



Cabinet

MINUTES of the OPEN section of the Cabinet held on Tuesday 17 September 2013 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 Dora Dixon-Fyle
Councillor Barrie Hargrove
Councillor Richard Livingstone
Councillor Catherine McDonald
Councillor Victoria Mills
Councillor Veronica Ward

1. APOLOGIES

All members were present.

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

There were no late items.

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

No representations were received in respect of the 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)

Public question from Mr Mick Barnard

The following public question was submitted by Mr Mick Barnard to Councillor Peter John, Leader of the Council:

“When a report is compiled for standards committee what level of management would be made aware if an amendment to the constitution was being recommended and how and where are the names of those connected with compiling that report recorded?”

Mr Barnard was unable to attend the meeting and the following response was given by the Leader of the Council:

“The monitoring officer is responsible for providing support to the standards committee. Under Part 3L of the constitution standards committee undertakes a number of functions, these include amendments to the constitution, advising on councillor training, the withholding of member allowances and providing strategic oversight on the use of powers regulated by the Regulation of Investigatory Powers Act 2000.

Where an amendment to the constitution is being proposed, depending on the nature of the amendment, the following level of management might be aware of the amendment; chief officers, strategic directors and heads of service.

As is the practice with all reports going before committee, details of the report author can be found at the end of the report under the heading 'audit trail' lead officer and report author.”

6. MINUTES

RESOLVED:

That the open minutes of the meetings held on 16 and 31 July 2013 be approved as correct records and signed by the chair.

7. DEPUTATION REQUESTS

There were no deputation requests.

8. WALWORTH ROAD BUSINESS MIX (OVERVIEW AND SCRUTINY COMMITTEE)

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

RESOLVED:

That the recommendations of the review of the Walworth Road Business Mix be noted, and the relevant cabinet members bring back a report to cabinet, in order to

respond to the overview and scrutiny committee, within eight weeks.

9. CENTRE OF EXCELLENCE FOR OLDER ADULTS WITH DEMENTIA AND COMPLEX NEEDS

RESOLVED:

1. That the very positive response and engagement from the family carers, stakeholders and staff to the plans for the proposed Centre of Excellence for older people living with dementia and complex needs to be on the ground floor of Cator Street Resource Centre be noted.
2. That the decision taken by the cabinet member for health, adult social care and equalities to recognise the outcome of this further feasibility work which concluded that the site and location of Cator Street was a suitable location for the Centre of Excellence, and her subsequent approval of the preferred location for the development of the Centre of Excellence be noted.

10. HOME CARE ANNUAL CONTRACT PERFORMANCE REPORT

RESOLVED:

That it be noted that the delivery of the contracts over the second year has met the council's requirements and that the council and providers remain committed to working together to continually improve the quality and consistency of home care delivery.

11. CHILDREN AND YOUNG PEOPLE'S PLAN - SCRUTINY RECOMMENDATIONS

The recommendations by the education, children's services and leisure scrutiny sub-committee were considered and incorporated when agreeing the children and young people's plan (CYPP).

RESOLVED:

That the cabinet member for children's services bring back a report to cabinet, in order to respond to the sub- committee, within eight weeks.

12. 2013-16 CHILDREN AND YOUNG PEOPLE'S PLAN

RESOLVED:

That the proposed 2013-16 children and young people's plan (CYPP) at Appendix 1 of the report be recommended to council assembly for adoption as a key Southwark council policy framework document for children and young people.

NOTE: In accordance with overview and scrutiny procedure rule 22.1(a) (budget and

policy framework) this decision is not subject to call-in.

