting carers who are in crisis and in greatest need.
26. Finally, providers (2) and stakeholders (2) felt it was important that the voluntary sector day services should not be considered in isolation and needed to be part of an approach that encompassed other day services and opportunities across the borough.
27. The council fully recognises the need to understand impact in a range of areas, given the level of savings required across all council services. This is why proposals are being discussed on a range of areas with, for example relevant partnership boards and consultations published to allow a wide range of people to contribute and engage.

28. In addition, officers will continue to work together with operational teams and partners in thinking about the future of service provision in line with the overall vision for adult social care and to inform strategic commissioning decisions

The terminology used does not recognise the breadth of services

29. There was concern expressed by a number of the stage 1 providers (5) that the term 'lunch clubs' does not encompass the full extent of the support provided by many of the organisations.
30. The consultation paper deliberately used broad terms such as 'day services' and 'lunch clubs' in an attempt to prevent too narrow an interpretation of the services on offer. In addition, it is important to note that a number of the organisations are only open for specific periods of time or days of the week, so not universally accessible. During the various face to face meetings held during the consultation process officers and councilors were able to speak to organisations directly around the types of services provided, and indeed the providers themselves had the opportunity to demonstrate the range of opportunities available.
31. There were also some requests for clarity over the terminology and language used in the consultation document (this was a discussion at the providers' consultation event where all directly affected stage 1 and 2 providers were represented). Regular conversations and engagement meetings during the consultation process were used to clarify and explain key issues in the consultation document through face to face discussion with organisations.
32. Some areas of the consultation were also designed to enable organisations to put forward proposals and suggestions for how best to achieve the savings, and key things to consider in finalising proposals. It was expected that organisations would constructively contribute to this by offering their own ideas through consultation feedback.
33. In addition, the consultation paper did highlight that there would be some people using these services with eligible care and support needs. During the consultation period the council completed further scoping work with affected organisations to further understand the level of needs of people utilising services.
34. This exercise has shown that there are potentially more than expected people with eligible care needs being supported by these services. In line with our overall approach to moving towards more personalised, effective services that give people choice and control over the care and support they access, it will be important to enable people with eligible needs to move onto personal budgets in a timely way. This should support people to be able to choose culturally appropriate services that best meet their needs, recognising the diverse range of provision in the borough. It is also important to consider this spread across a number of different organisations in terms of further developing proposals.
35. The scoping work has already given organisations an indicative understanding of the number of people using their services that may be able to take advantage of personal budgets. This should support them in planning and developing appropriate means to use this shift, for example charging mechanisms. It is also important that the process of re-assessment is

undertaken in a timely way to enable people with eligible care needs to move onto personal budgets.

36. The council also recognises that work to evaluate individual budgets and direct payments has outlined that some groups, such as older people or those with mental health needs, may require particular support to access the benefits of personal budgets². It is therefore vital that the right mechanisms are in place to make sure that they can make the most of the opportunities for personal budgets.

37. This includes:

- focus on how we can support the development of a diverse provider market in Southwark so there are appropriate services available on which people can spend their personal budgets
- access to good quality advice and information for people that recognises they may need to access information in different ways so that they can understand and make decisions around care and support and make best use of resources, regardless of whether they receive state support for care
- a focus on support planning so that people can identify how best to meet their needs and achieve the outcomes they want, with the development of an effective brokerage service that people can use to then access services
- availability of support and advice on the implications of managing their own money (through a range of providers and support organisations), including payroll and employment requirements, etc.

Hub model proposal

38. There was a mixed response to the hub approach. While a number of responses (4 stage 1 providers, 2 stage 2 providers and 3 stakeholders) expressed support for the concept, there was less consensus on the sites that would be most appropriate to be hubs. Overall, there was not general agreement for the hubs proposed in the consultation document, in terms of suitability, capacity and infrastructure to deliver person-centred services.

39. A number of the Stage 1 organisations (2) saw an opportunity to retain their service by becoming one of the hub sites.

40. There was also concern expressed that the 'Lattice Foundation' (an initiative by Community Action Southwark) to share back office functions and reduce overhead costs, referred to in the consultation paper, was not fully developed and therefore, not ready to be utilised. (Discussion at the providers' consultation event)

41. Part of the consultation feedback was an alternative proposal, drafted by the voluntary sector day services provider forum, led by Community Action Southwark and Age Concern Lewisham and Southwark. This included a preferred option of two hubs in existing centres, developed to provide meeting space and days for specific organisations/groups by agreement.

42. However, it was not clear that all partners had come together to support this approach and there was little detail on the financial and business case.

² *Evaluation of the Individual Budget pilot programme: final report*, Glendinning et al., 2008

43. The council therefore recognises that there remain opportunities for relevant organisations to work together and develop a robust proposal to support a model that promotes community cohesion while recognising above points about people being able to choose culturally appropriate services that best meet their own needs. There are also clearly some opportunities for organisations to think about how they can best share resources to maximum benefit.

Innovation Fund

44. There were no negative comments regarding the proposal for an innovation fund.
45. Some of the feedback (1 stage 2 provider and 1 stakeholder) noted some points around alternative opportunities for people that offered relevant support activities, for example registered social landlord sites. The council agrees that it is important to think of opportunities for people in the wider context, and the sorts of services that help people to self-support in the future, in line with the overall vision for adult social care.

Proposals for the future of community support services

46. There were no negative comments about the proposals for stage 2 community support services (information & advice, advocacy & befriending). There were some helpful suggestions about ensuring that related services are included in an overarching approach. This included the importance of good information and advice for all, regardless of whether people self-fund or not.
47. The council recognises this and is already taking forward work to develop a single information and advice portal for adult social care. It is also important to consider these links across the range of services available.

Appendix A – List of directly affected organisations

Stage 1 – lunch clubs and day services

Age Concern – Stones End Day Centre
Age Concern – Black Elders
Age Concern – Long Weekenders
Age Concern – Healthy Aging
BEGs
BEGs Somali Group
Cypriot Day Centre
Golden Oldies Community Care Project
Goose Green Lunch Club
South Asian Elderly Organisation
Southwark Irish Pensioners Project
Southwark Vietnamese/Chinese Community

Stage 2 – community support services

Age Concern – Community Support
Alzheimer's Society
Cambridge House
Dulwich Helpline
Southwark Churches
Time & Talents
SDA – Community Support
Blackfriars Settlement

Appendix B – further information on consultation process

The consultation process covered a number of specific areas. These are outlined below.

Service providers

Voluntary sector organisations that currently provide services in both stage 1 and stage 2 were directly asked to consider and respond to the consultation paper.

Providers were invited to request one to one meetings with the Head of Adult Commissioning – two of which were requested and took place, with an additional five meetings requested and held with other officers.

A providers' consultation event (stage 1 & 2) was held on 23 February 2011.

Cllr Dixon-Fyle met with stage 1 providers individually during March 2011.

Stage 1 providers were invited to two combined/group meetings with senior council officers during March and April 2011.

Service users

Many people who access these services have lower levels of need, and have a direct relationship with the provider, but not the council.

Service providers were asked to discuss the proposals with all of their service users and either feedback as part of their organisation's feedback or encourage their service users to respond directly themselves.

Organisations were informed that service users with assessed eligible care needs would be consulted as part of their assessment/reviews, and organisations were asked to indicate where they believe their service users are already receiving eligible services, or may have eligible care needs

Other consultation/stakeholders

Opinions on the proposal have also been obtained from other sources. These include:

- a) the consultation paper was published on the council's web site with details of the open access consultation email address for feedback
- b) the Older People's Partnership Board (OPPB) at the meeting on 9 February 2011

- c) a letter to the lead cabinet member for Health and Social Care sent from the chair of trustees of a voluntary sector provider
- d) letters, emails and telephone requests to the Head of Adult Commissioning from affected organisations, service users and family/friends
- e) Support & Care Market Forum members
- f) meetings held with voluntary organisations not directly affected by funding proposals in this consultation.

The views obtained from these sources are also considered as part of the overall consultation process.

The table below shows the activity and timing for the consultation process with the addition of the specific additional funding allocated to stage 1 organisations to allow more time for changes to service models.

Activity	Timing
1. Letters to stage 1 organisation currently receiving funding on expiry of contracts and 12 weeks' notice period (to 19 April 2011)	25 January 2011
2. General publication of consultation paper Requested details of FACs eligible service users from groups	26 January 2011
3. Council assembly agrees specific ring-fenced funding to be made available to adult social care voluntary sector lunch clubs/day centres	22 February 2011
4. Consultation engagement event with sector	23 February 2011
5. Meeting of Cabinet member and senior council officers with representatives from affected voluntary sector lunch clubs/day centres	2 March 2011
6. Individual provider organisations meeting with Cllr Dixon-Fyle	During March
7. Deadline for organisations wishing to access ring-fenced funding in form of contract extension to inform council	7 March 2011
8. Second group meeting with Cllr Dixon-Fyle & Sarah McClinton, Deputy Director of Adult Social Care	13 April 2011
7. Scoping work around indicative numbers of service users with eligible care needs	March – May 2011
8. Consultation closes (Extended from 23 March)	19 April 2011
13. End of period of ring-fenced additional funding for voluntary sector lunch clubs/day services	August 2011

Appendix C – SUMMARY OF CONSULTATION FEEDBACK AND CLARIFICATIONS

Note: The ‘Clarifications’ column is used to clarify any points of accuracy, and update on where actions have already been taken to address the issue. Gaps are either where a comment is positive or accepted, or there is no particular action required.

Theme	Feedback Issue	Raised by whom	Detail of Feedback	Clarifications
Savings requirements	Requests not to close the centres	Service user and families	Several requests were made not to ‘close the day centres’.	Proposals are about reducing the council’s contribution to services. As these are not council-run services this is not wholly the council’s decision around future operation. A number of providers have indicated they could continue with alternative sources of funding, or make use of available organisational reserves while further developing business models.
	Reduce funding by 25% only – but continue to fund	Stakeholders	A request to recognise the preventative work that the centres undertake – whilst recognising the need for saving money.	
	Continue to fund at present levels	Providers	Some providers requested the continuation of funding at current levels.	
	Some stage 1 affected providers would manage to continue providing services	Providers	Two providers have said they would continue to provide services without any on-going funding. Most providers said they would be able to continue to provide services with an income stream from personal budgets.	
	Notice period for cessation of funding too short	Providers and stakeholders	Providers & Stakeholders commented that the timeframes for the consultation and the cessation of funding is much too short. Not enough time to change their business models or find alternative funding options. Some providers suggested that funding should continue at current levels until March 2012. Stakeholders suggested that funding should continue beyond 2012/13 with a minimal cut in on-going funding.	

Theme	Feedback Issue	Raised by whom	Detail of Feedback	Clarifications
Savings requirements (continued)	Cuts are being implemented 'too fast & too deep'	Providers	<p>Several providers suggested that cuts are being implemented too fast, and the cuts are too deep, especially for BME groups who may not have support opportunities outside the day service.</p> <p>Suggestion of gradual reduction of funding over two years for BME groups – using council reserves.</p>	<p>Council Assembly voted to make available £0.5m from council reserves to give day services/lunch club providers additional time and space to consider business models.</p> <p>Discussions have been ongoing since January 2011 so organisations well aware of the need for change</p> <p>Council aware this a challenging time for all organisations, and the council is having to make significant savings across all services.</p> <p>This is part of a £7.75million savings required for health and community services in 2011/12 alone.</p>
	Service user assessments	Providers	<p>Robust assessments should be undertaken for all FACs eligible service users – and this should be done before cessation of funding so that providers can build their business model knowing what level of income they can expect from personal budgets.</p>	<p>Details of service users have been requested/received from all providers.</p> <p>Outcome of initial scoping work will be used to inform any decisions.</p> <p>Reviews/assessments will be undertaken on all eligible service users – and personal budgets will be offered where eligible need is identified</p>

Theme	Feedback Issue	Raised by whom	Detail of Feedback	Clarifications
Savings requirements (continued)	Fundraising	Service user and providers	Funding applications for voluntary sector providers is often reliant on the organisation receiving funding from the council. Loss of council funding could restrict opportunities for other funding.	The council's community engagement team is (with Community Action Southwark) mapping the added value council investment brings and will then do more work with large funders (e.g. Big Lottery) to improve success rates and maximise the value and leverage of investment.
	Risk of more people with eligible needs	Stakeholder/providers	Some stakeholders and many providers suggested that less funding for preventative services would result in more people developing higher levels of need – and fail to identify people who are beginning to experience difficulty coping with being independent.	Is important that any preventative service is focused on effective, evidence-based interventions and appropriately targeted. Appreciate the potential benefits of preventative services but also need to make sure they are focused on the most effective areas.
	Support for carers	Service users, family and providers	5 x Carer/Family members responded by saying the centres are a 'lifeline' for them. Some centres allow for a safe environment – allowing Carers to continue to work or take a break from their caring responsibilities. Without this the caring role would break down.	Southwark is developing a carers' hub that will identify carers earlier and support them in their caring role. Carers' assessments are also available for carers in their own right about potential information or support to enable them to continue in their caring role.
	Limiting Choice	Stakeholder	Unease that people using personal budgets will face	Personal budgets can actually

Theme	Feedback Issue	Raised by whom	Detail of Feedback	Clarifications
			higher prices and less choice as the market constricts.	enable a more diverse market than previously, with new roles, such as personal assistants, beginning grow. Will remain a role for the council in supporting the development of a diverse and vibrant market for people to use.
	Impact on Older people	Provider	Cumulative effect of these, other cuts and the rise in the cost of daily living will impact disproportionately on older people.	Impact on equalities will be considered through development of proposals and used to inform final decisions.
Savings requirements (continued)	Self-sustaining	Stakeholders/ Providers	There was mixed feedback about this. One stakeholder said that some Voluntary Sector Organisations cannot be self-sustaining. Some providers said that, given time, they could become self-sustaining (utilising personal budgets were necessary).	
	Impact on Health services	Stakeholder	Further rationing of social services will lead to poorer outcomes moving financial burden to health trusts.	Ongoing work with health colleagues to consider related impacts on services and help to target intervention to make the best of both budgets.
	Unsustainable voluntary sector risk	Stakeholder	If private companies gain in the long term this may make voluntary sector organisations less sustainable.	
	Personal Budgets	Stakeholder	Personal budgets are a less reliable form of funding – so organisations need to maintain a level of core funding. The council should be transparent about what ‘price’ the council will pay to PB holders for day care.	Personal budgets are paid according to level of need and identified person-centred outcomes, which are used to develop a resource allocation.

Theme	Feedback Issue	Raised by whom	Detail of Feedback	Clarifications
Terminology & breadth of services	Consultation document not accessible	Providers and stakeholders	Most providers (stage 1 & 2) and some stakeholders suggested that the consultation paper was 'jargonistic' and not accessible. Requests for definition of terms.	Range of meetings and engagement opportunities since launch of consultation paper to discuss any issues directly with organisations.
	Indicate Affected Organisations	Stakeholder	The proposals should have indicated which projects the proposals refer to and suggest a cost benefit study and impact assessment.	Letters were sent to all affected organisations along with the consultation proposals so they were aware of who would be affected. Equality analysis being done through consultation process and will take into account appropriate feedback received.
	Requested a new consultation document/process	Provider/ stakeholder	A stakeholder/ provider refuted the implication in the consultation document that day services in Southwark are institutionalised and outmoded. Suggested, they are progressive, person centred and evolutionary. For this reason he suggested a new consultation document and process.	Ongoing work with organisations to engage and discuss issues throughout consultation process.
	More information	Stakeholder	One stakeholder suggested they need further information to comment further: Stage 1: further details/services/figures on proposed sites Stage 2: what services are being decommissioned?	The consultation paper described the services that are the subject of the consultation.
	Existing/New service users	Provider	Current users have relied on these services – some for many years. Changes will take time and need to 'sit alongside' new people.	We recognise that all adult social care transformation needs to be mindful of both existing and new service users, and working with them to maintain independence, and

Theme	Feedback Issue	Raised by whom	Detail of Feedback	Clarifications
				offer choice and control, which are the key objectives of transformation.
Terminology & breadth of services (continued)	All the centres are not 'Open Access' and not luncheon clubs	Stakeholder and providers	Providers felt services much more than simply a hot meal. Some providers stated that their services are not 'Open Access' – as they receive referrals from social services for people with high levels of need.	Acknowledge that some people accessing services have eligible care needs – but is also important to recognise that people do not have to have eligible care needs in order to access or use the service.
	Preventative effects	Provider	Services provided reduce depression, malnourishment and falls – if these services are removed, so will this effect.	We recognise that there is some national evidence to suggest depression, malnourishment, and falls, do have an impact on people's health and wellbeing. However, evidence is less clear on a specific mechanism that achieves this the best. Interventions need to continually be assessed and appropriately targeted.
	Councillors are unaware of the work that gets done in day centres	Stakeholder/ Provider	Letter received stating that they do not believe Councillors are aware of all the work/activity that takes place and the preventative/support that saves the council funding by maintaining someone's independence.	Senior council officers and Cabinet members have discussed with, and visited stage 1 organisations.

Theme	Feedback Issue	Raised by whom	Detail of Feedback	Clarifications
Proposed hub model	Suitability of proposed hubs	Providers/ Stakeholders	Not all of the three proposed hub sites are suitable because they cannot accommodate capacity. Of the three only Yalding might have the space and infrastructure.	Final recommendations on proposals will take into account feedback from this consultation and discussions with the voluntary sector.
	Hubs need to be person centred	Providers	Suggest that day care hubs be person centred, that it provide creative and therapeutic activities and opportunities to learn and develop new skills.	Effective, person-centred services that support people to maintain/regain independence are a vital aspect of the vision for the future of adult social care.
	Alternative proposal for hub model/sites	Providers	Counter-proposals made that include day care funded through personal budgets, for those that with eligible care needs and through individual fundraising for moderate and lower level needs – PLUS one <u>new</u> hub in the centre of the borough or two hubs in existing centres – developed for shared use (preferred option for two hubs)	Proposal did not include detailed financial or business case and unclear on number of affected organisations involved – further work required to develop.
	Voluntary sector day services should not be considered in isolation	Providers and stakeholders	A more strategic view should be taken towards day services – both in-house and voluntary sector.	Council agrees on the importance of working together, both internally and with other partners on proposals. Discussion with partnership boards, consultation process, etc, all designed to support this, as well as internal work across the council to inform strategic commissioning decisions.

Theme	Feedback Issue	Raised by whom	Detail of Feedback	Clarifications
Proposed hub model (continued)	The CAS Lattice model referred to in the proposals is under-developed	Providers	The Lattice model – sharing back-office functions across VSOs is under-developed and not yet ready to provide cost cutting functions.	
	OP day services Hub & Spoke model needs to consider other hubs and 'fit in'.	Providers	It was noted that other community hub and spoke services are being developed with and without the council – and the proposed hubs should be considered in this context.	
	A generic hub is not suitable for BME groups	Providers	2 x providers suggested that whilst they support the development of a generic OP hub model – there still needs to be BME specific services to support those unwilling/unable to use generic services.	Important to recognise that a generic hub can still recognise/cater for individual needs through shared use/understanding and range of opportunities and activities. Council recognises the diverse nature of people in the borough while also supporting community cohesion and enabling people to engage with local communities. Personal budgets can give people the opportunity to purchase culturally-appropriate services that best meet their needs and identified outcomes. This can be in a range of ways.

Theme	Feedback Issue	Raised by whom	Detail of Feedback	Clarifications
Proposed hub model (continued)	Proposals are an exciting opportunity and vision for the future.	Stakeholders	2 x stakeholders suggested that the vision is an exciting opportunity and welcome the proposals. They do ask for clarity around: a) Lattice Foundation b) 'Open Access' c) Links with other service areas	
	Asset management	Stakeholder	One stakeholder noted that the hub and spoke model is more akin to asset management strategy rather than an improvement for those in need.	The approach is not just about buildings themselves but about developing a collaborate approach to services focused on improved outcomes for people, outreach and engagement in local communities and independence, rather than individual buildings.
	Assessment of day service benefits	Stakeholders	A proper assessment of the benefits of these centres and the savings they make the council should be undertaken before any cuts are made.	Equality impacts being considered to inform final decision and will consider any specific feedback from this consultation.
	RSLs are keen to host community hub activities and have accessible facilities.	Stakeholders	Many RSL sites have facilities that would support day service activities for some of the groups.	
	Developing social capital	Stakeholder	Engaging and sustaining social capital often requires co-ordination, confidence building and skill development.	A co-ordinated approach by the voluntary sector is encouraged and supported by the council.

Theme	Feedback Issue	Raised by whom	Detail of Feedback	Clarifications
	Culturally specific volunteers	Providers	Consideration should be given to the fact that volunteers from BAME groups may not be inclined to volunteer for generic OP services.	It is important that people from a range of backgrounds engage with and support services to reflect the diversity in the borough and offer people appropriate services for personalised needs. This should be regardless of the individual setting.
Proposed hub model (continued)	BME groups will be affected more	Providers	<p>Because of cultural and language issues BME groups will be affected more than other groups.</p> <p>For those that cannot speak English the centres provide valuable translation support, enabling people to remain independent.</p> <p>Cultural issues mean that some providers/centres become a trusted support mechanism for their service users (where they may not trust others easily)</p>	<p>Acknowledge that a number of services are for particular BME groups and this will be considered through analysis of equality impacts.</p> <p>Translation and interpretation services are also provided by the council and available to all residents on an ongoing basis. They will continue to be available.</p> <p>It is important for organisations to review their business models and think about effective services that are financially self-sustaining. People with eligible care needs will be offered personal budgets so that they can choose the services they wish to purchase that best meet their needs, including thinking about culturally appropriate services.</p>

Theme	Feedback Issue	Raised by whom	Detail of Feedback	Clarifications
Innovation Fund	Innovation Fund to be used for development of OP hub	Providers	Several providers suggested the innovation funding should be used for the development of an older person hub. This is a key element of the providers' forum alternative proposal. The Hub should have user groups as members of the management committee.	Subject to final decisions, innovation fund applications could be encouraged from organisations that can work together to offer a hub model of service.
Community Support Services	Unmet need	Stakeholder	How will unmet need be captured?	Open access services can provide support for people to maintain wellbeing and there are also a range of services in the borough for people in addition to these specific services, e.g. Hourbank, Southwark Circle. Community support service will also need to consider how information/advice, etc can contribute to supporting people without eligible needs to maintain wellbeing.
	Monitoring	Stakeholder	How will Southwark monitor whether the needs of the most vulnerable are being met?	This will be monitored as part of the review process and through general outcome measures for social services.
	Service user responsibility	Provider	Proposals rely on individual responsibility as driving determinant – but not all people can do this.	There remains support available for people who are in a position to require it, for example in relation to mental capacity issues, etc.
	Mental Health	Provider	Many service users have unidentified mental health issues because they have never been assessed properly due to language issues.	All eligible service users will be reviewed/assessed and offered a personal budget where appropriate.

Theme	Feedback Issue	Raised by whom	Detail of Feedback	Clarifications
	Information and advice	Stakeholder	Noted the importance of offering information and advice to those who are below FACs criteria.	This is a key aspect of a hub model of service and community support services.
	On-line market place		They also suggested that IT infra-structure needs to be in place to inform people about service opportunities (i.e. on-line market place)	Ongoing development of a single point of contact for adult social services – information and advice available to people is an important part of this.
	What is success in outcomes?		Work needs to take place to work out how to measure successful outcomes. What is success?	The department's priorities and key outcomes measurements are highlighted in the departmental plan produced by health and community services.
	Partnership working	Stakeholder	Further partnership working needs to be developed and will take time.	Partnership working is vital and the council continues to support this in all areas, working directly with partners and encouraging them to work together themselves to develop effectively in the future.
Community support services	Safeguarding	Stakeholder	The proposals indicate a potential loss of accountability and safeguarding.	New models of service will include risk mitigation and enable positive risk taking.
	Transport	Stakeholder	Transportation issues need to be considered as part of any new model of day care.	This will be considered in any equality analysis.

Southwark Health and Community Services

Adult Social Care

Equality considerations – Stage 2 Equality Impact Assessment (EIA)

Policy/programme of work to which considerations relate:

Voluntary sector open access day services/lunch clubs

Name of Responsible Manager:

Sarah McClinton

Name of Lead Director:

Susanna White

Directorate:

Health and community services – adult social care

Service:

Older people's services

Key aims of work programme:

To design and implement adult social care services that deliver the council's statutory duties within a reduced financial envelope, in a way that achieves better value for money and promotes independence, supporting people to live independently and well at home and in the community

Who are the key people affected by this piece of work?

- **Older people using specific services with eligible care needs and those older adults at risk of needing adult social care support.**
- **Voluntary sector organisations that provide these services.**

Which partners are involved in this work programme:

The consultation process included engaging with providers of these services and Community Action Southwark, and was open to comment from people who use these services, their families and carers.

Date of final EIA:

6 July 2011

Section 1: Overview of proposals and key issues

1. Description of policy/service redesign

Nationally, these proposals are driven by the outcome of the government Spending Review¹ and subsequent financial settlement for local government, which meant a 11.3% reduction in funding for Southwark in 2011/12 alone. Savings are required in Health and Community Services of £7.75m in 2011/12, with further savings required across 2012/13 and 2013/14. The department has therefore had to look at potential savings realisation if services are modernised, resources focused on the most vulnerable and shifting the balance of care for people with eligible care needs towards community based support.

In addition, our approach to transforming adult social care (ASC) services, to improve outcomes for people and achieve best value for money is driven by the national Putting People First concordat² and takes into account the national vision for adult social care³.

With this in mind, Southwark has developed a vision for the future of adult social care, which requires a radical rethink in our approach across the ASC system⁴. The vision for Southwark is to support people to live independent and fulfilling lives, based on choices that are important to them. This requires services to be more effective and more personalised, focusing on individuals rather than institutions and shifting the balance of care away from residential homes and towards more personalised services in community settings. This also requires a different relationship between the council and the community, moving from a model of dependency to one where older and disabled people are seen as people who can contribute and exercise control over their own lives, improving their own health and wellbeing. Resources in adult social care also need to shift, with more short-term, targeted interventions aimed to help people get back on their feet and maintain independence. Prevention services need to be based on evidence and targeted, supporting people to do more for themselves and each other. With limited resources, the council also needs to prioritise meeting its statutory duty to provide services to people with eligible care needs. This is currently set at substantial and critical needs in Southwark as outlined in Department of Health (DH) guidance on eligibility criteria⁵.

A series of proposals were put forward as part of the Policy and Resources Strategy for Southwark that sought to contribute to this overall vision and in line with the financial context. This strategy was agreed at the Council Assembly meeting on 22 February 2011.

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

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

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

⁴ http://www.southwark.gov.uk/info/100010/health_and_social_care/2086/vision_for_adult_social_care_in_southwark

⁵ Department of Health, 2010 *Prioritising need in the context of Putting People First: a whole system approach to eligibility for social care – guidance on eligibility criteria for adult social care, England 2010*, London

It included proposals to re-shape open access services (specifically day services and lunch clubs) within the voluntary sector to provide practical and social support in the most affordable and cost effective way, as well as supporting a more self-sustainable set of services. There was a requirement to achieve savings of £1 million in 2011/12 and a further £0.3m in 2012/13. Expenditure on these services for 2010/11 represented just 3.5% of the total budget for older people's services⁶. This is also in the context of the need to make savings of £7.75m in Health and Community Services in 2011/12 and further savings across the wider council budget.

A consultation process on how to achieve savings in open access services was launched on 25 January 2011 and closed on 19 April (extended from 23 March). This proposed a staged approach to re-shaping the services⁷.

Stage 1: Re-shaping day support and lunch clubs

Reduce the number of groups that received a block council funding contribution offering a geographical spread, at a cost of 100,000. It was envisaged there was a possibility for three sites to potentially act as hubs, working with other organisations to make best use of resources and offer personalised, effective and innovative services to local residents. Two sites were identified to receive future council contributions at the same level:

- Golden Oldies Community Care Project, Camberwell
- Goose Green, East Dulwich

It was also proposed that the Age Concern Yalding Health Living Centre, Bermondsey would continue to operate as a third hub with PCT funding.

In addition, the council would invite all groups to bid for part of an Innovation Fund of £200,000, in 2011/12, to support organisations in changing and adapting their business models, becoming more financially self-sustaining in the longer-term through small injections of cash to support them.

Stage 2: A new approach to community support services

Decommission current contracts for advice, information befriending and advocacy projects (to take effect from April 2012) and invite local organisations to bid against a new specification for services that support delivery of personalisation and health and well being to a value of £700,000 (saving a further £300,000).

In the light of feedback received the proposals have been further developed to support transformation and encourage the development of a diverse market of services as people increasingly use personal budgets for the purchase of their care and support.

⁶ *Older People's Health and Social Care Commissioning Strategy 2010–13*, Southwark Health and Social Care, July 2010

⁷ http://www.southwark.gov.uk/downloads/download/2632/open_access_service_consultation

Stage 1

Retain the approach to reduce council contributions by ceasing block contracts to voluntary sector day services/lunch clubs but focus resources on supporting transition to personal budgets as soon as possible for customers with eligible care needs rather than continuing to block fund a small number of specific organisations. This would aim to be achieved by the end of August 2011 and is in line with the wider approach in adult social care to support people to take up personal budgets as a means of exercising greater choice and control over their care and support.

Retain the Innovation Fund model as a one-off opportunity to give organisations the opportunity to develop a business case for innovative solutions for increased financial self-sustainability and future provision of services. This would be in place of the council implementing its proposed hub sites but could provide an opportunity for organisations themselves to shape any future ideas for consolidation of services for example.

Stage 2

To be implemented as outlined in the initial consultation.

The equality analysis focuses on this way forward.

2. Purpose, issues and key benefits

Key groups affected by proposals	<ul style="list-style-type: none"> • People who are at risk of needing long term social care support and people who have been identified with eligible care and support needs. • Potential impact on carers of those people accessing services with eligible care needs. • Organisations that provide services.
Consultation process	<p>The consultation process was launched on 25 January 2011 and closed on 19 April 2011 (following an extension). Copies of the proposal were sent directly to all affected organisations, alongside information about the end of contracts where relevant. Proposals were also made publicly available via the Southwark Council website⁸. Affected organisations were asked to discuss the issues directly with people who used their services, plus families and carers, and incorporate these views into any feedback submitted (as a number of people accessing services did not have eligible care needs and so were not directly known to the department).</p>

⁸ http://www.southwark.gov.uk/info/200148/independent_living_for_adults/2082/adult_social_care_service_consultation

	<p>On 2 March the council Leader, Cabinet member for health and adult social care, plus council's finance director and deputy director for adult social care, met to discuss concerns with affected organisations. Individual meetings were held between senior officers in adult social care, the Cabinet member for health and social care and voluntary sector organisations throughout March.</p> <p>The proposals were also discussed with key partners at the Older People's Partnership Board meeting on 9 March 2011 and at the Provider Market Forum.</p> <p>Consultation responses were received from a range of affected organisations, other partners and people using services and their families and carers. Some of the consultation responses raised queries around perceived equalities issues. These are specifically referenced as part of this equality analysis.</p> <p>In addition, future options for all day services for older people were discussed at the health scrutiny committee meeting on 4 May. Recommendations from the committee were considered as part of the consultation process but they did not include recommendations on specific equality issues.</p> <p>Feedback from these various sources has been taken into account in developing the final proposals.</p> <p>In addition, a draft of this EIA was shared with affected organisations in advance of an update meeting with council officers on 17 June 2011.</p>
<p>Main issues of proposals in relation to equality, diversity and social cohesion (e.g. access, cultural sensitivity, impact of service change/policy etc.)</p>	<p>Consideration of the impact of proposals on equalities is being carried out in accordance with Southwark Council's Equality and Human Rights Scheme, 2008–2011⁹. It should be noted, however, that this scheme was scheduled to come to an end during May 2011. Further guidance received from the council's corporate strategy department highlighted that, while equality considerations should still be undertaken, there was no longer a need to send this to the Equality and Diversity Panel for feedback.</p> <p>In addition, from April 2011 a new Public Sector Equality Duty (PSED) "general duty" was introduced as part of the Equality Act. This requires all public sector organisations to 'eliminate unlawful discrimination, harassment and</p>

⁹ http://www.southwark.gov.uk/downloads/download/281/equalities_and_human_rights_scheme_2008_to_2011

victimisation’, ‘advance equality of opportunity between different groups’ and ‘foster good relations between different groups’. It is in this context that all the council’s work needs to be taken forward. It is also important to note that, from a national perspective, confirmation is still outstanding on the specific details of requirements to meet the Public Sector Equality Duty (as outlined in the Equality Act 2010¹⁰).

As part of the budget strategy process, an equality impact assessment was completed on the overall vision for adult social care in Southwark and the key budget proposals¹¹. This provided some initial scoping work on the voluntary sector open access day services/lunch clubs. It was published alongside the budget strategy proposals for decision at Cabinet and Council Assembly.

In addition, as part of consultation development, background work was completed to identify key areas for further equality considerations. This highlighted that there was the need for further work on:

- Understanding the number of people with eligible care needs accessing individual services
- Any specific equality considerations raised during the consultation process
- Ensuring that any service specification development recognised the diverse population in the borough and could demonstrate how proposals would support people to access personalised services that acknowledged the needs of different groups of people.

These areas are considered in more detail in the rest of the document. Overall, the proposals have greatest impact on **older and disabled people in Southwark**, both with and without eligible care needs, due to the focus of the services. In addition there is the need to consider the impact on **black and minority ethnic (BME) communities** as a number of services receiving council contributions are for specific individual communities or specifically for Afro-Caribbean communities.

Considering the scoping work with organisations on attendance at services and the population projections for people aged 65+ in Southwark, only around 1.5% of the Southwark 65+ population is represented within the day services/lunch clubs (around 394 people attending and a 65+ population in Southwark of 25,200¹²). When looking at 2010/11 performance data for the number of people receiving adult social care services aged 65+, this suggests up to around 7% of users are accessing these services. Therefore, this relates to only a small proportion of both

¹⁰ Equality Act 2010 – Part 11, Chapter 1, ‘Public Sector Equality Duty’, 149(1) http://www.legislation.gov.uk/ukpga/2010/15/pdfs/ukpga_20100015_en.pdf

¹¹ http://www.southwark.gov.uk/downloads/download/2631/budget_equality_impact_assessments

¹² Population figure from ONS, 2008 Final Mid-Year Population Estimates (2001 Census based)

the overall older population in Southwark and older adult social care clients. Community support projects are also open access and available to all. Although being re-commissioned, we do not propose for this open access element to change. We will also continue to commission key statutory elements of such services.

For those people with eligible care needs, there is also the potential for an impact on **carers**, the majority of whom tend to be **women**.

It is important to note that, as these are not council-run services, it is not wholly the council's decision as to whether or not they should continue to operate. Mitigating actions are focused around providing organisations with appropriate support to enable them to collaborate and transform to offer personalised approaches, while recognising that there is a need for all services to be able to operate in a more financially self-sustainable way in the future.

In addition, as we seek to move to embed the personal budget model for people with eligible care and support needs, individuals will take greater charge of their purchasing decisions. It may happen that services that do not offer people the opportunities they want to achieve their needs and outcomes find that their services are no longer viable in the local marketplace. The council will continue to ensure that key statutory elements, for example appropriate advocacy, are part of commissioning arrangements and seek to work with people using services and providers to develop a vibrant and effective marketplace in Southwark. However, this does not mean that services may not have to change over time.

Finally, although this analysis is focused on considering these proposals specifically, it is acknowledged that services across health and community services and wider departments are having to consider a range of options for making savings and reducing budgets, as a consequence of the reduction in central government funding available to local authorities. Proposals are also at different stages of implementation and development. We recognise that we will need to work closely with partners across the council, both within adult social care and in areas such as housing and employment, to understand the cross-cutting impact of the need to reduce spend in these areas and our desired outcome of helping more people to live independently and well at home and in the community.

The council's overall statement on equalities as part of the budget strategy acknowledged that many of the savings proposals across areas would impact on disabled people, older people and women, as these groups tend

to have greater need of public services. This is also the case for these specific proposals. Mitigating actions are focused on trying to support organisations to think about ways in which they can become more self-sustaining and support people to live independently and well at home, connecting with their local communities.

For people with eligible care needs, we are not proposing to remove care but to enable people to be re-assessed and think about how best they would like to meet their care and support needs in the future. It is possible that re-assessment may highlight some people are no longer eligible for services but this would always be carried out in line with national requirements and guidance on eligibility and assessment.

In implementing proposals it will be important to monitor and understand the impact on equality strands, including engaging with the community in doing so. As part of the council's work to update its equality and human rights policy the council will in future be working with the Forum for Equalities and Human Rights (FEHRS), who will act as a "critical friend" for equality. FEHRS is hosted by the CAB and can facilitate community engagement in thematic areas.

Section 2: Pre-implementation equality analysis

This section considers the impact of proposals on the key equality strands outlined in the Equality Act 2010 and proposes mitigating actions where appropriate.

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

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

This equality strand will be affected by the proposals, as there are a number of people with disabilities who have eligible care needs accessing the voluntary sector day services/lunch clubs. As the services also allow people without eligible care needs to attend, there are likely to be some disabled people accessing the services who do not meet the council's eligibility criteria. In addition, the community support services have historically been open to all people, thereby including people with disabilities.

The risk is that, by removing the ongoing block contract council contribution to organisations and seeking to focus on income from personal budgets, some organisations will not be able to continue to operate long-term. While care and support services would not be withdrawn from anyone with eligible needs if organisations ceased operating, they may need to think about alternative ways of meeting their needs and accessing services in the future.

Similarly, for people who may have disabilities that are below the eligibility criteria for ASC support (a minimum of 39% of people currently accessing the day services/lunch clubs according to information provided by the affected organisations) may need to find alternative arrangements or considering making a contribution to the services they access. In fact, a number of organisations currently make a charge for lunch to those attending their services. Scoping work with organisations suggests that a majority of people attending the services are doing so for issues around social isolation and a proportion are to support respite for carers.

In addition, we need to consider that day services are being reviewed across all client groups in adult social care, so there is the potential for multiple impacts. This is part of the transformation and savings process. The timing of proposals differs for different services and so it will be important to consider the wider potential impacts on making decisions in the future.

