

Cabinet

Tuesday 20 June 2017

4.00 pm

Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

Membership

Councillor Peter John OBE (Chair)
Councillor Stephanie Cryan

Councillor Fiona Colley
Councillor Barrie Hargrove
Councillor Richard Livingstone
Councillor Victoria Mills
Councillor Johnson Situ

Councillor Ian Wingfield
Councillor Mark Williams
Councillor Maisie Anderson

Portfolio

Leader of the Council
Deputy Leader and Cabinet Member for
Housing
Finance, Modernisation and Performance
Communities and Safety
Adult Care and Financial Inclusion
Children and Schools
Business, Culture and Social
Regeneration
Environment and the Public Realm
Regeneration and New Homes
Currently on maternity leave

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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Contact

Paula Thornton 020 7525 4395 or email: paula.thornton@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Councillor Peter John

Leader of the Council

Date: 12 June 2017



Cabinet

Tuesday 20 June 2017
4.00 pm

Ground Floor Meeting Room G02A - 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 dispensations in respect of any item of business to be considered at this meeting.	

Item No.	Title	Page No.
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. The deadline for the receipt of public questions is midnight Wednesday 14 June 2017.	
6.	MINUTES	2 - 22
	To approve as a correct record the minutes of the open section of the meeting held on 9 May 2017.	
7.	DEPUTATION REQUESTS	
	To consider any deputation requests. The deadline for the receipt of deputation requests is midnight Wednesday 14 June 2017.	
8.	SHARED ICT SERVICE WITH BRENT AND LEWISHAM	23 - 64
	To approve the establishment of a three-way shared ICT service with the London Borough of Brent and London Borough of Lewisham and associated recommendations.	
9.	GATEWAY 0: CONSIDERATION OF OPTIONS FOR BROADBAND IN ROTHERHITHE	65 - 77
	To approve the strategic options assessment for delivery of Broadband infrastructure in Rotherhithe and Surrey Docks wards.	
10.	NEW SOUTHWARK PLAN: NEW AND AMENDED PREFERRED OPTION POLICIES	78 - 120
	To agree the New Southwark Plan: New and Amended Preferred Option Policies for consultation.	
11.	POLICY AMENDMENTS CONSULTATION FOR THE DRAFT OLD KENT ROAD AREA ACTION PLAN	121 - 156
	To approve the draft Old Kent Road Area Action plan preferred option policy amendments and the proposed changes to the adopted policies map for public consultation.	
12.	WALWORTH TOWN HALL MANDATE REVIEW	157 - 175
	To adopt the revised project mandate for Walworth Town Hall to seek expressions of interest from the market for an Arts and Culture D1 and to note that accommodation is being investigated for a new Newington Library within the local area.	

Item No.	Title	Page No.
13.	AYLESBURY FIRST DEVELOPMENT SITE COMPULSORY PURCHASE ORDER	176 - 178
	To note the process of taking forward the Compulsory Purchase Order for the Aylesbury Estate First Development Site.	
14.	APPROPRIATION OF LAND, 1 - 3 ODESSA STREET, ROTHERHITHE	179 - 188
	To approve the appropriation of land to planning purposes to facilitate the carrying out of the development proposals for the area.	
15.	SECTION 77 CHANGE IN USE OF SCHOOL PLAYING FIELD LAND - APPROVAL TO OBTAIN SECRETARY OF STATE CONSENT	189 - 212
	To approve the progression of the Section 77 applications (disposal or change in use of school playing fields land) to the Secretary of State for Education for the identified sites.	
16.	MOTIONS REFERRED FROM COUNCIL ASSEMBLY	213 - 216
	To consider a motion referred from council assembly in respect of day centre services in Southwark.	
	OTHER ITEMS	
	The following item is also scheduled for consideration at this meeting.	
17.	ACQUISITION OF UP TO 9 SUB-LEASEHOLD PROPERTIES AT THE SIGNAL BUILDING, 89 - 93 NEWINGTON CAUSEWAY, SE1	
	DISCUSSION OF ANY OTHER OPEN ITEMS AS NOTIFIED AT THE START OF THE MEETING	

EXCLUSION OF PRESS AND PUBLIC

The following items are included on the closed section of the agenda. The Proper Officer has decided that the papers should not be circulated to the press and public since they reveal confidential or exempt information as specified in paragraphs 1-7, Access to Information Procedure Rules of the Constitution. The specific paragraph is indicated in the case of exempt information.

The following motion should be moved, seconded and approved if the cabinet wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure Rules of the Constitution.”

PART B - CLOSED BUSINESS**18. MINUTES**

To approve as a correct record the closed minutes of the meeting held on 9 May 2017.

19. ACQUISITION OF UP TO 9 SUB-LEASEHOLD PROPERTIES AT THE SIGNAL BUILDING, 89-93 NEWINGTON CAUSEWAY, SE1

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

Date: 12 June 2017



NOTIFICATION OF CLOSED BUSINESS FOR URGENT CONSIDERATION BY AN EXECUTIVE DECISION MAKING BODY

The required 28 days notice relating to a decision likely to be considered in closed session has not been given on the forward plan in respect of the decision detailed in this document. The matter is considered to be urgent and cannot be reasonably deferred for a further 28 days to enable the required notice to be given. Details of the issue are set out below.

Note: This notice applies to meetings of the cabinet, cabinet committee or community councils considering an executive function.

DECISION MAKER

Name of decision maker: Cabinet

Date of meeting: 20 June 2017

LEAD OFFICER DETAILS

Name and contact details: Alistair Huggett 020 7525 5576
or email: Alistair.huggett@southwark.gov.uk

DETAILS OF THE REPORT

Title and brief description of the nature of the business to be considered:

Acquisition of up to 9 sub-leasehold properties at the Signal Building, 89-93 Newington Causeway, SE1.

To seek authority to purchase up to 9 sub-leasehold properties at the Signal Building, 89 – 93 Newington Causeway, subject to the outcome of ongoing mediation and High Court action.

What is the potential cost to the council if the decision is delayed?

Authority to purchase the sub-leaseholder properties needs to be obtained from cabinet on 20 June to enable officers to be in a position to make a formal offer to purchase the properties if agreement to settle is reached prior to or during the court hearing; trial date week commencing 3 July 2017.

How long has the department known the decision required a closed report?

30 May 2017, when it was determined that a cabinet report would be required to seek authority for proposed actions.

Everton Roberts
For Proper Constitutional Officer
Dated: 12 June 2017



Cabinet

MINUTES of the OPEN section of the Cabinet held on Tuesday 9 May 2017 at 4.00 pm at the Council Offices, 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Peter John OBE (Chair)
Councillor Stephanie Cryan
Councillor Fiona Colley
Councillor Barrie Hargrove
Councillor Richard Livingstone
Councillor Victoria Mills
Councillor Johnson Situ
Councillor Mark Williams
Councillor Ian Wingfield

1. APOLOGIES

Apologies for absence were received from Councillor Maisie Anderson who was on maternity leave.

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

The chair gave notice of the following late item:

- Item 7: Deputation requests

Reasons for urgency and lateness will be specified in the relevant minute.

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

No representations were received in respect of the item listed as closed business for the meeting.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Councillor Mark Williams declared a non-pecuniary interest in item 11: Aylesbury Regeneration Programme Delivery as a trustee of Creation Trust. This report does not deal with funding arrangements for the Trust and the non-pecuniary interest is declared for transparency purposes.

5. PUBLIC QUESTION TIME (15 MINUTES)

1. Public Question from Beverley Robinson

Aylesbury item 11

Paragraph 35 - Notting Hill Housing Trust (NHHT's) commits to assist the rehousing of tenants, and tenants are referred to in paragraph 36:

Why is there no mention of leaseholders in these paragraphs?

Response

The paragraph notes the renewed commitments set out within the Delivery Agreement with Notting Hill Housing Trust (NHHT) in relation to delivery dates, rehousing of tenants and other performance indicators. See Appendix 2 of the report.

The pre-existing commitments within the principal Development Partnership Agreement regarding the provision of shared equity homes for leasehold residents continue to apply. They are not repeated within the Delivery Agreement.

2. Public Question from Toby Eckersley

Noting the likely strain on the council's finances (report: paragraphs 37, 38 and 47) and the council's refurbishment scheme for the high-rise Maydew House (adding five more storeys), why is there not a review of the refurbishment case for all or part of the remaining buildings on the Aylesbury?

Response

The council has previously considered options for the refurbishment of the estate but found them to be unviable or unfeasible and took the decision to redevelop the estate.

The council has an existing contractual agreement with a development partner for the redevelopment of the estate. Planning consent for the demolition and redevelopment of the estate has been granted and this position was tested at public inquiry and the planning inspector and secretary of state accepted this position.

The demolition of vacant buildings within the estate has now commenced, in accordance with the report to cabinet of September 2016. The resource implications referenced in this report refer to that previous cabinet decision in relation to the cost of demolition of existing blocks. The report notes that there are no additional resource implications resulting from this report.

Supplemental question

Toby Eckersley asked a supplemental question relating to 'previous consideration' and suggested would it be sensible to give it some reconsideration as the decision was taken by the 2005 meeting of the executive.

3. Public Question from Eltayeb Hassan

Why wasn't I told that the council will only accept applications for assistance in rehousing from homeowners who purchased their property on or before the 27 of September 2005? And why should we be excluded now since we never knew about this decision until 26 of January 2015?

Response

The council's rehousing policy for the Aylesbury regeneration was agreed by council executive in September 2006, and reaffirmed by cabinet in December 2010. This set that rehousing assistance through the council should be provided to leaseholders who met the following criteria:

- Had acquired their property either by Right to Buy or on open market prior to 27 September 2005
- Had submitted an application to commence the process of the Right to Buy prior to 27 September 2005
- And that the leaseholder must be in actual occupation of the property for at least 1 year prior to the acquisition of the property.

Since September 2005 the council has very widely publicised the regeneration of the Aylesbury estate, and this policy is therefore in place to prevent rehousing assistance from being directed to persons who have intentionally sought to benefit from the council's decision to proceed with the regeneration of the estate.

Since the original policy decision the council and Creation Trust have proactively advertised these criteria through rehousing events held on the Aylesbury and the council has included the criteria in all leaseholder guides produced and distributed to leaseholders since the executive decision in September 2006.

Supplemental question

Eltayeb Hassan advised that in exercising his right to buy it was not his intention to make money but to be able to continue to live in Southwark as a resident and asked a question in respect of housing assistance.

Councillor Mark Williams responded by confirming that efforts will continue to be made to seek a solution.

4. Public Question from Victoria Briden

Councillor Mark Williams says in his foreword the aim is that residents should "directly benefit" from the Aylesbury regeneration: what will be offered to resident leaseholders in phases 2 and 3 so as to provide them with a hope of a better situation than that facing leaseholders in phase 1b/1c?

Response

Residents will benefit from significant investment in the delivery of new homes within the area and high quality of built environment, including new parks and public open spaces, as well as into the wide range of new community facilities being delivered, such as at the Amersham site which will include a new library, health facilities, nursery and community space.

In addition to a range of rehousing options to suit individuals' personal circumstances, existing resident leaseholders on the estate have already been offered the opportunity to purchase brand new homes on shared equity terms at a number of new developments in the surrounding area including Albany Place, Camberwell Fields, Harvard Gardens. Resident leaseholders in later phases will also have the opportunity to purchase new homes delivered within the First Development Site on shared equity terms.

Supplemental question

Victoria Briden talked about her frustration with the alternatives/options available and not wanting to enter into shared ownership schemes.

Councillor Mark Williams outlined the assistance in place and that further meetings can be held to discuss rehousing options to seek a solution.

5. Public Question from Agnes Kabuto

Does any surplus generated by the regeneration scheme have any bearing on the remuneration of Notting Hill Housing Trust (NHHT's) directors and/or senior employees, and is the cost of purchasing leasehold interests a factor in calculating the surplus. Is the surplus shared with the council?

Response

The cost of securing vacant possession of the estate, including the cost of purchasing remaining leasehold interests, falls to the council and is met within existing council budget allocations. These costs are not met directly from the scheme and are not therefore a factor in assessing any future development receipts.

The council will benefit from a guaranteed fixed minimum land receipt on the First Development Site. Should additional development receipts be generated from future sales, both parties would benefit from a share of any net surplus that may be generated.

The council cannot comment on NHHT's policy in relation to remuneration for its staff. It should be noted, however, that NHHT's staff costs are not directly funded for out of the scheme

6. Public Question from Aysen Dennis

I will be coming to the meeting on behalf of Wendover community tenants and residents association (TRA), and would like to ask the council about Thurlow Lodge Tenants Hall. We want to know why our tenants' hall has been given to the regeneration department to put out to tender, and what process would be required to transfer its administration back to the housing department (Ian Briney's list) so that we can be granted use and access on

the same basis as other TRAs.

Response

Following the winding up of the Thurlow Lodge Management Committee in January 2017, the management of the hall has reverted back to the Council. Thurlow Lodge Community Hall forms part of Wendover, which is in an active phase of rehousing on the Aylesbury estate. There are currently only 90 secure tenants and 32 leaseholders remaining in Wendover, with the Council expecting to achieve vacant possession of the building in approximately two years.

As part of the winding up of Thurlow Lodge Management Committee there was a discussion with the T&RA representatives who formed part of the management committee as to the requirements of the T&RAs active on the estate moving forward. Following those discussions, and taking into account both of the limited lifespan of the hall before demolition and the active rehousing of Wendover residents the council took the decision to therefore seek a not for profit community organisation that has the capacity to manage the Hall safely and effectively as well as in a way that covers the costs of operating it so that it continues to benefit the community as a whole for the time that the hall can be safely operated. In order that this process aligned with and complimented community and other interim uses active on the estate through the regeneration, this process was managed by the council's Regeneration team working closely with colleagues in housing.

Discussions over the future use of the hall are ongoing, but the council is committed to ensuring that all of the three active T&RAs on the Aylesbury estate, Thurlow Lodge, Aylesbury and Wendover Community T&RA are treated fairly and equitably in terms access to Thurlow Lodge Community Hall until its demolition as part of the regeneration of the estate.

Supplemental question

Aysen Dennis asked a question trying to establish the intentions about the plans for Thurlow Lodge Community Hall.

Councillor Fiona Colley responded by outlining the process of trying to find a group to run the community centre and seeking invitations of interest.

7. Public Question from Stephen Dogbatse

Aylesbury item Para 27 states that without considerable amount of investment in Phase 3 (Taplow , Northchurch 1-56, East street and 218 East street has only a five years Life? Is the report on which this assessment is base to expenditure incurred the warm dry safe programmer on phase 3 building? How much was that expenditure.

Response

The council's warm dry safe programme included a package of essential repairs for blocks on the Aylesbury estate. Package 1 of the Aylesbury WDS works included the blocks 1-215 Taplow and 1-78 Northchurch. These works comprised kitchen and bathroom replacement, internal electrical rewiring, improvement of access and fire safety measures, asbestos testing and removal, renewal of roofing and balcony and walkway repairs, overhaul of windows and other general repairs. No works were carried out to 218 East Street as part of this package. The total cost of the works was £2,228,808 excluding fees.

These works commenced October 2014 and completed in August 2015 and were intended to allow for an approximate 7-year lifespan.

6. MINUTES

RESOLVED:

That the minutes of the meeting held on 21 March 2017 be approved as a correct record and signed by the chair.

7. DEPUTATION REQUESTS

The deputation report had not been circulated five clear days in advance of the meeting. The chair agreed to accept as urgent as the requests were received in line with the constitutional deadline for the receipt of deputation requests.

RESOLVED:

That the deputation requests be received.

Rotherhithe Area Housing Forum

The deputation spokesperson for Rotherhithe Area Housing Forum addressed the cabinet regarding the following:

- Expressed thanks for taking the Mayflower Tenants Hall off the list and the need to start the refurbishment of the hall straight away
- Requested that it be made clear that the Canada Estate Tenants Hall is now off the list
- Albion Primary School playground housing; concern about the playground
- Civic Centre Albion Street; feels it can provide more housing
- Tissington Silverlock estate underground garages request to be taken off the list.

Councillor Mark Williams expressed the challenges for the council and the need to look at all land confirming:

- That the Canada Estate Tenants Hall was not on the list
- That there were no plans to open a walking route through the Canada Estate
- Albion Street Civic Centre; housing figures have been corrected in planning application
- Tissington; will continue to talk to residents on the estate.

Councillor Victoria Mills responded on the Albion Primary school playground; it was felt that this would not result in a loss of play space, with the support of the school and governors.

Councillor Stephanie Cryan confirmed that a full survey of the Mayflower Tenants hall was already underway to address work required.

Traders from Elephant and Castle Shopping Centre

The deputation spokesperson for traders from the Elephant and Castle shopping centre

addressed the cabinet regarding support for the traders and businesses during the redevelopment of the shopping centre. The full content of this deputation made to cabinet is attached as Appendix 1 to these minutes.

Aylesbury residents

The deputation spokesperson for Aylesbury residents addressed the cabinet regarding item 11: Aylesbury Estate Regeneration Programme Delivery.

The deputation raised a number of points relating to property valuations, the date of building on the first development site, improvements paid for by leaseholders and demolition and rebuild costs. Issue relating to refurbishment costs were also raised.

Councillor Mark Williams explained that offers were made on the basis of the market value. If dissatisfied, leaseholders can appoint a valuer or refer case to Lands Tribunal (which has happened in some cases).

8. PETITION FROM BE ACTIVE SOCIAL ENTERPRISE - TENNIS IN SOUTHWARK

RESOLVED:

That the petition be received.

The petition spokespeople addressed the meeting and outlined the successes of the tennis programme, with particular regard to juniors and the assistance provided in respect of coaching qualifications. It was confirmed that the petition had increased to 770 signatures and echoed concerns that the contract process might have on tennis. The petition spokesperson also requested a coherent long term vision.

Councillor Ian Wingfield accepted the petition and expressed his appreciation of the work and success of the programme. He confirmed the significant investment that has been made in tennis which will continue, and of plans for an overall strategy. In respect of contract issues, the council is happy to work to provide any assistance to groups with regard submission of bids and the contract process.

9. GAINING INDEPENDENCE: TRANSFORMING SUPPORT AND HOUSING FOR SOUTHWARK LOOKED AFTER CHILDREN/CARE LEAVERS AND YOUNG PEOPLE AT RISK OF HOMELESSNESS AGED OVER 16 YEARS

RESOLVED:

Decisions of the Cabinet

1. That the findings of the young people aged 16+ support and housing project as set out in full in Appendix 1 of the report be accepted.
2. That the following recommendations be approved:
 - (i) to establish a joint leadership across the council for delivering the 16+ support and housing pathway, with a common purpose across care, health, housing and support.

- (ii) to support young people wherever it is safe and in their best interests, to stay living at home with their family or foster carers.
 - (iii) to establish a single “front door” into 16+ support and housing pathway for all looked after children/care leavers and young people at risk of homelessness, underpinned by a unified approach across children’s social care and housing.
 - (iv) to establish new Southwark Young People’s 16+ Support and Resettlement Services with a small number of providers which will deliver support directly to young people that robustly prepares them for independent living. Some of these services will be located in Southwark with other services located within a reasonable travel distance of the borough.
 - (v) to establish a whole system approach to support young people to move on from services. This approach will be underpinned by a principle of helping young people to make their own choices around their housing needs.
 - (vi) to ensure young people can live independently in the community following preparatory support and training, so that young people do not experience a “cliff-edge” when leaving different support and housing schemes.
3. That the strategic director of children’s and adults’ services and the strategic director of housing and modernisation be instructed to undertake work to deliver these changes.
 4. That it be noted that these changes may avoid costs that would be borne by the council of up to £2.5m over the coming two years.

Decisions of the Leader of the Council

5. That authority be delegated to the cabinet member for children and schools, in consultation with the deputy leader and cabinet member for housing to approve procurement decisions for the new Southwark Young People’s 16+ support and resettlement services, including any award of contracts.

10. ELEPHANT AND CASTLE SHOPPING CENTRE EQUALITIES ANALYSIS AND MITIGATION PROJECTS

RESOLVED:

1. That the findings of the equalities analysis that was undertaken to inform the council of the equality implications of the shopping centre redevelopment project and to fulfil the council’s Public Sector Equality Duty (PSED) in relation to any future decision to consider exercising CPO powers at the site be noted.
2. That a database of vacant premises will be established and maintained by the developer be noted.
3. That the developer be required to implement a package of measures to support relocation and mitigate the impact of the closure of the shopping centre on local traders and residents, details of which are set out in paragraphs 33 to 49 of the

report.

4. That a progress report be received in the next six months, which will have regard to the points raised by the deputation by the Elephant and Castle traders, as set out in Appendix 1 to the minutes.

11. AYLESBURY REGENERATION PROGRAMME DELIVERY

A supplemental report was circulated in respect of this item.

RESOLVED:

1. That a series of actions as set out in the substantive report be approved namely to:
 - a) Note significant progress made since September 2016 in taking forward the regeneration of the estate.
 - b) Note that the variations to the detail of the developments on the First Development Site and Plot 18 which are subject to a revised planning application.
 - c) Consult affected residents about bringing forward the start of rehousing programme for Phase 3 and to bring the decision on whether to start the rehousing of this phase to a future cabinet meeting.
 - d) Note the increases in the jobs and apprenticeships targets.
 - e) Agree the basis of the new Delivery Agreement with Notting Hill Housing Trust.
2. That in the light of the recent Secretary of State decision on the Compulsory Purchase Order (CPO) for the First Development Site, it is further agreed that a report be presented to cabinet at the earliest opportunity setting out the process for pursuing an updated CPO for the First Development Site.

12. LAND AT COMMERCIAL WAY, PECKHAM

RESOLVED:

1. That it be confirmed that the land shown hatched on the plan at Appendix A of the report that is currently held for housing purposes is no longer required for those purposes and the appropriation of the land to planning purposes to facilitate the carrying out of the development proposals for the area in accordance with section 226 of the Town and Country Planning Act 1990 and section 122(1) of the Local Government Act 1972 be approved.
2. That it be confirmed that following completion of the appropriation at paragraph 1 the land shown hatched on the plan at Appendix A of the report will no longer be required for planning purposes and the appropriation of the land to housing purposes in accordance with section 9 of the Housing Act 1985 and section 122(1) of the Local Government Act 1972 be approved.

13. PROPOSED ACQUISITION OF FREEHOLD INTEREST IN LAND IN THE OLD KENT ROAD OPPORTUNITY AREA

RESOLVED:

1. That the acquisition of the freehold interest in land in the Old Kent Road opportunity area be approved in principle, subject to completing due diligence and the agreement of Final Heads of Terms.
2. That authority be delegated to the chief executive, advised by and in consultation with the strategic director of finance and governance and head of property to:
 - a) Note the outcome of the due diligence process and proceed with the acquisition, provided that the findings do not undermine the purpose of the acquisition.
 - b) Negotiate terms and enter into binding contracts for the purchase of the freehold interest in the proposed acquisition land and thereafter to complete the purchase;
 - c) Agree the financing structure adopted to fund the acquisition of the asset.

14. NEW HOMES DELIVERY PROGRAMME

RESOLVED:

1. That the progress at 31 March 2017 on the new build programme and the interim target to deliver 1500 homes by the end of 2018 be noted.
2. That the current list of approved schemes as outlined in Appendix 1a of the report and the schemes noted in paragraphs 24 and 44 that have been removed from the programme be noted.
3. That the review of the Charter of Principles and any recommendations for change on how the principles are applied, are being taken to the cabinet member for housing as an individual decision making (IDM) report in May 2017 be noted.
4. That the pilot work to provide a Community Land Trust in Southwark subject to agreeing funding with the Greater London Authority be approved.

15. GATEWAY 1: PROCUREMENT STRATEGY APPROVAL - LEASEHOLD AND ANCILLARY PROPERTIES BUILDINGS INSURANCE

RESOLVED:

Decision of the Cabinet

1. That the procurement strategy outlined in the report to undertake an EU procurement for the leasehold and ancillary properties buildings insurance contract for a period of three years commencing 1 April 2018, with an option to extend for two twelve month extensions, making a total estimated contract value of up to £18m be approved. The estimated total contract value is up to £3.6m per annum (including

insurance premium tax at 12%). This takes into account current variables of insurance premium tax.

Decision of the Leader of the Council

2. That authority be delegated to the deputy leader and cabinet member for housing to award the contract for the reasons set out in paragraph 12 of the report.

16. GATEWAY 1: PROCUREMENT STRATEGY APPROVAL - MANAGED SERVICE FOR TEMPORARY STAFF

RESOLVED:

Decisions of the Cabinet

1. That the procurement strategy outlined in the report to deliver the council's managed services for temporary staff via the Yorkshire Purchasing Group (YPO) framework (Lot 1 – managed services for contingent labour) for a period of three years with the potential to extend up to a further 1 year for a total estimated contract value of £75m from 1 April 2018 be approved. The estimated annual cost per year is detailed in paragraph 58 of the report.

Decision of the Leader of the Council

2. That authority to agree the Gateway 2 contract award be delegated to the cabinet member for finance, modernisation and performance in order to allow the procurement timeline set out in the report to be met without delay due to the current schedule of cabinet meetings.

17. MOTIONS REFERRED FROM COUNCIL ASSEMBLY

RESOLVED:

Age Friendly Borough

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

1. Council assembly recognises and celebrates the significant contribution that older people in Southwark make to the life of our borough, whether it is at work, as carers or in the voluntary sector. Based on estimates produced by the Royal Voluntary Service, the contribution that over-65s in Southwark make to the borough as carers and volunteers alone is worth over £9 million every year.
2. Council assembly notes the administration's commitment to supporting older people in the borough to live healthy, active, independent and fulfilling lives, in their own homes and communities, for as long as possible.
3. Council assembly welcomes Southwark's accreditation from the World Health Organisation as the first Age Friendly Borough in London and the work that has been done to deliver the Age Friendly vision, including:

- Implementing the Southwark Ethical Care Charter
 - Building new council homes specifically designed for older people
 - Introducing free swimming and gym use to help older people keep fit and well
 - Being recognised by the Alzheimer's Society as a Dementia Friendly Borough and forming the new Southwark Dementia Action Alliance
 - Supporting older people to be digitally included with free 'silver surfer' IT sessions in our libraries
 - Providing targeted employment support for anyone over 50 facing barriers to getting jobs
 - Developing plans for the new centre of excellence for older people that will open in late 2018.
4. Council assembly recognises the importance of caring for vulnerable older people in our community and welcomes the work that the council has done including:
- Implementing our Ethical Care Charter for all home care contracts, supporting older people to stay in their own homes by offering quality care at home
 - Providing good quality re-ablement support to help more vulnerable people stay in their homes and reduce hospital re-admissions. Despite the massive cuts faced by the council, Southwark has maintained significantly better hospital discharge performance than the London average
 - Building new extra care housing, such as Tayo Situ House, and working with others, such as the development at Southwark Park Road by the United St Saviour's Charity, to help older people to maintain their independence in supported accommodation.
5. Council assembly recognises that the commitment to being an Age Friendly Borough spans all council services and welcomes the participation of residents in community conversations on ageing well in Southwark, which have helped to develop priorities and areas for further improvement, including:
- Improving transport, open spaces and the public realm
 - Tackling isolation
 - Improving communication and information for older people
 - Working to break down generational barriers
 - Developing skills and employment and volunteering opportunities
 - Helping people to stay healthy and active
 - Addressing housing needs
 - Ensuring better customer service for older people.
6. Council assembly calls on the cabinet to continue working with residents and community and voluntary groups to further improve quality of life for people in Southwark, regardless of their age.

Don't Shaft Faraday

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

1. Council assembly notes that following successful campaigns over a number of years by Southwark Labour MPs, councillors, residents and community groups, Transport for London (TfL) are currently consulting on the Bakerloo Line extension.
2. Council assembly welcomes this consultation on the Bakerloo Line extension, which will improve connectivity, increase the capacity and resilience of the transport network and reduce journey times between key destinations, as well as helping the area to grow by supporting new homes and jobs.
3. Council assembly notes that TfL's consultation includes the location of a ventilation shaft between Elephant and Castle and the proposed Old Kent Road 1 station with two possible locations identified for the proposed shaft; the Bricklayers Arms road junction area and Faraday Gardens on Portland Street.
4. Council assembly notes its concern that Faraday Gardens, a much loved and historic green space, is listed as a potential site. To build the proposed shaft there interrupts a well used park, and places it within yards of a primary school, and flats in the Liverpool Grove conservation area. Faraday Gardens is an iconic part of our community, lending its name to the council ward, and its history, from its establishment by Octavia Hill to its extension to replace bombed out buildings, is part of the pioneering story of our borough. Construction traffic would have to use the new Portland Street quietway, placing extra dangers for the cyclists TfL are encouraging to use the route.
5. Of the options presented in the TfL consultation, council assembly calls on the cabinet to lobby TfL to support the Bricklayers Arms option, to avoid causing unnecessary damage to a local park, subject to strict conditions, with the health and safety of local residents and school pupils a priority.
6. Council assembly further calls on cabinet to formally request TfL consider an additional station at Bricklayers Roundabout.
7. Council assembly calls on the cabinet to lobby TfL that should Bricklayers be chosen as the site of a vent shaft, that further work and consultation is carried out with the council and local residents on the possible design and local impact of the shaft, and that rigorous monitoring and mitigation of air pollution at this location takes place.
8. Council assembly notes concerns from residents near the Bricklayers Arms about the impact of a shaft worksite area here and the implications for traffic management and local schools and nursing homes, with no benefit to residents to set against the issues caused by construction.
9. Council assembly notes that Bricklayers Arms is the point of intersection for residents of Walworth, Bermondsey and the western reaches of the Old Kent Road, who presently need to take a bus to the Elephant and Castle to join the tube network. An additional underground station here would be a sensible distance from the Elephant and Castle and would save residents time and money.
10. Council assembly therefore calls on the cabinet to work closely with TfL to secure an additional station, incorporating a ventilation shaft, at the Bricklayers Arms Roundabout, with a view to removing the need for a separate ventilation shaft on this stretch of the Bakerloo Line extension and creating a station which benefits

residents of the Bricklayers Arms and surrounding areas.

11. Council assembly further calls on the cabinet to:

- Continue to fight for a second branch of the Bakerloo Line extension to Camberwell, supporting the long running residents' campaign group there.
- Make representations to TfL to ensure that residents at Elephant and Castle are protected in any plans for the worksite to enlarge Elephant and Castle underground station.

Tackling Congestion in Jamaica Road

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

1. Council assembly notes that:

- Jamaica Road is one of the most congested roads in the country, being used by more than 1,000 cyclists and 14,000 vehicles per day with an average rush hour speed of just 0.1 miles per hour (MPH) and an average mid-morning speed of just 1.2 MPH.
- Air pollution in the local area is more than three times the legal limit and that nitrogen dioxide (NO₂) pollution levels along Jamaica Road are 1.23 tonnes per km per year.

2. Council assembly recognises that:

- A major cause of the congestion is the layout of the Rotherhithe roundabout which creates a bottleneck for vehicles travelling into the tunnel or onto the peninsula.
- The cycle hire ("Boris Bike") scheme does not include Bermondsey or Rotherhithe and that an extension of the scheme along Jamaica Road would encourage more people to cycle rather than travel by car.

3. Council assembly welcomes:

- The Mayor of London's Air Quality Fund (MAQF) £20 million fund to support new projects by Boroughs to improve air quality for the next ten years.
- The Mayor of London's planned introduction of the world's first [Ultra Low Emission Zone \(ULEZ\)](#) to remove diesel vehicles from our Borough.
- The Mayor of London's announced plans to protect London's schools from pollution with 50 'air quality' audits at primary schools in areas exceeding legal limits of nitrogen dioxide (NO₂).
- The Mayor of London's support for a walking and cycling bridge between Rotherhithe and Canary Wharf which will ease congestion on local roads and on public transport.

4. Council assembly therefore commends the cabinet for requesting from Transport for London:
- The need to urgently redesign the Rotherhithe roundabout to ease the flow of vehicles queuing to enter the Rotherhithe tunnel.
 - To introduce a variable messaging system on approach roads to warn drivers when the tunnel is closed or if queues are particularly long, as the Cabinet did with drivers on Tower Bridge Road through the MAQF.
 - To bring forward their proposals for Cycle Superhighway 4 (CS4) and implement safer conditions for cyclists along Jamaica Road and begin a public consultation this year.
 - To improve pedestrian crossings along Jamaica Road, especially at Bermondsey Tube Station and the entrance to Southwark Park as part of its CS4 design work.
 - To develop with TfL a detailed programme for the extension of the cycle hire docking scheme to Walworth, Bermondsey and Rotherhithe, to form the basis of discussions with local landowners, TfL and the council to commit capital funding.

Save Southwark Post Office Services

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

1. Council assembly notes that:
- The Post Office announced on 10 January this year that it would be closing and franchising 37 Crown Post Offices across the country, including the New Cross branch which serves residents in Peckham Rye, Livesey and Nunhead ward. This follows the closure of the Crown Post office on Rye Lane in August 2016.
 - The Post Office also announced in late 2015 that it would be franchising Blackfriars and Walworth Road branches.
 - Closures across the country will lead to the loss of over 400 jobs nationwide, and they follow the announcement of 62 planned closures in 2016.
 - Post Offices across the borough are well used by, and valued by the local community. Local residents, councillors and the Walworth Society have been fighting for over a year to keep the Walworth Road branch crown and improve this important local Post Office.
 - Post Offices also provide wider social value for older residents, according to a government survey 87% of over-65s use the Post Office for pension's services and other social benefits. 66% of 65+ use the Post Office for personal banking services, insurance products and foreign currency.

- Independent research shows that franchised Post Offices offer poorer disabled access, longer queuing times, worse customer service and fewer staff, often on minimum wage.
2. Council assembly believes:
- That the continued closures of Post Offices are bad for our community and will downgrade vital services to our local community.
 - That the loss of post office services on the Walworth Road is bad for our local economy and would have a detrimental impact on businesses on the Walworth road and the local economy.
 - That the closure of New Cross Post Office is bad for postal workers and will lead to good quality, skilled jobs on decent pay being replaced by insecure and low-paid work.
3. Council assembly resolves:
- To affirm our opposition to the closure of New Cross Post Office as well as serving residents in New cross this provides vital post office services for residents in the south of our borough.
 - To affirm our opposition to the loss of Post Office services at Walworth Road, Blackfriars and Peckham Branches.
 - To call on councillors to offer their support to the CWU campaign against the closure of over 100 Post Offices across the country.

The Dubs' Amendment

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

1. Council assembly welcomes Lord Dubs' amendment to the Immigration Act 2016 which offered unaccompanied refugee children safe refuge in Britain. It notes that this amendment committed the UK to providing a safe haven for vulnerable children fleeing war and persecution.
2. Council assembly is proud of Southwark's tradition of being a welcoming and compassionate borough, ready to play its part in supporting refugees.
3. Council assembly:
 - Condemns the government's decision to end the scheme prematurely which will put the lives of some of the world's most vulnerable children at risk.
 - Refutes the suggestion that local authorities are not willing to help.
 - Notes that the national transfer scheme set up within the act means that the demand on services is shared across the country but the Home Office has simply failed to take up the offers of help from councils.

- Praises local authorities who, despite the government's underfunding of child refugees, are still meeting their commitments and ensuring the safety and wellbeing of child refugees.
4. Council assembly calls on the leader of the council to write to the Home Secretary urging that she:
- Immediately reinstates the Dubs scheme.
 - Opens up new consultation with local authorities and commits to provide adequate funding for local authorities taking children under the scheme.
 - Publishes a strategy for the safeguarding of unaccompanied refugee children safeguarding of unaccompanied refugee children living in the UK.

NHS Sustainability and Transformation Plan

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

1. The council welcomes the publication in full of work undertaken on the South East London Sustainability and Transformation Plan (STP) and the commitment local NHS bodies, including Southwark Clinical Commissioning Group, have made to working collaboratively with the Councils and Southwark residents to further develop these plans. The Council also welcomes the work the Our Healthier South East London Joint Health Overview and Scrutiny Committee is undertaking to scrutinise these proposals and to ensure they are developed in a way that is accountable to local people.
2. The council notes that:
 - There is an urgent need for the government to provide adequate and sustainable funding for health and social care. Whilst demand for these services is rising rapidly (due in a large part to our ageing population) the Government has cut funding to local authorities every year for the past seven years and now plans to cut in real terms NHS funding per head of population for the next two years.
 - The Organisation for Economic Co-operation and Development (OECD) figures show that the UK now spends less on health care both per a person and as a proportion of gross domestic product (GDP) than most similar countries including Germany, France, Ireland, Denmark, Austria, Sweden, Belgium and Netherlands.
 - Significant concerns have been raised nationally about the Government's approach to STPs. For example the respected think-tank The Kings Fund has pointed out that: "Tight deadlines have made it difficult to secure meaningful involvement in the plans from key stakeholders, including patients and the public, local authorities, clinicians and other frontline staff"; "Despite the focus on local ownership, key elements of the process have been 'top-down'"; and, "National requirements and deadlines for the plans have changed over time,

and guidance for STP leaders has sometimes been inconsistent and often arrived late.”

3. Therefore, the council resolves to:

- Call on HM Government to provide the resources to fund good quality health and social care services across South East London.
- Call on HM Government to ensure the national STP process supports the real and meaningful involvement of and accountability to local people and organisations in South East London, and enables closer partnership between local authorities and health services.
- Request the continued full publication of all South East London STP documents, appendices and impact assessments.
- Require full public consultation on all significant changes to services arising from the South East London STP.
- Require continued pre decision scrutiny of all significant changes to NHS and social care provision arising from the South East London STP.
- Call on HM Government to provide adequate funding support to allow councils to effectively scrutinise STPs.

EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

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

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

18. MINUTES

The minutes of the closed section of the meeting held on 21 March 2017 were approved as a correct record and signed by the chair.

19. PROPOSED ACQUISITION OF FREEHOLD INTEREST IN LAND IN THE OLD KENT ROAD OPPORTUNITY AREA

The cabinet considered the closed information relating to this item. Please see item 13 for the decision.

The meeting ended at 6.00 pm.

CHAIR:

DATED:

DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 21 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, WEDNESDAY 17 MAY 2017.

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.

APPENDIX 1

Elephant and Castle Shopping Centre Deputation – Cabinet 9 May 2017 (Items 7 and 10)

This submission is on behalf of businesses within the Elephant and Castle Shopping Centre and immediately adjacent, we welcome the report coming to Cabinet today and the recommendations in the Equalities Analysis for affordable retail space, a relocation strategy and maintaining the shopping centre as a viable trading location until demolition commences.

We value the Business Continuity Charter for the Elephant and Castle Regeneration. This is committed to in the planning policy of Southwark Council (the Elephant and Castle Supplementary Planning Document 2012).

We have a number of issues we wish to bring before the committee where we have paragraphs and clauses which are ambiguous, misleading or simply not clear.

1. There is absolutely no clarity with regard to the ownership of the Shopping centre and when investigated there is a trail of off shore companies and interests. If we do not know who we are dealing with then it is impossible for anyone to perform due diligence for any meaningful discussion. We would request that Due Diligence is carried out on the developer and an audit trail of companies and directors established going back to 2005.
2. Paragraph 7 Who and what are the 27 eligible traders? Is there or what exactly is the relocation package and this should cover all within the red line.
3. Paragraph 11 Footfall and Trade. This is a very misleading statement as does it include nonstop through traffic to and from Thameslink and has it made any attempt to clarify the position and impact of the subway closures. Does it consider the huge negative impact of nearly 20 years of public threats of closure of the shopping centre?
4. Paragraph 13. Relocation. There is absolutely no clarity on what and how the relocation package is going to be managed. It is not clear even if one exists. We would ask that the wellbeing power of Section 2 of the local government Act 2000 should be exercised in addition costs should be absorbed by Delancey.
5. Paragraph 17 It is agreed that small traders require specialist services.
6. Paragraphs 18-21 Business continuity Charter regarding Conditions for traders regarding risks and mitigation measures needed. SPD-EC 2012 states that you will work with Charter and this is also acknowledged in the Planning application as approved policies. Relocation Strategy is required from the developer or any future developer for a successful planning application Ref SPD-EC 2012.
7. Paragraph 33. We need a time frame for the publication of the developer's relocation strategy and any relocation strategy should be included in a S106 agreement.
8. Paragraph 34 Phase1 Support/ Phase 2 Relocation process to begin once developer decides to regenerate.
9. Database of Opportunities. A timeframe needs to be published and made available.
10. Equalities impact. Paragraph 32 We would draw attention to the recommendations of EqIA and also conclusions of the Negative impact for BAME and Bingo Club. The bingo is iconic in as much that it is nationally recognised as Britain's largest and busiest bingo club, with all the benefits of being a safe, secure environment for not only public in general but particularly in the afternoons for older residents and particularly single women. It contributes enormously to the social needs of many thousands of Southwark residents each week.
11. Latin Elephant. There are many incorrect claims from the size of the Latin American population in London, and indeed the ethnic mix at the shopping centre. Without going into greater detail we submit that more needs to be done to work with Latin Elephant as the organization that represents the L A Community also LADPP and LAWRS. To date

little has been done to work with these groups to benefit the local population and other BME groups.

12. Paragraph 48. We note that the proposed package will not accommodate eligible traders in fact it will only accommodate 40%.

To conclude we feel The Council should require the following set of interventions to support businesses: -

- The mitigation measures should apply to businesses within the boundary of the shopping centre redevelopment
- The landlord with the support of the tenants will maintain the shopping centre to a level that provides an attractive environment, ensuring it is welcoming, clean, well lit and safe.
- The landlord will consider proposals to cap rent, service charges and insurance costs to reflect the trading environment prior to the closure of the shopping centre and to give an incentive for businesses to remain.
- Ensure there are enough affordable retail units to look after all the businesses that are displaced by requiring that at least 10% of retail units at the new shopping centre development are affordable retail and by offering businesses 1st refusal for all vacancies within Southwark's retail property portfolio.
- The relocation fund, which should not be discretionary, will meet reasonable costs associated with relocation, including legal fees, fitting out and removal expenses.
- We note the reference to CPO in the first recommendation to the report. This causes us some concern.

We request Cabinet to amend recommendations 3 and 4 in the report, so that, the package of measures is developed in conjunction with businesses and fully consider the proposals made by this deputation alongside the Business Continuity Charter which remains current planning policy.

Item No. 8.	Classification: Open	Date: 20 June 2017	Meeting Name: Cabinet
Report title:		Shared ICT Service with Brent and Lewisham	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor Fiona Colley, Finance, Modernisation and Performance	

FOREWORD - COUNCILLOR FIONA COLLEY, CABINET MEMBER FOR FINANCE, MODERNISATION AND PERFORMANCE

Following the report to Cabinet in February 2017 (entitled 'ICT Shared Service with Brent and Lewisham') and the corresponding in principle approval that Southwark becomes part of the Brent and Lewisham shared ICT service, I am delighted to be asking Cabinet to approve the formal establishment of a three-way shared ICT service with the London Borough of Brent and the London Borough of Lewisham. This will result in the delegation of the delivery of the ICT service to the London Borough of Brent as the primary host authority with a planned service commencement date of 1 November 2017. The key objective is to provide Southwark with a stable and resilient ICT service which, in turn, will serve as a platform for the modernisation agenda transforming where and how staff work in order to better serve our customers through implementing the workforce, ICT and workplace strategies agreed by cabinet on 1 November 2016.

This report describes the process that has arrived at this recommendation which has been based on detailed due diligence work which was undertaken as a joint exercise between Southwark and Brent over an eight-week period. The purpose was to accumulate sufficient information to validate the initial estimated costs, business benefits and risks arising from incorporating Southwark into the shared ICT service.

The Shared Service offers us an opportunity to try something different given the 20 plus years of being with various single suppliers which have not delivered in the way we had hoped. Given that this is a new delivery model there will be a need to adjust to a new way of working for all of us and it is important that we view this as an 'in-house' service for all three boroughs, where we will have a mutual role in its development. To conclude this will give us the ability to deliver the technology we need in order to enable savings and deliver services in a modern way that people expect.

RECOMMENDATIONS

Recommendations for the Cabinet

That cabinet:

1. Notes the work undertaken to: complete the identified due diligence activities, develop an inter-authority agreement and to assure the viability of a three-way shared ICT service since approval in principle was given to delegate the delivery of the ICT service to Brent.

2. Approves the establishment of a three-way shared ICT service with the London Borough of Brent and the London Borough of Lewisham and the delegation of the delivery of the ICT service (within the agreed scope including procurement of ICT related goods and services and shared ICT service staffing) to the London Borough of Brent as the primary host authority with a planned service commencement date of 1 November 2017.
3. Approves the commitment of an estimated £19.1m payable to Brent as the host authority over a five year period for this arrangement.
4. Delegates authority to the strategic director of housing and modernisation to agree the final terms of the inter-authority agreement.
5. Notes that officers in Brent and Lewisham are presenting reports to their respective cabinets in relation to:
 - this delegation and future shared ICT service.
 - the merging of the Brent and Lewisham application support teams and their incorporation into the shared ICT service.
6. Notes the on-going work to redevelop the retained ICT team (IT & Digital Services) and the proposed insourcing of those applications support functions provided currently by Capita.
7. Notes that further to the approval given to extend the existing IT managed service contract with Capita, officers will finalise the arrangements to be implemented with Capita in respect of the provision of data centre hosting services.
8. Notes that a report will be brought to a future cabinet meeting to update cabinet on transition progress with future reporting as required by the cabinet.

Recommendations for the Leader of the Council

That the Leader:

9. Agrees to establish a joint committee with the London Boroughs of Brent and Lewisham to support the governance arrangements of the shared ICT service.
10. Agrees that the joint committee will consist of two elected members from each council and that Southwark will be represented on that committee by two members (or substitute members) of the cabinet appointed by the leader.
11. Agrees the draft governance arrangements and terms of reference as set out in appendix B.

BACKGROUND INFORMATION

12. A report (ICT shared service with Brent and Lewisham) was received by cabinet in February 2017. The report detailed the work undertaken to evaluate two options for the future provision of ICT services for Southwark, these being: a shared ICT service with the London boroughs of Brent and Lewisham or a managed ICT service provided by BT and procured through the pan-London Westminster framework.

13. The February cabinet report approved in principle Southwark joining the shared ICT service with Brent and Lewisham and gave authority to complete the necessary due diligence work to inform the decision.
14. The initial due diligence work is now complete. This report details the outcome of this work, the proposed shared ICT service arrangements and recommends that the future delivery of ICT service to Southwark is through entering into a shared ICT service with the London Borough of Brent and the London Borough of Lewisham.

Overview of the Brent and Lewisham shared ICT service

15. The existing shared ICT service between Brent and Lewisham came into effect on 1 April 2016, when Lewisham transitioned from their incumbent supplier (Capita) into the Brent in-house hosted ICT service. This combined ICT service became the shared ICT service.
16. The shared ICT service was established using statutory powers vested in the Local Government Acts 1972 and 2000, with Lewisham delegating its ICT services to Brent under the governance of a joint committee.
17. The Brent ICT service is in-house and delivers comprehensive ICT management, infrastructure and end user services (including common ICT infrastructure, data centre hosting, a service desk, project management, financial and contract management, procurement and administration services) to the two councils.
18. At present application support and digital transformation are excluded from the shared ICT service and undertaken locally by each council. With the exception of these teams, Brent as the primary host authority for the shared ICT service employ all ICT staff. It is proposed that the application support functions will be merged and incorporated into the shared ICT service later this year.
19. The shared ICT service manages a combined budget for both councils and also manages separate ICT spending on behalf of each council (mainly infrastructure contracts). The shared ICT service budget for 2016-17 was circa £6.65m, however this only represents the elements of the service currently shared. Work is currently underway to further consolidate budgets and novate ICT contracts to Brent so that the shared ICT service can directly manage all related spending.
20. Both councils have reported savings as a result of entering into the shared service and there is now an active programme to engage with other authorities with a view to further expansion of the shared service to deliver additional efficiencies and savings when it becomes appropriate to do so.

Due diligence

21. As set out in the February 2017 report to cabinet, due diligence work was undertaken over an eight-week period with the purpose of accumulating sufficient information to validate the initial estimated costs, business benefits and risks arising from incorporating Southwark into the shared ICT service.
22. Due diligence work included:
 1. Review of ICT services provided by the current IT managed service provider and other third party licences.

2. Identification of support and maintenance contracts including planning for contract treatment during the transition period.
 3. Review of current infrastructure environment including hardware, software and serviceability.
 4. Collecting and analysing information critical to the London Borough of Southwark's successful transition into the shared ICT service and the subsequent on-going 'business as usual' operations. This included: identification of current and/or potential issues, problems, risks or liabilities that could impact on the proposed transition to the shared ICT service in terms of time, cost, performance, service stability or supportability and the development of appropriate mitigations.
 5. Development of resource plans of sufficient detail as to provide assurance that resource requirements for transition and migration phases have been appropriately assessed and can be recruited to and that, based on the current known position, technical transition activity plans and budget forecasting is robust.
23. The due diligence work identified no major surprises and resource, time and cost estimates are within officers' expectations.
24. Cabinet are advised that due diligence and related planning and preparation activities will continue through to service commencement. This will enable service knowledge, detail and documentation to be further refined and will ensure that changes to services prior to the service commencement date are recorded and incorporated into transition plans.

Business benefits

25. Both Brent and Lewisham have realised cashable savings through shared service efficiencies and economies of scale. Both are now actively seeking to expand the service and/or to supply ICT services on a shared basis as a way of lowering costs further or generating income.
26. Through Southwark joining the shared ICT service each of the three authorities will achieve significant benefit through increased efficiency and economies of scale including:
1. A larger pool of technical resource providing increased resilience for the business as usual (BAU) service and additional resource to effect change.
 2. Shared cost of joint developments thereby lowering the cost for development activity by up to two-thirds when compared to each authority separately undertaking the same work.
 3. Shared support of common applications with opportunity to rationalise, consolidate and share applications.
 4. Shared infrastructure enabling more efficient and cost effective capacity management and increased resilience.
 5. Efficient procurement through undertaking procurements on behalf of all three authorities and leveraging our combined size to reduce price where possible.
 6. Shared risk.

7. Shared best practice.

27. For Southwark specifically, given the current state of infrastructure and service, there is significant additional benefit to be realised from moving into the shared service and the planned migration and transformation activities.
28. The identified benefits align with the councils' shared objective to "...enable the three councils to maximise the use of digital technologies to transform themselves into responsive, efficient and cost-effective organisations".

Southwark's future ICT delivery model

29. The recommendation is that Southwark joins the three-way shared ICT service. The shared ICT service will operate as an in-house ICT team on behalf of all three councils and will take over responsibility for the delivery of the majority of Southwark's ICT services as defined in the service scope. Staff costs, overheads, services and many of the financial risks associated with an in-house service will be shared.
30. The scope of the shared ICT service will be: Infrastructure services (servers, storage, network, telephony) business as usual and end user services (including core applications such as email and MS-Office, internet access, end user computing devices), ICT support services, security services, overall technical architecture, financial management, procurement and contract award, supply chain management and programme and project management services.
31. Southwark will retain a central ICT team (IT and digital services) to undertake those roles and responsibilities which are not covered by the delegation to the shared ICT service. These include central applications support, business engagement and digital transformation. In addition, ICT functions undertaken currently within departments will be retained pending review (see paragraphs 67 and 93).
32. A significant amount of work has been undertaken to agree the shared ICT service principles and much of the detail of the governance of the services to be shared, although there are some areas which require further work. Approval is therefore sought to delegate agreement of those final terms to the strategic director of housing and modernisation.
33. Following approval of the final terms the councils will be in a position to enter into an inter-authority agreement with the London Boroughs of Brent and Lewisham. A joint committee and joint management board will be formed and the transition plan activities progressed.
34. At service commencement the shared ICT service will assume responsibility for the agreed scope of ICT services and TUPE activities will conclude. The hardware underpinning ICT services will continue to run in Capita data centres under the direct control of shared ICT service staff. This arrangement is expected to continue for a period of up to 12 months whilst the migration activities required to relocate Southwark's ICT services from Capita's and Southwark's (Tooley Street) data centres to shared ICT service provisioned data centres and infrastructure is completed.
35. Migration of the existing service will inherently involve elements of improvement to the design, capacity and resilience of the service. However, a separate transformation programme will be required to review and rationalise the Southwark application estate.

