



## **Cabinet**

MINUTES of the OPEN section of the Cabinet held on Tuesday 20 September 2011 at 4.00 pm at 160 Tooley Street, London SE1 2QH

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**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**

There were no late items.

### **3. DISCLOSURE OF INTERESTS AND DISPENSATIONS**

No declarations were made.

### **4. PUBLIC QUESTION TIME (15 MINUTES)**

There were no public questions.

### **5. MINUTES**

#### **RESOLVED:**

That the open minutes of the meeting held on 19 July 2011 be approved as a correct record and signed by the chair.

**6. DEPUTATION REQUESTS**

There were no deputation requests.

**7. SCHOOL ADMISSIONS REVIEW - REPORT OF THE EDUCATION AND CHILDREN'S SERVICES SCRUTINY SUB-COMMITTEE**

Councillor David Hubber, chair of the education and children's services scrutiny sub-committee presented the report to cabinet.

**RESOLVED:**

That the recommendations of the review of school admissions undertaken by the education and children's services scrutiny sub-committee be noted and that the cabinet member for children's services bring back a report to cabinet in order to respond to the overview and scrutiny committee by 22 November 2011.

**8. REPORTING THE OUTCOME OF STATUTORY CONSULTATION ON THE PROPOSED ENLARGEMENT OF ST. ANTHONY'S CATHOLIC PRIMARY SCHOOL FROM 1.5 TO A 2 FORM ENTRY PRIMARY SCHOOL FROM 1 SEPTEMBER 2012**

**RESOLVED:**

That the proposals contained in the statutory notice which will effect the permanent enlargement of St Anthony's Catholic Primary School from a 1.5 to a 2 form entry primary school from 1 September 2012 be agreed.

**9. QUARTERLY REVENUE MONITORING REPORT QUARTER 1, 2011/12, INCLUDING TREASURY MANAGEMENT**

**RESOLVED:**

1. That the following be noted:
  - the general fund outturn forecast for 2011/12 and the forecast net movement in reserves;
  - the housing revenue account's (HRA) forecast outturn for 2011/12 and resulting forecast movement in reserves;
  - the treasury management activity for the first quarter of 2011/12.
2. That the forecast performance for the council tax and business rates collection fund be noted, and that a report be brought to cabinet on the performance of the service since moving it in-house.
3. That the general fund budget movements that exceed £250,000, as shown in Appendix A of the report be approved.

## **10. QUARTERLY CAPITAL MONITORING REPORT QUARTER 1**

### **RESOLVED:**

1. That the addition of budgets into the programme, matched by additional funding secured since the last report to cabinet be approved.
2. That the current monitoring position for the capital programme 2011–2021 for both the general fund and housing investment programme 2011–2016 as at the 30 June 2011 (Appendices A, B and D of the report) be noted.
3. That the additions into the programme of budgets relating to existing cabinet decisions and the movement of existing schemes between departments (Appendix C of the report) be noted.
4. That the necessary capital resources be allocated to redevelop the area immediately in front of Peckham Rye Station, with the aim of reinstating the heritage of the station and to create new retail and other opportunities around the station to enhance the potential for the area, as requested by council assembly on 6 July 2011.
5. That work on Seven Islands Leisure Centre be brought forward by a year, to start in the 2014/15 financial year, as requested by council assembly on 6 July 2011.

## **11. APPROVAL OF THE COUNCIL'S TRANSPORT FOR LONDON FUNDED WORK PROGRAMME FOR 2012/13 AND INDICATIVE PROGRAMME TO 2013/14 FOR SUBMISSION TO TRANSPORT FOR LONDON**

### **RESOLVED:**

#### **Decisions of the Cabinet**

1. That the content of the council's proposed submission to Transport for London (TfL) identifying transport projects to be delivered with TfL Local implementation plan (Lip) funding in 2012/13 and the indicative programme of work for 2013/14 as contained in Appendices A and B of the report be agreed.
2. That the identified programme be submitted to Transport for London by 7 October 2011.
3. That implementation of the agreed programme as set out in Appendices A and B of the report be approved.
4. That if the cabinet member needs to consider variations to the proposed programme, that these are discussed with the relevant community council chair or in the case of cross community council border schemes, the chairs of these community councils.