During the consultation feedback process, it was suggested by some organisations that people who did not have eligible care needs were not able to make use of transport themselves in order to attend services. However, it was not clear as to the evidence base for this assertion.

A summary of mitigating actions around this is outlined below.

Mitigating actions

Some of the mitigating actions around continued operation may actually also be impacted by decisions of the organisations themselves. In information conversations with organisations as part of the consultation process, several have suggested that they could continue to operate for a further period after current council funding arrangements ceased by making use of some of their organisational reserves (to which council funding is likely to have contributed) as they continued to work to develop future business models use of organisational reserves.

Work with organisations during the consultation period to scope out the number of people at each service with eligible care needs resulted in a higher figure than originally anticipated across a number of services. This supported and influenced the recommendation to focus on a move to a personal budget model in a timely way as a means of enabling people to choose to purchase culturally appropriate services that best meet their needs, recognising the diverse range of provision in the borough, and in preference to selecting a smaller number of specific groups to receive ongoing council block contract funding. The council supports embedding a personal budget model across all services to enable people to exercise greater choice and control over the care and support they access and promoting independence. This means that people will increasingly become purchasers of their own care and support, and may decide to employ people directly to support them in meeting their outcomes both for personal care and for issues such as social isolation.

Adult social care services have also been developing a new model for day opportunities for people with physical disabilities, in the form of the Southwark Resource Centre. This aims to support people to develop training and skills and engaging with the local community to support greater independence for individuals and will remain available for disabled people in the borough.

Furthermore, our approach to wider adult social care services is an increasing focus on short-term interventions to support people to maintain or regain their independence, rather than a long-term dependency on specific services, for example through re-ablement services. This approach is to be embedded in all adult social care services and providers will need to make sure that their approach is supportive of personalised services that promote independence and wellbeing. There is some emerging evidence to suggest that the use of re-ablement type services can result in improved health-related and social care-related quality of life, as well as being cost effective and being associated with a decrease in subsequent social care service use over time¹³. Early re-ablement work in Southwark has also suggested that a large proportion of people using the re-ablement service have not accessed an ongoing care package afterwards although further work will be required to understand the longer-term outcomes in this area.

A decision has recently been taken to close one of the council's in-house day services for older people, Holmhurst, which may contribute to multiple impacts for disabled people accessing services. Consideration of equality impacts was completed separately as part of this proposal, including a range of mitigating actions. This equality analysis highlighted that the services available from Holmhurst could be appropriately met through other existing services, and also that service users would be sensitively and appropriately reviewed to discuss their future options and minimise disruption for them. Service users will continue to be able to access the remaining in-house day care services available, if that is the best thing for them to meet their needs.

The equality impacts considered through the Holmhurst proposal also highlighted the projection of an increased number of people with particular mental health needs, such as dementia, in the future. It will be important to consider this future demographic, both for in-house and voluntary sector services, in the longer-term, in terms of the availability of appropriate services for individuals. At present, council in-house day services are involved with a number of clients with mental health issues. At least one of the voluntary sector organisations are also experienced in offering support to older people with mental health needs and their families. Furthermore, the council commissions a specific number of mental health day services, which remain available to people. However, as mentioned previously, the pattern of service may well change over time as people start to take advantage of using personal budgets to purchase individual services. The department will need to continue to be aware of this based on the decisions of individuals as the market develops.

Proposals for day services in other client groups are being considered later in the budget period and will also need to take into account the impact of decisions in this area as well as the long-term vision for the future of services.

The council has already invested £0.5million of reserves in providing further funding to organisations to give them time to think about their future service models and opportunities, including accessing alternative sources of funding, thinking about charging for some services, fundraising for additional support, making more use of volunteers rather than paid staff, etc. This has extended the funding period for organisations until the end of August 2011.

¹³ Glendinning, C, Jones K, et al. (2010) *Homecare Re-ablement Services: Investigating the longer-term impacts (prospective longitudinal study)* –Personal Social Services Research Unit University of Kent & Social Policy Research Unit, University of York

The proposal to include an innovation fund, supporting organisations to become financially self-sustaining and promote community cohesion, as well as supporting effective, personalised services that promote independence and wellbeing and support people to engage in their local communities is a further mitigating impact. Organisations could consider their future business model and work with other organisations, as appropriate, to develop innovative solutions for future operation. The criteria would need to be developed to recognise the diverse range of provision in the borough and consider how best to support this, alongside a desire to promote community engagement and cohesion along with ongoing financial sustainability and providing effective, personalised services for individuals. This could also enable continued operation of a range of services to give people ongoing choice and control of services on which they wish to spend their personal budgets.

Good quality information and advice is also important to all people in terms of understanding the system and being aware of the types of support available, particularly in their local communities and not just from the council. The stage 2 service specification can help support this and the proposal remains to engage with partners in developing this – getting the views of people who use services will remain important. In addition, a single point of informed contact for adult social care services is being developed. This can also provide clarity about the system of adult social care, how people can engage and the range and types of support available.

On the issue of transport, there are a range of options for people who need support in being able to get out and about. The council continues to offer Freedom Passes for disabled people, and older people of retirement age (recognising that this is changing in line with the national changes to retirement age). This offers free/subsidised travel to support people in getting out and about. The council also offers a Dial-A-Ride service available for disabled people who cannot use trains, buses or the Tube. In addition, for people with eligible care and support needs, there is additional support available through a Taxicard scheme. Although a consultation is currently being held on how to ensure best use of resources for this in the future, there are no proposals to withdraw the scheme for Southwark residents¹⁴. There are also other local initiatives around offering low-cost transport for community groups and local people (such as Lambeth and Southwark Community Transport (LASCOT)).

In addition, there has been some interesting work by St Christopher's Hospice, which provides support for people approaching the end of life and their carers and families, made use of national and local research and focus group work to redefine their approach to day care provision and reshape services based on what worked best for individuals using the service. This included looking at transport options for people attending services. The centre currently has 44% of people making their way to the centre independently, compared to just 9% before the service transformation.

Access will also be an important consideration in assessing bids for the innovation fund and location of appropriate services. Based on information provided by organisations, almost a quarter of people using services are based in the SE15 postcode, the largest concentration of any postcode in the borough.

¹⁴ http://www.southwark.gov.uk/info/200148/independent_living_for_adults/2145/taxicard_consultation

3.2 Age

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

All of the voluntary sector day services/lunch clubs are focused on providing services to older people (65+), although the BEGS Somali project also supports people from 55+. Scoping work with relevant organisations suggests that there are around 394 people (aged 55+) accessing these services. This represents around 1.5% of the 65+ population in Southwark (as highlighted previously).

Community support services are commissioned for all age ranges, although some providers do have particular experience of supporting older people. However, we still wish to commission these services in future, but are thinking about a more cost-effective model.

There is again the issue around the council's in-house day services for older people being reviewed at the same time. Key issues and mitigation are covered in the above section.

Similarly, the issue of transport raised through the consultation is important for this strand too. A summary and mitigating actions are covered in the above section.

Mitigating actions

It is recognised (and was raised as part of the consultation process) that there is some evidence to suggest that issues such as social isolation, depression and potentially malnutrition can all impact on people being able to remain independent and well at home. However, the evidence is much less clear on the best mechanism to support and achieve this. Work done with older people in the borough by the Southwark Circle Community Interest Company in building their business case highlighted that low level help is important to keeping older people feeling well. It also noted that people's needs are episodic and fluctuate, which means that they do not always need ongoing services. It also highlighted that older people want to contribute and participate, being part of wider society, in big and small ways – social connections are also very important¹⁵. Furthermore, scoping work has suggested that a majority of attendees at the services are attending to support them in minimising social isolation.

In recognising that these things are important, it is also vital to note that there are a range of services available to individuals in Southwark that operate in this way and can support people to engage with their local communities and access social and practical support. The SE Village, HOurBank and Southwark

¹⁵ Southwark Circle CIC *Southwark Circle CIC, Business Case* (2009)

Circle are all self-sustaining models that are open to all for social, practical support, which people can choose to access if they wish. While there are some charges associated with some services in terms of provision of practical support, it is generally envisaged that people would make use of appropriate benefits in support of this (and indeed is broadly the intention of those nationally-available benefits). Local information also suggests that people are prepared to pay an appropriate charge for these services if necessary.

As highlighted above, good quality information and advice is also important to all people in terms of understanding the system and being aware of the types of support available, particularly in their local communities and not just from the council. The stage 2 service specification can help support this and the proposal remains to engage with partners in developing this – getting the views of people who use services will remain important. In addition, work has begun to develop a single point of informed contact for adult social care services. This can also provide clarity about the system of adult social care, how people can engage and the range and types of support available. We recognise that it will be important to consider, as part of this, the formats in which information is available locally, to ensure that everyone can make use of the information and advice provided. This will be available to all residents.

The opportunity for people to take advantage of personal budgets so that they can choose to purchase the services that best meet their needs may also provide support to older people in accessing the services they want and that support them to live independently and well. There is, however, currently some national evidence to suggest that older people may need a greater degree of support to access the benefits of personal budgets¹⁶. We know this is important, and some key areas that are being considered are:

- Focusing on how the council can support development of a diverse provider market in Southwark, so there are appropriate services available on which people can spend their personal budgets
- Access to good quality information and advice (as highlighted above)
- A focus on support planning so that people can identify how best to meet their needs and achieve the outcomes they want, with the development of an effective brokerage service that people can also use to access services – this model is being piloted and will be used to agree and roll out a model for the whole system during 2011
- Making sure support and advice is available on the implications for people of managing their own money (through a range of providers and support organisations), including payroll and employment requirements, for example.

It is also important to note that a survey of social care service users in Southwark, undertaken by DEMOS in Autumn 2010, indicated that although older people wanted to socialise and decrease isolation, they were less likely to use personal budgets to fund traditional day services than previously anticipated (a reduction of 12% in numbers for people who took up the personal budget option (or who stated how they believed they would spend their personal budget in the future)¹⁷. These findings are consistent with those found nationally by DEMOS.

¹⁶ Glendinning, C. et al, Individual Budgets Evaluation Network (IBSEN) (2008) *Evaluation of the Individual Budgets pilot programme: final report*, IBSEN, London

¹⁷ The sample is based on initial findings of the 156 DEMOS respondents in Southwark who answered both before and after questions on the survey.



3.3 Race/Ethnicity

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

The current lunch club/day services offered by the voluntary sector provide provision for a number of specific communities. Of the 12 lunch clubs/day services currently receiving some form of council funding, one third (4) are open to all communities, one quarter (3) are specifically for Afro-Caribbean communities and the remaining five are for specific individual communities. This clearly represents a diverse range of provision in the borough. We recognise that any reduction in the council contribution to these groups could possibly have an impact on the discretionary services available to people in those communities, particularly around the availability of culturally-sensitive services. The ethnicity profile for older service users in Southwark (based on annual performance data for 2010/11) is broadly in keeping with the ethnicity profile for the borough as a whole, although it appears that a slightly larger proportion of people who consider themselves to be Black or Black British use adult social care services when compared with the overall population for people aged 65+¹⁸. However, the day services/lunch clubs available do not particularly reflect the balance of ethnic profile for older people in the borough, or of adult social care service users, as the specific communities (excluding Black/Black British/Afro-Caribbean communities) make up less than 5% of the 65+ population in Southwark¹⁹.

During the consultation process, there was feedback from some provider groups that a number of services offered translation/interpretation services to their customers (though not necessarily as part of their contractual obligation) and they felt there was a risk that this could be lost with reduced funding, with a corresponding negative impact.

The mitigating actions outlined below demonstrate how the council is trying to make sure that culturally appropriate services are available and that people can choose the types of services that would best meet their own needs.

Mitigating actions

During the initial consultation period, we worked with organisations to scope out the potential number of users at each service with eligible care needs. The result was a higher figure than initially anticipated, based on the information provided by organisations. This has supported our recommendation to focus on a move to a personal budget model as fast as possible to enable people to choose culturally appropriate services that best meet their needs, recognising the range of diverse provision in the borough, rather than selecting one or two specific groups to receive ongoing council funding.

¹⁸ Compared with 2007 data on whole population ethnicity in Southwark from www.poppi.org.uk
¹⁹ Based on information from POPPI experimental estimate statistics on ethnicity of people 65+, year 2007, www.poppi.org.uk

The personalised approach to service delivery gives people who are entitled to long term care more choice and control over their support. This enables individual culturally sensitive responses to be agreed with individuals. There is also some evidence to suggest that personal budgets have the potential to offer greater independence and flexibility in support arrangements for black and minority ethnic (BME) groups in terms of improved access to culturally sensitive, tailored support. However, this needs to be seen in the context of the importance of there being sufficient options in the local market place to offer the type of support that people want. Southwark's role as market shaper and its approach to quality assurance in the future will need to take account of this need in ongoing work.

In fact, in Southwark, of those older people who use personal budgets a higher proportion are from BME communities than compared with the overall ethnicity profile of service users (26% of people 65+ with PBs are from BME communities, compared with 17% of service users from BME communities overall. This figure increases further when we focus on people using direct payments or wholly self-managed personal budgets, to 41%²⁰.) This demonstrates there is potential for a positive impact on BME groups given how they have already taken advantage of managing their own money and personal budget models.

Our proposal to include an Innovation Fund, supporting organisations to become financially self-sustaining, and promote community cohesion, in line with the wider corporate approach to the voluntary sector could also support organisations to refine their business model and continue to operate effectively. The innovation fund criteria could also be developed recognising the diverse range of provision, and how this can best be supported, while recognising the need to become financially self-sustaining and potentially consolidate further. We will also need to consider how support can be available in a way that promotes community cohesion and fosters better relationships between groups with and without protected characteristics (as highlighted in the Public Sector Equality Duty from the Equality Act 2010²¹). Organisations will also have the opportunity to bid for the re-developed service specification for open access community support projects. Again, personalised effective services, supporting community engagement and connectedness for local people will be key parts of this specification, which we will develop over the coming months in conversation with local partners.

Furthermore, the council continues to offer all residents the benefit of a translation and interpretation service to enable them to access and make use of council services²². For individuals who are adult social care customers, translation/interpretation is available during assessment or review processes. We are not aware of any proposals to remove this service.

Informal conversations with some of the groups have suggested some of them are already looking at how they could get the best out of their resources by sharing building space. This would enable them to offer the culturally-tailored support to individuals as necessary but could share buildings to do this. As

²⁰ Based on annual performance data in Southwark for 2010/11

²¹ Equality Act 2010 – Part 11, Chapter 1, 'Public Sector Equality Duty', 149(1) http://www.legislation.gov.uk/ukpga/2010/15/pdfs/ukpga20100015_en.pdf

²² http://www.southwark.gov.uk/a_to_z/service/134/translation_service

only a minority of the groups operate throughout the week, there is scope for this to be achieved through discussion and collaboration.

3.4 Gender/Gender Identity (inc. gender reassignment)

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

As a result of longer life expectancy more women than men use adult social care services and this is also true for Southwark where a majority of adult social care service users are women. It remains true for people using these particular voluntary sector day services/lunch clubs. In addition, women are more likely to be carers than men (58 percent of carers were women according to the 2001 Census). This has the potential for a greater impact on women if these organisations do not continue to operate in the future.

We are not aware that any specific gender re-assignment issues are currently being addressed through these services. However, organisations would need make sure they were taking appropriate steps to prevent and address discrimination, considering the different equality strands, as part of the requirements of the Equality Act 2010. There is also some evidence to suggest that personal budgets have the potential to offer greater independence and flexibility in support arrangements for transgender people (for example even in just being able to select for themselves the gender of their carer). However, this needs to be seen in the context of the importance of there being sufficient options in the local market place to offer the type of support that people want. Southwark's role as market shaper and its approach to quality assurance in the future will need to take account of this need in ongoing work. As we are seeking to focus on supporting people who use these services to take advantage of personal budgets (as part of the wider approach in ASC), there is also the potential for this to support any future service users who may need specific support.

The issue around carers is considered in more detail in section 3.7 below.

Mitigating actions

Mitigating actions are similar to those outlined above. This includes supporting organisations to have a future income stream through personal budgets, if service users wish to take advantage of this and the availability of an Innovation Fund to support new ideas and models that promote independence, wellbeing, community engagement and personalisation, as well as being self-sustaining.

Good quality information and advice is also important to all people in terms of understanding the system and being aware of the types of support available, particularly in their local communities and not just from the council. The stage 2 service specification can help support this and the proposal remains to engage with partners as to key things that should be considered in commissioning this. In addition, a single point of informed contact for adult social care services is being developed. This can also provide clarity about the system of adult social care, how people can engage and the range and types of support available.

3.5 Religion/Belief

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

The current organisations do not receive council funding for specific activities linked to religion or belief. However, we are aware that some groups, for example the BEGS Somali group, do assist their customers to appropriately practise their beliefs while using services. In addition, organisations will need to make sure they were taking appropriate steps to prevent and address discrimination, considering the different equality strands, as part of the requirements of the Equality Act 2010.

As with some other areas considered above, for people with eligible care needs who access services, the drive towards personalised services and responses for people, combined with the personal budget offer, can provide opportunities for people to purchase services that are culturally sensitive for their needs. We would expect organisations to be aware of this if they wish to take advantage of the personal budget model and charge people with personal budgets for services they can provide.

3.6 Sexual Orientation

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

We are not aware that any of the current services (either day services/lunch clubs or community support services) provide specific services for those from the lesbian, gay or bisexual communities. However, organisations would need make sure they were taking appropriate steps to prevent and address discrimination, considering the different equality strands, as part of the requirements of the Equality Act 2010.

We are aware the former Commission for Social Care Inspection (CSCI) found that people from lesbian, gay and bisexual communities may find themselves in an assessment process that fails to correctly identify their needs, which is likely to result in the provision of services that inadequately meet the needs of individuals²³. The personalised approach to service delivery gives people who are entitled to long term care more choice and control over their support. This should enable personalised responses to be agreed with individuals, and should take into account any needs arising specifically as a result of an individual's sexual orientation.

²³ CSCI (2008) *Putting People First: equality and diversity matters – providing appropriate services for lesbian, gay and bisexual and transgender people* CSCI, London

3.7 Carers

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

While not a specific equality strand in the Equality Act 2010, it is important to note that Act covers the issue of discrimination by association, which may have an impact on those caring for people with an adult social care need.

There is a risk that, if proposals do lead to fewer people receiving long term support this may place a further burden on carers. The role of services in supporting carers was also raised as part of the consultation feedback process. We recognise the key role that carers play, both in delivering care and in preventing people's care needs from increasing.

We also recognise the fact that day opportunities need to think about the availability of respite for carers in certain circumstances. It is possible for people with caring responsibilities to request a carer's assessment to look at how carers can continue with their caring responsibilities, maintain their own health and well-being or help when they can no longer care.

Mitigating actions

In adult social care services, we are already developing proposals for effective, targeted interventions that can provide help and support for carers. This includes working with carers' representatives to target commissioning activity through a carers' hub. This is anticipated to provide a more effective service and place greater emphasis upon locating and supporting carers who are in crisis and greatest need. We continue to recognise the need for respite care for people with caring responsibilities and all of our work towards service transformation and giving people choice and control over their care and support is designed to enable people to make the best choices for them about how that support should be delivered.

Carers' assessments remain available for people with a role to request from the council, in terms of thinking about support to enable them to continue with that caring role.

3.8 Pregnancy and maternity

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

It is not expected that proposals will have a differential impact on the equality strand of pregnancy and maternity (as outlined in the Equality Act 2010), consequently it has not been considered in detail here.

3.9 Marriage and civil partnership

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

Marriage and civil partnership is included as a protected characteristic in the Equality Act 2010 in relation to the specific need to ‘eliminate discrimination, harassment, victimisation or other prohibited conduct’. It is not anticipated that these proposals will have a differential impact on this equality strand in relation to the requirement to have due regard to this. Consequently, it is not considered in detail here.

3.10 Human rights

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

In line with the council’s equality and human rights policy, the issue of human rights is also considered within this analysis. In line with a human rights-based approach, we have sought to engage with partners who provide and make use of these services to comment and, where appropriate, propose alternatives for the delivery of savings and transformation of services. There is further detail on this engagement in the ‘Consultation’ section of this document. An approach that supports people to engage with their local communities and use mainstream services wherever possible is also designed to support people while positively considering their human and civil rights.

It is also important to note some details from an Equalities and Human Rights Commission (EHRC) report on the future of care and support, particularly in light of the personal budget approach. This highlights the need to consider the balance between risk taking and financial and personal safety in promoting greater independence for older and disabled people, particularly through personal budgets and the importance of taking a proportionate approach²⁴. This is something we are considering throughout all of our work to transform adult social care. The council’s policy and processes around safeguarding will remain in place, and we will seek to support and develop a culture of positive risk-taking that emphasises the need for all partners to engage.

²⁴ Equality and Human Rights Commission *From safety net to springboard: a new approach to care and support for all based on equality and human rights* (2009)

Section 3: Equality analysis conclusions and further actions

4. Resource Implications	
<p>Will there be any financial or HR implications in ensuring policy/service redesign are non-discriminatory?</p> <p>Provide specific detail where applicable</p>	<p>These proposals are focused on charitable/voluntary sector organisations, consequently no council employees are directly affected by these proposals.</p> <p>The savings identified are part of the overall budget proposals to achieve the necessary spending reductions as a consequence of the reduced grant available to local authorities from central government. The council has recognised that, in order to support a move to personal budgets for organisations in a timely way, there will need to be an investment in council staffing resources in order to complete the necessary re-assessments/reviews of individuals. The estimated cost of an appropriate team is £7,000 per week (estimated timescale of eight weeks so total estimated cost £58,000). Funding for this will be from budget identified to support clients transferring to new home care contracts.</p>

5. Further EIA Actions		
<p>Based on the Initial Assessment above. Please detail key areas identified as requiring more detailed analysis or key mitigating actions. Please be explicit about actions and provide the name or supporting documents</p>		
Number	Description of Issue	Action & Output
1	Ensure that relevant individuals are reviewed/re-assessed to understand and identify their key needs and outcomes, including supporting them to take advantage of personal budgets to purchase their own care and support services (by end August 2011)	Support service users to access personalised services that best meet their identified needs and outcomes. Provide clarity to organisations on potential income available from personal budget model and enable them to develop their own charging mechanisms.
2*	Develop and launch innovation fund	Support transformation to model of self-sustainable, innovative models of service for older people that promote independence,

		wellbeing, community engagement and outreach work
3*	Develop and launch revised service specification for community support services, with partners by April 2012	Support transformation to model of self-sustainable, innovative models of service for older people that promote independence, wellbeing, community engagement and outreach work, as well as supporting social inclusion, quality information and advice to support people to support themselves and stay independent and well for as long as possible
4	Ongoing discussions between departmental project leads on interactions and dependencies of day services savings projects across different client groups	Enable a holistic approach to service transformation and better understanding of multiple impacts to inform recommendations, service design and delivery
5	Market management role in commissioning (ongoing)	Supporting development of an effective provider market in Southwark so that there are services available on which people want to spend their personal budgets
6	Ongoing review of equality impact on policies	Following consultation and engagement, and otherwise at regular intervals, proposals to be reviewed by project leads to ensure that equality impact is well understood and up to date, in line with any national requirements and finalisation of council's equality and human rights policy.

Note: actions marked with '*' are subject to any final decision made by Cabinet on the proposals.

7. Publication

This assessment will be made available to both the council's Corporate Management Team and the council Cabinet in order to support the decision-making process. Consequently, it will be published alongside relevant papers in line with the council's timescales for decision-making.

8. Governance & Sign Off

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

As part of the decision-making process, information on equality considerations will be made available both to the council's Corporate Management Team (CMT) and to the council Cabinet. While the decision can be taken by individual decision-making, in this case the matter is being referred to Cabinet for a

	<p>decision. This EIA is therefore being considered as part of that process and not separately.</p> <p>Comments can be received either from CMT or the Cabinet and will then be addressed accordingly.</p>
Signed-Off by Director, Assistant Director or SRO	<p>Name: Sarah McClinton</p> <p>Date: 6 July 2011</p>

Item No. 10.	Classification: Open	Date: 19 July 2011	Meeting Name: Cabinet
Report title:		Revenue Outturn Report 2010/11, including treasury management	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor Richard Livingstone, Finance, Resources and Community Safety	

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

This report sets out the council's financial position against its budget for the past financial year, and asks Cabinet to approve the budget adjustments set out in appendix A.

The report identifies that whilst there were adverse variances in a number of budgets, these were all small in relation to the departmental budget size. The net adverse variance for all departments was £94,000 against budget totals of £360m (i.e. only 0.03%). This represents considerable progress made during the year to address unfavourable variances, as requested by Cabinet in its consideration of the quarterly monitoring reports through 2010/11. The achievement of this is particularly laudable in the context of the unprecedented in-year cuts imposed by government.

The report also identifies that we have had to use £13m of our reserves during the year, mainly to support services in invest to save opportunities and for redundancy costs to enable the council to weather the cuts that the council faces over the forthcoming years - the largest in the borough's history.

Sound financial management has allowed some replenishing of these reserves. However, it should be noted that £5.9m of this contribution arises from technical adjustments relating to the first five years' rental charge on Tooley Street (as a result of the initial 18-month rent free period) and the smoothing of the waste PFI unitary charge. The latter contribution will be used to cover the longer-term life cycle cost of the project. A further £4.3m has come from the performance reward grant which the council received as a result of meeting its government targets - this grant has been abolished for future years by the new government.

The report also details the Housing Revenue Account, which has achieved a favourable variance of £6.5m in its budget, compared to the £2.8m adverse variance projected in quarter 3. This represents considerable improvement across a range of high value budgets. In addition the level of revenue support required for capital expenditure is lower than forecast in line with programme delivery, but will accelerate following approval of the Council's five year Housing Investment Programme. However, this does not represent a recurring favourable variance position moving forward. The in-year surplus is returned to

HRA reserves which are now at a more sustainable level, particularly in view of the uncertainties arising from the introduction of self-financing next April.

The report also identifies that the year-end position for the collection fund was a deficit of £142k, due to an increase in the discounts applied.

Schools budget balances and the Dedicated Schools Grant reserve have both grown in 2010/11.

On the council's treasury management, it should be noted that no debt matured in 2010/11 and so replacement finance has not been needed.

RECOMMENDATIONS

1. That the Cabinet approves the budget movements in Appendix A.
2. That the Cabinet:
 - notes the general fund outturn for 2010/11;
 - notes the release of £11.3m of reserves to support services and £1.7m for capital purposes;
 - notes the overall net reduction in reserves of £2.5m, prior to technical adjustments;
 - notes the favourable variance of £3.906m on the general fund which has been taken to the modernisation reserve;
 - notes the favourable variance of £2.361m on the schools budget which has been taken to the dedicated schools grant reserve
 - notes housing revenue account's (HRA) outturn for 2010/11 and movement on reserves;
 - notes the achievements of savings against the budgeted targets for the year;
 - notes the collection fund's year-end surplus balance;
 - notes the treasury management activity for the year.

BACKGROUND INFORMATION

3. The purpose of this report is to present the council's financial position for the general fund, the HRA and planned use of reserves and balances for 2010/11. It also reports on specific performance in meeting targets for budget savings, the outturn position on the collection fund and the treasury management activity for the year. Any key variations against budget are explained.

KEY ISSUES FOR CONSIDERATION

General fund overall position

4. In February 2010, Council Assembly set a net budget for the year 2010/11 of £319.9m. Table 1 below provides an outturn position of net expenditure against budget.

Table 1: General fund outturn position for 2010/11 at year end

General fund	2010/11 Original budget £'000	Budget movements £'000	2010/11 revised budget £'000	2010/11 outturn £'000	Variance - over / (under) £'000	Q3 Variance - over / (under) £'000
Children's services	99,674	1,371	101,045	101,084	39	600
Health and community services	118,810	(1,484)	117,326	117,670	344	824
Environment and housing Regeneration and neighbourhoods and major projects	76,074	427	76,501	76,432	(69)	(32)
Deputy chief executive	30,296	(6,029)	24,267	24,228	(39)	(283)
Communities, law and governance	46,271	5,933	52,204	52,113	(91)	(12)
Finance and resources & strategic financing	13,070	(317)	12,753	12,601	(152)	(100)
SCR income	32,333	2,547	34,880	34,942	62	(35)
	(58,858)	84	(58,774)	(58,774)	0	0
Total general fund before appropriations	357,670	2,532	360,202	360,296	94	962
Contingency	4,000	0	4,000	0	(4,000)	0
Appropriations to/(from) reserves	2,195	(5,334)	(3,139)	(3,139)	0	0
General fund total	363,865	(2,802)	361,063	357,157	(3,906)	962
Area based grant	(43,956)	2,802	(41,154)	(41,154)	0	0
Net general fund total	319,909	0	319,909	316,003	(3,906)	962

5. 2010/11 was a very challenging year for all services. The council faced unprecedented in year funding cuts following the government's emergency budget announcements in June 2010. All services directors responded to manage their services and budgets to bring the council, overall, in on budget. Due to the strict controls on spend which service directors have managed, the table shows an overall small unfavourable variance of £94k on the 2010/11 budget for services.
6. The above table shows a net budget movement on reserves of some £5.3m. Adjusting this figure for the technical reserve adjustments of £5.9m explained in paragraph 65 below, gives a total release of reserves figure of £11.3m for specific issues within the services. Without this funding, the services would be reporting an unfavourable variance of over £11.4m. Further details on reserve movements are included in paragraphs 57 to 66.
7. The 2010/11 budget included a contingency of £4m in recognition of the uncertainties inherent in a budget of £360m, representing around 1% of net budget. The use of reserves has meant that the council has not had to call upon this contingency. This balance is to be used to replenish the modernisation reserve, which is held to support the redesign of services and invest to save projects to make the council fit for the future. Further comment on the general fund contingency is included in paragraphs 36 to 37.

8. Further details on each of the services is given in paragraphs 10 to 35 below, and highlights significant issues through the year.
9. As part of the setting of the 2010/11 general fund budget, the Council committed to a programme of savings and efficiencies of £13.4m. The outturn position reflects the delivery of these savings targets, and savings are discussed further in paragraphs 46 to 54 and Table 4.

Key general fund variances

Children's services: Core / Non schools budget

10. Overall Children's Services has a balanced budget position at the end of the year, compared to the adverse variance forecast at the end of quarter 3.
11. The underlying pressures continued to be the result of increasing demand on services including: children looked after placements; children with disabilities placements and care packages; and supporting vulnerable families with no recourse to public funds.
12. There have also been underlying home to school contract pressures which were mitigated by favourable variances elsewhere in children's services. There are plans to address the transport pressure through a revision of the policies and contract tender, however, this is unlikely to be fully realised until the next financial year.
13. The variance is in the context of a £2.7m reduction in grants in year, which reduced the service's flexibility to absorb cost pressures. Although the majority of the in year cuts were contained, it was not possible to absorb the totality of the area based grant (ABG) reduction.

Health and community services

14. The outturn adverse variance of £344k represents an improvement of £480k compared to the £824k adverse forecast as at the end of quarter 3.
15. Main pressure areas were placements for younger disabled people and delays to the transfer from residential to community based care.
16. Management action continued to be taken across department to contain cost pressures and included:
 - Close review of new placements made to minimise the use of expensive residential care
 - Better procurement of all purchased care to ensure lowest possible price
 - Holding staff vacancies and limiting use of agency staff
 - Re-assessing existing care packages, both in and out of Borough
 - Maximising all potential income streams.
17. The success of this action meant continued reduction in costs during the year.

Environment and housing

18. The overall positive variance of £69k is an improvement of £37k from the position forecast at the end of quarter 3, reflecting significant work by officers to enforce budgetary targets. The decision to bring forward some of the restructures required to achieve the savings target set for 2011/12 and not filling some of the vacancies contributed to the improvement.
19. Previously forecast service closure costs for the Camberwell and other leisure centres were significantly reduced by robust contract negotiation. Other service pressures due to the impact of the area based grant reduction, agreeing funding recharges to other departments, a reduction in parking income and delays in the implementation of the new structure in the wardens service were all addressed.
20. Management action continued to consolidate the improvement in the overall departmental variance.

Regeneration and neighbourhoods

21. The department has a small favourable variance of £39k compared to a favourable variance of £283k reported at quarter 3. This movement has been caused by two main components;
 - Planned use of the forecast favourable variance as a revenue contribution to support the capital programme.
 - Cost pressures arising from the conclusion of departmental restructuring matched by management action to negate these effects.
22. Within major projects, a planned reduction in expenditure has addressed other divisional cost pressures. In the planning and transport division, whilst the forecast level of income was down against budget, planned reductions in costs prevented a more severe variance.
23. In the housing strategy and options division, the conclusion of the restructuring associated with the creation of the housing services department has contributed to an adverse variance. These pressures were managed by controlling staff vacancies and reducing expenditure in the business support division.
24. These components taken together, have contributed to the near break even position reported.

Finance and resources and strategic financing

25. The department has managed to contain revenue spending within budget, with a small unfavourable variance at outturn of £3k. This position is the result of a range of variances across the department contributing to this consolidated position.
26. The remaining small unfavourable variance of £59k is as a result of a range of variances within centrally held corporate budgets.

Deputy chief executive (DCE)

27. DCE has achieved an outturn position that is very close to the original budget. The total net position represents a small favourable variation of £90k for the year. This has been achieved in the context of significant organisational change, the transition of the Revenues and Benefits service from an external service provider to an in house team and with demand pressures on the Customer Service Centre (CSC) being higher than expected leading to higher costs than had been estimated.
28. Pressures on the DCE budget have been mitigated largely by way of favourable variances for the year achieved within the Corporate Strategy unit (£599k) resulting from a major restructure of the team and from within the Communications unit (£233k) as a result of reductions in campaign activity principally around 'Southwark Life' and 'eCommunications'. Other DCE services have contributed further favourable variations of approximately £12k. These favourable variations amount to £844k in total for the year.
29. The adverse variations have arisen as a result of unavoidable costs. The coroner's service has incurred additional costs of £70k due to the employment of an interim coroner following the death in service of the previous incumbent. The Client Services pressure relates to a combination of factors relating mainly to higher than anticipated transaction volumes in One Stop Shops which have not been possible to control in year. In addition, the new arrangements introduced to support improved service to the public with regards to Freedom Passes has created additional one off costs. Together these CSC related pressures have amounted to around £720k.
30. While overall a favourable position is reported for the department, action is already underway, especially with reference to CSC operations, to ensure that these pressures are managed through 2011/12.

Communities, law and governance (CLG)

31. The overall favourable variance of £152k is due to a number of variances across several teams, most notably member services, and is largely due to management action to avoid filling posts ahead of the need for future savings.
32. The improvement from quarter 3 has been caused by an unexpected increase in activity in land charges and by the receipt of central government compensation for removing the power to charge for personal searches. In addition, legal services received significant levels of external income relating to the property and planning processes in the last quarter amounting to some £100k.
33. The loss of ABG/WNF funding for 2011/12 has meant that grant funded posts have been left vacant in the last quarter of 2010/11 causing a £40k positive movement against general fund budgets.
34. The remaining movement in position is caused by expected reorganisational costs now occurring in 2011/12.

Support Cost Reallocations

35. Support cost reallocations are the costs of the central departments (Finance and Resources, Deputy Chief Executive, Communities, Law and Governance) which are recharged to service departments with accompanying budgets so the issue becomes accounting rather than recharging. The process is governed by the best value accounting code of practice, a code endorsed by the Chartered Institute of Public Finance and Accountancy. The code requires that local authorities disclose the total cost of front-line services in their statement of accounts. In 2010/11 £58.8m of support costs were recharged across service departments to reflect the true costs of services. For the general fund services this was matched by their budget.

General fund contingency

36. Southwark council had planned for a £4m contingency as part of 2010/11 accounts. This was to enable the council to have sufficient flexibility to respond to the impact of economic uncertainty, service pressures, and any unforeseen events.
37. As describe earlier, the Council was able to use reserves to manage the various service pressures that arose during 2010/11. The £4m contingency, less the small unfavourable variance of £94k on general fund services, is transferred to the modernisation reserve, where it will be used to address one-off pressures such as redundancy costs arising from restructuring due to savings requirements, and for invest to save initiatives, aimed at improving the efficiency of services. This will help mitigate the £11.3m use of reserves in 2010/11.

Schools budget

38. The DSG budget has a favourable variance of £2.4m. The most significant budget variances supporting the final DSG position are: £1.14m favourable variance on free early years' entitlement, partially attributable to lower activity than predicted; £648k favourable variance on the budget addressing schools in financial difficulty; and effective use of other funding resources identified as part of the year end process.

Table 2: Schools budget outturn position 2010/11

Schools	2010/11 Original budget £'000	Budget movements £'000	2010/11 revised budget £'000	2010/11 outturn £'000	Variance - over / (under) £'000	Q3 Variance - over / (under) £'000
Schools budget	0	(640)	(640)	(3,001)	(2,361)	0
Appropriation to/(from) schools balance reserves	0	640	640	640	0	0
Schools budget total	0	0	0	(2,361)	(2,361)	0
Appropriation to DSG reserve				2,361	2,361	0

39. Each school is able to hold a balance of money to support their school activities. Total schools' balances as at 31/03/11 have increased by £640k to £10.8m.