This is to be undertaken in the context of an organisation-wide programme to develop transformational digital services.

KEY ISSUES FOR CONSIDERATION

Strategic outcomes

36. As set out in the February 2017 report to cabinet, the principal objective of the shared ICT service is to “enable the three councils to maximise the use of digital technologies to transform themselves into responsive, efficient and cost-effective organisations”. By 2020 the ICT service will have achieved the strategic outcomes described in Table 1 below.

<u>Strategic Outcomes</u>	
<u>Primary outcomes</u>	<u>Secondary outcomes needed to achieve primary outcome</u>
Building a solid platform for transformation	<ul style="list-style-type: none"> • Building a modern, common infrastructure that partners can rely on. • Generating more innovation by investing together to make the most of technology. • Creating shared strategies and roadmaps, with the flexibility to reflect local needs.
Delivering a quality service	<ul style="list-style-type: none"> • Providing a reliable, quality user experience. • Delivering constant improvement by keeping service levels and processes under review. • Building a talented team with a great reputation for supporting the business of each partner.
Providing great value-for-money	<ul style="list-style-type: none"> • Maximising economies of scale, taking a common approach where practical and beneficial. • Offering affordable services that compare well with other providers. • Benefiting by sharing the cost of investment in new developments.
Forging a lasting partnership	<ul style="list-style-type: none"> • Acting as a partnership of equals from which everyone benefits. • Delivering greater resilience by sharing and mitigating risks. • Offering each partner more capacity and capability by pooling resources and knowledge.

Table 1: Strategic Outcomes

37. The strategic outcomes referenced in Table 1 are underpinned by the agreed partnership principles and behaviours. These address and enable the requirements and expectations of all three councils and are set out in full in Appendix A.

Governance and legal compliance

38. The Local Government Acts 1972 and 2000, the Localism Act 2011 and the Local Authorities (Arrangements for the discharge of Functions) (England) Regulations 2012

give local authorities the power to delegate (arrange for the discharge) of their functions by:

- Another local authority
 - The executive of another local authority,
 - A joint committee, or
 - One or more officers of the local authorities concerned.
39. Having considered carefully the options available it is recommended that the council delegates delivery of ICT services (within the agreed scope) to the London Borough of Brent under the governance of a joint member committee.
 40. The means of implementing a delegation as set out above is through an inter-authority agreement (IAA). This will set out the governance framework under which the service will be delivered and operate including: roles, responsibilities, financial principles, liabilities, assets, service details and exit management.
 41. Whilst there is an IAA between the parties, the ICT service is being delegated and this is therefore not a contract for services with the usual contractual obligations. Consequently there is no provision for damages or service credits in the event of a breach of the IAA. Whilst this is a notable change from the current contractual arrangement with the incumbent IT managed service provider it has been considered and the risks arising from this alternative arrangement are covered in the sections on liabilities, managing the service (including the service level agreement and key performance indicators) and in the risk table.
 42. Decision Making: A joint committee will be established. Each authority will have equal representation on the joint committee with two members from each council entitled to attend meetings.
 43. A joint management board reporting into the joint committee will be established. This board will have director and management representation from each of the partner councils. It will meet every two months to oversee service delivery performance, agree priorities and allocation of shared resource and monitor budget.
 44. The IAA sets out the decisions which are “reserved” for each council and those delegated to the joint committee. Decisions affecting the running of the shared ICT service will require unanimity at officer level but at cabinet member level will require a simple majority with each council having equal voting rights. By law, the chair of the joint committee will have a casting vote.
 45. It should be noted that the arrangements proposed are not intended to amount to procurement of goods and services within the scope of the EU procurement rules. Instead it is intended that by delegating the function for delivery of ICT services (within the agreed scope) to Brent Council the latter as the host council exercises the function in delivering a shared service to all three councils.
 46. Appendix B details the draft governance structure and the terms of reference for the joint committee and joint management board.
 47. Procurement: The scope of the delegation to the shared ICT service includes authority to undertake procurement and award of contracts for ICT related goods and services which will be undertaken in accordance with Brent’s constitution and contract standing

orders (CSOs) on behalf of the three councils separately and jointly. This will be set out in the IAA in the form of a procurement protocol.

48. Brent Council is a London Living Wage employer and imposes requirements for payment of the London Living Wage on its suppliers and service providers where appropriate and legally permissible. Similarly Brent includes within its contract conditions the requirements for its service providers and suppliers to comply with the Employment Relations Act 1999 (Blacklisting) Regulations 2010 to prohibit unlawful blacklisting practices. For the purposes of sourcing locally as permitted by the procurement regulations and directive this will be taken to mean sourcing from firms local to any of the three partner councils.
49. ICT Contracts: Southwark's ICT contracts register has been thoroughly reviewed and updated as part of due diligence activity. A forward plan detailing the treatment of each contract (retain, novate, renew, replace, cease) is well developed and will be completed prior to service commencement.
50. To facilitate more effective and efficient contract management a number of contracts will be novated to the shared ICT service. For those contracts remaining with Southwark, and until such time as identified contracts are novated, the retained ICT team will remain responsible for the contract however operational responsibility for monitoring and management of performance will be undertaken by the host authority.
51. Insurances and Liabilities: Work is in-hand to source an appropriate insurance policy for the services and responsibilities within scope of the shared ICT service. It is anticipated that this policy will be held by Brent as primary host authority with Lewisham and Southwark named on the policy. It is considered that, compared to the alternatives, adopting such an approach will be more simplistic and provide assurance of cover.
52. Should a policy as set out above be unavailable then (as to be agreed in the final terms of the IAA) each of the partner councils will be responsible for their own insurances but will adopt an approach of shared financial risk as is the case with the existing two-way shared ICT service. Officers are confident that insurance and liability issues will be resolved quickly and that they will not delay agreement of the final terms of the IAA.
53. Information governance and data protection responsibility: The IAA will set out each council's responsibilities arising from the Data Protection Act 1998.

Financial governance

54. Financial principles are set out in the inter-authority agreement and define the way in which costs for the shared ICT service are apportioned to each of the partnership councils. They have been designed to be simple and will be underpinned by a culture of fairness and cost transparency. The six financial principles are:
 1. The setting of each council's ICT budget is a decision reserved for each authority.
 2. Each authority understands that changes to their ICT budget may impact upon the shared ICT service and/or the other partners. Each will therefore work in a spirit of trust and collaboration to minimise any adverse impact as a result of changes to budget.
 3. Each authority accepts that expenditure may increase as a result of inflation, wage settlement or other factors beyond the control of the primary host authority. Each

- authority will therefore reasonably commit to funding their apportionment of any such agreed increase in cost.
4. The partners understand that the effectiveness of the shared ICT service is underpinned by forward planning and financial stability and that this may be best supported by a multi-year budget setting period.
 5. The partners understand that changing use pattern, consumption or volume of ICT services may not result in an immediate or any realisable saving. Consequently, changes or reductions in budget apportionment may rely on actual savings being achieved and should not generally result in increased cost to the other partners.
 6. The partners accept that the shared ICT service is effectively an in-house team. Consequently, cost risks associated with such a delivery model will be apportioned to the partners in accordance with these financial principles if and when they arise.
55. The majority of costs incurred in the delivery of shared ICT services will be apportioned and recharged to one or more of the partnership councils based on four metrics.
1. User Based: Costs are apportioned to each authority based on their number of active users of IT services.
 2. Consumption Based: Costs are apportioned to each authority based on their respective use of the resource being recharged.
 3. Equal Apportionment: Costs are apportioned with each benefitting authority paying an equal proportion of the cost (either 50% or 33.3%) This metric will most likely be used where two or three councils commission a project which is of shared benefit.
 4. Sole Use: Resource can be identified as used by a single authority and is therefore recharged to that authority in its entirety.
56. One-off costs are anticipated from reorganisation activities as a result of staff transferring from Capita to the shared ICT service. A specific apportionment has been agreed for TUPE, pension, redundancy and reorganisation costs being apportioned Southwark (66%), Brent (17%) and Lewisham (17%). The cost of some ad-hoc contractual benefits protected by TUPE will be met by Southwark in the financial year 2017/18. Thereafter they will be incorporated into staff related support costs.
57. Staff within scope of TUPE will not be known until 28 days prior to service commencement and the total costs arising from TUPE and the subsequent reorganisation of the shared ICT service team will not be known until early 2018.
58. As would be expected with an in-house service, there is no service credit regime. Service quality will be achieved through effective team and individual performance management which will be implemented and overseen by the joint head of ICT and assured by the joint management board.
59. Budget Setting: The ICT service requirements of the partnership councils for the coming financial year shall be reviewed annually each autumn by the joint management board. The joint head of ICT will consider the budget requirement to meet agreed service requirements for the subsequent financial year and prepare a budget proposal for consideration by the joint management board, ensuring that it is aligned to the funding approved by each of the partnership councils and that where

appropriate options are detailed. When agreed by the joint management board a service budget report will be presented to the joint committee for their consideration.

- 60. The shared ICT service draft financial principles and model are set out in detail in Appendix C.

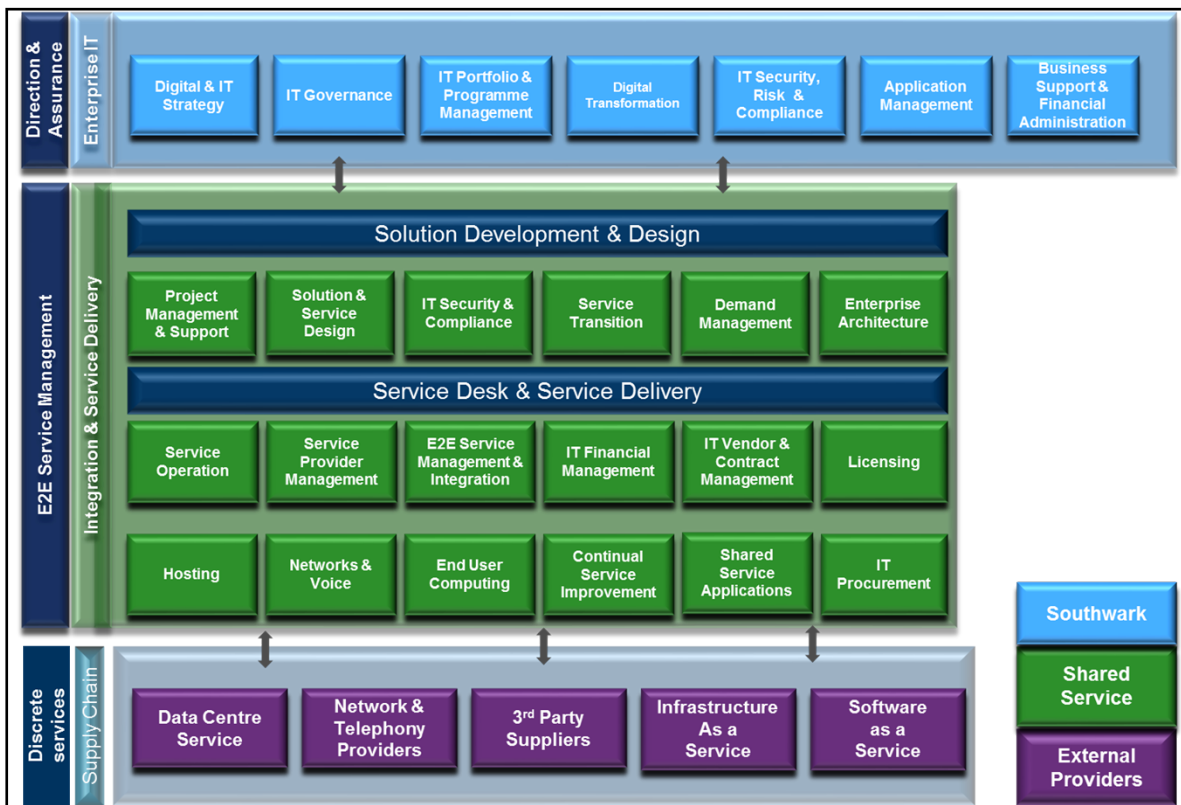
Plans for the monitoring and management of the ICT service

- 61. In the short term additional resource has been assigned by Southwark to more closely manage Capita and to prepare for and assist with transition activities. Capita will be asked to appoint a dedicated Exit Manager by 1 July 2017.
- 62. In preparation for service commencement, the shared ICT service will be developed and augmented to ensure that it has the relevant skills and resource to undertake work to the required level.
- 63. Governance agreed in the IAA will be implemented. This will include a three-way management board which will review service performance. An effective service level regime currently exists for the shared ICT service. Key performance indicators (KPIs) have been reviewed and agreed. Reporting of these will be harmonised as far as practical to reduce management overheads of the service and reporting will include a balanced scorecard, risk log, budget monitoring and project highlight reports on a monthly basis.

Service solution

- 64. The draft operating model for the shared ICT service is shown in Figure 1.

Figure 1: Draft shared ICT service Operating Model



65. A detailed service description has been prepared. This sets out the service level agreement (SLA) including the support and response arrangements which are aligned to meet business requirements. The SLA is underpinned by key performance indicators (KPIs) which will be reviewed regularly to monitor service quality. The draft SLA and KPIs are set out in Appendix D.
66. Corporate and departmental applications will generally continue to be delivered as is; however support for applications currently supported by Capita will be transferred to Southwark's in-house applications team as set out in the ICT Strategy agreed by cabinet in November 2016.
67. Applications which are currently supported directly within departments will be reviewed with an active intent to centralise the associated resource and budget into the Southwark IT and Digital Services team. Southwark are also leading on the recruitment of a Senior Applications Manager (to be a shared resource across the shared ICT service) – who will drive the centralisation of applications within Southwark as well as work across all three authorities to identify and act on opportunities for the consolidation and rationalisation of applications. At this time the Southwark applications support team will not be merging into the shared ICT service.
68. The Southwark ICT organisational structure has been revised and comprises the resource to interface with the shared ICT service as well as local project, business relationship management and digital transformation resource and applications support.
69. From a technical perspective, Southwark will invest in new infrastructure which will be procured, commissioned and managed by the shared ICT service. Southwark will seek to leverage Brent's expertise and where appropriate their tried and tested solutions to enable deployment within Southwark faster than might otherwise be the case.
70. Aligning with the strategic outcomes (set out in paragraph 36) key objectives include establishing a stable, resilient and quality ICT service. The shared ICT service is expected to deliver continuous innovation and service improvement through collaboration, use of a rich resource pool and effective knowledge sharing.
71. Changing from our existing supplier to the shared ICT service will be undertaken in a number of planned phases:
 1. **Transition:** This phase has started with due diligence activity and continues to ensure as much as possible is known about the existing service. This phase includes agreement of the terms and entering into the IAA, installation of new hardware, recruitment of staff and assurance of the necessary skills and contracts to support the service. This phase includes "service commencement" on 1 November and is expected to conclude in December 2017 following a period of stabilisation.
 2. **Migration:** This phase is expected to start following the completion of transition and entails the migration of services from Capita's and Southwark's Tooley Street data centres onto new hardware hosted in shared ICT service data centres. Whilst the primary purpose is the "as is" migration of existing services it is inherent in the way this will be undertaken (including the implementation of new hardware) that service improvements will be achieved as a result.

3. **Transformation:** This phase runs both alongside and continues post the migration phase. The purpose of this phase is to implement targeted service improvements to ensure Southwark ICT services are modern, compliant, supportable and fit for purpose.

Service strategy

72. The initial evaluation and subsequent due diligence has identified clear synergies in our business and operational requirements. These will form the basis for close collaboration on ICT and digital strategies and future opportunities for shared development programmes.
73. It is recognised that whilst sharing strategy where possible will be of benefit to all, there are local business requirements which necessitate that each authority retains overall sovereignty of their strategy. The shared ICT service will therefore develop to maximise efficiencies and commonality in services where possible whilst maintaining flexibility.
74. Supporting our shared strategic outcomes the service strategy is to continually improve service quality whilst reducing cost. The partners recognise that whilst there is much that can be achieved within the new three-way partnership further efficiencies will likely be realised as a result of future further growth, albeit that growth will need to be at a pace which does not create unnecessary risk to the service.

Risk management

75. All three councils have existing risk management strategies and associated methodologies. It is not proposed to change these however work will be undertaken to align them such that as far as practical we have a shared approach and common understanding of risk. This will enable partners to:
 - **Identify risks** and bring consistency in understanding as to the risks services face.
 - **Prioritise response to risks** by highlighting urgent and common problems and possible solutions.
 - **Eliminate issues** from the risk register and add value back into the business.
 - **Benchmark risks** across the shared ICT service.
76. The joint head of ICT will report to the joint management board on the aggregate risk profile of the service.
77. The three councils will remain individually responsible for ensuring that an effective risk management strategy is in place, that it is subject to a formal review process and that there is a robust framework in place to identify, evaluate and control risks.
78. Service managers remain responsible for the effective management of risk within their service area and ensuring that staff operating within their service adhere to the best practice principles of risk management.
79. The key risks associated with establishing the shared ICT service, transition and service delivery are in Appendix E.

Timetable

80. An outline timetable setting out the indicative programme has been included in Table 2 below.

Table 2 – Indicative programme

Activity	Complete by:
Brent Cabinet report and decision	19 June 2017
Southwark Cabinet report and decision	20 June 2017
Lewisham Cabinet report and decision	19 July 2017
Subject to Cabinet approval by all three Councils and completion of scrutiny and call-in periods	
Preparatory work for service commencement.	July 2017
Southwark ICT internal reorganisation completes	July 2017
Final terms agreed and delegation of ICT Service by Inter-authority agreement.	August 2017
Formal TUPE consultation period with Capita commences.	1 October 2017
Shared ICT service due diligence and preparatory activities conclude.	October 2017
Target date for service commencement.	1 November 2017
Stabilisation period (2 months)	December 2017
Target date for completion of Transition phase	31 December 2017
Shared ICT service internal reorganisation	Spring 2018
Service migration to new data centres	December 2018
Cease Capita contract for data centre hosting	December 2018

Policy implications

81. The IT service underpins almost every aspect of council services and is integral to the council delivering its promises and fulfilling its obligations.
82. The IT service is being developed to fully support the council's digital strategy and to enable the future transformation of council services and working practices.

Community impact statement

83. All three councils will ensure:
1. Recruitment and employment practices encourage equality of opportunity and respect for diversity. This will tackle barriers faced by specific groups, thereby

actively supporting the creation of a workforce that is representative of the local communities and our customers.

2. They seek opportunities to work with the local community and local community organisations to tackle inequality, for example by supporting people to develop the skills they need to participate economically, culturally and socially.
 3. They have systems in place to deal with any complaints of discrimination promptly, fairly, openly and effectively.
 4. They encourage other employers to adopt similar practices.
84. Recruitment of staff to the shared ICT service will be undertaken across all three boroughs to ensure equality of opportunity.
85. The shared ICT service organisation structure includes provision for nine apprentices which will be sourced equally from across the three boroughs.

Resource implications (staff)

86. Brent will act as the primary host authority and will be responsible for employing all staff engaged to deliver the shared ICT service. Separately, each authority will employ ICT staff as a retained ICT function.
87. To take on the existing Southwark ICT service from Capita and provide ICT services to the three councils, it is estimated that the shared ICT service will require an additional 34 staff, taking the team complement to 90 (excluding applications support staff).
88. As an on going service is being transferred it is anticipated that the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) may well apply. Staff covered by this legislation and engaged to deliver operational services will potentially transfer from Capita to Brent (as primary host authority).
89. Transition planning has included development of a resource and skills plan. Whilst this is comprehensive the exact recruitment requirements will not be known until TUPE activities have concluded. However, considering the staff complement requirement of the shared ICT service team and staff likely to be in-scope for TUPE it is anticipated that there will be a need for additional recruitment to the shared ICT service.
90. The shared ICT service staff complement includes provision for nine apprentices. It is expected that these will be sourced from within each of the partnership councils on an equal basis.
91. As part of exiting from Capita, it is proposed that the applications support function they provide under the ITMS contract is insourced to Southwark's IT & digital services team. This may result in the transfer of a small number of Capita staff to Southwark under TUPE. In that event, the council will comply with its obligations under TUPE and related legislative provisions.
92. In preparation for transition, there is a requirement to develop the skills and resource of Southwark's IT & digital services team to align with the roles and responsibilities arising from joining the shared ICT service, the increase in application support responsibilities and to better support Southwark's digital and transformation agenda. To enable this, the structure and composition of the Southwark's retained ICT function has been reviewed and consulted upon and a reorganisation is underway.

93. The new structure of Southwark's IT & digital services team includes some ICT staff currently located in and funded by departments who are to be centralised. Post reorganisation there will continue to be a number of areas where departments still retain local ICT resource and consequently further work will be undertaken with a view to centralising this resource as set out in the ICT Strategy and agreed by members.
94. The council's Reorganisation, Redeployment and Redundancy Procedure on managing change and consulting with departments, staff and the respective unions will be followed in respect of all affected Southwark staff.

Resource implications (Assets)

95. Ownership and title of existing assets (equipment, software, intellectual property) is unaffected by the establishment of the three-way shared ICT service. New or replacement assets purchased by or on behalf of the shared ICT service will (unless agreed otherwise) be owned jointly in shares equal to each council's contribution with depreciation and residual values apportioned accordingly. Intellectual property developed by the shared ICT service will be owned equally by the three authorities.

Financial implications

96. This report seeks approval to establish a three-way shared ICT service with the London Borough of Brent and the London Borough of Lewisham and the delegation of the delivery of the ICT service to London Borough of Brent as the primary host authority with a planned service commencement date of 1 November 2017.
97. The expectation is that the shared ICT service will deliver better value for money, which aligns more closely with the authority's affordability expectations in the medium term. This will be achieved through efficiencies and economies of scale (and potentially through future growth of the shared ICT service).
98. An additional benefit of the shared ICT service is that Southwark will jointly have more influence over costs through collaboration and implementation of the partnership principles and governance.
99. Current estimates for all costs related to the shared service from transition through to business as usual will initially require a funding commitment in 2017-18 in the form of a call on reserves. In 2018- /19 the annual budget commitment is currently estimated to increase for both the housing revenue account and general fund by circa £2.3m. However in providing budgetary provision at this level, there will be an expectation that this commitment will reduce as the shared service settles into business as usual from 2019-20 and opportunities for savings become more apparent.
100. In addition to revenue costs, the ICT capital programme will incorporate those shared service costs that it is deemed can be capitalised, which at this point in time include transition costs and certain licence agreements.
101. The overall estimated payment to Brent as the host authority is £19.1m over a five year period, subject to final due diligence and other approved variations.

Consultation

102. A cross departmental group chaired by the strategic director of housing and modernisation has been established to oversee the development of the council's sourcing strategy, the resulting recommended service option and the effective improvement of the council's ICT service.
103. A series of senior stakeholder and advisor meetings incorporating representatives from all three partnership councils has been conducted.
104. A staff survey undertaken as part of a Society of IT Managers (SoCITM) benchmarking exercise provided useful information which is being incorporated into our requirements.
105. Due diligence included 15 business service review meetings.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Head of Procurement

106. Procurement were involved in the evaluation and options assessments for the new IT service. The proposed inter-authority agreement outlined in the report, to progress with a shared ICT service with the London Boroughs of Brent and Lewisham, would not in itself incur any direct procurement issues. Procurement of ICT goods and services will form part of the responsibility in the delegation of the service to Brent. This is detailed in the inter-authority agreement and assurances provided to Southwark as part of agreeing to the service.

Director of Law and Democracy

107. This report requests the cabinet to approve the establishment of a 3 way shared ICT Service with Brent and Lewisham and the delegation of the delivery of the ICT service (within the agreed scope noted in this report) to Brent as the primary host authority as further detailed in paragraph 2.
108. As noted in paragraph 38, the council is permitted to arrange for an executive function to be delegated to another Authority or to establish shared services by virtue of the Local Government Acts 1972 and 2000, the Localism Act 2011 and the Local Authorities (Arrangements for the discharge of Functions) (England) regulations 2012. Article 9.2(b) of the Constitution permits the cabinet to establish joint arrangement with one or more local authorities to exercise executive functions, and acknowledges that such arrangements may involve the appointment of joint committees with those other local authorities.
109. The parties will enter into an inter-authority agreement to record the terms of the delegation, and how matters such as sharing of costs and governance arrangements are dealt with. Whilst significant work has been undertaken by the 3 councils, there remains further discussion on the final terms of the IAA. Approval is therefore sought to delegate agreement of those final terms to the strategic director of housing and modernisation.
110. This report also asks the Leader to agree to the establishment of a joint committee with Brent and Lewisham to support the governance arrangements of the shared service, the draft terms of reference of which are set out in Appendix B. The Leader has the power to establish this joint committee as a committee of the cabinet.

111. The council has previously had ICT services supplied under a client/contractor arrangement through a formal contract. The cabinet is advised that when entering into shared services arrangements these are typically through inter-authority agreements between the boroughs. Whilst these set out the principles for the arrangement, including the required performances/how they are measured and how payment is made, they are collaborative arrangements and therefore do not include provisions more common in contracts such as defaults and service credits. It is important when entering into a shared service that all boroughs adopt the necessary behaviours for such an arrangement. This has been highlighted in the risk table as a potential risk and the considerations/mitigations which are to be adopted.
112. The cabinet and Leader's attention is drawn to the Public Sector Equality duty (PSED) under the Equality Act 2010, and when making decisions to have regard to the need to eliminate discrimination, harassment, victimisation or other prohibited conduct, and to advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic and those who do not share it. The relevant characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion, religion or belief, sex and sexual orientation. The duty also applies to marriage and civil partnership but only in relation to the elimination of discrimination. The cabinet and Leader are specifically referred to the community impact statement at paragraphs 83-85 setting out the consideration that has been given to these issues which should be considered when approving the recommendations set out in this report.

Strategic Director of Finance and Governance

113. The strategic director of finance and governance notes the recommendations in this report which seek approval for the establishment of a three-way shared ICT service with the London Borough of Brent and the London Borough of Lewisham and the delegation of the delivery of the ICT service to London Borough of Brent as the primary host authority with a planned service commencement date of 1 November 2017.
114. In making this decision, cabinet are asked to note that work on due diligence and related planning and preparation activities will continue up to the commencement of the shared service. It is noted that the final terms of the inter-authority agreement are yet to be agreed.
115. The 2017-18 general fund budget for ICT services is £5.9m including a commitment of £1m for ICT re-organisation/restructure to increase in-house capacity to maintain/improve business as usual and develop/deliver the council's IT strategy, along with £130k for a range of updates, upgrades and enhanced server and system licences to support the enhanced IT infrastructure.
116. The financial implications highlight that the current estimates for all costs related to the shared service from transition through to business as usual are likely to exceed existing budget provision, and if these cannot be met from elsewhere within the department will have to be funded by reserves.
117. The 2017-18 general fund budget also planned for efficiencies of £655,000 within ICT which are not now expected to be achieved, representing a further pressure on maintaining a balanced budget in 2017-18.
118. Some of the ICT costs are properly charged to the Housing Revenue Account (HRA) and there is a commitment of £475k in the 2017-18 HRA budget for ICT costs.

119. The shared service is one component of a wider ICT service offer. As the shared service moves from transition to operating as business as usual, including the transfer of some elements from in-house to the shared service, it is estimated that the council will be asked to approve ongoing revenue commitments from 2018-19 of £2.3m for the ICT service as a whole. These will be split between the HRA, general fund and capital programme. When costs are known these will need to be incorporated into Southwark's budget setting processes for 2018-19.
120. While this sum represents a significant increase in ongoing funding, it also builds in some additional contingency specifically to cover those costs that cannot reasonably be estimated at this stage, and which, if not required, can be given up for alternative use in future years.
121. There is an intention to capitalise relevant ICT costs. The capital programme of February 2017 included a total commitment of £18.2m for ICT over 10 years. As at February 2017, the council's general fund capital programme is over committed (underfunded) by £144m in 2017-18, and by £293m over the life of the programme.
122. A number of IT services will continue to be procured and funded directly by departments. The implications of this for departments will need to be managed within departmental budgets.
123. In addition to the costs of the shared service, the council will retain an in-house team, and the costs of this are not reflected in this report.
124. The overall estimated five year cost of the council's ICT arrangements is estimated to be around £48m, of which the amount payable to Brent as host authority is estimated to be around £19m. The ICT service requirements will be reviewed annually, aligned to the funding approved by each of the partnership councils, and appropriate options identified. There is a longer term aim for the shared service to achieve efficiencies and cost reductions, and this may have a positive impact on future year's budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Gateway 0 IT Managed Services Sourcing Options	Housing and Modernisation / Information and Data Services	Chris Anderson, ICT Strategy Manager (Interim)
Link: http://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=302&MId=5144&Ver=4		
Gateway 1: IT Managed Services Procurement	Housing and Modernisation / Information and Data Services	Mark Compton-James – Head of Information Technology
Link: http://moderngov.southwark.gov.uk/mgIssueHistoryHome.aspx?IId=50009040&Opt=0		
ICT Shared Service with Brent and Lewisham	Housing and Modernisation / Information and Data Services	Mark Compton-James – Head of Information Technology
Link: (copy and paste link into browser) http://moderngov.southwark.gov.uk/documents/g5378/Public%20reports%20pack%20Tuesday%2007-Feb-2017%2016.00%20Cabinet.pdf?T=10		

APPENDICES

No.	Title
Appendix A	Partnership principles
Appendix B	DRAFT - Governance and Terms of Reference
Appendix C	DRAFT - Financial Principles
Appendix D	DRAFT - Service Levels and Key Performance Indicators
Appendix E	DRAFT – Risk Register

AUDIT TRAIL

Cabinet Member	Councillor Fiona Colley, Finance, Modernisation and Performance	
Lead Officer	Gerri Scott, Strategic Director of Housing and Modernisation	
Report Author	Mark Compton-James, Head of IT and Digital Services Chris Anderson, ICT Strategy Manager (Interim)	
Version	Final	
Dated	8 June 2017	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team		9 June 2017

APPENDIX A

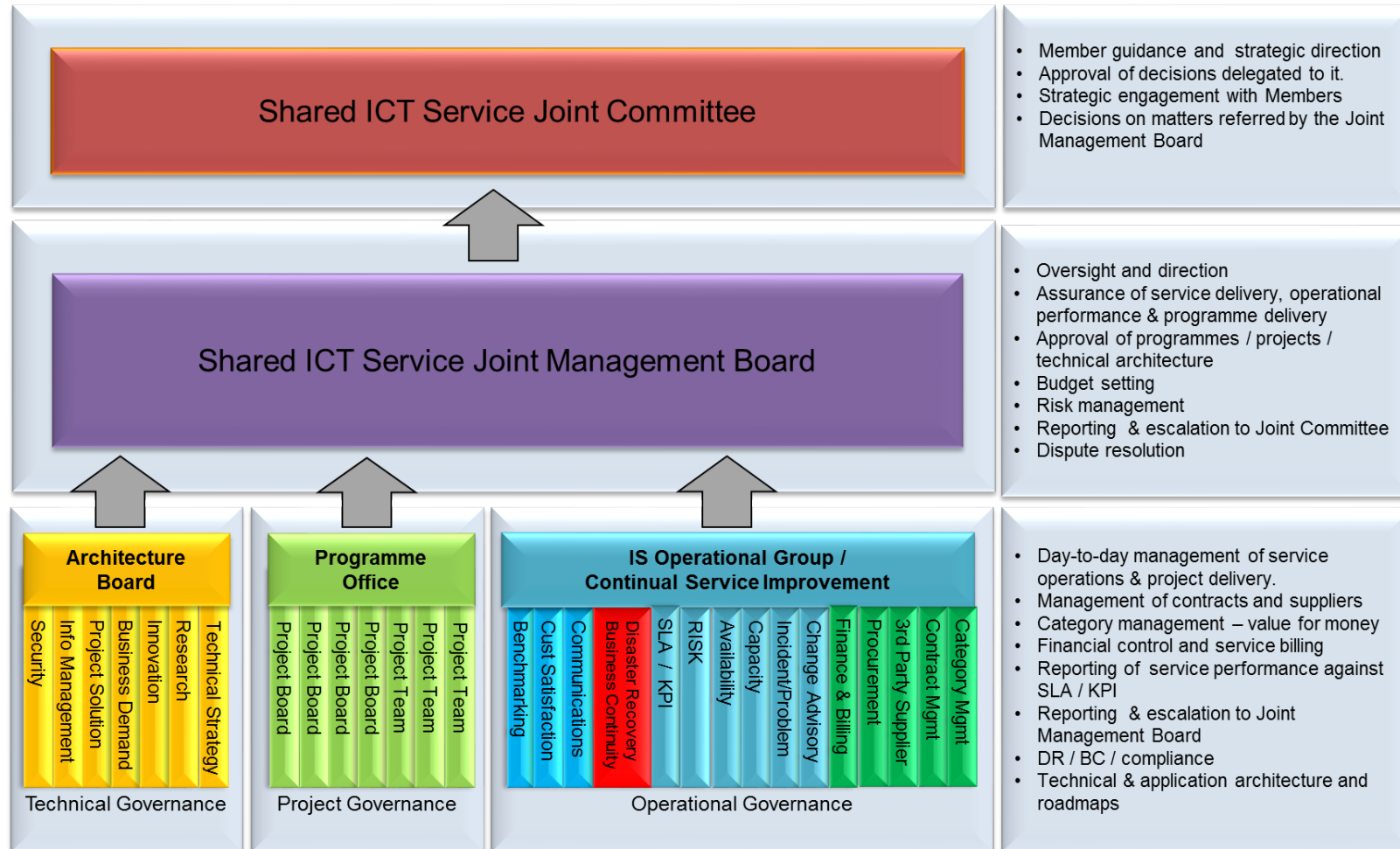
Partnership Principles

1. Senior stakeholders agreed the following overarching principles upon which the Shared ICT Service will be founded.
 - i. **Our ICT service** is a three-way partnership based on **twelve partnership principles**. Our ICT service is: -
 - ii. **Part of the family**, they are our in-house service and an important part of our team in each organisation.
 - iii. **Modern and forward-looking**, working closely with our digital strategists to transform our organisations.
 - iv. **Our expert ICT adviser** on the technology solutions needed to deliver the partners' digital strategies.
 - v. **Our provider for all ICT services**, using external services and support when needed.
 - vi. **Managed collectively**, with sponsors from each partner providing leadership for the service.
 - vii. **Committed to converging** to common technology solutions wherever practical and affordable.
 - viii. **Delivering on an ambitious plan** for the development of the service that is agreed and monitored by the partnership.
 - ix. **Working to common standards** of service levels and performance that are realistic given the funding available.
 - x. **Accounting for its success** in performing well against those standards, including through benchmarking.
 - xi. **Committed to reducing costs** both in its own budget and the cost of partners' services to the public.
 - xii. **Managed simply and transparently** in the way it is governed, makes decisions, spends money and manages its budget.
 - xiii. **Open to growth**, but only at a sustainable rate that does not represent a risk to the service.
2. Senior stakeholders accepted that managing a Shared ICT Service was very different to managing an outsourced service or indeed an in-house team in a single Authority. To ensure the Shared ICT Service has the best possible relationship with the managing Authorities, stakeholders agreed the need to adopt appropriate partnership behaviours and it was important that particular behaviours should be avoided. They therefore agreed: -
 - i. We will not treat the service as a separate entity that is external to our organisations and will not give it a separate identity.
 - ii. We will not adopt a contractual mind-set that treats the partnership as a commercial relationship that needs 'clienting'.
 - iii. We will not complicate the partnership's decision-making by operating different levels of delegation from each partner.
 - iv. We will not insist on significant differences in our service processes and technology.

- v. We will not take unilateral decisions on technology or funding that adversely impact on the ICT service to others without careful consultation and consideration.
- 3. These potentially represent significant cultural and behavioural changes for Southwark's officers and further work is required across the organisation to ensure that these changes are adopted and embedded. Consequently, each will be entered on the risk register for further mitigating action.
- 4. Detail underpinning the partnership principles will be further developed and agreed during transition planning and due diligence.
- 5. The partnership principles are fundamental to a memorandum of understanding, which will enable the detailed work required to agree the legal and governance mechanisms for establishment of the Shared ICT Service to be completed.

APPENDIX B

DRAFT - Governance and Terms of Reference



Overview of Shared ICT Service governance

SHARED ICT SERVICE JOINT COMMITTEE		
Members	Frequency:	2 meetings per annum
London Borough of Brent / Lewisham / Southwark: Two (2) Members from each partner authority	Venue:	Rotated between partners
	Receives reports from:	Joint Management Board
Officer Attendees	Reports to:	Authority Cabinets
Brent: Strategic Director Resources, Head of Digital Services Director of Performance, Policy & Partnerships		
Lewisham: Head of Strategy, Head of Technology & Change		
Southwark: Strategic Director Housing & Modernisation, Director of Modernise, Head of IT & Digital Services		
Terms of Reference	Agenda	
<ul style="list-style-type: none"> • Oversee implementation and delivery of shared ICT service. • Sets key strategic direction and associated activities. • Act as arbiter where there is a conflict in either direction or priority of each Council. • Those matters for which it is identified as responsible for under the Inter-Authority Agreement for the three-way Shared ICT Service 	<ul style="list-style-type: none"> • Apologies for absence • Declaration of Interest • Minutes of the Last Meeting and matters arising • Provision for public participation • Substantive items for consideration • Exclusion of the public • Closed items for consideration 	

Joint Committee – Terms of Reference

SHARED ICT SERVICE JOINT MANAGEMENT BOARD		
Officer Attendees	Frequency:	Every 2 months (or as agreed)
Brent: Strategic Director Resources, Head of Digital Services Director of Performance, Policy & Partnerships	Venue:	As agreed by Chair
Lewisham: Head of Strategy, Head of Technology & Change	Receives reports from:	Transition Project Board Head of Shared Service
Southwark: Strategic Director Housing & Modernisation, Director of Modernise, Head of IT & Digital Services	Reports to:	Joint Committee
Terms of Reference	Agenda	
<ul style="list-style-type: none"> To act as the decision making body in respect of any joint decision required to be taken by the Councils under Inter-Authority Agreement other than those that have been excluded and defined as Reserved Decisions. Senior level guidance, leadership and strategy in accordance with that agreed by Joint Committee Review performance and delivery (transitional activities, operational, projects, programmes) to assure service meets business requirements including:- quality, time, cost. Oversight of financial management and annually to agree and recommend budget for the Shared ICT Service to the respective councils. Approval of significant changes to scope or delivery of the service. Review risks, issues, data security and business continuity (including audit activities). Forum to highlight areas and initiatives of common interest. Review and recommend for approval contracts and purchases in accordance with the procurement protocol defined with the Inter-Authority Agreement. Preparation and submission of Committee and Cabinet reports. Resolution or progression of disputes referred to the board in accordance with the dispute resolution process. 	<ul style="list-style-type: none"> Review matters arising and actions Operational, service and programme delivery Review financial and other reports of the Head of Shared Service. Significant change approvals Shared Service development progress Significant Risks / Issues Agree the business for the Joint Committee Joint Communications plan Review and agree service plan (annually) Review and recommend budget (annually) 	

Joint Management Board – Terms of Reference

APPENDIX C

DRAFT - Financial Principles

1. The financial principles set out the way in which costs for the ICT Shared service are apportioned to each of the partner authorities.
2. It is important to note that costs could be apportioned in a number of ways, each with an underlying logic and validity, and there is often no right answer. Arguably, the most important aspects of the financial model are:-
 - that it sets out to apportion costs fairly across all three authorities,
 - that costs are transparent,
 - that the partners work in a climate of mutual trust
 - that, over time, the principles are developed to reflect changing service delivery requirements, methods and circumstances.

General Principles:

3. There are six general financial principles:
 - i. The setting of each Authorities ICT budget is a decision reserved for each authority.
 - ii. Each authority understands that changes to their ICT budget may impact upon the ICT Shared Service and/or the other partners. Each will therefore work in a spirit of trust and collaboration to minimise any adverse impact as a result of changes to budget.
 - iii. Each authority accepts that expenditure may increase as a result of inflation, wage settlement or other factors beyond the control of the primary host authority. Each authority will therefore reasonably commit to funding their apportionment of any such agreed increase in cost.
 - iv. The partners understand that the effectiveness of the ICT Shared Service is underpinned by forward planning and financial stability and that this may be best supported by a multi-year budget setting period.
 - v. The partners understand that changing use pattern, consumption or volume of ICT services may not result in an immediate or any realisable saving. Consequently, changes or reductions in budget apportionment may rely on actual savings being achieved and should not generally result in increased cost to the other partners.
 - vi. The partners accept that the ICT Shared Service is effectively an in-house team. Consequently, cost risks associated with such a delivery model will be apportioned to the partners in accordance with these financial principles if and when they arise.

Apportionment Metrics:

4. The financial model uses four means of apportioning costs to the partner authorities.
 - i. User Based:

Costs are apportioned to each authority based on their number of active users as determined by live "Active Directory" user accounts rounded to the nearest one hundred.

Table 1: Active Directory Users as at 1/06/2017

<u>2017/18 Active Directory User Count</u>			
	<u>LB Brent</u>	<u>LB Lewisham</u>	<u>LB Southwark</u>
Active Users	3000	2500	4500
User Based Apportionment	30%	25%	45%

ii. Consumption Based:

Costs are apportioned to each authority based on their respective use of the resource being recharged.

iii. Equal Apportionment:

Costs are apportioned with each authority paying (33.3% or 50%) a percentage of the cost depending upon the number of partners benefitting. An example being a project which is of equal benefit to all three councils.

iv. Sole Use:

Resource can be identified as used by a single authority and is therefore recharged to that authority in its entirety.

Shared Service Costs:

5. Shared service costs can broadly be categorised as:-

- i. Staff costs: Including staff salary and associated on-costs (NI, pension, holiday pay, sick pay, etc), overtime, allowances, training, travel, etc.
- ii. Staff Overhead costs: Including accommodation costs, supporting staff and services (HR, payroll, pension, legal, procurement, management).
- iii. Infrastructure costs: Including infrastructure hardware and software, data centre hosting, core network connectivity, internet connectivity, storage, backup, security services, 3rd party support and maintenance agreements, consultancy, etc.
- iv. Project Costs.
- v. Transition and other one-off costs
- vi. TUPE and other one-off staff costs

Staffing and Infrastructure Costs:

6. Staffing and infrastructure costs will initially be apportioned as set out below.

Table 2 Apportionment Model 2017-18

Apportionment Model 2017-18		
Type	Description	Apportionment method
Staff and Staff Overheads	Staff employment related costs and associated overhead costs for Shared Service staff and supporting services	User Based
ICT Hardware	Hardware used by ICT staff – desktops, monitors, laptops, etc	User Based
Consultancy	External specialist support as and when required for BAU.	User Based
Consultancy	External specialist support as and when required for project or Council specific requirement.	Consumption
Hardware Maintenance	General repairs of workforce desktops, laptops, monitors – excludes consumables like batteries, keyboards, mice	User Based
Data Centre Hosting	Rack space including power (core).	User Based
	Rack space including power (service specific).	User Based
Shared Infrastructure	Support and maintenance of core network, server and storage infrastructure cost.	User Based
Network Maintenance	Support and maintenance for core network	User Based
Internet & PSN Connectivity	Resilient internet links with PSN services.	User Based
Premier Support	Microsoft Premier Support Agreement	User Based
Security Testing	Ongoing testing (PSN, PCI DSS)	User Based
Service Desk	Licence Subscription for Service Desk system	User Based
Service Desk	Licence Subscription for Council Application Admins	Consumption
Password self-service	Maintenance & Support for Quest Password Manager.	User Based
SQL Replication	Maintenance & Support for Double-Take software	Consumption
Data Centre Links	Links to connect each authority with the data centres and/or core network.	Sole use

Web Filter	iBoss licences.	User Based
Email Filter	Proofpoint licences.	User Based
Mobile Device Management	Maintenance & Support for Mobile Iron	User Based
2-Factor Authentication	Maintenance & Support for Freja Appliance licences.	User Based
Microsoft Licences	EA subscription covering Desktop licences, Office products and Server components.	Sole use
Certificates	Certificates for external web sites/services	Sole use
Citrix Licences	Citrix Support & Maintenance	Sole use
Virtualisation Licences	VMWare Support & Maintenance (core)	Sole use
	VMWare Support & Maintenance (service specific)	Sole use
Telephone Network	Maintenance & Support of telephony network including ACD	Sole use
Telephony Lines & Calls	All telephony circuits / PSTN / call charges	Sole use
Mobile Telephony	Mobile phone line rentals, call charges, data charges	Sole use
Data Circuits	Rental of all Wide Area Network data circuits	Sole use
Printing	Maintenance & Support of print devices and print charges (including consumables)	Sole use

7. Except where identified above or as otherwise agreed by the joint management board and/or joint committee, each authority will meet the cost of their local (non-shared ICT service) ICT staff, applications and other ICT services.

Project related costs:

8. It is anticipated that many projects will be delivered using the BAU project and technical support teams. The salary and on-costs for these staff are covered within the staff related support costs and therefore for many projects no additional funding will be required for staff resource. Funding of infrastructure (hardware, software, licences, etc) required to deliver a project may still need to be funded and where this applies funding will be apportioned as set out in infrastructure related support costs.
9. Some projects will be of such size or technical complexity that they require additional resource or skills or backfill staff. Where this is the case such costs will be met by the commissioning beneficiary authorities. Unless for a single authority or agreed otherwise, project resource costs will be apportioned on an equal basis where:-. Two authorities – 50% : 50%. Three authorities - 33.3% : 33.3% : 33.3%.

10. The authorities accept that project requirements will vary year to year and therefore apportionment of resource may not mirror cost apportionment in any single year – but should average out over a longer period.
11. Where appropriate Southwark intend to recharge project costs to internal departments. Southwark and the shared service will therefore agree a notional rate card for shared service support resources and the PID for each project will identify the estimated resource requirement and notional rate. Southwark will be responsible for undertaking the internal recharge process.

Transition and other one-off costs:

12. Developing the shared service offer, due diligence and subsequent transitioning is being treated as a project. Costs for the first two phases of transition will be defined and will be met by Southwark. These costs are included in the estimated budget for year 1 of the service and Southwark will look to capitalise these.
13. Transition costs for phase 3 will be a combination of one-off costs which Southwark will fund and use of the BAU project resource which Southwark will contribute to as of the go-live date.

TUPE, reorganisation costs:

14. TUPE, , pension, redundancy and reorganisation costs arising from the transition of Southwark's services from Capita and any reorganisation required as a result of this will be funded by Southwark (66%) and Shared Service (Brent - 17% and Lewisham - 17%). The cost of some ad-hoc contractual benefits protected by TUPE will be met by Southwark in the financial year 2017/18. Thereafter they will be incorporated into staff related support costs.
15. Unless agreed otherwise by the joint management board and/or joint committee, any subsequent staff related costs arising from reorganisation of the shared ICT service will be funded using the user based metric applicable at that time.

Budget setting:

16. The shared ICT service budget will be reviewed in August/September for the following financial year taking into consideration service performance, inflation and other cost pressures, authority savings targets, the requirement to increase or decrease resource as a result of changes in service requirements or demand and any other factors considered relevant.
17. The proposed budget requirement will be agreed by the shared ICT service joint committee no later than 30 November.
18. The partner authorities will be responsible for agreeing the ICT budget within their respective authorities.
19. Any variation to the agreed budget of any of the partner authorities will be notified to the joint head of ICT at the earliest opportunity so that appropriate service arrangements can be considered and implemented.

Billing:

20. The shared service will produce a quarterly invoice in arrears for all staff, infrastructure, third party, project and other costs incurred on behalf of Southwark.

21. The shared service will take over and continue to provide itemised billing for telephony and printing to facilitate recharging within Southwark. This is an area for review in the future.

Financial Review:

22. At the end of each financial year the joint head of ICT will prepare a financial service report detailing the service and financial performance of the shared service for the previous 12 months and setting out the financial commitments for the coming 12 months.
23. Any surplus or deficit for the current financial year will be identified and advised to the joint management board for their decision as to how the surplus/deficit should be treated.

Managing Change:

24. Any changes to the level of service commissioned by the authorities during the year, or in the associated service costs, will be reported to the Joint Management Board for consideration. It is expected that this will occur annually to align with budget setting; however the joint head of ICT may bring a report to the board at any time if the change impacts the service or budget such that it warrants their early attention.
25. Unless agreed otherwise savings will be apportioned to authorities using the same cost metric as was used for charging.

Income:

26. Unless agreed otherwise by the joint management board, any income generated from using shared service resources to deliver services outside of the agreed partnership will be apportioned to the partner authorities using the user based metric.

Expansion of the ICT Shared Service:

27. Should the shared service expand in the future the joint management board will review and agree the metrics to be used. It is expected that any expansion of the partnership must be to the benefit of all existing partners.

APPENDIX D

DRAFT - Service Levels and Key Performance Indicators

1. The following table sets out the hours of support for each area of service.

AREA	HOURS
Service Desk	The online portal is available 24x7 for staff to log calls <ul style="list-style-type: none"> • Business Hours – Monday to Friday, 08:00 to 18:00, excluding bank holidays.
End User Support	<ul style="list-style-type: none"> • Business Hours – Monday to Friday, 08:00 to 18:00, excluding bank holidays. • Extended Business Hours – Saturday 09:00 to 17:00 limited support for specific teams e.g. Library Service.
Infrastructure Support	<ul style="list-style-type: none"> • Business Hours – Monday to Friday, 08:00 to 18:00, excluding bank holidays. • Emergency Support – 24x7 support for P1 incidents only, telephone service available to limited number of staff e.g. Emergency Duty Team.
Project Management	<ul style="list-style-type: none"> • Business Hours – Monday to Friday, 08:00 to 18:00, excluding bank holidays, however some projects will be delivered outside business hours where necessary.

Service support hours

2. Weekend and out of hours cover is included for Priority 1 calls. Key areas of the business which run services out of normal Monday to Friday office hours are notified of the emergency number to call in the event of P1 incidents.

Definition of Severity and Service Level Agreement			
Priority	Description	Example	Target
P1	An incident that results in a full loss of service or functionality affecting multiple users or whole systems, with critical business impact.	Server down; network down; critical application down; local or wide area connection unavailable; E-mail server is unavailable; virus.	Resolve 95% within 4 working hours
P2	An incident that results in a partial loss of service or functionality with potentially critical business impact and for which there is no immediate workaround solution.	Server down in one area of the office; partial network or server unavailable where alternate functions are available; a critical business function with	Resolve 95% within 8 working hours

Definition of Severity and Service Level Agreement			
Priority	Description	Example	Target
		tight deadlines incapable of being met; a critical PC or peripheral device is unavailable.	
P3	An incident that results in a partial loss of service or functionality with no immediate critical business impact and for which a workaround is available.	A non-critical printer or PC is not working but an alternative is temporarily available; the business system functionality is impaired but is not critical.	Resolve 80% within 2 working days
P4	Standard (Catalogue) Service request	Request for standard service or catalogue item.	80% within SLA for request type.
P5	Managed (ad-hoc) Service request	Request for non-standard service.	Respond to customer within 4 days. Resolve within time agreed with customer.

