

Cabinet

Tuesday 29 January 2013

4.00 pm

Ground Floor Meeting Room GO1A, 160 Tooley Street, London
SE1 2QH

Membership

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

Portfolio

Leader of the Council
Deputy Leader and Housing Management
Regeneration and Corporate Strategy
Children's Services
Transport, Environment and Recycling
Communities and Economic Wellbeing
Finance, Resources and Community Safety
Health and Adult Social Care
Culture, Leisure, Sport and Olympic Legacy

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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: 21 January 2013



Cabinet

Tuesday 29 January 2013

4.00 pm

Ground Floor Meeting Room GO1A, 160 Tooley Street, London SE1 2QH

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.	NOTICE OF INTENTION TO CONDUCT BUSINESS IN A CLOSED MEETING, AND ANY REPRESENTATIONS RECEIVED	1
	To note the items specified which will be considered in a closed meeting.	
4.	DISCLOSURE OF INTERESTS AND DISPENSATIONS	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	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.	

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6.	MINUTES	2 - 10
	To approve as a correct record the minutes of the open section of the meeting held on 11 December 2012.	
7.	DEPUTATION REQUESTS	
	To consider any deputation requests.	
8.	FAIRER FUTURE INTERIM PERFORMANCE REPORT	11 - 14
	To note the progress in the first half of 2012/13 against the ten fairer future promises and portfolio performance objectives in the council plan.	
9.	HOUSING REVENUE ACCOUNT - FINAL RENT-SETTING AND BUDGET REPORT 2013/14	15 - 44
	To approve an average rent increase of 4.85% in accordance with the Government's required formula rent guidance to be applied to all housing revenue account (HRA) dwellings.	
10.	RESPONSE TO RECOMMENDATIONS FROM THE HOUSING AND COMMUNITY SAFETY SCRUTINY SUB-COMMITTEE ON THE REVIEW OF SERVICES RELATING TO DOMESTIC VIOLENCE AND ABUSE IN SOUTHWARK	45 - 56
	To note and agree the measures that the council has in place to respond to the scrutiny committee recommendations.	
11.	THE SOUTHWARK LOCAL BIODIVERSITY ACTION PLAN	57 - 65
	To approve the local biodiversity action plan (BAP) for the planning and management of biodiversity in the borough.	
12.	BOROUGH WIDE TREE MANAGEMENT STRATEGY	66 - 76
	To note the consultation process and subsequent revisions to the tree management strategy and approve the revised strategy and the approach for its adoption.	
13.	SOUTHWARK OPEN SPACE STRATEGY	77 - 86
	To adopt the revised Open Space Strategy.	

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14.	CONSULTATION RESPONSES (KEY THEMES) ON A DRAFT VISION FOR SOUTHWARK DAY OPPORTUNITIES FOR ADULTS WITH LEARNING DISABILITIES	87 - 113
	To note the key themes, issues and concerns raised by users and carers in the consultation on the draft vision for adult learning disability day opportunities and to agree that council officers will develop the final vision on the basis of the consultation feedback and work with users and carers, providers and community services to transform the way day opportunities are provided for adults with learning disabilities.	
15.	REQUEST FOR DOOR ENTRY AT KINGLAKE ESTATE	114 - 120
	To note that the installation of door entry systems on the Kinglake Estate will be considered along with other priorities within the potential housing revenue account funding increase and that pre-emptive resident consultation will be required due to the high initial costs and the ongoing maintenance commitment.	
16.	VOLUNTARY AND COMMUNITY SECTOR: PROPOSAL FOR SETTING UP AN APPROVED LIST	121 - 131
	To approve the setting up of a Southwark approved list for the voluntary and community sector.	
17.	NEW CONDITIONS OF GRANT FUNDING (FORMERLY THE CONDITIONS OF GRANT AID)	132 - 155
	To approve the new conditions of grant funding (COGF), formerly conditions of grant Aid (COGA).	
18.	RELOCATION OF CROSSWAY CHURCH: NEW KENT ROAD TO HAMPTON STREET	156 - 169
	To agree to meet the cost in full of constructing a replacement church at the former Castle Day Centre Hampton Street and transferring the completed property to the United Reformed Church as compensation for the council's acquisition of the Crossway Church at New Kent Road in accordance with the statutory provisions of the Land Compensation Act 1961.	
19.	DISPOSAL OF CAR POUND AT MANDELA WAY, LONDON SE1	170 - 174
	To approve the disposal of the 250 year leasehold interest in the car pound at Mandela Way, London SE1.	

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20.	DISPOSAL OF 161 DENMARK HILL, LONDON SE5 8EF	175 - 180
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To approve the disposal of the council's freehold interest in 161 Denmark Hill, London SE5 8EF.

21.	MOTIONS REFERRED FROM COUNCIL ASSEMBLY	181 - 190
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To consider motions referred from council assembly on 28 November 2012:

- Supporting cycling in Southwark
- Road safety
- Bus Services in the South of the Borough
- Social housing in mixed communities

OTHER REPORTS

The following item is also scheduled for consideration at this meeting:

22.	POLICY AND RESOURCES STRATEGY 2013/14 - 2015/16: REVENUE BUDGET
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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.”

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PART B - CLOSED BUSINESS

23. MINUTES

To approve as a correct record the closed minutes of the meeting held on 11 December 2012.

24. RELOCATION OF CROSSWAY CHURCH: NEW KENT ROAD TO HAMPTON STREET

25. DISPOSAL OF CAR POUND AT MANDELA WAY, LONDON SE1

26. DISPOSAL OF 161 DENMARK HILL, LONDON SE5 8EF

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

Date: 21 January 2013

Notice of Intention to conduct business in a closed meeting, and any representations received

Cabinet 29 January 2013

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require that the council give a 28 notice period for items to be considered in private/closed session. This has been implemented through the publication of the council's forward plan.

The council is also required under these arrangements to give a further five days notice of its intention to hold the meeting or part of the meeting in private/closed session and give details of any representations received in respect of the private meeting.

This notice issued in accordance with The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 is to confirm that the cabinet meeting to be held on 29 January 2013 at 4.00pm, Council offices, 160 Tooley Street, London SE1 2QH will be held partly in closed session for consideration of the following items listed on the agenda:

Item 24 Relocation of Crossway Church: New Kent Road to Hampton Street

Item 25: Disposal of Car Pound at Mandela Way, London SE1

Item 26: Disposal of 161 Denmark Hill, London SE5 8EF

The proper officer has decided that the agenda papers should not be made available to the press and public on the grounds that they involve the likely disclosure of confidential or exempt information as specified in categories 1 - 7, of the Access to Information Procedure Rules of the Constitution. The reason for both reports is that they contain information falling within category 3: information relating to the financial affairs of any particular person (including the authority holding that information).

In most cases an open version of a closed report is produced and included on the agenda.

No representations have been received in respect of the items listed for consideration in closed session. Any representations received after the issuing of this notice will be reported at the meeting.

Ian Millichap
Proper Constitutional Officer
Dated: 21 January 2013



Cabinet

MINUTES of the OPEN section of the Cabinet held on Tuesday 11 December 2012 at 4.00 pm at the Council Offices, 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Peter John (Chair)
Councillor Ian Wingfield
Councillor Fiona Colley
Councillor Barrie Hargrove
Councillor Claire Hickson
Councillor Richard Livingstone
Councillor Catherine McDonald
Councillor Veronica Ward

1. APOLOGIES

Apologies for absence were received from Councillor Dora Dixon-Fyle.

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

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

- Item 7 – Deputation request on behalf of Canada Estate and the Rotherhithe area housing forums
- Item 24 - Proposed Acquisition of Freehold Interest in Office Accommodation, 160 Tooley Street, London SE1 2QH.

3. NOTICE OF INTENTION TO CONDUCT BUSINESS IN A CLOSED MEETING, AND ANY REPRESENTATIONS RECEIVED

Notification of closed business for urgent consideration in respect of Item 24, Proposed Acquisition of Freehold Interest in Office Accommodation, 160 Tooley Street, London SE1 2QH was noted.

No representations were received in respect of this notice or the remaining items listed as

closed business for the meeting.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests or dispensations.

5. PUBLIC QUESTION TIME (15 MINUTES)

There were no public questions.

6. MINUTES

RESOLVED:

That the open minutes of the meeting held on 20 November 2012 be approved as a correct record and signed by the chair.

7. DEPUTATION REQUESTS

This request had not been circulated five clear days in advance of the meeting. The chair agreed to accept the request as urgent as the item the deputation wished to speak on was contained elsewhere on the agenda.

RESOLVED:

That the deputation be heard.

Deputation request from representatives of Canada Estate and Rotherhithe Area Housing Forums

The deputation spokesperson addressed the meeting on Item 17, Albion Street project mandate. The spokesperson raised issues relating to the representation of local people and the Albion street steering group, including the perceived dominance of private sector interests. Additionally the spokesperson expressed concern about the access of the walkway into the estate in terms of the likely volume of people from the station.

8. RESPONSE TO HEALTH AND ADULT SOCIAL CARE SCRUTINY SUB-COMMITTEE REPORT ON THE NHS SOUTHWARK CLINICAL COMMISSIONING GROUP (CCG)

RESOLVED:

Decisions of the Cabinet

1. That the report of the health and adult social care scrutiny sub-committee (Appendix A of the report) and the response by the NHS Southwark clinical commissioning group (CCG) (Appendix B of the report) be noted.

2. That the local authority elements of the scrutiny sub-committee recommendations 3, 4, 10 and 11 as set out in the health and adult social care scrutiny report be implemented.

Decision of the Leader of the Council

3. That as part of the work to formally establish the health and wellbeing board as a committee of Southwark Council, recommendation 12 of the health and adult social care scrutiny report be implemented.

9. HOUSING REVENUE ACCOUNT - INDICATIVE RENT SETTING AND BUDGET REPORT 2013/14

RESOLVED:

1. That it be noted on a provisional basis, a rent increase of 4.85% in accordance with the government's rent guidance (as set out in paragraphs 31 – 39 of the report) which is equivalent to an increase of £4.46 per week on average, to be applied to all housing revenue account (HRA) dwellings (including estate voids and hostels), with effect from 1 April 2013.
2. That it be noted that the average budgeted dwelling rent for tenanted stock in 2013/14 will be £96.40 per week.
3. That the separate consultation process currently underway regarding the council's lettings policy, and the two options relating to charging newly-let properties at formula rent levels from their commencement as set out in paragraphs 40 – 42 of the report be noted.
4. That it be noted on a provisional basis, no increase to tenant fixed service charges as set out in paragraphs 43 – 44 of the report with effect from 1 April 2013.
5. That it be noted on a provisional basis, no increase to the standard charge for garages, as set out in paragraphs 45 – 46 of the report with effect from 1 April 2013.
6. That it be noted on a provisional basis, no increase to heating and hot water charges as set out in paragraphs 47 – 49 of the report with effect from 1 April 2013, and that officers bring further proposals back to cabinet regarding application of accumulated non-earmarked surpluses in the council's ring-fenced heating account.
7. That officers provide a final report on rent-setting and the housing revenue account (HRA) budget for 2013/14 after due consultation processes have been followed for consideration at the cabinet meeting on 29 January 2013.

10. QUARTER 2 CAPITAL REPORTING FOR 2012/13**RESOLVED:**

1. That the general fund capital programme 2012/13–2021/22 as at quarter 2 2012/13, as detailed in Appendices A and D of the report be noted.
2. That the housing investment programme 2012/13–2021/22 at quarter 2 2012/13 as detailed in Appendix B of the report be noted.
3. That the virements and funded variations for quarter 2 2012/13 as detailed in Appendix C of the report be agreed.
4. That strategic directors work with project managers and finance colleagues to ensure that forecasts for project activity are as robust as possible for each department moving toward the year end financial position for 2012/13.

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

That approval be given for write off of the debt of £69,794.45 for one debt, which is irrecoverable.

12. CHERRY GARDEN SCHOOL INCREASE IN SIZE - REPORT BACK ON STATUTORY NOTICE CONSULTATION**RESOLVED:**

That the permanent enlargement of Cherry Garden Primary Special School from 46 to 66 places from 1 September 2015 be agreed.

13. GATEWAY 1 - PROCUREMENT STRATEGY APPROVAL: THE SOUTHWARK AND LEWISHAM SUPPORTING PEOPLE FRAMEWORK**RESOLVED:**

1. That the procurement strategy for the supporting people services, namely to undertake a competitive process with the London Borough of Lewisham (LBL) for a framework agreement for a period of four years commencing 1 April 2014 with a total contract value of around £32 million, subject to future government funding settlements be approved.
2. That the decision regarding the final categories to be included on the framework and the operational detail of the framework be delegated to the strategic director of children's and adults services.

3. That it be noted that the cabinet will be asked to approve the award of the framework contract for the potential provision of supporting people services following the procurement process.

14. FUTURE APPROACH TO COMMUNITY ENGAGEMENT

RESOLVED:

1. That the future high-level approach to community engagement, set out at Appendix 1 of the report be agreed.
2. That it be noted that the approach will be further explored during the consultation on the housing commission and that officers will report back to cabinet in July 2013 on the effectiveness of the community engagement.
3. That it be noted that officers will refresh the current mechanisms for community engagement by undertaking specific reviews as set out in paragraph 22 of the report.

15. INDEPENDENT HOUSING COMMISSION - COMMUNITY ENGAGEMENT PLAN

RESOLVED:

1. That the proposed plan at Appendix 1 of the report for engaging with council tenants, council homeowners, other residents and stakeholders on the independent housing commission's findings be agreed.
2. That a report be received on the outcome of the engagement exercise by summer 2013.

16. LONDON COUNCILS GRANTS SCHEME 2013/14

RESOLVED:

That Southwark Council's contribution to the London Councils Grants Scheme of £316,707 for 2013/14 be approved subject to approval of the budget proposals to be submitted to the council assembly in February 2013.

17. ALBION STREET PROJECT MANDATE

RESOLVED:

That the project mandate for the regeneration of Albion Street as set out in Appendix 1 of the report be agreed.

18. GATEWAY 2 - CONTRACT AWARD APPROVAL - INTEGRATED HIGHWAYS MAINTENANCE, PROJECT DELIVERY AND PROFESSIONAL SERVICES CONTRACT

RESOLVED:

1. That the award of the integrated highways maintenance, project delivery and professional services contract to Conway Aecom Ltd
 - Lot A – Highways Maintenance
 - Lot B – Highways Projects (Works)
 - Lot C – Professional Services

for a period of six years starting 1 April 2013 with a provision for a further extension of two years be approved.
2. That the valuable contribution made by Transport for London (TfL) and London Councils to the council's procurement process be noted.
3. That officers continue working closely with Transport for London (TfL) and the London Technical Advisory Group on pan London issues in order to continue to demonstrate best value in delivering highways and professional services.

19. GATEWAY 2 - CONTRACT AWARD APPROVAL - PARKING ENFORCEMENT, NOTICE PROCESSING AND ASSOCIATED SERVICES

RESOLVED:

1. That the award of the parking enforcement, notice processing and associated services contract to APCOA Parking UK Ltd on the basis set out in paragraph 42 of the report for a period of four years commencing from 1 April 2013, with a provision to extend for up to a further maximum of 3 years be approved.
2. That it be noted that the council requires APCOA to pay the London Living Wage (LLW) to all employees and sub-contractors engaged on this contract working in Greater London.
3. That it be noted that the capital costs required are lower than the amount set aside for the contract and that the strategic director of finance and corporate services be instructed to reduce the capital programme accordingly.

20. A FUTURE VISION FOR A CENTRE OF EXCELLENCE FOR OLDER ADULTS WITH DEMENTIA AND COMPLEX NEEDS

RESOLVED:

Decisions of the Cabinet

1. That the vision for a centre of excellence as set out in Appendix 1 of the report be

agreed.

2. That there be further consultation with families and key stakeholders on the preferred option of Cator Street as the location for the centre.
3. That the positive outcome of the consultation exercise on vision and services and the opportunity that now arises for the council to work with families and carers, as well as the NHS and community partners to transform the way day opportunities for older people living with dementia are provided and the support that is available to their carers be noted.
4. That it be noted that officers will now establish a working group comprising representatives from families/carers, the NHS and other key stakeholders to take forward the vision for the centre of excellence, shape the proposed model of care and work jointly with corporate property in the design and procurement of the centre.
5. That an information report is submitted to cabinet in six months to outline progress.

Decision of the Leader of the Council

6. That authority be delegated to the cabinet member for health and adult social care to determine the most appropriate future service model and the decision regarding the location of the centre.

24. PROPOSED ACQUISITION OF FREEHOLD INTEREST IN OFFICE ACCOMMODATION, 160 TOOLEY STREET, LONDON SE1 2QH

Note: Both the open and closed versions of this report were listed as Item 24 on the agenda.

This item had not been circulated five clear days in advance of the meeting. The chair agreed to accept this item as urgent because if the council were to proceed in its acquisition of 160 Tooley Street, the seller required exchange of contracts and completion of the transaction on or before 14 December 2012. The opportunity to acquire the freehold would be lost if the decision was delayed for a further meeting to be held. The consequences of such a delay would be to forego the substantial financial advantages and operational flexibility (arising as a result of no longer being bound to the terms of the existing lease).

RESOLVED:

1. That the circumstances leading to the sale of the freehold interest in 160 Tooley Street and actions taken by officers and their advisors to assess the council's position in respect of this sale be noted.
2. That the acquisition of the freehold interest in 160 Tooley Street be approved in principle, subject to the agreement of final heads of terms and purchase price.
3. That authority be delegated to the chief executive, advised by and in consultation with the strategic director of finance and corporate services and head of property to:

- a. Negotiate terms and enter into binding contracts for the purchase of the freehold interest in 160 Tooley Street
 - b. Agree the amount of the final bid offered and other transactional terms
 - c. Agree the financing structure adopted to fund the acquisition of the asset.
4. That the strategic director of finance and corporate services include the ongoing savings to the council within the policy and resourcing strategy to be considered by cabinet and council assembly in January and February 2013.
 5. That the strategic director of finance and corporate services, subject to successful completion of the acquisition, report any in year savings that accrue within the third quarter revenue monitoring report due to be received by cabinet in February 2013.
 6. That it be noted that subject to commercial confidentiality the cabinet and members of overview and scrutiny committee will receive confirmation on completion of the purchase, full disclosure of the purchase price and financial benefits arising from the acquisition for the benefit of openness and transparency.

NOTE: In accordance with the provisions of section 22.1(b) of the overview and scrutiny procedure rules (decisions for urgent implementation), the chair of overview & scrutiny committee has agreed that this item may be treated as a matter of urgency and is therefore not subject to call-in.

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.

21. MINUTES

The closed minutes of the meeting held on 20 November 2012 were approved as a correct record and signed by the chair.

22. GATEWAY 2 - CONTRACT AWARD APPROVAL - INTEGRATED HIGHWAYS MAINTENANCE, PROJECT DELIVERY AND PROFESSIONAL SERVICES CONTRACT

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

23. GATEWAY 2 - CONTRACT AWARD APPROVAL - PARKING ENFORCEMENT, NOTICE PROCESSING AND ASSOCIATED SERVICES

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

24. PROPOSED ACQUISITION OF FREEHOLD INTEREST IN OFFICE ACCOMMODATION, 160 TOOLEY STREET, LONDON SE1 2QH

The cabinet considered the closed information relating to this item. See item 24 in the open part of the minutes for the decision.

The meeting ended at 6.20pm.

CHAIR:

DATED:

DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 21 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, 19 DECEMBER 2012.

THE ABOVE DECISIONS WILL NOT BE IMPLEMENTABLE UNTIL AFTER THAT DATE (WITH THE EXCEPTION OF ITEM 24 WHICH WAS SUBJECT TO AN URGENT IMPLEMENTATION AGREEMENT). 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. 8.	Classification: Open	Date: 29 January 2013	Meeting Name: Cabinet
Report title:		Fairer Future Interim Performance Report	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor Fiona Colley, Regeneration and Corporate Strategy	

FOREWORD - COUNCILLOR FIONA COLLEY, CABINET MEMBER FOR REGENERATION AND CORPORATE STRATEGY

This report provides an update on how the council is delivering on the Fairer Future promises we made in 2011 through our first council plan. Each of these promises is contributing towards realising the council's vision for a fairer future for all in Southwark where everyone has equal access to the opportunities that central London has to offer. Underpinning our vision is a commitment to treat those we interact with as if they were members of our family and to spend every penny as if it were our own.

To help realise this vision we are modernising the way we work, we are cutting our management costs and doing more with less. In these difficult times, we will continue to protect our most vulnerable residents and treat people fairly. We also understand that Southwark businesses are looking to us to provide an attractive business environment where innovation flourishes. All the while we are improving the experience people and organisations have of the services we provide. This report provides an in-year view on progress against the promises and objectives we have set the organisation. At the end of the financial year we will provide a full update on delivery of the council plan in our Fairer Future Annual Report 2012/13.

RECOMMENDATION

That cabinet

1. Notes progress in the first half of 2012/13 against the ten fairer future promises and portfolio performance objectives in the council plan.

BACKGROUND INFORMATION

2. On 6 July 2011 council assembly approved a new council plan. This set out how the council will work to achieve its Fairer Future for All vision in an environment of significantly reduced funding to the council and the public sector more widely. Ten fairer future promises were agreed with a further set of objectives outlined in performance schedules for each cabinet member portfolio area.
3. The council plan placed local needs and accountability as the drivers of the council's performance improvement. Over 2010/11 a number of changes were made to the performance monitoring and reporting requirements of the council by central government. These included abolition of the national indicator set and the end of the requirement for local area agreements. The council therefore had greater flexibility to develop a business plan to meet local priorities.

4. An Annual Performance report was presented to cabinet in July 2012 to note progress made over 2011/12, the first year of the council plan. During the 2012/13 the council has continued to monitor performance against the ten promises and objectives in the council plan, with performance data and project updates reviewed on a quarterly basis. The reviewing of performance in-year enables us to take corrective action to ensure that we meet our end of year targets.
5. This interim performance report provides a summary of progress over the first six months of 2012/13 against the ten promises agreed in the council plan. It will be made available on the council's website as part of our fairer future principle of being open, honest and accountable.

KEY ISSUES FOR CONSIDERATION

6. Following engagement with local people through the council's budget process, the council plan identified a number of principles that now underpin our Fairer Future for all vision and guide the promises and objectives that we agreed through the council plan. The Fairer Future principles have been updated to the following:
 - Treating residents as we would wish members of our own families to be treated
 - Being open, honest and accountable
 - Spending money as if it were coming from our own pocket
 - Working for everyone to realise their potential
 - Making Southwark a place to be proud of.
7. The Fairer Future interim report detailed in Appendix 1 outlines some of key the things we've delivered in the first six months of 2012/13 in line with our Fairer Future principals.
8. At the core of the council plan are the council's ten Fairer Future promises. The focusing in on ten key promises is recognition that in times of reduced funding from central government we need to focus our resources on the areas where we can achieve the maximum impact to help meet our vision. The ten Fairer Future promises continue to be:

Promise 1 - "Provide improved value for money and keep council tax increases below inflation"

Promise 2 - "Work with residents and the police to make the borough safer for all by cracking down on antisocial behaviour and implementing our new violent crime strategy"

Promise 3 - "Deliver the first three years of our five year plan to make every council home warm, dry and safe".

Promise 4 - "Improve our customer service with more online services, including delivery of a better housing repairs service, independently verified by tenants".

Promise 5 - "Introduce free healthy school meals for all primary school pupils, and champion improved educational attainment for our borough's children".

Promise 6 - "Support vulnerable people to live independent, safe and healthy lives by giving them more choice and control over their care".

Promise 7 - "Encourage healthy lifestyles by transforming Burgess Park, opening a new swimming pool at Elephant and Castle and awarding £2m to local projects to leave a lasting Olympic legacy".

Promise 8 - "Open Canada Water library in autumn 2011, open a library in Camberwell and conduct a thorough review of the library service".

Promise 9 - "Bring the full benefits and opportunities of regeneration to all Southwark's residents and build new family homes on the Aylesbury Estate and at Elephant and Castle".

Promise 10 - "Double recycling rates from 20 per cent to 40 per cent by 2014 and keep our streets clean".

9. Good progress has been made across all the fairer future promises in the first half of 2012/13. This includes rolling out our free healthy school meals programme to years 2 to 4, delivering personal budgets to 63% of eligible users and completing our Burgess Park revitalisation project. Progress against the Fairer Future promises is outlined in full in Appendix 1.

Community impact statement

10. The purpose of this report is for cabinet to note progress in 2012/13 against the promises agreed in the council plan. No specific equality analysis has been undertaken for this report as there are no impacts on the community arising from the report itself. Future decisions made on the basis of council performance as highlighted by this report may require equality analysis to be undertaken and more detailed consideration of the impact on local people and communities as appropriate.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

11. It was previously a requirement for local authorities to publish a best value performance plan. The Local Government and Public Involvement in Health Act 2007 removed the powers of the Secretary of State to specify performance indicators and standards for local authorities, the duty on authorities to meet such standards and to publish best value performance plans. However, a local authority is still under a general duty of best value to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness." The council plan is one of the ways the council can demonstrate that it is achieving this requirement.
12. Any updates that cabinet agrees to the targets in the council plan will need to be adopted by council assembly as it approved the original council plan, including the targets, in July 2011.
13. No specific equality analysis has been undertaken for this report, as there are no impacts on the community arising from the report itself, but cabinet is reminded

of the requirement to have due regard to the public sector equality duty set out in s.149 Equality Act 2010 in its future deliberations and conclusions.

Strategic Director of Finance and Corporate Services

14. The financial implications of the annual performance report will be assessed by each department and any resultant commitments shall be managed within the annual budget cycle.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council Plan Annual Performance Report 2011/12	http://www.southwark.gov.uk/info/200342/council_plan	Alex Irvine – alex.irvine@southwark.gov.uk
Council Plan 2011-14	http://www.southwark.gov.uk/info/200342/council_plan	Alex Irvine – alex.irvine@southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	A fairer future for all in Southwark – Interim performance report 2012/13 (circulated separately and available on the council's website)

AUDIT TRAIL

Cabinet Member	Councillor Fiona Colley, Regeneration and Corporate Strategy	
Lead Officer	Eleanor Kelly, Chief Executive	
Report Author	Alex Irvine, Principal Strategy Officer	
Version	Final	
Dated	17 January 2013	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Legal Services	Yes	Yes
Strategic Director of Finance and Corporate Services	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	17 January 2013	

Item No. 9.	Classification Open	Date: 29 January 2013	Meeting Name: Cabinet
Report title:		Housing Revenue Account – Final Rent-Setting and Budget Report 2013/14	
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 MANAGEMENT

The funding regime for local authority social housing changed fundamentally in April 2012 with the commencement of self-financing. The financial settlement that the council received was less than we had lobbied for, but we need to work within the parameters set by government, particularly in relation to the continuing commitment to rent convergence which underpins the thirty-year business plan.

Notwithstanding the challenges and risks inherent with self-financing, we now have greater security and freedom for planning longer-term and determining our financial priorities, which will be informed through consultation on the housing commission proposals. This involves engaging with residents; listening to their concerns and reflecting their aspirations and the council's desire to provide a level of service that we can jointly take pride in.

Self-financing means that rental income is now the most important component of funding for the Housing Revenue Account (HRA) and is intrinsically linked to the long-term sustainability of the business plan. It is also critical in meeting the huge investment needs of our existing stock and provision of new council housing in the future.

We recognise that affordability remains an issue for those on low incomes, particularly given government's welfare reforms. The council is committed to retaining annual affordability limits to mitigate the rent rise, which will provide direct assistance to over half the tenants of Southwark in 2013/14 and rents and fixed service charges remain eligible for housing benefit. We are also proposing to freeze fixed service charges, heating and garage charges over which we have greater short-term discretion. This package of measures provides a stable foundation for the HRA budget, pending decisions on the longer-term strategy for housing provision in Southwark.

RECOMMENDATIONS

Cabinet is recommended to:

1. Approve an average rent increase of 4.85% in accordance with the government's required formula rent guidance to be applied to all HRA dwellings as set out in paragraphs 25 to 28. This is equivalent to an increase of £4.46 per week on average for tenanted properties, with effect from 1 April 2013. This percentage increase is also to be applied to estate void and hostel properties from 1 April 2013. The average budgeted dwelling rent for 2013/14 will be £96.40 per week.

2. Note the ongoing consultation regarding the council's letting policy, and the options put forward regarding setting rents for new-build and new-let tenancies at formula rent levels, and the budget implications of this (paragraphs 31 to 33).
3. Set tenant service charges at the same level as 2012/13 as laid out in paragraph 34 with effect from 1 April 2013.
4. Set the standard charge for non-residential property (garages etc.) at the same level as 2012/13, as laid out in paragraphs 35 and 36 with effect from 1 April 2013.
5. Approve a further standstill in heating and hot water charges for 2013/14 such that each charge remains at the rate determined for 2009/10 onward (as set out in paragraph 37).
6. Note the revised HRA budget for 2013/14 (paragraph 17 refers, with details set out in Appendices G and H).

BACKGROUND INFORMATION

Indicative report

7. Cabinet on 11 December 2012 considered the Indicative HRA Rent-Setting and Budget position for 2013/14. This report contained all of the background information necessary to consider the reasons behind the proposals for rents and other charges. It is not proposed to repeat this detail here, but where further and updated information has been received that is germane to this process it is outlined below. Officers will provide a formal report of any resolutions from Tenant Council, Home Owner Council and area housing forums at the Cabinet meeting.
8. The purpose of this final report is to seek formal approval of the recommendations in respect of rents and other charges outlined at paragraphs 1 to 6 above.

Statutory framework

9. The HRA reflects the statutory requirement under Section 74 of the Local Government and Housing Act 1989 to account separately for local authority housing provision. It is a ring-fenced account, containing solely the costs arising from the provision and management of the council's housing stock, offset by tenant rents and service charges, housing subsidy (until March 2012), leaseholder service charges and other income. The HRA forms a specific part of the council's accounts, and a report regarding the general fund budget is being considered separately.
10. Whilst there is no statutory requirement to consult, the council is committed to engaging with stakeholders, particularly under the terms of the Tenancy Agreement, and so the Indicative Report (11 December 2012) formed the basis of early consultation with Tenant Council, area housing forums and Home Owner Council. This process commenced before Christmas 2012, and continued throughout January 2013.

11. The council is obliged by statute to agree a balanced HRA budget, whereby income and expenditure levels for the forthcoming year match. Appendix A summarises the key budget movements between 2012/13 and 2013/14. Unavoidable expenditure and other commitments, together with additional income generated by means of the rent increase will allow for the re-direction of resources into priority areas, which are set out in Appendix B.

KEY ISSUES FOR CONSIDERATION

Financial context

12. Whilst self-financing provides financial freedoms, it also brings with it a number of increased risks and budget pressures, particularly in the early years of operation. To a large extent these have already been mitigated during the lead-in to self-financing, through the delivery of efficiency savings totalling £21.6m and wholesale restructuring of landlord services over the last two years. Appendix C sets out the previously agreed savings for 2013/14 (or substitutions, where applicable) under the council's three-year budget planning horizon.
13. The government effectively operates control over rent policy, through the rent restructuring regime and calculated Southwark's debt settlement adjustment on the assumption that rent levels match those imputed by full adherence to the national rent policy. The difficulty caused to Southwark by government assumptions regarding rent convergence are illustrated in the chart at Appendix D1 (other London boroughs rent levels are summarised in the accompanying table, Appendix D2, and this is shown in chart form in Appendix E).
14. However, the increased risk to the HRA's main income stream comes with a positive impact, as it should be noted that the continued application of annual affordability limits will mitigate individual rent increases for 53.9% of tenants in the forthcoming year – to the extent that the average rent increase across the borough will be reduced from 6.58% to 4.85% as a result.
15. For 2013/14, the HRA final budget includes a range of measures, including increases in rents and improved voids management generating greater income. A package of efficiency savings covering a three-year planning horizon was agreed in 2011/12. The 2013/14 element of savings, with subsequent revisions agreed by the Director of Housing and Community Services forms Appendix C. It is anticipated that these may be delivered through revised and more efficient working across housing services, together with further contract and supply chain improvements. Notwithstanding the availability of resources for redistribution, the policy of contributing to reserves in order to prudently manage the scarce resources available and to cover exceptional cost items now and in the future will continue in 2013/14. Any updated information regarding commitments and unavoidable demands which has become available since the Indicative Report was published has been incorporated into Appendix A as appropriate.

16. The table below sets out savings either realised or intended to be realised over the three years (including 2013/14) as part of this process:

	2011/12 £m	2012/13 £m	2013/14 £m	Total £m
Area Management	(2.4)	(2.1)	(0.9)	(5.4)
Maintenance and Compliance	(3.2)	(3.0)	(0.1)	(6.3)
Major Works	(0.6)	(0.5)	–	(1.1)
Community Housing Services	(1.0)	(0.4)	(0.3)	(1.7)
Home Ownership Unit	(0.1)	–	(0.5)	(0.6)
Regeneration	(0.2)	–	(0.1)	(0.3)
Support Services	(1.7)	(0.4)	(4.1)	(6.2)
Total HRA	(9.2)	(6.4)	(6.0)	(21.6)

Note: the previous housing structure is employed in order to assist comparability across years.

17. The composition of the savings package was dependent in part on consultation outcomes, though the Indicative Report set out the broad direction of travel required to meet the budget gap. Budgeted expenditure and income for 2013/14 is represented in bubble map form in Appendix F. Appendix G indicates the revised base budget for 2012/13 together with the proposed base for 2013/14 incorporating the changes identified in Appendix A. This is further analysed at a divisional level in Appendix H.

HRA reserves and balances update

18. In common with the council's general fund, the HRA holds reserves, which together with its working cash balance form the overall reserves position for the fund. Most of these reserves are earmarked for particular future application, meaning that the degree of flexibility within the overall balance position can be somewhat constrained by the particular mix of intended applications at any given point in time. The table below gives the actual reserves and balances position for the HRA at 31 March 2012, compared with an average for inner and outer London boroughs.

	Committed	Uncommitted	Total	%age
Southwark HRA	£16.8m 61%	£10.7m 39%	£27.5m	9.67% £284m exp base
Inner London HRA			£380.4m	23.63% average
Outer London HRA			£107.4m	12.00% average
Greater London HRA			£487.8m	19.47% average

Source: London Boroughs Audited Statements of Accounts 2011/12

19. Southwark's HRA balances are comparable in percentage terms with the council's general fund, but are broadly underfunded in comparison with other London boroughs, particularly in inner London. In order to comply with the broad thrust of the council's Medium-Term Resourcing Strategy 2011/12 – 2013/14 (MTRS), whereby balances should be "in line with similar local authorities in London", the 2013/14 HRA budget continues with the policy of making a net contribution to reserve levels.

20. Reserves and working balances are needed as a matter of course due to the size, scale and complexity of housing services, particularly to protect against financial risks and exceptional events. Maintaining an adequate level of reserves and working balances to mitigate risk is a key factor in the assessment by the Director of Finance and Corporate Services of the robustness of the HRA budget and a medium-term target of £20m uncommitted working balances was set – as reported during the HRA budget-setting process in 2011/12.

Debt repayment

21. Central to the design and implementation of self-financing from a central government perspective was the need to place each authority in a position to only carry debt to the extent that it could reasonably pay it off over the course of a thirty-year business planning timescale. To that end, it was calculated that Southwark could afford to carry £574.7m of historic debt – a write-down of £199.2m from that held by the end of the subsidy system. A high level breakdown of the derivation of that figure is set out below:

	£m
Guideline Rent	2,797.0
Management and Maintenance Allowances	(1,589.9)
Major Repairs Reserve	(627.4)
Premia/Debt Management Expenses	(5.0)
Total Self-Financing Opening Debt	574.7
Less Subsidy Capital Financing Requirement	773.9
Debt Redemption figure	(199.2)
HRA Actual Capital Financing Requirement	451.0
HRA Borrowing Cap	576.9
Borrowing 'Headroom'	125.9

Note: the difference between the two CFR figures above equates to the application of capital receipts to pay off some aspects of the historic debt figure in previous years

22. Operation of the government model business plan indicates that if (at one extreme) all of the HRA's resources were applied towards debt repayment, then this would be achieved around years 17 – 20 of the thirty-year lifetime of the plan. However, this would be to the total exclusion of any additional resources for service improvement, and assumes both full rent convergence by 2015/16 and uniform rent rises of RPI + 0.5% thereafter. Actual convergence at Southwark will be some years after this, and the council would wish to reserve to itself decisions as to service delivery and rent levels in the foreseeable future.
23. The current MTRS sets out the councils' responsibilities and intentions regarding a debt funding and treasury management plan that addresses the council's priorities in terms of managed HRA and general fund debt repayment. Such a plan, along with an asset management strategy, a risk management strategy, locally-agreed service standards, published governance arrangements and a revenue resourcing plan are identified by CIPFA as key supporting elements in a comprehensive and 'fit for purpose' HRA business plan.

Housing commission and HRA business planning

24. External validation of the council's HRA base case is currently being undertaken and will form the basis of the HRA business plan going forward over the next twelve months, pending the development of a longer-term strategy for housing provision in the borough following the consultation exercise on the Housing Commission report.

Annual rent guideline and formula rent

25. The Indicative Report (11 December 2012) set out existing arrangements for national rent-setting under the government's rent restructuring policy, and the resultant rent increase. These figures have now been finalised and are set out in the table below:

Average Rent Inflation	2012/13 Final	2013/14 Final
Inflation Uplift (RPI @ September)	5.60%	2.60%
Top-Up Element	0.50%	0.50%
= Increase in Formula Rent	6.10%	3.10%
plus national convergence element	1.74%	1.67%
= Increase in National Guideline Rent	7.84%	4.77%
plus local convergence element	0.63%	1.81%
less annual affordability limits	(0.51%)	(1.73%)
= Total Increase in Actual Rents	7.96%	4.85%

26. Throughout the rent restructuring process, the council has implemented those aspects relating to annual affordability limits consistently and in full. Under this element of the policy, no individual rent may rise by more than RPI + 0.5% + £2.00 per year. Depending on the interplay between the national RPI level, the proximity to the convergence date and any other intervention by central government, the number of tenants benefitting from this limit can vary widely year-on-year.
27. Central government recognised the cash-flow implications of a voluntary foregoing of rental income by application of the affordability limits, and made restitution to local authorities one year in arrears via the subsidy system. Under self-financing that support has ended; however the council has continued with its operation as a means of mitigating the highest rises to individual tenants whilst remaining within the strictures of government assumptions as part of the move to the self-financing system for the HRA, and the council is committed to adhering to this policy.
28. Southwark's long-standing policy of maintaining historically low social rent levels brings particular pressures under rent restructuring and means that it is very difficult for the council to achieve rent convergence (actual rents being derived entirely on a formula rent basis) by the government's national deadline of 2015/16. Were the council to be on target for this date, the rent increase would be 4.77%; the need to 'catch up' adds a further 1.81% to the national baseline figure for 2013/14, making an unconstrained increase of 6.58%. The operation of the affordability limits mechanism reduces this figure back to 4.85%, which

equates to a reduction in the dwellings rent budget of £3.2m. At an individual tenant level, this is equivalent to a reduction in weekly rent for 2013/14 from £97.99 to the amount proposed in paragraph 1 above, £96.40 (a reduction of £1.59 per week).

Rent debit sensitivity

29. In the early years of the HRA business plan, decisions as to the level of rents have profound consequences as to its long-term sustainability, since the self-financing determination assumed that councils would continue to raise rents at a level to achieve rent convergence in 2015/16. If the council decided to increase rents at a lower rate, then there would be a net loss of income to the HRA compared to that which was predicated in this valuation. Each 1% less than the restructured rent rise equates to an estimated net loss of around £1.8m; this income would be removed from the HRA's base budget, and unless costs were reduced by an equivalent amount, would lead to further budget pressures within the HRA, and a possible inability to fund anticipated investment needs over thirty years.
30. There is also the issue that financial assumptions made by the housing commission are structured around the council continuing to pursue rent restructuring until at least 2015/16, when their own financial analysis commences. To set a rent level not commensurate with this would place the credibility of their assumptions at risk, and undermine consultation on the commission report now underway.

Lettings review – straight-to-formula rent option

31. It is increasingly common for local housing authorities to place both newly-relet and new build properties directly on target rent levels in order to reflect the added value of a newly created/refurbished property compared to others within the dwelling stock, and to generate additional income for the HRA prior to overall convergence being achieved. In 2011/12 there were 1,653 relets, which if a similar mid-year average were assumed for 2013/14 would generate between £300,000 – £400,000 in additional rent per year (reducing as convergence were approached). However, this is a gross figure, as potential exemptions noted below are not adjusted for.
32. The effect of implementing an enhanced 'straight-to-formula' policy would also be to accelerate the overall move towards convergence. Under the current arrangements only around 40% of properties would see their actual and formula rents converge from 2015/16 onward, with this proportion increasing to only 80% by 2020/21. However, if an additional 800 relets per year were to be moved directly to their formula rent level from 2013/14 onward, these proportions would increase to 46.4% and 97.4% respectively, bringing the overall date of actual convergence for Southwark forward by a number of years.
33. The Lettings Review Panel considered this issue, alongside all other aspects of the council's current letting policy, and the review is the subject of a separate consultation exercise, which is to be undertaken during February 2013. Regarding 'straight-to-formula', two options are under consideration:

Option 1

Existing policy to be amended as follows:

- Formula rent to apply to all lettings to new applicants (non-transfer cases);
- Formula rent to apply to all new-build properties.

The following to be exempt:

- All lettings to current tenants if they are moving to a new-build or refurbished property on their estate as part of a regeneration scheme;
- All lettings to current tenants moving to a smaller property via the under-occupation scheme.

Option 2

No change to current policy – formula rent to continue to apply only to new-build properties (with new-builds in regeneration schemes to be decided on a scheme-by-scheme basis).

Tenant service charges

34. The council does not intend to increase tenant service charges for 2013/14. They remain at the current rates as shown in the table below.

	2013/14 £ per week
Estate Cleaning	4.60
Grounds Maintenance	1.09
Communal Lighting	1.17
Door Entry	0.68
Total	7.54

Non-residential rents and charges

35. The council does not intend to increase non-residential rents and charges from the 2012/13 levels. This covers garages, storage facilities and sheds.
36. It is anticipated that an on-going programme of refurbishment works will continue to allow previously void stock back into use, raising revenue sufficient to more than outweigh any increase in the charges themselves for this year. This will be subject to further review during the course of the forthcoming financial year.

District heating charges

37. Charges for heating and hot water were last increased in April 2009. Despite continuing volatility in the markets for energy supply the Indicative Report anticipated another year of no increases in this regard. The council reviews charges annually to ensure that within the context of the current four-year flexibly-priced gas supply contracts, charges are set at a level which is likely to be maintained within the currency of the contract. This may not always be the case – particularly in the latter stages of the contract period – but the council is able to maintain this position for 2013/14, and so no increase in these charges is recommended.

Thames Water

38. Water and sewerage charges applicable to council dwellings will be subject to an increase from April 2013. Following approval by the regulator Ofwat, notification

of the increase will be advised in the next few weeks by Thames Water, on whose behalf the council act as agent for billing and collection.