Housing revenue account (HRA)

40. The headline outturn shows a £6.45m positive variance for the year, which is a significant improvement over earlier forecasts, but contains a number of items of an exceptional nature that have contributed to this position at a late stage. To set this in context, previous reports have referred to underlying spending pressure across the piece and the forecasts have been necessarily cautious in this regard. Whilst pressure remains to spend on the fabric of the housing stock, management action during the year has stabilised the position and established more robust control of high volume, high value budgets, such as repairs, engineering and heating through enhanced contract management, such that housing management is broadly on budget overall. The net expenditure position is presented in Table 3.
41. Other major factors that contribute to the position are the release of the final tranche of the House of Lords provision for tax leasing (£3.5m) which was intended to mitigate the resource shortfall in the Housing Investment Programme (HIP) in 2010/11, but has not been required as capital spend was lower than expected. This has therefore been retained in the revenue account and applied to reserves. This has not been previously reported as the expectation was that it would be spent in year.
42. The heating account shows a net surplus of £1.5m for the year and has been applied to the existing reserve held to smooth out fluctuations in energy costs. For 2011/12, heating charges were not increased in the expectation that any shortfall in year would be met from the accumulated funds held in reserves. The variance has not been previously reported as any surplus/ deficit is ring-fenced within the HRA and cannot be used for other purposes.
43. Tenant rent and service charge income shows improvement, as the debit raised is higher than budget due to lower voids and stock loss from regeneration projects. Conversely, non-residential rents were not increased during 2010/11 as expected, resulting in a shortfall against budget, which has been offset by a specific contingency within the HRA.
44. Major regeneration schemes involving large-scale re-housing continue to place a considerable financial strain on HRA resources. Exceptional cost items, such as the fires at Lakanal and Sumner Road compound this position, and these were the primary contributory factors to the unfavourable variance in 2009/10. For 2010/11, expectations were that these would continue to exceed budget, but this has not materialised as re-housing from Heygate completes and activity on Aylesbury has temporarily slowed due to the uncertainty following withdrawal of PFI funding. Combined variance against budget is £600k.
45. The ring-fenced nature of the HRA requires that deficits/surpluses are carried forward between years giving rise to movement in the level of reserves. Previous reports have indicated that reserves were considered to be below the optimum level commensurate with the size of Southwark's combined revenue and capital programmes and represented a financial risk. The positive movement in reserves in 2010/11 provides a more sustainable position moving forward and mitigates that risk.

Table 3: HRA outturn position for 2010/11

	2010/11 Original Budget	2010/11 Outturn	Variance Over/(under)	Q3 forecast variance
Divisions	£'000	£'000	£'000	£'000
Regeneration & Neighbourhoods				
Housing Strategy & Options - Community Housing Services	1,767	745	(1,022)	(23)
Housing Strategy & Options - Strategy & Regeneration	1,729	1,619	(110)	16
Strategic Services				
Financing & Central Support Costs	113,231	111,828	(1,403)	(153)
Major Project Costs	6,000	5,425	(575)	1,077
Exceptional Items - House of Lords Reserve	0	(3,544)	(3,544)	
Exceptional Items - Heating Account	0	(1,462)	(1,462)	
Environment & Housing				
Housing Management	(95,632)	(97,924)	(2,292)	1,606
Home Ownership Unit	(28,590)	(25,909)	2,681	825
Other Services	1,495	1,437	(58)	(157)
HRA Carry Forward	0	1,329	1,329	(393)
HRA outturn total	0	(6,456)	(6,456)	2,798
Appropriations to/(from) HRA Reserves	0	6,456	6,456	(2,798)

Savings and efficiencies - 2010/11 budget - Outturn

46. The council targeted £20.8m combined savings and efficiencies for the general fund and housing revenue account in 2010/11. At the end of the year, £17.2m of these targeted savings have been achieved. The three main shortfalls are within the HRA, where £1.4m of the £7.3m savings have not been achieved; within Health and Community Services where £1.5m of the £3.3m savings have not achieved, and within Deputy Chief Executive, where £450k of savings have not been achieved.

Table 4: Performance against targeted savings and efficiencies

	Agreed by Council	Total Savings	Outturn Variance	Variance as at Q3
	£'000	£'000	£'000	£'000
Children's Services	(2,200)	(2,100)	100	0
Health and Community Services	(3,280)	(1,782)	1,498	1,581
Environment and Housing	(1,528)	(1,528)	0	0
Regeneration & Neighbourhoods	(907)	(807)	100	100
Major Projects	(220)	(220)	0	0
Finance and Resources	(893)	(902)	(9)	16
Deputy Chief Executive	(820)	(370)	450	0
Communities, Law and Governance	(583)	(583)	0	0
Corporate	(3,000)	(3,000)	0	0
Total General Fund	(13,431)	(11,292)	2,139	1,697
HRA	(7,328)	(5,893)	1,435	2,358
Total Savings 2010/11	(20,759)	(17,185)	3,574	4,055

47. In children's services, the after schools services savings which was to be achieved by reducing the subsidies to the service were delayed (variance £100k). This was mainly because of the need to make further savings in Children's Services. It was decided that all subsidies to after schools services should cease. This is to be achieved by a phased transfer of all the after school services to relevant schools with a one-off payment. Whilst this should eventually achieve over £1m, the need to consult and get agreement meant that the implementation of the revised proposals only started in September.
48. In health and community services, there is a shortfall forecast of £1.5m against the budgeted savings of £3.3m. This shortfall has decreased from the position reported at quarter 3 by £83k and is due to the following:
- Learning disabilities - £285k (£279k at Q3) of savings were not achieved due to CQC delays in de registration homecare and £25k was due to delays in the completion of a review of provision in the Southwark outreach service.
 - Older people (OP) and physical disabilities (PD) commissioning - £322k (£310k at Q3) of savings were not achieved in year due to issues with the retendering of the ICES service.
 - OP & PD - £340k (£500k at Q3) of savings were not achieved due to difficulties in the negotiations to date on service re-design and contract changes in relation to residential placements.
 - Welfare rights – £389k (£389k at Q3) of savings have been delayed awaiting finalisation of the corporate approach to welfare rights service.
 - Supporting people - £137k (£78 at Q3) of savings were not achieved due to delays in revising contracts due to difficulties in notifying providers.
49. However, compensating savings have been achieved in year through various senior management initiatives such as reablement, review of care packages and reducing residential placements. There were also savings from staffing restructure; more efficient use of grants and improved monitoring of direct payments and personal budgets resulting in recovery of surplus payments.

50. In regeneration and neighbourhoods, there remains a £100k variance due to underachievement of income from advertising.
51. In finance and resources the additional saving of £9k is due to rent income from 160 Tooley Street residential flats being higher than expected.
52. In Deputy Chief Executive's department only £50k of the expected £500k for CSC contract savings been achieved. This is because negotiations with Vangent over the fixed element of the CSC contract fee took place during the year, however, at the end of the year agreement had not been reached on a reduced fee for 2010/11. This is mitigated by a favourable variances elsewhere within client services.
53. There are a number of factors that contribute to the reported variance against the proposed savings target within the HRA.
- The ISD savings target has not been fully met due to greater than anticipated spend. (Variance of £77k)
 - The increase to garage prices did not take place in 2010/11 (Variance £800k). It is planned to increase these in 2011/12.
 - Fewer garages were relet than anticipated, meaning planned additional income was not achieved. There was a small improvement late in the year. (Variance £450k)
 - Savings arising from the accommodation review/rechargeable office costs were not fully realised during 2010/11. Half of the £0.2m identified savings relating to the accommodation review were delivered in year one, with a further £50k from other facilities related activity, giving rise to a £50k shortfall against the target. It is anticipated that the full sum will be achievable from year two onwards. Additionally there is a shortfall of £25k against rechargeable office costs relating to telephones.
 - The commercial property portfolio is showing a shortfall against both the 2010/11 savings target (£33k) and the base rental income budget overall. The income target was predicated on prior-year activity which is being adversely affected by current economic conditions. This function is subject to review during 2011/12 with a view to improving the net revenue contribution to the HRA.
54. Substitute savings of £1.435m have been found from the HRA year end balance.

Collection fund

55. As a billing authority the council is required to maintain a collection fund account, which shows the transactions of the billing authority in relation to non-domestic rates and council tax, and demonstrates the way in which these have been distributed to preceptors and the general fund. The council must take into account the estimated surplus or deficit on the collection fund balance when setting the council tax for the following year, and this is usually based on the quarter three estimate. The estimated quarter three deficit of £87k was split between the council and the Greater London Authority (GLA), with the council's share being £65k and the GLA's being £22k.

56. The year-end balance on the collection fund is a deficit of £142k (£106k Southwark and £36k GLA), which overall is £55k worse than that expected at quarter three. This is the unaudited outturn balance based on March system reports. The change in position is mainly due to an increase in the discounts between reporting periods (£533k), which decreases income due, but there has been an improvement in the collection rates for previous years, leading to a reduction in the forecast for bad debt provision (£478k).

Reserves

57. The council retains a level of earmarked reserves and these are reported each year within the annual statement of accounts. These reserves are maintained to finance expenditure for items that are difficult to predict and that are not included in revenue budgets or within the capital programme. They relate especially to invest to save opportunities that form part of the modernisation agenda and expected to deliver future ongoing revenue savings. They are also held for investment in regeneration and development where spend may be subject to an unpredictable market and other influences.

Table 5: Summary of general fund reserve movements as at outturn

Reserves	£'000	£'000
General fund earmarked as 1 April 2010		(64,594)
<u>Release of reserves</u>		
Use of reserves to support services	11,273	
Use of reserves to fund capital expenditure	1,688	
General fund outturn taken from reserves	94	13,055
<u>Contribution to reserves</u>		
Budgeted contribution to reserves	(2,195)	
Contribution of performance reward grant –earmarked for capital	(4,335)	
Contribution of unused general fund contingency	(4,000)	(10,530)
General fund earmarked as 31 March 2011 before technical adjustments		(62,069)
Technical accounting contribution to reserves		(5,939)
General fund earmarked as 31 March 2011 after technical adjustments		(68,008)

58. Examples of reserves released include £3.4m of the £5.7m funding agreed for the transition (New Horizons) project to bring the revenues and benefits service back in house following the decision to end the contract with Liberata for this service.
59. Reserves are also released to meet the costs that arise during the year under exceptional circumstances, for example, additional costs in relation to the need to grit the highways as a result of the heavy snowfall experienced in 2010/11.

60. Excluding the technical and budgeted contribution to reserves, the net release of reserves in support of general fund services was £11.3m, as shown in Table 5 above. The movements in general fund earmarked reserves are reflected in the budgets in Table 1 above and were subject to existing approval arrangements.

Table 6 – Analysis of movements in reserves

Reserve analysis	£'000
Regeneration projects	(1,933)
Office accommodation/localities programme	(2,771)
Reorganisation programme / service redesign redundancy costs	(1,190)
Service	(5,379)
Total	(11,273)

61. Reserves balances are also held to fund future capital projects. In 2010, £1.7m was drawn down to fund
62. As stated in paragraph 36 and 37, the budget contained a contingency budget of £4m which was unused and therefore has been put into reserves to help fund commitments in future years that arise from the Council's modernisation agenda.
63. The performance reward grant has been taken to reserves to fund future capital commitments, as agreed by Council Assembly on 6 July 2011. This grant had been received as a result of the council meeting a number of government targets. This grant has been withdrawn by the government from 2011/12 forward.
64. The small unfavourable general fund outturn variance has been funded from the financial risk reserve.
65. The technical movement on reserves in table 5 relates to a significant contribution to reserves for 160 Tooley Street of £2.3m. This movement is for technical accounting reasons relating to the rental charge for the first five years. This re-profiles the rent to an average rent over the five years taking into account the initial 18 month rent free period. There is also a significant contribution to reserves of £3.6m in respect of the smoothing of the waste PFI unitary charge. This contribution to reserves will cover the longer term (25 year) life cycle cost of the project.
66. The table below illustrates how the reserve balance is allocated across the main earmarked reserve headings

Table 7 – Revenue and capital earmarked reserves

Reserve - revenue	Balance b/fwd	In year movement	Balance c/fwd
	£000	£000	£000
Modernisation, Service & Operational Improvement Reserve	(1,730)	(5,672)	(7,402)
Financial Risk Reserve	(7,935)	(171)	(8,106)
Funds set aside to finance future projects	(20,461)	1,652	(18,809)
Departmental balances	(2,764)	(601)	(3,365)
Funds set aside to meet future risks	(14,615)	1,564	(13,051)
Sub total	(47,505)	(3,228)	(50,733)
Reserve - capital	Balance b/fwd	In year movement	Balance c/fwd
	£000	£000	£000
Modernisation, Service & Operational Improvement Reserve	(1,924)	1,924	0
Regeneration & Development Reserve	(9,640)	2,613	(7,027)
Capital Contingency Reserve	(2,703)	472	(2,231)
Funds set aside to finance future projects	(2,244)	(860)	(3,104)
Departmental balances	(578)	(4,335)	(4,913)
Sub total	(17,089)	(186)	(17,275)
Total	(64,594)	(3,414)	(68,008)

Schools funding reserves movements

67. The main funding for schools comes from the dedicated schools grant (DSG) which is largely passed directly to schools in the form of a school budget share each year, with the remainder of the grant held centrally.
68. Table 8 below shows a £2.361m increase in the DSG reserve which represents the amount of grant held centrally that was not used in 2010/11. The movement in schools' balances of £640k represents an increase in the balance held by schools in their school bank accounts.

Table 8: Summary of schools funding reserve movements

Reserve	2010/11 opening balance	Change in reserves	Release of reserve for capital	2010/11 closing balance	2010/11 forecast closing balance as at Q3
	£'000	£'000	£'000	£'000	£'000
DSG reserve	(4,010)	(2,190)	1,381	(4,819)	(4,010)
Schools balances	(10,114)	(640)		(10,754)	(10,114)

HRA Reserves movements

69. Table 9 below shows a £6.5m increase in the HRA reserve which represents the movement to reserves of the favourable variance achieved within the HRA for 2010/11.

Table 9: Summary of reserve movements for HRA as at outturn

	2010/11 opening balance	Change in reserves	Release of reserve for capital	2010/11 closing balance	2010/11 forecast closing balance as at Q3
Reserve	£'000	£'000	£'000	£'000	£'000
HRA earmarked	(14,124)	(6,456)	0	(20,580)	(11,326)
Total	(14,124)	(6,456)	0	(20,580)	(11,326)

Treasury management

70. At 31 March 2011, the council's debt and cash balances were £762m and £237m respectively. The debt funds past capital expenditure not otherwise met from capital receipts, grants or revenue, and the cash is invested until it is used in spending.
71. Three investment firms (AllianceBernstein, Aberdeen Fund Management and Invesco Asset Management) managed the council's exposure to certificates of deposits (liquid bank deposits) and bonds and an in-house operation focussed on meeting day to day cash volatility using money market funds, call accounts and short term deposits.
72. The sum invested with each counterparty at 31 March 2011 is set out in Table 9 below. The return for the year is 1.08% reflecting the very low level that money market rates have been at since last year.

Table 10: Investment counterparty exposure

EXPOSURE - MAR 2011 COUNTERPARTY AND RATINGS						
Counterparty	Exposure £m			Fitch Ratings		
	Total	Long	Short	Support	Sovereign	Sovereign Rating
BARCLAYS BK	13.6	AA-	F1+	1	UK	AAA
BK NATIONAL DE PARIBAS	12.2	AA-	F1+	1	FRANCE	AAA
CREDIT AGRIC CIB	10.9	AA-	F1+	1	FRANCE	AAA
CREDIT INDST COMRCL	5.5	AA-	F1+	1	FRANCE	AAA
DANSKE	0.5	A+	F1	1	DENMARK	AAA
DEUTSCHE BK	10.8	AA-	F1+	1	GERMANY	AAA
EUROPEAN INVST BK	10.6	AAA	F1+		SUPRANATIONAL	AAA
GLOBAL TREAS FNDS PLC MMF	21.4	-	AAA		GLOBAL	
HSBC	0.5	AA	F1+	1	UK	AAA
ING BK	8.9	A+	F1+	1	NETHERLANDS	AAA
INTL BK RECON & DEV	4.7	AAA	F1+		SUPRANATIONAL	AAA
LANDESBK BADEN WUERTBG	3.2	A+	F1+	1	GERMANY	AAA
LLOYDS/BK SCOTLAND	25.6	AA-	F1+	1	UK	AAA
NATIONWIDE B/SOC	0.5	AA-	F1+	1	UK	AAA
NORDEA BK	4.9	AA-	F1+	1	FINLAND	AAA
RABOBANK	0.5	AA+	F1+	1	NETHERLANDS	AAA
RBS/NATWEST	25	AA-	F1+	1	UK	AAA
SANTANDER UK	21.5	AA-	F1+	1	UK	AAA
SOCIETE GENERALE	7	A+	F1+	1	FRANCE	AAA
SVENSKA HANDELSBKN	4.5	AA-	F1+	1	SWEDEN	AAA
UBS	2.6	A+	F1+	1	SWITZERLAND	AAA
UK TREASURY	42.2	AAA	F1+		UK	AAA
Grand Total	237					

73. As at quarter 3, no new borrowing was taken in the last quarter and debt to fund past capital spending remains at £762m, the same level it was at throughout 2010/11 and 2009/10. All debts are at fixed rates from the Public Works Loans Board (a division of HM Treasury and a competitive source of funds). No debt matured in 2010/11 so no replacement finance was needed.

74. The average rate of interest paid on debt was 6.94% for the year.

Community impact statement

75. This report monitors expenditure on council services, compared to the planned budget agreed in February 2010. Although this outturn report in itself has been judged to have no or a very small impact on local people and communities, the expenditure it is reporting was designed to have an impact on local people and communities, which will have been considered at the time the services and programmes were agreed. It is important that resources are efficiently and effectively utilised to support the council's policies and objectives.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
2010/11 Revenue monitoring / Outturn	160 Tooley Street London SE1 2QH	Vernon Smith 020 7525 7355

APPENDICES

No.	Title
Appendix A	Budget adjustments to be approved

AUDIT TRAIL

Cabinet member	Councillor Richard Livingstone, Finance, Resources and Community Safety	
Lead officer	Duncan Whitfield, Finance Director	
Report author	Cathy Doran, Finance and resources	
Version	Final	
Dated	7 July 2011	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	No	No
Finance Director	Yes	Yes
Date final report sent to constitutional team		7 July 2011

Budget adjustments to be approved

Department from	Amount £'000	Department to	Amount £'000	Reason
Regeneration and neighbourhoods	(7,303)	Finance and resources	7,303	Technical accounting adjustment to reverse deferred charges budget
Finance and resources	(6,737)	SCR income	6,737	Support cost allocation adjustments following review
SCR income	(4,118)	Environment and housing	4,118	Support cost allocation adjustments following review
Environment and housing	(3,600)	Appropriations	3,600	Transfer of surplus to Waste PFI fund to use in later years when the unitary charge is expected to peak.
SCR income	(2,378)	Children's	2,378	Support cost allocation adjustments following review
Appropriations	(1,407)	Finance and resources	1,407	To fund residual costs of properties pending disposal as part of the localities programme.
Health & community services	(1,369)	SCR income	1,369	Support cost allocation adjustments following review
Environment and housing	(1,147)	Finance and resources	1,147	Revenue contribution to capital
Finance and resources	(1,000)	Appropriations	1,000	Contribution to the LPFA reserve for liability in relation to the pensioner sub fund deficit
Appropriations	(817)	Finance and resources	817	Insurance fund - fund spend in relation to Imperial Gardens
SCR income	(779)	Communities, law and governance	779	Support cost allocation adjustments following review
Appropriations	(760)	SCR income	760	Insurance fund - to mitigate shortfall in charges for motor insurance
Appropriations	(696)	Environment and housing	696	Funding of reorganisation costs incurred within Community Safety Division to achieve savings budgeted for 2011/12
Finance and resources	(688)	Deputy chief executives	688	Additional claim against the Liberata bonus budget held centrally
Appropriations	(659)	Regeneration and neighbourhoods	659	Increase in the release of resource for the Southwark schools for the future programme.

Appendix A

Department from	Amount £'000	Department to	Amount £'000	Reason
Appropriations	(601)	Deputy chief executives	601	Additional legal costs due to the volume of cases brought forward from 2009/2010
Finance and resources	(600)	Children's	600	Release of budget to fund ongoing budget pressures
Deputy chief executives	(523)	Appropriations	523	New horizons reserve release adjustment
Appropriations	(482)	Finance and resources	482	To fund residual costs of properties pending disposal as part of the localities programme.
Appropriations	(453)	Finance and resources	453	Potters Field project and development costs chargeable to the regeneration and development reserve
SCR income	(383)	Regeneration and neighbourhoods	383	Support cost allocation adjustments following review
Appropriations	(333)	Health & community services	333	Release of reserve to support the Southwark Circle service for older people
SCR income	(329)	Deputy chief executives	329	Support cost allocation adjustments following review
Appropriations	(305)	Finance and resources	305	Corporate Programming Unit
Appropriations	(300)	Regeneration and neighbourhoods	300	Settlement of dilapidations for Coburg House
Appropriations	(290)	Finance and resources	290	To fund residual costs of properties pending disposal as part of the localities programme.
Finance and resources	(287)	Appropriations	287	Insurance fund - return of funds
Communities, law and governance	(277)	Deputy chief executives	277	Moving cabinet support functions to corporate strategy
Communities, law and governance	(250)	Appropriations	250	Interim funding for the neighbourhoods team

Item No. 11.	Classification: Open	Date: 19 July 2011	Meeting Name: Cabinet
Report title:		Transport Plan 2011-16	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor Barrie Hargrove, Transport, Environment and Recycling	

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

The borough’s transport plan has been developed over the past year and provides the borough’s response to the Mayor’s Transport Strategy document (MTS2) which was published in May last year, setting out new targets and requirements for all London boroughs for the next 20 years. It is important that we have common ambitions with the Mayor not just because we are very dependent on the Mayor and Transport for London (TfL) for the funding of our traffic, travel and transport schemes but also because there is broadly a shared understanding of what all of us are trying to achieve in transport terms for London and Londoners.

Through the consultation of the transport plan we found that people supported many of our key objectives and ambitions. I would like to thank all those that responded, these responses helped to develop a robust Transport Plan that makes the case for transport in Southwark, confirms our aspirations, proposes solutions and sets a plan for delivering these improvements to residents, visitors and the travelling public, all of whom dependent on a fast, efficient, clean, safe transport system and a quality public realm that is a pleasure to travel in.

At the same time, I am also honoured to present the Sustainable Modes of Travel document to Cabinet. This document, which is also a statutory obligation, is the culmination of much joint work between officers, the school community and other interested parties, resulting in a strategy which works towards making sustainable transport more of a reality for many more of our young people. Safe cycling and walking to schools and colleges is more healthy and better for the environment in which we all live.

RECOMMENDATIONS

Recommendations for Cabinet

That the Cabinet

1. Agrees to the adoption of the final Transport Plan.
2. Agrees to the adoption of the sustainable modes of travel strategy (SMoT).
3. Agrees that the Transport Plan incorporating the requirements of Southwark’s second local implementation plan be submitted to TfL by 26 July 2011.

Recommendation for the Leader of the Council

4. That the leader confirms the authority of the Cabinet Member for Transport, Environment and Recycling to amend the Transport Plan should Transport for London require amendment of the plan.

BACKGROUND INFORMATION

5. This report considers the final Transport Plan incorporating the requirements of Southwark's local implementation plan and the sustainable modes of travel strategy (SMoT).
6. In May 2010, the Mayor of London published his revised transport strategy. Section 145 of the Greater London Authority Act 1999 (GLA 1999) requires each council in London to prepare a local implementation plan (Lip) to detail how the authority will assist in delivering the Mayor's Transport Strategy. Following the revision of the Mayor's Transport Strategy all boroughs are required to revise their Lip (also known as Lip 2) in response to the new strategy.
7. This Transport Plan incorporates the requirements of the borough's second Lip in responding to the revised Mayor's Transport Strategy. It replaces the current Lip which was approved by the Mayor of London on 21 February 2007 and adopted by the council's Executive on 20 March 2007. Annually the cabinet has considered and approved the TfL funding submission to deliver the improvements in the Lip.
8. The plan has been developed in accordance with the TfL guidance released in May 2010. As well as addressing these requirements the Transport Plan sets the future direction for improving transport in Southwark for the next 15 years and includes policies, schemes and initiatives to deliver sustainable, efficient and effective transport services and programmes.
9. An equality analysis and strategic environmental assessment (SEA) were carried out for the Transport Plan, as required by the council's equality scheme and the SEA regulations. A health impact assessment was also carried out.
10. Comments received on these plans have helped to modify and shape the assessments and the Transport Plan. For example as a result of comments by English Heritage an additional policy was created to ensure that historic environment is sufficiently conserved and enhanced when implementing the Transport Plan.
11. The Transport Plan, its assessments and the SMoT were consulted on for eleven weeks from 22 December 2010 until 8 March 2011. In addition, the draft Transport Plan was submitted to TfL for comment. Over 440 responses were received and a summary of these are included in paragraph 31. The document has been revised considering the comments by the community, key stakeholders and statutory bodies.
12. TfL provides financial assistance to boroughs, sub-regional partnerships and cross-borough initiatives under section 159 of the GLA Act 1999. All councils within London are able to obtain this funding on an annual basis to deliver schemes identified in their Lip. The Transport Plan will set and inform the

direction for future funding submissions through the transport improvement programme.

13. Section 76 of the Education and Inspection Act 2006, introduced section 508A Education Act 1996, which outlines the duty placed on the authority to promote sustainable travel of children and young people to and from core and extended activities in schools and colleges. Southwark's SMoT has been prepared in response to this duty and is a statement of the council's vision for improving accessibility to schools and colleges, and promoting sustainable travel for children and young people. It aims to help parents, carers, schools, children and young people, including those with special educational needs, use sustainable modes of transport safely and easily.

KEY ISSUES FOR CONSIDERATION

14. The Transport Plan and SMoT have been prepared in response to the duties and requirements set out in the GLA Act and the Education Act respectively.
15. All councils within London are able to obtain funding on an annual basis to deliver schemes identified in the final Transport Plan (as this incorporates the requirements of the Lip). TfL provides financial assistance to boroughs under section 159 of the GLA Act 1999. Therefore it is essential that the borough comply with the requirements in preparing our Transport Plan. The authority is required to submit a final version of the Transport Plan to Transport for London for their consideration by 26 July 2011. Failure to do so could result in the withdrawal of TfL funding grant.
16. TfL requires that the borough detail future investment in transport, Table 19 of the plan details the funding anticipated to be available for the delivery of the Transport Plan. The plan also includes details of the risks in delivering the plan such as a reduction in funding availability and proposes appropriate mitigation measures.
17. TfL comments were received on 18 March 2011 and the Transport Plan was reviewed following this and public consultation.

Policy implications

18. The Transport Plan has been prepared to meet the Mayor's Transport Strategy objectives and will help the council to achieve the priorities set out in the Southwark 2016: Sustainable community strategy.
19. The Transport Plan and SMoT are consistent with the council's broader policy framework. The Transport Plan references and draws from the local development framework including the transport assessments that inform the core strategy and the area action plans. It brings together the analysis of the development areas and considers the impacts cumulative impact of this development alongside that of existing travel patterns. The plans also support various national and regional policies including the Mayor's Transport Strategy and sub regional Transport Plans, as required by TfL.

Community impact statement

20. The Transport Plan will encourage greater use of public transport and greater levels of active travel whilst supporting an appropriate level of movement of cars

and goods vehicles. The plan has been prepared in recognition of the important role that transport can have in supporting and achieving other initiatives. The plan includes measures to promote economic prosperity, improve safety and accessibility and promote social inclusion.

21. The SMoT through its actions seeks to improve access to schools and colleges, and promote the use of active and sustainable travel. The plan also seeks to improve safety of travel to school.
22. An equality analysis, a health impact assessment and a strategic environmental assessment have been undertaken in developing the borough's Transport Plan. All policies and proposals within the Transport Plan have been developed in accordance with these documents.
23. The council will undertake ongoing monitoring of the Transport Plan to ensure there are no adverse implications for the community, or that any identified are proportionate to the overall objective of the programme and are minimised where possible.

Resource implications

24. The targets and actions in the Transport Plan and the SMoT identify responsibilities and funding sources. The majority of funding is likely to be from external sources through bidding and grants. Progression of actions is heavily dependent on such areas of funding.
25. The investment table (Table 19 of the plan) details the funding anticipated to deliver the Transport Plan from 2011/12 to 2013/14. This totals just over £59m with the council providing 52% of this funding. This mainly comprises the council's maintenance schedule but also includes programmes such as street lighting and parking enforcement.
26. The capital budgets for the Transport Plan are incorporated into the capital programme in the quarter 3 2010/11 monitoring report to Cabinet in March 2011, and included as part of the capital refresh programme to be presented for Council Assembly approval in July. The revenue budgets have been approved as part of the 2011/12 budget setting process, and include staff costs where appropriate. Both capital and revenue expenditure will be contained within budgeted limits.
27. The Mayor is currently consulting on the introduction of the Community Infrastructure levy which at its earliest will be introduced in 2012/13. This will complement the Crossrail Levy which is currently in operation. Under the current timetable the council plans to introduce its own CIL in 2014/15. The full impacts of this change in the deliver of the Transport Plan will be considered when developing the delivery plan for 2014/15 through to 2016/17.

Consultation

28. Consultation was a key process in the development of Southwark Council's Transport Plan and SMoT. The council has gained a generally positive feedback and the comments received were often detailed and of a constructive nature.
29. The Transport Plan consultation was held for an eleven week period, 22 December until 8 March 2011. The community were invited to comment on the

Transport Plan via community groups, community councils, the council's website, electronic newsletters and social media networks and via an online survey. In addition, the community had the opportunity to speak to officers directly through various community and stakeholder groups, local community councils and via two 'drop in' sessions.

30. The council also consulted the Police, representatives of the disabled, neighbouring boroughs and all other persons they are statutorily required to consult under section 145(2) Greater London Authority Act.
31. The council received a total of 447 responses to the consultation, comprising 402 completed surveys and 23 individual responses. This was in addition to responses from statutory stakeholders and key interest groups. The majority of comments and responses have been positive and welcome a robust document. The key issues from consultation and how this has been considered in the Transport Plan is included below;
 - The community supported the prioritisation of improvements to town centres and as a result our delivery programme will include projects in town centres.
 - A majority wished to see the council introduce parking permits based on CO₂ in order to encourage less polluting vehicles. We are working to introduce CO₂ based parking permits and are currently undertaking wider consultation.
 - Many respondents stated that they believed that street condition was important (pot holes etc) and wished to play an active role in the design and management of their street. Our community streets programme will enable people to engage in how their streets are improved.
 - Many supported public transport and nearly 90% of respondents wished to see buses given priority over general traffic on our roads. We have therefore placed greater emphasis on prioritising buses in the Transport Plan.
 - Three quarters also supported the council's key ambition to become a 20mph borough and therefore this ambition is retained.
 - A majority of responses supported the council continuing to provide free cyclist training and we will continue to provide this programme.
32. The SEA Environmental Report was consulted on during the same period with specific consultation undertaken with the three statutory environmental consultees (English Heritage, Environment Agency and Natural England). Comments were received from these consultees and these have been incorporated in the final stage of the SEA, the SEA statement. The document has been amended to consider English Heritage's concerns about protecting the built environment when delivering the Transport Plan.
33. The SMoT consultation was carried out alongside that of the Transport Plan and tailored to consult with teachers; parents; carers and guardians, and children and young people themselves. Focus groups were held at a sample of schools across the borough and the key findings from the SMoT consultation were:
 - Support was given for the council's work assisting the school community to promote sustainable travel and to maintaining the cyclist training programme

- Parents and students need support and encouragement to travel sustainably, as well as practical assistance such as training and information
 - 'Walk on Wednesday' (promoting walking to school once a week) is the most widely known and supported council initiative in this area
 - People felt that the current infrastructure provision for cyclists needs to be improved before they would be happy for their children to cycle
34. The SMoT, Transport Plan and its assessments have since been amended to incorporate and address issues discussed above. Each submission, where an address was provided, was sent a letter 7 July thanking them for their submission and where possible, providing feedback on issues raised.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

35. Cabinet are being asked to agree the content of the council's final Transport Plan, prior to its submission to TfL. The Transport Plan incorporates the borough local implementation plan the latest approval of which was given on 21 September 2010.
36. Community Councils were consulted in accordance with paragraph 21 of Part 3H of the Southwark Constitution, their comments are summarised in appendix C.
37. The Cabinet Member for Transport, Environment and Recycling has authority under Part 3D 7 of the Southwark Constitution to approve any variations to the proposed Transport Plan. For the avoidance of doubt the Leader, who can vary the delegated authority of a Cabinet Member within a Cabinet report, and is asked to confirm the Cabinet Member for Transport, Environment and Recycling authority to vary the plan if required by Transport for London.
38. This report is being put before Cabinet for a decision under Part 3B of the Constitution. Paragraph 4 of that Part which is headed "Policy" states that Cabinet will be responsible for determining the council's strategy and programme in relation to the policy and budget framework set by the council. The following paragraph 5, states that Cabinet is responsible for determining the authority's strategy and programme in relation to social, environmental and economic needs of the area. This plan forms part of that strategy and its approval is a decision properly reserved to Cabinet.

Finance Director (NR/R&N/15/6/2011)

39. This report seeks approval from Cabinet to agree to the adoption of the final Transport Plan, agree to the adoption of the SMoT, and agree that the Transport Plan incorporating the requirements of Southwark's second local implementation plan be submitted to TfL by 26 July 2011.
40. The Finance Director notes that the adoption of the Transport Plan will be undertaken using allocated budgeted capital and revenue resources-, which comprises external funding and the council's own funds. The plan is anticipated to be delivered within the allocated budgetary resource.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
N/A		

APPENDICES

No.	Title
Appendix A	Southwark's Transport Plan – available on council's website
Appendix B	Sustainable modes of travel strategy – available on council's website
Appendix C	Community Council feedback on Transport Plan – available on council's website

AUDIT TRAIL

Cabinet Member	Councillor Barrie Hargrove, Transport, Environment and Recycling	
Lead Officer	Eleanor Kelly, Deputy Chief Executive	
Report Author	Sally Crew, Group manager policy and programmes	
Version	Final	
Dated	7 July 2011	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional/Community Council/Scrutiny Team		7 July 2011

Item No. 12.	Classification: Open	Date: 19 July 2011	Meeting Name: Cabinet
Report title:		Response to the Housing and Community Safety Sub-committee's Review of unfinished security works on Four Squares Estate	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor Ian Wingfield, Deputy Leader and Cabinet Member for Housing Management	

FOREWORD – COUNCILLOR IAN WINGFIELD, DEPUTY LEADER AND CABINET MEMBER FOR HOUSING

The unfinished security works at Four Squares Estate has prompted widespread complaints from residents of the estate. This culminated in residents presenting a deputation to Cabinet on 19 October 2010. Rightly, given the long and complex history, it was agreed that the whole matter should be investigated by the Housing Scrutiny Committee for its consideration.

I am very pleased that the Housing Scrutiny Committee considered this matter with due diligence, determination and in great detail. It took evidence from a wide range of relevant parties before arriving at its conclusions.

I am delighted to present the recommendations of the Housing Scrutiny Committee together with the action plan from the Housing Services Department. I fully support and endorse all recommendations and actions as they will go a large way in re-establishing the trust and confidence of residents. The actions to be taken will also give greater transparency to the whole process of managing, monitoring and delivering major works and ensure that residents are put at the heart of the process.

I am also very pleased to report that since Housing Scrutiny Committee's report the Cabinet has agreed, as part of the five year investment programme, to complete the unfinished security works to Layard and Marden Squares on Four Squares. Work is due to commence in 2012-13.

RECOMMENDATIONS

1. Note and agree the response to the recommendations of the Housing and Community Safety Scrutiny sub-committee's investigation into the unfinished security work on the Four Squares Estate.
2. Agree that the ongoing monitoring of action plan and progress takes place at the Major Works Monitoring Group chaired by the Strategic Director for Housing Services.

BACKGROUND INFORMATION

3. In April 2011, the Housing and Community Safety Scrutiny sub-committee completed its investigation into the unfinished security work on the Four Squares Estate. Overview and scrutiny committee considered and agreed the final scrutiny report at its meeting on Monday 18 April 2011. The report was presented to Cabinet by the Cabinet Member for Housing on 17 May 2011 where it was

resolved that the Cabinet Member would report back in more detail to a future Cabinet.

4. As part of their review the sub-committee interviewed all the relevant parties to the previous works involved in the contract.

Report summary

5. The sub-committee identified significant issues with the contract management of the scheme and made a series of key recommendations.
6. The quality of the contract management of major works is an issue that concerns both tenants and leaseholders. The primary concern of residents at Four Squares was that they felt that a commitment had been reneged upon because of cost-overruns on earlier works which meant that the security works could not be delivered. In addition, there had been a lack of communication with residents about changes to the programme.
7. The report sets out a number of recommendations, not only to address the immediate concerns of Four Squares residents about the security works, but also to improve the contract management arrangements moving forward.
8. All the recommendations made by the sub-committee have been accepted by the housing services department. This report contains a detailed response to each of the recommendations and a summary action plan is included in Appendix 1.

Response to recommendations

9. The report complements the work which is already ongoing in the new housing services department to improve the processes around the delivery of major works. The 5 year housing investment programme, recently approved by Cabinet, will give every Council resident certainty over the future works to be carried out to their home. As well as providing the detail of major works at estate, block and property level, the monitoring of the programme delivery will be open and transparent.
10. Officers are required to present to the Cabinet Member on a quarterly basis progress reports to identify expenditure against budget, timing of the phasing of the programme and contractor performance. Cabinet will receive an annual review to ensure that there is openness and transparency and that any changes to the programme are considered in the public eye.
11. At the same time, the quality of contract management is one of the key actions in the departmental service plan. The restructure of the housing department separates out day to day repairs and maintenance from major works and a new Head of Major Works is being appointed to drive forward change. A new major works team is being put in place to improve the delivery of major works on site.
12. Working groups with tenants and leaseholders have been set up to review contract management processes and a series of reviews are underway to look back at previous major works schemes and forward to current programme delivery to refine our current arrangements. The sub-committee's recommendations reflect the need for ongoing service improvements to be shaped by residents in receipt of those services. The report charges the housing services department to build services around resident's priorities and aspirations rather than the requirements of contractors, and in this regard resonates and complements the findings of the sub-committee's review of repairs key performance indicators.

