

Cabinet

MINUTES of the OPEN section of the Cabinet held on Tuesday 20 March 2012 at 4.00 pm at 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Peter John (Chair)
Councillor Ian Wingfield
Councillor Fiona Colley
Councillor Barrie Hargrove
Councillor Richard Livingstone
Councillor Catherine McDonald
Councillor Abdul Mohamed

1. APOLOGIES

Apologies for absence were received from Councillors Dora Dixon-Fyle and Veronica Ward.

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

The chair gave notice that the following item would be considered for reasons for urgency and lateness to be specified in the relevant minute:

- Item 6 – Deputation requests

The following additional information was circulated:

- Item 7 – Four Squares Estate options appraisal – appendix 4 (resident responses to the preferred option survey) and supplementary advice from the strategic director of communities, law & governance
- Item 8 – Abbeyfield Estate: Options Appraisal for Maydew House, Thaxted Court and Damory House - amended officer comments for paragraph 99 of the report
- Item 13 – Elephant and Castle Supplementary Planning Document / Opportunity Area Framework:
 - Amendment to Appendix A, paragraph 5.1.10

- Consultation response from Greater London Assembly (GLA) and details of proposed changes agreed between the GLA and Southwark Council
 - A table of proposed final amendments to the SPD
- Item 17 – Motions referred from Council Assembly – comments from the deputy chief executive in respect of the Save Chambers Wharf motion and comments from the cabinet member for transport, environment and cycling in respect of the motion on the themed debate on the environment.

3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests or dispensations.

4. PUBLIC QUESTION TIME (15 MINUTES)

There were no public questions.

5. MINUTES

RESOLVED:

That the minutes of the meeting held on 7 February 2012 be approved as a correct record and signed by the chair.

6. DEPUTATION REQUESTS

This item had not been circulated five clear days in advance of the meeting. The chair agreed to accept the item as urgent as the requests were received in line with the constitutional deadline for the receipt of deputation requests. Additionally, the deputation requests related to items on the agenda for this meeting.

RESOLVED:

That the deputation requests as set out be heard.

Elephant Amenity Network Group

The deputation spokesperson addressed the meeting to speak on the Elephant and Castle Supplementary Planning Document on behalf of the Elephant Amenity Network, a community group of residents and traders.

The spokesperson proposed amendments to the final version of the SPD which related to the town centre and small traders; improvements to the Walworth Road, pedestrian, cycle routes and the use of S106 contributions.

Four Squares Estate Residents Steering Group

The deputation spokesperson addressed the meeting to highlight their views on the following issues arising out of the Four Squares Estate Options Appraisal report:

- Leaseholders and the high service charges arising out of option 3
- Period to pay the major works service charge and asking that the period for payment be extended
- Value of homes for sale and the price quoted within the report which was felt to be below the market value of the properties
- Issues related to parking during the works.

Abbeyfield Estate Residents Steering Group

The deputation spokesperson addressed the meeting to highlight their views on various issues arising out of the Abbeyfield Estate: Options Appraisal for Maydew House, Thaxted Court and Damory House. The deputation asked for improvements to the officer recommendations to make the future for residents more secure. The deputation raised issues in relation to:

- Setting an upper limit for the disposal of void properties in Maydew house at 71 flats
- An addition to recommendation 4 relating to tenants being rehoused from Maydew with a one or two bedroom housing need
- Right to return for Maydew tenants
- The project management of the works
- Resident Involvement in the works
- Costs to leaseholders
- Funding of the works
- Rents and that secure tenants of Maydew House should pay the same rent (subject to annual increase) previous to moving out of the property.

7. FOUR SQUARES ESTATE OPTIONS APPRAISAL

The following additional information was circulated in respect of this item:

- Feedback from residents consultation on the preferred option survey
- Supplemental comments from the strategic director of communities, law and governance
- Officer amendments to paragraph 70 of the report.

Cabinet heard representations from ward councillors, Councillors Anood Al-Sameri and Eliza Mann in respect of this item.