Community impact statement

39. The council works in accordance with the single public sector equality duty contained within section 149 of the Equality Act 2010. This means the council must have due regard to the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between different groups, and foster good relations between different groups.
40. Consideration has been given to the report's relevance to equality issues in accordance with the public sector equality duty. This report is primarily to set rents and associated charges and a scoping exercise established there is no differential effect for any community or protected group. However, it is recognised that increases in rents and charges may present particular difficulties for people on low incomes, but rents and tenant service charges remain eligible for housing benefit, as noted in the main report. The assessment considers the effects of the self-financing regime introduced under the provisions of the Localism Act 2011 and the determinations issued by Department for Communities and Local Government in accordance with the provisions of Section 173 of that act.
41. There is a statutory requirement to set a balanced HRA budget and the extent and composition of efficiency savings assumed in the budget proposals are detailed in Appendix C. Extensive consultation previously undertaken incorporated savings proposals over a three-year planning horizon (2011/12 to 2013/14). As a consequence, indicative savings for next year were identified at an early stage and either remain available for implementation as proposed or have been substituted where necessary, e.g., repairs contract savings have been replaced in order to preserve service delivery.
42. Agreed savings over the period equate to £21.6m and were largely front-loaded in years 1 and 2 in order to re-position the budget to mitigate the initial revenue impact of self-financing on Southwark's HRA. An impact analysis has been undertaken in order to ascertain the potential impacts of these efficiency savings and concluded there is no differential effect for any community or protected group.
43. Above and beyond the ongoing increases in rent there are wider issues impacting both nationally and locally in terms of impending welfare reform and housing benefit under occupation changes, which comes into force in April 2013. These have also been considered and measures to mitigate the effects on the community are currently being developed together with the provision of additional resources for this purpose.

Consultation and notification

44. The purpose of presenting rent-setting and budget information to Cabinet in two stages was to facilitate the early commencement of consultation with residents (i.e. before the Christmas break). To that end, the first report was labelled 'Indicative' and figures therein were all subject to change. The sections in this Final Report have set out such changes as are required to provide the HRA with a balanced budget for 2013/14. Specific feedback has been reflected in the relevant sections earlier in the report, where time constraints have allowed.

Savings Panel

45. Tenant Council and Home Owner Council established a joint resident working party to look at savings proposals and other resourcing and service delivery issues for the HRA in more detail throughout 2011 and 2012. Principal amongst their considerations has been an independent report, commissioned by the Director of Finance and Corporate Services, conducted by Grant Thornton into the various direct charges and recharges borne by the HRA from the council's general fund. They have also been consulted with regard to the proposals for resource re-distribution noted in Appendix B.

Tenant Council

46. Tenant Council met on 7 January 2013 to consider the Indicative Rent-Setting and Budget Report, and to refer it on to area housing forums. They reconvened on 28 January 2013 to consider any recommendations arising from the area forum consultation, and wider HRA budget consultation outcomes, where available; and make consolidated recommendations to cabinet, which due to time constraints are reported under separate cover.

Home Owner Council

47. Home Owner Council are unable to make recommendations in the matter of tenant rents and service charges, but may do so in terms of any proposals regarding non-dwellings rents and other charges and in terms of the rest of the HRA Budget; and so the Indicative Report was considered at their meeting of 16 January 2013. Any such comments will also be reported to cabinet alongside those of Tenant Council.

TMO Liaison Committee

48. The Indicative HRA budget report was also the subject of formal consultation with the TMO Liaison Committee at their meeting on 23 January 2013.

Statutory and contractual notifications

49. Subsequent to the approval of the Final Report on 29 January, either as set out or as amended by cabinet, and the passing of the necessary date for its implementation, the council will issue a statutory and contractual notification of variation in rents and other charges to all tenants, not less than 28 days prior to the commencement of the new rents and charges referred to above.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

50. Statutory requirements as to the keeping of a Housing Revenue Account (HRA) are contained in the Local Government and Housing Act 1989. The provisions include a duty, under Section 76 of the Act, to budget to prevent a debit balance on the HRA and to implement and review the budget.
51. The Localism Act contains provisions relating to housing finance in Sections 167 to 175 contained within Chapter 3 of Part 7 of the Act. These provisions introduced a new system of council housing finance that will end the current

Housing Revenue Account subsidy system in England and replace it with self-financing arrangements. To facilitate this, the provisions in Chapter 3 set out the framework for the calculation of a 'settlement payment' with respect to each local housing authority by way of Secretary of State determination. It is provided that the Secretary of State must consult before making a determination.

52. This report includes recommendations on the charges made by the council in respect its HRA residential accommodation. Under Section 24 of the Housing Act 1985, local housing authorities have the power to "make such reasonable charges as they may determine for the tenancy or occupation of their houses". Section 24 also requires local authorities, from time to time, to review rents and make such changes as circumstances may require. The section confers a broad discretion as to rents and charges made to occupiers, however cabinet will note the effective limitation of discretion arising from the self-financing determinations referred to in within this report.
53. Rent and other charges were excluded from the statutory definition of matters of housing management in respect of which local authorities were required to consult their tenants pursuant to Section 105 of the Housing Act 1985 and Sections 137 and 143A of the Housing Act 1996 in relation to secure, introductory and demoted tenants respectively. As a term of the tenancy agreement with its tenants however, Southwark Council has undertaken to consult with the Tenant Council, "before seeking to change the amounts payable for rent and other charges". The report indicates consultation is taking place in order to comply with this term and the outcome will be reported to cabinet. Members must consider the product of consultation when considering the recommendations in this report.
54. It is further provided by Section 103 of the Housing Act 1985 in relation to secure tenancies, which also applies in respect of its introductory tenancies by virtue of Section 111A of the Housing Act 1985, together with the council's agreement with its tenants, that they are notified of variation of rent and other charges at least 28 days before the variation takes effect by service of a notice of variation. The report indicates the notice of variation will be served in time to comply with this requirement.
55. The Equality Act 2010 introduced a single public sector equality duty. As noted at paragraph 39 of the report this duty requires the council to have due regard in its decision-making processes to the need to:
 - (a) Eliminate discrimination, harassment, victimisation or other prohibited conduct;
 - (b) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it; and
 - (c) Foster good relations between those who share a relevant characteristic and those that do not share it.
56. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. The duty also applies to marriage and civil partnership, but only in relation to (a) above.
57. The council is required to act in accordance with the equality duty and have due regard to the duty when carrying out its functions, which includes making

decisions in the current context. The cabinet must consider the report author's reference to equalities considerations at paragraphs 39 to 43 of this report.

Strategic Director of Finance and Corporate Services

58. The financial implications arising from the various movements in expenditure/income on the HRA are covered within this report.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Cabinet agenda 11 December 2012 (item 9) http://moderngov.southwark.gov.uk/documents/s33913/Report%20Housing%20Revenue%20Account%20-%20Indicative%20Rent%20Setting%20and%20Budget%20Report%20201314.pdf	160 Tooley Street London SE1 2QH	Paula Thornton Constitutional Team 020 7525 4395
Medium-Term Resources Strategy 2011/12 – 2013/14 http://www.southwark.gov.uk/download/7209/medium_term_resources_strategy_2011-12_to_2013-14	160 Tooley Street London SE1 2QH	Jennifer Seeley Deputy Director of Finance and Corporate Services 020 7525 0695
Equality Impact Statement – HRA rent increases and welfare reforms http://moderngov.southwark.gov.uk/ielistDocuments.aspx?Cid=302&Mid=4250&Ver=4	160 Tooley Street London SE1 2QH	Antoinette Stasaitis Business Improvement Manager 020 7525 7713

APPENDICES

No.	Title
Appendix A	HRA Budget Movements 2012/13 to 2013/14
Appendix B	Proposals for Redirection of Expenditure
Appendix C	Savings Schedule 2013/14
Appendix D1	Southwark Rents and Convergence
Appendix D2	Average Rents Across London Boroughs 2012/13
Appendix E	Average Rents 2012/13
Appendix F	HRA Expenditure and Income Budget 2013/14 Bubble Maps
Appendix G	HRA Revised Budget 2012/13 and Base Budget 2013/14
Appendix H	HRA Base Budget 2013/14 by Division

AUDIT TRAIL

Cabinet Member	Councillor Ian Wingfield, Deputy Leader and Cabinet Member for Housing Management	
Lead Officer	Duncan Whitfield, Strategic Director of Finance and Corporate Services	
Report Author	Ian Young, Divisional Finance Manager, Housing and Community Services	
Version	Final	
Dated	17 January 2013	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS /DIRECTORATES / CABINET MEMBER		
	Officer Title	Comments Sought
		Comments included
	Director of Legal Services	Yes
	Strategic Director of Finance and Corporate Services	N/a
	Cabinet Member	Yes
	Date final report sent to Constitutional Team	17 January 2013

APPENDIX A

HRA BUDGET MOVEMENTS 2012/13 TO 2013/14

	£m
Commitments/ unavoidable demands:	
Depreciation	5.0
Welfare reforms	3.6
General Inflation	2.0
Council tax on void properties	1.0
Sub-total	11.6
Rents and charges:	
Guideline rent increase	(7.4)
Week 53 windfall rent	(4.2)
Sub-total	(11.6)
DEFICIT BEFORE EFFICIENCY SAVINGS	0.0
Efficiency savings to be funded:	
Savings required to meet three-year programme	(6.0)
Sub-total	(6.0)
2013/14 re-directed expenditure	6.0
NET DEFICIT AFTER REDISTRIBUTION	0.0

APPENDIX B

PROPOSALS FOR REDIRECTION OF EXPENDITURE

Service Area	Fairer Future reference*	Indicative Allocation £'000
Look and Feel of the Environment:		
Door entry/security measures	2, 4	726
Sheltered refurbishment (FRA works)	6	900
External decorations/planned maintenance	4	1,000
Communal areas refurbishment/repairs service	4	480
Environmental estate improvements (Estate Action Days)	4	307
		3,413
Tackling Fraud and Abuse:		
Illegal occupation (sub-letting)	1, 2	250
		250
Invest to Save:		
Garage refurbishment	1	500
Underoccupation	1	400
Void re-let standards	1, 4	750
Repairs quality enhancement (Annual Property Check)	1, 4	750
		2,400
TOTAL		6,063

* Links for each item to the policy statement 'A Fairer Future for All' (see Background Documents).

Door entry/security measures

Door entry systems contribute to the safety, security and well-being of residents. There is a need for additional investment for the updating and renewal of existing systems, together with increasing demand for the installation of new systems to combat crime and anti-social behaviour on estates and a programme of priority schemes is being developed.

Sheltered refurbishment (FRA works)

Priority FRA works to sheltered units as part of a wider programme of refurbishment and modernisation over the short to medium-term.

External decorations/planned maintenance

Mini-programme of external decorations/planned maintenance works to be added to specific schemes already included in the existing 2013/14 Warm Dry Safe programme. The longer-term aim is to use this initial programme to establish a regular decorations programme that is undertaken as part of the ongoing major works investment programme.

Communal areas refurbishment/repairs service

The management of communal repairs is currently divided between a range of officers who undertake estate inspections. The approach is therefore fragmented and at times inconsistent. This proposal involves the introduction of Communal Repairs Compliance officers (CRCO) who will lead on everything related to communal repairs: estate inspections, s.20 consultation, contract management, pre and post-inspections, ordering, training and resident and member interaction. A full-time team of eighteen staff is proposed, six of which would be funded from existing resources and twelve from growth.

Environmental estate improvements (Estate Action Days)

Estate action days are very popular as they involve the intensive approach to dealing with communal repairs and housing management issues (via the mobile bus) in a single day. The frequency of estate action days has been doubled so each contractor delivers at least one planned estate action day each month. It is proposed that an enhanced level of repairs is completed including works to paving, lighting, painting and general communal repairs, including boundary fencing. Twenty-four EADs are currently proposed for 2013, which will continue to be met from existing resources.

Illegal occupation (sub-letting)

Over the last year the council has been successful in recovering a number of properties which were either sub-let or obtained fraudulently and for the prosecution of perpetrators. The council is committed to combating tenancy fraud and concerted action in this area remains a priority.

Garage refurbishment

The garage portfolio has for some time been neglected and under-utilised with a high volume of unlettable voids. However, managed properly it can be a valuable income generating asset for the HRA and over the last year, investment in the garage stock has delivered nearly 400 units back into use and is expected to exceed 500 by year-end. This represents an 'invest to save' opportunity as there remains significant scope to maximise the income potential even further through greater investment.

Underoccupation

The impact of changes in relation to social housing tenants who are underoccupying means they will lose a proportion of their housing benefit from April 2013, which is likely to have a knock-on effect on rent collection performance. To mitigate this impact for both tenants and the HRA, the existing scheme is being reviewed and proposals developed to increase the financial incentives to encourage tenants to downsize.

Voids re-let standards

Changes to the lettable standard are currently being developed to increase the desirability of the properties and reduce the level of refusals and subsequent complaints, which are both costly and time consuming. The introduction of a higher lettable standard should help to mitigate this without adversely impacting on turnaround times which are a critical measure of performance.

Repairs quality enhancement (Annual Property Check)

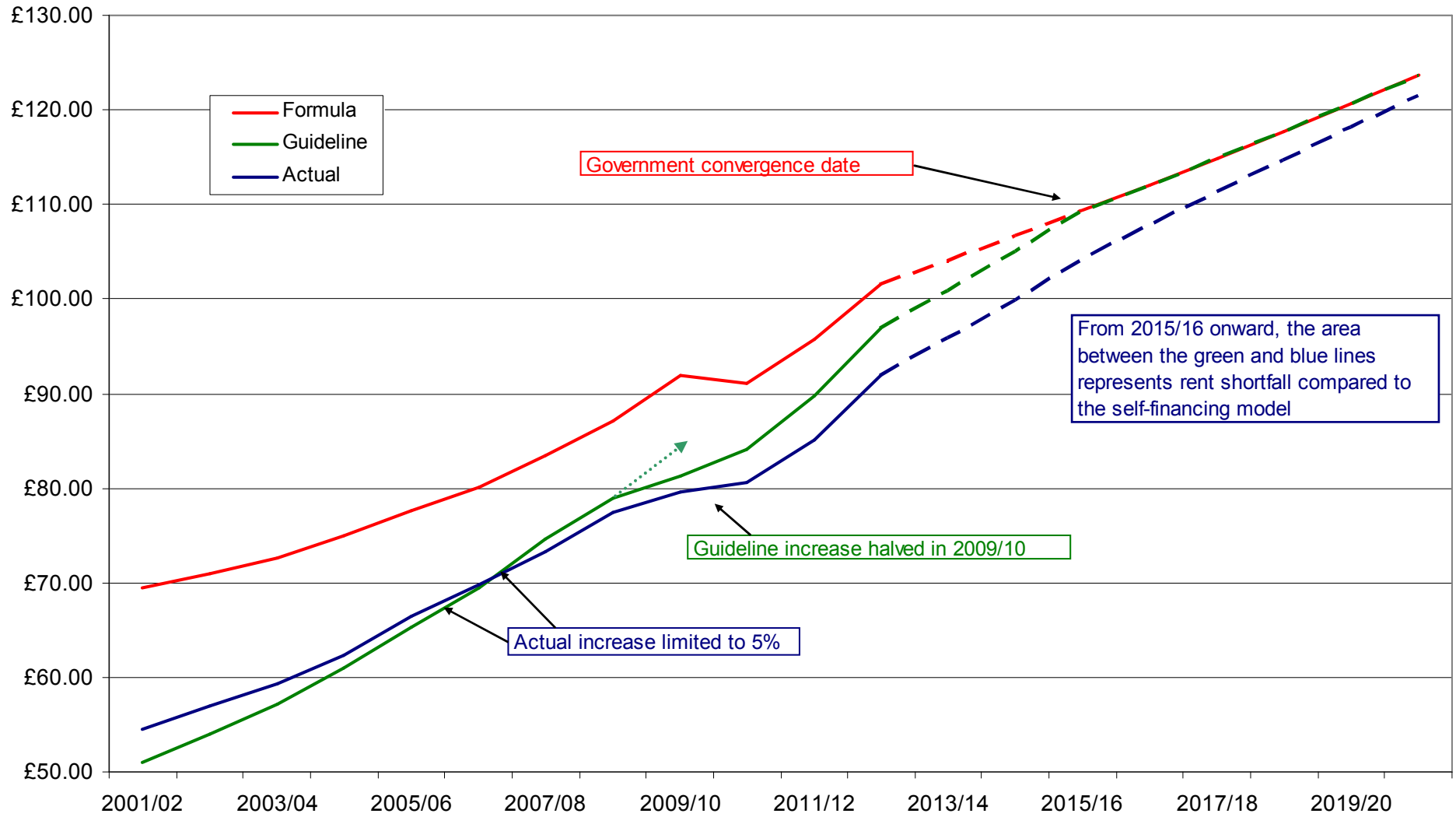
The annual property check involves combining the tenancy check, gas servicing visit (where it applies) and a property inspection into a single annual visit. The principle is to take a proactive, early intervention approach to identifying repairs early and tenancy compliance. The arrangement is already being piloted in the north of the borough for servicing and tenancy checks. A review of this pilot will be undertaken at the end of January 2013. Delivery is likely to be by RSOs and therefore costs for staffing will be within existing resources. The costs associated with early identification are not known and in many instances repairs may never be reported to the council until deterioration to the disrepair stage or when the property becomes void. Over time this is likely to lead to a reduction in disrepair claims/ costs and the prevention of more serious repairing needs down the line.

APPENDIX C

HRA SAVINGS SCHEDULE 2013/14

SERVICE AREA	DESCRIPTION OF SAVINGS	2013/14 £'000
<u>Customer Experience</u>	Legal support	(9)
	Homesearch magazine move to digital only publication	(10)
	Housing options management restructure	(23)
	Total Customer Experience	(42)
<u>HRA Support Costs</u>	Former Community Housing Services management costs	(138)
	Thames Water billing/commission	(102)
	Corporate support costs and service level agreements	(400)
	Inflation reserve	(2,553)
	Residual prior-year savings	(1,063)
	Total HRA Support Costs	(4,256)
<u>Specialist Housing Services</u>	Office saving – 376 Walworth Road	(55)
	Enforcement service level agreement	(48)
	Commercial properties and property services	(78)
	Tenant management organisations	(342)
	Temporary accommodation	(187)
	SE London Partnership funding transfer	(21)
	Total Specialist Housing Services	(731)
<u>Chief Executive's</u>	Investment Strategy restructure	(78)
	Total Chief Executive's	(78)
<u>Maintenance and Compliance</u>	Repairs and maintenance budgets	(52)
	Total Maintenance and Compliance	(52)
<u>Operations</u>	Training expenses	(10)
	Running costs	(632)
	Temporary accommodation income	(50)
	Telecoms aeriels additional income	(150)
	Total Operations	(842)
<u>Major Works</u>	Running costs and non-capitalised salaries	(32)
	Total Major Works	(32)
	TOTAL HRA EFFICIENCY SAVINGS	(6,032)

SOUTHWARK RENTS AND CONVERGENCE



APPENDIX D2

AVERAGE RENTS ACROSS LONDON BOROUGHES 2012/13

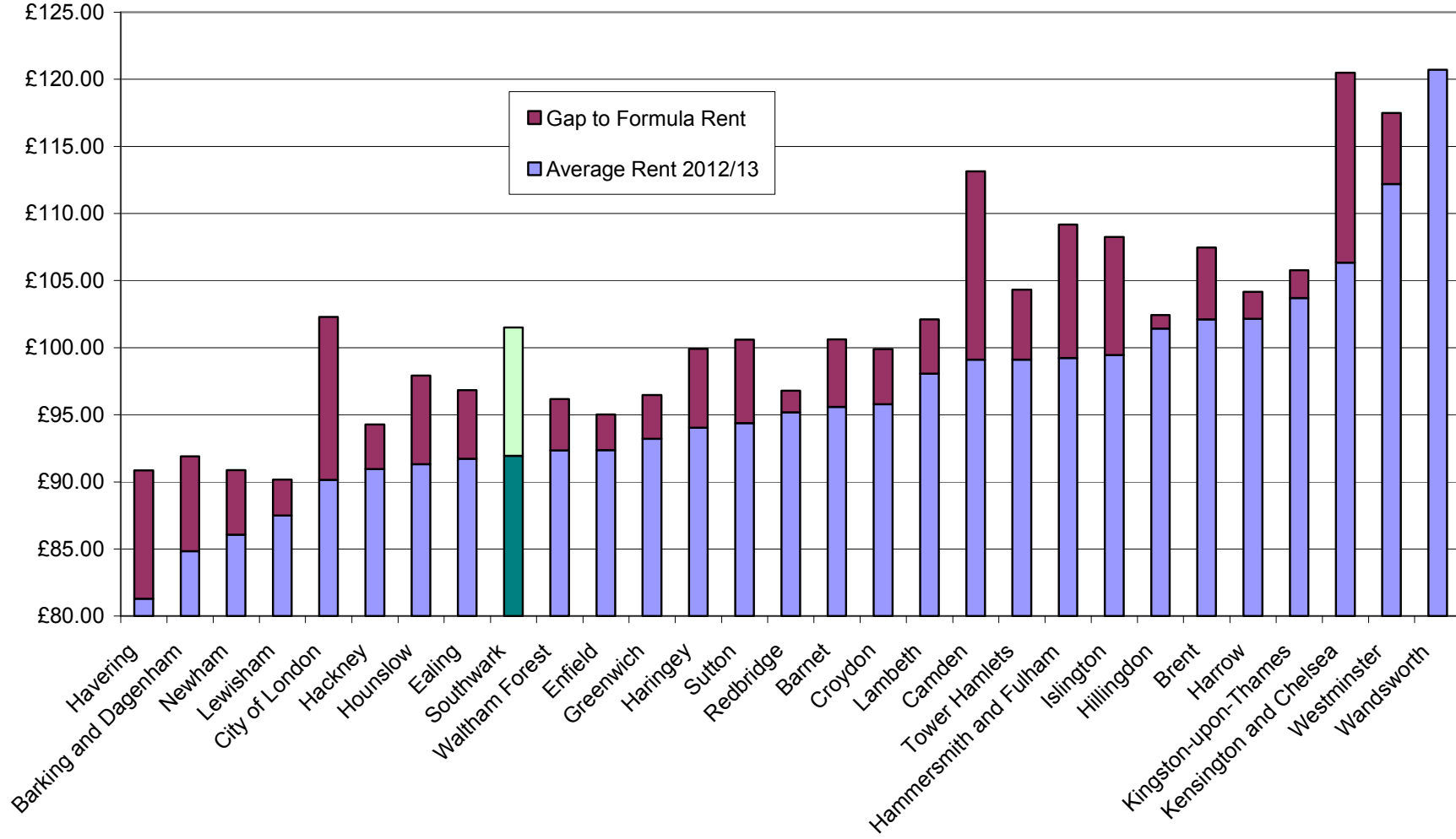
<i>[ordered by first column]</i>	Average Rent 2012/13 £	Target Rent 2012/13 £	Average to Target Gap 2012/13 %	Guideline Rent 2013/14 £	Target Rent 2013/14 £
Havering	81.30	90.86	11.8%	91.29	93.67
Barking and Dagenham	84.85	91.90	8.3%	91.58	94.76
Newham	86.07	90.89	5.6%	91.08	93.72
Lewisham	87.49	90.18	3.1%	90.53	92.98
City of London	90.16	102.30	13.5%	102.27	105.47
Hackney	90.96	94.27	3.6%	94.34	97.20
Hounslow	91.33	97.93	7.2%	98.04	100.96
Ealing	91.72	96.83	5.6%	97.28	99.83
Southwark	91.94	101.52	10.4%	101.44	104.67
Waltham Forest	92.34	96.17	4.1%	96.14	99.16
Enfield	92.37	95.01	2.9%	95.50	97.95
Greenwich	93.22	96.48	3.5%	96.57	99.47
Haringey	94.04	99.90	6.2%	100.35	103.00
Sutton	94.38	100.60	6.6%	100.61	103.72
Redbridge	95.20	96.80	1.7%	97.20	99.80
Barnet	95.59	100.61	5.3%	100.88	103.72
Croydon	95.78	99.88	4.3%	100.32	102.97
Lambeth	98.06	102.11	4.1%	101.66	105.27
Camden	99.11	113.15	14.2%	112.43	116.67
Tower Hamlets	99.12	104.33	5.3%	103.79	107.57
Hammersmith and Fulham	99.24	109.17	10.0%	109.39	112.55
Islington	99.45	108.23	8.8%	108.08	111.59
Hillingdon	101.41	102.43	1.0%	102.57	105.61
Brent	102.10	107.47	5.3%	107.13	110.81
Harrow	102.14	104.15	2.0%	104.57	107.38
Kingston-upon-Thames	103.69	105.76	2.0%	106.03	109.04
Kensington and Chelsea	106.35	120.48	13.3%	120.84	124.22
Westminster	112.18	117.50	4.7%	117.15	121.14
Wandsworth	120.71	117.45	(2.7%)	116.85	121.10
London Average	95.76	101.61	6.1%	101.59	104.76

Source: London Councils Rent Survey 2012/13

Notes:

- Southwark's average rent (adjusted mid-year stock position) for 2012/13 ranks 9th lowest of the 29 London Boroughs and the City of London that manage their housing stock either directly or via an ALMO.
- Southwark's average rent is the second lowest in central London (the London Boroughs of Camden, Hammersmith and Fulham, Islington, Lambeth, the Royal Borough of Kensington and Chelsea, and the Cities of London and Westminster). It is the third lowest in Inner London (which excludes the City).
- The London Boroughs of Bexley, Bromley, Merton and Richmond-upon-Thames do not have any HRA stock.

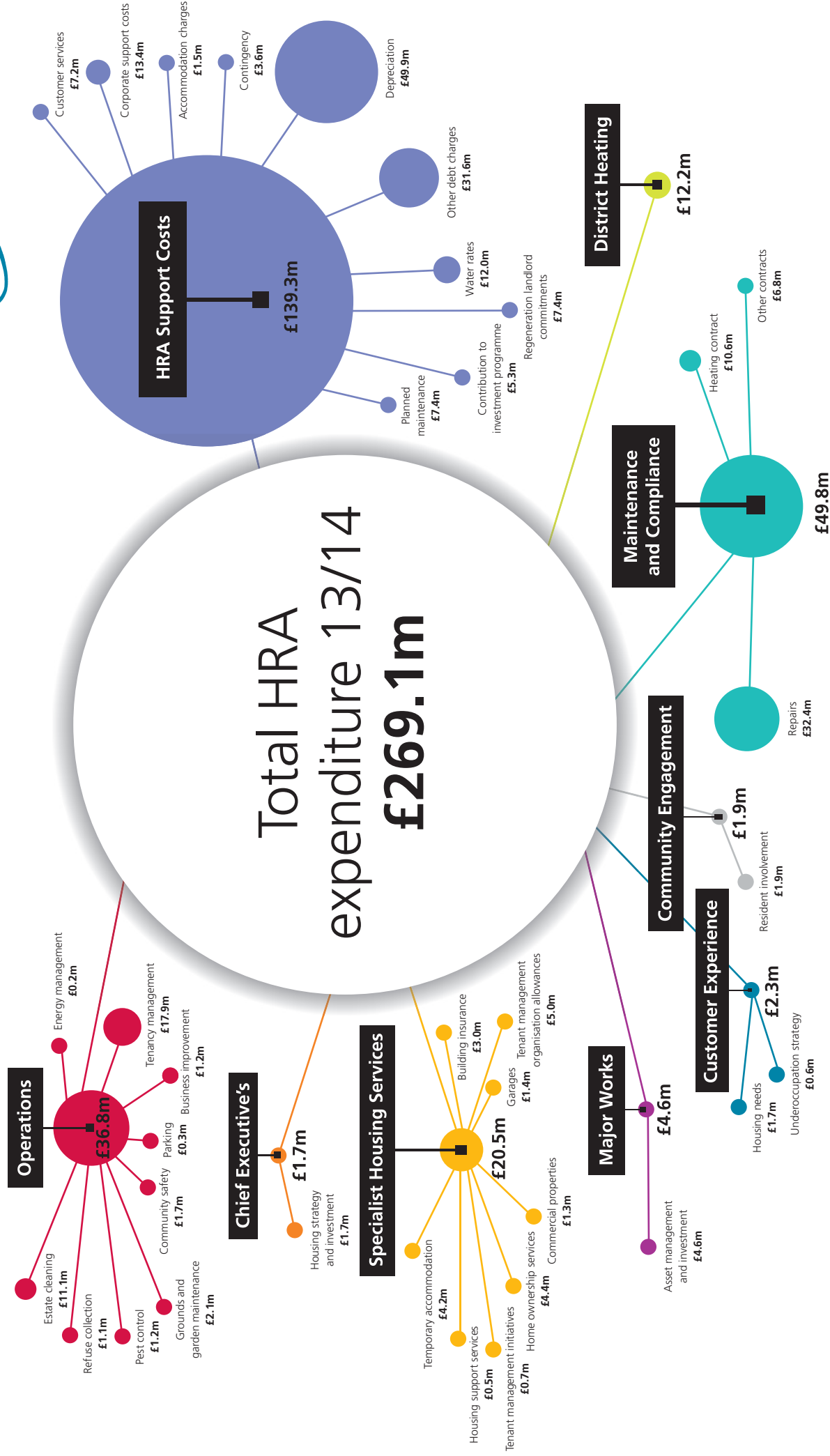
APPENDIX E: AVERAGE RENTS 2012/13



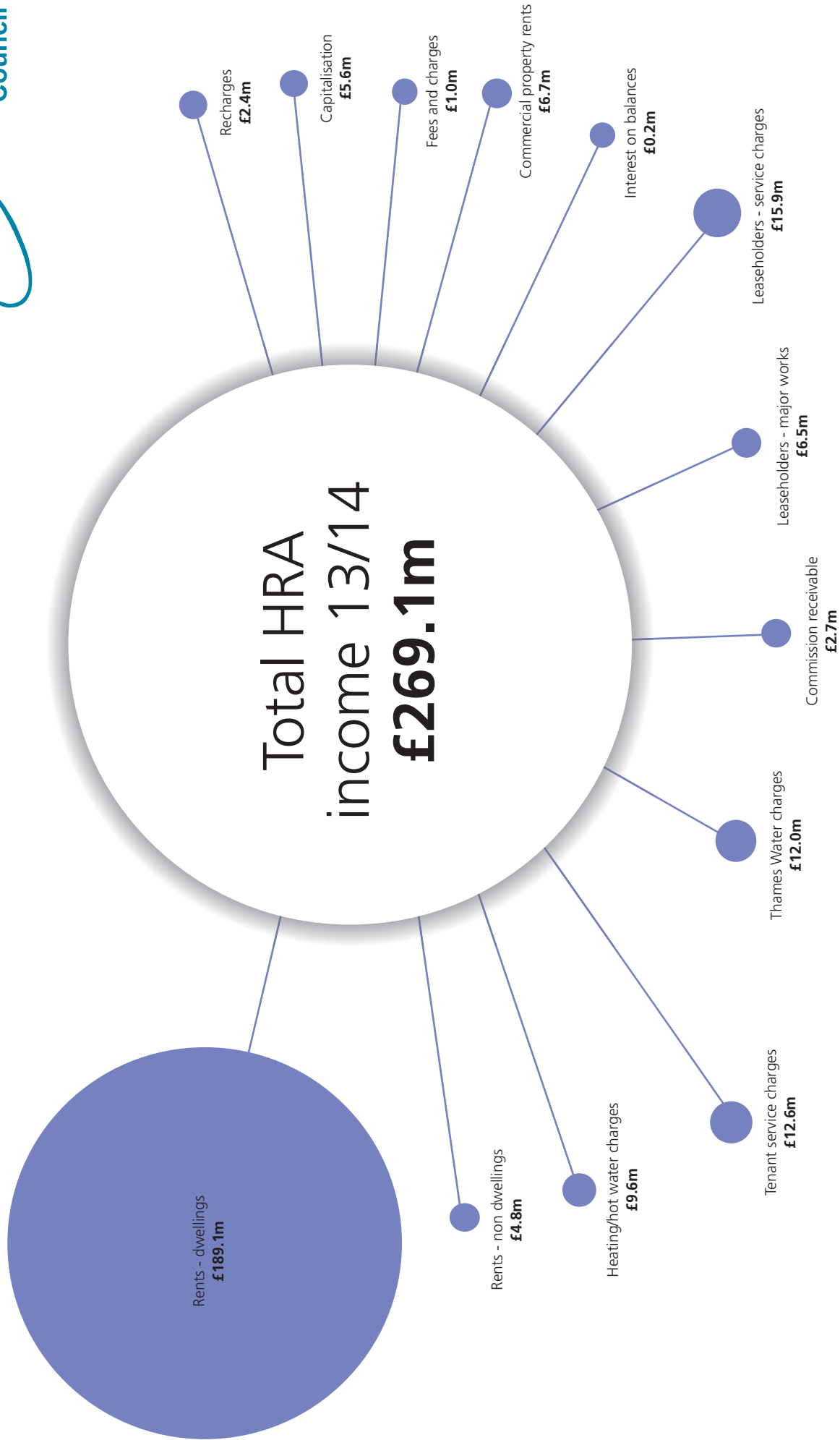
Housing and community services expenditure 2013/14



APPENDIX F



Housing and community services income 2013/14



HRA REVISED BUDGET 2012/13 AND BASE BUDGET 2013/14

APPENDIX G

HOUSING REVENUE ACCOUNT	2012/13 Revised £'000	Inflation £'000	Commitment £'000	Rents £'000	Savings £'000	Redirection £'000	2013/14 Base £'000
Expenditure:							
Employees	28,380	284	–	–	(410)	850	29,104
Running Costs	20,242	405	1,000	–	(1,719)	–	19,928
Thames Water Charges	12,195	–	–	–	(125)	–	12,070
Contingency/Contribution to Reserves	6,028	120	–	–	(2,552)	–	3,596
Grounds Maintenance/Estate Cleaning	14,090	282	–	–	(4)	–	14,368
Responsive Repairs/Heating Repairs	42,909	858	–	–	(174)	5,213	48,806
Regeneration Landlord Commitments	7,400	–	–	–	–	–	7,400
Contribution to Investment Programme	5,333	–	–	–	–	–	5,333
Planned Maintenance	7,395	–	–	–	–	–	7,395
Corporate Support Costs/SLAs	22,610	–	–	–	(528)	–	22,082
Depreciation	44,873	–	5,000	–	–	–	49,873
Other Debt Charges	31,687	–	–	–	–	–	31,687
Tenant Management Organisations	5,597	45	–	–	(342)	–	5,300
Heating Account	12,198	–	–	–	–	–	12,198
Sub-total	260,937	1,994	6,000	–	(5,854)	6,063	269,140
Income:							
Rents – Dwellings	(181,399)	–	3,600	(11,307)	–	–	(189,106)
Rents – Non-Dwellings	(4,724)	–	–	(91)	–	–	(4,815)
Heating/Hot Water Charges	(9,484)	–	–	(101)	–	–	(9,585)
Tenant Service Charges	(12,508)	–	–	(96)	–	–	(12,604)
Thames Water Charges	(11,993)	–	–	(19)	–	–	(12,012)
Commission Receivable	(2,722)	–	–	–	22	–	(2,700)
Leaseholders – Major Works	(6,530)	–	–	–	–	–	(6,530)
Leaseholders – Service Charges	(15,850)	–	–	–	–	–	(15,850)
Interest on Balances	(252)	–	–	–	–	–	(252)
Commercial Property Rents	(6,664)	–	–	–	–	–	(6,664)
Fees and Charges	(848)	–	–	–	(150)	–	(993)
Capitalisation	(5,616)	–	–	–	–	–	(5,616)
Recharges	(2,347)	(16)	–	–	(50)	–	(2,413)
Sub-total	(260,937)	(16)	3,600	(11,609)	(178)	–	(269,140)
HOUSING REVENUE ACCOUNT	0	1,978	9,600	(11,609)	(6,032)	6,063	0

APPENDIX H

HRA BASE BUDGET 2013/14 BY DIVISION

CUSTOMER EXPERIENCE	2012/13 Revised £'000	Inflation £'000	Commitment £'000	Rents £'000	Savings £'000	Redirection £'000	2013/14 Base £'000
Expenditure:							
Employees	1,344	14	-	-	(23)	-	1,335
Running Costs	519	10	-	-	(10)	-	519
Responsive Repairs/Heating Repairs	96	2	-	-	(9)	400	489
Corporate Support Costs/SLAs	40	-	-	-	-	-	40
Sub-total	1,999	26	-	-	(42)	400	2,383
Income:							
Recharges	(75)	-	-	-	-	-	(75)
Sub-total	(75)	-	-	-	-	-	(75)
TOTAL CUSTOMER EXPERIENCE	1,924	26	-	-	(42)	400	2,308

HRA SUPPORT COSTS	2012/13 Revised £'000	Inflation £'000	Commitment £'000	Rents £'000	Savings £'000	Redirection £'000	2013/14 Base £'000
Expenditure:							
Employees	1,823	18	–	–	(138)	–	1,703
Running Costs	3,032	61	1,000	–	(1,064)	–	3,029
Thames Water Charges	12,098	–	–	–	(124)	–	11,974
Contingency/Contribution to Reserves	6,028	121	–	–	(2,552)	–	3,596
Regeneration Landlord Commitments	7,400	–	–	–	–	–	7,400
Contribution to Investment Programme	5,333	–	–	–	–	–	5,333
Planned Maintenance	7,395	–	–	–	–	–	7,395
Corporate Support Costs/SLAs	17,460	–	–	–	(400)	–	17,060
Depreciation	44,873	–	5,000	–	–	–	49,873
Other Debt Charges	31,644	–	–	–	–	–	31,644
Tenant Management Organisations	300	–	–	–	–	–	300
Sub-total	137,386	199	6,000	–	(4,278)	–	139,307
Income:							
Rents – Dwellings	5,169	–	3,600	61	–	–	8,830
Commission Receivable	(2,157)	–	–	–	22	–	(2,135)
Interest on Balances	(77)	–	–	–	–	–	(77)
Recharges	(2,196)	(16)	–	–	–	–	(2,212)
Sub-total	739	(16)	3,600	61	22	–	4,406
TOTAL HRA SUPPORT COSTS	138,125	183	9,600	61	(4,256)	–	143,713

SPECIALIST HOUSING SERVICES	2012/13 Revised £'000	Inflation £'000	Commitment £'000	Rents £'000	Savings £'000	Redirection £'000	2013/14 Base £'000
Expenditure:							
Employees	4,837	48	–	–	(61)	–	4,824
Running Costs	2,201	44	–	–	(82)	–	2,163
Thames Water Charges	32	–	–	–	(1)	–	31
Grounds Maintenance/Estate Cleaning	41	1	–	–	(4)	–	38
Responsive Repairs/Heating Repairs	2,881	58	–	–	(113)	1,400	4,226
Corporate Support Costs/SLAs	4,293	–	–	–	(128)	–	4,165
Other Debt Charges	43	–	–	–	–	–	43
Tenant Management Organisations	5,297	45	–	–	(342)	–	5,000
Sub-total	19,625	196	–	–	(731)	1,400	20,490
Income:							
Rents – Dwellings	(15,885)	–	–	(1,532)	–	–	(17,417)
Rents – Non-Dwellings	(4,724)	–	–	(91)	–	–	(4,815)
Heating/Hot Water Charges	(442)	–	–	(191)	–	–	(633)
Tenant Service Charges	(773)	–	–	(16)	–	–	(789)
Thames Water Charges	(791)	–	–	(2)	–	–	(793)
Commission Receivable	(565)	–	–	–	–	–	(565)
Leaseholders – Major Works	(6,530)	–	–	–	–	–	(6,530)
Leaseholders – Service Charges	(15,850)	–	–	–	–	–	(15,850)
Interest on Balances	(175)	–	–	–	–	–	(175)
Commercial Property Rents	(6,664)	–	–	–	–	–	(6,664)
Fees and Charges	(86)	–	–	5	–	–	(81)
Capitalisation	(86)	–	–	–	–	–	(86)
Recharges	(26)	–	–	–	–	–	(26)
Sub-total	(52,597)	–	–	(1,827)	–	–	(54,424)
TOTAL SPECIAL HOUSING SERVICES	(32,972)	196	–	(1,827)	(731)	1,400	(33,934)

CHIEF EXECUTIVE'S	2012/13 Revised £'000	Inflation £'000	Commitment £'000	Rents £'000	Savings £'000	Redirection £'000	2013/14 Base £'000
Expenditure:							
Employees	1,213	12	–	–	(78)	–	1,147
Running Costs	520	11	–	–	–	–	531
Corporate Support Costs/SLAs	2	–	–	–	–	–	2
Sub-total	1,735	23	–	–	(78)	–	1,680
Income:							
Capitalisation	(184)	–	–	–	–	–	(184)
Sub-total	(184)	–	–	–	(78)	–	(184)
TOTAL CHIEF EXECUTIVE'S	1,551	23	–	–	(78)	–	1,496

COMMUNITY ENGAGEMENT	2012/13 Revised £'000	Inflation £'000	Commitment £'000	Rents £'000	Savings £'000	Redirection £'000	2013/14 Base £'000
Expenditure:							
Employees	975	10	–	–	–	–	985
Running Costs	539	11	–	–	–	–	550
Responsive Repairs/Heating Repairs	350	7	–	–	–	–	357
Sub-total	1,864	28	–	–	–	–	1,892
TOTAL COMMUNITY ENGAGEMENT	1,864	28	–	–	–	–	1,892

MAINTENANCE AND COMPLIANCE	2012/13 Revised £'000	Inflation £'000	Commitment £'000	Rents £'000	Savings £'000	Redirection £'000	2013/14 Base £'000
Expenditure:							
Employees	4,707	47	–	–	–	480	5,234
Running Costs	2,461	49	–	–	–	–	2,510
Responsive Repairs/Heating Repairs	39,546	790	–	–	(52)	1,057	41,341
Corporate Support Costs/SLAs	691	–	–	–	–	–	691
Sub-total	47,405	886	–	–	(52)	1,537	49,776
Income:							
Fees and Charges	(35)	–	–	–	–	–	(35)
Capitalisation	(3,331)	–	–	–	–	–	(3,331)
Sub-total	(3,366)	–	–	–	–	–	(3,366)
TOTAL MAINTENANCE AND COMPLIANCE	44,039	886	–	–	(52)	1,537	46,410

OPERATIONS	2012/13 Revised £'000	Inflation £'000	Commitment £'000	Rents £'000	Savings £'000	Redirection £'000	2013/14 Base £'000
Expenditure:							
Employees	10,743	108	–	–	(110)	370	11,111
Running Costs	10,850	217	–	–	(532)	–	10,534
Thames Water Charges	65	–	–	–	–	–	65
Grounds Maintenance/Estate Cleaning	14,049	281	–	–	–	–	14,330
Responsive Repairs/Heating Repairs	26	1	–	–	–	630	657
Corporate Support Costs/SLAs	119	–	–	–	–	–	119
Sub-total	35,852	606	–	–	(642)	1,000	36,816
Income:							
Rents – Dwellings	(170,683)	–	–	(9,836)	–	–	(180,519)
Heating/Hot Water Charges	(9,042)	–	–	90	–	–	(8,952)
Tenant Service Charges	(11,735)	–	–	(80)	–	–	(11,815)
Thames Water Charges	(11,202)	–	–	(17)	–	–	(11,219)
Fees and Charges	(718)	–	–	–	(150)	–	(868)
Capitalisation	(50)	–	–	–	(50)	–	(100)
Sub-total	(203,430)	–	–	(9,843)	(200)	–	(213,473)
TOTAL OPERATIONS	(167,578)	606	–	(9,843)	(842)	1,000	(176,657)

MAJOR WORKS	2012/13 Revised £'000	Inflation £'000	Commitment £'000	Rents £'000	Savings £'000	Redirection £'000	2013/14 Base £'000
Expenditure:							
Employees	2,738	27	–	–	–	–	2,765
Running Costs	120	3	–	–	(31)	–	92
Responsive Repairs/Heating Repairs	10	–	–	–	–	1,726	1,736
Corporate Support Costs/SLAs	5	–	–	–	–	–	5
Sub-total	2,873	30	–	–	(31)	1,726	4,598
Income:							
Fees and Charges	(9)	–	–	–	–	–	(9)
Capitalisation	(2,015)	–	–	–	–	–	(2,015)
Sub-total	(2,024)	–	–	–	–	–	(2,024)
TOTAL MAJOR WORKS	849	30	–	–	(31)	1,726	2,574

HEATING ACCOUNT	2012/13 Revised £'000	Inflation £'000	Commitment £'000	Rents £'000	Savings £'000	Redirection £'000	2013/14 Base £'000
Expenditure:							
Heating Account	12,198	–	–	–	–	–	12,198
Sub-total	12,198	–	–	–	–	–	12,198
TOTAL HEATING ACCOUNT	12,198	–	–	–	–	–	12,198

Item No. 10.	Classification: Open	Date: 29 January 2013	Meeting Name: Cabinet
Report title:		Response to recommendations from the Housing, and Community Safety Scrutiny Sub-Committee on the Review of Services Relating to Domestic Violence and Abuse in Southwark	
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

Last year, the Housing and Community Safety Scrutiny Sub-Committee carried out a review into Southwark's Domestic Violence and Abuse as the new service was being established. Their report was presented to Cabinet on 23 October.