Incident prioritisation and response standards

DRAFT - Key Performance Indicators

KPI	Service Level Description	Metric/ Measurement	Calculation Definition	Measurement Window	Operating Hours	Service Level
IR-01	Priority 1 Incident Restoration	Time to restore service	Percentage of Priority 1 incidents where service is restored within SLA target of being reported	Monthly	24 x 7	95% within 4 hours.
IR-02	Priority 2 Incident Restoration	Time to restore service	Percentage of Priority 2 incidents where service is restored within SLA target of being reported	Monthly	24 x 7	95% within 8 hours.
IR-03	Priority 3 Incident Restoration	Time to restore service	Percentage of Priority 3 incidents where service is restored within SLA target of being reported	Monthly	As defined in working day	80% within 16 hours 95% within 40 hours
SD-01	First time fix	Percentage of calls fixed first time	Volume of calls fixed first time (i.e. At the service desk) as a percentage of calls recorded as possible to be fixed first time (excluding password resets).	Monthly	As defined in working day	60%
SD-02	User Satisfaction	Evaluate the satisfaction of experience and resolution for requests made to the Service Desk	All closed tickets must be sent a standard agreed satisfaction survey and 85% of those returned must rate the service provided as 'good' or better.	Monthly	Defined in Working Day	85% at 'good' or above for all surveys received
MI-01	Major Incident Report	Production of Major Incident Report following	Percentage of complete Major Incident Reports issued to agreed customer contact within	Monthly	As defined in working day	90%

KPI	Service Level Description	Metric/ Measurement	Calculation Definition	Measurement Window	Operating Hours	Service Level
		service restoration for Priority 1 Incidents	5 working days of service restoration (for Priority 1 incidents)			
E2E-01	Corporate & Critical services	The percentage of time each calendar month during which application is available to be used. Reported per service/application	Total availability as measured by the agreed monitoring tools divided by the total number of hours in the calendar month excluding agreed maintenance downtime. Degraded service counts as unavailability.	Monthly	Defined by the application in the critical applications & services list.	99%
INF-01	Backup	Percentage of backups successfully completed at the agreed frequency	Total number of backups successfully completed daily divided by the total number of backups to be completed in a calendar month	Monthly		98.00%
INF-02	Multiple Backup Failure	Percentage of backups that have failed three times their agreed frequency	Consecutive backup sets that have failed 3 times	Monthly		0.00%
JMB-01	JMB Monthly report	Production of Joint management Board monthly performance report	Produced and published within 10 working days of month end.	Monthly		100%

APPENDIX E

DRAFT – Risk Register

Risk ID	Description of Risk & Impact	Impact 1 - Minor, 2 - Moderate, 3 – Major	Likelihood 1- Low, 2-Medium, 3-High	Severity Impact x Likelihood 1-2= Very Low, 3-4= Low, 5-6= Medium, 7-8= High, 9=Extremely High	Mitigation Type Accept, Reduce, Transfer, Avoid, Stop	Mitigation Actions
1	Resourcing: Lack of resource to undertake due diligence and/or transition activities. Inability to recruit. Lack of skills. Loss of key staff	2	1	very low	Reduce	Resource plan, Existing Staff, Due diligence - identifies skills required, Training, TUPE - staff with requisite skills appointed to new positions through Brent ICT team restructure pre-planned access to talent pool - agencies,
2	Potential for adverse impact on existing service for current partners	2	2	Low	Reduce	Resource planning to ensure adequate resource is available. Ensure appropriate skills Over resource for immediate transition commencement date to mitigate against unforeseen eventualities.

Risk ID	Description of Risk & Impact	Impact 1 - Minor, 2 - Moderate, 3 – Major	Likelihood 1- Low, 2-Medium, 3-High	Severity Impact x Likelihood 1-2= Very Low, 3-4= Low, 5-6= Medium, 7-8= High, 9=Extremely High	Mitigation Type Accept, Reduce, Transfer, Avoid, Stop	Mitigation Actions
3	In-Flight projects don't complete. They therefore may need to be resourced and completed by Brent Unknown Impact on resource of not inheriting service in state expected. Handover poor - or poor project implementation - poor design - requires remediation	3	2	Medium	Reduce,	Q&A of projects as part of due diligence Close project management and early escalation of issues.
4	Excessive or unforeseen demand for service change post service commencement	2	2	Low	Reduce, Avoid	Stakeholder engagement and planning to identify anticipated call on BAU resource for changes. Detailed migration plan and programme management to identify, prioritise workload - option to postpone or otherwise phase not essential work. Employ additional resource if priority and available funding warrants this

Risk ID	Description of Risk & Impact	Impact 1 - Minor, 2 - Moderate, 3 – Major	Likelihood 1- Low, 2-Medium, 3-High	Severity Impact x Likelihood 1-2= Very Low, 3-4= Low, 5-6= Medium, 7-8= High, 9=Extremely High	Mitigation Type Accept, Reduce, Transfer, Avoid, Stop	Mitigation Actions
5	Required behaviours and support from incumbent in order to progress due diligence and facilitate a smooth handover.	2	3	Medium	Accept, Reduce,	We are keeping a positive and financially incentivised engagement with the incumbent. Appointment of a dedicated exit manager. Some staff will TUPE and therefore individuals will be incentivised to assist.
6	Poor stakeholder engagement results in unrealistic or poor perception of new service.	2	2	Low	reduce,	Appointment of communications and engagement manager to lead on communications strategy. Identified need to set and manage realistic expectations for the new service. Floorwalkers at service commencement. Regular communications leading up to service commencement. Business service meetings and stakeholder engagement plan.

Risk ID	Description of Risk & Impact	Impact 1 - Minor, 2 - Moderate, 3 – Major	Likelihood 1- Low, 2-Medium, 3-High	Severity Impact x Likelihood 1-2= Very Low, 3-4= Low, 5-6= Medium, 7-8= High, 9=Extremely High	Mitigation Type Accept, Reduce, Transfer, Avoid, Stop	Mitigation Actions
7	Financial requirement higher than anticipated. TUPE and related costs currently unknown Unidentified/unexpected licence costs	2	3	Medium	Accept, Reduce,	<p>A significant amount of due diligence activity has been focused on financial planning to ensure that budget requirements are as accurate as possible.</p> <p>Programme and risk management will be robust to manage exceptions to the agreed programme An appropriate contingency has been included in the cost model.</p> <p>A comprehensive contracts review has been completed, this gives confidence to contract exposure and treatment</p>
8	Inadequate, missing or inaccurate information and documentation. May impact on ability to support service and/or	2	3	Medium	Accept, Reduce,	Due diligence activities. Shadowing of incumbent service provider by Shared Service staff. LBS service reviews and business engagement

Risk ID	Description of Risk & Impact	Impact 1 - Minor, 2 - Moderate, 3 – Major	Likelihood 1- Low, 2-Medium, 3-High	Severity Impact x Likelihood 1-2= Very Low, 3-4= Low, 5-6= Medium, 7-8= High, 9=Extremely High	Mitigation Type Accept, Reduce, Transfer, Avoid, Stop	Mitigation Actions
	service cost.					
9	Lack of 3rd party contract continuity. My result in partial loss of service.	3	1	Low	Reduce	Based on due diligence and contract review we expect to have a known position and treatment for all contracts well in advance of service commencement

Risk ID	Description of Risk & Impact	Impact 1 - Minor, 2 - Moderate, 3 – Major	Likelihood 1- Low, 2-Medium, 3-High	Severity Impact x Likelihood 1-2= Very Low, 3-4= Low, 5-6= Medium, 7-8= High, 9=Extremely High	Mitigation Type Accept, Reduce, Transfer, Avoid, Stop	Mitigation Actions
10	<p>Serviceability / Supportability of current estate.</p> <p>Inadequate capacity, Application compatibility with other apps.</p> <p>Due diligence process discovers large scale vulnerabilities such as services out of warranty and old hardware with likelihood of failing prior to or during migration phase</p>	2	3	Medium	Accept, Reduce	<p>Much of the current estate is aged and needs upgrading. We therefore accept that service issues are a current and on-going risk until such time is migration and remediation activities are complete.</p> <p>We will reduce risk by identifying known issues and documenting them, taking out additional warranties or support contracts were the cost and likely benefits can be justified.</p>

Risk ID	Description of Risk & Impact	Impact 1 - Minor, 2 - Moderate, 3 – Major	Likelihood 1- Low, 2-Medium, 3-High	Severity Impact x Likelihood 1-2= Very Low, 3-4= Low, 5-6= Medium, 7-8= High, 9=Extremely High	Mitigation Type Accept, Reduce, Transfer, Avoid, Stop	Mitigation Actions
11	Unplanned Service disruption occurs during migration of services from Capita to Shared ICT Service data centres.	3	2	Medium	Accept, Reduce	<p>Accept that moving systems and data on such a large scale has an inherent risk which is difficult to fully mitigate.</p> <p>Mitigation focuses on detailed planning and testing of the migration process and robust programme management.</p> <p>Links into need for clear communications strategy - emphasising that we need to change and upgrade the existing aged infrastructure in order to improve the service in the medium to long term.</p>
12	Culture and behaviours Potential to cause friction and/or misunderstandings between the partners.	2	1	Very Low	Accept, Reduce	<p>Work has been undertaken to ensure all partners have shared objectives and realistic expectations of the Shared Service. This work will continue to ensure these stay aligned.</p> <p>Ensure that attention is paid to</p>

Risk ID	Description of Risk & Impact	Impact 1 - Minor, 2 - Moderate, 3 – Major	Likelihood 1- Low, 2-Medium, 3-High	Severity Impact x Likelihood 1-2= Very Low, 3-4= Low, 5-6= Medium, 7-8= High, 9=Extremely High	Mitigation Type Accept, Reduce, Transfer, Avoid, Stop	Mitigation Actions
						<p>understanding each partners' motives for collaborating, how they will judge success and what values will guide decision-making.</p> <p>Ensure change is led by joint senior management to identify potential problems and bring about agreement.</p>
13	<p>Security: Service vulnerability and compliance.</p> <p>Risk that systems are not configured correctly and/or as documented</p>	2	3	Medium	Accept, Reduce	<p>Whilst patching, anti-virus, malware and other protective measures are in place these will need thorough review and likely improvement. Due diligence work should identify issues.</p> <p>Security improvement plan to be developed with focus on robust security and compliance with external standards .</p>

Item No. 9.	Classification: Open	Date: 20 June 2017	Meeting Name: Cabinet
Report title:		Gateway 0: Consideration of Options for Broadband in Rotherhithe	
Ward(s) or groups affected:		Rotherhithe and Surrey Docks Wards	
Cabinet Member:		Councillor Fiona Colley, Finance, Modernisation and Performance	

FOREWORD – COUNCILLOR FIONA COLLEY, CABINET MEMBER FOR FINANCE, MODERNISATION AND PERFORMANCE

When national politicians and the media talk about poor broadband coverage and the need to reach 100% coverage, they usually go on to talk about rural and remote areas. What we know in Southwark is that in fact right here in the heart of our capital city there are large numbers of people unable to access decent broadband speeds.

It would be easy to belittle this a “first world problem”, but in today’s digital age slow internet speeds result in many people being unable to access modern services or to run a business from home and it is creating a digital divide. This problem is particularly acute in Rotherhithe where almost half the homes lack superfast broadband, let alone the full fibre connectivity we will need in the future.

Over the last three years we have seen some good progress towards the roll out of superfast broadband in Rotherhithe. We have worked closely with BT Openreach to encourage them to upgrade their network and to ensure that bureaucratic barriers are removed. Yet, there is still some work to be done to ensure that Rotherhithe has access to a faster level of broadband connection.

Technology has moved forward rapidly and government funding streams are becoming available. For this reason we are now proposing exploring the market to develop options for the installation of full fibre broadband across Rotherhithe.

There are a number of ways this could be achieved - for instance, via a concession on council assets, a gap-funding model or direct delivery of the infrastructure. Over the next few months we will explore various options with providers, work closely with the Rotherhithe Broadband Group and consult residents.

We will need to find an option that is viable for providers, meets residents’ needs and is affordable to the authority. We will of course particularly be looking at how we can access national and regional funding pots and work with developers in Canada Water so that we create a solution that works for the whole of Rotherhithe - new and old.

We will also be considering how this project could be extended in the future to cover other “not-spots” in Southwark and support regeneration across the borough.

We will come back to Cabinet in October with proposals to move this project forward to the next procurement phase.

RECOMMENDATIONS

That the Cabinet

1. Approves the strategic options assessment for delivery of broadband infrastructure in Rotherhithe and Surrey Docks wards for Southwark Council.
2. Notes the recommendation to undertake a formal market engagement exercise as set out in the report (paragraphs 26, 56 and 57).

BACKGROUND INFORMATION

3. Southwark Council is committed to being a digitally inclusive borough and has made promises through the Fairer Future principles to bring superfast broadband to Rotherhithe. Access to high speed broadband is an important part of our Fairer Future promise to build a strong local economy for everyone, by ensuring that all residents have access to the digital tools they need to live and work. This is further emphasised through the Economic Wellbeing Strategy, the Digital Strategy and the council's Modernisation programme. Access to good internet connections is no longer a luxury; it is a necessity for individuals, businesses and the council alike.
4. The council's aspiration is also in line with the recent Government Digital Strategy (1 March 2017) setting out an ambitious agenda;

"We are determined that no part of the country or group in society should be without adequate connectivity. We will continue our work to complete the roll-out of 4G and superfast broadband by 2020, but we will also implement a Universal Service Obligation, giving every individual, business and public premise across the country the right to request an affordable high speed broadband connection".

5. Access to broadband services is notoriously poor in the Rotherhithe and Canada Water areas (Rotherhithe and Surrey Docks wards), as recognised through the Fairer Future promise to bring superfast broadband to Rotherhithe. Many residents have expressed their frustration that access to anything other than very basic services is difficult, with some areas only able to access broadband speeds around 2Mbps, with 1.5Mbps 'being normal' as reported by local group BroadbandSE16. This should be compared with the Government's definition of superfast broadband as speeds greater than 24Mbps, and Ofcom (the UK regulator) defines "superfast" as speeds greater than 30Mbps. (Mbps is short for megabits per second, a measure of data transfer speed). This means that residents are unable to take full advantage of what the digital world has to offer. Opportunities to start and grow a business in the area could also be hindered by a lack of connectivity which is not shared by other central London businesses.
6. In 2014, the council commissioned Atkins (engineering consultants) to review broadband access in Rotherhithe and their subsequent report confirmed the challenges in the area. The report identified that poor access in traditional docks areas is not unusual; they have historically been poorly served and the expansion of broadband services has not kept up with the development of homes and businesses in these areas.
7. Recent analysis (April 2017) by local group BroadbandSE16 based on the latest available Ofcom data shows that the situation has significantly improved since 2016,

with over half of households (54% in 2017 compared to 38% in 2016) now able to access superfast broadband speeds up to 30Mbps and above. However, compared to the average speed across Southwark, where 82% of the residents are able to access 30Mbps minimum speeds, it is clear that there is still a long way to go.

8. The analysis by BroadbandSE16 further shows that more than a quarter of the population on the Rotherhithe peninsula (26% to be compared with 5% across Southwark) are still in 2017 unable to receive broadband speeds of 10Mbps, which is the expected Government baseline for the Universal Service Obligation. The proportion of residents who are digitally disadvantaged in Rotherhithe (access to less than 10Mbps) is significant and falls well below the Government target of 95% access to fast broadband connectivity by the end of 2017 (Rotherhithe peninsula 74%, April 2017).
9. Although improving, there is clearly still work to be done to bring the Rotherhithe peninsula in line with the rest of the borough. Soft market testing and engagement to date has shown a lack of large scale plans for further investment in broadband infrastructure by any of the major suppliers in the market.
10. This implies that unless a different approach is considered, broadband access in Rotherhithe and Surrey Docks wards will improve at a very slow rate - leaving residents behind and potentially increasing the digital divide between communities. This report sets out the work to date, key issues for consideration and asks cabinet to approve the strategic options assessment for delivery of broadband infrastructure in Rotherhithe and Surrey Docks ward and outlines steps to find a solution via market engagement and procurement.

KEY ISSUES FOR CONSIDERATION

Approach and delivery to date

11. In September 2015 BT/Openreach announced plans for approximately 18,000 connections across Southwark. The Council Plan reflects this commitment from BT and promises significant improvement made to Rotherhithe. To date 8,312 potential new connections has been delivered borough wide, with 2,922 delivered to the Rotherhithe peninsula (May 2017).
12. Council officers have been working with BT Openreach to encourage expansion of BT's broadband presence on the Rotherhithe Peninsula and elsewhere in Southwark. A constructive working relationship has been established with BT Openreach and a cross council working group is overseeing the broadband improvements in the Rotherhithe area, which includes officers from planning, highways and modernisation teams. The purpose of the group is to assist BT Openreach where possible to ensure any practical issues preventing delivery are resolved quickly.
13. It should be noted that this is a technically difficult programme with long lead in times. Each installation from BT/Openreach is subject to planning, survey and technical and geographical feasibility.
14. To date, efforts to improve the broadband infrastructure have focused on developing the relationship with BT Openreach and facilitate the delivery of their London wide improvement programme as well as influencing specific plans for Southwark. Although some success can be reported in increasing the scope and progress – particularly in

bringing forward the planned installations to deliver improvements in Rotherhithe, clearly progress is slower than expected. Council officers continue to work closely with BT to influence the scope of future plans.

15. Officers, cabinet members and ward councilors have also worked to improve the communication and collaboration between the council and members of the local community. The council's website has been updated and a number of senior level meetings have been brokered to ensure that community members have the opportunity to raise these issues of poor connectivity with the Partnership Director for London at BT as well as members of the London Assembly Regeneration Scrutiny Committee as part of a wider investigation into broadband connectivity in the capital.

Barriers and challenges

16. Key challenges to overcome are the lack of physical technological infrastructure (fibre in the ground) and how to fund the necessary investment to improve access and speed.
17. Premises in the Rotherhithe area, consisting of Rotherhithe and Surrey Docks wards are served from the Bermondsey exchange located on Lynton Road approximately 1.3 km away from Lower Road. The distance from the exchange exacerbates the problem as does the paucity of BT "green boxes" which bring fibre cables and improved broadband speeds closer to premises.
18. The lack of broadband infrastructure is partly a result of market conditions, where BT/Openreach has for a long time operated existing infrastructure without much competition. A contributing factor is also the history and physical aspects of many poorly connected inner city geographies - many are former docklands or industrial areas with a telephone network connected directly to the exchange and low density housing.
19. Due to the significant capital investment needed in infrastructure technology in combination with low density housing, market leaders in the telecommunications sector currently see this area as commercially unviable for further large scale investments and have failed to bridge the gaps left by BT/Openreach.
20. Other challenges include understanding and assessing the emerging, fast moving and complex market with its wide range of options, newly established companies (with attached risks) and ensuring that a solution for Southwark is delivering current promises and strategies as well as being future proof. Added to this is the fact that broadband provision is not a core council service and our influence in the market is limited.
21. Until recently the Government has been concentrating on improving broadband in rural areas. They have provided funding for improving broadband services through the Broadband Delivery UK (BDUK) superfast broadband programme, with BT Openreach and services in rural areas have been improved. As a result, some inner city and urban areas have been left behind in the rollout of superfast broadband.

Regional and national context

22. With the forthcoming introduction of the Universal Service Obligation for broadband through the Digital Economy Act, which received Royal Assent on 27 April, it is encouraging to see that a large investment in digital infrastructure nationally was

included in the Autumn Statement 2016 and subsequently announced through the Budget. The Chancellor announced investments of more than £1 billion by 2020-21, including £740 million through a National Productivity Investment Fund (NPIF), targeted at supporting the market to roll out full-fibre connections and future 5G communications. This also includes £400 million for a new Digital Infrastructure Investment Fund, at least matched by private finance, to invest in new fibre networks over the next four years. The package also includes a coordinated programme of integrated fibre and 5G trials, “to keep the UK at the forefront of the digital revolution”.

23. The objective of the Broadband Delivery UK (BDUK) team within the Department of Culture, Media and Sport (DCMS), which is responsible for the improvement of the UK’s broadband infrastructure, is to: “achieve a transformation in our broadband access, with everyone in the UK able to access broadband speeds of at least 2 megabits per second (Mbit/s) and 95% of the UK receiving far greater speeds (at least 24 Mbit/s) by 2017”. In this context it should be noted that the Digital Economy Act introduces the Universal Service Obligation at 10mbs, recognizing that 2mbps is no longer enough to make the most of digital opportunities.
24. The council will seek to ensure that the Government recognises urban areas which have been excluded from the rollout of superfast broadband in the implementation of this legislation, and that areas of Southwark which are currently unable to access sufficient broadband speeds are not left behind.
25. Very limited information is yet available on how the promised Government funds will be allocated or accessed as the Government is developing policy and guidelines in this area. The council will seek to utilise opportunities to secure Government funding where possible to support the delivery of superfast broadband to Rotherhithe. Officers are in contact with the Broadband Policy Team at DCMS, establishing contact with BDUK and continue to work closely with GLA. Southwark and Rotherhithe in particular recently featured as a case study in the GLA response to DCMS call for evidence.

Future service requirements

26. Those currently digitally disadvantaged risk slipping further behind in this fast-moving market where private investment in superfast broadband as standard into new builds and large scale developments leave the “not spot” areas behind. There is a need to look at what the market has to offer and alternative methods to fill the gaps and improve the services available to residents and businesses.
27. Understanding what the total offer in this fast moving market could deliver for Rotherhithe and its residents will be a key challenge in recommending a way forward. Soft market testing has shown there are a number of different alternative routes to delivery, offering varying levels of broadband coverage and timescales and with different views on what it means to future proof digital infrastructure. To explore options and recommend a procurement route it is recommended that a formal market engagement exercise is undertaken.
28. The market engagement exercise will enable a detailed options appraisal, including informing the expected service outcome (the solution) and the specification and method for achieving this. Part of this exercise will be to test the appetite for a full Smart City strategic approach (such as Digital Greenwich) or if it is a service in-fill approach to bring a baseline service to a majority of the geography that is required. In addition, this process will clarify what procurement route would be best able to deliver the required solution.

29. It is expected that the following variables will feature in the assessment framework:
- a. Promoting choice and value for money for residents (driving best offers)
 - b. Coverage and access – delivering improvements to key ‘not spots’
 - c. Future proofing – technological platform that can stand the test of time (medium term); potential for future income streams and protecting the council’s interests
 - d. Supporting physical, social and economic regeneration; social inclusion, service transformation and Fairer Future promises
30. Although Rotherhithe is an outlier, a recent mapping exercise by the GLA has further highlighted the issues with connectivity in other local areas. When slow broadband speeds are overlaid with data from the Index of Multiple Deprivation, Southwark is one of the hardest hit areas in London despite its central location. Bermondsey, Elephant and Castle, Camberwell and Peckham also have particularly low connectivity. This will need to be considered in the context of future service demand and as part of a holistic approach that can be scaled or applied across the borough.

Consideration

31. Procurement has to be in the context of the current and future financial pressure the council is facing.
32. Procurement will be in line with the European Commission’s state aid and competition regulation to ensure full compliance in this area.

Strategic approach

33. The cornerstone to develop options, potential solutions and gain a thorough understanding of how this complex market can meet the needs of residents, businesses and the council will be a market engagement exercise. This will set the scene for assessing the most suitable options and guide a decision on the most appropriate procurement strategy to deliver the council’s ambition for broadband connectivity.
34. The key challenges are to deliver improvement to physical fibre infrastructure in a way that is sustainable and ‘future proof’ – both from a technological and financial perspective and has maximum impact at community level. It is recommended that the solution not only fills the current gaps but ensures the area is well placed to continue to keep pace with the rest of London as technology and demand develops.

Current market

35. The fibre broadband market is undergoing radical change, with initiatives to stimulate competition and private investment being brought in by Government in the form of new strategies, funding streams and legislative changes to address the imbalance in power mainly in the wholesale market and improve the full fibre infrastructure. In addition, the speed of technological change makes this market incredibly challenging to assess from a future proofing and investment perspective.
36. It is a well-established fact that access to fibre broadband (compared to part ADSL/copper lines) is lacking in the UK when put into an international context. The full-fibre broadband coverage in the UK currently stands at around 2%, which compares to over 70% in Japan, Spain and Portugal (Ofcom, April 17).

37. The Government wants to see greater fibre roll-out to more homes and businesses, where superfast fibre connectivity runs the full distance (compared to part copper networks). The Digital Economy Act includes simplified planning rules, and in the 2016 Autumn Statement the Government announced business rates relief for new fibre infrastructure for five years from 1 April 2017.
38. Ofcom's ongoing Wholesale Local Areas Market Review (until 2021) has found that BT continues to have significant market power in the UK with some exceptions (Hull area).
39. The latest proposals from Ofcom published on 20 April 2017 intend to promote competition and further the interests of residential and business customers, and promote investment in new ultrafast networks. The plans set out practical steps to make it quicker and easier for BT's competitors to build their own fibre networks all the way to people's doorsteps using Openreach's existing telegraph poles and 'ducts' – the small, underground tunnels that carry telecoms cables.
40. Changes to the Electronics Code (part of the Digital Economy Act) also means there will be a greater responsibility for landlords and landowners to provide access for telecommunications infrastructure.
41. Soft market engagement shows there are new and emerging companies in the marketplace that may all provide a potential solution - or at least in part - to address the poor connectivity in Rotherhithe. In addition, there are of course also the major market shareholders, both wholesalers such as BT/Openreach and service providers with their own independent fibre networks such as Virgin Media.
42. The offers and potential to deliver connectivity from these companies will have to be assessed in the context of the council's challenges going forward; demographic changes; saving targets and current strategy and policy context. A framework will be set out as part of the process.

External procurement advice

43. Due to the specialism involved in this market, legal assistance is required to support the council in managing the procurement process. The council has had initial discussions with external legal advisers (using the LBLA framework) who have experience in this market and this type of procurement. This support is subject to a separate GW1 report.

Market engagement

44. Market engagement is a process which takes place prior to procurement and which aims to:
 - Identify potential bidders and/or solutions
 - Build capacity in the market to meet the requirement(s)
 - Inform the design of the procurement and contract
45. The market engagement process would include publishing a prior information notice (PIN) to enable potential suppliers to express an interest followed by a formal engagement mechanism (supplier open day, one-to-one discussions or a formal questionnaire – methodology to be confirmed) to enable a pre-procurement discussion

about requirements and potential solutions to inform the best procurement route. The market engagement exercise would be overseen by our external legal partner who has experience in this activity.

Timing

46. The market engagement activity should be held sufficiently in advance of the procurement process so that it can inform the planning and development of the procurement, typically between 2-5 months before the procurement starts.

Activity	Timing
Publication of Prior Information Notice (PIN)	July (4 weeks)
Market engagement	August/September (6-8 weeks)
Analysis and report writing	September (4 weeks)
Strategic proposal procurement route Gateway 1	31 October 2017

Policy implications

47. The recommendation to undertake a market engagement exercise will deliver a procurement route that will be in line with current digital policy commitments as set out in the Fairer Future promises, the council's Digital Strategy, the Economic Wellbeing strategy and the Modernisation improvement programme.
48. Any recommendation from the exercise will be taking into account implications across other policy areas and whether there should be a policy change in the council's role in providing broadband infrastructure and services. Should the council wish to move to a 'Smart City' approach a new policy framework may need to be considered.

Recommended strategic delivery option

49. Based upon the information and details outlined in this report, it is recommended that future investigation and details of the approach to delivery of broadband infrastructure is undertaken to progress through early market engagement.
50. This will inform and clarify the expected service outcomes (the solution) and specification. Part of this exercise will be to test the appetite for a full Smart City strategic approach (such as Digital Greenwich as adopted by the Royal Borough of Greenwich) or if it is service in-fill approach to bring a baseline service to a majority of the geography that is required.
51. In addition, this process will clarify what procurement route would be able to deliver the required solution.

Identified risks

52. There is a risk of not addressing the issue of broadband infrastructure in a comprehensive, strategic and holistic way that may be increasing the gap in communities with lost opportunities.
53. There is also a risk of not capitalising on opportunities that a fibre network can provide (Greenwich calls its fast fibre and mobile network a 'strategic competitive advantage')

54. There is also the potential for not fulfilling Fairer Future and other key strategies should a solution fail to be delivered.
55. In addition, there is a risk that there is insufficient interest in the market and that the options available are unaffordable.

Key/non-key decisions

56. This gateway 0 decision is a key decision.

Next steps

57. Commission a subject matter expert on procurement to advise the council throughout the process as noted in paragraph 42. This will be under the existing LBLA framework and subject to a separate GW1 report.
58. Undertake early formal market engagement to inform and clarify the expected service outcomes (the solution) and specification. Part of this exercise will be to test the appetite for a full Smart City strategic approach (such as that developed by Digital Greenwich) or if it is service in-fill approach to bring a baseline service to most of the geography that is required. In addition, this process will clarify what procurement route that would be able to deliver the required solution. Once this market engagement is complete and outcomes known, this will inform the gateway 1 (procurement strategy approval). This report is anticipated in autumn 2017.

Community impact statement

59. A community impact assessment will form part of the options appraisal, as the solution will have direct impact on residents and businesses.

Social value considerations

60. The Public Services (Social Value) Act 2012 requires that the council considers, before commencing any procurement process, how wider social, economic and environmental benefits that may improve the well being of the local area can be secured. Social value considerations and how the delivery of these services can benefit the local area are detailed below:

Economic considerations

61. Economic considerations are to be built into the options appraisal process for the market engagement exercise and will be reported in the gateway 1 report.

Social considerations

62. Social considerations are to be built into the options appraisal process for the market engagement exercise and will be reported in the gateway 1 report.

Environmental/sustainability considerations

63. Environmental aspects and sustainability considerations are to be built into the options appraisal process for the market engagement exercise and will be reported in the gateway 1 report.

Plans for the monitoring and management of project

64. The market engagement exercise will be overseen by an external legal adviser to ensure this complies with legal requirements and meets best practice.

Resource implications

65. As part of the procurement consideration (or process) we want to minimise cost burden to the council.

Financial implications

66. The market engagement exercise and options appraisal process will clarify the financial implications of each option to the council. The aim is to minimize the financial burden on the council both current and future, to seek innovative solutions and part-funding (Government or private market or other) to deliver improvement to broadband infrastructure.

Investment implications

67. It is likely that the recommended solution will have an impact on the capital programme and will be clarified throughout the market engagement process.

Legal implications

68. Please see concurrent from the Director of Law and Democracy.

Consultation

69. We will be working closely with members of the community and local pressure groups to gain insight into how each solution will address poor connectivity. It is expected that the market engagement exercise will include a survey of user experiences to date to inform the specification and underpin discussions about potential solutions.
70. The consultation to date includes organising a meeting to ensure that members of the BroadbandSE16 group could meet directly with the Partnership Director for London at BT and a site visit to Rotherhithe by members of the London Assembly Regeneration Scrutiny Committee that brought together members of the committee, members of the community and elected councillors and officers of the council.
71. Officers of the council are also responding to queries from the community, both at an individual level and through public meetings such as the Leaders Question Time.
72. In addition, a new section has been added to the council's website setting out some of the key challenges and what is being done to address connectivity in the area.

73. Members of BroadbandSE16 have been meeting with the council on several occasions throughout spring and have been supporting the development of this report.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Finance and Governance

74. This report sets out the approach for the improvement in broadband infrastructure within the Rotherhithe and Surrey Docks areas and soft market engagement is initially proposed to inform the council's strategic options going forward. There are no financial implications arising at this point other than the initial costs of external legal advisers assisting with procurement planning, which will be met from the council's existing budgets.

Head of Procurement

75. This report seeks the approval of cabinet in the strategic options assessment for delivery of broadband infrastructure in Rotherhithe and Surrey Docks wards in Southwark. The report notes the recommendation to undertake a formal market engagement exercise with regards to supporting decision making for the provision of broadband infrastructure in these locations. Whilst no details are given in the report as this is yet unknown, a pre-procurement report is required in the Contract Standing Orders for potential contracts with an estimated value of more than £10m. A procurement strategy is intended to be informed by the results of the market engagement exercise that will be set out in a gateway 1 report.

Director of Law and Democracy

76. This report sets out the approach for the improvement in broadband infrastructure within the Rotherhithe and Surrey Docks areas and soft market engagement is initially proposed to inform the council's strategic options going forward.
77. The initial costs of external legal advisers assisting with procurement planning, have been agreed through prior governance processes and will be met from the council's existing budgets.
78. There are no other immediate costs from this report. However it is likely there will be additional costs, both revenue and capital, and these will be identified in subsequent reports, once the results of the formal market engagement and planned approach are known.

BACKGROUND DOCUMENTS

Background Documents	Held At	Contact
Broadband in Rotherhithe Report to Cabinet 9 February 2016		
Link: (copy and paste link into browser) http://moderngov.southwark.gov.uk/documents/s59723/Report%20Broadband%20in%20Rotherhithe.pdf		
Government's Digital Strategy (1 March 2017)		
Link: (copy and paste link into browser) https://www.gov.uk/government/publications/uk-digital-strategy/executive-summary#		
Superfast Broadband Coverage in the UK Briefing Paper		
Link: http://researchbriefings.files.parliament.uk/documents/SN06643/SN06643.pdf		
Spring Budget 2017		
Link: https://www.gov.uk/government/publications/spring-budget-2017-documents		
State Aid Regulatory Framework		
Links: http://europa.eu/rapid/press-release_IP-16-1904_en.htm https://www.gov.uk/government/publications/state-aid-advice		
Ofcom Opening up BT's infrastructure (20 April 2017)		
Link: https://www.ofcom.org.uk/about-ofcom/latest/media/media-releases/2017/duct-pole-access		
Ofcom WLA market review		
Link: (copy and paste link into browser) https://www.ofcom.org.uk/consultations-and-statements/category-1/wholesale-local-access-market-review		
Ofcom user experience (survey)		
Link: https://www.ofcom.org.uk/_data/assets/pdf_file/0031/99643/Broadband-residential-research.pdf		
BDUK		
Link: https://www.gov.uk/guidance/broadband-delivery-uk		
Digital Greenwich		
Link: http://www.digitalgreenwich.com/		

APPENDICES

No.	Title
None	

AUDIT TRAIL

Cabinet Member	Councillor Fiona Colley, Finance, Modernisation and Performance	
Lead Officer	Emma Marinos, Strategic Director of Modernise	
Report Author	Sara Kelly, Business Insight Officer	
Version	Final	
Dated	8 June 2017	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Strategic Director of Finance and Governance	Yes	Yes
Head of Procurement	Yes	Yes
Director of Law and Democracy	Yes	Yes
Contract Review Boards		
Departmental Contract Review Board	Yes	Yes
Corporate Contract Review Board	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team		8 June 2017

Item No. 10.	Classification: Open	Date: 20 June 2017	Meeting Name: Cabinet
Report title:		New Southwark Plan: New and Amended Preferred Option Policies	
Ward(s) or groups affected:		All	
Cabinet Member:		Councillor Mark Williams, Regeneration and New Homes	

FOREWORD – COUNCILLOR MARK WILLIAMS, CABINET MEMBER FOR REGENERATION AND NEW HOMES

The New Southwark Plan sets out how we will deliver further regeneration and wider improvements for our great borough in the years to come. We have welcomed development to our borough, providing much needed homes and affordable homes for our residents, along with jobs – both in construction and in the completed schemes themselves. At the same time as welcoming new development we have maintained a strong commitment to preserving and enhancing the historic nature and identity of our borough.

We have previously consulted on a preferred option for our strategic policies, development management policies, area visions and site allocations to guide future development across the borough. This document sets out new ‘preferred option’ policies alongside significantly amended policies. These new and revised policies have been prepared in response to the previous consultation and to reflect changes in national and regional planning policy. This consultation ensures all our residents and visitors have an opportunity to consult on all our emerging policies before the formal ‘proposed submission’ stage of consultation towards the end of 2017.

RECOMMENDATIONS

That Cabinet:

1. Agree the New Southwark Plan: New and Amended Preferred Option Policies (Appendix A) for consultation.
2. Note the Consultation Plan (Appendix B), Consultation Report (Appendix C), Integrated Impact Assessment (Appendix D) and Habitats Regulations Assessment (Appendix E).

BACKGROUND INFORMATION

Background to the New Southwark Plan

3. The New Southwark Plan will form part of Southwark’s development plan along with the London Plan and area action plans. It is a regeneration strategy for Southwark and will be used to make decisions on planning applications. While the New Southwark Plan must be in general conformity with the London Plan and the National Planning

Policy Framework, it can adapt some of these policies to reflect specific issues in Southwark. It will replace the Core Strategy (2011) and saved Southwark Plan (2007) policies.

4. The New Southwark Plan is being prepared with several stages of consultation taking place between 2013 and 2017. The first stage of consultation was the *issues* consultation from October 2013 to February 2014. This consultation was a community conversation on the 'Health of the High Streets'. The Options Version set out a detailed strategy for regeneration in Southwark and the council's approach to planning to deliver the Fairer Future promises. Consultation took place from October 2014 to February 2015.
5. Following the Options Version consultation the document was divided into two sections for the 'Preferred Option Version' consultation. *Part One: Strategic Policies and Development Management Policies* was consulted on from November 2015 to March 2016. *Part Two: Area Visions and Site Allocations* was consulted on from February to May 2017.
6. A final stage of consultation on the 'Proposed Submission Version' of the entire plan will be undertaken prior to public examination by a planning inspector. The 'Proposed Submission Version' consultation is a formal stage of consultation and changes will only be made if there are legal reasons which mean the Plan would be 'unsound'.
7. The council will prepare a separate local plan document setting out Gypsies and Travellers planning policies.

KEY ISSUES FOR CONSIDERATION

Strategic Policies

8. Strategic policies are borough-wide policies which set out the council's strategy to work with local people to improve neighbourhoods and create new opportunities for the future. The New Southwark Plan Preferred Option initially proposed six strategic policies to deliver the Fairer Future Policies spatially ('Quality affordable homes', 'Revitalised neighbourhoods', 'Best start in life', 'Strong local economy', 'Healthy active lives' and 'Cleaner, greener, safer').
9. The interim Preferred Option proposes a seventh strategic policy: 'Social regeneration'. The Social regeneration policy sets out the council's aspiration for all development to provide the best social outcomes for Southwark's residents and visitors. All development should contribute towards a social regeneration by enhancing the health and wellbeing of our residents

Development Management Policies

10. Development management policies are detailed planning policies against which planning applications are assessed. The interim Preferred Option proposes three new development management policies and significant amendments to five formerly proposed development management policies.

11. The new proposed development management policies are:
- Self and custom build: The Self-build and Custom Housebuilding Act 2015 places a duty on planning authorities to support self-build development. The proposed policy sets out how the council will discharge this duty.
 - Small shops: The proposed policy ensures that new small retail units are provided as part of major retail development and that existing small retail units are protected from development.
12. The significantly amended proposed development management policies and appendices are:
- Affordable homes: The proposed amendment requires a greater proportion of social rent homes and a lower proportion of intermediate homes to the previously proposed policy and removes area-based affordable housing policies with the exception of the Aylesbury Area Action.
 - Private rented homes: The proposed amendment sets out affordable housing requirements where a development proposal is for purpose-built private rented homes.
 - Borough views: The proposed amendments adds a protected linear view from One Tree Hill to St Paul's Cathedral and deletes the proposed protected linear view of St Paul's Cathedral along Great Guildford Street.
 - Office and business development: The proposed amendment extends protection to non-office employment land uses.
 - Small business units: The proposed amendment requires a relocation strategy where a proposed development displaces an existing small business.
 - Town and local centres: The proposed amendment elevates Old Kent Road from a District Town Centre to a Major Town Centre.
 - Car parking: The proposed amendment revises Appendix 6 for the maximum car parking standards for new residential development within the borough.
 - Borough Views: Amendment to include the linear view of St Paul's Cathedral from One Tree Hill and remove the proposed linear view of St Paul's Cathedral along Great Guildford Street.
13. The previously proposed development management policy *Transition of preferred industrial locations mixed-use neighbourhoods* is deleted through this interim Preferred Option Version.

Area Visions

14. Area Visions provide the strategic vision for the future of Southwark's distinct places. They set out key infrastructure enhancements, opportunities for public realm and transport improvements and growth opportunities. Area Visions also identify the

prevailing character of different places to be renewed, retained or enhanced. Development proposals should be formulated in the context of the relevant Area Vision and should demonstrate how they contribute towards realising the strategic vision for that area.

15. The interim Preferred Option version proposes a separate Area Vision for Crystal Palace and Gipsy Hill. This is because representations from residents of the proposed area considered the Dulwich Area Vision unsuited to the southern tip of the borough. Each Area has a high level Vision that sets out the type of changes that will occur and be supported over the New Southwark Plan Period. Detail is provided for the existing character and heritage to be retained, enhanced and renewed. Strategic transport and accessibility aspirations for the area that will be supported such as transport enhancements, including new train stations, new green links and new walking and cycling routes.

Site Allocations

16. Site Allocations are planning policies which apply to potential development sites of strategic importance. Site Allocations are needed to ensure that when strategic sites come forward for redevelopment they integrate into their surroundings and contribute towards meeting the local area's spatial needs. Site allocations are also needed to demonstrate the New Southwark Plan has been developed in conformity with the London Plan, which requires boroughs to identify strategic development sites which can meet housing targets and future infrastructure and land use needs.
17. Site Allocations set out land use requirements that must be provided as part of any redevelopment alongside other acceptable land uses. Site Allocations may specify development provides new public open space, public access routes or social infrastructure, such as health or education facilities. Site Allocations are not required for sites which are likely to be redeveloped acceptably under the development management policies of the New Southwark Plan.
18. The interim Preferred Option proposes amendments to the following site allocations:
 - Land bounded by Southwark Street, Redcross Way and Crossbones Graveyard (Landmark Court)
 - Dulwich Hamlet Football Ground.
19. The interim Preferred Option proposes deletion of the following site allocation:
 - Land between West Lane, Jamaica Road and Marigold Street
20. The interim Preferred Option proposes the following new site allocations:
 - Camberwell Green Magistrates Court
 - Discovery Business Park and Railway Arches
 - Swan Street Cluster
 - Croft Street Depot
 - Dulwich Telephone Exchange, 512 Lordship Lane
 - Denmark Hill Campus East.

Consultation

21. The Planning and Compulsory Purchase Act 2004 (as amended); the Town and Country Planning (Local Planning) (England) Regulations 2012 (“the 2012 Regulations”), and the council’s statement of community involvement (2008) set out the statutory consultation requirements for the New Southwark Plan.
22. As part of the extensive consultation on the New Southwark Plan the council will consult on this document in accordance with its consultation strategy, as shown in the consultation plan accompanying every stage of consultation and a consultation report following each stage. The consultation report (Appendix C) summarises the consultation carried out and the responses received on the relevant sections of the Preferred Options version of the plan (Parts 1 and 2). The full Consultation Report for the Preferred Option will be published prior to the third stage of consultation on the Proposed Submission Version of the New Southwark Plan.
23. The Consultation Plan (Appendix B) sets out how consultation on the New Southwark Plan: New and Amended 'Preferred Option' Policies will take place. Consultation will run for a period of 12 weeks from 21 June 2017 to 13 September 2017.

Community impact statement

24. The purpose of the New Southwark Plan is to facilitate regeneration and deliver the vision of the Fairer Future promises, ensuring that community impacts are taken into account. An Integrated Impact Assessment that includes an equalities analysis to make sure that the New Southwark Plan is having a positive impact on different groups and is delivering the most sustainable option is attached as Appendix D.

Financial implications

25. There are no immediate resource implications arising from this report as any additional work required to complete the work will be carried out by the relevant policy team staff and budgets without a call on additional funding.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

26. Members are referred to the previous reports concerning the preparation of the New Southwark Plan which are listed amongst the background documents to this report and the supplementary advice from the Director of Legal Services contained therein. That comprehensive advice is not repeated in its entirety here but remains relevant save reference in the report dated 20 October 2015 entitled “New Southwark Plan – Preferred Option” to a repealed section of the Disability Discrimination Act 2005.
27. The New Southwark Plan, as a development plan document, is being prepared in accordance with the statutory process outlined in the legislation described in paragraph 19 of this report, namely the Planning and Compulsory Purchase Act 2004 (as amended) (“the 2004 Act”) and the 2012 Regulations made under the Act.

28. The council, as local planning authority, has a statutory duty under regulation 18 of the 2012 Regulations to consult those organisations, residents and businesses it deems appropriate to consult in the preparation of a local plan and to take into account any representations made in response. The 2004 Act also provides that the council must comply with their Statement of Community Involvement in the preparation of a development plan document. Members will note that the council has been assiduous in adhering to the statutory duty to consult throughout each stage in the preparation of the New Southwark Plan.
29. This report is accompanied by an Integrated Impact Assessment (Appendix D) which incorporates the Sustainability Appraisal required by the 2004 Act, the Strategic Environmental Assessment, Health Impact Assessment and Equalities Analysis. The legal background to each of these assessments and the Habitats Regulation Assessment (Appendix E) is fully explained in the report to Cabinet dated 24 January 2014 entitled “ New Southwark Plan: Site Allocations and Area Visions – Preferred Option” to which members are referred.
30. The council is required by UK law to pay due regard to advancing equality, fostering good relations and eliminating discrimination for people sharing certain protected characteristics, as set out in the public sector equalities duty under section 149 of the Equality Act 2010. The council carries out Equalities Analysis (EqIA) of its plans, decisions and programmes to consider the potential impact (positive and negative) of proposals on the key ‘protected characteristics’ in the Equality Act 2010 and with regard to the Human Rights Act 1998 (“the 1998 Act ”). This is because the New Southwark Plan relates to the development and use of land in Southwark and therefore potentially engages certain human rights under the 1998 Act including the right to a fair hearing (Article 6), the right to respect for private and family life (Article 8) and Article 1, Protocol 1 (Protection of Property). It is therefore essential that throughout the process of preparing the New Southwark Plan there continues to be robust public participation coupled with equalities analysis and assessment of any impact on Human Rights.
31. Part 3B of the Cabinet Role and Functions of the Southwark Constitution provides that the Cabinet Member for Regeneration and New Homes has particular responsibility for development of the local development framework.
32. Part 3B also provides that it is the Cabinet who provide local leadership by ensuring consultation on the development of the council’s policy framework.

Strategic Director of Finance and Governance (FC17/0005)

33. This report requests cabinet to agree to consult on the New Southwark Plan – Preferred Option. Full details are contained within the main body of the report.
34. The strategic director of finance and governance notes that there are no immediate financial implications arising from this report.
35. It is noted that staffing and any other costs connected with this recommendations will be contained within existing departmental revenue budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
London Plan 2011	160 Tooley Street London SE1 2QH	planningpolicy@southwark.gov.uk
Link: http://www.london.gov.uk/priorities/planning/londonplan		
Southwark Statement of Community Involvement 2008	160 Tooley Street London SE1 2QH	planningpolicy@southwark.gov.uk
Link: http://www.southwark.gov.uk/info/856/planning_policy/1238/statement_of_community_involvement_sci		
Saved Southwark Plan 2010	160 Tooley Street London SE1 2QH	planningpolicy@southwark.gov.uk
Link: http://www.southwark.gov.uk/info/856/planning_policy/1241/the_southwark_plan		
The Core Strategy 2011	160 Tooley Street London SE1 2QH	planningpolicy@southwark.gov.uk
Link: http://www.southwark.gov.uk/info/200210/core_strategy		
National Planning Policy Framework	160 Tooley Street London SE1 2QH	planningpolicy@southwark.gov.uk
Link: http://www.gov.uk/government/publications/national-planning-policy-framework--2		
New Southwark Plan Options Version	160 Tooley Street London SE1 2QH	planningpolicy@southwark.gov.uk
Link: http://www.southwark.gov.uk/newsouthwarkplan		
New Southwark Plan: Strategic Policies and Development Management Policies Preferred Option Version	160 Tooley Street London SE1 2QH	planningpolicy@southwark.gov.uk
Link: http://www.southwark.gov.uk/newsouthwarkplan		
New Southwark Plan: Area Visions and Site Allocations Preferred Option Version	160 Tooley Street London SE1 2QH	planningpolicy@southwark.gov.uk
Link: http://www.southwark.gov.uk/newsouthwarkplan		

APPENDICES

No.	Title
Appendix A	New Southwark Plan: New and Amended Preferred Option Policies 2017
Appendices B to E are available online on the following link (item 10):	
Link: http://modern.gov.southwark.gov.uk/ieListDocuments.aspx?CId=302&MId=5749&Ver=4	
Appendix B	New Southwark Plan: New and Amended Preferred Option Policies - Consultation Plan (available on the website)
Appendix C	New Southwark Plan: New and Amended Preferred Option Policies - Consultation Report (available on the website)
Appendix D	New Southwark Plan: New and Amended Preferred Option Policies - Integrated Impact Assessment (available on the website)
Appendix E	New Southwark Plan: New and Amended Preferred Option Policies - Habitats Regulations Assessment (available on the website)

AUDIT TRAIL

Cabinet Member	Councillor Mark Williams, Regeneration and New Homes	
Lead Officer	Simon Bevan, Director of Planning	
Report Author	Juliet Seymour, Planning Policy Manager	
Version	Final	
Dated	8 June 2017	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
	Comments Sought	Comments Included
Director of Law and Democracy	Yes	Yes
Departmental Finance Manager	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team		8 June 2017



New Southwark Plan:

New and Amended Preferred Option Policies

No.	Title
Appendix A	New Southwark Plan: New and Amended Preferred Option Policies 2017
Appendix B	Consultation Plan
Appendix C	Consultation Report
Appendix D	Integrated Impact Assessment
Appendix E	Habitats Regulations Assessment

June 2017

Contents

Policy	Policy status
Strategic Policies	
SP7: Social regeneration	New policy
Development Management Policies	
DM1: Affordable homes	Amended policy
DM4: Private rented homes	Amended policy
DM17: Borough views	Amended policy
DM22: Student homes	Amended policy
DM23: Transition of preferred industrial locations to mixed use neighbourhoods	Deleted policy
DM24: Office and business development	Amended policy
DM26: Small business units	Amended policy
DM27: Town and local centres	Amended policy
DM48: Car parking	Amended policy
DM70: Self and custom build	New policy
DM71: Small shops	New policy
Area Visions	
Crystal Palace and Gipsy Hill Area Vision	New policy
Site Allocations	
NSP06: Land bounded by Southwark Street, Redcross Way and Crossbones Graveyard (Landmark Court)	Amended policy
NSP10: Land between West Lane, Jamaica Road and Marigold Street	Deleted policy
NSP38: Dulwich Hamlet Champion Hill Stadium	Amended policy
NSP65: Camberwell Green Magistrates Court	New policy
NSP66: Discovery Business Park and Railway Arches	New policy
NSP67: Swan Street Cluster	New policy
NSP68: Croft Street Depot	New policy
NSP69: Dulwich Telephone Exchange, 512 Lordship Lane	New policy
NSP70: Denmark Hill Campus East	New policy

FOREWORD

The New Southwark Plan sets out how we will deliver further regeneration and wider improvements for our great borough in the years to come. We have welcomed development to our borough, providing much needed homes and affordable homes for our residents, along with jobs – both in construction and in the completed schemes themselves. At the same time as welcoming new development we have maintained a strong commitment to preserving and enhancing the historic nature and identity of our borough.