13. The review process has identified key operational and strategic actions required to transform the contract management service. We know that the quality and delivery of major works is a key cause for concern for residents, particularly leaseholders in terms of their financial contribution to the investment in their homes. Moving forward, the 5 year housing investment programme will give residents clarity over the timing of works and will enable homeowners to financially plan. It will also require officers to closely monitor the phasing of works, including slippage and expenditure to budget, and to rigorously challenge contractors on an ongoing basis on quality and value for money.
14. To ensure that the recommendations of the report are met in full, the Strategic Director of Housing has created a Major Works Monitoring Group. Made up of senior officers, this operational group will closely monitor the delivery of major work, and will sign off the quarterly reports to the Cabinet Member for Housing and annual reports to Cabinet. This group will not replace the strategic core group process but will tightly manage the programme, anticipating issues and directing solutions to resolve them. This group is important for a number of reasons:
- the partnering contracts are still at an early stage and require hands on review to embed customer focus, ways of working and value for money
 - the scale of the programme is enormous and ongoing strategic overview is required to keep it on track
 - regular performance review will help to support more responsive, efficient contract management arrangements with an emphasis on value of money, quality and right first time.
15. Each of these actions is complementary to the issues identified by the sub-committee and should assist in the rapid improvement of the delivery of major works.

Recommendations from sub-committee/ response

16. The sub-committee made 10 recommendations, the response to which is set out below.
- a) **All Cabinet Members whose responsibilities cover contractor works ensure that they are receiving regular updates on any additional or unexpected spending on the contract. Project managers should be required to submit a written report to cabinet members detailing the reasons for the overspending and describing the knock-on effects that this will have on the delivery of the project.**

Response

Agreed. Quarterly monitoring reports will be provided to the Cabinet Member for Housing. The first report is due in July 2011. In addition, an annual report will be presented to Cabinet on the 5 year housing investment programme, which includes major works to make every Council home warm, dry and safe, fire risk assessment works, and works to comply with landlord obligations.

- b) **All additional spending on contractor works (over and above the original budget) in excess of £50,000 must be signed off by the Cabinet Member. Every Cabinet member should be encouraged to set up early warning systems to alert him/her to the likelihood of the formal threshold being reached.**

Response

The principle of engagement with Cabinet Members in significant spending decisions is agreed. Changes to contract standing orders were agreed by

Council Assembly in May 2011 to strengthen the arrangements in place regarding contract variations, by introducing lower thresholds at which such decisions must be notified to Members of the Cabinet.

The impact on works contracts is to require the Finance Director to take all variation decisions where the contract value (including any previous variations and the proposed one) is £1 million or more and the proposed variation is more than 10% of the contract value. These decisions are notified to all Members of the Cabinet. Previously, these arrangements applied only where the contract value was over the EU threshold, i.e. over £3.9 million.

These arrangements will be kept under review.

- c) All major works in excess of £50,000 which have reached Gateway 2 status should be itemised in the Quarterly Capital Monitoring Report and should be subject to Contract Standing Orders in relation to capital virements.**

Response

Noted. All major works are subject to contract standing orders. Financial standing orders make clear requirements for capital virements and these will also be applicable. All housing major works additional expenditure items over £50,000 will be specifically highlighted to the Cabinet Member in the quarterly monitoring report.

- d) The sub-committee notes that since the overspending in phase 1 of the Four Squares Security works there have been numerous changes in Southwark's handling of major works. The sub-committee recommends that work continues to embed a professional and rigorous approach to contract management which demands the highest standards from contractors and protects Southwark Council from unacceptable levels of contract overspend.**

Response

Agreed. A new major works monitoring group has been set up by the Strategic Director for Housing. Its remit will be to rigorously monitor the delivery of the housing capital programme in terms of expenditure, performance and timeliness of delivery. This group has agreed terms of reference and meets on a monthly basis.

- e) Any Cabinet Member who becomes aware of a significant overspend on a major works contract which will impact on the council's ability to deliver on the scheme should take immediate and decisive action to deal with the situation. Either the Cabinet Member should take steps to secure the allocation of the required additional funds or ensure that ambitions for delivery should be scaled down.**

Response

Agreed. The additional rigour of monitoring introduced through the quarterly report to the Cabinet Member for Housing and the monthly review by the Strategic Director of Housing Services, will ensure that issues are identified early and appropriate action taken.

- f) In addition the cabinet member should take steps to ensure that any changes to the scheme should be communicated to affected residents in a sensitive and timely fashion.**

Response

Agreed. A communication plan will be included with the reports to the Cabinet Member for Housing to ensure residents are advised quickly and clearly about the reason for changes, the impact and the proposed plan of action with timescales.

- g) Major works schemes should, where ever possible, set up project boards which incorporate the residents of the proposed work areas. This would assist in lending context to planned work and help with the prioritisation of tasks. A project board with this configuration would also ensure that information filters down to the residents and help maintain project continuity.**

Response

Agreed. Under the new partnering contracts every new major works scheme has a project team (or partnering team) made up of a cross section of residents, officers and the contractor. Its key purpose is to ensure residents are involved in the initial design through to contractor monitoring on site.

- h) The programme of works to be funded through the Capital Investment in Housing should be a member level decision, be it council assembly, cabinet or cabinet member and no longer be the subject of delegated officer powers.**

Response

Agreed. Cabinet, on 31st May 2011, approved the draft five year capital programme and this will be agreed following further consultation with residents at Cabinet in October 2011. Once agreed, any subsequent changes will require member approval and will be included with other capital virements in the quarterly monitoring reports.

- i) The sub-committee recommends that the Cabinet ask Southwark Standards Committee look at the member-officer protocol to see if it could be revised in the light of issues uncovered during this scrutiny. The Standards committee may wish to make recommendations for revision. Clearly, any change to the member officer protocol would need to be agreed by full council.**

Response

The Strategic Director of Communities, Law & Governance will prepare a report for the consideration of the next meeting of the Standard Committee.

- j) The sub-committee recommends that that the Cabinet Member for Housing does everything in his power to identify resources that will lead to the completion of works on Marden and Layard in as short a period as possible**

Response

Agreed. Resources of £5m were identified by Cabinet on 31st May 2011 to complete security works at Marden and Layard Squares commencing in 2012/13.

Community impact statement

17. The implementation of major works is a universal service that is offered to all tenants and residents of the Borough. The proposed changes to the way the service is monitored and delivered will ensure that residents receive a more customer focussed service.

Resource implications

18. There are no resource implications to delivering the recommendations of this report.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**Strategic Director of Communities, Law & Governance (SC052011)**

19. With regard to recommendation 16 (b) as the report states changes to Contract Standing Orders were agreed by Council Assembly this year to strengthen the arrangements in place regarding contract variations, by introducing lower thresholds at which such decisions must be notified to Cabinet Members. Any further changes to Contract Standing Orders are required to be agreed by Council Assembly.
20. With regard to recommendation 16(c) as the report makes clear capital virements are subject to Financial Standing Orders.

Finance Director

21. This report sets out a number of recommendations to improve contract management arrangements for housing major works moving forward. All the recommendations made by the sub-committee have been accepted by the housing services department. The Finance Director notes that there are no resource implications arising from the delivery of these recommendations.
22. Strengthening and improving contract management across the authority is a priority for the Council. Council assembly in May 2011 agreed changes to contract standing orders, to strengthen arrangements in place with regard to contract variations, by introducing lower thresholds at which such decisions must be notified to Members of the Cabinet. The impact on works contracts is to require the finance director to take all variation decisions where the contract value (including any previous variations and the proposed one) is £1 million or more and the proposed variation is more than 10% of the contract value. These decisions are notified to all Members of the Cabinet. Previously, these arrangements applied only where the contract value was over the EU threshold, i.e. over £3.9 million.
23. In addition Council Assembly agreed amendments to financial standing orders on major overspends and underspends on capital. The threshold has been reduced from 15% to 10% so that schemes which are forecast to overspend or underspend by 10% or more compared to the approved budget (where the over- or underspending is £250,000 or more) must be reported by the strategic director to the finance director and by him to cabinet. All these new arrangements will be kept under review.
24. Robust monitoring procedures are essential for effective contract management. Last year capital monitoring reports to cabinet moved from half yearly to quarterly. This will facilitate the reporting and approval of changes to the housing major works programme, in accordance with constitutional approval levels.

Head of Home Ownership

25. There are currently 26 leaseholders in Layard Square (16.7% of the 156 flats) and 49 leaseholders in Marden Square (26.5% of the 185 flats). Given that most of the £5 million budget mentioned in this report will be spent on communal works, these leaseholders can expect service charges in the region of £14,700 each (a total of just over £1.1 million). This compares with services charges of about £12,300 that

were invoiced to leaseholders in Lockwood and New Place Squares under previous phases of the security works.

26. This report details Scrutiny recommendations around overspends on budget. Where a contract affects leaseholders and either additional works are required or additional costs are incurred or likely to be incurred, it is imperative that the Home Ownership Unit is informed at the earliest opportunity in order to ensure that the relevant statutory notices consultation is served;
- (a) If additional costs are incurred that are rechargeable to leaseholders then the Council must serve a notice under section 20B of the Landlord and Tenant Act (as amended) in order to safeguard its ability to collect the whole service charge. Details of the additional costs and justification for the expenditure must be provided to the Home Ownership Unit in order for this to be done at the earliest possible stage.
 - (b) If additional, previously unspecified, works are required under the contract then further statutory consultation must be carried out with the leaseholders under section 20 of the Landlord and Tenant Act 1985 (as amended). The consultation should be carried out prior to the additional works being authorized if at all possible. Depending on the nature and justification of the works their start may not need to be delayed while the observation period is in effect, especially if this is likely to increase costs further. However, it is necessary to serve the notices at the earliest possible stage in order to inform leaseholders and protect the Council's ability to recharge the costs.
27. The Home Ownership Unit has processes and procedures in place to deal with these situations.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Housing and Community Safety Scrutiny sub-committee investigation into unfinished security works on Four Squares Estate	160 Tooley Street London SE1 2QH	David Lewis 0207 525 7836

APPENDICES

No.	Title
Appendix 1	Contract Management Action Plan

AUDIT TRAIL

Cabinet Member	Councillor Ian Wingfield, Deputy Leader and Housing Management	
Lead Officer	Gerri Scott, Strategic Director of Housing Services	
Report Author	David Lewis, Head of Asset Management and Investment Planning	
Version	Final	
Dated	8 July 2011	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Officer		8 July 2011

APPENDIX 1

Contract Management Action Plan

No	Recommendation	Owner	Target date	RAG Assessment
1	<p>All Cabinet Members whose responsibilities cover contractor works ensure that they are receiving regular updates on any additional or unexpected spending on the contract. Project managers should be required to submit a written report to cabinet members detailing the reasons for the overspending and describing the knock-on effects that this will have on the delivery of the project.</p>	Ferenc Morath	July 2011	On target
2	<p>All additional spending on contractor works (over and above the original budget) in excess of £50,000 must be signed off by the Cabinet Member. Every Cabinet member should be encouraged to set up early warning systems to alert him/her to the likelihood of the formal threshold being reached.</p>	Ferenc Morath	July 2011 and on-going	On target
3	<p>All major works in excess of £50,000 which have reached Gateway 2 status should be itemised in the Quarterly Capital Monitoring Report and should be subject to Contract Standing Orders in relation to capital virements.</p>	Ferenc Morath	July 2011 and on-going	On target
4	<p>The sub-committee notes that since the overspending in phase 1 of the Four Squares Security works there have been numerous changes in Southwark's handling of major works. The sub-committee recommends that</p>	Ferenc Morath	On-going	On target

No	Recommendation	Owner	Target date	RAG Assessment
	work continues to embed a professional and rigorous approach to contract management which demands the highest standards from contractors and protects Southwark Council from unacceptable levels of contract overspends			
5	Any Cabinet Member who becomes aware of a significant overspend on a major works contract which will impact on the council's ability to deliver on the scheme should take immediate and decisive action to deal with the situation. Either the Cabinet Member should take steps to secure the allocation of the required additional funds or ensure that ambitions for delivery should be scaled down	Gerri Scott	From July 2011	On target
6	In addition the cabinet member should take steps to ensure that any changes to the scheme should be communicated to affected residents in a sensitive and timely Fashion	Gerri Scott	From July 2011	On target
7	Major works schemes should, where ever possible, set up project boards which incorporate the residents of the proposed work areas. This would assist in lending context to planned work and help with the prioritisation of tasks. A project board with this configuration would also ensure that information filters down to the residents and help maintain project continuity.	Ferenc Morath	Already in place	Completed
8	The programme of works to be funded through the Capital Investment in Housing	Gerri Scott	Already in place	Completed

No	Recommendation	Owner	Target date	RAG Assessment
	should be a member level decision, be it council assembly, cabinet or cabinet member and no longer be the subject of delegated officer powers.			
9	The sub-committee recommends that the Cabinet ask Southwark Standards Committee look at the member-officer protocol to see if it could be revised in the light of issues uncovered during this scrutiny. The Standards committee may wish to make recommendations for revision. Clearly, any change to the member officer protocol would need to be agreed by full council	Gerri Scott	??	On- target
10	The sub-committee recommends that that the Cabinet Member for Housing does everything in his power to identify resources that will lead to the completion of works on Marden and Layard in as short a period as possible	Gerri Scott	Work agreed by Cabinet on 31 st May 2011	Completed

Item No. 13.	Classification: Open	Date: 19 July 2011	Meeting Name: Cabinet
Report title:		Southwark Antisocial Behaviour Strategy 2011 - 15	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor Richard Livingstone, Finance, Resources and Community Safety	

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

Antisocial behaviour affects the daily lives of our communities. Its impact can be devastating given the very fact that the nuisance, disturbance or harassment that most people are concerned about takes place so close to their home.

As a council, we are committed to tackling antisocial behaviour, supporting victims, strengthening community capacity and using our reduced resources in a targeted way to take action against those individuals and families who commit the highest level of antisocial behaviour. This will include cracking down on antisocial behaviour by adopting a zero tolerance approach.

The Southwark Antisocial Behaviour Strategy sets out a five-year plan and will have a positive impact on tackling the antisocial behaviour that affects our local communities. The previous strategy has come to an end and it is therefore important to put a new strategy in place. This will also prime the council to be able to make best use of the new antisocial behaviour legislation that is anticipated to be in place in 2013.

As such, I recommend this strategy for adoption.

RECOMMENDATIONS

1. That the draft Antisocial Behaviour (ASB) Strategy for Southwark 2011-2015, as set out in appendix 1, is approved.
2. That the Cabinet approves the recommendations outlined in the strategy under the five key commitments.
3. That the Cabinet notes the changing national landscape in relation to antisocial behaviour, particularly in relation to the current Home Office proposals outlined in their consultation, 'more effective responses to antisocial behaviour'. The consultation aims to streamline the number of tools and powers available for practitioners and could radically impact the way we manage ASB locally. The outcome of the consultation is not expected until late 2011 and any legislative changes are not expected until early 2013.

BACKGROUND INFORMATION

4. The Crime and Disorder Act 1998, first introduced a legislative framework to define and address antisocial behaviour.
5. The current Southwark Antisocial Behaviour Strategy was originally drafted in 2005 and last updated in 2008. Recent changes to the legislation and the proposals for simplified tools and powers, has increased the importance of having an up to date strategy.
6. As a member of the Safer Southwark Partnership (SSP) the Council has a duty to work with other responsible authorities to formulate, approve and implement strategies. In accordance with the co-operative duties of the 1998 Act. The Council must therefore approve and implement strategies prepared by the SSP.

KEY ISSUES FOR CONSIDERATION

Local context

7. The Safer Southwark Partnership has recently redefined its strategic priorities for the next three years to ensure that the limited resources available to the partnership are focused in the areas, at the times and at the people, whether victims or offenders, who are most affected by crime and anti social behaviour

The priorities are:

- reducing harm (including the harm cause by serious ASB)
 - reducing offending (including reoffending)
 - supporting families and those with multiple disadvantages
 - building sustainable community capacity and public confidence
8. The partnership has also established a new method of assessing those crimes which most impact on our local communities. A priority crime matrix has been developed and considers different offence types but it also considers the key characteristics of victims, offenders, locations and time. All of these elements combined, assisted in the identification of the top SSP priorities, these are:
 - knife crime
 - domestic abuse
 - youth violence
 - alcohol
 - gun crime
 - antisocial behaviour
 9. These priority areas will steer the work and resources of the Safer Southwark Partnership over the coming year.
 10. Due to the range of antisocial and nuisance behaviours that are defined within the existing legislative and policy framework, the SSP recognises that ASB is a cross cutting issue that impacts on all of the SSP strategic priorities outlined above.

National context

11. Nationally, the direction of travel surrounding the management of ASB is shifting dramatically. The coalition government, through the Home Office, is focusing on streamlining the existing legislative framework in addition to making communities much more involved in finding solutions to local problems. Furthermore, the Home Secretary's intentions are to give the police more discretion to deal with ASB locally and provide more 'rehabilitative and restorative' punishments for perpetrators of low level ASB as opposed to criminalising them.
12. The Police Reform and Social Responsibility Bill currently progressing through parliament, also outlines an expectation that everyone plays their part in cutting crime and antisocial behaviour by getting involved in local beat meetings and becoming members of Neighbourhood Watch for example. It places an emphasis on local volunteering, particularly within the police service and throughout the wider criminal justice system
13. In February 2011, the Home Office, launched their consultation document 'more effective responses to anti social behaviour'. The consultation proposes a smaller range of tools and powers for practitioners to tackle ASB. The proposals include:
 - repealing the ASBO and other court orders and replacing them with two new tools that bring together restrictions on future behaviour and support to address underlying problems
 - ensuring there are powerful incentives on perpetrators to stop behaving anti-socially
 - bringing together many of the existing tools for dealing with place-specific ASB
 - bringing together existing police dispersal powers into a single police power
 - making the informal and out-of-court tools for dealing with ASB more rehabilitative and restorative
 - introducing a Community Trigger that gives victims and communities the right to require agencies to deal with persistent ASB
14. The rationale for the review as outlined by the Home Secretary is to streamline the toolkit to make it simpler for practitioners and to reduce the cost and time it takes to implement some of the powers. It aims to reduce bureaucracy for professionals on the ground and support the courts where necessary to stop antisocial behaviour earlier and better protect victims and communities.
15. Nationally, antisocial behaviour remains one of the public's top concerns when it comes to local crime and disorder; this is reflected by the fact that 45% of contact made to the police by the public each year relates to matters that can be categorised as 'antisocial'. However, it is acknowledged that there is still significant under reporting of the issues and it is estimated that the public only report just over a quarter (28%) of incidents of ASB to the police.

The Southwark approach

16. Intimidating and nuisance behaviour caused by individuals or groups has the power to blight the quality of life for individuals, families and communities. Tackling antisocial behaviour has remained a top priority of the SSP since its conception in 1998 and is at the heart of our partnership activity.
17. The council plan outlines a commitment to tackling crime and antisocial behaviour and in particular, aims to 'enforce a zero tolerance policy against low level crime and serious antisocial behaviour'.
18. In the development of the first ASB strategy in 2005, a number of overarching priorities were identified to support Southwark's approach to tackling ASB. In 2008 when the first SSP rolling plan was produced, the SSP endorsed that the overarching priorities should remain broadly the same. This included a focus on managing anti social behaviour as part of the transition in regeneration areas such as the Heygate Estate.
19. As part of the consultation carried out with the ASB working group in October 2010, it was proposed that these ASB priorities for the new 2011-2015 strategy should be:-
 - 1) Place victims and witnesses at the centre of our strategy
 - 2) Strengthen communities by dealing with ASB locally
 - 3) Target our limited resources at the individuals and families who impact most on antisocial behaviour (previously:- work with perpetrators using early intervention and diversion to reduce complaints of antisocial behaviour.)
 - 4) Increase reporting of ASB; increase information sharing and the intelligent use of resources
 - 5) increase the capacity of the partnership to take coordinated and appropriate enforcement action
20. Priority three has been amended to reflect the limited resources available to the council and its partner agencies and the greater need to target those resources towards the families and individuals who impact most on anti social activity. It was also agreed that priority six should be removed. This priority was originally included in the rolling plan document whilst many of the larger regeneration areas in the borough were being developed.

Governance

21. Responsibility for managing antisocial behaviour in Southwark sits within the remit of the Safer Southwark Partnership. The overall decision making body of the partnership is the SSP board which is currently jointly chaired by the Police Borough Commander and Chief Executive for Southwark Council. The Safer Southwark Partnership (SSP) will oversee the delivery of the strategy, with implementation and performance management undertaken by the thematic ASB Strategic Group, a sub group of the SSP.
22. The ASB strategic group is one of the key priority groups accountable to the SSP board. Membership consists of senior management from across the partnership that have knowledge and expertise in the field. The group meets quarterly and

will oversee the implementation of the strategy including achievements against the supporting ASB action plan. The action plan will set out key recommendations outlined in the ASB strategy.

23. The ASB strategic group is chaired by the Borough Commander for the Fire Service. The membership is currently being reviewed in line with the new governance structure of the SSP.
24. We will base our performance measures for ASB on achieving an increase in public confidence. Feedback from the communities that we have worked with highlights that people want to have confidence in the council, police and partner agencies in addressing nuisance and harassment. We will look to achieve an increase in public confidence by 5% (2010/2011 MPS attitude survey), that the council and the police are tackling antisocial behaviour and crime and dealing with the issues that concern people the most.

Policy implications

25. The ASB consultation is likely to impact on current legislation used to deal with dog related antisocial behaviour however, the Safer Southwark Partnership has produced, "A responsible approach", Southwark Dog Strategy 2011-14, which sets out partnership priorities for addressing dog related nuisance.
26. This strategy is aligned to existing policy frameworks, including the Safer Southwark Partnership's statutory rolling action plan, the violent crime strategy 2010-2015 and the council corporate plan that will be adopted in July 2011.
27. The strategy is aligned with the Housing management tenancy agreement as required under housing policy and respective housing legislation
28. The strategy is aligned with the Department for Education policy in relation to family support.

Community impact statement

29. Tackling crime and ASB was the top priority for Southwark residents chose when identifying what the council should focus its resources on as part of the most recent reputation tracker survey. The reputation tracker also reflects the results of the previous resident's and place surveys carried out back in 2008 that highlighted the top two local concerns for Southwark residents are litter and young people hanging around.
30. There is a high level of awareness within the council and the Safer Southwark Partnership, of the needs of hard to reach residents and to serve all of Southwark's communities. The ASB Hard to Reach Community Research Project set up in 2010 asked how people from different communities about their experiences of ASB, as victims and as concerned residents.
31. The project trained residents from various community groups as ASB researchers and asked them to undertake ASB surveys with people who came from similar (and different) backgrounds. The researchers and the people they surveyed were Somalian, Bengali, people attending local faith groups, including African managed churches and mosques, young people from various ethnic backgrounds, Polish residents, older people from black African, black Caribbean

and white British backgrounds, residents from French speaking African countries, Vietnamese residents and Latin American residents.

32. 419 local people, whose views were sought via the community researchers have informed this strategy and will support policy development in the future. We are more knowledgeable about tailoring our services to everyone who needs them. The end result will be partnership services that are better able to involve local people in solutions to ASB and to do this in a way that understands and respects all the various community traditions and cultures that produce day to day life in Southwark.
33. A stereotypical perception of young people, not only by some Southwark residents but all across the country is one that emphasises the 'yob/ hoody' culture. This perception of young people is often not fair or justified and simply categorises all young people based on the behaviour of a small minority. Unfortunately today, five years later, this still appears to be the case and 'young people hanging around' is persistently identified as an area of concern.
34. Concerns of underreporting are well documented nationally and we believe that there is under reporting of crime and ASB locally. Residents from the LGBT community were asked in a recent Southwark consultation project, why they felt people may refrain from reporting ASB and in particular hate crimes. The results of the consultation highlighted fears of:
 - complaints taking too long to deal with and not having a satisfactory outcome
 - being 'outed' if from the lesbian, gay, bisexual or trans (LGBT) community
 - uncertainly about the reporting process and what it entails
 - how reporting agencies work
 - the consequences of reporting and reprisals
 - not being believed, not being listened too
35. Antisocial behaviour can impact negatively on the lives of victims and their families and damage cohesion in the wider community. Certain communities may be more vulnerable to incidents such as hate crime are also likely to have a greater fear of crime. To tackle these barriers and encourage reporting, the strategy identifies that:
 - Information should be disseminated reflecting that young people may also be victims and to address the stereotype that young people are only perpetrators
 - all council and police communications information to be in clear plain English; and where feasible other languages that reflects its diverse local population.
 - regular updates on the issues to be available to all communities
 - ASB prevention techniques and solutions should take into account communities' cultural issues such as the role of elders and the role of extended families.
 - leaflets through doors telling people what ASB and hate crimes are, where people can report to and what work has been developed to tackle the issues
 - community websites and social media should be utilised to promote services and tackle the broad issues

36. An Equalities Impact Assessment (Equality Analysis) will be developed in line with the ASB strategy to assess the impact that the policy may have on individuals and communities. The new Equality Duty as outlined in the Equality Act 2010, replaces the three previous duties on race, disability and gender, bringing them together into a single duty, and extends it to cover age, sexual orientation, religion or belief, pregnancy and maternity, and gender reassignment (in full).
37. The new Equality Duty requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations in the course of developing policies and delivering services. Public bodies should consider the needs of all individuals in their day to day work, in developing policy, in delivering services, and in relation to their own employees.

Resource implications

38. The council and its partner agencies provide a range of services to prevent and address ASB including environmental management, diversionary activity, support and enforcement provision.
39. Establishing the total cost implications for these services however is extremely difficult. Due to the range of behaviours that are deemed 'antisocial' (both criminal and non criminal), the complexity of many cases and the level of involvement of council services and external organisations over time, we cannot easily conclude the totality of resources allocated to tackling ASB.
40. We will look to establish a baseline for the cost of antisocial behaviour in Southwark in 2011/12 and the amount spent by the council and its partner agencies, including other registered social landlords, on tackling this behaviour. We will use the baseline to assess the effectiveness of our interventions and how we make efficiency savings by delivering targeted programmes.
41. The Home Office in its report 'defining and measuring anti-social behaviour', estimated that responding to reports of antisocial behaviour in England and Wales costs government agencies around £3.4 billion a year. There are of course significant, indirect costs to local communities and businesses, as well as emotional costs to victims and witnesses which cannot be substantiated.
42. In September 2003, the Home Office asked agencies involved in ASB to collect the number of reports from the public on a range of different areas, including litter, vandalism and intimidation. Over 1,500 organisations took part and information was received from every Crime and Disorder Reduction Partnership area in England and Wales. Whilst reports are not the same as incidents of antisocial behaviour, the snapshot was indicative of the large number of contacts concerning the issue on a typical weekday. In a twenty four hour period, 66,107 reports of ASB were made to participating agencies. This equates to more than one report every 2 seconds or around 16.5 million reports every year. Antisocial behaviour recorded on the day of the count cost agencies in England and Wales at least £13.5m.
43. A core feature of the 2011-15 strategy is to realign the reduced services that the council can provide, to meet the savings within the council efficiency requirements.

44. At a time when public sector finances are being significantly reduced, we will target our limited resources to tackle crime and ASB in the areas, at the times and towards the people, where we can be most effective, to address key issues for the borough.
45. Interventions to antisocial behaviors are met from the revenue budgets of the responding team, insofar as the action falls within their normal activities. Where special actions / projects are to be taken, a budget will be prepared in advance to identify funding streams.
46. The total expenditure budget held by the Community Safety Division for ASB is £897k of which £777k is funded by Housing Revenue Accounts, £104k by General Fund and the remaining £16k is recovered by recharges. If there are any costs of implementing the proposed strategy that cannot be contained within the current budget, alternative funding will be identified before committing any expenditure.

Consultation

47. The strategy has been produced in partnership with all relevant departments in order to ensure that the document and the recommendations outlined within it are realistic, deliverable and achievable.
48. Members of the ASB strategic group representing key organisations in Safer Southwark Partnership (including police, youth offending service, housing management, fire service and Southwark antisocial behaviour unit) were integral to the development of the strategy.
49. An ASB strategy development workshop was held in October 2010 with the ASB working group, made up of over thirty representatives from statutory and non statutory agencies.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

50. The Crime and Disorder Act 1998, as amended, established Crime and Disorder Reduction Partnerships, now known as Community Safety Partnerships ("CSPs"), in order to facilitate a multi-agency approach to the reduction of crime, substance abuse, antisocial behaviour and re-offending.
51. The 1998 Act imposes statutory duties on local authorities, police authorities, fire and rescue authorities, Primary Care Trusts, and the Probation Service, known as "responsible authorities", to form CSPs and work together to review crime and disorder in their area and implement a strategy to tackle priority problems. In Southwark the CSP is called the Safer Southwark Partnership ("SSP").
52. The Police and Justice Act 2006 amended the partnership provisions of the 1998 Act to make CSPs a more effective resource, and imposed obligations on CSPs to implement strategies to tackle, amongst other things, antisocial behaviour. The Crime and Disorder (Formulation and Implementation of Strategy) Regulations 2007 make provision as to the formulation and implementation of such strategies.

53. Under the requirements of the 1998 and the 2007 Regulations the SSP has prepared a strategy to address antisocial behaviour.
54. As a member of the SSP the Council has a duty to work with other responsible authorities to formulate, approve and implement such strategies. In accordance with the co-operative duties of the 1998 Act the Council must therefore approve and implement strategies prepared by the SSP.
55. Under Part 3 of the Council's Constitution, the approval of the draft antisocial behaviour strategy is a decision for the cabinet, as the strategy may impact on a number of portfolios.
56. Positive equalities obligations are placed on local authorities, sometimes described as equalities duties, with regard to race, disability and gender. Race equality duties were introduced by the Race Relations Amendment Act 2000 which amended the Race Relations Act 1976. Gender equalities duties were introduced by the Equality Act 2006, which amended the Sex Discrimination Act 1975. Disability equality duties were introduced by the Disability Discrimination Act 2005 which amended the Disability Act 1995.
57. Equality impact assessments are an essential tool to assist councils to comply with our equalities duties and to make decisions fairly and equalities and human rights impact assessments that are carried out should be mindful of the protected characteristics under the Equality Act 2010.

Finance Director

58. This report asks the cabinet to adopt the draft anti social behaviour (ASB) strategy and its recommendations, and to note the changing national landscape in respect of anti social behaviour.
59. The report identified that the current budget in community safety for ASB is £897k. If the costs of implementing the proposed strategy cannot be contained within the current budget, alternative funding will be identified before committing any additional expenditure.
60. An expenditure baseline incorporating all elements of ASB within Southwark departments, and external partners, will be established during 2011/12 to enable the effectiveness of the service to be assessed, and to identify areas where efficiencies can be delivered.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Tackling Anti-Social Behaviour Together Southwark Strategy 2005-2008	CSPS, Floor 3, Hub 3 160 Tooley Street	Carmen Wright
Safer Southwark partnership Rolling Plan 2008-12	CSPS, Floor 3, Hub 3 160 Tooley Street	Carmen Wright
Home Office Consultation 'more effective responses to antisocial behaviour' February 2011	Home Office publications available online	Carmen Wright
Home Office 'defining and measuring Anti Social Behaviour' 2004	Home Office publications available online	Carmen Wright

APPENDICES

No.	Title
Appendix 1	Draft Southwark Antisocial Behaviour Strategy 2011-2015

AUDIT TRAIL

Cabinet Member	Councillor Richard Livingstone, Finance, Resources and Community Safety	
Lead Officer	Gill Davies, Strategic Director Environment	
Report Author	Carmen Wright, Reducing Reoffending Manager	
Version	Final	
Dated	6 July 2011	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	yes	yes
Finance Director	yes	yes
Cabinet Member	yes	yes
Date final report sent to Constitutional/Community Council/Scrutiny Team	8 July 2011	

Southwark Antisocial Behaviour Strategy 2011 to 2015

Southwark Council, the police and partners in the community are working hard to keep you safe.

Executive Summary

The Safer Southwark Partnership (SSP) has produced this document setting out the multi agency approach to tackling antisocial behaviour (ASB) in Southwark over the next four years. The strategy outlines the direction of travel in the evolving field of antisocial behaviour particularly the changing national landscape which is moving towards more citizen-led priorities. This approach favours simpler and more flexible tools and powers that will enable professionals to get to the root of neighbourhood problems, more quickly and cost effectively.

Most importantly, the SSP want to ensure that the victims of ASB, whether individuals, families or communities, feel supported in addressing nuisance or intimidating behaviour. We want people to know where they can get help to deal with problems and ensure that they understand what support they can expect from us.

We have learnt that the issues prevalent in Southwark cannot be dealt with by one organisation alone. We will ensure that all partners share information, problem-solve and work together, with our communities, to ensure that concerns are addressed in a timely manner. We want to improve people's understanding and perception of ASB to ensure that those living, working and visiting the borough, feel safer.

However, at a time when public sector finances are being significantly reduced, we will target our limited resources to tackle crime and antisocial behaviour in the areas, at the times and towards the people where we will be most effective in addressing key issues in the borough.

Finally, the SSP will look to promote its good work in order to inform those affected by ASB and crime, how the partnership is focusing its resources and dealing with the problems that concern people the most.

Background to Southwark

Alongside the City of London, Southwark is one of the oldest areas of London with a history stretching back to Roman times. Southwark's population reached 274,000 in 2007 and is believed to be growing by as much as 4,000 per year, with a projected population of over 310,000 by 2016. The population has a young demographic profile and demonstrates rich ethnic and cultural diversity, with around one-third (90,600) of the population from black or ethnic minority communities making it one of the most diverse areas in the capital.

The borough also encompasses some of London's top attractions, creative hotspots, scenic villages and acclaimed green spaces and has a wide-range of leisure and cultural opportunities creating significant economic and employment contribution to the local community. The north of the borough is recognised as one of London's fastest growing tourist quarters and a thriving business location.

Alongside the borough's rich vibrancy, Southwark has its fair share of challenges. The Index of Multiple Deprivation (IMD) 2007 shows Southwark as the 27th most deprived local authority nationally and 60% of the borough's wards are among the 10% most deprived in the country. Consequently, the borough faces many challenges associated with meeting the complex health and social needs of an inner-city population. Unemployment in Southwark (8.9%) is higher than the London average (6.7%) and the percentage of the working population claiming benefits in Southwark is 15.6% compared to 13.9% across London. Gross weekly earning for both men and women in Southwark is lower than the London average.

Southwark pupils at Early Years Foundation Stage, Key Stages 1 and 2, GCSE and A levels are above the national average with substantial improvement seen over the last four years. Teenage conception rates for Southwark are still one of the highest in England.

To meet our challenges, Southwark has a large number of physical regeneration programmes across the borough alongside a wide range of initiatives aimed at improving educational standards, reducing crime and antisocial behaviour (ASB) and improving health, housing, social care and the environment.

Introduction

Everybody has the right to feel safe and protected no matter where they are or who they are with, however intimidating and nuisance behaviour caused by individuals or groups has the power to blight the quality of life for individuals, families and communities.

One of the challenges in defining nuisance, distressing or intimidating acts, is that behaviour deemed to be antisocial or a nuisance by one person, may be perceived very differently by another. Over the last decade however, governments have introduced legislation to identify and address the type of behaviours that have the potential to impact people's daily lives in a negative way. It has been recognised that such behaviours can significantly affect the peaceful enjoyment of people's environment and as such, need to be dealt with.

Definition (and types) of antisocial behaviour

The Crime and Disorder Act 1998 defines anti social behaviour as an act which,

'...causes or is likely to cause harassment, alarm or distress to one or more persons not in the same household'¹

There is no further explanation within the act that specifies what behaviour constitutes as antisocial, however the Home Office goes further and describes it as,

'...any aggressive, intimidating or destructive activity that damages or destroys another person's quality of life'.

Another definition set out for social landlords in the use of Anti Social Behaviour Injunctions (ASBIs),

'...conduct causing or likely to cause nuisance or annoyance to a person not of the same household as himself'.

The Home Office also identified the following categories of ASB²:

- Misuse of public space
- Disregard for the community and personal being
- Acts directed at the person
- Environmental damage

The Safer Southwark Partnership uses these categories to define and monitor the incidents of ASB that occur in the borough. The above four categories include a range of problems, including:

Misuse of public space

- begging, street drinking
- substance misuse, dealing drugs, crack houses
- abandoned vehicles
- illegal off road motorcycling or cycling on the pavement
- arson

Disregard for community and personal well being

- nuisance neighbours
- rowdy/ drunken behaviour
- noise nuisance (pubs and clubs, music, vehicles)
- inappropriate use of fireworks

1 Crime and Disorder Act 1998

2 Home Office defining and measuring anti-social behaviour. Development and Practice Report 26. Anti Social Behaviour Research Team. Crown Copyright 2004

Acts directed at people

- intimidation and harassment towards groups or individuals (can be on the grounds of race, sexual orientation, age, disability, religion, gender)

Environmental damage

- dog fouling
- fly-posting, fly-tipping
- graffiti,
- litter

The above list is not exhaustive; any behaviour which is regarded as a nuisance may be considered to be antisocial and in some cases, this behaviour may also be a criminal offence. We know that antisocial behaviour can have a significant impact on the day-to-day lives of many and can leave people feeling intimidated, angry and frightened.

Background to antisocial behaviour legislation and policy

Anti Social Behaviour Orders (ASBOs) were first introduced under Section 1 of the Crime and Disorder Act 1998 and have been available since April 1999 for police, local authorities and registered social landlords to apply for. ASBOs are a civil order issued by a magistrate and are intended to restrict behaviour of persons aged ten years and over by prohibitions imposed by the court. This could be to refrain from entering a particular area or congregating with other named individuals for example. Application for an ASBO must prove 'beyond reasonable doubt', that the respondent has behaved in an antisocial manner, that is, has committed acts causing, or likely to cause harassment, alarm or distress.

The power to impose ASBOs was extended by the Police Reform Act 2002, which introduced orders made on conviction in criminal proceedings and interim orders to assist agencies to deal with the problem as soon as possible. Over the past twelve years, additional legislation facilitated local partnerships ability to apply for ASBOS and undertake other measures to tackle antisocial behaviour. The legislative framework includes:

The Antisocial Behaviour Act 2003,
Criminal Justice Act 2003
Serious Organised Crime and Police Act 2005
Police and Justice Act 2006
Violent Crime Reduction Act 2006

The Anti Social Behaviour Act 2003 was probably most significant in changing the way by which partnerships managed ASB as it provided local authorities and the police with a wider range of powers to meet their existing responsibilities and respond to the needs of their local communities.