13. APPROVAL OF THE COUNCIL'S REVISED LOCAL IMPLEMENTATION PLAN DELIVERY PLAN, INCLUDING ANNUAL SPENDING SUBMISSION FOR 2014/15, INDICATIVE PROGRAMME TO 2016/17, REVISED TARGETS AND RELATED FUNDING BIDS

RESOLVED:

Decisions of the Cabinet

1. That the content of the council's proposed submission to Transport for London (TfL) identifying transport projects to be delivered with TfL Lip funding in 2014/15 and an indicative programme of work for 2015/16 and 2016/17, as contained in Appendix A of the report be agreed.
2. That the identified programme be submitted to Transport for London (TfL) by 4 October 2013.
3. That the submission of the Transport for London (TfL) funded borough cycling programme proposals for the four year period, 2013/14 – 2016/17 as set out in Appendix B of the report be agreed.
4. That the submission of the Transport for London (TfL) funded bus stop accessibility programme proposals for the period 2013/14 to 2014/15 as set out in Appendix C of the report be agreed.
5. That the submission of the Transport for London (TfL) funded air quality programme proposals for the period 2013/14 to 2015/16 as set out in Appendix D of the report be agreed.
6. That agreement be given to the implementation of the agreed programmes as set out in Appendices A, B, C and D.
7. That the revision of the transport plan's delivery plan which includes the revision of interim targets to 2016/17 as set out in Appendix E of the report be agreed.

Decisions of the Leader of the Council

8. That authority be delegated to the cabinet member for transport, environment and recycling to amend the programme for 2014/15 should any variations to the proposed programme be required. The cabinet member shall consult community council chairs regarding scheme changes in their area.
9. That authority be delegated to the cabinet member for transport, environment and recycling to determine the most appropriate use of the £100,000 discretionary funding allocated by Transport for London (TfL) for 2014/15.

14. AIR QUALITY AND SCHOOLS IN SOUTHWARK

RESOLVED:

1. That the progress made on working with schools to improve air quality be noted.
2. That regular update reports be brought back to the cabinet member for transport, environment and recycling.

15. PHYSICAL ACTIVITY AND SPORT STRATEGY 2014-2017

RESOLVED:

1. That the physical activity, sport strategy and action plan for 2014 -17 as set out in Appendices 1 and 2 of the report be approved.
2. That officers bring a further report on progress with implementation within 18 months of the approval date of the report.

16. DISCRETIONARY HOUSING PAYMENTS (DHP) SCHEME AND THE HOUSING REVENUE ACCOUNT

RESOLVED:

1. That the provision of support to local authority tenants affected by reductions in housing benefit as a result of the social sector size criteria utilising funds from the housing revenue account (HRA) in 2013/14 and 2014/2015 to supplement the existing discretionary housing payments (DHP) fund be agreed.
2. That it be agreed that the council should allow £1 million to be used from the housing revenue account (HRA) to provide financial support to those tenants of Southwark whose entitlement to housing benefit has been reduced as a result of the social sector size criteria and other welfare reform initiatives in 2013/2014
3. That a further application be made for £1 million in the 2014/2015 financial year.

17. REVENUE MONITORING REPORT FOR QUARTER 1, 2013/14, INCLUDING TREASURY MANAGEMENT

RESOLVED:

1. That the following be noted:
 - the general fund outturn forecast for 2013/14 and forecast net movement in reserves by department
 - the housing revenue account's (HRA) forecast outturn for 2013/14 and resulting forecast movement in reserves

- the treasury management activity for the first quarter of 2013/14.
2. That the forecast performance for the collection of council tax be noted.
 3. That the forecast performance for the collection of business rates and the risks associated with the business rate retention scheme be noted.
 4. That the general fund budget movements that exceed £250,000, as shown in Appendix A of the report be approved.

18. QUARTER 1 CAPITAL MONITORING FOR 2013/14

RESOLVED:

1. That the general fund capital programme for the period 2013/14 to 2021/22 as at Quarter 1 2013/14, as detailed in Appendices A and D of the report be noted.
2. That the housing investment programme for the period 2013/14 to 2015/16 as at Quarter 1 2013/14, as detailed in Appendix B of the report be noted.
3. That the virements and funded variations to the general fund and housing investment capital programme as detailed in Appendix C of the report be noted.
4. That the re-profiling of the expenditure and resources for 2013/14 and future years for both the general fund and housing investment programmes as detailed in Appendices A, B and D of the report based on latest information available at Quarter 1 2013/14 be approved.