### **Decision of the Leader of the Council**

5. That authority be delegated to the cabinet member for transport, environment and recycling to determine the most appropriate use of the £100,000 discretionary funding allocated by Transport for London for 2012/13.

### **12. GATEWAY 2: CONTRACT AWARD APPROVAL - SUPPLY OF GAS TO SITES CONSUMING LESS THAN 25,000 THERMS**

#### **RESOLVED:**

#### **Decision of the Cabinet**

1. That the award of the supply of gas to all sites consuming less than 25,000 therms to LASER in the form of a tripartite agreement with Total Gas and Power using the Procurement Only Service Option (POSO) be approved. The estimated sum, of £1,018,540 for a period of four years (with effect from 1 October 2012) making a total contract value of £4,074,160. This includes management fees from LASER.

#### **Decisions of the Leader of the Council**

2. That authority be delegated to the cabinet member for transport, environment and recycling, prior to, and throughout the duration of the contract (as detailed in the procurement project plan and timeline, paragraph 4 of the report) to;
  - approve the management option selected for the contract, and consider the flexibility to change the management option (detailed in paragraphs 25 – 32 of the report ), and;
  - amend the purchasing solution (Purchase in Advance or Purchase within Period detailed in paragraph 8 of the report).

### **13. MOTIONS REFERRED FROM COUNCIL ASSEMBLY**

#### **Motion on Themed Debate: Achievements of Southwark's Young People**

#### **RESOLVED:**

That the motion referred from council assembly as a recommendation to cabinet, set out below in italics be noted and agreed.

1. *That council assembly recognises and celebrates the achievements of Southwark's children and young people; their sporting achievements; their improving attainment including record GCSE results; their contribution to the arts especially music and drama and their contribution to our communities.*
2. *That it be noted that this administration's support for young people includes free healthy school meals for primary school children, keeping all our children's centres open, setting up a £3 million Youth Fund and setting up a Teenage*

*Pregnancy Commission. This council also notes the investment put into our leisure centres and this administration's commitment to a leisure centre at the Elephant and Castle and to a continuation of community games despite financial constraints.*

3. *That council assembly believes that sports can make a significant difference to the lives of young people and that it delivers a wide range of benefits, from improving young people's health to encouraging team working and embedding discipline. It is a core offer for all our young people, as well as an important element of our targeted interventions for vulnerable young people.*
4. *That council assembly notes the significant reductions in funding for sports made by government:*
  - *Withdrawal of free school swimming*
  - *Withdrawal of funding to the School Sports Partnership*
  - *Withdrawal of funding available to the council and to national sporting bodies to support community led sport.*
5. *That council assembly believes that despite these cuts it is vitally important that the council continues to ensure that young people in Southwark have access to sport and sporting opportunities.*
6. *That council assembly notes the focus of the debate as outlined to all councillors in advance:*
  - *Showcasing the talents and potential of young people in Southwark*
  - *What sport means to young people, and the capacity of sport to open pathways to broader opportunities and achievements*
  - *How different sectors and partners can work together at a time when budgets are tight to maximise provision and access to sport for young people.*
7. *That council assembly believes that securing future sporting opportunities in Southwark require the following questions to be discussed:*
  - *How can the council continue to ensure that young people have access to sport and sporting opportunities, with little direct funding, by working with the voluntary, community, educational and private sectors?*
  - *How can the council work to make sure that all resources available for sport, both facilities and available funding, are maximised across all departments and communities?*
  - *What are the most effective ways that the council can use its limited resources to encourage young people to get involved in sport?*
8. *That council assembly calls on the cabinet to note the content of the debate and points raised to feed into a review of the council's sports strategy which runs to 2013.*

## Homes for Families

### RESOLVED:

That the motion referred from council assembly as a recommendation to cabinet, set out below in italics be agreed.

