

Cabinet

MINUTES of the OPEN section of the Cabinet held on Tuesday 29 October 2019 at 4.00 pm at the Council Offices, 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Rebecca Lury (In chair)
Councillor Evelyn Akoto
Councillor Jasmine Ali
Councillor Richard Livingstone
Councillor Victoria Mills
Councillor Leo Pollak
Councillor Johnson Situ
Councillor Kieron Williams

1. APOLOGIES

Apologies for absence were received from Councillors Peter John and Stephanie Cryan.

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

The chair gave notice of the following late items:

- Item 7: Deputation requests
- Items 19 and 21: Gateway 3 – Variation Decision – Extension of Contract: Adults Integrated Drug and Alcohol Treatment System
- Item 19a: Ledbury Towers Arup Structural Survey Report
- Item 19b: Impact of Brexit on Southwark - Progress Report.

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 Victoria Mills declared a non-pecuniary interest in respect of items 16 and 17 on the agenda: as her partner works for UNISON. Councillor Mills confirmed her intention to withdraw from the meeting while these items were being discussed and decisions made.

5. PUBLIC QUESTION TIME (15 MINUTES)

There were no public questions.

6. MINUTES

RESOLVED:

That the minutes of the open section of the meeting held on 17 September 2019 be approved as a correct record and signed by the chair.

7. DEPUTATION REQUESTS

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

With regard to the deputation request received after the constitutional deadline from the Ledbury residents project group, the chair agreed to accept it as urgent, as a late and urgent item (19a) on the Ledbury Estate was on the agenda for this meeting.

RESOLVED:

1. That it be noted that the deputation request from SGTO (Southwark Group of Tenants Organisation) was withdrawn for this meeting.
2. That the deputation requests from Southwark Disablement Association (SDA) and Ledbury Residents Project group be heard.

Southwark Disablement Association (SDA)

The spokesperson for the deputation addressed the meeting and outlined a number of comments as follows in respect of item 17: Gateway 1 – Procurement Strategy Approval: Additional Care at Home Provision for Adults:

- The view that care for vulnerable people is best met by local small and medium sized enterprises (SME). It was felt that as part of the procurement process local organisations tend to lose out to larger organisations
- Query on how the council expect providers to offer permanent contracts to its care workers
- The view that supplementary providers are essential in maintaining the required level of provision of care in Southwark
- A request that the council consider contracting the additional care at home provision

in the same way it has already successfully commissioned four supplementary providers, subject to annual review of performance before renewing the contract the following year.

Councillor Jasmine Ali, cabinet member for children, schools and adult care responded to the issues raised by the deputation and confirmed that she would be happy to meet with the deputation, along with relevant officers.

Ledbury Residents Project Group (RPG)

The spokesperson for the deputation addressed the meeting to outline a number of concerns in respect to Item 19b: Ledbury Towers Arup Structural Survey report as follows:

- How the extra works will impact on refurbishment options. There was widespread support for refurbishment from existing residents and former tenants with the right to return
- The works proposed will mean a reduction in size of the homes on higher floors, and steel beams inside the existing walls
- How the impact of changing the internal room sizes fits in with leases granted to leaseholders.

The RPG have requested clarity from the council on the following:

- How long it will take to come to a decision based on this new information
- That the reopening of the option appraisal will only include the Towers, and the red line boundary will be unchanged from the one used in 2018
- A commitment that there will be at least as many council homes at the end of this process on the site of Ledbury Towers and the rented homes will be council homes for council rent
- Likely costs for tenants and the rent and service charge levels in new homes with new homes offered to right to return tenants at the same rent and service charge as their Ledbury Towers homes
- Right to stay on the estate for both tenants and leaseholders, and an idea of council tax levels in new homes
- The offer to leaseholders taking into account the likely loss of amenity recommended in the Arup Report.

Councillor Kieron Williams, cabinet member for housing management and modernisation, responded to advise that the ongoing consultation and conversation would continue with local residents.

8. DELIVERING A CLIMATE STRATEGY FOR SOUTHWARK

Councillor Leanne Werner presented the environment scrutiny commission report (Appendix 3 of the report) to cabinet. Jeremy Leach, co-opted member of environment scrutiny commission, was also in attendance to provide his input.

RESOLVED:

1. That the proposals set out in the report for developing a Southwark Climate Strategy 2020-2030 and other actions in response to the council's emergency declaration in March 2019 be noted and supported.
2. That the recommendations in the environment scrutiny commission report be noted (Appendix 3 of the report) and that the cabinet member for environment, transport and the climate emergency reports back within eight weeks.

9. RESPONSE TO HOUSING & ENVIRONMENT COMMISSION'S COMMUNITY ENERGY SCRUTINY REVIEW REPORT

Councillor Leanne Werner provided comments in respect of this report to cabinet querying the next steps and number of projects going forward. Councillor Richard Livingstone, cabinet member for environment, transport and the climate emergency confirmed that this would be addressed.

RESOLVED:

1. That the responses to the recommendations made by the housing and environment scrutiny commission be noted.
2. To proceed with the development of the corporate decarbonisation strategy to provide the framework for promoting community-led renewable energy initiatives.