19. MOTIONS REFERRED FROM COUNCIL ASSEMBLY

RESOLVED:

Welfare Reform

That the motion referred from council assembly as a recommendation to cabinet, set out below be agreed. Cabinet noted that the second bullet point under recommendation 6 had been implemented.

That council assembly:

1. Is gravely concerned by the impact the Tory Liberal Democrat government's welfare reforms is having on Southwark's most vulnerable residents.
2. Notes that more than 10% of Southwark's population are affected by the range of welfare cuts. More than 4,000 by the bedroom tax, over 24,000 by the government's £2.8m council tax benefit cut (including over 16,000 who are in work), thousands by changes to DLA beginning this year and hundreds more by the benefit cap from later this year.

3. Notes that local advice and support organisations are seeing a steep rise in demand for help. Over 500 people were fed by foodbanks in Southwark in April alone (compared with 100 in April 2012) and the provider estimates 30 tons of food will need to be distributed to meet demand this year. 10% of the recipients are in work. Southwark's Citizen Advice Bureaux saw a 40% jump in demand for help this year but legal aid cuts mean the loss of the equivalent of 4 full time advisors across Southwark Legal Advice Network.
4. Notes the action taken by the council to deal with these changes including:
 - Labour's £800,000 Hardship Fund; £400k of which is targeted towards local disabled people and carers
 - An extra £400,000 went into helping people downsize homes to avoid the bedroom tax
 - The Social Fund replacement scheme (the Southwark Emergency Support Scheme)
 - More than 700 people have been supported face to face at the partnership events – Southwark's partnership work is being held up by (national) Citizens Advice as an example of good practice and a model for other councils to adopt.
5. Regrets Simon Hughes's unequivocal support for the government's welfare reforms despite claiming the benefits cap would "drive families apart". It also regrets that Simon Hughes has dismissed reports of a fivefold increase in people claiming discretionary housing payments as "alarmist". It regrets that he has refused to meet with local organisation such as Cooltan Arts to discuss the impact of the reforms and that he missed the "Frontline Welfare" event despite being specifically asked to attend.
6. Calls on cabinet to:
 - Continue to work constructively with advocacy groups in the borough to ensure we are able to continue to support our most vulnerable residents
 - Lobby the Department of Work and Pensions for increased funding for discretionary housing payments
 - Continue to challenge Simon Hughes and the Liberal Democrats regarding their role in enabling the government's welfare changes.

Drummer Lee Rigby and Faith Communities in Southwark

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

That Council:

- Registers its abhorrence at the appalling and savage murder of Drummer Lee Rigby on the streets of south-east London on 22 May 2013, and extends sympathy to his family.

- Welcomes the critical response to the murder by UK Islamic organisations including the Southwark Muslim Forum, and the cohesion shown by Londoners in condemning the attack, and rejects the divisive agenda of far-right groups who seek to use the murder for their own political ends.
- Recognises the concern from the Islamic community in Southwark about the reported rise in Islamophobic incidents since the murder, including a number of attacks on mosques across the country.
- Notes the excellent work within the Old Kent Road Mosque and Islamic Cultural Centre in bringing together Muslims of all races, and acting as a meeting place for visiting Nigerian Muslims to London.
- Looks forward to the continued involvement of the mosque within Southwark's Multi-Faith Forum.
- Reasserts its support for the charity Help for Heroes and the work it does to support wounded service men and women and their families.