The 'toolkit' of interventions and legal powers for practitioners that evolved out of the ASB Act ranged from informal warnings to formal court orders and included:

- Acceptable Behaviour Contracts/ Agreements
- Closure Orders
- Parenting Orders / contracts
- Dispersal Orders
- Fixed Penalty Notices
- Alcohol Banning Orders
- Injunctions and demoted tenancies for local authorities and social landlords

National context

The National landscape surrounding antisocial behaviour is steadily shifting and the Home Secretary is in the process of consulting on a whole reform programme surrounding crime and ASB in England and Wales. The coalition government, through the Home Office, are in the process of reviewing the existing policy framework. The consultation document 'more effective responses to anti social behaviour' proposes a much simpler range of tools to provide more effective sanctions, assist professionals and, where necessary, the courts to stop antisocial behaviour earlier. It also promises better protection for victims and communities³.

The rationale for the review, as outlined by the Home Secretary, is to streamline the toolkit to make it simpler for practitioners and to reduce the cost and time it takes to implement some of the powers. Furthermore, it aims to reduce bureaucracy for professionals on the ground, encouraging local, rather than centralised decision making.

There have been wider questions raised about the effectiveness of some of the existing methods used across the country, particularly in relation to ASBOs. Nationally, the breach rate for ASBOs at the end of 2009 had risen to over 56% and use of the order had fallen by more than half since 2005⁴. The police are estimated to receive over £3.5 million reports of antisocial behaviour a year which does not include the phone calls or reports to councils or social landlords. The outcome of the consultation is expected later in the year however any legislative changes are not expected until 2013.

Nationally, antisocial behaviour remains one of the public's top concerns when it comes to local crime and disorder; this is reflected by the fact that 45% of contact made to the police by the public each year relates to matters that can be categorised as 'antisocial'. It is also acknowledged that there is still significant under reporting of the issues and it is estimated that the public only report just over a quarter (28%) of incidents of ASB to the police.

Consistently, the top two concerns from perception surveys across the country identify litter and teenagers hanging around on the street, although these two types of ASB have seen a decline in the last year. In fact, the British Crime Survey 2009/10 shows that overall concerns relating to ASB have shown a downward trend in recent years and the proportion of people who perceive ASB to be a problem has shown a decrease (from 17% to 14%) compared with the previous year⁵. The current level of perceived ASB is the lowest since 2001/02. The 2009/10 British Crime Survey also highlights that there has been an increase in the proportion of people agreeing that the police and local councils are dealing with antisocial behaviour issues.

In spring 2010, Her Majesty's Inspectors of Constabulary (HMIC) carried out a review of ASB in England and Wales which concluded that due to some recent extreme cases that had resulted in tragic circumstances; it was time to take stock and re-evaluate the current joint working arrangements between key agencies such as the police and the local authority⁶.

One case that received national coverage is that of Fiona Pilkington who committed suicide and took the life of her teenage daughter Francessca in October 2007 following years of harassment by local youths. In this particular case, it was found that a number of services were involved with Fiona, yet no overall responsibility was taken for addressing her concerns and numerous allegations of persistent antisocial behaviour. As a result, the family of Fiona and her daughter are taking legal proceedings against Leicestershire Council, criticising the response to safeguarding concerns and the inability of public bodies to work together. At the time of publishing, legal proceedings were also being taken against Leicestershire Constabulary and Hinkley and Bosworth District Council for their role in the case. The Independent Police Complaints Commission concluded in their investigation report that Leicestershire police should have done more to protect the victims and that there was a failure to provide a cohesive approach to the antisocial behaviour that the family had suffered⁷.

³ Home Office 'More Effective Responses to Anti Social Behaviour' February 2011

⁴ Home Office- Anti Social Behaviour Statistics England and Wales 2009

⁵ British Crime Survey 2009/2010

⁶ HMIC 'Stop the Rot' Anti Social Behaviour review 2010

⁷ http://www.ipcc.gov.uk/news/Pages/pr_240511_pilkington.aspx

It is anticipated that the government's new approach to tackling antisocial behaviour will involve a radical shift of control and an emphasis on much more responsibility towards local agencies and neighbourhoods. In an effort to reduce bureaucracy and control from Whitehall, we have already seen a number of centralised initiatives concluded, such as, funding and performance targets for ASB.

Currently, the Police Reform and Social Responsibility Bill is progressing its way through Parliament following the consultation 'Policing in the 21st century: Reconnecting police and the people'⁸. One of the key provisions outlined in the bill is to introduce directly elected Police and Crime Commissioners who will hold police forces to account and in turn be directly accountable to the public. In London, the Mayor's Office for Policing and Crime, to be run by the Mayor of London, would replace the Metropolitan Police Authority (MPA). The Mayor, with the oversight and scrutiny of the London Assembly, would have full responsibilities previously held by the MPA including writing the policing plan and holding the Commissioner of the Metropolitan Police Service (MPS) to account for delivering policing to the people of London.

The Police Reform and Social Responsibility Bill also outlines an expectation that everyone plays their part in cutting crime and antisocial behaviour by getting involved in local beat meetings and becoming members of Neighbourhood Watch for example. It places an emphasis on local volunteering, particularly within the police service and throughout the wider criminal justice system.

Regional context

The London ASB board was formed in 2006 to oversee the strategic approach to the most pertinent issues surrounding ASB in London and to improve the multi-agency response to those issues. The board meets quarterly and consists of high-level representation from the capital's key agencies including local authorities, police, and fire brigade, Crown Prosecution Service, Greater London Authority and the Home Office. The board is supported by a joint action group (JAG) that co-ordinates the delivery of the pan-London activities. The ASB practitioner's forum is a means for those working in the field of ASB to stay informed of the work of the board and to share best practice. Each year the London ASB board sets out an ASB action plan which outlines the board's annual priorities. Priorities have included:

- Halloween & Fireworks
- Responsible Retailers Agreements
- Mayoral Award for Parks
- Information sharing & case management
- Neighbourhood agreement pathfinder areas.
- Victims Charter
- Dangerous Dogs

The board has recently helped to compile a London wide 'ASBO register', which is the first for the UK. The register allows all London boroughs access to the details of all 'live' Anti Social Behaviour Orders across the capital and can provide an overview of the individuals on the caseload.

A review of the London ASB Board is currently underway as part of the changing governance structures for crime and policing in the capital.

Impending Changes to Community Payback in London

Unpaid Work is one of the requirements to which offenders can be sentenced as part of a Community Order or Suspended Sentence Order. It requires offenders to carry out unpaid work to benefit the community, improving the look and feel of local areas and give offenders the opportunity to make amends for their crimes.

Community Payback was launched in 2005 as a means of increasing public awareness of Unpaid Work. Community Payback focuses on greater visibility, with the intention of raising public confidence in community sentences and the criminal justice system. Furthermore, it gives the public the opportunity to nominate work projects for offenders to help clean up and rejuvenate local neighbourhoods. Work includes projects such as litter removal, clearing dense undergrowth to make crime 'hot spots' safer, repairing and

redecorating community centres or community areas and removing graffiti. Environmental improvement projects such as these make areas visually more pleasing and help to improve the perception of antisocial behaviour. This work in turn makes people feel safer and discourages further crime and ASB from occurring.

London Probation Trust works in partnership with the 32 local authorities and the Metropolitan Police to identify and deliver projects that benefit local communities. In London, over one million hours of Community Payback are completed every year by offenders paying back for the crimes they have committed.

In the second half of 2010, the National Offender Management Service (NOMS) ran a national Framework Agreement competition for the provision of Community Payback services in England. Three private sector providers were successful in becoming national Framework Partners. This enables each of them to bid in any of the six mini-competitions which NOMS will run in the coming months. The London 'lot' is the first of these six mini-competitions.

These private sector Framework Partners will have the opportunity to bid for a contract to deliver Community Payback in London for four years. The current NOMS timetable is that the outcome of the bid will be announced by November with the new contract starting from June 2012. Whichever provider is successful, they will be held to account for delivering a high quality range of projects and meeting strict targets set by NOMS.

Local context

The Safer Southwark Partnership vision statement:

'To make Southwark a safe and healthy place to live, work and visit'

Responsibility for managing antisocial behaviour in Southwark sits within the remit of the Safer Southwark Partnership. The SSP has existed since the introduction of the 1998 Crime and Disorder Act. The partnership brings together a range of statutory and voluntary sector services as well as business and faith communities to jointly determine how they can work together to reduce crime, fear of crime and substance misuse in addition to anti social behaviour. The overall decision making body of the partnership is the SSP board which is currently jointly chaired by the Police Borough Commander and Chief Executive for Southwark Council.

The SSP will continue to focus on those behaviours causing harassment, alarm or distress but will endeavour to manage the issues and the perpetrators in a timely manner to stop the ASB escalating.

The Safer Southwark Partnership has recently redefined its strategic priorities for the next three years to ensure that the limited resources available to the partnership are focused in the areas, at the times and at the people, whether victims or offenders, who are affected by crime and antisocial behaviour. The priorities are:

- Reducing harm (including the harm cause by serious ASB)
- Reducing offending (including reoffending)
- Supporting families and those with multiple disadvantages
- Building sustainable community capacity and public confidence

Furthermore, a priority crime matrix has been developed and considers different offence types in addition to the key characteristics of victims, offenders, locations and time. All of these elements combined, assisted in the identification of the top SSP crime types and crime characteristics that most disproportionately affect Southwark communities. These are:

- knife crime
- youth violence
- domestic abuse
- alcohol
- gun crime
- antisocial behaviour

Due to the range of antisocial and nuisance behaviours that are defined within the existing legislative and policy framework, the SSP recognises that ASB is a cross cutting issue that impacts on all of the SSP strategic priorities outlined above.

Southwark Council Plan

Southwark Council has recently adopted a new council plan which sets out the leader's vision of a fairer future for all in Southwark. The plan states:

“The council will create a fairer future for all in Southwark by protecting the most vulnerable, by working with local people, communities and businesses to innovate, improve and transform public services, by looking after every penny as if it was our own and standing up for everyone’s right, especially young people in particular, to enjoy the enormous benefits and seize the opportunities that living in central London should offer.”

A key part of plan is the 'Southwark Charter' that outlines the top ten promises for Southwark in 2011/12. One of the promises is to, 'work with the police to make the borough safer for all, cracking down on antisocial behaviour and implementing our new violent crime strategy'. The SSP through the council community safety team will lead on delivering this promise.

Measuring antisocial behaviour- the challenges in Southwark

Due to the range of behaviours and activities that are defined as 'antisocial' and the absence of a legal definition, antisocial behaviour and its impact has historically been difficult to measure. The integration of the council's APP (Authority Public Protection) case management system however, used by housing officers and officers in Southwark's antisocial behaviour unit (SASBU), will give us oversight of the total number and type of ASB cases being managed at any one time. The system will also enable officers to assess how safe people feel in their area and establish the key issues that residents perceive as problems. Measuring the outcome of each ASB case, including how well people feel their case was dealt with, is also a function of APP that will help us to better understand the local picture of ASB in Southwark.

Another way to quantify both the scale of the issues in an area and, where appropriate, the difference any form of intervention has made, is to measure people's perceptions. This process can also assist us in identifying whether the work we do as a partnership actually contributes to making people feel safer.

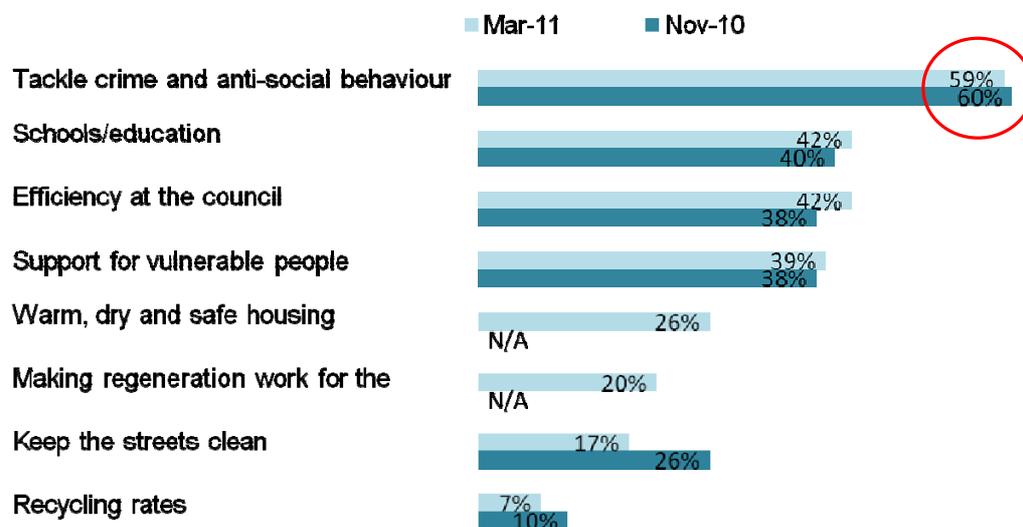
Reputation Tracker Survey

Southwark have been working with Westminster City council to carry out a number of 'Reputation Tracker' surveys across the borough to provide a snap shot analysis of public safety and perception of ASB. In each phase of the tracker, face to face, fifteen minute questionnaires are conducted with four hundred Southwark residents.

The most recent tracker was carried out in March 2011. Residents were asked, via a prompted list, what they felt were the most important areas that the council should focus its resources on over the next few years. The chart below shows that tackling crime and ASB remain the predominant choice of residents and implies that in people's day to day lives, it is what concerns people the most.

Communications Recommendations

3. Reinforce and create more consistent messages on anti social behaviour

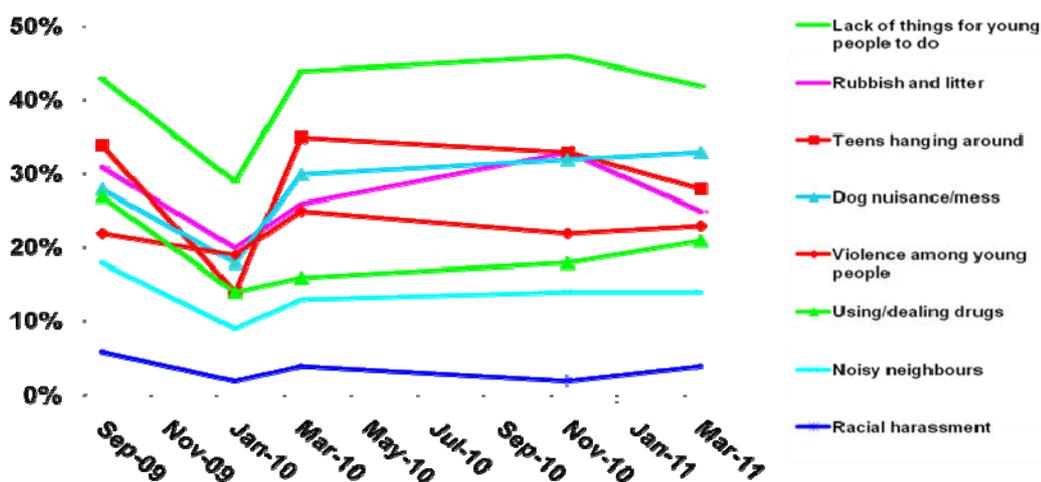


Question: Which two or three of the following, if any, are most important for Southwark Council to focus its resources on over the next few years?

Source: c.400 Southwark residents, 16+ March 2011 and November 2010

Furthermore, the reputation tracker reflects similar results of the previous resident’s survey and place surveys carried out bi-annually up until 2008, highlighting that the main concerns for residents are still dog nuisance and mess and teenagers hanging around. Interestingly, ‘lack of things for young people to do’ is seen as the biggest problem.

Problems in the local area



Question: Thinking about your local area, how much of a problem do you think are...

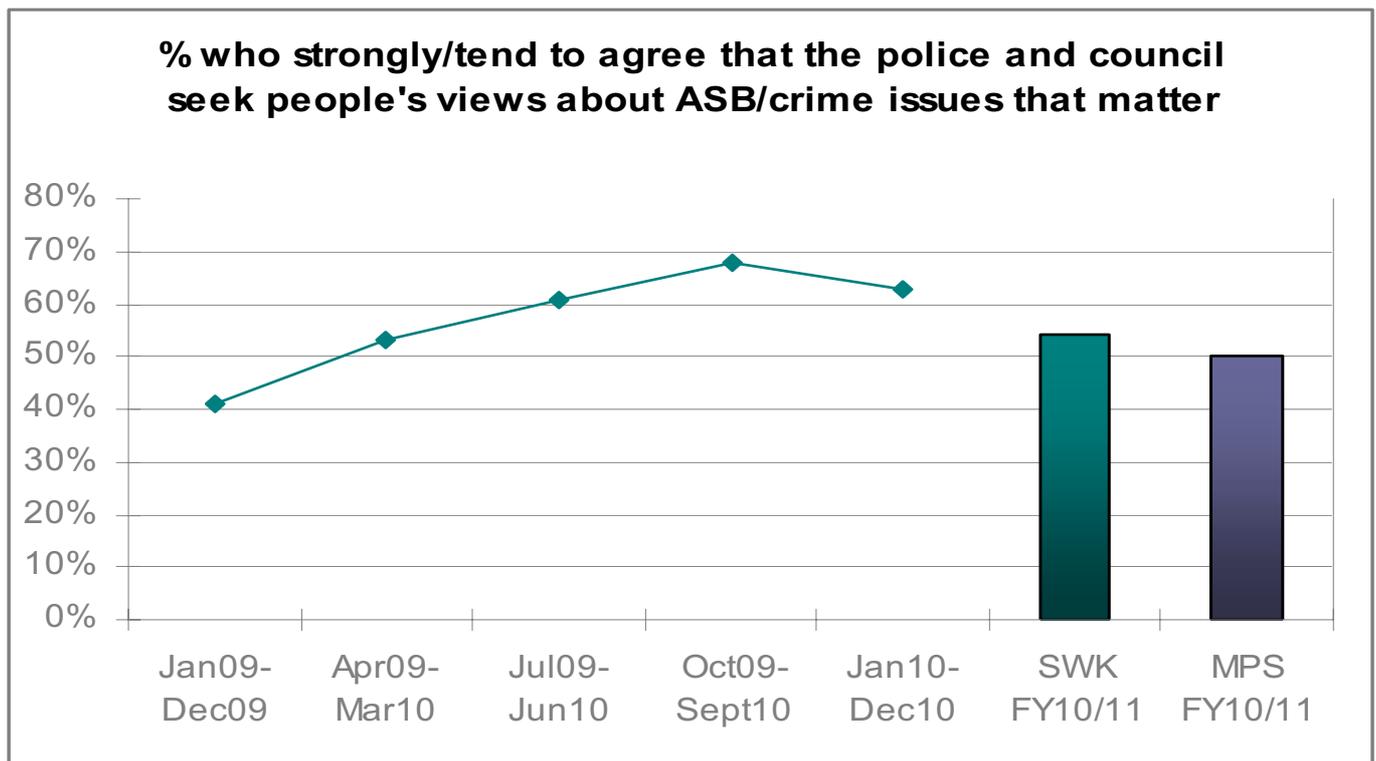
Source: c.400 Southwark residents, 16+ September 2009 – March 2011

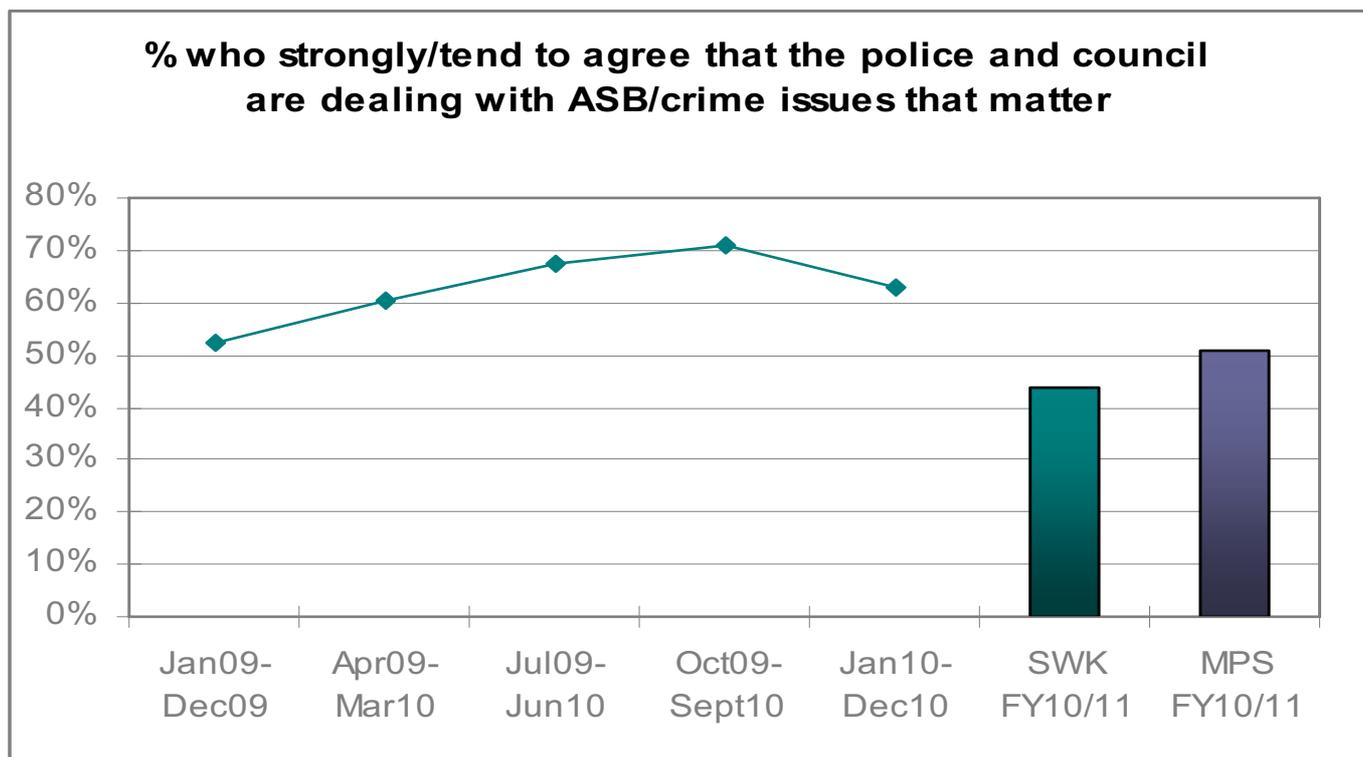
Targeted, localised surveys on estates with a 'before' and 'after' questionnaire enables the SSP to identify if, following targeted resources in that area, perceptions of ASB and crime in their vicinity have changed. One example where this has been the case has been in Peckham. Targeted partnership activity by the police and Southwark's antisocial behaviour unit (SASBU), was put into place to tackle particular problems of gang activity and associated ASB. Residents reported feeling unsafe due to ongoing concerns and were scared of repercussions of approaching the perpetrators themselves. The targeted partnership work included the development of an early intervention strategy to divert youths on the fringe of gangs as well as obtaining gang ASBOs which were designed to disrupt gang activity for the seven most influential gang members. The interventions resulted in 92% of respondents noticing a reduction in gang related ASB as well as stating that Peckham is now a safer place to live.

MPS Public Attitude Survey

The Metropolitan police service continues to commission independent quarterly public perception surveys across Southwark. The MPS surveys are not reflective of the whole borough analysis or of actual crime levels due to the survey being carried out in various smaller locations. The graphs below give the results for Southwark. Four quarters are combined to give twelve month rolling totals, as well as a comparison to the MPS for the financial 2010/11. Following an increase in the perception that the police and the council seek views about the ASB/crime issues that matter, there was a decrease in the quarter ending December 2010. This trend is repeated for perception that the police and council deal with crime/ASB issues that matter.

Note: base for Southwark quarterly 12 month rolling totals = 640; base for Southwark FY = 480; base for MPS FY = 15360





Where does anti social behaviour take place?

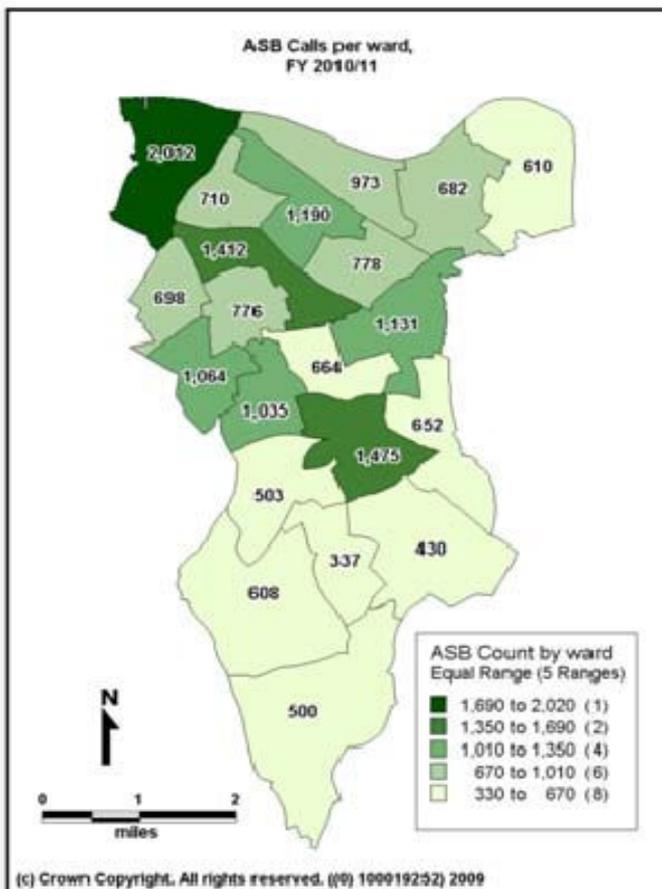
Because the term antisocial behaviour covers a wide range of nuisance behaviours, it is often difficult to make clear distinctions between problematic areas and identify where, for example, different types of antisocial behaviour is taking place. Furthermore, ASB is often reported to different agencies at different times and the information is not always amalgamated making it difficult to substantiate the level of the problem.

In order to monitor ASB levels, the Performance Information Bureau (PIB) of the police have selected fourteen categories of reported calls that are the most accurate indicators for antisocial behaviour:

- ❖ abandoned vehicle
- ❖ vehicle nuisance
- ❖ rowdy behaviour
- ❖ hoax call
- ❖ rowdy neighbour
- ❖ littering / drugs paraphernalia
- ❖ animal problems
- ❖ trespass
- ❖ malicious communications
- ❖ street drinking
- ❖ prostitution related activity
- ❖ noise
- ❖ begging/vagrancy
- ❖ fireworks

From this data, we are able to break down the number of ASB/ nuisance incidents recorded in each ward in the borough. See table below:

Ward	FY 2010/11	% CAD FY 2010/11	Apr-11	% April 2011	Proportion change
Cathedrals	2012	11.0	141	7.7	-3.3
The Lane	1475	8.1	163	9.3	1.2
Eas. Walworth	1412	7.7	142	7.8	0.1
Grange	1190	6.5	101	5.5	-1.0
Livesey	1131	6.2	134	7.4	1.2
Camberwell Green	1064	5.8	107	5.9	0.0
Brunswick Park	1035	5.7	73	4.0	-1.7
Riverside	973	5.3	102	5.6	0.3
South Bermondsey	778	4.3	52	2.9	-1.4
Faraday	776	4.3	76	4.2	-0.1
Chaucer	710	3.9	54	3.0	-0.9
Newington	698	3.8	91	5.0	1.2
Rotherhithe	682	3.7	80	4.4	0.7
Peckham	664	3.6	56	3.1	-0.6
Nurhead	652	3.6	51	2.8	-0.8
Surrey Docks	610	3.3	65	3.6	0.2
Village	608	3.3	141	7.7	4.4
South Camberwell	503	2.8	62	3.4	0.6
College	500	2.7	56	3.2	0.5
Peckham Rye	430	2.4	36	2.1	-0.2
Eas. Dulwich	337	1.8	25	1.4	-0.5



We can see that in the last financial year 2010/11, Cathedrals ward recorded the highest number of ASB calls to the police (11% of the total calls).

As the map to the left displays, generally, there are more ASB calls made in Peckham and wards to the north of it, with far fewer calls being made to the southernmost wards.

Looking at just April 2011 data, there was a much lower proportion of calls in Cathedrals ward compared to the previous financial year. The wards which recorded the largest proportions were Village, The Lane, Livesey and Newington wards.

ASB hotspots

The same information has been re-run through the mapping system to generate 'hotspots' for ASB in Southwark. Hotspots display the density of crime, i.e. the more crimes that there are in an area, the larger the hotspots.

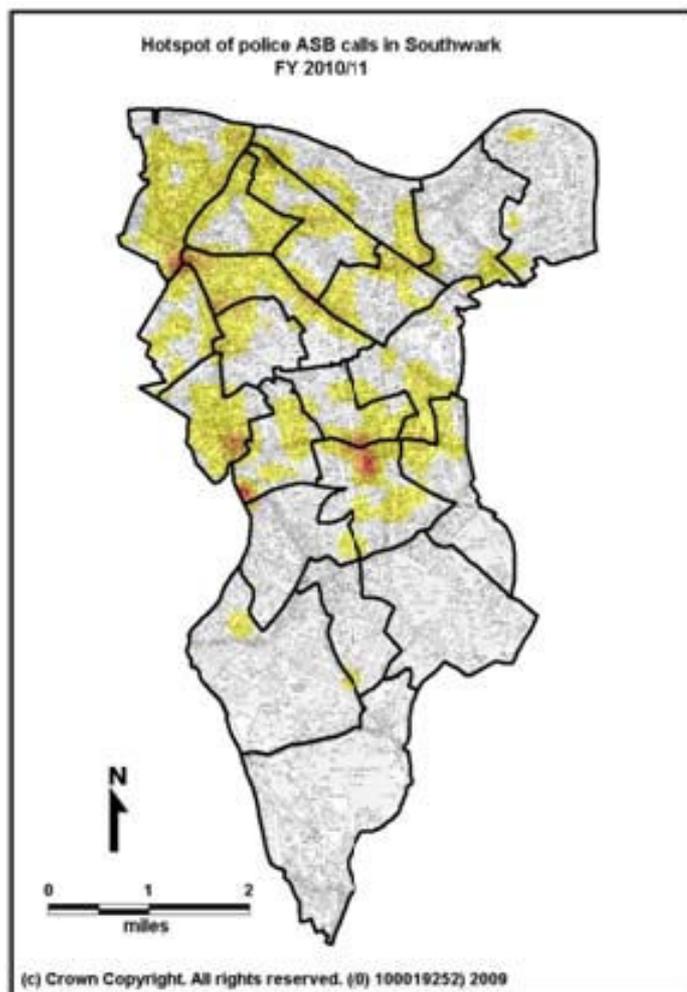
It is evident that most ASB is concentrated in the north of the borough, typically north of Peckham and Camberwell. Though there are numerous areas of intensity (much of Cathedrals, East Walworth and Camberwell Green are, to some degree, considered 'hotspots'). There are four areas in the borough in which there are higher levels of ASB calls made to the police, these being:

1. Elephant and Castle, reaching along Newington Butts and the northernmost part of the Walworth Road. Majority of calls (almost 75%) were related to rowdy behaviour, with small numbers of hoax calls, street drinking and begging/vagrancy. □

2. Denmark Hill (the area surrounding the Maudsley Hospital). Almost all calls made from the Maudsley Hospital. 58.9% of calls made from this hotspot were classified as 'hoax calls', with a further 27.3% classified as Malicious Communications.

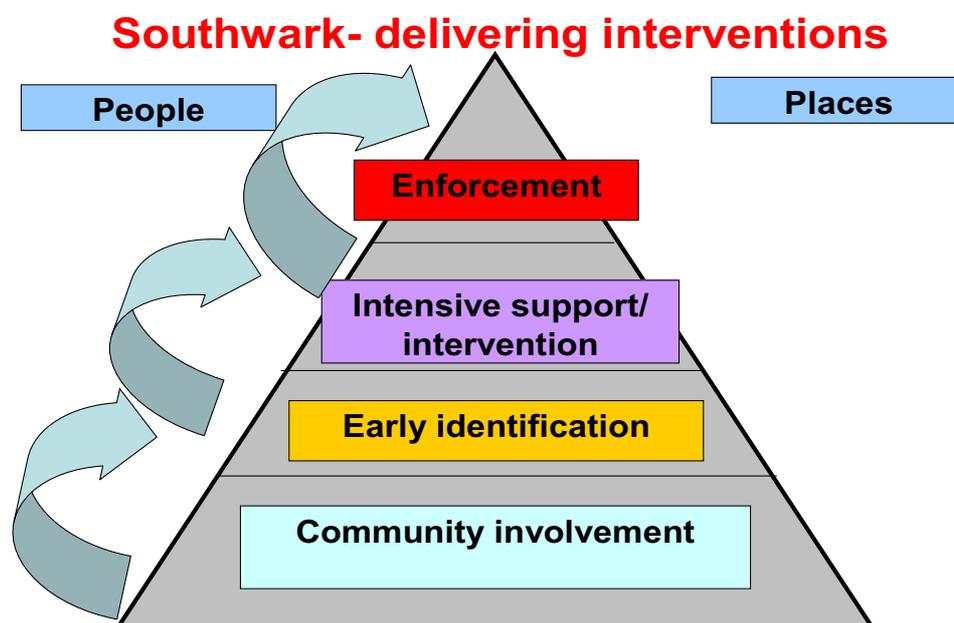
3. Peckham High Street (including Peckham Square) and Rye Lane (the northernmost section, around Hanover Park). 74.2% of calls relate to rowdy behaviour, with the next highest category being 'hoax call', 10.4%, and then 'Street Drinking', with 3.1%.

4. Camberwell Green (the park area, and the area to the east of this, starting to spread along Camberwell Church Street). Over 80% of calls relate to rowdy behaviour, with no statistically significant secondary or tertiary categories.



Southwark's Approach

Safer Southwark Partnership has developed a whole systems approach to tackling crime and antisocial behaviour based on our learning over the past 12 years. The diagram below illustrates the four tiers of intervention.



We believe that a balanced approach between early intervention, prevention, community involvement and appropriate use of enforcement is essential in finding long term, sustainable solutions. Experience has taught us that investing in one type of intervention alone does not necessarily address the wider causes or manage the consequences of ASB. The SSP therefore aims to utilise, where appropriate, a range of interventions to address this and to reduce the likelihood of the ASB reoccurring. The array of partnership interventions falls under for main categories outlined below:

Prevention - providing a network of diversionary and engagement programmes that can identify those at risk of becoming involved in crime and antisocial behaviour

Early intervention - providing educational and partnership support programmes together for those that are known to be on the fringes of crime and antisocial behaviour

Intensive support and intervention - structured intensive support for those who are or have been involved in crime and anti social behaviour

Enforcement - direct intelligence lead enforcement action focusing on those individuals who are committing crime and anti social behaviour

Active and Empowered Citizens

We recognise that alone, the partnership cannot solve all of the issues all of the time. This is pertinent now more than ever as the council and its partners look to make huge efficiency savings throughout their core business. One of the most recent challenges for us as a borough is consideration of how and where we should focus our interventions to achieve the maximum impact in this period of fewer public service resources.

We will need to work even closer with our communities to identify and prioritise the services that have the greatest benefit in reducing crime and ASB, reducing the fear of crime and improving public confidence. The partnership supports the need for individuals and communities in Southwark to take responsibility for solving issues locally wherever possible. We aim to give people the confidence and the tools they need to be able to solve problems themselves before coming to the attention of the authorities.

Our ASB champion's pilot project set up in 2010 will be developed further, where representatives of various ages from some of our harder to reach communities are supporting the work of the partnership. The champions have been crucial in carrying out research around ASB concerns locally, devolving key messages throughout their networks and representing the voice of their communities.

Strategic priorities for Southwark 2011- 2015

Antisocial behaviour remains an important priority for the Safer Southwark Partnership at the heart of our partnership activity. Due to the range of antisocial and nuisance behaviours that are defined within the existing legislative and policy framework, the SSP recognises that ASB is a cross cutting issue that impacts on all of the SSP strategic priorities outlined in the Rolling Plan.

Furthermore, the SSP have identified five key strategic themes under which they will manage antisocial behaviour over the coming three years.

Strategic priority 1: Place Victims and Witnesses at the Centre of our Strategy

The Safer Southwark Partnership is committed to the ongoing improvement of services for communities and individuals who experience or witness antisocial behaviour. It is imperative that victims of crime and ASB feel supported, know where to turn and understand what support is available for them. Partners recognise the adverse impact antisocial behaviour can have on the day to day lives of residents and those who work and visit the borough. A more streamlined, multi-agency approach will further strengthen existing services and aim to improve outcomes for victims in terms of coordinating support and increasing feedback on case progression.

Our achievements

Over the past year we have:

- √ developed a borough wide victims charter to outline victims services and encourage reporting (see appendix 1)
- √ created the fixed term, independent 'victims champion' post to streamline cross agency work
- √ received a commendation from the Home Office for our risk assessment processes for victims commended
- √ delivered training for SSP partners to ensure that they were aware and able to refer victims of ASB to appropriate services such as victim support and SASBU
- √ introduced centrally funded victim caseworkers to assist with complex advocacy

What do we intend to do?

Partners will work to build greater awareness of all of the available services supporting victims of antisocial behaviour. Local, voluntary organisations are available to provide independent support for victims and witnesses of ASB; whether the individual is experiencing what they fear is the beginnings of persistent nuisance, witnesses an incident of domestic abuse or is suffering harassment themselves. Assessment of risk to victims, including consideration of their health and personal safety, will continue to be a key to consideration for all partners when tackling antisocial issues.