1. *That council agrees that good quality housing can play an important role in shaping the future, health and well-being of young people in our borough.*
2. *That council therefore regrets the actions of the Tory Liberal Democrat government to threaten Southwark tenants security of tenure, cut Southwark's housing revenue account, halve the amount of decent homes funding Southwark is to receive, cap housing benefit and introduce rents of up to 80% of market value, making many properties unaffordable to people living in the borough – all of which will impact upon the future health, happiness and well-being of young people in our borough.*
3. *That council also regrets the failure of the previous Liberal Democrat administration to set out a coherent housing programme that addressed the needs of people in Southwark and was based on spending money that was not available to the council at the time.*
4. *That council welcomes the current administration's pledges to; make every council home warm, dry and safe by 2014/15, and believes the new housing investment programme will help to secure a better future for our young people by bringing every Southwark home up to a decent standard, by letting tenants know when they can expect improvements and by being based on funding available to the council to ensure that it is actually delivered unlike the previous Liberal Democrat administration's disastrous programme.*

## Southwark's Housing Investment Programme

### RESOLVED:

That the motion referred from council assembly as a recommendation to cabinet, set out below in italics be agreed.

1. *That council assembly welcomes the council's key pledge to make every home in Southwark warm, dry and safe by 2014-2015.*
2. *That council assembly also welcomes the council's proposed new housing investment programme of major works to the value of £326.5m over the next 5 years which will ensure that the council's homes meet the government's decent homes standard and the reestablishment of a separate housing department.*
3. *That council assembly regrets the previous administration's wasteful and inefficient housing programme which created uncertainty among tenants and leaseholders about when their decent homes works would be done; was based on a commitment that could never be delivered within the funding available to the council and did not offer a solution for all of the council's housing stock or*

*meet central government requirements.*

4. *That council assembly also regrets that the Conservative/Liberal Democrat government has cut Southwark's housing revenue account by nearly £7 million this year, has only provided half the amount of decent homes funding that was bid for and that the allocation is back-ended in the final two years.*
5. *That council assembly notes that Southwark's housing revenue account will face a deficit as a result of Conservative/Liberal Democrat government cuts.*
6. *That council assembly calls on the cabinet and relevant cabinet members:*
  - a) *To ensure that all of the council's homes are made warm, dry and safe by 2014-15.*
  - b) *To develop a longer-term sustainable strategy for our housing stock.*
  - c) *To look at ways to maximise the level of resources available for investment, including savings through new major works contracts, limited disposal of voids, external funding sources and self-financing regeneration options.*

#### **Protecting Southwark Park**

##### **RESOLVED:**

That the motion referred from council assembly as a recommendation to cabinet, set out below in italics be agreed:

1. *That council assembly emphasises the significant environmental, social and community value of the green spaces in our borough.*
2. *That council assembly notes with regret and concern the suggestions over the last year for tunnels, holes and pipes in Southwark Park.*
3. *That council assembly and the cabinet clearly state to UK Power Networks that Southwark Park is not a suitable site for their proposals.*
4. *That councillors and the cabinet work with UK Power Networks to find an alternative brownfield site for their proposals.*

#### **14. GATEWAY 2: CONTRACT AWARD APPROVAL - SUPPLY OF GAS TO SITES CONSUMING MORE THAN 25,000 THERMS**

##### **RESOLVED:**

##### **Decision of the Cabinet**

1. That the award of the supply of gas to all sites consuming over 25,000 therms to LASER in the form of a tripartite agreement with Total Gas and Power using the Procurement Only Service Option (POSO) be approved. The estimated sum of

£7,120,840 for a period of four years (with effect from 1 October 2012) making a total contract value of £28,483,360. This includes management fees from LASER.