Their review has been a timely and well-considered piece of work. As a result, much of its recommendations have since been implemented or are in the process of being put in place.

Domestic violence and abuse can be one of the most emotionally debilitating experiences a person can live through, and can happen to people of all backgrounds and ages. It can take many forms, not only physical violence but also emotional and financial abuse. Southwark Council is committed to doing all it can to tackle this problem and support its victims. We also welcome the statement by Southwark's new police Borough Commander for Southwark, John Sutherland, that this is one of his two highest personal priorities.

At the October meeting cabinet members also asked for information on the role of alcohol in domestic violence and abuse and this is included at the end of the report. Cabinet will be considering a new Alcohol Strategy in forthcoming weeks which will explore these issues further.

RECOMMENDATIONS

1. That Cabinet note and agree the measures that the council has in place to respond to the Overview & Scrutiny Committee recommendations.
2. That Cabinet note in particular the information contained in this report about the impact of alcohol in respect of domestic violence and abuse.

BACKGROUND INFORMATION

3. In 2010 the Children's and Families Trust (CFT), the Southwark Safeguarding Children Board (SSCB) and the Safer Southwark Partnership (SSP) agreed to review domestic abuse service provision in the borough.

4. Issues identified in the review were:
 - Accessing domestic services was complicated and it was difficult for people to get the right service from the right agency
 - Services were not focused on those people who needed them the most
 - Independent domestic violence advocates (IDVAs) were in place but the level of support provided by the advocates wasn't always consistent
 - There was a lack of services for perpetrators
 - There was a perceived acceptability of domestic abuse in communities.

5. In December 2010 the principles for a new domestic abuse system were agreed. Since that time officers have worked to implement the system and there have been a number of improvements, including:
 - Investment in community initiatives to raise awareness of domestic abuse
 - Improvements to the multi agency risk assessment conference (MARAC), a partnership forum focusing on making high risk victims safe through bespoke risk management
 - Shared and regularly reviewed agreement on risk levels across agencies
 - Successfully securing European funding to support safe and healthy relationship education in schools.

6. A key element of the new system was the commissioning of one domestic abuse support service. Solace Women's Aid were commissioned and the service (Southwark Advocacy and Support Service) went live on 2 April 2012. The contract sets out a number of expectations of service improvement for Southwark residents, including:
 - A borough wide service, with a new centre for domestic violence and a single point of entry – one phone number, one email
 - 24/7 access to the service, with a 4 hour response time for high risk victims
 - Services for all male and female victims of domestic abuse
 - Two specialist support programmes for children and young people, with parallel workshops for mothers
 - A perpetrator programme
 - A service user forum
 - A volunteer programme, open to local residents
 - Access to specialist advice services, a counselling service and peer support programmes.

7. These expectations have been built in with no growth in budget, representing significant added value.

8. In July 2011 Southwark housing and community safety overview and scrutiny sub-committee decided to review the services relating to domestic abuse. The scrutiny process began in late 2011 and continued until June 2012. The review was timely as we were implementing the new service model delivered by one service provider and delivering key changes internally.

9. Cabinet considered the report and agreed that the recommendations be noted and Councillor Richard Livingstone, Cabinet Member for Finance, Resources and Community Safety bring a report back to cabinet that responded to the overview and scrutiny committee.

10. Cabinet also asked that the report should also take into account the impact of alcohol in respect of domestic violence and abuse.

Recommendations of the Housing & Community Safety Scrutiny Sub-Committee and responses

Recommendation

11. **Accurate statistics** - significantly, Solace's monthly output statistics produced on the number of cases they are coming across are not matching the local police statistics (based on recorded crime) either according to quantity or trend. The sub-committee feels that the statistics produced by Solace are more likely to be reflective of the real extent of domestic violence in the borough. In future, these are the statistics which should be used to inform the council and Solace's action to tackle domestic abuse.

Response

12. The review of the previous service delivery mechanisms for domestic abuse recognised that data collection was patchy and inconsistent. Officers addressed this issue during the commissioning and design of the new service and have worked with SASS to collect data that is relevant and meaningful for service development. The recommendation of the OSSC is helpful in recognising the improvements that have been made.
13. However, both sets of statistics still have their own importance and relevance. The police data includes all cases where domestic abuse is reported or evident. SASS figures include all referrals from the police (and other agencies) but will also include self referrals. Not all clients who self refer to SASS will have reported to the police and not all police recorded domestic abuse cases will use SASS services.
14. Officers and SASS continue to work on further improving their data collection in order to identify trends within those accessing the service and continue to compare this information to other sets of statistical information available including census, and population data and police reported crime. It is important to use both to ensure the service is relevant for all that need to use it, recognising that domestic abuse is under reported.
15. Officers are also using both data sets to inform the Safer Southwark Partnership Strategic Assessment which is the tool the partnership uses to set priorities and allocate resources. Our methodology has been recognised as best practice.

Recommendation

16. **Dedicated domestic violence court** - time between incident and court hearing needs to be drastically reduced. Domestic violence courts have been very effective in other London boroughs in reducing this time and consequently increasing conviction rates. Southwark Council on its own cannot deliver this much needed reform. The sub-committee will write to all three Southwark MPs to see what influence they can bring to bear on ministers and the courts service to deliver this change. The sub-committee would also ask that the Cabinet Member for Community Safety initiates work with executive councillors in Lambeth to see what further work can be done to deliver a dedicated domestic

violence court. Southwark cannot continue to have such a low conviction rate, which exacerbates the problem of domestic violence in our borough.

Response

17. The recommendation for a dedicated domestic violence court is supported and would be a positive step forward for victims of domestic abuse. We also recognise that the value of such a specialist court can only be realised by improving the victim's journey through the whole criminal justice system. The current direction of travel for criminal justice agencies is to move away from specialist courts and there is currently insufficient expertise in the criminal justice and court progress. Recent changes in the organisation of the Crown Prosecution Service means that there are no longer special domestic violence prosecutors or dedicated borough leads. The council will continue to work together with partners to identify how we can best improve the criminal justice and court systems in 2013 to provide the best support throughout the investigation and criminal justice journey and monitor the impact of recent changes to the court systems.
18. A letter to local MPs highlighting the current challenges would be welcome. In addition the Cabinet Member for Finance Resources and Community Safety will be approaching the Ministry for Justice to press further for appropriate criminal justice services for victims.

Recommendation

19. **Training** – the training programme for relevant Southwark Council staff and other external agencies needs to be rolled out as a matter of urgency. There should be no further delay. Priority groups for training are: community leaders (TRA leaders, faith group leaders, voluntary and community sector and councillors) and professionals (social workers, area housing staff and council staff, who have regular contact with residents). This is important as domestic abuse needs to be 'owned' by all that come into contact with it. Officers can make routine enquiries about domestic abuse in assessments etc and all should know what the next steps should be.

Response

20. It is recognised that awareness raising is important so that domestic abuse is tackled and owned by all that come into contact with it and that all officers know what the next steps are. Ensuring that the roll out of training is not delayed is shared and will continue to be prioritised.
21. In the original SASS contract a number of domestic abuse awareness training sessions were built in. Two sessions have already been delivered with the other sessions scheduled for the last 3 months of 2012/13. These courses are designed to support staff who may come into contact with members of the public who are experiencing domestic abuse and to increase their confidence in dealing with the issue. Professionals highlighted above were prioritised for this training.
22. Officers from community safety have worked with colleagues from adults and children's services (prevention, inclusion and support) to secure additional funding to offer an enhanced training and prevention programme to include other priority groups as described above. Officers are currently working with SASS to

design the training programme for the specific groups and this will be delivered in early 2013.

23. Councillor training will also be available as part of this enhanced package.
24. The organisational development team and the community safety partnership service are working with SASS to design a domestic abuse e-learning package (similar to the Safeguarding e-learning package). This will be available to members of the public and community groups to sign up to on my learning source.

Recommendation

25. **Domestic abuse champions** - in addition, managers in Southwark Council should identify domestic abuse champions. These would be members of staff across council departments who would be given additional specialist training. They would then be a resource which their colleagues could consult if they were concerned about a possible incident of domestic violence. This has been successfully done in other London boroughs.

Response

26. Establishing domestic abuse champions across council services will make a significant improvement in responding to concerns of potential domestic abuse incidents. The Champions Training Programme aims to increase knowledge and confidence around good practice in relation to domestic abuse within a strategic and operational framework. This includes and will be underpinned by safeguarding, multiagency working and Information sharing specifically within a Southwark context. Equality and diversity will be integral to all elements of the training programme. The first course will be launched in January 2013.
27. There will be three courses this financial year and six courses in 2013/2014 with a maximum of 10 participants per course.
28. Officers will monitor closely the impact of this training.

Recommendation

29. **Linking tenancy and leaseholder status to attendance on behaviour change programme** - officers and Solace report that one recurring issue is that perpetrators of domestic violence are often extremely reluctant to attend the "behaviour change programme". Where the perpetrator is a council tenant, the council should consider making attendance on the programme a condition of continued tenancy. Officers from Solace and housing should work closely together to use tenancy as leverage to force perpetrators to attend the programme. The council could also consider taking the same approach with leaseholders, where the council is the freeholder.

Response

30. We are pleased to be able to offer a behaviour change programme as part of the new contract and welcome opportunities to use what leverage is available to encourage perpetrators to engage in these programmes.

31. Due to the complex nature of domestic abuse, options need to be considered on a bespoke, case by case basis. The council already looks to enforce existing tenancy conditions and where possible initiates possession proceedings if it has been agreed with the victim that that is their preferred option.
32. Focusing on the perpetrator offers further options for tackling this issue and encouraging council tenants who are perpetrators of domestic abuse to volunteer to take steps to make changes is important. Officers have organised for workers from the domestic violence intervention programme (DVIP) to attend housing officers' team meetings to encourage joint working to consider tenancy action. These will happen in January and February 2013.
33. The council will work with its partners to use all enforcement powers available in order to safeguard victims.
34. The perpetrator programme is not limited to council tenants alone and can receive referrals from leaseholders and owner occupiers. The programme received 21 referrals as of October 2012, 15 of which originated from the police.

Recommendation

35. **Victims of indeterminate immigration status, no recourse to public funds** - the council does respond to those high risk victims with no recourse through the multi-agency risk assessment conference (MARAC) process, however options remain extremely limited. Southwark officers should await the outcome and recommendations of children's services research into cases where the victim has no recourse to public funds. On receipt of this research a further action plan on how to deal with this difficult issue should be drawn up by the council. The sub-committee will ask local MPs to write to ministers to highlight the issue and the need for further resources.

Response

36. A direct approach to both Home Office ministers and the Mayor of London on these issues would assist greatly in resolving this challenging issue and is welcomed. Concerns over women who suffer domestic abuse and have no recourse to public funds has been a major issue for some time. However, this cannot be solved at a local authority level and has to be dealt with sensitively due to the complexities that exist. Nevertheless it needs to be resolved as it places increased pressure and demands on council and voluntary sector services who have limited options.
37. In response to the desk top review, adult and children's services have assessed the demand that is placed on council services from those without recourse to public funds and have taken decisions to establish a single, dedicated team to respond to this difficult issue. Community safety is working with adult and children's services and housing to deliver this bespoke, tailored council response that will bring together expertise and legal advice in order to safeguard the most vulnerable. The team will work closely with SASS and UKBA to ensure the needs of vulnerable women are considered.

Recommendation

38. **Placing a domestic abuse caseworker with police** - the sub-committee recommends (as per the Solace contract) that the police prioritise the co-location of a domestic abuse support worker at key days and times. This helps the police to understand the process and needs of victims as well as ensures victims have access to support services in the shortest possible time frame.

Response

39. From November 2012 a SASS staff member has been based at the police station for a full day every fortnight. They carry out a variety of tasks but focus on first hand advice to police colleagues, advice for victims presenting at the police station, work with victims presenting to do withdrawal statements, encouraging victim impact statements and increasing the number of victims who received SASS support through the court process.
40. Officers will carry out a review in February 2013 to look into the outcomes of the co-location arrangements (for example increase on police referrals, increase on survivors supported through the court process, decrease on the number of survivors withdrawing statements, etc).

Recommendation

41. **Risk assessment criteria** - concern was raised by staff working at the Southwark/Solace Advocacy Support Service that staff in different council departments and other agencies were often using different risk assessments. This may, in part, be due to statutory frameworks requiring different focus, but should not be an excuse for making the system more complex and onerous for victims. Officers and Solace should train/work with agencies and council departments to ensure that the correct risk assessment criteria are used.

Response

42. Different agencies and different departments have statutory responsibilities that require different assessments to be completed. In order to minimise risk to individuals and to reduce timescales, agencies are encouraged to use whatever risk assessments they have to flag at person at risk to SASS. What is important is that the person completing any risk assessment that identifies domestic abuse is competent to assess risk and that consistent criteria is used regardless of the tool.
43. Further work has been undertaken with SASS to ensure that the correct risk assessment criteria is being used and it is a key element of the training packages delivered. We have had no further concerns raised by SASS.

Recommendation

44. **Changing the response from the housing department** - officers told the sub-committee that often it was the victim who was removed from his/her home, the abusive situation, to be re-housed in less than adequate accommodation. Senior managers in the housing department need to work with officers in community safety to ensure that measures are put in place to enable bespoke action plans to better meet the needs of victims.

Response

45. There is an acknowledgement of the importance in having a bespoke action plan that meets the needs of the victim, whilst also addressing the level of risk that the victim and their immediate family may face whilst they remain in their current accommodation. The housing department has worked to improve their response to domestic abuse following on from the review of services undertaken by the council and partners:
- We promote the commissioned domestic abuse service (SASS) and the perpetrator behaviour change programme across our service access points
 - Awareness raising work was undertaken when SASS was launched and SASS continue to attend team meetings, as required
 - The housing department is playing a key role in designing SASS's enhanced training programme for champions, as detailed above
 - The housing department is now a key member of the multi agency risk assessment committee (MARAC), which focuses on the management of high risk cases
 - The sanctuary scheme exists for tenants who want to remain in their property. 38 Southwark tenants have been assisted by the Sanctuary scheme between April and September 2012.
 - Housing is working with community safety to improve internal mechanisms as they relate to domestic abuse e.g. temporary accommodation, management needs panel
 - Housing operations now attend the Safer Southwark partnership tasking group. Resident officers regularly attend ward panel meetings where crime reports and local policing priorities are discussed.
46. The protocol of the housing management needs panel already establishes the mechanisms for referral pathways into the new service and SASS feeds into the process by providing expert advice and information on risk.
47. SASS is responsible for the bespoke action plan for the victims. The council supports these action plans as much as possible, including use of the Sanctuary scheme, which has also been added to the SASS contract in order to bring further added value and continuity of service.
48. Officers are committed to bespoke, case by case assessments for both perpetrators and victims to best resolve the situation.
49. Through the review of domestic abuse services a memorandum of understanding between victims and the housing department was drawn up in order to compel victims to engage more fully with the process.
50. The housing department continue to consider domestic abuse in their programmed tenancy checks.

Recommendation

51. **Staffing levels in support service** – on the visit to the Southwark/Solace Advocacy Support Service another issue which arose was staffing levels, particularly in relation to caseworkers and counsellors. The Cabinet Member for Community Safety should consider prioritising funding for two additional posts

(one caseworker and one counsellor) as and when it is possible to identify funding for these posts.

Response

52. The council recognises the importance in having the right level of resources to support victims of domestic abuse and will continue to work with Solace to achieve this, within the current financial constraints that the council has to work to.
53. The SASS service went live in April 2012 and has only had a relatively short time to bed in. Part of the tender and contract arrangements with SASS includes a clear understanding of the importance of both managing clients on a risk basis and ensuring that cases are brought to a point of closure through practical support as well as specialist intervention based on the risk.
54. Officers are monitoring the contract closely to ensure that the service is not over capacity but is also able to meet the additional capacity that has been generated by other council departments investing in the service.
55. In addition, the prevention, inclusion and supported housing team have recently transferred their domestic abuse budget to community safety partnership services (CSPS) in line with past recommendations that CSPS be the lead commissioner for all domestic abuse services.
56. This extra resource is being invested in preventative activity with a full time training coordinator to implement a comprehensive domestic abuse training programme as well as an additional part time caseworker (referenced above).

Recommendation

57. **Ensuring all staff in the housing options unit take responsibility for reports of domestic abuse** – all staff should take responsibility for dealing with those presenting as victims of domestic abuse. This is particularly important in high risk areas such as the housing options unit. Managers should ensure staff are trained and able to do this. Timely and high standard bespoke action planning should be undertaken and necessary referrals made.

Response

58. The council recognise that housing options provide a critical role in terms of reports of domestic abuse and having well trained staff, carrying out bespoke risk based action planning is acknowledged as being crucial.
59. As part of the service design, council officers and SASS staff carried out extensive outreach activity with the housing options team. SASS staff attended a number of front line housing options and homelessness officers' team meetings to promote the new service and referral pathways.
60. Housing options is fully involved in the scoping and commissioning of the second element of the SASS contract in relation to training and the champions programme and will be fully involved on its roll out. SASS courses have been promoted far and wide amongst housing options staff.

Recommendation

61. **Peckham area is a hot-spot for domestic violence incidents** - the Solace “hub and spoke” structure in the borough needs to make sure that sufficient facilities for support meetings are available in this part of the borough. There has been some delay in securing these facilities and these needs to be addressed urgently.

Response

62. The council recognise the importance of providing facilities in Peckham to cater for the diverse needs of the area. So far the following locations for support meetings have been secured
- Peckham Police Station
 - Sunshine House Peckham
 - Rye Oak Primary School and Children’s Centre Peckham
 - South Bermondsey Children And Parents Centre
 - Dulwich Wood Nursery and Children’s Centre
 - 1st Place Children and Parent’s Centre Camberwell
63. In addition the housing options office, where victims can go to explore solutions to housing issues caused by domestic abuse, is also located in Peckham.
64. Officers have ensured that Peckham One Stop Shop and other key locations have all the literature on the new services both for victims and perpetrators.

Impact of alcohol in respect of domestic violence and abuse

65. Alcohol is estimated to be present in one-third of all domestic abuse incidents (Department of Health 2005). Alcohol was recorded to be a factor in 66 out of 202 Southwark MARAC referrals over the last 12 months (33 %).
66. It is important to note that alcohol abuse is not the cause of domestic abuse, though it is often used as an excuse for the violence. Research shows that people who are violent and abusive under the influence of alcohol or drugs are usually violent and abusive without it¹. Not all alcohol dependant persons are violent, and not all abusers have alcohol dependency issues. There are instances when a perpetrator is indeed alcohol dependent, but that is a separate issue to the abuse, i.e. he/she is an alcoholic and he/she has an abusive personality. The majority of abusers are not alcohol dependent but they use alcohol as part of the wider abusive behaviour. They are both separate issues which, although interact, need separate interventions.
67. Where domestic abuse already exists, research shows that alcohol or drug use can increase in the frequency of physical violence and abuse and injuries may be worse when the perpetrator is under the influence of a substance². However, domestic abuse is not just physical violence. Alcohol or drugs will not affect other forms of abusive behaviour, for example, controlling behaviour.

¹ Galvani 2006

² Brecklin 2002, Brookoff et al. 1997, Fals-Stewart 2003, Graham et al. 2004, Leonard and Quigley’s 1999, Leonard and Senchak 1996

68. Survivors and victims of domestic abuse may also use alcohol as a coping strategy. By the end of quarter two, 43 out of 794 clients referred to SASS had self declared alcohol issues. Drug and alcohol reduction and stabilisation is one of the service outcomes we monitor as part of the SASS contract. To date SASS have been performing within target levels, with 23 clients having achieved this outcome by quarter two.
69. When a victim is referred to SASS, a risk assessment is carried out, this identifies whether the client has any additional needs. For those clients where alcohol misuse related needs are identified, the issue is explored with the client and SASS workers will establish whether the client is already engaging with Foundation66, the council's commissioned specialist alcohol treatment service. If they are, and the client consents, SASS workers will liaise with their allocated Foundation66 worker. If they are not they will be offered a referral to this service and encouraged to seek treatment.
70. Clients with alcohol dependence issues find it more difficult to engage with support services due to their chaotic lifestyles. SASS staff are fully aware of this and they are more flexible with this client group when it comes to enforcing missed appointments. They also offer appointments at the same time and venue as their alcohol treatment appointments to make it easier for the clients to keep up to date with the treatment and support.
71. Southwark's drug and alcohol action team (DAAT) who commission Foundation 66, have undertaken a review of how all commissioned substance misuse treatment providers tackle the issue of domestic abuse. They implemented in full the recommendations contained in the Coordinated Action against Domestic Abuse (CAADA) report "*MARACs and the Substance Misuse Sector: Supporting the development of safe and effective responses with drug and alcohol agencies*".
72. The implemented recommendations consist of:
- Ensuring at least one staff member in each drug and alcohol agency is trained in domestic violence awareness and risk assessment
 - Ensuring each agency has the capacity to routinely enquire for domestic violence and/or use a common evidence based risk identification checklist
 - Drug & alcohol action team managers to nominate a substance use lead to attend the MARAC, and ensure that this staff member has appropriate training to fulfil the role. In our case the DAAT manager attends all MARAC meetings.
 - DAAT managers to ensure that the substance use lead on their MARAC communicates regularly with all agencies providing drug and alcohol services in their borough.

APPENDICES

No.	Title
None	

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Review of Services Relating to Domestic Violence and Abuse in Southwark - Report of Housing & Community Safety Scrutiny Sub-Committee (Cabinet 23 October 2012)	160 Tooley Street, London SE1 http://modern.gov.southwark.gov.uk/documents/g4247/Public%20reports%20pack%20Tuesday%2023-Oct-2012%2016.00%20Cabinet.pdf?T=10	Eva Gomez 020 7525 7246

AUDIT TRAIL

Cabinet Member	Councillor Richard Livingstone, Finance Resources and Community Safety	
Lead Officer	Deborah Collins, Strategic Director of Environment and Leisure	
Report Author	Jonathon Toy, Head of Community Safety and Enforcement	
Version	Final	
Dated	18 January 2013	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Legal Services	No	No
Strategic Director of Finance and Corporate Services	No	No
Cabinet Member	Yes	Yes
Date final report sent to Constitutional/Community Council/Scrutiny Team	18 January 2013	

Item No. 11.	Classification: Open	Date: 29 January 2013	Meeting Name: Cabinet
Report title:		The Southwark Local Biodiversity Action Plan	
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 RECYLING

Southwark's open spaces and built environment provide homes for a range of common and rare wildlife, including birds, bats, invertebrates and plants. This biodiversity contributes to our health and wellbeing through providing access to nature and helps us to adapt to the challenge of climate change.

The Council, both as civic leader and a major landowner in Southwark, has a responsibility to protect the borough's natural heritage and leave a lasting legacy for the future.

In 2010 the council promised to increase biodiversity in Southwark and I am pleased to report that the biodiversity of Southwark's green spaces is improving and the percentage of all local spaces in where positive conservation management has taken place now stands at 76 per cent. Our achievements include:

- Brenchley Gardens and Snowfields School Nature Garden had enhancements to their ponds, stag beetle loggeries were built and native planting was undertaken by volunteers
- Southwark's parks and open spaces saw an increase in wildflower meadows, ponds and reedbeds providing valuable habitats
- Russia Dock Woodland had extensive ecological enhancements including the creation of new meadow, new reedbed, and enhancement of the wet woodland
- Peckham Rye Park now benefits from a new nature garden
- Over 500 volunteers have worked with the parks and open spaces business unit to manage and enhance the wildlife of Southwark.

Building on this success, this new plan sets out how the Council will continue the important work of conserving and enhancing our environment. The Action Plan has been developed by the Council in collaboration with the Southwark Biodiversity Partnership and I would like to thank them for their contribution and support.

RECOMMENDATIONS

1. That the Cabinet approve the Local Biodiversity Action Plan (BAP) for the planning and management of biodiversity in the borough.

BACKGROUND INFORMATION

2. The Greater London Authority has a statutory obligation to produce a regional biodiversity plan and although there is not a statutory requirement to do so all 33 London boroughs are producing, or have produced a Local Biodiversity Action Plan.
3. The Council however does have a duty, as a public body under the Natural Environment and Rural Communities Act 2006, to have regard to conserving biodiversity in exercising its functions. Furthermore a Biodiversity Action Plan underpins policies in the Council Plan, Core Strategy and Open Spaces strategy and offers guidance on the protection, enhancement and promotion of the natural environment. This BAP contributes to targets set in national and regional plans for conserving biodiversity.
4. The Council's first BAP "*Work for Wildlife*" adopted in 2006 has delivered specific actions for the conservation of national priority habitats and species in Southwark. It delivered a number of key actions including: creation of 20 new stag beetle loggeries, 50 new bat boxes, creation of 2.2 ha of wildflower meadows and 1.5 ha of new reed bed. The 2006 BAP also contributed to achieving the Green Flag awards and Britain in Bloom awards.
5. This second Biodiversity Action Plan (BAP) sets out targets for the period 2013 to 2019, and will build on previous work and addresses the challenges facing our natural resources and the urban environment. The BAP will steer the management of the 72 Sites of Importance for Nature Conservation (SINC), the 5 Local Nature Reserves in Southwark and the wider environment.
6. The BAP has been developed in partnership with the Southwark Biodiversity Partnership (SBP) and outlines how the public, private and voluntary sectors will work together to deliver quantifiable results for biodiversity and the environment.
7. The Southwark Biodiversity Partnership, (SBP) includes the following organisations:
 - Southwark Council
 - The Conservation Volunteers
 - The London Wildlife Trust
 - Bankside Open Spaces trust
 - Groundwork London
 - Better Bankside
 - Southwark Friends of the Earth

KEY ISSUES FOR CONSIDERATION

8. This BAP moves away from individual habitat and species action plans and takes a theme based approach to conserving, managing, and promoting biodiversity in Southwark. The plan is structured on the following 5 themes:
 - The Natural Environment and Ecosystems Services
 - The Urban Forest
 - The Built Environment
 - Climate Change and Sustainability

- Connecting with Nature
9. Actions in the BAP are classified as 3 types
 - Operational actions which address current management of flora and fauna.
 - Planning actions which support spatial policies or address development management.
 - Resources actions which set actions for increasing habitats and species in Southwark. These include aspirational targets for long term increase of natural habitat and species in line with national and regional targets.
 10. Theme 1: The Natural Environment and Ecosystems Services sets out our actions with regards to conservation of nature.
 11. The themes key objectives
 - We will contribute to the core objectives of the England's Wildlife and Ecosystem Strategy
 - We will produce management plans for all SINC and Green Flag parks and open spaces in Southwark's management by 2016
 - We will maintain a baseline of ecological data annually
 - We aim to ensure no net loss of biodiversity
 12. Theme 2: The Urban Forest sets out our action with regards to the trees and woodland in Southwark. This theme includes actions to monitor our woodlands, maintain the current tree stock, plant new trees to replace any felled, manage our woodlands and manage and create hedges. This Theme has been developed in conjunction with the revised Tree Management Strategy.
 - We aim to protect the current tree stock
 - We will maintain the existing tree stock in line with London and local targets
 - We will manage and enhance our woodlands for wildlife
 13. Theme 3: The Built Environment sets out our actions to incorporate nature into the built environment and the public realm. This theme includes actions to seek ecological features such as green roofs, nesting boxes and bat boxes into new or existing developments, and managing housing land for biodiversity where applicable.
 - We will enhance the built environment for biodiversity
 14. Theme 4: Climate Change and Sustainability action address the impacts of Climate Change, invasive species and promotes sustainable practices in service delivery. This theme includes actions for water management, promoting bee keeping, and sourcing plants of local provenance.
 - We aim to deliver ecological solutions to offset the impacts of climate change
 - We aim to reduce the urban heat island effect and improve air quality
 - We will manage invasive species in Southwark

15. Theme 5: Connecting with Nature sets out actions to provide increased access to nature, promote community cohesion, volunteering, raising awareness and contributes to the Government's 'Big Society' objective and the Council's A Fairer Future agenda. This theme includes actions for developing partnerships and campaigns in Southwark, holding events and providing guidance for Friends groups on conservation and habitat creation.
 - We aim to increase engagement with people through biodiversity
 - We aim to secure funding through the SBP from external or internal grants to deliver the BAP
16. The delivery of the BAP actions will lead to more effective planning and more efficient service delivery through proactive cyclical maintenance of wildlife areas.
17. This BAP will produce tangible results and result in the following benefits for Southwark:
 - Improved open spaces and safer parks
 - Increased educational opportunities through events and training
 - Increased health through promotion of walks and volunteering activities
 - Greening the borough through habitat management and creation
 - Improved environmental management
 - Increased awareness of wildlife and conservation
 - Increased populations of endangered species
 - Increased sustainability of the built environment
18. The BAP will guide and support the following elements of ecological management provided by Southwark Council.
 - Support Development Management through assessment of planning applications and advise on appropriate mitigation and ecological enhancement as required.
 - Maintain a database of species and habitats in Southwark
 - Provide performance scrutiny through the National Biodiversity Action Reporting System and through annual review of the BAP
 - Improve management through production of management plans for all our SINC sites.
 - Support planning policy in protecting and enhancing nature sites

Policy implications

Statutory obligations and national and regional policy

19. Southwark Council like all Local Authorities has a number of statutory obligations in relation to biodiversity policy and legislation. The Natural Environment and Rural Communities Act 2006 places a duty on all public bodies to have regard for biodiversity.
20. The BAP sets out the species which are afforded legal protection under the Conservation Regulations 1994. In Southwark Bats fall into this category. Breeding birds are protected by the Wildlife and Countryside Act 1981 (as amended).

21. The BAP underpins and helps demonstrate delivery of the national and regional BAP targets. The BAP contributes to delivery of the London Plan targets, particularly policy 7.19 biodiversity and access to nature.

Southwark policies

22. There are a number of Southwark policies and strategies that have relevance to the BAP and are considerations when determining the actions in the plan. The BAP demonstrates delivery of Core Strategy policies 1, 11, 13 and Strategic Objective F. The BAP demonstrates delivery of the saved policies of the Southwark Plan 2011 specifically policy 3.28 biodiversity further details are found in the page 11 of the Evidence base.
23. The actions under the BAP themes contribute to delivery of the following policies and strategies:
- Transport Local Implementation Plan 2011 through promotion of green links.
 - Climate Change Strategy 2010 through greening of the built environment and targets for the Urban Forest.
 - Sustainable Community Strategy 2016 through promotion of ecological enhancement and green corridors.
 - Tree Strategy 2013 through management of the tree stock
 - Open Spaces strategy 2012 through management and enhancement of biodiversity, community cohesion and health and wellbeing.
 - Supplementary Planning Document, Sustainable Design and Construction 2008 through ensuring biodiversity is designed into new developments.
24. The single data list is a catalogue of all the datasets that local government must submit to central government in a given year. This BAP addresses the improved local biodiversity data set requirements. Southwark Council set a target 83% of the 62 SINC sites in positive management by 2014. in the Council Plan in 2011. This target was originally known as National Indicator 197.

2010 Baseline	2011/2012 Target	2012/13 Target	2013/2014 Target
72.88%	76.27%	81.35%	83.30%

25. The indicator is based on key deliverables on the SINC sites within the borough.
- A site management plan
 - Delivery of Biodiversity action plan actions
 - Ecology Officer or specialist advising 3rd parties such as Dulwich Estate and evidence they have acted on this advice.
 - Evidence of active management undertaken on the site.

26. The BAP will contribute to the Council Plan in particular some of the 10 Fairer Future promises and the priority statements for each of the 9 Cabinet members specifically
- Transport, Environment and Recycling, in particular increasing the biodiversity of Southwark's green spaces.
 - Culture, Leisure, Sport and the Olympics, in particular increasing residents' satisfaction with leisure services.
 - Equalities and Community Engagement, in particular maintaining the high percentage of local people who think that Southwark is a place where people from different backgrounds get on well together and contributing to the delivery of the volunteering strategy action plan.
27. Examples of how the BAP actions deliver against the Corporate Plan, education, health, and wellbeing are:
- We will restore the biodiversity value of selected sites such as Benhill Rd Nature garden and improve the condition of habitats making them available for public use. This improves access to the natural environment and contributes to health and well being by encouraging health lifestyles and life long learning and regeneration of the borough.
 - Developing the Forest schools initiative allows children to learn in an out door environment.
 - Ensuring new developments attain a minimum of 4 credits for biodiversity under the Code for Sustainable Homes will benefit the people of Southwark and deliver sustainable development.
 - Supporting schools in ecological surveying, providing training and guidance for grounds maintenance contractors and friends groups delivers on life on learning.
 - Holding events such as walks and talks and promoting voluntary action delivers on objectives for culture, leisure equalities and community engagement. Volunteering for conservation management also helps improve health and well being and saves money and resources.

Community impact statement

28. The Southwark BAP has a positive impact on the Community. The BAP promotes community cohesion through connecting people with nature and raising awareness of the natural environment. Many of the wildlife assets in Southwark are in parks and public places which are free to all users and assessable all year. Theme 5 of the BAP focuses on developing community cohesion through links with the natural environment.
29. Community consultation of the BAP and its delivery will continue through out its term through SBP partnership meetings and stakeholder meetings. The annual progress reports will be published online.
30. Corporate and community volunteering is a key factor in delivery of the plans actions and the management and enhancement of the SINC sites. Southwark has developed regular volunteering with corporate volunteers and will continue to promote volunteer involvement in our open spaces

31. An equalities analysis was undertaken and it was found that the BAP would have no negative impact on:
- Faith/religious belief
 - Gender
 - Sexual orientation
 - Age
 - Disability

Resource implications

32. In large part the actions in the BAP can be met from existing revenue and capital budget of the Council. Where the need for additional funding has been identified this will be sought from external sources identified in the funding strategy and applied for by the external members of the Southwark Biodiversity Partnership. The funding will be sought from the funders identified in section 3.21 and any other funders that become available during the term of this action plan. These actions would require approximately £96,000 of capital monies to deliver.
33. If funding is not secured for the actions identified as reliant on external monies Southwark Council will not deliver these actions.

Monitoring review

34. The plan will be monitored and progress will be reported on to the cabinet member biannually.

Consultation

35. Ongoing consultation has been undertaken through Southwark Biodiversity Partnership workshops and meetings.
36. A BAP workshop was held at the 2011 Friends of parks forum and an online consultation was held from 16th May until the 18th June 2012 for stakeholders and Council departments. This included:
- Southwark Biodiversity Partnership
 - Internal – Department: Planning Policy, Development Control, Housing, Highways, and trees.
 - Parks and Open Spaces staff members
 - Grounds Maintenance Contract Manager
37. External Consultation was also held with the GLA, London borough's biodiversity forum, London Wildlife Trust, Trust for Urban Ecology, Bankside Open Spaces Trust, Better Bankside, Groundwork London, Parks Friends Groups, Friends of the Earth Southwark and Southwark PCT. Details of the consultation are in Appendix 3.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services (JG/11/12/12)

38. The Council is under a statutory duty to have regard to the issue of biodiversity and to prevent harm to geological conservation interests. The adoption of the Biodiversity Action Plan and its proposed integration into key policies and strategies as outlined in this report are part of the discharge of that statutory duty.

Strategic Director of Finance and Corporate Services (FC/13/004)

39. This report recommends that the Cabinet approves the formal adoption of the Local Biodiversity Action Plan (BAP), notes the recommendations of the Local Biodiversity Action Plan in respect of planning policy and encourages further work by officers and other stakeholders to implement the Southwark BAP.
40. The strategic director notes the resource implications contained within the report. Officer time to effect the recommendations will be contained within existing budgeted revenue resources.

Director of Planning (SP/21/12/12)

41. The adoption of the Local Biodiversity Action Plan will assist the delivery of future planning policies and development decisions in the borough. The actions set out in the Biodiversity Action plan will be incorporated into planning decisions and planning policy development to ensure that the impact of future development on levels of biodiversity is taken into account

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark Biodiversity Partnership Terms of reference.	Parks and Open Spaces Business Unit, Southwark Council, 160 Tooley Street, London SE1 2QH	J Best 020 7525 0876
Southwark Biodiversity Partnership SWOT analysis.		

APPENDICES

No.	Title
Appendix 1	Southwark Biodiversity Action Plan (circulated separately and available on the council's website)
Appendix 2	Southwark Biodiversity Action Plan Evidence Base (circulated separately and available on the council's website)
Appendix 3	Consultation Responses (circulated separately and available on the council's website)

AUDIT TRAIL

Cabinet Member	Councilor Barrie Hargrove Cabinet Member for Transport, Environment and Recycling.	
Lead Officer	Deborah Collins, Strategic Director of Environment and Leisure	
Report Author	Des Waters, Head of Public Realm	
Version	Final	
Dated	18 January 2013	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Legal Services	Yes	Yes
Strategic Director of Finance and Corporate Services	Yes	Yes
Director of Planning	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team		18 January 2013

Item No. 12.	Classification: Open	Date: 29 January 2013	Meeting Name: Cabinet
Report title:		Borough Wide Tree Management Strategy	
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

I am very pleased to present Southwark Tree Management Strategy, which emerges from good quality public consultation. This our second attempt since 2010 at getting a Tree Strategy which we feel fully confident that residents and the public are supportive of. We were in fact ready to adopt an earlier version of this Strategy in 2011 but two inter-related factors at the time encouraged us to consult more widely and proactively. In December 2010 we had embarked on a pilot strategy on which we were consulting. It meant that the changes in management and maintenance practices were taking place and it soon became clear that members of the public and particularly residents with a particular interest in trees in the public realm, were not used to the more systematic tree management practices that the department was arranging to be carried out. Practices like pollarding; already pollarded trees and the felling of dead, dying or dangerous trees trigger some members of the public to protest and complain. Equally, for whatever reason, maybe partly as a result of the introduction of the pilot, there was a growing interest amongst residents about how we care for our trees in Southwark. In contrast as there was limited public feedback to the formal consultation in 2010-11 it was decided the council needed to explain to the public what we were doing, why we were doing it in the way we were and listen carefully to what they were saying to us with a view to where required, amending, adding to or changing our tree management strategy.

This document reflects the consultation which has meant there have been substantial improvements on the previous version of the strategy. For instance, there is now greater explanation about the challenges the council faces in managing trees in a constrained and busy urban environment. There is also an explicit commitment to a Tree Warden scheme with a time-frame included, as well as a new commitment to an Adopt a Tree scheme. Another instance of policy resulting from public feedback is that we now publish the annual tree works schedule on the council’s website, and we now will be setting out very clearly in what circumstances we will be directly consulting with the public about specific tree works. A particular sign of how far we have come and how much we have responded to the public’s concerns and suggestions is the commitment we are making to only pollard trees (those which have already previously been pollarded, which dictates that maintenance regime) during the winter months, so that there is not a stark removal of leaf cover causing a dramatic, albeit temporary loss of green aesthetic.

I wish to take this opportunity to thank all those members of the public who got involved in this consultation - those that attended the consultation events in Dulwich

Park and Southwark Park and those that sent in their email comments too. I sincerely believe we were able to give full consideration to the feedback received even if we were not able to incorporate every one of those suggestions.

In addition I'd like to express my fulsome gratitude to the Tree team in the Public Realm division of the department of Environment and Leisure who are not only responsible for the development of this excellent document but were also the outstanding face of the service when they so brilliantly engaged with the public during the public consultation. This has taught me that Southwark Council have a Tree team they can be justifiably be proud of.

So here it is... our Southwark Tree Management Strategy, a document for both practitioners and all our residents who care and want to know that we the council also care about the wonderful tree legacy we have in our borough today.

RECOMMENDATIONS

1. That the Cabinet notes the consultation process and subsequent revisions to the Tree Management Strategy.
2. That the Cabinet approves the revised Tree Management Strategy and the approach for adoption of the strategy.

BACKGROUND INFORMATION

3. In order to manage trees consistently, transparently and in line with best practice, the Cabinet Member for Transport, Environment and Recycling agreed to pilot a Tree Strategy which was adopted in December 2010 with a review after 12 months.
4. During this period, tree management has improved through a proactive planned approach through surveying, prioritising tree maintenance operations, implementing a strategy for planting, and managing resident expectations. However, it was clear that there were still concerns regarding certain aspects of the management of trees, including decisions relating to the felling and pollarding of trees for safety reasons and the degree of community consultation on such decisions. In order to identify what further improvements needed to be made to tree management, a programme of community consultation was undertaken during Autumn 2012. This report brings forward a revised Tree Management Strategy and details the changes resulting from that public consultation.

KEY ISSUES FOR CONSIDERATION

5. Although not a statutory requirement the adoption of a Tree Management Strategy is considered a key document for the Council. It sets out the vision and policy framework for the trees owned, managed and/or protected by the Council and explains how we will achieve this vision. It is a reference document for anyone with an interest in Southwark's trees and is aligned with the Council's commitment to be more accountable to residents and businesses on how services are delivered and to ensure that residents' views are taken into account when the Council takes decisions.

Consultation process and key outcomes

6. Consultation on the tree strategy was undertaken in September and October 2012 to provide the opportunity for residents and partners to inform the revised Tree Management Strategy and included:-
 - Two public meetings at Dulwich and Southwark Parks
 - A web based consultation was held throughout October 2012 aimed at seeking views on a range of issues relating key elements of the strategy Appendix 3.
7. A total of 30 residents attended the public meetings and some 70 responses were received to the website consultation. The majority of respondents supported the existing Tree Management Strategy and some made detailed comments and suggestions for improvements. These are detailed in Appendix 2 of this report together with officers' responses.
8. Following the consultation the key changes to the strategy are;
 - Reformatting for legibility.
 - The Council's commitment to preserving the Council's trees has been clearly defined
 - Clearer setting out of what work we do and why
 - Commitment to pollard trees only in winter
 - Commitment to recognise trees of significance
 - Commitment to implement a Tree Warden programme
 - 3 year maintenance agreement for all new and replacement trees
 - Adoption of the Tree Pit Design Manual
 - Clearer explanation of when we will and will not consult
 - More detail about the challenges facing Southwark's trees (i.e. pests, street trees)

Revised tree management strategy

9. In response to the consultation the Strategy is now arranged in the following sections
 1. Vision and objectives for Southwark Trees
 2. The Benefits of Trees
 3. Southwark's Tree Stock
 4. Challenges Facing Southwark's Trees
 5. How are Southwark's Trees Managed and Maintained
 6. Planting
 7. Our Commitment to Customer Service
 8. Insurance Claims
 9. Which organisations have an interest in trees
10. Paragraphs 11 to 30 below highlight the key elements of the strategy attached as Appendix 3 together with the changes in response to feedback during the consultation.