10. RESPONSE TO RECOMMENDATIONS FROM COMMUNITY SAFETY SCRUTINY COMMISSION REPORT, MODERN DAY SLAVERY AND TRAFFICKING SCRUTINY REVIEW

RESOLVED:

1. That the response to the modern day slavery and trafficking scrutiny recommendations as set out in Table 1 of the report be noted.
2. That officers be instructed to bring back an annual report on modern slavery and trafficking in Southwark.

11. CYCLE HIRE EXPANSION AND SUBMISSION OF TRANSPORT FOR LONDON (TFL) GRANT APPLICATION (LIP PROGRAMME)

RESOLVED:

Decisions of the Cabinet

1. That the content of the council's proposed local implementation plan (LIP) submission to Transport for London (TfL) that identifies transport projects to be delivered using this funding in 2020-21 in Appendix A of the report be agreed and be submitted to TfL before 1 November 2019.
2. That the progress report on the Movement Plan as contained in Appendix B of the report be noted
3. That the cycle hire delivery plan as contained in Appendix C of the report be noted.
4. That the progress report on the Liveable Neighbourhood project as contained in Appendix D of the report be noted.

Decisions of the Leader of the Council

5. That authority be delegated to the cabinet member for environment, transport management and the climate emergency to amend the programme for 2020-21 should any variations to the proposed programme be required.
6. That authority be delegated to the cabinet member for environment, transport management and the climate emergency to determine the most appropriate use of the £100,000 discretionary funding allocated by TfL for 2020-21.

12. THE SOUTHWARK PUBLIC HEALTH APPROACH TO SERIOUS YOUTH VIOLENCE PREVENTION

RESOLVED:

1. That the overview of serious youth violence in Southwark be noted.
2. That the recommendations of the joint strategic needs assessment (JSNA) be accepted and the framework proposed herein for a public health approach to youth violence prevention in Southwark be adopted.

13. GATEWAY 1 PROCUREMENT STRATEGY APPROVAL - ARCHITECTURAL DESIGN SERVICES FRAMEWORK

RESOLVED:

1. That the procurement strategy for establishing an architectural design services framework, which is to be delivered by London Housing Consortium (LHC) in partnership with Southwark Council for a contract period of 4 years, commencing 8 April 2020, with the option to extend 1 year, for a forecast total contract value of

£52.5m, and £10.5m annually be approved.

2. That entering into a partnership agreement with LHC to govern the framework, commencing 10 November 2019 until a year after the end of the framework for reasons detailed in paragraphs 32 to 33 of the report be approved.
3. That the process for placing orders up to £2m under the framework once established, as detailed in paragraph 40 of the report be approved.
4. That it be noted that, subject to satisfactory review by the director of regeneration, LHC will be responsible for awarding a place on the ADS framework to successful bidders for the reasons detailed in paragraph 32 of the report.

14. HEALTHIER HIGH STREETS FRAMEWORK AND INDICATORS

Officers confirmed that the streets and roads included in recommendation 3 were not exclusive and that others could be included in the report back to cabinet.

RESOLVED:

1. That the healthier high street framework (Appendix 1 of the report) as Southwark's approach to making our high streets healthier places be agreed and the healthier high street (HHS) principles be embedded in the relevant programmes, to support both the day time and night time economy of the high street.
2. That the borough-wide indicators (Appendix 1 of the report) as the high-level indicators that will be used to monitor the progress of selected high streets be agreed.
3. That a report back be requested in twelve months to update on implementation of the HHS framework, how it supports delivery of other relevant strategies including the economic wellbeing strategy and asset management plan, as well as examples of application to key high streets (including the Blue, Borough High Street, Camberwell Church Road/Denmark Hill, Herne Hill, Lordship Lane, Lower Road, Peckham Rye, Walworth Road, and also the high street offer developing at Elephant and Castle and on Old Kent Road).

15. PUPIL PLACE PLANNING

RESOLVED:

1. That the updated forecasts of primary and secondary school places from 2019-2020 onwards set out in Appendices 8 and 10 of the report, be noted
2. That the existing supply of primary and secondary places across the council area, and the actions to continually monitor to ensure supply matches demand, be noted.

16. ANNUAL HOME CARE REPORT 2018-2019

Councillor Victoria Mills, having declared a non-pecuniary interest in respect in this item, withdrew from the meeting while this item was being discussed and a decision made.

RESOLVED:

1. That the mobilisation of contracts to providers who are compliant with the Southwark Ethical Care Charter (SECC) at a time of market fragility leading to provider failures and uncertainty about the impact of the EU Exit, be noted.
2. That it be noted that providers and the council continue to work closely together, to support continuous improvement and the whole system shift to a more inclusive partnership across the whole system and stakeholders.
3. That it be noted that the launch of the SECC (Appendix 1 of the report) care worker survey in November 2019 will establish the impact of the implementation of SECC principles on the work satisfaction of individual care workers.
4. That the proposal to procure supplementary providers as part of applying the lessons learnt from the monitoring of contracts be noted.