RESOLVED:

1. That the findings of the Four Squares options appraisal be noted.
2. That approval be given for work to continue to implement a scheme of enhanced refurbishment to all blocks described as option 3 within the report, to run

concurrently with the security works already committed for Marden Square and Layard Square.

3. That officers be instructed to programme future resources from the sources identified in paragraphs 79-82 of the report.
4. That the substantial financial resources required for the refurbishment be noted and it also be noted that the option appraisal identified that no meaningful contribution would be forthcoming from infill development on the estate.
5. That officers be instructed to initiate disposals of void properties on the estate in accordance with the strategy outlined in paragraph 69 of the report to contribute to the cost of the refurbishment works and that it be noted that all disposal decisions in relation to the strategy to be made by the head of property. Such decisions will include consideration of targeted disposals to individuals and housing providers to contribute positively to the future management of the estate.
6. That officers report to cabinet on the progress of the delivery of this option in July 2012.

8. ABBEYFIELD ESTATE: OPTIONS APPRAISAL FOR MAYDEW HOUSE, THAXTED COURT AND DAMORY HOUSE

Amended officer comments for paragraph 99 of the report were circulated.

RESOLVED:

1. That the findings of the Abbeyfield Estate options appraisal, considering Maydew House, Thaxted Court and Damory House be noted.
2. That approval be given for the adoption of enhanced refurbishment of all 3 blocks as the preferred option with the retention of the freehold of Maydew House and disposal of sufficient void properties in the block to bridge the funding gap between the warm, dry, safe works and enhanced refurbishment works on the estate and that these works are programmed into the housing investment programme for financial year 2013/14. The upper limit on the disposal of void properties in Maydew House will be 71 flats.
3. That it be noted that the works required at Maydew House cannot be carried out with residents in situ.
4. That it be agreed that tenants being rehoused from Maydew House as a result of the requirement for works, and who have a one bedroom or two bedroom housing need, be offered the option to return to the block when the works are completed.
5. That officers be instructed to work out the details bringing about the Maydew House option to return to best effect, and to conduct individual consultation with households on that basis. Officers to report to residents within 3 months of the decision by cabinet, with the findings from the individual consultation and proposed terms for tenants' return to the block

6. That it be noted that the next step to acquire the remaining interests in Maydew House is for the council to instigate compulsory purchase proceedings and that a further report will be submitted to cabinet seeking approval to make a compulsory purchase order.
7. That it be noted that the adoption of the preferred option and the additional benefits that would be achieved requires the scheme to be dealt with as a regeneration project.
8. That officers further report to cabinet on the delivery of this option in July 2012 if significant matters arise that means the preferred option cannot be implemented within the resources that have been made available.

9. RESPONSE TO THE HOUSING AND COMMUNITY SAFETY SCRUTINY SUB-COMMITTEE ON THE FIRE SAFETY WORKS AT CANADA ESTATE

RESOLVED:

1. That the responses to the recommendations of the housing and community safety scrutiny sub-committee's investigation into the fire safety works at Canada Estate be noted.
2. That officers report back to cabinet in October 2012 to review progress.

10. SOUTHWARK COORDINATED ADMISSIONS SCHEMES FOR SECONDARY AND PRIMARY ADMISSIONS 2013

RESOLVED:

That the secondary and primary coordinated admissions schemes for 2013 admissions attached as Appendices 1 and 2 of the report respectively be agreed.

11. ADMISSION ARRANGEMENTS FOR COMMUNITY PRIMARY SCHOOLS, NURSERY SCHOOLS AND CLASSES SEPTEMBER 2013

RESOLVED:

That the community primary schools, nursery schools and nursery classes admissions criteria for 2013 attached as Appendix 1 of the report be agreed.

12. GATEWAY 1 - PROCUREMENT STRATEGY APPROVAL - PARKING AND TRAFFIC ENFORCEMENT SERVICES CONTRACT

RESOLVED:

That the procurement strategy outlined in the report for the parking and traffic

enforcement services contract be approved.