We have previously consulted on a preferred option for our strategic policies, development management policies, area visions and site allocations to guide future development across the borough. This document sets out new 'preferred option' policies alongside significantly amended policies. These new and revised policies have been prepared in response to the previous consultation and to reflect changes in national and regional planning policy. This consultation ensures all our residents and visitors have an opportunity to consult on all our emerging policies before the formal 'proposed submission' stage of consultation towards the end of 2017.

Cllr Mark Williams

Cabinet Member for Regeneration and New Homes

INTRODUCTION

The New Southwark Plan will form part of Southwark's development plan along with the London Plan and area action plans. It is a regeneration strategy for Southwark and will be used to make decisions on planning applications. The New Southwark Plan is being prepared with several stages of consultation taking place between 2013 and 2017. The first stage of consultation was the issues consultation from October 2013 to February 2014. The Options Version set out a detailed strategy for regeneration in Southwark and the council's approach to planning to deliver the Fairer Future promises. Consultation took place from October 2014 to February 2015.

Following the Options Version consultation the document was divided into two sections for the 'Preferred Option Version' consultation. Part One: Strategic Policies and Development Management Policies was consulted on from November 2015 to March 2016. Part Two: Area Visions and Site Allocations was consulted on from February to May 2017.

This document proposes new policies and significant amendments to previously proposed policies. These policies are also 'preferred option' stage policies. These policies have been prepared following consultation responses and in response to changes in national planning policy.

The next stage of consultation, scheduled for autumn 2017 will set out the 'proposed submission' stage policies.

CONSULTATION DETAILS

We welcome your comments on the New Southwark Plan: New and Amended Preferred Option Policies. Please send us your responses by 5pm on Wednesday 13 September 2017. Any responses received after this date will not be accepted.

Comments can be provided on line through Southwark's Consultation Hub:

<https://consultations.southwark.gov.uk/>

You can also send your comments by email to planningpolicy@southwark.gov.uk or by letter to:

New Southwark Plan, Planning Policy, 5th Floor, Hub 4, Southwark Council
PO Box 64529, London SE1P 5LX

STRATEGIC POLICIES

Strategic policies are borough-wide policies which set out the council's strategy to work with local people to improve neighbourhoods and create new opportunities for the future.

New policy

SP7: Social regeneration

- SP7.1** We will ensure that regeneration and development provide the best outcomes and opportunities for all our residents. We will ensure physical change goes hand in hand with positive social change through using the strategy and policies set out in the New Southwark Plan. All development should contribute towards social regeneration by enhancing the health and wellbeing of our existing residents. This will be achieved through:
- SP7.1.1** Strengthening and supporting cohesive and empowered local communities;
 - SP7.1.2** Building new and improving existing community facilities for our residents, including schools, health centres and community centres;
 - SP7.1.3** Supporting our residents to take advantage of the employment and education opportunities that new development brings; both in construction and in completed developments;
 - SP7.1.4** Ensuring Southwark remains a vibrant and exciting place to stay by improving accessibility across the borough so residents can easily travel safely, and actively if they choose, to new and improved facilities for leisure, sport, arts, learning and other cultural activities;
 - SP7.1.5** Ensuring new development contributes towards maintaining inclusive environments that encourage healthy behaviours for all, including promoting more physical activity, healthy eating, connection with green spaces and social interaction;
 - SP7.1.6** Ensuring new development reduces avoidable harm to residents, such as air pollution, noise, traffic accidents and crime;
 - SP7.1.7** Ensuring new development provides environments that can adapt to changing life stages, including homes that can change as people age and public realm that is easy to use by all residents.

Reasons

The New Southwark Plan will promote social regeneration through requiring the highest possible standards of design, creating attractive, healthy and distinctive buildings and places. This will be supported by providing green infrastructure and opportunities for healthy activities and improving streets, squares and public places between buildings. This is needed to tackle serious public health issues such as childhood obesity, which is a particular issue in Southwark.

DEVELOPMENT MANAGEMENT POLICIES

Development management policies are detailed planning policies against which planning applications are assessed.

Amended policy		
DM1	Affordable homes	
DM1.1	Planning permission will be granted for development providing 11 or more homes which provide:	
DM1.1.1	A minimum 35% affordable homes, as set out below, subject to viability.	
	Market homes	Affordable homes
	Up to 65%	A minimum of 35%
		Intermediate homes
		A minimum 10%
		Social rent homes
		A minimum of 25%
	;or	
DM1.1.3	Affordable housing contributions set through the Aylesbury Area Action Plan, as set out below;	
	Market homes	Affordable homes
	Up to 50%	A minimum of 50%
		Intermediate homes
		A minimum 12.5 %
		Social rent homes
		A minimum 37.5%
DM1.2	Planning permission will be granted for development providing 10 homes or fewer where a financial contribution towards the delivery of new council homes is provided.	
DM1.3	The subdivision of sites or phasing of development which has the effect of circumventing affordable housing policy requirements will not be permitted.	
DM1.4	A financial viability appraisal must be submitted to demonstrate the deliverability of affordable housing.	
DM1.5	Use of the 'Vacant Building Credit' will not be accepted.	

Reasons

There is a shortage of affordable homes in Southwark and across London. Providing more affordable homes suitable for a range of affordable housing need is our main priority. This includes social housing and intermediate tenure homes. Our evidence shows that Southwark has a net additional housing requirement for 1,472 to 1,824 units per year (2013-2031). Due to the high cost of market housing our annual net affordable housing need is for 799 homes per year¹ (this accounts for approximately 48% of Southwark's total annual housing need)². Low cost home ownership homes must be affordable to Southwark residents.

¹ Assuming backlog need is met over a 20 year period

² Southwark's housing need is not the same as Southwark's housing target. Southwark's housing target is set by the Mayor of London and relates to London-wide housing requirement. Southwark's housing need is established through an assessment of local housing needs.

The affordable housing requirements set out above may be applied flexibly where a development proposal makes a significant contribution towards meeting affordable housing needs.

A range of affordable homes are needed to meet the needs of households which are unable to access suitable housing on the open market. Social homes provide homes to meet the needs of lower-income households (typically households with household incomes up to £20,000) and intermediate homes can provide suitable homes to meet the needs of middle-income households which are unlikely to access social housing and cannot afford suitable homes on the open market. Southwark publishes its own intermediate household income affordability thresholds³. The Mayor considers all households with incomes up to £90,000 are eligible for intermediate housing. In Southwark eligible households for intermediate housing with household incomes closer to Southwark's thresholds should be prioritised over households with incomes closer to the Mayor's intermediate housing eligibility cap. Only 8% of households in Southwark have a household income that exceeds £90,000, the figure above which households are ineligible for any type of affordable housing.

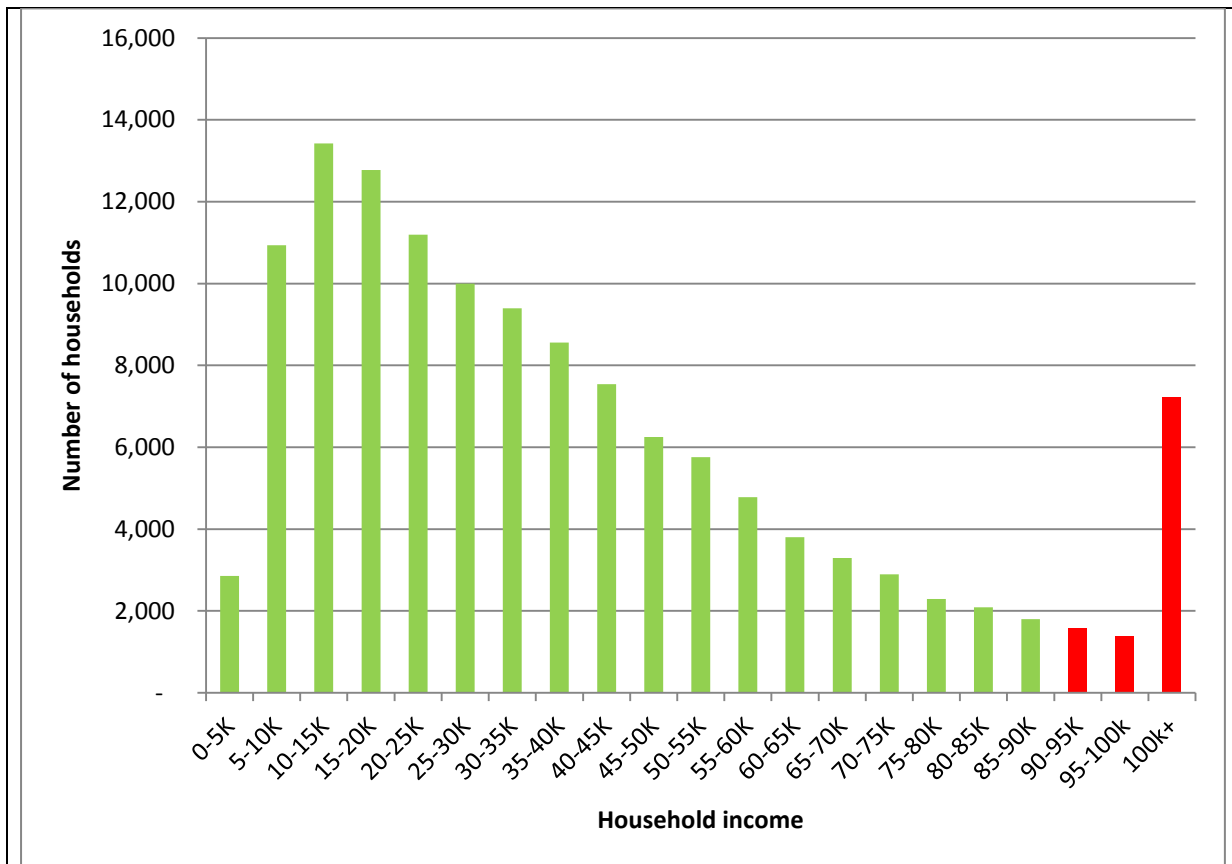
Approximately 57% of our total affordable housing need is for intermediate housing to meet the housing needs of lower and middle income residents. However, the most acute affordable housing need is for social rented housing to meet the needs of homeless households living in unsuitable temporary accommodation such as bed and breakfasts or overcrowded conditions. Overcrowding is strongly related to poor physical and mental health and can strain family relationships. Children in overcrowded homes often achieve poorly at school and suffer disturbed sleep. For this reason we require a minimum 25% of homes to be provided as social rent housing on all major developments.

Fact Box: Affordable housing products

There are a wide range of affordable housing products which meet the needs of households with different affordable housing needs. All affordable housing products fall into two broad categories; social housing and intermediate housing. Social housing is typically most needed by households on lower incomes who least can afford to pay market prices for suitable housing (typically households with incomes up to £20,000 per year). Intermediate housing includes a range of products that can meet the needs of middle income households who cannot afford suitable housing at market prices but who can afford to pay more for their housing than households in social rented housing. The Mayor considers the most suitable type of affordable housing for households with annual incomes up to £60,000 needs are best met by low cost rented housing whereas households with incomes between £60,000 and £90,000 needs can be met through shared ownership homes (provided the market value of a shared ownership home does not exceed £90,000). Southwark prioritises shared ownership housing for households with incomes close to the locally set shared ownership income eligibility thresholds (£46,136 for a 1-bed, £54,513 for a 2-bed, £63,218 for a 3-bed and £71,766 for a 4-bed)

The following graph shows the distribution of household incomes in Southwark:

³ Southwark's shared ownership household income affordability thresholds are published in the Affordable Housing SPD (2011) and updated annually). January 2017 thresholds are: £46,136 for 1 beds, £54,513 for 2 beds, £63,281 for 3 beds and £71,766 for 4 beds.



Source: CACI Paycheck for Southwark January 2015 to December 2015

This shows 92% of households in Southwark have incomes which require some form of affordable housing (33% of households' incomes are between £0 and £20,000, 52% of households' are between £20,000 and £60,000 and 14% of households' incomes are between £60,000 and £90,000).

Social housing:

Social housing is rented housing that is owned and managed by councils and registered social landlords. Rent levels are subject to caps below market rent.

Social housing products include:

- **Social rent** – homes where rents must not exceed the rent levels determined by the formula set out in the HCA Rent Standard Guidance.
- **Affordable rent** – homes which are let at a rent which must not exceed 80% of the local market rent.
- **London Affordable Rent** – In 2016 The Mayor of London introduced a capped affordable rent product called London Affordable Rent. London Affordable Rent matches the social rent caps set out in the Homes and Communities Agency Rent Standard Guidance rent formula.

Bedrooms	Social rent (formula rent) (exclusive of service charges) (per week) ⁴	London Affordable Rent (exclusive of service charges) (per week)	Average private sector market rents (October 2016) (per week)
1 bedroom	£107.32 (29%)	£144.26 (39%)	£369.23
2 bedrooms	£126.08 (27%)	£152.73 (33%)	£461.53
3 bedrooms	£146.11 (28%)	£161.22 (30%)	£530.77
4 bedrooms	£157.46 (24%)	£417.02 (62%)	£667.39

Intermediate housing:

Intermediate housing includes 'low cost home ownership' products and 'discount market rent' products.

Low cost home ownership products include:

- **Shared ownership** – homes that are part-owned and part-rented. Buyers must purchase an initial share of at least 25% and have the opportunity to 'staircase' to full ownership. This means they can buy more shares over time until they own the property outright. Rent on the part-rented share is subject to caps below the market level. The Council sets its own income eligibility thresholds for shared ownership for an initial three month period. In the event no suitable purchaser is found within three months eligibility is widened to households with an income no greater than £90,000 (as updated annually by the Mayor of London). The Mayor states the open market value of a shared ownership home should not exceed £600,000.
- **Shared equity** – homes that are part-owned but where no rent is charged on the unowned share.
- **London Living Rent** – homes with sub-market rents on time-limited tenancies aimed at households who aspire to home ownership. London Living Rent is a rent-to-buy product where tenants have the right to purchase their home after a fixed period. Eligibility is restricted to households with an income no greater than £60,000 and who save towards a housing deposit. The following table shows average London Living Rent in Southwark.

Bedrooms	London Living Rent (inclusive of service charges) (per week)	Average private sector market rents (October 2016) (per week)
1 bedroom	£210.18 (57%)	£369.23
2 bedrooms	£233.54 (51%)	£461.53
3 bedrooms	£256.89 (48%)	£530.77
4 bedrooms	£280.25 (42%)	£667.39

- **Community Land Trusts** – homes for sale where values are capped by a fixed multiple of household income and allocated to eligible residents. Community Land Trust homes remain affordable in perpetuity.
- **Discount market sale** – homes for sale discounted by at least 20% of full market value. Discount market sale homes are restricted to eligible households and should remain affordable in perpetuity.
- **Starter Homes** - homes for sale discounted by at least 20% of full market value. Discount market sale homes are restricted to eligible households but do not remain affordable in perpetuity.

⁴ This average formula rent charged by RPs operating in Southwark (March 2016)

Discount market rent products include:

- **Discount market rent** – homes with sub-market rents least 20% below open market value where the discount is retained in perpetuity. Discount market rent homes are restricted to eligible households (households with incomes up to £90,000 per year) and the tenant has no right to ownership. For dwellings to be considered affordable, annual housing costs rent and service charge should be no greater than 40% of net household income (net household income assumed to be 70% of total, or gross, income). As such, a range of sub-market rents are required to meet affordable housing needs of households eligible for discount market rent.

Amended policy**DM4 Private rented homes**

- DM4.1** Planning permission will be granted for self-contained, private rented homes which:
- DM4.1.1** Provide more than 100 homes; and
- DM4.1.2** Provide a high standard of security and professional on-site management; and
- DM4.1.3** Provide for a mix of unit sizes to reflect local need for rented property; and
- DM4.1.4** Meet the same standards of design required for build-to-sale homes; and
- DM4.1.5** Are secured in perpetuity for the rental market and for a minimum 30 year term; and
- DM4.1.6** Provide tenancies for private renters for a minimum of three years with a six month break clause in the tenant's favour and structured and limited in-tenancy rent increases agreed in advance; and
- DM4.1.7** Meet Southwark's Private Rent Standard; and
- DM4.1.8** Provide affordable homes in accordance with DM1.1; or
- DM4.8.9** Provide at least 35%⁵ affordable homes, as set out below, subject to viability. Affordable discount market rent homes must be provided in perpetuity; and

Market homes	Discount market rent homes		
Up to 65%	A minimum 35%		
	Social rent equivalent	Affordable rent capped at London Living Rent equivalent	Affordable rent for household incomes between £60,000 and £90,000 per year
	A minimum 12% (34%)	A minimum 18% (52%)	A minimum 5% (14%)

- DM4.8.10** Affordable discount market rent homes at social rent equivalent must be allocated to eligible households on Southwark's social housing waiting list. All other discounted market rent homes must be allocated to eligible households on Southwark's intermediate housing waiting list⁶.
- DM4.2** Discount market rent homes must be provided in perpetuity.
- DM4.3** Where any private rented homes are sold from the private rented sector within 30 years a penalty charge towards affordable housing will be triggered.

⁵ Subject to further viability testing

⁶ Eligibility criteria for Southwark's intermediate housing waiting list will be the subject of a separate consultation.

Reasons

We recognise that the private rented sector (PRS) meets the housing needs of residents who cannot afford to or do not want to buy private homes in Southwark. Between 2001 and 2011, the PRS in Southwark increased from 15,932 to 29,995 households. In 2011 the PRS represented 24.9% of a total 120,422 households in the borough, up from 15.1% of a total 105,806 households in 2001. Private renting households often live in some of the worst quality, poorly managed accommodation. Furthermore, the majority of private renting households have very limited security of tenure which is particularly damaging for households with children and some renters face arbitrary evictions and unjustified rent increases. The PRS has the potential to increase Southwark's housing supply because developers have fewer concerns about the rate at which the market can absorb new homes.

The PRS also benefits the local and regional economy as it enables greater household mobility. We want to encourage a private rented sector which provides high quality, professionally managed accommodation and a greater level of security for tenants than that which is offered by much of the current PRS market. We will support institutional investment in the sector where benefits are secured for residents through agreement. Southwark's Private Rent Standard is a code of good practice which sets out similar expectations to a competent rental property manager who acts to protect the value of their investment and enhance its income stream.

We want affordable homes provided as part of a private rented scheme to benefit from the same quality and management advantages as the private rented homes provided for the open market. As such, affordable homes should be indistinguishable from private rented homes and should provide a range of discounted rents to reflect local affordability needs across the borough.

Amended policy

DM17 Borough views

DM17.1 Development must positively enhance the following important borough views:

DM17.1.1 The panoramic north facing view from One Tree Hill;

DM17.1.2 The linear view of St Paul's Cathedral from One Tree Hill;

DM17.1.3 The view of St Paul's Cathedral from Nunhead Cemetery;

DM17.1.4 The view of St Paul's Cathedral along Camberwell Road;

DM17.1.5 The view of Tower Bridge from Kings Stairs Gardens;

DM17.1.6 The view south from the centre of the Millennium Bridge;

Reasons

Borough views are significant views and panoramas that make a positive contribution to experiencing Southwark's position in London, informing how we are located in an historic and important world city.

Amended policy**DM22 Student homes**

- DM22.1** Planning permission will be granted for student homes in Regeneration Areas to support the growth of universities and colleges where:
- DM22.1.1** Schemes providing direct let student rooms at market rent provide 35% of the Gross Internal Area as conventional affordable housing, and 27% of student rooms let at a rent that is affordable to students.
- DM22.1.2** Schemes providing affordable student rooms for nominated further and higher institutions provide as much conventional affordable housing as is viable.
- DM22.1.3** Adequate living space is provided.
- DM22.1.4** 10% of student rooms are easily adaptable for occupation by wheelchair users.
- DM22.1.5** There is an excellent public transport accessibility level.
- DM22.1.6** The development would not harm local character or residential amenity through an over-concentration of student homes.

Reasons

There is a need for more student accommodation across the whole of London. However this needs to be balanced with making sure we have enough sites for other types of homes, including affordable and family homes. Whilst London as a whole has a recognised need for more student bed spaces, we have the second largest number of student homes in London.

Our Strategic Housing Market Assessment highlights an acute need for more family and affordable housing. Allowing too much student accommodation will restrict our ability to deliver more family and affordable housing. By requiring an element of affordable housing or a contribution towards affordable housing from student housing development we can make sure we work towards meeting the strategic need for student accommodation and our local need for affordable homes including affordable family homes.

Where there are applications for 'collective living' then these will be considered in the same way as student homes including affordable housing.

Deleted policy**DM23: ~~Transition of preferred industrial locations to mixed use neighbourhoods~~**

~~The Southwark Core Strategy designates preferred industrial locations on Old Kent Road, South East Bermondsey, Mandela Way and Parkhouse Street. The New Southwark Plan will review these designations. Site specific policies (site allocations) for this land will be set out in the Old Kent Road AAP and the New Southwark Plan. These will aim to intensify development, increase job numbers and promote growth of business uses within new mixed use neighbourhoods. In the meantime there will be no loss of employment space unless there are community or other uses that will develop the local infrastructure. In addition, financial contributions will be required for future infrastructure funding for the Bakerloo Line extension.~~

Amended policy**DM24: Office and business development**

- DM24.1** Planning permission will be granted for development that provides new business floorspace (Use Class B1);
- DM24.2** Planning permission will be granted for development that retains existing levels of business (B Use Classes) and/or other employment generating floorspace (sui-generis Use Class) except where there is no demand for either the continued use of the site for business or for redevelopment involving re-provision. This needs to be demonstrated by a rigorous marketing exercise for 18 months, immediately prior to any planning application, for both its existing state and as an opportunity for improved space;

Reasons

Our evidence suggests that around 47,000 new office jobs will be created in Southwark over the period leading up to 2036 and this would require around 530,000sqm of new office space. Significant growth in offices will be concentrated in the Central Activities Zone and town centre locations. In Regeneration Areas, mixed use neighbourhoods will incorporate new types of flexible business workspace across a range of sectors including light manufacturing, technology, science, creative and cultural industries and the digital economy.

Across the borough, the retention and growth of existing small and medium enterprises will support jobs to remain in Southwark and allow established local economies to grow alongside new uses. We want to promote the creation of new jobs whilst ensuring that there is a supply of sites and premises for businesses to grow.

Amended policy**DM26: Small business units**

- DM26.1** Planning permission will be granted for development that retains small business units except where there is no demand for provision.
- DM26.2** Planning permission will be granted for development that includes small businesses units where these incorporate a range of unit sizes and types and are well designed and flexible. Opportunities for long term management of the units by a company specialising in the management of space for small businesses should be fully explored. Furthermore there should be consideration of the feasibility of clustering non-residential uses in single use buildings (horizontal mixed use) and a full fit out.
- DM26.3** Where existing small businesses are at risk of displacement from a development there should be full consideration of the feasibility of providing affordable and suitable space for existing occupiers in the completed development.
- DM26.4** Where re-provision of existing businesses cannot be provided for in the completed development, a relocation strategy should be provided in consultation with existing occupiers.

Reasons

Small and medium sized enterprises (SMEs) are vulnerable to displacement by other uses and therefore need protection. They are the majority of businesses in Southwark providing jobs for local people and opportunities for business start-ups and self-employment. It is important that units are flexible and designed to meet the needs of local businesses. The management of small business units by specialist companies will help ensure the success and long term retention of the space. Southwark is home to a diverse range of businesses. Development proposals should take into account the needs of existing occupiers to support the ongoing success of small businesses and local employment opportunities.

Amended policy

DM27: Town and local centres

DM27.1 New developments for retail and other town centre uses should be located in town and local centres:

Major Town Centres	Elephant & Castle (including Walworth Road)
	Peckham
	Canada Water
	Old Kent Road
District Town Centres	Bankside and The Borough
	London Bridge
	Camberwell
	Lordship Lane
	Herne Hill
Local Centres	The Blue
	Dulwich Village
	Nunhead
	Tower Bridge Road

DM27.2 In town and local centres, planning permission will be granted for a range of town centres uses, markets, community, civic and cultural uses and residential homes, provided that:

DM27.2.1 The scale and nature of the proposal is appropriate to the role and catchment of the centre; and

DM27.2.2 A Use Classes are retained or replaced by an alternative use that provides a service to the general public and would not harm the vitality and viability of the centre; and

DM27.2.3 The proposals would not harm the amenities of surrounding occupiers or result in a concentration of uses that harms the character of the area; and

DM27.2.4 The proposal provides an active use at ground floor in locations with high footfall; and

DM27.2.5 Large schemes for town centre uses that are 1,000sqm or over provide public toilets, public drinking fountains and public seating.

Reasons

Town and local centres provide important services and facilities for the borough's residents and should be the main focus for new developments for town centre uses. Our aim is to increase the amount of shopping space in our centres and improve the choice of goods and services, particularly at Elephant and Castle/Walworth Road, Canada Water and Peckham which have the most capacity for growth. The regeneration of Old Kent Road also presents major opportunities for growth in retail and services for local people. As well as improving choice, this should reduce the number of trips made to places further away and also boost the local economy. Our town and local centres are changing and whilst their role as shopping destinations are still very important, other activities and uses, such as offices, community facilities, cultural uses and new homes will also help make them more vibrant and sustainable places.

Fact Box:

Major centres:

Major centres are typically found in inner and some parts of outer London with a borough-wide catchment. They generally contain over 50,000 sqm of retail, leisure and service floorspace with a relatively high proportion of comparison goods relative to convenience goods. They may also have significant employment, leisure, service and civic functions.

District centres:

District centres are distributed more widely than the Metropolitan and Major centres, providing convenience goods and services for more local communities and accessible by public transport, walking and cycling. Typically they contain 10,000 – 50,000 sqm of retail, leisure and service floorspace. Some District centres have developed specialist shopping functions.

Local centres:

Local centres typically serve a localised catchment often most accessible by walking and cycling and include local parades and small clusters of shops, mostly for convenience goods and other services. They may include a small supermarket (typically up to around 500 sqm), sub-post office, pharmacy, laundrette and other useful local services. Together with District centres they can play a key role in addressing areas deficient in local retail and other services.

Amended policy**DM48: Car parking****Residential**

DM48.1 Planning permission will be granted for development that:

DM48.1.1 Minimises the number of spaces provided for car parking and adheres to the standards in the following table:

PTAL Zone	Residential car parking provision (maximum)
PTAL 6a, 6b and 5 areas	Zero maximum spaces per home. On street permits will not be available for residents and businesses for new developments.
PTAL 3 and 4	0.25 maximum spaces per home. On street permits will not be available for residents and businesses for new developments in controlled parking zones.
PTAL 1 and 2 (Excluding Suburban South)	0.5 maximum spaces per home.
PTAL 1 and 2 (Suburban South)	1 maximum spaces per home.
Aylesbury Action Area	0.4 maximum spaces per home.
Old Kent Road Opportunity Area PTAL 1 to 4	0.1 maximum spaces per home.

DM48.1.2 Provides all car parking spaces within the development site and not on the public highway;

DM48.1.3 Provides a minimum of three years free membership per eligible adult to a car club if a car club bay is located within 850m of the development; and / or; a contribution towards the provision of new car club bays that is proportionate to the size and scale of the development;

Town Centre

DM48.1.4 Ensures car parking within town centres for retail and leisure uses are shared with public parking and are not reserved for customers of a particular development;

DM48.1.5 Ensures off-street town centre car parking:

- a) Is appropriately located and sized to support the vitality of the town centre and ensures the use of the site is optimised;
- b) Supports the rapid turnover of spaces;
- c) Includes maximum stay restrictions;
- d) Provides alternative access to the use of a car by providing the required amount of parking spaces within the site for car club bays

Controlled Parking Zones

DM48.2 Development within existing or planned CPZs will not be eligible for on street resident and business car-parking permits;

- DM48.3** The subdivision of existing properties into smaller dwellings within a CPZ will only be eligible for one parking permit per original dwelling.
- DM48.4** The demand for parking within Controlled Parking Zones (CPZ) and the impact on surrounding streets must also be taken into account when car parking is proposed.

Electric Vehicle Charging

- DM48.5** All parking bays within a development must provide facilities for the charging of electric vehicles.

Reasons

Southwark will grow sustainably without adverse environmental impacts through car free development in highly accessible areas and reduced reliance on the private car.

New policy

DM70: Self and custom build

- DM70.1** Planning permission will be granted for serviced plots of land suitable for self and custom build homes, in appropriate locations for housing, where:
- DM70.1.1** There is evidence of sufficient self-build demand from people or groups on Southwark's Self and Custom Build Register; and
- DM70.1.2** Homes on the plots are to be occupied by people or groups on Southwark's Self and Custom Build Register; and
- DM70.1.3** Development of the plots for self and custom build housing would make efficient use of land.

Reasons

We are required to grant planning permission for enough serviced plots of land to meet demand for self-build and custom housebuilding. To understand demand we will maintain a register of people or groups who wish to commission or build their own homes. These people or groups must provide evidence of a local connection and adequate financial resources to purchase a self-build plot. This will ensure that the requirement generated by the register reflects local demand and is deliverable.

As the supply of urban land is under significant pressure for a wide range of land uses in Southwark, the demand for self and custom build housing must be met in a way that makes efficient use of land. Self and custom build homes must therefore achieve an appropriate density.

We will monitor self and custom build permissions and development progress to keep the local market under review.

New policy**DM71: Small shops**

- DM71.1** In town centres, small retail units should be retained except where it can be demonstrated there is no demand for continued use
- DM71.2** Where existing small retail units are at risk of displacement from a development there should be full consideration of the feasibility of providing affordable and suitable space for existing occupiers in the completed development.
- DM71.3** Where re-provision of existing retailers cannot be provided for in the completed development, a relocation strategy should be provided in consultation with existing occupiers. The relocation strategy must prioritise space in the vicinity of the displaced business.
- DM71.4** Developments proposing 2,500 sqm or more GIA of retail space shall provide at least 10% of this space as 'small retail units', each with a maximum GIA of 80 sqm.
- DM71.5** In Elephant and Castle Opportunity Area there is a requirement to provide affordable retail space as set out in the Elephant and Castle Supplementary Planning Document.
- DM71.6** Where appropriate, the council will attach conditions to permissions for small shop units, requiring planning permission to be sought for the future amalgamation of units into larger premises.

Reasons

To maximise diversity and consumer choice within town centres a range of shop units sizes should be provided in large retail developments, suitable to accommodate a range of occupiers such as large multiple stores and independent small and medium sized (SME) operators. This will also help to mitigate impacts on retail businesses which are displaced as a result of development and help to ensure that town centres continue to reflect the character and diversity of the local population.

London Plan Policy 4.9 states that boroughs should "develop local policies where appropriate to support the provision of small shop units", typically for large retail developments over 2,500sqm. The London Small Shops Study (June 2010) defines a 'small shop' as being one of around 80sqm gross internal floorspace or less, occupied by an independent retail or service outlet which has nine units or less (as per the Goad definition).

AREA VISIONS

Area Visions provide the strategic vision for the future of Southwark's distinct places. They set out key infrastructure enhancements, opportunities for public realm and transport improvements and growth opportunities. Area Visions also identify the prevailing character of different places to be renewed, retained or enhanced. Development proposals should be formulated in the context of the relevant Area Vision and should demonstrate how they contribute towards realising the strategic vision for that area.

New policy

Crystal Palace and Gipsy Hill Area Vision



Crystal Palace and Gipsy Hill are:

- On the boundary of Lambeth, Croydon and Bromley;
- An edge of town centre location situated to the north of Upper Norwood District Town Centre;
- Characterised by a range of housing types including Victorian terrace and semi-detached family housing, typical of a 19th-century railway suburb, alongside more modern housing types;
- An area with plentiful public open spaces and in close proximity to Crystal Palace Park, Dulwich Upper Wood and Norwood Park offering panoramic views towards Central London.
- Accessible by rail from mainline stations to Gipsy Hill station and bus routes, however there is no tube connection and the area is less well served by public transport than many other parts of Southwark.

Development in Crystal Palace and Gipsy Hill should:

- Preserve and enhance the character of Crystal Palace and Gipsy Hill;
- Complement, and not detract from, the economic function of Upper Norwood town centre;
- Provide as many homes as possible across a range of tenures including social housing;
- Prioritise walking and cycling and improve public transport to reduce pressure on car parking and improve accessibility;
- Support improvements to local connectivity and accessibility including enhanced public transport, walking and cycling routes;

- Support improvements to local services to meet local needs, including for school places and GP provision.

Growth opportunities in Crystal Palace and Gipsy Hill:

Whilst development opportunities in Crystal Palace and Gipsy Hill are relatively limited, the area has the potential to contribute towards meeting Southwark's housing need. Most new homes will be built on infill sites.

The key development opportunity sites in Crystal Palace and Gipsy Hill are:

- NSP36: Guys and St Thomas Trust Rehabilitation Centre, Crystal Palace

SITE ALLOCATIONS

Site Allocations are planning policies which apply to potential development sites of strategic importance. Site Allocations are needed to ensure that when strategic sites come forward for redevelopment they integrate into their surroundings and contribute towards meeting the local area's spatial needs. Site allocations are also needed to demonstrate the New Southwark Plan has been developed in conformity with the London Plan, which requires boroughs to identify strategic development sites which can meet housing targets and future infrastructure and land use needs.

Site Allocations set out land use requirements that must be provided as part of any redevelopment alongside other acceptable land uses. Site Allocations may specify development provides new public open space, public access routes or social infrastructure, such as health or education facilities. Site Allocations are not required for sites which are likely to be redeveloped acceptably under the development management policies of the New Southwark Plan

Amended policy

Area Vision: Bankside and the Borough

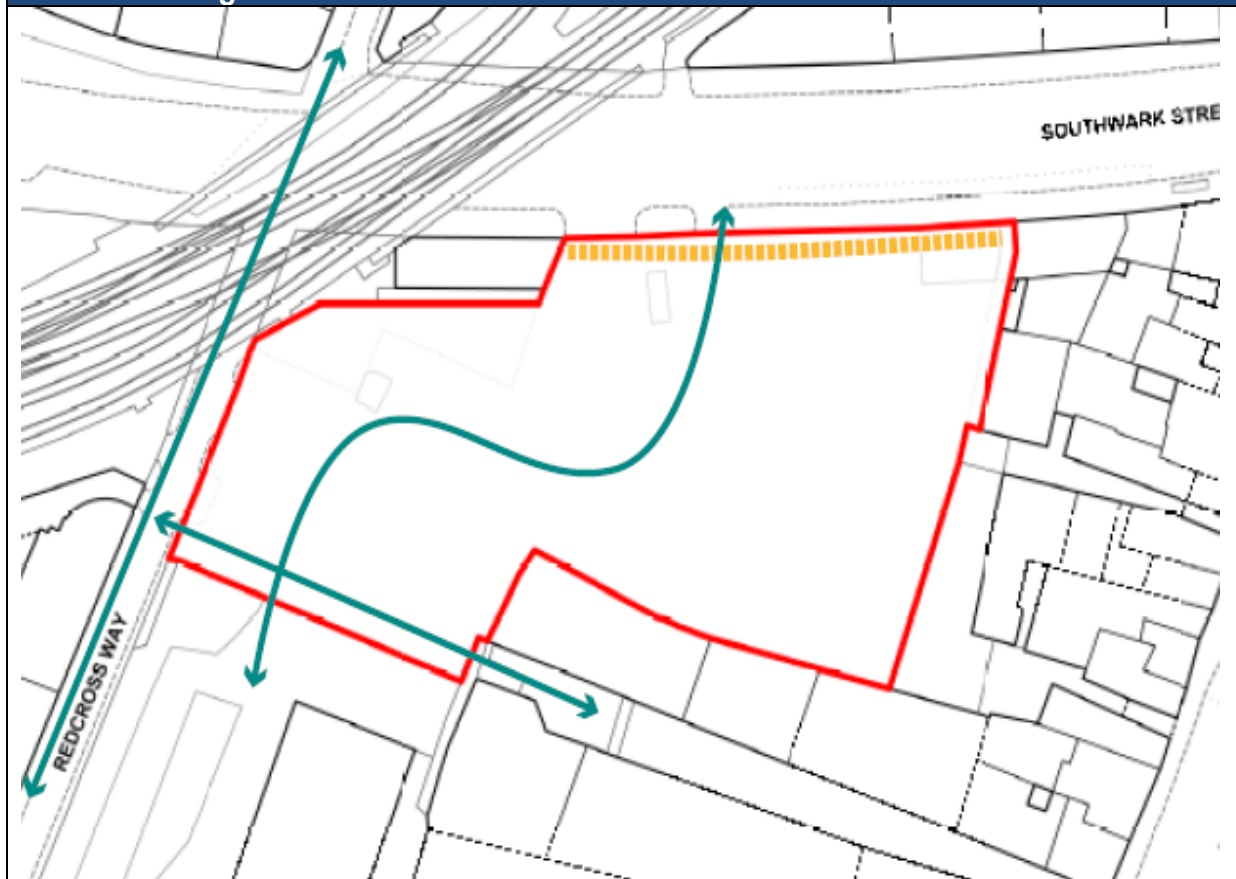
NSP06: Land bounded by Southwark Street, Redcross Way and Crossbones Graveyard (Landmark Court)

[Site photo]

Description of site	This site is currently in use as a large private car park and service yard, situated off Southwark Street and bounded by Redcross Way and Crossbones graveyard to the west and south.		
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Site area	• 5,241 m ²	Existing uses	• Car park (sui generis)
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Site vision diagram



Site vision	Redevelopment of the site must: <ul style="list-style-type: none"> • Provide new offices; • Provide a pedestrian green link between Southwark Street, Redcross Way and the Crossbones Graveyard open space to improve the areas permeability and legibility; • Provide opportunities for a pedestrian green link between Redcross Way and Maidstone Buildings Mews; • Provide active frontages on Southwark Street, including shops, restaurants and bars. Redevelopment of the site may: <ul style="list-style-type: none"> • Provide new homes; • Provide new visitor accommodation. 		
PTAL and Density Area	<ul style="list-style-type: none"> • 6b • Central Activities Zone 	Indicative development capacity	<ul style="list-style-type: none"> • Office (B1) – 12,251 m² • Town centre uses (A1, A2, A3, A4, D1, D2) – 2,450 m²
Required uses	<ul style="list-style-type: none"> • Office (B1) • Town centre uses (A1, A2, A3, A4, D1, D2) at ground floor facing Southwark Street 	Other acceptable uses	<ul style="list-style-type: none"> • Housing (C3) • Hotel (C1)
Design and accessibility guidance	<p>The site partially falls within the borough view of St Paul's from Nunhead Cemetery viewing corridor and the Alexandra Palace Viewing Terrace to St Paul's Cathedral background viewing corridor.</p> <p>Any redevelopment should be sensitive to the surrounding historical context, sustaining, enhancing and better revealing historical assets.</p> <p>The site is within the 'Borough High Street' conservation area and within the setting of Grade II listed buildings on Southwark Street, Maidstone Buildings and Redcross Way. A notable example is Cromwell Building 5-24. The site is also within the setting of undesignated heritage assets, including Crossbones Cemetery.</p> <p>The site lies within the 'Borough, Bermondsey and Rivers' archaeological priority zone. Archaeological remains of national significance and possibly requiring preservation in situ or scheduling can be anticipated on this site. It is likely that the site will contain high status Roman and medieval archaeology and a post-medieval grave yard.</p>		

Deleted policy

Area Vision: Bermondsey

NSP10: Land between West Lane, Jamaica Road and Marigold Street

[Site photo]

Description of site

The site is located north of Jamaica Road and close to Bermondsey tube station. The site currently includes a community centre and a private car park.

Site area

- 1,758 m²

Existing uses

- Community Centre (D1) – 584 m²
- Car Park 1,000 m²

Site vision diagram



Site vision	Redevelopment of the site must: <ul style="list-style-type: none"> • Provide new homes. Redevelopment of the site may: <ul style="list-style-type: none"> • Provide a new community centre. 		
PTAL and Density Area	<ul style="list-style-type: none"> • 4 • Urban Density Zone 	Indicative development capacity	<ul style="list-style-type: none"> • Residential (C3) – 47 homes
Required uses	<ul style="list-style-type: none"> • Residential (C3) 	Other acceptable uses	<ul style="list-style-type: none"> • Community Centre (D1)
Design and accessibility guidance	<p>The site is located within the setting of Grade II listed war memorial on West Lane and Wilson's Grove conservation area.</p> <p>The site lies within the 'Borough, Bermondsey and Rivers' archaeological priority zone but is not located within a conservation area. Excavations in the area have revealed multi-phase archaeological sites.</p>		

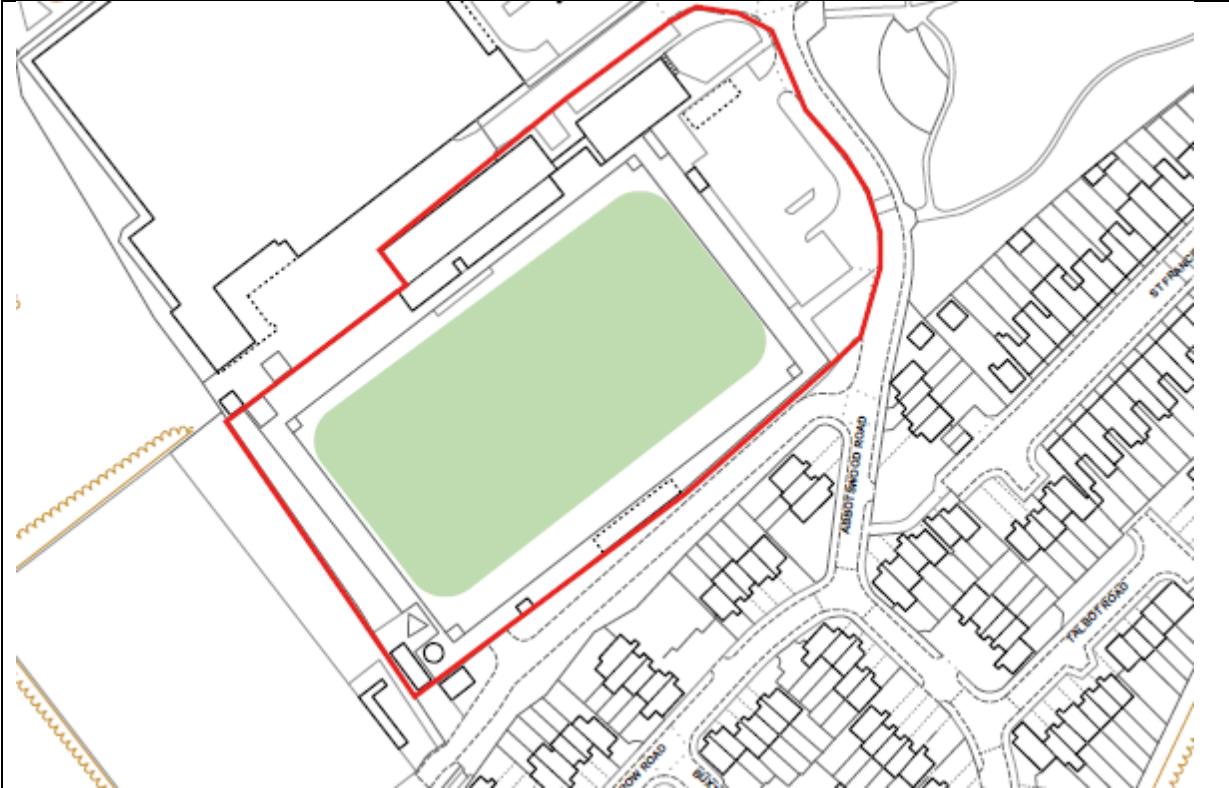
Amended policy

Area Vision: East Dulwich

NSP38: Dulwich Hamlet Champion Hill Stadium, Dog Kennel Hill

[Site photo]

Description of site	The site comprises a mix of commercial and recreational uses, with Dulwich Hamlet football ground and associated facilities occupying the west section and a car wash occupying the east section. The location is suburban, with public open space and playing fields bordering much of the site alongside a large supermarket. The wider surrounding area is predominantly residential and characterised by housing estates in cul-de-sacs and mansion blocks.		
Site area	<ul style="list-style-type: none"> • 14,640 m² 	Existing uses	<ul style="list-style-type: none"> • Football club

			facilities (D2) – 1,696 m ² • Football pitch (D2) – 7,685 m ²
Site vision diagram			
			
Site vision	Redevelopment of the site must: <ul style="list-style-type: none"> • Retain the football ground and associated facilities. Redevelopment of the site may: <ul style="list-style-type: none"> • Provide new homes; • Provide new extra care housing. 		
PTAL and Density Area	<ul style="list-style-type: none"> • 3 • Suburban Density Zone 	Indicative development capacity	<ul style="list-style-type: none"> • Residential (C3) – 30 homes • Football grounds and associated facilities (D2) – 7,685 m²
Required uses	<ul style="list-style-type: none"> • Football grounds and associated facilities - 7,685 m² 	Other acceptable uses	<ul style="list-style-type: none"> • Residential (C3) • Extra care housing (C2)
Design and accessibility guidance	<p>The design, layout and accessibility requirements for this site are dependent on the proposed mix and location of land uses and their relationships to each other within the site. Proposals should that the site functions successfully for all land uses.</p> <p>Redevelopment should complement the setting of existing open spaces, and enhance walking routes and connectivity to Lordship Lane and East Dulwich.</p> <p>The site is not within a borough designated archaeological priority zone</p>		

or conservation area.

New policy

Area Vision: Camberwell

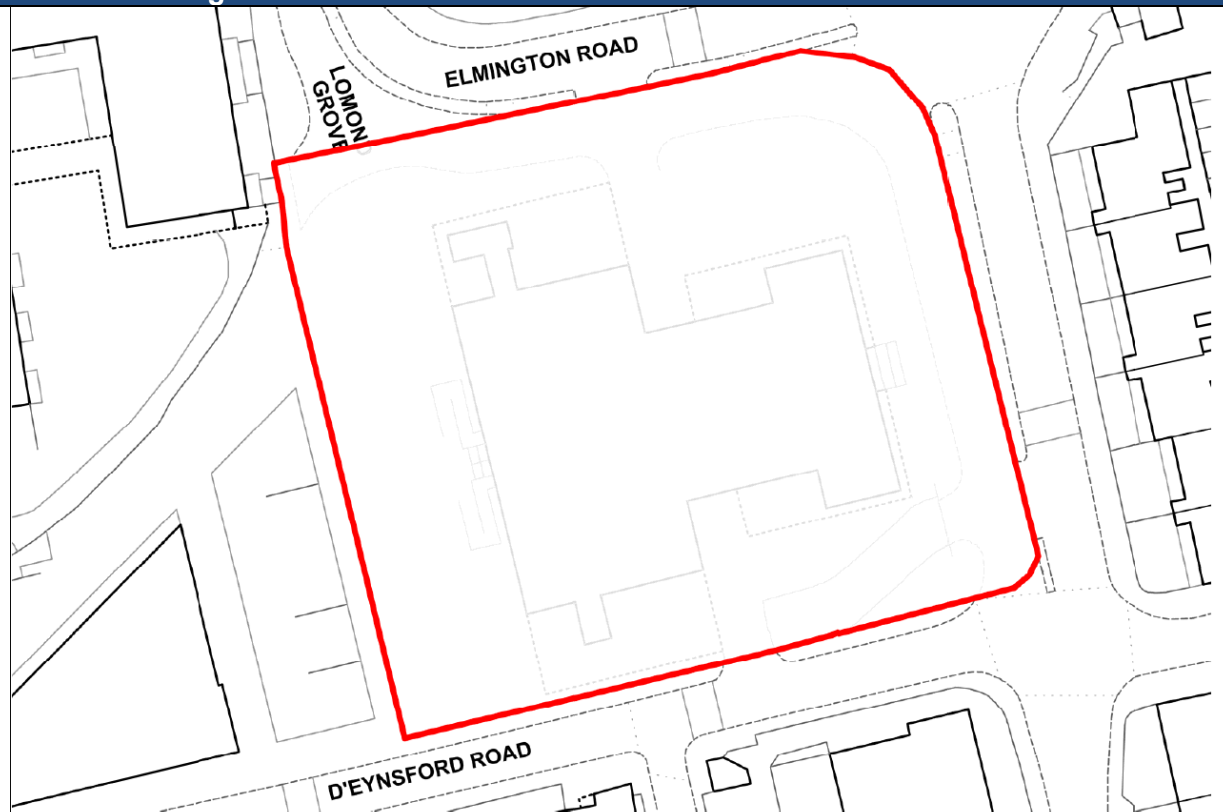
NSP65: Camberwell Green Magistrates Court

[Site photo]

Description of site The site is located to the north east of Camberwell Green and to the rear of Camberwell Library. The site contains the buildings of the Camberwell Green Magistrates Court and a hard landscaped plaza in front.

Site area	• 4,814 m ²	Existing uses	• Law court (D1) – 9,732 m ²
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Site vision diagram



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Site vision	<p>Redevelopment of the site must:</p> <ul style="list-style-type: none"> • Contribute towards the thriving small business, creative and cultural employment cluster in Camberwell and Peckham providing at least 50% of the development as employment floorspace; <p>Redevelopment of the site may:</p> <ul style="list-style-type: none"> • Provide new homes; • Provide town centre uses. 		
PTAL and Density Area	<ul style="list-style-type: none"> • 5 • Urban Density Zone 	Indicative development capacity	<ul style="list-style-type: none"> • Small Business space (B1) – 6,105 m² • Residential (C3) – 96 homes
Required uses	<ul style="list-style-type: none"> • Small business workspace (B1) –at 	Other acceptable uses	<ul style="list-style-type: none"> • Residential (C3) • Town centre uses

	least 50% of development • Enhanced landscaping and public realm		(A1, A2, A3, A4, D1, D2)
Design and accessibility guidance	<p>The plaza area should be re-landscaped to provide enhanced green infrastructure, retaining the existing mature trees, and improved public realm. Active frontages should complement the new open space.</p> <p>Comprehensive mixed-use redevelopment of the site could include taller buildings subject to consideration of impacts on existing character, heritage and detailed townscape analysis.</p> <p>Redevelopment must enhance the setting of the important unlisted Peabody Buildings. The site lies just to the north of the Camberwell Green archaeological priority zone and has the potential to contain multi-phase archaeological deposits that will require protection.</p>		

New policy**Area Vision: Bermondsey****NSP66: Discovery Business Park and Railway Arches**

[Site photo]

Description of site

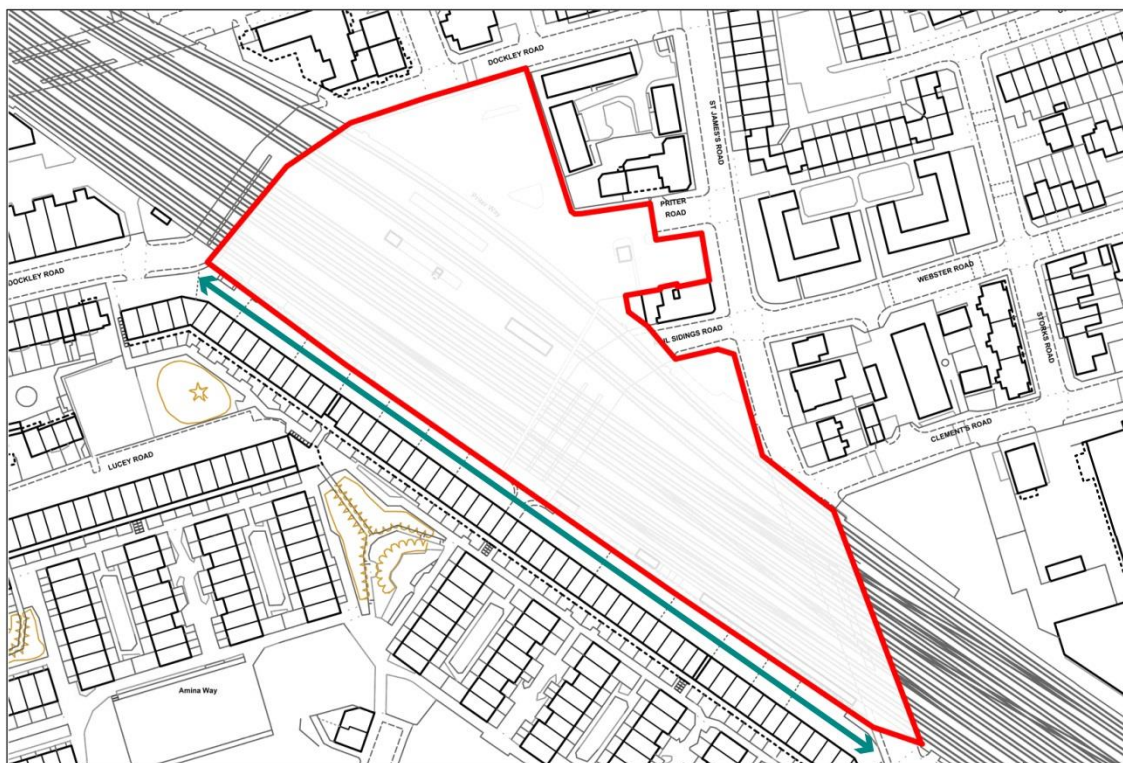
The site includes a business park located in the railway viaduct arches between Dockley Road and St James's Road as well as the yards on the north side of the railway. The site is a Strategic Industrial Location (SIL) and part of a wider industrial area in South East Bermondsey but is adjacent to residential areas to the north and south.