Recommendations

Over the next three years, we propose to:

- promote Southwark's victims charter across the borough to ensure that people are aware of the services available to them
- improve internal processes for managing customer feedback and monitoring service satisfaction
- improve coordination of cross-agency work and information sharing to ensure a swifter, more transparent and joined up approach to working with victims and witnesses
- continue to deliver training sessions for officers to ensure that reports of antisocial behaviour are managed quickly and effectively and victims are referred appropriately

Strategic priority 2: Strengthen Communities

Recent research with some of our hard to reach communities and discussions at neighbourhood level and at community councils, tell us that information is the key to strengthening communities. We will build on the successes of both the 'you said, we did' campaign, and the distribution to all households of the ASB minimum standards document. Furthermore, we have established that there is a need for:

- more targeted information to communities about what constitutes as antisocial behaviour and what is being done to tackle it
- increasing people's knowledge about who to contact to discuss concerns about ASB and crime and to report problems
- more opportunities to come together as a community to discuss shared concerns
- more information and opportunities to enable communities to be part of longer term solutions

Our achievements

Over the past year we have:

- √ developed a pioneering ASB champions project with our harder to reach communities including people from different faith groups, French speaking Africans, Latin American, older people and the lesbian, gay, bi-sexual, transgender (LGBT) community
- √ delivered the 'You said, we did' communications campaign targeting priority areas in the borough to inform people of partnership activity and encourage reporting of ASB
- √ developed the ASB minimum standards policy outlining the service people can expect from the council when dealing with ASB. The charter was communicated to all residents in the borough (see appendix 2)
- √ carried out numerous estate action days to engage with our hard to reach communities, build trust and develop longer, more sustainable outcomes

What do we intend to do?

With the help of active citizens from all of Southwark's communities, we can jointly work to address the above points particularly planning the most appropriate way to distribute information; to whom and in what format as it is crucial to tailor information to each specific audience. Attention to important factors such as these will ensure that newer, migrant communities and people whose first language is not English are included in our distribution networks. In addition the SSP will endeavour to utilise our community researchers as conduits to pass information and feedback from and to our more hard to reach communities.

Hundreds of fourteen to sixteen year olds from Southwark's schools will take part in community challenges in September 2011, many of which will be about bringing younger and older people together in multigenerational projects.

We will also develop a much clearer and more robust approach to the commissioning of services which work with our most vulnerable young people. This will enable us to quality assure, monitor and evaluate all commissioned work to ensure it is delivering positive outcomes for both young people and the communities in which they live.

Looking further ahead, communities will need to develop more enterprising approaches to running community based projects as public sector funding is decreased. 2011/12 will be a transitional year when the SSP will endeavour to support the community and voluntary sector to develop realistic ways to use fewer resources such as money and premises. We will encourage utilising other resources such as volunteers and information to assist communities in taking ownership of local issues and develop long term, sustainable solutions to ASB issues and concerns.

Recommendations

Over the next three years, we propose to:

- promote Southwark's antisocial behaviour minimum standards outlining the council's commitment to the public about the service that they can expect
- encourage residents to take an active role in tackling ASB by means such as local neighbourhood watch schemes and attending community forums such as police ward panels
- continue to develop local offer agreements between the housing department and the community to facilitate better input from residents and consistent feedback processes
- review the opportunity for establishing community panels made up of elected members of the community, with a generational and cultural mix for setting rehabilitative measures and out of court disposals
- develop a 'community network' utilising the volunteer ASB champions to encourage a two-way flow of information, intelligence and key ASB messages
- develop a targeted communication plan to increase reporting of victims, promote the work and successes of the partnership and the good work of local communities

Strategic Priority 3: Target our limited resources at the individuals and families who impact most on antisocial behaviour

A significant reduction in grant funding has led to many of the early intervention projects such as Challenge and Support and the Street Based Team, set up to divert young people away from ASB, being discontinued beyond 2010.

A recent re-organisation of the youth offending service (YOS) identified the need to focus on statutory work with young offenders. As a result, grant funded services that previously focused solely on early intervention, have been realigned. The impact will mean less prevention focussed resources specifically for young people to work alongside enforcement activity in the community. The youth offending service, together with Southwark antisocial behaviour team have identified the need to explore alternative options to support young people, such as the use of volunteers.

The Southwark Family Intervention Programme (FIP) was set up by Children's Services in 2007 and focused a range of services on those families who faced multiple challenges and were problematic within their communities. The FIP provided long term practical and emotional support for the families, in some cases over several years. The approach was based on providing intensive key worker outreach, utilising an assertive and persistent approach to families and members within it. The method taken was a balanced one providing support but also tackling bad behaviour and emphasising the sanctions that could be applied if antisocial behaviour persisted.

The direct and intensive support provided to young people and their families by the FIP workers was essential for achieving progress with families providing a range of emotional and practical support. Developing the FIP in Southwark helped us to understand that the presenting problems of young people and their families were extensive and complex underpinned by many issues including learning difficulties, violence (domestic and neighbourhood), bereavement, family break up, mental health issues and drugs and alcohol abuse.

Independent national research carried out by NatCen⁹ on the outcomes of FIP showed improved outcomes for families who had received intensive support:

- reduction in housing enforcement actions by 72%
- a drop in anti-social behaviour by almost two-thirds
- truancy, exclusion and bad behaviour at school reduced by 58%
- domestic violence declined by 59%
- drug and alcohol problems declined by 47%
- child protection concerns declined 42%

Further research carried out by the Department of Education showed that from a sample set of forty FIP families/ cases, the average total estimated annual saving resulting from a family successfully completing an intensive intervention ranged between £68,600 and £81,600, depending on the cost of the intervention. Of this amount, between £27,341 and 40,341 service saving was attributed to the Local Authority itself¹⁰. Given how these costs can accumulate, the potential for long-term savings for both authorities and wider society are considerable.

The research also showed that for two thirds of young people who were in families supported by the family intervention programmes, antisocial or offending behaviour significantly decreased or ceased entirely and improvements were seen in school attendance. The FIPs also achieved a number of soft 'transformative' outcomes for families such as enhanced self esteem and confidence.

In Southwark, fifty seven families were supported by the FIP and as a result, we saw reduced incidents of offending and antisocial behaviour preventing escalating enforcement action. Following intensive FIP intervention, no families were evicted despite a number that were previously issued with notice to quit/ tenancy warning letters. Furthermore, within the first two to eight weeks of FIP intervention, on average there was a reduction of 75-85% of complaints of ASB and in some instances both criminal and antisocial behaviour ceased.

Better health outcomes were seen with an increased number of families registered with GPs and accessing dental care. One of the more challenging aspects of FIP work however was where adults in the household were misusing substances chaotically. FIP engagement and success in trying to turn such adults around was minimal. This was also the case for adults with profound mental health who were not actively engaged with mental health services. The issue of ill health in the family is highlighted in the violent crime strategy as a significant causal factor replicated in many of the case studies of those involved in the most serious violence.

In the last eighteen to twenty four months, despite the difficulties in addressing intergenerational worklessness, six adults engaged with the FIP secured employment and five of the six sustained this over twelve months. A small number of parents also accessed local community provisions to address numeracy and literacy issues.

As a result of the substantive support provided for children with complex needs, there was a reduction in the number of young people subject to child protection plans and an increase in school attendance. This included improvements from 33% to 93% over a four month period. A significant challenge however was reintegrating young people aged fifteen and over, who had an entrenched pattern of truancy over a number of years. Young adults with significant learning needs who did not meet the thresholds for adult services also found it difficult to sustain engagement in adult education provisions.

Southwark has taken the learning from the FIP programme as part of the review of all parenting services across the borough to develop the Specialist Family Focus Team, the first phase of which began in November 2010. The team brings together all services in Southwark responsible for vulnerable and problematic families to provide a 'one door' single referral point for agencies. The development of the team is aligned to the national agenda advocated by the Department of Education to provide appropriate, bespoke services to the most vulnerable families where multifaceted needs are identified for both adults and young people. The team will bring together all appropriate stakeholders in one building in an effort to reduce duplication and add value to the service received by families. The team will provide emotional and practical support to those with multiple challenges, focusing on the causal factors such as emotional

9 NatCen March 2010

10 Family Intervention Results, news, tools and lessons learnt. Dept of Education August 2010

trauma, environmental, economic or cultural issues. Furthermore, they will work with families to provide them with the tools and support they need in order to take responsibility for addressing their problems.

Antisocial Behaviour Orders (ASBOs).

When ASBOs were introduced they were intended as preventative orders to manage and curtail acts of ASB with prohibitions framed to prevent and discourage further offending whilst protecting the community. As case law developed, acts of ASB had to be proved to the criminal standard and as such, the behaviours which the court considered suitable to be dealt with by an ASBO increased in severity.

In the last two years the majority of ASBOs obtained in Southwark have been ASBOs on conviction as opposed to stand alone orders. This has driven down costs for the local authority as the costs and bureaucracy associated with obtaining free standing ASBOs had become prohibitive. This is an approach which other community safety partnerships have adopted and as a result, many of the individuals who have received ASBOs are known to the criminal justice system and have an entrenched pattern of offending. As such, the breach rate for ASBOs has seen an increase (twelve out of fifty nine ASBOs were breached in 2010/2011 equating to 20%). This is not entirely a negative result as prosecution of breaches indicates that offending is being dealt with and the orders effectively managed by police.

Southwark have always used ASBOs in a measured and proportionate way. They are flexible orders whether free standing or on conviction allowing for a range of behaviours to be managed in a way which other orders cannot fulfil.

Acceptable Behaviour Contracts

Acceptable Behaviour Contracts are framed to address less serious antisocial behaviour. They are designed to help and support individuals in addressing their behaviour by giving them a positive framework of behaviour to aspire to. Where young people are involved, the contract is framed with parental support and consent and a joint approach is encouraged in monitoring of the contract. It is important that the young person understands the consequences that their behaviour may have for their own future and for that of their family. Minimising risk and harm reduction is key element and one which parents will generally be keen to embrace. The behaviours being addressed at this level are at the lower threshold of antisocial and nuisance behaviours and generally less entrenched. As a result, compliance with the contracts is generally better and the breach rate low. The current breach rate for ABCs is less than 10%.

Our achievements

Over the past year we have:

- √ issued one hundred and ten acceptable behaviour contracts (ABCs) 37% of which were issued to young people and 63% to adults
- √ achieved a reduced breach rate for ABCs of 7%
- √ issued 8 ASBOs (seven to young people and one issued to an adult)
- √ set up and deployed the weekly street based team referring over two thousand young people towards positive activities and where possible, suitable training and employment opportunities
- √ worked closely with the police to achieve over thirty signed acceptable behaviour contracts with Eastern European migrants who were causing ASB
- √ engaged with over two hundred young people via the challenge and support project identifying and working with young people to stop ASB escalating

What do we intend to do?

Staff within the multi agency youth offending service will continue to discharge their duty to prevent offending and work with perpetrators of antisocial behaviour. The YOS will also retain its Triage service, providing staff to work in custody suites to 'get in early' when young people are first arrested and offer short programmes to address offending behaviour.

The YOS will continue to respond to police referrals from safer neighbourhood teams and agencies where concern is raised about the antisocial behaviour of young people before the point of arrest. Whilst the YOS is agreeing new thresholds for early intervention within limited resources it will also be important to develop relationships with agencies that can bring new resources to the borough. The Mayor's mentoring

programme for example, aims to provide volunteer mentors for about fifty ten to sixteen year olds per year.

Children's Services will be developing a targeted approach to youth work which is carried out in the borough ensuring service are delivered in the right place, at the right time and targeted at the right young people. There will be a three pronged approach to this type of work; working with identified individual young people, working with identified groups and working in identified communities. This will ensure the best use of limited resources.

Children's Services and Community Safety are working closely together in taking the learning from the family intervention programme to develop the specialist family focus team. The new team will help to address the underlying causes of antisocial behaviour and crime but at the same time give the responsibility to the family to address the issues. The first phase of the team's development started in November 2011. We will assess the effectiveness of this targeted intervention over the course of this strategy.

Southwark antisocial behaviour unit and partners continue to administer and manage the Acceptable Behaviour Contract (ABC) processes and support interventions for perpetrators of low level antisocial behaviour. Until the outcome of the national consultation on ASB tools and powers is known, this work will continue.

SASBU will continue to work with the police and other partners to target problematic street drinkers and beggars in hot spot areas.

Recommendations

Over the next three years, we propose to:

- √ forge stronger links with the UK Border Agency to deal particularly with problematic street drinkers, rough sleepers and aggressive beggars
- √ review the success of the targeted intervention and prevention work carried out with young people and families in Southwark
- √ continue to strengthen the relationship between the police safer neighbourhood teams and council services dealing with ASB to ensure a timely and coordinated response to dealing with perpetrators 'on the ground'
- √ Develop the Specialist Family Focus Team targeting our most vulnerable and problematic families in the borough

Strategic Priority 4: Increase reporting of ASB; increase information sharing and the intelligent use of resources

Over the past year, the SSP has worked to develop the systems for monitoring and analysing levels of antisocial behaviour in the borough. The police public attitude survey along with the council's reputation tracker act as valuable tools in assessing people's perceptions of ASB locally. Given the broad spectrum of behaviour that constitutes as 'antisocial' or nuisance behaviour however, we have experienced problems obtaining a robust dataset for analysis. This is being addressed as part of the development of our strategic assessment matrix.

The integration of the new APP council data system for all housing and SASBU cases will undoubtedly assist us to better understand the local picture of ASB in Southwark, help officers to maintain an overview of all ASB cases in the borough and help the SSP to establish priority areas for resource.

We understand that the occurrence of crime and/ or antisocial behaviour is determined by variety of complex interdependent factors involving the individual and other external influences, however one of the most influential of these, is the given opportunity for a crime to take place. 'Designing out crime' is the process whereby streetscape, open spaces, buildings and transport infrastructure are positively influenced by practical and physical design solutions. Lighting, CCTV and cleverly designed open spaces are all examples of factors that can help reduce the opportunities for crime or ASB to occur in the first instance and provide a safer and more attractive urban environment. Designing the urban environment in such a way also encourages the community to assume ownership of their local space which in turn helps inspire a sense of pride, encourage community use of public spaces.

The 'Southwark Plan' is the council's framework for all land use and development in the borough and contains the planning policies used to determine planning permission in the borough. Two designated 'architectural liaison' police officers are consulted with on any planning applications to consider how the planning decisions might have an escalating effect on crime.

Creating and maintaining a safe environment is extremely important as people who live in, work in or visit the borough have a right to feel safe in their homes and on the street. The SSP will monitor people's 'fear of crime' through the MPS and council tracker surveys because whether real or perceived, fear of crime and ASB can influence people's behaviour patterns and how they interact in public spaces.

Our achievements

Over the past year we have:

- √ integrated the new APP data system to manage all ASB cases reported to the council
- √ reviewed processes of how ASB is reported to ensure that calls are dealt with quickly and referred to the appropriate agency in line with the minimum standards policy
- √ reinstated a weekly partnership tasking group to problem solve the issues around serious antisocial behaviour and to manage deployment of police and partnership resources
- √ seen an increase in the number of residents who feel safe walking alone at night (74% MPS survey)

What do we intend to do?

We have seen the value of targeted work in and around problem areas and Southwark's antisocial behaviour team will continue to increase reporting and community confidence. SASBU will continue to host targeted estate action days, particularly focussing on estates that have experienced incidents of serious ASB. The community, through Southwark's tenant and residents associations, will be closely involved in planning and delivering the action days and encouraged to help problem solve and find solutions that they can help deliver.

Southwark housing management, working in partnership with SASBU and other partners will take effective action to deal with antisocial behaviour, nuisance and harassment occurring in an around housing estates so that tenants and residents can enjoy a comfortable and safe environment.

Resident officers will deal with reports of ASB made to them in a structured way taking early action to manage and deal with situations before they escalate to more serious incidents. Effective action will be taken to assist those affected by ASB with early intervention and enforcement of the tenancy agreement being a key component of the resident officer role.

The full range of legal and non legal remedies available to the local authority will be used to deal with tenancy breaches from warning letters and acceptable behaviour contracts to injunctions, orders for possession, tenancy demotion closure and eviction. A review of the Southwark housing tenancy conditions has seen a tightening of clauses relating to anti social or nuisance behaviour.

Tenancy enforcement will be used for tenancy breaches but also in cases where a council tenant has been convicted of:

- using the dwelling house or allowing it to be used for immoral or illegal purposes, or
- an arrestable offence committed in, or in the locality of the dwelling house.

The Safer Southwark Partnership will work with other social landlords to ensure that a similar robust approach is taken to dealing with tenants guilty of acts of ASB which have a negative effect on the community and the reputation of the borough.

SASBU will work closely with colleagues in housing to ensure that incidents of low level ASB are being managed and recorded. A programme of training around the management of ASB cases will be rolled out so that housing officers are confident in responding to issues raised. Furthermore, SASBU and housing will work closely with the police, attending ward panels, street briefings and other forums where ASB can be raised and discussed. These forums will be used to promote the work of the unit.

Young people are significantly more likely to be victims of ASB and crime and are less likely to report. Southwark Young Advisors and the SE17 patrollers will be utilised to build trust and relationships with young people in an effort to encourage them to report ASB and other issues of concern.

Recommendations

Over the next three years, we propose to:

- √ continue to problem solve issues on estates, targeting partnership resources to those areas affected by serious ASB
- √ build on the skills and the work of Southwark's young advisors and the young SE17 patrollers to encourage their peers to report ASB and other issues of concern
- √ develop a robust performance framework for ASB that will enable the partnership to monitor its activities and identify what success looks like
- √ deliver a Section 17 training programme across all responsible authorities (starting with the council) to ensure that crime, antisocial behaviour and reducing offending are considered as part of everyday functions, policies and processes
- √ ensure that breaches of tenancy conditions in relation to nuisance or antisocial behaviour are recorded and acted upon. Review of all recorded incidents and action to take place annually

Strategic Priority 5: To increase the capacity of the partnership to take coordinated and appropriate enforcement action

Southwark's wardens currently have accreditation under the Police Reform Act 2002 and have five powers delegated from the police, which include power to require name and address, (inclusive for ASB), power to require persons aged under eighteen to surrender alcohol, power to require persons drinking in designated places to surrender alcohol and power to seize tobacco from a person aged under sixteen.

The council's environmental health and trading standards services (EHTS) supports this work through its range of regulatory powers directed at the business sectors that contribute directly or indirectly to antisocial behaviour. For instance by selling alcohol to under-age or drunken persons; selling knives or fireworks to under-age persons; selling illegal and often dangerous counterfeit products and food fraud; or by providing recreational facilities and opportunities which bring large crowds of people together that may give rise to disturbance or nuisance. The licensing and trading standards regimes in particular, look to ensure best management practices are established and maintained within the commercial sector. Licensing policy additionally looks to recognise the potential cumulative impact of licensed premises operation on their local community through the establishment of saturation zones.

Specific initiatives have been established in recognition of priority areas. Within Borough and Bankside and Elephant & Castle for example, the partnership night time economy team provides a high-visibility presence through the busiest evening and night time hours to tackle alcohol related crime and disorder.

Noise and other nuisances contribute to antisocial behaviour and EHTS investigates complaints and uses enforcement powers when the problem is witnessed. The team operates a day and out of hours service that investigates claims of noise and nuisance to bring a resolution to the problems. Remedies available include warning letters, mediation, seeking possession, injunctions noise and abatement notices. Due to the current law regarding everyday noise however, the team is unable to take action unless it is proven that the noise is 'unreasonable'.

Environmental antisocial behaviour such as fly-tipping, litter and graffiti can affect the look of an area and make it feel unkempt and unsafe. Furthermore, this type of environmental damage can increase the fear of crime where residents or visitors see problems in an area increase and not be dealt with. Southwark Cleaning operate the Integrated Cleaning Contract in Southwark which covers street cleansing, estate cleaning and grounds maintenance. The team deals with clearing litter, removing graffiti, clearing dog mess, fly-poster and fly-tip removal to ensure that environmental nuisance is dealt with quickly and efficiently.

Our achievements

Over the past year we have:

- √ utilised extended police powers by the wardens to tackle antisocial street drinking which significantly reduced problems at Flat Iron Square, Walworth Road, Camberwell Green and Peckham Square
- √ set up the multi agency dog action group to address incidents of dangerous and/ or antisocial dogs leading to over twenty animals being seized, notices seeking possession of tenancies and dozens of warning letters to owners
- √ obtained seven ASBO's against known gang members
- √ obtained the first gang injunction in the country, using new powers set out in the Crime and Policing Act 2009
- √ established the night time economy team to tackle alcohol related crime and ASB
- √ removed 3269 fly-tips and 330 incidents of graffiti from the streets
- √ reduced the percentage of streets assessed as 'dirty' from 7% to 4.5%

What do we intend to do?

During 2011/12, wardens will be given additional Community Safety Accreditation Scheme (CSAS) powers which will include tackling dangerous cycling and issuing penalty notices for disorder covering firework and licensing offences. These powers will be used to enhance the current enforcement role of wardens to tackle antisocial street drinking and other ASB related activity.

The warden service will work closely with the local safer neighbourhood teams and other key agencies to provide a co-ordinated enforcement response to Peckham, Camberwell and the Elephant & Castle town centre areas in order to maximise partnership resources. In addition, a dedicated warden problem solving team will work alongside SASBU and other agencies to focus on other key areas for a limited time. This team will ensure that enforcement action is targeted at other priority crime and ASB hotspot areas and will be directed by the partnership tasking group. All activity will be evaluated to measure the impact, (both immediate and long term) and value for money.

The warden service will also provide enforcement resources to deliver the key priorities as set out in Southwark's dog strategy 'A responsible approach- Southwark Dog Strategy 2011-2014'.

Furthermore, the EHTS team are in the process of establishing an illegal economy team that will work in partnership with other enforcement agencies to tackle and disrupt commercial crime in the retail sector. The aim of the team will be to investigate and make links to other criminal activity such as serious and violent crime and antisocial activities in identified area

Recommendations

Over the next three years, we propose to:

- support schools at closure time and improve the relationship between pupils and officials
- develop a partnership approach to tackle cycling on pavements
- deliver the Southwark dog strategy providing a range of partnership interventions to address the nuisance issues caused by irresponsible dog owners
- make full use of the proposed criminal behaviour orders, crime prevention injunctions, community protection orders and direction orders as set out in the proposed legislative framework for ASB
- continue to publicise information on those people who persistently cause nuisance and intimidating behaviour and who become subject to an order or injunction
- establish the illegal economy team to disrupt commercial crime and associated ASB in the retail sector

How we will measure success

ASB is a very subjective issue; what is considered antisocial by one person may not be recognised or identified as nuisance behaviour by another. Furthermore, the current definitions of antisocial behaviour are very wide and cover an extensive range of behaviours including some that are criminal. As such, it is difficult to set measures which are meaningful to local communities at a local level.

Feedback from the communities that we have worked with however highlights that people want to have confidence in the council, police and partner agencies that they will address nuisance and harassment. We will look to achieve an increase in public confidence by 5% (2010/2011 MPS attitude survey), that the council and the police are tackling antisocial behaviour and crime, dealing with the issues that concern people the most.

Appendix 1:

SOUTHWARK VICTIMS & WITNESS CHARTER

Anybody can be a victim or witness of a crime and antisocial Behaviour (ASB). The following information and support services offer help to victims and witnesses.

Victims and witness services

All our services are:

- Free
- Confidential
- Direct, you can contact them direct yourself (no referral process)
- Accessible, you can use these services wherever you live in the borough and you do not need to report to the police to access these services.

Support for victims and witnesses

A range of support is available for all victims and witnesses including:

- Emotional Support
- Mediation and Reparation
- Support with the police and court process
- Referral to professional services, i.e. Counselling

Victims can be:

- Individual victims
- Community as victim

Victimless crimes such as drugs or fraud often have a wider impact on the community, including local business.

Witnesses can be:

- Witness to crime
- Victim as a witness
- Community as a witness to crime

SERVICES IN SOUTHWARK FOR ALL VICTIMS AND WITNESSES

METROPOLITAN POLICE

The police's duty is to investigate the reported crime and collect evidence for the Crown Prosecution Service (CPS). It is then the CPS who decides whether the case will go to court.

Emergency - 999

In an emergency you should always dial 999. You should use this service to contact police in situations when you need an immediate response – if the crime is happening now or if anyone is in immediate danger.

Non-Emergency – 0300 123 1212

In a non-emergency you can contact the police on the 24 hour number 0300 123 1212. You can also use this number to contact your local Safer Neighbourhood Teams.

The Policing Pledge sets out the standards of service you can expect from the Metropolitan Police. This can be found at www.met.police.uk/pledge

THE COURTS AND CRIMINAL JUSTICE SYSTEM

Once a case goes to the court there is a national code of practice the Victim's Code of Practice which applies to all criminal cases. All our local criminal justice agencies and the courts abide by this. This can be found at www.homeoffice.gov.uk/documents/victims-code-of-practice

SOUTHWARK ANTI SOCIAL BEHAVIOUR UNIT (SASBU)

SASBU are a specialist team set up to tackle and reduce antisocial behaviour. They take legal action using a range of powers including anti social behaviour orders (ASBOs) and antisocial behaviour contracts (ABCs). SASBU take referrals from across the borough, regardless of where someone lives and whether or not they live in rented or owner occupied housing.

Some acts of anti-social behaviour are criminal and where this is found to be the case, the police will investigate the report in the first instance.

Contact details

Telephone 020 7525 5777

Email sasbu@southwark.gov.uk

Web: www.southwark.gov.uk

SOUTHWARK HOUSING

Tenants and leaseholders of the London Borough of Southwark will initially be dealt with by the Area Housing Offices in incidents of Anti-Social Behaviour. Contact your local Area Housing Office

Contact details

Telephone: 020 7525 2600

Web: www.southwark.gov.uk

VOLUNTARY SUPPORT SERVICES IN SOUTHWARK

BEDE HOUSE ASSOCIATION

Bede House helps victims of domestic violence and hate crime. Bede House can help you with:

- Advice
- Counselling
- Emotional support

Contact details

Bede House Association, 351 Southwark Park Road, Bermondsey, London, SE16 2JW

Telephone 020 7232 1107 / 0207 237 3881

Fax: 020 7394 7586

Email: hatecrimesproject@bedehouse.org

Web: www.bedehouse.org

SOUTHWARK MEDIATION CENTRE

Southwark Mediation helps Southwark residents who are involved in disputes such as:

- Neighbour disputes
- Antisocial behaviour
- Hate Crime

Mediation is a voluntary process where people compromise and bring creative and practical solutions to problems. It is easy and straightforward with support from trained mediators.

Contact details

Southwark Mediation Centre, 92 Camberwell Road, London, SE5 0EG

Telephone 020 708 4959 Fax 020 7708 5568

Email: admin@southwarkmediation.co.uk

Web: www.southwarkmediation.uk.com

VICTIM SUPPORT

Victim Support helps Southwark residents cope with the effects of crime. They provide confidential support and information to victims of crime and to witnesses attending local courts.

Victim Support can help you with:

- Emotional support
- Practical help
- Support with the court process from the Witness Service

Contact details

Victim Support, Southwark Community Services, 6th Floor Hannibal House, Elephant and Castle, London, SE1 6TE

Telephone 0207 277 1433

Fax: 020 7708 5522

Web: www.victimsupport.org.uk

NATIONAL HELP FOR VICTIMS AND WITNESSES OF CRIME

CRIMINAL INJURIES COMPENSATION AUTHORITY - CICA

The CICA is the government body responsible for administering the Criminal Injuries Compensation Scheme in England, Scotland and Wales. This government organisation can pay money (compensation) to people who have been physically or mentally injured because they were the blameless victim of a violent crime.

Contact details

Telephone: 0800 358 3601

Web: www.cica.gov.uk

CRIMESTOPPERS

Crimestoppers is an independent charity helping to find criminals and help solve crimes. They have an anonymous phone number you can call to pass on information about crime.

Contact details

Telephone 0800 555 111

Web www.crimestoppers-uk.org

VICTIM SUPPORT SUPPORTLINE:

Support over the phone when you have been a victim of crime or to get details of a local Victim Support office.

Contact details

Telephone 0845 30 30 900

Typetalk users dial 18001 0845 30 30 900.

Web: www.victimsupport.org.uk

Appendix 2:

Minimum Standards for Antisocial Behaviour in Southwark

What are minimum standards?

Minimum standards outline the service that Southwark residents can expect to receive if they experience and report any form of antisocial behaviour (ASB). These standards have been developed and agreed by Southwark Council, the Metropolitan police, local housing providers and other partners who are involved in dealing with ASB including Southwark Mediation Centre and Victim Support.

What is anti-social behaviour?

The definition of antisocial behaviour as defined in the Crime and Disorder Act 1998 is an act which 'causes or is likely to cause harassment, alarm or distress to one or more persons not in the same household'. The Home Office defines over forty types of anti-social behaviour which all fall under four main categories:

- Misuse of Public Space
- Disregard for the Community and Personal well being
- Acts Directed at People
- Environmental Damage

Southwark Council and its partners recognise that dealing with antisocial behaviour is a high priority for Southwark residents. The government's most recent postal survey highlighted that 29% of residents in the borough consider ASB as a problem and as a partnership we have a duty to reduce this. We also have a responsibility to ensure that all types of ASB are dealt with and appropriate and proportionate action is taken. This means looking at each case individually and depending on the severity of the case, making sure that the right service deals with the complaint in the correct way.

What can I expect as a resident who has experienced antisocial behaviour?

There are five key standards that as a victim of ASB you can expect from us:

- Processes for reporting antisocial behaviour will be made as clear and simple as possible. The Council will continue to promote its 24 hour reporting line 020 7525 5777 and the police will promote their 24 hour non-emergency phone number 0300 123 1212
- All reports/ complaints of ASB will be taken seriously and dealt with by the appropriate service in a timely manner.
- Victims and witnesses of ASB will be dealt with sympathetically and information will only be shared in line with our partnership information sharing protocol
- All incidents/ complaints will be assessed against our risk categories which will assist to determine an appropriate response
- Victims and witnesses of ASB will be informed of how the matter is being progressed

What happens when I report antisocial behaviour and how soon can I expect a response from you?

All reports of antisocial behaviour to Southwark Council are put into one of three categories which will determine how quickly you will be contacted. Some examples of antisocial behaviour and what category they fall under are shown on the table below:

Category 1 You will be contacted within 24 hours	Report of offensive and hate related graffiti
	Racial harassment, homophobic harassment or any other hate crime
	Drug and alcohol abuse
	Domestic violence
	Using or threatening to use violence physical violence
Category 2 You will be contacted within 3 working days	Rowdy behaviour
	Vandalism, graffiti and damage to property
	Large groups congregating
Category 3 You will be contacted within 5 working days	Noisy neighbours
	Street drinking and begging
	Litter, rubbish, flytipping
	Misuse of motorised vehicles
	Neighbour disputes
Noise Nuisance If you are experiencing excessive noise such as loud music, a party or noise from machinery you should call 020 7525 5777. The Councils enforcement team operate 24 hrs a day and will endeavour to visit and assess the level of noise within 45 minutes.	

Some acts of antisocial behaviour are criminal and where this is found to be the case, the police will investigate the report in the first instance. If there is an emergency in any circumstance such as an immediate danger or threat to life, the police should always be alerted by calling 999.

Tenants and leaseholders of the London Borough of Southwark will initially be dealt with by the Area Housing Offices. In more serious cases where the use of legal action is required or where for example a wider community area is experiencing anti-social behaviour, the case will be dealt with by Southwark Anti-Social Behaviour Unit (SASBU). In both of these cases, the victim/s will receive support from a dedicated officer.

Tenants and leaseholders of Registered Social Landlords (RSLs) in Southwark can report ASB directly to that organisation. RSLs have their own published procedures outlining how they respond to reports of anti-social behaviour including the timescales for responding to residents.

What powers is there to deal with antisocial behaviour?

The council, the police and their partners have a range of tools and powers which equips them to deal with antisocial behaviour from low level issues to extremely serious cases. They include both legal and non-legal interventions including:

- issuing fines or penalty notices for behaviour such as dropping litter or not cleaning up after your dog
- implementing non legal 'acceptable behaviour' contracts (ABC's)
- sending out initial warning letters for perpetrators of low level antisocial behaviour
- evicting nuisance tenants
- closing down crack houses
- closing any premises responsible for significant and persistent disorder or serious nuisance
- seizing alcohol to tackle street drinking (community wardens with accredited police powers).

In some instances, a range of options can be used in order to ensure that the anti-social behaviour doesn't persist. One example might be where an antisocial behaviour order (ASBO) is issued by the court on a young person which is also supported by both a Parenting Order and an Individual Support Order. In this and other cases, the organisations who deal with managing the anti-social behaviour, endeavour to intervene at the earliest possible stage to try and stop the antisocial behaviour escalating.

How can I find out about issues of antisocial behaviour in my area or become more involved?

- Partnership newsletters and publications such as Southwark Life
- Southwark website www.southwark.gov.uk or the public services website www.direct.gov.uk
- By attending local meetings such as Community Council, Tenants Council, Tenants and Residents Association Meetings and other community forums.
- Getting involved with your police ward panel meetings held by the Safer Neighbourhood Team
- Attending organised road shows and events delivered by the Safer Southwark Partnership which give residents the opportunity to meet council officers, police and wardens and in addition encourages residents to express their view through mediums such as the 'Talkaoke' debates
- Taking part in surveys/ consultations such as the council's reputation survey or the MPS public attitude survey or other independent surveys carried out by officers at events or who come to your door
- Finding out about local focus groups such as cafe conversations and community workshops.

What else is the partnership doing to tackle anti-social behaviour?

- 'Action Days' in areas where issues of ASB have been highlighted involving all of our partners to assist in providing community re-assurance and promote how ASB can be reported and tackled
- Street Based Teams have and will continue to be deployed in areas where youth crime and ASB is of particular concern with the aim of engaging with the young people and referring them into local, positive activities
- Community Mediators look at addressing issues of ASB in a more cooperative way first before taking enforcement action. Southwark Mediation Centre offers an independent confidential service working with both victims and perpetrators of antisocial behaviour in the borough
- Appropriate publicity where enforcement action has been taken with a perpetrator of ASB. This will act as a deterrent for those and other people to commit further ASB and also reassure and educate the community that action is being taken
- Working closely with tenants and resident groups and other bodies to both support and empower them to take a stand against ASB

What can I do if I'm not satisfied with the response I've received?

Southwark Council

If you have reported antisocial behaviour to Southwark Council but wish to complain about the action taken or the service received, you can contact Southwark Council directly on 020 7525 5000 or visit one of our One Stop Shops. Alternatively, you can fill in the complaint form online: www.southwark.gov.uk
You can also contact your local councillor or proceed your complaint to the Local Government Ombudsman.

Metropolitan Police

If you have reported antisocial behaviour to the police but wish to complain about the action taken or the service received, you can complain to your local police station directly and as part of the Policing Pledge, they will aim to acknowledge the report within 24 hours.
You can also complain online under the MET contacts page: www.met.police.uk

Registered Social Landlords or other voluntary sector organisations

If you have reported antisocial behaviour to any of the above organisations and wish to complain about the action taken or the service received, you should contact them directly and follow the organisations own complaint procedures.

Contact numbers to report antisocial behaviour

Southwark Council

24 hour ASB reporting line 020 7525 5777

Online reporting form can be found on the 'antisocial behaviour' page: www.southwark.gov.uk

Metropolitan Police

Emergency

In an emergency you should phone 999. You should use this service to contact police in situations when you need an immediate response - if a crime is happening now or if anyone is in immediate danger.

Non emergency

If you wish to contact the Metropolitan Police Service and it is not an emergency please call 0300 123 1212 (24 hours).

Deaf and deafened people using a Textphone (minicom) should dial 18000 in an emergency. Please use the 18001 TextDirect prefix for non-emergency calls. Typetalk can be contacted on 08007311888 or visit <http://www.typtalk.org>

Registered Social Landlords

If you wish to report antisocial behaviour to your housing association, you will need to contact them directly. You can however report all ASB incidents regardless of tenure through Southwark Council's 24 hour reporting processes outlined above.

Southwark Mediation Centre

Mediation is a voluntary, neutral and confidential process which allows parties in dispute to communicate and build improved relationships for the future.

Office hours, Monday-Friday 9am-5pm (by appointment only)

Contact: 020 7708 4959 or visit the website www.southwarkmediation.ik.com

Item No. 14.	Classification: Open	Date: 19 July 2011	Meeting Name: Cabinet
Report title:		Amendment to Strategic Management Arrangements	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor Peter John, Leader of the Council	

FOREWORD - COUNCILLOR PETER JOHN, LEADER OF THE COUNCIL

The way the council is managed at the very top is absolutely crucial for the effective delivery of vital services and of our vision of a fairer future for all. The cabinet has committed to cut £1 million from the cost of senior managers over the next two years and this report will help us to deliver on that commitment, diverting the money saved back to frontline services. In doing so, I believe that it will not just save the council money and start the process of saving even more, but that it will also lead to a more integrated and joined-up approach across departments.

The report will ensure that our vision for a dedicated housing department is fully realised by moving Community Housing Services under the Director of Housing Services. Again, this move will lead to closer working between officers and a more coherent council service. And finally, the recommendations contained in this report reflect the significant changes being made to the council's relationship with local health services as a result of the government's health reorganisation.

I am therefore asking the cabinet; after consideration of the officers' report set out from paragraph one onwards to approve the recommendations below.

RECOMMENDATIONS

1. That the post of Strategic Director, Regeneration and Neighbourhoods, is deleted from the official establishment and the services transferred to Deputy Chief Executive with immediate effect (except as in recommendation 2). Any consequential structure changes will be approved under chief officer delegated authority after consultation with the appropriate cabinet member.
2. That Community Housing Services transfers to the Director of Housing Services including the Head of Service post (and post-holder), and that this is fully incorporated into the management structure for the Housing Services Department.
3. That as at 1 October 2012, the new arrangements be put in place for the management of adult social care, the Health and Wellbeing Board and Public Health.
4. That the Chief Executive takes an overview of senior manager structures including minor reallocations of functions between departments or chief officers in furtherance of Council aims laid out in the budget report approved in February 2011.

5. That final structures be approved under chief officer delegated authority after consultation with the Cabinet Members.