Vision and objectives

11. Generally respondents felt that the vision and objectives of the strategy were satisfactory but that they would be strengthened by giving a clear commitment to protecting trees wherever possible. This being the case the vision for Southwark's Trees has been amended to:-

The Council recognises the positive impact that urban trees have on the environment and the lives of people in Southwark and aims to protect the current tree stock. By 2017 the Council aims to have a healthy, protected and sustainably managed tree stock that contributes significantly to the health safety and well being of Southwark residents

12. The vision is underpinned by the following objectives, these are unchanged from the original draft strategy with the exception of clarifying that the target for achieving a healthy and safe stock of trees relates to trees on highways, estates and parks, reflecting the fact that woodland trees are not subject to the same degree of active management;
- To ensure that the Council has a clear programme of tree maintenance, management and planting
 - To ensure that the information people and organisations require about Southwark's tree stock and its management (including this strategy and management regimes for each service area) is easily accessible and comprehensible
 - To increase community involvement and understanding of Southwark's trees
 - To guide investment in the Borough's trees using the principle of 'right place, right tree
 - To ensure that by 2017, 95% of Southwark's urban trees are healthy and in a safe condition

The benefits of trees?

13. The original strategy set out the benefits of trees in an Appendix 3. Respondents felt that the strategy should give greater prominence to this and detail the importance and benefits of trees, to ensure that the strategy is focused on preserving the boroughs' trees. In response the strategy explains the benefits of trees in the beginning of the document before detailing how trees are managed and maintained.

Southwark's tree stock

14. The strategy sets out how the CAVAT evaluation tool gives us a stock valuation. According to CAVAT the approximate value of Southwark's 90,000 trees is £440,675,529. Respondents asked whether the Council should use this valuation when considering the felling of trees. Having considered this request the Council considers it to be impractical to use this tool for the day to day management of the stock, given that only dead, dying and dangerous trees are felled. Accordingly the CAVAT evaluation will only be used as a planning tool and when there is a proposal to fell healthy trees as part of a development proposal.

15. In addition the development of woodland management plans is now included as an action within the revised strategy. The strategy also now includes an action to produce of a significant trees list for the preservation of the unique and historical trees within the borough.

Challenges facing Southwark's trees

16. This new section addresses three specific concerns raised during consultation. Firstly the management of the risk to highway infrastructure because of trees has been of significant concern since the original strategy. This section of the strategy has been reworked following consultation with other officers, to clearly set out the Council's approach to this problem, dealing with safety on the highway balanced against the desire to retain healthy trees.
17. Secondly damage to trees caused by dogs continues to be of significant concern to residents. The strategy has been amended to commit to guarding all new trees to protect against dog damage.
18. A new section has been created as a result of the consultation which explains how trees are protected through the Tree Preservation Order procedure.
19. Finally a new section has been created as a result of feedback from internal consultees as a response to recent concerns about Chalara (Ash dieback).

How are Southwark's trees managed and maintained

20. This section clearly sets out what management and maintenance involves. In response to the consultation, this section has been amended stating that pollarding will only be undertaken in the winter unless works are required for insurance mitigation purposes. This approach will ensure that the visual amenity of the tree is retained for as long as possible throughout the year.
21. 71% of respondents supported the work priorities detailed in the existing strategy. However some responses stated that the planting of trees should be a treated as a high priority along with other included works and as a result planting has been incorporated in included works as per the lists below.
22. To ensure that current resources are utilised most effectively the following list defines included and excluded maintenance operations;

Included works

- Priority trees placed on appropriate maintenance cycles
- Undertake reactive work where there is an imminent safety hazard
- Replace trees that have been felled and plant new trees (where resources allow)
- Continue to provide an advisory service to various clients including schools and recharge accordingly

Excluded works

- Tree blocking light or creating shade
- Interference with TV or satellite dish reception
- Blocking or obscuring views

- Nuisance from Insects or other non hazardous wildlife
- Droppings from roosting birds, Honeydew sap, Leaf, fruit, seed fall and pollen
- Tree is considered too large by complainant
- Maintain trees in tenants front/rear gardens unless instructed by Housing

Tree planting

23. The strategy clearly sets out that new planting (as opposed to replacement planting) can only be considered if sustainable maintenance budgets are made available and that new trees will only be planned for areas that have a deficiency in trees in accordance with the recommended tree coverage in the Biodiversity Action Plan i.e. Camberwell and Bankside areas.
24. A high number of respondents felt that the management of newly planted and replacement trees was not satisfactory. In response the strategy now implements a 3 year young tree maintenance programme which includes quarterly monitoring by the Tree Section of all planted trees to ensure their continued health and growth.

Our commitment to customer service

25. A small number of respondents stated that the Council should consult on all works to trees. This would not be possible due to the high level of resource required to undertake this consultation. However in response to this request the strategy now states that consultation will be undertaken when works will have a significant impact on the immediate area. This could apply where a significant number of trees are being felled on a particular street, or where replacement trees are due to be planted and would have an impact on the character of the area.

Community engagement

26. In response to the consultation, the Tree Management Strategy will continue to encourage greater community involvement in the care and management of Southwark's trees through a specific action to implement a Tree Warden programme.

Insurance claims

27. To clearly set out the insurance claim processes and procedures, the insurance claims section is now located in the main body of the document as opposed to an appendix.

Which organisations have an interest in trees

28. The section has been updated to reflect the changes in the trading names of some organisations.

Actions and targets

29. Full details of the actions and targets are contained in Section 9 of the Tree Management Strategy. A summary of the actions is provided table 1 below.

30. Actions have been updated in response to the consultation and to recognise that some of the previous actions are no longer relevant. The key additional actions are: the development of woodland management plans, the introduction of a tree warden programme, the production of the Tree Pit Design Manual and significant tree list.

Monitoring and review

31. The delivery of actions within the Tree Management Strategy will be monitored by the Parks and Open Spaces Manager who will report on the actions on an annual basis to the Cabinet Member for Transport, Environment and Recycling.

Table 1 Tree strategy action:

Action	Target	Timeframe	Responsibility
Make strategy and management regimes available to stakeholders	This strategy and new management regimes for each service area available through the Council's website	Feb 2013	Tree Section Communications Team
Surveying	All publicly owned highways housing and parks trees in Southwark surveyed and mapped every 3-5 years	Ongoing	Tree Section
Develop planning guidance	Supplementary Planning Document (s) for Trees and landscaping, Green Infrastructure	April 2014	Development Management Planning Policy
Woodland Management	Woodland Management Plans for all woodland sites in the borough produced	April 2015	Tree Section, Ecology Officer, External Consultant
Implement a Significant Trees list for the borough	All trees on publicised register	April 2014	Tree Section
Produce a Tree Pit Design Manual for new Highways planting	Production and issue of guide	April 2013	Parks Mgmt, Public Realm Projects, Tree Sect, Development Mgmt
Maintain high level customer service and share information	Publishing schedules and review customer service procedures	Ongoing	Tree Section Communications Team
Reduction in complaints received	Number of complaints received below 30 per annum	Ongoing	Tree Section
Introduce a Tree Warden programme	Implemented programme and wardens reporting issues to the Tree Section	April 2013	Tree Section
Introduce a pilot Adopt a Tree Programme	10% of all newly planted trees maintained by residents	April 2014	Tree section

Policy implications

32. The Tree Management Strategy supports the following Council priorities as identified in the 'Southwark 2016' 10-year plan for the borough:
- **Making Southwark a place for people, which has a good environment:**
Through regular tree care, which is more environmentally and economically efficient. Regular maintenance and recycling of tree waste equates to a cleaner, greener, safer borough.
 - **Making Southwark a place for people, through a 'liveable' public realm:**
Regular maintenance of trees helps improve the quality rating for streets, estates and parks which contributes to the number Green Flag awards received.
 - **Improve people's lives, helping them to be healthy:**
Having a well-maintained and healthy tree population contributes to the reduction of climate change and pollution, flooding and other environmental factors such as carbon sequestration, absorption of carbon dioxide, filtering of atmospheric pollution, production of oxygen.
 - **Improve people's lives, helping them to be safe:**
Regular tree maintenance helps to increase the benefit of public lighting in hours of darkness, therefore making the borough safer at night. The perceived risk of crime is also decreased. Well-maintained trees allow for unrestricted access and movement for all on public footpaths and carriageways.
33. The actions in the Tree Management Strategy contribute to the delivery of the Biodiversity Action Plan through protecting and maintaining tree stock, and adapting to climate change
34. The actions in the Tree Management Strategy will contribute to the delivery of the draft Open Spaces Strategy through the effective management of a healthy and safe tree stock which contributes to the provision of high quality open space and improving access to nature. .
35. Trees and Urban Design – over recent years many trees have been planted in inappropriate and poorly designed tree pits with the effect of limiting the lifespan of the trees and damaging infrastructure. Whilst such tree pits could be considered to maximise the potential for new planting this approach is not sustainable. As a result officers are working towards agreeing a design for tree pits which is sustainable and affordable.

Community impact statement

36. The Tree Management strategy is a borough wide strategy. It is concerned with planned and responsive tree care and seeks to improve the delivery and quality of the arboricultural service.
37. The impact of the strategy will affect all communities/groups, residents, businesses, visitors and those that pass through the borough and will in turn improve the quality of life for all. Direct benefits are a well maintained tree stock that makes an important contribution to the safety of all. Continued emphasis on maintenance will especially benefit the most vulnerable members of the community i.e. the elderly, the disabled and young children.

38. An equalities impact assessment was undertaken and the Tree Strategy impacts on people with disabilities as it aims to ensure accessibility through the effective management of the tree stock on the highway.

Resource implications

39. Work associated with the delivery of the Tree Management Strategy will be delivered by the Tree Section, an existing resource funded by existing revenue budgets.

Financial implications

40. The financial implications associated with the Tree Management Strategy can be contained within the Public Realm Division's budget. Current resources and budgets does not allow for every tree to be placed on a fixed maintenance cycle however full surveys will be carried out regularly and an inspection regime has been implemented (every 3 years for highways and housing and 5 years for parks trees) to identify priority trees for appropriate cyclical maintenance. This approach was confirmed by responses to the consultation.
41. For the current financial year 2012/13, there is a revenue budget of £836k for tree term contractor, of which Housing Revenue Account (HRA) contributes £247k. In addition the HRA contributes £70k for 2 members of staff. Subject to approval, this budget will remain the same for the financial year 2013/14.
42. The costs as a result of implementing the proposed strategy will be contained within this existing budget.
43. The latest approved Council Capital Programme does not have any provision for tree planting or similar works. However a bid will be submitted at the next available Capital Refresh opportunity.

Legal implications

44. The council has a 'Duty of Care' to maintain trees in a safe and healthy condition and to ensure that reasonable steps are taken to minimise the risk of injury to people and damage to property by undertaking regular inspection and carrying out appropriate works.
45. The Tree Management Strategy has identified key Legislation and Policy which govern and influence the way we manage Southwark's trees in Appendix 3. These include;
- Town and Country Planning Acts – including Tree Preservation Orders and Conservation areas
 - The Wildlife and Countryside Act – affords protection to nesting birds and roosting bats
 - The Health and Safety at Work Act
 - Highways Act – to ensure that overhanging vegetation does not create obstruction or nuisance and that dangerous trees are made safe.
 - Anti-Social Behaviour Act – includes powers to deal with complaints in respect of high hedges

- Common Law – relating to ownership, hazardous trees and nuisance

Consultation

46. Consultation was undertaken in September and October 2012 through 2 public meetings and a web based questions. Results are detailed in Appendix 2.
47. The strategy was consulted on internally with the following;
- Chief Executives Department
 - Planning
 - Regeneration
 - Housing & Community services
 - Director of Resources (Insurance Team)
 - Public Realm
 - Highway Officers
 - Ecology officer
 - Parks & Open Spaces

Feedback has been received and has been incorporated into the strategy document

Dissemination and review

48. Should this report and the revised strategy be agreed by the Cabinet the following methods would be employed for dissemination and review:
- The Tree Management Strategy is published on the website
 - The Tree Management Strategy is disseminated through the appropriate mechanisms to tenants and leaseholders by Housing Management
 - The Tree Management Strategy website link is e-mailed to Parks 'friends' groups and voluntary sector partners
 - That the Tree Management Strategy be reviewed within 5 years and any comments on the strategy be considered as part of that review

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

49. The report refers at paragraph 45 to the various statutes which influence the management of trees within the Borough. There are no other legal issues arising from this report apart from the acknowledgement of the duty of care which is set out in paragraph 44.

Strategic Director of Finance and Corporate Services (FC13/002)

50. The Strategic Director of Finance and Corporate Services notes that this report requests approval to the revised Tree Management Strategy and the approach for adoption of the strategy. There is funding within the current revenue budget of £836k to meet the tree maintenance costs.

51. The Council's capital programme does not have any provision for tree planting or similar works at present. The Strategic Director of Finance and Corporate Services notes that a bid will be submitted at the next available capital refresh opportunity. If a bid is unsuccessful alternative funding will need to be secured in order to fully implement this strategy.
52. The costs of implementing this strategy will be contained within the General Fund and Housing Revenue Account budgets, after any budget adjustments are implemented. Officer time to effect the recommendations will be contained within existing budgeted revenue resources.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Borough wide Tree Strategy – Draft for Consultation – IDM October 2010	160 Tooley Street, London SE1 http://modern.gov.southwarksites.com/ie/DecisionDetails.aspx?ID=1613	Rebecca Towers 020 7525 2388

APPENDICES

No.	Title
Appendix A	Web Questionnaire (circulated separately and available on the council's website)
Appendix B	Tree Strategy Consultation Results (circulated separately and available on the council's website)
Appendix C	Tree Management Strategy 2013 (circulated separately and available on the council's website)

AUDIT TRAIL

Cabinet Member	Councillor Barrie Hargrove, Transport, Environment and Recycling	
Lead Officer	Deborah Collins, Strategic Director of Environment and Leisure	
Report Author	Des Waters, Head of Public Realm,	
Version	Final	
Dated	18 January 2013	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
	Officer Title	Comments Sought
	Director of Legal Services	Yes
	Strategic Director of Finance and Corporate Services	Yes
	Cabinet Member	Yes
	Date final report sent to Constitutional Team	18 January 2013

Item No. 13.	Classification: Open	Date: 29 January 2013	Meeting Name: Cabinet
Report title:		Southwark Open Space Strategy	
Ward(s) or groups affected:		All wards	
Cabinet Member:		Councillor Fiona Colley, Regeneration and Corporate Strategy	

FOREWORD – COUNCILLOR FIONA COLLEY, CABINET MEMBER FOR REGENERATION AND CORPORATE STRATEGY

Over the next fifteen years it is predicted that Southwark's population will increase significantly. Much of our planning work is rightly focused on where we can build the thousands of new homes we require to support this. However, it is also essential that we also consider the infrastructure we need to protect and enhance the experience of living in Southwark – this open space strategy is an important part of this.

The open space strategy aims to strike a balance between land needed for new homes with the protection of existing and creation of new open spaces. Open spaces account for just over 20% of the total land area of Southwark and the opportunity for creating new open spaces is limited, with the proposed new park in the Elephant and Castle being the most significant. The strategy therefore also sets out opportunities and priorities for existing open spaces to be improved and makes proposals for some areas which are not currently protected from development to be given that protection.

However this document is an evidence base and a strategy and cannot in itself deliver these improvements or designate land as protected open space. We will take forward the actions proposed in the strategy by seeking funding from a variety of sources including s106 to enhance the identified open spaces and take forward the proposals for protecting more open spaces in our forthcoming New Southwark Plan development plan document, work on which will start this year.

RECOMMENDATION

That cabinet

1. Adopt the revised open space strategy (Appendix A) and note the consultation report (Appendix B), equalities analysis (Appendix C) and the sustainability appraisal (Appendix D).

BACKGROUND INFORMATION

2. The open space strategy is a borough-wide strategy, the aim of which is to balance land supply which is needed for regeneration, with the protection and creation of open space.
3. London Plan policy 2.18 requires boroughs to prepare an open space strategy, undertake audits of all forms of green and open space and assess need. This is consistent with national planning guidance set out in the National Planning Policy Framework. Open spaces strategies should be both qualitative and quantitative

and have regard to the cross-borough nature and use of many of these open spaces. They should cover all forms of open space, including privately owned open space and the interrelationship between these spaces. London Plan policy 2.18 also requires open spaces strategies to identify priorities for addressing deficiencies and set out positive measures for the management of green and open space.

4. In preparing the strategy, the council has reviewed the existing evidence base including the 2003 and 2010 Open Space Studies. As part of this work, all spaces which are currently protected as open space were audited and additional spaces capable of meeting the Southwark Plan criteria for protecting open spaces were identified.
5. The final open space strategy is intended to provide a clear framework for the provision of open space in the borough. This will make up an important part of the evidence base needed in the preparation of planning policy documents.

CONSULTATION

6. Regulation 13 of the Town and Country Planning (Local Planning) (England) Regulations (2012) and our Statement of Community Involvement (SCI) 2007 set out consultation requirements for planning policy documents. Whilst the open space strategy is an evidence base document, and therefore cannot set new policies, the findings of the strategy will be used to inform the policies set out in our future planning documents. We therefore consulted on the strategy in line with the requirements set out in our SCI.
7. The consultation report (Appendix B) sets out the consultation that has been carried out on the draft open space strategy. During the preparation of the open space strategy and prior to publication, a stakeholder workshop was held in July 2011 and a telephone survey of 750 residents was undertaken. The results of these consultation events and those undertaken during the previous 2010 study have been used to inform the final strategy.
8. The draft open space strategy was published on 17 January 2012. In all, the document was available for public consultation for a period of 16 weeks (17 January - 8 May 2012), which complies with the standards in the council's Statement of Community Involvement. As well as making the document available on the web and in local libraries, around 3000 consultees in the planning policy database were notified and invited to submit comments.
9. In addition, officers presented the strategy at all the community councils in March 2012. Officers also attended meetings with Southwark Pro-Active Strategic Group, Elephant Amenity Network, Southwark Living Streets, Bankside Open Spaces Trust, Safer Communities and Southwark Friends of the Earth. Four workshops were also held locations across the borough between March and May 2012.
10. We received approximately 588 representations on the draft strategy from 77 respondents. A significant number of the responses received related to a request for the inclusion of a recommendation to protect open space at Lorrimore Square Gardens. We received comments on the support for amendments to the boundaries of Victory Row Park and Salisbury Row Park. One representation was also received about the need for protection of the Spinney next to Dulwich

Upper Wood. A number of representations supported the provision of additional open space at the Dulwich Hospital site.

11. We received a number of representations on the need to provide further information on the characteristics of green links in the borough and to include a borough wide map of these links.
12. Several respondents stated that housing amenity areas should be protected by planning policies. We also received two representations on the need to include a recommendation to protect against the over-use of open space, especially in relation to Peckham Rye Park and Common.
13. Transport for London and the Port of London Authority submitted comments on the need to provide more detail on the River Thames as an important open space in the borough. English Heritage submitted comments requesting more detail on the heritage value of open spaces. Natural England commented on the benefit of including more detail about the importance of open spaces and green links in relation to climate change mitigation.
14. Transport for London stated that references to Crossbones Graveyard should be less detailed and the London Fire and Emergency Planning Authority requested the de-designation of Grotto open space and Grotto podium.
15. Bankside Open Spaces Trust (BOST) submitted comments on the need to include more detail on the importance of open space in the north of the borough for tourism and business uses. BOST also commented on the need to give open space protection to the garden at the Tate and for the Diversity Garden on St James Road.
16. The draft open space strategy was taken to Planning Committee for comment on 24 April 2012. The committee noted the strategy and had no comments on the content of the document.
17. The main changes which are proposed to the open space strategy, following consultation, are set out in paragraphs 30-34 below. The consultation report (Appendix B) includes a more detailed summary of all the comments received during consultation as well as an appendix which includes the full responses and our officer comments on how we have taken these comments into account in preparing the final open space strategy.

KEY ISSUES FOR CONSIDERATION

18. The open space strategy identifies Southwark as a borough that has a wealth of open space of different types including woodland, parks, community farms, Thames-side paths, and sports pitches. In total, Southwark has 207 open spaces which comprise some 595.9ha of land in the borough and accounts for 20.6% of the total land area. With a significant increase in the population projected over the next fifteen years and limited opportunities for the creation of new space, it is essential that the council maintains and improves the existing network of high quality open spaces.
19. The open space strategy sets out a vision and objectives for the borough. The vision is to “encourage a diverse network of sustainable open space of high quality which meets the needs of those living and working within the borough and encourages the development of more inclusive communities, safeguards natural

resources and cultural heritage, improves access to natural green space, provides recreational and educational opportunities and helps to promote sustainable development.”

20. As well as setting out the vision and objectives for the borough, the open space strategy identifies key needs and priorities for the different types of open space. The strategy sets provision standards for public parks and natural green space and highlights the key priorities for investment and improvement. The different types of open space addressed in the strategy include: networks, chains and grids, parks, children’s play areas and spaces for young people, natural and semi-natural green spaces, allotments and community gardens and amenity space.
21. The strategy was informed by an assessment of the quality of open spaces. This was carried out using criteria derived from the Civic Trust Green Flag standard assessment. For an open space to achieve the Green Flag standard the minimum quality standard required of a site is 66%. The average quality score for all spaces assessed in the borough is 71.3%, which is the equivalent of ‘good’ under the green flag scoring system and shows that the majority of open spaces in the borough would meet the Green Flag standard.
22. The strategy was also informed by consultation with residents. During May and June 2011, 750 residents were interviewed to find out about their use of and attitudes towards Southwark’s open spaces and outdoor sports facilities. The findings of the residents’ survey reveal that the most popular types of open space visited by Southwark residents are Metropolitan Parks and large open spaces with 69% of all visits. The most common reason for visiting large open parks and open spaces are walking (47%), fresh air (38%), children’s play (32%), and exercise (26%).
23. The majority of respondents rated all categories of open space as being good or very good, however some categories performed better than others indicating perceptions vary according to the type of open space. Those categories rated as being the highest quality sites are allotments (92%), large open spaces (86%), the Thames path (88%), natural green space (80.3%) and children’s play (81%). Categories with a higher proportion of poor or very poor ratings include housing amenity areas (11%), smaller local parks (5%), outdoor sports facilities (5%) and children’s play (6%). There were no major differences between sub-areas in the borough.
24. The strategy also takes into account need for open space, generated by varying levels of social and economic deprivation, access to private back gardens, child density, health and other factors.
25. Two of the key targets in the strategy include accessibility of parks and level of public park provision per 1000 people. The strategy identifies 400m (approximately a 5 minute walk) as a recommended accessibility standard for parks. This is consistent with the London Plan. Those areas of the borough which are deficient in public parks are defined as those which are further than 400m from any form of public park. The strategy shows that the vast majority of the borough is within the recommended catchment area for public parks, although some parts of North Dulwich, as well as parts of Sydenham Hill are outside of the recommended catchment area.

26. With regard to public park provision, there is currently there is currently 0.91ha of park provision per 1,000 population in the borough. If the current quantity of park provision was maintained, this would mean the borough would have 0.72ha of public parks per 1,000 population by 2026 due to the projected increase in population. The strategy therefore targets maintaining public park provision at a minimum of 0.72ha per 1000 people. When compared with other boroughs, it can be seen that Southwark has a lower level of public park provision than boroughs such as Wandsworth (which has a provision of 2.54ha/1000) or Haringey (1.73ha/1000) and a higher level of provision than Islington which has 0.28ha per 1000 population. Southwark also has a higher amount of open space than other Inner London boroughs of Westminster, Lambeth and Tower Hamlets in terms of total open space per population.
27. The strategy identified that there are clear variations between the amount of open space available within each sub-area, as well as the amount of open space which is publicly accessible. Bankside has the lowest amount of open space, with just 9ha, 8.7ha of which is publicly accessible, while Dulwich has the most with 245.5ha of open space.
28. The Southwark Plan and Core Strategy protect many open spaces from inappropriate development. The open space strategy itself cannot be used to protect open spaces. However, where additional spaces which are not currently protected have been identified, the strategy recommends that these be considered for protection in the future when the New Southwark Plan (the successor to the Southwark Plan and Core Strategy) is being revised.
29. In view of the limited opportunity to create new open spaces the strategy focuses on improving existing open spaces. It recommends that the council prioritises improving the quality of spaces, including using green flag criteria in the case of larger parks, improving the range of facilities which are available in open spaces to increase their value to local people, improving their nature conservation value, improving children's play facilities and incorporating food growing opportunities where appropriate. The strategy identifies several potential funding contributors to improvements including the community infrastructure levy, s106 planning obligations as well as council budgets.
30. Following consultation a number of changes have been made to the draft strategy. The main changes have comprised the inclusion of more information about green chains, networks and grids and further detail on the different characteristics of green links. Additional information has also been added on the heritage value of open space and on the importance of open space for climate change mitigation.
31. We received several responses on the need to include more detail on the importance of the River Thames in Southwark and so we have amended the open space strategy to reflect this.
32. We have also updated the document in light of the publication on the National Planning Policy Framework. In addition, we have included in the local context section a reference to the draft Cemetery Strategy, the draft air quality improvement strategy and action plan and a reference to the byelaws for pleasure grounds, public walks and open spaces.
33. We have also made some factual updates to the figures on the amount of natural greenspace and park provision in the borough. This is mainly the result of

switching some of the typologies used to categorise open space. In order to make the open space strategy easier to use, we have included a schedule of the planning designations for all our open spaces in Appendix 2 of the strategy.

34. In addition, a number of changes are proposed to the sub areas described in the strategy. These are as follows:
- Bankside, Borough and London Bridge: We have included a recommendation for the Tate Diversity gardens to be protected as other open space. We have also included a recommendation to investigate the potential for improvements to Mint Street Park (OS14).
 - Elephant and Castle: We have included a recommendation to amend the boundary of Geraldine Mary Harmsworth Park to include a section of the site in the south east corner which was previously a children's paddling pool. We have also included a recommendation to amend boundary of Victory Community Park to the south to cover the area previously occupied by a pub.
 - Bermondsey and Old Kent Road: We have included a recommendation to amend the Salisbury Row park boundary to connect up the existing protected open space. We have also included a recommendation to remove Bermondsey square from its protected designation as other open space.
 - Canada Water: We have made some minor amendments to the sub-area strategy to include a recommendation to improve the range of facilities at Durand's Wharf and to correct the recommendation for Kings Stairs Gardens to refer to OS28.
 - Aylesbury and Walworth: We have included a recommendation for Lorrimore Square gardens to be protected as Borough Open Land. We have also amended references throughout the document to refer to Surrey Square Park as opposed to Surrey Square.
 - Camberwell: We have amended the sub-area strategy to include a green link in the west of the area.
 - Peckham and Nunhead: We have amended the sub-area strategy to remove the reference to Brimington Estate Allotments and Flaxyards. We have also amended the strategy to correct the names of OS106 to Bellenden Road Tree Nursery and OS112 to Highshore open space.
 - Dulwich: We have amended sub-area to include a recommendation for the Spinney to be protected as Borough Open Land. We have also amended this sub-area to include a recommendation to improve the entrance in the south west corner at Belair Park.

Community impact statement

35. The purpose of the planning framework is to facilitate regeneration and deliver the vision of Southwark 2016 in a sustainable manner, ensuring that community impacts are taken into account. The open space strategy will help to ensure that the policies set out in the planning documents achieve this.
36. An equalities analysis (Appendix C) has been carried out alongside the preparation of the strategy to assess the impact this will have on the different equality target groups.
37. We have tested the sustainability impacts of the strategy through the sustainability appraisal (Appendix D).

Equalities analysis

38. An equalities analysis (Appendix C) has been carried out alongside the preparation of the open space strategy to assess the impact the strategy will have on groups with protected characteristics. The equalities analysis identified a number of key issues to be considered in the preparation of the final strategy. One of the most significant issues that the equalities analysis identified was that the needs of those with disabilities, young families and older people will need careful consideration to ensure open spaces are safe and accessible.
39. Open spaces improvements can also result in improvements to pedestrian and cycle routes which can have a positive impact on those with lower incomes, promoting more sustainable means of travels for no cost which can lead to health improvements and increased access to employment.
40. Improvements to open spaces are likely to have a positive impact on all groups with protected characteristics. However the needs of more vulnerable groups will need to be considered to ensure everyone has equal access to these spaces. It is important that new open spaces and public spaces are safe and well used in order to ensure more vulnerable groups feel able to visit these spaces without fear of crime and victimisation.
41. The provision on new and improved open spaces can bring positive benefits, especially for younger people and those on lower incomes who may not be able to afford more organised physical activity, helping to encourage sport and recreation which can lead to health improvements and a better quality of life.

Sustainability appraisal

42. Although not a legal requirement, a sustainability appraisal (Appendix D) has been prepared to help identify the environmental, social and economic impacts of the open space strategy. The SA appraised the draft strategy against sustainable development objectives (SDOs). This found that overall the strategy would have a positive impact on the sustainability objectives, especially SDO 13 (To protect and improve open spaces, green corridors and biodiversity). Other indicators that scored positively included SDO5 (To promote social inclusion, equality, diversity and community cohesion) and the environmental objectives SDO6 (To reduce contributions to climate change), SDO7 (To improve air quality in Southwark) and SDO14 (To reduce vulnerability to flooding).
43. In some cases the strategy will have no significant impact on the sustainability objectives. The SA identified a potential neutral impact for SDO15 (To provide everyone the opportunity to live in a decent home). Open spaces are considered to be important infrastructure that help to contribute to the quality of life and should be protected from development for the enjoyment of residents and visitors. The core strategy sets out policies for delivering housing in the borough to help meet housing need whilst continuing to protect our open spaces.

Financial implications

44. There are no immediate financial implications arising from the adoption of the contents of this report. Cabinet is at this stage being asked to simply agree the final version of open space strategy and note the related appendices to the report.

45. The cost of preparing the strategy report as well as any additional work required to finalise it will be contained within existing Planning Policy team budgets without a call on any additional funding. There are no risks to other council budgets.
46. Any specific material financial implications arising from the consultation exercise that cannot be contained within the existing Planning Policy budgets will be subject to separate reports for consideration and approval.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

47. The position was previously covered by Planning Policy Guidance whereby councils were required to undertake assessments of the existing and future needs of their communities for open space, sports and recreational facilities. PPG 17 was replaced in March 2012 by the introduction of the National Planning Policy Framework.
48. Paragraph 73 of the NPPF provides that "Planning Policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative deficits or surpluses of open space, sports and recreational facilities in the local area." The approach in the NPPF is therefore broadly similar to the previous approach contained within PPG 17.
49. As outlined in the report, the London Plan Policy 2.18 sets out certain requirements on London Boroughs with regard to open spaces and by producing and agreeing the final version of the open space strategy, the council is taking steps to comply with this requirement.
50. It should be noted that paragraph 74 of the NPPF re-affirms that open space, sports and recreational facilities should only be built upon in very limited circumstances.

Departmental Finance Manager REGFIN0070

51. The financial implications have been noted.
52. There are no financial implications expected to arise from the adoption of the contents of this report.

BACKGROUND DOCUMENTS

Background paper	Held at	Contact
Statement of Community Involvement 2008 http://moderngov.southwark.gov.uk/ie/ListDocuments.aspx?CId=302&MId=4250&Ver=4	160 Tooley Street London SE1 2QH	Sandra Warren 0207 525 5471
Southwark Open Spaces evidence base report 2010 http://moderngov.southwark.gov.uk/ie/ListDocuments.aspx?CId=302&MId=4250&Ver=4	160 Tooley Street London SE1 2QH	Sandra Warren 0207 525 5471
Southwark Open Spaces evidence base report 2012 http://www.southwark.gov.uk/downloads/download/2948/open_space_strategy_2012	160 Tooley Street London SE1 2QH	Sandra Warren 0207 525 5471

APPENDICES

No.	Title
Appendix A	Southwark Open Space Strategy (circulated separately to cabinet members and available on the website)
Appendix B	Consultation report (available on the website) http://www.southwark.gov.uk/info/856/planning_policy/2535/open_space_strategy
Appendix C	Equalities analysis (available on the website) http://www.southwark.gov.uk/info/856/planning_policy/2535/open_space_strategy
Appendix D	Sustainability appraisal (available on the website) http://www.southwark.gov.uk/info/856/planning_policy/2535/open_space_strategy

AUDIT TRAIL

Cabinet Member	Councillor Fiona Colley, Regeneration and Corporate Strategy	
Lead Officer	Eleanor Kelly, Chief Executive	
Report Author	Juliet Seymour, Planning Policy Manager	
Version	Final	
Dated	17 January 2013	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Legal Services	Yes	Yes
Strategic Director of Finance and Corporate Services	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	17 January 2013	

Item No. 14.	Classification: Open	Date: 17 January 2013	Meeting Name: Cabinet
Report title:		Consultation Responses (Key Themes) on a Draft Vision for Southwark Day Opportunities for Adults with Learning Disabilities	
Ward(s) or groups affected:		All Wards: Adults with Learning Disabilities and their family/Carers	
Cabinet Member:		Councillor Catherine McDonald, Health and Adult Social Care	

FOREWORD – COUNCILLOR CATHERINE MCDONALD, CABINET MEMBER FOR HEALTH AND ADULT SOCIAL CARE

Last spring the council set out a proposed vision for day opportunities for adults with learning disabilities, which aims to give people with learning disabilities greater choice and control over their lives and sets out the need for a greater range of community supports and opportunities to help people to achieve independent living and social inclusion within their communities. The proposals recognise that the roll out of personalisation across all adult social care services means that people with learning disabilities will have personal budgets, and in order to use them, they need information about what services are available, and these need to be attractive, welcoming, high quality and affordable, and help them to achieve their aspirations. Implementing personalisation means disinvesting from block contracted day services, and giving people budgets to purchase their own support, while working with existing providers to make their business models sustainable and successful within a personalised market. People will have support arrangements that reflect their own interests, needs, and circumstances, rather than accepting from a limited range of services commissioned by the council.

People with learning disabilities tell us that they already value the services they receive, and that they are undertaking sport, leisure, the arts, education and paid employment. However, they want more choice and flexibility and to be able to pursue activities and interests of their own. People tell us they want better education opportunities and progression into paid employment. Friendships, an income and a home of their own are high priorities. Personalisation will help to enable people to achieve these aspirations. However, people told us they need information, time, and support to help them make sense of personal budgets and the choices that they have. Most carers told us they wanted to see better opportunities for their disabled sons and daughters, but many felt overwhelmed and stressed and wanted the council to do more to support and recognise them, and not overburden them with managing personal budgets. The individualised support planning process will allow us to understand and support the role of family carers and advise on how people can make personal budgets work practically for them, including the option for the budget to be managed by a provider on the user's behalf.

This report sets out the response to the consultation, which was very positive. It recommends that the vision is developed in response to the feedback and that the council works corporately to deliver better outcomes for people with learning

disabilities by creating better opportunities for independent living, education and employment in Southwark.

RECOMMENDATIONS

Recommendations for the Cabinet

1. That Cabinet:
 - i. Notes the key themes, issues and concerns raised by users and carers in the consultation on the draft vision for adult learning disability day opportunities;
 - ii. Agrees that council officers will develop the final vision on the basis of the consultation feedback and work with users and carers, providers and community services to transform the way we provide day opportunities for adults with learning disabilities;
 - iii. Requires that officers work across all departments to ensure the final vision is reflected in departmental priorities and corporate strategies.

Recommendation for the Leader of the Council

2. That the Leader of the Council agrees that the approval of the final vision be delegated to the Cabinet Member for Health and Adult Social Care

BACKGROUND INFORMATION

Context

3. In Southwark, there are a number of day services and support for people with learning disabilities including two day centres, a specialist taxi contract, employment support and respite services. Most people accessing these services are eligible for a personal budget. Some services are also open to those who are not eligible for a personal budget and to people from different boroughs.
4. Proposals were published in April 2012 that outlined a draft vision for Southwark day opportunities and community services for adults with learning disabilities. The draft vision consulted upon can be found in Appendix 1.
5. The council's approach to re-shaping day services is considered within the context of wider service transformation across adult social care and the financial position of the council.
6. The budget proposals that were agreed by council assembly in February 2010 require a saving of £2.7m for day services for adults with learning disabilities from an overall budget of £10.8m between 2011 and 2014.
7. The draft vision for learning disabilities day opportunities draws on the overarching vision for all Adult Social Care, based on people using personal budgets to purchase the support of their choice from a diverse range of options, and ensuring the purpose of all social care support is focused on achieving better outcomes for individuals in line with their specific needs and aspirations, including independent living, paid employment, health and wellbeing.

8. The draft vision also recognises that effective community support services, offering information, advice, signposting, and activities for health and wellbeing, are essential for all learning disabled adults, including those with low or moderate needs who are not eligible for personal budgets. Access to mainstream, universal services, is already a reality for many adults with learning disabilities who engage in sport, leisure, education, the arts, and other activities in the community. There is an opportunity for the council to make local services even more attractive, welcoming and inclusive to all adults with learning disabilities and focused on achieving better outcomes.
9. The council is already rolling out personalisation to all adults with social care needs through the process of assessments, support planning, and provision of personal budgets. Adults with learning disabilities and their carers are being offered greater control over their lives as this work progresses, and as they choose to arrange and purchase their own support from a potentially more diverse, inclusive (mainstream) and sustainable range of services and activities. Better individual support will deliver better life outcomes for disabled adults, promoting independence, health, wellbeing, and social inclusion. The need for individual personalised community support rather than institutionalised care is highlighted by the Department of Health review of Winterbourne View.
10. Over time, the introduction of personal budgets will reduce the council's need for direct block funding contracting arrangements with learning disabilities specialist services. Individuals with personal budgets will be the purchasers of their support, directly shaping the market.
11. The consultation process was designed to engage as many adults with learning disabilities as possible, including young people under 18 approaching adult services, and their family carers, as well as local organisations, to understand and comment on our draft vision. A detailed timetable of consultation events, type of feedback and key feedback themes can be found within the 'LD Draft Vision Consultation Outcome Key Themes' report in Appendix 2.
12. Engagement with stakeholders on the principles of 'Personalisation' has been on-going since the publication of 'Putting People First'¹ in 2008.
13. More targeted discussions with carer groups and learning disabilities providers have been taking place since September 2010 when the draft vision was under development. These focused group conversations, and individual discussions through assessment processes have been very significant in helping people understand how personal budgets can help them access other opportunities in the community.
14. The formal consultation took place over a 12 week period, from 30 April to 23 July 2012.

Overview of draft vision

15. In 2011, the Council released a vision for the future of all adult social care, outlining the key priorities for the department and how it plans to achieve them. It recognised the need to support people to be more independent, and promote the opportunities available via personal budgets. The following is an excerpt from the vision. The full vision for all adult social care services is available as a

¹ 'Putting People First'- DH (2008)

background document or can be found on the Southwark website.

- i. *“We want to support people to live independent and fulfilling lives, based on choices that are important to them. Services need to be personalised with a focus on individuals and not institutions, including the continued development of personal budgets as a means for people to exercise choice and control in the support services they decide to access.*
 - ii. *To achieve this, we need a fundamental change in the offer to people in Southwark that minimises administrative costs and encourages residents to do more for themselves. We want to find innovative ways of providing support that reduce reliance on formal council services and create financially self sustaining business models. We need to shift the balance of care away from institutional settings such as residential homes or day centres and towards more personalised services in community settings.”*
16. Following on from this vision, we considered how these priorities could be implemented for adults with learning disabilities in Southwark, with regards to day opportunities and community services. Both for those people who are eligible for a personal budget and those who are not, but still have a need for support in their daily lives, for example, those who need some support to maintain a tenancy, or need signposting to local services.
 17. The proposal is that the purpose of all day support for adults with learning disabilities funded by adult social care will be to enable independent living and social inclusion. This recognises the right for disabled adults to have control of their own lives and to make use of the range of community services and opportunities available to all people. Independent living recognises that some people need support (services).
 18. This means that in the future, learning disabilities day services will focus on delivering better support, opportunities, and outcomes in four primary areas of people’s lives:
 - i. Employment
 - ii. Education
 - iii. Community engagement (friendships and social inclusion)
 - iv. Sport and leisure
 19. The consultation focused on 2 key areas – what community services and opportunities people want to access and how they are currently accessing them; and what support people needed to take up personal budgets and the control they offered.

KEY ISSUES FOR CONSIDERATION

A Fairer Future for All

20. The consultation document made reference to the overall Council vision: *A Fairer Future For All* – noting that the Council has promised to create a fairer future for all in Southwark by:
 - protecting the most vulnerable;

- looking after every penny as if it was our own;
 - working with local people, communities and businesses to innovate, improve and transform public services
21. The draft vision consultation document states that our aim is for all day opportunities to be equally open to people with complex and profound disabilities and with behaviours labelled as challenging, and that this will be achieved by giving people personal budgets and facilitating person centred support planning, and by helping mainstream services be more accessible and welcoming.
22. We recognise that each person will contribute to and use community resources and opportunities differently and that everyone's support plan will be unique and a reflection of their own abilities, circumstances, and aspirations.

Personalisation

23. The principles and mechanisms of personalisation and personal budgets are well tested across England and are generally accepted as delivering improved outcomes for individuals, whilst supporting them to live independent, safe and healthy lives by giving them more choice and control over their care – one of the council's 10 key points in 'A Fairer Future for All'.
24. The draft Vision for Southwark Day Opportunities and Community Services for Adults with Learning Disabilities is based on the implementation of personalisation in Southwark.

Savings targets

25. Whilst the draft vision document is about delivering improved outcomes for people, it also acknowledges that the council faces significant financial pressure resulting from central government cuts coupled with rising demand.
26. The total savings target from the transformation of day opportunities and community services is £2.7m from an overall budget of £10.8m. This represents a 25% reduction which is in line with budget reductions in many other council funded services. Funding for people with learning disabilities is not being disproportionately affected by savings.
27. The savings (reduction in spend) will be made over two years;
- 2012/13 - £1m
 - 2013/14 - £1.7m
28. Similar work already completed for day opportunities for older people has evidenced that positive outcomes can be achieved with less money. This is also the case for work undertaken to shift the balance of care away from residential care to independent living in the community for adults with learning disabilities in Southwark.
29. If people are assessed as being eligible for a personal budget, then the budget provided must be sufficient to meet their needs, in order that the council discharges its statutory duty. A process of outcome based assessment, resource allocation, and support planning ensures needs are met in a financially sustainable way, using a broad range of resources, including free as well as purchased activities and supports.

30. The council is already assisting providers to develop their business models to respond to personalisation and offer attractive, flexible, and affordable services to people with personal budgets. This work with providers to develop their services and the market of support remains a priority.