13. ELEPHANT AND CASTLE SUPPLEMENTARY PLANNING DOCUMENT / OPPORTUNITY AREA PLANNING FRAMEWORK

The following additional information was circulated in respect of this item:

- A replacement page for Appendix A (a change to paragraph 5.1.10, last bullet point) which was not included in the previous version
- A consultation response from Greater London Assembly (GLA) and details of proposed changes agreed to Appendix A between the GLA and Southwark Council
- A table of proposed final amendments to the Supplementary Planning Guidance (SPD).

RESOLVED:

1. That the Elephant and Castle Supplementary Planning Document/Opportunity Area Planning Framework (Appendix A), together with the table of proposed final amendments to the SPD be adopted.
2. That the comments of the planning committee and the recommendations of the regeneration and leisure scrutiny sub-committee be noted.
3. That the consultation report (Appendix B), the table of representations received on the draft SPD and the council's response (Appendix C), the updated equalities impact assessment (Appendix D), the updated sustainability appraisal (Appendix E) and the sustainability adoption statement (Appendix F) be noted.

14. DISPOSAL OF 143 BARRY ROAD, SE22 AND 19 OAKHURST GROVE, SE22

RESOLVED:

That the head of property be authorised to dispose of the council's freehold interest in 143 Barry Road, SE22 and 19 Oakhurst Grove, SE22 (the "Properties"), for a sum that in each case equates to the market value of the property.

15. BOWLEY CLOSE, CRYSTAL PALACE, SE19 - FREEHOLD PROPERTY TRANSFER TO LONDON BOROUGH OF SOUTHWARK FROM THE PRIMARY CARE TRUST

RESOLVED:

1. That the acquisition of the freehold interest in a small residential care home complex at Bowley Close, London, SE19 1SZ (see the plans at Appendix 1 of the report) from Southwark Primary Care Trust (PCT) be approved.
2. That the agreement of the detailed terms of the transaction be delegated to the head

of property.

16. ACQUISITION OF OFFICE ACCOMMODATION (BLOCK J) AT QUEENS ROAD, LONDON SE15 2HP

RESOLVED:

1. That the acquisition of the freehold in (block J) Queens Road, London SE15 2HP (identified edged red on the attached plan to the report) on the terms specified in the closed version of the report be approved.
2. That the reallocation of existing capital budget in the revised office accommodation strategy capital programme for the acquisition and fit out including all fees as detailed in the report be approved.
3. That it be noted that a capital out-turn refresh report will be presented to cabinet in the first quarter of 2012/13 reflecting the changes in the overall budget that this report is proposing.

17. MOTIONS REFERRED FROM COUNCIL ASSEMBLY

The following additional information was circulated in respect of this item:

- Comments from the cabinet member for the transport, environment and recycling in respect of the motion on the themed debate on the environment
- Comments from the deputy chief executive in respect of the motion on Save Chambers Wharf.

RESOLVED:

Motion on Themed Debate: Environment

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

1. That council assembly believes that even in times of austerity protecting our natural environment is one of the most important issues for the borough and must remain a key priority for the council.
2. That council assembly believes this is recognised by all political parties and so calls on councillors to work together to suggest innovative ways for the council and Southwark residents to tackle carbon emissions and protect our natural environment.
3. That council assembly notes that the majority of emissions from transport in Southwark are from road vehicles and welcomes the council's transport plan which aims to reduce the impact of transport on air quality by encouraging sustainable travel choices within the borough.

4. That council assembly believes that the council should set an example in energy efficiency and welcomes the fact that it has delivered on its promise to reduce carbon emissions in council buildings by 8.5%.
5. That council assembly welcomes the introduction of food waste recycling to all street-based properties in the borough and notes the impact this is already having in areas involved in the scheme where recycling has increased to 51%.
6. That council assembly calls on members to consider these issues and discuss:
 - How the council can encourage more sustainable travel, especially safe cycling and walking
 - How the council can promote energy efficiency, not just in buildings owned by the council, but in all properties
 - Given the huge reductions in the council's budget this year and in the coming years, how the council can protect the public realm, Southwark's parks and green spaces.
7. That council assembly notes the stated aim of the coalition government to be the "greenest government ever" and calls on members to consider how Southwark can use government funding to support green investment and green jobs in our borough.