BACKGROUND INFORMATION

6. The budget setting report was agreed by Council on 22 February 2011. This included a range of departmental proposals for efficiency savings for 2011/12 financial year, plus outline proposals for the 2 years thereafter.
7. Specifically it is envisaged that proposals be brought forward to save £1M over 2 years (2012/14) through review of departmental and corporate management structures. Additionally departmental efficiency savings targets incorporate similar savings targets although these will involve lower tiers also.

KEY ISSUES FOR CONSIDERATION

8. The position of the Strategic Director of Health and Community Services was a joint post with the Chief Executive of Southwark PCT. This inextricable link has been removed due the changed relationship with the NHS and following the demise of Southwark PCT with the consequential cessation of joint responsibilities. In essence the Chief Executive post with the PCT has been deleted. There are similar impacts on some areas of operational management, commissioning, performance management etc where joint funding has been removed.
9. As a consequence the Chief Executive will review arrangements for adult social care and put in place new managerial arrangements and test these prior to October 2012. The period up to 1 October 2012 will allow proper planning and transition and maximize opportunities for efficient organization of common functions. The plan will ensure a senior chief officer remains responsible for the role into the future and that we will have in place by that date arrangements for the Health and Wellbeing Board and proposals in respect of Public Health.
10. Rationalising senior management structures is a key element to any efficiency programme, this will include reducing staff numbers and drawing functions together targeted to Council aims. This process needs to be dynamic and responsive to changing needs and circumstances and therefore structures and reporting lines need to be similarly fluid. The current financial climate provides an important backdrop where money is tight and protection of the front line is a key priority. Also an important element will be to describe posts in a way which reflects their responsibilities and authority; it is likely that nomenclature will be altered as a result.
11. There are a number of examples:
 - For Children's Services proposals are being consulted upon as a direct result of changes to Government approach and funding, as well as rationalization of the management structure to accommodate the needs of the service going forward. This will involve delayering and relabeling Heads of Service as Directors, eg for education.
 - Transfer of events function and film contract from Environment to DCE (Communications)
 - Centralisation of all procurement functions into Finance and Resources

- Centralisation of all Voluntary Sector awards and management of relationships with the sector into Community Law and Governance
- Transfer of some Transport Planning functions from DCE to Environment (Public Realm)
- Transfer of Organisational Development from Children's Services Department to the Deputy Chief Executive's Department

Policy implications

12. Southwark's Constitution (Part 3c 4) includes amongst those matters reserved for Cabinet:

Decisions regarding the strategic management of the council including decisions on major reorganisations and major reallocations of functions between departments or chief officers

Community impact statement

13. Of itself rationalisation of management structures should not impact on the community directly. What is important is that in implementing these changes front line services are protected whilst ensuring the necessary business of running the Council remains effective and efficient. Proposals are specifically geared to improvements in service delivery through better alignment of function whilst achieving necessary savings through efficiency in management and support functions.

Resource implications

14. The posts of Strategic Director have been evaluated as grade 21 under the Council's grading scheme. Taking account of salary, other employment and running costs the total annual saving achieved by deletion of 1 post will be circ £210k, full year, and this has been incorporated in the budget schedules for 2011/14; making a significant contribution to the target reduction for management costs. Further management costs will be delivered as these changes reduce management posts.
15. The role of Strategic Director Regeneration and Neighbourhoods is currently vacant and therefore there are no HR implications arising from this recommendation, although changes to reporting lines and relative responsibilities will have to be implemented in accordance with Council policies. The role of Strategic Director Health & Community Services is funded by the Council on a part-time basis but the Health Service has continued to employ the Strategic Director on a part-time secondment.

Consultation

16. The change of responsibility to the Deputy Chief Executive and Director of Housing Services has been discussed with the Trade Unions. The individual implications of each proposal will be discussed departmentally at DLCs in accordance with Council policy.
17. As the detail of the changes are planned and executed for Health and Community Services detailed consultation will take place in accordance with Council Policy.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
None		

APPENDICES

No.	Title
None	

AUDIT TRAIL

Cabinet Member	Councillor Peter John, Leader of the Council	
Lead Officer	Annie Shepperd, Chief Executive	
Report Author	Bernard Nawrat, Head of Human Resources	
Version	Final	
Dated	7 July 2011	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	No	No
Finance Director	No	No
Cabinet Member	Yes	Yes
Date final report sent to Constitutional/Community Council/Scrutiny Team		7 July 2011

Item No. 15.	Classification: Open	Date: 19 July 2011	Meeting Name: Cabinet
Report title:		Southwark Council Representation on Potters Fields Park Management Trust	
Ward(s) or groups affected:		Riverside Ward	
Cabinet Member:		Councillor Barrie Hargrove, Transport, Environment and Recycling	

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

This report recommends that the Cabinet give consideration to the Council's representation on the Potters Fields Park Trust Management Board. This representation has not been reviewed since a decision by the then Executive in 2005. A review is therefore timely, particularly given the high profile this park will have in the run up to the London Olympics in 2012. I ask the Cabinet to consider the Council's two representatives on the Park's management board and to agree that this be reviewed on annual basis in future as part of the Appointments to Outside Bodies report.

RECOMMENDATIONS

1. That the Cabinet note the background to the Potters Fields Park Trust and the Council's representation on its Management Board
2. That the Cabinet agree two representatives of the Council to sit on the Potters Fields Park Trust Management Board
3. That in future these appointments are included in the annual Appointments to Outside Bodies report considered by Cabinet.

BACKGROUND INFORMATION

4. Potters Fields Park is a public green space situated on the south bank of the River Thames. Due to its location in a metropolitan area and in sight of Tower Bridge and City Hall, it is a popular and well used park for local people and tourists alike.
5. The management of Potters Fields Park was transferred to the Potters Field Park Management Board following a decision by the then Executive on 8 March 2005. Since that time, the park has been managed by the board on behalf of the Potters Field Park Trust.
6. At this time, the Executive decided that the London Borough of Southwark representative on the trust should be a local ward councillor. Potters Fields Park is in Riverside ward, and so the Council's representative since that time has been from this ward. A second representative of Southwark Council was also permitted when the Trust was constituted. This role has been taken by a council officer, and is currently fulfilled by the Chief Executive.

7. In December 2005, Council Assembly agreed to enter an 'Agreement to Lease' which committed the Council to leasing the area of metropolitan open land known as Potters Fields to the Potters Fields Management Trust. The Trust was established in the form of a company limited by guarantee, and agreed a memorandum and articles of association.
8. The Trust's articles of association do not state how the Council's representatives should be appointed, and so this decision rests with the Council. The Council's representatives will become Directors of the Trust and the Trust will therefore be responsible for registering the changes.

KEY ISSUES FOR CONSIDERATION

9. Potters Fields Park has increasingly been recognised as an open space of strategic importance to the borough because of its location on the South Bank and its popularity with local people and tourists alike.
10. The need to balance the needs of local residents with those of less frequent visitors such as tourists and businesses who wish to make use of the park's iconic location has long been a challenge for both the Park Trust and Southwark Council.
11. The park's location and level of use means that it cannot be viewed as park purely for local residents. While it is an important local open space and one of the few in the area, its iconic location and use by people from the whole of Southwark and beyond means that it should be seen as one of the key strategic sites in Southwark.
12. The Greater London Authority (GLA) have expressed an interest in using Potters Fields Park as a 'live site' during the Olympic and Paralympic Games in London in the summer of 2012. Subject to planning permission being granted, the 'live site' would have a capacity of 4,500 people, who will come to Potters Fields Park to watch Olympic and Paralympic events on big screens and take part in other activities provided on site.
13. There are a number of other significant events planned for the area during the Olympics and in the run-up to them that will also impact on Potters Fields Park. Tower Bridge will be a major focal point as a key London landmark and will be specially lit to mark the Olympic Games. The Diamond Jubilee will be marked on 3 June 2012 with a 1,000 strong flotilla that will sail along this stretch of the River Thames.
14. The focus that will be on the park during this period will therefore further increase visitor numbers and require significant input from Southwark Council to ensure that the park is protected and public safety maintained.
15. Ensuring the Council is appropriately represented on the board of the Park's management trust during this period is therefore important.
16. The Council's constitution states that the Cabinet should make appointments to outside bodies in connection with functions which are the responsibility of the Cabinet, and all other appointments should be made by the council assembly, a committee, or officer.

17. Appointments to Outside Bodies for which the Cabinet are responsible are considered at the first Cabinet meeting of each municipal year. The political group whips are consulted and invited to submit nominations for the various outside bodies on which the Council has representation. Currently, the Council's representation on the Potters Fields Park Trust is not included in this process.
18. Given the strategic importance of Potters Fields Park and its increased exposure during 2012, it is therefore proposed that the Council's representation on the Potters Fields Park Management Board should be an annual decision for the Cabinet and should be considered along with the Appointments to Outside Bodies on an annual basis.
19. The Appointment to Outside Bodies report was agreed by Cabinet on 19 June 2011. On this occasion, the Cabinet are therefore invited to indicate which representatives they would like to appoint for 2011/12. This decision will then be revisited on an annual basis by Cabinet as part of the Appointments to Outside Bodies.

Community impact statement

20. The local community will continue to be represented on the Park Trust board by representatives of the Shad Thames Residents Association and the Fair Street Tenant Management Organisation.

Resource implications

21. There are no resource implications of this change as the Council's representation on the board is not included in the list of roles for which councillors receives Special Responsibility Allowances.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

22. Under Article 43 of the Potters Field Park Trust Articles of Association, Southwark Council is entitled to appoint two Directors to the Board of the Trust. The history of how those appointments are made and the Council procedures are set out in the main body of the Report.
23. The decision that one of the Directors should be a ward councillor was an Executive decision and therefore requires a Cabinet decision to reverse it.
24. If the Cabinet decide to replace the ward councillor with a Cabinet member, that Cabinet member would have a personal interest in any future decisions made in relation to the Trust, and in some circumstances that interest would be prejudicial. This would debar the Cabinet member from taking part in any future Cabinet decisions relating to the Trust.

Finance Director

25. This report asks the cabinet to note the background to the Potters Field Park Trust, and to agree two representatives from the Council to sit on the Potters Field Park Trust Management Board.
26. There are no financial implications arising from this report. Potters Field Park was leased to the Potters Field Trust Management Board in 2005, the role on the management board does not qualify for a members special responsibility payment.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Executive report - Creation of Management Trust for Potters Fields Park (8 March 2005)	160 Tooley Street London SE1 2QH	Everton Roberts 0207 525 7221
Minutes of Executive held on Tuesday March 8 2005	160 Tooley Street London SE1 2QH	Everton Roberts 0207 525 7221
Council Assembly report – Future Management of Potters Fields Park (7 December 2005)	160 Tooley Street London SE1 2QH	Everton Roberts 0207 525 7221

AUDIT TRAIL

Cabinet Member	Cllr Barrie Hargrove, Cabinet Member for Transport, Environment, and Recycling	
Lead Officer	Gill Davies, Strategic Director of Environment	
Report Author	Gill Davies, Strategic Director of Environment	
Version	Final	
Dated	29 June 2011	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional/Community Council/Scrutiny Team		29 June 2011

Item No. 16.	Classification: Open	Date: 19 July 2011	Meeting Name: Cabinet
Report title:		42 Sharsted Street, London SE17 – Disposal of Freehold interest	
Wards affected:		Newington	
Cabinet Member:		Councillor Richard Livingstone, Finance, Resources and Community Safety	

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

This report proposes the sale of the council's freehold interest in 42 Sharsted Street, SE17, with the capital receipt being earmarked for the Housing Investment Programme. It also proposes that responsibility for ensuring that the council receives best consideration for this property is delegated to the Head of Property, in accordance with council policy.

The property is currently empty, and is both at risk of deterioration and being squatted. The sale of this property is consistent with both the council's void strategy agreed in March 2009 (as part of the report on Capital Income Generation for the Housing Investment Programme and Hidden Homes) and the May 2011 void disposal Strategy.

RECOMMENDATIONS

That the Cabinet authorises

1. The Head of Property to dispose of the council's freehold interest in 42 Sharsted Street, SE17 (the "Property"), for a sum that equates to the best consideration that can reasonably be obtained.
2. The earmarking of the capital receipt for the purposes of funding the Housing Investment Programme.

BACKGROUND INFORMATION

3. On 17 March 2009 the then Executive received a report from officers' entitled 'Capital income generation for the Housing Investment Programme and Hidden Homes'. Amongst the recommendations of this report the Executive noted the funding gap to meet its investment needs for its housing stock, to deliver a Southwark Decent Homes Standard for all tenanted homes. Further to this the Executive noted the considerations for different funding options which were identified in the April 2008 Executive report (Southwark's Decent Homes Standard), and agreed the disposal of empty homes (voids) – in line with paragraphs 16-25 of the March 2009 report.

4. Executive further resolved on the 17 March 2010 'that 100% of the receipts generated from the additional disposal of voids and land proposed by this report are used to fund both the housing investment programme to deliver Southwark's Decent Homes Standard and to deliver new housing through a Hidden Homes strategy and potentially some new build'.
5. The Property has been identified as suitable for disposal, as it meets the value requirements of the amended criteria set out in the 31 May 2011 Cabinet decision which reviewed the void strategy. i.e. it is considered that it has a value in excess of £300,000.
6. The Property comprises an unoccupied three storey Victorian terraced house. It is in a fair condition, internally and externally but would benefit from some updating of the kitchen and bathroom. The Property is identified in red outline on the attached Ordnance Survey extract, at appendix 1.
7. The Property is currently empty, and at risk of deterioration and being squatted.
8. The Property is held in the Housing Revenue Account (HRA).
9. Authority to sell is delegated to the Head of Property in individual cases where the sale price is below a set council threshold. The sale price of the Property will exceed this limit and Cabinet approval is therefore required.
10. The Property has been declared surplus to the council's requirements by the Strategic Director of Regeneration and Neighbourhoods.

KEY ISSUES FOR CONSIDERATION

11. In accordance with the principles and policy of good asset management laid down by government, together with local authority regulations, councils are required to dispose of surplus property assets subject to best consideration requirements. The sale of the Property will comply with these requirements.
12. The Property is currently being marketed through Daniel Cobb who are a long established Kennington based firm of estate agents. The Property will be actively marketed for a minimum of twenty eight days before any bids will be considered by the council. Depending on the level of interest informal tender may be used to identify the highest bidder. However, if the Head of Property considers that another method of sale will yield a higher capital receipt, then he may revert to an alternative means of sale.
13. The sale of the Property to owner occupiers, developers and/or investors should ensure that it is quickly brought back into beneficial use.
14. This report recommends that the receipt from the sale of the Property be earmarked for the Housing Investment Programme.

Policy implications

15. The disposal of the Property will generate a substantial capital receipt, which will be used to provide capital funding in support of the council's key priorities. This includes the provision, refurbishment and redevelopment of affordable housing. This assists the Council in meeting its commitment to regeneration and sustainability in housing as demonstrated through the 2009-2016 Southwark Housing Strategy.
16. The disposal of the Property is consistent with the recommendations contained within the report considered by Executive on the 17 March 2009 entitled 'Capital Income Generation for the Housing Investment Programme and Hidden Homes'. This policy was further endorsed by the 31 May 2011 Cabinet report which noted the progress made to date and resolved to continue and extend the void strategy.

Effect of proposed changes on those affected

17. The sale of properties within the HRA stock will have a negative impact on the number of council properties available to let. However, this will be offset by gains through the Hidden Homes programme and investment to retained stock, especially where decent homes have not yet been delivered.
18. Increased investment into Southwark's stock to provide warm, dry and safe homes will have a positive impact on disadvantaged and minority communities, who are statistically more likely to be council tenants than the general population as a whole.

Community impact statement

19. As this individual property sale is considered to be non-contentious, consultation is thought not to be appropriate.
20. The proposed sale of this individual property will have little or no impact on the immediate Community.

Resource implications

21. This report recommends the disposal of the Property on the open market for a sum that equates to the best consideration that can reasonably be obtained. The Property has been declared surplus to the council's housing requirement.
22. The HRA rent budget for 2011/12 allows for stock loss through void sales and we have requested that CLG take these into account in setting our self-financing debt level for 2012/13 onward. The loss of rental income for this property in 2011/12 is £5,336. There are no current recurring costs.
23. As the Property is being disposed of under the void strategy, set out in the report to Executive on 17 March 2009 and endorsed and extended at Cabinet on 31 May 2011, the impact of loss of rental potential and on subsidy has been considered within the cumulative impact on the Housing Revenue Account of this strategy.

24. Disposals expenditure would include reasonable incidental management and legal charges which would be reimbursed from receipts, as well as sales and marketing costs as a percentage of the value of the receipt which is standard.
25. There are no other risks or costs involved.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

26. As the property falls within the council's housing portfolio, the disposal can only proceed in accordance with Section 32 of the Housing Act 1985 for which purposes the consent of the Secretary of State for the Department of Communities and Local Government is required.
27. A number of general consents have been issued in the General Housing consents 2005. Consent A5.1.1 of the general consent for the disposal of Part II dwelling-houses states that a local authority may, subject to the provisions of that consent, dispose of one vacant house or vacant flat or vacant converted house to any individual for a consideration equal to its market value, provided that the purchaser (alone or with others) has not, under the consent in the paragraph A5.1.1 acquired another dwelling-house from the authority previously in the same financial year.
28. The report confirms that the property is vacant. The Head of Property will need to ensure that the disposal price is equal to its market value.
29. In order to comply with Consent A5.1.1 the council will also need to ensure that the purchaser confirms in the agreement for sale that they have not (alone or with others) purchased another property from the council in the same financial year.
30. The report indicates in paragraph 12 that the Strategic Director of Regeneration and Neighbourhoods has declared the Property surplus to the council's requirements.
31. Cabinet may proceed with the approval of the recommendation.

Finance Director

32. The Finance Director supports the disposal of this property at best consideration and notes that the capital receipt is to be earmarked for the Housing Investment Programme. The impact of this disposal on the Housing Revenue Account has been considered as part of the overall void strategy impact assessment.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
42 Sharsted Street, SE17	Paul Davies Development Team, Property Division, 160 Tooley Street, SE1 2QH	Paul Davies on 020 7525 5529

APPENDICES

No.	Title
Appendix 1	OS plans, indicating the property

AUDIT TRAIL

Cabinet Member	Councillor Richard Livingstone, Cabinet Member for Finance, Resources and Community Safety	
Lead Officer	Eleanor Kelly, Deputy Chief Executive	
Report Author	Paul Davies, Principal Surveyor	
Version	Final	
Dated	8 July 2011	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law and Governance	Yes	Yes
Departmental Finance Manager	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Support Services	8 July 2011	

Draft pdf source

TITLE.

42 Sharsted Street, SE17 3TN.

APPENDIX 1



DRAWING No.

LBS_2594

DRAWN BY.

MMANKTELOW
Property Division

DATE.

13/4/2011

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Item No. 17.	Classification: Open	Date: 19 July 2011	Meeting Name: Cabinet
Report title:		Gateway 1 – Procurement strategy approval for IT Managed Services	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor Richard Livingstone, Finance, Resources and Community Safety	

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

Getting the council's information technology right is fundamental to improving and modernising the council's services. This report proposes a procurement strategy for the council's IT Managed Services once the current contract with Serco ends in 2012.

Whilst there is a two year extension provision within the current contract, this strategy proposes to use the public sector Buying Solutions framework for this procurement to secure best value as quickly as is prudent.

Over the last eighteen months, the council has worked closely with Serco to improve the services that they provide. Whilst some progress has been made, the report identifies that the proposed procurement is likely to offer greater improvement than making use of the extension provision in the current contract.

RECOMMENDATION

1. That the Cabinet approve of the procurement strategy outlined in this report which utilises the Buying Solution framework, to procure an IT Managed Service (ITMS) in line with Contract Standing Order 3.3.2 , with an anticipated duration of four to a maximum of seven years

BACKGROUND INFORMATION

2. IT is a fundamental business function in Southwark that exists at the centre of service delivery, enabling flexible working within the workforce and provides a solid foundation to generate future service improvements. The Council is currently in the process of formulating a new IT vision which any new contract will be configured to deliver
3. The existing contract for IT Managed Services (ITMS) is with Serco and was awarded in 2007. Serco, originally as ITNET, were the incumbent suppliers at the time in a contract dating back to 2001. The duration of the current contract is 5 years with a provision for LBS to extend for a further 2 years to July 2014. In order to extend the Council is required to notify Serco by January 2012.

4. The ITMS contract currently provides for the basic hardware and the management of the IT infrastructure (e.g. desktops; server management; Helpdesk; Disaster Recovery etc.
5. During the past eighteen months the Council has identified the key areas where improvements to service delivery and performance are required. The Council has worked closely with Serco in these areas and as a result there has been some improvements which included the generation of revised performance indicators (to make them more relevant and intelligible), and an improvement in governance and working arrangements. It is noteworthy that a number of key projects have been successfully implemented in that period which required some level of input from Serco. These included projects such as the completion of the Citrix rollout, transition of revenue and benefit services, and upgrade to the Council's web site. Although those improvements were welcomed it is acknowledged that there is a need to continually improve performance, while addressing the overall ICT cost base. In view of this a range of options have been considered.
6. To determine a recommended procurement strategy a review was undertaken by officers taking into account current performance together, with the benefits and risks of extending the current contract. The outcome of these deliberations, for the reasons described in paragraph 8 below, was that an extension of the existing contract was not the preferred approach.
7. The Council's requirements of an IT outsourcer have significantly changed since this contract was let in July 2007. Any new contract will specifically accommodate the significant changes that the organisation expects to go through in the coming years, together with the new vision that the Council is keen to implement

Options for procurement including procurement approach

8. Other options were considered by the group were:
 - Full and comprehensive tender of services - This would require a full OJEU procurement exercise which would be resource intensive. There would be insufficient time to follow this route and complete the activities before July 2012 when the current contract terminates. In addition it would have little inherent benefit beyond the proposed method.
 - Bring services in house – Insufficient time to prepare and would require extensive external support to establish. In addition there is not currently the technical infrastructure in place to support an arrangement in the short term. This would remain an option post the conclusion of the proposed procurement/contract
 - Use of an existing Frameworks – With the exception of Buying Solutions, which is considered below, there are unfortunately no other mature or developed arrangements currently in place. A number of potential frameworks were considered but they were all found to be unsuitable due to legal impediments, or unacceptable conditions/scope of supply.
9. The Buying Solutions framework is a national procurement partner for public services and is a part of the Cabinet office and is the only realistic option, other than extending the Serco arrangement. There is a specific framework for the

procurement of Managed IT Services which mirrors the range of LBS requirements. (Paragraph 16 provides further particulars).

10. In addition to an achievable time frame which meets the need to have in place a service as quickly as possible, the benefits of using the Buying Solutions approach are:
 - Best Practice Procurement - All twelve of the suppliers providing Buying Solutions framework agreements have been subject to a rigorous procurement process, ensuring they offer the scope and quality services required by customers in the public sector. Pre-agreed terms and conditions offer customers sound contractual safe guards. The majority of the prospective suppliers are major market providers of these services. It should be noted that the current incumbent, Serco, has not applied to be registered on the Buying Solutions framework for IT Managed Services.
 - Value for money - Competitive rates have been secured and are regularly benchmarked. Transparent pricing structures and the facility to conduct further competition ensures that value for money is consistently achieved.
 - Legislative compliance - The Buying Solutions framework agreements are compliant with the EU procurement directives as well as UK procurement regulations. The adoption of the Model Call-Off Contract which has been constructed by Buying Solutions based on the OGC Model Contract for ICT Services, and is designed to be flexible, clear and a stimulus to good contract management
 - Efficiency - Using the framework agreements can save considerable time and costs compared with undertaking a full tender exercise. Easy ordering processes and their ecommerce facility makes the framework extremely simple to access and use.

Procurement Strategy

11. This procurement is for services and its contract value will significantly exceed the EU threshold and is therefore subject to EU procurement regulations and an EU compliant process must be followed.
12. The council is in a position to fully understand the ITMS requirements as this will be the third occasion that this service has been the subject to a tendered procurement. The requirement statement will specifically take on board the lessons learned from previous contracts, together with an assessment of other contracts in place.
13. There will be a need to engage external specialist resources both to support the procurement and to effectively manage the transition from the current contract... These technical resources will be need to be experts, with practical experience of IT contract definitions, the current market place and managing the complex elements of the exit negotiations with Serco such as asset assessment and transfer. These requirements are currently being detailed as a part of the project resource plan and timeline. Any external support necessary will be subject to normal Council approval processes and costs will be contained within the appropriate budgets.
14. The overall timeline from a decision to approve this procurement approach to contract start is estimated to be 12 months; and with the approval of this

procurement strategy, it is feasible to procure the contract and ensure continuity of service within these time frames; provided there is very little slippage.

15. The preferred approach is therefore to procure a contractor through the established Buying Solutions ITMS agreement which is the national procurement partner for all UK public services and is part of the Efficiency and Reform Group within the Cabinet Office.
16. There are twelve contractors listed on the Buying Solutions IT Managed Services framework which was procured under an EU restricted process:
 - 2e2 UK Limited
 - Bull Information Systems Limited
 - Capita Secure Information Systems
 - Centerprise International Ltd
 - Civica UK Ltd
 - Computacenter
 - Getronics UK Limited
 - Logica Uk Ltd
 - Northgate Information Solutions (UK) Ltd
 - Servo Limited
 - Specialist Computer Centre
 - Steria Ltd
17. Under the BS framework the IT Managed Services suppliers will be able to deliver the provision of IT services, including but not limited to:
 - Managed Desktop
 - Disaster Recovery and Business Continuity
 - Programme and Project Management Services
 - Managed Data Hosting
 - Network Services and Systems Integration as delivered as part of an overall managed service
 - Print Services
 - Maintenance contracts
 - Service Desk
 - Asset Management services
 - Computer Estate Management including mobile devices and laptops
 - Remote Access services

Together with other IT related services that can be delivered as a Managed Service, Shared Service or as a fully outsourced contract.

18. There will also be general requirement to follow industry standard best practices such as ITIL which prescribes key areas such as Incident, Release, Change and Problem Management. In addition it is intended to build in more local/client accountability.
19. In line with best practice for IT contracts of this nature this contract will be for a four year duration and have an extension provision for an additional 3 years. After the initial four year period there will be an opportunity to extend up to the three year period with the flexibility to terminate the contract during the

extension period with sufficient notice (for example 3 x 1 year, 2 x 1.5 years, or the full three years), making a total estimated maximum contract value of £42m.

20. The expectation is that the new service, procured as recommended, will provide the following:

- A new and improved service to LBS users and recognised by them
- Increased capacity and ability to meet Council's future vision for IT service delivery
- Exploitation of technological developments and innovations
- Value for money through testing the market place and realise savings while minimising service impact
- An opportunity to introduce flexible and improved contractual arrangements - tied to current and future LBS needs, both organisationally and operationally.

Identified risks and how they will be managed

21. Risks relating to this procurement and how they will be managed are shown in the table below.

Risk	Mitigation strategy
There is a lack of available technical expertise and resources to effectively undertake current IT contract exit activities (including assessment of assets) and specify new arrangements (e.g. cloud computing and future technology)	<ol style="list-style-type: none"> 1. Engage external technical specialist with specific expertise in these areas 2. Provide clear and concise terms of reference
The council fails to dedicate sufficient time and resource to enable the project to proceed with sufficient input and in line with the project time scales.	<ol style="list-style-type: none"> 1. Resource requirements to be identified and put in place 2. Monitoring progress at fortnightly project meeting (governance structure in place) 3. Escalate through governance structure if required 4. Timely preparation of approval documentation including Review time by IDSD, finance, legal, procurement and all relevant stakeholders (quality, timeliness, approver briefing) right input at the right time 5. Ongoing consultation re impact on interim arrangements with legal & procurement
Market Place fail to respond positively or within budget threshold	<ol style="list-style-type: none"> 1. Early assessment of likelihood of responses 2. Option to give notice to current supplier to extend (contractual deadline is January 2012)

Risk	Mitigation strategy
The current ITMS service may degrade once the existing contractor notified of decision	<ol style="list-style-type: none"> 1. Undertake intensive contract management with existing supplier. Review portfolio responsibilities within IDSD management team 2. Introduce formal protocols with current contractor to deal with transition arrangements 3. Communication strategy and plan to be put in place. 4. Increased management awareness and support across the organisation
TUPE issues are not managed satisfactorily, potentially resulting in union, consultation and staff issues.	<ol style="list-style-type: none"> 1. Obtain relevant data from key parties as a matter of priority 2. Early involvement of HR resource 3. An effective consultation process for affected staff 4. Keep a strong focus on TUPE issues with bidders during the procurement process
Insufficient information of the current service and service requirements will result in an increased risk premium applied to the tender costs (data pack and specification)	<ol style="list-style-type: none"> 1. Ensure that service specification robust, succinct and complete (in progress) 2. Ensure the specifications reflect the lessons learned in previous awards and best practice 3. Engage with stakeholders/advisers to ensure quality of specification and associated measures (through governance structure) 4. Share outline vision and use an output based specification to enable contractors to be innovative, deliver required service, and drive out efficiencies 5. Obtain quality assurance and technical input from appropriate resources 6. Ensure that sufficient data provided with respect to existing services and provided through the invitation to tender (data pack preparation in progress)

KEY ISSUES FOR CONSIDERATION

Key /Non Key decisions

22. This is a strategic procurement (on the basis of value and potential impact on service delivery) and is therefore a key decision.

Policy implications

23. The key element of the corporate plan that this strategy supports is “transforming public services”. The provision of sound and reliable IT and how they are utilised are at the heart of the ICT strategy.
24. The medium term resources strategy aligns financial priorities with the management of assets and the associated resources with which the council delivers its services. A modern ITMS service platform and an informed ITMS client function will significantly support the council’s medium and long term objectives providing flexibility and opportunities for efficiency savings.
25. Other key corporate objectives are indirectly supported through an improving working environment, improving customer facilities and enabling more effective service delivery.

Procurement project plan

Activity	Complete by:
Forward Plan (if Strategic Procurement)	June 2011
Approval of Gateway 1: Procurement strategy report (this report)	19/07/2011
Scrutiny Call-in period and notification of implementation of Gateway 1 decision.	29/07/2011
Completion of further competition documentation	04/08/2011
Invitation to further competition	08/08/2011
Closing date for responses	19/09/2011
Completion of evaluation of tenders	31/10/2011
Approval of Gateway 2: Contract Award Report	13/12/2011
Contract award	06/01/2012
Contract start	31/07/2012
Contract completion date	30/07/2016
Possible extensions (up to 3 years)	30/07/2019

TUPE implications

26. For the bid TUPE will apply on a secondary basis (affecting staff of existing contractors). The project team will be advised by HR, procurement and legal on all aspects in relation to TUPE including consultation requirements; and pay implications; monitoring requirements on the council for two tier pension and pay and TUPE implications (both primary and secondary).
27. The council will be compiling the information in relation to pension provisions that will be needed in relation to TUPE transfer.

28. The current supplier will be requested to provide the details of their employees affected by TUPE and associated pension information which will be included within the bidders information pack.

Development of the tender documentation

29. The tender documentation will be designed to ensure that proposals are received which will help inform award decisions, and will include:
- Specification and key performance indicators (KPIs)
 - Details of where method statements, or innovative proposals, are required
 - Instructions to bidders document and associated appendices:-
 - Evaluation - methodology, matrices and statement of requirements
 - Pricing schedule and charges
 - Contract
 - Data pack comprising all available information in relation to the ITMS operations
 - Outline of the council's ICT strategy and Vision
 - Assets to be transferred
 - Applications supported
 - Performance data including existing reactive call volumes by discipline, severity and hours of support to be given,
 - Disaster Recovery and Business Continuity Plans
 - Initial information relating to TUPE.
30. The documentation is being developed through the use of workshops and individual meetings and, where appropriate, review stages by the relevant members of the project team and technical specialists from the council and elsewhere.
31. Consultation on the tender documentation is being undertaken with corporate support from legal, procurement, finance and HR where appropriate and these functions are also represented in the governance structure for the overall programme.
32. An ongoing briefing and consultation process is also underway with representatives from service departments, corporate strategy, business continuity and emergency planning, and health and safety. These areas have agreed to provide support during the procurement process.

Advertising the contract

33. In order to utilise the Buying Solutions ITMS framework it is necessary to give all contractors on the framework an opportunity to bid.. The invitation to tender will then be sent to all contractors on the framework that have not de-selected themselves from the process.

Evaluation

34. The evaluation methodology and models will be developed by the evaluation panel appointed by the project team and agreed through the project governance, so this can only be indicative at this stage.

35. Generally the Council uses a 70:30 price/quality weighted model is used to evaluate tenders. However In accordance with the Buying Solutions mandatory requirements the criteria presented below must be applied to IT Managed Services framework agreement suppliers' compliant tenders submitted through the Further Competition Procedure. It will however be made very clear when inviting tenders that cost savings and benefits are key to the Council and that there is an expectation of a net reduction in costs over the period of the contract.

Evaluation criteria	Criteria Weighting %	Sub-criteria	Sub-criteria Total %
Technical solution	25-45%	Innovation Benefits realisation Quality of solution	100%
Commercial	25-30%	Pricing Value for money Payment profile	100%
Service delivery	25-45%	Service levels Key Performance Indicators (KPIs) Transition	100%
	100%		

In order to assess the above the panel will assess the extent to which the supplier will provide the following:

- A fully supported business continuity and day to day operations
- Improved customer and user satisfaction
- A significant reduction in the baseline costs and charges
- Evidence of the ability to work with the Council in providing and supporting affordable IT
- A Definition of anticipated service improvements and vision to assist LBS in transforming services
- How they will exploit technological developments and innovations.

This will be via presentations, assessment of method statements and site references.

36. The tender evaluation panel will comprise the following:

- Head of I & D Services
- Head of Technology
- Specialist IT technical advisors
- User representation (nominated by the service departments)
- Head of Applications, Data & Operations

- Finance representative
- Other representatives (for relevant parts), including human resources, contract management unit, and, business continuity.

37. During the procurement period interim management arrangements will be put in place to deal with some of the issues currently being experienced under the current contract, or arising from the transition process. These arrangements will help ensure that service continuity and performance will be maintained during the remaining life of the contract

Community impact statement

38. All of the contractors on the framework will have their own supply chains in place. This contract will primarily provide a consolidated ITMS service contract to deliver part or all IT services to Council offices.

39. The proposals from the suppliers will contain the preferred location of data centres and service desks etc which may be within the borough boundaries.

Sustainability and other considerations

40. The new provider will be responsible to the provision and upkeep of computer equipment, and associated environments, on behalf of the Council. The successful contractor will therefore be required to have targets in place to minimise consumption of energy and emissions of pollutants and be able to demonstrate the effectiveness of these procedures, both in LBS premises and other establishments where equipment is managed on behalf of the Council.

Economic and social considerations

41. All of the contractors on the framework will have their own supply chains in place; however, local economic and social benefits will be built into the procurement in a variety of ways including an assessment of the contractors' approach to:

- Engagement with apprenticeship schemes which have a target of one apprentice per £1,000,000 annual contract expenditure
- Engagement with local companies in their sub-contracting and supply chain arrangements wherever possible
- Engagement with small to medium enterprises (SMEs) and black and minority ethnic, women and disabled owned businesses or those operated by the voluntary and community sector
- How they will achieve continuous and measurable improvement while working in partnership with the council to deliver its objectives in this area.

Plans for the monitoring and management of the contract

42. This contract will be managed by the Information & Data Services Division (IDSD) within the Finance & Resource Department. The success of this contract is dependent upon best practice contract management principles including the establishment of appropriate KPIs and SLAs.

43. To ensure that IDSD set exemplar standards in relation to the contract management of this and future ITMS contracts the service has recently been reviewed, and the new structure implemented in April 2011, delivered the informed client with contract management and service support at its centre.
44. Concurrent to this review, work to define and establish a contract monitoring function to serve Finance & Resources department contracts is progressing. This will provide best practice contract monitoring; delivering effective contract performance reporting.
45. Best practice arrangements and systems will be put in place for the management and monitoring of the contract in respect of:
 - Compliance with the specification and contract
 - The performance of the contractor/supplier
 - Cost
 - Customer relationship management
 - User satisfaction
 - Risk Management.
46. The contract will be based on the Model Call-Off Contract which has been constructed by Buying Solutions based on the OGC Model Contract for ICT Services, and which forms part of the framework agreement between Buying Solutions and each supplier.

Resource implications

Staffing/procurement implications

47. The governance for this procurement project is provided through the agreed governance structure for the overall programme. There will be an overarching steering group which will be chaired by the Finance Director and will include Chief Officer representation, in addition to the Head of I&DS and other key stakeholders. This group will monitor general progress and provide challenge to the programme board.
48. The procurement project team will report into the ITMS strategic procurement programme board appointed by the Head of Information & Data Services Division who is the senior responsible officer for the delivery of this procurement. The team comprises the following:
 - Head of I & D S
 - Head of Technology
 - Specialist external IT technical advisors
 - User representation (nominated by the service departments)
 - Head of Applications, Data & Operations
 - Finance representative
 - Representatives from, legal, procurement, communications and finance to support the procurement process and provide professional advice.
 - Representatives from other council departments.

49. The programme board will meet on a weekly basis to drive forward this procurement. It reports into the ITMS strategic procurement steering group which is chaired by the finance director.
50. The user stakeholder group reports into the programme board and will provide user input into this and the other ITMS procurement work streams.
51. The internal and external resources required to deliver this procurement are to be funded through existing budgets.

Financial implications

52. The proposed contract is to be funded from the existing IT budgets (see closed report). These savings will contribute to the IT targets already identified for 2012/13 and 2013/14.
53. The contract will be subject to, and linked to, a price index which will be set out in the contract terms and conditions of contract. Payment may also be tied in to performance with the possibility of a “gain-share” mechanism being put in place based upon performance against KPIs and the delivery of further efficiencies.
54. In addition it is proposed to introduce mandatory and contractual benchmarking to ensure that the council continue to receive the most advantageous rates.