Innovation fund

31. Because market development for personalisation is a priority, the Council decided to create an “innovation fund” to stimulate the market so that more local services are available offering relevant, affordable, and attractive services to people with personal budgets.
32. Adult Social Care has already invested £158,589 in new innovation fund services for adults with learning disabilities this financial year.
33. The funding was granted as one-off payments to organisations that could demonstrate innovation and inclusion, reflecting the philosophy and aims of Personalisation. Services that received funding were predominantly local voluntary and third sector services.
34. The purpose of this funding was to diversify and develop the market of services for people with learning disabilities to create greater choice in the type of support that people with personal budgets can purchase as well as to create more options that every learning disabled adult can access for free. The grants are to pump-prime new services, expand or modernise existing services and bring services that are successful in other parts of London into Southwark.
35. Following from the successes of the innovation funded projects, additional money was allocated to some of these in December 2012 to allow them to deliver at greater scale.

SUMMARY OF CONSULTATION PROCESS

36. The consultation process was designed to engage as many adults with learning disabilities as possible, including young people aged 14 to 17 approaching adult services and their family carers.
37. A letter and questionnaire was sent to all people with learning disabilities and their family carers known to the council (768 people) explaining the consultation process, with the draft vision document, asking for people to complete an accessible feedback form and/or come to one of two public consultation events.
38. A total of 58 written responses were received giving feedback and/ or asking to attend one of the events.
39. During the consultation period, Southwark also visited day services where people with learning disabilities attend to discuss the draft vision and ask for feedback in person.
40. Visits to services meant officers were able to hear from service users and their family carers as well as their support workers. The full list of consultation events during the formal consultation period can be found at paragraph 91.
41. Whilst the formal consultation was for 12 weeks from April to July 2012, engagement with stakeholders on the principles of personalisation, a key

message in the vision document, has been on-going since the publication of 'Putting People First'² in 2008 and has continued since the end of the consultation.

42. As time has gone by, more users and carers have shown an interest in the vision and personal budgets. For example, 60 users and carers attended an event on 9 November with an array of support providers, with guest speakers, and parents talking about their experience of using Personal Budgets. (Appendix 3 includes some examples of outcomes achieved by service users with Personal Budgets to date.)
43. More targeted discussions with carer groups and learning disabilities providers have been taking place since September 2010, and feedback from these groups informed the development of the draft vision document.

CONSULTATION FEEDBACK – RESPONSES

44. Feedback from the consultation was received from various sources:

Source of feedback	Number of responses					
	People with learning disabilities	Person with learning disability with support from Family/ Carers	Person with learning disability with support from paid carer/ support worker	Person with learning disability with support from someone else	Family/ Carers	Total
Postal Feedback	9	12	10	14	13	58
Consultation Events x 2	4				18	22
Discussion groups at services	127				90	217
Individual visits	1				1	2
Total feedback	141	12	10	14	122	299

45. We heard directly from 141 people with learning disabilities and 122 family carers. Some people with learning disabilities were supported to complete their postal feedback form in the ways shown on the table above.

² 'Putting People First'- DH (2008)

46. In total we received direct feedback from 299 people. The council considers this an adequate amount of feedback to be satisfied that the views shared are representative of the affected community.

CONSULTATION FEEDBACK – THEMES AND CLARIFICATIONS

A full summary of the feedback received during the consultation is contained in Appendix 2. The following were the key themes raised in the feedback.

Choice and Control

47. The most prevalent issue people responded to in the consultation was choice. People welcomed the greater choice and opportunities that the proposed vision would introduce into their lives. At the same time, many people felt they needed more time, information, and support to understand the options and choices being offered and what this would mean for them personally as users or carers, and expressed anxiety about change.
48. The philosophy of personalisation is to give choice and control to the individual. Being in control of personal budgets, people will be able to choose and purchase support to access mainstream groups and activities. Something that the old model of block funding learning disability only services could not do – which had the effect of excluding people.

When asked 'What do you like about the Vision? One person said: **“I like the idea that I can get specific support around specific activities which would enable me to gain new skills”**

49. People highlighted their need for information about what services and activities are available in the community so that they can make informed choices about how they support themselves.
50. People also raised the importance of the cost and quality of services available to people with learning disabilities. For example, if people used council contracted services less, then would those that still continued to use those services face higher prices? People questioned how day centres would remain commercially viable and offer quality support if current service users chose not to purchase day centre support.
51. The council is investing significant time and support to help day service providers to develop their business models so that they offer quality, sustainable services. The providers themselves are committed to making changes so that they can meet customer needs in a personalised market place.

Process

52. People generally accepted that personalisation is a good thing. However, there was uncertainty and suspicion about the process that would be undertaken to implement it.

When asked 'Should support staff working in supported/residential housing help people decide what they want to do' one person said: **“The staff don't decide for me, but they support more and give me more choices and I make the decision myself”**

53. Some people in supported living said:

“I would like staff working with me to support me to plan other activities that I would enjoy doing”

54. Some people thought that the changes were about making cuts, and so they expected that there would not be enough money in their personal budgets to meet their needs. However, as the council has a statutory duty to meet people’s needs, it must ensure personal budgets are enough to purchase the support required. The assessment, resource allocation, and support planning processes will determine that personal budgets are adequate to cover support costs within the local market, and that the council continues to meet its statutory duties.
55. People questioned how the council will understand what people with learning disabilities really want. Once again, it is the processes of outcome based assessment and support planning that place the person at the centre which will ensure the user’s voice is heard, and that carers, family and friends are consulted.
56. The council agrees that in order to offer choice and control, it is critical to understand each person’s interests, wishes, and aspirations, and how they wish to be supported in order to access opportunities. This is a far more person centred approach than the historic model of offering a building based service to all regardless of individual needs and preferences. Skilled social work staff will be responsible for the quality and outcome of the process, for keeping the service user at the centre of all assessments and planning and for consulting carers and existing support workers.
57. People highlighted the need for people with learning disabilities to have access to advocacy as part of the process, should they need it. Southwark has an advocacy service for people who lack mental capacity, which is a statutory service. The council also commissions an information, advice, and access service, which has an advocacy function, offering assistance over the phone or via a home visit to resolve any issues, which could include assistance with complaints or accessing relevant services.

Employment

58. The most common feedback about employment was that adults with learning disabilities want to work in order to feel self esteem, make a contribution, and have friends and a structure to their life. Many parents also want to see employment as a realistic expectation for their disabled son or daughter. Many people service users reported that they did have work, or that they had either lost work or struggled to get full time paid employment.
59. Whilst some respondents thought that employment for people with complex needs is unrealistic, there was also some recognition that people with learning disabilities have unique and valued talents that would be an asset to employers.
60. It is also clear that people feel that there is not enough support to help people with learning disabilities into work, with some saying that there needs to be more help with job coaching, preparing CVs and interview training. Additionally, more support is needed to sustain people in employment (when it is achieved) so that it does not break down.

61. This was echoed by other responses that suggested that more local businesses should provide employment for people with learning disabilities and that the council should 'pressure' them to do so. Also, that the council should employ more people with learning disabilities. The council's economic wellbeing strategy will address these areas for development, and adult social care is sharing information about the numbers and needs of learning disabled adults to help shape the strategic approach.
62. Adult social care will continue to give the council's Innovation Funding to improve the quality and range of services supporting employment in Southwark, and personal budgets mean those who want paid jobs can purchase support to achieve this. An investment over six months to a year to secure a paid job has the potential to transform the life of an adult with learning disability, making them financially secure and independent, helping them live in their own home, while forming friendships and experiencing greater self esteem and wellbeing. Personal budgets will also assist people to arrange the support they need to maintain their job.

When asked 'What help would you like finding a job in the future?' one person said: **"I want people to treat me like everyone else. Normal and with respect."**

Education

63. It is clear that a significant number of people with learning disabilities have accessed some form of education, with particular areas of interest being computing (information technology), writing, reading and travel. Education is highly valued in people's lives.
64. People said that they wanted mainstream education to be more inclusive, with support for people with learning disabilities in everyday (non-segregated) classes, although others suggested there should be more places in education that are specialist and separate from mainstream classes.
65. Many people talked about being continually in adult education, going from course to course with no real outcome or achievement. This made people unhappy and they felt colleges needed to do more to tackle this.

When asked what help would you like finding a job in the future?' one person said: **"When special needs people learn for a whole year, learning and doing their best and at the end of the learning cause there is nothing, no job nothing, in the future must have a job after a long learn course, or it's all for nothing."**

Community engagement, and sport and leisure

66. It was very clear from the feedback that there are significant numbers of people with learning disabilities who already participate in and value a range of activities, events, and opportunities in the community, across leisure, sport, the arts, and social groups.
67. However, those who do rely on day services for the majority of their activity outside of the home have formed vital friendships through the day centres that they attend, but have limited or no friendships or activities outside of those services.

68. While a significant number of people already access sport and leisure in Southwark, both with and without assistance from social care, they raised the importance of being able to access sport and leisure and the need for more support with this, and help to make individual choices about which community, sport, or leisure activities would be most attractive to them.

When asked 'What help do you get now to access the community opportunities and make/maintain friendships, one person said **"I have a befriender who takes me into the community together at the weekend. We do paid visits to historical heritage sites, museums and London eye etc. where I get to meet new people. Sporting activities, bowling and the gym!"**

69. There was also recognition that there is a very important role undertaken by friends, families and neighbours in supporting people with learning disabilities to access their communities and sport and leisure activities.

Carers

70. Carers strongly voiced the need for the council to recognise the pressure that they experience in their lives, both financially and emotionally. Some carers felt that the proposed vision, by giving more choice and control to people in receipt of support, would place an additional responsibility on carers. Some feared that managing a personal budget or experiencing a change in support arrangements would change their family caring arrangements. Some carers worried that changes would happen too fast for them to deal with.
71. Another concern was that carers would struggle to manage a personal budget. However, there were also parents and carers who clearly welcomed the opportunity to use a personal budget and shape the support around their son or daughter's needs, and wanted to see more options other than just day centre services.
72. The council is already undertaking the assessments and support planning for existing day service users, and this process is planned to continue until December 2013. This timeframe recognises the need to support people through the process and that time is needed to understand the user's wishes and aspirations and the support options best suited to them, and how they can practically make a personal budget work for them. Social workers understand that carers are crucial within this process.
73. There is a separate Carers Assessment available to carers who want to have their needs assessed separately. Once assessed the social worker or our partners Southwark Carers will carefully consider what support can be offered.
74. Social workers will talk through money management options with carers, and help them decide what will work for them, either managing a personal budget as a direct payment, or having a third party provider manage it on the users behalf. It is evident that a significant number of carers, particularly older carers, would want someone else to manage the personal budgets for them. There are providers in the market in Southwark offering this support.
75. Support plans will reflect the role that carers/families play in supporting the person with learning disabilities, and plan to alleviate as much stress as possible from the carers.

When asked 'What would be the best way to share information about personal budgets' one person wrote: **“Talk to me in person, so I can understand better. I like things to be explained properly to me”**.

Change

- 76. A strong message from many users is that they would like to try new things.
- 77. There was also feedback that understanding how a personal budget works is the main concern when considering any change. Some people understood some of the principles of council funded personal budgets, but did not understand the entire process.
- 78. There were also a number of people who simply asked 'Why Change?' or stated they 'Don't want change'.

When responding to a question about 'What you don't like about the Vision', one person said: **“Change. I don't cope well with change,”**

- 79. It was recognised that many people with learning disabilities find change difficult to cope with, especially those with autism.
- 80. Social workers, support planners and providers will support people with learning disabilities and their carers with any changes that they can see will make a positive difference to people's lives.

Safeguarding

- 81. People asked how people using personal budgets to employ PA's would ensure proper safeguards were in place.
- 82. The use of personal budgets and how they are used to achieve the outcomes identified by the person with learning disabilities is monitored and reviewed regularly by the council.
- 83. There was concern also noted about the risk of hate crime for people with learning disabilities in the community.
- 84. Risks and how they are managed and positive risk taking is part of the support planning process and considered by social work managers when the plan is agreed.

Eligibility

- 85. There was uncertainty expressed about whether someone is eligible for a personal budget from the council, and if they are not, what support they can get.
- 86. The council is committed to fair and equitable services. If someone is eligible for a personal budget, the support planning process will begin. People who are not eligible for a personal budget will be signposted and supported to access advice and information and universal services. Some of the services funded by the Learning Disabilities Innovation Fund are open to people who are not eligible for a personal budget. The council continues to fund a range of other community support services to help people live safely and independently, whether or not they have a personal budget. For example, there are services funded by adult

social care to support people with learning disabilities into employment, and many people who have been helped to find a job are not eligible for a personal budget.

IMPLEMENTING PERSONALISATION

87. The council recognises that in order give people with learning disabilities greater choice and control through individual budgets and direct payments, particular support is needed for people to realise the benefits³. The right mechanisms must be in place to make sure that they can make the most of the opportunities, and these include:

- i. Person-centred outcome based assessments for people with learning disabilities. These may be a different kind of assessment than those they have experienced in the past;
- ii. Giving sufficient time to support users and carers experiencing assessment and support planning to understand the concept of personal budgets, consider options and make choices. This can sometimes be done more effectively in a one to one or supported by someone they know and trust;
- iii. Development of a diverse provider market in Southwark so there is a range of high quality services available for people to purchase with personal budgets. The council has been doing this by granting one-off grants to innovative organisations to develop their services in Southwark;
- iv. 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. The council funds Leonard Cheshire Disabilities to support people to understand what choices they have and make sure their views can be heard;
- v. A focus on support planning so that people can identify how best to meet their needs and achieve the outcomes they want. The council has developed a pool of skilled support planners that will help the person with learning disabilities to express their aspirations and plan how to achieve them;
- vi. 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. Southwark has been working with existing and new providers of money management services to ensure that, if necessary, there are options for people who cannot manage their own personal budgets.

OTHER CONSULTATION ACTIVITIES WITH STAKEHOLDERS

88. The proposals were developed in partnership with many of the existing organisations providing support for people with learning disabilities and

³ *Evaluation of the Individual Budget pilot programme: final report*, Glendinning et al., 2008

carers/parent groups in Southwark.

89. Apart from the feedback detailed above, opinions on the draft vision have also been obtained from other sources. These include:
- i. the consultation paper was published on the council's web site with details of the open access consultation email address for feedback
 - ii. the Learning Disabilities Partnership Board, with representatives from Speaking Up
 - iii. learning/ workshops, letters, emails and telephone conversations with organisations that provide services to people with learning disabilities in other boroughs, service users and family/friends;
 - iv. meetings with voluntary organisations that are currently block funded to deliver services to people with learning disabilities in Southwark.
90. The views obtained from these sources are also considered as part of the overall consultation process.
91. The table below shows the events and activities of the consultation process.

Date	Stakeholder	Consultation event/ activity
21-Dec-10	Market/Providers	Support & Care Market Forum - Vision for Adult Social Care and 'Adapting and Planning for Personalisation' (ACEVO)
28-Jan-11	Service user Provider, Social Care and Health representatives	LD Partnership Board - discussion around Adult Social Care Vision the context of the 'Personalisation'
25-Mar-11	Service user Provider, Social Care and Health representatives	LD Partnership Board - discussion around savings targets in the context of the Vision
29-Jul-11	Service user Provider, Social Care and Health representatives	LD Partnership Board - discussion around savings targets in the context of the Vision
21-Sep-11	Provider	Provider consultation - developing the personalisation model for LD day service
26-Sep-11	Market/Providers	Support & Care Market Forum - Pooling personal budgets and ISF's by Choices
30-Sep-11	Service user Provider, Social Care and Health representatives	LD Partnership Board - discussion around savings targets in the context of the Vision
25-Nov-11	Service user Provider, Social Care and Health representatives	LD Partnership Board - discussion around savings targets in the context of the Vision plus discussions about the upcoming LD consultation process
07-Dec-11	Carers	Riverside Day Centre – development of the Vision for LD day opportunities and community services.
08-Dec-11	Carers	Queens Road Day Centre - development of the Vision for LD day opportunities and community services

Date	Stakeholder	Consultation event/ activity
12-Dec-11	Provider	Provider consultation to discuss progress toward develop a more personalisation service model.
11-Jan-12	Market/Providers	National Development Team for Inclusion (NDTi) facilitated meeting with all existing LD providers to discuss our personalisation and savings plans.
12-Jan-12		LD Innovation Fund Launched
27-Jan-12	Service user Provider, Social Care and Health representatives	LD Partnership Board - discussion around savings targets in the context of the Vision plus discussions about the upcoming LD consultation process
05-Mar-12		
26-Mar-12	Provider	Provider consultation to discuss progress toward develop a more personalisation service model.
26-Mar-12	Provider	Provider consultation to discuss progress toward develop a more personalisation service model.
29-Mar-12	Provider	Social work seniors and Provider interface session
30-Mar-12	Market/Providers	LD Innovation Fund Awarded
05-Apr-12	Provider	Provider consultation to discuss progress toward develop a more personalisation service model.
12-Apr-12	Provider	Provider consultation to discuss progress toward develop a more personalisation service model.
19-Apr-12	Service user and carers	Individual service user and carer meeting
23-Apr-12	Provider	Provider consultation to discuss progress toward develop a more personalisation service model.
30-Apr-12		Public Consultation Launched
30-Apr-12	Provider	Provider consultation to discuss progress toward develop a more personalisation service model.
04-May-12	Provider	Provider consultation to discuss progress toward develop a more personalisation service model.
08-May-12	Provider	Provider consultation to discuss progress toward develop a more personalisation service model.
09-May-12	Service user Provider, Social Care and Health representatives	LD Partnership Board - discussion around savings targets in the context of the Vision plus discussions about the ongoing LD consultation process
12-May-12	Market/Providers	All LD providers' consultation looking at variety of service offers and barriers to achieving outcomes.
14-May-12	Market/Providers	Innovation Fund and Existing Providers, Vision for LD Services Workshop (SRC)
16-May-12	Service users and carers	Open Public sessions - people with learning disabilities and their carers held at the SRC
29-May-12	Service users and carers	19+ Group session with carers and service users (Cambridge House)
31-May-12	Service users and carers	Open Public sessions - people with learning disabilities and their carers held at the SRC

Date	Stakeholder	Consultation event/ activity
07-Jun-12	Service users and carers	Chumleigh Gardens - Group session with carers and service users
19-Jun-12	Service users and carers	Camden Society - Riverside Day Centre
19-Jun-12	Service users and carers	Transition (young people with LD) public meeting at the SRC (evening)
20-Jun-12	Market/Providers	LD Providers/ LD Team Event - service familiarisation (SRC)
26-Jun-12	Service users and carers	Bede DC - 1pm to 3pm + beyond for Carers
27-Jun-12	Service users and carers	Toucan Employment (user group) 5pm till 7pm
29-Jun-12	Service users and carers	Bede DC - 1pm to 3pm
30-Jun-12	Service users and carers	Toucan Employment (Carers' group) SATURDAY 11am to 1pm
02-Jul-12	Service users and carers	Bede DC - 1pm to 3pm + beyond for Carers (included above)
10-Jul-12	Carers/Families	Queens Road Day Centre Family & Carers 5.30pm
20-Jul-12	Service users and carers/ Market/ Providers/ Social care staff	Learning disability provider fair (SRC)
23-Jul-12		Public Consultation Close
30-Jul-12	Provider	Provider meeting to discuss pricing models for personal budgets
31-Jul-12	Social care representatives	Stock take of Support Planning activity to date and future project needs
14-Aug-12 (AM)	Provider	NDTi (National Development Team for Inclusion) facilitated session on Support Planning – process; skills; support required
14-Aug-12 (PM)	Provider	NDTi facilitated session on Support Planning – process; skills; support required
29-Sep-12	Market/Providers	NDTI facilitated event to explore sport & leisure – options; demand; future needs
6-Sep-12	Market/Providers	NDTI facilitated event to explore social inclusion – options; demand; future needs
12-Sep-12	Providers	Social care facilitated event to review Support Planning and identify further support/ training required
17-Sep-12	Market/Providers	NDTI facilitated event to explore adult education – options; demand; future needs

Date	Stakeholder	Consultation event/ activity
20-Sep-12	Provider	Social care facilitated review of support plans completed on the project
9-Oct-12	Provider	Provider meeting to discuss pricing models for personal budgets
9-Nov-12	Service users and carers/ Market/ Providers/ Social care staff	Learning disability provider fair (Cambridge House)

Community impact statement

Overview

92. This community impact statement is an overview of the current position and situation. A draft equality impact assessment can be seen at Appendix 4.
93. Once the draft vision is developed and finally agreed, we will update the equality impact assessment.

Summary of key affected groups

94. The key affected groups are adults with learning disabilities, young people approaching adult services (14 to 17 year olds) and their family carers, whether they are eligible for on-going council support or not.
95. The majority of adults with learning disabilities who received council funding for services in Southwark in 2010/11 were women (almost two thirds of service users⁴). In addition, census information suggests that a majority of people who defined themselves as carers are women, so there is the potential for a particularly significant impact on women users/carers.
96. Provisional 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)⁵.

Ethnicity	Proportion of clients who received services from adult social care
White (inc. White British, Irish, Traveller, Gypsy/Roma, other White background)	76%
Black or Black British	17%
Mixed ethnicity	<1%
Asian or Asian British	2%
Chinese or other ethnic group	2%

⁴ DH RAP return 2010/11 (provisional)

⁵ DH RAP return 2010/11 (provisional)

97. The ethnicity breakdown of the people who responded to the postal consultation 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 learning disabilities services when compared to the general population of Southwark. However, this must be considered in the context of a relatively small response rate to the postal consultation.
98. The current learning disabilities day services offered by the voluntary sector do not include specific provision for specific ethnic communities.
99. 'Personalisation', and changes to the way services are funded, does not adversely affect any ethnic group. People will be able to choose the services that they want to fund through their personal budgets, and select the support staff who work with them. The changes should offer more choice for people if they want to use services or activities that are more culturally appropriate to themselves.

Action to mitigate possible negative impacts and next steps

100. People eligible for a personal budget will have choice and control over the care and support they purchase. People who are not eligible for a personal budget will also be signposted and assisted to access a range of universal community services of their choice. The prevailing theme of greater choice and control for all disabled people means that 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 black and minority ethnic (BME) communities, lesbian, gay & bisexual communities and for transgender people in terms of accessing culturally-appropriate services.
101. Adult Social Care 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 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.
102. The council is also aware of the importance of effective, evidence-based preventative interventions. 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 council already commission a service that supports people with (all) disabilities to access the support that they want by providing accessible information and advice that is focused on helping people to help themselves. This is further mitigating action to support people to regain and remain independent.
103. Finally, the council is supporting existing contracted providers providing transitional funding 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, charging individuals rather than block contracting arrangements.
104. We do recognise that work to evaluate individual budgets and direct payments

has outlined that some groups, such as people with learning disabilities 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.

105. Adult social care recognises the need to work closely with partners across the council to develop the vision, responding to feedback from users and carers, and shaping council strategies and plans so that the opportunity to achieve better outcomes for learning disabled adults can be realised in Southwark.

Resource implications

106. This proposal is being taken forward as part of a programme of work within the budget for adult social care, accepted by the Council Assembly as part of the overall council budget on 22 February 2011. The implications of this consultation have been discussed with departmental finance colleagues whose comments have been included in this report.

Consultation

107. The consultation process was launched in April 2012 and closed, after 12 weeks, at the end of July 2012. Copies of the proposals were sent directly to affected residents and their carers/families and proposals were also made publicly available via the Southwark Council website. People were asked to consider our vision and feedback either by post or by attending one of the public consultation events.
108. A significant number of additional events were organised at places where services are delivered, to increase the breadth of feedback we received.
109. Consultation responses were received from a range of people with learning disabilities, their carers/families and other stakeholders as detailed in the 'LD Vision consultation Outcome Key Themes' report in Appendix 2.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Finance and Corporate Resources

110. The report requires the cabinet to note the outcome of the consultation, agree that officers should now proceed to finalise the vision on the basis of the consultation feedback and then work to transform the way that day opportunities are developed for adults with learning disabilities. The report also requires officers to ensure that the final vision is reflected in all the council's departmental priorities and corporate strategies.
111. The consultation that has taken place on the Vision is clearly set out in the body of the report and the appendices. It clearly falls within the requirements of what constitutes good consultation.
112. The Equality Impact Assessment highlights the possible impacts this will have on those with protected characteristics and the steps being taken to lessen the impact.

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

113. The leader is being asked to delegate authority for the final vision to be approved by the cabinet member for Health & Adult Social Care

APPENDICES

No.	Title
Appendix 1	Consultation documents: A Vision for Southwark Day Opportunities and Community Services for Adults with Learning Disabilities'
Appendix 2	Summary of Consultation Feedback – Key Themes and Clarifications (circulated separately and available on the council's website)
Appendix 3	Case studies and examples of outcomes achieved with Personal Budgets to date through personal budgets (circulated separately and available on the council's website)
Appendix 4	Equality Impact Assessment (Draft) (circulated separately and available on the council's website)

BACKGROUND PAPERS

Background Papers	Held At	Contact
Adult Social Care Vision 2011	Adult Commissioning Unit Children's and Adults Services, 160 Tooley Street London SE1 2QH	Peta Smith 020 7525 3629
Learning Disability Innovation Fund – list of successful organisations and awards	As above.	Peta Smith 020 7525 3629
Response documents: A Vision for Southwark Day Opportunities and Community Services for Adults with Learning Disabilities'	As above.	Peta Smith 020 7525 3629

AUDIT TRAIL

Cabinet Member	Councillor Catherine McDonald, Health and Adult Social Care	
Lead Officer	Alex Laidler, Head of Disabilities and Independent Living	
Report Author	Peta Smith, Commissioning Manager	
Version	Final	
Dated	17 January 2013	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Legal Services	Yes	No
Strategic Director of Communities, Law & Governance	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	17 January 2013	

A Vision for Southwark Day Opportunities and Community Services for Adults with Learning Disabilities

The overall Council vision: A Fairer Future For All

Southwark Council has an overall vision called “A Fairer Future For All”. The Council will create a fairer future for all in Southwark by,

- protecting the most vulnerable;
- by looking after every penny as if it was our own;
- by working with local people, communities and businesses to innovate, improve and transform public services

As part of this vision the council has set 10 key promises, of which one is to

“Support vulnerable people to live independent, safe and healthy lives by giving them more choice and control over their care”.

The Vision for Adult Social Care seeks to deliver this promise, and part of this vision includes the transformation of day services.

We are currently reviewing the day services for adults with learning disabilities in Southwark, as part of our work to transform adult social care and introduce personal budgets and self directed support.

We know that for some people, the existing day and community services meet their needs. However, for a growing number of current and future service users, the style and pattern of provision does not meet their needs. In brief, people have told us that:

- What works is having something to do, respite for families, good and caring staff, seeing old friends, and access to health supports.
- What doesn't work is the lack of real individual choice and control, not enough support for employment and real education, not enough flexibility about when activities happen, and having to travel outside of the local community.

The drive behind our vision is to support and enable people with learning disabilities to choose how they are supported to spend their days, and to focus support on enabling people to be more independent. It is impossible to provide a detailed description of what each person's day support will look in two or five year's time. Instead, the vision aims to provide a framework for the development of a broader range of community services and supports to allow for individual

choice. We are guided in this by national and local policies and our knowledge of people currently using services.

The purpose of day opportunities and community support services

Our aim is that all day opportunities will be equally open to people with complex and profound disabilities and with behaviours labelled as challenging, and this will be achieved by giving people personal budgets and facilitating person centred support planning. We recognise that each person will contribute to and use community resources and opportunities differently and that everyone's support plan will be unique and a reflection of their own abilities, circumstances, and aspirations.

The purpose of all day support funded by adult social care will be to enable independent¹ living. This means that in the future, day opportunities will focus on supporting people in four primary areas of their life:-

- employment,
- education,
- community engagement (friendships) and
- sport and leisure.

Employment

Nationally, we know that surveys taken of people with learning disabilities identify real **employment** as the greatest area of unmet need in the community. Employment offers people the opportunity to contribute to their community and be valued for that contribution, to make new relationships with co-workers and other community members and to enjoy the financial rewards. We will ensure that day and community services can provide practical support to enable people who choose to, to gain and maintain real jobs with community employers or to become self employed.

Education

¹ *Independent living means the right to have control of their own life and to make use of the range of community services and opportunities available to all people. Independent living recognises that some people need supports (services).*

Education provides opportunities for people to learn new skills, build on their existing abilities, and engage with the wider community. For many people with learning disabilities, further and adult education has become unfocused and repetitive. We aim to support people to access further and adult education that is in line with their plans and aspirations for employment, learning, independent living, and a social life. Where possible, this will be by people with learning disabilities accessing formal and informal education opportunities open to the whole community, not just with other adults with learning disabilities.

Community and Friendships

We aim to support people with learning disabilities to engage in a range of ordinary activities where they can meet and connect with other **community** members. With high quality support, we aim that these connections are given every chance of becoming valued and safe **friendships**. These activities may be based around common interests, faith and cultural activities, volunteering, and local to where people live. Support will help people to maintain existing relationships and build new ones.

Sport and leisure

Supporting people to engage in **sport and leisure** activities will promote better health, wellbeing, and community engagement. This includes social activities, hobbies, and exercise. Where possible these will be activities alongside and at the same time as other community members. We recognise that, to support existing relationships and make the best use of financial resources, some of these activities may take place within groups.

Our vision is that in each of these areas, day opportunities and community services will be flexible in their approach and the type of support they give, and offer support at times to suit individual needs, including more weekend and evening support. Services will help people to access the widest range of activities in the community.

We will be working with leisure, employment, social and community facilities within the borough to identify how they can increase access and improve the experience for people learning disabilities and including people with complex support needs. For example, we would like to see the provision of more changing places and quiet spaces in local leisure services.

Currently, a significant number of people who receive a day service attend a day centre, although a significant number of people use other services as well or instead and have a personal budget. Our vision means that in future, there will be

a greater range of day opportunities and community supports for people with learning disabilities in Southwark. As everyone moves to using a personal budget, and exercises greater choice, we expect to see more people using their personal budget to purchase other types of community support, and fewer people choosing to use spend their personal budget on attending a day centre. However, people who require a building based day service to meet their need or to provide respite for their families, will still be able to attend a day centre.

Personal Budgets and Person Centred Support Plans

Our vision will build on the work we've already done to introduce personal budgets and person centred support planning for adults with learning disabilities.

A Personal Budget is the money the Council allocates to an individual to meet their eligible support needs. As part of implementing our vision for day services, over the next two years we will carry out an Outcome Based Assessment with everyone who currently receives a day service. This assessment establishes whether people are eligible for support from the Council, and allows us to calculate an approximate amount of money that we would need to spend to assist them— this is known as an *Indicative Budget*.

During the Support Planning Phase the service user and their family carers will work out how they wish to spend this budget to achieve their agreed outcomes. The Support Plan gives us the *Final Personal Budget*. Individuals do not need to use all of their Indicative Budget; they just need to make sure they are using the money:

- to support eligible needs
- in ways that maximise health, wellbeing, safety and independence
- in a legal, reasonable and efficient manner

If people are eligible for a Personal Budget they may be required to contribute to the cost of their support. Most people will already have had a financial assessment in order to receive their current service.

It is important that day opportunities link to the rest of people's lives, so for most people this will be part of a wider discussion about where they live, with whom, how they use their personal budget, and how they receive health care support.

Respite will be an essential part of this conversation where people live at home with family carers. Approximately 200 people with learning disabilities using day services live with their families. For many of these families, day services offer a critical source of respite. Understanding and meeting the needs of the family, remains a priority for adult social care and so respite will be an important consideration when support planning.

Using person centred support planning, we aim to understand and balance the needs of individuals and their families in, for example, the timings of activities.

Managing a personal budget: money management options

We understand that people are very different and while some people will want to take full control of managing their personal budget, others will ask the council to manage their personal budget for them. Some people will choose to arrange for a third party, such as a local community organisation, to manage their personal budget for them. Sometimes people will want to use a combination of these ways of managing their personal budget. We will help people consider which of these options will work best for them.

We will continue to commission services on behalf of people who want the council to manage their budget and arrange their services, but we will also facilitate the development of community organisations that can assist people to exercise greater choice and control and manage personal budgets.

We will support people to think about how to make best use of the money in their personal budget through, for example, jointly purchasing support with other adults with learning disabilities where they have the same interests and needs. We will also help people to think about how they can develop their local support networks (sometimes called natural supports or circles of support).

Changes to the Amount of Council Funding for Day Opportunities Services

The proposed changes to our day services are part of the wider move towards a more person centred and community based approach and aim to achieve better outcomes for people with learning disabilities. It is also true that the changes need to take place because the Council is having to reduce budgets. The government is giving less money to the council and so every department has to reduce their budgets.

Learning disability services have had, and will continue to have a relatively generous slice of the total budget, and have set aside more money for learning disabilities because a growing number of disabled people in the borough need help, but the current level of funding cannot be sustained.

We will make savings by reducing investment in a small number of service providers with whom we currently have contracts. Every person who has a service will have a review, and will be given a personal budget to purchase their own services and supports. This means people will have greater choice and will be able to be more creative and imaginative about their support arrangements.

It is important to note that we would have been making these changes to day services and community services anyway, because we need to give people more choice and control and personalise how day services and community services support people to be independent, safe, and well in their communities.

What services will look like

At the same time as we are making savings, we are spending a learning disabilities Innovation Fund to bring new providers into the borough to develop additional, new community services for people with learning disabilities. This will give more choice for people deciding how to spend their personal budget, through smaller community services and larger London wide or national providers that can help people to employ personal assistants, use their budgets jointly with others to purchase group activities and supports, arrange flexible respite, and support people into education, employment, leisure and other mainstream services.

We are also working with existing providers so that their services focus on enabling people to achieve better outcomes and ensure that support reflects the individual's needs and preferences.

We expect that some providers will focus on particular support areas such as employment or volunteering while others will offer more general personal support. We expect that all providers will be welcoming of and skilled in supporting people with complex needs and behaviours that are labelled as challenging.

We expect that all providers will meet the highest standards for staff training and development, and more providers will work flexible hours across the week and weekends. We will work with current service providers to understand the changes in direction and need to respond to these.

While some innovation and transition monies will be available, the majority of this change will be driven by the availability and use of personal budgets.

In order to achieve these changes we will work in partnership with, amongst others, children's and young peoples services, education, transport and travel services, transitions services, health services, leisure and community facilities, mental health services and national work programmes.

Item No. 15.	Classification: Open	Date: 29 January 2013	Meeting Name: Cabinet
Report title:		Request for Door Entry at Kinglake Estate	
Ward(s) or groups affected:		East Walworth	
Cabinet Member:		Councillor Ian Wingfield, Deputy Leader and Cabinet Member for Housing Management	

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

Over the last few years residents on the Kinglake Estate have raised serious concerns regarding safety, security and anti-social behaviour on the estate. I have also been made aware that these concerns are shared by the local police and other agencies.

I am pleased to report that council officers are actively working towards providing a resolution, and to that end have thoroughly considered these issues and several possible remedies.

I am therefore pleased to present this report that recommends what is considered to be the most appropriate and cost effective resolutions, providing the best levels of safety, security and well-being to residents and visitors alike.

RECOMMENDATIONS

1. The Cabinet notes that the installation of Door Entry Systems on the Kinglake Estate will be considered along with other priorities within the potential HRA funding increase.
2. The Cabinet notes officers' recommendation for Option C (installation of full specification door entry systems to blocks with particular anti-social behaviour problems) as set out in paragraph 14 of this report.
3. The Cabinet notes that officers will engage all residents in an estate-wide pre-emptive consultation process relating to Option C, and will carefully consider all comments and suggestions put forward.

BACKGROUND INFORMATION

4. The Kinglake Estate consists of approximately 28 blocks of varying configurations and designs. The blocks are mainly of pre-war construction and a number are 5 floors with open balconies. A number of blocks have separate entrances, which provide access to separate parts of the building.
5. Over the past 4 years, there has been an increasing problem with antisocial behaviour on the estate and surrounding area. The local Police and our SASBO team have been working hard to reduce this; however, the problems still exist.

KEY ISSUES FOR CONSIDERATION

6. A number of blocks have seen a higher concentration of antisocial behavior; these are Kinglake Street, Ivychurch, Groombridge, Littlebourne, Benenden, Folkstone, Cuxton and Deal House. The layout of these blocks, which interlink, attract large groups of youths who gather on the first and second floor communal balconies. From this vantage point the group has an unimpeded view of the surrounding area and is able to flee the location before police are able to apprehend them. The open design of the blocks allows them to disperse quickly via a number of access routes.
7. A formal request has been made by residents for the installation of door entry systems across the estate. We are also in receipt of a similar request from the Metropolitan Police. Considering the design of the blocks and the current levels of antisocial behavior, the residents have requested that blocks which have open balconies and/or separate entrances have additional security doors installed on each elevation.
8. The feasibility of the installation of overt CCTV has been considered by officers to help combat antisocial behaviour and support the Police in taking formal action against the perpetrators. Broad estimate costs for the installation of CCTV have been provided by our community safety and enforcement CCTV team.
9. Five blocks have existing door entry systems as set out in Appendix 1. The existing systems only control access to the main entrance and do not restrict access to subsequent floors once inside. The remaining blocks across the estate have unprotected access.
10. The allocated funding for the Warm, Dry & Safe (WDS) programme does not include provisions for installations of door entry systems, as WDS was designed to focus the council's limited financial resources on the estates, blocks and street properties that are in need of major repair work.
11. Since the start of the Warm Dry Safe programme the Major Works team have received a number of enquiries both from ward councillors and direct from Tenants and Residents Associations requesting similar works. The response to these requests has been to explain that there are only limited funds available and that any requests would be held for future reference if funds are made available.

Financial implications

12. Currently, these works are not funded. However, these works can be considered along with other priorities if the potential £6m HRA funding becomes available in 13/14. This funding includes some provision for security works, alongside other service improvements and priorities.
13. The increased funding referred to paragraph 11 is subject to Cabinet agreement of the Budget and Rent Setting report which will be tabled on 29 January 2013. Kinglake estate will be considered along with blocks where similar works have been requested. Members should note that the total cost of security works to those blocks currently total almost £9m. There will therefore need to be prioritisation and possible scaling down of these bids, although prioritisation will clearly take into account serious and ongoing ASB and the recommendations of

the police.

14. There are a number of installation options. The initial options are:-
 - a. Install door entry systems to all blocks and upgrade existing systems to full specification of controlled access on each landing. Cost £1.117m including fees and contingencies
 - b. Install full specification systems to blocks that currently do not have a door entry system. Cost £788k including fees and contingencies
 - c. Install full specification system to blocks that have a particular antisocial behaviour problem, as identified by the SASBU team. Cost £410k including fees and contingencies
15. If works were agreed to proceed officers recommend that option C provides the best solution in terms of cost to value to the council, residents and leaseholders. Option C will control access to blocks that have been specifically identified by the Police and the Community Wardens as problematic please see appendices for list of blocks.
16. The specification of works for blocks listed under option C would include the installation of controlled main doors and each elevation would have an additional door/system installed. This configuration would control movement within the block, if the main access door was circumvented.
17. CCTV installation to open spaces has been provisionally designed and priced by our CCTV team and they estimate a budget cost of £172k.
18. These works will be chargeable to homeowners and estimated charges range from £2,030 to £8,898 per leaseholder, these are dependant upon location and number of properties in each block.
19. There are a variety of payment options available. These include interest free payment periods (for resident leaseholders only) of up to 36 months (48 months for amounts over £7,200). Leaseholders can also apply for longer term service charge loans or to have a charge put on the property, although both options do require interest to be paid. Alternatively the council offers equity loans and equity shares, for leaseholders who are equity rich but cash poor.

SUPPLEMENTARY COMMENTS FROM OTHER OFFICERS

Director of Legal Services

20. The report confirms that estate wide consultation will be carried out with residents on Option C. This consultation must be carried in accordance with legal requirements that provide that it must be undertaken when proposals are still at a formative stage; it must include sufficient reasons for the proposals to allow interested parties the opportunity to consider the proposal and formulate a response; it must allow adequate time for interested parties to consider proposals and formulate their response and the outcome of consultation must be conscientiously taken into account when the ultimate decision is taken.
21. The Head of Specialist Housing Services has set out the specific statutory

consultation requirements as they relate to charges to leaseholders.

Head of Specialist Housing Services

22. This work would be service chargeable to leaseholders. Should the proposal to install door entry systems to these blocks proceed then full statutory consultation with leaseholders will be required under section 20 of the landlord and tenant act 1985 (as amended), including notices served both pre and post tender. Leaseholders will be offered a range of payment options on receipt of their service charge invoice.
23. The majority of leases do allow the council to install door entry systems if a handset allowing access and egress to the building is installed into the individual flats. However, if any of the flats within these blocks have direct access onto the street, and no need to enter the communal areas of the block, then the council will not be able to charge them for the installation or maintenance of a door entry system, and this will increase the costs to the other properties in the blocks.
24. Any service charge must be reasonable, so if options A or B were chosen then full justification for the decision must be provided. If challenged the council could be at risk of losing much of the cost of any installation over and above that to the main entrance and CCTV.

Head of Community Safety and Enforcement

25. Kinglake Estate has suffered from anti social behaviour over a number of years. The behaviour has consisted of large congregations of young men gathering on the stairwells of the estate most evenings. The group are responsible for a range of nuisances including noise, littering, verbal abuse and general intimidation. In 2011 Southwark Anti Social Behaviour Unit carried out some intensive interventions in the area to disrupt the behaviour. As well as some enforcement action, the group were engaged with and sign posted to positive activities in the Walworth Area. For a period of time the area was quieter.
26. In 2012 the police and Southwark Anti Social Behaviour Unit received further reports concerning large congregations of young people at the same location causing very serious harassment, alarm and distress to the local community. The matter became a police ward priority and one of the top three ASB hot spots for Southwark Police. Police found the group to be hostile and aggressive in demeanour.
27. The community safety team and Southwark anti social behaviour have been working with the police to address the above issues over the last 6 months. Specific intelligence was received which linked the group and their associates to drug dealing and other drug related criminality on Kinglake Estate and in the wider area. Specific targeted work has been undertaken to address this behaviour. This has included a cross partnership drugs operation that included a very large number of warrants being executed in the area resulting in over 30 arrests. This action has disrupted some of the criminal activity in the area. Southwark Anti Social Behaviour Unit is working with Police to target Council Tenancies associated with this anti social behaviour and criminality.
28. The SASBU team has visited the homes of many of the young people linked to Kinglake Estate and to wider ASB in the Walworth area. Many are now subject

to Acceptable Behaviour Contracts and their behaviour is being monitored for further enforcement should it be required.