Surrey Docks Brown Brick

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

That Council:

1. Notes the distinctive brown brick paving in parts of Surrey Docks and Rotherhithe wards and its contribution to the character of the area. Also notes that this style of paving was introduced during the development of the area by the London Docklands Development Corporation (LDDC) in the 1980s, is used extensively in the area and is much valued by local residents.
2. Recognises that many of the roads and pavements in the areas around Greenland Dock, South Dock, Canada Water, Surrey Water, Russia Dock Woodland and the Albion Channel have been adversely affected by subsidence issues due to their construction on land reclaimed from historic docks and waterways in the area, and that this has manifested itself in paving that is often severely disrupted by tree roots and subterranean ironworks.
3. Also recognises that the LDDC's over-zealous tree planting strategy in the 1980s, in which they assumed a much lower survival rate than turned out to be the case, has led to a higher than expected number of London Planes at higher than usual densities in the area, and that the height and root growth network of these trees compounds the paving disruption problems.
4. Acknowledges that the council's longstanding approach to paving and road repairs in this area has been reactive and ad hoc, and has largely involved removing the brown brickwork and replacing it with red, purple or black tarmac. In many instances, the disruptive tree roots were not shaved or cut, and consequently re-erupt through the tarmac within 18 months of the repair. An alternative approach on Rope Street, funded by Rotherhithe Community Council, levelled the ground and re-laid the

original brown brickwork, and maintained the valued character of the street.

5. Welcomes the Greenland Dock Subsidence Feasibility Study, prepared by Mouchel, commissioned by Southwark Council, funded by Rotherhithe Community Council Cleaner Greener Safer fund and proposed by local residents.
6. Also welcomes the site meeting on 7 May 2013 attended by the strategic director of environment and leisure, senior highways officers and residents to discuss the problem.
7. Calls on cabinet to recognise the important character of the area.
8. Welcomes the work being done in partnership with the community council to address these issues.

East Dulwich and Rye Lane Crown Post Offices

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

1. That council assembly is concerned that the Post Office is planning to downgrade Crown Services at Rye Lane and East Dulwich to retail operators.
2. That council assembly notes that at present the Post Office does not have any retail partners for Rye Lane and East Dulwich Crown Post Offices and is concerned that this move will lead to a relocation of offices, provide an inferior Post Office Service and will have a hugely detrimental impact on the quality of specialist services for local residents. It also believes it will lead to the recruitment of new staff on significantly lower pay, terms and conditions. Moreover the specialist trained and committed services and staff will be lost in these offices.
3. That council assembly offers its support to the campaign to protect the Rye Lane and East Dulwich Post Offices in these locations and calls on cabinet to:
 - Work with local councillors to write to the Parliamentary Under-Secretary of State with responsibility for Post Offices, informing them of the concerns regarding Rye Lane and East Dulwich Crown Post Offices
 - Seek assurances from the Minister that any successful franchisees for Crown Post Offices will be strongly encouraged to pay their staff the London Living Wage.

Door Entry for the Dickens Estate

That the motion referred from council assembly as a recommendation to cabinet, as set out below be agreed. The deputy leader and cabinet member for housing management advised that a meeting had taken place with local residents to discuss the door entry programme.

1. That Council is pleased that door entry systems are now being included again in

major works plans.

2. That Council recognises that residents of Wade House, Bardell House, Tupman House and Micawber House have experienced serious problems with crime, rough sleepers and vandalism.
3. That Council notes that, as is often the case, while new security works are being installed on one block, ASB does not remain static and will travel from block to block. This is evidenced by the request in 2011 from the then opposition spokesperson for housing for new security intercom systems for Burton House, claiming this was the priority for the area.
4. That Council recognises that since this request was made in 2011, incidences of crime and ASB have risen at Tupman House, Bardell House, Micawber House and Wade House.
5. That Council therefore welcomes the commitment made by the cabinet member for housing to meet with residents of the estate to discuss their priorities for security works on the estate.
6. That Council also welcomes the commitment by the cabinet member for housing to allocate extra funding to these blocks which will save money in the long run from crime and anti-social behaviour once those discussions with residents have taken place.