Site area

- 19,460 m²

Existing uses

- Business and industrial uses (B1, B2, B8) – 11,600 m²

Site vision diagram

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Site vision

Redevelopment of the site must:

- Provide business and industrial space

PTAL and Density Area

- 3
- Urban Density Zone

Indicative development capacity

- N/A

Required uses

- Business and industrial space (B1, B2, B8)

Other acceptable uses

- None

Design and accessibility guidance

The site should improve pedestrian access, contributing towards development of the Low Line public realm corridor adjacent to the railway viaduct.

The site is not located within a designated archaeological priority zone

or conservation area.

New policy

Area Vision: Bankside and the Borough

NSP67: Swan Street Cluster

[Site photo]

Description of site

The cluster is made of up three neighbouring sites to the south east of Borough High Street, one each on either side of Swan Street and one facing the end of Swan Street on the other side of Great Dover Street. The sites contain four office buildings: Conoco House at 200 Great Dover Street, Pegasus House at 7-14 Great Dover Street, Avon House at 275-287 Borough High Street and Britannia House at 7 Trinity Street. Occupiers include the British School of Osteopathy and King's College.

Site area

• 8,873 m²

Existing uses

- Office (B1) – 9,100 m²
- Education (D1) – 6,800 m²

Site vision diagram



Site vision

Redevelopment of the site must:

- Contribute towards the thriving employment cluster in Bankside and The Borough by providing at least the amount of employment floorspace currently on the site or at least 50% of the development as employment floorspace, whichever is greater;
- Provide improved accommodation for the British School of Osteopathy
- Provide a new east west pedestrian and cycle link between Borough High Street and Swan Street
- Enhance Borough High Street and Swan Street with active

	<p>frontages including restaurants, shops and bars</p> <ul style="list-style-type: none"> • Provide new public open space <p>Redevelopment of the site may:</p> <ul style="list-style-type: none"> • Provide new homes; • Provide new visitor accommodation. 		
PTAL and Density Area	<ul style="list-style-type: none"> • 6b • Central Activities Zone 	Indicative development capacity	<ul style="list-style-type: none"> • Office (B1a) - 9,100 m² • Higher education (D1) – 6,800 m² • Town centre uses (A1, A2, A3, A4, D1, D2) – 4,148 m² • Residential (C3) – 143 homes
Required uses	<ul style="list-style-type: none"> • Employment uses (A1, A2, A3, A4, B1, D1, D2) – at existing level of provision or at least 50% of the total floor area (whichever is greater) • British School of Osteopathy (D1) • Town centre uses (A1, A2, A3, A4, D1, D2) – at ground floor active frontages • Open Space – (at least 15% of development site area) 	Other acceptable uses	<ul style="list-style-type: none"> • Residential (C3) • Hotel (C1) • Health centre
Design and accessibility guidance	<p>The cluster has the opportunity to enhance the town centre role of Borough High Street and provide complementary activity on Swan Street of a more local character, serving surrounding residential areas. Active frontages must be provided on Borough High Street, Great Dover Street and Swan Street. New public open spaces and green infrastructure should be provided at locations that enhance the area's heritage and the new role for Swan Street.</p> <p>Redevelopment must improve Swan Street and Sylvester Street as a less trafficked alternative to Borough High Street for cyclists and pedestrians. Development must support the east / west cycle link on Trinity Street and provide a new pedestrian and cycle link between Borough High Street and Swan Street via Avon Place.</p> <p>The site falls within the Alexandra Palace viewing terrace to St Paul's Cathedral background viewing corridor. Comprehensive mixed-use redevelopment of the site could include taller buildings subject to consideration of impacts on existing character, heritage and detailed townscape analysis.</p> <p>Redevelopment must enhance the setting of the grade II* listed St George the Martyr Church, grade II listed buildings to the south east</p>		

and the nearby Trinity Church Square, Liberty of the Mint and Borough High Street conservation areas. Existing mature landscaping provides significant amenity and screening value to the conservation areas.

The site is within the 'Borough, Bermondsey and Rivers' archaeological priority zone and there is exceptional interest of this general location with regard to the Roman archaeology of Southwark. There is a high potential for human remains to be present on site in the form of Roman inhumation and cremation burials, with associated grave goods and ritual and non-ritual structures and artefacts.

New policy**Area Vision: Rotherhithe****NSP68: Croft Street Depot**

[Site photo]

Description of site	The site consists of a depot building and yard on croft street. Areas to the north and west in Rotherhithe are mainly residential in character but there are several industrial sites nearby to the south and east in Deptford.
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Site area	• 4,711 m ²	Existing uses	• Storage and distribution (B8) – 5,175 m ²
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Site vision diagram

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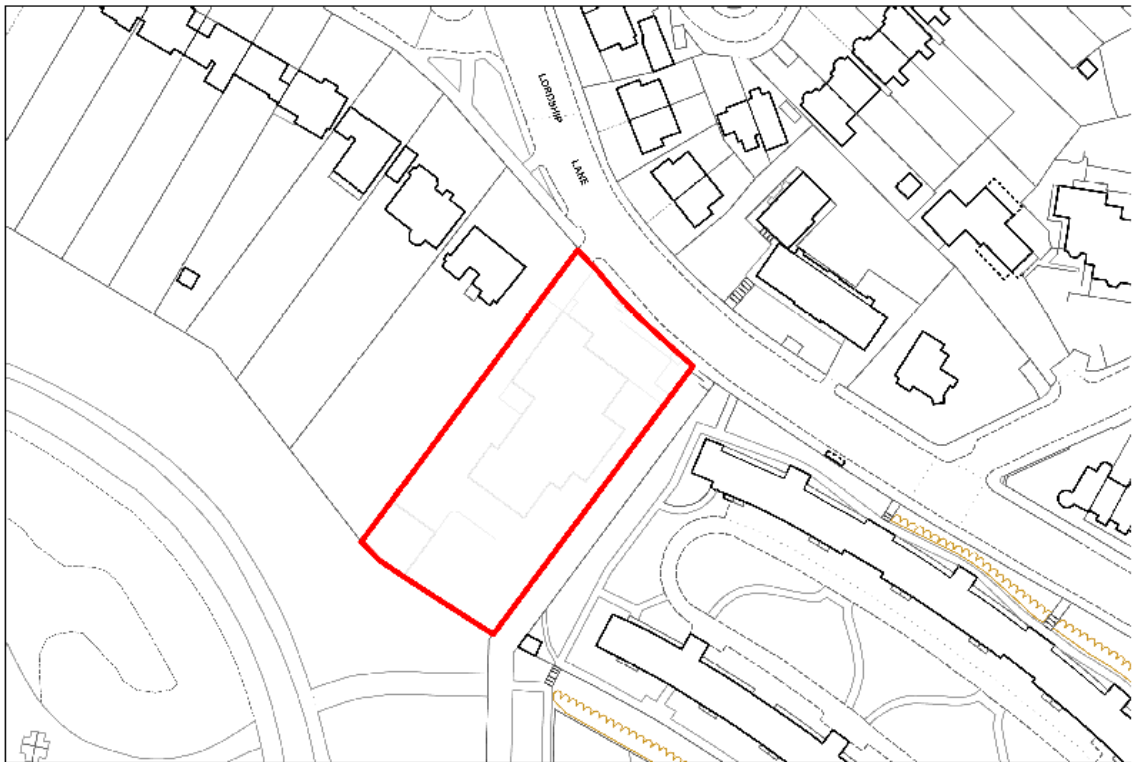
Site vision	Redevelopment must: <ul style="list-style-type: none"> • Provide small business workspace Redevelopment may: <ul style="list-style-type: none"> • Provide new housing • Re-provide a storage depot 		
PTAL and Density Area	<ul style="list-style-type: none"> • 4 • Suburban Density Zone 	Indicative development capacity	<ul style="list-style-type: none"> • Small business space (B1) - 5,175 m² • Residential (C3) – 56 homes
Required uses	<ul style="list-style-type: none"> • Small business workspace (B1) – at existing level of depot or at least 50% of the 	Other acceptable uses	<ul style="list-style-type: none"> • Residential (C3) • Storage and distribution (B8)

	development (whichever is greater)		
Design and accessibility guidance	Development should retain and protect street trees on Croft Street. Croft street is not within a within a an archaeological priority zone or conservation area. A Roman coin hoard was reported from Chilton Grove nearby.		

New policy**Area Vision: Dulwich****NSP69: Dulwich Telephone Exchange, 512 Lordship Lane**

[Site photo]

Description of site	The site is located on Lordship Lane in a mainly residential area, with Dulwich Park to the south, and contains a telephone exchange.		
Site area	• 2,894 m ²	Existing uses	• Telephone exchange (sui generis) – 1,513 m ²

Site vision diagram

Site vision	Redevelopment must: • Provide new housing or extra care housing Redevelopment may: • Re-provide a telephone exchange		
PTAL and Density Area	• 2 • Suburban density zone	Indicative development capacity	• Residential (C3) – 85 homes
Required uses	• Residential (C3) or	Other acceptable	• Telephone

	<ul style="list-style-type: none"> • Extra care housing (C2) 	uses	exchange (sui generis)
Design and accessibility guidance	<p>Development must ensure that mature trees on the edge of and overhanging the site are protected.</p> <p>Development must protect or enhance the setting of adjacent Dulwich Village and Dulwich Wood conservation areas.</p>		

New policy

Area Vision: Camberwell

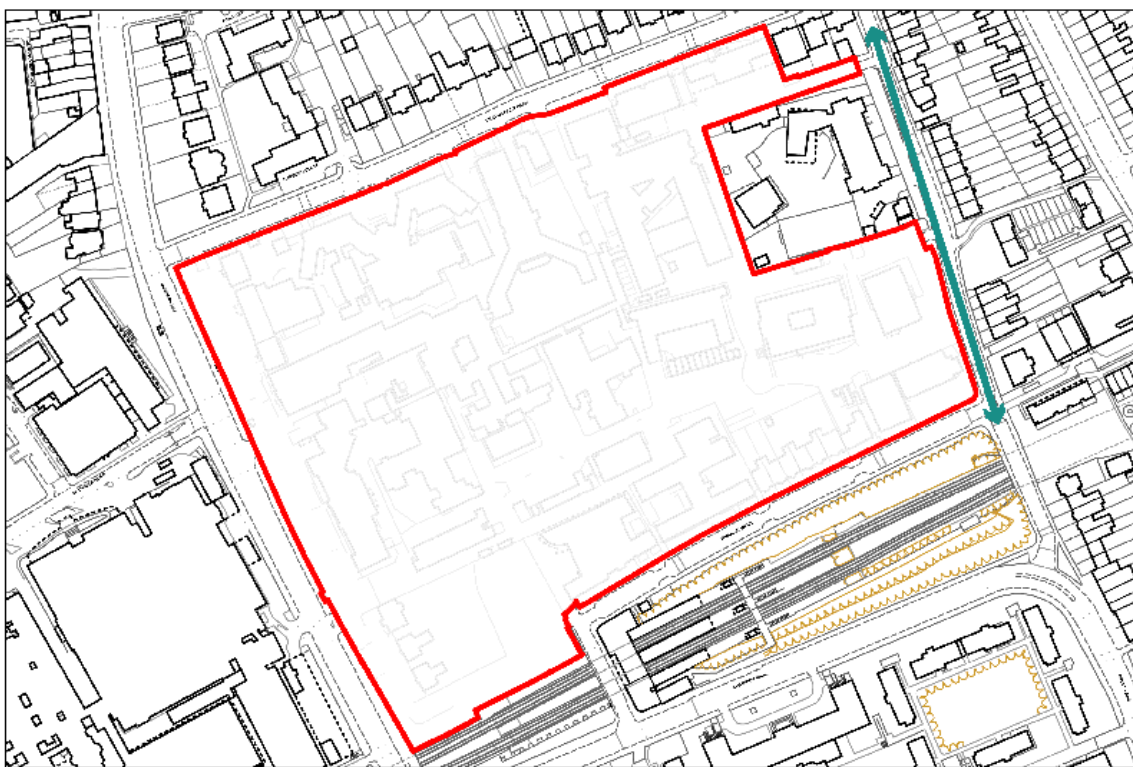
NSP70: Denmark Hill Campus East

[Site photo]

Description of site The site is located on the eastern side of Denmark Hill and contains part of the King's College Denmark Hill campus and the Maudsley Hospital. Denmark Hill Station is located immediately to the south.

Site area • 62,860 m² **Existing uses** • N/A

Site vision diagram



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Site vision	<p>Redevelopment of the site must:</p> <ul style="list-style-type: none"> • Provide health, research and education facilities or otherwise support the functioning of the Denmark Hill health cluster; <p>Redevelopment of the site may:</p> <ul style="list-style-type: none"> • Provide student or key worker housing 		
PTAL and Density Area	<ul style="list-style-type: none"> • 6a • Urban Density Zone 	Indicative development capacity	• N/A
Required uses	<ul style="list-style-type: none"> • Health, research and education 	Other acceptable uses	• Student or key worker housing

	facilities or uses that would otherwise support the functioning of the Denmark Hill health cluster.		(C3)
Design and accessibility guidance	Parts of the site may be redeveloped and intensified to support the functioning of the two hospitals to enhance their services. The site is located within Camberwell Grove conservation area and contains several grade II listed buildings, which should be protected or enhanced.		

Item No. 11.	Classification: Open	Date: 20 June 2017	Meeting Name: Cabinet
Report title:		Policy Amendments Consultation for the Draft Old Kent Road Area Action Plan	
Ward(s) or groups affected:		Livesey, South Bermondsey, East Walworth, Grange, Nunhead, Peckham	
From:		Councillor Mark Williams, Regeneration and New Homes	

FOREWORD - COUNCILLOR MARK WILLIAMS, CABINET MEMBER FOR REGENERATION AND NEW HOMES

In partnership with the Mayor of London we have consulted with our residents to transform the Old Kent Road with 20,000 new homes, 5,000 new jobs, new community facilities, public spaces and parks to be enabled by the extension of the Bakerloo Line. Our last round of consultation received over 1,000 responses which showed broad support for our plans. This reports details how we will now consult on a small number of amended policies prior to preparing the final version of the Old Kent Road Area Action Plan.

The changes we wish to consult on are the proposed boundary of the Central Activities Zone which will now reflect the core area of the AAP; a new policy on social regeneration which puts the council's commitment to improving the lives of our residents at the heart of this plan; bring in greater protections for the retention and reprovision of workspace; reducing the amount of car parking to promote public and sustainable transport and improve air quality; and to include the Mayor of London's and TfL's new Healthy Streets Initiative and guidance for further reducing air pollution.

RECOMMENDATIONS

1. That cabinet:
 - Approves the draft Old Kent Road Area Action Plan preferred option policy amendments (Appendix A) and the proposed changes to the adopted policies map (Appendix B) for public consultation.
 - Notes the updated integrated impact assessment (Appendix C), the consultation report (Appendix D), the consultation plan (Appendix E) and the Habitats Regulations assessment (Appendix F) for the draft Old Kent Road Area Action Plan.

BACKGROUND INFORMATION

Old Kent Road Area Action Plan

2. In June 2016 Cabinet resolved to consult on the draft Old Kent Road Area Action Plan (OKR AAP) which sets out an ambitious growth strategy for Old Kent Road and the surrounding area which was designated as an opportunity area by the London Plan 2015. Over the next 20 years the opportunity area will be transformed, including the provision of two new underground stations as part of

the Bakerloo Line extension, 20,000 new homes, including affordable homes for local people and 5,000 additional jobs. Extensive consultation on the plan took place between June and November 2016 and the council received over 1,000 responses.

3. Once adopted, the OKR AAP will form part of Southwark's Local Plan and be used alongside the New Southwark Plan to determine planning applications and focus investment. It will also be endorsed by the Mayor of London as an Opportunity Area Planning Framework (OAPF). As a part of Southwark's Local Plan it is required to be consistent with the borough-wide New Southwark Plan and must be in general conformity with the London Plan.
4. The preparation of the OKR AAP is being carried out in several stages:
 - i. Stage 1 - Informal consultation on the draft OKR AAP which took place between February 2015 and March 2016;
 - ii. Stage 2 - Consultation on a scoping report on the integrated impact assessment, carried out over five weeks from 12 February 2016 to 18 March 2016;
 - iii. Stage 2 - Consultation on the draft OKR AAP, carried out from June to November 2016;
 - iv. Stage 3 - Consideration of comments on the draft OKR AAP and preparation of the proposed final revised preferred options plan for publication (the current stage)
 - v. Stage 4 – Invitation of representations on the proposed final plan and subsequent submission to the Secretary of State for an examination-in-public (EIP) in early 2018.
 - vi. Examination-in-public into the OKR AAP in 2018.
 - vii. Stage 5 - Adoption of the final OKR AAP as part of Southwark's Local Plan in 2019. M
5. The council has analysed all of the consultation responses that it received as part of the formal consultation that it undertook last year and is currently at stage (iv) of the process described above. As a result of this work, further evidence gathering and experience dealing with pre-application enquiries regarding development in the opportunity area, the council is now proposing a further consultation on a small number of amended policies prior to preparing the proposed final version of the plan.
6. The proposed policy amendments (Appendix A) are accompanied by related variations to the adopted policies map (Appendix B), integrated impact assessment (Appendix C), the consultation report (Appendix D), consultation plan (Appendix E) and Habitats Regulations assessment (Appendix F) (which screens any impacts on EU protected wildlife habitats).

Consultation

Completed consultation on AAP

7. Consultation on the draft AAP is being carried out in accordance with the requirements of the Planning and Compulsory Purchase Act 2004 (as amended).
8. Over the past 12 months the council consulted extensively on the emerging OKR AAP. Through the community forum the council sought to raise awareness of what the plan might mean for the local community, consider the way the area

has changed over time and explore the vision for the future. Using guest speakers, workshops and planning for real exercises the forum considered a range of themes including heritage and character, employment and businesses, retail and town centre uses, walking, cycling and buses (surface transport), open and green spaces and faith community spaces, the vision for the opportunity area and strategic options for regeneration. The outcomes and feedback have been invaluable in informing the plan.

9. Separate to the community forum, the council has maintained an on-going dialogue with a number of businesses in the opportunity area, initially through an Employment Study and a survey of over 800 businesses in the area and also through business-focused workshops designed to capture views from business owners. Recently we have established the Old Kent Road Business Network which will be used to collect further evidence on the future space that businesses require and to ensure businesses have up-to-date information about the Old Kent Road opportunity area.
10. As well as businesses the council has also targeted young people to find out their views about the Old Kent Road and their aspirations for the future. Some of these young people gave a presentation at the community forum to enable the wider community to hear their views.
11. Besides the informal consultation, the council consulted formally on the scope of the integrated impact assessment and the comments made have informed that document.
12. In accordance with Southwark's Statement of Community Involvement (SCI), the draft OKR AAP was made available for comment over a twelve week period from 17 June 2016. The draft OKR AAP was published on the council's website and made available at libraries and the council's Tooley Street office. An advert publicising the draft OKR AAP was put in the press and written notification was sent to around 1000 contacts on the Planning Policy mailing list and My Southwark.
13. In addition to the statutory consultation described above, other consultation channels included:
 - Leaflet sent to all addresses in the opportunity area
 - Presentations on the draft AAP at community council meetings
 - Consideration of the draft AAP by Planning Committee
 - Workshops held at the Old Kent Road community forum
 - Events targeted at young people
 - Targeted outreach with tenants and residents associations
 - Continuing discussions with landowners and developers.
14. A summary of the consultation responses received is provided below for each of the policies proposed for amendment. Full details, included an officer response to each of the issues raised, are included in the consultation report (Appendix D).

AAP1 – Old Kent Road

- The proposed extension of the Central Activities Zone (CAZ) should be reduced in size or should be abandoned because it is not justified by the functions of the area, or because of concerns about protecting the existing

industrial uses and character of the area and gentrification.

- Support for the proposed CAZ extension.
- The GLA objected to the proposed CAZ extension, including because the area does not contain the unique mix and agglomeration of CAZ strategic functions or the unique character of the CAZ.

AAP11 – Employment clusters

- Council needs to deliver a diverse employment base, including through supporting the provision of affordable workspace, co-working space, incubator spaces and studios and attracting businesses which occupy a smaller area of floorspace
- New commercial buildings should be flexible and adaptable and have high speed broadband.
- Dedicated artists zones or creative enterprise zones would be encouraged
- More guidance should be provided regarding affordable workspace and the mechanisms for securing it, which is important for start-ups and SMEs
- Existing businesses will be priced out of the area as a result of inflated rents and council tax rates and replaced by higher-value uses which do not provide for the needs of the existing communities.
- The proposed removal of the Protected Industrial Land designations and existing retail warehouses will spell the end of historic, light industrial activity in the Old Kent Road area unless existing businesses are supported to remain
- Need to plan positively for industrial premises that cannot be easily integrated with residential areas.
- The existing retail parks are well-used assets which provide an important function and service for local residents and the surrounding area.
- Retail parks and industrial areas are eyesores which have negative impacts upon the aesthetic appeal and air quality of OKR.
- Mixed use development supports a vibrant society integrating living, working, activities and leisure.
- The proposed transition will help to improve the evening economy and attract visitors to the area.
- The council should promote support for unique migrant and ethnic businesses operating in the area.
- The AAP should seek to encourage employers who offer the London Living Wage.
- The GLA indicated in their formal response that the council should retain some areas as Strategic Industrial Land.

AAP12 – High streets

- Concern that the existing vibrant high street of local and independent businesses (valued for their economic and cultural contributions to the community) will be priced out and replaced by characterless retail and restaurant chains that are unaffordable to a significant part of the area's existing local population.
- The road is a main arterial route into and out of London with heavy traffic and associated noise and air pollution, it will never be a pleasant high street
- Support policy if can attract good leisure facilities/entertainment venues (e.g. cinema, theatre).
- More diversity of high quality shops and mixed uses needed.
- Some retail parks and large supermarkets on the OKR (e.g. B&Q, Halfords, Asda, Tesco) are key resources for the local community and easy access brings visitors to the area – is there a way to incorporate these?
- Good quality cycling provision is essential i.e. abundant cycle parking and wide protected cycle lane.
- The GLA indicate in their formal response that the proposed boundary for the new District centre would raise conformity issues. They also suggested the town centre boundary should be drawn more tightly.

AAP21 – Car parking

- Support new development having limited car parking
- Ensure that there is sufficient parking for cars and that drivers are not overly penalised
- Successful regeneration requires consideration to protecting the needs of existing businesses (e.g. parking, servicing) so that they can continue to operate successfully.
- Concerned that high density of development could conflict with the needs for off-street servicing
- A strong servicing strategy is needed, where service routes are segregated from the pedestrian thoroughfare, enhances the ease of movement, legibility and safety

AAP22 – Green infrastructure

- Burgess Park is great but new small to medium open spaces are needed along with improvements to existing spaces
- People should have access to green space for wellbeing, recreation and a sense of belonging, including space for food growing and wildlife
- Flood mitigation should be an important consideration in open space design
- The AAP needs to be more explicit in detailing how all environmental improvements and open space aspirations will be achieved, and how to ensure developers are held to account
- Provision of additional open space is important but this must not come at the expense of the protection of OKR's existing natural assets. The plans must deliver a net gain in greenspace and biodiversity.
- Open spaces should be well-maintained and accessible to all; some existing spaces are not well looked after.
- Not enough green space is proposed and the community should be more involved in its planning.
- Open space should not be delivered at the expense of vibrant industry which

represents a key employer of local people around the OKR area.

AAP23 – Flood risk and sustainable urban drainage

- Flood mitigation should be an important consideration including sustainable drainage (SUDS), green roofs, rain water capture and grey water re-use to reduce the pressure on the sewerage system and promote climate and flood resilience.
- SUDS can be combined with healthy, active street design, including cycle infrastructure.
- There needs to be an integrated, area-wide, SUDS strategy. The route of the Surrey Canal could be reinstated as part of this strategy.
- Environment Agency highlighted that redevelopments should make space for SUDS which can be used to attenuate surface water run-off while achieving additional benefits such as enhanced amenity space and biodiversity.
- Thames Water stated that an Integrated Water Management Strategy (IWMS) is required for the area.

AAP25 – Air quality

- Need more trees, particularly on streets, improving air quality.
 - The AAP fails to explain how very poor air quality and noise will be addressed and measures enforced.
 - New development should have limited car parking to promote other sustainable transport modes.
 - Concerns that improvements to OKR for cyclists and pedestrians would displace traffic onto other roads and cause negative impacts for other areas in terms of congestion and air quality.
 - Improvements should not be at the expense of traffic flows on OKR or commercial servicing.
 - The plan should discourage the use of the OKR as a busy route into London for HGVs.
 - Need to encourage electric vehicles to improve air quality, including low-emission buses.
15. A full analysis of all key issues raised in consultation responses to the whole AAP will be provided alongside the consultation on the proposed submission version of the AAP later this year.

Proposed consultation on policy amendments

16. Following analysis of the consultation responses received the council is now proposing to make some significant changes to a small number of policies in the AAP prior to preparing the final version of the plan.
17. In accordance with Southwark's SCI, the proposed amended policies will be available for comment over a twelve week period from 21 June to 13 September 2017. The amended policies will be published on the council's website and made available at libraries, My Southwark service points and the council's Tooley Street offices. An advert publicising the amended policies will be put in the press and written notification will be sent to around 5500 contacts on the Planning Policy mailing list and My Southwark.
18. Further details are provided in the consultation plan (Appendix E).

KEY ISSUES FOR CONSIDERATION

19. The draft OKR AAP is an ambitious plan for the regeneration of Old Kent Road and the area around it. It establishes a vision and policies to manage change over a 20 year period. Because of the proposals for the Bakerloo Line extension and the fact that the Old Kent Road is a London Plan Opportunity Area, the draft OKR AAP and the evidence base which helps support it have been prepared in collaboration with officers at the GLA and TfL. In view of the need to coordinate the impacts of the draft OKR AAP, officers at Lewisham council have also been involved in its preparation.
20. This report seeks approval of the draft OKR AAP preferred option policy amendments (Appendix A) and the proposed changes to the adopted policies map (Appendix B) for consultation. Table 1 below provides a summary of the proposed policy amendments and the reasons for them.
21. The policy amendments were informed by the responses received to the consultation on the preferred option version of the OKR AAP (see above and Appendix D), by experience dealing with pre-application enquiries regarding development in the opportunity area and new evidence, including the emerging OKR Integrated Water Management Strategy.

Table 1: Summary of policy amendments proposed and reasons for making the changes

Current Policy	Proposed new or amended policy	Reasons for amendments
Old Kent Road CAZ extension	Proposed CAZ boundary to proposals map	<ul style="list-style-type: none"> The CAZ boundary has been amended to reflect the core area plus north of Mandela Way
N/A	New policy: AAP0: Social Regeneration	<ul style="list-style-type: none"> To respond to council's commitment to social regeneration in the Area Action Plan
AAP11: Employment Clusters	Delete policy and add 2x new policies AAP 11a: Workspace and business development AAP 11b: Mixed Use Employment Areas	<ul style="list-style-type: none"> Employment clusters expanded so policy applies to all sites in opportunity area – responds to demand and representations from existing businesses Employment floorspace will be expected to be reprovided on all sites given demand and aspiration for mixed use neighbourhoods as transition from PIL Mixed use design guidance explains how this is expected to be delivered

Current Policy	Proposed new or amended policy	Reasons for amendments
		<ul style="list-style-type: none"> • More information and evidence on sectors in each mixed use employment area • Definition required on map for Mixed Use Employment Areas and major town centre
AAP12: High streets	Amend policy to AAP 12: Town Centre and include reference to major town centre status and the relationship of primary and secondary retail	<ul style="list-style-type: none"> • Promote the Old Kent Road as a major town centre • Clarify the retail strategy for the Old Kent Road as a primary high street with a network of secondary retail on streets and squares connecting to the main road.
AAP21: Car parking	Amend policy to require 0.1 car parking spaces per unit in lower PTAL areas and requirement for electric vehicle charging points.	<ul style="list-style-type: none"> • To continue to promote car free development in high PTAL areas and reduce the amount of car parking required in less accessible areas. • To improve air quality and promote sustainable development.
AAP22: Green infrastructure	Key new amendment to include 5sqm of open space per dwelling	<ul style="list-style-type: none"> • Given the high density of development proposed in the opportunity area it is important to ensure that sufficient public green/open space is delivered across the area to create high quality places that feel comfortable to spend time in.
AAP23: Flood risk and sustainable urban drainage systems	Key amendment relating to S106 payment if greenfield runoff rates cannot be achieved	<ul style="list-style-type: none"> • Minimising surface water runoff from new developments in the opportunity area is critical to reduce surface water and sewer flood risk and avoid the need for expensive and disruptive upgrades to the combined sewer network.
AAP25: Air quality	Key amendment regarding Healthy Streets initiative and guidance for reducing air pollution	<ul style="list-style-type: none"> • Poor air quality in London is leading to nearly 9,500 premature deaths per year. Air quality on the Old Kent Road is particularly bad and given the

Current Policy	Proposed new or amended policy	Reasons for amendments
		scale of development anticipated there is potential for the situation to get worse without a strong policy on managing air quality.
Site allocations	The change in policy approach to employment re-provision will affect a number of site allocations which will be updated in the submission version.	<ul style="list-style-type: none"> • To remain consistent with emerging policies
Site allocations OKR11 and OKR 13	Change of Galleywall Trading Estate site allocation to identify it as an employment site only (rather than for mixed use residential, employment, community, retail development). To specify both sites as retained SIL.	<ul style="list-style-type: none"> • To ensure more industrial land is maintained in the Old Kent Road area as industrial/employment uses only
Site allocation OKR18	Policy to reflect longevity of waste management site and electricity substation as retained SIL.	<ul style="list-style-type: none"> • To reflect the future phasing of development and existing functions of SIL.

Community impact statement

22. In preparing the draft OKR AAP the council has completed an integrated impact assessment (appendix C). This assessment found that the AAP/OAPF has strong objectives for improving the quality of the environment in the opportunity area including fostering community cohesion, improving health and equal opportunities for all. Policies reflect the aim of achieving revitalised neighbourhoods with new community facilities, healthcare, education, cultural, leisure and arts space. The plan recognises the opportunity area also has a number of existing community networks, including many religious groups and churches, creative businesses and a diverse population. There may be a risk that community networks could be affected by redevelopment in the area if meeting places or cultural facilities are displaced by development. However the AAP provides many opportunities to replace, enhance and expand community and cultural functions, which will be an integral part of the place-making strategy. The implementation of the AAP will ensure high quality development is delivered across the opportunity area, encouraging sites to consider wider considerations to achieve the aspirations of the plan, including new green spaces, improved transport infrastructure, connecting routes and high quality new buildings. There may be short term effects relating to increases in construction activity. However in the long term the AAP will create a better environment for residents, workers and visitors helping to improve the health of the population including by improving air quality, public realm and increasing physical activity and reducing factors relating to deprivation such as crime and unemployment.

Financial implications

23. There are no immediate financial implications arising from the proposed consultation on the amended AAP policies. Any potential additional costs from any specific proposals emerging from the preparation and adoption of the plan or any queries thereof will be submitted as separate reports for consideration in line with the appropriate protocols.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

24. Area Action Plans (AAPs) are local development documents under the legislative framework established under the Planning and Compulsory Act 2004 ('the 2004 Act'). Regulation 5 of the Town and Country Planning (Local Planning) (England) Regulations 2012 ('the Regulations') provides that any document which (i) relates only to part of the area of the local planning authority; (ii) identifies that area as an area of significant change or special conservation; and (iii) contains the local planning authority's policies in relation to the area, is a local plan. As part of the Local Plan for Southwark, the Old Kent Road AAP, once adopted, will be used to make planning decisions on development proposals submitted to the Council.
25. A detailed statutory procedure for the adoption of local plan documents is set out in Part 6 of the Regulations including preparation and publication of a local plan, the consideration of consultation responses and the requirement for conformity with the London Plan. Section 19(3) of the 2004 Act requires that, in preparing local development documents, the local planning authority must comply with their statement of community involvement (SCI) and this report confirms that there will be compliance with the twelve week consultation pp which accompanies this report sets out both the statutory minimum requirements for consultation in the Regulations and the extended proposals in the SCI.
26. Ultimately, the Old Kent Road AAP will be submitted to the Secretary of State and will be subject to independent examination, as will be outlined in further reports as the statutory process progresses.
27. This report is accompanied by an Integrated Impact Assessment. The Integrated Impact Assessment will incorporate the Sustainability Appraisal, Strategic Environmental Assessment, Health Impact Assessment and Equalities Analysis and these are considered separately in the following paragraphs.
28. Section 19(5) of the 2004 Act requires a sustainability appraisal of the proposals in each development plan document such as the Old Kent Road AAP and the Regulations prescribe that the sustainability appraisal report must be submitted to the Secretary of State as part of the adoption process. The purpose of the Sustainability Appraisal is to promote sustainable development by integrating sustainability considerations into plans. By testing each plan policy against sustainability objectives, the Sustainability Appraisal process assesses and reports the likely significant effects of the plan policies and the opportunities for improving social, environmental and economic conditions by implementing the plan.
29. Sustainability appraisals are also required to satisfy the European Directive 2001/42/EC. The Directive requires a formal Strategic Environmental

Assessment (SEA) of certain plans and programmes that are likely to have significant effects on the environment. The SEA was transposed into UK law by the Environmental Assessment of Plans and Programmes Regulations 2004. SEA is focused primarily on environmental effects, whereas Sustainability Appraisals go further by examining all the sustainability related effects of plans, whether they are social, environmental or economic. The process for undertaking a SA is conducted in accordance with the requirements of the SEA Directive.

30. The council is also required by UK law to pay due regard to advancing equality, fostering good relations and eliminating discrimination for people sharing certain protected characteristics, as set out in the Public Sector Equalities Duty (2011) (under section 149 of the Equalities Act 2010). The council carries out Equalities Analysis (EqIA) of its plans, decisions and programmes to consider the potential impact (positive and negative) of proposals on the key 'protected characteristics' in the Equality Act 2010 and with regard to the Human Rights Act 1998.
31. Health Impact Assessment (HIA) is a combination of procedures, methods and tools by which a policy, program or project may be judged as to its potential effects on the health of a population, and the distribution of these effects within the population. While a HIA is not required by law it is considered good practice, particularly since responsibility for managing the health of populations was transferred from national government to local authorities following the Health and Social Care Act 2012.
32. Part 3B of the cabinet role and functions of the Southwark constitution provides that the Cabinet Member for Regeneration and New Homes has particular responsibility for development of the local development framework.
33. Part 3F of the constitution provides that it is function of planning committee to comment on local development framework documents in respect of all significant planning matters and to make recommendations to cabinet and this report refers to the intention to include this step in the consultation process.
34. Part 3C of the constitution provides that approval for recommendation to council assembly of those proposals and plans contained in the council's policy framework are reserved to full cabinet.
35. Part 3A of Southwark's constitution provides that it is the council assembly that must agree the policy framework including development plan documents.

Strategic Director of Finance and Governance (FC17/004)

36. This report is requesting cabinet to approve the draft Old Kent Road Area Action Plan preferred option policy amendments (Appendix A) and the proposed changes to the adopted policies map (Appendix B) for public consultation.
37. The strategic director of finance and governance notes that there are no immediate financial implications arising from this report and any costs from specific proposals emerging from the adopted plan would be subject to separate report for formal approval.
38. Staffing and any other costs connected with this report to be contained within existing departmental revenue budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Draft Old Kent Road Area Action Plan	160 Tooley Street, SE1	planningpolicy@southwark.gov.uk
Link: (Copy and paste link into browser) http://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/development-plan/area-action-plan		
New Southwark Plan preferred options (October 2015)	160 Tooley Street, SE1	planningpolicy@southwark.gov.uk
Link: http://www.southwark.gov.uk/downloads/download/4346/new_southwark_plan_preferred_option		
Southwark Statement of Community Involvement	160 Tooley Street, SE1	planningpolicy@southwark.gov.uk
Link: (copy and paste link into browser) http://www.southwark.gov.uk/planning-and-building-control/planning-policy-and-transport-policy/consultation-and-updates/statement-of-community-involvement		

APPENDICES

No.	Title
Appendix A	Proposed new and amended AAP policies
Appendices B to F are available on the following link (Item 11): http://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=302&MId=5749&Ver=4	
Appendix B	Proposed changes to the adopted policies map (available on the website)
Appendix C	Integrated impact assessment (available on the website)
Appendix D	Consultation report (available on the website)
Appendix E	Consultation plan (available on the website)
Appendix F	Habitats Regulations assessment (available on the website)

AUDIT TRAIL

Cabinet Member	Councillor Mark Williams, Regeneration and New Homes	
Lead Officer	Simon Bevan, Director of Planning	
Report Author	Juliet Seymour, Planning Policy Manager	
Version	Final	
Dated	8 June 2017	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team		8 June 2017



Old Kent Road Area Action Plan: Proposed new and amended AAP policies

No.	Title
Appendix A	Proposed new and amended AAP policies
Appendix B	Proposed changes to the adopted policies map
Appendix C	Integrated impact assessment
Appendix D	Consultation report
Appendix E	Consultation plan
Appendix F	Habitats Regulations assessment

June 2017

FOREWORD

In partnership with the Mayor of London we have consulted with our residents to transform the Old Kent Road with 20,000 new homes, 5,000 new jobs, new community facilities, public spaces and parks to be enabled by the extension of the Bakerloo Line. Our last round of consultation received over 1,000 responses which showed broad support for our plans. This reports details how we will now consult on a small number of amended policies prior to preparing the final version of the Old Kent Road Area Action Plan.

The changes we wish to consult on are the proposed boundary of the Central Activities Zone which will now reflect the core area of the AAP; a new policy on Social Regeneration which puts the council's commitment to improving the lives of our residents at the heart of this plan; bring in greater protections for the retention and reprovision of workspace; reducing the amount of car parking to promote public and sustainable transport and improve air quality; and to include the Mayor of London's and TfL's new Healthy Streets Initiative and guidance for further reducing air pollution.

Cllr Mark Williams

Cabinet Member for Regeneration and New Homes

CONSULTATION DETAILS

We welcome your comments on the Old Kent Road Area Action Plan: Proposed amended Preferred Option Policies. Please send us your responses by 5pm on Wednesday 13 September 2017. Any responses received after this date will not be accepted.

Comments can be provided on line through Southwark's Consultation Hub:

<https://consultations.southwark.gov.uk/>

You can also send your comments by email to planningpolicy@southwark.gov.uk or by letter to:

Old Kent Road AAP, Planning Policy, 5th Floor, Southwark Council, PO Box 64529, London SE1P 5LX

Introduction

The Old Kent Road Area Action Plan (OKR AAP) which sets out an ambitious growth strategy for Old Kent Road and the surrounding area. Over the next 20 years the opportunity area will be transformed, including the provision of two new underground stations as part of the Bakerloo Line extension, 20,000 new homes, including affordable homes for local people and 5,000 additional jobs.

Once adopted, the OKR AAP will form part of Southwark's Local Plan and be used alongside the New Southwark Plan to determine planning applications and focus investment. It will also be endorsed by the Mayor of London as an Opportunity Area Planning Framework (OAPF).

Extensive consultation on the plan took place between June and November 2016 and the council received over 1,000 responses.

This document proposes amendments to previously proposed policies. These policies are also 'preferred option' stage policies. These policies have been prepared following consultation responses.

The next stage of consultation, scheduled for autumn 2017 will set out the 'proposed submission' stage policies.

The table below summarises the proposed changes to a small number of AAP policies and the reasons for these amendments. Full details of each policy amendments are provided for each policy in turn in the remainder of the document.

Current Policy	Proposed new or amended policy	Reasons for amendments
Old Kent Road CAZ extension	Proposed CAZ boundary to proposals map	<ul style="list-style-type: none"> The CAZ boundary has been amended to reflect the core area plus north of Mandela Way
N/A	New policy: AAP0: Social Regeneration	<ul style="list-style-type: none"> To respond to council's commitment to social regeneration in the Area Action Plan.
AAP11: Employment Clusters	Delete policy and add 2x new policies AAP 11a: Workspace and business development AAP 11b: Mixed Use Employment Areas	<ul style="list-style-type: none"> Employment clusters expanded so policy applies to all sites in opportunity area – responds to demand and representations from existing businesses Employment floorspace will be expected to be reprovided on all sites given demand and aspiration for mixed use neighbourhoods as transition from PIL Mixed use design guidance will explain how this is expected to be delivered More information and evidence on sectors in each mixed use employment area Definition required on map for Mixed Use Employment Areas and major town centre

AAP12: High streets	Amend policy to AAP 12: Town Centre and include reference to major town centre status and the relationship of primary and secondary retail	<ul style="list-style-type: none"> Promote the Old Kent Road as a major town centre Clarify the retail strategy for the Old Kent Road as a primary high street with a network of secondary retail on streets and squares connecting to the main road.
AAP21: Car parking	Amend policy to require 0.1 car parking spaces per unit in lower PTAL areas and requirement for electric vehicle charging points.	<ul style="list-style-type: none"> To continue to promote car free development in high PTAL areas and reduce the amount of car parking required in less accessible areas. To improve air quality and promote sustainable development.
AAP22: Green infrastructure	Key new amendment to include 5sqm of open space per dwelling	<ul style="list-style-type: none"> Given the high density of development proposed in the opportunity area it is important to ensure that sufficient public green/open space is delivered across the area to create high quality places that feel comfortable to spend time in.
AAP23: Flood risk and sustainable urban drainage systems	Key amendment relating to S106 payment if greenfield runoff rates cannot be achieved	<ul style="list-style-type: none"> Minimising surface water runoff from new developments in the opportunity area is critical to reduce surface water and sewer flood risk and avoid the need for expensive and disruptive upgrades to the combined sewer network.
AAP25: Air quality	Key amendment regarding Healthy Streets initiative and guidance for reducing air pollution	<ul style="list-style-type: none"> Poor air quality in London is leading to nearly 9,500 premature deaths per year. Air quality on the Old Kent Road is particularly bad and given the scale of development anticipated there is potential for the situation to get worse without a strong policy on managing air quality.
Site allocations	The change in policy approach to employment re-provision will affect a number of site allocations which will be updated in the submission version.	<ul style="list-style-type: none"> To remain consistent with emerging policies
Site allocations OKR11 and OKR 13	Change of Galleywall Trading Estate site allocation to identify it as an employment site only (rather than for mixed use residential, employment, community, retail development). To specify both sites as retained SIL.	<ul style="list-style-type: none"> To ensure more industrial land is maintained in the Old Kent Road area as industrial/employment uses only
Site allocation OKR18	Policy to reflect longevity of waste management site and	<ul style="list-style-type: none"> To reflect the future phasing of development and existing functions

	electricity substation as retained SIL.	of SIL.
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Appendices

Appendices to this document show proposed updates to the proposals map to align with the policy changes highlighted above. The appendices include:

Map 1: Amended CAZ boundary

Map 2: Old Kent Road Major Town Centre Boundary

Appendix 1: **Guidance on Business and Relocation Strategy**

Proposed policy changes

AAP 0: Social regeneration

We will ensure that regeneration and development provide the best outcomes and opportunities for all our residents in the opportunity area. We will ensure physical change goes hand in hand with positive social change through using the strategy and policies set out in the Old Kent Road Area Action Plan. All development should contribute towards social regeneration by enhancing the health and wellbeing of our existing residents. This will be achieved through:

- Strengthening and supporting cohesive and empowered local communities;
- Building new and improving existing community facilities for our residents, including schools, health centres and community centres;
- Supporting our residents to take advantage of the employment and education opportunities that new development brings; both in construction and in completed developments;
- Ensuring the Old Kent Road is a vibrant and exciting place to live by improving accessibility so residents can easily travel safely, and actively if they choose, to new and improved facilities for leisure, sport, arts, learning and other cultural activities;
- Ensuring new development contributes towards maintaining inclusive environments that encourage healthy behaviours for all, including promoting more physical activity, healthy eating, connection with green spaces and social interaction;
- Ensuring new development reduces avoidable harm to residents, such as air pollution, noise, traffic accidents and crime;
- Ensuring new development provides environments that can adapt to changing life stages, including homes that can change as people age and public realm that is easy to use by all residents.

Reasons

The council is committed to delivering 'good growth' that improves the quality of life for its residents, communities and businesses and promoting fairness. There are significant opportunities for development in the Old Kent Road that will revitalise the area and provide new facilities for existing residents including healthcare, education, jobs, business space, healthier streets and new green spaces. Policies will require the highest possible standards of design, creating attractive, healthy and distinctive buildings and places. New development will help to ensure these improvements can be delivered and will help to improve the health and social wellbeing of the borough's residents.

Strong local economy

The Old Kent Road core area will become part of London's Central Activities Zone (CAZ). The CAZ represents the centre of London, a world city and competitive business location driving the UK economy. The Old Kent Road will provide a rich mix of land uses that responds positively to the expansion of central London and supports social regeneration. The Old Kent Road will also become a new major town centre, with a focus on revitalising the high street as the main location for new retail development. Beyond the Old Kent Road, mixed use employment areas will be created which draw on strengths of the existing business community and offer innovative design solutions for mixing residential uses with light industrial, creative and managed workspaces.

The Old Kent Road has distinctive characteristics as an industrial and creative area with a thriving existing business community. We recognise that the needs of businesses are changing, and there is increasing demand for good quality new space in key areas which provide essential services for both the local and central London economy. Many of these businesses hold specialist skills and local employment. The Old Kent Road is an ideal place to support new development to support a strong local economy. Our 2015 employment study found that there were around 9,000 jobs in the opportunity area. Our aim is to increase this by 5,000 additional jobs within new mixed use neighbourhoods. We have identified Mixed Use Employment Areas which reflect the agglomerations of the existing business community in the Old Kent Road area. Although restructuring will be required, nurturing the existing range of businesses is key to enhancing the area's existing vibrancy and building on its unique economy. In these areas we will expect development to contribute to an innovative mix of uses which contribute to the specific roles and functions of each area.

The Old Kent Road as a linear thoroughfare presents the opportunity to revitalise its role as a high street serving the local community. The town centre hinterland will offer a mix of commercial uses that will benefit the people that live, work and visit Old Kent Road, enhancing and attracting different types of businesses that will thrive and prosper and will in turn ensure the vitality of the high streets retail offer.

AAP 11a: Businesses and workspace

Proposals must:

- Retain or increase the amount of employment floorspace (GIA) on site (B class use or sui generis employment generating uses)
- Consolidate on site servicing for business uses which is separate to residential servicing or managed by an access management plan including deliveries and hours of operation
- Generate employment and result in an increase in the number of jobs provided.
- Accommodate existing businesses on site or in the Old Kent Road area or provide relocation options for businesses that will be displaced by development.
- Provide a business and relocation strategy for incorporating workspaces into mixed use developments (further guidance is provided in Appendix 1).

In addition major developments which provide over 1,000 sqm employment floorspace must:

- Deliver workspace managed by a specialist provider to support existing and new business start-ups and small and medium sized enterprises.
- Include an element of low cost or affordable workspace.

Reasons

Over the past decade there has been a ripple effect from the expanding commercial activity of the South Bank and a growing presence of the Central Activities Zone (CAZ) in the northern part of Southwark. The Old Kent Road is an important servicing location on the fringe of central London, the most important generator of economic activity in the country, and the area will increasingly become part of the centre of London.

There is significant growth in the technical, professional and digital service economies, as well as bespoke, craft and artisan manufacturing industries which are present in the area. There is continuing demand for space from industrial businesses servicing the CAZ including food service activities, printing, repair/maintenance and transport functions.

This AAP provides the opportunity to set a policy framework which anticipates these changing requirements of business and working life and plans proactively for 'good growth'. Our strategy involves releasing land that is currently designated as preferred industrial location. Notwithstanding long term employment projections, the preferred industrial location accommodates many businesses across a huge range of sectors. Releasing land from the preferred industrial location designation is contingent on securing a range of workspaces in new mixed use developments, including re-accommodating industrial uses, and other regeneration benefits such as affordable housing, which are outlined in the AAP.

Business retention and relocation

In the Old Kent Road there are over 9,500 jobs in a wide range of businesses. The business community is strong and provides key services to the central London economy. The nature of the space businesses required in the future will change, and already there are some external factors such as rising land values and lack of appropriate vehicular access limiting the types of businesses that can continue to thrive in central London.

However many businesses will continue to thrive and will adopt changing and more flexible working practices and requirements for space. New development needs to take account of these changes to help to retain the special characteristics of the Old Kent Road as a creative and productive part of London and maintain the successful business community.

The council has established the Old Kent Road Business Network to understand the requirements and aspirations of existing businesses and inform the types of new business space that are built in the area. Appendix 1 provides further guidance on business and relocation strategies. Specific actions, for example relating to the relocation of existing businesses, will be captured within planning conditions and/or a S106 legal agreement where appropriate.

In cases where relocation would be required, railway arches and retained industrial areas in the Old Kent Road area should be utilised, particularly for businesses that need to temporarily relocate while redevelopment takes place. Suitable and available alternative premises should be identified in the Old Kent Road opportunity area in Southwark and Lewisham. New premises for relocated businesses should be in the right locations to suit specific requirements and affordable to ensure the successful continuation of the business.

Affordable business space

It is important to maintain business space that continues to be affordable for a wide range of users, including those displaced by regeneration elsewhere in the opportunity area or other local small and medium sized enterprises. Affordability differs depending on the specific

requirements of each business and is not necessarily restricted to subsidised rents. Some examples of alternative low cost employment space would be the provision of lower specification space which would be more appropriate for certain sectors and by utilising space in railway arches. Affordable space could also be made available by the provision of units suitable for co-working and encouraging joint functions such as reception services. In major schemes providing over 1,000 sqm of employment floorspace, affordable workspace will be required as part of a planning obligation. This could include a clause to maintain rents which are comparable with existing rents by area or by sector, a percentage discount in rents for a preliminary period, requirements for full fit-out of units or flexible contracts (including flexible terms of lease and break clauses) depending on specific scheme requirements.