29. In addition the council has placed additional warden patrols in the area since early November and will be installing relocatable CCTV in the Thurlow St/ Kinglake Street area by the end of January 2013. A community meeting has been called with Residents on Kinglake Estate for 19 January 2013 to encourage residents to report incidents of ASB, to reassure the community of actions taken and to gather intelligence that may assist the police and council in ongoing enforcement action.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Deputation request. Cabinet meeting 20 November 2012 (Item 7): http://moderngov.southwark.gov.uk/ie/ListDocuments.aspx?CId=302&MId=4248&Ver=4	Council offices, 160 Tooley Street, London SE1 2QH	Paula Thornton or Everton Roberts 020 7525 4395/7221

APPENDICES

No.	Title
Appendix 1	List of estates with costings for options

AUDIT TRAIL

Cabinet Member	Councillor Ian Wingfield, Deputy Leader and Cabinet Member for Housing Management	
Lead Officer	Gerri Scott, Strategic Director of Housing and Community Services	
Report Author	Dave Markham, Head of Major Works Chris Baxter, Engineering and Compliance Manager	
Version	Final	
Dated	17 January 2013	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Legal Services	Yes	Yes
Strategic Director of Finance and Corporate Services	No	No
Head of Specialist Housing Services	Yes	Yes
Head of Community Safety and Enforcement	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Officer		17 January 2013

APPENDIX 1

Dwelling Numbers	Block Name	Block Address	Existing System
1 to 31 (Odd)	Kinglake Street	London, SE17 2RR	No
33-43 (Odd)	Kinglake Street	London, SE17 2RR	No
1 to 17	Ivy Church Lane	London, SE17 2RN	No
2 to 16 (Even)	Mina Road	London, SE17 2QX	No
1 to 8	Folkestone	Kinglake Estate, Upnor Way, London, SE17 2RS	No
1 to 9	Groombridge	Kinglake Estate, Upnor Way, London, SE17 2RP	No
1 to 10	Deal	Kinglake Estate, Mina Road, London, SE17 2RH	No
1 to 10	Cuxton	Kinglake Estate, Mina Road, London, SE17 2RJ	No
1 to 9	Littlebourne	Kinglake Estate, Upnor Way, London, SE17 2RW	No
1 to 10	Beneden	Kinglake Estate, Mina Road, London, SE17 2RL	No
1 to 10	Bethersden	Kinglake Estate, Kinglake Street, London, SE17 2LH	No
11 to 20	Bethersden	Kinglake Estate, Kinglake Street, London, SE17 2LH	No
21 to 30	Bethersden	Kinglake Estate, Kinglake Street, London, SE17 2LH	No
1 to 11, 11a, 12-22, 22a, 23-28	Faversham House	Kinglake Estate, Kinglake Street, London, SE17 2RE	No
1 to 15	Swanley House	Kinglake Estate, Kinglake Street, London, SE17 2LF	Yes
16 to 30	Swanley House	Kinglake Estate, Kinglake Street, London, SE17 2LF	Yes
1 to 20	Southborough House	Kinglake Estate, Kinglake Street, London, SE17 2LJ	Yes
21-30	Southborough House	Kinglake Estate, Kinglake Street, London, SE17 2LJ	No
1 to 10	Keston House	Kinglake Street, London, SE17 2RB	No
11 to 20	Keston House	Kinglake Street, London, SE17 2RB	No
21-30	Keston House	Kinglake Street, London, SE17 2RB	No
31-40	Keston House	Kinglake Street, London, SE17 2RB	No
41-50	Keston House	Kinglake Street, London, SE17 2RB	No
1 to 20	Tenterden	Kinglake Street, London, SE17 2LL	Yes
1 to 58	Amery	Kinglake Street, London, SE17 2RA	No
1 to 10	Barham	Kinglake Estate, Kinglake Street, London, SE17 2LQ	Yes
11 to 30	Barham	Kinglake Estate, Kinglake Street, London, SE17 2LQ	Yes
1 to 20	Hadlow	Kinglake Street, London, SE17 2LG	Yes

Option A, complete renewal with full specification of each evaluation independently controlled

	£908,500.00
Sub-total	£ 908,500.00
Contingen ¹	£ 181,700.00
Fees 8%	£ 87,216.00
Total	£ 1,177,416.00

Option B, full specification where no existing system installed

Minus already installed	£300,500.00
Sub-total	£ 608,000.00
Contingen ¹	£ 121,600.00
Fees 8%	£ 58,368.00
Total	£ 787,968.00

Option C, Install to problematic blocks as identified by SASBU team

Sub-total	£ 288,888.89
Contingen ¹	£ 57,777.78
Fees 8%	£ 27,733.33
Total	£ 374,400.00

Provide CCTV to Kinglake:

£172,000

Item No. 16.	Classification: Open	Date: 29 January 2013	Meeting Name: Cabinet
Report title:		Voluntary and Community Sector: Proposal for setting up an Approved List	
Ward(s) or groups affected:		All	
Cabinet Member		Councillor Claire Hickson, Communities and Economic Wellbeing	

FOREWORD – COUNCILLOR CLAIRE HICKSON, CABINET MEMBER FOR COMMUNITIES AND ECONOMIC WELLBEING

The Council is setting up an approved list of pre-vetted voluntary and community sector (VCS) organisations. This is a groundbreaking initiative emerged from the Commissioning and Procurement Joint Task and Finish Group set up as a sub-group of the Council/VCS Liaison Group.

The list aims to save time and improve efficiency by eliminating the need for organisations to submit the same standard information in response to multiple Council procurement opportunities. It will also reduce the time the Council spends in vetting information. The development of the database will improve the management of information.

The Council has taken this project forward in response to repeated requests from the VCS to streamline the vetting process. It demonstrates the Council's commitment to a continued partnership approach with the sector with the aim of delivering economic wellbeing.

The Council will advertise that it is setting up an approved list and organisations will be able to apply online to be vetted for inclusion on a database. Organisations that meet the required standards will be included. Those not meeting the standards will be offered support by Community Action Southwark or directed to online self-help assessment tools.

Southwark is the first local authority to set up an approved list, thus demonstrating the Council's commitment to continuously improving our relationship with the voluntary and community sector and to ensuring that their relationship with us helps build their capacity.

RECOMMENDATION

1. To give approval for setting up a Southwark Approved List for the Voluntary and Community Sector (VCS).

BACKGROUND INFORMATION

2. The council funds approximately 250 VCS organisations based in Southwark through a combination of grants and contracts. The most recent information provided by departments indicates current council funding to the VCS via:

- 122 contracts
- 132 grants

31 organisations are multi-funded through a combination of contracts and grants from a number of different council departments.

The principal strategic engagement structure for the relationship between the council and the VCS in Southwark is the Council/VCS Liaison group. This has over time identified council commissioning and procurement processes as a key issue that results in inconsistency and increased transactional costs for both parties. Council commissioning is decentralised with departments responsible for determining the process for services to be delivered by external organisations.

3. In order to address these issues the liaison group established and delegated authority to a joint task group to develop a whole systems council approach to commissioning of the third sector. A Commissioning and Procurement Joint Task and Finish Group was set in up in November 2010 comprised of council commissioners, Heads of Service and VCS leads with the following aims:
 - To streamline council commissioning, including grant aid and contract processes that engage the VCS
 - To maximise opportunities for a sustainable VCS in Southwark
 - To make recommendations to CMT and Cabinet for approval
 - Identify how streamlining commissioning can contribute to efficiency savings for the council and voluntary sector in the current financial context.
4. The Task and Finish Group identified five key work streams. These are:
 - Commissioning arrangements in place and clearly set out annually
 - Internal council systems changed to deliver more effective commissioning processes
 - Establish the feasibility of an approved list of VCS provider
 - Commissioners understand the commissioning journey/options and distinction between grant and contract
 - Monitoring is proportionate, consistent across departments, avoids duplication and is reviewed
5. VCS providers have consistently raised the issue of inconsistencies in commissioning across departments (through both grants and contracts) and in particular the duplication of processes arising from for example the need to make multiple submissions of Pre-Qualification Questionnaires (PQQ) in response to different council commissioning opportunities. Such inconsistency and duplication of processes also increases internal transactional costs for the council and can lead to both errors and unnecessary duplication. Setting up an approved list would improve central co-ordination as well as deliver efficiencies for the council by reducing transactional costs.
6. The Task and Finish Group explored the development of an approved list taking into account the existing frameworks i.e. the Southwark Approved list of Works (Construction) Contractors and the Supporting People Framework function. Examining how these operate and their relative advantages and disadvantages has enabled the group to focus on what works well and to adapt that to suit a VCS approved list.

7. The Supporting People Framework established a ranked list of providers based on the most economically advantageous bids (i.e. taking into account quality and price) under a number of service categories. The VCS approved list will not replicate this aspect of the model because the framework was based on a nationally developed model of service provision and offered a sub-regional approach to procurement involving a number of local authorities.
8. In developing the principles of operation of an approved list officers explored the possibility of a shared service approach with Lambeth and Lewisham and carried out research with other London boroughs to identify if anything similar was in place. The research demonstrated that although that no similar initiatives were underway. Commissioners in neighbouring boroughs have asked to be kept informed of developments in order to make a judgement as to whether there is a possibility of replicating this approach.
9. One consideration of particular significance is to ensure that the resources required to set up and maintain an approved list are achievable and that real benefits follow. The council will also need to manage the sector's expectations about the benefits of being on the list, the way in which it will operate and ensure that organisations are provided with appropriate information and support to enable them to qualify to be on the list. This report also seeks to quantify the resource implications and the benefits that will accrue for both the council and the VCS.
10. The inconsistency of commissioning process identified as an ongoing issue through the Council/VCS liaison group was further evidenced in an audit of the funding arrangements for voluntary organisations. The audit was primarily concerned with the council's framework for providing grant funding to voluntary organisations and took place March 2012 as part of the council's internal audit plan for 2011/12. The majority of the recommendations raised relate to a lack of consistency across the council in its relationship with the VCS. Setting up an approved list for the VCS would strengthen the council's framework for the setting of standard requirements, even though its primary purpose is to streamline procurement through contracts and not grant aid funding.

Pilot scheme

11. Following consideration by the Task and Finish Group of what an approved list might deliver in the way of cost benefits it was decided to test this through a pilot scheme. The scheme involved the development of a validation and assessment framework customised from a standard PQQ to capture the specific governance and management requirements for VCS organisations. It contains the following elements:
 - Governance
 - Finance
 - Health & Safety
 - Equalities
 - Experience
 - Quality Assurance
 - Safeguarding
 - Insurance

The other elements of the pilot were:

- Testing the validation framework on ten VCS organisations who volunteered to take part
 - Validation and scoring of all criteria by council officers without recourse to external consultants for specialist areas
 - Assessment of notional resource implications for setting up a list
 - Options analysis of available online resources and management information systems
 - Feedback to the Task and Finish Group, through Community Action Southwark (CAS) to the VCS more broadly and specifically to organisations participating in the pilot
 - Evaluation of the pilot
12. The assessment framework scoring system contained a mix of pass/fail and scored assessment criteria. Each of the participating organisations achieved the standards required in each core area as well as the overall minimum total score. One organisation had to increase its insurance cover to achieve the required standard. Each organisation participating in the pilot was already in a funding relationship with the council. An inference could be made that organisations unlikely to reach the required standards would not volunteer to take part in an assessment process that would evidence these.
13. Evaluation of the pilot was carried out in a range of ways. These included inviting feedback from VCS participants and learning from officers' feed back on the time and skills levels required to carry out the assessments. This was reported back to the Task and Finish Group. The evaluation was positive in each of these areas and the group decided to take the approach forward to the next stage and seek approval for the setting up of a scheme, now sought in this report. It is anticipated that if a list is set up further refinements to the process will be required during the implementation and testing phase as more officers and partners have an input. Further consideration of the resource implications are contained in the Resource Implications section.
14. Following testing through the pilot the specific objectives of setting up a list are:
- To improve consistency and streamline commissioning when procuring services through contracts
 - To establish a list of pre vetted VCS providers in Southwark which the council will use during tender processes
 - To eliminate the need for VCS providers to submit PQQs and other standard documentation on every procurement process
 - To modernise the process for submission of information by VCS organisations by providing an online facility using the council's corporate forms package
 - To provide access to documentation relating to the VCS to council commissioners through a single online site
 - To develop enhanced functionality in the management and enquiry capability of information relating to the VCS.

KEY ISSUES FOR CONSIDERATION

15. There are resource implications in setting up the list. These have been tested, albeit on a small scale through the pilot. These need to be considered against the

potential reduction in transactional costs across the organisation from carrying out repeated PQQ processes. In this context the approved list would deliver savings and would support modernisation of process.

16. The Task and Finish Group explored a range of options relating to the main aspects of how the list will function. The pros and cons of the main issues that were identified are set out in a table below.

Issue	Pros	Cons
Access to the list <ul style="list-style-type: none"> • Open list – with rolling application process OR 	<ul style="list-style-type: none"> - Open list maximises accessibility to the list 	<ul style="list-style-type: none"> - Resource implications too onerous for council
<ul style="list-style-type: none"> • Open list with window period 	<ul style="list-style-type: none"> - Resource efficient by providing a balance between manageability and accessibility 	<ul style="list-style-type: none"> - No significant ones
Inclusion of organisations not based in Southwark that have track record of delivery with Southwark beneficiaries	<ul style="list-style-type: none"> - Potential for better services for residents through enhanced market base and choice of potential suppliers - No legal, economic or rational basis for exclusion of non-Southwark based organisations 	<ul style="list-style-type: none"> - Resource implications if significant number of non-Southwark based organisations apply
Use of officer resources (skills/time) to assess criteria rather than external consultants	<ul style="list-style-type: none"> - Cost savings - Will enhance competencies and joint working as commissioners work with Finance, Health & Safety, Equalities leads on assessment - Avoids conflict of interest where consultants carrying out assessment offer support to attain required standards 	<ul style="list-style-type: none"> - Officer time in carrying out assessments although needs to be set against reduction in repeated PQQ assessments

17. The approved list process stages are set out below:

Advertising

18. An invitation to apply to join the list will be advertised on the Council website, through Community Action Southwark (CAS) and VCS networks
- The advert will state that:
 - Once established the list will be open and maintained annually
 - Providers appearing on the list will need to keep data updated and this will be requested annually
 - The list will open annually for a one month window (with the annual window to be advertised). This will allow any new providers joining the

market to apply and give any providers that previously failed to get on the list an opportunity to reapply

- There is no cost in applying to or being on the list
- Any provider not wishing to apply or failing to get on the list will not be precluded from any tender opportunities.

19. Applications to join the list will be accepted for a 1 month period only.

Assessment

20. Applicants will be required to upload documentation to and complete an online form on the Council's website

21. Officers will assess applications. It is expected that most organisations applying will be known to the Council already. There is an expectation that departments will take a lead by assessing organisations with experience of service delivery in the relevant thematic area. Commissioners will include Finance, Health and Safety and Equalities expertise in the assessment process

22. Officers will notify applicants of the outcome and provide feedback on validation areas where these are not met

23. There will be a one month clarification period after assessment to allow providers to submit revised documentation following feedback

24. CAS will offer support to Southwark based organisations not meeting the validation standards

25. Officers will signpost non-Southwark based organisations to online information sources or to their local council for voluntary organisations umbrella body

26. There will be no appeal process after the clarification period is complete. It is envisaged that organisations will use the validation framework to improve standards and readiness for commissioning opportunities.

Procurement

27. Officers will continue to commission services through the current procurement processes using Gateway Reports when required

28. When carrying out a restricted procurement process (a two stage process where the first stage is completion of Pre Qualification Questionnaire) officers will use the approved list to confirm which providers have been pre vetted and therefore do not need to complete a PQQ and which providers have not been pre vetted and therefore will be required to complete a PQQ

29. Officers will shortlist in the usual way and invite a selection of organisations according to their suitability for the individual procurement. Where additional service specific information is required to effectively shortlist providers, all providers expressing interest will be required to complete and submit this.

30. Guidance will set out that not all organisations on the list will automatically be invited to tender for every procurement opportunity

31. Guidance will set out exception guidelines where it may be necessary to set up an alternative procurement mechanism e.g. for specialist services
32. Guidance on how consortia applications will be managed will be provided. The broad policy will be that where the council is going to enter into a contract with individual organisations directly, the organisation will need to be on the list. If the council is solely entering into a contract with a lead organisation in a consortium only the lead will be need to be on the list
33. By making use of the council's existing corporate forms package the database development costs are contained and greater use will be made of an existing resource. Setting up an online process for submission of documentation will facilitate front end system accessibility for the VCS and provide a high level of back office functionality and overview for commissioners across the Council.
34. A report recommending revised Council Conditions of Grant Funding is also currently due for approval by Cabinet. If approved and together with the recommendations in this report, the framework for procurement and funding the VCS will be strengthened and modernised, for organisations that are grant funded and for those that the Council contracts with.
35. Officers would be responsible for managing and maintaining an accurate record of the assessment level achieved and for providing a clear narrative relating to the organisation. Being on the list does not guarantee that providers will be awarded contracts. The appropriate security and permission levels to meet the dual internal and external access needs will be established after testing and user feedback.

Policy implications

36. The Community Engagement section of the Council Plan sets out the policy targets for the implementation of the recommendations of the Voluntary and Community Sector Commissioning Task and Finish Group. These sit within the portfolio of the Cabinet Member for Communities and Economic Wellbeing. Setting up an approved list subject to completion of a successful pilot is a target for 2012/13. If approval is given the list would be advertised in April 2013 and set up at the beginning of July.
37. An approved list would sit alongside the Council's regulatory framework for commissioning external services and would not affect compliance with this. The main elements of this are Contract Standing Orders (CSOs), Best Value Statutory Guidance, EU Procurement Legislation, revised Conditions of Grant Funding and the Simplified Contract for the VCS. The approved list would not affect the operation of these.

Community impact statement

38. An approved list will be accessible and offer equality of opportunity to a broad range of VCS organisations in Southwark of varying size and thematic area of activity.
39. Assessment of experience of service delivery was a part of the core criteria for the pilot. Organisations without experience of service delivery for the Council or other public bodies would not be able to get on the list unless part of a

consortium. It would not be beneficial or cost effective to include organisations on the approved list if they are not able to satisfy this criterion.

40. Smaller, more recently formed organisations would need support to attain the assessment standards. Community Action Southwark who has been represented on the Task and Finish Group has said they will provide support to groups to improve standards. A range of free online diagnostic accreditation tools are also available.
41. There will be no charge for VCS to apply to and join the approved list.

Resource implications

42. As part of the pilot officers sought to estimate the resource implications of setting up and managing an approved list.
43. National additional officer time in carrying out vetting and development of the database and online forms package are the two key resource implications. Officer time to date has included the following:
 - Desk research to establish whether similar schemes are in place elsewhere
 - Definition of accreditation levels
 - Setting up and testing the validation framework
 - Consultation on the framework
 - Assessment of the pilot applications
 - Feedback to pilot organisations
 - Meetings and demonstrations of database services with providers (internal and external)
 - Scoping of database requirements following initial meetings
 - Database and online forms development.
44. It is estimated that assessment and scoring of documentation for each provider takes three hours of officer time. It is likely that similar amounts of time would be needed for all future assessments that have a successful outcome. The organisations taking part in the pilot were all already known to officers. More time would be needed to assess lesser known organisations. Time take on providing feedback to each of the providers was limited because each met the minimum standards.
45. Community Action Southwark will work with the Council to promote, demystify and support organisations to get on the list and understand its purpose. Even if no direct support or guidance is provided by officers there would still be a need to provide a formal decision on the outcome.
46. The time lines for setting up an approved list have taken account of the resource implications of up scaling from a pilot scheme involving ten organisations to one that could involve assessment of in excess of a hundred organisations. During the development of the scheme, officers have reported back from the task and finish group to each meeting of the Council/VCS Liaison group on its progress and brought issues to the attention of this larger group. Council Heads of Service attend this meeting and have indicated support for the development of the scheme for the cross-departmental benefits it is anticipated to deliver. Expectations are that by bringing in commissioners from other departments as well as Finance, Health and Safety leads and

Equalities experts, that responsibility for initial assessments will be shared beyond Community Engagement. This will increase cross-departmental buy-in to the system and build awareness of the new facility.

47. Further resource implications will include the following:
- Ongoing consultation with the sector
 - Providing feedback to organisations regarding their applications
 - Getting input from other commissioners and officers with expertise in validation criteria (the vetting process and management of the database will be met from within existing staff resources)
 - Support to be provided by Community Action Southwark (from within existing resources).

Consultation

48. There has been a positive response from the VCS to the pilot and positive feedback from participating organisations. The validation and assessment frameworks were deemed fit for purpose. Through the council/VCS liaison and Southwark Voice there has been an enthusiastic response from the sector to the direction of travel which is seen as innovative and offering opportunities for development, sustainability and efficiency.
49. Commissioners within the council have also welcomed these developments and contributed to setting the appropriate accreditation standards in the core areas. Children's Services advised on the Safeguarding policy and procurement on the appropriate levels of insurance required. There is general recognition that this approach could reduce duplication of process and storage of information.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

50. This report seeking the approval of the Cabinet to approve the setting up of an approved list for the Voluntary and Community Sector.
51. Pursuant to Part 3 B of the Constitution the Cabinet has responsibility to formulate the council's overall policy objectives and priorities.
52. A provider not on the approved list is not precluded from future procurements because they are not on the approved list. Any future procurement will be subject to separate gateway reports.

Strategic Director of Finance and Corporate Services

53. The creation and maintaining of an approved list of VCS providers as proposed in this report implies a shift in resource requirements from areas across the council historically involved in commissioning to the new centralised commissioning approach managed by Community Engagement. The shift in resource requirements involves mainly officer time spent on assessing and scoring VCS organisations. The commitment as stated in paragraph 31 is that this shift in resource requirements is to be met from existing staff resources, as other departments have indicated a willingness to support the project by

providing officer time in the form of staff who are currently engaged in the commissioning process in their respective departments. This will have be carefully monitored and managed in order to ensure that the pressure does not fall on exclusively on Community Engagement staff.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Commissioning & Procurement Joint Task and Finish Group Terms of Reference http://moderngov.southwark.gov.uk/ie/ListDocuments.aspx?CId=302&MId=4250&Ver=4	Community Engagement 160 Tooley Street, London SE1 2QH	Andrew Matheson 020 7525 7648
Funding arrangements for voluntary organisations, Internal Audit Report, March 2012 http://moderngov.southwark.gov.uk/ie/ListDocuments.aspx?CId=302&MId=4250&Ver=4	Community Engagement 160 Tooley Street, London SE1 2QH	Andrew Matheson 020 7525 7648
VCS Approved List Pilot – Validation Framework http://moderngov.southwark.gov.uk/ie/ListDocuments.aspx?CId=302&MId=4250&Ver=4	Community Engagement 160 Tooley Street, London SE1 2QH	Andrew Matheson 020 7525 7648

APPENDICES

No.	Title
None	

AUDIT TRAIL

Cabinet Member	Councillor Claire Hickson, Communities and Economic Wellbeing	
Lead Officer	Stephen Douglass, Head of Community Engagement	
Report Author	Triumphant Oghre, Commissioning Officer	
Version	Final	
Dated	17 January 2013	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Corporate Services	Yes	Yes
Director of Legal Services	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	17 January 2013	

Item No. 17.	Classification: Open	Date: 29 January 2013	Meeting Name: Cabinet
Report title:		New Conditions of Grant Funding (formerly the Conditions of Grant Aid)	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor Claire Hickson, Communities and Economic Wellbeing	

FOREWORD – COUNCILLOR CLAIRE HICKSON, CABINET MEMBER FOR COMMUNITIES AND ECONOMIC WELLBEING

The Council’s commitment to a strong and sustainable voluntary and community sector (VCS) in the borough is strengthened by the new Conditions of Grant Funding (COGF) which will come into effect in April 2013. They set out the minimum requirements that VCS organisations are required to meet in order to receive grant funding.

The COGF will improve consistency and set minimum standards of performance monitoring within the Council without placing additional burdens on the VCS grant funded organisations.

The VCS is governed by the Charity Commission regulatory framework. The COGF requirements add to this at a local level and support best practice in governance and management which is essential to the sustainability of the sector in the current challenging economic climate of diminishing resources.

RECOMMENDATIONS

1. That the cabinet approves the new Conditions of Grant Funding (COGF), formerly Conditions of Grant Aid (COGA) attached as Appendix 1.
2. That the cabinet agree to periodic reviews of the COGF, delegated to Chief Officer, to take account of changes in legislation and to reflect corporate changes.

BACKGROUND INFORMATION

3. The Council’s Conditions of Grant Aid, now Conditions of Grant Funding, were first formally adopted in 1986 and in 2002 a decision was made to review these.
4. The grant aid relationship between funder and funded is one based on trust. No contractual obligations exist and there is no legal relationship, but the Council sets out terms and conditions specifying how the grant is to be used. As a result, grant giving can represent greater risk in comparison to commissioning via contract. Where the terms and conditions are not complied with due to governance or management failure there can be situations where the Council may wish to impose additional conditions on the funded

organisation and to withhold or suspend grant payments.

5. The current conditions of grant aid fail to expressly permit this and in the absence of clearly set out terms, it is possible that the Council could be susceptible to legal challenge and be deemed to have acted unreasonably. The new conditions have been developed to expressly address the weaknesses identified in the audit as well as the need to update and strengthen the clarity and fitness for purpose of grant aid funding conditions.
6. In 2011/12 RSM Tenon carried out an audit of the Council's funding arrangements for voluntary organisations in Southwark. The audit's objectives were to review whether funds provided to voluntary organisations are in line with the terms and conditions of grant awards and to examine the effectiveness of stewardship of those funds.
7. Following the audit RSM Tenon recommended that the Conditions of Grant Aid be revised. These conditions set out the minimum requirements that voluntary sector organisations are required to meet in order to receive funding. All voluntary organisations in receipt of grant aid must formally agree to abide by the Council's conditions and are required to sign a letter of confirmation to that effect. This acceptance commits the organisation to being accountable for proper use of the funding i.e. only used for the purposes for which it was given and to sound financial management and employment practices.
8. Currently the various forms of COGA in use are:
 - COGA for revenue grants over £2000 (attached as Appendix 2)
 - COGA for revenue grants under £2000
 - COGA for one-off grants.

For contracts the terms and conditions required to be met are set out in the service specification and the contract terms and conditions. For contracts up to the value of £173,934 a simplified contract is available for use by commissioners.

KEY ISSUES FOR CONSIDERATION

9. The new COGF explicitly set out the joint requirements and expectations of the council and the voluntary and community sector (VCS) in the grant funding relationship.
10. The conditions are strengthened with the addition of new sections covering:
 - Funding Recipients' Core Obligations
 - Council's Obligations
 - Funding
 - Premises
 - Suspension, Termination and Recovery of Funding
 - Governance and Management
 - Finance
 - Employment Practices
 - Monitoring and Information

11. The new COGF is up-to-date in terms of relevant legislation relating to the voluntary sector. The conditions are set out in plain terms and in plain English. Officers will be meeting with the individual groups to go through the changes.
12. As from April 2013 the new COGF will be used for all grant funding over £2000 and officers will require organisations to sign this. Through monitoring, officers will ensure that organisations understand the funding recipients' core obligations contained in the new COGF. Officers will seek feedback from groups on their effectiveness.
13. There is an expectation that where departments are administering grants they will systematically apply the conditions.

Policy implications

14. Implementing the new COGF will address a number of weaknesses in the Council's grant monitoring processes that were highlighted in the audit. The recommendations for action are as follows:
 - The need to update the council's policy/guidance document covering process requirements for funding voluntary sector organisations
 - The need for consistent evaluation of voluntary organisations' financial sustainability
 - The need to produce service specifications detailing what is required on the part of funded organisations and the obligations of the council in the funding relationship
 - The need for a minimum standard of acceptable performance monitoring promoted across the council
 - The need for agreements between the council and funded organisations detailing circumstances in which the council can recover funds from funded organisations
15. The new COGF specifically sets out the circumstances in which the council can recover funds from funded organisations. It strengthens the policy, guidance and performance monitoring framework for funding voluntary organisations.
16. As part of ongoing efforts to improve the effectiveness of the Council's relationship with the voluntary and community sector regular liaison meetings take place between senior officers and the infrastructure organisations. A sub-group of this in the form of a Task and Finish Group was established to consider VCS commissioning processes and propose improvements. Implementation of the new COGF will form part of this process. Policy targets for the implementation of the Task and Finish Group's recommendations are set out in the Community Engagement section of the Council Plan. These sit within the portfolio of the Cabinet Member for Communities and Economic Development.
17. The new COGF complement the Council's regulatory framework for commissioning external services through contracts which includes the Contract

Standing Orders (CSOs), Best value Statutory Guidance and EU Procurement Legislation.

Community impact statement

18. This report recommends adopting the new COGF as it will underpin future monitoring arrangements and strengthen processes protecting the Council's interests. It will also enhance the capacity and sustainability of the voluntary and community sector by setting out clearly and explicitly the funding recipients' core obligations. By setting out the requirements this will reduce the risk of legal challenge.

Resource implications

19. There are no specific resource implications.

Consultation

20. Community Action Southwark (CAS), as the umbrella body and the voice of the VCS in Southwark, has been consulted during the development of the COGF. Their comments have been taken into consideration. Council officers in particular commissioners have also been consulted and their views have informed the development of the COGF. The new conditions support the Council's policy of streamlining and reducing the burdens on the sector. The conditions will safeguard public money and meet legislative requirements but not result in any additional burdens on the sector.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

21. Conditions of Grant Funding do not create a contract between the Council and the funded organisation and are not legally enforceable. They also fall outside the Council's Contract Standing Orders. However, clear, up-to-date and relevant conditions which identify minimum requirements of service delivery, reporting and governance linked to continued payment should always be in place. These are essential to ensure the proper use of public funds and to protect the reputation of the Council. The contracts team in the Corporate Services section of Legal Services has advised in detail upon the proposed new Conditions of Grant Funding.

Strategic Director of Finance and Corporate Services

22. The revised guidance will not result in any additional costs or savings to the Council, but may result in a more efficient deployment of resources via voluntary sector organisations. It is designed to minimise the risk that the Council's grants to the VCS are misspent.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Conditions of grant for: <ul style="list-style-type: none"> • Revenue grants over £2000 • Revenue grants under £2000 • One-off grants Attached as Appendices 1 and 2.	Commissioning & Voluntary Sector Support, Housing & Community Services	Triumphant Oghre 020 7525 7418

APPENDICES

No.	Title:
Appendix 1	Conditions of Grant Funding
Appendix 2	COGA for revenue grants over £2,000

AUDIT TRAIL

Cabinet Member	Councillor Claire Hickson, Communities and Economic Wellbeing	
Lead Officer	Stephen Douglass, Head of Community Engagement	
Report Author	Triumphant Oghre, Commissioning Officer	
Version	Final	
Dated	14 January 2013	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Corporate Services	Yes	Yes
Director of Legal Services	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Officer	17 January 2013	

Conditions of Grant Funding

Commissioning Officer	[name and contact details] , who is your primary contact in the Council for discussing all matters relating to the Funding, dealing with any problems relating to these Conditions of Grant Funding, monitoring the use of the Funding and reporting to the Council on any future funding applications by the Funding Recipient – any change will be notified to you as soon as possible.
Council	THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF SOUTHWARK of 160 Tooley Street, London, SE1 2QH (also referred to as “We” or “we”).
Council Rules	Means all relevant Council policies, rules, codes, procedures, orders and codes of practice
Funded Activities	Those activities and services which are the subject of a financial grant from the Council as detailed in the grant application form dated [*]
Funding	£[*]
Funding Recipient	[*] (also referred to as “You” or “you” and includes anyone engaged by you to provide the Funded Activities including any sub-contractor, volunteer, licensee or employee.)
Legislation	Means all relevant Acts of Parliament, statutory regulations, order, guidances and codes of practice including any subsequent amendments or comparable legislation
Funding Recipient Representative	[name and contact details] , who shall be responsible for the Funded Activities and who has the authority to speak on behalf of the Funding Recipient on a day-to-day basis.

Please sign below to confirm that you have read, understood and accept on behalf of the Funding Recipient, these Conditions of Grant Funding.

Name:

Name:

Position: CHAIR

Position: TREASURER

Signature:

Signature:

FOR AND ON BEHALF OF
THE FUNDING RECIPIENT

FOR AND ON BEHALF OF
THE FUNDING RECIPIENT

Date:

Date:

1 Overall Aim

- 1.1 The Council and the Funding Recipient are both committed to supporting the aims and outcomes identified in the grant application form. The Council recognises and respects the independence and values of the third sector but also has a responsibility to ensure that organisations which receive funding continue to achieve certain levels of effective management and financial practices and use the funding they receive for the purposes it was granted. The Conditions of Grant Funding set out these requirements and what may happen if they are not met. This document does not constitute a contract and there is no intention to create a legal relationship between us.

2 Funding Recipients' Core Obligations

- 2.1 The Funding Recipients' Core Obligations to the Council in relation to the Funding are to:-

- (a) Use the Funding effectively and as set out in your grant application form for the Funded Activities;
- (b) Comply with these Conditions of Grant Funding;
- (c) Comply with any Legislation or Council Rules which are relevant to the management, provision and delivery of the Funded Activities. In particular, you will support and assist the Council in compliance with our obligations under Best Value and the Human Rights Act 1998;
- (d) Ensure that you have and keep in place effective governance and management practices as set out in Schedule One;
- (e) Ensure that you have and keep in place sufficient resources and effective financial practices as set out in Schedule Two;
- (f) Ensure that you are properly managed, staffed, operated and/or equipped to provide the Funded Activities as set out in Schedule Three;
- (g) Ensure that you have and keep in place effective monitoring and information systems as set out in Schedule Four;
- (h) Primarily base your Funded Activities within the boundaries of the London Borough of Southwark and to directly or indirectly benefit the people who live or work in Southwark and to take positive steps, where appropriate, to involve local people in managing or otherwise participating in the Funded Activities;

3 Council's Obligations

- 3.1 Subject to your compliance with these Conditions of Grant Funding, the Council will:

- (a) act reasonably in all matters;
- (b) ensure reasonably prompt payment of the Funding;
- (c) endeavour to maintain clear communication;
- (d) give you reasonable notice of any matter which affects or may affect the provision of the Funding; and
- (e) provide you, wherever reasonably possible, with appropriate additional non-financial support.

4 Funding

- 4.1 Funding will be paid to you quarterly in four equal instalments at the beginning of each quarter, unless otherwise agreed and arranged with the Commissioning Officer.
- 4.2 Funding payments depend on your continued satisfactory management and operation, the Funded Activities continuing on an on-going basis and compliance with these Conditions of Grant Funding.
- 4.3 You must only use the Funding for the Funded Activities as described in your grant application form. You must keep the Commissioning Officer informed at all times about how you use the Funding. In particular, if you wish to use part of the Funding for any other purpose, this must be agreed in writing in advance by your Commissioning Officer.
- 4.4 The Council does not permit Funding to be used to fund your deficit under any circumstances.

- 4.5 You must not use the Funding to pay for publicity which is for or against any political party.
- 4.6 The Council reserves the right to withhold Funding, or demand repayment of any Funding already paid, if the Funding is not used for the Funded Activities or in breach of these Conditions of Grant Funding as set out in Condition 7

5 Premises

- 5.1 You shall ensure that the premises from or in connection with which the Funded Activities are provided are appropriate and offer a safe environment. So far as is required by law, you shall make those premises fully accessible to people with disabilities.
- 5.2 Where you are in occupation of Council owned premises, you will enter into a lease or licence for those premises in the terms provided by your Commissioning Officer and where the Funding includes a sum to cover the rent the Council may take this amount from the Funding payments.

6 Dispute Resolution

- 6.1 The Council will endeavour to work with you to address any problems identified through the monitoring process, or to address any concerns raised with the Council in another way. All initial queries or concerns should be raised with your Commissioning Officer.
- 6.2 If an issue or dispute relating to the Funding cannot be resolved between the Funding Recipient Representative and the Commissioning Officer, it will be referred to a more senior representative of the Council and the Funding Recipient for resolution.
- 6.3 Both parties acknowledge that it is generally in both of their interests for issues or disputes between them to be practicably resolved amicably by negotiation wherever possible.

7 Suspension, Termination and Recovery of Funding.

- 7.1 You must not in any circumstances assume that the Council will provide future Funding. Before the start of each financial year, the Council considers which third sector organisations to fund and at what level, so no assurance or comfort can be given that Funding will continue.
- 7.2 Funding may be temporarily or permanently reduced, withheld, recovered and/or discontinued by the Council in the Council's sole discretion at any time on the occurrence of any one or more of the following events:
- (a) you or any person acting on your behalf are in material or repeated breach of any one or more of your Core Obligations;
 - (b) you are or are likely to become subject to an insolvency or bankruptcy event or to cease to operate or to provide the Funded Activities;
 - (c) you are in breach of any of the covenants or conditions of any lease, licence or permit with the Council, ,
 - (d) the Council decides for financial or other reasons not to continue the Funding.
- 7.3 Where the Council intends to exercise its right to reduce, withhold, recover or discontinue Funding, we will give you as much prior written notice as reasonable in the circumstances setting out a summary of the reasons for the proposed action. You may then, if appropriate, be given the opportunity to make representations to the relevant Council decision-maker as to why the Council should not take the proposed action and to present any information which you consider relevant.
- 7.4 However, you should be aware that if you create or allow the occurrence of a nuisance, commit or allow the occurrence of a fraud or a fraudulent activity or in any way act unlawfully you are liable to have your funding immediately suspended, pending a full investigation by the relevant Council decision-maker.

7.5 If the Council withdraws the Funding, it will consider giving you winding down costs. However, the Council shall not in any circumstances be responsible for any of your outstanding liabilities .

7.6 Dissolution

7.7 Where the dissolution of the Funding Recipient has been approved, your governing body shall notify the Council of the amount of any unspent Funding that is held by you and shall provide the Council with a final set of accounts up to the date of dissolution.

7.8 Any amount of unspent or otherwise uncommitted Funding shall be refunded to the Council and any assets purchased by you with the Funding, shall be returned to the Council unless the Council agrees otherwise in writing.

8 Variations

8.1 The Council may, from time to time, change any or some of these Conditions of Grant Funding. Where this occurs, the Council will write and tell you about the changes and subject to your written consent, the changes will be deemed to be incorporated into these Conditions of Grant Funding with effect from the date of any such notice. You shall use your reasonable endeavours to accommodate any changes to the needs and requirements of the Council.

DRAFT

Schedule One - Governance and Management

The Funding Recipient must have and keep in place effective governance and management practices. Minimum requirements and assistance in meeting this Core Obligation are set out in this Schedule.

1. Politics

- 1.1. You must be seen to be politically neutral and not engage in party political activity. Activities which show a party political bias or involve party political propaganda will not therefore be approved for financial assistance.

2. Constitutional Documents

- 2.1. As part of the application process, you will have provided the Council with copies of your constitutional or other governing documents. These will demonstrate your independence, openness to participation by members of the community and your adherence to policies and procedures that are appropriate to a publicly accountable Funding Recipient.
- 2.2. Whilst you are in receipt of Funding you will maintain and comply with your constitutional documents at all times and notify and provide copies of any changes to your Commissioning Officer within 7 working days, including changes to your governing body or Funding Recipient Representative.
- 2.3. You are advised to discuss any proposed changes to your constitutional documents with your Commissioning Officer in advance to ensure that you continue to meet your effective management and governance obligations. If the Council considers that any such changes to the constitutional documents are of an adverse nature, this may lead to the Funding being withheld or withdrawn.
- 2.4. You must promptly advise your Commissioning Officer of any significant change in the circumstances within your organisation or in the circumstances on which the Council based our decision to provide or to continue to provide your Funding.

3. Governing Body and Meetings

- 3.1. You must have a democratically elected body (the Governing Body) which should comprise a management committee, a board of directors, a number of trustees or a satisfactory similar arrangement, and specific rules for your membership should be set out in your constitutional documents. All your annual and other general meetings must be open to all of your members. You will provide the Council with the names, addresses, and telephone numbers and, where applicable, e-mail addresses, of the chair, secretary, treasurer and/or other members of your Governing Body.
- 3.2. You will hold regular meetings of your Governing Body and/or any relevant management committee in accordance with your constitutional documents and shall give the Commissioning Officer reasonable advanced written notice of all such meetings and any additional meetings that are scheduled (which notice shall include an agenda that briefly sets out the matters that are to be discussed). You shall invite and permit the Commissioning Officer to attend these meetings and the Commissioning Officer shall be able to discuss or raise any matters relating to the Funded Activities at any such meetings. You shall keep copies of the agenda and minutes of every meeting of your Governing Body and/or of any relevant management committee, access to which must be provided to the Commissioning Officer on request. However, part or all of confidential client and staff information need not be provided.

4. Conflict of Interests

- 4.1. You will conduct your operations in a manner that guards against the possibility of any conflict of interest arising. In particular, no decision shall be made which may compromise the good standing or reputation of the Funding Recipient or the Council. Your Governing Body and/or persons working on your behalf must not use their positions or influence within the organisation to gain undue advantage for themselves or others in a private capacity. In the event of any such

circumstances arising, alternative arrangements must be discussed and agreed with the Commissioning Officer.

4.2. The scenarios set out below are examples of situations in which conflicts of interest may arise. The list is not exhaustive. It is your responsibility to guard against conflicts of interest and abuse of position or influence.

4.2.1. a member of your Governing Body shall not also be employed by you as a member of staff, or receive payment for any services provided;

4.2.2. your paid employees shall only attend meetings of your Governing Body in a non-voting capacity and at the discretion of the members of the Governing Body;

4.2.3. any member of your Governing Body who has a pecuniary or other interest in a contract for goods or services being considered by you shall declare the nature of such interest in advance of any decision relating to that contract and shall abstain from voting on the award of that contract. Such declarations are to be recorded in the formal minutes of that meeting.

4.2.4. you shall promptly inform the Council of any employee of the Council or currently elected member of the Council who is serving on your Governing Body. You shall also procure (to the extent you are able) that the employee or member of the Council concerned shall also make such declaration to the Council as is required by the Council's internal rules and regulations. The member or employee in question should abstain from voting on issues relating to your relationship with the Council.

5. Internal Disputes

5.1. The Council considers that internal disputes within your organisation are the responsibility of your Governing Body and you must have agreed procedures in place for dealing with and/or resolving any such disputes. As any such disputes may have an impact on the provision of the Funded Activities, you should inform the Commissioning Officer of any such dispute at an early stage.

6. Dissolution

6.1. Any dissolution of the Funding Recipient shall be done in accordance with your constitutional documents and/or other relevant rules and the Council shall be given proper notice of the meeting(s) at which the your dissolution is considered and/or approved. You shall also promptly provide the Council with the minutes of any such meeting.

Schedule Two – Finance

The Funding Recipient must have and keep in place sufficient resources and effective financial practices. Minimum requirements and assistance in meeting this Core Obligation are set out in this Schedule.

1. Insurance

- 1.1. You must be adequately insured to cover all relevant risks. Such insurance cover shall include without limitation buildings and contents cover, employers and public liability insurance and professional indemnity cover. The Council will require you to provide satisfactory documentary evidence that adequate insurance cover is maintained.

2. Bank Account

- 2.1. You must have a bank account in your name. The signatures of at least two (2) members of your Governing Body or the relevant management committee members shall be required to carry out any transactions in relation to such bank account. One of these members must be your treasurer. The signatories shall not be direct or indirect relatives or business associates of one another.

3. Budget Statement

- 3.1. You must submit an estimated budget statement to the Council at least four (4) weeks prior to the commencement of the financial year to which it relates.

4. Accounts

- 4.1. You must (unless otherwise agreed by the Council in writing) provide the Council with audited accounts for every financial year or part of a financial year during which you receive the Funding. The accounts will show all of your income and expenditure and shall be independently audited by a fully qualified accountant or independent financial examiner and must conform to all relevant law and accounting standards and practice, and must include specific itemised information on how you used the Funding.
- 4.2. You must send your accounts to the Council by 31 October of the following financial year. If you do not use the same financial year as the Council, you must send the accounts to the Council by no later than six (6) months after the end of your financial year. Usually, the Council will hold back the next and/or final instalment of the Funding until the Council has received all relevant accounts or written statement of financial transactions (as applicable), which are in a form that is satisfactory to the Council.
- 4.3. Where the Council has concerns relating to your submitted audited accounts, the Council may require you to submit further financial details and evidence of expenditure.