Northern Line Extension

That the motion referred from council assembly as a recommendation to cabinet, as set out below be agreed. The cabinet member for transport, environment and recycling updated the meeting on the current position.

That council assembly:

1. Notes Transport for London's (TfL's) plans to extend the Northern Line to Nine Elms and Battersea, and the consultation on the plans that closed on 18 June.
2. Notes with particular concern the plans for a temporary shaft to be constructed on Harmsworth Street and a permanent shaft in Kennington Park, both of which would have a considerable impact on the lives of Southwark residents.
3. Urges TfL to pursue the 'gallery tunnels' option for ground treatment work as an alternative to the Harmsworth Street temporary shaft, thereby minimising the disruption to local people.
4. Regrets TfL's decision to place the permanent shaft in Kennington Park on the site of the much-loved beekeeper's lodge, and urges TfL to ensure that the relocation plan provides a suitable environment for the bee population and meets the requirements of Bee Urban and concerned local residents.
5. Calls on cabinet to work with colleagues at Lambeth Council, the GLA and TfL to obtain the best deal for Southwark residents affected by the plans.

6. Notes the letter from the cabinet member for transport, environment and recycling to TfL which already addresses the above points.

20. WILKINSON HOUSE, DEWAR STREET, LONDON SE15

RESOLVED:

1. That the lease of the property on the terms set out in the closed version of the report be surrendered.
2. That proposals are brought forward for the regeneration of the property and its site.

21. GATEWAY 2 - CONTRACT AWARD APPROVAL: SEMI-INDEPENDENT LIVING SERVICE

RESOLVED:

1. That the award of a semi-independent living service framework for children in care to include the providers listed in Appendix 1 of the report for a period of four years commencing on 14 October 2013 in the estimated maximum sum of £6.8m be approved.
2. That it be noted the strategic director of children's and adults' services will award contracts for individual placements on the council's preferred terms through the framework.

22. GATEWAY 2 - CONTRACT AWARD APPROVAL: INDEPENDENT FOSTERING SERVICES

RESOLVED:

1. That the award of an independent fostering service framework for children in care to the providers listed in Appendix 1 of the report for a period of four years commencing on 14 October 2013 in the estimated maximum sum of £23m be approved.
2. That the strategic director of children's and adults' services award contracts for individual placements on the council's preferred terms through the framework.

EXCLUSION OF PRESS AND PUBLIC

It was moved, seconded and

RESOLVED:

That the press and public be excluded from the meeting for the following items of business

on the grounds that they involve the likely disclosure of exempt information as defined in category 3 of paragraph 10.4 of the Access to Information Procedure Rules of the Southwark Constitution.

The following is a summary of the closed part of the meeting.

23. MINUTES

The closed minutes of the meetings held on 16 and 31 July 2013 were approved as correct records and signed by the chair.

24. WILKINSON HOUSE, DEWAR STREET, LONDON SE15

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

25. GATEWAY 2 - CONTRACT AWARD APPROVAL: SEMI-INDEPENDENT LIVING SERVICE

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

26. GATEWAY 2 - CONTRACT AWARD APPROVAL: INDEPENDENT FOSTERING SERVICES

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

The meeting ended at 5.20pm.

CHAIR:

DATED:

DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 21 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, WEDNESDAY 25 SEPTEMBER 2013.

WITH THE EXCEPTION OF ITEM 12 WHICH FORMS PART OF THE BUDGET AND POLICY FRAMEWORK AND IS THEREFORE NOT SUBJECT TO CALL-IN, THE ABOVE DECISIONS WILL NOT BE IMPLEMENTABLE UNTIL AFTER THAT DATE. SHOULD A DECISION OF THE CABINET BE CALLED-IN FOR SCRUTINY, THEN THE RELEVANT DECISION WILL BE HELD IN ABEYANCE PENDING THE OUTCOME OF SCRUTINY CONSIDERATION.