At the present time over 65% of businesses in the Old Kent Road employ less than 10 people. All major development proposals will be encouraged to work with a registered workspace provider to manage specialist space for small and medium enterprises from start-up stages and supporting future growth. The council has established a Workspace Provider List for Southwark which responds to the increased demand for small, flexible and well-managed workspace in the borough.

Skills

Many new jobs and training opportunities will be generated in the opportunity area, both during the construction phases and in completed developments. It is important that new jobs and training opportunities are targeted towards local people, supporting social regeneration in line with the approach established in the New Southwark Plan.

AAP 11b: Mixed Use Employment Areas

Development that responds positively to the function of the Mixed Use Employment Areas outlined in Table 1 will be supported.

The design and distribution of employment floorspace in mixed use development should respond positively to the **Mixed Use Design Guidance document (Appendix 2 in the AAP)**.

Table 1

Mixed Use Employment Area	Design and function	Minimum capacity for employment (B class) jobs (gross)
Mandela Way: Central London activities	Mandela Way is in a prominent location on the periphery of central London. High quality mixed use development, including office provision, must be focused around a linear park. The potential to incorporate existing businesses/uses into developments should be explored. Mixed use development will also be expected to contribute to the cultural and educational functions of the CAZ; this area would be a suitable location	At least 4,000 jobs

	for an educational establishment.	
Hatcham Road: Light industry, creative and cultural cluster	The Hatcham Road area is a thriving location for small businesses, artists' studios and creative enterprises. New mixed use development proposals must provide small business space for creative industries and contribute to reinforcing a cluster of arts, cultural and creative industries, including light manufacturing, co-working space, artist's studios and flexible, affordable workspaces.	At least 600 jobs
Latona Road: Light industrial workspaces and small businesses	Mixed use development must incorporate industrial uses including flexible, managed workspace for light industry and support the growth of small and medium sized enterprises. Development should incorporate innovative mixed use design which includes horizontal mixing of residential and employment uses on a single plot; this may include separate buildings for business and residential use.	At least 600 jobs
Sandgate Street and St James's Road: Town centre and industry	On the Old Kent Road frontage, mixed use development should incorporate vertical stacking of town centre uses including retail, office and residential development. The high street should also include employment generating uses in the health, entertainment and leisure sectors. Beyond the Old Kent Road, development must incorporate innovative mixed use design which includes horizontal mixing of residential and industrial uses on a single plot; this may include separate buildings for business and residential use. There is potential for depots and other larger floorplate uses given the size of the sites.	At least 800 jobs
South-east Bermondsey, IWMF and New Cross electricity substation: Strategic Industrial Locations	The area must maintain an industrial function which incorporates business uses that are less compatible with residential development. Industrial and warehousing uses should be intensified and development should make effective use of railway arches for a wide range of business uses. The South-east Bermondsey area provides opportunities to relocate businesses from other parts of the Old Kent Road. Development around the Integrated Waste Management Facility and New Cross electricity substation should be carefully managed and designed to avoid conflict of uses.	At least 1,300 jobs

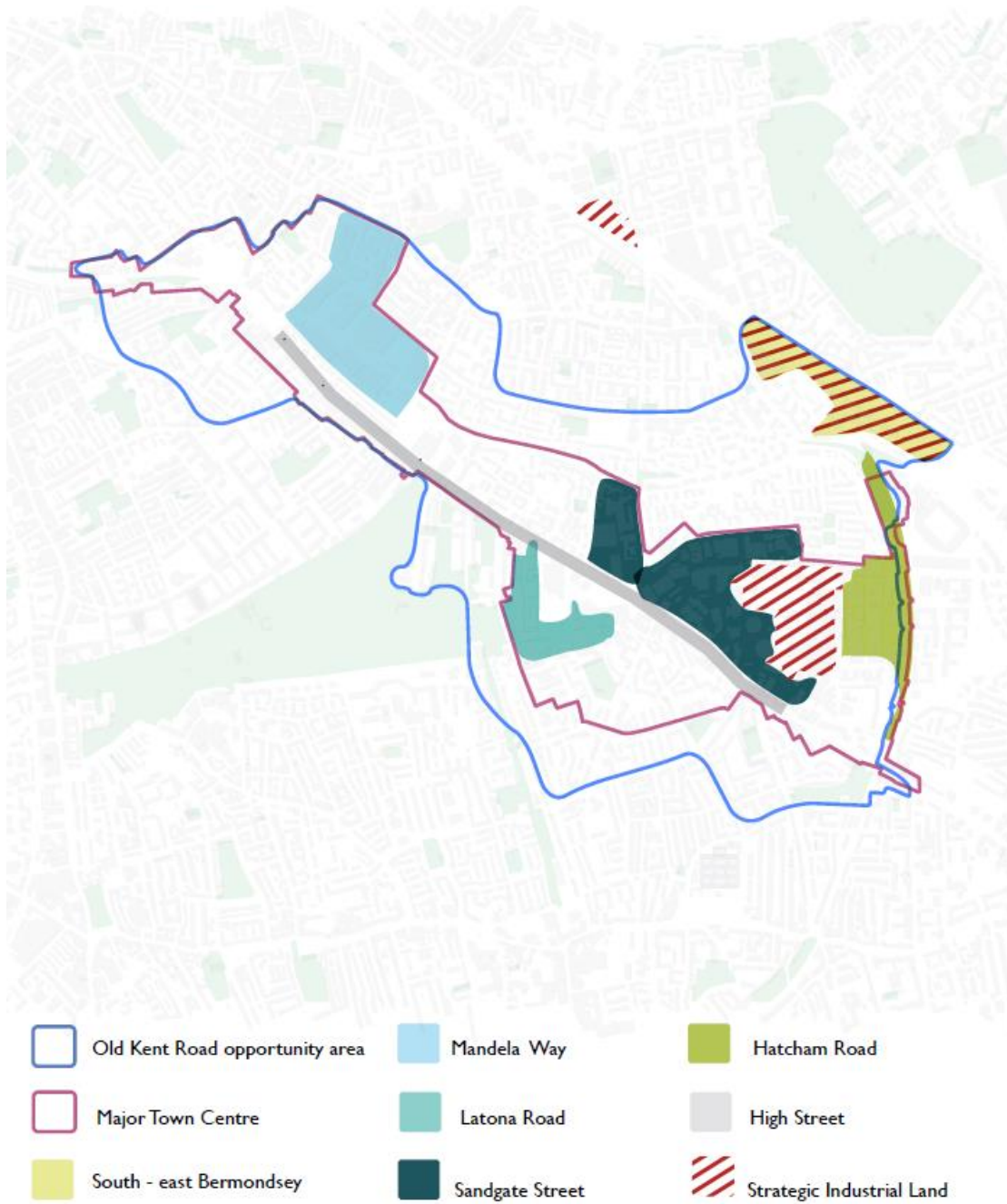
Reasons

In the Mixed Use Employment Areas there is the opportunity to deliver innovative design solutions to mix light industrial buildings and flexible workspaces with residential development. There is a strong existing light industrial, manufacturing and creative business community in the area and future development presents the opportunity to cluster employment uses to maintain and grow jobs, resources, knowledge and innovation. Development should maintain a vibrant business and cultural community. With the addition of the Discovery Business Park and railway arches outside the Old Kent Road opportunity area, 23 hectares of Strategic Industrial Locations (SIL) will remain in industrial use. In these areas, London Plan policy 2.17 applies.

It is anticipated the Old Kent Road could deliver an additional 5,000 jobs in a range of sectors. Table 1 gives an estimated minimum gross capacity of jobs in each cluster which would relate to employment uses in Class B of the Use Classes Order 1987 or sui generis employment generating uses. Jobs will also be generated in other locations in the Old Kent Road area, along the high street and in a range of sectors. The types of space required in fringe locations such as the Old Kent Road would differ from the high-specification office space that continues to significantly see increased demand in the north of the borough. Instead, purpose-designed light industrial premises, co-working office space and hybrid space would provide the new jobs in the area. Hybrid space would cater for sectors such as craftwork, printing or graphic design requiring space for making and creating as well as requiring an element of office functions. The Old Kent Road already hosts a number of creative industries as well as a growing community of artists' studios and gallery space.

The South-east Bermondsey industrial cluster includes sites across Southwark and Lewisham where there will be opportunities to relocate businesses from other parts of the Old Kent Road and will include joint working with Lewisham council.

Map 1: Mixed Use Employment Areas



AAP 12: Town centre

Development must support the revival of the Old Kent Road as a high street and its role as a major town centre.

For sites within the Old Kent Road frontage an appropriate mix of uses should be provided. This should include retail (A Class uses) such as shops, cafes and restaurants, but could also include other uses which help strengthen the role of the Old Kent Road as a high street such as community, leisure, cultural and business uses.

A range of retail unit sizes should be provided on the Old Kent Road to create a primary shopping frontage. Secondary frontages with smaller retail units should be established in streets connecting onto the Old Kent Road within a network of streets and squares.

Town centre sites behind the Old Kent Road frontage will be the main foci for non-retail commercial development and intensification, including residential development.

Provision of small scale retail uses (Class A uses) will be supported in these other locations where it serves to meet the need of the local population.

Reasons

The Old Kent Road already contains the equivalent retail floorspace of a Major Town Centre at 95,000sqm, employing approximately 1,500 people. Reimagining the Old Kent Road as a high street, rather than fragments of a high street interspersed with a series of retail parks, is a core part of our vision for the opportunity area. This will build on its existing strengths, particularly at the northern end which already functions as a high street and breathe new life into the southern end, re-providing the popular existing retail offer (including furniture, DIY, electronics) within new high street stores. It also reflects its historical importance as a high street which was once a destination with shops, civic amenities, cinemas and entertainment venues.

A vibrant mix of uses will bring life to the Old Kent Road at different times of the day and naturally meet the needs of a growing population, supporting social regeneration. Over time we expect retail provision on the Old Kent Road to evolve with “big box” retail sheds being replaced by high street type stores. The Old Kent Road frontage presents the opportunity to accommodate larger floorplate stores including supermarkets whilst a network of streets and squares beyond the Old Kent Road will help to accommodate additional smaller shops, cafés and restaurants. Depot uses like builders merchants have retail spaces and there may be scope to front these onto the high street with the service function behind, particularly on larger sites.

We will designate the entire opportunity area as a major town centre in Southwark’s hierarchy of centres and anticipate that it will serve a local catchment of existing and future residents and workers. It is important that new shops and town centre facilities reinforce the role of the Old Kent Road and do not divert trade away from it. New Southwark Plan policy DM27 requires re-provision of retail use in town centres. Any loss of space will need to be justified by factors such as the role and function of the centre and the aspiration to reinforce the Old Kent Road as a high street, likely demand and a need to minimise car parking.

AAP 1: Car parking

Car parking provision should be minimised and should not exceed the following maximum levels:

- Residential development in areas with a PTAL of 5 or 6 (very good or excellent access to public transport) should be car free. In areas with lower PTALs, car parking could be provided at up to 0.1 spaces per unit, taking account of public transport facilities and the nature of the proposals. Car parking should generally be prioritised for larger, family sized residential units as well as to Blue Badge holders and should be managed rather than allocated or sold with a specific unit.
- Non residential development should be car free, with the exception of justified operational and blue badge parking. If there are any circumstances in which non-residential car parking is provided, it should be publically accessible and managed to ensure it is used efficiently throughout the day and evening.
- Development must provide electric vehicle charging points for all parking spaces

Car club provision should be provided where appropriate, with funding for provision and initial membership through Section 106 planning obligations.

A car parking management plan will be required. Where necessary, developers should pay for the implementation or alteration of a Controlled Parking Zone to mitigate the potential impact of their scheme, through Section 106 planning obligations. Residents of new developments will be exempted from being able to secure CPZ permits.

Appropriate car parking provision should also be made for Blue Badge holders.

Reasons

To ensure successful regeneration it is imperative that additional vehicle trips arising from development are minimised and that the benefits of new and improved public transport facilities proposed to serve the opportunity area are fully utilised. Through ensuring that car parking is restricted to only those developments and users where it is absolutely necessary residents and visitors will be encouraged to walk, cycle and use public transport. It will also reduce the amount of land required for car parking that could otherwise be used for development or public space and the costs and impacts of provision within basements or elsewhere in a development.

As well as ensuring that on site parking provision is minimised, we will also need to ensure that this parking is properly managed, that the scheme is designed and managed to ensure that there no informal parking and that overspill parking does not occur on surrounding streets. A car parking management plan will be required and developers will be expected to enter into legal agreements restricting the rights of occupiers to apply for parking permits in Controlled Parking Zones (CPZs) surrounding the site. Where no CPZs currently exist, we will look to introduce these over the life of the AAP. Car club provision allows access to a vehicle when required, without the need for car ownership.

AAP22: Green infrastructure

The following text is proposed as an addition to Policy AAP22:

Development providing 20 or more new homes should provide 5 square metres of publicly accessible open space per dwelling.

The open space or spaces provided should:

- be well-designed, safe and inclusive, and include places to sit, meet and play;
- maximise use of trees and soft landscaping/planting;
- be individually not less than 100sqm;
- complement and support adjacent active frontages and uses, such as cafes, cultural or workspace clusters;
- be appropriately located as part of a local open space network within an area.
- be a pedestrian friendly environment;

Where it is not feasible to deliver the required publicly accessible open space on site, the council will secure a section 106 contribution to deliver improvements to existing spaces in the locality.

The above requirements will not apply to development sites that fall within areas covered by SPDs where open space provision has been planned across the sub-area to achieve the open space target.

Reasons:

With the very considerable exception of Burgess Park, the area is sparsely supplied with green spaces. Given the high density of development proposed in the opportunity area it is important to ensure that sufficient public green/open space is delivered across the OKR area to soften perceptions of the area and create high quality places that feel comfortable to spend time in. This includes pocket parks, small squares and other civic spaces. Such provision is important for providing opportunities for people to rest and interact with others and for supporting social regeneration and a healthy, cohesive, multi-generational community. Maximisation of urban greening is also important to create an attractive environment, address poor air quality in the area, moderate peak summer temperatures (important in our warming climate) and reduce surface water flood risk.

Our evidence base indicates that provision of 5sqm of public open space per dwelling is the minimum level required to sustain current per capita provision of green space in the area, which is already lower than in other parts of the borough. The minimum area of 100sqm for a new space is based on a review of the size of our pocket parks.

This requirement applies in addition to requirements for amenity space and play space in the New Southwark Plan. Schemes delivering parts of 'strategic' spaces such as the Surrey canal route on site can count this towards their site's delivery of the 5sqm per dwelling target.

The Section 106 and Community Infrastructure Levy SPD sets out the charge used for provision of amenity space where on site provision falls short. We would apply the same charge where provision of publicly accessible open space on site falls short of the target. The £205 per square metre charge in the SPD represents an average cost in Southwark for improving open space, taking into account all costs including fees and construction costs.

AAP23: Flood risk and sustainable urban drainage systems

The proposal is to add the following text below the bullet points in the existing policy:

Where it is demonstrated that a greenfield runoff rate is not feasible, runoff rates should be minimised as far as possible and a section 106 offset payment will be required to mitigate the residual runoff.

Reasons

In the OKR opportunity area there are increasing risks of surface water and sewer flooding linked to climate change and ongoing development and intensification. High level hydraulic modelling by Thames Water indicates no spare capacity within the combined sewer and an increased risk of combined sewer flooding in the opportunity area without a reduction in surface water runoff. Limiting surface water and sewer flood risk will reduce or avoid the need for expensive and disruptive upgrades to the combined sewer network.

Achieving a 'greenfield rate' of runoff can be challenging on individual development sites, therefore developers will be expected to collaborate to design, plan and deliver offsite attenuation measures (e.g. within local green spaces) to address residual runoff. Developments will be required to make a financial contribution to off-site solutions where a greenfield runoff rate cannot be achieved. The OKR Integrated Water Management Strategy provides guidance on designing SUDS systems for the opportunity area and the evidence base for the SUDS offset charge for the OKR opportunity area.

AAP25: Air quality

The following text is proposed to replace the existing policy:

Proposals must:

- Meet or exceed air quality neutral standards in the London Plan
- Avoid locating schools and other sensitive receptors immediately adjacent to busy roads
- Be car-free in highly accessible areas, with the exception of parking for disabled people and to meet business operational needs; car club bays will be supported in appropriate locations where they are reserved for electric vehicles
- Provide electric vehicle charging points for all parking spaces
- Provide bike infrastructure and support the extension of the bike hire scheme in appropriate locations
- Create neighbourhoods that are designed to be easy to walk around
- Create retail/café public realm off the OKR frontage, where appropriate, so that people can sit in cleaner, quieter surroundings
- Maximise greening of public realm and buildings, while ensuring that street tree provision is designed so that it does not reduce air circulation on busy roads and thereby exacerbate poor air quality

Proposals for tall buildings should model impacts of building form and massing on wind flows and air quality at street level.

Reasons

Poor air quality in London is leading to nearly 9,500 premature deaths per year. Air quality on the Old Kent Road is particularly bad. TfL has identified the northern end of the Old Kent Road as an Air Quality Focus Area because exposure to pollutants such as PM2.5, PM10 and NO2 is high. Given the scale of development anticipated there is potential for the situation to get worse without adequate mitigation.

Mayoral initiatives such as the emissions surcharge from October 2017 (which will mostly affect vehicles registered in 2005 and older) and the proposed introduction of the Ultra Low Emission Zone with a wider boundary that include all of the OKR opportunity area in 2019 should help to improve air quality in the OKR area but these are not sufficient on their own. The council is also using wider mechanisms to improve local air quality in the opportunity area, including by seeking the support of TfL for creating a Low Emission Bus Zone on Old Kent Road and delivering a Healthy Streets pilot. The measures highlighted above will be sought as part of new development to further address, and reduce exposure to, poor air quality. Providing electric vehicle charging points to all parking spaces will help encourage lower emission vehicles as alternative choices to more polluting vehicles.

Mitigation of air quality may be secured by a financial contribution through Section 106 planning obligations.

Site allocations

Note that the proposed changes to Policy AAP 11 (business and workspace) will have implications for the site allocations. The re-provision of employment floorspace as part of mixed use development will be required on sites where we previously identified only residential as a required use. Site allocations will be updated in the Submission Version of the AAP to reflect this policy.

Proposed amended site allocations

OKR 11: Galleywall Trading Estate

The site is a Strategic Industrial Location (SIL) where London Plan policy 2.17 applies.

Required land uses: Employment (B use class)

Other acceptable land uses: Community (D use class); sui generis employment generating uses

Indicative capacity: 250 jobs

Phasing and implementation: The site is in private ownership and is currently occupied.

Reasons

The site is located adjacent to proposed site allocation OKR13 which is proposed to be retained for industrial uses and intensification of the site for industrial purposes including use of railway arches. Galleywall Trading Estate provides further opportunity to intensify industrial uses in this location.

OKR13: Rotherhithe Business Estate, Bermondsey Trading Estate and rail viaducts

The site is a Strategic Industrial Location (SIL) where London Plan policy 2.17 applies.

Required land uses: Employment (B use class).

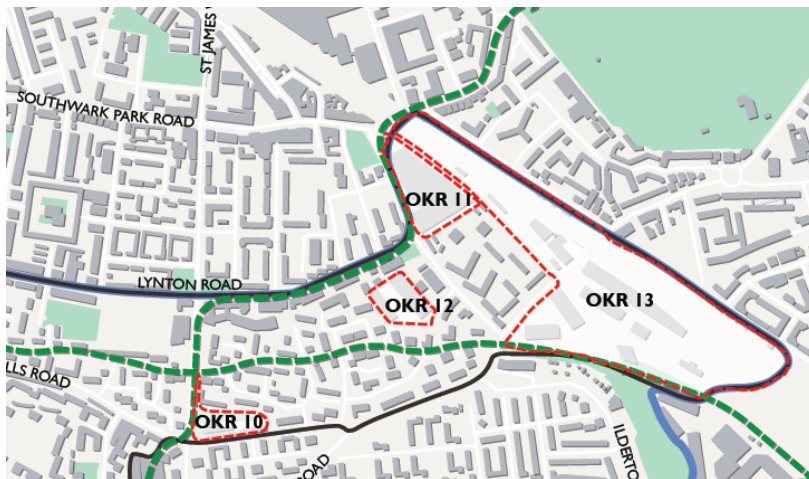
Other acceptable land uses: Community (D use class); sui-generis employment generating uses.

Indicative capacity: 1,300 jobs

Phasing and implementation: The railway arches can be brought back into use after the completion of Thameslink in 2018.

Reasons

The Rotherhithe Business Estate and Bermondsey Trading Estate are well functioning and self contained industrial estates. Together with the rail viaduct they are a good location to intensify employment uses, including industry and warehousing.



OKR 18: Gasworks, Southwark integrated waste management facility (IWMF) and electricity substation

Part A Required land uses: Residential (C3 use class); employment (B use class), community (D use class), public open space; town centre uses.

Other acceptable land uses: Student housing (sui generis). Appropriate temporary or meanwhile uses prior to the site becoming available for comprehensive development.

Indicative capacity: 550 homes

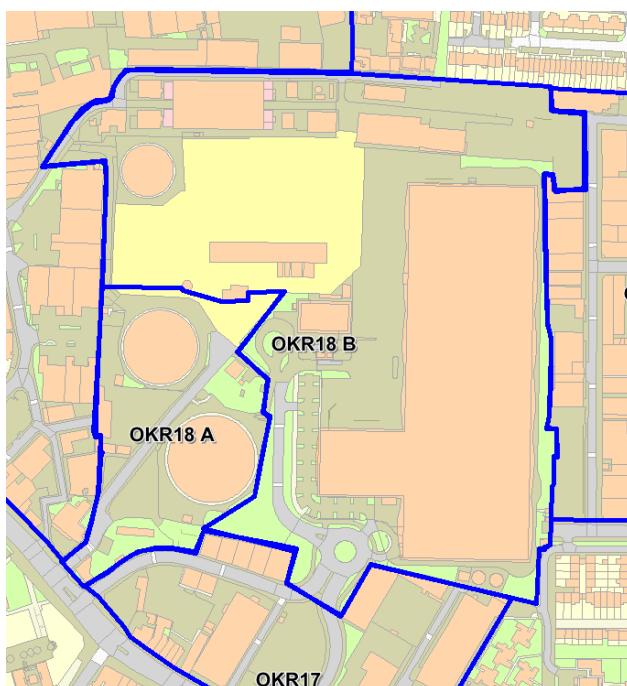
Part B The site is a Strategic Industrial Location (SIL) where London Plan policy 2.17 applies.

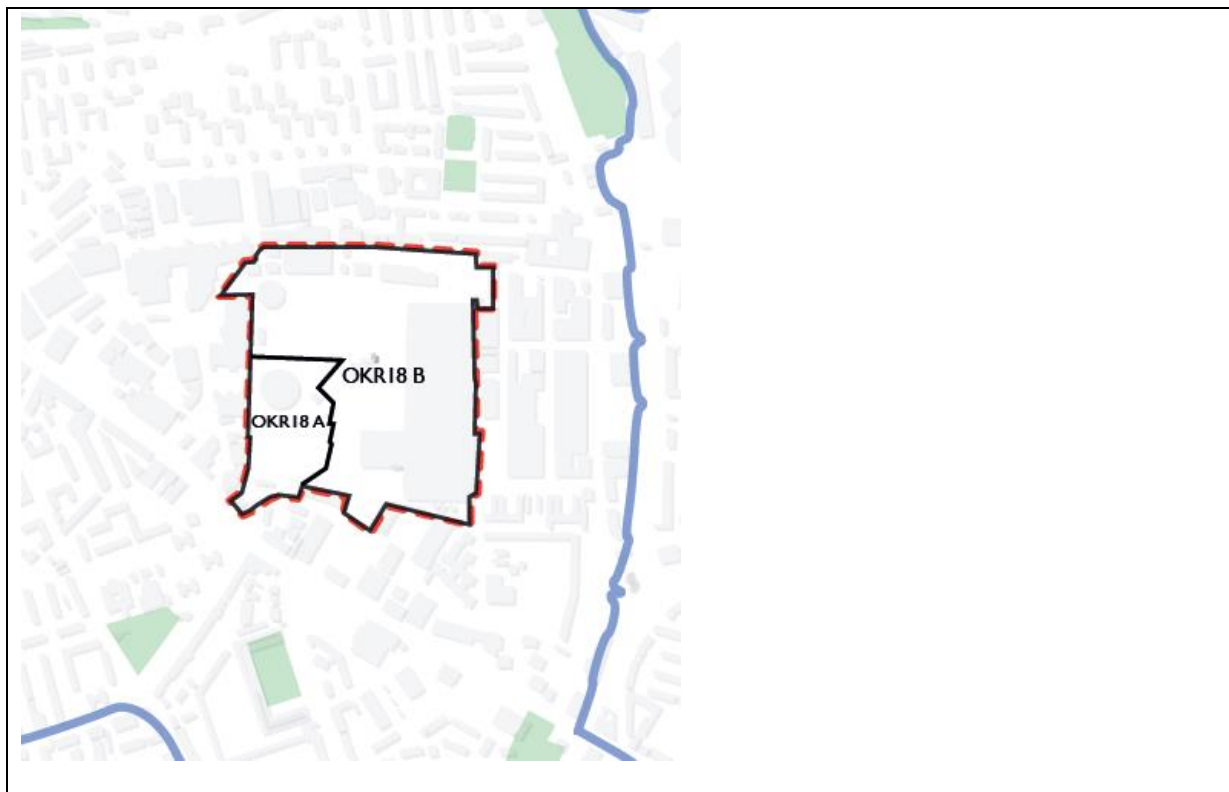
Required land uses: Waste management (sui generis) on the site of the Integrated Waste Management Facility, electricity substation (sui generis) on the site of the New Cross electricity substation.

Other acceptable land uses: Employment (B use class), sui generis employment generating uses

Site OKR 18 has an indicative capacity of 1,925 homes taking into account the longer term potential of the redevelopment of the IWMF.

Phasing and implementation: There are likely to be significant remediation costs associated with a redevelopment of the gasworks.



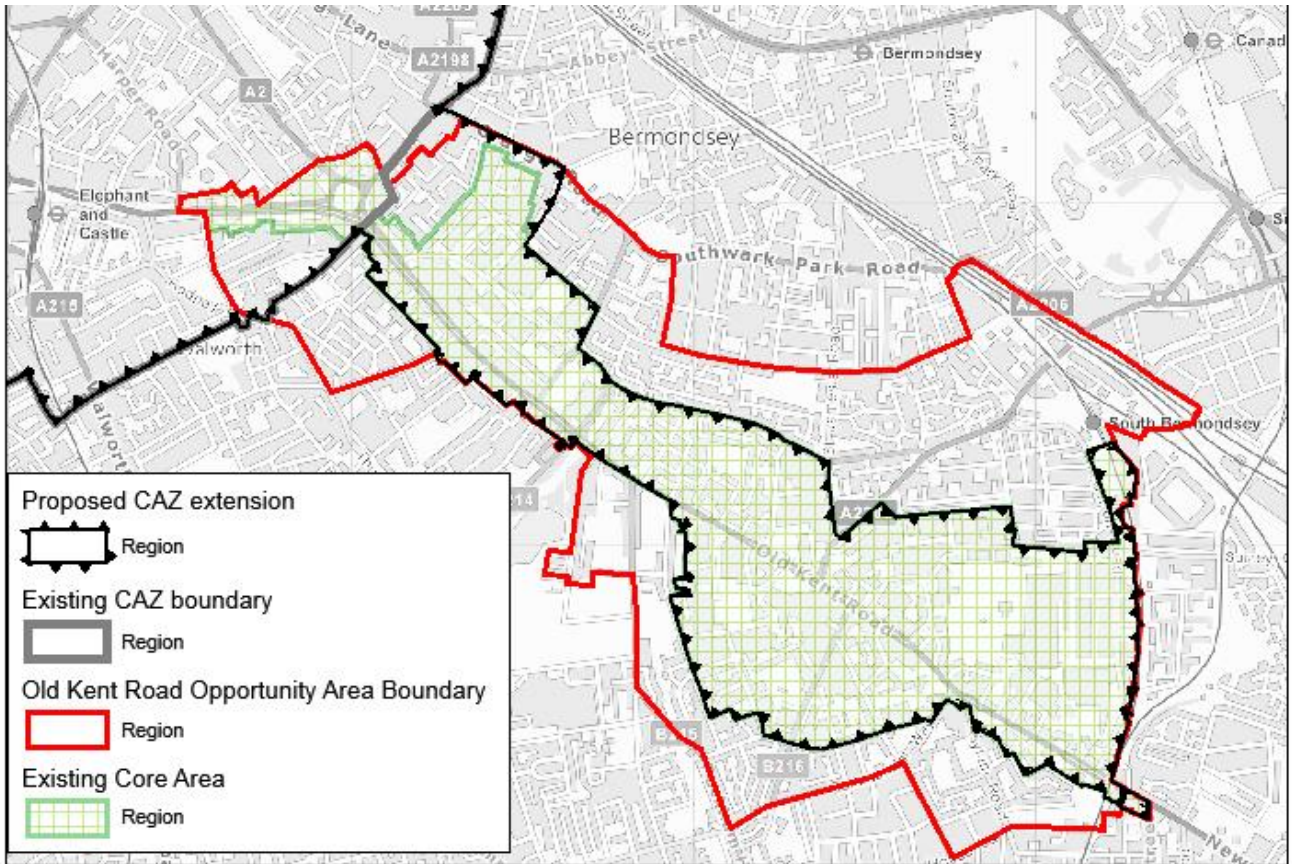


Reasons

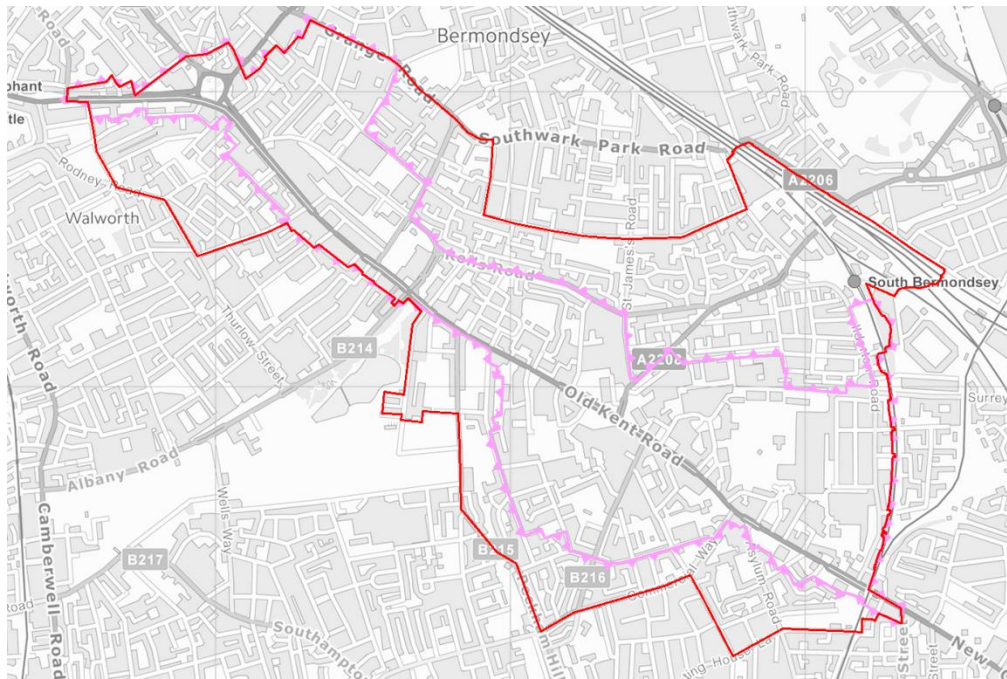
The gasworks will not be used again for gas storage and represents an obvious opportunity, subject to adequate remediation. The IWMF has longer term potential and development around it should be future proofed to enable its integration at some point in the future. Site OKR18 B, including the IWMF and the New Cross electricity substation is retained as a Strategic Industrial Location (SIL) as those uses are continued.

In the long term these sites have the potential to make a significant contribution to the regeneration of the Old Kent Road area. The design and distribution of development will need to be considered carefully to manage the relationship with the New Cross electricity substation to the north.

Map 1: Amended CAZ boundary



Map 2: Old Kent Road Major Town Centre Boundary



Appendix 1

Guidance on Business and Relocation Strategy

Introduction

Policy AAP 11a requires the provision of a business and relocation strategy for incorporating workspaces into mixed use development. This will be required where one or more existing business premises would be affected as a result of redevelopment of a site. This guidance explains the information expected to achieve the requirements of Policy AAP 11a including the expected content of the required business and relocation strategy.

Schedule of existing site and business premises

1. Existing floorspace

The existing level of non-residential floorspace on the site (gross internal area in square metres) should be provided. This should include separate calculations of business (B class uses), sui generis uses, faith premises or community facilities (D class uses) or retail (A class uses). Vacant units should be specified and included in the floorspace calculations. The site area covered by yards should also be included and specified whether these are associated with a building or a separate business.

2. Schedule of existing businesses

This should include a schedule of existing businesses operating on the site alongside the floorspace calculations for each building or yard. The schedule should include the sector/type of business, known or estimated number of employees and lease terms.

Proposed development

1. Proposed floorspace

The proposed level of non-residential floorspace on the site (gross internal area in square metres) should be provided. Where business (B class uses) or sui generis employment generating uses exist on the site the level of proposed employment floorspace should match or increase the existing level.

2. Proposed demand

Employment space should be provided in redevelopment schemes which is consistent with the Mixed Use Employment Areas contained in Policy AAP 11b. Details of the expected employment sectors that will be targeted and demand for the type of space that is proposed to be developed should be provided. The Mixed Use Design Guidance (Appendix 2) provides further clarity on the design principles for mixing uses and the incorporation of a range of employment spaces into redevelopment proposals.

3. Engagement with existing businesses

Details of discussions with existing businesses regarding the incorporation of the businesses into the new scheme should be provided. The strategy should provide analysis of specific business requirements including size and type of premises required, servicing requirements and fit-out. These requirements should be incorporated into the proposed scheme design where existing businesses can be accommodated. Planning obligations may be used to secure lease and rent terms for existing businesses.

4. Temporary relocation

Where businesses will be incorporated into the new scheme, details of the arrangements for temporary relocation should be provided to ensure the business can continue operating during construction of the scheme. Where possible the scheme will be phased to ensure ease of transition of the business on site. Alternatively, temporary relocation off-site should occur within the Old Kent Road opportunity area.

5. Managed workspace

Policy AAP 11a requires schemes over 1,000 sqm to deliver workspace managed by a specialised provider to support new business start-ups and SME's. Applicants should seek to partner with a workspace provider as early as possible to enable the scheme design to incorporate the specific requirements of the workspace provider.

Relocation strategy

1. Aspirations of existing businesses

Where businesses wish to cease trading rather than relocate, a statement from the business confirming this and the reasons for ceasing trading should be provided.

2. Relocation options

Where businesses cannot be accommodated on site, reasons should be given why this cannot be achieved. A strategy should be provided for exploring relevant options for relocation with individual businesses on the site and details of the assistance that will be provided.

3. Identifying suitable sites

Suitable and available alternative premises should be identified in the Old Kent Road opportunity area in Southwark and Lewisham. Applicants should work with the local authority to identify opportunities for relocation, including retained industrial areas such as South Bermondsey and the railway arches. Where no suitable sites exist, relocation sites should be identified in adjacent boroughs. Evidence should be given in collaboration with existing businesses that the relocation option is suitable for the viable continuation of the business.

4. Collaboration

Applicants should collaborate with other landowners to establish whether suitable workspace for existing businesses could be accommodated on sites in different phases of the development program. Applicants should consult businesses that are signed up to the Old Kent Road Business Network to establish future potential occupiers for new workspace.

Item No. 12.	Classification: Open	Date: 20 June 2017	Meeting Name: Cabinet
Report title:		Walworth Town Hall Mandate Review	
Ward(s) or groups affected:		East Walworth	
Cabinet Member:		Councillor Mark Williams, Regeneration and New Homes	

FOREWORD - COUNCILLOR MARK WILLIAMS, CABINET MEMBER FOR REGENERATION AND NEW HOMES

Last year we reported that as further design work and assessment of the Walworth Town Hall was undertaken, we better understood the costs of the project to refurbish the town hall following the fire and deliver the brief previously agreed by cabinet. A budget of £20m had been allocated, however our work indicated that project costs would total £36-40m. Due to the constraints on the council's capital programme we decided this was not feasible. We consulted with local residents and put forward three options for the town hall (continue with the project scope and increased cost; dispose of the building; or re-work the designs to deliver within budget and deliver the project brief). The final option had the most support so we undertook detailed further work with the community last year to better understand the costs and condition of the building and the potential to deliver the project in phases, with a 'slimmed down' project brief, and we considered the potential to dispose of part of the buildings to fund these works.

Following this rigorous process the project costs remained high and would require an additional £10m above the £20m already allocated to deliver a pared down version of the previous brief. Due to the continuing constraints on the council's capital programme this additional resource is not available and is not best use of public money. This report therefore sets out a revised project mandate to seek expressions of interest from the market for Arts and Culture D1 uses. Through the public consultation and further detailed work with the community it was very clear that maintaining public access to the site was a key consideration, as was protecting the rich heritage of the buildings.

The temporary Newington Library site at The Artworks is in place until that site closes late next year, this report asks cabinet to note that accommodation is being investigated for a new Newington Library within the local area.

RECOMMENDATIONS

1. That the revised project mandate (Appendix 1) for Walworth Town Hall as outlined in paragraphs 31-36 to seek expressions of interest from the market for an Arts and Culture D1 use be adopted.
2. Note that accommodation is being investigated for a new Newington Library within the local area.

BACKGROUND INFORMATION

3. At 12.30pm on 25 March 2013 the Grade 2 listed Walworth Town Hall (WTH) suffered a major fire. The town hall comprised the Walworth one stop shop, the Cuming museum, the council chamber and offices. Initial survey assessment of damage following the 48 hour operation by the fire brigade required to extinguish the fire concluded that there had been significant structural damage to the buildings roof and to the council chamber and museum galleries.
4. Since the fire an extensive programme of remedial works and surveys have been undertaken to secure the damaged town hall building and to protect the structure. As an initial phase of refurbishment the west wing roof was reinstated and a temporary roof was erected over the council chamber and east wing to keep the building weather tight.
5. In July 2013 cabinet approved a high level vision for the Walworth Town Hall which was subsequently supported by the community through a consultation process. The vision included the following key priorities for the future use of the building;
 - An enhanced Library space
 - A space for the display of the Cuming collection and potentially a Southwark museum
 - A flexible space that could be used for a variety of purposes including community and civic events, exhibitions and performances
 - Facilities for marriage, civil partnership and citizenship ceremonies undertaken by the Southwark registrar's service.
6. The town hall redevelopment project was identified as a corporate priority and cabinet approved a capital bid for £20m to fund the Walworth Town Hall redevelopment in March 2014.
7. In March 2015 a full design team was appointed following a mini design competition to deliver the council's agreed vision including linking the Walworth Town Hall and Newington Library.
8. At the beginning of 2016 having reached the end of RIBA stage 2 the council suspended the design process due to increases in projected expenditure to deliver the project, relating to the inclusion of Newington Library in the scheme and increasing building costs, ongoing cuts to council funding and the need to respond to changes within service provision across the council.

KEY ISSUES FOR CONSIDERATION

Walworth Town Hall project

9. The Walworth Town Hall is a Grade Two listed building built in in 1864-65. The adjacent Newington Library was built slightly later in 1892. The original Vestry hall is the second oldest in London and the building complex is a significant landmark within the local area. It has maintained a civic and community function in various forms from its opening through to the fire in 2013. All redevelopment works must respect and enhance the heritage listing and meet the requirements of Southwark conservation policies and Historic England.

10. While the adjacent Newington Library escaped major fire damage it was water damaged, and in need of general upgrading including modifications to comply with DDA regulations. The Library shared the public conveniences located in the Town Hall next door. The fire has meant that these are no longer safe to access. Initial investigations into accommodating the vision in the Walworth Town Hall building alone did not allow for the facilities required while the physical block layout and individual building footprints meant developing the buildings in isolation was problematic and inefficient. On that basis the project scope was reconsidered and designs were progressed which included the building complex of the Walworth Town Hall, Newington Library and the Cuming building.
11. Throughout the remedial works and detailed as part of the early design process for the Town Hall complex a number of surveys and investigations have been undertaken. This has increased council's knowledge of the condition of the buildings. As a consequence there is greater certainty as to the level of works required to deliver the project mandate agreed by cabinet in July 2013. While the buildings are now structurally sound, to make them function as a modern public facility requires replacement of the existing utility infrastructure, adaption to meet current regulations, restoration to a conservation standard and spatial reconfiguration to accommodate changes in use.
12. Initial High Level QS evaluations were undertaken on the preliminary concepts developed through the tender process for Lead Architect. The evaluation gave a construction cost of £26million which took the project over budget before fees and fit out costs were factored in. The construction figure was comparative when benchmarked against projects of a similar nature and complexity.
13. The project costs over and above construction include full design team fees, surveys and specialist consultants, client contingency and fit out for specialist rooms and museum. These figures took the total cost for the project over £36million.
14. In order to finance the project other streams of funding were investigated, such as lotteries funding. It has been concluded that this option has only limited potential to meet the shortfall. The council would still need to make significant additional funds available from its capital programme to deliver the project. In an environment of ongoing local government cuts to funding and increasing building costs the council had no option but to consider whether such a step was value for money and whether the community would still support the high level of expenditure when funding for other services would have to be reduced.
15. Following the suspension of the design process in early 2016 council went back to the community in March 2016 to consult about options for the future direction of the listed buildings. One hundred and twelve online responses were received and 28 comments were received from Walworth Community Council as documented in the consultation summary report (Appendix 2).
16. The consultation responses demonstrated that the community wanted to maintain the public access and activity associated with the Walworth Town Hall and that the historic landmark continues to be valued for its significance architecturally and socially within Walworth. It was also suggested that a community group be established to work with council to try and find a solution for the town hall that worked within the budget that had been allocated by council.

The Walworth Town Hall forum was subsequently established involving community members, councillors, council officers and the project architects and a series of meetings were held over spring and summer 2016.

17. The forum recommended a scheme focused on the delivery of a library and heritage offer but delivered on a phased basis with the east wing leased to a third party for a commercial use. While this proposal had reduced the overall project expenditure it still required an additional £10million than allocated in the capital budget. The scale of the budget shortfall meant that this option could not be taken forward either.
18. The council continues to face a challenging financial environment which affects both capital and revenue budgets. All council services need to deliver greater value for money and make efficiencies in management. Those services which were part of the council's initial vision for the buildings [libraries, heritage and registrars] have confronted difficult budget choices which have necessitated a review of their accommodation requirements. This has resulted in some services [registrars and part of heritage] making decisions to remain in existing locations rather than moving to a refurbished town hall as per the original vision.
19. The various concurrent reports provided by individual service areas contained in this report set out in more detail the accommodation issues that have been considered. In summary it has been concluded that the spatial requirements of the various council services have been substantially reduced since the original mandate in 2013. The RIBA stage 2 scheme would now provide more space than the council requires and running costs for that space are also expected to exceed service resources.
20. Current ongoing expenditure for maintaining and monitoring the Town Hall and Newington library runs to circa £35,000 per month. This expenditure includes 24/7 security which is a requirement of Southwark's insurance company for the buildings. As a responsible property owner the council has a duty to ensure that these historically important buildings do not deteriorate further. This continues to be important as the buildings have, following the fire, been placed on English Heritage building at risk register. The utilities throughout the building must therefore be monitored and maintained to ensure the premises remain dry and ventilated thereby preventing any further deterioration to the fabric of the buildings.
21. In an effort to reactivate the complex Southwark is currently negotiating a meanwhile use for Newington Library. A two year lease is being finalised with the Art Academy and subject to completion it is envisaged that the arts facility will open in August. While this use will result in a small reduction in utilities costs to the council, the substantial revenue costs associated with 24/7 security will continue.
22. The Art Academy is an independent art school and charity already based in Southwark, offering a wide range of art education programmes to a very diverse group of participants. Alongside the long-term courses (3-year Diploma in Fine Art, 2-year specialist diplomas, 1-year Fine Art Foundation and 2-year Certificate courses) it offers evening classes, part-time study, and weekend and short courses.

23. In addition to the Art Academy's regular education programme a condition of the lease is that a programme of public events and exhibitions will be coordinated throughout the year with local groups and organisations in the ground floor library. This will create opportunities and increase the level of access and use of the building by the community and bring some exciting activities to Walworth.
24. The two year meanwhile lease period will not be an obstacle to a permanent D1 solution as the process of identifying a suitable Arts/Cultural use, carrying out negotiations with potential occupiers and planning processes are envisaged to require a similar timeframe.

Elephant and Castle Regeneration

25. The regeneration of the Elephant and Castle is now well underway. The phased redevelopment of Elephant Park located to the immediate north of Walworth Town hall is on site. The first phase at Trafalgar Place is completed, the second phase at South gardens will complete later this year and phase 3 is on site. One the Elephant and the council's new leisure centre have been completed. The Real Star scheme [formerly 360 on the site of the former London Park Hotel] is rapidly emerging on the London skyline. Planning consent has recently been granted for the redevelopment of Skipton House and a planning application has been submitted for the redevelopment of the shopping centre and London College of Communication sites.
26. In combination these projects will deliver new homes shops, higher education and business space alongside new parks and public spaces. This growing population will require access to Arts and Cultural facilities. Some facilities will be provided by the developments summarised in paragraph 25 above. The Real Star scheme includes a new 150 seat venue for Southwark Playhouse. The Skipton House consent includes a 350 seat cultural venue while the shopping centre application includes proposals for new cinemas, exhibition space and a live music venue.
27. While these projects will expand the arts/cultural offer within the regeneration area the Walworth Road does not currently accommodate this type of facility and none is proposed in other planned developments. The use of the Walworth Town Hall group of buildings for arts and culture has the potential to expand the offer further and help to attract residents into the area which can benefit businesses in the high street. Such a use would also have the potential to maintain public access to the buildings. There are a number of examples in London of similar buildings being put to this type of use which suggests that there may be scope to attract similar uses into the area e.g Newport St Gallery,

Summary of the current position

28. A large number of options for the buildings have been considered in order to meet the budget and deliver the project. None have come within the original budget requirements and over time council budget positions have worsened. The design and survey work undertaken to date has provided greater certainty about the budget that would be needed to deliver the original 2013 project mandate. It is however inevitable that there remain significant costs risks arising from the condition, age and historic importance of the buildings. As a consequence there is a significant risk for the council that the budget for the project would escalate

further.

29. Service reviews have also concluded that even with sufficient capital resources the spaces provided at RIBA stage 2 would not all now be needed. Furthermore the space provided within the proposed scheme could not be managed within reduced revenue budgets. The council therefore has no option but to continue to fund significant maintenance costs until a solution that secures the long term future of the buildings is agreed.
30. In conclusion a new approach is needed to identify an alternative use for the buildings as the original 2013 project mandate for a council led scheme is no longer viable. The development of the new Elephant and Castle town centre is gathering pace. While there are Arts and Cultural facilities within these schemes there is scope to extend this offer further to meet the needs of the growing population. The Walworth Town group of buildings could potentially be attractive to this sector. The remainder of this report sets out how this option could be explored further.

Revising the project mandate and next steps

31. Cabinet will first need to adopt a new project mandate for Walworth Town Hall to replace the one agreed in June 2013. The feedback from the community consultation has identified continued support for maintaining public access to this important group of local buildings in the future and to respect and enhance their heritage qualities. Secondly, it continues to be important that the future use of the buildings should complement the council's wider regeneration vision for Elephant and Castle and contribute to the vitality of Walworth Road. The council's financial position now means that investment from third parties will need to be attracted to ensure that these core objectives can be delivered.
32. In order to test the feasibility of this approach it is recommended that a marketing exercise is undertaken to test whether there are Arts and Cultural organisations who would be interested in using the group of buildings and if so, on what basis. It should be emphasised that the marketing exercise would be restricted to Arts and Cultural uses within the D1 use class. Specialist marketing advice will be taken to ensure the exercise is promoted to the sector to achieve the best possible response. Finding suitable candidates will be achieved through a two stage process comprising of Expressions of Interest and then shortlisting prior to a more detailed second stage Invitation to Tender.
33. A substantial amount of information about the buildings condition exists and this will be made available through the marketing process to provide a comprehensive background to all considering the opportunity at the town hall and Newington Library. There are risks associated with the building condition and there are infrastructure requirements to bring the buildings in line with current requirements that should be understood in order to minimise speculative bids being submitted.
34. The Town Hall, Newington Library and Cuming buildings have always comprised both publically accessible space as well as office accommodation which were not open to the community. It is very likely that an arts and culture organisation would also wish to use the buildings on a similar basis. The marketing exercise will however make clear that the council requires public access to be maintained to significant element of the buildings.

35. While Southwark is not in a position to undertake the redevelopment of the WTH complex the importance of the building and its relationship to local residents is well understood. Arts and Cultural organisations are able to attract public and private funds to support their investment plans which council's cannot directly access. The extent to which they are able to provide the investment necessary to support their proposals for the group of buildings will be tested through the second stage of the marketing exercise. Whether the council would need to invest in a project from the existing allocated project budget to support a proposal which was considered capable of achieving its regeneration and public access objectives can therefore be considered at a later stage in the process. Such a decision may be necessary given the challenges that any organisation is likely to face due to the condition of the buildings and the complexity of the work required to successfully bring them back into use.
36. The Revised Project Mandate (Appendix 1) provides an outline of the proposal to progress marketing and leasing the Walworth Town Hall, Newington Library and Cuming building. The marketing brief will be developed in conjunction with specialist advisors to ensure the best opportunity to attract investors that are aligned with the D1 uses and regeneration aspirations for an arts and culture facility that is at the heart of the Walworth community. The proposed programme for the marketing process will follow the appointment of specialist advisors. That appointment will be the subject of separate Gateway reports.
37. As noted in paragraph 8 the original design process was suspended in early 2016. The adoption of the new mandate will mean that no further design work will be required to develop a scheme to deliver the July 2013 vision. As a consequence the NEC3 professional services contract between the council and Faithful + Gould who is the lead consultant will now be terminated.

Library and Heritage Services

38. Southwark is committed to maintaining library services at the Elephant and Castle. Following the fire in 2013 a temporary Newington Library was provided within the Artworks scheme. The lease for this space will come to an end in December 2018. The plan was then to move the library back into the newly refurbished Walworth Town Hall. This is no longer feasible. In order for Council to provide continuity of service officers are actively seeking an alternative permanent location in the Elephant & Castle that can accommodate a modern library service of around 1000sqm. The library service is looking to develop new strategies to take their services into the future and this includes greater digital access to information while continuing to provide a physical presence in our communities.
39. Southwark is also committed to its heritage service and providing access to its collections. Ongoing improvements are being made to digitalise the collection records and the service is looking to provide new and innovative ways of showing the collections across the borough. It is envisaged that displays of the collection will be integrated into the new library facilities in the local area.