5. Financial management

- 5.1. You are responsible for ensuring you comply with all relevant legal requirements in respect of your operations, including the way you conduct your business with third parties. You must establish and maintain proper financial management and accounting systems and practices, including proper arrangements for the payment of tax, national insurance and VAT, where appropriate,.
- 5.2. You must, upon request, be able to demonstrate to the Council that you have proper financial accounting systems and practices in place, including proper arrangements for paying all relevant taxes and national insurance contributions.
- 5.3. You shall keep proper records and accounts that show how the Funding has been used. Your Governing Body shall ensure that there are adequate and effective internal financial controls to protect the your income and assets from misuse, abuse, waste, fraud or potential fraud. It is your duty to be aware of the Council's policies and codes of conduct to combat fraud and corruption. You can seek advice from your Commissioning Officer regarding this.

6. Fund Raising

6.1. Monies generated through fund raising and the Funded Activities may be retained by you to be invested in the Funded Activities, as appropriate.

7. Contingency Fund

7.1. It is recommended that you set up a contingency fund to meet any redundancy payments and other potential financial liabilities (e.g., to provide any additional equipment that is required, or to fund any unexpected major premises costs).

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Schedule Three - Employment Practices

The Funding Recipient must be properly managed, staffed, operated and/or equipped to provide the Funded Activities. Minimum requirements and assistance in meeting this Core Obligation are set out in this Schedule.

1. Employees

1.1. You must provide all of your employees with:

- a contract of employment;
- a job description;
- a copy of your equal opportunities policy and code of practice;
- a copy your disciplinary and grievance procedure;
- regular support and supervision;
- appropriate training opportunities;
- consultation about organisational or service changes that are likely to affect them.

1.2. You will, upon request, provide the Commissioning Officer with copies of these documents.

2. Recruitment

2.1. If you wish to employ anyone in a post that is funded by the Council, you must:

- notify the Commissioning Officer immediately, in writing and allow, if requested,, the Commissioning Officer to be involved as an observer in all stages of the recruitment process.
- draw up an appropriate job description and specification;
- advertise the vacancy in an appropriate manner and make reference to the fact that you operate an equal opportunities policy in any relevant advertisement; and
- hold open and competitive interviews and selects the best candidate for the position.

2.2. Where continuity of the Funded Activities may be compromised and a vacancy needs to be filled urgently, you need not follow the procedure set out above, provided that:

- the vacancy is of a temporary nature and the appointee is appointed for no more than four (4) months;
- the appointee meets the requirements of the person specification; and
- prior written consent has been obtained from the Commissioning Officer.

3. Equality and Diversity

3.1. The Council is committed to the implementation of equal opportunities policies and you must promote and implement equal opportunities. In particular you must have a written equal opportunities policy and you must be able to demonstrate to the Council that you are implementing this policy and show that:

- you have taken positive and practical steps to ensure that people from all groups and backgrounds are encouraged to participate in your organisation and are able to use your services and participate in your activities;
- you have taken positive steps to welcome people from all groups on to your Governing Body and any other of your committees;
- your employment practices are fair and you do not discriminate in relation to pay and conditions of employment, recruitment, promotion, career opportunities; and victimisation and harassment disciplinary procedures; and
- you are actively monitoring the effectiveness with which you put your equal opportunities policy into practice.

3.2. You shall ensure that you (and anyone acting on your behalf) comply with the law (as amended) in the United Kingdom and in particular do not commit any act of discrimination rendered unlawful by the Equality Act 2010. There are nine protected characteristics under this Act. They are age,

disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

4. Safeguarding and Vetting

- 4.1. All Council funded voluntary organisations have a duty to safeguard and promote the welfare of children and vulnerable adults. Whatever service you provide, you may identify a child (under 18 years) or a vulnerable adult who is being harmed or neglected. You must therefore have and comply with a Safeguarding Policy and Procedure on referring a child/person at risk to social care.
- 4.2. You shall follow the guidance of the Southwark Safeguarding Children Board (SSCB) and the Southwark Safeguarding Adults Partnership (SAPB) to ensure that all persons who are engaged are fit and suitable.
- 4.3. Where an employee, volunteer or other person acting on behalf of the Funding Recipient will have contact with children or vulnerable adults in any 'regulated' activity you must carry out appropriate checks with the Criminal Records Bureau and/or the Independent Safeguarding Authority. From October 2009 it has become a criminal offence for an employer to allow a 'barred' person to work in such an activity. It will be a criminal offence for an employer to take on a person in a regulated activity if they fail to check that person's status.
- 4.4. If having carried out such checks you are unsure as to the suitability of a particular person, you shall promptly discuss the matter with your Commissioning Officer to agree the course of action to be taken.
- 4.5. Any allegation of harm to a child or vulnerable adult by a member of staff or volunteer must be immediately referred by you to the relevant officer in children's social care or adult social care in the Council.

5. Volunteers

- 5.1. You are expected, where appropriate, to develop and operate a volunteer policy that sets out the respective rights and responsibilities of the Funding Recipient and the volunteers.
- 5.2. Volunteers must not be paid by you for the tasks they undertake. However, they should be reimbursed for any reasonable expenses that they have incurred in connection with their voluntary service.

6. Health and Safety

- 6.1. You shall comply and procure compliance with all relevant provisions of the Health and Safety at Work Act 1974 and develop and implement a health and safety policy for the protection of your employees, volunteers and service users.

Schedule Four – Monitoring and Information

The Funding Recipient must ensure that you have and keep in place effective monitoring and information systems. Minimum requirements and assistance in meeting this Core Obligation are set out in this Schedule.

1 Annual Report

1.1 You must provide the Commissioning Officer with a written report in respect of every financial year or part of a financial year during which you receive Funding regarding the Funded Activities. These reports shall be provided by the time(s) specified by the Commissioning Officer and should include:

- a summary description of the Funded Activities provided by you;
- summary information regarding the numbers and types of users;
- summary information regarding the full costs of providing the Funded Activities;
- evidence of the benefits users gain from the Funded Activities; and
- a summary of any problems or issues that you have come across in delivering the Funded Activities.

2 Monitoring

2.1 The Council is accountable to its taxpayers and ratepayers for the money that it awards in funding. Monitoring is therefore an integral requirement of the Conditions of Grant Funding. You shall comply with all monitoring and evaluation procedures that are required by the Commissioning Officer.

2.2 The Council has to ensure its services meet the needs of local people, and are continually improving. The Council expects you to share this responsibility. You shall therefore provide upon request evidence of sustained improvement against agreed performance indicators. You must be able to demonstrate to the Council that you are meeting your aims and purposes effectively and that you provide high quality Funded Activities that offer good value for money.

2.3 You must give the Commissioning Officer reasonable opportunities to observe how you deliver the Funded Activities and how users participate or respond to them.

3 Confidential Information

3.1 Neither the Council nor the Funding Recipient will disclose or allow to be disclosed to any person (except on a confidential basis to professional advisers) any confidential information acquired in the course of carrying out the Funded Activities, except as may be required or permitted by law.

4 Inspection

4.1 You will give to the Commissioning Officer, the Council, the Council's auditors, the District Auditor and the Local Government Ombudsman such information, explanations and access to and copies of any documents as may reasonably be required to satisfy themselves as to your compliance with these Conditions of Grant Funding. Direct reasonable costs of any inspection will be met by the Council except where the information is requested as a result of complaints of poor performance or non-compliance.

5 Co-operation

5.1 You will, in performing your obligations under these Conditions of Grant Funding, liaise with and co-operate with the Commissioning Officer and all officers of the Council and other organisations undertaking duties on behalf of the Council. You shall comply with all reasonable instructions issued by the Commissioning Officer.

6 Complaints handling

6.1 You will deal with any complaints promptly, courteously and efficiently and will notify the Council in writing of all complaints received and the steps you have taken in response to them.

7 Publicity

- 7.1 You must acknowledge the Council's help in all literature (including your annual reports), publicity, events and advertisements for posts the Council has funded, unless otherwise agreed with the Commissioning Officer.

8 Copyright

- 8.1 All copyright or other intellectual property rights in all work created or produced by you in relation to the Funded Activities shall be your property. You hereby grant the Council, and/or any third party which performs services on behalf of the Council, a non-exclusive, perpetual, transferable, royalty free licence to use such work for Council business that is reasonably related to the Funded Activities. You also warrant that any document or design produced by you is your original work which does not infringe the copyright, design right, moral right or any other rights of any third party, and that no claims of such infringement have been made or are the subject of litigation actual or threatened.

9 Data Protection

- 9.1 The Council and the Funding Recipient will comply with our respective obligations, whether as data controller, data processor or otherwise under the Data Protection Acts as and when the same are applicable to the Funded Activities and that we will comply with the additional obligations of confidentiality applying to any personal data controlled and/or processed by either of us under these Conditions of Grant Funding.

10 Information Requests

- 10.1 You accept that the Council is obliged to comply with information legislation including the Freedom of Information Act 2000 and Code of Practice, Environmental Information Regulations 2004, Aarhus Convention and Audit Commission Act 1998. You will assist the Council to comply with our obligations under this information legislation. This includes helping the Council comply with its obligation to respond to requests for information within statutory deadlines and providing information to the Council where the Council requests.
- 10.2 The Council is entitled to disclose information unless we believe that the information is exempt or excluded under the legislation or the legislation does not apply. For example where information is provided in confidence, the information is a trade secret or where release is likely to prejudice commercial interests. The Council will decide, acting reasonably, whether information requested is to be disclosed or not. The Council will where reasonably practicable, consult you and will consider any representations made by you. The Council shall not be liable for any loss or other detriment caused by the disclosure of any information.

APPENDIX 2

Conditions of Grant Aid

PLEASE NOTE THAT THESE CONDITIONS ARE CURRENTLY BEING UPDATED

Revenue Grants of £2,000 or More

1. Introduction

- 1.1 We recognise and respect the independence and value of the voluntary sector. 'Independence' means freedom for you to choose your own area of work; and to carry out that work according to the aims and terms set out in your organisation's governing document.
- 1.2 We will take account of this in our dealings with you. We will try not to interfere in the way you organise your activities unless we need to.
- 1.3 If you accept a grant from us, this will involve you in certain responsibilities. We will expect you to; have good management and financial practices, promote equal opportunities and show that you can effectively deliver your service or carry out your activity.
- 1.4 Your grant aided activities should be based within the boundaries of the London Borough of Southwark and benefit the people who live or work there. You must also take positive steps to involve local people in managing your project.

2. Management and Organisation

- 2.1 Before we will pay you a grant, you must send us your governing document (such as constitution or memorandum and articles of association). This document must show that your organisation is:
 - a) independent;
 - b) open to its users being involved in decision making; and
 - c) has clear and democratic procedures for reporting and decision making.
- 2.2 You must tell your link officer about any changes to your governing document.
- 2.3 You must have a management committee and hold open elections to elect committee members. All your general meetings must be open to all members. You must give your link officer the names and addresses of all management committee members

and you must name one contact person (we do recognise other forms of organisation, but this needs to be discussed and agreed with your link officer).

- 2.4 You must hold regular management committee meetings and you must tell your link officer about all such meetings. He or she must be given the chance to discuss matters relating to grant-aided activities.
- 2.5 If asked, you must send all management committee agendas and minutes to your link officer. You do not need to send confidential client and staff information.
- 2.6 We accept that difficulties and disputes within your organisation are the responsibility of your management committee. Because such problems may have an impact on grant aided activities you should tell your link officer, at an early stage.
- 2.7 You must carry out your business in a way that avoids 'conflict of interest'. This means that management committee members and staff must not use their position or influence within the organisation to gain advantage for themselves or others.
- 2.8 An individual cannot be a member of a management committee and a paid employee of the organisation.
- 2.9 Paid employees may go to management committee meetings if management committee members agree, but they cannot vote.
- 2.10 Any management committee member who has a financial interest in a contract for goods and services must declare that he or she has an interest in the decision. They must not vote on awarding those contracts.

3. Equal Opportunities and Anti-Racism

- 3.1 You must have a written equal opportunities policy and code of practice and demonstrate that you are actively opposed to all forms of discrimination. You must be able to show us that:
 - a) you have taken positive and practical steps to make sure that people from all communities are made welcome and are able to use your services;
 - b) you have taken positive steps to welcome people from all communities on to your management committee who support the aims of your organisation;
 - c) your employment practices are fair and you will not discriminate in relation to pay and conditions of employment, recruitment, promotion and career opportunities; and
 - d) you are monitoring your success in putting your equal opportunities policy into practice.

4. Employment Practices

- 4.1 You must observe all current employment legislation, including European Directives affecting the employment of staff.

- 4.2 You must give all your workers:
- a) a contract of employment;
 - b) a job description;
 - c) your organisation's equal opportunities statement and code of practice; and
 - d) your organisation's disciplinary and grievance procedure.
- 4.3 When you want to employ anyone in a post which we have funded, you must keep to the following procedures.
- a) You must draw up the appropriate job description and specification.
 - b) You must advertise the vacancy and refer to the fact that you *operate* an equal opportunities policy.
 - c) You must hold open and competitive interviews.
- 4.4 You do not need to follow the procedure shown above if the vacancy is for a period of four months or less. However, the person who gets the job must meet the requirements of the job specification. You must also tell your Link Officer that you have not followed the full recruitment process. If you extend this person's employment beyond four months, you must agree it with your Link Officer.
- 4.5 You must notify the Link Officer immediately of any vacancies in posts funded by the Council. Where the Council makes a request, you must involve your link officer, in an advisory role, in all stages of the recruitment process.
- 4.6 If a Management Committee member intends to apply for a post, he or she must immediately resign from the committee and take no part in any stage of the recruitment process. This includes the drafting of the job description and person specification (we would expect there to be at least a three-month gap).

5. Financial Procedures

- 5.1 If possible you should use the same financial year as we do (1 April to 31 March).
- 5.2 You must have a bank account in the name of your organisation. At least two management committee members must sign for this account. One of these members must be the treasurer. All cheques must be signed by at least one management committee member. In very rare circumstances you can use other arrangements if these have been agreed with your link officer.
- 5.3 You must show us that you have proper financial accounting systems and practices, including proper arrangements for paying taxes and National Insurance.

5.4 *Organisations receiving a grant of £10,000 or more a year*

- a) You must provide accounts every year for all income and spending. These must be independently examined by a fully qualified accountant or audited by a registered auditor and must conform to the statement of recommended practice (SORP) and either the Charities Act 1993 or the Companies Act 1985 as appropriate.

Your accounts must include specific information on how you have used the grant.

5.5 *Organisations receiving a grant of less than £10,000 a year*

- a) Instead of accounts, you can give us a clear written statement of financial transactions relating to how you spent the grant.
- b) An independent person must inspect the accounts or clear written statement of financial transactions. However, this person does not need to be a fully qualified accountant.

5.6 You must send your accounts or financial statement to us by 31 October of the following financial year. If you do not use the same financial year as us, you must send us them by no later than six months from the end of your financial year. Usually, we will hold back the final instalment of your grant until we have received all your accounts.

5.7 You must send a half-yearly budget statement by 31 October, giving details of actual spending for the first half of the financial year and a budget projection for the second half of the financial year.

We need this information to meet our obligations under Section 137A of the Local Government Act 1972.

5.8 You must have enough insurance to cover all risks - theft, fire, employer's and public liability and third party damages. We cannot be held liable for any losses. You must prove to us that you have enough insurance cover.

5.9 If we own your building and your grant includes a part to cover the rent, we may automatically take this payment from your grant allocation.

6. Politics

6.1 Your organisation must not support a political party.

6.2 You must not use your grant to pay for publicity that is for or against any political party.

7. Using your Grant

- 7.1 You must only use your grant for the agreed purposes. If you do not, or if you do not spend all of it, you must agree this with your link officer.
- 7.2 You must keep your link officer informed at all times about how you use your grant. In particular you must tell us:
- a) about any change in the circumstances of your organisation; and
 - b) about any significant change in the needs you have identified and which we used to decide on your grant.
- 7.3 We can ask you to repay us all or part of the grant if you do not use it for the purposes for which we gave it.
- 7.4 In the event of dissolution, any of the Organisation's assets purchased with Council grant aid will be returned to the Council unless the Council agrees otherwise in writing.

8. Providing Services or Activities

- 8.1 You must provide your link officer with a written report every year about the services or activities you support with our grant. This report should include:
- a) a description of your services or activities;
 - b) information about numbers and types of users;
 - c) information about the full costs of providing the service;
 - d) evidence of the benefits users gain from the service or activities;
 - e) information about problems you have come across in delivering your service; and
 - f) proposals for the future.
- 8.2 You must be able to show that you are meeting your aims effectively. You must also show us that you provide high quality and value for money for services.
- 8.3 You must give your link officer reasonable opportunities to observe your services or activities.

9. Other Sources of Funding

- 9.1 You must tell us about all other sources of funding for your project.

10. Acknowledging our Help

- 10.1 You must acknowledge our help in all literature (including annual reports), publicity, events and advertisements for posts that we have funded, unless you have agreed otherwise with your link officer.

11. Ending your Grant.

- 11.1 If we give you a grant, you must not assume that we will do the same in future years. Before the start of each financial year, we consider which voluntary organisations to fund and at what level.
- 11.2 Before we make any decision to reduce or stop your grant, we will give you the chance to give councillors any information you consider relevant.
- 11.3 If we withdraw or do not renew your grant, we will consider giving you winding-down costs.

12. Special Conditions

- 12.1 We may set more specific conditions for particular types of grants. We will discuss these with you.
- 12.2 In very rare circumstances, because of the nature of your organisation or its services we may change some of these conditions. We will write and tell you about any changes.

13. Procedure for Dealing with Us

- 13.1 Your main contact with us is your link officer. This officer is responsible for:
- a) discussing with you all matters relating to your grant; and
 - b) sorting out any problems to do with these conditions.
- 13.2 If you cannot sort out any dispute with your link officer, you may ask a senior officer in the appropriate Council department to step in.

14 Appeals against our Decisions

- 14.1 We do not have a specific appeals procedure. However, you will get the chance to make sure that your views are presented to the appropriate Cabinet Member. We will send you copies of draft reports prior to the decision being taken by the Cabinet Member. Your views will be made known to the Cabinet Member.
- 14.2 You may also want to request making a deputation to us. This means that as a group you may be given the chance to explain your views in person to the appropriate Cabinet Member. You must make a request to do this in writing to your Commissioning Officer. You will need to set out the grounds on which you want to be heard. The appropriate Cabinet Member will then consider whether or not to hear your deputation.

In addition, organisations can make written representations that can be made available to the appropriate Cabinet Member before he or she takes the relevant funding decision.

- 14.3 We do not always agree to hear deputations. So, in order to make sure that your views are fully represented to the Cabinet Member, please send us any information we ask for.

15. Accepting the Conditions

15.1 When we give you a grant we will tell you:

- a) which Cabinet Member authorised the grant;
- b) the date the decision was made;
- c) the purposes for which the funding has been awarded; and
- d) the amount of funding

You must confirm in writing that you accept the funding.

16. Further Help

- 16.1 If you have any questions which your link officer cannot help you with you should contact the Commissioning & Voluntary Sector Support Team:

Community Engagement Division
Commissioning & Voluntary Sector Support Team
P.O. Box 64529
London SE1 5LX
Phone: 020 7 525 7418 / 020 7525 1579

Item No. 18.	Classification: Open	Date: 29 January 2013	Meeting Name: Cabinet
Report title:		Relocation of Crossway Church: New Kent Road to Hampton Street	
Wards:		East Walworth and Newington	
Cabinet Member:		Councillor Fiona Colley, Regeneration and Corporate Strategy	

FOREWORD – COUNCILLOR FIONA COLLEY, CABINET MEMBER FOR REGENERATION AND CORPORATE STRATEGY

Two weeks prior to cabinet today we made a tremendous leap forward towards delivering the regeneration of the Elephant & Castle. The planning consent for the Masterplan for the Heygate Estate area will give renewed confidence that the long awaited regeneration is truly happening.

It's crucial we keep that momentum going and this decision represents two more steps in our journey.

Firstly, the agreement with Crossway United Reformed Church; a freeholder on the Heygate Estate, is essential for us to gain vacant possession of the area for redevelopment.

Secondly I am delighted that rather than simply buying out the Church we will instead relocate this important community facility into a new purpose built church at the heart of Elephant & Castle. Crossways not only provide space for their own congregation to worship, but seek to maximise the use of their premises by local community groups including eight other faith groups: Victory School, an English for Speakers of Other Language Group, a parent mentoring scheme and a family drop in centre.

It has taken time to find the right solution for Crossway and I would like to thank the congregation, the diocese and minister Peter Stevenson for their positive approach to the negotiations and their continued commitment to the community in the Elephant & Castle.

RECOMMENDATIONS

That the cabinet agrees:

1. To meet the cost in full of constructing a replacement church at the former Castle Day Centre Hampton Street and transferring the completed property to the United Reformed Church as compensation for the council's acquisition of the Crossway Church at New Kent Road in accordance with the statutory provisions of the Land Compensation Act 1961
2. To fund the construction of four affordable council house units from the Affordable Housing Fund

3. To delegate to the director of regeneration authority to enter into appropriate contracts to implement the recommendations.

BACKGROUND INFORMATION

4. The regeneration of the Heygate is progressing well, earlier this month the Planning Committee resolved to grant outline planning permission for the regeneration and early next month there is a Public Inquiry into the council's making of a compulsory purchase order to enable regeneration to proceed. The regeneration area includes the Crossway Church and the community organisations e.g. a food bank housed within that the council must acquire and this report addresses that part of the large jigsaw that is the Heygate Regeneration.
5. Crossway Church is situated at the northeast corner of the Heygate Estate. It is shown edged red on the plan at Appendix A. The freehold interest in the property is held by The United Reformed Church (Southern Synod) Trust Ltd. Executive Minute 14 of 9 February 2010 authorised the making of a compulsory purchase order to acquire all properties on the Heygate Estate including Crossway Church. As part of the Regeneration Agreement signed by Lend Lease the council is obliged to use reasonable endeavours to acquire the property including using compulsory purchase powers. As a result it has been included in the Heygate Compulsory Purchase Order land.
6. The Church is primarily used by members of the United Reform Church (URC) religious denomination. In addition, the premises are used by other faiths for worship purposes thus enabling their congregations to come together on a regular basis. As well as the property being used for worship it is also used by voluntary users including the Girls Brigade, community food bank and a homeless shelter for part of the year. It is therefore an important community asset for this part of Walworth.
7. The Church was built as part of the Heygate Estate to replace a church of the same denomination that was situated on the New Kent Road and demolished to facilitate the construction of the Estate.
8. Rule 5 of section 5 of the Land Compensation Act provides:

Where land is, and but for the compulsory acquisition would continue to be, devoted to a purpose of such a nature that there is no general demand or market for land for that purpose, the compensation may, if the Lands Tribunal is satisfied that reinstatement in some other place is bona fide intended, be assessed on the basis of the reasonable cost of equivalent reinstatement.
9. It is accepted that this rule applies to the council's proposed acquisition of Crossway Church
10. The council and the URC have been in dialogue since the end of 2004 around the regeneration. The URC has aspired for a replacement church in the vicinity. However, this is a densely developed central London area resulting in few potential re-provision opportunities becoming available. The URC and the council investigated the possibility of Walworth Town Hall being used for the replacement Church. However, the URC ultimately decided the risks involved in taking on the building particularly in relation to repairs and running costs made it unsuitable as a replacement church.

11. A former day centre for persons with disabilities known as Castle Day Centre has recently become vacant and this offers potential for demolition and redevelopment with a replacement church. The URC has indicated it is a suitable location for a replacement church. Appendix B shows the location of the former Day Centre and Appendix C provides a location plan showing the location of Crossway and the Castle Day Centre. As the crow flies the distance between the two is 350 metres. Appendix F is a letter of support from the Minister of Crossway.
12. The former day centre is a two storey structure, the day centre itself was provided on the first floor. Lock up garages are provided on the ground floor. The majority of these are let on standard garage tenancies that can be terminated on the giving of at least one week's notice. The proposed re-provision of the Crossway Church will therefore result in the loss of garages and the income they generate at this location.
13. The council and URC have in the past few months been in discussion about the proposed relocation and heads of terms are agreed to enable this to happen.
14. A feasibility scheme has been prepared for the proposed relocated church. This has been the subject of some pre-application discussion and the preliminary view of planning officers is that the principle of a church on the site with some residential development is acceptable but this is of course subject to consultation and the formal consideration of the application when it is received.

KEY ISSUES FOR CONSIDERATION

15. The URC own another property in the vicinity at 61 Great Dover Street some 470 metres as the crow flies from Crossway Church. This property is currently not used by the URC and is let out for voluntary and residential purposes. The URC advise that the property is smaller and combined with its location means it is not able to meet their wider mission and ministry aspirations. The fact that this building exists and is in the URC's ownership does not limit their ability to claim compensation under rule 5 of section of the Land Compensation Act 1961 for an equivalent church somewhere is as that is their bona fide intention.
16. The provisions of the Land Compensation Act 1961 oblige the council to provide the URC with compensation that is based upon *the reasonable cost of equivalent reinstatement* of the current Crossway Church. This is not the cost of cloning the current church in a new location but the cost of providing a modern equivalent in size and facility terms. Changes in planning and building control obligations mean the replacement church will be to a higher standard in access and environmental terms than the current church. Also as it will be in a different location its external appearance will differ to fit in with the new locality. Therefore in appearance terms the replacement church may look very different to the existing Crossway Church but this does not mean an equivalent replacement is not being provided.
17. There are two ways of managing the replacement church; the council could transfer the new site to the URC and then reimburse the URC for the construction works. The other option is that the council manages the construction and on completion transfer to the URC the new church. Following discussions between the parties the latter has been agreed in principle. This is

considered less administratively cumbersome and gives the council greater control over cost management.

18. The Castle Day Centre site is restricted in development terms the proximity of Woolaston Crescent severely limits the height of any potential development because daylighting enjoyed by properties in the Close may be impeded. An indicative layout for the proposed new church has been prepared and this is reproduced at Appendix D. This provides for a three storey development that mitigates the daylighting issue. The northern part will accommodate a church with a three storey block of flats attached to the new church at the southern end of the site.
19. The existing church contains a large four bedroom manse. It has been agreed that this is no longer suitable for the modern needs of the URC and instead two flats (one with two bedrooms and the other with one bedroom) be provided) The block will also contain four other flats (two 1 bedroom units and two 2 bedroom units) that will be constructed for supplementing the council's affordable housing stock.
20. Reproviding Crossway Church will not only satisfy the council's statutory duty to the URC will also result in a modern property asset that will benefit the wider community.

Principal heads of terms

21. The agreed principal terms are contained at Appendix E, but as time passes and further work takes place it may be necessary to adapt these to reflect changing circumstances and knowledge. It is therefore recommended that authority for this be delegated to the director of regeneration:
22. The principal terms provide for the council managing the construction a new church on the Castle Day Centre (this will be procured in accordance with Council Contract Standard Orders) and when it is completed transferring it to the URC with the two flats that replace the existing manse. The transfer will not take place immediately on completion of the new building in order that the residual part of the construction contract covering defects rectification can be properly managed. On completion of the new church the URC will have a thirty day period to vacate the existing Crossway Church and operate from the new property. After the thirty day period ownership and the right to possession of Crossway Church will pass to the council. The council will manage the demolition contract for the Heygate Estate to ensure the URC have continuity of operations over the relocation period.
23. The terms provide for termination of the contract in the event the Compulsory Purchase Order covering the existing Crossway Church is not confirmed (the URC has objected to the Order) and if the new church on the Castle Day Centre does not receive planning consent. There is also a termination provision in the event that there are construction issues such as adverse ground conditions that cannot reasonably be identified now. That give rise to an unreasonable construction cost burden. This is to protect the council financially. In such circumstances the council would still have to provide an equivalent reinstatement for the URC though and another site would have to be identified which will not be easy in this densely built urban locality.

Policy implications

24. The reprovision of Crossway Church has always been recognised as an element of securing possession of the larger Heygate Estate the regeneration of which is a critical part of the overall Elephant and Castle regeneration policy in accordance with Promise 9 of Southwark's Fairer Future.
25. The construction of the four new flats referred to in paragraph 16 for the council's housing stock furthers the cabinet member for housing management's priority statement in which it is promised to *build new council housing*.

Community impact statement

26. The Elephant and Castle regeneration has been the subject of extensive consultation. As part of the Heygate compulsory purchase order procedure an Equality Analysis was prepared and found that relocating Crossway Church had the potential effect of requiring some of its users to travel a little further and some to travel a lesser distance but overall and provided the relocation is in the locality of the existing church the impact should be broadly neutral. The proposed replacement church location is only some 350 metres from the existing church so the neutral conclusion of the Equality Analysis is considered applicable. The new church will enable all existing usages to be maintained and users will benefit from an improved building for association.

Resource implications

27. These are detailed in the closed version of this report. They cover:
 - Management of the reprovision of the new church both by the council and URC
 - Construction costs of the new church including relocation from the existing Church to the new one
 - The loss of income from the opportunity cost of not re-letting the Day Centre and from the garages below it
 - The transfer in value of the Castle Day Centre site
 - Funding of the recommendations

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

28. It is proposed that the Heads of Terms for the exchange of land between the council and the URC are finalised as soon as possible. At that stage an agreement will be entered into by the parties which will provide that, subject to the termination provisions set out at paragraph 22 of this report, the council will construct the new church on council land and then transfer the freehold of the new church to the URC, as compensation for the compulsory purchase by the council of the existing Crossway Church on the Heygate Estate.
29. The land on which the new church will be built belongs to the council and is held within the housing portfolio. As such, the disposal of the new church can only proceed provided the requirements of section 32 of the Housing Act 1985 are met which involve obtaining the consent of the Secretary of State for the Department of Communities and Local Government.

30. Formal consent from the Secretary of State is not required if the disposal falls within the scope of the various general consents which are contained within the General Housing Consents 2012.
31. Consent A3.1.1 provides that a local authority may, subject to paragraph 3.1.2, dispose of land for a consideration equal to its market value. The Secretary of State has confirmed to the council that "land" includes buildings.
32. The existing church has been valued for the council for compensation purposes by Drivers Jonas Deloitte. However, as explained at paragraph 15 of this report, the obligation on the council by virtue of the provisions of the Land Compensation act 1961 is to be assessed on the basis of the reasonable cost of equivalent reinstatement.
33. When the final terms are available, officers will be able to determine whether the proposed disposal falls within the general consents and, if not, a full application will be made to the Secretary of State.
34. As noted in paragraph 21, the contracts to be entered into for the construction of the replacement church are to be procured in accordance with contract standing orders. Further advice will be given relating to the contracts as the procurement progresses.

Strategic Director of Finance and Corporate Services

35. The concurrent of the strategic director of finance and corporate services is contained in the closed version of this report.

Strategic Director of Housing and Community Services

36. The strategic director of housing & community services understands the importance of the relocation of the Crossways Church as a contribution to the wider aims of regenerating the Elephant and Castle area and welcomes the four extra units of accommodation that the proposal will provide, as a contribution to the corporate aim of reducing housing need in Southwark. Having said this, the report highlights that there are 25 lock up garages beneath the Castle Day Centre which are fully let and for which there is a waiting list. There is little other garage parking in the area and no other lock up garages; thus there is little chance of being able to offer current garage licencees similar alternative parking. In addition, it needs to be noted that the access road to the site is a private road over which the council has a right of way, the refurbishment of Draper House has required an agreement to licence part of the road for access/storage.

BACKGROUND DOCUMENTS

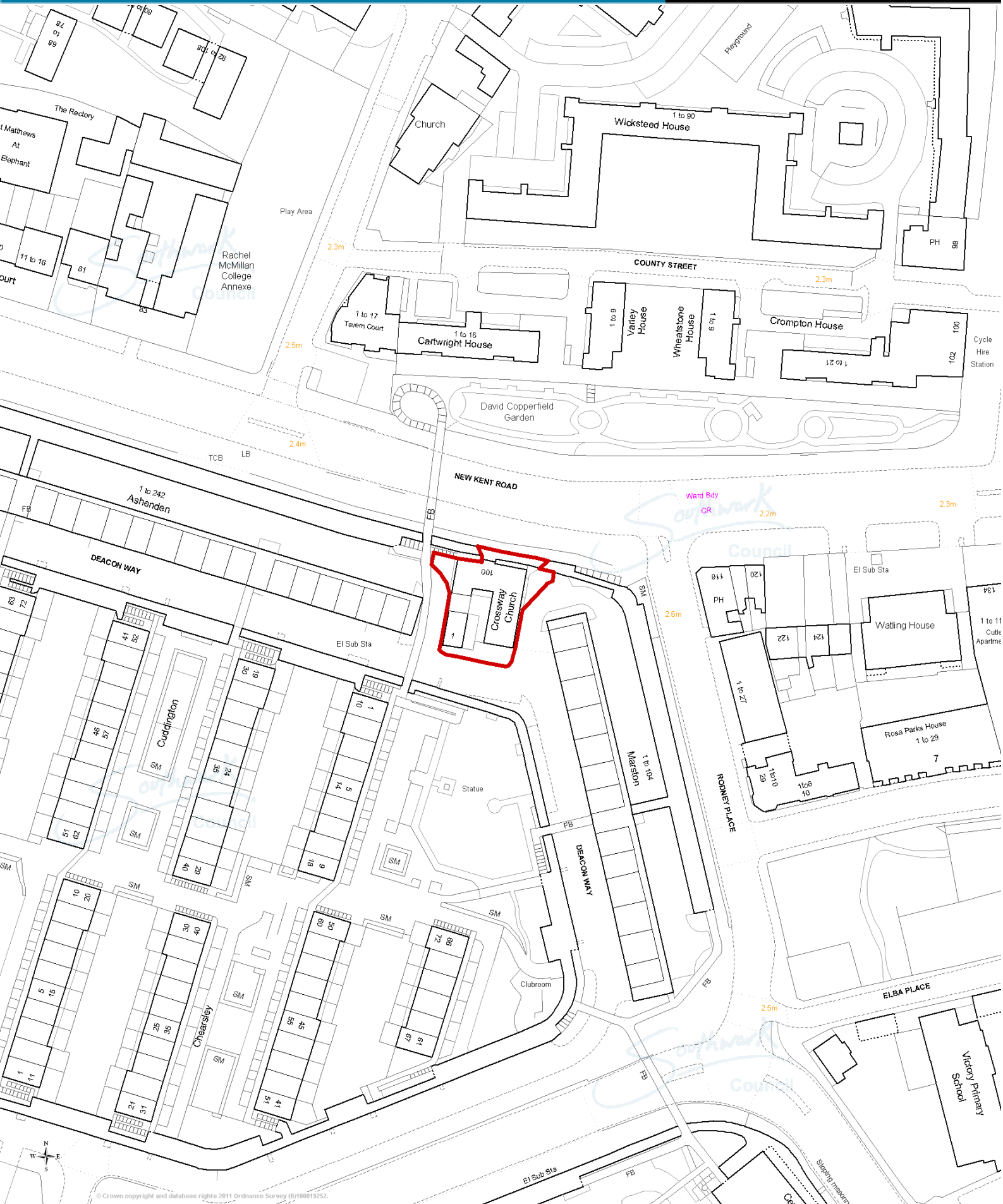
Background Papers	Held At	Contact
Executive Report of 9 February 2010	http://moderngov.southwark.gov.uk/documents/s7807/Heygate%20Estate-%20Compulsory%20Purchase%20orders%20report.pdf	Patrick McGreal 020 7525 5626

APPENDICES

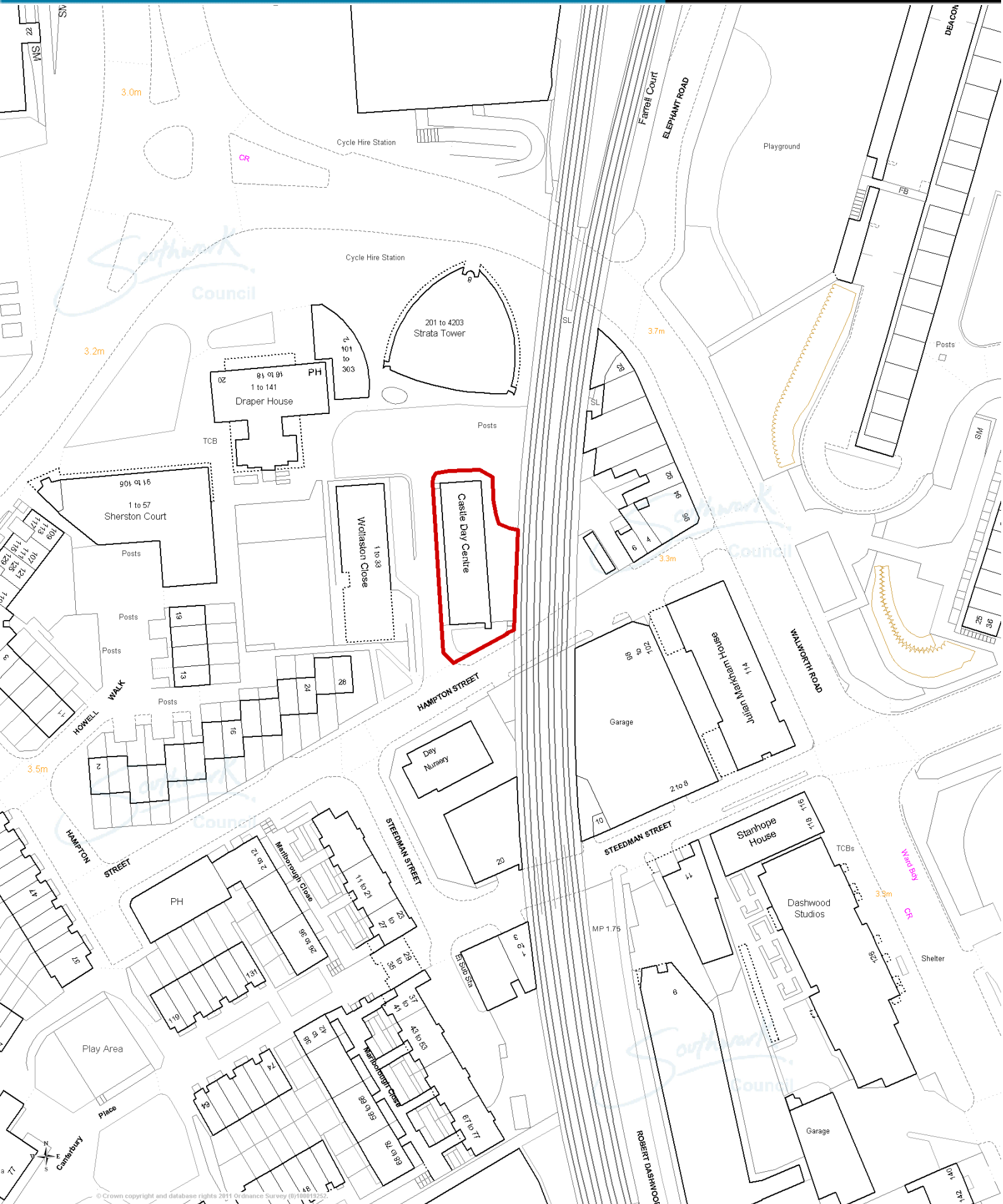
No.	Title
Appendix A	Crossway Church
Appendix B	Former Castle Day Centre
Appendix C	Crossway Church and Former Castle Day Centre
Appendix D	Indicative layout for replacement Crossway Church
Appendix E	Principal Heads of Agreement
Appendix F	Letter from Minister of Crossway Church

AUDIT TRAIL

Cabinet Member	Councillor Fiona Colley, Regeneration and Corporate Strategy	
Lead Officer	Eleanor Kelly, Chief Executive	
Report Author	Patrick McGreal, Property Services	
Version	Final	
Dated	16 January 2013	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Legal Services	Yes	Yes
Strategic Director of Finance and Corporate Services	Yes	Yes
Strategic Director of Housing and Community Services	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	16 January 2013	