17. GATEWAY 1 - PROCUREMENT STRATEGY APPROVAL: ADDITIONAL CARE AT HOME PROVISION FOR ADULTS

Councillor Victoria Mills, having declared a non-pecuniary interest in respect in this item, withdrew from the meeting while this item was being discussed and a decision made.

RESOLVED:

1. That the procurement strategy outlined in the report be approved, with particular regard to:
 - a) Creating a North lot that will comprise an additional three care at home providers in the area and a South lot that will comprise an additional two care at home providers. This secures an equitable number of providers (seven) in the north and south areas of the borough. The proposed lots are to align with the Local Care Network (LCN) boundaries and the Primary Care Network.
 - b) The framework is for a period of up to four years until 2024, to align the additional five providers with the current Care at Home contracts. This alignment will provide further investment in the Southwark Ethical Charter at an estimated contract value of £7.4 million.
2. That the approval of award decisions (Gateway 2) for this be procurement be delegated to the strategic director of children's and adults' services in consultation with the cabinet member for children, schools and adult care.

18. APPOINTMENTS TO OUTSIDE BODIES 2019-20 - POTTERS FIELDS PARK MANAGEMENT TRUST

RESOLVED:

That Caroline Bruce, the council's strategic director of environment and leisure be appointed to the Potters Field Park Management Trust for 2019-20 to the one vacancy that remains for this outside body following the appointment of Councillor Rebecca Lury, deputy leader and cabinet member for culture, leisure, equalities and communities on 18 June 2019.

19. GATEWAY 3 - VARIATION DECISION: EXTENSION OF CONTRACT: ADULT INTEGRATED DRUG AND ALCOHOL TREATMENT SYSTEM

The report had not been circulated five clear days in advance of the meeting. The chair agreed to accept the report as urgent as the contract was due to expire on 3 January 2020 and there was a need to confirm the council's intentions to the provider at the earliest opportunity, prior to the current contractual expiry date. Any delay in the decision would not enable the council to provide reasonable notice to the contractor.

RESOLVED:

1. That the extension of the adult integrated drug and alcohol treatment system (AIDATS) contract with change, grow, live services limited (cgls; a wholly owned, non-charitable, trading subsidiary of change grow live; a registered charity delivering health and welfare services) for a maximum period of fifteen (15) months commencing on 4 January 2020 at a maximum contract value of £4,275,914, and including the revisions noted at paragraph 31 of the report, be approved.
2. That a monitoring report be submitted to cabinet on a quarterly basis.

19a. LEDBURY TOWERS ARUP STRUCTURAL SURVEY REPORT

The report had not been circulated five clear days in advance of the meeting. The chair agreed to accept the report as urgent as the cabinet had made a previous commitment to residents of the Ledbury Towers that all such reports would be shared with residents on receiving them. The report was shared with residents on 24 October 2019 and residents would want to know what action the council would now be taking following its receipt.

RESOLVED:

1. That the latest position with the Ledbury Towers be noted.
2. That it be noted that as agreed at their meeting on 16 July 2019 the final report due from Arup on the investigations was published upon receipt.
3. That the options appraisal process on the future of the Ledbury Towers be reopened and a further report be received setting out the outcome of the resident consultation on the options appraisal process, based on the same red lines used for previous options appraisal.

4. That it be noted that in any option there will be no loss of housing.
5. That a report comes to cabinet at the earliest opportunity responding to the points raised by the deputation.

19b. IMPACT OF BREXIT ON SOUTHWARK - PROGRESS REPORT

It was not possible to circulate this report five clear days in advance of the meeting. The chair agreed to accept this item as urgent as cabinet had requested a further progress report on Brexit impact and preparedness ahead of a further cross-party Brexit panel which was planned to take place shortly.

RESOLVED:

1. That the progress on ongoing local work in preparing for EU exit and the latest risk register for publication set out in Appendix 1 of the report be noted and officers be instructed to keep the register under monthly review.
2. That the cross-party Brexit panel be reconvened before the end of 2019 in the light of latest information available on EU exit.
3. That the ongoing delivery of the local communications strategy and continue to encourage residents to apply for EU Settled Status as early as possible be noted.
4. That the cabinet member for finance, performance and Brexit writes to the Rt Hon Brandon Lewis MP, Minister of State for Security and Deputy for EU Exit and No Deal Preparation, requesting more timely release of borough level statistics on EU Settled Status applications.
5. That a further progress report on EU exit planning is prepared for cabinet in January 2020.

EXCLUSION OF PRESS AND PUBLIC

That the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined 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.

20. MINUTES

The minutes of the closed section of the meeting held on 17 September 2019 were approved as a correct record and signed by the chair.

21. GATEWAY 3 - VARIATION DECISION: EXTENSION OF CONTRACT: ADULT INTEGRATED DRUG AND ALCOHOL TREATMENT SYSTEM

The cabinet considered the closed information relating to this item. Please see item 19 for the decision

The meeting ended at 6.30pm.

CHAIR:

DATED:

DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 17 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, WEDNESDAY 6 NOVEMBER 2019.

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.