Policy implications

40. The 2007 Southwark Plan saved policies protects arts and culture and community facilities from a change of use. The D1 designation for the Town Hall,

Newington Library and Cuming building is protected to ensure provision of a range of uses within the community, to meet diverse, local needs and to balance development pressure with the provision of community facilities.

Policy 1.11 – Arts, Culture and Tourism Uses

Policy 2.1 – Enhancement of Community Facilities

Policy 2.2 – Provision of new Community Facilities.

41. The adopted Elephant and Castle SPD (2012) identifies a vision for the opportunity area which is for the redevelopment into an attractive central London destination with excellent shopping, leisure facilities and cultural activities. In order to achieve this vision the document identifies a series of objectives including that of the provision of ‘more and improved educational, health and community facilities which meet the needs of existing and future residents’ (paragraph 3.2.7). Agreeing the next steps in the marketing of the Walworth Town Hall will support this regeneration objective through the enhancement of the arts and culture facilities.
42. Southwark cabinet adopted its new cultural strategy “Creative Southwark” 2017 – 2022 in March 2017. The strategy set out the council’s ambition for culture in Southwark for the next five years focusing on three key themes, Creative Economy, Creative Growth and Creative People. The need to support creative industries to develop and grow in the borough runs through the entire strategy. One element of this includes the need to provide access to suitable cultural spaces which are resilient over the long term and acknowledge the diversity of our communities and especially the support required in areas of regeneration. Maintaining a D1 use in the town hall complex will help deliver the themes of the culture strategy.
43. The councils Fairer Future promises gave commitment to retaining all 12 of Southwark’s Libraries and to continue the modernisation of the library service. Council will uphold this commitment through the provision of a library in an alternative location to WTH and Newington Library within the local area.
44. The Arts Council which now has responsibility for public libraries has recently issued a report called Envisioning the Future. The findings of the report are based on extensive consultation and research and identify four key ingredients for the library of the future. These are:
 - Placing the library as the hub of the community
 - Making the most of digital technology and creative media
 - Ensuring that libraries are resilient and sustainable
 - Delivering the right skills for those who work in libraries.

The provision of modern, improved library facilities at the local area would enable the implementation of these principles, carrying on the work already in place at other libraries in the borough.

Community impact statement

45. The report recommends marketing the Walworth Town Hall to identify whether there are arts and cultural uses which would be interested in the premises. The extent to which the use meets the needs of the diverse local community [including age and ethnicity], will be one factor that will be considered during the

selection process.

Resource implications

46. Costs associated with the marketing exercise [including those associated with any specialist advice should this be required] will be met from the Regeneration North budget. Officer time required to manage the procurement process to select the specialist advisors can be contained within the team's revenue budget.
47. Expenditure incurred through the leasing of the WTH will be covered through existing Regeneration North budgets.
48. There are no further costs arising from the termination of consultant agreements relating to the original design exercise.

Consultation

49. Consultation on the suspending of the WTH project and the process of finding a resolution has been presented in paragraphs 15-17. As part of the marketing and leasing process the community and the Walworth Town Hall forum will have the opportunity for input through consultation processes run alongside the formal evaluation process.
50. An East Walworth ward councillor survey about what people want to see in Walworth is proposed which will report in August and this information will feed into the decision making process for leasing the buildings.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

51. The cabinet will be aware of the Public Sector Equality Duty (PSED) under the Equality Act 2010, and when making decisions to have regard to the need to eliminate discrimination, harassment, victimisation or other prohibited conduct, and to advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic and those who do not share it. The relevant characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion, religion or belief, sex and sexual orientation. The duty also applies to marriage and civil partnership but only in relation to the elimination of discrimination. The cabinet is referred to the community impact statement at paragraph 45 of the report which states that the needs of the diverse local community (including age and ethnicity) will be one factor that will be considered during the tender selection process.
52. The cabinet is also referred to paragraphs 49-50 of this report which set out the consultation that has taken place as well as the survey that is due to take place. The council has a statutory and common law duty to consult on certain areas of service delivery and the formulation of proposals or decision. To meet legal requirements, consultation must be undertaken when proposals are still at a formative stage, it must be meaningful and include sufficient reasons for the proposal and allow adequate time for interested parties to consider and respond, and the outcome of the consultation must be conscientiously taken into account when the ultimate decision is taken.

53. Paragraph 37 states that the NEC3 Professional Services Contract with Faithful + Gould (the lead consultant) will now need to be terminated and paragraph 48 states that there are no costs arising from termination of the consultancy agreement. Under the NEC3 Professional Services Contract, termination is a 'compensation event' which means that a consultant may seek a termination payment from the employer for costs reasonably incurred in expectation of completing the whole of the services and to which the consultant is committed. The council has obtained written confirmation from Faithful + Gould that Faithful + Gould will not be seeking payment from the council for the termination of the existing contract.

Strategic Director of Finance and Governance (FC16/049)

54. This report is requesting cabinet to agree to seek expressions of interest from the market for an Arts and Culture D1 for the project mandate (Appendix 1) for Walworth Town Hall as outlined in paragraph 31-36. Full details are provided within the main body of the report. The report is also requesting cabinet to note that accommodation is being investigated for a new Newington Library within the local area.
55. The strategic director of finance and governance notes that there are no immediate resource implications arising from this report as the costs associated with this process will be funded within existing revenue budgets. Any additional funding requirements following this process will be subject to separate reports for formal approval by cabinet.
56. Staffing and any other costs connected with this report to be contained within existing departmental revenue budgets.

Director of Leisure

57. The council's library and heritage services are delivered at 12 locations across the borough, including the local studies library and archive. Southwark has been transforming its libraries; Peckham Library, Canada Water Library and more recently Camberwell Library that has just won a national "Library of the Year" award to provide modern, flexible accessible spaces and is considered a leader in best practice in modern library design. The new libraries in Grove Vale and Aylesbury will continue this trend.
58. Transforming a Grade 2 listed building into a modern public library would require considerable investment and given the nature of the building, would require some compromise in terms of the open plan flexible space that is needed to deliver library services. In addition, as revenue resources are squeezed, we no longer have the staff resources across the library service as in the past and we no longer have the resource to provide services across a number of floors.
59. The service considers the best option for provision of a library in Newington to be in an area of high footfall and located near to public transport, shopping and leisure facilities. A modern space on a single ground floor, with direct public access and a shopfront will help us to retain existing users but to also grow usage with the anticipated growth in the population in future years. The library needs to be designed to deliver 21st century services with space for book and periodicals, study, ICT, information resources and a flexible space that can be used for a range of

activities. The right space would also support the provision of high quality digital resources and could incorporate space for a changing exhibition of museum objects and delivery of heritage education sessions.

Director of Customer Experience (Registrars)

60. The council's Registrars service provides birth, death and marriage registration services as well as civil partnerships and citizenship ceremonies. The service is located at 34 Peckham Road where all registration and administration processes take place as well as many ceremonies. The premises provide a single ceremonies room which can accommodate only relatively small events. The council has also licensed many other venues across the borough where ceremonies may be performed. The service is self funding; the day to day costs of running Registrars is covered by the charges recovered from service customers.
61. The Registrars service was involved in the early scoping discussions around the rebuilding of Walworth Town Hall. It was thought that this could be an opportunity to provide Registrars services in an attractive, historical setting as part of a larger council and community based facility. It was envisaged that two ceremonies spaces could be created; one larger room and a second room for more intimate ceremonies. It was also thought that the building could combine ceremonies with reception arrangements where guests might be entertained.
62. The practicalities of combining these services with the other functions envisaged for the building were challenging. The space was very tight and the flow for those customers and their guests attending ceremonies was difficult. The problems of bringing services together and delivering them at an acceptable cost proved difficult to overcome. When it became clear that the budget was unable to support the plans that were being drawn up, Registrars was removed from the scope of the project.
63. The service is now considering options for making improvements to the premises at 34 Peckham Road to make it a more attractive place for ceremonies and boost income further.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Walworth Town Hall – A Strategic Vision for the rebuilt Town Hall' – Cabinet Report July 2013 (Item 14)	Regeneration North 160 Tooley Street London SE1 2QH	Jon Abbott 020 7525 4902
Link: http://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=302&MId=4549&Ver=4		
Walworth Town Hall – Agreeing the way forward – Cabinet Report March 2014 (Item 20)	Regeneration North 160 Tooley Street London SE1 2QH	Jon Abbott 020 7525 4902
Link: http://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=302&MId=4556&Ver=4		

APPENDICES

No.	Title
Appendix 1	Walworth Town Hall Revised Project Mandate
Appendix 2	Walworth Town Hall Consultation Report March 2016

AUDIT TRAIL

Cabinet Member	Councillor Mark Williams, Regeneration and New Homes	
Lead Officer	Eleanor Kelly, Chief Executive	
Report Author	Jon Abbott, Head of Regeneration North	
Version	Final	
Dated	8 June 2017	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Director of Leisure	Yes	Yes
Director of Customer Experience	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team		8 June 2017

APPENDIX 1

Walworth Town Hall Revised Project Mandate: April 2017

1. Introduction

The purpose of this Revised Project Mandate document is to outline the high level objectives for the marketing and leasing of Walworth Town Hall, Newington Library and Cuming building. The revised mandate also documents an outline programme for delivery and the internal project governance structure. As the project progresses this mandate document can be revised and reissued accordingly especially in terms of the high level marketing brief and governance structures.

2. Site Boundary

The site for long term lease bounds the Walworth Town Hall council offices and Newington Library (including the Cuming building) as marked on the plan below.



3. Outline Marketing Brief

The council stands by its commitment to see enhanced community facilities as part of wider regeneration aspirations within Elephant and Castle. It is therefore proposing to carry out a marketing exercise to identify Arts and Cultural uses falling within Class D1 [Non Institutional Institutions] who are interested in operating from Walworth Town Hall, Newington Library and the Cuming building. If valid expressions of interests are received there will be a second more detailed tender phase designed to test the viability of proposals. The evaluation of proposals will include consideration of the extent to which proposals provide public access to

the buildings, the social regeneration benefits of the proposed use, and the extent to which the use will contribute to the development of the Elephant & Castle town centre. Interested parties should note that the council cannot make any commitments to provide funding to support proposals for the buildings. Therefore the extent to which proposals are supported by viable business plans will be a key consideration in the evaluation.

Building Condition

A data room of information from recent surveys and investigations will be made available through the marketing process to provide a comprehensive position on the buildings condition. There are risks associated with the buildings and there are infrastructure requirements to bring the buildings in line with current requirements that should be understood by all considering the opportunity at the town hall and Newington Library.

Conservation and heritage

Any proposals for the Walworth Town Hall will have to take full account of its historical assets. The impact of the fire on both the Grade 2 listed facade and interior historical features is documented in a programme of surveys that have been commissioned including a building condition survey and architectural condition survey. Close liaison will be required throughout the process with both English Heritage and the Council's Design and Conservation Manager to ensure that any proposals are acceptable.

Accessibility

All areas of the building, must be fully DDA compliant ensuring full accessibility for both staff and visitors. A drop off and collection point plus designated parking for disabled visitors should also be provided and this should be considered in conjunction with the emerging proposals for the new Walworth Square, approved as part of the Outline Masterplan for the redevelopment of the Heygate Estate.

Servicing

In order to service the building, a loading bay is required to be provided and it is intended that this is incorporated into the designs for Walworth Square.

Walworth Square

Any proposals for the Walworth Town Hall must take in to account the approved outline masterplan for the Heygate Estate and in particular the detailed proposals for 'Masterplan Phase Two' (MP2) which are currently on site.

Consultation

Consultation with the community and the Walworth Town Hall forum will provide an opportunity for local input into the expressions of interest stage of the appointment.

4. Indicative Programme

The programme for the marketing process is envisaged below following the appointment of specialist advisors. That appointment will be the subject of separate Gateway reports.

Appoint specialist advisors	July 2017
Marketing preparation (4 weeks)	August 2017
Expressions of interest (3 months)	September – November 2017
Review of expressions of interest to shortlist including community consultation (4 months)	December 2017 – March 2018
Invitation to tender (3 months)	April – June 2018
Review of tenders (3 months)	July - September 2018

Enter negotiations	
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NB: Programme derived from similar property marketing processes within London, TBC

5. Governance and Project Management

Governance

Project Board

The WTH Project Board will be responsible for the following:

- Sign-off of appointments
- Consultation and communication for the marketing and leasing process
- Monitor Budget
- Monitor Programme
- Monitor Risks
- Change Control

The Board will have the final sign off of strategic documents relating to project delivery, procurement and budget. The Board will consist of a:

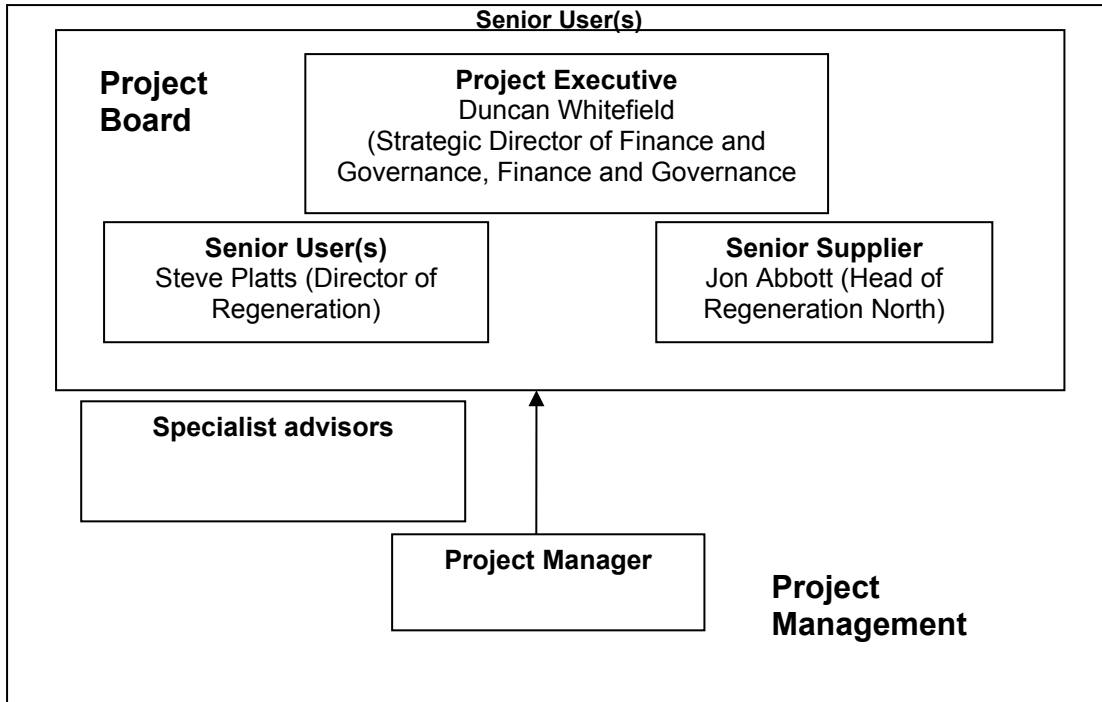
- Project Executive – the lead officer with overall accountability for the delivery of the project.
- Senior User – the lead Client representative. The role of the Senior User is to represent the client interest and to ensure that the proposal meets council requirements
- Senior Supplier – represents the Project Management Team and is responsible for reporting on project progress, in this case the Head of Regeneration North.

Project Management

The 'Project Management Team' will consist of:

- A Project Manager who will be a representative of the design team.
- Specialist advisors as appointed by the council

The PM will be responsible for providing clear updates to the Project Board. The role of the PM may also extend to managing public relations and co-ordinating consultation.



APPENDIX 2

Walworth Town Hall and Newington Library redevelopment options review

March 2016 Consultation Report

112 online responses received

28 Walworth Community Council comments received

Southwark Council went back out to get public opinion on the future of Walworth Town Hall after proposals to turn it into a community hub almost double the cost of refurbishment.

Whilst the council remains committed to the historic building, which was damaged by fire in 2013, it is estimated the original plans to restore it, plus the additional proposals to create a community hub with a library and registrar services will now be around £36m, £16m more than budgeted for the original restoration.

The extra costs have been caused by the recent increase in building costs, the extension of the original scope of the project to include the old library and technical complications with the building that have only come to light following extensive survey work.

The consultation asked for people's qualitative responses rather than a preferential vote and this report summarises the comments received from both the online consultation and those collected through the Community Council. Officers also gauged the positivity of the comments to understand whether options were supported or not. Many responses supported more than one option while some did not support any but used the consultation opportunity to raise queries.

General comments

A lot of responses requested greater transparency of costs and more information on why costs had increased.

People also felt that it was a Council shortcoming not to have held funds for this work and adequately budgeted the project.

General despair at the loss of so many cultural services and heritage buildings across London that Southwark need to stay committed to WTH.

There were queries regarding the insurance cover and claim process.

Option 1

To work with developers to find an alternative building at Elephant and Castle to house the services we want to deliver and identify a partner who can lease the current building from us and invest in the historic fabric of the building.

For 16 Against 64

There was considerable comment that it is important for the building to remain in public use/access as it has been a community focal point for many years and that is part of the

buildings history. WTH was also noted as the ideal size and location for a civic centre and that there is a need for these civic services in the area to complete the Regeneration vision. Diversity of use and built form is important to maintain/create community and contributes to successful communities and successful regeneration.

People did not want to sell the building to developers, further privatise the area and dismiss the community agenda. There was concern about whether there are developers who have the heritage sympathy to retain the significant features and qualities of the building and what use would be put in place. There was concern that private development may result in further absentee landowners which was not seen as a good thing for local communities.

There was feeling that the council made promises to provide services and that council has a responsibility to provide and protect this historic building for now and future generations. It is important to retain and respect the local historic fabric as there is very little left.

In the support of this option there was a low level of recognition that purpose built facility may be more efficient and cost effective.

Option 2

Work with English Heritage to explore whether there is an acceptable design solution that is focused on maintaining the facades of this important group of buildings, allowing for a more simple and cost effective internal layout. Such a solution would best meet the council's requirements for the provision of public services in the 21st century, however it is likely to require the removal of many historically important internal features such as staircases and chimney breasts.

For 48 Against 28

While there were many responses supporting this option often comments were caveated by noting that significant features within the building should still be retained. Ultimately there was both support for efficiencies and horror at façade retention as a practise and losing interior historic features and character.

There were many comments that heritage is also about the interior features and use rather than just the buildings exterior appearance and that a more invasive approach did not preserve the character of the building.

It was seen as a possible compromise and a way to move forward more quickly and there was acknowledgement regarding the potential efficiencies of floor plate and modern interior.

Option 3

If public opinion is that we stay committed to the original plan to rebuild within the confines of the original structure and interior then the project will have to be put on hold until we know where the extra funding is coming from. There remains a cost to keep the structure maintained in the meantime.

For 45 Against 34

Similar to option 2 there was a very split response for this option with slightly more supporting than not. There were clear statements regarding the need to keep heritage buildings in use and part of local fabric so if moth balling means the project goes ahead then that is what should happen. However, there were also comments that it is important to

develop the site sooner rather than later and prevent further deterioration and noting the importance of the facility and cultural services to the community.

Within the responses there was much scepticism that funds will ever be found and works carried out. The example of Battersea power station with long delays was used and also the concern of increasing costs over time which would mean the scheme was never affordable for council.

Other

A few suggestions were made about how the project could be made affordable.

Use crowd funding to fill the funding gap

Scale back the project

Phasing the project

Next steps

Following the February consultation on the Walworth Town Hall Southwark Council is looking to establish a working group to discuss and map out a way to progress the Walworth Town Hall project. We now know that the council cannot realise the original vision for a new library, Southwark Museum with the Cuming collection, registrar's services, flexible civic and community space and a café within the single town hall building or within the original £20 million budget. The climate continues to change for councils and we consider that some services we intended to bring into the town hall can remain in their current locations to achieve best value. Therefore the vision needs to be reconsidered and the communities input to this process is very important. We also are incurring on going costs to keep the building safe and secure and are very keen to conduct this initial part of the process in a timely manner.

Southwark Council is currently seeking 5-6 community representatives for the Walworth Town Hall community forum in order to redefine the vision and agree a solution for the buildings.

Item No. 13.	Classification: Open	Date: 20 June 2017	Meeting Name: Cabinet
Report title:		Aylesbury First Development Site Compulsory Purchase Order	
Ward(s) or groups affected:		Faraday	
Cabinet Member:		Councillor Mark Williams, Regeneration and New Homes	

FOREWORD - COUNCILLOR MARK WILLIAMS, CABINET MEMBER FOR REGENERATION AND NEW HOMES

In partnership with Notting Hill Housing Trust we are fully committed to the regeneration of the Aylesbury Estate and investment into the area for the benefit of our residents. Progress is now well underway on the demolition on the vacant blocks of the first phase of the Aylesbury and we continue to work with the remaining leaseholders on this phase to seek agreement on purchase of their properties. There are now 7 leaseholders remaining (4 non-residents private landlords, and 3 resident leaseholders). To enable the programme to build 800 new homes on this phase we need to secure vacant possession, this report asks cabinet to note the process for taking forward a Compulsory Purchase Order (CPO) for this phase. Central government have requested that we submit our statement of case by 20 June.

Phase one and Plot 18 (to the south of Taplow) will deliver 1,000 new homes – with over 50% affordable homes with the majority of these at social rents, along with a new GP health centre, new library, new public square, extra care housing for older vulnerable residents, and new over 55s housing. This is a real commitment to the future of the area and will provide the high quality homes our residents – council tenants and private home owners – deserve.

RECOMMENDATION

1. That the process of taking forward the Compulsory Purchase Order for the Aylesbury Estate First Development Site be noted.

BACKGROUND INFORMATION

2. On 9 May 2017, cabinet received an update on the Compulsory Purchase Order (CPO) for the First Development Site on the Aylesbury Estate in the report Aylesbury Regeneration Programme Delivery – supplemental report. That report recommended that a report was presented to cabinet at the earliest opportunity setting out the process for pursuing an updated CPO for the First Development Site.
3. On 10 May 2017 the council received correspondence from the planning casework unit at the Department for Communities and Local Government setting out a suggested process for pursuing an updated CPO for the First Development Site.

KEY ISSUES FOR CONSIDERATION

4. The process proposed is for the council to send a Statement of Case to the Secretary of State and to each remaining objector within 6 weeks of 10 May 2017 which gives a deadline of 20 June 2017. The Statement of Case must set out in full the case that the council intends to put forward at the inquiry, including the reasons for making the CPO and it must also contain copies of relevant documents. As the council submitted a Statement of Case for the CPO in 2014, it has been agreed that the council can update that document to reflect the current position. The Statement of Case has now been submitted to the Secretary of State.

Community impact statement

5. The Statement of Case will set out the social and economic benefits of using CPO powers to bring about the redevelopment of the site. An update on the impact on the equalities and human rights of the affected parties is being prepared.

Resource implications

6. The legal costs of taking the CPO forward to an Inquiry and security costs for the remaining blocks will be contained within existing budgets.
7. As part of the council case, it is anticipated that in addition to council staff a range of expert witnesses will be used. The costs associated with these witnesses will be contained within existing budgets.

Legal implications

8. See the concurrent report of the director of law and democracy.

Financial implications

9. The legal costs of taking the CPO forward to an Inquiry, the costs associated with expert witnesses and security costs for the remaining blocks will be contained within existing budgets.

Consultation

10. Creation Trust has been updated on the position.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

11. Cabinet approved the making of a Compulsory Purchase Order (CPO) in a decision dated 18 March 2014. No new order now needs to be made, but a revised statement of case is being prepared which will form the basis of the council's case for the confirmation of that CPO. The case will be made at a fresh public inquiry, to be held before a Planning Inspector on a date yet to be fixed.

Strategic Director of Finance and Governance (FC17/051)

12. This report is requesting cabinet to note the process for taking forward the

Compulsory Purchase Order (CPO) for the Aylesbury Estate First Development site.

13. The strategic director of finance and governance notes that the legal and other related costs in progressing the CPO will be contained within existing budgets.
14. Staffing and any other costs connected with this report to be contained within existing departmental revenue budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Letter from Department of Communities and Local Government 10 May 2017	Regeneration South	Neil Kirby 020 7525 1878
Link: http://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=302&MId=5749&Ver=4 (see Item 13)		

APPENDICES

No.	Title
None	

AUDIT TRAIL

Cabinet Member	Councillor Mark Williams, Regeneration and New Homes	
Lead Officer	Eleanor Kelly, Chief Executive	
Report Author	Neil Kirby, Head of Regeneration - South	
Version	Final	
Dated	6 June 2017	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team		6 June 2017

Item No. 14.	Classification: Open	Date: 20 June 2017	Meeting Name: Cabinet
Report title:		Appropriation of Land, 1 – 3 Odessa Street Rotherhithe	
Ward:		Surrey Docks	
Cabinet Member:		Councillor Mark Williams, Regeneration and New Homes	

FOREWORD – COUNCILLOR MARK WILLIAMS, CABINET MEMBER FOR REGENERATION AND NEW HOMES

The recommendation in this report will enable the redevelopment of this site to proceed. A disused youth club (which has been re-provided at The Docklands Settlement) and the blocked part of the Thames Path will be replaced with new housing, significantly improved public realm and the final link in the Thames Path in Southwark will be connected. This has been a long term ambition for the council and will mean residents and visitors alike will be able to walk along the river for its entire length through our borough. The appropriation of the site will enable the development to proceed without the risk of injunction from any impact it may have on the rights of light of nearby residents. If there are such impacts affected owners will be entitled to compensation for the loss in value to their property.

The new development will deliver seventy-four new homes of which 19 will be for affordable housing. This represents 35% on the basis of habitable rooms; the affordable units include larger three and four bedroom dwellings. In addition, a cafeteria will be provided on the ground floor which will enable Thames Path users to take on refreshment. As well as providing a key linkage to the Thames Path, the development will also provide a pocket park for the community.

The council is currently in the process of acquiring the affordable homes and these will form part of our new council home programme. They have been designed to our high standards and when complete half of the homes will be available for local people through our local lettings policy.

RECOMMENDATION

That Cabinet:

1. confirms that the land shown hatched on the plan at Appendix A that is currently held for children's and adults services purposes service purposes is no longer required for those purposes and approves the appropriation of the land to planning purposes in accordance with section 122(1) of the Local Government Act 1972 to facilitate the carrying out of the development proposals for the area in accordance with section 226 of the Town and Country Planning Act 1990.

BACKGROUND INFORMATION

2. On 9 December 2014 cabinet approved that this council-owned freehold property shown hatched on the plan at Appendix A be transferred to Hollybrook Homes once a restrictive covenant has been released affecting the land and planning consent had been secured for its regeneration.
3. Agreement was subsequently reached with the Greater London Authority for the lifting of the aforementioned covenant. On 8 November 2016 planning committee resolved to grant planning consent for the regeneration of the land with a restaurant and residential accommodation above. Following English Heritage's decision not to list the crane that is currently on the land, planning consent was granted for the scheme on 28 March 2017. The proposed regeneration is therefore nearing to be able to commence.
4. The rationale for the December 2014 cabinet resolution was:
 - Removal of an obstruction to extend the Thames Path
 - New river oriented public realm
 - Removal of a nightclub that had in the past been the source of complaints
 - Removal of a health and safety hazard namely the crane
 - Provision of new housing
 - New commercial space.
5. The sale contract with Hollybrook plc contains an obligation on the council that following grant of planning permission it is to appropriate the land for planning purposes subject to obtaining the necessary authority (from Cabinet) to do so and subject to an indemnity from Hollybrook in respect of the cost of any compensation payable as a result.

KEY ISSUES FOR CONSIDERATION

6. Hollybrook is concerned that nearby residents may have some loss of light as a result of the consented scheme. Although the potential impact was not sufficient to defeat the planning application the developer is concerned that one or more owners may seek an injunction that will cause delay, uncertainty and in a worse case scenario frustrate the development project.
7. 1-3 Odessa Street comprises a single storey building that has structural issues with a hard surfaced play area, behind it is a surfaced open area that fronts the river Thames and on that is an old derrick crane. This land is currently held by the council for children's and adults services purposes.

Appropriation

8. The appropriation of land refers to the process whereby a council alters the purpose for which it holds land. Where land has been appropriated for planning purposes third party rights enjoyed over the land can be overridden. The

beneficiaries of such rights may however claim compensation [equal to the loss in value of their property caused by losing the right] but cannot seek an injunction to delay or terminate the development. This will give Hollybrook (the developer of the land) the certainty that having commenced construction works a person with the benefit of an unregistered (with the Land Registry) right over land (such as a right to light) cannot apply to the court to have the development stopped. This is a very important tool in enabling development to proceed on urban sites. As mentioned, the beneficiary of any such right is entitled to financial compensation for the loss of the right.

9. The compensation persons affected by the loss of light may be entitled to is based on the value of their properties before the right has been infringed versus the value of the property with the infringed right. This compensation is based on the diminution in value of the affected property. If agreement between the parties is not possible it will be determined by the Upper Tribunal (Lands Chamber).
10. The contract referred to at paragraph 5 has a provision that if the land is appropriated Hollybrook will fully indemnify the council against the cost of processing and meeting any compensation claims received. Although Hollybrook's development would cause the light infringement, liability for compensation ultimately rests with the council. Hollybrook's indemnity in these circumstances is therefore essential and has been secured contractually.
11. In this case reasoning for the appropriation of the land shown at Appendix A is set out at Appendix B and cabinet is recommended to approve appropriation proposed.

Rationale for recommendation

12. To mitigate against the benefits from the proposed regeneration of the land set out in paragraph 4 being frustrated by an injunction being sought and to carry out the contractual obligation referred to in paragraph 5.

Community impact statement

13. The recommendation in this report will give rise to a longer and improved Thames Path and encourage the Path's use by the community. A nightclub (albeit one that has been closed for a number of years) and a long standing vacant building will be removed as will a crane and be replaced with new housing and commercial facilities together with a new river focused public realm.
14. Appropriation of land involves overriding the rights of third parties. However their rights are not extinguished, they are converted into a right to receive compensation for the loss of that right, rather than a right to seek an injunction to stop the interference with that right. Case law suggests that the overriding of a right that would otherwise be actionable at law may be an interference with human rights. In considering whether or not to appropriate land such that rights may be overridden it is necessary to consider the human rights of the person(s) whose rights are being overridden, and the proportionality of this. In this case, it is considered that the public interest in improving the continuity of the Thames Path and the creation of new housing, commercial facilities and river focused public realm outweighs the interference with private rights.

15. The Equality Act 2010 imposes a general equality duty on public authorities (the Public Sector Equality Duty, PSED), in the exercise of their functions, to have due regard to the need to:
- Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act
 - Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it
 - Foster good relations between people who share a relevant protected characteristic and those who do not share it.
16. For the purpose of the PSED the following are “protected characteristic” considerations:
- Age
 - Civil partnership
 - Disability
 - Gender reassignment
 - pregnancy and maternity
 - race
 - religion or belief
 - sex and sexual orientation.
17. It is considered that there should not, be any disproportionately adverse effects on any sector of society arising from the recommendation in this Report.

Financial implications

18. Since children’s and adults services and planning purposes both fall within the General Fund there are no financial implications arising as a consequence of the principle of appropriation in this case.
19. The contractual obligation falling on Hollybrook referred to in paragraph 10 means that any compensation claims arising as a result of appropriation will be underwritten. Therefore there should be no adverse financial consequences from the report’s recommendation.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

20. The report recommends the appropriation of council-owned land currently held for children’s and adults’ services purposes to planning purposes.
21. A council holds property for a variety of statutory purposes in order to perform its functions. A council is authorised, by virtue of section 122(1) of the Local Government Act 1972 (“the 1972 Act”) to appropriate land within its ownership for any purpose for which it is authorised to acquire land by agreement, where it is no longer required for the purpose for which it is held immediately before the appropriation.
22. The land to be appropriated must be owned by the council. Paragraph 2 of this report confirms that the land to be appropriated is in the council’s freehold ownership.

23. The land must no longer be required for the purpose for which it is currently held. The report confirms at paragraph 7 of Appendix B that the land has been held for children's and adults' services purposes, and that it is no longer required for those purposes.
24. The purpose for which the council seeks to appropriate the land must be authorised by statute. It is proposed that the land is held for planning purposes as defined by s246(1) of the Town and Country Planning Act 1990 ("TCPA 1990"). "Planning Purposes" is defined as purposes for which land can be acquired pursuant to ss226 and 227 TCPA 1990, and is a purpose which is authorised by statute. Section 227 of TCPA 1990 provides that a council may acquire land by agreement for any purposes for which it is authorised to acquire land compulsorily by s226 TCPA 1990.
25. The purposes for which a council can acquire land pursuant to s226 TCPA 1990 include purposes "which it is necessary to achieve in the interests of the proper planning of an area in which the land is situated". S226 also authorises the acquisition of land "... if the authority think that the acquisition will facilitate the carrying out of development, redevelopment or improvement on or in relation to the land". The report sets out at paragraph 7 of Appendix B how the proposal will facilitate the development, redevelopment or improvement on or in relation to the land.
26. Where land has been appropriated for planning purposes then under s203 Housing and Planning Act 2016 (power to override easements and other rights) provides that building or maintenance work may be carried out on land even if it involves interfering with a relevant right or interest. This applies to building or maintenance work where there is planning consent for the work, where the work is on land vested in or acquired by or appropriated by a local authority for planning purposes, where the authority could acquire the land compulsorily for the purposes of the building or maintenance work and where the work is for purposes related to the purposes for which the land was vested, acquired or appropriated. Paragraph 3 of this report confirms that planning permission has been granted for the works proposed to be done on the site.
27. The effect of triggering s203 is that private rights are effectively overridden and converted into a claim for compensation. Compensation is assessed on the basis of the loss in value of the claimant's land as a consequence of the interference (the principle set out in ss7 and 10 of the Compulsory Purchase Act 1965).
28. The liability to pay compensation is enforceable against the authority pursuant to s204 Housing and Planning Act 2016. Accordingly an indemnity has been obtained from the developer in respect of this.
29. s122(2A) provides that a council may not appropriate under subsection (1) any land consisting of or forming part of an open space unless before appropriating the land they cause notice of their intention to do so, specifying the land in question, to be advertised for two consecutive weeks in a newspaper circulating in the area in which the land is situated, and consider any representations to the proposed appropriation which may be made to them.

30. Paragraph 3 of Appendix B to the report confirms that notices were published in Southwark News on 9 March 2017 and 16 March 2017. No objections were received.

Strategic Director of Finance & Governance [FC16/046]

31. The strategic director of finance and governance notes the recommendation to appropriate land from children's and adults' services for planning purposes; the financial implications of this general fund land appropriation are set out within paragraphs 18 and 19 of this report.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Cabinet report of 9 December 2014	160 Tooley Street London SE1 2QH	Paula Thornton 020 7525 4395
Link: (copy and paste link into browser) http://moderngov.southwark.gov.uk/documents/s50467/ReportExtending%20the%20Thames%20Riverside%20Footpath%20including%20Consequential%20Lands%20Transactions.pdf		
Planning Committee report of 8 November 2016	160 Tooley Street London SE1 2QH	Victoria Foreman 020 7525 5485
Link: (copy and paste link into browser) http://moderngov.southwark.gov.uk/documents/s64760/Report%20Former%20Odessa%20Street%20Youth%20Club%20Commercial%20Pier%20Wharf%20Odessa%20Street%20London%20SE16.pdf		

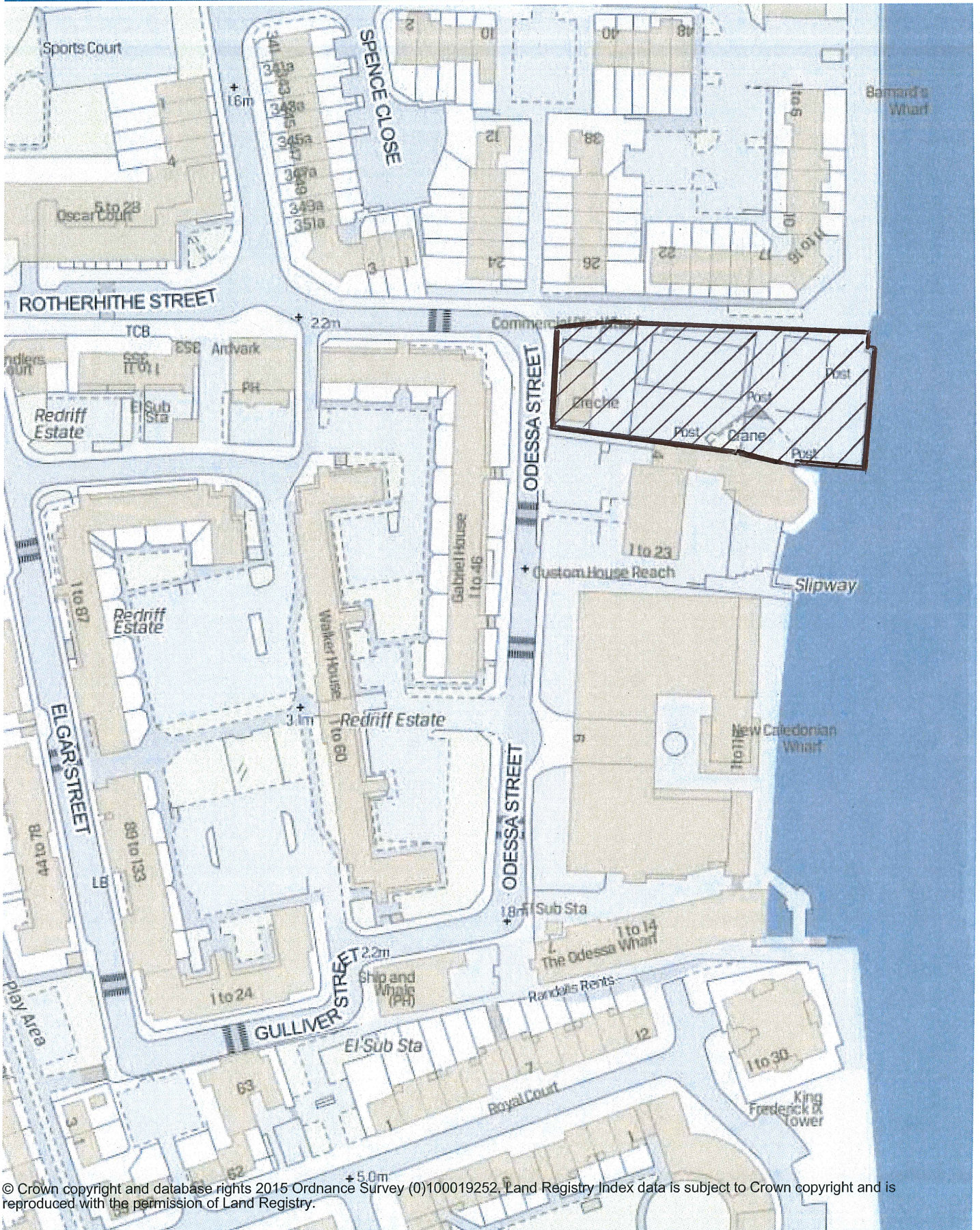
APPENDICES

Appendix	Title
Appendix A	Plan of land at 1 - 3 Odessa Street
Appendix B	Rationale for appropriation of 1 - 3 Odessa Street

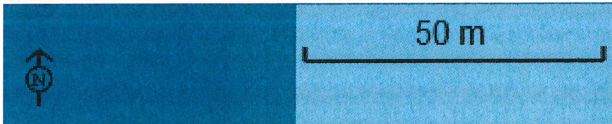
AUDIT TRAIL

Cabinet Member	Councillor Mark Williams, Regeneration and New Homes	
Lead Officer	Eleanor Kelly, Chief Executive	
Report Author	Patrick McGreal, Regeneration - North	
Version	Final	
Dated	5 June 2017	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	Yes	Yes
Director of Law & Democracy	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team		5 June 2017

APPENDIX A: 1-3 Odessa Street, Rotherhithe



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20-Jan-2017

Scale = 1 : 1250

APPENDIX B

Appropriation of the land (shown hatched on the plan) at Appendix A for purposes set out in s226 of the Town and Country Planning Act 1990

Background to appropriation

1. Under section 122(1) of the Local Government Act 1972 the Council may appropriate land for any purpose for which it is authorised to acquire land when the land is no longer required for the purposes for which it is held.
2. Under section 226(1)(a) and 227 of the Town and Country Planning Act 1990 the Council may acquire land if they think the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to the land. This includes development of the sort contemplated in the regeneration of the 1-3 Odessa Street. The power in section 226(1)(a) is subject to subsection (1A) of section 226. This provides that the acquiring authority must not exercise the power unless it considers the proposed development, redevelopment or improvement is likely to contribute to achieving the promotion or improvement of the economic, social or environmental well-being of the area for which the acquiring authority has administrative responsibility. There are clear economic social and environmental and social benefits associated with the provision of new housing and an improved public realm including extending the Thames Path at this location. Accordingly, the Council may appropriate land for the purposes of the development proposals land that it already owns if that land is no longer required for the purposes for which it is held. The land shown on the plan at Appendix A is no longer required for its current purposes for the reasons set out in paragraph 7 of this Appendix and is not needed in the public interest for those purposes. The land can therefore be appropriated from its current use. As the appropriation will facilitate the Odessa Street new development proposals it may be appropriated for planning purposes.
3. Section 122(2)(A) of the Local Government Act 1972 provides before appropriating 'open' land notice of the intention to do so, is to be advertised for two consecutive weeks in a local newspaper. The view has been taken that the subject land falls within this classification as a result of the public area fronting the river Thames and It is confirmed that the Council's intention to appropriate the land was advertised in the Southwark News on 9 March 2017 and 16 March 2017.
4. Where land has been appropriated for planning purposes Section 203 of the Housing and Planning Act 2016 (power to override easements and other rights) provides that building or maintenance work may be carried out on land even if it involves interfering with a relevant right or interest. This applies to building or maintenance work where there is planning consent for the work, where the work is on land vested in or acquired by or appropriated by a local authority for planning purposes, where the authority could acquire the land compulsorily for the purposes of the building or maintenance work and where the work is for purposes related to the purposes for which the land was vested, acquired or appropriated. The effect of triggering section 203 is that private rights are effectively overridden and converted into a claim for compensation. The level of compensation for interference with rights or breach of restrictive covenant is assessed on the basis of the loss in value of the claimant's land as a consequence of the interference or breach of covenant. An important consequence of the operation of Section 203 is that a claimant cannot secure an injunction, to prevent the development from going ahead - as indicated above, the remedy is a claim for compensation.

5. Prior to developing land it is usual practice to make prudent enquiries of what rights might exist over the land, this will involve inspecting the land to see if there are any obvious rights and checking land ownership information. However, some rights may not be apparent from inspection and historic ones may not always be recorded at the Land Registry. The application of the power to override rights contained in s203 therefore mitigates this risk.
6. Section 204 of the Housing and Planning Act 2016 provides that compensation is payable where a right is interfered with. Where a person (eg a developer) is liable to pay compensation but does not pay, the liability is enforceable against the local authority. An indemnity against that liability has been obtained from the developer.

Rationale for appropriating the subject site to planning purposes

7. The site is currently vacant but was formerly used as a youth facility. The building on site has structural problems including foundation movement. A new larger and more extensive youth facility has been provided at Salter Road and is operated by the Docklands Settlements. The land's previous use as a youth facility has therefore been abandoned and the land may be put to a different use. Planning consent has been secured for the scheme outlined in paragraph 3 of the main report. As there may be a minor impact on the rights of light to nearby residents from the consented scheme there is the risk one or more of them may apply to the court for an injunction. If an injunction is granted, the scheme will not be able to proceed. In these circumstances, it is appropriate to utilise the powers of section 203 to overcome this risk and enable the consented development scheme to proceed.
8. When land has been appropriated for section 203 purposes it will continue to benefit from its over-riding provisions even when the land is no longer held for planning purposes or owned by the Council.
9. The land identified at Appendix A is no longer required to be held for children's and adults services purposes. As indicated above, the land is now required to be held for planning purposes to facilitate the Implementation of the scheme consented to by the Council's Planning Committee on 8 November 2016.

Item No. 15.	Classification: Open	Date: 20 June 2017	Meeting Name: Cabinet
Report title:		Section 77 (change in use of school playing field land) - Approval to obtain Secretary of State consent	
Ward(s) or groups affected:		Peckham Ward, Grange Ward, South Bermondsey Ward, Rotherhithe Ward	
Cabinet Member:		Councillor Mark Williams, Regeneration and New Homes / Councillor Victoria Mills, Children and Schools	

FOREWORD – COUNCILLOR MARK WILLIAMS, REGENERATION AND NEW HOMES / COUNCILLOR VICTORIA MILLS, CHILDREN AND SCHOOLS

In addition to investing in new homes, libraries, and leisure centres, Southwark Council is also investing heavily in existing and new school provision. A programme worth over £180 million is ensuring that we meet the demand for primary, secondary and special school places but that we also invest in the fabric of existing schools to ensure that all Southwark children are learning in high quality and inspiring environments.

In order to progress with the next stage of our school expansion and investment programme and to deliver wider benefits including new homes, this report seeks authorisation to progress Section 77 applications to change the use of school land for Angel Oak Academy site, Beormund School and Southwark Inclusive Learning Service site, and Cherry Gardens Primary school site.

Angel Oak would be refurbished and significantly upgraded on its current site with a new all weather multi-use games area. Beormund School – a special school serving the entire borough - would move to a new home in Peckham to a new and purpose built school. The new site also affords an increase in the number of places for the only Social, Emotional and Mental Health primary facility in the borough. The same is the case for Cherry Gardens where a huge investment means a state of the art special school is already under construction on the former Highshore School site. The new Cherry Gardens school will vastly improve the learning environment for pupils, have more outside play-space and will provide more places for Southwark children with complex and profound learning difficulties. The Section 77 applications in this report would release land for new uses which would fund the growth in school places and the need to continue to invest in and upgrade our school estate.

RECOMMENDATIONS

1. That cabinet approves the progression of Section 77 applications (disposal or change in use of school playing fields land) and applications under Schedule 1 of the Academies Act 2010 (restriction on disposal and appropriation) to the Secretary of State for Education as set out in the red line plans attached as Appendix A for:
 - (i) Angel Oak Academy site (Burcher Gale Grove, SE15 6FL),
 - (ii) Beormund Primary School & Southwark Inclusive Learning Service (SILS4

- Pupil Referral Unit) site (Crosby Row, London SE1 3PS), and
 (iii) Cherry Gardens Primary School site (Macks Road, SE16 3XU).

2. That, subject to Secretary of State consent, cabinet authorises the director of regeneration to progress all matters relating to the delivery of the schemes.

BACKGROUND INFORMATION

3. The council owns significant assets and sites which provides the opportunity to improve outcomes for our residents through regeneration and redevelopment. There are a number of council owned school sites which could be rationalised and developed to provide improved facilities for education and which would also provide scope for new homes and other associated infrastructure. This also provides the means for an element of funding subsidy to support the provision of new education facilities, affordable homes and associated infrastructure.
4. The three sites listed below and in recommendation 1 above have been identified and assessed for their potential in contributing towards these objectives, and are each subject to a Section 77 application:
- (i) Angel Oak Academy site,
 - (ii) Beormund Primary School & Southwark Inclusive Learning Service (SILS4 Pupil Referral Unit) site, and
 - (iii) Cherry Gardens Primary School site.
5. Under Section 77 of the School Standards and Framework Act 1998, local authorities are required to apply for the consent of the Secretary of State for Education to dispose of, or change the use of, land used for maintained schools and academies.
6. In July 2014, the council renewed its pledge to deliver a fairer future for all in Southwark in a set of 10 new fairer future promises as well as specific commitments, which include:
- Deliver value for money across all services
 - Build more quality affordable homes of every kind across the borough
 - Become an age friendly borough
 - Revitalise neighbourhoods
 - Support local people into work.
7. These promises are in recognition of the need for new housing supply whilst improving existing housing, educational and health provision across the borough. In line with this the council also made a pledge in July 2014 to deliver 1,500 of the 11,000 new homes by 2018.
8. A move towards more efficient and higher quality provision must be considered in balance with the financial constraints faced by the council as it prepares for further reductions in our funding from central government. Despite being one of the most deprived areas of the country, the council has faced some of the largest reductions in government funding for local authorities, and will need to make further savings. As such, the council is exploring ways it can continue to deliver value for money for residents and businesses by making even better use of its resources.

9. On 27 January 2015 cabinet agreed to the development of the Southwark Regeneration in Partnership Programme (SRPP). The council is procuring programmes under the Southwark Regeneration in Partnership Programme (SRPP). The objectives of this programme are to develop a number of council owned sites of varying size and development potential. The council holds significant buildings and land assets and there are opportunities to work with developers to attract investment for a range of mixed use schemes.
10. The programme would enable the council to secure new investment into education facilities, including areas which are not traditionally funded through capital grant. However, this will only be possible if the council is allowed the means to reallocate land in a strategic manner to achieve the best long term benefits.
11. The council has a statutory duty under the Education Act 1996 (amended by the Education and Inspections Act 2006) to “secure that sufficient schools for providing: (a) primary education, and (b) secondary education are available for their area” as well as to “secure diversity and increase opportunities for parental choice when planning the provision of school places” in the borough. This duty includes matching projected demand with supply, and ascertaining whether this demand is temporary or permanent.
12. In common with other London boroughs, Southwark has seen a sharp increase in demand for primary places and in 2016 received a record proportion of applications. Birth rates have increased 12% across the borough from 2002-2014. The authority can either expand existing schools or enable free schools or academies to open, as the council is unable under the Academies Act 2010 and Education Act 2011 from opening new schools itself.
13. Since 2010, the council has been committed to supporting, where possible, permanent expansions so that schools, parents and children have certainty over the availability of school places and so that children learn and play in high quality spaces.
14. The suitability of all schools in Southwark and the risks and advantages of expanding each are considered by the council when formulating the primary and secondary expansion programmes. The risks of not expanding and continuing to develop schools to ensure that they meet demand and need are considerable. Section 14 of the Education Act 1996 places a duty on local authorities to ensure that there are sufficient primary and secondary school places in their area. Local authorities must ensure there are enough school places to meet needs as well as working to secure diversity of provision and increasing opportunities for parental choice.
15. As a result, there is currently a programme of investment of approximately £180 million in Southwark schools to increase numbers and address capacity issues across primary, secondary and special schools. Since 2009 and at September 2016 the additional primary places target was 3,200. This will further increase to 4,425 places by September 2018.

16. The primary component of the programme consists of:
- 2 new primary school rebuilds (Albion: redevelopment and regeneration of the site) and Bellenden (a new 2FE on new site)
 - 8 primary school expansions. Ivydale, Grange, Crawford, Keyworth, Phoenix, Robert Browning, Charles Dickens, Redriff
 - 2 new free schools; Belham and Galleywall.

All of the above are underway and on schedule to deliver additional capacity required.

17. The primary school enlargements formed part of a target of an additional 1,755 primary places by September 2016. Southwark has added a total of 500 permanent reception places in primary schools in Southwark since September 2011 (an increase of 14%). This investment into Primary and SEN schools has improved and increased playing field areas in excess of 7,150m² including a gain of 155m² at the new Cherry Gardens School site. Angel Oak Academy would gain an extra 277m² of external play area and use of the nearby Burgess Park; Beormund Primary would retain a similar sized area of external play space at the proposed new location; and SILS4 which currently does not benefit from any external space, would gain approximately 300m² of external play space.
18. Plans and proposals are also in place for special educational needs and disability (SEND) provision. Plans have been approved by cabinet to expand and relocate Cherry Gardens school and construction is currently underway with an expected completion date of September 2018.