Legal implications

55. All legal implications are noted in paragraphs 60 - 61.

Consultation

56. This procurement strategy has been developed to deliver an element of the ICT strategy.
57. Consultation in the development of the procurement strategy recommended in this report has been undertaken with internal corporate functions including, legal, procurement, finance, corporate strategy and service departments,. Varying degrees of resource has been assigned from these areas and will continue to be engaged in the procurement during the development of the tender documentation, tender, evaluation and will continue to be involved during the procurement process.
58. Advice has been sought from external parties including Buying Solutions (in relation to the ITMS framework and its use). In addition to technical advice being provided from within the council, expert specialist advice is also being utilised to support this procurement where it is required.

Other implications or issues

59. This procurement will take into consideration the impact on other IS projects/programmes, and services including the provision of an improved IT infrastructure (i.e. Wide Area Network, Telephony and Local Area Network). In addition the procurement will have regard to the requirements within the “Modernise 2” programme as it relates to the provision of IT Services.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

60. This report seeks the Cabinet's approval to the procurement strategy to procure an IT managed service through the Buying Solutions framework. The decision to approve the procurement strategy for this service is reserved to the Cabinet.
61. The procurement of this service is subject to the full application of the EU procurement regulations, as this is a part a service over the EU threshold. However the proposal is to use the Buying Solutions framework which is an EU compliant framework. As a local authority, the council is a party who is able to place an order for IT managed services through this framework, and can place an order at any time during the term of the framework agreement. To ensure that the service meets our specific requirements and best value is achieved a further competition will be conducted from those suppliers on the framework. In using the framework there is requirement to use the OGC model call off contract for ICT services, but special terms are permitted to supplement the contract and deal with authority specific requirements. Officers from legal services will be working with IDSD to draft the special terms which will be included with the further competition documents.

Finance Director

62. This report seeks approval of the procurement strategy to utilise the Buying Solutions Framework to procure an IT Managed Service.
63. The indicative three year budget agreed by Council for 2011/12 to 2013/14 identified saving for IT services.
64. The report identifies that Buying Solutions have secured competitive rates from those on the framework and the tenders allow for these rates to be bettered by the firms competing for work. The estimated cost shown in this report is £6m per annum, but actual costs will not be known until tenders are received and evaluated. Value for money and affordability will be key criteria in the assessment process

Head of Procurement

65. This report is seeking approval to source a new IT management services contract via the Buying Solutions framework.
66. For a contract of this nature and value the EU regulations apply. The Buying Solutions framework is an EU compliant route for procurement. All of the providers that appear on the category list have been subjected to a full EU procurement process. By embarking on a further competition process LBS will assess these providers against local requirements ensuring our specific requirements can be met and the council's standards for equalities and health and safety satisfied. The benefits of using this procurement route are described in paragraph 9.

67. For this procurement route to remain EU compliant it is important that the operating rules for the framework are adhered to. Paragraphs 35 - 38 describe the proposed approach for evaluation. The framework rules allow for some flexibility with the evaluation methodology but have fixed a high level weighting range of between 25 – 30% price and 50 – 70% quality. This differs from the council's current recommended model of 70/30 in favour of price and officers will need to develop the evaluation model to ensure that it has the correct focus for the council whilst remaining within the parameters set by Buying Solutions.
68. The timeline for this project is very challenging and is dependant on the correct resources being assigned. The project team has been identified and the need for external expertise is highlighted in paragraph 49.
69. Paragraphs 48 - 51 outline the governance arrangements for the project which will ensure that the project is tracked and key tendering documentation receives the appropriate sign off. Corporate procurement is represented on the steering group and will provide ongoing support to the project.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
None		

APPENDICES

No.	Title
None	

AUDIT TRAIL

Cabinet Member	Councillor Richard Livingstone, Finance, Resources and Community Safety		
Lead Officer	Bill Cottrell, Head of Information and Data Services		
Report Author	Bill Cottrell, Head of Information and Data Services		
Version	Final		
Dated	7 July 2011		
Key Decision?	Yes	If yes, date appeared on forward plan	June 2011
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments Sought	Comments included	
Strategic Director of Communities, Law & Governance	Yes	Yes	
Finance Director	Yes	Yes	
Head of Procurement	Yes	Yes	
Contract Review Boards			
Departmental Contracts Review Board	Yes	Yes	
Corporate Contracts Review Board	Yes	Yes	
Cabinet Member	Yes	Yes	
Date final report sent to Constitutional Team			7 July 2011

Item No. 18.	Classification Open	Date: 19 July 2011	Decision Taker: Cabinet
Report title:		Disposal of 19 Spa Road Bermondsey, SE16	
Ward or groups affected:		Grange Ward	
Cabinet Member:		Councillor Richard Livingstone, Finance, Resources and Community Safety	

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

As part of the council's asset management strategy, we have previously agreed that we should seek to sell 19 Spa Road to raise funding for the council's capital programme, enabling us to improve facilities for our residents. This report sets out the work carried out to date to achieve this and proposes the sale of that site. It also delegates to the Head of Property the responsibility to finalise the terms for that sale.

19 Spa Road is a historically important building, which served as Bermondsey Town Hall between the end of World War 2 and the creation of the London Borough of Southwark in 1964. Although this was a relatively short period, as a Bermondsey resident I know that it is an important part of the history of the area, as well as being a Grade II Listed building. I am therefore glad that the proposal in the report will retain the building for future generations, keep the building in active use and contribute towards the Bermondsey Spa regeneration.

RECOMMENDATIONS

That Cabinet agrees:

1. To the disposal of 19 Spa Road ('The Property') on the principal terms set out in the closed version of this report.
2. The Head of Property is authorised to agree any variations to these terms that may be necessary to achieve the disposal in the light of further negotiations and securing full planning consent.
3. That in the unlikely event that this proposed disposal does not proceed to exchange, that the Cabinet authorises the Head of Property to agree the terms of a sale with any one of the under bidders set out in this report or any other third party, provided that these terms conform with the council's legal obligation to achieve the best consideration reasonably obtainable.

BACKGROUND INFORMATION

4. The Property comprises a substantial detached four storey building constructed circa 1930 and known as the Bermondsey Town Hall. It is shown in the photographs at Appendix 1 and shown in bold outline (labeled i) on the plan at Appendix 2.

5. It is located on Spa Road and the building forms part of the council's landholdings in Site C which was the largest site identified for regeneration within the Bermondsey Spa Area as set out in the Master Plan dated 2000.
6. The adjoining site known as Site C5 along with 17 Spa Road which is shown coloured green (labeled ii) on the plan at Appendix 2, was identified for disposal as part of the Office Accommodation strategy in 2008. The sale of C5 including the Woodmill complex to Notting Hill Housing Trust for redevelopment was completed in May 2011. The sale of the site at 17 Spa Road is due to complete later this year. Number 15 Spa Road, shown coloured blue (labeled iii), was sold to a Buddhist organisation in 2009. The council still retains ownership of the areas within Site C shown coloured yellow (labeled iv).
7. The Property has been used for a number of municipal purposes over the past 80 years and is currently used to accommodate local area housing staff, some health and social care staff and the cash office. The building is currently being decommissioned and will be vacated by the end of October.
8. The council holds the freehold interest in the Property.
9. The Property is a Grade II Listed structure
10. On 23 November 2010, Cabinet agreed that the future use of this building alongside Southwark Town Hall and Walworth Town Hall and the functions remaining therein should be reallocated.

KEY ISSUES FOR CONSIDERATION

Basis of disposal

11. It was agreed by Cabinet on 23 November 2010 that officers should explore the options for disposal of the Property, as one of the three town halls, and commence preparation as soon as practicable for the disposal, coming back to Cabinet for a decision on the particular disposal set out in this report
12. The Property is held in the General Fund and the disposal of this site needs to achieve the best consideration in accordance with section 123 of the Local Government Act 1972.
13. Although it is proposed to dispose of this building for redevelopment by others, the Borough will nevertheless want to ensure the completed development reflects the vision set out in the Bermondsey Spa masterplan and the Southwark Plan
14. The disposal will be conditional on vacant possession being obtained and the relocation of staff to achieve same. Housing officers will be accommodated within the new northern housing hub proposed in the housing reorganisation plans. This will either be at Mabel Goldwyn House or Tooley Street. Remaining health and social care teams are moving to MGH. Officers are investigating alternative facilities for the re-provision of the income management section (cash office) also based in the building and will be discussing with the Unison office a new venue for their accommodation as well.
15. The remaining functions operating from the property, including the IT dependencies, will be decommissioned during the period leading up to the sale

completion. Appropriate safe-guards will be put in place to ensure business continuity.

16. The freehold interest in the Property was formally placed on the market in February 2011 through Colliers. Advertisements were placed in the local and national property press, details were sent out to Colliers database of applicants and a board was placed on the property.
17. The site was marketed on the basis of a two stage process, with expressions of interest being invited in the first instance. There was a good response to the advertising and seven expressions of interest were received on 16 March 2011. These expressions of interest did not include a financial offer but an outline of the parties' proposals for the redevelopment of the building and a statement of their track record of similar schemes and funding arrangements. All were conditional on planning consent being obtained before completion.
18. A number of parties were short listed with a view to their submission of informal tenders in mid June.
19. This further period of engagement has included the preparation of draft Heads of Terms and there has also been the opportunity for bidders to submit their proposed schemes for formal written pre-application planning advice. It was agreed that this advice would form part of their informal tender and would be considered alongside their price.

Assessment of informal tenders

20. Tenders were received from four applicants on 21 June 2011.
21. The bidders were asked to set out their proposals on the basis of
 - A formal response to the draft Heads of Terms setting out the terms of purchase including price, proposed phasing of payments and overage based on sales, planning and disposal.
 - Details of the company submitting the proposal including funding arrangements
 - The company's history of delivering similar schemes including examples of successful projects.
 - Outline proposals for the site and the planning pre-application advice thereon.
22. In order that proposals could be assessed against the requirement to achieve best consideration, a valuation report was obtained from BNP Paribas Real Estate, a national practice of Chartered Surveyors.
23. Applicants were asked to consider including overage provisions so that the council will benefit if the developer achieves more than a set number of units or higher end sale values or in the event that the site is sold on for profit.
24. Assessment of the tenders in term of quality as well as price is important so the deliverability of applicants' proposals for the site both in financial and planning terms have also been assessed.

25. In order to ensure that bidders fully understood the council requirements and to enable an effective comparison of tenders they were asked to respond to draft Heads of Terms. All developers were informed of the requirement to enter into a claw back agreement so that the council will benefit from any increase in value if site is sold (or sold on again) within an agreed period.
26. The submission of schemes for pre-application advice from the planning authority has enabled officers to effectively assess the deliverability of each proposed scheme. This is especially important where tenders are conditional on planning and so the sale will not complete until planning consent is obtained. Obtaining details of their proposals at this stage enables the council to clearly define in the contract documentation what is required in terms of a planning consent to allow the sale to complete.

Analysis of proposals

27. An analysis of the tenders is set out in the closed report. The recommended bidder and the principal terms are set out in the closed version of this report. The Head of Property confirms that this offer represents best consideration.

Next steps

28. If the council decided to proceed and accept the recommended informal tender for 19 Spa Road, solicitors would be instructed and the target date for exchange of contracts would be September 2011.
29. If contracts are exchanged in accordance with this timetable planning consent submitted by December 2011 and if planning consent is granted then the sale would complete in summer 2012.
30. In the event that contracts are not exchanged by September 2011 and there has not been significant progress with negotiations with the preferred bidder, the Head of Property should be authorised to open discussion with the under-bidders with a view to exchanging contracts for the disposal of the Property.

Policy implications

31. The proposal will produce a significant capital receipt that will be available to supplement the capital programme
32. The disposal of 19 Spa Road for redevelopment will ensure that an important listed building is kept in active use. This proposal will contribute to the further regeneration of Bermondsey Spa as set out in the Southwark Plan.

Community impact statement

33. There are no adverse effects on the local community arising from this proposal.

Resource implications

34. There are no direct staffing implications arising from the proposed disposal strategy.

Financial Implications

35. The proposal should generate a substantial capital receipt in support of the modernisation agenda.
36. Disposal of this site will also contribute towards the revenue savings through rationalisation of running costs identified within the Modernise 2 Business Plan.

Key risks and how they will be managed

Risk	Impact	Mitigation
Bidders proposals for their proposed schemes do not meet planning policy requirements.	Scheme does not get planning consent	Work with preferred bidder to address issues and find solutions
Bidders proposals for residential element exceeds densities or involve extensive alteration to the listed structure	Scheme does not get planning consent	Ensure that wording in sale contract allows LBS to determine if application is not made and consent obtained within set period
Vacant possession is not obtained by the required completion date	Sale will not complete	Continued close liaison with Housing and Corporate Services to ensure decants proceed smoothly.
Further deterioration in property markets and availability of funding	Preferred bidder decides not to /cannot proceed	Continue to work closely with preferred bidder to strict timetable and promote success of Bermondsey Spa including works to Public Realm and other development sites to ensure this site is prioritised in term of the options available to them.
Developers exploit current market conditions and buy site with a view to selling on for profit	Council loses income and possible damage to reputation.	Inclusion of detailed claw back provisions in sale contract

Consultation

37. The Bermondsey Spa Masterplan, the Site C Masterplan and the Southwark Plan (Unitary Development Plan) have been subject to extensive public and community consultation. Exhibitions and public meetings have been held and observations received and considered.
38. Any application for planning consent for the change of use or development of this site will be subject to the usual statutory consultation.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

39. Section 123 of the Local Government Act 1972 provides that a local authority may dispose of land in any manner it wishes without the Secretary of State's consent if any such disposal, other than a lease of up to a term of seven years, is for the best consideration reasonably obtainable
40. Paragraphs 12 and 22 of this report refer to the need to obtain best consideration. If the Cabinet is satisfied the disposal is for the best consideration reasonably obtainable and represents good value for money it may approve the recommendation for sale.
41. The council also has wide general powers under Section 2 of the Local Government Act 2000 which allows a local authority to do anything it considers is likely to achieve the promotion or improvement of the economic, social or environmental well being of its area or the residents of that area. This would allow the council *inter alia* to enter into the proposed overage ("clawback") agreement referred to in paragraphs 23 and 25 of this report

Finance Director

42. This report recommends the disposal of 19 Spa Road. It also recommends that the Head of Property is authorised to agree any variations to these terms that may be necessary to achieve the disposal. In the unlikely event that this sale does not proceed to exchange, Cabinet are asked to authorise the Head of Property to agree the terms of a sale with any one of the other bidders provided best consideration continues to be achieved.
43. The disposal is in accordance with the revised office accommodation strategy and supports the Modernise 2 Business Plan. The Finance Director notes that best consideration will be obtained for the property.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Correspondence file	Property Services 160 Tooley Street SE1 2QH	Jane Seymour 020 7525 4907

APPENDICES

No.	Title
Appendix 1	Photograph of the Property
Appendix 2	Plan of Property and adjoining site

AUDIT TRAIL

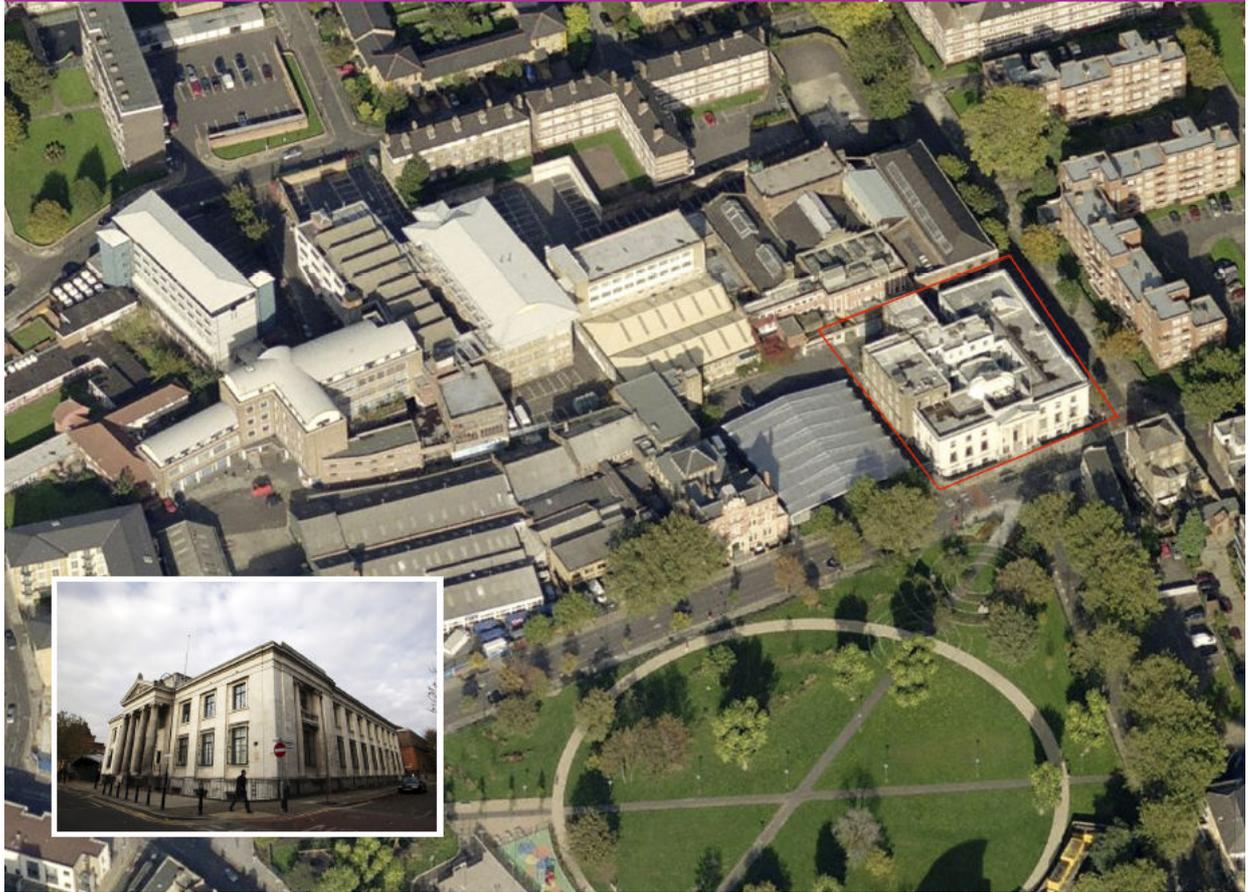
Cabinet Member	Councillor Richard Livingstone, Finance, Resources and Community Safety	
Lead Officer	Eleanor Kelly, Deputy Chief Executive	
Report Author	Jane Seymour, Project Manager	
Version	Final	
Dated	7 July 2011	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER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

APPENDIX 1

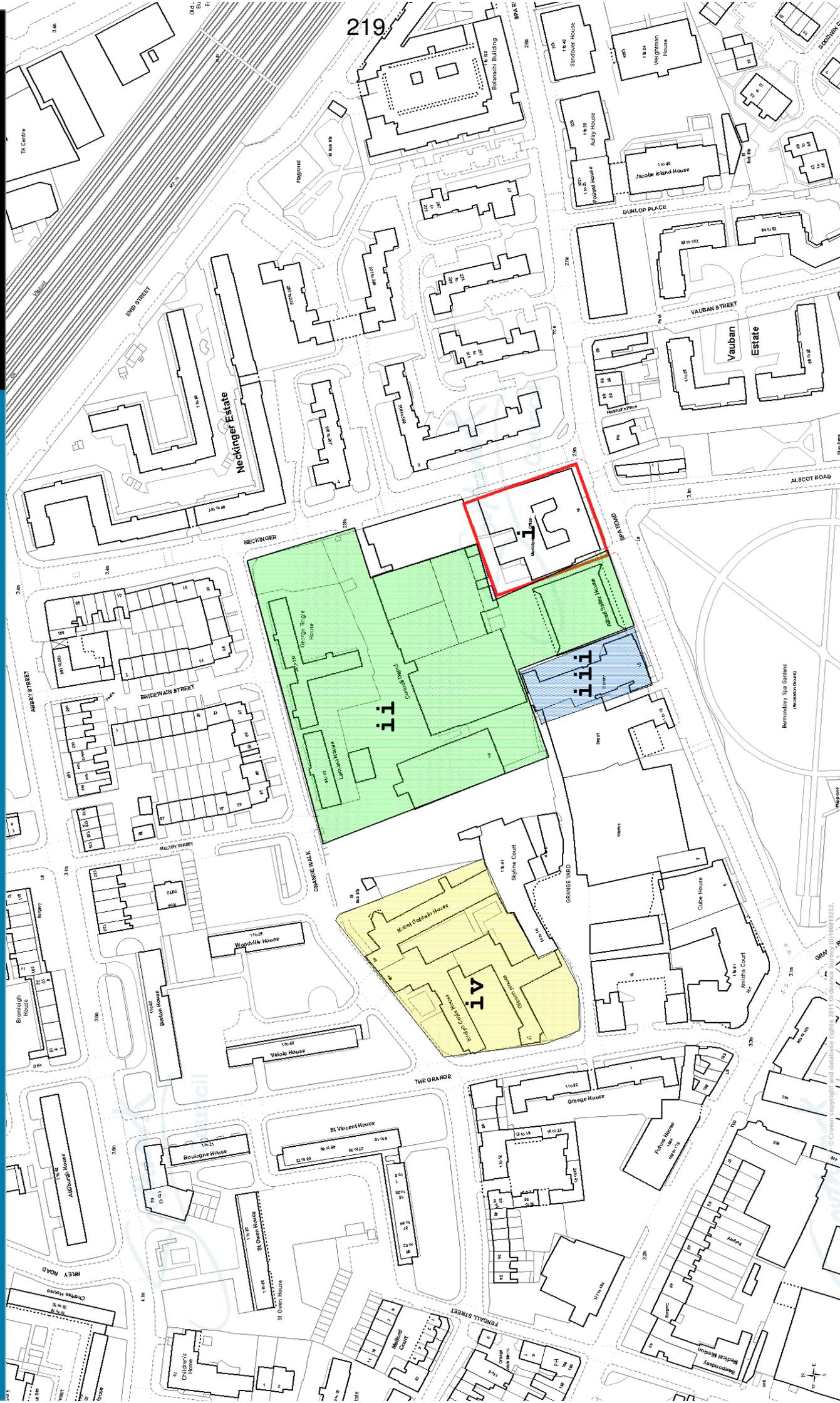
PHOTOGRAPH OF THE PROPERTY

19 SPA ROAD, BERMONDSEY, SE16 3SA

For Sale



Date 14/6/2011



Scale 1/1429

Item No. 19.	Classification: Open	Date: 19 Jul 2011	Meeting Name: Cabinet
Report title:		Sale of 15 Hampton Street, London SE1	
Ward		Newington	
Cabinet Member:		Councillor Richard Livingstone, Finance, Resources and Community Safety	

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

This report proposes the sale of the council's freehold interest in 15 Hampton Street, SE17 to the property's current occupiers: Elephant and Castle Nursery Limited.

The disposal will enable the nursery to improve their facilities for the local community whilst also generating a capital receipt for the council that we can then invest in our Capital Programme. This improvement is likely to increase the level of nursery provision available to residents of the Elephant and Castle as new homes are built in the area.

RECOMMENDATIONS

That Cabinet agrees:

1. To the sale of the freehold interest in 15 Hampton Street London SE17 3AN (“the Property” the extent of which is shown in bold outline on the plan at Appendix 1) to Elephant and Castle Day Nursery Ltd on the principal terms set out in the closed report.
2. The Head of Property be delegated to agree the detailed terms of the transfer.

BACKGROUND INFORMATION

3. The freehold interest in 15 Hampton Street is owned by the council and held within the council’s commercial property portfolio. The Property comprises a single storey temporary structure constructed of timber frames and walls with felt covered roof. A location plan is attached in Appendix 1.
2. The Property fronts Hampton Street off Walworth Road and extends southwards round the corner along the adjacent Steedman Street as identified in the attached plan.
3. The Property is currently occupied by the Elephant and Castle Day Nursery Limited on the basis of a commercial lease. The nursery is run for children under the age of eight years.
4. The nursery operators are keen to improve their facilities and have approached the council to purchase the freehold interest in the Property. They realise the need for further long term investment in their current building, by way of

redevelopment, in order to be able to provide a better quality service. Negotiations have been carried out with Elephant and Castle Day Nursery Limited on the terms of the sale of the Property.

KEY ISSUES FOR CONSIDERATION

5. This transaction presents an opportunity for the regeneration of 15 Hampton Street as part of the ongoing regeneration of the Elephant and Castle and Walworth area of Southwark.
6. The Elephant and Castle Day Nursery Ltd has not yet developed a scheme for the Property; however any proposal will have to be in line with the principles set out within the council's planning policy. It is possible that residential units will be included in their future proposals to maximise the development capacity of the Property.
7. The council will receive a capital sum in consideration for the sale of the Property. The capital receipt can be used to deliver other council objectives.

Policy implications

8. The emerging Southwark Core Strategy prioritises development in the Elephant and Castle area. Elephant and Castle has been identified as a growth area with a target of around 4,000 new homes and 25,000 to 30,000 square meters of business floor space.
9. The Property is within the Core Strategy urban density zone, where density requirements are between 200 – 700 habitable rooms per hectare (hrh). Therefore there is capacity for the Property to contribute towards the achievement of new homes targets, whilst ensuring the retention of the nursery and the employment it provides.

Community impact statement

10. Elephant and Castle Day Nursery provide an essential service to the community around Walworth and its environs. The Nursery operators have indicated their preference for the location around Hampton Street.
11. The retention of the Nursery in this location will ensure continuation of its service to the local community.

Resource implications

12. The negotiations have been carried out by officers within Property Services.
13. Under the negotiated terms, Elephant and Castle Day Nursery Ltd will pay a reasonable sum for the time expended in dealing with the matter.
14. Officers from Legal Services will be involved in drafting and agreeing the final contract. Their time working on the case will also be part of the payment to be received from the purchaser.

Financial implications

15. There will be a capital receipt payable to the council on completion of the sale details of which are set out in the closed report.
16. In order to ensure the capital receipt represents best consideration under the provisions of section 123 of the Local Government Act 1972, a second opinion valuation has been obtained from an independent valuation consultancy. Full details are set out in the closed report.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

17. Section 123 of the Local Government Act 1972 states that except with the consent of the Secretary of State, a council shall not dispose of land under that section, otherwise than by way of a short tenancy, for a consideration less than the best that can reasonably be obtained.
18. The closed report indicates that the consideration being obtained for the Property is the best that can reasonably be obtained.
19. If the Cabinet is satisfied that the consideration is the best that can reasonably be obtained and that the transaction represents value for money, they may proceed with approval of the recommendation.

Finance Director

20. This report recommends the sale of the freehold interest in 15 Hampton Street London SE17 3AN. The Finance Director notes that the disposal will yield a capital receipt, with independent advice confirming that best consideration will be achieved. The disposal is not conditional on planning consent being granted.

BACKGROUND DOCUMENTS

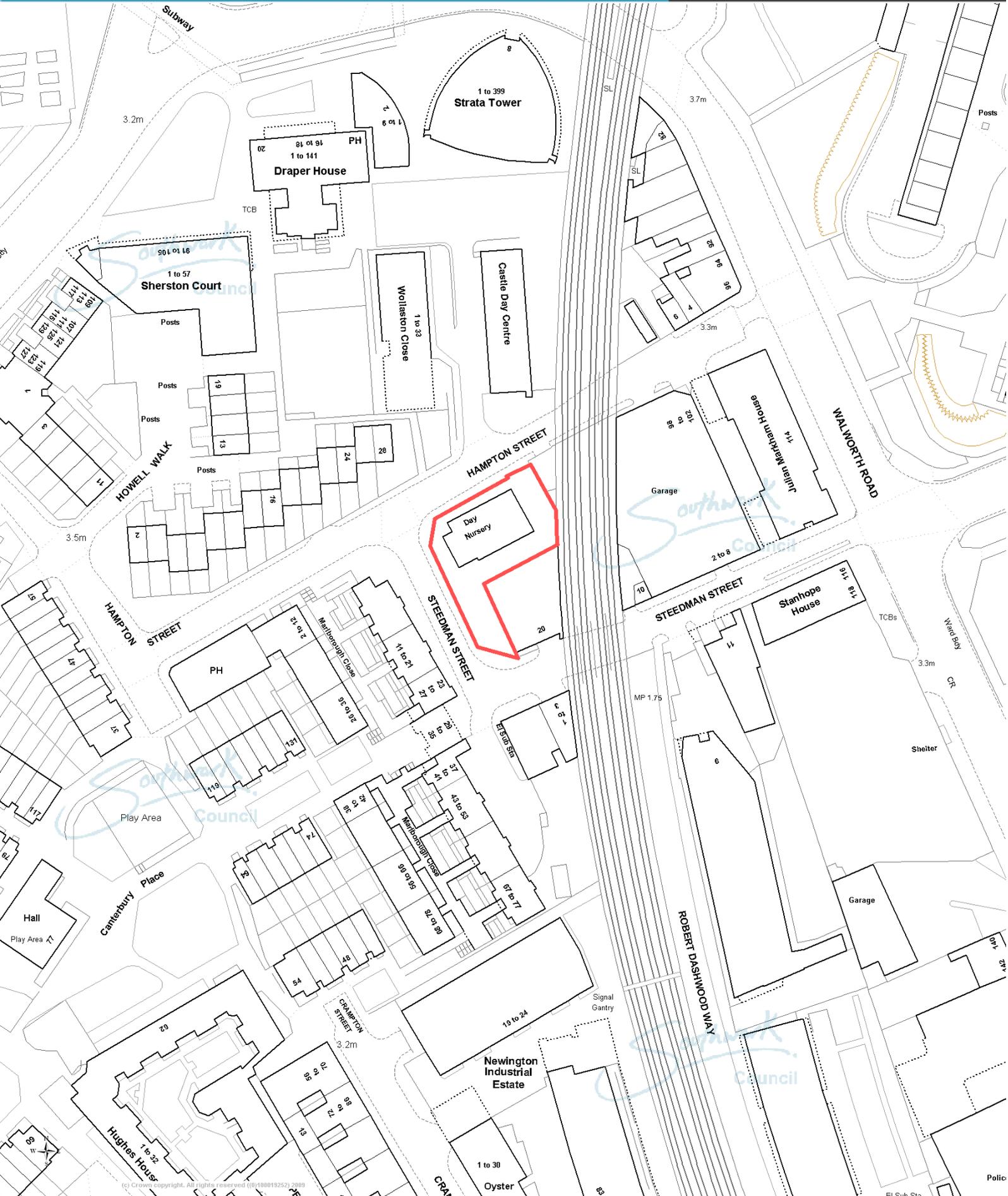
Background Papers	Held At	Contact
Southwark Core Strategy	Planning Policy 160 Tooley Street London SE1 2QH	Tim Cutts 020 7525 5380

APPENDICES

No.	Title
Appendix 1	Location Plan

AUDIT TRAIL

Cabinet Member	Councillor Fiona Colley, Regeneration and Corporate Strategy	
Lead Officer	Eleanor Kelly, Deputy Chief Executive	
Report Author	Bunmi Olafare	
Version	Final	
Dated	7 July 2011	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional/Community Council/Scrutiny Team	7 July 2011	



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Item No. 20.	Classification: Open	Date: 19 July 2011	Meeting Name: Cabinet
Report title:		Disposal of 9 Blenheim Grove London SE15	
Ward(s) or groups affected:		The Lane	
Cabinet Member:		Councillor Richard Livingstone, Finance, Resources and Community Safety	

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

This report asks the Cabinet to approve the sale of the freehold of 9 Blenheim Grove in central Peckham. This property was previously used by the council as office space, but has not been used for this purpose since last year. The Executive agreed to the disposal of this building in May 2007. As the property was acquired through the Housing Revenue Account, this sale will contribute towards the funding for the council's Housing Improvement Programme. The sale will also help the council reduce its maintenance and facilities costs associated with the property and contribute towards the council's carbon reduction commitment.

Sale of the site will enable improvement to this attractive building that will contribute to the improvements being made in the area.

RECOMMENDATIONS

That Cabinet is recommended to approve:

1. That 9 Blenheim Grove, London SE15 ("the property"), as shown edged red on the attached plan, be offered and sold freehold on terms set out in the closed agenda report .

BACKGROUND INFORMATION

2. On 2 May 2007, the former Executive approved the acquisition of 160 Tooley Street SE1 as a new administrative base for the council. This was supported by a business plan which envisaged the disposal of smaller office buildings around the borough. 9 Blenheim Grove was identified for disposal as part of this plan subject to operational needs which have now ceased.
3. 9 Blenheim Grove was acquired by the council in 2002 for use as offices. It is an early Victorian villa, Grade II listed for architectural interest, very near Peckham Rye Station within the Holly Grove conservation area.
4. The property ceased office use earlier in 2010 and was decommissioned for sale. It was declared surplus in June 2010 by the Strategic director of Regeneration and Neighbourhoods.

5. The Head of Property originally valued the property in July 2010 and recommended sale by informal tender or by auction, with the most likely use being a residential conversion.
6. The council considered the direct letting and sale of the property to a community organisation in autumn 2010 but this did not proceed and the property was offered for sale on the open market.
7. The property was put on the open market by agents acting for the council in January 2011. Between January and April 2011 the property was advertised in national property publications and on the Internet and details were publicised to known potential interested parties. A series of viewings took place and offers were invited by way of an informal tender. The result and offers received are set out in a report on the closed agenda for reasons of commercial confidentiality.
8. The agents have been asked to confirm that the purchaser has not purchased another property from the council in the current financial year in order to comply with the requirements of the General Housing Consents and this confirmation has been obtained from the purchaser.
9. The property was acquired using Housing Revenue Account funds for use as office accommodation for the housing department.

KEY ISSUES FOR CONSIDERATION

Policy implications

10. The proposal to dispose of 9 Blenheim Grove is in line with the strategy of modernising council working practices by reducing the number of satellite offices across the borough. Bringing together staff at 160 Tooley Street and rationalising offices has delivered a culture change in the quality and consistency of customer service. Disposal of surplus offices enables savings in property repairs and maintenance as well as occupation and facilities management costs at decommissioned sites.
11. The proposal will help to meet the council's commitment to carbon reduction through replacement of outdated energy-hungry accommodation with modern office space.

Community impact statement

12. The community impact of proposals to centralise administrative offices has been dealt with in the previous report to Executive (2 May 2007).

Resource implications

13. This proposal will generate a capital receipt in the financial year 2011/12.
14. The purchaser will contribute to the council's legal and surveying fees.
15. The disposal of this property will release revenue currently put towards its maintenance and security, the costs of which have latterly been borne by the property division.

Consultation

16. Rationalisation of the office portfolio was subject to consultation at the time of the May 2007 report and included therein.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director for Communities, Law & Governance

17. As the property falls within the council's Housing Portfolio, the disposal can only proceed in accordance with Section 32 of the Housing Act 1985, for which purposes the consent of the Secretary of State for the Department of Communities and Local Government is required.
18. A number of general consents have been issued in the General Housing Consents 2005.
19. Consent A 5.1.1 states that "a local authority may, subject to the provisions of this consent, dispose of one vacant house or vacant flat or vacant converted house to any individual for a consideration equal to its market value, provided that the purchaser (alone or with others) has not, under the consent in this paragraph A5.1.1 acquired another dwelling house from the authority previously in the same financial year.
20. The closed report confirms that the consideration to be paid for the property represents market value.
21. Paragraph 10 of this report confirms that the purchaser has not purchased another dwelling house from the council in this financial year.
22. Paragraph 6 of this report confirms that a surplus declaration has been obtained.
23. If the Cabinet is satisfied that the requirements of General Consent A5.1.1 are fulfilled and that the transaction represents value for money they may proceed with approval of the recommendation.

Finance Director

24. This report recommends the disposal of council property at 9 Blenheim Grove, London SE15.
25. The closed report confirms that the Head of Property believes that the terms set out in the closed report represent the best consideration that can be achieved at this time.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Executive report, 2 May 2007	Southwark Property, Regeneration and Neighbourhoods, 160 Tooley Street SE1 2QH	Christopher Rhodes Principal Surveyor 020 7525 5480

APPENDICES

No.	Title
Appendix 1	Plan

AUDIT TRAIL

Cabinet Member	Councillor Richard Livingstone, Cabinet Member for Finance, Resources and Community Safety	
Lead Officer	Eleanor Kelly, Deputy Chief Executive	
Report Author	Jessie Lea, Graduate Surveyor	
Version	Final	
Dated	7 July 2001	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director for Communities, Law & Governance	Yes	Yes
Finance Director	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional/Community Council/Scrutiny Team	7 July 2011	

NOT TO BE USED AS A LEGAL TRANSFER DOCUMENT



CABINET AGENDA DISTRIBUTION LIST**MUNICIPAL YEAR 2011-12**

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

To	Copies	To	Copies
Cabinet Members	1 each	Officers	
P John / I Wingfield / F Colley / D Dixon-Fyle / B Hargove / R Livingstone / C McDonald / A Mohamed / V Ward		Constitutional Team, Tooley Street	4
		Doreen Forrester-Brown	1
		Jennifer Seeley	1
Other Councillors	1 each	Trade Unions	
C Bowman / A Simmons / T Eckerseley / G Edwards / D Garfield / D Hubber / V Mills / D Noakes/ the Right Revd E Oyewole / M Williams / T McNally		Roy Fielding, GMB	1
		Mick Young, Unite	1
		Chris Cooper, Unison	1
		Tony O'Brien, UCATT	1
		Michael Davern, NUT	1
		James Lewis, NASUWT	1
		Pat Reeves, ATL	1
Group Offices		Sylvia Morriss, NAHT	1
Alex Doel, Cabinet Office	1	Irene Bishop, ASCL	1
Steven Gauge, Opposition Group Office	1		
		Others	
Press		Shahida Nasim, Audit Commission	1
Southwark News	1	Robin Campbell, Press Office	1
South London Press	1	Constitutional Officer	20
Members of Parliament		Total:	73
Harriet Harman, MP	1		
Tessa Jowell, MP	1		
Simon Hughes, MP	1		
Corporate Management Team			
Annie Shepperd	1		
Romi Bowen	1		
Deborah Collins	1		
Gill Davies	1		
Eleanor Kelly	1		
Gerri Scott	1		
Susanna White	1		
Duncan Whitfield	1		
Stephen Platts	1		
		Dated: 26 May 2011	