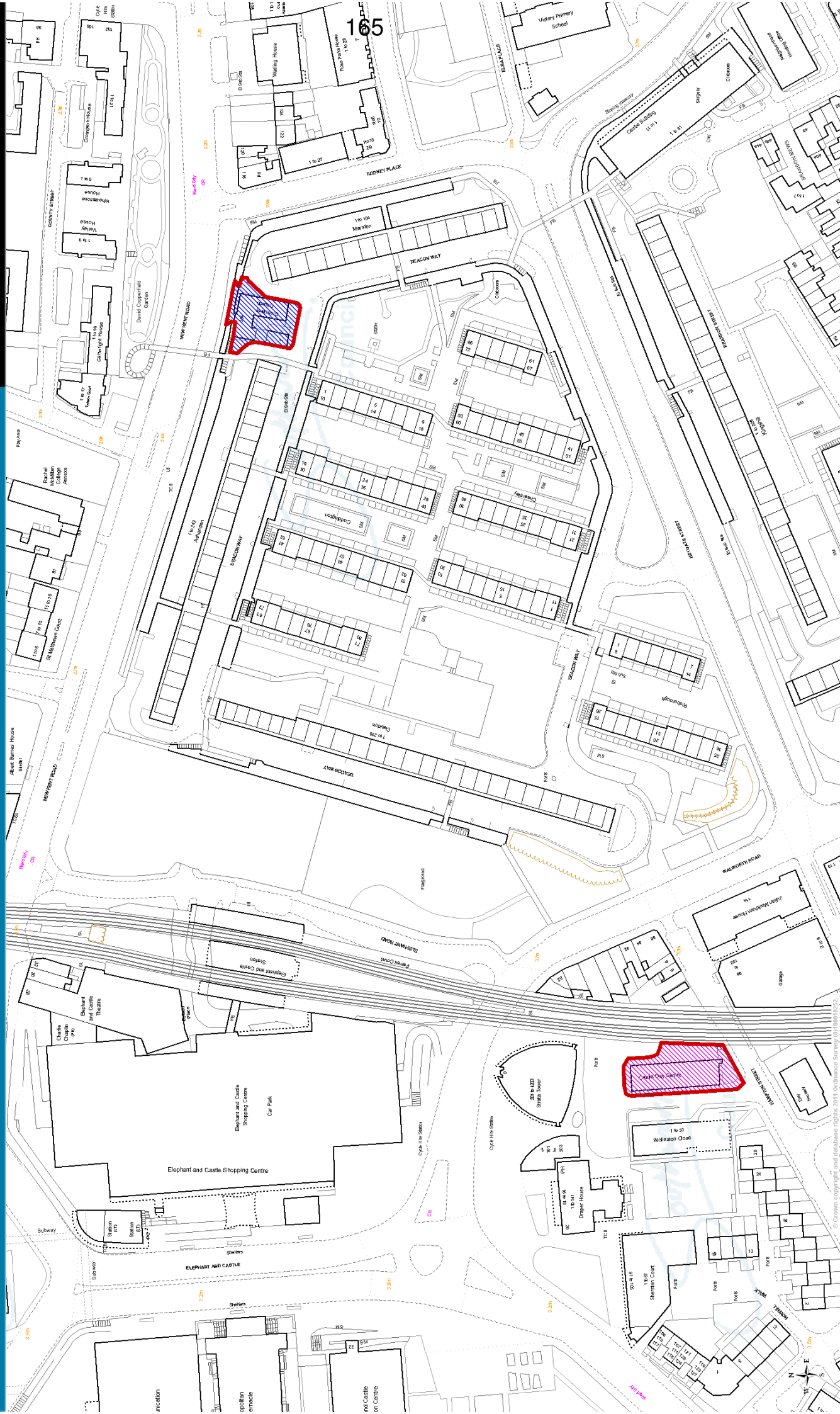


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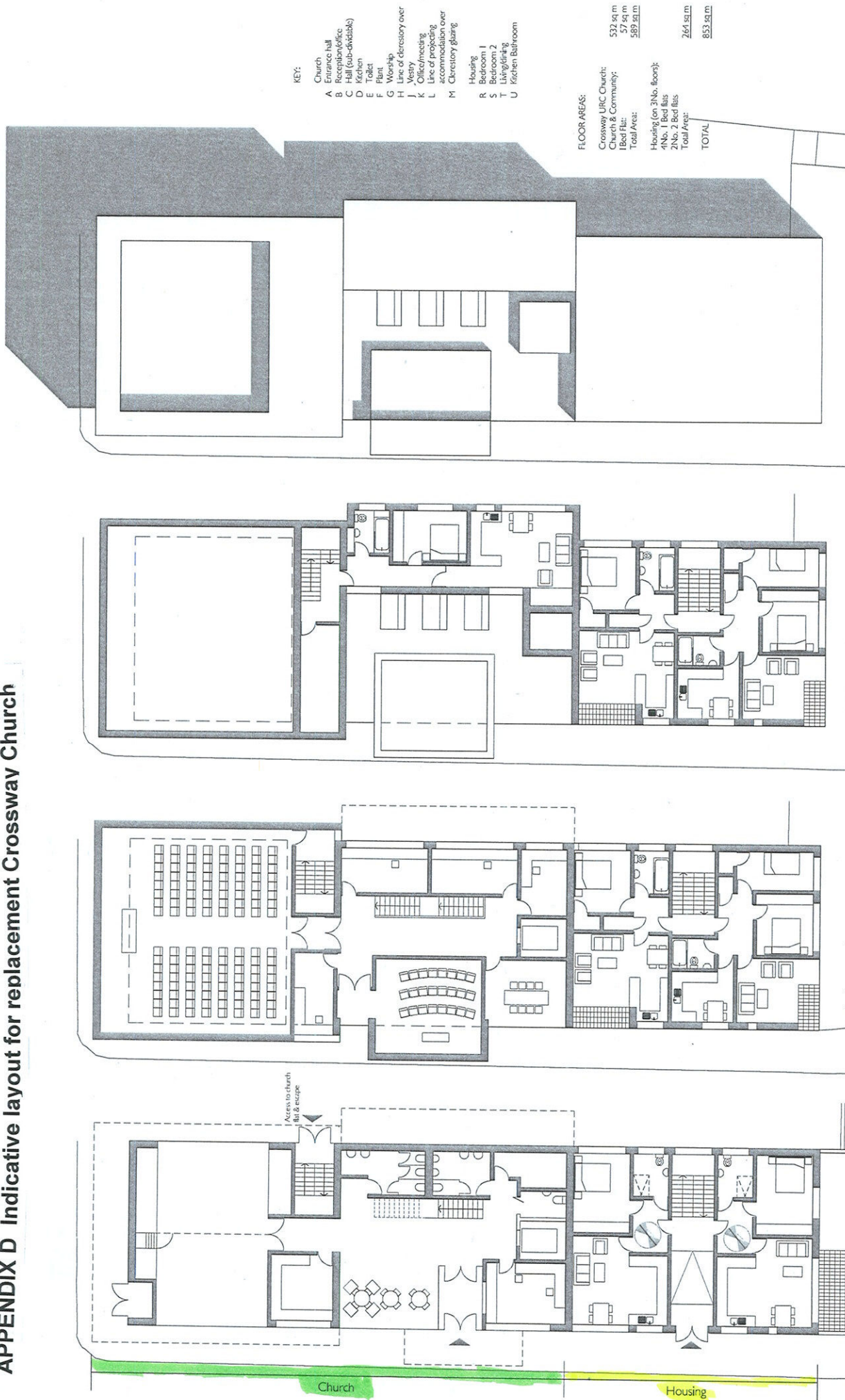


APPENDIX C: Crossway Church and Former Castle Day Centre

Date 23/11/2012



APPENDIX D Indicative layout for replacement Crossway Church



- KEY:
- Church
 - A Entrance hall
 - B Reception/office
 - C Hall (sub-dividable)
 - D Kitchen
 - E Toilet
 - F Stair
 - G Workshop
 - H Line of clerestory over
 - I Vestry
 - K Office/meeting
 - L Line of projecting accommodation over
 - M Clerestory glazing
 - Housing
 - R Bedroom 1
 - S Bedroom 2
 - T Living/dining
 - U Kitchen Bathroom

FLOOR AREAS:

Crossway URC Church:	532 sq m
Church & Community:	57 sq m
Bed Flz:	589 sq m
Total Area:	
Housing (on 3 rd No. floor):	264 sq m
4 th No. Bed flz:	
2 nd No. 2 Bed flz:	
Total Area:	853 sq m
TOTAL:	

Roof Level

+2 Level

+1 Level

Ground Level

THOMAS
FORD
& PARTNERS
CHARTERED
ARCHITECTS
SURVEYORS



WALWORTH, CROSSWAY URC CHURCH
FEASIBILITY STUDY - CHURCH & HOUSING
PLANS - PROPOSED

APPENDIX E

Principal Heads of Terms

The United Reformed Church (Southern Synod) Trust Ltd and London Borough of Southwark

1. The Council will demolishing the existing Castle Day Centre in Walworth and construct on its site a new church that is the equivalent as set out in the compensation code of the existing Crossway Church.
2. The Council will at its own expense:
 - 2.1 Appoint the relevant professional and project delivery team to design, obtain planning permission and construct the new Church.
 - 2.2 Liaise with and agree the design of the new Church premises with the URC prior to the submission of a planning application.
 - 2.3 Arrange, supervise and construct the new church and ancillary accommodation (this term includes two flats) in accordance with plans approved by the Local Planning Authority.
 - 2.4 On practical completion of the new Church and ancillary accommodation, rights to occupation and ownership will pass to the URC. The precise mechanism is to be resolved to ensure the defects resolution period results in any being identified and remedied in the most expedient and efficient manner.
 - 2.5 Not commence demolition of the existing Crossway Church until the URC has relocated to the new Church and fully vacated the former premises subject to a period of grace (30 days) to enable an organised relocation
 - 2.6 Not serve notice of entry or implement a vesting declaration that may result in the URC losing the right to possession of the existing Crossway Church until thirty days after possession is give to the new Church.
3. Upon relocation to the new Church the parties will use reasonable endeavours to complete all necessary documentation to effect and record the transfer of the unencumbered freehold interest in the existing Crossway Church to the Council and likewise for the transfer of the new premises to the URC.
4. The Agreement will terminate in the following events:

- 4.1 The Heygate Compulsory Purchase is not confirmed or is amended in such a way as prevents the Acquiring Authority from being able to implement the regeneration of the existing Crossway Church
- 4.2 An unsatisfactory planning permission in respect of the new Church.
- 4.3 The construction of the new Church giving rise to unexpected and unreasonable costs arising from matters such as adverse ground conditions.
- 4.4 A substantial breach by either party

APPENDIX F



www.crosswaychurch.org.uk

Fiona Colley
Southwark Borough Council
Tooley Street
London
SE1

20th December 2012

Dear Fiona

I am writing to commend to you the proposed relocation of the Church.

You are aware that the church has been consistent in their desire to continue its ministry and mission in the Elephant and Castle. While the 'right' alternative solution has been sought, Crossway has continued to offer welcome and support to other Christian congregations and numerous local community groups. Four new organisations have been added to our family in the past twelve months. The variety of current use includes eight congregations each with varying involvement in the local community. In addition Victory School is operating three sessions through the church, an ESOL group, a parent mentoring scheme and a family drop in centre. The Southwark Day Centre for Asylum Seekers offers food and advice to around 100 clients every week and we hope to resume our own work with homeless people when our situation is more secure.

The Crossway leadership have recognised the greater need in the area to provide a base for 'starting' churches and community groups and want to develop this work of welcome and hosting further. The new site identified and the plans being discussed could provide flexible space to accommodate the existing groups and offer opportunity for new social and religious organisations looking to get established in the area. It would therefore safeguard the current work and provide opportunity for even greater variety of work.

The new building will also enable the church to reach-out to the Newington estate as it has done over the years to the Heygate estate. Given the church's record of being a community resource, the new building will be a real asset to the Elephant and Castle and not purely the United Reformed Church. For these reasons Crossway are happy to support the current proposals and hope that the various legal and practical negotiations will soon result all parties benefiting from the regeneration agenda.

Yours sincerely,

Peter Stevenson

CROSSWAY CHURCH 100 NEW KENT RD., LONDON. SE1 6TU

Minister: RevDr Peter Stevenson e: revdpete@btinternet.com t: 020 7708 0294 mobile 07972 790483
Administrator: Mrs Lydia KadduBusagwa e: admin@crosswaychurch.org.uk t: 020 7703 7803 (office)

Item No. 19.	Classification: Open	Date: 29 January 2013	Meeting Name: Cabinet
Report title:		Disposal of Car Pound at Mandela Way, London SE1	
Ward(s) or groups affected:		Grange	
Cabinet Member:		Councillor Richard Livingstone, Finance, Resources and Community Safety	

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

The council's new parking contract means that there is no longer a need to retain a car pound for Southwark. As a consequence, the strategic director of environment and leisure has previously declared the site on Mandela Way as surplus to requirements.

This report proposes the sale of a 250 year lease of this property, having agreed a price that represents good value for money for the council. We understand that the purchasers want to use this property as a depot that will not see new building development on the site. However, the retention of the freehold by the council would mean that if a proposal ever did come forward to develop the site for a more intensive use at some point in the future the council would benefit financially.

The change of use from a car pound to a depot should not increase volumes of traffic, and the decision not to pursue earlier proposals to turn the site into a sizable power station will come as a relief to many residents who live nearby.

RECOMMENDATIONS

That the cabinet approves

1. The disposal of the 250 year leasehold interest in the car pound at Mandela Way, London SE1("the Property"), as shown edged with the bold line on the attached plan, to the purchaser identified and on terms set out in the accompanying closed agenda report, subject to any further negotiations considered necessary by the head of property.
2. That should the sale not proceed to completion within a reasonable time as determined by the head of property, the Property be offered for sale on the open market and then sold on terms to be approved by the head of property for a consideration that represents best consideration.

BACKGROUND INFORMATION

3. The Property is located on Mandela Way just off the Old Kent Road in Bermondsey. It is situated to the south of Mandela Way at its junction with Dunton Road, which is a one way road leading off Old Kent Road.

4. The Property is a site, broadly rectangular in shape and extends to an area of approximately 0.79 hectares (1.95 acres). The net area of the car pound and associated buildings is approximately 0.65 hectares (1.61 acres).
5. The Property is currently used as a car compound operated by the council's Environment and Leisure Department. There are approximately 230 car parking spaces as well as a small area for bicycles and motorcycles. The car park is largely surfaced in tarmac with some concrete hard standing areas. Environment and Leisure have confirmed that the Property will cease to be used as a car pound and that it will be vacated by spring 2013. As such it will no longer be required for operational requirements.
6. With vacant possession forthcoming, the council has received an off market offer for the site, which has been independently valued to comply with Section 123 of the Local Government Act in respect to obtaining best consideration.
7. Once sold, the purchaser will enable the council to continue using the Property for the purposes of the car pound by way of a short term license until such time that the Property has been vacated by Environment and Leisure.
8. The property was formally declared surplus to operational requirements by the director of environment on 11 January 2013.
9. The closed agenda report carries details of the offer received and for reasons of commercial confidentiality it is not possible to report these on the open agenda. The transaction being recommended will result in continued commercial use on the site. It is confirmed that the offer being recommended represents best consideration as confirmed by an external valuation prepared by one of the council's framework property consultants.
10. The head of property recommends that the sale proceeds as it meets all the relevant financial criteria and will result in a capital receipt for council's general fund. The buyer's proposals might be subject to planning consent in the usual way, but the sale of the Property is not conditional on planning.
11. It is intended to complete the sale of the Property as soon as possible. If the sale does not proceed for whatever reason, this report also seeks authority for the Property to be offered on the market, and sold for a consideration that represents at the relevant time, the best consideration reasonably obtainable for the Property.

KEY ISSUES FOR CONSIDERATION

Policy implications

12. The Property has been in commercial use and if sold will continue to do so, as permissible under the terms of the lease. Under the Core Strategy – Strategic Policy 1A, the Property is within one of the council's Core Strategy Preferred Industrial Locations as providing places for small businesses and industry. Similarly, Strategic Policy 10 – Jobs and Businesses, seeks to protect industrial and warehousing floor space, enabling growth in new sectors such as green manufacturing and technology in local preferred industrial locations.

Community impact statement

13. With the Property being restricted to commercial and industrial use, it could result in more jobs for local people and assist in enhancing the local economy.

Resource implications

14. This proposal will generate a capital receipt which is hoped to be in the financial year 2012/13.
15. The buyers will also contribute towards the council's administrative costs.
16. The disposal of the Property will release revenue currently put towards its maintenance and security.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**Director of Legal Services**

17. The council cannot generally dispose of land for less than the best consideration reasonably obtainable in accordance with the provision contained in section 123, Local Government Act 1972.
18. In this case, the council has received specialist advice from a qualified valuer to the effect that best consideration is being received and it therefore is able to proceed with the disposal.

Strategic Director of Finance and Corporate Services (FC13/003)

19. The strategic director of finance and corporate services notes that this report recommends the disposal of the 250 year leasehold interest in the Property, generating a capital receipt representing the market value of the property.
20. The sale is not subject to planning approval being awarded and will result in a capital receipt for the council's general fund.
21. The strategic director notes that the buyer will contribute 0.5% of receipt value to cover the council's administration costs. In addition there will be some further revenue savings from the release of resources which are currently being expended on maintenance and security of this property.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
None		

APPENDICES

No.	Title
Appendix 1	Plan

AUDIT TRAIL

Cabinet Member	Councillor Richard Livingstone, Finance, Resources and Community Safety	
Lead Officer	Eleanor Kelly, Chief Executive	
Report Author	Tom Hanman, Graduate Surveyor	
Version	Final	
Dated	17 January 2013	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Legal Services	Yes	Yes
Strategic Director of Finance and Corporate Services	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	17 January 2013	

Draft pdf source

TITLE.

Land at Mandela Way, SE1.

APPENDIX 1



DRAWING No.

LBS_2887

DRAWN BY.

MMANKTELOW
Property Division

DATE.

7/1/2013

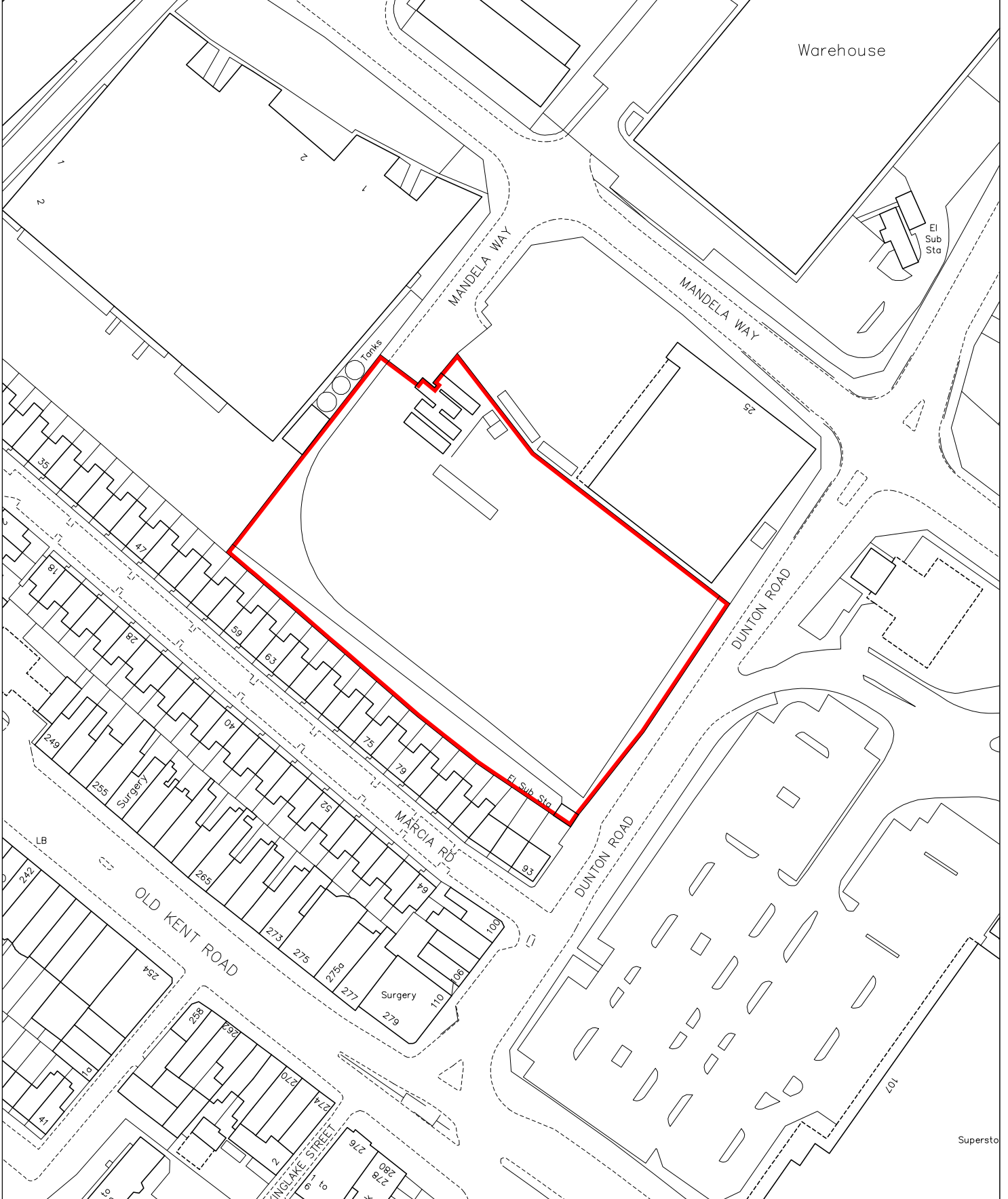
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Item No. 20.	Classification: Open	Date: 29 January 2013	Meeting Name: Cabinet
Report title:		Disposal of 161 Denmark Hill, London SE5 8EF	
Ward(s) or groups affected:		South Camberwell	
Cabinet Member:		Councillor Richard Livingstone, Finance, Resources and Community Safety	

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

This report proposes the sale of the old Denmark Hill housing office, which is now surplus to requirements. The site has been marketed and the proposed sale is to the highest bidder for the site. The purchaser will also contribute towards the maintenance of the access road it shares with the neighbouring Denmark Hill Estate.

Consideration have been given as to whether this is a potential site for building new council homes. However, this work has concluded that the site is not suitable for such a development, given its size. It is also possible that a request may be made to include the property in the council's list of Assets of Community Value, although I have been advised that it is unlikely to meet the test for inclusion.

As the building is on housing land, the capital receipt will contribute towards the cost of making every council home Warm, Dry and Safe.

RECOMMENDATIONS

That the cabinet approves:

1. The disposal of the council's freehold interest in 161 Denmark Hill, London SE5 8EF ("the Property"), as shown edged with the bold line on the attached plan, to the bidder identified and on terms set out in the accompanying closed agenda report, subject to any further negotiations considered necessary by the head of property.
2. That should the sale not proceed to completion within a reasonable time as determined by the head of property, the Property be offered to the underbidder or re-offered for sale on the open market and then sold on terms to be approved by the head of property for a consideration not less than market value.

BACKGROUND INFORMATION

3. On 23 November 2010, cabinet approved the next phase of the Modernisation programme including the rationalisation of further council-occupied office space. This provided for the disposal of the Property once surplus to operational needs. Following reorganisation of office space the Property is now available for disposal.

4. The Property is a two storey office, built in the 1980s and used as a neighbourhood housing office since that time. The Property has potential for residential redevelopment. As a former Housing Office, the Property is held in the Housing Revenue Account. It has been declared surplus to requirements.
5. The proposed boundary includes 7 car parking spaces and one footpath. Both have been declared surplus to requirements and made available for inclusion within the disposal by the South Area Housing management team as suitable alternative arrangements can be made.
6. A marketing campaign has been carried out using prominent South East London commercial property agents. The Property was marketed for a period of three months and a closing date of 12 October 2012 was set for offers.
7. The closed agenda report carried details of the offers received and for reasons of commercial confidentiality it is not possible to report these on the open agenda. The transaction being recommended will result in redevelopment of the Property for residential use in due course and subject to planning consent. It is confirmed that the offer being recommended represents market value, based on the council's property department's own internal valuation of the Property.
8. The head of property recommends that the sale proceeds as it meets all the relevant financial criteria and will result in a capital receipt for the Housing Revenue Account. The buyer's proposals will be subject to planning consent in the usual way, but the sale of the Property is not conditional on planning.
9. It is intended to complete the sale of the Property as soon as possible. If the sale does not proceed for whatever reason, this report also seeks authority for the Property to be offered to the next best deliverable offer from the marketing process, or failing that for the property to be re-offered on the market, and then sold for the a consideration that represents the market value of the Property.

KEY ISSUES FOR CONSIDERATION

Policy implications

10. The disposal of the Property is in line with the strategy of modernising council working practices by reducing the number of satellite offices across the borough. Bringing together staff 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.
12. The Property has been considered as a possible site on which the council could build new homes but it is felt that other sites are preferable. The receipt from the sale of the Property may be used to support homebuilding or other capital initiatives.

Community impact statement

13. The community impact of proposals to rationalise administrative offices has been addressed in the report to cabinet on 23 November 2010 which dealt with the principle of disposal.
14. Following the reorganisation of Housing Management, housing office staff previously located at the Property were accommodated in the interim headquarters for the south area at Cator Street and later relocated to the new shared office facility at Queens Road. Front counter housing services have not been provided at the Property for some years. Tenants in the south of the borough may access services from Harris Street, Bournemouth Road and the Peckham One Stop shop.
15. The council has received some correspondence relating to the Property indicating that it could expect to receive a formal nomination asking the council to include the Property in the list of Assets of Community Value which it holds pursuant to Part 5 Chapter 3 of the Localism Act. The council would, if it receives a formal nomination, need to apply the tests set out in the Act as to whether the nomination came from a body qualified to make such a nomination and whether the Property qualified for inclusion in the list. The implications of inclusion in the list, should this occur, are set out in the concurrent report of the director of Legal Services later in this report.

Resource implications

16. This proposal will generate a capital receipt which is expected in the financial year 2012/13.
17. The buyers will also contribute towards the council's administrative costs.
18. The buyer will contribute towards the ongoing maintenance of the estate road.
19. The disposal of the Property will release revenue currently put towards its maintenance and security.

Consultation

20. Consultation has taken place as part of earlier authorities including the cabinet report of 23 November 2010. Should there be any change of use or development requiring planning consent, consultation necessary for those processes will take place.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

21. Section 1 of the Localism Act 2011 grants councils a general power of competence whereby a local authority has power to do anything that individuals generally may do. However, that power does not enable a local authority to do anything which it is unable to do by virtue of a pre-commencement limitation. Section 32 of the Housing Act 1985 is a pre-commencement statute that limits the council's power to dispose of property.
22. As the Property falls within the council's housing portfolio, the disposal can only

proceed in accordance with section 32 of the Housing Act 1932, for which purposes the consent of the Secretary of State for the Department of Communities and Local Government is required.

23. A number of general consents have been issued in the General Housing Consents 2012.
24. General consent A3.1.1 provides that “a local authority may, subject to paragraph 3.1.2, dispose of land [which includes buildings] for a consideration equal to its market value.” Paragraph 3.1.2 sets out two exceptions to this general consent, neither of which apply in this situation.
25. The report confirms in paragraph 6 that the consideration being received for the Property represents its market value. The report also confirms that the Property has been declared surplus to requirements
26. The report indicates at paragraph 15 that the council could receive a nomination to include the Property in the list of Assets of Community Value which it holds pursuant to Part 5 Chapter 3 of the Localism Act 2011 ("the 2011 Act"). If such a nomination is received it will be considered in accordance with the principles set out in section 90 of the 2011 Act, namely whether the land nominated is in the authority's area and is of community value.
27. If the asset should be listed, and the council proceeds with the sale, the council will have to comply with the requirements imposed on sellers of listed assets contained in the 2011 Act, which are to publicise the intended sale, and notify the body that successfully nominated the Property for listing. In the event that the council received a notice from a qualifying community group within six weeks of such notification that the group was interested in making a bid for the Property, the council would not be permitted to sell the Property for a period of six months from the date of notification of sale, unless to a qualifying community group. At the end of the period of six months the council could sell the Property on the terms of this report, and would not necessarily have to sell to a community group even if a suitable bid had been received. If no expression of interest was received during the initial six week period, the council would be able to sell the Property at the end of the six week period on the terms of this report.
28. If the cabinet is satisfied that the requirements of the general consent have been met and that the consideration for the Property represents its market value they may approve the recommendation.

Strategic Director of Finance and Corporate Services (CR/F&CS/02/11/12)

29. The strategic director of finance & corporate services notes that this report recommends the disposal of the council's freehold interest in 161 Denmark Hill, generating a capital receipt representing the market value of the property.
30. The sale is not subject to planning approval being awarded and will result in a capital receipt for the Housing Revenue Account.
31. The strategic director of finance and corporate services notes that the buyer will contribute towards the council's administration costs and will also contribute towards the ongoing maintenance of the estate road. In addition there will be some further revenue savings from the release of resources which are currently

being expended on maintenance and security of this property.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Cabinet Report 23 November 2010 – Item no. 10 – Revised Accommodation Strategy	http://modern.gov.southwark.gov.uk/ieListDocuments.aspx?CId=302&MId=3334&Ver=4	See report

APPENDICES

No.	Title
Appendix 1	Plan

AUDIT TRAIL

Cabinet Member	Councillor Richard Livingstone, Finance, Resources and Community Safety	
Lead Officer	Eleanor Kelly, Chief Executive	
Report Author	Tom Hanman, Graduate Surveyor	
Version	Final	
Dated	17 January 2012	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Legal Services	Yes	Yes
Strategic Director of Finance and Corporate Services	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	17 January 2013	

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TITLE.

161 Denmark Hill, SE5 8EF.



DRAWING No.

LBS_2869

DRAWN BY.

MMANKTELOW
Property Division

DATE.

14/11/2012

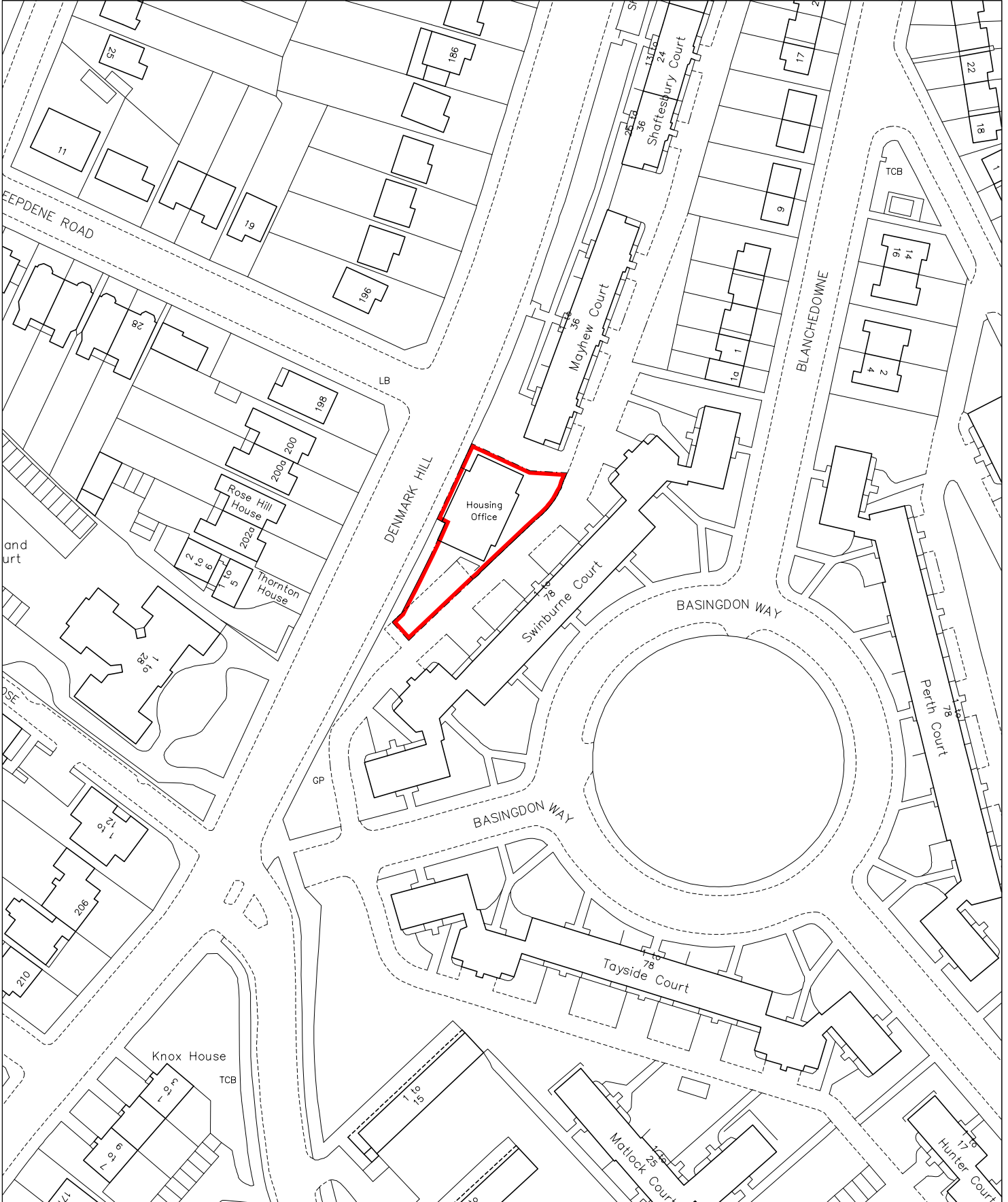
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Item No. 21.	Classification: Open	Date: 29 January 2013	Meeting Name: Cabinet
Report title:		Motions Referred from Council Assembly	
Ward(s) or groups affected:		All	
From:		Council Assembly	

RECOMMENDATION

1. That the cabinet considers the motions set out in the appendices attached to the report.

BACKGROUND INFORMATION

2. Council assembly at its meeting on Wednesday 28 November 2012 agreed several motions and these stand referred to the cabinet for consideration.
3. The cabinet is requested to consider the motions referred to it. Any proposals in a motion are treated as a recommendation only. The final decisions of the cabinet will be reported back to the next meeting of council assembly. When considering a motion, cabinet can decide to:
 - Note the motion; *or*
 - Agree the motion in its entirety, *or*
 - Amend the motion; *or*
 - Reject the motion.

KEY ISSUES FOR CONSIDERATION

4. In accordance with council assembly procedure rule 2.10(6), the attached motions were referred to the cabinet. The cabinet will report on the outcome of its deliberations upon the motions to a subsequent meeting of council assembly.
5. The constitution allocates responsibility for particular functions to council assembly, including approving the budget and policy framework, and to the cabinet for developing and implementing the budget and policy framework and overseeing the running of council services on a day-to-day basis.
6. Any key issues, such as policy, community impact or funding implications are included in the advice from the relevant chief officer.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council agenda 28 November 2012: http://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=132&MId=4239&Ver=4	Report on the council's website	Lesley John Constitutional Team 020 7525 7228

APPENDICES

Number	Title
Appendix 1	Supporting cycling in Southwark
Appendix 2	Road safety
Appendix 3	Bus services in the south of the borough
Appendix 4	Social housing in mixed communities

AUDIT TRAIL

Lead Officer	Ian Millichap, Constitutional Manager	
Report Author	Lesley John, Constitutional Officer	
Version	Final	
Dated	18 January 2013	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Chief Executive	Yes	N/a
Strategic Director of Environment and Leisure	Yes	Yes
Strategic Director of Housing and Community Services	Yes	N/a
Strategic Director of Finance and Corporate Services	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	21 January 2013	

Supporting cycling in Southwark

At council assembly on Wednesday 28 November 2012 a motion entitled 'supporting cycling in Southwark' was moved by Councillor Geoffrey Thornton and seconded by Councillor Lisa Rajan. The motion was subsequently amended and the amended motion stands referred to the cabinet as a recommendation.

Recommendation

- (1) That council assembly believes a lot more should be done to encourage cycling throughout Southwark, including making bicycles more accessible to residents, encouraging the take up of cycling and improving road safety for cyclists.
- (2) That council assembly therefore welcomes the fact that:
 - The current administration has spent or allocated £2.677 million on cycling in the last two years and plans to spend nearly another £4 million on cycling infrastructure. One third of the money allocated from TfL to Southwark gets spent on cycling.
 - Southwark has installed 174 cycle lockers on housing estates and created over 1500 new spaces for on street cycle parking.
 - Southwark is the first London borough to install life-saving Trixi mirrors at dangerous junctions throughout the borough and welcomes the news that a further eight mirrors will be installed by March 2013.
 - Proposals for 25 cut-throughs, shared use footways and contra-flow schemes across the borough are currently under consideration and that this will help to improve cycle permeability by improving access and reducing travel times.
 - The council's transport plan also proposes: 20mph streets to help make Southwark roads safer for everyone by reducing speeds, developing 'green links' to encourage local cycle trips for less confident cyclists and families, school travel plan initiatives and cycle parking on and off street.
 - Southwark Council's bike loan scheme allows employees to take out an interest free loan of up to £1,000 to buy a bike to use to cycle to work.
 - Despite the fact that Transport for London has reduced the overall budget for cycle training from £163,000 to £156,000, the council continues to offer free cyclist training to anyone that lives, works or is educated in the borough. Around 900 children and 600 adults receiving training each year.

(3) That council assembly therefore calls on cabinet to:

- Continue to work with organisations such as Southwark Cyclists to explore how Southwark can realise its ambition of becoming the most cycle friendly London borough.
- Continue to lobby Transport for London to extend the London cycle hire scheme throughout the borough.
- Take a serious and sensible approach to increasing the number of people who cycle in the borough and make good on its commitment to review the target for people cycling in Southwark which is in line with the London target and based on key developments such as the introduction of cycle hire, and the existing and planned cycle superhighways. The current target translates into a 33% increase (from 3-4%) in current cycling levels or 4,700 new trips by bike every day.

APPENDIX 2**Road Safety**

At council assembly on Wednesday 28 November 2012 a motion entitled 'Road safety' was moved by Councillor Helen Hayes and seconded by Councillor. Mark Glover. The motion was agreed and stands referred to the cabinet as a recommendation.

Recommendation

- (1) That council assembly expresses condolences for the tragic deaths of Hichame Bouadimi, Ellie Carey and many other cyclists and pedestrians who have been killed in road accidents in recent years in Southwark.
- (2) That council assembly notes that the number of people killed on Britain's roads increased by 3% in 2011 to 1,901 – the first increase since 2003. It also notes that the number of pedestrians killed jumped by 12% to 453.
- (3) That council assembly regrets the then Conservative Transport Secretary, Phillip Hammond's pledge to "end the war on the motorist" in 2010 which has led to the removal of speed cameras, the abolition of national casualty-reduction targets, the proposal of 80mph speed limits and the reduction in the number of charges for death by dangerous driving.
- (4) That council assembly also regrets the decision by Transport for London (TfL) to change the phasing of London's traffic lights, ostensibly to improve traffic flow, which has made roads less safe for cyclists and pedestrians.
- (5) That council assembly welcomes measures introduced by the council to promote cycling and to improve road safety including:
 - Becoming the first London council to install Trixi mirrors at four junctions in Southwark, with eight more junctions earmarked
 - Carrying out spot checks on cyclists and drivers breaching traffic enforcement laws in order to crackdown on dangerous driving
 - A comprehensive road safety education, training and publicity programme – including for lorry drivers - and a safer routes to school programme (SRTS), which aims to encourage and enable children to walk or cycle to and from school through the introduction of targeted traffic calming and the creation of safer walking and cycling routes.

- (6) That council assembly believes that the biggest cause in road deaths is speeding and therefore calls on the cabinet:
- For Southwark to become a 20mph borough
 - To call on the Association of Chief Police Officers (ACPO) to ensure police enforce 20mph speed limits
 - To call on TfL to give greater flexibility and support for the use of average speed cameras.

And also for:

More to be done to make TfL operated roads safer and calls for greater transparency for TfL's review of dangerous junctions in Southwark.

Comments of the Strategic Director of Environment and Leisure

1. The policies contained within Southwark's Transport Plan 2011 are consistent with the introduction of a borough wide 20mph limit including all roads for which Southwark is Highway Authority. The relevant excerpt is as follows:

“Policy 5.5 - We will make Southwark a 20mph borough

2. The council's core approach to reducing road danger is to reduce vehicle speeds. This has been pursued through the introduction of 20mph zones and limits across the borough. **The intention is that Southwark be a 20mph borough, so the default maximum traffic speed in the borough would be 20mph, with any streets with a higher maximum speed limit being the exception to this rule.** In practice, this could mean introducing a physical measure such as a raised pedestrian crossing, junction or side road entry treatment where there are known safety and/or other issues, although we recognise that vertical traffic calming measures may not always be practical and can cause discomfort to some road users. We will also look at other options to achieve speed reduction, such as carriageway narrowing and the use of average speed cameras (once these become more widely available).”
3. Currently over two thirds of borough roads in Southwark are now 20mph, comprising 265.4 kilometres
4. There are a limited number of feasible options for extending the coverage of 20mph in Southwark, which include:
 - a. Signage only approach to cover all remaining side roads
 - b. Signage only approach to cover all remaining borough roads, including main roads
 - c. Signage approach with a continued programme of targeted physical interventions to deal with blackspots

5. Applying 20mph limits to remaining side roads would have the advantage of achieving extensive coverage at a relatively low cost.
6. Relaxation of guidance relating to 20mph zones now allows the use of signage and road markings in place of vertical and horizontal deflections even where 'before' speeds are relatively high. This potentially allows main roads to be included in 20mph zones. The advantage of such an approach is that coverage of all borough roads could be achieved at a relatively low cost. Such a borough wide approach may also help to change behaviour and attitudes among road users.
7. Approximate costs and timescales would be:

Option	Cost (approximate)	Timescale (months)
Extend limits to all remaining side roads only	1,000,000	18
Extend limits to cover all remaining borough roads (side roads and main roads)	1,500,000	24
Extend limits to all remaining borough roads (side roads and main roads) with a continued programme of targeted physical interventions to deal with blackspots	3,000,000	36

8. The Council will need to manage likely objections from the police and Transport for London on the grounds that the 20mph limits will not be self enforcing and speed restrictions on the strategic road network respectively.
9. If the Cabinet accepts the motion officers will need to work on a bid for the necessary funding into the capital programme and develop a project plan for delivery.

APPENDIX 3**Bus services in the South of the borough**

At council assembly on Wednesday 28 November 2012 a motion entitled 'bus services in the south of the borough' was moved by Councillor Toby Eckersley and seconded by Councillor Lewis Robinson. The motion was subsequently amended and the amended motion stands referred to the cabinet as a recommendation.

Recommendation

That council assembly believes that improvements are needed by TfL to bus services in the south of the borough, and in particular requests the cabinet to report on:

- (1) Further work lobbying the Mayor of London and Transport for London (TfL) to secure an extension of bus route 42 to Sainsbury's Dog Kennel Hill via North Dulwich station.
- (2) Continuing complaints about the reliability and frequency of the 37 and 3 bus services, as well as the frequency of the 12 during the rush hour.
- (3) The feasibility of TfL extending the 201 bus service eastwards from Herne Hill to provide better east/west services through Dulwich.
- (4) Support and working with TfL on extending the 63 bus service onto Honor Oak Park station to provide connection with London Overground services following the excellent campaign by Peckham Rye's Labour councillors and Val Shawcross, Assembly Member, to extend the number 63 route. Council assembly notes that the extension of the 63 route was a key pledge from Ken Livingstone at the last election but was opposed by Boris Johnson and is concerned whether there is the political will from the current Mayor of London to deliver this extension.
- (5) Options for new buses on the 12 route that represent an effective use of public money.
- (6) TfL improving bus links to the Kingswood estate, one of the most geographically isolated parts of Southwark, where many residents can not afford to use the nearby Sydenham Hill train station.
- (7) TfL providing a direct bus service from the south of the borough to Kings College Hospital.

APPENDIX 4**Social housing in mixed communities**

At council assembly on Wednesday 28 November 2012 a motion entitled 'social housing in mixed communities' was moved by Councillor Anood Al-Samerai and seconded by Councillor. Michael Bukola. The motion was subsequently amended and the amended motion stands referred to the cabinet as a recommendation.

Recommendation

- (1) That council notes that not only is the current administration investing £326 million to ensure every council home in Southwark is warm, dry and safe by 2016, it is also building 1000 new council homes in Southwark over the next eight years - more than have been built in all of London in the last 10 years. It regrets that the previous administration failed to build enough council housing, had an unworkable and unfunded decent homes programme which left many Southwark residents without decent homes and by the end of their time in office left Southwark with 7,800 fewer council homes.
- (2) That council notes the publication of the 'Ending Expensive Tenancies' report by Policy Exchange in August 2012, which called on councils to sell off higher valued social homes and replace them with others in cheaper areas.
- (3) That council also notes the reaction of the leader to the report on his blog: "the blanket policy proposed by the paper of selling-off all council properties above a certain value is flawed and would undoubtedly lead to the removal of genuinely affordable social housing from certain areas."
- (4) That council recognises that there is a need for affordable housing in all parts of the borough, and that many key workers and other residents in lower pay brackets live in social homes in those parts of the borough where land values are highest. That is why this council opposes the government's housing benefit cap, opposes the introduction of affordable rent at 80% of market rent, opposes the ending of secure tenancies, opposes the slashing of the social housing budget by £3.9 billion and is building 1000 new council homes in Southwark over the next 8 years.
- (5) That council is concerned that the government's housing benefit cap will further social segregation in the borough and agrees with the comments of Simon Hughes MP when he told the BBC in January "As it currently stands, the benefits cap will break up families...there are bottom lines in politics and that one is making sure that those with least finances and the most mouths to feed, and the most needy are protected." However it regrets that only five months later Simon Hughes ignored his own warning and voted to cap housing benefit for families in Southwark.

- (6) That council welcomes Southwark Council's plans to build more council homes, which has been made possible by the council's decision to accept "in lieu" payments from developers rather than requiring them to deliver on-site "affordable housing" where that "affordable housing" is anything but affordable. It is perplexed that the Liberal Democrats claim to support Labour's plan to deliver 1000 new council homes but do not support the proposed means of delivering them and would encourage Southwark Liberal Democrats to explain how they would pay for new council homes.
- (7) That council notes and regrets that Simon Hughes MP recently voted to allow developers to deliver 0% affordable housing on new developments. Council therefore calls on cabinet to write to the government and call on them to drop the proposal in the Growth and Infrastructure Bill that lets developers wriggle out of their affordable housing requirements.

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Paula Thornton/Everton Roberts Tel: 020 7525 4395/7221

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Andy Simmons	1		
Tim McNally	1		
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Group Offices		Total:	66
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Laura Kavanagh, Opposition Group Office	1		
Press			
Southwark News	1		
South London Press	1		
Members of Parliament			
Harriet Harman, MP	1		
Tessa Jowell, MP	1		
Simon Hughes, MP	1		