Changes to NHS Southwark

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

1. That council assembly recognises and appreciates the excellent work done by doctors, nurses and other health workers in Southwark.
2. That council assembly believes the government's Health and Adult Social Care Bill is creating uncertainty in the NHS at a time when budgets are already tight and regrets that Southwark PCT will be required to hold back £21 million, which could be spent on patient care, to pay for the government's reorganisation.
3. That council assembly believes the government's top down reorganisation lacks direction and is an unnecessary distraction to Southwark's NHS staff at a time when they want to focus on patient care.
4. That council assembly also notes that the number of people in Southwark waiting more than 18 weeks from referral to treatment has increased by 168% since May 2010 – the largest increase in London.
5. That council assembly believes the government's decision to abolish waiting time targets has led to this increase in Southwark and now means fewer than 90% of Southwark patients are being treated within 18 weeks.
6. That council assembly believes giving patients' certainty about when they will be treated is fundamentally important to their health and that low waiting times are a benchmark for excellence in the NHS.

7. That council assembly welcomes the opposition of Harriet Harman and Tessa Jowell to the government's NHS reforms and notes Simon Hughes's comments on 8 December that there had been a "particular issue" in Southwark regarding waiting times. It hopes that instead of blaming hardworking NHS staff in Southwark Simon Hughes will take their side and oppose the government's NHS reforms.
8. That council assembly rejects David Cameron's assertion that there was a "real problem" with nursing in UK hospitals and believes that if the Conservative/ Liberal Democrat government really wants to help nurses in Southwark to focus on patient care, it should listen to what nurses are saying and drop this unnecessary health bill.

Save Chambers Wharf

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

1. That council assembly notes the unquestionable importance of a clean River Thames, but notes the purchase of Chambers Wharf by Thames Water and that it is the company's preferred construction site in Southwark for a "Super Sewer" junction.
2. That council assembly notes that 150 residential properties, two schools with over 1000 students and the Thames Path are situated very near to the Chambers Wharf site.
3. That council assembly regrets the impact Thames Water's plans could have on the local community and notes that construction will take at least seven years, three years of which will be 24 hours a day for 7 days a week. This will not only lead to an increase in noise pollution but to increased heavy vehicle traffic on the local roads, which are not only narrow but also where the schools are located posing a real danger to school children and local residents.
4. That council assembly believes construction so close to residents and schools for such a length of time would be a major source of air pollution possibly causing respiratory illnesses, asthma and bronchitis.
5. That council assembly is also concerned that Southwark residents' water bills are likely to increase by £70 per year if Thames Water's proposal goes ahead and, once completed, Thames Water cannot guarantee there will not be sewage smells from the site.
6. That council assembly requests the cabinet to call on Thames Water to find an alternative non-residential site to Chambers Wharf that will have no impact on Southwark residents and welcomes the report of the Selborne Commission which has been set up by a number of riverside London councils to examine alternatives to the Thames Tunnel.
7. That council assembly calls on all political groups in Southwark and local MPs to stand up to Thames Water in opposing Chambers Wharf as a construction site and to respond to the phase 2 consultation. Council assembly also welcomes Simon Hughes MP's calls for a debate on the floor of the House of Commons and calls for all Southwark's MPs to take part in this.

8. That council assembly recognises and formally thanks the Save Your Riverside campaign for all their hard work in raising awareness of the issue and detailing credible technical arguments to challenge Thames Water.

EXCLUSION OF PRESS AND PUBLIC

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 of paragraph 10.4 of the Access to Information Procedure Rules of the Southwark Constitution.

18. MINUTES

The minutes of the closed section of the meeting held on 7 February 2012 were approved as a correct record and signed by the chair.

19. BOWLEY CLOSE, CRYSTAL PALACE SE19 - FREEHOLD PROPERTY TRANSFER TO LBS FROM PCT

The cabinet considered the closed information relating to this report. See item 15 for decision.

20. ACQUISITION OF OFFICE ACCOMMODATION (BLOCK J) AT QUEENS ROAD LONDON SE15 2HP

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

The meeting ended at 6.15pm

CHAIR:

DATED:

DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 21 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, 28 MARCH 2012.

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.