KEY ISSUES FOR CONSIDERATION

Section 77 Consents

19. The procedures and legislation governing the disposal of school playing field land held by local authorities, governing bodies, foundation bodies and trustees are set out in the Department for Education's non-statutory advice about the protection of school playing fields and public land.
20. The advice describes the main circumstances when relevant bodies need to seek the consent of the Secretary of State for Education to dispose, or change the use, of land used by schools, including playing field land, to ensure playing field land continued protection. It also describes how the Secretary of State will assess applications for consent to dispose, or change the use, of such land. The relevant legislation is Section 77 of the School Standards and Framework Act 1998.
21. The Department for Education will usually only agree to the sale of school playing fields if the sports and curriculum needs of schools and their neighbouring schools can continue to be met and there is clear regeneration benefit for education and other services. Sale proceeds must be used to improve sports or education facilities and any new sports facilities must be sustainable for at least 10 years.

Schedule 1 Consents

22. Schedule 63 (Schedule 14) of the Education Act 2011 makes changes to incorporate a new Schedule 1 to the Academies Act 2010 which extends the requirement to obtain Secretary of State consent to dispose of community school land to include all land in which a freehold or leasehold interest is held by the local authority and which has been used for any school (including any Academy) in the last 8 years. It also removes the disapplication of the requirement for Secretary of State consent in the case of a transfer to an Academy for nil consideration. It is under the new Schedule 1 to the Academies Act 2010 that applications for consent to dispose of local authority land must now be made.
23. The Secretary of State will now consider the suitability of all such land for use by an existing or potential Academy (the legal term which includes Free Schools, University Technical Colleges and most Studio Schools).
24. Local authorities, governing bodies and dioceses should not commence any works on the site or anticipate any future proceeds of sale in anticipation of Secretary of State consent. The following details are required by the Secretary of state when applying for consent under the new Schedule 1 to the Academies Act 2010:
 - details of the location and exact area of the land to be disposed of or appropriated
 - details of the total site area of the school or former school
 - the date (or proposed date) of the disposal or appropriation
 - the reasons for the disposal or appropriation of the land and why the local authority does not think that it is covered by 'general consent'
 - the educational history of the subject land
 - the planned future use of the site; and
 - if any potential Academy, Free School, University Technical College or Studio School proposer has approached the local authority about using this land or other land in the area.

Regeneration Strategy

Angel Oak Academy (AOA) - Burcher Gale Grove, London SE15 6FL

25. Angel Oak Academy achieved 'academy' status in 2015, and the agreed Heads of Terms with Southwark Council at the point of conversion established the potential to attract investment in the school facilities through the redevelopment of surplus land. Angel Oak Academy is currently a 2 Form of Entry (FE) School. The site will have surplus external area with the potential and capacity to develop housing and community facilities.
 - The current site area is 11,718m² which is a generous site for an inner-London school, with large areas of unused external space.
 - The Academy and Southwark Council have agreed that the Council should retain approximately 5,420m² of land for residential development from which the development partner (Clarion Housing Group) would provide significant investment for the school's improvement and expansion along

with the provision of approximately 125 new homes of mixed tenure including council and affordable homes, and associated investment to improve amenity land.

- The school investment includes refurbishment of the main Victorian building, demolition of the existing entrance block and provision of a new multi use games area, enhanced main playground area, a new building extension to provide an assembly hall and gym space, kitchen, ancillary facilities and dining space, with an additional 560m² of play space on the flat roof above the extension. Works will also include new administrative facilities – new reception, meeting rooms, offices etc.
- There is also scope to provide investment in the external landscaping and play space areas. The current site area is not utilised effectively with large areas left underused, and an oversized car park. The works will remove constraints to the layout of existing buildings to create a modern, effective teaching environment.
- The existing playing field land is approximately 4,883m². Proposals under development estimate the retention/creation of approximately 4,980m² of external play space. The DfE Building Bulletin guidelines for external play area range for a primary school on a restricted site is 3,720m². This means that the school's overall external play area will be 1,264m² larger than the Building Bulletin range.
- It is also proposed that Angel Oak Academy use the nearby Burgess Park to further supplement its improved on-site external area with areas for organised games which would be timetabled for school use. These facilities are within a short walking distance from the school.

Beormund Primary School/Southwark Inclusive Learning Service (SILS) PRU (Crosby Row, London SE1 3PS)

26. The existing site is currently occupied by Beormund Primary School which accommodates 35 full time primary pupils with Social, Emotional and Mental Health (SEMH) needs, and the SILS4 Secondary Pupil Referral Unit (PRU) with a student roll of up to 90.
27. The regeneration strategy is for Beormund School to relocate to a new purpose-built school on the centrally located and more efficient Bellenden site in Reedham Street, London, SE15 4PF. Bellenden School is expanding to a new purpose-built 2FE school in the nearby Dewar Street in 2018 so the site will become vacant and is available for development.
28. The overall area at the existing Beormund Primary School site is 4,280m² excluding the SILS4 PRU area. The proposed site at Bellenden School, Reedham Street is 4,410m² which offers a slight increase in overall site area of 130m². The proposed relocation is recommended for the following reasons:
 - The existing Bellenden School is being relocated to a new purpose built facility in the nearby Dewar Street, the site of a former nursing home/sheltered housing facility which was previously deemed surplus to requirements. The proposed relocation of Beormund Primary School to the Bellenden site means that the latter can continue to be used as an

education site and is not subject to the Secretary of State consent, or consideration of the suitability of such land for use by an existing or potential academy or free School.

- The central location of the Bellenden site makes it more accessible across the borough. Beormund Primary is a special needs school serving the whole borough and is not subject to catchment area pupil intake as exists for mainstream schools.
- Initial design studies indicate that the proposed scale, massing and design layout should be received positively from a planning point of view.
- The condition, suitability and sufficiency shortcomings can only be met by relocating Beormund School to the available Reedham Street site as it is not practical to phase out a new build construction programme with the children on site. In addition to the delivery of purpose-built facilities for Beormund School, the proposed site also affords an increase in capacity (from 35 to 45 pupils) for the only Social, Emotional and Mental Health primary facility in the borough.
- There are no suitable alternative sites in the borough to effect a temporary decant for the Beormund pupils if the strategy were to re-provide the school at the Beormund site. A single and permanent move to new facilities at the Bellenden site negates the pressure of temporary provision.

29. The existing net external area at the Beormund Primary site is approximately 2,552m². With the current proposals under development it is estimated the Bellenden site will provide around 2,560m² of external space. The DfE Building Bulletin guidance on external net areas for an SEN school is 4,175m² minimum (excluding grass pitches). In terms of the DfE guidelines for outside area this means that the school will retain an overall external play area approximately the same as the existing site but 1,615m² less than that indicated as the ideal in the Building Bulletin. It is recognised that on restricted sites a flexible approach should be taken on provision and management of the area available, with priority given to those spaces that are most important to the particular needs of the pupils in the setting.

- The relocation will enable the Council to maximise the housing development potential on the existing Beormund Primary School and PRU site which is in central location close to London Bridge and Borough Stations which in turn will enable the council to secure a funding contribution for the new building and site for Beormund.
- The funding options for the new provision of the Beormund Primary School include the anticipated return on investment in developing the land, or a financial contribution towards the new school from the housing delivery partner. Government do not provide specific capital grant towards existing special schools.
- It is proposed to re-provide the SILS4 PRU with a new purpose-built facility on the site as it is considered to be an appropriate location given the liveliness and aspirational nature of the surrounding area. It is intended that the PRU re-provision is also funded by the new housing development.

- The existing PRU facility does not benefit from any outdoor space, but the proposed relocation on the site will provide approximately 300m² usable external space.

Cherry Gardens site: Macks Road, London SE16 3XU

30. The site currently accommodates the Cherry Gardens SEN Primary school which is relocating and expanding from 46 to 85 pupil place facility and will be accommodated in a brand new purpose-built facility on the vacant Highshore SEN Secondary School site which relocated to new facilities under the Building Schools for the Future programme.
31. The Macks Road site has a play area of approximately 2,905m² and non-play area including the school building of 2,711m². The new facility on the Highshore site will have an increased play area of 3,067m² and non-play area including the buildings at 2,994m². In terms of the DfE guidelines for outside area this means that the school will achieve an additional 162m² of external play space.
32. It is proposed that the site is redeveloped to provide 50 new homes with a mix of social rent, intermediate and private sale units, and enhanced adjacent park land and playground.
33. The release of the Macks Road site for this development will fund additional school expansion schemes including the new Cherry Garden School.

Policy implications

Education

34. The ability to develop the school sites, subject to the Section 77 and Schedule 1 approvals will support delivery of the Council's Fairer Future objective of guaranteeing a local primary place for every child, and improving educational facilities for the borough's residents.
35. The expansion of primary schools is required to deliver the Council's strategy for additional pupil places and is a key part of the Primary Investment Strategy.

Housing

36. The proposed developments for which the Section 77 and Schedule 1 approvals are required will support the overall New Homes programme to develop 11,000 new council homes by 2043. Homes delivered as part of the programme will assist in increasing the supply of good quality affordable housing and will contribute the following targets:
 - Policy 5 of the Core Strategy which sets a housing target for the borough of 24,450 net new homes between 2011 and 2026 (1,630 per year)
 - The London Plan which sets the borough a housing target of 20,050 net new homes between 2011 and 2021 (2,005 per year)and
 - Core Strategy Policy 6 which sets an affordable housing target of 8,558 net affordable housing units between 2011 and 2026.

37. Sharing the benefits of economic growth and regeneration is an underpinning principle in implementation of the Southwark Economic Development strategy 2010 - 2016. The SRPP has the potential to support the strategy by engaging with housing partners and Council contractors to identify and develop entry points for priority groups to access local employment and training opportunities, promote and develop apprenticeships and work placements and embed local economic benefits into procurement.

Community impact statement

38. All the schools are highly valued by their communities and the Council is keen to create these opportunities so that we can jointly work to improve or provide new educational facilities, and increase the housing stock.
39. During the development of these schemes we will liaise with stakeholders and incorporate their suggestions where possible.

Resource implications

40. Any staffing requirements arising from this Section 77 and Schedule 1 application process will be provided from within the existing Regeneration Capital Works team structure, supported by appointed external professional building consultancies.

Legal implications

41. Legal concurrent is provided in paragraphs 49 to 59.

Housing

42. The appropriation of land at these three sites will facilitate the delivery of an estimated 298 new homes of mixed tenure including both council and affordable homes. Where land is appropriated to the HRA, its certified value is added to the HRA capital financing requirement and the HRA's contribution to capital charges will increase as a result.
43. Although the land to be appropriated is yet to be valued, the revenue cost to the HRA is expected to be modest and will be contained within existing budgets and resources. The subsequent sale of properties as part of the development will also generate capital receipts for future investment.

Education

44. The council's approved capital programme has budget allocations for the three schools being re-provided on new sites. The budget allocations (inclusive of spend to date on the projects) are:

Cherry Garden School	£16.4m
Beormund Primary School	£12.0m
SILS4 Pupil Referral Unit	£ 3.0m

45. The majority of this council capital investment is not supported by any capital grant and any financial contribution from a developer from these proposals will be recycled into the council's corporate resources in funding the council's

approved capital programme.

Consultation

46. Public consultations and exhibitions have been held over the last 12 months with the schools' communities and local community at Angel Oak Academy, Beormund School, and Cherry Gardens School on the proposals for both the housing developments and school expansions associated with the housing developments.
47. Under the School Standards and Framework Act 1998, and as a requirement under the Section 77 applications process, statutory adverts were published in the Southwark News on 06 April 2017, giving notice to the public, of the Council's intention to dispose off/change the use of playing field land at the subject sites, and invited comments/objections.
48. Primary and secondary schools within a 1 mile radius and a half mile respectively, of each subject site were sent consultation letters on 25 April 2017 with a deadline of 09 June 2017 to confirm whether or not they had use of the subject playing field land if their existing external play provision did not meet their requirements.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

49. Section 77 (1) of the School Standards and Framework Act 1998 ("SSFA") states that a local authority shall not, except with the consent of the Secretary of State, dispose of any playing fields:
 - (a) which are immediately before the date of the disposal are used by a maintained school for the purposes of the school, or
 - (b) which are not then so used but have been so used at any time within the period of 10 years ending with that date.
50. Playing fields are defined in that Section as "Land in the open air which is provided for the purposes of physical education or recreation, other than any prescribed description of such land."
51. Section 77 (3) of the SSFA states (inter alia) that except with the consent of the Secretary of State a local authority shall not take any action (other than the making of a disposal which falls within subsection (1) above) which is intended or likely to result in a change of use of any play fields where
 - (a) which are, immediately before the date when the action is taken, used by a maintained school for the purposes of the school, or
 - (b) which are not then so used but have been used at any time within the period of 10 years ending on that date
52. whereby the playing fields will be used for purposes which do not consist or include their use as playing fields by such school.
53. A number of general consents have been issued by the Secretary of State under the General Consent: Section 77 School Standards and Framework Act 1998, but none of the consents apply to the three schools which are the subject of the Recommendation. Application to the Secretary of State for specific consent is

required.

54. Schedule 1 of the Academies Act 2010 (as amended by Schedule 14 of the Education Act 2011) ("Schedule 1") states in paragraph 4 that if:
- (a) a freehold or leasehold interest in land is held by a local authority;
 - (b) the authority proposes to make a disposal in respect of the land, and
 - (c) at any time in the period of eight years ending with the day on which the disposal is proposed to be made, the land was used wholly or mainly for the purposes of a school or a 16-19 academy unless the Secretary of State consents, the authority must not make the disposal.
55. Paragraph 6 of Schedule 1 states that if:
- (a) a freehold or leasehold interest in land is held by a local authority,
 - (b) the authority proposes to make an appropriation of the land under Section 122 of the Local Government Act 1972, and
 - (c) at any time in the period of eight years ending with the day on which the appropriation is proposed to be made the land was used wholly or mainly for the purposes of a school or a 16-19 academy
56. Unless the Secretary of State consents, the authority must not make the appropriation.
57. Paragraph 9 of Schedule 1 states that there is a duty to inform the Secretary of State on the proposed change of use of land from the purposes of a school or 16-19 academy.
58. A number of general consents have been issued in the General Consents: Schedule 1 Academies Act 2010. However, none of the general consents apply to the three schools which are the subject of the Recommendation and specific application to the Secretary of State will be required.

Strategic Director of Finance and Governance (FC16/050)

59. This report is requesting cabinet to approve the progression of Section 77 applications (disposal or change in use of school playing fields land) as detailed in paragraph 1.
60. The report is also requesting, subject to Secretary of State consent, that cabinet authorises the director of regeneration to progress all matters relating to the delivery of the schemes.
61. It is noted that these proposals, if agreed, will be subject to appropriation of land from the General Fund to Housing Revenue Account (HRA) with a corresponding increase in the capital charges for HRA but these are expected to be contained within existing budgets.
62. The strategic director of finance and governance also notes that the cost of relocating the three schools on new sites are already budgeted within the council's approved capital programme as detailed in the financial implications.
63. It is also noted that any financial contribution from a developer from these proposals will be recycled into the council's corporate resources in funding the

council's approved capital programme

64. Staffing and any other costs connected with this report to be contained within existing departmental revenue budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Section 77 guidance document is provided via the link below	N/a	N/a
Link: (copy and paste link into browser) https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/430705/Disposal_or_change_of_use_of_playing_field_and_school_land.pdf		
Cabinet Report dated 13 December 2016 2016 Primary and Secondary School Place Planning Strategy Update (Item 11)	160 Tooley Street, London SE1	Ric Euteneuer 020 7525 5018
Link: http://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=302&MId=5376&Ver=4		
GW1 Cabinet Report dated 20 October 2015 Southwark Regeneration in Partnership Programme (SRPP) Procurement Strategy (Item 17)	160 Tooley Street, London SE1	Prince Kamanda 020 7525 7489
Link: http://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=302&MId=5140&Ver=4		
GW2 Cabinet Report dated 20 September 2016 SRPP Development Partners – Contract Award (Item 17)	160 Tooley Street, London SE1	Prince Kamanda 020 7525 7489
Link: http://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=302&MId=5373&Ver=4		
GW1 Cabinet Report dated 21 March 2017 SRPP Procurement Strategy – LOT A (Item 16)	160 Tooley Street, London SE1	Prince Kamanda 020 7525 7489
Link: http://moderngov.southwark.gov.uk/ieListDocuments.aspx?CId=302&MId=5379&Ver=4		

APPENDICES

No.	Title
Appendix 1	Options Analysis
Appendix 2	Ordnance Survey maps
Appendix 3	Southwark Council school sites
Appendix 4	Proposed Housing zone areas

AUDIT TRAIL

Cabinet Member	Councillor Mark Williams, Regeneration and New Homes Councillor Victoria Mills, Children and Schools	
Lead Officer	Bruce Glockling, Head of Regeneration Capital Works and Development,	
Report Author	Alfred Akpo-Teye, Project Manager Regeneration – Capital Works and Development	
Version	Final	
Dated	8 June 2017	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team		8 June 2017

APPENDIX 1

Options Analysis

Angel Oak Academy site

'Do-nothing'	<p>Advantages:</p> <ul style="list-style-type: none"> • There is no financial investment required by the council <p>Disadvantages:</p> <ul style="list-style-type: none"> • Lost opportunity to attract investment through development partner to address the capacity (increased pupil places offering 'secure diversity and increase opportunities for parental choice'), condition (deterioration/wear & tear from original c.1894 building with 1970 & 1980 additions) and associated suitability issues (both teaching and non-teaching areas including external play space) for the school. • Lost opportunity to utilise 'surplus' land to address the demand and supply of new housing stock which would otherwise pass to the Academy chain.
'Do-minimum'	<p>Advantages:</p> <ul style="list-style-type: none"> • None, as little or no scope to maximise the asset. <p>Disadvantages:</p> <ul style="list-style-type: none"> • As above
'Undertake investment'	<p>Advantages:</p> <ul style="list-style-type: none"> • Attract investment to address housing supply (proposed 125 units), school expansion (1.5FE to 2FE?) and school improvement (suitably sized teaching and non-teaching areas, efficient overall design and layout, increased and enhanced play provision), and developing land that would be otherwise be lost to the Academy chain who would not have the capacity to undertake this regeneration. <p>Disadvantages:</p> <ul style="list-style-type: none"> • None

Beormund Primary/SILS 4 Pupil Referral Unit site

'Do-nothing'	<p>Advantages:</p> <ul style="list-style-type: none"> • There is no financial investment required. <p>Disadvantages:</p> <ul style="list-style-type: none"> • Lost opportunity to attract investment through development partner to address the capacity, condition and suitability issues for the 2 educational facilities. Beormund Primary School currently has the capacity to accommodate 35 full time pupils aged between 5 – 11 years with Social, Emotional & Mental Health (SEMH) difficulties. • The facilities are outdated and do not meet the curriculum needs of the current cohorts. There is little or no scope to remodel or expand the school to meet the growing demand for in-borough placement of pupils with SEMH needs. The SILS4 PRU facility is also subject to the similar condition, capacity and suitability deficiencies, and there are no alternative sites to temporarily decant pupils and PRU students.. • Lost opportunity to utilise land to address the supply of new housing stock. • Risk of available education land at the at the alternative proposed Reedham Street site being offered up for a free school which would prevent the needs at Beormund School being addressed .
'Do-minimum'	<p>Advantages:</p> <ul style="list-style-type: none"> • None, as little or no scope to maximise the asset. <p>Disadvantages:</p> <ul style="list-style-type: none"> • As above
'Undertake investment'	<p>Advantages:</p> <ul style="list-style-type: none"> • Attract investment to address housing supply (proposed 110 units); • Investment to fund new purpose-built school for Beormund pupils with increased capacity from current 35 to 45 pupils. • Investment to fund re-provision of SILS 4 PRU on the existing site with new purpose-built facilities. • The re-location of the PRU provision on the same site is important for the

	<p>students' continued identity with and ownership of the 'SE1 postcode', and allows for the continued partial educational use of the site.</p> <ul style="list-style-type: none"> • Beormund School's proposed relocation to a proposed alternative site in Reedham Street affords a more central location in the borough in access terms, and has the capacity and potential to facilitate the development and delivery of an inspirational building designed and purpose built to accommodate and meet the needs and challenges of 45 SEMH pupils. • Increased capacity of new facility will reduce costs of out-of-borough placements and private special needs provision. • The release of the Beormund site in Crosby Row allows the Council to maximize the full potential of the site in terms of development and value. <p>Disadvantages:</p> <ul style="list-style-type: none"> • None
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Cherry Gardens – Macks Road site

'Do-nothing'	<p>Advantages:</p> <ul style="list-style-type: none"> • None. Cherry Gardens School will be re-locating to new purpose-built facilities in the nearby vacant Highshore School site <p>Disadvantages:</p> <ul style="list-style-type: none"> • Lost opportunity to utilise 'surplus' land to address the demand and supply of new housing stock (proposed 50 units)
'Do-minimum'	<p>Advantages:</p> <ul style="list-style-type: none"> • None, as no scope to maximise the asset. Cherry Gardens School will be re-locating to new purpose-built facilities in the nearby vacant ex-Highshore School site. <p>Disadvantages:</p> <ul style="list-style-type: none"> • As above
'Undertake Investment'	<p>Advantages:</p> <ul style="list-style-type: none"> • Attract investment to address housing supply (proposed 50 units) and also invest in other school improvements and sport/play provision. <p>Disadvantages:</p> <ul style="list-style-type: none"> • None

APPENDIX 2

TITLE.

Angel Oak Academy,
Burcher Gale Grove, SE15 6FL.



DRAWING No. INFORMATION PLAN ONLY

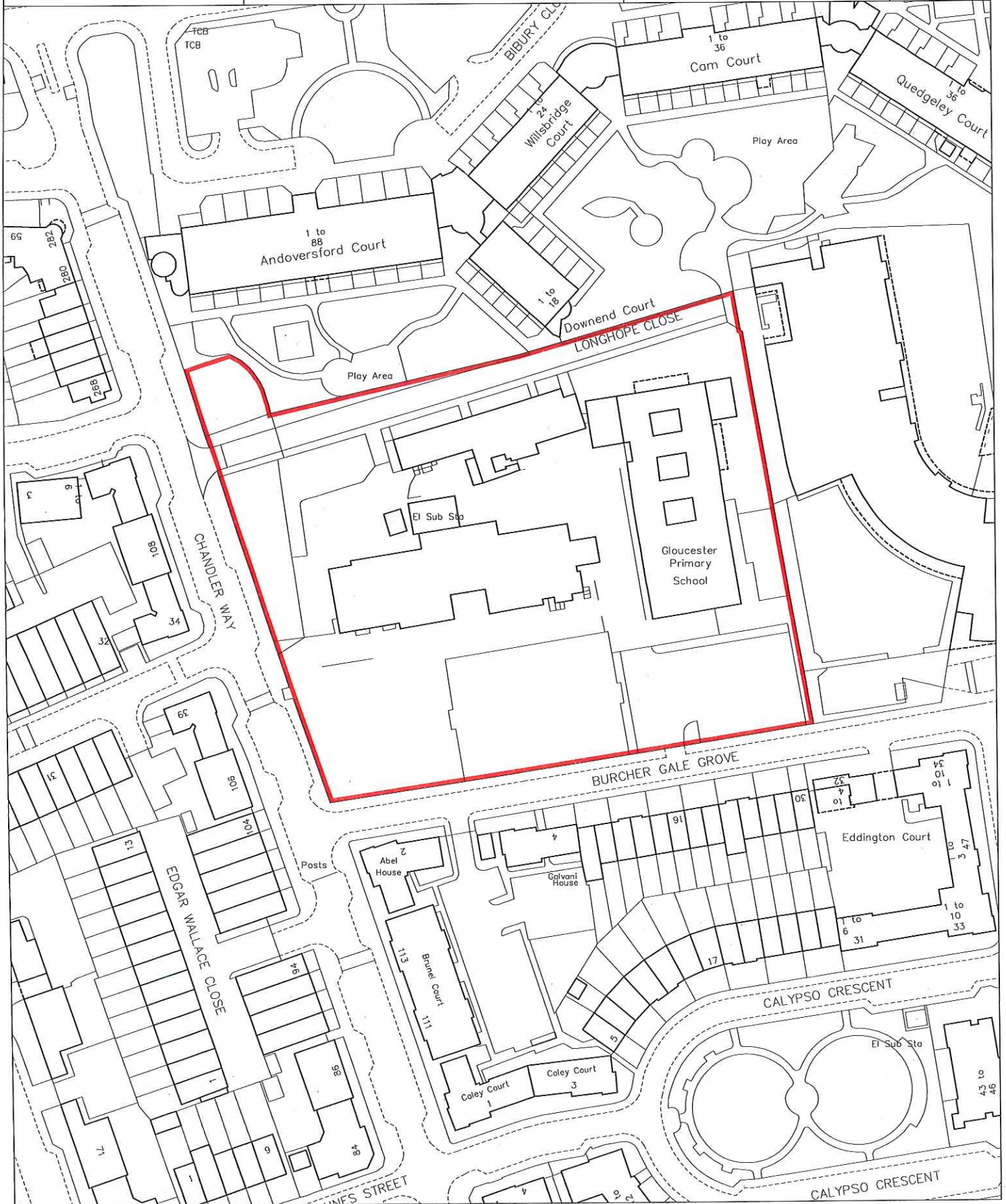
DRAWN BY. MMANKTELOW
Property Division

DATE. 18/5/2017

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TITLE. Beormund Primary School,
Crosby Row, SE1 3RY.

DRAWING No. INFORMATION PLAN
ONLY

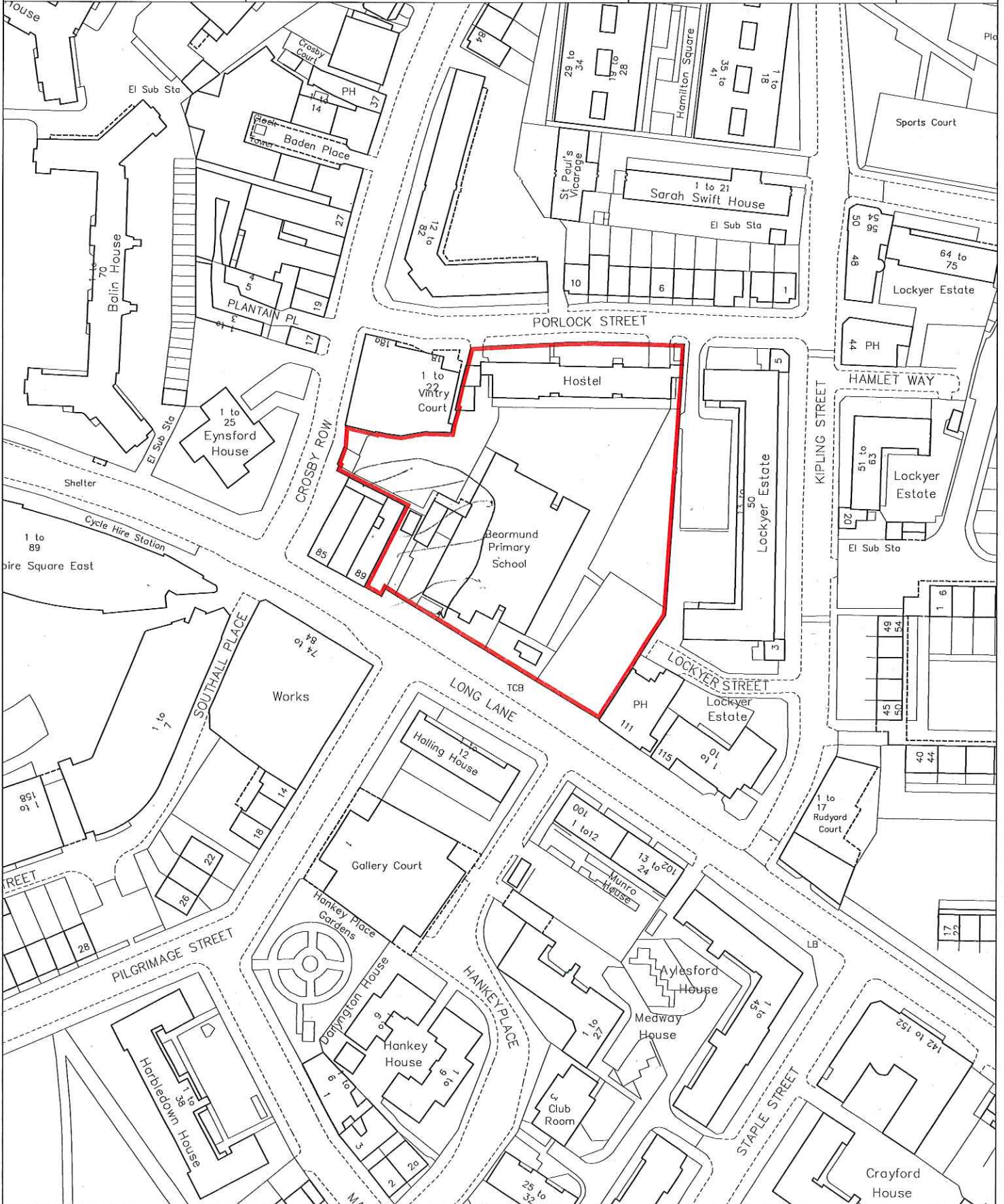
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TITLE.

Cherry Garden School,
Macks Road, SE16 3XU.

DRAWING No.

INFORMATION PLAN
ONLY

DRAWN BY.

MMANKTELOW
Property Division

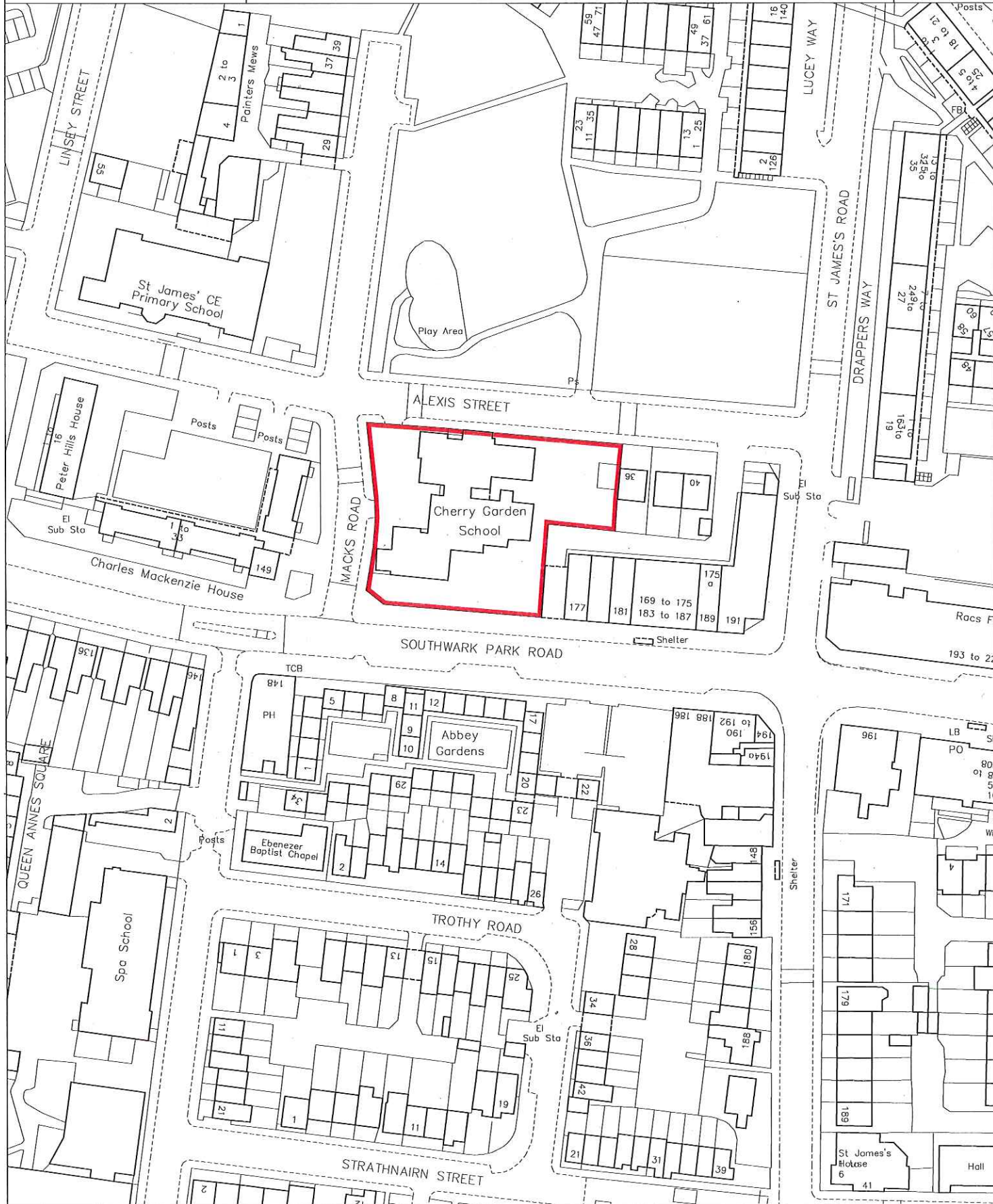
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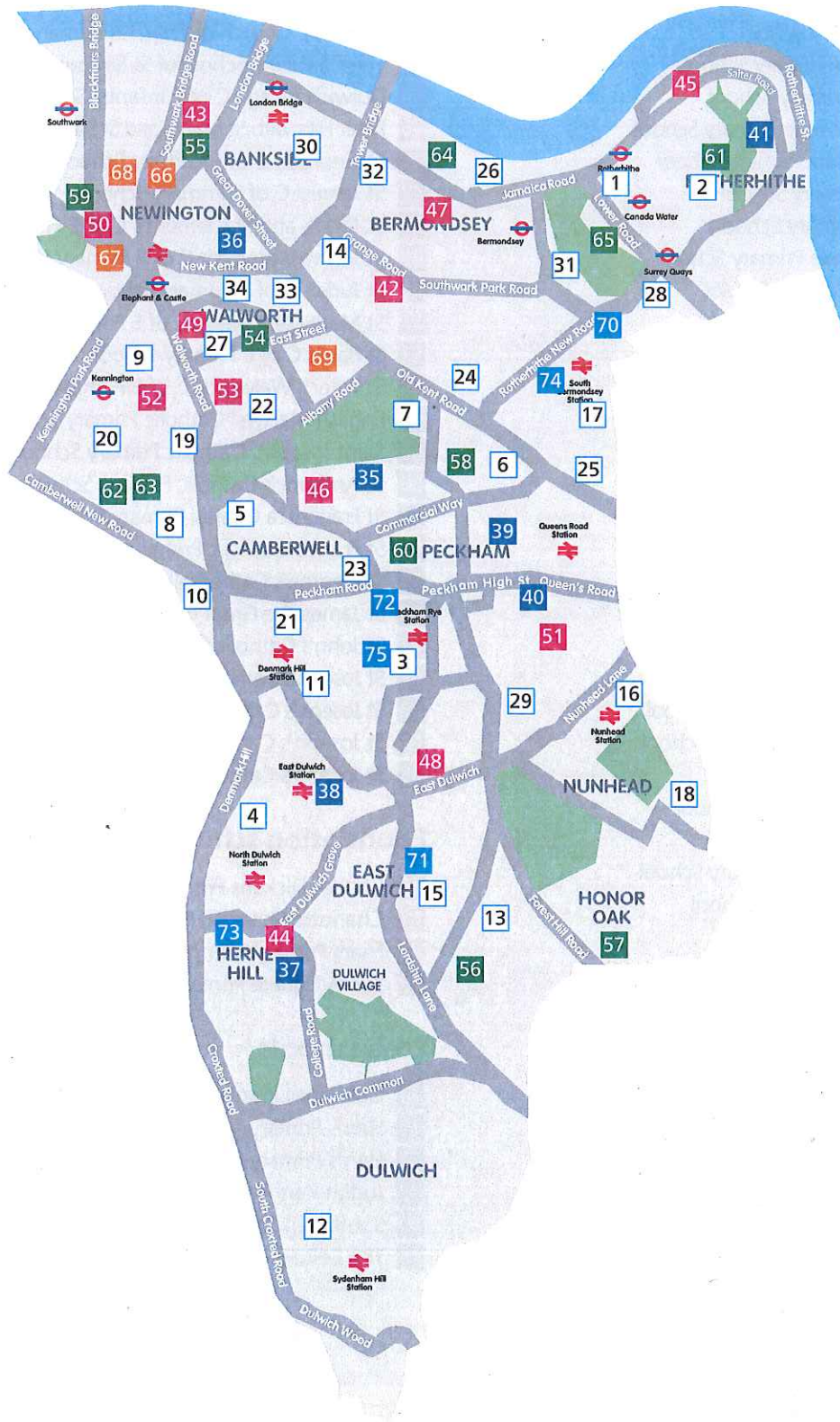
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Map of primary schools in Southwark

Map of primary schools in Southwark



Community primary schools

- 1 Albion Primary School
- 2 Alfred Salter Primary School
- 3 Bellenden Primary School
- 4 Bessemer Grange Primary School
- 5 Brunswick Park Primary School
- 6 Camelot Primary School
- 7 Cobourg Primary School
- 8 Comber Grove Primary School
- 9 Crampton Primary School
- 10 Crawford Primary School
- 11 Dog Kennel Hill Primary School
- 12 Dulwich Wood Primary School
- 13 Goodrich Primary School
- 14 Grange Primary School
- 15 Heber Primary School
- 16 Hollydale Primary School
- 17 Ilderton Primary School
- 18 Ivydale Primary School
- 19 John Ruskin Primary School
- 20 Keyworth Primary School
- 21 Lyndhurst Primary School
- 22 Michael Faraday Primary School
- 23 Oliver Goldsmith Primary School
- 24 Phoenix Primary School
- 25 Pilgrim's Way Primary School
- 26 Riverside Primary School
- 27 Robert Browning Primary School
- 28 Rotherhithe Primary school
- 29 Rye Oak Primary School
- 30 Snowsfields Primary School
- 31 Southwark Park School
- 32 Tower Bridge Primary School
- 33 Townsend Primary School
- 34 Victory Primary School

Academies

- 35 Angel Oak Academy
- 36 ARK Globe Academy
- 37 Dulwich Hamlet Junior School
- 38 Goose Green Primary School
- 39 Harris Primary Academy, Peckham Park
- 40 John Donne Primary School
- 41 Redriff Primary

Voluntary aided schools

- 42 Boutcher Church of England Primary School
- 43 The Cathedral School of St Saviour and St Mary Overie
- 44 Dulwich Village C of E Infants' School
- 45 Peter Hills with St Mary's and St Paul's C of E Primary School
- 46 St George's C of E Primary School
- 47 St James' C of E Primary School
- 48 St John's and St Clement's C of E Primary School
- 49 St John's Walworth C of E Primary School
- 50 St Jude's C of E Primary School
- 51 St Mary Magdalene C of E Primary School
- 52 St Paul's C of E Primary School
- 53 St Peter's Walworth C of E Primary School
- 54 English Martyrs' Catholic Primary School
- 55 Saint Joseph's Catholic Primary School, The Borough
- 56 St Anthony's Catholic Primary School
- 57 St Francesca Cabrini Primary School
- 58 St Francis Catholic Primary School
- 59 St George's Cathedral Catholic Primary School
- 60 St James the Great Catholic Primary School
- 61 St John's Catholic Primary School
- 62 St Joseph's Camberwell Catholic Schools' Federation (Infants)
- 63 St Joseph's Camberwell Catholic Schools' Federation (Juniors)
- 64 St Joseph's Catholic Primary School, George Row
- 65 St Joseph's Catholic Primary School, Gomm Road

Foundation schools

- 66 Charles Dickens Primary School
- 67 Charlotte Sharman Primary School
- 68 Friars Primary Foundation School
- 69 Surrey Square Primary School

Free schools

- 70 Galleywall Primary City of London Academy
- 71 Harris Primary Academy East Dulwich
- 72 Harris Primary Free School Peckham
- 73 Judith Kerr Free School
- 74 Southwark Primary Free School
- 75 The Belham Primary School

Appendix 4 - Proposed housing zone areas

B20107 SCALE PROGRAMMING. ALL DIMENSIONS MUST BE TAKEN FROM HERE.



PROPOSED HOUSING
DEVELOPMENT ZONE -
APPROX: 6,600m²

- South Plot
- Games Courts (Hard Surface)
- Multi Use Games Area
- Soft Internal and External Area
- Hard Internal and External Area
- Hard Area
- Associated Internal Area
- Access

Area Type	Area	Area	Area
Games Courts	1	13.24	
Multi Use Games Area	2	13.24	
Soft Internal and External Area	3	13.24	
Hard Internal and External Area	4	13.24	
Hard Area	5	13.24	
Associated Internal Area	6	13.24	
Access	7	13.24	
TOTAL	7	92.56	

Rev	Description	By	Chk	Date
D1	Plan Update	CC	ARS	18/03/2022
D2	Final Copy	CC	CC	14/11/2022

Site Plan
 Property: **Greater London Primary School CAK**
 Title: **Site Plan**
 Area Information: Job: 22058_1
 Total Site Area: 11076.1 Scale: N.T.S.
 Gross External Area: 5238.1 Date: 14/11/2022
 Gross Internal Area: 5252.9 Survey: 09/11/2022
 Total Base Area: 5080.0 Drawn: CAD-CAPTURE
 Net Internal Area: 3723.1 Checked: GD
 Filename: 22058.dwg
 Drawing No: 210/2255

- Sports Pitches
- Games Courts (Hard Surposed)
- Soft Informal and Social Area
- Hard Informal and Social Area
- Habitat Areas
- Supplementary Nat Area
- Associated Non-Nat Area
- Access



<180 & / OR STEP

PROPOSED SILS4 PRU UNIT
 APPROX: 1,100m²
 * REMAINING SITE FOR
 PROPOSED HOUSING DEV'T
 APPROX: 3,940m²



Rev	Description	Drawn	Chkd.	Date
00	Initial Supply	CC	ARB	06/02/2008

CAD-CAPTURE
 Greenbank Technology Park - Chichester Way
 Basingstoke, Hampshire - Tel: 01256 504450
 www.cadcapture.co.uk

Southwark Council

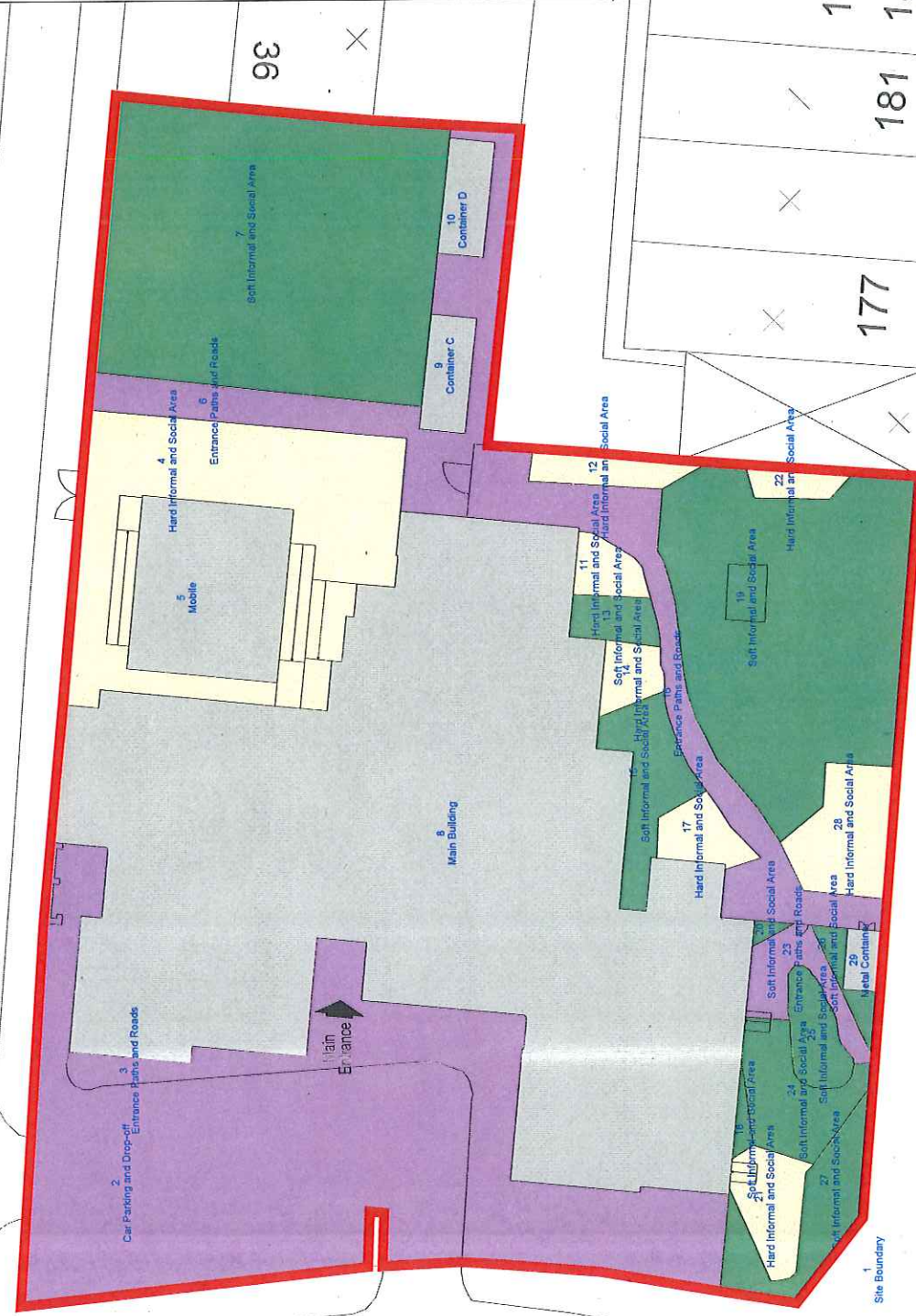
AssetCapture™		www.asetcapture.com		Tel: 01256 504450		Fax: 01256 504001	
Property: Beormund Special School				Title: Site Plan			
Scale: NOT TO SCALE	Drawn: CAD-CAPTURE	Filename: 7157.dwg	Rev: 00	Date: 06/02/2008	Checked: ARB	Drawing No: 2107167	Survey: 05/02/2008
Job: 5648		Job: 5648		Job: 5648		Job: 5648	

- Sports Pitches
- Games Courts (Hard Surfaced)
- Soft Informal and Social Area
- Hard Informal and Social Area
- Habitat Areas
- Supplementary Net Area
- Associated Non-Net Area
- Access



PROPOSED HOUSING DEV'T ON
SITE AREA APPROX: 2,280 m²

ALEXIS STREET



Rev	Description	CC	ARB	Drawn	Chd.	Date
00	Initial Supply					12/03/2008

CAD-CAPTURE
Greenbank Technology Park - Challenge Way
Blidsum - Lancaster - BB1 3SR - England
www.cadcapture.co.uk Tel: 01284 354450

Southwest Council

AssetCapture™ www.assetcapture.net Tel: 01284 354450 Fax: 01284 354401	
Property: Cherry Garden Special School	
Title: Site Plan	
Scale: NOT TO SCALE	Drawn: CAD-CAPTURE
Date: 12/03/2008	Checked: ARB
Survey: 14/02/2008	Job: S4048
Filename: 7186.dwg	Rev: 00
Drawing No: 210/7186	

Item No. 16.	Classification: Open	Date: 20 June 2017	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 motion set out in the appendix attached to the report.

BACKGROUND INFORMATION

2. Council assembly at its meeting on Wednesday 22 March 2017 agreed several motions and these stand referred to the cabinet for consideration. Most of the motions were considered at 9 May 2017 meeting with one outstanding.
3. The cabinet is requested to consider the motion referred to it. Any proposals in a motion are treated as a recommendation only. 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 motion was referred to the cabinet.
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	Report on the council's website	Virginia Wynn-Jones Constitutional Team 020 7525 7055
Link: http://modern.gov.southwark.gov.uk/ieListDocuments.aspx?CId=132&MId=5435&Ver=4		

APPENDICES

Number	Title
Appendix 1	Day centre services in Southwark

AUDIT TRAIL

Lead Officer	Chidilim Agada, Constitutional Manager (Acting)	
Report Author	Virginia Wynn-Jones, Principal Constitutional Officer (Acting)	
Version	Final	
Dated	6 June 2017	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Strategic Director of Children's and Adults Services	No	No
Strategic Director of Finance and Governance	No	No
Director of Law and Democracy	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team		6 June 2017

APPENDIX 1

DAY CENTRE SERVICES IN SOUTHWARK

1. Council assembly notes:

- The excellent work which takes place at the Queens Road and Riverside Day Centres, run by the Camden Society, and the life changing importance of these centres for some of Southwark's most severely disabled residents.
- That, despite having had largest cuts in government funding to any London council, Southwark Council currently spends more per person with a learning disability and their family carers than any other council in England. The council budget agreed last month ensures that the council will continue to spend more per service user than the average for our comparator boroughs.
- That there are currently considerable pressures on adult social care budgets and the system of personal budgets in Southwark.
- That the Care Act 2014, passed when Liberal Democrat MP Norman Lamb was Minister for Care and Support, removed discretion from councils to provide personal budgets to people with moderate care needs.
- That, these pressures notwithstanding, personal budgets cannot be spent on day centres which no longer exist. It is therefore important that the council works with service providers, service users and their families to ensure that Southwark has services for people with learning disabilities that are sustainable in the long term given these financial pressures.
- That council policy since the 1990s has been to let buildings at market rent levels, unless there are exceptional circumstances. The council will always assess the likelihood that a leasee is able to pay the required rent before agreeing a new lease.
- That the rent-free leases on the Queen's Road and Riverside Day Centres both ended on 31 January 2017, as originally set out in both leases. In both cases, these rent-free arrangements were always time-limited.

2. Council assembly welcomes:

- The borough's continuing commitment to protect the most vulnerable in the borough as much as is possible from the impacts of government cuts.
- The agreement by the property department of a tenancy at will arrangement at Queen's Road Centre to allow for the full assessment of every service user's needs. This arrangement will run until 30 June 2017, but the property department has indicated that some flexibility on this end-date may be possible to ensure that all the Queen's Road assessments are completed.
- A similar tenancy at will agreement will be put in place to allow for assessments of that centre's users that is currently planned to run until 30 November.
- The establishment of a working group involving the council, the Camden Society, Southwark Resource Centre and representatives of both service users and their carers to explore future options to provide day care and

develop a hub model of service delivery, as has already been established for mental health service users in the borough.

- That this working group will also consider how to best meet the needs of service users and their carers who fall in the moderate needs category.

3. Council assembly calls on the cabinet to:

- Continue in its commitment to protect the most vulnerable in our community despite the severity of government cuts facing our borough.
- Monitor the work of the working group to ensure that Southwark develops a hub meeting the needs of people with learning disabilities in the borough that is sustainable given the 2014 Care Act and financial pressures.
- Work to ensure that a hub model ensures that people with learning disabilities who have moderate needs still have those needs met.
- Ensure that service users and their carers are kept informed of progress of the work of the working group.

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		David Quirke-Thornton	1
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Jasmine Ali	1	Jennifer Seeley	1
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Tom Flynn	1	Kevin Fenton (1st floor, hub 1)	1
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Ian Wingfield			
Michael Situ			
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Group Offices		Total:	
Chris Page, Cabinet Office	1		37
Jack Chesterman, Liberal Democrat group Office	1		
Press		Dated: 22 May 2017	
Southwark News	1		
South London Press	1		