#### **Decision of the Leader of the Council**

2. That authority be delegated to the cabinet member for transport, environment and recycling, prior to, and throughout the duration of the contract (as detailed in the procurement project plan and timeline, paragraph 4 of the report) to;
  - approve the management option selected for the contract, and consider the flexibility to change the management option (detailed in paragraphs 25 – 32 of the report), and;
  - amend the purchasing solution (Purchase in Advance or Purchase within Period detailed in paragraph 8 of the report).

#### **15. ENERGY AND CARBON REDUCTION STRATEGY**

##### **RESOLVED:**

1. That the different drivers for carbon reduction in Southwark and the work undertaken to date including the green audits of the council be noted.
2. That the proposed interim carbon reduction targets set out in section 16 of the report be noted.
3. That the recommendations for further action set out in the body of the report and the carbon reduction action plan set out in Appendix One be approved.

#### **16. OVERVIEW AND SCRUTINY COMMITTEE CALL-IN DECISION: PROCUREMENT STRATEGY AND PROCUREMENT AWARD OF LOCAL EDUCATION PARTNERSHIP TO DELIVER DESIGN WORK FOR THE ELEPHANT AND COUNCIL LEISURE CENTRE**

Councillor Catherine Bowman, chair of the overview and scrutiny committee presented the report to cabinet.

##### **RESOLVED:**

1. That officers be instructed to consult with Sport England and England Squash and Racquetball regarding design solutions to re-provide the two squash courts in a multi-use sports facility at the new Elephant & Castle leisure centre.
2. Should this be impossible, that the option of providing an equivalent squash court provision elsewhere in the borough be seriously investigated.
3. That no later than the letting of the construction contract the cabinet satisfies itself that:
  - a "fixed price contract" as referred to in paragraph 24 of the report will be



entered into and

- the monitoring of "value for money" is genuinely robust and independent

**17. AUTHORISATION OF DEBT WRITE-OFF OVER £50,000 FOR HEALTH AND COMMUNITY SERVICES**

**RESOLVED:**

That agreement be given for the write-off of a £69,721.02 debt relating to 'Federation of Black and Asian Drug and Alcohol workers'.

**18. 22 CHAMPION GROVE, SE5 AND 11 DESENFANS ROAD, LONDON SE21 - DISPOSAL OF FREEHOLD INTEREST**

**RESOLVED:**

1. The head of property be authorised to dispose of the council's freehold interest in 22 Champion Grove, SE5 and 11 Desenfans Road, SE21 (the "Properties"), for a sum that in each case equates to the market value of the property.
2. That the earmarking of the capital receipts for the purposes of funding the housing investment programme be approved.

**19. DISPOSAL OF 4 HEATON ROAD, LONDON SE15 3TH**

**RESOLVED:**

1. That the disposal of the council's freehold interest in 4 Heaton Road, London SE15 3TH ("the Property"), as shown edged on the attached plan to the report, to London Mutual Credit Union ("LMCU") on terms set out in the accompanying closed agenda report be approved, subject to any further negotiations considered necessary by the head of property.
2. That should the sale not proceed to completion, the property be re-offered for sale on the open market on terms to be approved by the head of property for the best consideration that can reasonably be obtained.

**20. AUTHORISATION OF DEBT WRITE-OFFS OVER £50,000 FOR NATIONAL NON DOMESTIC RATES - REVENUES AND BENEFITS**

**RESOLVED:**

That approval be given for write off of the debt of £852,846.61 for 8 debts which are irrecoverable (the detail of one which was set out in the closed agenda.)

## **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 1, 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.

#### **21. MINUTES**

The minutes of the closed section of the meeting held on 19 July 2011 were approved as a correct record and signed by the chair.

#### **22. DISPOSAL OF 4 HEATON ROAD, LONDON SE15 3TH**

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

#### **23. AUTHORISATION OF DEBT WRITE-OFFS OVER £50,000 FOR NATIONAL NON DOMESTIC RATES - REVENUES AND BENEFITS**

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

The meeting ended at 5.45pm

**CHAIR:**

**DATED:**

**DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 21 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, 28 SEPTEMBER 2011.**

**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.**